

**BOROUGH OF CARROLL VALLEY  
REGULAR BOROUGH COUNCIL MEETING  
TUESDAY, DECEMBER 14, 2004 – 7:00 P.M.  
BOROUGH OFFICE**

**MINUTES**

Council President Laura L. Scudder called the meeting to order at 7:00 PM. She led the Pledge of Allegiance. The attendance was as follows:

**BOROUGH COUNCIL MEMBERS**

**Present**

Laura L. Scudder, President  
Roger W. Butt, Vice President  
Kristin S. Jones  
N. Kenneth Lundberg  
Raymond F. Rabenold  
Steven J. Semiatin  
Thomas P. Wolf

**BOROUGH OFFICIALS, ETC.**

James R. Becraft, Mayor  
Richard L. Hileman, Acting Borough Mgr.  
Barbara M. Hertz, Borough Secretary  
Howard Rodriguez, CEO/LDC  
Thomas R. Campbell, Solicitor

**CONSIDERATION OF MINUTES OF NOVEMBER 4, 2004 SPECIAL MEETING, NOVEMBER 9, 2004 REGULAR MEETING AND NOVEMBER 16, 2004 SPECIAL MEETING**

\*\*\*R. Butt moved, R. Rabenold seconded, that Council approve the minutes of the November 4, 2004 Special Meeting as presented. Motion carried unanimously.

Mr. Wolf asked for a correction to the November 9 minutes on Page 3, paragraph 5, the word "obtain" should be "avoid." \*\*\*R. Butt moved, S. Semiatin seconded, that Council approve the minutes of the November 9 Regular Meeting as amended. Motion carried with Mr. Lundberg abstaining since he was not present for the meeting.

The minutes of the November 16, 2004 Special Meeting were tabled until the next meeting due to an incomplete sentence on the first page.

**OPEN TO THE PUBLIC**

Stephanie McKinney, of Adams County Crime Stoppers, addressed Council regarding the purchase and installation of Crime Stoppers Signs in the Borough. The cost is \$14.75 each. Mayor Becraft suggested this proposal be brought before the Public Safety Committee at their next meeting on January 10<sup>th</sup>. Consensus was to reconsider the signs at the next Council meeting with the recommendation of the Public Safety Committee.

No one else wished to address Council at this time.

**ORDINANCES AND RESOLUTIONS**

**Proposed Ordinance #4-04 authorizing the Borough to join the Pennsylvania Municipal Health Insurance Cooperative and enter into an intergovernmental**

**agreement for the purpose of joining the PMHIC and to participate as a member of the PMHIC**

Mr. Hileman explained the requirement for the agreement to become a member, since the vision and dental insurance would become effective January 1, 2005. Ms. Scudder stated that rather than being self-insured the Borough would be part of a larger group for rate purposes. By using an insurance broker, Mr. Hileman felt there would be a benefit to the Borough. The Solicitor pointed out three items of importance. There is a clause regarding lawsuits over proper payment of premiums and the payment of legal fees by the losing party. He also mentioned confidentiality of personnel information if the cooperative would wish to audit the Borough records, and the agreement is a three-year commitment.

There was discussion regarding the cost to the Borough and to the employee. The proposal is for full coverage for the employee and an increase for dependent coverage from 50% to 80%.

Mr. Hileman said under medical insurance the Borough will be picking up two more employees who are adding dependent coverage.

\*\*\*K. Lundberg moved, R. Butt seconded, that proposed Ordinance #4-04 to approve the agreement to join the PMHIC be approved as presented. Motion carried unanimously.

**Proposed Resolution #26-04 regarding Employee Share of Medical, Dental and Vision Insurance**

This item was tabled until later in the meeting.

**Proposed Resolutions #27-04 and #28-04 regarding Pension Plan Contribution Exemptions**

Mayor Becraft had a question on the reference to an actuarial study. Consensus was to table these resolutions until this information can be checked.

**MAYOR'S REPORT – J. BECRAFT**

Mayor Becraft had no report.

**PLANNING COMMISSION REPORT – L. SCUDDER**

**Crest Subdivision Update.** Mr. Rodriguez reported that the developer has requested a six-month extension for submitting the final plan because the Army Corps. of Engineers has not presented a final determination on wetlands. He recommends granting the request with a 90-day extension from this date. Attorney Campbell felt it would be in the Borough's best interests to allow them time to complete the final plan submission.

\*\*\*S. Semiatin moved, R. Butt seconded, that Council grant the owners a 90-day extension to file the final development plan. Motion carried unanimously.

Mr. Rodriguez will draft the letter and have Mr. Campbell review it before sending.

**Sprinkler Ordinance Update.** Solicitor Campbell advised that there was a request for a continuance for the hearing by the PA Dept. of Labor and Industry but no date could be agreed upon. It will require a full day for witnesses. He said it is now scheduled for January 11, at 9 AM.

**Proposed Home Occupation Ordinance.** Mr. Rodriguez said the Pennsylvania Municipalities Planning Code had been amended to add home occupations with no impact to permitted uses. He also said there were questions on home daycare use, because the UCC addresses the issue. The Planning Commission recommends the changes in the proposed ordinance. It was noted that Mr. Semiatin had begun writing this ordinance when he was a member of the Planning Commission. Mr. Campbell pointed out some typographical errors on the draft, which Mr. Rodriguez will correct.

\*\*\*R. Butt moved, K. Lundberg seconded, that Council advertise their intent to consider and adopt the proposed Home Occupation Ordinance as presented. Motion carried unanimously.

**Lot Donation H-92.** Ms. Scudder said the Planning Commission recommended acceptance of this lot but was ambivalent with no strong feelings either way. After some discussion, consensus was not to accept the donation of Lot H-92.

## **PARKS, RECREATION AND MUNICIPAL SERVICES**

### **COMMITTEE/ENVIRONMENTAL ADVISORY COMMITTEE – R. HOLMES**

**Carroll Valley Parks, Recreation and Open Space Plan.** Mr. Holmes said the Committee has been working on the plan for about two years. A sub-committee, chaired by Mike McDonald, has been preparing the plan. Mr. Holmes had recently provided copies of the two most recent recreational surveys to Council members. It is his understanding from Rep. Maitland that the Borough will receive \$200,000+ in grant monies in the spring, with additional funds to come in two payments. Mr. Holmes said there is another grant application for money to be used for matching funds. There was discussion regarding the requirement for additional manpower and operating funds for larger parks. Mr. Semiatin said the plan presented to Council contained errors and holes and needs to be corrected before Council could approve it.

There was discussion regarding the PRMS Committee involvement in preparing the plan. Attorney Campbell said the Borough was told the grant projects could be revised by Rep. Maitland and he felt that information should be in writing. Mr. Semiatin stated in order for Council to consider the plan they need a revised, corrected version by the January meeting. Mr. Holmes said they would consider this at their next meeting.

**Speed bumps.** Mr. Holmes and Terry Weikert are reviewing PennDOT requirements and costs figures. Mr. Wolf asked that the information be presented to the Public Safety Committee on January 10<sup>th</sup>.

**Proposed Sale of Used Loader – Bid Tabulation.** There were five bids received and presented to Council in tabulation form. The highest bid was \$11,786.51 from C & R Landscaping of Gettysburg.

\*\*\*K. Lundberg moved, R. Butt seconded, that the sale of the used loader be awarded to C & R Landscaping for \$11,786.51. Motion carried unanimously.

### **STANDING COMMITTEE REPORTS**

#### **Public Safety Committee – T. Wolf, Chairman**

Mr. Wolf reported that a meeting is scheduled for January 10, 2005 at 7 PM.

#### **Community Relations Committee – R. Butt, Chairman**

Mr. Butt said this Committee would be contacting the community to solicit their information regarding future Borough projects.

#### **Finance Committee – T. Wolf, Chairman**

Mr. Wolf said the Committee would be meeting to set the schedule for the 2006 budget preparation and this will probably be in February or March.

Mr. Wolf stated the Committee feels the year-end equity will be better than planned.

The financial consultant, Gordon Walker, has not yet made his Act 537 Plan recommendation.

### **AD HOC COMMITTEE REPORTS**

**Committee for Grants – S. Semiatin, Chairman.** Mr. Semiatin reported on a meeting with Rep. Maitland, Rick Hileman, Laura Scudder and himself on Dec. 3. He said the Borough would receive \$223,000 from DCNR this fiscal year and the requirement for matching funds was waived for park uses. The DCED grant may not be available until next fall, and Rep. Maitland will check if this grant can be used for a Borough office building. There was discussion on the maintenance costs for a park if used by residents of other municipalities. A regional planning meeting is being planned for January or February. Rep. Maitland must receive a final prioritized list of projects by May 1<sup>st</sup>. Mr. Semiatin called the DCNR representative to discuss the scope of work. A project manager will contact him. Rep. Maitland did not consider the Lion Trail bridge project as high a priority as recreational parks.

Mr. Semiatin stated Council needs to discuss the final list of priorities for grants, and the Grants and Community Relations Committees need to work together.

There was discussion regarding the recreational surveys in relation to the Parks, Recreation and Open Space Master Plan.

**Committee for Negotiations with Ski Liberty – T. Wolf, Coordinator.** Mr. Wolf said there would be a meeting the next day with Ski Liberty.

**Report of Search Committee for Borough Manager – L. Scudder.** Ms. Scudder reported some of the nine applicants have been interviewed. She said they advertised in professional publications.

## **CONSENT AGENDA**

Ms. Jones asked that the List of Checks be removed from the Consent Agenda.

\*\*\*K. Lundberg moved, R. Butt seconded, that Council approve the Consent Agenda with the List of Checks item removed. Motion carried unanimously.

Ms. Jones said some personal information is showing on some of the checks listed. She feels this should not be included.

\*\*\*K. Jones moved, R. Butt seconded, that Council approve the List of Checks for November 2004 as presented. Motion carried unanimously.

## **ADMINISTRATIVE BUSINESS – ACTING BOROUGH MANAGER**

Mr. Hileman circulated a memo with information on the status of the agenda items.

**Status of Union Negotiations.** The Union negotiations are proceeding.

**Status of Sprinkler Ordinance Challenge.** The hearing is scheduled for January 11, 2005 at the Borough Office.

**Action to establish 2005 Holiday Schedule.** Mr. Hileman said there are two additional holidays, Good Friday and Veterans Day. A general survey of other municipalities was distributed. He proposed that the two floating holidays normally included be designated personal days and incorporated into the new personnel manual to be written.

\*\*\*R. Butt moved, K. Lundberg seconded, that Council approve the 2005 holiday schedule as presented. Motion carried unanimously.

**Action to establish 2005 Meeting Schedule.** Consensus was to continue meeting the second Tuesday after the first Monday.

**Update on Sewer Plant Construction.** Mr. Hileman said the order to proceed has been given and the project should be completed by the end of February.

**Proposed Amendment to Stormwater Ordinance.** Mr. Hileman noted this amendment is to change the fee structure and processing of the Stormwater Management Plan applications. Mr. Rodriguez explained that the first step in review would now be completely the responsibility of the applicant taking some of the responsibility from the Borough. \*\*\*K. Lundberg moved, R. Butt seconded, that Council advertise their intent to consider and adopt the proposed amendment to the Stormwater Ordinance as presented. Motion carried unanimously.

Attorney Campbell will advertise this ordinance amendment for consideration at the February 2005 meeting.

**PennDOT Right-of-way.** The Acting Borough Manager advised Council that he had just received information regarding a right-of-way request for reconstruction of the Spring Trail Bridge by PennDOT.

### **UNFINISHED BUSINESS**

The Council President is arranging a Joint Planning Meeting with the adjacent municipalities and will report further after the new year begins.

Attorney Campbell stated the Home Occupation Ordinance is part of the Zoning Ordinance in the Borough Code requiring review by the Adams County Office of Planning and Development and a public hearing. He will advertise the public hearing for the February 2005 meeting.

### **NEW BUSINESS**

Mr. Wolf made some comments regarding the recent Borough Christmas Party commending JoAnn Myers for planning the event. He noted only two Council members attended.

### **EXECUTIVE SESSION**

\*\*\*R. Rabenold moved, R. Butt seconded, that Council go into Executive Session to discuss personnel and legal matters at 8:40 PM.

There was a five-minute break.

### **OPEN SESSION**

Council opened the meeting to the public at approximately 9:40 PM. Ms. Scudder stated that during the executive session Council discussed personnel and legal matters.

\*\*\*R. Butt moved, R. Rabenold seconded, that Council authorize Council President Laura Scudder to sign the union contract. Motion carried unanimously.

\*\*\*K. Lundberg moved, R. Butt seconded, that Council approve Resolution #26-04 regarding Employee Share of Medical, Dental and Vision Insurance as presented. Motion carried unanimously.

\*\*\*T. Wolf moved, R. Butt seconded, that Council appoint Gayle R. Marthers to the position of Assistant Borough Secretary/Bookkeeper. Motion carried unanimously.

\*\*\*R. Butt moved, K. Jones seconded, that Council authorize the Solicitor to prepare a letter to Michael McDonald regarding his status in applying for Borough grants. Motion carried unanimously.

Consensus was to authorize the Council President to contact Rep. Maitland and advise him that Steven Semiatin is the Chairman of the Committee for Grants.

Mr. Hileman advised Council that he would present all the documents for employee health deductions, etc. at the special meeting on December 20<sup>th</sup>.

Mr. Hileman also advised that he would be applying for grants for the Police Department as he has in past years.

**ADJOURNMENT**

The meeting was adjourned at 9:53 PM.

**REGISTER OF ATTENDANCE**

The Register of Attendance is attached hereto, numbered as Page 8, and made a part of the Official Minutes.

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Barbara M. Hertz, Borough Secretary