

**BOROUGH OF CARROLL VALLEY
REGULAR COUNCIL MEETING
TUESDAY, APRIL 13, 2004 – 7:00 P.M.
BOROUGH OFFICE**

MINUTES

Council Vice President Thomas P. Wolf called the meeting to order at 7:00 P.M. Mr. Wolf led the Pledge of Allegiance. The attendance was as follows:

BOROUGH COUNCIL MEMBERS

Present

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

Absent

Gordon B. Lamb, President

BOROUGH OFFICIALS, ETC.

James R. Becraft, Mayor
Hilary R. Fortenbaugh, Borough Manager
Barbara M. Hertz, Borough Secretary
Richard L. Hileman, Police Chief
Thomas R. Campbell, Solicitor

CONSIDERATION OF MINUTES OF MARCH 9, 2004 REGULAR MEETING

The drafted minutes provided to all Council members had been changed by Mr. Wolf for the final consideration at the meeting. Ms. Scudder requested the deleted sentence in the last paragraph of Page 5, "There was discussion of rezoning the McCleaf Farm." be reinserted. Ms. Scudder moved that draft minutes no longer be on the website. There was no second to the motion.

***S. Semiatin moved, K. Lundberg seconded, that the minutes of the March 9, 2004 Regular Meeting with the reinsertion of the sentence be approved. Motion carried unanimously.

ORDINANCES AND RESOLUTIONS FOR COUNCIL ACTION

Resolution #6-04 Establishing Fees for Services to be provided in the Collection of Delinquent Accounts

This resolution was to revise the existing procedure to cover attorney fees when filing municipal liens for whoever is the current Borough Solicitor explained Mr. Campbell.

***K. Lundberg moved, R. Butt seconded, that Council approve proposed Resolution #6-04 regarding collection of delinquent accounts as presented. Motion carried unanimously.

Resolution #7-04 in Honor of John Washburn

The Borough Manager said the resolution was not ready for this meeting. Consensus was to table the resolution until the next meeting.

Resolution #8-04 Establishing Mission Statements for Standing Committees

Members had been provided with a draft. This resolution also was not yet completed and consensus was to table until the next meeting.

OPEN TO THE PUBLIC

Mr. Michael McDonald, member of Parks, Recreation and Municipal Services Committee, advised Council that in working on a grant application for future parks he would need a site design plan for which \$40,000 was requested. He said the PA DCNR has grant funds up to \$300,000. Mrs. Fortenbaugh said the site plan funds would need to be allocated from the Capital Reserve Fund. The Borough Manager said this would fall under professional services. After some discussion, Mr. McDonald was told to bring three bids to Council for the site plan design and the scope of work for the bids. Council would then consider and make a decision on the information.

Mr. McDonald felt the PR&MS Committee needed to be consulted when lots are being considered for donation to the Borough. He was interested in the Planning Guidelines for Acquisition and Disposal of Lots and was provided with a copy, which was approved later in the meeting. Mr. McDonald mentioned the Land Trust of Adams County might be interested in some of the areas. He also said the Comprehensive Plan should be updated to locate parks, walkways, etc.

Dr. John Ounan, 25 Valley View Trail, addressed the issue of a coat of arms for the Borough and had some samples. This matter was forwarded to the Community Relations Committee.

MAYOR'S REPORT/PUBLIC SAFETY – J. BECRAFT

Request for Police Budget Amendment. Mayor Becraft and Chief Hileman advised that Cpl. Powers would be on unpaid leave for active military duty for a month during May. The request was to adjust the budget to increase the hours for the part-time officer and the overtime budget items to cover 40 hours per week by the other police officers.

***R. Butt moved, L. Scudder seconded, that Council approve the amendment of the police budget as requested.

Mr. Wolf had some questions and was told by the Chief that under federal statutes there is a choice between unpaid leave and paid accrued leave. He asked about covering such costs if an officer were off the job for an extended period and was told by the Mayor in that case additional funds would need to be budgeted. Mrs. Fortenbaugh advised that it would not be necessary to make payroll adjustments in this case and Mr. Butt withdrew his motion.

Bridge Repair at Spring Trail. Mayor Becraft reported he contacted PennDOT to verify the bridge repair is still on the Transportation Improvement Plan, and learned it has been rescheduled to 2005.

Delivery of Meeting Packets. Mayor Becraft had sent a letter to the Council President regarding delivery of meeting packets by the police. In response to the letter, the Borough Manager said the packets are now being delivered by the MS employees and placed at the door if the stormdoor is unlocked. Mr. Butt will pick up his packet. This is to try to avoid placing packets in mailboxes. After discussion, consensus was to use this delivery system to see how it works out.

PLANNING COMMISSION REPORT – L. SCUDDER

Planning Guidelines for Acquisition and Disposal of Lots. The policy was circulated to Council and Mr. Semiatin and Mr. Wolf both commented that it was very well written. Ms. Scudder reviewed some of the points in the policy. Mr. McDonald asked to have the information on donations provided to the PR&MS Committee.

***L. Scudder moved, S. Semiatin seconded, that Council approve the Planning Guidelines for Acquisition and Disposal of Lots as presented. Motion carried unanimously.

The Crest Status Report. Ms. Scudder said they met with the developers along with the Borough Engineer and Solicitor. Mr. Campbell said a hearing is not required but it might be a good idea to advertise and hold a public hearing. Because of the time frame to make a decision within 90 days, Mr. Campbell said Mr. Rodriguez should arrange an extension with the developers.

Request to Purchase Borough Lot RI-118 by Timothy Brewer owner of RI-119. This information was provided to Council but no action was taken at this time.

Request to Purchase Borough Lot WA-404 by Michael Collins owner of WA-400/401. The Borough Manager explained that the request was discussed with the possibility of a trade (Lot R-119 or R-12) for the Borough lot. Consensus was for Mrs. Fortenbaugh to continue discussing this matter further with Mr. Collins.

Ms. Scudder announced the resignation of Melodie Taylor from the Planning Commission. She asked anyone interested to contact Mrs. Fortenbaugh. Mr. McDonald stated he would like to be considered.

Mr. Semiatin asked the status of the sprinkler ordinance. Ms. Scudder said the Commission has started to draft it. Mr. Wolf said he attended the last PC meeting and the ordinance is a high priority for them.

Mr. Campbell asked when Council wants to schedule a public hearing on The Crest Development Plan. Consensus was to schedule a special Council meeting for this purpose on May 18 at 7 P.M.

STANDING COMMITTEE REPORTS

Public Safety Committee – T. Wolf

As Chairman of this committee, Mr. Wolf presented an outline of the responsibilities of this advisory committee. He also submitted a list for appointment to the committee with terms to be staggered and the Mayor an ex-officio member.

***K. Lundberg moved, L. Scudder seconded, that Council approve the responsibilities and membership of the Public Safety Committee as presented: Thomas Wolf – 2004, Neal Abrams – 2005, Kristin Jones – 2006, Jeff Frank – 2007 and Neal Wuethrich – 2008. Motion carried unanimously.

Community Relations Committee – R. Butt

Mr. Butt read a list of the responsibilities of the committee to improve communications and information to the public. As Chairman, he submitted the names and terms of three members. The committee will meet quarterly.

***K. Jones moved, S. Semiatin seconded, that Council approve the responsibilities and membership of the committee as presented. Roger Butt – 2004, Kristin Jones – 2005, John Butcher – 2006, and Dr. John Ounan – 2007. Motion carried unanimously.

Finance Committee – G. Lamb

Mr. Lamb was not present. Mr. Wolf read from a committee report regarding the holding tank charge of \$34.72/per 1,000 gallons. He said the committee was satisfied with the explanation of the charge calculation provided by Mr. Rodriguez. The committee reviewed the request by Terry Weikert to purchase a loader and recommends the allocation of funds for equipment.

AD HOC COMMITTEE REPORT

Committee for Grants – S. Semiatin, Chairman

Mr. Semiatin submitted the following for the committee: Bruce Lefeber, Dorothy Corbin, Michael McDonald, and Barbara Semiatin. The purpose is to research and locate grant monies that are available for Carroll Valley projects and submit information to Council. The first meeting will be May 1 and they hope to meet quarterly reported Mr. Semiatin.

Committee for Negotiations with Ski Liberty – T. Wolf, Coordinator

Mr. Wolf had contacted Ski Liberty Manager, Eric Flynn, with regard to a meeting later after the ski season. He suggested the committee members meet on April 20 at 10 AM to discuss the future meeting with Ski Liberty.

CONSENT AGENDA

***R. Butt moved, K. Lundberg seconded, that Council approve the Consent Agenda as presented. Motion carried unanimously.

ADMINISTRATIVE BUSINESS – BOROUGH MANAGER

Proposed Ordinance to Adopt UCC Regulations

The ordinance would put the Borough in compliance with State regulations regarding building codes and enforcement of the codes.

***L. Scudder moved, R. Butt seconded, that Council advertise their intent to consider and adopt proposed Ordinance on UCC Regulations. Motion carried unanimously.

Act 537 Plan

The proposed plan was circulated with a schedule of dates in the review and adoption process.

***L. Scudder moved, K. Jones seconded, that Council forward the proposed Act 537 Plan to the Planning Commission for review and comment. Motion carried unanimously.

Algae Treatment for Lake Kay

The Borough Manager had received a proposed contract from Aquatic Environmental Consultants, Inc. in the amount of approximately \$4,000. This is the same company who has been treating the lake for several years.

***K. Lundberg moved, R. Butt seconded, that Council approve the contract to treat Lake Kay for algae as submitted. Motion carried unanimously.

Bid Advertisements for Road Materials

Mrs. Fortenbaugh said the advertisements for the annual road program are for fuel, road oils, stone, and paving materials.

***R. Butt moved, K. Lundberg seconded, that Council approves advertising for road materials as presented. Motion carried unanimously.

Purchase of Loader

The Municipal Services Foreman had a proposal to purchase a loader under state contract in the amount of \$95,742. The state contract is much lower than to go for bids stated Mr. Lundberg.

***R. Butt moved, K. Lundberg seconded, that Council approve the purchase of the loader as presented. Motion carried unanimously.

Parks & Recreation Capital Improvements Spending Plan

This spreadsheet was provided for information.

PennDOT Traffic Study on RT16

The Borough Manager reported that PennDOT has lowered the speed limit to 45 mph in a 500 ft. zone at the intersection of RT116. Chief Hileman felt the zone should be changed slightly.

UNFINISHED BUSINESS

Mr. Wolf apologized for the misunderstandings last month when he read the guidelines for the Planning Commission. He felt the items are important to the Council.

Website Status Report – L. Scudder

Ms. Scudder reported that designers were interviewed and one person was chosen for this job. She will be continuing with preparation of a newsletter and had some information on placing it in the Emmitsburg paper.

NEW BUSINESS

***L. Scudder moved, R. Butt seconded, that Council discontinue publishing drafted minutes. Motion carried by roll call vote (Butt, Jones, Lundberg, Scudder – yea; Semiatin, Wolf – nay.)

Adams County Earned Income Tax Collection Agency

Mr. Butt announced he would be attending a meeting of the Agency scheduled for April 20th. He also stated all Boroughs are being charged the same collection fee.

Mr. Wolf said he attended the PSAB Training for new Council members. He found it excellent and learned a lot.

Resignation Letter from Gordon Lamb

Mr. Wolf read a letter from Mr. Lamb in which he resigned from Council effective immediately. Nominations for appointment to this Council seat will be considered at the May meeting. The election of Council President will take place after the appointment.

OPEN TO THE PUBLIC

Mr. Michael McDonald commented consideration should be given to park athletic field use by the whole Fairfield School District in community relations and the newsletter. He said consideration should be given to expending \$40,000 from the Capital Improvements Plan for the park site plan. Mr. McDonald said he has applied for PennDOT grants to have road improvements done at various intersections. There will not be an answer on the grants until fall.

Ms. Scudder advised those present that there is a website design service available for community organizations through www.myfairfield.net.

Mr. Campbell said in light of the resignation of Mr. Lamb, Council should take action to revise the resolution passed at this meeting to have it signed by Mr. Wolf, Vice President.

***R. Butt moved, K. Lundberg seconded, that Council amend Resolution #6-04 passed at this meeting to have the signature approval by the Vice President. Motion carried unanimously.

There was a drainage problem brought to Council's attention by Dr. Ounan and Ms. Corbin.

Mr. Wolf wanted to express his personal regret that Mr. Lamb resigned from Council and felt he was interested in the good of Carroll Valley and was dedicated. He will be missed.

ADJOURNMENT

The meeting was adjourned at 9:04 P.M.

ATTENDANCE REGISTER

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

Barbara M. Hertz, Borough Secretary