

**BOROUGH OF CARROLL VALLEY
REGULAR COUNCIL MEETING
TUESDAY, MARCH 9, 2004 – 7 P.M.
BOROUGH OFFICE**

MINUTES

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

BOROUGH COUNCIL MEMBERS

Present

Gordon B. Lamb, President
Thomas P. Wolf, Vice President
Kristin S. Bargelski
Roger W. Butt
Laura L. Scudder
Steven J. Semiatin

Absent

N. Kenneth Lundberg

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 FEBRUARY 10, 2004 REGULAR MEETING

***R. Butt moved, S. Semiatin seconded, that Council dispense with the reading of the minutes and Council approve the minutes of the February 10, 2004 regular meeting as presented. Motion carried unanimously.

ORDINANCES AND RESOLUTIONS

Resolution #5-04 Resetting Fee for Holding Tank Pumping

Mr. Lamb stated that the resolution was approved at the last meeting to reset the holding tank pumping fee to \$34.72 per 1,000 gallons and approval to ratify the resolution is now before Council. Mr. Lamb said the matter is to be discussed at the Finance Committee meeting later this month. Ms. Scudder pointed out that the word “gallons” needed to be inserted after “1,000” in the resolution.

***R. Butt moved, T. Wolf seconded, that Council approve the ratification of Resolution #5-04 with the insertion of “gallons” as pointed out. Motion carried unanimously.

OPEN TO THE PUBLIC

Ms. Dorothy Corbin, 22 Lakeview Trail, asked Council to provide a full packet of meeting information to the people in attendance. After discussion, consensus was to post information in the office for public view and the Borough Manager was directed to report to Council with suggestions as to what information is appropriate.

Mr. Michael McDonald, 31 Connie Trail, related information regarding a Gil Pringle and an organization he heads which addressed the Adams County Green Ribbon Committee

to sell an idea. He said Mr. Pringle has named Mayor Becraft as a member of his group. Mr. McDonald further asked if this is a conflict of interest and are the Mayor and Council in agreement on certain issues. The Mayor said he does not represent the Borough on any matters of policy that have not first been before Council and that is standing policy. Because last month the Council President had made a statement regarding development in Liberty Township, which some Council members were unaware of before hand. There was some discussion and exceptions taken between Mayor Becraft and Councilman Wolf.

MAYOR'S REPORT/PUBLIC SAFETY – J. BECRAFT

Police Chief's Annual Report

Chief Hileman gave a Power Point presentation with statistics for 2003, which lasted approximately 15 minutes. There was interest in snowboard thefts at Ski Liberty and Chief Hileman explained what happens and the difficulty in tracing stolen snowboards. Other incidents that occur at Ski Liberty were reported by Chief Hileman, including counterfeit tickets.

Mayor Becraft announced the Adams County Boroughs Association meeting is scheduled for March 15.

Planning Commission Report – L. Scudder

Ms. Scudder said the Planning Commission reviewed information regarding the Stormwater management program that encouraged recombination of lots authorizing the Borough to pay the engineering fees. She reported that the Commission feels this policy is no longer appropriate because new regulations require more property to meet the per standards and recommends it be rescinded.

***L. Scudder moved, K. Bargelski seconded, that Council rescinded the resolution that established the policy to have the Borough pay Stormwater fees for owners of recombined lots.

Mr. Semiatin asked Ms. Scudder to explain. She said that the Borough felt it was important to encourage building on multiple lots for various reasons. Since then the Stormwater Ordinance has been revised and the policy has outlived its usefulness as an incentive because there are other matters requiring recombinations. Mrs. Fortenbaugh stated she agreed with the Planning Commission.

Motion carried unanimously.

Ms. Scudder will present the recommendation of Planning Commission regarding Guidelines for Donations at the next Council meeting.

Sewer & Water Authority

Mr. Lamb said it was with regret Council accepted the resignation of John Washburn, the Chairman of the Authority. Mr. Lamb noted he spent many years and hours devoted to the Authority and will be missed. He asked that a letter be sent to Mr. Washburn in

appreciation of his service. Ms. Scudder suggested that since Mr. Washburn was the Chairman of the Authority, Council should approve a Resolution of appreciation and the Borough Manager was asked to prepare the Resolution for the next meeting.

CONSENT AGENDA

Mr. Lamb said the Finance Committee Report was not included. Mr. Semiatin asked to see the minutes of the Planning Commission on the consent agenda. Mr. Butt also wanted to see minutes. Mrs. Fortenbaugh felt the committees should be allowed to review and approve minutes before they are distributed. Mr. Lamb said a summary or status report would suffice. Mr. Butt asked to be provided with minutes until such time as they are on the webpage.

***R. Butt moved, T. Wolf seconded, that the Consent Agenda be approved as presented. Motion carried unanimously.

ADMINISTRATIVE BUSINESS – BOROUGH MANAGER

Pavilion Rental Fee and Fish Derby

The Borough Manager reported that the Roads & Parks Advisory Committee is arranging for a youth organization to hold a breakfast the morning of the Fish Derby and asks Council to waive the reservation fee. Consensus was to approve the request.

Mr. Lamb was concerned that the Fish Derby not infringe on the private property owners and that care be taken for the safety of the children. Ms. Fortenbaugh said they are arranging for volunteers to supervise. Mr. Robert Holmes, Chairman, said there would be a tank for the smallest children to fish, the 4 – 6 graders will fish the stream and the older children will be at the park side of the lake.

Park and Building Repairs

Mrs. Fortenbaugh provided cost figures for the repairs approved at the previous meeting. The capital reserve funds for restroom repairs would be \$2500. Consideration is being given to replacing the baseball backstop costing \$4000 she said.

Seasonal Staff

Mrs. Fortenbaugh requested a third person to do seasonal mowing. This would be to assist Russ Walker in the park mostly. Consensus was to hire someone for this position.

Police Request for Capital Expenditures

A memo to Council asking for allocation of capital reserve funds in the amount of \$27,700 for a used police vehicle and equipment, an in-car camcorder, computer, software, radio and some related equipment was reviewed. There was discussion about the type of vehicle requested. Mr. Lamb said the recommendation of the Finance Committee was that requests for capital items be approved with the caveat that each individual item be purchased through a purchase order and the Borough Manager brings it to Council with a recommendation. The exception being items under \$1500. Chief Hileman prepared the list of items for Council approval and the Borough Manager asked for permission to proceed with the purchases.

***R. Butt moved, S. Semiatin seconded, that Council approve the request for allocation of \$27,700 for the items listed. Motion carried unanimously.

UCC Update

The Borough Manager said an ordinance to adopt the UCC would be prepared for review at the next meeting.

Municipal Services Building

Ms. Fortenbaugh advised Council that a letter is being sent to the contractor for the new building to make some corrections and repairs.

UNFINISHED BUSINESS

Establishment of Standing and ad hoc Committees

***T. Wolf moved, R. Butt seconded, that Council lifts from the table the item to establish committees. Motion carried unanimously.

***T. Wolf moved, S. Semiatin seconded, that Council establish a Parks, Recreation and Municipal Services Committee, which will replace the current committee, consist of the same members and the committee selects their own chairman.

Mr. Wolf stated that based on previous discussion the plan would be to divide the committee at a later time and in the meantime recruit 8 more members.

Motion carried unanimously.

Mr. Lamb said by state law there must be an Environmental Committee. There are three members from the original committee that will be retained and meet with the new Parks, Recreation and Municipal Services Committee.

***R. Butt moved, T. Wolf seconded, that an Environment Committee be established with the three current members to meet with the Parks, Recreation and Municipal Services Committee. Motion carried unanimously.

***T. Wolf moved, S. Semiatin seconded, that a Public Safety Committee be established, and a chairman appointed who would report to Council in April with recommendations for members.

There was some discussion on the purpose of a Public Safety Committee. Mr. Wolf said it is based on what is done in some other communities.

Motion carried unanimously.

***T. Wolf moved, S. Semiatin seconded, that a Community Relations Committee be established with a chairman appointed who would report to Council in April with recommendations for members. Motion carried unanimously.

Mr. Lamb appointed Tom Wolf to serve as Chairman of the Public Safety Committee and Roger Butt to serve as Chairman of the Community Relations Committee. There were no objections.

Mr. Wolf proposed a Chairman be appointed for an ad hoc committee for grants. The office staff will provide assistance. Mr. Lamb appointed Steve Semiatin to Chair the committee.

Ms. Scudder said the standing committees should have some structure and the number of members should be established. Mr. Wolf said no they were not going to do that. At the next meeting the Chair will come back with the number of members and whom he recommends to appoint.

Mr. Michael McDonald said he has been working with the Planning Commission on updating the 5-year park plan and said he doesn't know what the other committees are doing. He recommended meetings between the committees for planning purposes. Mr. Wolf said come to Council meetings because all the committees will be reporting and the minutes will be on the website. There was discussion on what comes first a plan or committee discussions.

Mr. Wolf also said they were establishing an ad hoc committee for negotiations with Ski Liberty. Mr. Lamb appointed the members of this committee to be made up of Council President, Vice President, Mayor and Borough Manager. There were no objections. The mission statement said Mr. Wolf is to work on an arrangement for the Borough to be compensated to some extent for amusement tax.

Committee Guidelines

Mr. Wolf said the Council guidelines for the Parks, Recreation and Municipal Services Committee are (1) recruit up to 8 new members in the next 2 to 3 years, (2) survey citizens for desired recreational activities, (3) develop a comprehensive recreation plan with emphasis on seniors and adults by November 2004 for inclusion in the 2005 budget and as an addition to the Borough Comprehensive Plan, (4) develop projects for the Grant Committee and (5) review employment levels in Municipal Services.

Mr. Wolf said the guidelines for the Planning Commission are (1) prepare a draft of sprinkler ordinance for the April meeting of Council, (2) provide Council for May meeting with recommendations on minimum square footage for residential buildings, (3) provide Council with a plan to revise and update land use portion of CV ordinance by May Council meeting, and (4) prepare inventory of current parcels and identify potential commercial property by August 1, 2004 and the date is negotiable. There was discussion of rezoning the McCleaf Farm. Mr. Wolf said there were campaign promises to look for areas for commercial development to raise the tax base of Carroll Valley. Mayor Becraft stated that was not part of his campaign.

Ms. Bargelski felt the guidelines should be in general terms. Ms. Scudder said they will do their best but they have other matters also on their agenda.

Mr. Lamb asked the Solicitor if they need a motion to adopt the guidelines as official policy of the Council. Mr. Campbell said Council can ordain what they are to do but he felt the committees and guidelines should be established by resolution. All Council members should see a copy of what guidelines are being proposed and more formally adopted by a resolution or motion. Mr. Lamb directed that the guidelines and scope of activities for the committees be prepared in the form of a Resolution for the April meeting. Mr. Campbell suggested an advertised open work session to get the detail work done.

Rules for Calling Council Meetings

The solicitor had reviewed the proposed rules and agreed that Council is permitted to adopt their own rules provided they are in compliance with the PA Borough Code and the Sunshine Law. He said the definitions in the rules should be as in the Sunshine Act verbatim.

***T. Wolf moved, S. Semiatin seconded, that Council retain the procedure in the PA Borough Code and the Sunshine Act for calling special meetings.

There was discussion with regard to scheduling special meetings.

The motion carried with Ms. Scudder and Mrs. Bargelski voting nay.

NEW BUSINESS

Website

***T. Wolf moved, S. Semiatin seconded, that all committee minutes in draft form, clearly annotated as draft form, be posted on the web three weeks after the meeting or earlier and all committee agendas be posted by Friday before meetings.

Ms. Bargelski agreed with posting the agendas but felt that minutes should not be opened up to the public before Council has approved them. Mr. Campbell felt it was a bad idea to post draft minutes and best to make them official first. Mrs. Fortenbaugh asked Council to remember that one person in the office is responsible for minutes for three committees. Mr. Butt also felt it was not a good idea to put minutes out to the public but Council could have the drafts provided. Mr. Semiatin suggested a trial period of three months and then reevaluate the matter. There was further discussion.

The motion passed with Lamb, Semiatin and Wolf voting yea, Bargelski and Scudder voting nay, and Butt abstaining.

Ms. Scudder provided an outline of the items that could be available on the website. She also suggested hiring an Internet Technician to assist in setting up a new website before the actual content can be made available. It will take between 40-60 hours for the design and setup costing approximately \$1800-3000. She had two people from Carroll Valley

who would be interested. After discussion, Mr. Campbell was directed to advise Council on whether this would be a professional service and should be advertised. Later in the meeting Mr. Campbell said it would not be necessary to advertise.

Billboard

Mr. Wolf said several Council members are concerned because the billboard is not updated as quickly as they feel it should be. Meetings are sometimes on for a week or 10 days after the event has taken place. Mrs. Fortenbaugh suggested a different approach by listing a month's worth of meetings with dates being changed monthly. Consensus was to follow this plan and see if it works.

Mrs. Bargelski is getting Ski Liberty to provide banners and radio time to inform the public of meetings, events, etc.

Letter to adjacent municipalities regarding regional cooperation

Mr. Lamb had suggested a meeting with surrounding municipalities to discuss items that might be of a regional nature, etc. comprehensive plan, equipment utilization, UCC inspections. He asked for consensus of Council for him to send such a letter. Mrs. Bargelski asked to see the letter before it is mailed. He said he would email it to her.

Mr. Lamb announced that the Fairfield Fire & EMS are holding an awards banquet on the 20th of the month and asked if anyone would like to attend.

Mr. Lamb asked that copies of the Comprehensive Plan be made available to Borough officials.

Mr. Campbell said the proposed website design work would not need to be advertised for bid since it would be under \$3,000. Consensus was for Ms. Scudder and the Borough Manager to interview and proceed with the website.

OPEN TO THE PUBLIC

Michael McDonald asked the solicitor if there are ordinances limiting the number of members on committees. He also was concerned that the ad hoc committee to deal with Ski Liberty might influence the committee working with Ski Liberty on dredging Lake Kay. Mr. Lamb and Mr. Wolf said no that would not be the case.

ADJOURNMENT

The meeting was adjourned at 9:31 P.M.

ATTENDANCE REGISTER

The Attendance Register for this meeting is hereby attached, numbered as Page 8 and made an official part of the minutes.

Barbara M. Hertz, Borough Secretary

