

**BOROUGH OF CARROLL VALLEY
REGULAR BOROUGH COUNCIL MEETING
TUESDAY, NOVEMBER 9, 2004 – 7:00 P.M.
BOROUGH OFFICE
MINUTES**

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

BOROUGH COUNCIL MEMBERS

Present

Laura L. Scudder, President
Roger W. Butt, Vice President
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
Terry Weikert, MS Supervisor

Absent

Kristin S. Jones

CONSIDERATION OF THE MINUTES OF THE OCTOBER 12, 2004 REGULAR COUNCIL MEETING

***R. Butt moved, K. Lundberg seconded, that Council accept the minutes of the Regular Council Meeting of October 12, 2004 as presented. Motion carried unanimously.

OPEN TO THE PUBLIC

No one wished to address Council at this time.

PRESENTATION BY ERIC FLYNN, SKI LIBERTY GENERAL MANAGER

Mr. Flynn addressed the Lake Kay Feasibility Study. He asked if any Council members had questions. He initially met with Robert Holmes, Owen Rosensteel and Bill Devlin of the Parks, Roads and Municipal Services Committee. They discussed the problems with the lake and options to solve the problems. They requested cost proposals to have a feasibility study and received three proposals. The proposal from ARM was the most complete and Ski Liberty offered to fund the study. Mr. Flynn forwarded the study to Council members in October.

There was some discussion regarding use of chemicals, flushing the lake during winter, adding aerators, silt removal, etc. A sub-committee was appointed to look at the options for next spring. Ms. Scudder appointed Eric Flynn, Bob Holmes, Tom Fitzsimmons, and Howard Rodriguez, ex-officio. This committee will be meeting soon. Consensus was to authorize recommendation #5, aeration procedure. Mr. Wolf suggested the ad hoc Committee for Negotiations with Ski Liberty should meet soon with Mr. Flynn and he agreed

MAYOR'S REPORT – J. BECRAFT

Waste Hauling Contract. The Mayor circulated information regarding the contract and recommended extending it for one year. He said the inflation adjustment would increase the rate by \$1.30 per unit per month, \$15.60 per year. Mr. Becraft felt this was reasonable and would allow time to bid out another joint contract with Fairfield Borough and Hamiltonban Township.

***T. Wolf moved, R. Butt seconded, that the current contract with Waste Management be extended one year with the cost increase requested. Motion carried unanimously.

PLANNING COMMISSION REPORT – L. SCUDDER

Ms. Scudder reported the Commission did not meet.

PARKS, ROADS & MUNICIPAL SERVICES/ENVIRONMENTAL ADVISORY COMMITTEE REPORT – R. Holmes

Mr. Holmes was not present so Mr. Hileman reported. **Pavilion Fee Increase.** The Pavilion rental fee increases were discussed again. Consensus was to charge lower fees for Residents, Open Pavilion \$30, Inside without Kitchen \$75, Entire Pavilion \$150; Non-residents, Open Pavilion \$45, Inside without Kitchen \$100, Entire Pavilion \$250. These changes will be presented as part of the fee resolution at the December meeting.

Proposed Sale of Used Loader. Mr. Hileman said the new loader is now in use and the old loader is ready for sale. ***R. Butt moved, K. Lundberg seconded, that Council advertise the used loader “as is” for sale to the highest bidder. Motion carried unanimously.

Parks, Recreation and Open Space Plan – M. McDonald

Mr. McDonald reported that the Committee had reviewed and approved the plan that was prepared for park needs for the next ten years. He hoped that this plan would be incorporated into the Comprehensive Plan. Ms. Scudder asked how the plan meshes with the survey. Mr. McDonald said information was incorporated from previous surveys and the expected expansion by non-profit sports organizations. Mr. Semiatin questioned the survey results versus the plan and the relationship with the grant funds from the state. Mr. Hileman said this is not the standard grant procedure. The Borough will have some flexibility in using the grants. Mr. Hileman suggested forming a committee to look at the whole grant package, especially the Borough Office facility. Mr. Semiatin was concerned because applications for the grants were submitted with priorities set by Council. Ms. Scudder advocated recreation planning with other municipalities. Consensus was to have the Mayor, Mr. Semiatin and the Community Relations Committee further discuss the initial plan for another Borough office. Mr. McDonald noted the grants will be coming from DCNR and priorities will be necessary.

Mr. McDonald reported on a grant to the school to build a walking trail to K Section.

STANDING COMMITTEE REPORTS

Public Safety Committee – T. Wolf, Chairman

Mr. Wolf stated the Committee meets quarterly. However, he, Rick Hileman and Jim Becraft met with Hamiltonban and Liberty Townships regarding a joint Emergency Management Staff. Fairfield Borough was advised of the meeting by Chief Hileman. Minutes were prepared by the Hamiltonban Secretary and will be distributed to Council. Mr. Hileman said since Hamiltonban Twp. has allotted office space for EMS, the plan would be to have all the municipalities share the costs associated with EMS. A formal agreement must be prepared.

Mr. Hileman advised that the question of the use of speed humps will be discussed further by Bob Holmes, Terry Weikert and Kristin Jones and a report made to Council at the December meeting. Mr. Weikert has been gathering information from the state on this matter. Mr. Hileman said he would coordinate this meeting.

Community Relations Committee – R. Butt, Chairman

Mr. Butt reported that the Committee is planning to contact residents to determine the desires in each neighborhood. He will present the information later which he felt will fit in with the Parks, Recreation and Open Space Plan discussed earlier in the meeting.

Finance Committee – T. Wolf, Chairman

Mr. Wolf reported the Committee met four times regarding the 2005 budget. They have a balanced budget with no real estate tax increase. He commended the staff for their extra efforts in preparing the budget.

Mr. Wolf advised that Ken Lundberg resigned from the Committee. Mr. Wolf was elected Chairman along with being the Secretary. He commented on the knowledge and suggestions made by the Committee members during the budget meetings. Mr. Wolf said there were two ways to obtain the zero balance projected next year, either not transfer equity funds to the Capital Reserve Fund or raise taxes.

A Special Council meeting to discuss the budget and any other business necessary was scheduled for Tuesday, November 16th at 6:30 P.M.

Mayor Becraft said he was proud of the superb effort of the staff in preparing the balanced budget with no tax increase. He noted some of the items considered in planning the expenditures. He projected increased revenues due to growth and prudent spending. Mr. Hileman reviewed the set up of the spreadsheets for Council. Mr. Wolf said along with the budget there would need to be resolutions to increase permit fees and sewer charges.

Mr. Wolf stated after Virginia Ciliotta left, both Barbara and Howard assumed extra duties, which they are still performing and they should be compensated. After further comments by Mr. Wolf, Mr. Hileman said he had included an increase in the 2005 salary budget to cover this amount for Barbara Hertz. There will be a lump sum of \$2,000 paid to Howard Rodriguez. Mr. Hileman noted in the 2005 budget there is a line item of \$6,900 for a meritorious service program. The solicitor felt these special merit awards should be made by Council resolution.

***T. Wolf moved, that Council set up a committee to make certain tangible contributions to recognize employees.

The Council President appointed a committee of herself, Mr. Wolf and Mayor Becraft.

***T. Wolf moved, R. Butt seconded, the Council rescind the motion to allow non-Council members to be voting members of the Finance Committee.

Ms. Scudder felt this should be limited to Council members. Mr. Semiatin questioned why the committee had to vote on issues since they are an advisory committee. Mr. Wolf said there are issues such as the tax rate. Mr. Semiatin suggested Council be informed on all the options being discussed by the Committee. After further discussion, Mr. Wolf's motion was reworded as follows:

That any prior action to designate a status among members on the Financial Committee is rescinded and it is a standing committee to bring a consensus recommendation to Council. Motion carried unanimously.

Mr. Wolf reported on the meeting with Mr. Gordon Walker, Financial Consultant for the Act 537 Plan, on October 27. Mr. Walker is working with Paul Sauers and Howard Rodriguez. He hopes to have the recommendation finished by mid-December.

Committee for Grants – S. Semiatin, Chairman

Mr. Semiatin presented guidelines for grant seeking and grant applications for Council's approval. Mr. Hileman stated he has been applying for state grants for the police department for years. Mr. Semiatin said he would want to be informed of the applications. Mr. McDonald advised that he has applied for five grants. After discussion, consensus was to adopt the guidelines as presented by Mr. Semiatin.

Report of Search Committee for Borough Manager – L. Scudder

Ms. Scudder reported that ads have been placed in professional trade publications. One application has been received. It also was noted that the position of Assistant Borough Secretary/Bookkeeper has been advertised.

REPORT ON WEB SITE/VALLEY VIEWS NEWSLETTER – L. Scudder

Ms. Scudder said the first Valley Views has been published and it went very well. Issues will be published in January, April, July and October. It will be on the web site in the future. Ms. Scudder said she has received the program and needs to learn it.

CONSENT AGENDA

***R. Butt moved, K. Lundberg seconded, that the Consent Agenda be accepted as submitted. Motion carried unanimously.

ADMINISTRATIVE BUSINESS – Acting Borough Manager

Adoption of Liquid Fuels 2004 Budget. Mr. Hileman asked for an amendment to the 2004 budget to include the Liquid Fuels Fund as presented. ***K. Lundberg moved, R.

Butt seconded, that Council adopt the amended 2004 budget for the Liquid Fuels Fund as presented. Motion carried unanimously.

Status of Tentative 2005 Operating and Capital Reserve Budgets and Special Meeting/Workshop Date. Mr. Hileman noted these items were discussed earlier in the meeting.

Status of Union Negotiations. The first meeting has been scheduled.

Status of Personnel Manual/Policies. Mr. Hileman is working on this item and will be bringing it to Council.

Status of Sprinkler Ordinance Challenge. Mr. Hileman reported that the Solicitor has been preparing for a hearing will be held in Carroll Valley in December.

Proposal to Purchase Accounting Software/Hardware. Freedom Systems has been selected for the software at a cost of \$14,999 out of the 2004 Capital Reserve budget. The Finance Committee reviewed and concurred with the purchase said Mr. Wolf. This will be run on a peer to peer system with two new computers. The Borough Secretary's computer will have two hard drives as a safety feature. The approximate cost of the computers is less than \$4,000. Also, required is the purchase of licenses for software, not to exceed \$800.

***R. Butt moved, T. Wolf seconded, that Council approve expending funds for the recommended software, licenses and two computers. Motion carried unanimously.

Request for Use of Borough Facilities. The request for use of the meeting room by the Fairfield Cub Scouts was reconsidered with additional information not available at the previous meeting. Consensus was to take no further action on this request.

Contract for Sanitary Sewer Repair Construction. ***K. Lundberg moved, R. Butt seconded, Howard Rodriguez be the point of contact and authorize the work to begin. Motion carried unanimously.

NEW BUSINESS

Prioritization List for Council. Tabled at this time.

Proposed Policy – Rules for Calling Council Meetings. Tabled until December. Mr. Campbell commented that the rules did not change the statutory requirements.

EXECUTIVE SESSION

***R. Butt moved, K. Lundberg seconded, that Council go into Executive Session to discuss personnel and legal matters at 9:12 P.M. Motion carried unanimously.

OPEN MEETING

Ms. Scudder stated Council discussed personnel issues and legal matters during the executive session.

***S. Semiatin moved, R. Butt seconded, that Council pay Hilary Fortenbaugh for seven days of earned vacation. Motion carried with T. Wolf voting nay.

***R. Butt moved, K. Lundberg seconded, that Council agrees with the proposal to continue maintenance of two Carroll Valley Wastewater Systems for up to one year and assist the property owners in finding a contractor for the maintenance; and agrees to the assignment of the permits to the individual property owners conditioned on DEP agreement to that assignment, with the property owners releasing the Borough from any and all responsibility currently in the contract. Motion carried unanimously.

ADJOURNMENT

The meeting was adjourned at 9:40 P.M.

ATTENDANCE REGISTER

The Attendance Register for this meeting is attached hereto, numbered as Page 7 and made a part of the Official Minutes.

Barbara M. Hertz, Borough Secretary

