

**BOROUGH OF CARROLL VALLEY  
REGULAR BOROUGH COUNCIL MEETING  
TUESDAY, JULY 12, 2005 – 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  
Kristin S. Jones  
N. Kenneth Lundberg  
Raymond F. Rabenold  
Steven J. Semiatin  
Thomas P. Wolf

**BOROUGH OFFICIALS, ETC.**

James R. Becraft, Mayor  
David A. Hazlett, Borough Manager  
Barbara M. Hertz, Borough Secretary  
Howard C. Rodriguez, CEO/LDC  
Richard L. Hileman, Police Chief  
Thomas R. Campbell, Solicitor

**Absent**

Roger W. Butt, Vice President

**CONSIDERATION OF THE MINUTES OF THE JUNE 14, 2005 REGULAR COUNCIL MEETING**

\*\*\*K. Lundberg moved, S. Semiatin seconded, that Council approved the minutes of the Regular Council Meeting of June 14, 2005 as submitted. Motion carried unanimously.

**OPEN TO THE PUBLIC**

There was no one present who wished to address Council at this time.

**ORDINANCES AND RESOLUTIONS**

There were none to be considered for action.

**MAYOR'S REPORT – J. BECRAFT**

**Regional EMA Agreement – Chief Hileman.** Mayor Becraft thanked Chief Hileman for his efforts during the time he was interim Borough Manager, Mr. Wolf and the Public Safety Committee who have been working on this since June 2004, and Solicitor Campbell for his expertise in drafting the agreement. Chief Hileman said there have been some minor changes from the original agreement and he reviewed some of the items. One of the main items in the agreement is the financial aspect in sharing the costs of supplies. Hamiltonban Township will be administering the Agency. There will be an official from each municipality appointed to the Board. The initial cost will be \$500 from each participating municipality. The EM Coordinator will be appointed by the Board and they will be responsible for his job description, wages, etc.

Mr. Campbell pointed out some revisions regarding clarification as to who would serve on the Board, and addressing government immunity. Mr. Wolf said the Public Safety Committee had not had a chance to review the agreement. He had questions on Sunshine Act requirements and the need for quarterly reports versus an annual report. Mr. Campbell said the Board would not come under the Sunshine Act. Consensus was to require quarterly reports. Mr. Campbell will prepare an ordinance to adopt the regional EMA agreement at the next meeting.

**Civil Service Commission Update – Chief Hileman.**

Chief Hileman explained two amendments to the CSC Regulations that were approved by Resolution #03-05. He said that Council needs to approve the Resolution so it can take effect. Mr. Lundberg who serves on the CSC said these changes were necessary because of a challenge made during the recent hiring process.

\*\*\*K. Lundberg moved, T. Wolf seconded, that Council approves Civil Service Commission Resolution #03-05 as presented. Motion carried unanimously.

**PLANNING COMMISSION REPORT – L. SCUDDER, CHAIRMAN**

The Planning Commission did not meet in July.

**PARKS, RECREATION AND MUNICIPAL SERVICES/ENVIRONMENTAL ADVISORY COMMITTEE – R. HOLMES, CHAIRMAN**

**Request to Purchase Mower.** The Borough Manager provided information on a mower which would be beneficial by reducing the amount of mowing time because of its larger cut width. Terry Weikert had one brought in for demonstration and they were satisfied with the performance. Three price quotes were presented to Council. Mr. Hazlett told Council that the mower would be used on a current J.D. Tractor. There was discussion regarding personnel and Mr. Hazlett said he did not intend to ask for an additional employee. Ms. Scudder asked about the life expectancy of the equipment and the Borough Manager felt with proper care it could last 20 years. The lowest price quote received was \$9,998 from Finch Services, Inc. of Hanover.

\*\*\*K. Lundberg moved, R. Rabenold seconded, that Council approve of the purchase of the proposed mower subject to Finance Committee review of the Capital Reserve Fund.

Mr. Semiatin asked how the Capital Reserve Fund will be adjusted and Mr. Wolf will provide that information to him. Motion carried unanimously.

**STANDING COMMITTEE REPORTS**

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

Mr. Wolf reported the committee discussed the use of speed tables versus speed humps, and recommends using a speed table which is 10'x20' and can be installed within the \$3,000 approved by Council. The committee recommends purchase of two traffic counters for approximately \$2,600. Chief Hileman felt the counters are critical for evaluating the speed table and could be used in other areas of the Borough, especially for traffic volume. Ms. Jones said the information will be used to determine criteria for installing speed tables. The counters would be paid from the General Fund.

\*\*\*K. Lundberg moved, S. Semiatin seconded, that Council approve the purchase of two traffic counters for approximately \$2,600 as discussed. Motion carried unanimously.

Mr. Wolf reported the committee recommends updating the current Open Burning Ordinance. Mayor Becraft proposed a comprehensive ordinance on air pollution control. Mr. Wolf said there will be a public hearing at the next Public Safety Committee on August 29 at 7 p.m. regarding open burning. Mr. Hazlett suggested the advertisement for the meeting be approved by the Council. It will be on the sign board also.

Mr. Wolf said he received estimates for constructing a walkway along Ski Run Trail at the lake. They ranged from \$60-150,000. Mr. Wolf said the cost will not be in the budget for 2006. He mentioned getting a grant and Mayor Becraft suggested it might be incorporated into the grants the Borough will be receiving. Mr. Hazlett said there is an ACTPO grant which might be available because of the school walkway project.

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

Mr. Butt was not present.

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

Mr. Wolf said the next meeting is July 18 at 2 p.m. They will review the 6-month budget report and budget revisions. Mr. Wolf urged all Council members to attend for the Act 537 briefing and Mr. Campbell said it would be alright as long as they do not participate in discussion.

### **AD HOC COMMITTEE REPORTS**

#### **Committee for Grants – S. Semiatin, Chairman**

Mr. Semiatin reported the Borough is still waiting for a grant contract and project manager to be assigned. Mr. Hazlett said Rep. Maitland was sent the letter advising of the general priorities for the grant. Mr. Semiatin stated he will be working on the speed hump grant during the next month. He also said that he provided Bob Holmes with a detailed summary of the park grant status. There is a Transportation Enhancement Grant and Mr. Semiatin will be working with the Borough Manager on the application.

### **CONSENT AGENDA**

Mr. Semiatin asked that the Police Report be removed from the Consent Agenda.

\*\*\*K. Lundberg moved, K. Jones seconded, that Council approve the remaining items on the Consent Agenda as presented. Motion carried unanimously.

Mr. Semiatin questioned Chief Hileman on the number of police calls to the Ranch Section during June and asked him to e-mail him with the detail.

\*\*\*K. Lundberg moved, K. Jones seconded, that Council approve the Police Report for June as presented. Motion carried unanimously.

**ADMINISTRATIVE BUSINESS – BOROUGH MANAGER**

**Adams County Transportation Plan.** Mr. Hazlett attended a steering committee meeting and noted several community meetings are scheduled with one in Fairfield on July 18.

**July 4<sup>th</sup> Celebration.** The Borough Manager wished to thank the Borough Police Department and the Municipal Services staff for all of their hard work before, during and after the event.

**Web-Site Update.** Mr. Hazlett said the site is on line and suggested Council look at it. He thanked Jenn Bruder who has volunteered to set up and maintain the information provided by the staff. Ms. Scudder also thanked Ms. Bruder.

**Sewer Plant Construction Application for Final Payment.** Mr. Rodriguez stated the construction is completed. There was a grounding problem but it is now working properly. The engineer and Sewer and Water Authority recommend that the final retainage payment of \$7,378.30 be paid.

\*\*\*K. Lundberg moved, K. Jones seconded, that Council authorize the final payment to Kinsley Construction, Inc. in the amount of \$7,378.30 be made. Motion carried unanimously.

**Act 537 Plan Update.** Mr. Hazlett stated that Mr. Gordon Walker, Financial Consultant, will attend the next Finance Committee meeting to explain the various options. Mr. Wolf was concerned with the possibility of a quorum of Council members attending the Finance Committee meeting. Mr. Campbell said the Council members could not deliberate on the matter.

**Update on Proposed Ordinance #6-2005 amending Chapter 27 regarding Accessory Structures on adjacent lots.** Mr. Hazlett said the proposed ordinance discussed at the last meeting has been forwarded to the Adams County Office of Planning and Development for review and will be advertised for a public hearing and action at the August meeting.

**Adelphia/Comcast Update.** The Borough Solicitor said the Borough had been contacted by Comcast asking for assignment of the cable franchise agreement. He explained according to FCC regulations there is a difference between an expired agreement and a terminated agreement. Adelphia has asked for an agreement extension on a month to month basis. After discussion, consensus was to agree to Adelphia's request for a month to month extension and the Borough Manager will negotiate with Adelphia.

**DEP Grant for Leaf Vacuum.** Mr. Hazlett advised Council that DEP wants to inspect the compost facility that was required by the grant to purchase this equipment.

Mr. Wolf wanted to congratulate Ron Harris for originating the July 4<sup>th</sup> Celebration and Staci George, reporter, for her efforts in the newspaper coverage of the Celebration.

### **COMMITTEE APPOINTMENTS**

**Sewer and Water Authority.** There is a vacancy on the Sewer and Water Authority.

**Zoning Hearing Board.** Ms. Scudder received a letter of resignation from Bruce W. Hisley, Chairman of the Zoning Hearing Board, due to his moving from the Borough to North Carolina. The resignation is effective August 6, 2005.

Council members were informed that the alternate member of the Board, John Ounan who was present at the meeting, would agree to serve as a member.

\*\*\*K. Lundberg moved, R. Rabenold seconded, that John Ounan be appointed to fulfill the term of Bruce Hisley on the Zoning Hearing Board. Motion carried unanimously.

The alternate member position of the ZHB is now vacant.

### **UNFINISHED BUSINESS**

Ms. Jones addressed National Night Out scheduled for August 2<sup>nd</sup>. She and Chief Hileman have been working on this event. Chief Hileman said he tentatively has set up an ID program for children including a DNA collection kit and video. He also suggested the Neighborhood Watch Program be considered in the Borough.

Mr. Wolf reiterated that the staff should keep the Council informed on issues such as the Heliport.

Mr. Semiatin asked for an update on The Crest Final Development Plan. Mr. Rodriguez said there needs to be a few changes, i.e. landscaping, etc. The developers will need to grant a plan review extension or the Council will need to deny the plan.

### **NEW BUSINESS**

Ms. Kristin Jones handed her resignation from Council to Ms. Scudder which stated her resignation would be effective at the adjournment of the meeting due to Ms. Jones' moving from the Borough. Ms. Scudder thanked her for the work she did on behalf of the Borough, and said her experience and background will be missed.

It was noted the seat will need to be filled by Council within 30 days or it will be filled by the Vacancy Board. The appointment will be until January 2006, a two-year term will be filled by the election in November. Mayor Becraft explained the process for placement on the November ballot by the appointee if he or she wishes to run for the two-year term.

Mr. Bob Wisser, Section D, addressed Council regarding the cost of a building permit to extend his deck. He said the construction would cost about \$700, and he was told the permit fee would be \$207. Mr. Hazlett explained the fees and what is involved in issuing a permit and the required inspections. Some Council members were sympathetic with Mr. Wisser, but the UCC regulations and Borough fee schedule are to be followed.

**EXECUTIVE SESSION**

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

**OPEN SESSION**

The meeting was reopened at 9:18 P.M.

**ADJOURNMENT**

The meeting was adjourned at 9:19 P.M.

**ATTENTANCE 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