

**BOROUGH OF CARROLL VALLEY  
REGULAR BOROUGH COUNCIL MEETING  
TUESDAY, JUNE 14, 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  
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  
David A. Hazlett, Borough Manager  
Barbara M. Hertz, Borough Secretary  
Howard R. Rodriguez, CEO/LDC  
Richard L. Hileman, Police Chief  
Thomas R. Campbell, Solicitor

**CONSIDERATION OF THE MINUTES OF THE MAY 10, 2005 REGULAR COUNCIL MEETING**

\*\*\*S. Semiatin moved, R. Butt seconded, that Council approve the minutes of the May 10, 2005 Regular Council Meeting as presented. Motion carried with Ms. Jones and Mr. Lundberg abstaining since they were absent from the meeting.

**OPEN TO THE PUBLIC**

No one wished to address Council at this time.

**July 4<sup>th</sup> Celebration Update.** Mr. Ron Harris, President of CVCA, gave a Power Point presentation regarding the plans of the committee for this public event. Mr. Harris reported on the police coverage, parking, trash containers, and financing. Some of the activities will be softball tournament, craft sales, food vendors, veteran's memorial walk, and fireworks.

**ORDINANCES AND RESOLUTIONS**

**Proposed Ordinance #6-2005 amending Chapter 27 regarding Accessory Structures on Adjacent Lots.**

Ms. Scudder said there are a large number of accessory buildings on secondary lots. She said by prohibiting structures on secondary lots, it would encourage recombination and the goal of larger building lots in the Borough. After discussion, the following action was taken.

\*\*\*K. Lundberg moved, R. Rabenold seconded, that Council advertise their intent to consider and adopt proposed Ordinance #6-2005 as presented subject to the Solicitor's review. Motion carried unanimously.

Mr. George Fisanich, 7 Snowplow Tr., asked Council to consider a minimum size for garages, which would provide more storage room and eliminate the need for separate storage buildings. Consensus was this was not feasible.

**Proposed Resolution #7-2005 to enter into an agreement for an inter-municipal project to prepare a joint municipal comprehensive plan.**

Ms. Scudder stated this resolution was prepared in accordance with the recent joint meeting and desire of the municipalities to have a regional comprehensive plan. There was discussion regarding the recent workshop and the requirements for public notice. Mr. Campbell recommended that the proportionate share of costs be explained as based on a per capita basis in the agreement.

\*\*\*S. Semiatin moved, K. Lundberg seconded, that Council approve proposed Resolution #7-2005 with the recommendations by the Solicitor. Motion carried unanimously.

Mr. Campbell said the Borough must be careful that there is no quorum of Council members at the meetings.

**Proposed Resolution #8-2005 in appreciation of Barbara M. Hertz for 25 years of service to the Borough.**

Ms. Scudder read the Resolution which thanked and honored Mrs. Hertz for her dedicated service to the citizens of the Borough.

\*\*\*R. Butt moved, K. Lundberg seconded, that Council approve proposed Resolution #8-2005 as presented. Motion carried unanimously.

Mrs. Hertz thanked Council.

**MAYOR'S REPORT – J. BECRAFT**

**Police Chief Report.** Chief Hileman introduced Richard Longnecker hired to fill the part-time officer position vacated by Ryan Eiker.

**Adams County Transportation Plan.** Mayor Becraft stated that Council had appointed Richard Hileman to the steering committee of the County's Comprehensive Plan, Phase 1, Transportation. A professional planner has been retained by the County and it will cost approximately \$400,000 for the transportation phase. Consensus was to reassign this to David Hazlett as the Borough representative.

**Air Pollution Control Ordinance Proposal.** Mayor Becraft submitted a model ordinance from DEP and said it was time to end the obnoxious practice of open air burning. He elaborated on the public safety and health considerations in the ordinance. There was discussion regarding yard waste. The Solicitor suggested Council look at the current fine minimum and the burning restrictions. Mr. Wolf suggested the ordinance be reviewed at the Public Safety Committee meeting on July 6 at 7 p.m. He also suggested the Borough Manager check the open burning regulations of other municipalities.

## **PLANNING COMMISSION REPORT – L. SCUDDER**

**Status of The Crest Final Development Plan for Phase 1 and 2.** Mr. Rodriguez reported the Borough Engineer is still reviewing the plan and it may be ready for Council in July. There will be a meeting next Monday with our engineer and solicitor to review the final submission.

Ms. Scudder reported the Planning Commission is working on updating the Borough Comprehensive Plan.

Mr. Wolf asked about the re-codification of Borough ordinances. Mr. Hazlett responded that it will be in the budget for 2006.

Mr. Wolf asked the Planning Commission to look into the feasibility of rezoning some Agriculture into Commercial. Mr. Campbell cautioned that spot rezoning is not permitted. Mr. Wolf asked that the Solicitor give some guidance if areas are located for rezoning.

## **PARKS, RECREATION & MUNICIPAL SERVICES/ENVIRONMENTAL ADVISORY COMMITTEE REPORT – R. HOLMES, CHAIRMAN**

**Bid Award for Paving Materials.** The Borough Manager circulated the bid tabulation with the bids received from three companies. Bids were for both picked up at plant and delivered. Two bids were very close, but Valley Quarries, Inc. was five cents per ton lower in the delivered bid. Mr. Hazlett said based on the past experience and the lowest responsible bid he recommended Valley Quarries be awarded the contract for this year. \*\*\*K. Lundberg moved, R. Butt seconded that Council award the bid for paving materials for this year to Valley Quarries, Inc. Motion carried unanimously.

## **STANDING COMMITTEE REPORTS**

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

Mr. Wolf reported the next meeting will be held on July 6 at 7 p.m.

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

Mr. Butt said Ron Harris gave the report on the July 4<sup>th</sup> celebration and he could not improve on it.

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

Mr. Wolf reported there will be a meeting scheduled for mid-July after the 18<sup>th</sup>. They will review the current budget status.

## **AD HOC COMMITTEE REPORTS**

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

Mr. Semiatin proposed that the Borough Manager provide to Rep. Maitland information that he has requested. Mr. Semiatin said the sub-committee has discussed the expenditure of the \$223,000 as follows: \$50,000 for improvements at the existing pavilion; \$100-150,000 for a new pavilion, parking, etc. at the Ranch Section location;

\$11,000 to reimburse the cost of the park plan; and \$7,000 for a feasibility study to design a new office building.

Mr. Hazlett said Rep. Maitland wants information regarding the grant of 1.5 million dollars and Mr. Hazlett would like to respond. A rough estimate for the cost of the office building had been provided said the Borough Manager. Rep. Maitland is asking for project costs in generalities. Consensus was for Mr. Hazlett to contact Rep. Maitland and provide this information.

Mr. Semiatin said the application for a grant for speed humps will be submitted prior to the deadline in August.

#### **Committee on Negotiations with Ski Liberty – T. Wolf**

Mr. Wolf reported that the Board of Directors of Ski Liberty has made a minor change to the Articles of Agreement and the Borough Solicitor has reviewed and approved the change. The agreement is now ready for Ms. Scudder's signature and the first check for \$25,000 from Ski Liberty has been received.

#### **Committee for Special Compensation – L. Scudder, Chairman**

Ms. Scudder reported that the purpose of the ad hoc committee has been completed.

#### **CONSENT AGENDA**

Mr. Wolf asked that the list of checks be removed from the Consent Agenda.

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

Mr. Wolf questioned the check for a specific towing and said this is not an expense but a pass through. He asked about digital cameras purchased for the Police and other purchases which are in the Capital Reserve Budget. Mr. Wolf also asked regarding the medical deductible reimbursement which was explained as set up in the budget, and he was told the check to the Harrisburg City Treasurer was for sludge processing.

\*\*\*T. Wolf moved, K. Lundberg seconded, that Council approve the May List of Checks as presented. Motion carried unanimously.

#### **ADMINISTRATIVE BUSINESS – Borough Manager**

**Lot J-16 Request.** Ms. Scudder reported that a letter was received by Allen Ahearn, owner of Lot J-16, requesting an exemption to build on his lot which is in a floodplain. There was discussion regarding the history of the floodplain lots in J Section. Consensus was to send the response drafted by the CEO that the Council policy has not changed and the lot is unbuildable.

**Web-Site Update.** The Borough Manager said he plans to have the new web-site on line by July 1. He asked that Council make suggestions and Mr. Wolf wanted to be sure the minutes are available.

**Update on Sewer Plant Construction.** Mr. Hazlett reported the construction is completed. There was a small overrun on replacing the clarifiers due to unforeseen damage/wear.

**Act 537 Plan Update.** The Borough Manager said he has not received a written response from DEP since the meeting held in Harrisburg. Mayor Becraft said he is anticipating a response by the end of June, and then the matter should be reviewed by the Finance Committee. They may need to contact the financial consultant again.

**Act 457 Pension Plan Update.** Mr. Hazlett reported that the employees had a meeting with the plan administrator and are in the process of setting up individual conferences to participate in the plan.

**AYSO Tree Donation.** The Borough Manager reported that AYSO has donated and planted six White Pines at the Ranch Section soccer field. Mr. Hazlett was directed by Ms. Scudder to send a thank you.

**Carroll Commons Restroom Issue.** Mr. Hazlett advised Council of problems with vandalism in the public restroom and for this reason the door will be locked each day when the park closes. Consensus was to continue this policy. There was some discussion regarding juvenile/parent responsibility.

**Softball Benefit.** Mr. Hazlett provided information on a softball tournament to benefit a local cancer patient during the July 4<sup>th</sup> celebration.

#### **COMMITTEE APPOINTMENT**

**Zoning Hearing Board Solicitor.** Ms. Scudder said the Zoning Hearing Board must have a solicitor appointed to represent them and two candidates are interested, James T. Yingst of Hanover and Kelly M. Dilts of Gettysburg. Information was circulated to Council on both attorneys. There was discussion regarding rates and the Borough Manager said he had knowledge of the legal services of Ms. Dilts. Mr. Wolf was familiar with the work of Mr. Yingst. Mr. Wolf asked if the members of the ZHB are aware of the appointment. It was noted that they had not been given information on the candidates.

\*\*\*K. Lundberg moved, R. Butt seconded, that Council appoint Kelly M. Dilts of McQuaide Law Office, Gettysburg, Solicitor for the Carroll Valley Zoning Hearing Board. Motion carried unanimously.

#### **UNFINISHED BUSINESS**

**Septic System Maintenance.** Mr. Butt had received two phone calls regarding the requirement for pumping septic systems and the installation of a riser for access. The notification letters were mailed recently to certain property owners with the information on the ordinance. There was discussion regarding the delay in implementing this ordinance.

**Valley Views Newsletter.** Ms. Scudder asked for ideas for the next Valley Views edition.

**Speed Hump Installation.**

\*\*\*K. Jones moved, S. Semiatin seconded, that Council approve the purchase and installation of one temporary test speed hump with the cost not to exceed \$3,000 including parts and labor, and the installation of said hump to be in accordance with the recommendation of the Public Safety Committee and the Municipal Services Supervisor, to be paid with the excess money now in the roads and parks budget. Motion carried with R. Butt voting nay and T. Wolf abstaining.

There was discussion regarding the funding. Mr. Hazlett felt the effectiveness of the speed hump cannot be evaluated without the use of traffic counters. Chief Hileman said the cost would be about \$1,500 for a traffic counter. He would recommend two sets to know if the traffic slows after it passes the speed hump.

**Sprinkler Ordinance Challenge Update.** Attorney Campbell advised that briefs had been filed by the challenger asking for a new hearing. Mr. Campbell filed an objection, the argument was scheduled last week and the Judge denied a new hearing.

**Adelphia Cable Franchise Extension Agreement.** Mayor Becraft asked about the extension and the Borough Manager said he has not had a response.

**Act 537 DEP Letter.** Mr. Wolf asked what is the status of the Act 537 summary letter of the DEP meeting. Mr. Hazlett said he was waiting to hear from DEP.

**NEW BUSINESS**

Mr. Wolf asked if the Borough employees are familiar with GIS conference. Mr. Hazlett responded that he and Howard are familiar with GIS but needs software to utilize it. The cost is about \$3,000 and will be included in the 2006 budget.

**ADJOURNMENT**

The meeting was adjourned at 9:02 P.M.

**ATTENDANCE REGISTER**

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

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Barbara M. Hertz, Borough Secretary