

**BOROUGH OF CARROLL VALLEY  
REGULAR MEETING  
OF BOROUGH COUNCIL  
TUESDAY, MARCH 13, 2018 – 7:00 P.M.  
BOROUGH OFFICE  
MINUTES**

Sarah Skoczen, President called the hearing to order at 7:00 P.M. She led the Pledge of Allegiance. The attendance was as follows:

**BOROUGH COUNCIL MEMBERS**

**Present**

Sarah Skoczen  
David Lillard  
Robert Tyler Pyles  
Bruce Carr  
Richard Mathews  
Robert Verderaime  
Jared Huster

**Absent**

**BOROUGH OFFICIALS, ETC.**

Ronald J. Harris, Mayor  
David A. Hazlett, Borough Manager  
Gayle Marthers, Asst. Borough Mgr./Borough Sec.  
Richard Hileman, II, Police Chief  
Stephen Coccoresse, Borough Solicitor

**CONSIDERATION OF THE MINUTES OF THE FEBRUARY 13, 2018 REGULAR MEETING**

Following brief discussion:

\*\*\* R. Pyles moved, B. Carr seconded, that the minutes of the February 13, 2018 Regular Council meeting be approved as submitted. Motion passed unanimously.

**OPEN TO THE PUBLIC**

The following citizens addressed Council at this time:

Sean Jones, 9 Snowplow Trail, Carroll Valley regarding on-going neighbor dispute and his dissatisfaction of the Borough Police Department.

**ORDINANCES AND RESOLUTIONS**

**Ordinance #1-2018: Amending Chapter 25: Trees.** Members discussed the document at length, the following non-substantive changes were recommended:

- Page 3 of 6: §25-101: in the second line; add the words “of the United States of America” after the word citizens.
- Page 3 of 6: §25-101: in the second line; add the words “of Carroll Valley” after the word Borough.
- Page 3 of 6: §25-102: in the last line; change the word “his” to the word “a”.
- Page 4 of 6: §25-104: in the first line; change the word “council” to the word “counsel”.

The following substantive changes were recommended:

- Adding Enforcement Procedures to the Penalties section.
- Reduction in the amount of fines and possible imprisonment in penalties section.

\*\*\*R. Pyles moved; D. Lillard seconded that Council approve Ordinance #1-2018 amending Chapter 25: Trees for the creation of the Carroll Valley Tree Board; regulating the planting, maintenance and removal of trees, shrubs and other plants upon Borough Property with the non-substantive changes identified.

\*\*\*R. Verderaime moved; R. Mathews seconded to amend the Motion of Mr. Pyles to include the substantive change of a reduction of fines to a maximum of \$250 and a reduction of possible imprisonment to a maximum of 10 days.

Discussion of this motion to amend included the Solicitor reminding the members that a substantive change would require re-advertisement of the ordinance and therefore nullify the original motion of Mr. Pyles. Following confirmation of the Borough By-Laws establishing Robert's Rules as its parliamentary authority; President Skoczen called the Motion of Mr. Verderaime to a vote with the outcome of 2 yes votes and 5 no votes. Mr. Verderaime questioned the number of no votes; Mr. Carr suggested a roll call whereby Mrs. Skoczen requested the vote again by roll call yielding the following: 5 no votes and 2 yes votes cast by Mr. Verderaime and Mr. Mathews. Motion failed.

Mrs. Skoczen then called the motion of Mr. Pyles to a vote: Motion passed with 5 yes votes and 2 no votes cast by Mr. Mathews and Mr. Verderaime. Mr. Verderaime asked to go on the record as voting no due to the language in section 25:111.

**Ordinance #2-2018: Replacing all of Chapter 23, Stormwater Management and Soil, Erosion and Sedimentary Control.** Following lengthy discussion explaining that this ordinance would be adopting standard guidelines suggested by an Adams County Simplified Approach and would create a simplified process that would eliminate redundancies in oversight, reviews and approvals:

\*\*\*R. Pyles moved; D. Lillard seconded that Council adopt Ordinance #2-2018: Replacing all of Chapter 23, Stormwater Management and Soil, Erosion and Sedimentary Control with the caveat that the attachments are included and correction to Section 23-303 subsection 5 to adhere to the most current Ordinance regarding trees. Motion passed with 4 yes votes and 3 no votes (cast by Mr. Verderaime, Mr. Mathews and Mr. Carr) via roll call.

#### **MAYOR'S REPORT – R. HARRIS**

- Acknowledged American Red Cross Month – March
- Police Report
  - February 2018 Police Report – Thefts increased as a result of Ski Liberty
  - As weather warms please remember to watch for motorcycles, bicyclists and pedestrians
  - Update on Civil Service Commission:
    - Chief Hileman introduced new officer Justin Bradley.
    - Certificate of Appointment was presented to Officer Bradley by Mayor Harris.
    - Members welcomed him to the police force and the Borough
- Updates
  - 4<sup>th</sup> Annual Daddy Daughter Dance was held Saturday, February 17, 2018.
  - Newly Elected Officials Training was held in Gettysburg. Mr. Hazlett was the instructor. Mr. Verderaime commended Mr. Hazlett on his knowledge and highly recommended the class.
  - Fairfield Fire/EMS Banquet was held Saturday, March 10, 2018. Mayor Harris was unable to attend; however, a Certificate of Appreciation was presented by Mayor Stanley of Fairfield Borough and Ms. Marthers.
  - Phishing is still a problem....Please be diligent. Do not open any emails without checking the incoming address.
  - Presentation of a Certificate of Appreciation to Mrs. Lori Kolenda for her service to Planning Commission from August of 2009 until March of 2018. Thanks Lori!
  - Basic Computer Concepts Course through the Adams County Library at Carroll Valley being offered free of charge by Mayor Harris. Next session scheduled for Wednesday, March 21, 2018 at 6:00 pm in the Borough Conference Room. Sign up through the Library.
- Announced:
  - Library Events
  - Announced dates for E-Recycling Events.
  - Annual Easter Egg Hunt will be Saturday, March 31, 2018. Donations are being accepted.
- Shared a list of the upcoming meetings and events

- In Requiem:
  - 13 Officers from various cities across the US were honored for their bravery following their being Line-of-Duty deaths during the month of February 2018.
- Mayor Harris wished all a Happy Valentine's Day

## **FIRE/EMS/EMA REPORTS**

Reports reviewed in packet.

## **COMMITTEE REPORTS**

### **Parks, Recreation and Environmental Advisory Committee.**

Written report provided to Council in the packet was accepted by consensus with correction of date of Fish Derby from March 28 to April 28.

Tree Board: Written report provided to Council and Mrs. Kolenda was present to discuss the Riparian Planting Habitat Restoration Agreement that was provided by the Adams County Conservation District. It was explained that this agreement is part of a grant awarded by the Pennsylvania State Department of Conservation and Natural Resources to the Adams County Conservation District (ACCD). ACCD has chosen Carroll Valley Borough as the recipient of trees that will be planted to create a riparian buffer in several locations. Questions and Concerns voiced:

- Narrow the definition of "small" sign to specific size: 12" x 12"
- Will the planting create additional work for our grounds crew? Mr. Hazlett reported that the project is not supposed to create more work.
- Timeline was questioned
- Who will provide the mulch? Provided by grant.
- Reference to herbicide usage raises concern. Licensure.

Following much discussion:

\*\*\*R. Pyles moved; D. Lillard seconded that Council authorize the Borough to enter into the Riparian Planting Habitat Restoration Agreement. Motion passed with 5 yes votes; Mr. Mathews voting no and Mr. Verderaime abstaining stating that he did not have enough information make an informed decision.

### **Planning Commission.**

Written report provided to Council and Mr. Lillard provided a verbal report to Council that provided an update to the Chapter 27 re-write. Requested that Council accept the resignations of Lori Kolenda and Ed Kaplan with regret and commended them on their years of dedication to the planning of the Borough.

\*\*\*B. Carr moved; D. Lillard seconded that Council accept the resignations of Lori Kolenda and Ed Kaplan. Motion passed unanimously.

Discussion regarding the reduction of membership of the Commission ensued with Mr. Lillard asking Members to consider the advertising of Ordinance 3-2018 which would reduce the membership of the Planning Commission from 9 members to 7 member.

\*\*\*D. Lillard moved; R. Pyles seconded that Ordinance 3-2018 reducing the membership of the Borough of Carroll Valley Planning Commission from 9 members to 7 members be advertised with the intent to adopt at the next meeting of Council. Motion passed unanimously.

## **ADMINISTRATIVE BUSINESS – BOROUGH MANAGER**

### **Treasurer's Report for February 2018**

Following brief discussion:

\*\*\* R. Pyles moved, B. Carr seconded, that Council accept the February 2018 Treasurer's Report as presented. Motion passed unanimously.

**Notice of 2018 Liquid Fuels Payment.** Members accepted by consensus the notification of payment of the 2018 Liquid Fuels payment of \$250,680.25.

**2018 Materials Bid.** Mr. Hazlett explained the PA Code requirements for bidding and the items for which the Borough is advertising. Following brief discussion:

\*\*\*D. Lillard moved; R. Pyles seconded that Council approve the advertisement of the 2018 Materials Bid as required by Pennsylvania Borough Code. Motion passed unanimously.

**Aquatic Environment Consultant Proposal.** Mr. Hazlett outlined the memorandum dated March 9, 2018 regarding the chemical treatment of Lake Carroll for control of algae by Aquatic Environment Consultants, Inc. Following lengthy discussion:

\*\*\*R. Pyles moved; D. Lillard seconded that Council authorize entering into the contract for the treatment of algae in Lake Carroll By Aquatic Environment Consultants, Inc. contingent upon the receipt of all necessary agreements between the Borough and deeded owners of property adjacent to Lake Carroll. Aquatic Environment would specifically be authorized to incur costs for the submission of permit requests to provide the treatments; however, said treatments would not begin after have the agreements have been secured from adjacent property owners.

\*\*\*R. Mathews moved; R. Verderaime seconded that the issue be tabled until more information could be obtained. Motion failed with 2 votes of yes (Mr. Mathews and Mr. Verderaime) and 5 votes of no. Mrs. Skoczen called the motion of Mr. Pyles to a vote whereby it passed with 5 votes of yes; 1 vote of no (Mr. Mathews) and 1 abstention (Mr. Verderaime)

**Repository Sale.** Ms. Marthers explained the process. Following brief discussion:

B. Carr moved, D. Lillard seconded that the Borough accept the offers generated by the Repository Sale as requested by the Adams County Tax Claim Bureau. Motion passed unanimously.

**Capital Purchase Request.** Mr. Hazlett reviewed the request of David Baker, Code Enforcement Officer for the budgeted purchase of a new code vehicle from Capital Reserve. The quote is well under the budgeted amount; it is a State Contract price therefore does not require the bidding process. It was noted that the current vehicle is a 2003 model year that was scheduled for replacement over 4 years ago; however, due to budget constraints has been put off until now when it needs to be replaced. The following concerns were raised:

- Model year: why not a 2017 left-over: Chief Hileman stated that he used his contacts and there were none available on state contract.
- Model: Why not request list of 2017 vehicles available and choose from those available?

\*\*\*D. Lillard moved; J. Huster seconded a motion that Council approve the Capital Purchase of 2018 Ford Escape for use as the Code Enforcement Vehicle. Motion passed with 5 votes of yes; and 2 votes of no (Mr. Mathews and Mr. Verderaime).

**Appointment of Deputy Tax Collector.** Mr. Hazlett and Ms. Marthers explained that this is a formality in case of the incapacitation or death of the current Collector. Following brief discussion:

\*\*\*R. Verderaime moved; R. Pyles seconded that Council appoint Natalie Williams as Deputy Tax Collector as requested by the Borough Tax Collector. Motion passed unanimously.

## UNFINISHED BUSINESS

### Municipal Building Project.

- RACP Grant Update: Marissa Price, representing GMS Funding Solutions provided a written update on the grant reimbursement process to Council which was accepted.
- Final walk-through for the one year check-in is scheduled for Thursday, March 15, 2018. Members were encouraged to send concerns to Mr. Hazlett or Ms. Marthers. Current items on the list:
  - Shingle fell off
  - Downspout leaking

- Finish grading

**Request from Cumberland Township.** Mr. Hazlett reviewed memorandum of March 9, 2018. It was accepted by consensus. Mr. Pyles and Mr. Lillard offered to meet with Mr. Hazlett to discuss the terms of any contract.

#### **NEW BUSINESS**

Request was made on procedure to handle the concerns voiced by the resident at the beginning of the meeting. It was noted that issues of specific personnel may be handled in executive session; otherwise they must be discussed in public. The issue dropped at this time.

Mr. Carr requested an update on the issue raised in the Gettysburg times regarding police presence on the Fairfield School District campus. Chief Hileman stated that he was waiting to hear what the district was interested in having the police do; contractual arrangements would be brought to the Council at a future meeting in and/or when they were identified.

#### **OPEN TO THE PUBLIC**

No one addressed Council at this time.

#### **ADJOURNMENT**

The meeting adjourned at 9:45 P.M.

#### **ATTENDANCE REGISTER**

The Attendance Register is attached, numbered Page 6 and made a part of the Official Minutes.

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Gayle R. Marthers, Asst. Borough Manager/Borough Secretary