

**BOROUGH OF CARROLL VALLEY
PUBLIC HEARING &
REGULAR MEETING
Of BOROUGH COUNCIL
TUESDAY, JULY 11, 2017 – 6:00 P.M.
BOROUGH OFFICE
MINUTES**

PUBLIC HEARING

Sarah Skoczen, President called the hearing to order at 6:00 P.M. She led the Pledge of Allegiance. The attendance was as follows:

BOROUGH COUNCIL MEMBERS

Present

Sarah Skoczen
Dan Patton
Robert Tyler Pyles
Thomas Fitzsimmons
David Lillard (via teleconference)
N. Kenneth Lundberg
Bruce Carr

Absent

BOROUGH OFFICIALS, ETC.

Ronald J. Harris, Mayor
Gayle R. Marthers, Borough Secretary
Richard Hileman, II, Police Chief
Simon Gemerek, Borough Solicitor

Following the opening of the meeting Mrs. Skoczen introduced Borough Solicitor Simon Gemerek who presided over the Public Hearing.

Mr. Gemerek outlined the process for the Hearing; confirmed the proper advertising had been completed for the Hearing and that the Pennsylvania Department of Labor and Industry (PA Dept. of L&I) was properly notified and provided the necessary feedback. The letter of approval from the PA Dept. of L&I was submitted for approval as Exhibit 1; Council by consensus accepted the document. Mr. Gemerek then read the purpose of the Hearing and provided an overview of the proposed Ordinance #2: Amending Chapter 5 Part 1 Section 5-112 regarding Residential Sprinklers. Mrs. Skoczen reminded those in attendance that the public comment time limit is 5 minutes per person and to clearly state their name, address or affiliation prior to speaking. A stenographer provided by Salzmann Hughes, P.C was on-site to provide for a full transcript if needed.

The following citizens were heard:

Sean Jones, 9 Snow Plow Trail, Carroll Valley
Sher Grogg, representing Common Voices, Dobbs Ferry, NJ
Brent Carver, East Kentucky University, representing National Fire Academy for FEMA
Bob DeHoff, Taneytown, MD; representing flooring manufacturer for residential homes
John Waters, Chief Fire Marshal for Upper Marion Township Fire Department, King of Prussia, PA
Robert Verderaime, 12 Linda Trail, Carroll Valley
Phil Gilman, East Kentucky University, representing National Emergency Training Center for FEMA
Wayne Powell, Vigilant Hose Company, Emmitsburg, MD
Ed Bowman, 9 Crossland Trail, Carroll Valley; Safety Officer of Fairfield Fire/EMS
Michael McCabe, 40 Hilltop Trail, Carroll Valley; Professor of Fire Safety for National Fire Academy for FEMA
Caleb Armbrist, National Fire Sprinkler Association, Easton, MD

Larry Morabito, Carleton, MI; Instructor for National Fire Academy for FEMA
 William Jacobs, Chief of Fairfield Fire/EMS
 Rick Nelson, 31 Hickory Trail, Carroll Valley
 David Martin, Chief of Fountaindale Fire Company
 Chuck Tobery, 22 East Wind Trail, Carroll Valley
 Tina Tobery, 14 Gladys Trail, Carroll Valley
 Bruce Tobery, 14 Gladys Trail, Carroll Valley
 Kim Mills, 124 Skylark Trail, Carroll Valley and local Realtor
 Trish Rowe, 2 Delany Trail, Carroll Valley and local Realtor
 Wayne Young, 1A Ski Run Trail, Carroll Valley
 Mike Jones, 74 Toms Creek Trail, Carroll Valley
 Ed Kaplan, 26 Lee Trail, Carroll Valley and Chairman of Borough Planning Commission
 Jim Kohler, 7 Bunny Trail, Carroll Valley
 Linda Calhoun, 17 Susan Trail, Carroll Valley
 Dan Patton, Councilman
 Dave Lillard, Councilman

Following the last comment:

***K. Lundberg moved; T. Fitzsimmons seconded that Council adjourn the Public Hearing at 7:30PM.
 Motion passed unanimously.

Mrs. Skoczen announced that there would be a 5 minute recess prior to the opening of the Regular Meeting.

REGULAR MEETING

Sarah Skoczen, President called the hearing to order at 7:40 P.M. She led the Pledge of Allegiance. The attendance was as follows:

BOROUGH COUNCIL MEMBERS

Present

Sarah Skoczen
 Dan Patton
 Robert Tyler Pyles
 Thomas Fitzsimmons
 David Lillard (via teleconference)
 N. Kenneth Lundberg
 Bruce Carr

Absent

BOROUGH OFFICIALS, ETC.

Ronald J. Harris, Mayor
 Gayle R. Marthers, Borough Secretary
 Richard Hileman, II, Police Chief
 Simon Gemerek, Borough Solicitor

Mrs. Skoczen announced that the agenda would be altered to discuss Ordinance #2: Amending Chapter 5 Part 1 Section 5-112 regarding Residential Sprinklers. Additional public comment on this issue alone was requested:

William Jacobs, Chief of Fairfield Fire/EMS

Opposed to Ordinance

Ordinance #2: Amending Chapter 5 Part 1 Section 5-112 regarding Residential Sprinklers:

***B. Carr moved; D. Patton seconded that Ordinance #2: Amending Chapter 5 Part 1 Section 5-112 regarding Residential Sprinklers be approved. Upon roll call vote; the ordinance passed 4 yes to 3 no with R. Pyles, B. Carr, D. Patton and T. Fitzsimmons voting yes; D. Lillard, K. Lundberg and S. Skoczen voting no.

The meeting was halted for several minutes for the members of the public who were present solely for the sprinkler issue to exit and those waiting to address Council regarding other issues to be seated.

Mr. Patton asked that Borough Staff research the possibility of replacing the just repealed sprinkler requirement with an ordinance that would require builder/realtor notification for all new construction projects on the benefits of residential sprinklers. He expressed his desire to follow through with a commitment to repeal and replace not just repeal.

CONSIDERATION OF THE MINUTES OF THE JUNE 13, 2017 REGULAR MEETING

Following brief discussion:

*** T. Fitzsimmons moved, K. Lundberg seconded, that the minutes of the June 13, 2017 Regular Council meeting be approved as submitted. Motion passed unanimously.

OPEN TO THE PUBLIC

The following citizens addressed Council at this time:

Linda Sites	19 Hickory Trail, CV	In Favor of Chickens
Mary Walter	36 Hilltop Trail, CV	Opposed to Chickens
Steve Joyner	6 Novice Run Trail, CV	In Favor of Chickens
Frank Buhrman	4 Crossland Trail, CV	Statement regarding decision making
Janet Jones	9 Snow Plow Trail, CV	Regarding Children's Safety
Tony Wivell	43 Fruitwood Trail, CV	In Favor of Chickens
Chris Upchurch	24 Pinehill Trail, CV	In Favor of Chickens
Robert Verderaine	12 Linda Trail, CV	Opposed to Chickens
Chris Warden	37 Cross View Trail, CV	In Favor of Chickens
Sarah Haines	44 Mile Trail, CV	In Favor of Chickens
Ginny Bowne	41 Mile Trail, CV	In Favor of Chicken
Kenneth Wink	5 Skylark Trail, CV	In Favor of Chickens
Kelly Goff	5 Skylark Trail, CV	In Favor of Chickens
Trent Kefauver	5 Skylark Trail, CV	In Favor of Chickens
Karl Hindle	17 Center Trail, CV	In Favor of Chickens
Jen Cregger	45 Mile Trail, CV	In Favor of Chickens
Donna Haines	44 Mile Trail, CV	In Favor of Chickens
Richard Mathews	Mr. Hazlett provided an article from Mr. Mathews who was called away from the meeting prior to his turn to speak	
		Opposed to Chickens

Mrs. Skoczen asked that the minutes reflect that Council received five (5) separate letters/emails regarding the keeping of chickens. All supported the ordinance to allow chickens.

ORDINANCES AND RESOLUTIONS

Ordinance #1-2017: Keeping of Domesticated Chickens. Following brief discussion whereby Mr. Carr offered a statement that this is another example of choice in the Borough:

T. Pyles moved, K. Lundberg seconded that Council approve Ordinance #1-2017: Keeping of Domesticated Chickens. Motion passed unanimously by roll call vote.

MAYOR'S REPORT – R. HARRIS

- Police Report
 - Buckle-Up PA initiative
 - Chief Hileman responded to a questions regarding:
 - Use of Borough Officers for Warrant Services
 - Ordinance Violations related to Outdoor Burning and Door-to-Door Sales

- Updates
 - July 4th Celebration – July 4, 2017 was held. Use of new building and stage were very successful and awards were presented to:
 - Gayle R. Marthers, event coordinator
 - David A. Hazlett on behalf of Municipal Services Department
 - Thank you was extended to the army of volunteers who helped
- Congratulations extended to Borough Committee Member Lori Davidson-Kolenda on her recent marriage. Mayor Harris reported that he had the honor of officiating the service.
- Legislative Review
 - Carroll Valley Ordinance regarding Transient Retail Business (Door-to-Door Sales)
 - 9:00am until 7:00pm
 - Must have Borough Permit
 - Must notify Police Department or County Dispatch when operating in the area
- Announced:
 - Phishing – Shared an Example and Warning Signs
 - Adams County Library upcoming Programs:
 - Shared a List of July programs available
 - Yoga in the Park – Thursdays @ 6:30pm and Saturdays @ 10:00am
 - Happy 242nd Birthday to the Army – June 14, 2017
 - Flag Day – June 14, 2017
 - HACC Community Education Day @ Gettysburg Campus – June 14, 2017
 - National Night Out is planned for Tuesday, August 1, 2017 from 5:00pm – 8:00pm
- Shared a list of the upcoming meetings and events
- In Requiem:
 - 10 Officers from various cities across the US were honored for their bravery following their being Line-of-Duty deaths during the month of June 2017.

FIRE/EMS/EMA REPORTS

Reports reviewed in packet.

COMMITTEE REPORTS

Finance Committee. Mayor Harris reviewed the written report that was accepted by Council.

Planning Commission. Mr. Kaplan reviewed the written report provided to Council which was accepted.

ADMINISTRATIVE BUSINESS – BOROUGH MANAGER

Treasurer's Report for June 2017.

Following brief discussion:

*** B. Carr moved, R. Pyles seconded, that Council accept the June 2017 Treasurer's Report as presented. At this time Mrs. Skoczen stated that Pursuant to Pennsylvania's "Public Official and Employee Ethics Law" (65 PA CSA 1101 et seq), she is abstaining from the motion specific to the check # 30834; payable to Carroll Valley Computes as this is a company that she or an immediate family member has a financial interest and therefore; creating a conflict of interest. Motion passed unanimously with the above noted abstention; a copy of which numbered page 8 and is attached to these minutes.

2015 Liquid Fuels Audit. Mr. Hazlett reviewed the Audit. Following discussion:

***T. Fitzsimmons moved; R. Pyles seconded that the 2015 Liquid Fuels Audit be accepted. Motion passed unanimously

2013 – 2016 Pension Audits. Mr. Hazlett outlined each of the Pension Documents reviewing first the Police Pension which had no finding. Following brief discussion:

***B. Carr moved; K. Lundberg seconded that the 2013 – 2016 Police Pension Audit be accepted. Motion passed unanimously.

Mr. Hazlett then outlined the Non-Uniform Pension explaining the two errors noted by the Auditor General's Office. Following discussion:

***R. Pyles moved; B. Carr seconded that the 2013 – 2016 Non-Uniform Pension Audit be accepted. Motion passed unanimously.

2016 Financial Audit. Mr. Hazlett reported that the 2016 Financial Audit was completed with no findings and for the first time since the GASB-34 inventory requirements were enacted; the auditor has rendered an opinion free of qualifying notations. Borough Staff was praised for their hard work in coming into compliance with this regulation.

***T. Fitzsimmons moved; D. Patton seconded that the 2016 Financial Audit be accepted and advertised for Public review as required by Pennsylvania Borough Code. Motion passed unanimously.

Aquatics Environment Consultants – Lake Mae Treatment. Mr. Hazlett explained circumstances of a resident complaint of the excess algae in Lake Mae and then reviewed the estimate provided by Aquatic Environment Consultants for proper treatment. This is the company currently under contract to treat Lake Kay. Following brief discussion:

***K. Lundberg moved; T. Fitzsimmons moved to approve this unbudgeted expenditure of \$920/treatment for 3 treatments totaling \$2,760. Motion passed unanimously.

Capital Purchase Request. The memorandum of July 11, 2017 was reviewed outlining the budgeted capital purchase of replacement blowers for the Sewer Treatment Plant. It was noted that the budget allowed for \$6,000 in this line item and the actual cost has been quoted for \$4,915.80. Following brief discussion:

***T. Fitzsimmons moved; R. Pyles seconded that Council approve the budgeted capital expenditure of \$4,915.80 for the purchase of two (2) replacement blowers. Motion passed unanimously.

Mr. Hazlett asked that Members take a ride through the Borough before the next meeting and take note of the condition of the properties. There may be cause for implementing some Property Maintenance Rules especially related to unregistered vehicles that to some may appear "junk" where others value as "projects".

UNFINISHED BUSINESS

Municipal Building Project

- By consensus, Members agreed to table discussion regarding Murray Associates request for additional fees following discussion about the issue.
- Building Signage: Mr. Hazlett reviewed the Graphcom estimate for signage and lettering to complete the interior of the Building. Following discussion:
***R. Pyles moved; T. Fitzsimmons seconded that the signage outlined in Graphcom estimate #101520 totaling \$2,319.58 be approved as presented and authorized Borough Staff to ratify the contract. Motion passed unanimously.

NEW BUSINESS

There was none.

OPEN TO THE PUBLIC

Robert Verderaime, 12 Linda Trail, CV
John Davis, 26 Black Bass Trail, CV

Deed Restriction Discussion
Thank you offered to Elected Officials

ADJOURNMENT

The meeting adjourned at 9:35 P.M.

ATTENDANCE REGISTER

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

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