

**BOROUGH OF CARROLL VALLEY  
REGULAR MEETING  
OF BOROUGH COUNCIL  
TUESDAY, DECEMBER 15, 2020 – 7:00 P.M.  
Held Via ZOOM On-Line Platform  
MINUTES**

Richard Mathews, President called the meeting to order at 7:00 P.M. The attendance was as follows:

**BOROUGH COUNCIL MEMBERS**

**Present**

Richard Mathews  
L. Michael Wight  
David Lillard  
Bruce Carr  
Jessica Kraft  
John Schubring  
Robert Verderaime via phone – no video

**Absent**

**BOROUGH OFFICIALS, ETC**

Ronald J. Harris, Mayor  
David A. Hazlett, Borough Manager  
Gayle R Marthers, Borough Secretary  
Richard L. Hileman, II, Police Chief  
Zachary Rice, Borough Solicitor

**Mr. Mathews opened the meeting by thanking all members for their support in attending this evening meeting via the on-line platform. He further acknowledged the procedures that would be followed for the meeting.**

**CONSIDERATION OF THE MINUTES OF THE NOVEMBER 10, 2020 REGULAR MEETING**

Following brief discussion:

\*\*\* M. Wight moved; J. Kraft seconded, that the minutes of the November 10, 2020 Regular Meeting be approved as submitted. Motion passed unanimously via roll call.

**OPEN TO THE PUBLIC**

It was acknowledged that one member of the public was logged onto the meeting; however, no hand was raised; no questions had been submitted on-line; nor any questions submitted via email.

**ORDINANCES AND RESOLUTIONS**

Resolution #10-2020: Adams County 2020 Hazard Mitigation Plan Update. Mr. Hazlett reviewed the memorandum explaining the Update and the requirement of the Disaster Mitigation Act of 2000 (MDA 2000, Public Law 106-390), that states that local political jurisdictions must adopt a Federal Emergency management Agency (FEMA)-approved Hazard Mitigation Plan to be eligible for federal hazard mitigation funds. He asked that Council take action to adopt the Plan provided by the Adams County Department of Emergency Services as it fulfills those requirements. Following brief discussion:

\*\*\*M. Wight moved; B. Carr seconded that Council adopt Resolution #10-2020 thereby ratifying the Adams County 2020 Hazard Mitigation Plan Update thereby fulfilling requirements of the Disaster Mitigation Act of 2000. Motion passed unanimously via roll call.

**MAYOR'S REPORT – R. HARRIS**

- Police Report
  - Chief Hileman reviewed the Report noting the following:
    - ◆ Permanent installation of Drug Take-Back Box
    - ◆ Open death investigation possibly due to drug overdose
    - ◆ Activities
      - Upcoming Santa Tour
      - Review of statistics

- Request to Hire Part-time Officer:
  - ◆ Chief Hileman reviewed memorandum dated December 10, 2020 requesting that Council Hire Kyle Freeman as a part-time patrol officer at a salary of \$22.15/hour.
  - ◆ Discussion included the following:
    - Will there be one (1) part-time officer employed or multiple part-time officers to fill the need? Chief Hileman explained that several officers will be hired to fill the need but the budget line amount of \$25,000 will not be exceeded.
    - Vehicle assignment
    - Start Date
    - Uniform/equipment need
- \*\*\*M. Wight moved; J. Schubring seconded that Council approve the request to hire Kyle Freeman as a part-time patrol officer at \$22.15/hour. Motion passed unanimously via roll call.
- Updates:
  - COVID-19 Update
    - ◆ New stricter rules
    - ◆ County Offices Closed
    - ◆ Positive Cases: zip code of 17320 is 156; Adams County is 2920
  - Santa will Tour the Community on December 20, 2020 beginning at 3:00pm
  - Borough is accepting donations for Holiday Meal Kits, see Borough Staff for details
  - Blood Drive scheduled for December 30, 2020
  - Library Programming
- In Requiem:
  - 18 Officers from various cities across the US were honored for their bravery following their Line-of-Duty deaths during the month of November 2020; Mayor Harris noted that 15 of those were related to COVID-19

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

Reports were provided by Fairfield and Fountaindale Fire Company for review; they were accepted without discussion. Fire Solicitation letters were sent to residents in the area by both companies in late November. Members urged citizens to donate as they can. Without the opportunity to have the many fundraisers due to COVID-19; the departments are falling short of their revenue goals. It was noted that the dedicated fire tax covers less than 50% of the operating expenses of the Fire Department. Donations and fundraisers must cover the remaining.

## **COMMITTEE REPORTS**

All regular meetings of Borough Committees have been cancelled due to the COVID-19 pandemic until further notice. Members acknowledged that returning to virtual meetings of Council delays the restarting of Committee meetings. The issue will be revisited in the coming months.

## **ADMINISTRATIVE BUSINESS – BOROUGH MANAGER**

### **Treasurer's Report for November 2020.**

Following brief discussion:

\*\*\* M. Wight moved, B. Carr seconded, that Council accept the November 2020 Treasurer's Report as presented. Motion passed unanimously via roll call.

### **FY 2021 Proposed Budget.**

Mr. Hazlett thanked the Borough Staff, Council, Finance Committee and Mayor for their hard work on the 2021 Budget. He was proud to present a balanced budget with no tax increase for adoption. Following brief discussion:

\*\*\* M. Wight moved; J. Kraft seconded that the 2021 Proposed Budget be advertised as adopted setting the 2021 tax rates as follows: Real estate – 2.45 mils; Dedicated Fire/EMS tax – .25 percent; Earned Income – .5 percent; Realty Transfer – .5 percent and Admission – 5.0 percent or as permitted by law. Motion passed unanimously via roll call.

#### **Resolution #8-2020: 2021 Real Estate Tax:**

Following brief discussion:

B. Carr moved; M. Wight seconded that Council adopt Resolution #8-2020: 2021 Real Estate Tax fixing the tax rate on Real Estate for 2021 at 2.45 mills. Motion passed unanimously via roll call.

#### **Resolution #9-2020: 2021 Dedicated Fire/EMS Tax:**

Following brief discussion:

M. Wight moved; J. Kraft seconded that Council adopt Resolution #9-2020: 2021 Dedicated Fire/EMS Tax fixing the tax rate levied for the dedicated tax appropriated for the operation of fire and emergency services for 2021 at .25 mills. Motion passed unanimously via roll call.

#### **2020 Meeting Schedule.**

Members reviewed the schedule of Borough Meeting and following brief discussion:

\*\*\*M. Wight moved; J. Schubring seconded that Council approve the advertisement of the various meetings of Commissions, Committees and Boards of the Borough in accordance with PA Borough Code. Motion passed unanimously via roll call.

#### **RFP for Borough Engineer.**

Mr. Hazlett requested that Council approve the issuing of a Request for Proposals to local engineering firms to provide a complete range of municipal engineering services, professional engineering advice, and consultation to the Borough. Mr. Hazlett explained that the Borough has received good service from our current provider; however, it has been many years since we have completed a thorough search. Following Brief Discussion:

\*\*\*M. Wight moved; J. Kraft seconded that Council authorize the advertisement of the RFP for a Borough Engineer. Motion passed unanimously via roll call.

Mr. Hazlett asked that everyone be cautious due to the impending winter storm due to drop several inches of snow, sleet and freezing rain beginning tomorrow (Wednesday, December 16, 2020) around noon. He announced a Snow Emergency that will go into effect at noon on Wednesday, December 16, 2020 and remain in effect until late Thursday, December 17, 2020. He asked that all residents move vehicles out of the rights-of-way and stated that the snow emergency route would be posted on the Borough Website and Social Media pages.

#### **UNFINISHED BUSINESS**

##### **Grant Funding Updates.**

Members reviewed the written report supplied by Marissa Price of GMS Funding Solutions outlining the various grants being managed by her agency. The report was accepted by consensus.

##### **Property Maintenance.**

Mr. Mathews reported that the draft of the Code Enforcement Policies and Procedures Manual was still being reviewed by Members; stating that he had the opportunity to meet with Mayor Harris regarding the document.

#### **NEW BUSINESS**

Mr. Zachary Rice, Borough Solicitor asked to discuss the Mill Trail Limited Use Agreement that he negotiated with Mr. McGlaughlin, representing the landowner as requested by Council. Mr. Rice reviewed the document outlining each of the criteria Council asked be included. He assured Members

that the agreement offers the Borough protection while providing the landowner with a limited option to use his property located in Liberty Township. Mr. McGlaughlin was permitted to join the meeting at this time as a panelist in order to be heard. He shared that both parties associated with the sale of the property in question have read, understand and agree to the terms of the agreement. Much discussion ensued with the following topics noted:

- Who Maintains the roadway and cul-de-sac?
  - Answer: Carroll Valley Borough will.
- Does any portion of the agreement need to be completed immediately?
  - Answer: No, the landowner must provide a written request to the Borough for access.
- Clarification of “Giftee”?
  - Answer: Equals successor or assigned.
- If the landowner fails to pay for improvements what is the Borough’s recourse?
  - Answer: Part 4 and Part 5 are dedicated to this issue and provides the Borough with legal measures to recoup the funds.
- Lengthy discussion regarding the possible costs of improvements was had with no definitive amount declared.
- Can amendments be made to the agreement in the future?
  - Answer: In so much as future Councils are able to negotiate new terms of any agreement; yes. However, the terms of this document clearly convey the feelings of the current Council and the degree to which this group wants to protect the integrity of the Borough.
- Is this agreement setting precedent that is not wanted?
  - Answer: Precedent may be set however; the terms of this document clearly convey the feelings of the current Council and the degree to which this group wants to protect the integrity of the Borough.
- Mr. Hazlett relayed the concerns of two (2) residents who were unable to enter the Zoom platform to convey their concerns.
- Minor verbiage changes listed below were agreed to by consensus:
  - On page 3, section C. the words “and in violation of this agreement” will be added to the sixth (6<sup>th</sup>) line; second (2<sup>nd</sup>) sentence following the word “risk”.
  - On page 4, section 9 in the second (2<sup>nd</sup>) line of the first (1<sup>st</sup>) sentence the word “dispute” will be changed to “matter”.

Following lengthy discussion:

\*\*\*M. Wight moved; J. Kraft seconded that Council authorized entering into the Mill Trail Limited Use Agreement with the non-substantive verbiage changes listed above. Motion passed unanimously via roll call.

## **OPEN TO THE PUBLIC**

It was acknowledged that no member of the public was logged onto the meeting; therefore, no hand was raised; no questions had been submitted on-line; nor any questions submitted via email during the meeting.

## **ADJOURNMENT**

The meeting adjourned at 9:05 P.M. via a motion by M. Wight and seconded by J. Kraft that passed unanimously.

## **ATTENDANCE REGISTER**

The Attendance Register was not available due to the electronic nature of the meeting; therefore, it has not been made a part of the Official Minutes.