

**BOROUGH OF CARROLL VALLEY  
REGULAR MEETING  
OF BOROUGH COUNCIL  
TUESDAY, MARCH 15, 2022 – 7:00 P.M.  
BOROUGH OFFICE  
MINUTES**

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

**BOROUGH COUNCIL MEMBERS**

**Present**

Richard Mathews  
Robert Verderaime  
David Lillard  
Bruce Carr  
John Schubring  
L. Michael Wight  
Jessica Kraft via phone

**Absent**

**BOROUGH OFFICIALS, ETC**

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

Mr. Mathews stated that there is an addition to the agenda in the area of New Business for the appointment of a member to the Planning Commission:

\*\*\*M. Wight moved; D. Lillard seconded that Members agree to the addition of the Agenda Item: Planning Commission Appointment to the New Business section of the agenda. Motion passed unanimously.

**CONSIDERATION OF THE MINUTES OF THE FEBRUARY 15, 2022 REGULAR MEETING**

Following brief discussion:

\*\*\*M. Wight moved; J. Schubring seconded, that the minutes of the February 15, 2022 Regular Meeting be approved as submitted. Motion passed unanimously.

**Public Hearing**

The Advertised Public Hearing was opened at 7:05 pm by Council President, Richard Mathews; outlined the proposed Ordinance #1-2022 and gave a brief overview of the guidelines for the Hearing. The following individuals addressed Members at this time:

- Ambrose Heinz, Stevens & Lee, Attorney for Illuma, Inc. re-stated his concerns from the last public hearing:
  - Re-Zoning from R2 (medium density residential) to R1 (low density residential)
  - No Accommodations for Cluster Housing
  - No Accommodations for Townhouses
  - Not Consistent with the approved Joint Comprehensive Plan of 4-units per acre
- Written Correspondence from those not able to attend in-person was entered into the record by Mr. Hazlett:
  - Receipt of a letter from an attorney representing a resident was acknowledged
  - Written Resident Comments were acknowledged
  - Resident Comments from resident Dorothy Dressler were read by Mr. Lillard

Mr. Mathews requested additional comment; hearing no one, he declared the Public Hearing closed at 7:55pm.

## OPEN TO THE PUBLIC

The following citizens addressed Members at this time:

- Todd Mason, 8 North Trail, Carroll Valley regarding on-going issues with zoning concerns with a neighbor

## ORDINANCES AND RESOLUTIONS

**Ordinance #1-2022: Chapter 27 - Zoning.** Discussion ensued regarding issues of “grandfathering” properties into the code. Mr. Rice addressed the issues. Typographical errors were identified and corrections offered. Following additional discussion:

\*\*\* M. Wight moved; D. Lillard seconded that Council approve the advertising of Ordinance #1-2022: Chapter 27 – Zoning; with the intent to adopt at the April 12, 2022 meeting of Council. Motion passed unanimously.

**Resolution #3-2022: Approving & Accepting the Certificate of Termination of the Sewer & Water Authority.** Mr. Mathews asked for action regarding the proposed resolution whereby:

\*\*\*D. Lillard moved; B. Carr seconded that Council Approve and Accept the Termination of the Sewer & Water Authority by means of the adoption of Resolution #3-2022. Motion passed unanimously.

## MAYOR’S REPORT – R. HARRIS

- Police Report
  - Chief Hileman reviewed the Report noting the following:
    - ◆ Announced Drug Take-Back, reminded everyone to collect their old medication
    - ◆ Use of Force Training Update: Cpl. Weikert has been certified as a Trainer
    - ◆ Enhanced DUI enforcement underway with the St. Patrick’s Day holiday coming
    - ◆ Enhance Aggressive Driving enforcement will begin as well
    - ◆ Update on Civil Service Process:
      - 3 applicants; all have been eliminated due to factors beyond the Department’s control
      - Requested a change in wage structure. Specifically increase in starting wage as the one advertised was agreed to in 2020:
        - Starting request of \$58,000 - \$68,000 depending on experience
        - Request to reconsider a guaranteed wage scale

Discussion:

- Mr. Mathews provided many examples of nearby advertising “starting” salaries far below the requested
- Chief explained the scale-wage programs offered by other departments
- Concerns Expressed:
  - Wages
  - Benefits
  - Lack of Applicants
  - Type/Amount of Work in our small department
  - Pension Benefit Portability and the Issue of Mid-Career Applicant Recruitment
- Recommend formation of a subcommittee of three (3) to discuss the issue of Recruitment. Members were asked to contact Mr. Mathews via email if they are interested in serving on the committee.
- ◆ Statistical Report was reviewed and accepted by consensus.

- Clarification requested as to the number of calls for service versus the number of arrests/charges
- Milage report typo identified; Chief Hileman will provide the corrected document to Members
- Clarification of the Certificate of Registration versus Certificate of Title
- Updates:
  - House Bill 606 Allowing Municipal Police Officers to use radar
  - Cortner Pavilion Progress
  - Blood Drive will be held at the Borough Office on Thursday, March 24, 2022
  - Adams County Library Programming Schedule
  - Neighbors Helping Neighbors Spring Clothing Giveaway will be held Saturday, April 9, 2022 at Liberty Worship Center
  - Annual Easter Egg Hunt will be held Saturday, April 16, 2022 at 11am
  - National Medicine Take Back will be held on Saturday, April 30, 2022
  - 1<sup>st</sup> Annual Fairfield Area middle and High School Art Exhibition will be held May 1<sup>st</sup> – May 31<sup>st</sup> at the Borough Office. An artist's reception will be held on Friday, May 6<sup>th</sup> from 4-6pm.
  - Annual Fishing Derby will be held on Saturday, April 23, 2022
- Topics of Interest:
  - COVID-19 Report as of March 8, 2022:
    - ◆ Adams County: 20,738 cases
    - ◆ 17320 zip code: 1,670 cases
    - ◆ Numbers are rising at a much slower pace than over the past 2 months
    - ◆ Testing is available at Wellspan and UMPC facilities
- In Requiem:
  - 24 Officers from various cities across the US were honored for their bravery following their Line-of-Duty deaths during the month of February 2022; Mayor Harris noted that 14 of those were related to COVID-19

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

Reports were provided by Fairfield Fire Company for review; they were accepted without discussion.

## **COMMITTEE REPORTS**

### **Planning Commission.**

Mr. Wight, Planning Commission Chair provided a written report outlining the discussion from the March 7, 2022 meeting. Members accepted the report without comment.

Mr. Carr asked that all committees have written reports be submitted and have member representation at the meeting.

## **ADMINISTRATIVE BUSINESS – BOROUGH MANAGER**

### **Treasurer's Report for February 2022.**

Following brief discussion:

\*\*\*D. Lillard moved, B. Carr seconded, that Council accept the February 2022 Treasurer's Report as presented. Motion passed unanimously.

**2022 Materials Bid.** Mr. Hazlett explained the PA Code requirements for bidding and the items for which the Borough is advertising. Following brief discussion:

\*\*\*M. Wight moved; R. Verderaime seconded that Council approve the advertisement of the 2022 Materials Bid as required by Pennsylvania Borough Code. Motion passed unanimously via roll call.

## 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. Members confirmed that an effort is being made to fund additional sewer projects that would provide alternate septic for the holding tank customers. Mr. Hazlett reviewed the additional projects that are being considered for grant funding. The report was accepted by consensus without discussion.

Mr. Rice, Borough Solicitor reviewed a Cooperation Agreement between the Borough and The Sewer and Water Authority which will ensure that all financial obligation will be met by one entity or the other as the conveyance of the Authority moves to the Borough in coming months. Following discussion:

\*\*\*D. Lillard moved; M. Wight seconded that Members authorize the Borough Solicitor to finalize the Cooperation Agreement between The Borough of Carroll Valley and The Carroll Valley Sewer and Water Authority and further authorize the Council President to ratify the agreement. Motion passed unanimously.

**High-Speed Broadband Update.** Mr. Hazlett confirmed that the project is in the queue for construction by Comcast for August 2022 construction date at no cost to the municipalities.

## NEW BUSINESS

**Planning Commission Appointment.** Members reviewed the application of Mr. Jeffery Pannebaker for appointment to the Planning Commission:

\*\*\*M. Wight moved; B. Carr seconded that Members appoint Mr. Jeffery Pannebaker of 8 Elizabeth Trail, Carroll Valley be appointed to the Planning Commission to serve in the vacant seat with a term expiration of December 31, 2023. Motion passed unanimously.

**Appointment of Civil Service Commission Alternate Member.** Mr. Mathews reviewed his memorandum of March 11, 2022 provided to Members requesting that there be up to three (3) alternate members appointed to the Civil Service Commission. Issues identified by Mr. Mathews were:

- Reorganization did not take place on the first Monday of 2022 as required
- Scheduled meeting of February 8, 2022 did not take place due to a lack of quorum
- Lack of scheduled Civil Service Commission Meetings
- Need to have re-appointed member Koons sworn-in as required
- Failure to provide annual reports describing the work of the Commission as required

Chief Hileman provided a definition of the Civil Service Commission detailing their duties and responsibilities. He provided explanation of the missed reorganization meeting, citing the correction of the Borough Civil Service Commission's Policy & Procedures that incorrectly listed the date for this meeting to occur bi-annually. The lack of quorum was explained as an anomaly where one member suffered a death in the family that required his absence. Member Koons has been duly sworn-in as required. Chief asked that the Commission be permitted to vet prospective alternate members as those currently serving were brought on the Commission due to their knowledge of the law enforcement and public safety industry. Debate over state regulations allowing for elected officials to serve on the Commission ended in Attorney Rice reading the statute which states that Alternate Members may not hold another office while serving as an alternate. This appears to contradict the regulation for regular member of the Commission; Atty Rice will continue to research. Mr. Mathews suggested that Mr. Verderaine be considered for appointment. Atty Rice was asked to provide a written memorandum on the issue of Commission Membership; Mr. Hazlett will forward the information to Members when it is received. Mr. Mathews stated that the request would be tabled at this time pending receipt of the additional information.

**OPEN TO THE PUBLIC**

No one addressed Members at this time.

**ADJOURNMENT**

The meeting adjourned at 8:55 P.M. via a motion by B. Carr and seconded by D. Lillard that passed unanimously.

**ATTENDANCE REGISTER**

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

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Gayle Marthers, Borough Secretary