

**BOROUGH OF CARROLL VALLEY
REGULAR MEETING
OF BOROUGH COUNCIL
TUESDAY, MAY 9, 2023 – 7:00 P.M.
BOROUGH OFFICE
MINUTES**

Richard Mathews, Council 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, President
L. Michael Wight
Bruce Carr
Kari Buterbaugh via phone
John Schubring via phone
Jessica Kraft via phone
David Lillard

Absent

BOROUGH OFFICIALS, ETC

Ronald J. Harris, Mayor via phone
David A. Hazlett, Borough Manager
Gayle Marthers, Borough Secretary
Clifford J. Weikert, Police Chief
Zachary Rice, Borough Solicitor

Mr. Mathews explained that there would be an amendment to the agenda if Members wished to consider Resolution #8-2023 regarding the purchase of real property; parcel # 43039-001---000. Following brief discussion:

***D. Lillard moved; B. Carr seconded that the Agenda be amended to include Resolution #8-2023 under Administrative Business, Item 7, subsection “e”. Motion passed unanimously.

Borough Solicitor, Zachary Rice reminded Members and Staff that the amended agenda must be posted in the office and on the Borough website within 24 hours in accordance with a new Borough Code regulation.

CONSIDERATION OF THE MINUTES OF THE APRIL 11, 2023, REGULAR MEETING

Mr. Mathews asked that the following corrections to the minutes be noted: Page 1 under Public Hearing: add “#1” after Ordinance in the second line. On page 4 in the next to last line the Reserve Price should be: \$3,585.00 Following brief discussion:

*** M. Wight moved; J. Kraft seconded, that the minutes of the April 11, 2023, Regular Meeting be approved as corrected. Motion passed unanimously.

OPEN TO THE PUBLIC

Mr. Hazlett shared an email from resident Michael Kulkusky regarding his request to have Council consider an amendment to the Zoning Ordinance to expand the area where accessory structures are permitted. Following discussion:

***M. Wight moved; D. Lillard seconded that the issue be sent to Planning Commission for review and recommendation. Motion passed unanimously.

ORDINANCES AND RESOLUTIONS

Ordinance #3-2023:Amending Chapter 27:Zoning Ordinance in various sections to modify regulations pertaining to the definitions of several pertinent terms and the parking of trailers.

Mr. Mathews asked for a motion whereby:

***K. Buterbaugh moved; B. Carr seconded that Members approve Ordinance #3-2023:Amending Chapter 27:Zoning Ordinance in various sections to modify regulations pertaining to the definitions of several pertinent terms and the parking of trailers for advertisement of the Public Hearing and an intention to adopt following the Hearing. Discussion ensued:

Concerns voiced:

- Definition of Trailer to include the words “Licensed and Registered” before “motor vehicle”
- Number permitted is too many and should include RV’s and Truck Tractors
- Setback should refer back to the zoning district and match the setback for accessory structures

***M. Wight moved; D. Lillard seconded that the Motion on the Floor be withdrawn. Motion passed with six (6) yes votes and Mr. Carr voting “no”.

Following additional lengthy discussion:

***M. Wight moved; D. Lillard seconded that the issue be sent back to Planning Commission for the number of trailers to be discussed with a recommendation from Council that the number be reduced. Motion passed with five (5) yes votes and Mr. Carr and Mr. Mathews voting “no”.

MAYOR’S REPORT – R. HARRIS

- Police Report
 - Chief Weikert reviewed the Report noting the following:
 - ◆ Drug Take-Back was held April 22, 2023.
 - ◆ Hiring process is moving forward with several applications and testing scheduled for later this month
 - ◆ Chief Weikert renewed his TAC training certification
 - ◆ Statistical Report was reviewed and accepted by consensus. It was noted that there has been some criminal mischief in the Ranch Section; citizens were asked to report any unusual behavior or suspicious persons.
 - ◆ Proposal for Capital Purchase of Replacement Vehicles
 Chief Weikert reviewed memorandum dated May 5, 2023, requesting Members consider the budgeted capital purchase of two (2) AWD Pursuit Vehicles. Review of the single competitive bid received resulted in Chief Weikert requesting that the Council consider using the State Contract Pricing (COSTARS) quote offered by New Holland Dodge/Chrysler/Jeep/Ram. After discussion:
 ***M. Wight moved; D. Lillard seconded that Council award the contract for two (2) 2023 Dodge Durango 4Door All-Wheel Drive Pursuit Vehicles to New Holland Dodge/Chrysler/Jeep/Ram for the price of \$43,854.00 per unit; and further award the upfitting of lights, sirens, mounts, cage partitions, power supplies and similar items with installation to 10-8 Emergency for a per unit cost of \$15,949.19 and finally; the contract for the Tracker Speed Timing Devices to Rabold’s Service for a per unit price of \$1,470. It was noted that this motion includes the authorization for Borough Staff to sign all related documents. Motion passed unanimously.
- COVID-19 Report as of April 9, 2023:
 - Adams County: 26,744 cases
 - 17320 zip code: 2,199 cases
- Little League Rec Association held its Opening Day Parade and Ceremony on Saturday, April 29, 2023, at 9am.
- 2nd Annual Fairfield School District Art Exhibition is on display now until May 26, 2023.
- Annual Trout Fishing Derby was held Saturday, April 29, 2023.
- May starts Lyme Disease Season, tips were given to protect yourself and pets.
- Election Day is Tuesday, May 16, 2023.
- Yard Sale Scheduled for Saturday, June 3, 2023
- In Requiem:
 - 8 Officers from various cities across the US were honored for their bravery following their Line-of-Duty deaths during the month of April 2023; Mayor Harris noted that none (0) of those were related to COVID-19

FIRE/EMS/EMA REPORTS

Municipal Leaders have been invited to the Carroll Valley Borough Office on May 18, 2023 at 7pm for a meeting.

Report from Fountaindale Fire Department accepted without comment.

COMMITTEE REPORTS

Parks, Recreation, and Environmental Advisory Committee.

Met for their quarterly meeting in April to discuss the upcoming activities:

- Movies in the Park
- Spring Yard Sale
- July 4th Celebration

Councilman Carr expressed his opinion that this committee should be reconfigured to become a Community Affairs Committee. He stated that he has a proposed structure for this that he will provide to the other Members and Staff following the meeting.

Planning Commission.

Mr. Wight reviewed his notes outlining the Commission's regular meeting of May 1, 2023; noting the continued deliberation of the Short Term Rental issue. Members accepted the report without discussion.

ADMINISTRATIVE BUSINESS – BOROUGH MANAGER

Treasurer's Report for April 2023.

Following brief discussion:

*** M. Wight moved, B. Carr seconded, that Council accept the April 2023 Treasurer's Report as presented. Motion passed unanimously.

Capital Purchase Requests.

Mr. Hazlett reviewed the memorandum of May 3, 2023, regarding the budgeted Capital Expenditure request from Brad Sanders for a Zero Turn Mower for the Parks Department. As per PA Borough Code requirement, three (3) quotes were obtained, and Mr. Sanders asked that Council consider authorizing the purchase of a Scag Turf Tiger II Zero Turn Mower from Harrington & Sons, Inc at a cost of \$12,635.22. Following brief discussion:

*** M. Wight moved; B. Carr seconded that Council approve the budgeted Capital Expenditure for the Scag Turf Tiger II Zero Turn Mower in the amount of \$12,635.22. Motion passed unanimously.

2023 Materials Bid.

Ms. Marthers reviewed the memorandum of May 5, 2023, regarding the re-bids for gasoline and diesel fuel. No bids were received; therefore, Borough Code allows for the items to be purchased from the provider who can best serve the Borough's needs. Following brief discussion:

***M. Wight moved; D. Lillard seconded that Council authorize Borough Staff to purchase gasoline and diesel fuel from the provider who can best serve the Borough's needs at the lowest price available. Motion passed unanimously.

East Wind/Valley Trails Project.

Council reviewed a memorandum of May 5, 2023 regarding the Bid Tabulation for the East Wind/Valley Trail Project. Having received only one (1) responsible bid; following brief discussion:

*** B. Carr moved; J. Kraft seconded that Members award a contract for approximately 750 tons of Flexible Base – Modified (FB Modified) material to be installed at full roadway width on designated areas of East Wind Trail and Valley Trail to Russell Standard for the unit price of \$105.75. Motion passed unanimously.

Land Purchase.

Members reviewed Resolution #8-2023:Authorizing the Purchase of County Parcel number 43039-001--000 and designating Borough Officials and Staff to Execute associated purchase documents for a cost of \$175,000.00. Following brief discussion:

***M. Wight moved; B. Carr seconded that Council approve Resolution #8-2023:Authorizing the Purchase of County Parcel number 43039-001---000 and designating Borough Officials and Staff to Execute associated purchase documents for a cost of \$175,000.00. Motion passed unanimously.

UNFINISHED BUSINESS

Grant Funding Updates. Members reviewed and accepted the written report supplied by Marissa Price of GMS Funding Solutions outlining the various grants being managed by her agency. Mr. Hazlett explained that due to the trail project not being able to move forward at this time; Adams County Commissioners have requested the Borough pay back the expended funds of \$12,812.50 received from the C2P2 Grant funding. Following brief discussion:

***M. Wight moved; B. Carr seconded that Members authorize Borough Staff to prepare and send a check to Adams County for \$12,812.50 to repay the grant funds received to date. Motion passed unanimously.

NEW BUSINESS

Discussion was held regarding the Work Conducted in the Public Sewer Department Report. Concern expressed that sump pumps may be hooked into the public sewer system. More discussion will be had.

OPEN TO THE PUBLIC

The following citizens addressed Council at this time:

- Josh Haines, 15 Buffalo Trail, Carroll Valley regarding trailer ordinance.

ADJOURNMENT

The meeting adjourned at 8:50 P.M. via a motion by M. Wight and seconded by D. Lillard into Executive Session that passed unanimously.

Executive Session ended at 9:35pm with no official actions being taken.

ATTENDANCE REGISTER

The Attendance Register is attached, numbered Page 5 and made a part of the Official Minutes.

Gayle Marthers, Borough Secretary