

**BOROUGH OF CARROLL VALLEY
REGULAR MEETING
OF BOROUGH COUNCIL
TUESDAY, SEPTEMBER 12, 2023 – 7:00 P.M.
BOROUGH OFFICE
MINUTES**

Richard Mathews, President called the meeting to order at 7:05 P.M. He led the Pledge of Allegiance. The attendance was as follows:

BOROUGH COUNCIL MEMBERS

Present

Richard Mathews
John Schubring
Bruce Carr
Kari Buterbaugh
L. Michael Wight
David Lillard

Absent

Jessica Kraft

BOROUGH OFFICIALS, ETC

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

Mr. Mathews apologized for the meeting beginning late, stating that the Members had just finished an Executive Session held to discuss a legal matter that requires no action at this time.

CONSIDERATION OF THE MINUTES OF THE AUGUST 15, 2023, REGULAR MEETING

Following brief discussion:

*** M. Wight moved; B. Carr seconded, that the minutes of the August 15, 2023, Regular Meeting be approved as submitted. Motion passed unanimously.

OPEN TO THE PUBLIC

The following citizens addressed members at this time:

Katlyn Weimer, 8 Fawn Trail regarding their chicken coop placement on the property. Ms. Weimer read a statement followed up by thanking Mr. Hazlett for his help and patience.

ORDINANCES AND RESOLUTIONS

Ordinance #4-2023: Chapter 27 Amendment: Accessory Building Setbacks and Permitting requirements for Home Occupation and No Impact Home-Based Businesses.
Tabled until October 2023 meeting due to advertising and review requirements.

Ordinance # 5-2023: PA LGUDA Authorization.

This ordinance is necessary to complete the PENNVest Loan process for financing of the Wastewater Treatment Facility Project. The document has been properly advertised and is before Council for approval. Following brief discussion:

***M. Wight moved; J. Schubring seconded that Council approve Ordinance #5-2023: Authorizing and Directing the issuance of guaranteed Sewer Revenue note in the maximum

principal amount of \$5,452,398.00 in accordance with the Local Government Unit Debt Act. Motion passed unanimously.

MAYOR'S REPORT – R. HARRIS

- Moment of Silence in remembrance of 9-11.
- Police Report
 - Chief Weikert reviewed the Report noting the following:
 - ◆ Fall Drug Take-Back scheduled for 10-28-2023
 - ◆ Pippinfest will be held September 23rd & 24th.
 - ◆ Shared that the new police vehicles should be in-service by end of October
 - ◆ Statistical Report was reviewed and accepted by consensus.
- Shared information regarding National Preparedness Month
- Pippinfest will be held September 23rd and 24th.
- Blood Drive will be held Wednesday, September 27, 2023 from 1pm – 6pm.
- Senior Citizen Health and Wellness Fair will be held September 28, 2023 from 9am-noon.
- Strawberry Hill will host Trail-Gating on September 30, 2023
- E-Recycling will be held on October 14, 2023 from 8am – 11am at the Liberty Township Office.
- Trunk-or-Treat will be held at the Borough on October 31, 2023 from 6-8pm. There will be food trucks, photos and a movie in the park.
- In Requiem:
 - 9 Officers from various cities across the US were honored for their bravery following their Line-of-Duty deaths during the month of August 2023; Mayor Harris noted that none (0) of those were related to COVID-19.

FIRE/EMS/EMA REPORTS

Reports from Fairfield Fire & EMS and Fountaindale Fire Department were accepted by consensus.

COMMITTEE REPORTS

Planning Commission.

Mr. Wight reviewed the notes of the September 5, 2023 meeting of the Commission noting that the Vail/Liberty Mountain Development Plan was tabled at the request of Vail until October. Mr. Wight reviewed Mr. Hazlett's memorandum dated September 8, 2023 outlining a resident's concerns about the Borough's regulations pertaining to accessory structures. Following discussion, it was the consensus of Council that the concerns are already addressed in other areas of the Code of Ordinances.

Mr. Hazlett introduced his memorandum of September 8, 2023 regarding proposed changes to the Backyard Chicken Ordinance. Following much discussion:

*** D. Lillard moved; B. Carr seconded that Council send the issue back to Planning Commission to craft an amendment to the ordinance that allows the coop (structure) in those locations that meet the regulations of accessory structure placement in the underlying zoning district of the property where the coop will be placed. Upon a Roll Call Vote; Mr. Mathews, Mr. Wight and Dr. Schubring voted "No" and Mrs. Buterbaugh, Mr. Lillard and Mr. Carr voted "Yes" resulting in a tie vote. Mayor Harris was looked to for the deciding vote. He cast a "Yes" vote, thereby reaching a majority in favor of the motion.

ADMINISTRATIVE BUSINESS – BOROUGH MANAGER

Treasurer's Report for August 2023.

Following brief discussion that centered on the rising costs of treating the Lakes; specifically, Lake Kay:

***D. Lillard moved, K. Buterbaugh seconded, that Council accept the August 2023 Treasurer's Report as presented. Motion passed unanimously.

2024 MMO.

Mr. Hazlett reviewed Transmittal Memo outlining the Borough's Minimum Municipal Obligation (MMO) for the pension plans of the Borough. He reviewed Act 205 of 1984 which requires the Chief Administrative Officer to inform the Governing Body of the expected obligation for the coming year. No formal action is required. Following brief discussion, Members accepted the information as presented.

2022 FY Liquid Fuels Audit.

Mr. Hazlett shared the Liquid Fuels Audit for FY2022 indicating that no deficiencies were found. He commended staff on their continued efforts to achieve this accomplishment. Members accepted the information as presented.

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. Members reviewed information regarding the Statewide Local Share Account (LSA) grant program. Borough staff was asked to share the following ideas for us of this funding opportunity:

- Lake Kay Algae Control
- Reamer Property Improvements
- Comi Property Improvements
- Skylark Trail Hiking/Biking Trail
- Carroll Commons Park Improvements
- Council and Citizens are to send ideas to Mr. Hazlett

Lot Sale Guidelines. Mr. Hazlett reviewed his draft document outlining guidelines for the sale of Borough Lots. Much discussion included the following:

- Establishing an Opening Bid that would reimburse the Borough for money invested for an appraisal, perc test, advertising and similar costs.
- Special Consideration or Exception for adjacent landowners
- Sealed bid verses public auction
- Benefit to the Borough for selling of lots is the increase to the tax base more so than the price received from the sale
- Concern that some citizens were assured by previous elected officials that the lots would never be sold
- Timeframe for offering of lots; why July 4th through Labor Day?
- Each Lot/parcel offered for sale would be done through a separate motion

Solicitor Rice provided confirmation regarding the State Borough Code restrictions on selling of real property by a municipality.

Council permitted the following Public Comment regarding this topic:

Joseph Collins, 4 Fir Trail, CV in favor of adjacent property owners receiving special consideration
 Tiffany Price, 59 Mile Trail, CV regarding the purchasing process

Tom Pottinger, 871 Country Club Trail, CV regarding a concern about flooding the market with parcels

Bob Kurtz, 9 Janet Trail, CV questioning the appraisal process and information

Dustin Roath, 168 Country Club Trail, CV asked if there is process to request to purchase a parcel

Discussion concluded with the reminder that none of the lots owned by the Borough must be sold.
 ***D. Lillard moved; M. Wight seconded the motion to authorize Borough Staff to finalize the document with no recommended changes for approval at the October 2023 meeting. Motion passed unanimously.

NEW BUSINESS

Mr. Hazlett shared that the rented mobile office at the Wastewater Treatment Plant has been cleaned out and returned. Jed will use office space in the administrative area until the completion of the plant project.

Council members thanked Brad Sanders and Jed Fetter for their monthly reports.

Mr. Lillard thanked Mr. Hazlett for doing a good job as he took the “flack” for enforcing the new property maintenance ordinances recently enacted.

OPEN TO THE PUBLIC

No one addressed Members at this time.

ADJOURNMENT

The meeting adjourned at 9:00 P.M. via a motion by D. Lillard and seconded by M. Wight that passed unanimously.

ATTENDANCE REGISTER

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