

**BOROUGH OF CARROLL VALLEY
REGULAR BOROUGH COUNCIL MEETING
TUESDAY, APRIL 14, 2009 – 7:00 P.M.
BOROUGH OFFICE**

MINUTES

Council President John VanVolkenburgh 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

John J. VanVolkenburgh, President
N. Kenneth Lundberg
Daniel J. Patton, Vice President
Tammy J. Lytle
William K. Reinke
Neal E. Abrams

Absent

Frank A. Buhrman

BOROUGH OFFICIALS, ETC.

Ronald J. Harris, Mayor
David A. Hazlett, Borough Manager
Gayle R. Marthers, Borough Secretary
Richard L. Hileman, Police Chief
David E. Baker, Zoning Officer
Thomas R. Campbell, Solicitor

Absent

None

CONSIDERATION OF THE MINUTES OF THE MARCH 10, 2009 REGULAR MEETING

*** K. Lundberg moved, W. Reinke seconded, that the minutes of the March 10, 2009 regular Council meeting be approved as submitted. Motion carried unanimously.

OPEN TO THE PUBLIC

Mr. Eric Flynn, Operations Manager for Liberty Mountain Resorts (Ski Liberty), asked to address the members in regards to A Partnership Proposal for Lake May. Representatives from GEO Services also addressed the members providing specific information detailing how the proposed partnership would benefit the health of the lake. After discussion the members agreed by consensus to pursue the offer starting with a meeting where all lake-front property owners will be invited to hear the proposal. Mr. Hazlett was asked to lead the effort and provide follow-up at the May 12, 2009 meeting.

Mr. Thomas Wolf of 33 Spring Trail, addressed the Council in favor of the partnership. Mr. Wolf provided background for the current water usage agreement in place for Lake Kay to the newer members and applauded Liberty Mountain for their commitment to the community.

Mr. Thomas Fitzsimmons of 1 Trout Run Trail also expressed his favoritism of the proposed partnership. As a lakefront resident of Lake Kay, Mr. Fitzsimmons was asked about the draw-down cycles that Liberty Mountain has used in the past. He assured those present that the water level was never drawn below an acceptable level. Council Vice President, Mr. Dan Patton, also a lakefront resident agreed that the water levels have always been maintained and that Liberty Mountain has been a good partner in making Lake Kay healthier.

ORDINANCES AND RESOLUTIONS

Proposed Resolution #5-2009, Destruction of Digital Voice Recordings of Carroll Valley Borough Meetings.

Mr. Hazlett explained the new Open Records Law that took effect in stages over the past 9 months. The issue of voice recordings used by recorders of public meetings has come into question when not specifically dealt with by resolution or ordinance. To prevent confusion, Mr. Hazlett asked the members to formally adopt Resolution #5-2009 outlining the intent of the Borough to destroy said recordings.

***N. Abrams moved; K. Lundberg seconded that Resolution #5-2009 be adopted as presented. Motion carried unanimously.

Proposed Resolution #6-2009, DCNR Form 2300-FM-RC0107f; Designating a Signatory for the Grant Application for the Borough of Carroll Valley Project entitled "Carroll Commons Community Gazebo".

Mr. Hazlett outlined the project and explained that the application requires a resolution be adopted designating a Borough representative as signatory.

***K. Lundberg moved; D. Patton seconded that David Hazlett, Borough Manager be designated as the signatory. Motion carried unanimously.

MAYOR'S REPORT – R. HARRIS

Mayor Harris provided an update on the progress of cellular tower construction in the area and briefed the members on the progress of the July 4th Celebration Planning Committee.

Chief Hileman in union with Mayor Harris reviewed the DARE Program with the members and public in attendance. They explained that the state appropriation for this program has been reduced and is in jeopardy of being eliminated. Mayor Harris utilized the program description to transition into the description of an Adams County Television production that he and the Chief are preparing that will address the growing problem of Driving Under the Influence.

COMMITTEE REPORTS

Parks, Recreation and Environmental Advisory. Mrs. Lytle provided a brief update on upcoming events such as the Fishing Derby scheduled for April 25, 2009; the 5th Annual July 4th Celebration; and the National Night Out on August 4th. She shared that the Committee had discussed several community activities that they are interested in perusing. Namely, a community garden, farmer's market and kite making/flying.

Sewer and Water Authority. The 2008 Chapter 94 Report was reviewed at a special meeting on Monday, March 23, 2009 where it was accepted and has since been submitted.

Finance Committee. Mr. Reinke provided a brief description of the items discussed during the Quarterly meeting of the Finance Committee held on Monday, April 13, 2009. He shared that the 2008 FY Audit was presented by Mr. Chuck Frame of Boyer and Ritter. Everything looked in order and the document was accepted by the committee and recommended for acceptance to Council. Mr. Hazlett stated that there was a copy of the Audit for each Council Member and asked that they review for the next meeting.

ADMINISTRATIVE BUSINESS – BOROUGH MANAGER

Treasurer's Report for March 2009.

***W. Reinke moved, K. Lundberg seconded, that Council accept the March 2009 Treasurer's Report as presented. Motion carried unanimously.

Southwest Adams County Regional Comprehensive Plan Update. Mr. Hazlett asked if anyone would be interested in attending this meeting. The group meets every other month on the first Thursday at 7pm; the next meeting is scheduled for June 4, 2009 at the Fairfield Village Hall. Mayor Harris offered to attend.

E-Newsletter Launch. Mr. Hazlett answered questions regarding the content of the newsletter, the distribution list and scheduled release dates. The Members commended him on the great job he did on the newsletter and stated that they look forward to future editions.

UNFINISHED BUSINESS

Lake May Wall Repairs. Members discussed the KPI, Technology memorandum addressed to the PA DEP Division of Dam Safety, dated March 18, 2009 wherein the engineering firm provided a narrative describing the project's necessity and outlined proposed repair process for consideration. Mr. Hazlett stated that the estimated cost of this is between \$20,000 and \$50,000. It was affirmed that Liberty Mountain would accept this liability if an agreement was reached regarding the partnership offered by their Operations Manager, Eric Flynn. After lengthy discussion, the issue was tabled until the PA DEP response was received.

Lake May Emergency Action Plan. Mr. Hazlett informed the Members that the required Plan was submitted as requested in the time allotted.

Request to Advertise Joint Materials Bid. Mr. Hazlett explained that Hamiltonban Township needed additional time for the approval process and therefore the dates of letting and award were changed to accommodate. Liberty Township has agreed to the changes and Mr. Hazlett asked that the Council consider the advertisement again with the changes.

***K. Lundberg moved; W. Reinke seconded, that Council approve the request and ask that Mr. Hazlett make advertisement. Motion carried unanimously.

NEW BUSINESS

Mr. Hazlett introduced a memorandum requesting the Council Members consider the unbudgeted purchase of new Utility Billing Software and related hardware and two (2) new desk-top computer workstations and one (1) desk-top clone to be used as a system server. Mr. Reinke and Mayor Harris shared that the Finance Committee had reviewed the request at their last meeting and recommends the investment. After discussion the following action was taken:

***W. Reinke moved; K. Lundberg seconded that Mr. Hazlett move forward with the purchase of Utility Billing Software – Revenue Management with Central Cashiering 5 user licenses; an SQL upgrade for the current software program, Data Conversion and 3 days of on-site training plus the accompanying equipment: Folder/Sealer Unit and hand-held scanner. Motion passed unanimously.

***T. Lytle moved; K. Lundberg seconded, that Mr. Hazlett purchase two (2) new desk-top computer workstations and one (1) desk-top clone to used as a system server. Motion passed unanimously.

Mayor Harris asked that the Members consider compiling a list of priorities for the Finance Committee to reference during the FY 2010 Budget process.

Mr. Hazlett informed the Members that there have been inquiries made regarding zoning regulations for personal windmills or turbines. He explained that current ordinance does not

address this issue except to prohibit any structure over 35 feet in height. No action was taken at this time.

OPEN TO THE PUBLIC

Mr. Thomas Wolf asked the Members about the EIT issue and how CENTAX was working. Mr. Hazlett stated that the transition had gone as smoothly as possible and that the office staff was handling any difficulties as they arose.

Mr. Wolf inquired as to the intended use of the FEMA Trailer purchased by the Borough for the Police Department. He was informed that the trailer is still in storage and will be used or put for sale within the coming months.

ADJOURNMENT

The meeting was adjourned at 9:20 P.M.

ATTENDANCE REGISTER

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

Gayle R. Marthers, Recording Secretary