

**BOROUGH OF CARROLL VALLEY
REGULAR MEETING
Of BOROUGH COUNCIL
TUESDAY, AUGUST 14, 2012 – 7:00 P.M.
BOROUGH OFFICE**

MINUTES

Council Vice President Dan Patton 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

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

Absent

John J. VanVolkenburgh
Janis Ashman

BOROUGH OFFICIALS, ETC.

Ronald J. Harris, Mayor
David A. Hazlett, Borough Manager
Gayle R. Marthers, Borough Secretary
Sam Wise, Borough Solicitor
Richard L. Hileman, II, Police Chief
Dave Baker, Zoning Officer

Absent

CONSIDERATION OF THE MINUTES OF THE JULY 10, 2012 REGULAR MEETING

*** W. Reinke moved, T. Lytle seconded, that the minutes of the July 10, 2012 Regular Council meeting be approved as presented. Motion passed unanimously.

OPEN TO THE PUBLIC

The following citizens addressed Council at this time:

- Charles Dalton, representing CVCA, Presented proceeds from fundraising efforts benefiting the July 4th Celebration: \$1500 from the Golf Tournament and \$223.50 from a 50/50 Raffle.
- Robert Jester, representing the July 4th Planning Group, Presented proceeds from fundraising efforts benefiting the Celebration: \$1650 from their Raffle
- Ms. Meg Cliber, 601 Country Club Trail, spoke on behalf of herself and her husband regarding their opposition to the Lake May Agreement with Liberty Mountain Resorts
- Ms. Mayumi Kazlas, 657 Country Club Trail, spoke regarding her opposition to the Lake May Agreement with Liberty Mountain Resorts
- Mr. John Kazlas, 657 Country Club Trail, spoke regarding his opposition to the Lake May Agreement with Liberty Mountain Resorts
- Ms. Christine Harrington, owner of 609 Country Club Trail, spoke regarding her opposition to the Lake May Agreement with Liberty Mountain Resorts
- Mr. Eric Flynn, President and General Manager of Liberty Mountain Resorts, addressed concerns voiced by those who addressed Council
- Ms. Ruth Virginia Gardner, 646 Country Club Trail, spoke regarding her opposition to the Lake May Agreement with Liberty Mountain Resorts

Mr. Patton suggested that a subcommittee be formed whose members would represent property owners, Liberty Mountain Resorts, Council and The Borough to address concerns. Owners were asked to contact Mr. Hazlett if they wished to be involved in the meetings. He further stated that anyone addressing Council this evening who wished to have their statement entered as part of the minutes could do so by submitting them to the Borough

Manager following the meeting. Any and all statements that are received will be attached to the Appearance Sheets.

ORDINANCES AND RESOLUTIONS

Resolution #4-2012: Amending Fees Schedule. Mr. Hazlett explained that with the dedication of the Veteran's Pavilion; the Borough would like to offer it for rental.

***K. Lundberg moved; T. Lytle seconded that Council approve Resolution #4-2012 establishing Rental Rates for the Veteran's Pavilion. Motion Carried unanimously.

Ordinance #2-2012: Authorizing the Borough of Carroll Valley to Enter into an Addendum to the Joint Municipal Agreement for Law Enforcement Services with the Borough of Fairfield. Mr. Hazlett briefly described the new terms of the agreement and asked that Council consider the advertisement of the Ordinance. Following brief discussion:

***T. Lytle moved; N. Abrams seconded that Ordinance #3-2012: Authorizing the Borough of Carroll Valley to Enter into an Addendum to the Joint Municipal Agreement for Law Enforcement Services with the Borough of Fairfield be advertised. Motion carried unanimously.

Ordinance #3-2012: Amendment to Municipal Pension Plan Administered by the Pennsylvania Municipal Retirement System Pursuant to Article IV of the Pennsylvania Municipal Retirement Law Agreeing to be bound by all Provisions of the Aforementioned Law. Mr. Hazlett explained that the contents of the Ordinance is required by a change to the Law and asked that Council consider the advertisement of the Ordinance. After brief discussion: ***K. Lundberg moved; W. Reinke seconded that Ordinance #2-2012: Amendment to Municipal Pension Plan Administered by the Pennsylvania Municipal Retirement System Pursuant to Article IV of the Pennsylvania Municipal Retirement Law Agreeing to be bound by all Provisions of the Aforementioned Law be advertised. Motion carried unanimously.

MAYOR'S REPORT – R. HARRIS

Mayor Harris provided updates or follow-ups for the following:

- Police Report – Thefts from unlocked vehicles increasing; please lock your doors. Identity Theft is increasing also, asked citizens to be vigilant about checking financial statements, shredding all personal documents if discarding them.
- NNO – Held Tuesday, August 7, 2012. Very successful, having more than 400 visitors and over 60 children participating in the CHIP program.
- Request for Salary increase for Patrolman Miller. Chief Hileman reviewed a memorandum provided to each Member. Following discussion: ***D. Patton moved; N. Abrams seconded that the salary of Patrolman Miller be increased by 7.5% effective immediately. And that Borough Staff adjust the 2012 Budget Account # 01-410-131 to \$42,935 reflecting the additional \$1,220 necessary for the remainder of 2012 Budget year. Results of a Role-Call Vote: NA-yes; TL-yes; WR-no; DP-yes; KL-no. Motion passed 3 yes; 2 no.
- YATB – Adams County Offices will be moving within 30 days to new location in Borough of Gettysburg.
- ACCOG – Adams County Emergency Services Study is underway.
- Regional Recreation Study – next meeting of advisory group September 11, 2012; CVB representatives are Mr. Hazlett and Mayor Harris
- Borough Code Revision – PSAB will offer overview at The Pike Restaurant on Monday, August 20, 2012 from 2 PM until 4 PM and again from 6 PM until 8 PM
- Shared a list of the upcoming meetings and events.

Fairfield Fire/EMS Report.

Updates and Information was supplied for the following:

- Mr. Abrams provided report for Fairfield Fire/EMS.

COMMITTEE REPORTS

There were no reports.

ADMINISTRATIVE BUSINESS – BOROUGH MANAGER

Treasurer's Report for July 2012. Following brief discussion:

***W. Reinke moved, T. Lytle seconded, that Council accept the July 2012 Treasurer's Report as presented. Motion carried unanimously.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

Request from Eluma, Inc. for an Amendment to the Borough Zoning Ordinance. Mr. Charles Suhr of Stevens & Lee Lawyers & Consultants representing Eluma, Inc. addressed Members regarding a proposed amendment of the Borough Code of Ordinances, Chapter 27: Zoning Part 6, Section F regarding regulations for Cluster, Townhouse and Multi-Family Dwelling Developments. Following brief presentation and discussion, Members agreed by consensus to direct the Borough Planning Commission to review the proposed ordinance change and report back to Council.

OPEN TO THE PUBLIC

The following citizens addressed Council at this time:

- Jody Knowlton, 6485 Fairfield Road, spoke regarding her concerns about the Lake May Agreement with Liberty Mountain Resorts

EXECUTIVE SESSION

Upon request of Borough Council Vice President, Dan Patton,

***K. Lundberg moved, W. Reinke seconded, that the Council enter Executive Session at 9:08 PM to discuss a potential litigation issue.

OPEN SESSION

Council opened to the public at 9:21 PM. Mr. Patton stated that the Members had discussed an issue of potential litigation. No action is needed at this time.

ADJOURNMENT

The meeting was adjourned at 9:24 P.M.

ATTENDANCE REGISTER

The Attendance Register is attached, numbered Page 4 and made a part of the Official Minutes.