

**BOROUGH OF CARROLL VALLEY
REGULAR MEETING
Of BOROUGH COUNCIL
TUESDAY, SEPTEMBER 11, 2012 – 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, Vice President
Tammy Lytle
Neal E. Abrams
William K. Reinke
Janis Ashman

Absent

Daniel J. Patton
N. Kenneth Lundberg

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 AUGUST 14, 2012 REGULAR MEETING

Due to a typographical error in the numbering of the Ordinances, Members were informed that a corrected set of minutes were provided at their seat.

*** W. Reinke moved, T. Lytle seconded, that the minutes of the August 14, 2012 Regular Council meeting be approved as corrected. Motion passed unanimously.

OPEN TO THE PUBLIC

The following citizens addressed Council at this time:

- Ms. Meg Cliber, 601 Country Club Trail, spoke on behalf of herself and her husband regarding the Lake May Agreement with Liberty Mountain Resorts
- Mr. Paul Kellet, Representing Adams County Water Shed Alliance, spoke in favor of the concept of controlled lake water draw down.
- Mr. John Kazlas, 657 Country Club Trail, spoke regarding the Lake May Agreement with Liberty Mountain Resorts
- Ms. Mayumi Kazlas, 657 Country Club Trail, spoke regarding 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. Alex Chiaruttini, Attorney for Liberty Mountain, addressed concerns voiced by those who addressed Council as requested by her client
- Larry Seaman, 9 Bunny Trail, spoke regarding the Lake May Agreement with Liberty Mountain Resorts

Mr. VanVolkenburgh addressed the public thanking them for their comments and publically extended the invitation to join a subcommittee of the Borough Parks, Recreation and Environment Advisory Committee that would hear concerns regarding any future lake issues.

ORDINANCES AND RESOLUTIONS

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 stated that the ordinance had been duly advertised and asked that Council consider the adoption of the Ordinance. Following brief discussion:

***W. Reinke moved; N. Abrams seconded that 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 be approved and further authorizing Borough Representatives to ratify the Agreement. Motion carried unanimously.

Ordinance #3-2012: Amendment to the Non-Uniform Employee 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 &

Ordinance #4-2012: Amendment to the Police Employee 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:

*** W. Reinke moved; N. Abrams seconded that Ordinance #3-2012: Amendment to the Non-Uniform Employee 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 & Ordinance #4-2012: Amendment to the Police Employee 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.
- SPCA will partner with Borough Police Department to host a Pet Spaying/Neutering and Pet-Chipping Clinic on Sunday, October 21, 2012 from 3:00pm – 5:00pm
- ACTCC/YATB – Meeting held September 5, 2012. Adams County Offices will be opening at its new location in Borough of Gettysburg during the month of December following renovations.
- ACCOG – Adams County Emergency Services Study is underway.
- West Nile Virus is increasing in Adams, York and surrounding counties. Please take precautions
- Borough Code Revision
- Drug Take Back Event planned for Saturday, September 29, 2012 from 10:00am – 2:00pm at the Fairfield Fire Department
- Act 32 EIT Training will be offered on October 31, 2012 from 8:30am – noon.
- Adams County Boroughs' Association – Next meeting September 17, 2012
- 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. Inviting all to attend the next Municipality and Fire Department Round Table scheduled for September 24, 2012.

COMMITTEE REPORTS

Parks, Recreation and Environmental Advisory Committee. Mrs. Lytle provided a brief update on the Farmer's Market and invited Members to the July 4th Committee Lessons Learned meeting on September 18, 2012 at 7:00pm.

Planning Commission. Mr. Kaplan reported that although there was no quorum at the meeting; those in attendance listened to a presentation from Eluma, Inc. regarding proposed zoning ordinance changes that they are requesting in order to equitably prepare to develop the large parcel of land they own along Sanders Road known locally as the "Mallow Tract".

Public Safety Committee. Mayor Harris provided a brief overview of the following topics discussed:

- Grass Clippings being blown onto the roadway
- Public Safety Portal on the Borough Website
- FREMA and their need for volunteers

ADMINISTRATIVE BUSINESS – BOROUGH MANAGER

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

*** T. Lytle moved, J. Ashman seconded, that Council accept the August 2012 Treasurer's Report as presented. Motion carried unanimously.

2013 MMO Transmittal. Mr. Hazlett outlined the Minimum Municipal Obligation for both the Non-Uniformed and Police Employee Pension Plans and asked that Council acknowledge their notification of same. Following brief discussion, Members acknowledged their receipt of the 2013 MMO for both the Non-Uniformed and Police Employee Pension Plans by consensus.

Mr. Hazlett shared a letter of thank you from a resident to the Municipal Services Department for their prompt attention to the debris from the weekend storms.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

Mayor Harris shared a "thank you" from a resident to the gentleman who cares for the Ranch Trail Park. The Park always looks beautiful.

Mayor Harris asked that the Members consider funding the continuation of Community Media's videotaping of the Council Meetings. The cost to provide this service for the remainder of 2012 is \$600. Mr. Hazlett stated that the franchise fees received from Comcast is anticipated to be in excess of the amount budgeted by more than the \$600. Following discussion:

***T. Lytle moved; N. Abrams seconded that the excess franchise fees received be utilized to continue the Community Media videotaping of the Council Meetings for the remainder of 2012. Motion Passed with J. Ashman voting no.

OPEN TO THE PUBLIC

The following citizens addressed Council at this time:

- Mr. John Kazlas, 657 Country Club Trail, spoke in favor of the continued use of videotaping for the Council meetings, continued opposition to the Lake May Agreement with Liberty Mountain Resorts, concern regarding the care of the inlet pipe and valve; and opposition to the tar & chip of Country Club Trail requesting timely removal of the excess stone.

ADJOURNMENT

The meeting was adjourned at 9:2 P.M.

ATTENDANCE REGISTER

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

Gayle R. Marthers, Borough Secretary