

**BOROUGH OF CARROLL VALLEY
REGULAR MEETING
Of BOROUGH COUNCIL
TUESDAY, AUGUST 13, 2013 – 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
Neal E. Abrams
Tammy Lytle
Dan Patton

Absent

Janis Ashman
Frank Buhrman

BOROUGH OFFICIALS, ETC.

Ronald J. Harris, Mayor
David A. Hazlett, Borough Manager
Gayle R. Marthers, Borough Secretary
Richard L. Hileman, II, Police Chief
Sam Wiser, Borough Solicitor

Absent

CONSIDERATION OF THE MINUTES OF THE JULY 9, 2013 REGULAR MEETING

*** T. Lytle moved, N. Abrams seconded, that the minutes of the July 9, 2013 Regular Council meeting be approved as presented. Motion passed unanimously with Mr. Patton abstaining due to absence.

OPEN TO THE PUBLIC

The following citizens addressed Council at this time:

- Mr. John Cazalas, 657 Country Club Trail, CV: Addressed Council regarding issue of not being able to use his dock and stated that he did not received the notification in the time frame promised by the Borough. Mr. Wiser, Borough Solicitor and Mr. Hazlett addressed the issue.

ORDINANCES AND RESOLUTIONS

There were none.

MAYOR'S REPORT – R. HARRIS

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

- Police Report: Chief Hileman stated that break-ins are continuing; please call 911 if you see anything or have knowledge of any crime
- Radio Project: Equipment has been ordered
- Adams County Tax Collection Committee (ACTCC)
- Southwest Regional Comprehensive Plan
- National Night Out recap: Awards presented to Chief Hileman and Jo Ann Myers
- Shared a list of the upcoming meetings and events

FIRE/EMS/EMA REPORTS

Updates and Information was supplied for the following:

- Mr. Abrams provided reports: Fairfield Fire/EMS
 - Statistics
 - Referenced a Letter from Assistant Chief Millstein regarding House/Address Numbering: Issue referred to Public Safety Committee for review
 - Referenced a Letter from Company President Fitez regarding a proposed fire tax: Issue referred to Special Workshop to be scheduled and advertised prior to next Council Meeting.

COMMITTEE REPORTS

Planning Commission: Mr. Kaplan provided updates for the following:

- Ordinance regarding Cluster Housing
 - Commission members recommend consideration of the Ordinance regarding the amendment of Part 6 Section F of the Borough Zoning Ordinance Regarding regulations for Cluster, Townhouse and Multi Family Dwelling Development by Council. The concerns of the Commission have been reduced to the number of phases and ELUMA representatives are in the audience for comment.
 - Mr. Ron Lucas and Mr. Ambrose Heinz attorneys for ELUMA, Inc., and Engineer Bill Kick addressed Members:
 - Stating that language has been used that mimic other Borough Ordinances and a Limit of ten (10) “Sections” has been included in the latest draft.
 - Requesting a Public Hearing for Adoption by Council be held on or before the Council meeting of October 15, 2013.
- ***K. Lundberg moved; N. Abrams seconded that an Ordinance regarding the amendment of Part 6 Section F of the Borough Zoning Ordinance Regarding regulations for Cluster, Townhouse and Multi Family Dwelling Development be properly advertised and scheduled for Public Hearing at the Regular Council Meeting of Tuesday, October 15, 2013. Motion carried with Mr. Patton voting no.
- Property Maintenance Ordinance Review
- Sub-Committees:
 - Pathways (Hiking & Biking Trails)
 - Commuter Community

Committee Vacancies: Mr. Hazlett outlined the current vacancies and the Applications to fill some of those vacancies.

- Finance Committee: Application received from Mr. Thomas Fitzsimmons to fill the vacancy left when Mr. Reinke resigned. Following brief discussion:
D. Patton moved; K. Lundberg seconded that Mr. Fitzsimmons be appointed to the Finance Committee for a standard 5-year term to fulfill the vacancy. Motion passed unanimously.
- Parks, Recreation and Environments Advisory Committee:
 - Application received from Ms. Lori Davidson to fill a vacancy on this Committee. Following brief discussion:
T. Lytle moved, N. Abrams seconded that Ms. Davidson be appointed to the Parks, Recreation and Environments Advisory Committee for a standard 5-year term to fulfill the vacancy. Motion passed unanimously.
 - Mr. Hazlett reviewed a letter that was sent to a non-attending member of the Parks, Recreation and Environments Advisory Committee requesting this member contact him regarding their intent to serve and there has been no contact. Following brief discussion:
K. Lundberg moved; N. Abrams seconded that member Jim Marchione be removed from the roster of the Parks, Recreation and Environments Advisory Committee due to non attendance. Motion carried with Mrs. Lytle abstaining stating a conflict of interest.

ADMINISTRATIVE BUSINESS – BOROUGH MANAGER

Treasurer’s Report for July 2013. Following brief discussion:

*** N. Abrams moved, T. Lytle seconded, that Council accept the July 2013 Treasurer’s Report as presented. Motion carried unanimously.

Gabion Wall Project. Mr. Hazlett stated that he met with Liberty Mountain Resorts and their engineer regarding the repair to the Gabion Wall along the berm of Lake May. The Pennsylvania DEP

permits have been requested and a mid-September start date has been set. The project should take about 3-4 weeks to complete.

Sewage Management Program Enforcement – Request for Reprieve.

Mr. Hazlett reviewed a letter received by a home owner in the borough requesting reprieve from the requirements of the Sewage Management Program's 3-year septic pump cycle. Following brief discussion the consensus of the Members was that Council must uphold the Borough Ordinances and asked Borough Staff to draft a letter of response to the resident.

Alternate Engineer.

Mr. Hazlett explained that due to the Borough Engineer being used as the engineer for a Commercial Building Project that the Members should consider the appointment of an Alternate Engineer in case there comes a time when a conflict of interest makes it necessary to have another engineer to represent the Borough's interests. Following discussion the following action was taken:

***N. Abrams moved; K. Lundberg seconded that Council appoint Mr. Eric Mains of Buchart Horn, Inc. to serve as the Borough's Alternate Engineer. Motion carried unanimously.

UNFINISHED BUSINESS

House #/Addresses – Zoning Officer Report.

Mr. Hazlett reported that Zoning Officer Dave Baker has driven approximately two thirds of the Borough and issued several warnings. Overall there are less than 10% of the houses that are out of compliance thus far.

Building Report:

Mr. Hazlett shared that financing is currently being sought and proposals are being received. The Building Working Group will review the proposals and report at the September

NEW BUSINESS

Mayor Harris requested permission to contact PennDOT regarding their conducting a traffic study during ski season to determine the volume of traffic going through the intersection of Sanders Road and Route 116. Consensus of Members was yes.

OPEN TO THE PUBLIC

The following citizens addressed Council at this time:

- Mr. John Cazalas, 657 Country Club Trail, CV: Requesting written response to his concerns about the letter that he received addressing the Lake May Agreement and his use of his dock during a draw-down of water. Mr. Hazlett and Atty. Wiser will handle.

ADJOURNMENT

The meeting was adjourned at 8:55 P.M.

ATTENDANCE REGISTER

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