

**BOROUGH OF CARROLL VALLEY  
REGULAR MEETING  
Of BOROUGH COUNCIL  
TUESDAY, NOVEMBER 12, 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  
Frank Buhrman  
Dan Patton  
Janis Ashman

**Absent**

Tammy Lytle

**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

**CONSIDERATION OF THE MINUTES OF THE OCTOBER 15, 2013 REGULAR MEETING**

\*\*\* K. Lundberg moved, J. Ashman seconded, that the minutes of the October 15, 2013 Regular Council meeting be approved as presented. Motion passed unanimously.

**OPEN TO THE PUBLIC**

The Following Citizens addressed Council at this time:

- Mr. Kevin Hoffman & Mr. Evan Giardina, Seniors at Fairfield High School regarding their graduation project involving improvements to the distance markers along the walking trail in Carroll Commons
- Mr. William Chain, Superintendent of Fairfield School District regarding the Peer-to-Peer Southwest Adams County Regional Recreation Study and the possible formation of a Joint Recreation Commission

Comment Received from the following citizens regarding this Issue:

- Mr. Thomas Fitzsimmons, 1 Trout Run Trail, Carroll Valley
- Ms. Mary Walter, 36 Hilltop Trail, Carroll Valley
- Mr. Robert A. Fitez, President of Fairfield Fire/EMS regarding the possible adoption of a Tax Dedicated to Fire and EMS Services

Comment Received from the following citizens regarding this Issue:

- Mr. Thomas Fitzsimmons, 1 Trout Run Trail, Carroll Valley
- Mr. Thomas Wolf, 33 Spring Trail, Carroll Valley
- Mr. Richard Matthews, 21 Helen Trail, Carroll Valley
- Mr. Bruce Carr, 2 Eagles Trail, Carroll Valley
- Ms. Mary Walter, 36 Hilltop Trail, Carroll Valley

**Public Hearing**

The Advertised Public Hearing was opened at 8:04 pm by Borough Solicitor, Sam Wiser with a reading of the proposed Ordinance #2-2013 and brief overview of the guidelines that would be adhered to during the Hearing. Mr. Wiser introduced the Applicant, Mr. Charlie Suhr of Stevens & Lee, Attorneys at Law representing Eluma, Inc.

Mr. Suhr provided a lengthy explanation of the proposed Ordinance and outlined changes made from the current text in the Borough Code of Ordinances to the Proposed Ordinance #2-2013. Following his statement; Mr. Ed Kaplan, Chairman of the Borough Planning Commission made a statement regarding changes that were made in several drafts of the Proposed Ordinance completed by the Planning Commission prior to the document gaining majority approval to be moved from committee to the Council for action.

Council Members were permitted to offer explanation, clarification or ask questions and finally, Mr. Bill Kick, an engineer with Martin and Martin representing Eluma, Inc. outlined a possible planned development for discussion purposes.

Upon completion of opening statements, Mr. Wiser asked that any member of the audience who wished to be heard in favor of the Proposed Ordinance stand to be heard. Members of the Public asked that they first be able to ask questions for clarification purposes before speaking in favor or against the issue. The invitation to speak was then extended to anyone wishing to have clarification. The following citizens addressed Council:

- Mr. Phil Coghlan, 313 Country Club Trail, Carroll Valley regarding the widening of Sanders Road. (Members stated that this was an issue discussed by Liberty Mountain Resorts and will not be addressed by the Proposed Ordinance)
- Mr. Roger Butt, 49 High Trail, Carroll Valley
- Mr. Tom Wolf, 33 Spring Trail, Carroll Valley
- Mr. George Fisanich, 7 Snowplow Trail, Carroll Valley
- Mrs. Melissa Cavey, 76 Ski Run Trail, Carroll Valley
- Mr. Buddy Weller, 5 Pinehurst Trail, Carroll Valley

Mr. Wiser then invited anyone in Favor of the Ordinance to speak:  
No one addressed Council at this Time.

Mr. Wiser then invited anyone Opposed to the Ordinance to speak:  
The following citizens addressed Council:

- Mr. Robert Verderaine, 12 Linda Trail, Carroll Valley
- Mr. Bruce Carr, 92 Eagles Trail, Carroll Valley
- Mr. Richard Matthews, 21 Helen Trail, Carroll Valley
- Mr. Roger Butt, 49 High Trail, Carroll Valley
- Mr. Robert Pyles, 52 Ski Run Trail, Carroll Valley
- Mr. Rick Wolfgang, 17 Skylark Trail, Carroll Valley

Closing Comments were heard and upon a motion by K. Lundberg and seconded by N. Abrams; the Hearing was brought to Adjournment at 9:30pm by unanimous vote.

## **Regular Meeting of Council Reconvened @ 9:32pm**

### **ORDINANCES AND RESOLUTIONS**

Ordinance #2-2013 - Zoning Change Regarding Cluster Developments. Mr. VanVolkenburgh asked for a motion to bring Ordinance #2-2013 up for a vote and allow further discussion; however, the Members failed to move on the issue and it was subsequently tabled until next month.

Ordinance #3-2013 – Joint Recreation Commission. Mr. VanVolkenburgh asked for a motion to advertise Ordinance #3-2013:

\*\*\*N. Abrams moved, D. Patton seconded that Ordinance #3-2013 regarding the Joint Recreation Commission be advertised. Motion passed unanimously.

Ordinance #4-2013 – 2014 Tax Levy. – Mr. Hazlett reviewed the language of the Ordinance stating that the budget has been prepared and is set for advertising with no increase in taxes. Following brief discussion:

\*\*\*N. Abrams moved; K. Lundberg seconded that Ordinance #4-2013 setting the Borough Tax Rate at 2.45 mils for 2014 be advertised for adoption. Motion passed unanimously.

Ordinance #5-2013 – Dedicated Fire & Emergency Services Tax. Mr. VanVolkenburgh asked for a motion to advertise Ordinance #5-2013:

\*\*\*N. Abrams moved; F. Buhrman seconded that Ordinance #5-2013 that would levy a tax of .25 mils dedicated to Fire & Emergency Services. Motion passed with D. Patton voting no.

## **MAYOR'S REPORT – R. HARRIS**

Mayor Harris began by asking for a moment of silence in honoring all Veterans and wishing a happy Birthday to the Marine Corps. Following this he provided updates or follow-ups for the following:

- Police Report
- Chief Hileman reported that the burglaries are continuing and asked all citizens to be diligent in locking all doors and windows and to call 911 if they see anything suspicious.
- 2013 Fall Classic Golf Tournament – Held October 26, 2013 to benefit July 4<sup>th</sup> Celebration and deemed a success.
- Tree Lighting at Carroll Commons – December 6, 2013
- Breakfast With Santa – December 14, 2013 at Fairfield Fire/EMS
- CVCA Holiday Gala – December 14, 2013 at Carroll Valley Lodge
- General Election – November 5, 2013 – Come Out and VOTE
- Shared a list of the upcoming meetings and events

## **FIRE/EMS/EMA REPORTS**

Updates, Statistics and Information was supplied for the following:

- Mr. Martin, Fountaindale Fire Company
- Mr. Abrams, Fairfield Fire/EMS

## **COMMITTEE REPORTS**

### **Parks, Recreation and Environmental Advisory Committee:**

No Report

### **Planning Commission:**

Mr. Kaplan presented a brief report.

## **ADMINISTRATIVE BUSINESS – BOROUGH MANAGER**

### **Treasurer's Report for October 2013.** Following brief discussion:

\*\*\* K. Lundberg moved, N. Abrams seconded, that Council accept the October 2013 Treasurer's Report as presented. Motion passed unanimously.

**2014 Proposed Budget.** Mr. Hazlett outlined the changes that were recommended at the Joint Budget Workshop of Council and Finance Committee. Following brief discussion:

\*\*\*N. Abrams moved; K. Lundberg seconded that the 2014 Proposed Budget be advertised for adoption. Motion carried unanimously.

## **UNFINISHED BUSINESS**

Nothing.

**NEW BUSINESS**

Nothing.

**OPEN TO THE PUBLIC**

No one addressed Council at this time.

**ADJOURNMENT**

The meeting was adjourned at 10:08 P.M.

**ATTENDANCE REGISTER**

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

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Gayle R. Marthers, Borough Secretary