

**BOROUGH OF CARROLL VALLEY
REGULAR MEETING
Of BOROUGH COUNCIL
TUESDAY, MAY 10 2016 – 7:00 P.M.
BOROUGH OFFICE
MINUTES**

Janis Ashman, President called the meeting to order at 7:00 P.M. She led the Pledge of Allegiance. The attendance was as follows:

Ms. Ashman informed Members that Councilman Pyles was out-of-town due to work and has requested to participate via conference call. Mr. Wiser, Borough Solicitor assured Members that this was permitted by Pennsylvania Code whereby the following action was taken:

***K. Lundberg moved; D. Patton seconded in favor of allowing Mr. Pyles to participate in the meeting via Teleconference. Motion passed unanimously.

BOROUGH COUNCIL MEMBERS

Present

Janis Ashman, President
Bruce Carr
Sarah Skoczen
Dan Patton
Robert Tyler Pyles via teleconference call
Thomas Fitzsimmons
N. Kenneth Lundberg

Absent

BOROUGH OFFICIALS, ETC.

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

CONSIDERATION OF THE MINUTES OF THE APRIL 12, 2016 REGULAR MEETING

Following brief discussion.

*** D. Patton moved, T. Fitzsimmons seconded, that the minutes of the April 12, 2016 Regular Council meeting be approved as submitted. Motion passed unanimously.

At this time Ms. Ashman acknowledged the large number of citizens in attendance, thanked them for coming and requested that Members consider a change in the agenda to allow discussion of item # 8b regarding the Municipal Building Letting of April 28, 2016 and subsequent discussion be moved to follow public comment. Members agreed by consensus to alter the agenda order whereby Ms. Ashman opened the topic of the new building project with requesting an update from Mr. Hazlett on the bids received and any new information. Mr. Hazlett provided a brief update followed by Mr. Lundberg's update from the building committee which included a mention of a flyer many residents received from an anonymous group claiming that a tax increase is pending to fund the building project.

OPEN TO THE PUBLIC

Prior to opening the issue Ms. Ashman again thanked everyone for attending, stated the format for receiving comment and reminded those wishing to be heard that there is a five (5) minute time limit. The following citizens addressed Council at this time regarding the new municipal building:

Caryl Austrian, 7 Marten Trail, Carroll Valley
Linda Steinle, 14 Mary Ann Trail, Carroll Valley
William Lang, 9 Pecan Trail, Carroll Valley
Mike Flannery, 22 Novice Run Trail, Carroll Valley
Robert Gach, 3 Snow Plow Trail, Carroll Valley
Richard Matthews, 21 Helen Trail, Carroll Valley

Tom Wolf, 33 Spring Trail, Carroll Valley
 Robert Verderaime, 12 Linda Trail, Carroll Valley
 John Schubring, 10 Green Trail, Carroll Valley
 Robert Steinle, 14 Mary Ann Trail, Carroll Valley
 Hector Villalobos, 1 Blue Gill Trail, Carroll Valley
 Beth Cool, 24 Spring Trail, Carroll Valley
 Deborah Sommer, 7 Falcon Trail, Carroll Valley
 Carolyn Greathouse, 70 Diane Trail, Carroll Valley
 Mike Flannery, 22 Novice Run Trail, Carroll Valley
 Phillip Moore, 2 Pinehill Trail, Carroll Valley
 Paul Stahl, 29 Barbara Trail, Carroll Valley
 Shelley Mehl, 45 Hilltop Trail, Carroll Valley
 Dave Hooper, 39 Bluebird Trail, Carroll Valley
 Colin Provost, 6 Dora Trail, Carroll Valley
 Adam Wine, 15 Diane Trail, Carroll Valley
 Mike Hartdagen, 13 Hilltop Trail, Carroll Valley
 Samuel Mills, 10 North Trail, Carroll Valley
 Mark Greathouse, 70 Diane Trail, Carroll Valley
 Bill Fredrikis, 16 Deborah Trail, Carroll Valley
 Richard Taylor, 109 Franklin Street, Fairfield Borough
 Ed Harris, 11 Hickory Trail, Carroll Valley
 Mary Walter, 36 Hilltop Trail, Carroll Valley
 Hector Villalobos, 1 Blue Gill Trail, Carroll Valley
 Robert Verderaime, 12 Linda Trail, Carroll Valley
 William Lang, 9 Pecan Trail, Carroll Valley
 April Huster, 3 Field Trail, Carroll Valley
 Phillip Moore, 2 Pinehill Trail, Carroll Valley
 Robert Steinle, 14 Mary Ann Trail, Carroll Valley
 Deborah Sommer, 7 Falcon Trail, Carroll Valley
 Sally Suder, 86 Mile Trail, Carroll Valley
 John Baker, 121 Jacks Mountain Road, Fairfield

Following the last public comment Ms. Ashman thanked everyone and asked for a five (5) minute recess; at 9:00pm; Members agreed by consensus to break.

At 9:06pm Ms. Ashman called the meeting back to order.

Ms. Ashman introduced Borough Architect for the Building project, Mr. Benedict Dubs who outlined the project as advertised and reviewed the bids received. Discussion ensued regarding the Alternates and their impact on the base building. Particular consideration was given to Alternate #5 as it dealt with the construction entrance to the project. Mr. Hazlett cautioned that the savings offered by Alternate #5 may not cover the additional cost incurred to repair and maintain the current parking lot caused by the increased heavy construction traffic. Members also voiced safety concerns if construction vehicles were accessing the same entrance as the general public. Following lengthy discussion:

D. Patton moved; K. Lundberg seconded that Council issue a notice of intent to award to Lobar Associates for the base bid of \$3,599,000 plus alternate #4 at no additional cost, with a notice to proceed conditioned upon the use of up to one million dollars in reserve funds, the Architect and Solicitor's review of the contract document submission by Lobar, the execution of a Lease Agreement with the Adams County Library System, and the review and approval by the Solicitor of an agreement for the extension of a water

distribution line with York Water Company. Upon a roll call vote, the motion passed with J. Ashman, R. Pyles, K. Lundberg, D. Patton and S. Skoczen voting yes, and B. Carr and T. Fitzsimmons voting no.

ORDINANCES AND RESOLUTIONS

Resolution #8-2016: Additional Considerations for Letting of Contracts. Mr. Wiser explained that the resolution clarified the responsibilities of Borough Staff in the area of notifications of changes to any future incidents of the Letting of Contracts. Following brief discussion:

***K. Lundberg moved; B. Carr seconded that Council adopt Resolution #8-2016 requiring additional considerations for the Letting of Contracts. Motion passed unanimously.

MAYOR'S REPORT – R. HARRIS

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

- Police Report
 - Arrest of a man @ 27 Sunfish Trail for violation of Megan's Law Registration
 - Gingell Trail has been reviewed as a possible one-way road.
- Mayor Harris offered tribute to Gettysburg Mayor Troxell on his retirement after 25 years as mayor.
- Updates:
 - Opening Day for Fairfield Recreation Association Baseball and Softball was held on Saturday, April 23, 2016
 - Drug Take-Back was held Saturday, April 30, 2016 from 10am – 2pm at Fairfield Fire/EMS where 156 pounds of medication was turned in for proper disposal
 - Bridge Spanning Muddy Run Repair – Public Meeting was held on April 27, 2016 at 7pm at the Highland Township Municipal Building. Tentative road closure is set for August 16, 2016 through October 16, 2016
 - Adams County Fallen Officers' Memorial Service was held on May 5, 2016 at the 911 Center
 - West Nile Virus is back – cautioned public to be aware of standing water as it can breed mosquitos that carry the virus.
 - Continuing Education Opportunities are available through Emergency Media Services; see Mayor Harris for details
- Announced:
 - 100th Anniversary of the Adams County Penn State Extension Office will be celebrated at an open house on May 15, 2016
 - Fairfield Fire/EMS will host an open house in conjunction with National EMS week on Sunday, May 22, 2016 from 1pm – 4pm
 - Affordable Housing Forum will be held on May 26, 2016
 - Annual Carroll Valley Yard Sale to benefit the July 4th Celebration will be held on Saturday, June 4, 2016
- Shared a list of the upcoming meetings and events
- In Requiem:
 - 2 Officers from varies cities across the US were honored for their bravery following their being Line-of-Duty deaths during the month of April 2016.

FIRE/EMS/EMA REPORTS

Call Reports were available from Fairfield Fire/EMS and Fountaindale Volunteer Fire Company.

Mr. Carr reported on the Quarterly Municipal Leaders' Forum held at the Fairfield Fire Company. During the meeting Municipal Leaders were asked to provide 3 representatives for a sub-committee to explore volunteerism and the future of the Fire/EMS system as it currently exists. Mr. Carr recommended Mr.

Pyles and Mrs. Skoczen to serve as the additional representatives. Consensus of Members was to appoint Mr. Pyles and Mrs. Skoczen.

COMMITTEE REPORTS

Planning Commission.

Chairman Ed Kaplan provided the following updates:

- Chapter 27 of the Borough Code of Ordinances was scheduled for review; upon recommendation of Mr. Hazlett, The Commission would like to ask Adams County Planning Office for help with a full review and re-write of this chapter. Mr. Hazlett has identified many areas that appear to contradict other ordinances, many areas have never been reviewed since their inception in the 1970's and the overall organization of the chapter is confusing. Mr. Thaeler from the Adams County Planning Office will be contacted.
- Biking & Hiking Trails – full briefing that was prepared for tonight was postponed to June due to the lengthy agenda
- Mr. Kaplan reported on the Home Based Occupation Initiative.
- Mr. Kaplan and Mr. Hazlett reviewed the Request for Proposal for a Consultant to provide a comprehensive re-codification of the Code of Ordinances for the Borough. Following discussion, the Members asked that the document be revised and brought back for action.

ADMINISTRATIVE BUSINESS – BOROUGH MANAGER

Treasurer's Report for April 2016.

Following brief discussion:

*** K. Lundberg moved, B. Carr seconded, that Council accept the March 2016 Treasurer's Report as presented. At this time Mrs. Skoczen stated that Pursuant to Pennsylvania's "Public Official and Employee Ethics Law" (65 PA CSA 1101 et seq), she is abstaining from the motion specific to the check # 29883; payable to Carroll Valley Computes as this is a company that she or an immediate family member has a financial interest and therefore; creating a conflict of interest. Motion passed unanimously with the above noted abstention; a copy of which numbered page 6 and is attached to these minutes.

Request for Use of Pavilion. Ms. Ashman reviewed the email from Mrs. Apryl Huster regarding the use of the Cortner Community Room and Pavilion for a Summer Book Club being sponsored by Fairfield Untied, a local parent group. Mrs. Huster was present and provided an overview of the program and answered questions from Members. Borough Staff confirmed the availability of the pavilion and community room. Following brief discussion:

***D. Patton moved, K. Lundberg seconded that Fairfield United be granted their request to use the Cortner Community Room and Pavilion at no cost for the Summer Reading Program. Motion passed unanimously.

Local Bridge Inspection Program. Mr. Hazlett reviewed the letter received from the Adams County Commissioners regarding this free inspection program. Following brief discussion:

*** D. Patton moved; B. Carr seconded that Borough Staff be authorized to sign the Agreement to Participate in the Adams County Bridge Inspection Program. Motion passed unanimously.

Repository Sales Consent. Mr. Hazlett explained that the County has requested that Council take action to allow the sale of those properties on the 2016 Recommended Repository Purchases under Pennsylvania Code 72 P.S. § 5860.205 and further by agreeing; acknowledges that the assessed value to be used for taxation; will be reduced to the purchase price as

UNFINISHED BUSINESS

Proposed Lot Trades. Due to questions regarding ownership of the properties; this matter was tabled until the June 2016 meeting.

NEW BUSINESS

Ms. Ashman requested that the items under new business be tabled until the June 2016 meeting due to the late hour. Consensus of Members agreed to table these items with a request that Borough Staff include them on the agenda for June.

Mr. Carr suggested that Borough Staff and Council consider attending an upcoming conference on Pennsylvania Legal Updates for Boroughs. Mr. Hazlett will research the conference.

OPEN TO THE PUBLIC

The following citizens addressed Council at this time:

- Mary Walter, 36 Hilltop Trail, Carroll Valley in regard to an IRS Scam that involves phone requests for money. Chief Hileman confirmed that the calls are a scam and have been reported by many local residents. He cautioned the public that the IRS will never call you to wire/send them money. Any questions or concerns can be directed to the Borough Police Department.

ADJOURNMENT

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

ATTENDANCE REGISTER

The Attendance Register is attached, numbered Page 7 and made a part of the Official Minutes.

Gayle R. Marthers, Borough Secretary