

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
FEBRUARY 15, 2005
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ROLL CALL	SUPERVISORS – Robert Schopfer, Kevin Zinn, Calvin Hipp, Jeffrey Murphy, and Robert Faulkner ATTENDEES – Dianne Price, Faye Romberger, Mark Hilson, Jennifer Hipp, Peggie Williams, Jim Strupe, Brad Pealer, Kevin Anderson, Robert Schrift, Carrie Schrift, Eric Peters, Todd Cook, Bill Turner, and Steve Marquiss
CALL TO ORDER	Chairman Robert Faulkner called the regularly scheduled meeting of the Carroll Township Board of Supervisors to order at 6:30 p.m. The location of the meeting is at the Carroll Township Municipal Building, 555 Chestnut Grove Road, Dillsburg, Pennsylvania.
PUBLIC COMMENT	Chairman Faulkner called for public comment on agenda and non-agenda items. There were no comments.
APPROVAL TO PAY THE BILLS	It was moved by Supervisor Schopfer, seconded by Supervisor Hipp, and unanimously carried to approve the payment of the bills up to and including February 15, 2005 in the amount of \$56,976.50.
POLICE REPORT	Chief John Francis presented the Police Report for the month of January 2005.
ORDINANCE 2005-166 AMENDING BUILDING CODE FOR UTILITY & MISC. STRUCTURES (200 – 1000 SQ FT)	It was moved by Supervisor Schopfer, seconded by Supervisor Murphy, and unanimously carried to adopt Ordinance Number 2005-166 amending the Carroll Township Building Code to provide rules and regulations governing the construction of utility and miscellaneous use structures that are two hundred (200) square feet and larger and less than one thousand (1,000) square feet in building area.

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ORDINANCE
2005-168
AMENDING ZONING
ORDINANCE TO
ADD SHOPPING
CENTERS

Solicitor Jennifer Hipp informed the Board of Supervisors that Ordinance Number 2005-168 amending, changing and modifying the Carroll Township Zoning Ordinance by providing for and establishing regulations as follows: Commercial-Highway (C-H) District Regulations, specifically as to permitted uses; definitions, specifically as to definition of "Shopping Center"; Common Regulations applying to Non-Residential Districts, specifically as to outdoor storage areas for transportable containers; and Supplemental Regulations, specifically as to shopping centers, has been advertised and will be ready for action at the March 15th Supervisors' Meeting.

TIMONTHY
MOWERY
28 WOODDED RUN
DRIVE AGREEMENT

Solicitor Hipp informed the Board of Supervisors that the Township has reached an Agreement with Timonthy E. Mowery concerning the property located at 28 Woodded Run Drive. Mr. Mowery is operating a boarding or lodging house at this location in violation of the applicable provisions of the Carroll Township Zoning Ordinance. The Township initiated legal proceedings against Mr. Mowery in Magisterial District Court No. 19-3-10, for failure to comply with applicable provisions of the Zoning Ordinance. The Township and Mr. Mowery wishes to enter into an Agreement to resolve the suit and to bring Mr. Mowery's property into compliance with the applicable provisions of the Zoning Ordinance. Mr. Mowery agrees to take affirmative and timely action to cease the operation of a boarding or lodging house at 28 Woodded Run Drive and further, shall cease operating said property as a boarding or lodging house on or before April 15, 2005. The Township has the right to inspect Mowery's property. The Township has agreed to a continuance of its suit filed in Magisterial District Court No. 19-3-10 until April 19, 2005 at 1:00 p.m. and will withdraw the suit if, after inspection, and sufficient proof tendered by Mr. Mowery, determined that Mr. Mowery has ceased the operation of a boarding and lodging house at 28 Woodded Run Drive. No action was taken, but the Board of Supervisors authorized the Solicitor to move forward. Supervisor Schopfer would like paragraph 6, line 3, the word "may" changed to read "shall".

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TRADITIONAL
NEIGHBORHOOD
DEVELOPMENT
PROPOSED
ORDINANCE

Gary Sweitzer has forwarded a proposed Traditional Neighborhood Development Ordinance prepared by Mr. Sweitzer's attorney. This proposed Ordinance was reviewed by Solicitor Hipp and she had some concerns that she put into a letter to the Board of Supervisors dated February 14, 2005. No action was taken at this time, but the Board of Supervisors authorized Dianne Price to forward Solicitor Hipp's letter to Mr. Sweitzer and his attorney.

BETTY LAUER
MUNICIPAL LIEN
HOLDING TANK

Solicitor Hipp stated that she has filed the Praeceptum to satisfy the Municipal Lien held by the Township on the Betty Lauer property as security for a holding tank. Ms. Lauer has forwarded a check made payable to Carroll Township in the amount of \$7,500.00, which satisfies the Municipal Lien. Solicitor Hipp was wondering if the Township would like her to prepare an agreement memorializing the arrangement with Ms. Lauer and Carroll Township. Dianne Price stated she thought there was an agreement already recorded. Mrs. Price will see that Mrs. Hipp gets a copy to review.

EXECUTIVE
SESSION

Solicitor Hipp asked the Board of Supervisors to hold an Executive Session after the meeting tonight to discuss legal issues.

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FINAL PLANS FOR
MOUNTAIN CREST
PHASE 2A

It was moved by Supervisor Schopfer, seconded by Supervisor Hipp, and unanimously carried to conditionally approve the Final Subdivision Plans for Mountain Crest Phase 2A contingent upon addressing all of following comments in Mark Hilson's Memo dated February 01, 2005:

1. All certificates and signature blocks must be signed and sealed. (Section 501.b.6)
2. The erosion and sedimentation control plan must be submitted to the York County Conservation District for review and approval. Confirm that the NPDES permit is valid for Phase II, and that PCSWM plans are not necessary, or have been completed and approved. If completed, please provide a copy.
3. Provide a copy of the planning module approval from DEP. (Section 601.b.10)
4. Establish Financial Security
5. Revise General Note 1, to indicate that there are 21 fee simple lots, and that lots 37A and 37B are not building lots. (Where is lot 36?)
6. Note the phase I recordation information on the plan. Your response is acknowledged, please point the note out as it doesn't seem to be apparent.

Kevin Anderson the developer agreed to the above conditions.

FINAL PLANS FOR
DONALD HIMES/
DAVID DOUGLAS
(25 & 26
MOUNTAINSIDE
ROAD)

It was moved by Supervisor Schopfer, seconded by Supervisor Hipp, and unanimously carried to waive Section 703.b (3) pertaining to additional street width is required for Mountainside Road along the property being subdivided.

It was moved by Supervisor Schopfer, seconded by Supervisor Zinn, and unanimously carried to waive Section 708.d pertaining to sidewalks are required along all existing street frontages being subdivided.

It was moved by Supervisor Schopfer, seconded by Supervisor Zinn, and unanimously carried to waive Section 708.e pertaining to curbs shall be constructed along all existing street frontages that are contiguous to the development.

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FINAL PLANS FOR
DONALD HIMES/
DAVID DOUGLAS
(25 & 26
MOUNTAINSIDE
ROAD) CONTINUES

It was moved by Supervisor Schopfer, seconded by Supervisor Hipp, and unanimously carried to waive Section 703.b (3) pertaining to Right-of-way dedication.

It was moved by Supervisor Schopfer, seconded by Supervisor Hipp, and unanimously carried to conditionally approve the Final Subdivision Plans for Donald Himes/David Douglas (25 & 26 Mountainside Road) contingent upon addressing all of the following comments in Mark Hilson's letter dated January 10, 2005:

1. Label the property line to be extinguished (Section 306)
2. Label and show the existing cartway width for Mountainside Road. (Section 501.b.22)
3. Provide sight distance required and existing for all driveways. (Section 501.b.28)
4. Provide Form B waiver paperwork signed by the Sewage Enforcement Officer. (Section 502.a)
5. Pins must be set prior to release of subdivision drawings, or financial security established to guarantee they are set.
6. Label areas of steep slope, and any easements associated with the existing overhead utility lines.
7. Revise the spelling of "Hartman" in General note 3 "Discrepancies Between" in General Note 11, and "Street" in General Note 12.
8. Driveways may not be located within 3' of a property line. (Section 9.3.4.12 and SLDO 708.c.13)
9. All waiver requests must be noted on the plan.

PRELIMINARY
PLANS FOR
HAROLD WILLIS

It was moved by Supervisor Schopfer, seconded by Supervisor Hipp, and unanimously carried to accept the extension granted by the Developer for review of the Preliminary Subdivision Plans for Harold Willis until June 15, 2005.

RESOLUTION
2005-08
SILVERTON
PLANNING MODULE

It was moved by Supervisor Hipp, seconded by Supervisor Murphy, and unanimously carried to adopt Resolution 2005-08 to submit Silvertown Planning Module to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality.

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HOLLY HILLS
SURETY
REDUCTION

It was moved by Supervisor Zinn, seconded by Supervisor Murphy, and carried to table Holly Hills surety reduction request until the March 15, 2005 meeting.

Supervisor Schopfer abstained from the vote.

FINAL PLANS FOR
LESLEY & FRANK
BAIR

It was moved by Supervisor Zinn, seconded by Supervisor Hipp, and unanimously carried to table the review of the Final Subdivision Plans for Lesley and Frank Bair until the March 15, 2005 meeting.

RESOLUTION
2005-09
MOUNTAIN CREST
ESTATES HOUSE
NUMBERING SYSTEM

It was moved by Supervisor Hipp, seconded by Supervisor Murphy, and unanimously carried to adopt Resolution 2005-09 setting the Official House Numbering System for Mountain Crest Estates as submitted.

TRANSFER
MONIES INTO
CD

It was moved by Supervisor Hipp, seconded by Supervisor Murphy, and carried to transfer \$300,000.00 into CDs as recommended by the Finance Committee.

Supervisor Zinn abstained from the vote.

RESOLUTION
2005-10
UPDATE FEE
SCHEDULE

It was moved by Supervisor Schopfer, seconded by Supervisor Murphy, and unanimously carried to adopt Resolution 2005-10 to update the Fee Schedule to include \$1,000.00 for submittal of sketch plans, Construction Escrow not to exceed 8 percent of the cost of public improvements and replenished as requested, and set the hourly rate for engineer review (Mark Hilson) at \$85.00 per hour.

RESOLUTION
2005-07
TO PARTICIPATE
IN PACC

It was moved by Supervisor Hipp, seconded by Supervisor Schopfer, and unanimously carried to adopt Resolution 2005-07 to authorize Carroll Township to participate in PACC automotive and Equipment Contract -- City of Harrisburg.

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ROAD MASTER
THREE MONTH
EVALUATION

It was moved by Supervisor Murphy, seconded by Supervisor Schopfer, and unanimously carried to increase Charles (Randy) McCoy, Road Master, compensation by 7% from \$20.00 per hour to \$21.40 per hour since his three month evaluation was completed and given by Supervisor Murphy effective February 14, 2005.

CARROLL TWP.
537 PLAN
REIMBURSEMENT

Dianne Price informed the Board of Supervisors that the prior Engineer of Carroll Township did not file for reimbursement when the Township's 537 Plan was updated in 2001. We will be working on gathering the information to submit the reimbursement to DEP.

SELL ROAD
WIDENER

It was moved by Supervisor Hipp, seconded by Supervisor Murphy, and unanimously carried to sell the road widener to Monaghan Township for \$1,000.00.

DILLSBURG AREA
SUMMER
RECREATION
PROGRAM

It was moved by Supervisor Murphy, seconded by Supervisor Hipp, and unanimously carried to participate in the Dillsburg Area Summer Recreation Program as administered by the Northern York Community Services Foundation and pay \$30.00 per resident (Child) participating in the program.

COMMITTEE
REPORTS

Recreation – Supervisor Faulkner stated that the Northern York Community Services Foundation will soon be getting back into the Old Northern Middle School.

Road & Building – Supervisor Hipp stated that the Road Crew will be starting the renovations in the Police Department next week.

Police – Supervisor Zinn stated that Chief Francis will be gathering applications for Police Officers so we have a file to pull from if and when we need to hire a new Police Officer.


Emergency Services – Supervisor Faulkner stated that the Emergency Services Committee met last night and next meeting will be in two weeks at 6:30 p.m. The Committee will be meeting with the Road Master, and Chief of Police in the near future to try to get the needs for Carroll Township.

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ADJOURNMENT

It was moved by Supervisor Schopfer, seconded by Supervisor Murphy, and unanimously carried to adjourn the meeting at 7:15 p.m into the Executive Session that was requested by the Solicitor. No decisions will be made and we will not reconvene.

Respectfully submitted,



Faye L. Romberger, Secretary