

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
SEPTEMBER 20, 2005
Page 1 of 9**

- ROLL CALL SUPERVISORS – Robert Schopfer, Kevin Zinn, Calvin Hipp, and Jeffrey Murphy
- ATTENDEES – Dianne Price, Faye Romberger, Mark Hilson, Jennifer Hipp, James Bogar, Esther Warehime, Levi Filepas, Brad Pealer, Peggie Williams, Robert Schrift, Carrie Schrift, Doug Speck, Tony Baker, Traci Cook, Terry Burger, Catherine Pealer, Deana Weaver, Mark Tetkoskie, Bob Decker, Ron Rudy, and Bill Turner
- CALL TO ORDER Vice-Chairman Calvin Hipp 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 Vice-Chairman Hipp called for public comments.
- Deana Weaver – 47 Dogwood Lane – questioned the 2004 Fiscal Audit Report, further commented that the 2005 Budget was to be opened to be amended because of the EMS tax and that has not happened to date, and the Township has not donated any money to the EMS since 2002. She also questioned the amount of money donated to the Fire Companies. Then further commented that the amount of the donation does not equal the percentage of calls in Carroll Township.
- Tony Baker – Citizen’s Hose Company No. 1 – questioned if the Township is on board with the 2% loan application to equip the new fire engine. The loan would be between \$100,000.00 to \$125,000.00 split evenly between Dillsburg Borough and Carroll Township. Carroll Township’s share would be between \$50,000.00 to \$65,000.00. The Board asked Mr. Baker to supply them with the detailed figures perhaps on a spreadsheet so they could make a more informed decision.

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
SEPTEMBER 20, 2005
Page 2 of 9**

PUBLIC
COMMENT
CONTINUES

Mark Tetkoskie – Dillsburg Youth Baseball – questioned the Board about the availability of fields in the future. He is being told that proposed new fields are now on hold and will not be available next year.

APPROVAL OF
JULY 19, 2005
MINUTES

It was moved by Supervisor Schopfer, seconded by Supervisor Murphy, and unanimously carried to approve the July 19, 2005 Board of Supervisors Meeting Minutes with the following amendment:

1. In the public comment section amend Supervisor Schopfer's comment to read: He will personally give the letter to the Recreation Committee and support the request to have the public path removed from her property.

APPROVAL OF
AUGUST 8, 2005
MINUTES

It was moved by Supervisor Schopfer, seconded by Supervisor Murphy, and carried to approve the August 8, 2005 Board of Supervisors Work Session Minutes as submitted.

Supervisor Zinn abstained from vote because he was absent.

APPROVAL OF
AUGUST 16, 2005
MINUTES

It was moved by Supervisor Schopfer, seconded by Supervisor Zinn, and unanimously carried to approve the August 16, 2005 Board of Supervisors Meeting Minutes as submitted.

APPROVAL OF
SEPTEMBER 12, 2005
MINUTES

It was moved by Supervisor Schopfer, seconded by Supervisor Zinn, and unanimously carried to approve the September 12, 2005 Board of Supervisors Work Session Minutes as submitted.

APPROVAL TO
PAY THE BILLS

It was moved by Supervisor Schopfer, seconded by Supervisor Zinn, and unanimously carried to approve the payment of the bills up to and including September 20, 2005 in the amount of \$77,962.87.

POLICE REPORT

Chief John Francis presented the police report for the month of August 2005.

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
SEPTEMBER 20, 2005
Page 3 of 9**

FINAL PLANS FOR
HARRY H. & ANN
G. FOX

It was moved by Supervisor Schöpfer, seconded by Supervisor Murphy, and unanimously carried to grant the following waiver requests:

- 1, Section 601.d – Growing Greener Submission Requirements;
- 2 Section 708.d – Sidewalk; and
- 3 Section 708.e – Curbs, along existing streets.

It was moved by Supervisor Schopfer, seconded by Supervisor Zinn, and unanimously carried to conditionally approve the Final Minor Subdivision Plans for Harry H. and Ann G. Fox contingent upon addressing the following comments from Mark Hilson’s comment memo dated August 2, 2005:

1. All certificates and signature blocks must be signed and sealed. (Remove the SEO signature block) (Section 501.b.6)
2. List all requested waivers on the cover sheet, and indicate the date of action. (I could not find the location of the waivers listed on the plan per the applicant’s response letter.)
3. Provide Form B waiver form signed by the property owners and the SEO.

Mark Hilson, P.E., Township Engineer – stated that the developer is in agreement with these conditions and a conditional approval form will be mailed to the developer to sign and return to the Township.

FINAL PLANS FOR
BRIAN & WENDY
LINSENBACH

It was moved by Supervisor Schopfer, seconded by Supervisor Murphy, and unanimously carried to grant the following waiver requests:

1. Section 601.d – Growing Greener Submission Requirements;
2. Section 708.d – Sidewalk; and
3. Section 708.e – Curbs, along existing streets.

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
SEPTEMBER 20, 2005
Page 4 of 9**

FINAL PLANS FOR
BRIAN & WENDY
LINSENBACH
CONTINUES

It was moved by Supervisor Schopfer, seconded by Supervisor Murphy, and unanimously carried to conditionally approve the Final Minor Subdivision Plans for Brian C. and Wendy S. Linsenbach contingent upon addressing the following comments from Mark Hilson's comment memo dated August 10, 2005:

1. All certificates and signature blocks must be signed and sealed. (Remove the SEO signature block) (Section 501.b.6)
2. List all requested waivers on the cover sheet, and indicate the date of action. (I could not find the location of the waivers listed on the plan per the applicant's response letter.)
3. A Drainage Easement is now provided for each watercourse that traverses the site, but doesn't appear to be labeled, please clarify. (Section 710.b(2) & SWM Section 401.1L)
4. Provide Form B waiver form signed by the property owners and the SEO.

Mark Hilson, P.E., Township Engineer – stated that the developer is in agreement with these conditions and a conditional approval form will be mailed to the developer to sign and return to the Township.

FINAL PLANS FOR
HARRY FOX, JR.

It was moved by Supervisor Schopfer, seconded by Supervisor Murphy, and unanimously carried to grant the following waiver requests:

2. Section 601.d – Growing Greener Submission Requirements;
3. Section 708.d – Sidewalk; and
4. Section 708.e – Curbs, along existing streets.

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
SEPTEMBER 20, 2005
Page 5 of 9**

FINAL PLANS FOR
HARRY FOX, JR.
CONTINUES

It was moved by Supervisor Schopfer, seconded by Supervisor Murphy, and unanimously carried to conditionally approve the Final Minor Subdivision Plans for Harry H. Fox, Jr. contingent upon addressing the following comments from Mark Hilson's comment memo dated August 10, 2005:

1. All certificates and signature blocks must be signed and sealed. (Remove the SEO signature block) (Section 501.b.6)
2. Indicate the date of action of all requested waivers.
3. Provide Form B waiver form signed by the property owners and the SEO.

Mark Hilson, P.E., Township Engineer – stated that the developer is in agreement with these conditions and a conditional approval form will be mailed to the developer to sign and return to the Township.

SURETY
REDUCTION FOR
GOLFVIEW
HEIGHTS

It was moved by Supervisor Zinn, seconded by Supervisor Schopfer, and unanimously carried to approve the reduction of surety for Golfview Heights in the amount of \$139,156.52. This will reduce the surety from \$355,956.48 to \$216,799.96 as per Mark Hilson, P.E., Township Engineer's comment memo dated September 19, 2005.

SURETY
REDUCTION FOR
HOLLY HILLS

It was moved by Supervisor Murphy, seconded by Supervisor Zinn, and carried to approve the reduction of surety for Holly Hills in the amount of \$41,610.78. This will reduce the surety from \$537,013.41 to \$495,402.63 as per Mark Hilson, P.E., Township Engineer's comment memo dated September 19, 2005.

Supervisor Schopfer abstained from the vote, because his former employer was involved with this plan. A written statement is in the file.

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
SEPTEMBER 20, 2005
Page 6 of 9**

SURETY
REDUCTION FOR
STONEBRIDGE
CROSSING

It was moved by Supervisor Murphy, seconded by Supervisor Zinn, and carried to approve the reduction of surety for Stonebridge Crossing in the amount of \$200,044.32. This will reduce the surety from \$956,899.77 to \$756,855.45 as per Mark Hilson, P.E., Township Engineer's comment memo dated September 19, 2005.

Supervisor Schopfer abstained from the vote, because his former employer was involved with this plan. A written statement is in the file.

SOUTH MOUNTAIN
COMMONS TIME
EXTENSION

It was moved by Supervisor Zinn, seconded by Supervisor Schopfer, and unanimously carried to accept the time extension granted by the developer to review the plans for South Mountain Commons until November 16, 2005.

LOGAN MEADOWS
BLASTING WAIVER

After some discussion, it was moved by Supervisor Schopfer, seconded by Supervisor Zinn, and unanimously carried to grant a waiver to Section 9 of the Carroll Township's Road Ordinance, which prohibits blasting in existing or proposed rights-of-ways, for Logan Meadows contingent upon the following conditions:

1. Blasting on the project shall be minimized.
2. Contractor shall attempt to excavate utilities using conventional excavation techniques (hoe ram, hammer etc), when it is demonstrated to the Township Engineer that the rock encountered is solid and unfractured and of such a dimension that blasting is necessary, the Township Engineer is authorized to allow blasting. Otherwise excavation shall be by conventional methods.
3. Contractor shall adjust construction methods based upon the actual field results achieved, to minimize air blast, overbreak, lifting of surface, vibration, and flyrock.
4. Contractor is responsible for blasting in a safe manner without damage to adjoining property.
5. Provide the Township with a copy of the Contractor's current blasting license, and the blasting activity permit issued by DEP.

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
SEPTEMBER 20, 2005
Page 7 of 9**

LOGAN MEADOWS
BLASTING WAIVER
CONTINUES

6. Provide the Township with a copy of the Contractor's current liability insurance certificate that includes blasting hazards, and indemnifies the Township.
7. Maximum blast hole diameter shall be 3".
8. Controlled blasting such as line drilling, presplitting, smooth blasting or other controlled blasting methods as approved by the Township, shall be used for all perimeter surfaces to minimize overbreak.
9. Blasting is limited to 100 feet of trench, or 50 holes, whichever is less.
10. All areas of overbreak must be excavated and filled with compacted backfill according to Township standards. If overbreak occurs, the contractor shall immediately adjust its procedures to prevent any further overbreak. The contractor is responsible for excavation to a solid vertical surface which is to be verified by the Township prior to start of backfilling.
11. All areas of road subgrade disturbed by blasting shall be over excavated and recompacted according to Township specifications.
12. The Contractor shall perform a preblast survey to determine and document the condition of adjacent structures, utilities, wells, buried cables, and other features within 500 feet of the blast area, prior to blasting. A copy of the preblast survey, including pictures, shall be provided to the Township.
13. The contractor shall make every effort to prevent flyrock and any damage associated therewith. The contractor shall design the blast to minimize both vibration and air blast. A minimum of 4' of overburden shall be present or placed on top of the rock surface within the blasting area.
14. Air blast and vibrations shall be monitored and permanently recorded for each blast, with a copy provided to the Township.
15. Provide the Township with a minimum of 48 hours notice prior to blasting.

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
SEPTEMBER 20, 2005
Page 8 of 9**

LOGAN MEADOWS
BLASTING WAIVER
CONTINUES

16. In accepting this waiver the applicant acknowledges and agrees that approval of this waiver, and compliance by the Applicant with the conditions of this waiver shall not relieve the Applicant of its responsibility or liability for the safety of persons and property. Further, the Applicant agrees to indemnify and hold harmless the Township from any and all claims, present and future, associated with this work.

TOWNSHIP
BOILER REPAIR

Dianne Price, Township Manager, informed the Board that the company that installed the boiler has been out to look at it and they feel it may still be under warranty. We are waiting for them to submit a full written report to us. No action was taken, but the Board tabled this matter until we receive the written report.

YORK COUNTY
REQUEST FOR
MONETARY
CONTRIBUTION

No action was taken, but the Board recommend that the request from York County Commissioners to donate a monetary contribution to the Hurricane Katrina disaster relief effort be placed on the Government Channel.

APPOINTMENT OF
SPECIAL COUNSEL

It was moved by Supervisor Murphy, seconded by Supervisor Schopfer, and unanimously carried to appoint Stock and Leader as Special Counsel for the eminent domain proceedings.

EXECUTIVE
SESSION

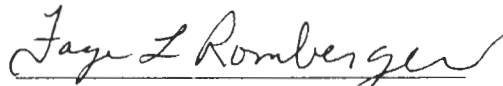
Vice-Chairman Hipp announced that the Board of Supervisors will adjourn into Executive Session and the Board will not reconvene after the Executive Session and no decisions will be made.

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
SEPTEMBER 20, 2005
Page 9 of 9**

ADJOURNMENT

It was moved by Supervisor Murphy, seconded by Supervisor Schopfer, and unanimously carried to adjourn into Executive Session at 7:34 p.m.

Respectfully submitted,


Faye L. Romberger, Secretary