

# Carroll Township Zoning Hearing Board

Business Meeting Minutes

Monday June 27, 2022 @ 6:00pm

Meeting attendees were:

Gary Reihart – ZHB Chairman

Frank Setlak – ZHB Secretary

Deana Weaver – ZHB Alternate Board Member

Mark Heishman – ZHB Alternate Board Member

Brandon Slatt – Carroll Township Zoning Officer

John R. Wilson – Solicitor from CGA Law Firm

Roxy Cressler – Stenographer

Following are the meeting minutes from the Zoning Hearing Board (ZHB) business meeting held on June 27, 2022. The meeting was held at the Carroll Township offices.

1. A motion was made to accept the resignation of Zoning Hearing Board Solicitor, James Turner effective May 12, 2022 as per his resignation letter dated May 4, 2022. The motion was seconded, and was unanimously passed.
2. A motion was made to appoint John R. Wilson of the CGA Law Firm as the Zoning Hearing Board Solicitor. The motion was seconded, and was unanimously passed.
3. A motion was made to accept the June 27, 2022 *Engagement Letter for Professional Services as ZHB Solicitor* from John R. Wilson of the CGA Law Firm. The motion was seconded, and was unanimously passed.
4. The board discussed the process of approving all invoices pertaining to the ZHB. Gary Reihart stated that in all his years in ZHB service, he has never seen an invoice. John Wilson confirmed that per Act 247, the BOS are to provide the ZHB an operational budget and the BOS would approve payments. John stated that the ZHB receiving invoices to approve is not a legal issue but more of an administrative process which needs to be determined by the ZHB. The Board discussed having invoices sent to the ZHB Secretary (Frank Setlak) who would quickly approve and send back to the Zoning Officer with a copy to the ZHB members. A motion was made to have all ZHR invoices be sent to the ZRB Secretary for initial approval. The motion was seconded, and was unanimously passed
5. A discussion and motion was made to have the Zoning Officer set up to operate the Comcast channel broadcast to provide Carroll Township citizens access to the ZHB hearings from the dedication Comcast channel. The motion was seconded, and was unanimously passed.
6. The Board discussed having all hearing decisions posted on the Carroll Township's web site. Frank Setlak stated that he noticed that the Planning Commission posts their decisions and meeting notes and wondered why we don't post hearing decisions for public view. Brandon Slatt stated that they needed to go through the Right-To-Know officer per the Sunshine law.

John Wilson stated that he didn't see any legal issues making the decisions available on the web site and that other municipalities do post them. Brandon stated that he wants to cover this request with the Right-To-Know officer and will let the board know of any issues. A motion was made to have all ZHB Hearing Decisions posted on the Carroll Township web site. The motion was seconded, and was unanimously passed.

7. In addition of posting the Hearing decisions, the Board discussed posting the Hearing agendas as well. John Wilson stated that the MPC requires by law that all ZHB Hearing agendas be posted 24 hours before the hearing commences. The Board agreed to have the ZHB Secretary create all future ZHB agendas and Frank would email them to Brandon no later than Noon on the Thursday before the scheduled hearing. John also detailed that any changes to the agenda needed to happen 24 hours before the scheduled hearing, and if we needed to add an agenda item at the meeting, the Board had to make a motion to add it to the meeting. Everyone understood these instructions and will immediately change to follow the MPC requirements.
8. John Wilson provide the Board with legal language supporting the Board members elections to call for an executive session at the ZHB Hearings. Gary wanted clarification on this topic since Mr. Turner made the board aware of this option at his last ZHB meeting.
9. The Board discussed this evening's agenda and some of the confusion it had since the written agenda process was changed for this meeting in an effort to meet MPC requirements. These was a discussion trying to differentiate a person in standing verses a person with public comment; who gets sworn in, when do they speak, when do we swear them in, etc. John Wilson suggested that he provide Frank Setlak an agenda template, bullet pointing the MPC process in simple language to be used for creating agendas going forward.
10. A motion was made to accept the May 31, 2022 ZHB Business Meeting Minutes. The motion was seconded, and was unanimously passed.
11. A motion was made to adjourn the meeting, which was seconded, and unanimously passed.

Prepared by: Frank Setlak – Secretary; Zoning Hearing Board  
220627 Zoning Board Business Meeting Minutes.docx

Attachments:

- CGA Law Firm June 27, 2022 letter
- May 21, 2022 ZHB Business Meeting Minutes



L A W F I R M

John R. Wilson, Attorney  
jwilson@cgalaw.com  
Ext. 152

June 27, 2022

**Via Hand Delivery**

Carroll Township Zoning Hearing Board  
555 Chestnut Grove Road  
Dillsburg, PA 17019

**Re: Engagement Letter for Professional Services as ZHB Solicitor**

Dear Carroll Township Zoning Hearing Board:

We are pleased that **CGA Law Firm**, a professional corporation, (“CGA”) has been appointed to serve as Solicitor for the Carroll Township Zoning Hearing Board (“ZHB”). CGA happily accepts this appointment. We understand that the Carroll Township ZHB intends that CGA’s appointment as Solicitor will be at-will.

According to the Rules of Professional Conduct adopted by the Supreme Court of Pennsylvania (the “Rules”), all attorneys are required to have a written fee agreement with each client for whom legal services are to be provided. The purpose of this letter is to satisfy that requirement.

The fee for legal services for the Carroll Township ZHB will be in accordance with CGA’s Proposal for Solicitor that was submitted to the ZHB on May 19, 2022. As stated in the Proposal, the hourly rate for attorney work will be \$150.00, and the hourly rate for paralegal or legal assistant work will be \$100.00. There are no anticipated fee changes through Fiscal Year 2024. However, after Fiscal Year 2024, these hourly rates will increase based on the Consumer Price Index for the following calendar years.

In general we bill files on a monthly basis. Such bills may include charges for “disbursements,” which are out-of-pocket expenses, such as filing fees, photocopies, and notary.

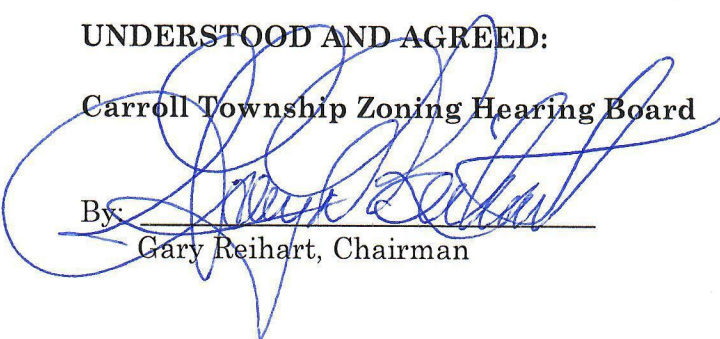
We look forward to working with Carroll Township’s ZHB according to the terms set forth above. Please do not hesitate to contact me if you have any questions or concerns. Thank you for this opportunity to represent the Carroll Township Zoning Hearing Board.

Very Respectfully,

John R. Wilson

**UNDERSTOOD AND AGREED:**

**Carroll Township Zoning Hearing Board**

By:   
\_\_\_\_\_  
Gary Reihart, Chairman

{02138974/1}

# Carroll Township Zoning Hearing Board

Business Meeting Minutes

Tuesday May 31, 2022 @ 6:00pm

Meeting attendees were:

Gary Reihart – Chairman

Frank Setlak – Secretary

Deana Weaver – Alternate Board Member

Following are the meeting minutes from the Zoning Hearing Board (ZHB) business meeting held on May 31, 2022. The meeting was held at the Carroll Township offices.

1. The Board scheduled this business meeting to interview the two applicants for the Carroll Township Zoning Hearing Board Solicitor to replace Mr. James Turner who resigned:
  - a. Joshua D. Bonn, Esq., Partner  
Nauman, Smith, Shissler, & Hall, LLP  
200 North Third Street, 18th Floor  
Harrisburg, PA 17101  
717-236-3010  
jbonn@nssh.com
  - b. John R. Wilson  
Attorney  
CGA Law Firm  
135 N. George Street | York, PA 17401  
717-718-3952  
jwilson@cgalaw.com
2. After the interviews were completed, the Board discussed the pros and cons of each candidate and reviewed which candidate and firm would best suit the needs of the Board. After the discussions were complete, a motion was made, seconded and passed unanimously to select Mr. John R. Wilson from the CGA Law Firm of York County.
3. The Chairman asked the Secretary to get in touch with Mr. Wilson to clarify part of his fee structure, and then communicate the Boards acceptance of his proposal. The Chairman also asked the Secretary to advise Mr. Bonn of the Boards selection and to thank him for his proposal and his time.
4. A motion was made to adjourn the business meeting, it was seconded and passed unanimously.

Prepared by: Frank Setlak – Secretary; Zoning Hearing Board Member

220531 Zoning Board Business Meeting Minutes.docx

Attachments:

- Joshua D. Bonn Proposal
- John R. Wilson Proposal