

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
DECEMBER 11, 2023
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- ROLL CALL SUPERVISORS – Kelley Moyer-Schwille, Dave Bush, Brent Sailhamer, and Tim Kelly
- Supervisor Zooming – Kelly Wall
- ATTENDEES Faye Romberger, Phillip Brath, P.E., Brandon Slatt, Township Manager, Mike Pykosh, Esquire, Thomas Wargo, Chief of Police, Jessica Baim, Kevin Burke, Ken Farner, David Hazen, Frank Setlak, Kristen Stagg, Gary Reihart, Steve Kirkpatrick, James Hess, Libby Loudenslager, Jeremiah Jones, Tom Carl, David C, Josh Hoffman, and Nick Desatnick
- Carroll Township’s Municipal Building was opened to the public. The meeting was televised on Carroll Township’s Comcast Cable TV Channel 95 and via the Zoom platform.
- CALL TO ORDER Chairman Kelly called the regularly scheduled meeting of the Carroll Township Board of Supervisors Meeting to order at 6:30 p.m. The location of the meeting is the Carroll Township Municipal Building, 555 Chestnut Grove Road, Dillsburg, Pennsylvania.
- APPROVAL OF THE
TREASURER’S
REPORT It was moved by Supervisor Sailhamer, seconded by Supervisor Bush, and unanimously carried to approve Treasurer’s Report dated December 11, 2023, as submitted, which includes the Open Bill List up to and including December 08, 2023, in the amount of \$69,699.78, Cash Flow Reports for November 2023, Compared to Budget Reports for November 2023, and Check Register Report for November 2023 to ratify the November 2023 Bill List.
- PUBLIC COMMENT Chairman Kelly asked for public comment. There was no public comment.
- FIRE REPORT Chief Hector Morales Northern York County Fire and Rescue was not available at the meeting. The November 2023 Fire Report is available if anyone would like to see it.

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NOVEMBER 06, 2023
WORK SESSION
MINUTES

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and carried to approve the November 06, 2023, Board of Supervisors Work Session Minutes as submitted.

Supervisor Wall abstained from the vote because she was not present.

NOVEMBER 06, 2023
SPECIAL MEETING
MINUTES

It was moved by Supervisor Sailhamer, seconded by Supervisor Moyer-Schwille, and carried to approve the the November 06, 2023, Board of Supervisors Special Meeting Minutes as submitted.

Supervisor Wall abstained from the vote because she was not present.

NOVEMBER 09, 2023
CONDITIONAL USE
HEARING MEETING
MINUTES (2023-003)
941 YORK ROAD

It was moved by Supervisor Sailhamer, seconded by Supervisor Bush, and unanimously carried to approve the November 09, 2023, Board of Supervisors Conditional Use Hearing Application Number 2023-003 for York Land Development, LLC 941 York Road Minutes as submitted.

NOVEMBER 13, 2023
MEETING
MINUTES

It was moved by Supervisor Sailhamer, seconded by Supervisor Bush, and carried to approve the November 13, 2023, Board of Supervisors Meeting Minutes as submitted.

Supervisor Wall abstained from the vote because she was not present.

NOVEMBER 15, 2023
CONDITIONAL USE
HEARING MEETING
MINUTES (2023-004)
LOT 1 OF
NORTHERN
BUSINESS PARK

It was moved by Supervisor Wall, seconded by Supervisor Bush, and carried to approve the November 15, 2023, Board of Supervisors Conditional Use Hearing Application Number 2023-004 for SDKM Dillsburg Land, LLC, Lot 1 of Northern Business Park Minutes as submitted.

Supervisor Sailhamer abstained from the vote because he was not present.

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NOVEMBER 30, 2023
CONDITIONAL USE
HEARING MEETING
MINUTES (2023-003)
941 YORK ROAD

It was moved by Supervisor Sailhamer, seconded by Supervisor Bush, and carried to approve the November 30, 2023, Board of Supervisors Conditional Use Hearing Application Number 2023-003 for York Land Development, LLC 941 York Road Minutes as submitted.

Supervisor Moyer-Schwille abstained from the vote because she was not present.

PRELIMINARY/
FINAL LAND
DEVELOPMENT
PLAN FOR NYCS
FOR MIDDLE AND
ELEMENTARY
SCHOOLS CAMPUS
IMPROVEMENTS
CONDITIONAL
APPROVAL

It was moved by Supervisor Sailhamer, seconded by Supervisor Wall, and carried to grant the following waiver requests for the Preliminary/Final Land Development Plan Middle & Elementary School Campus Improvement for Northern York County School District as per Phillip Brath's Comment Letter dated November 01, 2023:

V. Waivers – comments 1 through 6

1. A preliminary plan application is required. (Section 435-13) The applicant has requested a waiver from ordinance requirement. The Planning Commission recommended granting waiver;
2. Provide Steep Slope Report (Section 435-27.H). The applicant has requested a waiver from ordinance requirement. The Planning Commission recommended granting waiver;
3. Provide Site Context Map (Section 435-27.J); The applicant has requested a waiver from ordinance requirement. The Planning Commission recommended granting waiver;
4. Provide Existing Recourse and Site Analysis Plan (Section 435-27.K) The applicant has requested a waiver from ordinance requirement. The Planning Commission recommended granting waiver;
5. Provide Preliminary Resource Impact and Conservation Plan (Section 435-27.L); The applicant has requested a waiver from ordinance requirement. The Planning Commission recommended granting waiver;

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6. Provide location and description of existing lot line markers and monuments along perimeter for the entire existing property (Section 435-25.C); The applicant has requested a waiver from ordinance requirement. The Planning Commission recommended granting waiver.
7. This comment was denied.

Supervisors Moyer- Schwille and Bush voted no.

It was moved Supervisor Sailhamer, seconded by Supervisor Wall and carried to deny the follow waiver request for the Preliminary/Final Land Development Plan Middle & Elementary School Campus Improvements for Northern York County School District as per Phillip Brath's Comment Letter dated November 01,2023:

7. Provide Traffic Impact Study (Section 435-22). The applicant has requested a waiver from ordinance requirement. The Planning Commission recommended denial of these waivers with the explanation below as an alternate to a full TIS;
 - a. Where a subdivision or land development abuts an existing street of inadequate width, sufficient additional width shall be constructed, and ROW dedicated. (§435-39.D.1) The Township should consider the needed ROW for Harrisburg Street. The Planning Commission was concerned that the existing street is inadequate in width and needs additional turning lanes and extension of existing turning lanes. The stacking lanes are too short and cause drivers to leave the cartway and attempt to pass on the shoulder. They felt this should be studied and any required improvements should be constructed with this project.
 - b. The existing traffic signal set has an existing Level of Service failure at the High School highlighted by a traffic study for a nearby development. We understand that new traffic patterns have not been fully determined and will be fluid as the students, teachers and bus drivers learn the new patterns for parking and dropping off students. We recommend as a minimum that the School District prepare a plan to retime the lights after school starts and new traffic patterns are established. We also have cue length

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concerns. The Planning Commission recommended a signal timing study be performed after start of school and recommend changes to be submitted to PennDOT by October 15th of the year this improvement project is completed and changes to the signals to be provided as soon as practicable thereafter.

Supervisor Bush voted no.

It was moved by Supervisor Sailhamer, seconded by Supervisor Wall, and carried to conditional approve the Preliminary/Final Land Development Plan Middle & Elementary School Campus Improvements for Northern York County School District contingent upon addressing all of the following comments in Phillip Brath's Comment Letter dated November 01, 2023:

- II. Zoning (Ordinance No. 2006-18, as amended) comment 1
 - 1. The plan must include proposed site lighting details meeting the requirements set forth in §450- 403.C.

- III. Land Development (Ordinance No. 2018-242) comments 1 - 6
 - 1. Provide written notice of approval from York County Conservation District. (Section 435-36.O);
 - 2. Provide Existing and Proposed Site Lighting Design & Details in accordance with Section 435- 45.D;
 - a. Lighting must be directed downward and inward and without glare to adjacent properties or rights-of-way. (Section 435-45.D(4)(a)) Place a note on the Cover Sheet and Lighting Plan;
 - b. The Zoning Ordinance includes some dark skies provisions including a provision to reduce lighting on off hours. We encourage selection of a controller that will allow for dimming/reduction of lighting during off hours. Provide a description of the lighting controls proposed for this site.
 - 3. All outstanding fees must be paid prior to recording Plan. (Section 435-36.M)
 - 4. Certificate of Ownership must executed & dated after last revision date on plan (Section 435- 28.C);

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5. Carroll Township Board approval must reflect updated Appendix 4 (Section 435-28.G);
 6. If street or signal improvements are required by the Board, the requirement for an Improvement Guarantee in accordance with Article XIII, from the School District, should be determined if necessary and the amount. We recommend none as a sister government agency. If a surety is desired, the amount should be submitted by the District at 110% of the required improvements and approved by the Township Engineer.
- IV. Stormwater Management (Ordinance No. 2011-216) comments 1 and 2
1. SWM Report – Dewatering Time Calculation. BMP1 indicates a 2-year infiltration dewatering time of 44.19 hours for a volume of 4017 cu.ft. However, runoff volume calculations and PA DEP calculation sheets indicate a volume of 9995 cu.ft. Provide Documentation to support the dewatering volume of 4017 cu.ft.
 2. SWM Report is to be signed and sealed. (Section 428-17.A.2) Submit one final copy to the Township prior to recording the plan

Supervisors Moyer-Schwille and Bush voted no.

Supervisor Moyer- Schwille wanted to table review of the plan until January 08, 2024 meeting.

Supervisor Sailhamer was concerned about the traffic issues. He wanted to add as a condition that an agreement would be entered into between the Township and Northern York County School District that the traffic issues would be addressed and the agreement would have to be satisfactory with the Township Engineer and Township Solicitor.

Traffic Study will have to be done to the Township Engineer recommendations and requirements.

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It was moved by Supervisor Sailhamer, seconded by Supervisor Wall, and carried that an Agreement between the Township and Northern York County School District be entered into within two years of approval of the plan and prior to recording of plan concerning the traffic study and be satisfactory with the Township Engineer and Township Solicitor.

Supervisors Moyer-Schwille and Bush voted no.

FINAL LAND
DEVELOPMENT
PLAN FOR
LEFEVER PROPERTY
TCNE ROUTE 74
ASSOCIATES LLC
CONDITIONAL
APPROVAL

It was moved by Chairman Kelly, seconded by Supervisor Sailhamer, and carried to conditionally approve the Final Land Development Plan for the Lefever Property – TCNE Route 74 Associates LLC contingent upon addressing all of the following comments in Phillip Brath’s Comment Letter dated November 29, 2023:

- II. Land Development - comments 1 through 9
 - 1. Provide evidence of Dillsburg Area Authority (DAA) approval of sewer system capability to serve and approval of design (§435-46.D).
 - 2. Provide evidence of Dillsburg Area Authority (DAA) approval of water service capability to serve and approval of design (§435-47.E).
 - 3. Highway Occupancy Permit must be provided prior to Final plan recording. Provide permit number on plan 435-36.0(2) and 435-41.A(3)(a).
 - 4. Provide proof of NPDES and E&S control approval (435-28.H & 435-36.P).
 - 5. Owners and Plan Certification Statements must be executed and dated after last revision date on plans (435-36 & 435-28.C).
 - 6. Outstanding fees must be paid prior to plans recording (435-36.M).
 - 7. Applicant is providing a fee-in-leu of mandatory dedication of park and open space based on \$1,000 per acre of disturbed area or any part thereof. The disturbed area is approximately 32 acres (435-43.B(2)).
 - 8. Provide financial security for public improvements and stormwater facilities prior to recording Final Plan (435-39.D(3), 345-36.K and 428.11.H).

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9. Provide Developer's Agreement for required improvements for approval prior to recording the Plan. (§435-36.J) Sample agreement is available from the Township.
- III. Traffic Impact Assessment - comments 1 through 3
1. Traffic Study must be complete and comply with the Ordinance section prior to recording the final plan. (§435-27.C).
 2. If ROW cannot be acquired as necessary to implement the PennDOT approved plan, the TIA will need updated to recommend alternate feasible improvements that will mitigate the development's impact.
 3. Route 15 and Route 74 improvements shall be completed prior to occupancy of the warehouse.
- IV. Stormwater Management - comments 1 through 4
1. Provide NPDES Permit and Plans to ascertain compliance with the Ordinance, prior to Final Plan recording (§428-11.E.4).
 2. Earth disturbance within the project area is shown being within 15 feet of Wetlands A, B, C, and D (§428-19.B). The Township will defer to PADEP decisions with respect to potential wetland impacts and protections during the Chapter 105 permit review process.
 3. The Township reserves possible additional comments relevant to any changes to design due to NPDES permitting.
 4. Stormwater reports shall be signed and sealed after final plan revision. Two complete final copies shall be provided to the Township prior to recording the plan. (§428-17.A(2))
- V. General – comments 1 through 3
1. Update title of plan to remove “Preliminary” and title it a final plan.
 2. All conditions of Conditional Use Approval must be addressed or satisfied prior to recording Final Plan. (Lump

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Sum Contribution to Fire Dept is due prior to recording Plan)

3. A digital set of the full Plan set shall be provided, with the final plans, prior to recording.

VI. Waivers – (granted 8/14/2023 at the Board of Supervisors Meeting)

1. Preliminary Plan is required (§435-13.A). Board of Supervisors granted waiver 8/14/2023.
2. Plan sheet shall be no larger than 24”x36” (§435-52.E(3)). Board of Supervisors granted waiver 8/14/2023.
3. Maximum slope of a landscape buffer area shall be 25% (§435-52.E(3)). Board of Supervisors granted waiver 8/14/2023.
4. Cut & fill slope shall not exceed 3:1 unless stabilized by retaining wall or cribbing (§435- 64.A). Board of Supervisors granted waiver 8/14/2023.
5. Basin side slopes shall not be less than 3:1 for non-residential zones (§428-17.G(1)(d)). Board of Supervisors granted waiver 8/14/2023.
6. Minimum bottom slope within a basin shall be less than one percent from low flow channel (§428-17.G(1)(k)). Board of Supervisors granted waiver 8/14/2023.

Supervisor Moyer-Schwille voted no.

Phillip Brath stated that there is no bonding in place at this time with Dillsburg Area Authority for the public sewer and water, but it has been approved.

It was stated that the landowner will be responsible for the stormwater issues.

It was moved by Supervisor Moyer-Schwille to table and accept the time extension for the review of the Final Land Development Plan for the Lefever Property – TCNE Route 74 Associates LLC until February 12, 2024.

Supervisor Moyer-Schwille withdrew her motion because no time extension was granted by the Developer at this time.

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PRELIMINARY/
FINAL LAND
DEVELOPMENT
PLAN FOR
ALDI, INC.
TIME EXTENSION

It was moved by Chairman Kelly, seconded by Supervisor Sailhamer, and unanimously carried to table and accept the time extension for the review of the Preliminary/Final Land Development & Minor Subdivision for Aldi, Inc. (Pennsylvania) Proposed Aldi Food Market until February 29, 2024.

FINAL PLANS FOR
HAROLD C. WILLIS
TIME EXTENSION

It was moved by Supervisor Sailhamer, seconded by Supervisor Moyer-Schwille, and unanimously carried to grant a time extension to record the Final Subdivision Plans for Harold C. Willis until March 30, 2024.

PROPOSED
ORDINANCE
NUMBER
2023-255
SET PUBLIC
HEARING AND
ADVERTISE

It was moved by Supervisor Sailhamer, seconded by Supervisor Bush, and unanimously carried to authorize the Township Staff to advertise Ordinance Number 2023-255 – An Ordinance to amend the Carroll Township Subdivision and Land Development Ordinance to add that the Developer must notify the surrounding property owners by certified mail when a plan is submitted to the Planning Commission and post the property. Set the public hearing for January 08, 2024, at 6:30 p.m.

RESOLUTION
2024-01
ADOPTING THE
2024 BUDGET

It was moved by Supervisor Sailhamer, seconded by Supervisor Bush, and carried to adopt Resolution Number 2024-01 - A Resolution of the Board of Supervisors of Carroll Township, York County, Pennsylvania, approving the 2024 Budget as proposed showing anticipated expenditures, receipts and setting the 2024 Tax Levy at 2.62 mills.

Supervisor Moyer-Schwille voted no.

PROPOSED
RESOLUTION
2024-05
APPOINT CERTIFIED
PUBLIC
ACCOUNTANT
TO AUDIT THE
BOOKS

It was moved by Supervisor Sailhamer, seconded by Supervisor Bush, and unanimously carried to authorize the Township Staff to advertise Resolution 2024-05 - Appointing a Certified Public Accountant to make an examination of all the accounts of Carroll Township for the Fiscal year 2023 for action at the January 08, 2024, Board of Supervisors meeting.

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SET MEETING
DATES, TIME
AND OFFICE
CLOSED DATES
FOR 2024

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and unanimously carried to set the Meeting Dates, Time and Office Closed dates for 2024 as follows:

The office hours will be Monday through Friday from 8:00 a.m. to 4:00 p.m.

The Board of Supervisors will meet at the Carroll Township Municipal Building at 555 Chestnut Grove Road, the second Monday of each month at 6:30 p.m. The following are the meeting dates for 2024: January 02 (Re-organizational Meeting)(Tuesday), January 08, February 12, March 11, April 08, May 13, June 10, July 08, August 12, September 09, October 14, November 12 (Tuesday), and December 09.

The Board of Supervisors will be holding Work Sessions the first Monday of every month starting in January at 6:30 p.m. The following are the Work Session meeting dates for 2024: January 02 (following Re-organizational Meeting) (Tuesday), February 05, March 04, April 01, May 06, June 03, July 01, August 05, September 03 (Tuesday due to Labor Day), October 07, November 04, and December 02.

Set the Municipal Office Closed dates for 2024:

The Township Municipal Office will be closed on the following Holidays in 2024: New Year's Day – January 01, Martin Luther King, Jr. Day – January 15, President's Day – February 19, Good Friday – March 29, Memorial Day – May 27, Independence Day – July 04, Labor Day – September 02, Veteran's Day – November 11, Thanksgiving Day – November 28, Friday after Thanksgiving – November 29, and Christmas Day – December 25.

TOWNSHIP
MANAGER
AT WILL
EMPLOYMENT
AGREEMENT

It was moved by Supervisor Sailhamer, seconded by Supervisor Wall, and unanimously carried to enter into the Township Manager's at will Employment Agreement for Brandon Slatt from January 01, 2024, to December 31, 2025.

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ADVERTISE FOR
MOWING BIDS
FROM APRIL 2024
THROUGH
MARCH 2027

It was moved by Supervisor Sailhamer, seconded by Supervisor Bush, and unanimously carried to authorize the Township Staff to advertise for Mowing Bids for the April 2024 through March 2027 mowing contract for Carroll Township Municipal Building and fields and Chestnut Park fields. The bids will be due by, and opened on Thursday, January 31, 2024, at 2:00 p.m. and the successful bidder will be announced at the Board of Supervisors regularly scheduled meeting on February 12, 2024.

AWARD 2023-2024
ROAD SALT BID

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and unanimously carried to award the Capital Region Governments 2023 – 2024 Road Salt/Deicer bid to the lowest bidder, Morton Salt, Inc. at \$73.87/ton FOB delivered.

ADDITIONAL
ITEMS

Brandon Slatt, Township Manager, stated starting January 2024 there will be two new reports presented at the Board of Supervisors Work Session. He will be presenting the Zoning Officer's Report which will include the activities before the Zoning Hearing Board and Zoning issues. Phillip Brath will prepare a report called Plans in Progress Report. These reports will be presented at all Work Sessions from January on.

POLICE REPORT

Chief Thomas Wargo presented the Police Report for the Month of November 2023.

COMMITTEE
REPORTS

Supervisor Moyer-Schwille stated that Road Committee had meetings with Northern York County School District and Aldi's.

SUPERVISOR
MOYER-SCHWILLE
FAREWELL SPEECH

Supervisor Moyer-Schwille stated that it has been a privilege and honor to serve as a supervisor for the last 6 years. She stated that she voted no on the 2024 Budget because the Township had to use a carryover to balance the budget. Relocation of Route 74 out by the school needs to continue. She feels that a Board member needs to sit in on any meetings held with the Township Engineer and Zoning Officer and developers. We must drop the Preliminary/Final plans that are coming into the Township. The plans should be labeled Preliminary or Final plans not Preliminary/Final. Development Agreements we never had them before. Need to look into if they are needed or not.

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Looking at the Committee meetings the Boards needs to have more meetings.

AWARD OF
APPRECIATION
KELLEY
MOYER-SCHWILLE

The Board of Supervisors presented an award of appreciation to Kelley Moyer-Schwille for her years of service as a Carroll Township Supervisor.

10 YEARS OF
AWARD
THOMAS WARGO

The Board of Supervisors presented a ten-year award to Chief Thomas Wargo for his ten years of service as Chief of Police.

ADJOURNMENT

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Sailhamer, and unanimously carried to adjourn the meeting at 7:55 p.m.

Respectfully submitted,

Faye L. Romberger, Secretary