

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
OCTOBER 09, 2023
Page 1 of 7**

ROLL CALL SUPERVISORS – Kelley Moyer-Schwille, Dave Bush, Brent Sailhamer, and Tim Kelly

SUPERVISORS Remote by telephone – Kelly Wall

ATTENDEES Faye Romberger, Mark Bruening, P.E., Brandon Slatt, Township Manager, Mike Pykosh, Esquire, Thomas Wargo, Chief of Police, Jessica Baim, Ken Farner, Janice Buffington, Libby Laudenslager, Marc DeSouza, Tom Fuentes, Carole Zeaser, Dave Zeaser, and Jeremiah Jones

ZOOM ATTENDEES: Zoom was unavailable.

Carroll Township’s Municipal Building was opened to the public. The meeting was televised on Carroll Township’s Comcast Cable TV Channel 95.

CALL TO ORDER Chairman Kelly called the regularly scheduled meeting of the Carroll Township Board of Supervisors Meeting to order at 6:33 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 Wall, and unanimously carried to approve Treasurer’s Report dated October 09, 2023, as submitted, which includes the Open Bill List up to and including October 06, 2023, in the amount of \$352,607.08, Cash Flow Reports for September 2023, Compared to Budget Reports for September 2023, and Check Register Report for September 2023 to ratify the September 2023 Bill List.

PUBLIC COMMENT Chairman Kelly asked for public comment. There were no public comments at this time.

SEPTEMBER 05, 2023 WORK SESSION MINUTES It was moved by Supervisor Sailhamer, seconded by Supervisor Moyer-Schwille, and unanimously carried to approve the September 05, 2023 Board of Supervisors Work Session Minutes as submitted.

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
OCTOBER 09, 2023
Page 2 of 7**

SEPTEMBER 11, 2023 PUBLIC HEARING MINUTES

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and carried to approve the September 11, 2023 Board of Supervisors Public Hearing Minutes as submitted.

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

SEPTEMBER 11, 2023 MEETING MINUTES

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and carried to approve the September 11, 2023 Board of Supervisors Meeting Minutes as submitted.

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

FINAL LAND DEVELOPMENT PLAN FOR PROPOSED RITA'S ITALIAN ICE TIME EXTENSION

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Wall, and unanimously carried to table and accept the time extension for the review of the Final land Development Plan for Proposed Rita's Italian Ice for Matthew Simmons until April 01, 2024.

FINAL LAND DEVELOPMENT PLAN FOR 54 OLD YORK ROAD TABLED

It was moved by Supervisor Sailhamer, seconded by Supervisor Moyer-Schwille, and unanimously carried to table the review of the Drawings for Final Land Development Plan for 54 Old York Road, Dillsburg PA – Devspire, LLC until the November 13, 2023 Board of Supervisors Meeting.

PRELIMINARY/FINAL MINOR LOT ADD-ON PLAN 26 SPRING LANE ROAD NAPOLI AND HUMMEL CONDITIONAL APPROVAL

It was moved by Supervisor Sailhamer, seconded by Supervisor Moyer-Schwille, and unanimously carried to grant the following waiver requests for the Preliminary/Final Minor Lot Add-On Plan for 26 Spring Lane Road for Raymond A. & Janice E. Napoli and Steven M. & Jeanette A. Hummel – 2 Lots as per Phillip Brath's Comment Letter dated September 29, 2023:

III. Waivers Requested

1. Provide a grading plan for all Subdivisions. (§ 435.26.N) Applicant requests a waiver. The applicant has requested a waiver. The Planning Commission recommended granting waiver.

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
OCTOBER 09, 2023
Page 3 of 7**

PRELIMINARY/
FINAL MINOR
LOT ADD-ON PLAN
26 SPRING LANE
ROAD NAPOLI
AND HUMMEL
CONDITIONAL
APPROVAL

2. Provide a stormwater management plan at time of subdivision. (§ 435-27.I) The applicant has requested a waiver. The Planning Commission recommended granting waiver.
3. Provide an Existing Resources and Site Analysis Plan. (§ 435-27.K) The applicant has requested a waiver. The Planning Commission recommended granting waiver.
4. Provide a Preliminary Resource Impact and Conservation Plan. (§ 435-27.L) The applicant has requested a waiver. The Planning Commission recommended granting waiver.
5. 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 applicant has requested a waiver. The Planning Commission recommended granting waiver.
6. Provide curbing along existing street frontage per § 435-45.C. The applicant has requested a waiver. The Planning Commission recommended granting waiver.
7. Provide backup sanitary septic area for Napoli Lot (435-46.E); The applicant has requested a waiver. The Planning Commission recommended granting waiver.

It was moved by Supervisor Sailhamer, seconded by Supervisor Wall, unanimously carried to conditionally approve the Preliminary/Final Minor Lot Add-On Plan for 26 Spring Lane Road for Raymond A. & Janice E. Napoli and Steven M. & Jeanette Hummel – 21 Lots contingent upon addressing all of the comments in a Phillip Brath’s Comment Letter dated September 29, 2023:

- II. Subdivision (Chapter 435 / Ordinance No. 2018-242)
 1. Update waivers once approved with dates of action by the Board prior to recording the plan (435-26.O);
 2. All certificates must be signed, sealed, and dated after the last revision date. (435-28.B);
 3. The Owner must sign the plan and date after the last plan revision. (435-28.C/36.A);
 4. All outstanding fees must be paid prior to recording Plan. (435-36.M);

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
OCTOBER 09, 2023
Page 4 of 7**

PRELIMINARY/
FINAL MINOR
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ROAD NAPOLI
AND HUMMEL
CONDITIONAL
APPROVAL

5. Plan Title must be revised to reflect “Final Subdivision” as does not meet criteria for a “Preliminary Plan” application. (435-13.A) or “Minor” Plan. (435-15);
6. Surveyor statement of accuracy, Engineer statement, Supervisors Approval statement, YCPC review statement and Township Planning statement must reflect latest verbiage. (435- Appendix 1, 3, & 4);
7. Label distance from nearest intersection to subject subdivision (435-24.C);
8. Provide finished floor elevations per 435-26.G;
9. Provide Lot # for Napoli Lot (435-24.G);

IV. General

1. A new Deed of Consolidation must be prepared recorded in conjunction with the subdivision plan as note on plan;
2. Two locations on dedicated ROW appear to have iron pins but not noted;
3. Provide Lot Ownership on each Lot of proposed subdivision

WINDY HEIGHTS
PHASE III
FINANCIAL
SECURITY
RELEASE
NUMBER 5

It was moved by Supervisor Sailhamer, seconded by Chairman Kelly, and unanimously carried to release \$88,324.93 (Surety Release No. 5) from the financial surety being held for improvements completed in the New Windy Heights – Phase III Development. This will reduce the Peoples Security Bank & Trust Letter of Credit No. 1360001686103 surety for this project from \$511,585.99 to \$423,260.06 and set the 18-month maintenance Bond at \$372,879.51. The remaining surety of \$423,260.06 is being held for the following items: \$30,000.00 for Basin conversion to stormwater conditions and approximately \$12,300.00 for swale, soil, and vegetation issues and \$3,500.00 for final as-built drawings, \$4,580.05 required 110% of the probable cost of construction, and the 18-month maintenance bond of \$372,879.51 contingent upon the grading being corrected at 200 Eagle Road and 300 Normandy Lane.

Mr. Marc DeSouza stated that he did not receive Mr. Brath’s letter dated October 06, 2023. A copy was given to him.

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
OCTOBER 09, 2023
Page 5 of 7**

WINDY HEIGHTS
PHASE III
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Janice Buffington – 222 Eagle Road – stated her lot is not graded as per the Land Development Plan. She also stated that she has not received any response from the Developer on how her complaints were resolved.

Tom Fuentes stated that he has sent the emails to Ms. Buffington concerning her complaints. He will resend the emails to her.

PRELIMINARY/
FINAL LAND
DEVELOPMENT
PLAN FOR
MIDDLE AND
ELEMENTARY
SCHOOL CAMPUS
IMPROVEMENT
TIME EXTENSION

It was moved by Supervisor Sailhamer, seconded by Supervisor Moyer-Schwille, and unanimously carried to table and accept the time extension for the review of the Preliminary/Final Land Development Plan Middle & Elementary School Campus Improvements for Northern York County School District until January 26, 2024.

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

It was moved by Supervisor Moyer-Schwille, seconded by Chairman Kelly, 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 December 31, 2023.

AUTHORIZATION
FOR HRG TO
PREPARE THE
PENNDOT GRANT
FOR ROUNDABOUT

It was moved by Supervisor Moyer-Schwille, seconded by Chairman Kelly, and unanimously carried to engage and authorize HRG to prepare the PennDOT Multimodal Transportation Fund Grant for the Roundabout project at W. Siddonsburg Road and Ore Bank Road.

OLD BUSINESS

Brandon Slatt, Township Manager, stated he has talked with Mark Yinger from ECI concerning the fan noise at Fager's. The fans are done for this year, and they can't slow the fans down.

Brandon Slatt also stated that Northside Court will be paved this week.

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
OCTOBER 09, 2023
Page 6 of 7**

**DASC REQUEST
TO USE PORTABLE
LIGHTING AT
CHESTNUT PARK**

It was moved by Supervisor Sailhamer, seconded by Chairman Kelly, and unanimously carried to authorize the Dillsburg Area Soccer Club to use portable lighting at Chestnut Park between the hours of 5:00 p.m. and 8:00 p.m. Monday through Friday from October 02, 2023 until November 12, 2023 contingent upon that portable lighting is not used on Saturdays and Sundays and that the lighting does not impede onto neighboring properties.

POLICE REPORT

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

Supervisor Moyer-Schwille questioned why the Police Van is not on the report.

TRICK OR TREAT

Chief Wargo wanted to remind everyone that Trick or Treat is Thursday, October 26, 2023 from 6:00 p.m. to 8:00 p.m. rain or shine.

**KLUGH 2024
ANIMAL
CONTROL
CONTRACT**

It was moved by Chairman Kelly, seconded by Supervisor Sailhamer, and unanimously carried to enter into the Klugh Animal Control Service Contract – 2024 Animal Control Contract dated September 23, 2023 for services from January 01, 2024 to December 31, 2024 and pay a fee of \$400.00 for retention of services on or before December 15, 2023.

**COOPERATION
AGREEMENT
WITH THE
CO-RESPONDER
PROGRAM**

It was moved by Supervisor Sailhamer, seconded by Chairman Kelly, and unanimously carried to enter into a Cooperation Agreement with the Co-Responder Program through WellSpan Philhaven, the York/Adams Mental Health, Intellectual, and Developmental Disabilities Program, and the Carroll Township Police Department for parties' desire to combine their respective resources for the purpose of hiring and utilizing a Co-Responder to assist law enforcement in its response to the mental health needs of the communities served by the Department.

FIRE REPORTS

Chairman Kelly stated that the Northern York County Fire Rescue Fire Report for the month of September 2023 is available if anyone would like to review the report.

**CARROLL TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
OCTOBER 09, 2023
Page 7 of 7**

**COMMITTEE
REPORTS**

Supervisor Moyer-Schwille stated the Comprehensive Plan Committee held their first meeting on Thursday, September 21, 2023 at 6:00 p.m. York County Planning Commission was present at the meeting.

Brandon Slatt, Township Manager, stated that Dillsburg Borough will be opting in, but Franklinton Borough and Franklin Township will be opting out.

ADJOURNMENT

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Wall, and unanimously carried to adjourn the meeting at 7:21 p.m.

Respectfully submitted,

Faye L. Romberger, Secretary