

Hamiltonban Township Board of Supervisors
23 Carrolls Tract Road, Fairfield, Pa 17320
Regular Meeting Minutes
March 7, 2006

Supervisors Present: Chairman James E. Benner, Vice-chairman William E. Eckert, Sr., Road Master Jay Edward Deardorff, Police Coordinator Coleen N. Reamer, and Supervisor Robert Gordon

Others Present: Orrtanna Treatment Plant Engineer Fred Heerbrandt from William F. Hill, Inc. Solicitor Henry O. Heiser, III, Planning Commission Vice-chairman Stephen Jacobs, Zoning Officer Milton Nicks, Tax Collector Amy Harbaugh, EMA Coordinator Donald Wills, Planning Commission Secretary Pamela Wiehagen, and Secretary/Treasurer LuAnn Dille

Public Attendees: A. J. Alrich, Adam T. Brown, and William Jacobs representing the Fairfield Community Fire and EMS Company, Mark Cummins from Cornerstone, Barry Fitz, Joshua George from Morris and Ritchie, Alex Hayes reporter from the Gettysburg Times, John Molloy, Barbara Nicks, Dale and Doreen Premo, David and Barbara Prophet, Wayne and Deb Weaver, Yvonne Weizinsky from Strawberry Hill, and Douglas Woerner

At 7:30 PM Chairman Benner called the meeting to order and those present recited the Pledge of Allegiance.

Approval of the Minutes

Vice-chairman Eckert made a motion to approve the Supervisor's Board meeting minutes of January 3, 2006, with the corrections on page two demolished instead of demolition, and page seven Earth Day is on Saturday April 22, 2006 not on Sunday April 23, 2006, the Joint Planning Commission and Supervisors Board Workshop meeting minutes of February 22, 2006, and the Workshop meeting minutes of February 23, 2006, seconded by Road Master Deardorff. The Board approved this motion with Supervisor Gordon abstaining. He could not find his correct January 3, 2006 meeting minutes.

Tonight at 7:00 PM Orrtanna Treatment Plant (OTP) Engineer Fred Heerbrandt from William F. Hill, Inc. explained the annual Chapter 94 Sewer Report to the Board.

Public Comment

Mr. Kline has purchased 200 acres of land in Orrtanna from El Vista Orchards, Inc. He is in the beginning process of exploring options for developing the property. One option would be connecting to the OTP, which would then need to be upgraded. This possibility has occurred within the last six months. Engineer Heerbrandt stated that the property is within the service area and should be included in the OTP instead of building another sewer plant. The present spray field will need to be enlarged and there is land available. Road Master Deardorff stated less than fifty percent of the land is being utilized for the current spray field. Mr. Kline remarked that this could be a win/win situation. The Plant will need to be upgraded in the future and he is willing to be a part of the improvements. Mr. Kline stated that the preliminary perc tests have been

successful. He is willing to build within the existing zoning ordinances; he is planning approximately 100 dwelling units. Stream discharge is a possibility. Road Master Deardorff made a motion for Engineer Heerbrandt and Mr. Kline to discuss the options of connecting to the OPT and the necessary improvements, seconded by Supervisor Gordon. The Board unanimously approved this motion. The engineering fees will be paid by Mr. Kline. Road Master Deardorff may be included in a meeting because he supervises the OPT and the spray field.

Fairfield Community Fire and EMS Company Fire Chief William Jacobs made a presentation asking Hamiltonban Township and the surrounding municipalities to contact the Fairfield Company Fire and EMS Company when the preliminary plans for large proposed developments are first submitted for reviews. The Company has concerns about highway access and water supply. A ladder truck needs a minimum width of 18 feet plus an additional 10 feet to allow passage of other apparatus. Other concerns are private bridges weight limits, gated driveways, gates need to open in not out, access to all property should be at least a minimum width of 12 feet and 10-12 feet high, tree clearance on private lanes and long driveways need to be enforced, driveways over 1,000 feet cause water supply problems. Fire Chief Jacobs prefers concrete pads versus dry hydrants for water supply. Dry hydrants need to be maintained, if not they can become clogged. Fairfield Community Fire and EMS first due service area includes 70 % of the Township. When a three story house is on fire, a ladder truck is needed. Townhouses and dense complexes require an increase in water supply because of exposure to other structures.

Police Coordinator Reamer stated that it would be best when subdivision plans are submitted to the Township that a plan is given to the Company to review. It is not necessary for them to attend Planning Commission meetings. Fire Protection Specialist Rob Neal, who works at the National Fire Academy in Emmitsburg Maryland and a member of the Company, helps the area fire company with legal issues concerning developments.

Fire Chief Jacobs requested that when the Township's newsletters are created to include that the area emergency services are not tax base organizations but funded by donations and fund raisers. This past Fall Fairfield Fire and EMS Company retired a 27 year old fire truck with a new \$350,000 piece of apparatus. The Company would appreciate any and all donation (s) to the capital truck campaign. Volunteers are always welcome and needed for fire fighting, EMS and fund raisers. Because of the lack of volunteers, the Company now has paid daytime emergency medical technicians (EMT). Fairfield Community Fire and EMS Fire Chief Jacobs and Fire Deputy Adam Brown and President A. J. Aldrich thanked the Township for their time. The Board thanked the Company for their service to the community.

Mr. George distributed two maps of the Fitz property to the Board. The first map was a land conservation overlay conceptual plan and the second map was an aerial photograph of the general area to include Strawberry Hill, and Camp Eder. There will be green buffers on Cold Springs Road and Mount Carmel Road. There is only one section of houses in the proposed development that do not have green areas between the back yards.

A resident from Orrtanna called the business office to thank the Township for placing newsletters at the Orrtanna Post Office.

Planning Commission

There was a discussion concerning what is a hardship and the shape of the parcel Jemez, L.L.C. wants to subdivide. Police Coordinator Reamer made a motion to deny the waiver concerning the panhandle lot request for Jemez, L.L.C. Three Lot Subdivision Plan unitizing two panhandle lots, seconded by Road Master Deardorff. This motion passed with Police Coordinator Reamer, Road Master Deardorff and Supervisor Gordon in favor of the motion. Chairman Benner and Vice-chairman Eckert opposed the motion.

Police Coordinator Reamer made a motion to allow Harry Rood's Five Lot Land Addition to use a larger than ordinance scale because of the large land mass, seconded by Road Master Deardorff. The Board unanimously approved this motion. The scale will be 1 inch to 200 feet instead of 1 inch to 100 feet.

Solicitor's Report

Solicitor Heiser stated that the Gauss's have requested another extension until April 5, 2006 for their subdivision plan. Solicitor Heiser has met with Attorney Eastman, Gauss's attorney, to clarify some issues. Attorney Eastman is drafting a road agreement for the private road and bridge usage but needs more time to resolve some issues. Road Master Deardorff made a motion to grant an extension until April 5, 2006 for the developer of the Gauss property as requested by Attorney Eastman, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

The Conservation District Overlay Ordinance drafted by Cornerstone does not qualify as a curative amendment. A curative amendment is to correct an unconstitutional or illegal amendment. If a curative amendment is not passed it is an automatic denial in 60 days. Solicitor Heiser stated the conservation overlay amendment needs to be carefully considered by the Board, Planning Commission, Adams County Planning and Development, and the Hamiltonban Township Engineer Cormany. When the Board is satisfied with the proposed ordinance they should direct him to advertise the ordinance and hold a public hearing.

Police Coordinator Reamer made a motion for Solicitor Heiser to draft an ordinance to re-appeal the ordinance agreement with the Fairfield Regional Emergency Management Agency because of the increase in funding, seconded by Road Master Deardorff. The Board approved this motion with Vice-chairman Eckert opposing the motion. As in the past Hamiltonban Township will continue its functioning EMA

Road Master Deardorff made a motion to adopt Resolution 01- 2006 to correct Mount Hope Road number to be Township Route 309; Gum Springs Road will be Township Route 305 to include what was formally Lower Gum Springs. This motion was seconded by Supervisor Gordon. The Board unanimously approved this motion.

Police Coordinator Reamer made a motion for Solicitor Heiser to advertise a public hearing for the purpose of adopting the Monocacy and Conococheague Stormwater Management Plan, seconded by Supervisor Gordon. The Board unanimously approved this motion.

The addition of a school bus stop shelter set-backs to the zoning ordinances was tabled until a later date.

Solicitor Heiser explained part of the Sunshine Act in regards to public comment at public meetings. Public must have a reasonable opportunity to make comment on any issue before official action is taken. A time limit can be established. Three minutes is a reasonable time limit. If a meeting has lengthy public comments it can be deferred to the next meeting. Solicitor Heiser suggested that the Township form a committee, let the committee make recommendations and then pass a resolution. In the past Solicitor Heiser has noted several of the public commenting on zoning issues that were not being considered by the Board at that meeting. The public will have ample time to comment on zoning issues because public hearings are mandated when zoning ordinances are created or changed.

The Board has explored changing the Township's Animal Ordinance. Solicitor Heiser had a few ordinances from other municipalities plus a law journal. Pennsylvania State Association of Township Supervisors (PSATS) also has ordinances for review. Solicitor Heiser stated there is a vast range of items that can be include in an animal ordinance.

Road Master Deardorff completed the follow-up inspection of the Bolin's property and Solicitor Heiser will write the final correspondence.

At 8:57 PM Chairman Benner called for an Executive Session per Solicitor Heiser's request concerning a legal issue. At 9:08 PM the Board returned. Vice-chairman Eckert made a motion stating that George Nicholas is now in compliance with Judge George's prior court order, seconded by Road Master Deardorff. The Board unanimously approved this motion. Solicitor Heiser will file the proper documents to allow Mr. Nicholas to be released from prison.

Police Coordinator Reamer made a motion to request that Solicitor Heiser amend Officer Larmer's Police Contract to reflect that the police officer(s) reports to the police coordinator, seconded by Supervisor Gordon. The Board unanimously approved this motion. The Board and Officer Larmer will need to sign this amended contract.

The Township will need to sign an inter-municipal agreement with the Fairfield Municipal Authority concerning the new sewer treatment plant and the connections that will be added in the Township with the Empire Homes/Fairham Development.

Zoning Officer's Report

Zoning Officer Nicks gave the following report. He issued five Use and Occupancy Permits. One permit for a new home, a well house shed, a storage shed and a home addition. He attended five meetings: Supervisor's, Planning Commission and Joint Workshop, public; a meeting with Randy Reamer and Middle Department Inspection Agency (MDIA). He completed the following other inspections: Nicholas/Indian Trail Inn with MDIA and others, Deist Lane, BB Section, and Noye-well inspection. He sent Nicholas' a correspondence. He worked 37.25 hours, traveled 159 miles, had 44 telephone calls and telephone charges of \$12.49. Supervisor Gordon made a motion to accept the February 2006 Zoning Officer's Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Adams County Tax Assessor's office is requiring an additional form stating when Use and Occupancy permits are issued by local municipality.

Zoning Officer Nicks explained the correspondence he wrote to Nicholas/Indian Trail Inn. He believes there are a few issues that are not resolved to Township's normal

standards. Rusty Ryan from Adams County Conservation District completed an inspection and made a few recommendations concerning the stream.

There will be a charge of \$5.00 for a copy of the Hamiltonban Township's Well Ordinance.

Treasurer's Report

Road Master Deardorff made a motion to approve the February 2006 Treasurer's Report as presented, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

April 2006	Income	Expenses	Transfer	Balance
General Account				
ACNB Checking	\$70,342.02	\$60,851.85	\$10,000	\$ 7,262.72
ACNB Savings	11.13			20,735.92
ACNB CD				51,861.98
PLGIT	326.68		10,000	<u>101,067.15</u>
Total Assets				\$278,201.07
Sewer Account				
ACNB Checking	562.62	5,951.21	5,000	671.07
ACNB Savings	4.89			9,114.45
PLGIT	89.05		5,000	21,421.04
CDBG				<u>146.20</u>
Total Assets				\$ 31,352.76
State Liquid Fuels				
PLGIT	6.79			2,136.28
PLGIT Emergency	15.22			<u>4,788.64</u>
Total Assets				\$ 6,924.92

Approval of Expenditures

Supervisor Gordon made a motion to approve the February 2006 Expenditures, seconded by Supervisor Reamer. The Board unanimously approved this motion.

Supervisor Gordon made a motion to add the new income account 362.46 Well Ordinance for the income received from well permit fees and the sale of well ordinance at \$5.00 each, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Secretary's Report

The Township's newsletter was sent in the Township's tax statements. Supervisor Gordon thanked everyone who helped with the newsletters and especially Amy and John Harbaugh for inserting the newsletters into the tax statements. The Township's e-mail address was incorrect. The correct e-mail is Hamiltonban@earthlink.net. Secretary/Treasurer Dille thanked Tax Collector Amy Harbaugh for picking up and delivering the Township's 2006 Tax Duplicate and for giving the Township a new cover for the tax duplicate. Secretary/Treasurer Dille thanked Barbara Nicks for her wonderful assistance with disposing of some old records and helped organizing the storage room.

The Supervisors have successfully completed the on-line National Incident Management course.

Supervisor Reamer made a motion to have Lockwood Business Support Service audit the Township's general, sewer, and state liquid fuels accounts, Musselman and Creager CPA firm to audit the Orrtanna Treatment Plant loan, seconded by Supervisor Gordon. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to accept the Secretary's Report, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Police Report

Officer Larmer gave the following February 2006 Police Report. She had 41 complaints, four arrests, eight investigations, 22 traffic citations, gave seven warnings and four criminals. She used 91.2 gallons of fuels as she traveled 1,020 miles for 11.18 miles per gallon of fuels. She will be attending a recertification class for the AED machine at Gettysburg Hospital on March 13, 2006. She will qualify for her annual police updates on April 18 and 19, 2006 in Dillsburg, PA. She thanked the Road Crew for moving the stop sign at the intersection of Franklin Street and Beechwood Drive, Fairfield and for the placement of white heat strips marking the proper stopping distance at several intersections. Officer Larmer received a box of gun locks from the Carroll Valley Police Department. The gun locks will be available free of charge to the residents of the Township. Officer Larmer distributed her March and April schedules. During the last two months first time Police Coordinator Reamer has asked many question of Officer Larmer, she has patiently answered all questions. Officer Larmer has willingly and cheerfully made all the changes that Police Coordinator Reamer has asked of her. Road Master Deardorff also thanked her for her cooperation with the Road Crew. Vice-chairman Eckert made a motion to approve the February 2006 Police Report, seconded by Police Cooperator Reamer. The Board unanimously approved this motion.

EMA Report None at this time.

Road Report

Road Master Deardorff gave the following February 2006 Road Report.

1. Signs have been repaired as they have been damaged.
2. Potholes have been repaired as needed.
3. Tree limbs and brush has been trimmed as needed to prevent damage to school buses and large trucks.
4. Rebuilding of the worst parts of Gum Springs Road and Lower Cold Springs Road has been completed.
5. Road Master Deardorff has met with representatives from Med-Ed and Adams Electric Cooperative, Inc. They are in the final stage of installing street lights at Moritz Road and Cold Springs Road, Orrtanna, PA, Iron Springs Road and Zoo Road, Fairfield, PA , Iron Springs and Gum Springs Road, Fairfield, PA
6. All dirt roads have been repaired on as needed bases.
7. Stop sign stop tapes have been installed.

8. Road route numbers have been ordered and received. These are being installed for identification purposes. They will be installed in the next two weeks.
9. He has received information from two companies on road revitalization for Cold Springs Road and Old Waynesboro Road at ISP. He will meet with a third company. For the April Board meeting he will have price comparisons available.

Road Master Deardorff made a motion to approve the Resolution from the Med-Ed for the installation of a 100-watt street light at Iron Springs Road and Zoo Road, Fairfield, PA and a 250-watt street light at Iron Springs Road and Gum Springs Road, Fairfield, PA, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

The snow removal cost for the February 11 into February 12, 2006 snowstorm was \$14.00 per mile. This includes the application of material and labor cost for five trips around the Township.

Spring Road Inspection was postponed until May.

Supervisor Gordon made a motion to approve the February 2006 Road Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Sewer Report

The effluent pump that was ordered and installed by Carl E. Frantz, Inc. was under sized and will be replaced by Carl E. Frantz, Inc. at no charge to the Township. Supervisor Gordon made a motion to approve the February 2006 Sewer Report, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

New Business

Supervisor Gordon made a motion to formally request that the Hamiltonban Township Planning Commission, Adams County Planning and Development, Hamiltonban Township's Engineer Tim Cormany and the Natural Lands Trust review the Cornerstone proposed amendment for conservation by design by April 4, 2006, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Police Coordinator Reamer made a motion to allow Pension Administrator Dille to request that R. J. Hall precede with the State Pension Review, therefore this data can be used to discuss document changes with the Board, seconded by Supervisor Gordon. The Board unanimously approved this motion. Vice-chairman Eckert made a comment that he read in the PSATS's magazine that the State wants the small pension plan be changed to a universal State plan.

Police Coordinator Reamer made a motion to proceed with property appraisals for the Township's facilities for grant funding and insurance purposes, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Supervisor Gordon made a motion to approve traveling and associated costs involved in having the Natural Land Trust Audit Presentation by Ann Hutchinson on March 28, 2006, at 7:00 PM at a Fairfield location to be announced, re-scheduling the regular Hamiltonban Township Planning Commission meeting to March 30, 2006 at 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA, seconded by Police Coordinator Reamer. The Board unanimously approved this motion. There will be a site review on the

Fitz/Cornerstone Subdivision property at 2:00 PM, on March 28, 2006, for Planning Commission members, Board members, Mr. Fitz, and Cornerstone.

Old Business

Police Coordinator Reamer made a motion to approve the addition of the tardiness policy to the personnel handbook/policy, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Adjournment

At 10:01 PM Vice-chairman Eckert made a motion to adjourn the meeting, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Next Meetings

The Natural Lands Trust Presentation on March 28, 2006 at 7:00 PM, at a Fairfield location to be announced, Pa 17320

The next regular Board meeting will be on April 4, 2006 at 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320.

LuAnn M. Dille
Secretary/Treasurer

James E. Benner
Chairman