

**Hamiltonban Township Board of Supervisors**  
**Regular Meeting**  
**23 Carrolls Tract Road, Fairfield, PA 17320**  
**December 7, 2004**

**Supervisors Present:** Stephen W. Jacobs, Chairman, William E. Eckert, Sr., Vice-chairman, Jay Edward Deardorff, Road Master, James E. Benner, and Barbara A. Nicks

**Others Present:** Amy Harbaugh, Hamiltonban Township's Tax Collector, Milton Nicks, Zoning Officer, Donald Wills EMA, and LuAnn M. Dille, Secretary/Treasurer

**Public Attendees:** Tim Abraham, David Donaldson for the Orrtanna United Methodist Church, Guy Donaldson, Staci George from The Gettysburg Times, Robert Gordon, William Jacobs from the Fairfield Fire and EMS Company, Edward Kaplan Vice-chairman of the Carroll Valley Planning Commission, Charles Koontz, Mark Kuntz, and Carroll Martin from the Fountaindale Fire Company

At 7:30 PM Chairman Jacobs 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 November 3, 2004 Supervisor's Board meeting minutes, seconded by Mrs. Nicks. The Board unanimously approved this motion.

**Public Comment**

Mr. Kaplan, Vice-chairman of the Carroll Valley Planning Commission, spoke on the positive aspects of residential sprinkler systems. Mr. Kaplan recommended that Hamiltonban Township like Carroll Valley adopt a residential sprinkler ordinance. He distributed copies of the Carroll Valley sprinkler ordinance to the Supervisors. William Jacobs also commented on the positive aspects of a residential sprinkler system as it relates to fire protection services provided by local volunteer fire companies. Fairfield Fire and EMS Company like most volunteer fire companies, is experiencing increases in demand for services because of urban growth. Volunteers are not keeping up with the increase in demands. Mr. Martin stated Fountaindale Volunteer Fire Company also supports residential sprinkler systems.

William Jacobs also commented on the need for fire hydrants in the new proposed developments to have sufficient water volume and pressure. William Jacobs stressed that all Township roads and lanes should be wide enough and maintained adequately for fire apparatus access.

David Donaldson representing the Orrtanna United Methodist Church explained that the church wants to increase and pave the parking area at the church. Chairman Jacobs made a motion not requiring the Orrtanna United Methodist Church to submit a sketch plan to Hamiltonban Township's Planning Commission, seconded by Mr. Benner. The Board unanimously approved this motion. A Zoning Hearing Board meeting has

been arranged for December 27, 2004, at 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA. Mr. Nicks stated there are no guarantees that the Zoning Hearing Board will approve the non-standard set-backs. The church has letters from the property owners giving the church permission to be closer than the permitted set-backs. The church parishioners have been parking on these areas for years but now the church owns the land and wants to pave the area. This parking problem was intensified by the idea that the Township was going to ban street parking in Orrtanna last year.

Mr. Abraham, of 95 Beechwood Drive, Fairfield, PA., is having an on going problem with Officer Larmer concerning parking in a no parking zone. The Abraham's park in a no parking zoning on Beechwood Drive for a few minutes to pick up their children from Fairfield School District in the afternoon. This usually occurs in inclement weather. Each morning the school's crossing guard is also parking in this no parking zone. The only family involved is the Abraham. The signs would be changed from no parking to no stopping, no standing and no parking at any time. After a discussion Road Master Deardorff made a motion to allow the Abraham's children to be pick-up in the no parking zone until this creates a problem with other parents picking up children and parking in the no parking zone, seconded by Mr. Benner. The motion was approved with Chairman Jacobs and Mrs. Nicks voting no. Chairman Jacobs and Mrs. Nicks did not want to allow the Abraham or any one else to park in the no parking zone. If this becomes a problem the Township will revisit this issue at that time.

### **Police Report**

Officer Larmer will work on December 31, 2004 from 6:00 PM to 2:00 AM January 1, 2005, per Supervisors request. On December 20, 2004 she has six hearings. Officer Larmer will be off on December 24, 2004. The Supervisors liked the new monthly reports. Mileage rate and miles traveled increased in November. Vice-chairman Eckert made a motion to approve the November 2004 monthly report, seconded by Mr. Benner. The Board unanimously approved this motion. Mrs. Nick rode with Officer Larmer one afternoon. Officer Larmer ran vascar part of that afternoon. Mrs. Nicks complimented Officer Larmer on her professionalism. Road Master Deardorff asked what needs to be done to remove vehicles, which have been in the impound yard for over seven years. There is a \$10.00 a day impound fee. The fees are more than the vehicles are worth and the owners do not want the vehicles. Solicitor Heiser and Officer Larmer will resolve these problems.

A school zone sign on Iron Springs Road needs to be upgraded. Officer Larmer was directed to contact Hilltown Graphic concerning the sign upgrade. Road Master Deardorff and Officer Larmer will attend a meeting in January concerning the new radio frequencies that may be offered by Adams County Control. Road Master Deardorff complimented Officer Larmer and the Road Crew for their joint cooperation during the wind storm clean up. Officer Larmer has contracted Carroll Valley Police Department concerning the purchase of flares through a state contract. Road Master Deardorff made a motion to pay the Davidson Motor Company's and Scott's Auto and Transmission charges to correct the 1997 Crown Vic steering problems, seconded by Mr. Benner. The Board unanimously approved this motion.

**Planning Commission**

Mr. Benner made a motion to approve the Eileen Nilsson Subdivision on Zoo Road, Fairfield, Pa as recommended by the Hamiltonban Township Planning Commission, seconded by Mrs. Nicks. The Board unanimously approved this motion.

**Solicitor's Report**

Solicitor Heiser stated that the Moore's case is before Judge Kuhn for decision. On November 3, 2004 Judge Kuhn entered an order that the Moore's could file a response brief within 21 days. Solicitor Heiser would then have seven days to respond to that response brief. The Moore's did not file a response brief. Now it is in the court's hand to make a decision based on Solicitor Heiser's briefs.

The Nicholas complaint needed to be re-filed because the Franklin Sheriff Department did not serve the first complaint in a timely matter. Solicitor Heiser filed the second complaint before November 19, 2004 and he has not been notified that the complaint has been served.

Solicitor Heiser and Zoning Officer Nicks met to discuss the zoning map changes on December 3, 2004. Zoning Officer Nicks and Mrs. Nicks created an excellent list of names and addresses of all properties owners involved in the zoning map changes. Zoning Officer Nicks drafted a letter, Solicitor Heiser amended the letter and it is to be mailed to each property owner affected by the zoning map changes. Solicitor Heiser suggested waiting until April 2005 for the public hearing. This should be after inclement weather. The Supervisors suggested holding the public hearing on April 12, 2005, the second Tuesday in April, at 7:30 PM at the Fairfield Elementary Multi-Purpose Room. Secretary Dille will contract the Fairfield Area School District for the meeting place arrangements.

Solicitor Heiser is also researching the proper procedures for the disposable of confiscated fire arms.

**Approval 2005 Budget**

Secretary Dille explained that the Sewer Budget has been adjusted because Act 339 is not being funded. Conservation of Natural Resources \$1,823 income has been removed; therefore solicitor's services and insurance have been reduced by \$1,823.

Mrs. Nicks made a motion to approve the 2005 Budget for the General Account which includes a one mill increase, 2005 rate will be 6.5 mills, the Sewer Budget and the State Liquid Fuels Budget, seconded by Road Master Deardorff. The Board unanimously approved this motion.

**Treasurers' Report**

Vice-chairman Eckert made a motion to approve the December 2004 Treasurer's Report, seconded by Mr. Benner. The Board unanimously approved this motion.

## Approval of Expenditures

Mr. Benner made a motion to approve the December 2005 expenses, seconded by Mrs. Nicks. The Board unanimously approved this motion.

### December 31, 2004 Final Report

	Revenues	Expenses	Transfer	Balance
<b>General Account</b>				
ACNB Checking	\$28,830.35	\$30,611.77		\$ 9,133.82
ACNB Savings	14.19			21,180.81
PLGIT	198.08		50,000	111,085.44
ACNB CD	781.77		50,000	<u>50,781.77</u>
Total Current Assets				\$192,181.84
<b>Sewer Account</b>				
ACNB Checking	\$ 195.00	\$4,911.43	\$5,000	\$ 135.87
ACNB Savings	6.05			9,035.28
ACNB CDBG				139.44
PLGIT	106.23		5,000	<u>31,861.02</u>
Total Current Assets				\$ 41,351.61
<b>State Liquid Fuels</b>				
PLGIT	\$ 11.22	\$ 159.54		\$ 3,724.62
PLGIT Emergency Fund	13.20			<u>4,623.71</u>
Total Current Assets				\$ 8,348.33
<b>Secretary's Report</b>				

There will be a culvert installed on Spring Run on James Landis Jr.'s property. There is a Secretary Luncheon on December 9, 2004 at Perkins Restaurant in Hanover that Secretary Dille would like to attend. The Board gave their approval for Secretary Dille to close the business office and attend the luncheon. The proper advertising has been completed for Lockwood Business Support Service to audit the 2004 General, Sewer and State Liquid Fuels funds.

**EMA Report** None at this time.

## Road Report

Road Master Deardorff gave the following Road Report:

1. All cold patching has been completed at this time. It took the Road Crew approximately three days to completely patch all the potholes.
2. The Road Crew has been cutting brush and dead trees to prevent future problems during wind, ice and snow storms.

3. Delineators and signs have been installed where needed.
4. The winter supply of salt is ready.
5. The trucks are ready for snow removal.
5. All water drainage areas/culverts have been cleaned.
6. On December 6, where Middle Creek crosses Bullfrog Road, a third party company cleaned the drains for Penn-DOT.
7. The PA Creek Sign Grant signs have been installed. The Township will be reimbursed for material and labor costs to install the signs.

In September at one of the budget meetings there was a discussion concerning the purchase of a driver to drive in posts. Industrial Motor Supply promised but never set a date for the Road Crew to test the driver. Last Week U. S. Municipal Supply allowed the Road Crew to test use a Cobra gas powered breaker with chuck drive cap. The breaker has several attachments: drive shank,moil point, chisel, asphalt cutter and 5" by 6" blade. This breaker with the several attachments cost less than the post driver. Road Master Deardorff would like the Supervisor to consider purchasing this piece of equipment in April of 2005. The approximate cost is \$5,000.

Vice-chairman Eckert made a motion to adopt Resolution 07-2004, seconded by Mrs. Nicks. The Board unanimously approved this motion. This motion is for a 2% interest rate on a \$25,000 loan from the Pennsylvania Department of Community and Economic Development towards the purchase of the 2005 Peterbilt 3800 GW dump truck.

### **Sewer Report**

There were a few more problems at the Orrtanna Treatment Plant. On November 23, 2004 the sub-pump failed and there was four feet of water in the pits. Kline's pumped the water back into the lagoons. The sub-pump has been replaced.

There are continuing problems with the influent pumps at the plant. The pumps are usually re-packed twice a year. This summer the pumps were taken to Myer's Electric, Inc. to be re-packed but the proper packing materials can not be found. The pumps are already leaking again. Road Master Deardorff consulted with Myer's Electric Inc. and was informed they would try to make a gasket that may function properly. Road Master Deardorff called Kohls, the ordinary company who installed the pump in 1974. Kohls are going to give the Township a price to replace these pumps. Mrs. Nicks stated that the pumps have been problems for years and the problem should be resolved. Each time there is a malfunction at the Orrtanna Treatment Plant it cost the Township labor time, repair costs and a malfunction would damage other equipment.

Mr. Benner made a motion to adopt the sewer modules of the Kump's and Deardorff's subdivision, seconded by Mrs. Nicks. The Board approved this motion with Road Master Deardorff abstaining.

## **Zoning Officer's Report**

Zoning Officer Nicks issued six permits in the month of November 2004: one for a truck box for storage, one for a garage, three Use and Occupancy permits, and one extension. He attended four meetings: Supervisor's public, Planning Commission public, Zoning Hearing Board public, and with Strawberry Hill for their parking lot. He completed two inspections: one was the Orrtanna Methodist church parking area and the other was for Trish's Treasures parking area and the new business. There is a Zoning Hearing Board meeting on December 27, 2004, at 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA concerning the Orrtanna United Methodist church parking area set-backs.

There was a discussion concerning the request from David Sites to increase the size of the retail/professional sign by amending Section 309.A.3.C.2. of the Hamiltonban Township's Zoning Ordinance. The Zoning Hearing Board did not grant Towne Center request for an 83 square feet sign. Now they are requesting a 120 square feet for a one-sided sign and 240 square feet for a two-sided sign. In a correspondence dated December 7, 2004 from Tim Cormany, Martin and Martin, Inc., states he does not recommend changing the ordinance. The Supervisors do not want signs that large in the Township. Mr. Benner made a motion not to change the sign ordinance, seconded by Mrs. Nicks. The Board unanimously approved this motion.

The Zoning Hearing Board did grant the Dollar General Store permission to have a larger than permitted sign but it is 12 inches small than Dollar General Store's normal size. Sole tenants can have a free standing sign.

Trish Rowe of Trish's Treasure, 4301 Fairfield Road, Fairfield, PA, went to the Planning Commission meeting on November 23, 2004 because Zoning Officer Nicks would not approve Ms. Rowe opening a coffee shop at 4301 Fairfield Road, Fairfield, PA. All commercial businesses must come before the Planning Commission. Ms. Rowe has not lived at this location for over a year, therefore the flower shop can not be a home occupation business. Zoning Officer Nicks believes this is a commercial property and should abide by the commercial ordinances. The Planning Commission did not have a problem with Ms. Rowe opening a coffee shop as long as there are at least ten parking spaces. Ms. Rowe submitted a plan to Zoning Officer Nicks with 17 parking spaces, including three in the garage, and then two in front of that garage. Zoning Officer Nicks only allowed 10 spaces. Zoning Officer Nicks wrote a three page letter documenting his inspection and zoning requirements for this property. Also a new sign has appeared without a permit.

Vice-chairman Eckert made a motion to approve the Zoning Officer's November 2004 Report, seconded by Mr. Benner. The Board unanimously approved this motion. Zoning Officer Nicks worked 37.25 hours, traveled 91 miles, and incurred telephone charges of \$7.79. Chairman Jacobs stated Zoning Officer Nicks is very dedicated to his job.

## **New Business**

Road Master Deardorff made a motion to accept James W. Nye's estimate of \$2,316.72 to convert an oil burner to L.P. gas conversion burner at the business office. This estimate also includes adding a supply and return duct from the air handler to the back

meeting room. This motion was seconded by Mr. Benner. The Board unanimously approved this motion.

**Old Business** None at this time.

**The Next Board Meeting**

The next Board meeting will be the annual re-organization meeting on Monday, January 3, 2005 at 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA.

The Annual Auditors meeting will be on Tuesday, January 4, 2005 at 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA.

**Adjournment**

At 9:26 PM Mr. Benner made a motion to adjourn the meeting, seconded by Road Master Deardorff. The Board unanimously approved this motion.

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LuAnn M. Dille  
Secretary/ Treasurer

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Stephen W. Jacobs  
Chairman