

Hamiltonban Township Board of Supervisors

23 Carrolls Tract Road, Fairfield, PA 17320

Regular Meeting Minutes

November 1, 2022

At 7:00 PM Supervisor Deardorff called the meeting to order and welcomed the public. The Pledge of Allegiance was recited. He announced the meeting is being recorded for the sole purpose as a review aid in compiling the written minutes.

Supervisors Present: J. Edward Deardorff, Coleen Reamer and David B. Martin. Via phone Robert L. Gordon. Douglas Woerner excused.

Staff/Consultants: Solicitor Matthew Battersby, Secretary/Treasurer Nina Garretson and Roadmaster Ray Herr.

Public: Karen Nicholson and Mike Hillman of the *Emmitsburg News Journal*, Bruce and Tina Shindledecker, Keith and Dawn Bigham, Missy Flohr, Kristina Bower, Shannon Hamil, Michelle O'Dell, Keith Eiker, Kaylie Newberry, Seth Hewitt, Deanna and Joe Painter. George Harbaugh who did not sign in.

Approval of the Agenda: Supervisor Reamer motioned to approve agenda. Supervisor Martin seconded. The motion carried unanimously.

Executive Session: The Board went into executive session for a legal matter at 7:01 PM. Returned at 7:06 PM.

Approval of the Minutes: Supervisor Reamer motioned to approve the October 4, 2022 Board of Supervisors Budget Workshop and Regular Meeting minutes. Supervisor Martin seconded. The motion carried unanimously.

Public Comment: Kristina Bowers, 160 Sour Mash Trl, stated that her cat, and that of her neighbors and a deer have been hit in the area. She said excessive speeding is an issue, as well as squealing tires. Board told her to contact Pennsylvania State Police. Board said that Supervisor Gordon will also submit a request to the PA State Police to monitor the area.

Dawn Bigham, 65 Sour Mash Trl, stated that a graveyard has been installed at the back of her property. She said there are solar lights on all night long. The property has put up signs stating overflow parking. Keith Bigham said this is in a swamp area which may cause ground water contamination.

George Harbaugh, 103 Iron Springs Road said he was told there are 20 spaces for graves. He said there is 4 spaces steaked out. He said Monahan's Funeral Home were told by the property owner he had permits.

Kristian Bowers said she spoke with Monahan's Funeral Home and was told they did nothing wrong and the property owner told them he had permits. She asked why they did not contact the Township. She felt they should have responsibility. Solicitor Battersby said there is no permit issued by the Township for this use of this lot.

Solicitor's Report: Solicitor Battersby said Chairman Deardorff was notified by PA State Police on Friday about a body being buried. The Board were not aware of this before. Solicitor Battersby has investigated and this is a residential area which is zoned and deeded as such. He explained the process, the Zoning officer will cite the property owner, at which time the property owner will have 30 days to comply or apply for hearing with Zoning Hearing Board (ZHB). Solicitor suggested that if an application for ZHB is made, that the residents can appear and give testimony. He said all adjacent property owners would be notified and it will be advertised. Then the ZHB has 45 days to make a determination. Solicitor Battersby explained that cemeteries are permitted in agricultural zoning areas. There are no further regulations in the Township regarding cemeteries. Supervisor Reamer said the lights may be considered a nuisance. Solicitor suggested residents can seek legal action on their own as the covenants in their deeds states residential zone.

Solicitor Battersby suggested the Board of Supervisors have the Planning & Zoning Commission look at the Ordinance regarding cemeteries and update. Supervisor Gordon motioned to forward to the small working committee to work on revising zoning to include minimum lot size of 10 acres, and that cannot be located within 100 feet of wells or water source. Chairman Deardorff seconded. The motion carried unanimously.

Solicitor Battersby he sent letter to the trucking company regarding the damage done in April to Old Waynesboro Road. He is now awaiting a response from their insurance company, and if necessary, the Township can file suit to be reimbursed for repairs.

Supervisor Gordon motioned to approve the Solicitors report. Supervisor Reamer seconded. The motion carried unanimously. Solicitor Battersby left the meeting at 7:38PM.

Road Report: Roadmaster Herr's reported he is having issued with email and will present his October report at the next meeting. Roadmaster Herr reported tree trimming done on Gum Springs Road, Zoo Road, Moritz Road, and BB Section. He hopes to complete Knox Road. He said he needs to send the '06 Peter built to New Oxford Mechanical for wiring issues.

Roadmaster Herr reported the shop heaters have been serviced. He said a new fan is needed and will cost \$330.00.

Roadmaster Herr stated he spoke with Mr. Fitz regarding the Mt. Hope Road septic which will be moved before property is sold.

Roadmaster Herr said the state is repairing bridge guide rail on Mt. Carmel Road.

Roadmaster Herr presented a letter from Mack regarding another \$4,000.00 surcharge. He is requesting that M&K Equipment complete the build as soon as possible.

Chairman Deardorff motioned to approve the Roadmasters Report. Supervisor Reamer seconded. The motion carried unanimously.

Treasurer's Report and Formal Approval of all Expenditures for the Month: Secretary/Treasurer Garretson submitted her report to the Board of Supervisors in the packets for all accounts for October. She reported the General Fund \$1,060,041.55 in income, \$780,709.29 expenses, and net after transfers \$169,527.48. Supervisor Reamer motioned to approve her report and pay all expenditures for the month. Supervisor Gordon seconded. The motion carried. unanimously.

Secretary Garretson presented quotes for HVAC service to the Board of Supervisors for Baird Heating, Modern Comfort/Penn Mar Oil, and Trump Plumbing and Heating. After discussion and review of service contract, Chairman Deardorff motioned to proceed with the service contract for Modern Comfort/Penn Mar Oil for \$228 per year. Supervisors Reamer seconded. The motion carried unanimously.

Supervisor Reamer motioned to approve transfer of \$25,000.00 from Capital Reserve Building Fund to the Parks & Recreation Account towards the paving of entrance to 4020 Bullfrog Rd entrance. Supervisor Gordon seconded. The motion carried unanimously.

Secretary's Report: Secretary/Treasurer Garretson submitted her report to the Board of Supervisors in their packets, along with November and December calendars.

Secretary Garretson shared with Board listing of brokers supplied by Capital Blue Cross. After discussion Supervisor Gordon motioned to rescind pervious motion to change health insurance broker to ACNB Insurance. Chairman Deardorff seconded. The motion carried unanimously. Chairman Deardorff motioned to approve Strickler Agency Inc. as health insurance broker. Supervisor Gordon seconded. The motion carried unanimously.

Secretary Garretson reported the Trick or Treat night was advertised in the *Gettysburg Times* and posted on Township website.

Supervisor Gordon motioned to accept the Secretary's Report. Supervisor Reamer seconded. The motion carried unanimously.

Old/New Business:

Supervisor Gordon motioned to approve Resolution 2022-09 Act 57 of 2022 Property Tax Penalty Waiver Provisions. Supervisor Martin seconded. The motion carried unanimously.

Chairman Deardorff motion to approve and sign revised memorandum of understanding (MOU) with Adams County Conservation District. Supervisor Martin seconded. The motion carried unanimously.

Discussion of Pick-Up Pennsylvania. Board consensus to maintain the Township's April schedule.

Chairman Deardorff ask the Board and Solicitor regarding the Townships liability at 3030 Waynesboro Pike, as there was an accident there recently. Solicitor Battersby explained the Township has no liability. Board requested the Zoning Officer investigate the use as a campground.

Planning Commission Report: Supervisor Reamer said they are awaiting revised documents for zoning ordinance amendments from Adams County planner Rob Thaeler. No further discussion.

Zoning Officer's Report and Code Enforcement Officer's Report: Supervisor Gordon reported Zoning officer had 8 zoning inquiries, issued 4 permits. Code officer report showed 2 citations issued. Chairman Deardorff motioned to approve the Zoning Officer and Code Officer reports. Supervisor Martin seconded. The motion carried unanimously.

Joint Parks and Recreation Commission Report: Supervisor Reamer said the Hamiltonban Community Park will close November 7 to 11 for Stage III construction. John Strahler will check in and work with contractor.

FREMA Report: None - No one attended last meeting.

Fire Company Reports: Supervisor Gordon reported Cashtown Fire Company October report had 28 calls with 3 in township; Fairfield Fire Company September report had 17 calls with 2 in Township; Fountaindale Fire Company September report had 11 calls with none in township; AREMS September report 746 calls with 12 in township. Chairman Deardorff attended the Fairfield Fire Company's annual banquet. He said the budget has not been completed as yet. He also said we are awaiting reports from South Mountain Fire Company.

Adams County Council of Governments (COG)/Adams County Association of Township Officials Reports (ACATO): Supervisor Gordon said last meeting Adams County IT Department gave presentation. He reminded everyone November 9th is ACATO Conference at SAVES which he and Chairman Deardorff are registered.

York Adams Tax Bureau (YATB)/Adams County Tax Collection Committee Reports (ACTCC): Supervisor Gordon said YATB met and has adopted budgets. ACTCC to meet tomorrow.

Pennsylvania State Police Report. None.

Special Notices: Supervisor Gordon motioned to advertise two additional budget workshops at 6:00 pm prior to the next two Board of Supervisor meetings. Supervisor Reamer seconded. The motion carried unanimously.

Public Comment: None.

Township Meeting Dates: All public meetings are held at the local prevailing time of 7:00 PM at 23 Carrolls Tract Road, Fairfield, PA. Rescheduled changes of date or time will be advertised via *The Gettysburg Times*. Cancellations will be posted via a notice on the office door.

- Parks and Recreation Commission – November 9, 2022 (Wednesday due to elections)
- Board of Supervisors Meeting – November 15, 2022
- Planning Commission November 22, 2022

Adjournment: Supervisor Martin motioned to adjourn at 8:04 PM. Seconded by Supervisor Reamer. The motion carried unanimously.

Nina Garretson
Secretary/Treasurer

J. Edward Deardorff
Chairman