

Hamiltonban Township Board of Supervisors  
23 Carrolls Tract Road, Fairfield, Pa 17320  
Regular Meeting Minutes  
October 3, 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 L. Gordon

**Others Present:** Solicitor Henry O. Heiser, III, Zoning Officer Milton Nicks, EMA Coordinator Deputy Larry Schneider, and Secretary/Treasurer LuAnn Dille  
Planning Commission Secretary Pam Wiehagen arrived later.

**Public Attendees:** Terry Bollinger, Barbara Buckland, Mark Cline, Skip Hayes, Beth Hillard, Barbara Nicks, Dale and Doreen Premo, Barbara Prophet, Daniel and Susan Snyder, Harry and Marlene Rood, Dawn Vinson, and Marty Wilson

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

**EMA Report**

Deputy Coordinator Schneider gave the following report. Donald Wills has received his official letter of appointment as Hamiltonban Township Emergency Management Coordinator from Pennsylvania Governor Rendell. The certificate is posted as required in the EMA office. A new EMA vest has been ordered. Coordinator Wills and Deputy Coordinator Schneider attended the Pipeline Group Safety Training, and received the new pipeline inserts, which are now on file. Coordinator Wills is on vacation and did not attend this meeting.

**Approval of the Minutes**

Vice-chairman Eckert made a motion to approve the September 5, 2006 Supervisor's Board meeting minutes, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Supervisor Gordon made a motion to approve the September 28, 2006 Budget Workshop meeting minutes, seconded by Chairman Benner. The Board unanimously approved this motion.

Supervisor Gordon made a motion to approve the Growing Greener: Conservation By Design meeting minutes of August 29, 2006, seconded by Road Master Deardorff. The Board unanimously approved this motion.

**Public Comments**

Ms. Buckland of 146 Tract Road, Fairfield, PA has problems with the McGinley's Choice Development. Empire Homes has not kept their promise to sell her some land. She was told by Jeffery Kozero of Empire Homes that she could purchase the land which

part of her barn is located and sufficient land for proper set-backs for the entire length of the property. Road Master Deardorff stated this is still possible because Empire Homes does not own the land yet. The settlement may take place by the end of October 2006.

She has a deed of right-of-way for the use of the present Sanders Lane, which is on the proposed McGinley's Choice Development. The new location of Sanders Lane, between two lots in the development, will bring traffic closer to her house. She is aware that the other property owners with deeded right-of-way on Sanders Lane attended the September 26, 2006 Planning Commission meeting. Hopefully this legal issue will be resolved before the plan is approved.

Road Master Deardorff made a motion to approve the Customary Home Occupation permit for a licensed day care with the maximum of six children for Dawn Vinson, 4751 Fairfield Road, Fairfield, PA, seconded by Supervisor Gordon. The Board unanimously approved this motion. A copy of her State license will be sent to the office.

There was a discussion concerning Scotch Trail, Scotch Trail Extension, and renaming Scotch Trail Extension to Tequila Trail. Vice-chairman Eckert made a motion to name the current Scotch Trail and Scotch Trail Extension to Scotch Trail, Fairfield, PA 17320, seconded by Road Master Deardorff. The Board unanimously approved this motion. Hamiltonban Township will install a new Scotch Trail sign where Scotch Trail curves to the left and inform Adams County GIS/Mapping Office of this motion.

Marty Wilson of 168 Bourbon Trail, Fairfield, PA would like Police Officer Larmer to increase the patrolling of the intersection of Bourbon and Scotch Trail. Many residents are not stopping at this intersection and there are 21 children in this area. He requested a reduction of the speed limit in the BB Section. This would require a traffic study. Road Master Deardorff stated "Watch Children" signs have been ordered and will be installed as soon as they are delivered. Police Coordinator Reamer will request that Police Officer Larmer increase the police patrols of this area.

### **Planning Commission**

Solicitor Heiser suggested that the Board approve a two acre lot with a right-of-way easement for the Snyder's Subdivision off Cold Springs Road, Gettysburg, PA. There was a lengthy discussion concerning the private lane, right-of-ways, requiring road frontage off Cold Springs Road, and the option of a two lot subdivision. Road Master Deardorff made a motion to approve a two acre lot with a right-of-way off Cold Springs Road, Gettysburg, PA with a maintenance agreement for all properties using Bruner Lane, seconded by Supervisor Gordon. The Board unanimously approved this motion. This will be the final approval for this subdivision. The Snyder's One Lot Subdivision Plan will not go back to the Planning Commission.

Supervisor Gordon made a motion to approve the Final Land Addition Plan for Rood/Coble, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Chairman Benner reported that Penn Dot contacted him concerning changing the speed limit on the Hamiltonban Township's section of Jack's Mountain Road. The Traffic Study representative from Penn Dot will be in the area next week and will evaluate this section of Jack's Mountain Road. The Nash's at 425 Jack's Mountain Road, Fairfield, PA have solved their driveway problem by agreeing to improve their

lower neighbor's driveway for the use of it. The Board hopes there is a legal agreement for this arrangement.

On Tuesday October 10, 2006 there is a meeting involving Hamiltonban Township's and the Borough of Fairfield's solicitors and engineers to discuss several concerns of the respective municipalities involving the McGinley's Choice Development. The Board and the professional consults were given a copy of a list of concerns mentioned at the Joint Planning Commission meeting held at Village Hall, Fairfield, PA on September 14, 2006.

### **Solicitor's Report**

Last Friday Solicitor Heiser reviewed another draft of the inter-municipal agreement between Empires Homes, LLC, the Fairfield Municipal Authority and Hamiltonban Township.

There are two problems that need to be resolved between Empire Homes, LLC and Hamiltonban Township residents. One is the right-of-way issue with Sanders Lane and with Thomas Brown of 215 Water Street, Fairfield, PA with a no building set-back agreement.

The Board and Planning Commission are continuing to review the map and text changes to allow for Age Qualified Housing suggested by David Sites.

Solicitor Heiser is pleased that Attorney Battersby has agreed to have the two trees at the intersection of Carrolls Tract Road and Cold Springs Road transplanted. This will allow the stop sign to be seen and improve the sight distance for vehicles turning onto Carrolls Tract Road from Cold Springs Road, Fairfield, PA. Attorney Battersby will allow the Township to remove the Sycamore tree along the 1000 block of Cold Springs Road, Fairfield, PA.

### **Zoning Officer's Report**

Zoning Officer Nicks gave the following September 2006 Zoning Officer's Report. He issued 17 permits. One permit was for an extension. Two permits were issued for new homes, two home additions and two well permits. Three permits were issued for accessory buildings. Six Use and Occupancy Permits were issued. He attended five meetings: Supervisors and Planning Commission public, a meeting with Shoemaker's for a possible subdivision off Old Waynesboro Road, Fairfield, Whitcomb's contractor concerning well inspection requirements, and two no show appointments with Strawberry Hill about how to proceed with an addition to their office building.

Zoning Officer Nicks completed two inspections. One inspection at Fletcher's at 1995 Mount Hope Road, Fairfield, PA. to check on a construction placard being displayed in the window. The second was a follow up inspection for Clapsadle's at 2435 Mount Hope Road, Fairfield, PA. concerning two dwellings on one lot, one permanent and the other a temporary camper trailer allowed for a limited time period.

He amended his draft of a Water Impact Study Ordinance including Martin and Martin, Inc.'s comments of earlier this year.

In the near future a new fiber optic line will be installed on poles in the Old Waynesboro Road area of the Township. Zoning Officer Nicks referred this item to Police Coordinator Reamer. She reported no action needs to be taken and her husband with his knowledge of lines reviewed the plan.

Because he has not received the final construction inspection notification from Middle Department Inspection Agency (MDIA) for the new additions at the Fairfield Area School District (FASD) a Use and Occupancy Permit have not been issued. Obviously students are attending school and using the new facilities.

Zoning Officer Nicks will not issue a building permit on any new subdivisions until he has proof of the deed being recorded at the Adams County Courthouse. When a subdivision larger than 10 acres is considered for subdivision it should be noted to check with Clean and Green regulations.

The fuel tanks at the Getty Station at 4325 Fairfield Road, Fairfield are being removed. Department of Environmental Protection will be monitoring the project.

It has been reported that no one is living at Fairfield Treasures, 4301 Fairfield Road, Fairfield, PA. Neighbor Pamela Wiehagen stated for no one living there, there are a lot of cars parking in the driveway at night and coming in and out during the day. She also reported there is an air conditioner in the upper window of the garage but reportedly there are no bathroom facilities there. There may be three rental units now at this location. The Fairfield Municipal Authority has stated there has not been any increase in water or sewage usage. The flower shop appears not to be open for business lately.

Zoning Officer Nicks would like Solicitor Heiser to follow-up with the Harbaugh's removal of the illegal trailer material off Tapeworm Lane, Fairfield, PA

Zoning Officer Nicks worked 41.5 hours, traveled 234 miles, had 57 telephone calls and long distance charges of \$12.49. Vice-chairman Eckert made a motion to approve Zoning Officer Nick's September 2006 Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

### **Treasurer's Report**

Chairman Benner made a motion to approve the September 2006 Treasurer's Report as presented, seconded by Road Master Deardorff. The Board unanimously approved this motion.

### **Approval of the Expenditures**

Vice-chairman Eckert made a motion to approve the amended September 2006 Expenditures as presented, seconded by Supervisor Gordon. The Board unanimously approved this motion. Secretary/Treasurer Dille transferred funds from the Sewer Saving Account into the Sewer Checking Account to cover the quarterly loan payment for the above ground Orrtanna Treatment Plant building.

October 2006	Income	Expenses	Transfers	Balances
<b>General Account</b>				
ACNB Checking	\$9,303.52	\$44,075.37		\$ 5,674.92
ACNB Savings	11.18			20,834.62
PLGIT	1,046.43			256,439.77
CD				<u>52,638.31</u>
Total Current Assets				\$335,587.62

**Sewer Account**

ACNB Checking	10,190.56	2,003.63	3,000	12,092.39
ACBN Savings	4.23			6,165.57
PLGIT	95.45		3,000	<u>12,624.43</u>
Total Current Assets				\$30,882.39

**State Liquid Fuels**

PLGIT	286.06			70,101.46
Emergency PLGIT	20.08			<u>4,921.48</u>
Total Current Assets				\$75,022.94

**Secretary's Report**

The adding machine needs to be replaced. Years ago Secretary/Treasurer Dille was aware of possible re-imbursement for stormwater management plans. She made a couple of telephone calls, received the proper forms, completed the forms and the Township received re-imbursement of \$4,701.35 from the Commonwealth of PA. Chairman Benner made a motion to approve the September 2006 Secretary's Report, seconded by Road Master Deardorff. The Board unanimously approved this motion.

**Police Report**

Police Coordinator Reamer distributed and gave the following September 2006 Police Report for Officer Larmer as she was off duty. Officer Larmer handled 47 complaints: two arrests, six investigations, eight traffic citations, and gave four warnings. She traveled 1,268 miles, used 106 gallons of fuels for 11.96 miles per gallons of fuel. Officer Larmer attended Driving Under the Influence (DUI) and Verbal JUDO training this month. She participated in a DUI Check Point over this past weekend. In the past Officer Larmer has purchased candy to distribute on Halloween night from her personal funds. Supervisor Gordon made a motion to purchase \$30.00 worth of Halloween candy from the Police Department funds, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Police Coordinator Reamer explained that during the recent audit of the Uniform Pension Plan there was a finding. In 1999 some laws and guidelines were changed. The Township adopted the new changes but never adopted an ordinance. Police Coordinator Reamer made a motion to proceed with advertising for adoption Ordinance 4-2006 Repealing Previous Police Pension Ordinances and adopting a Pension Plan Document, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Supervisor Gordon made a motion to approve the September 2006 Police Report as presented, seconded by Road Master Deardorff. The Board unanimously approved this motion.

**Road Report**

Road Master Deardorff gave the following September 2006 Road Report.

1. The Road Crew has replaced the June Rain Storm damaged cross pipes and entrance pipes along Cold Springs Road, Fairfield, PA.
2. In two weeks the repairs of Rain Storm Damaged shoulders of Cold Springs Road, Fairfield, PA will continue.

3. The Road Crew has been cleaning the edges and side ditches of several roads to include Old Route 16, BB Section and Zoo Road.
4. The Road Crew is working on replacing three cross pipes on Zoo Road.
5. The Road Crew is preparing Zoo Road for the Fall 2006 re-surfacing project.
6. Next week the Road Crew will be working on preparing lower Cold Springs Road, Gettysburg, PA from the bridge to the Township line for the Fall 2006 re-surfacing.
7. Cold Springs Road, the mountain roads off Cold Springs and all of the sewer plant fields have been mowed.
8. Soon "Watch Children" signs will be installed in the BB Section and a Scotch Trail sign at the curve of Scotch Trail and old Scotch Trail Extension.

Police Coordinator Reamer made a motion to adopt Amendment Number 2 Hamiltonban Township Non-uniformed Employees Pension Plan, seconded by Supervisor Gordon. The Board unanimously approved this motion. Non-uniform employees shall first become an active participant on the earliest date on which he/she is an eligible employee-date of hire. In the recent Pension Audit a difference between hire date and vesting date caused a finding in the 2003 pension plan. Penelope Samples was the Township's Secretary/Treasurer at that time. The Township has refunded the State \$4,381.81. The Township was notified and signed off on some standard mutual fund account changes.

Chairman Benner made a motion to approve the September 2006 Road Master's Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

### **Sewer Report**

Road Master Deardorff gave the following September 2006 Sewer Report.

1. There is a lot of ground work to be done around Lagoon Number Two's new liner. Road Master Deardorff wants to rent a walk behind Bobcat. The ground work can be completed in one day using a rented walk behind Bobcat instead of 2-3 days of Road Crew manual labor. This was approved.
2. When the ground work is completed, this area will be re-seeded.
3. The effluent pump is still on back order.
4. Negotiations are continuing for the purchase of land to increase the spray field. One property was unusable. Another property will be contacted.

Vice-chairman Eckert made a motion to approve the September 2006 Sewer Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

### **New Business**

Strawberry Hill is re-applying for a grant. The grant asks for community support. Hamiltonban Township does endorse Strawberry Hill's mission statement.

Chairman Benner made a motion give the annual budgeted donation of \$450 to the SPCA, seconded by Supervisor Gordon. The Board unanimously approved this motion.

Chairman Benner made a motion to give the annual budgeted donation of \$500 to Adams County Office of the Aging, seconded by Supervisor Gordon. The Board unanimously approved this motion.

Chairman Benner made a motion to give the annual budgeted donations to the Fountiandale Fire Company, Fairfield Fire and EMS Company and South Mountain Fire Company, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Police Coordinator Reamer believes that the Township should adopt a water impact study to be included with the Growing Greener: Conservation By Design Subdivision and Land Development (SALDO) changes. Zoning Officer Nicks has amended his earlier 2006 ordinance. Police Coordinator Reamer made a motion to recommend that Planning Commission review this water impact study ordinance, seconded by Supervisor Gordon. The Board unanimously approved this motion.

Road Master Deardorff made a motion to have Kidds Tree Service cut down the Sycamore tree along the 1000 block of Cold Springs Road's right-a-way, seconded by Supervisor Gordon. The Board unanimously approved this motion. The Road Crew will remove the tree and complete the clean-up.

Chairman Benner made a motion to proceed with proposing to adopt a nuisance disclaimer ordinance concerning farming, seconded by Police Coordinator Reamer. The Board unanimously approved this motion. Chairman Benner read an example form Penn State.

Secretary/Treasurer Dille thanked Police Coordinator Reamer, her husband, Supervisor Gordon and his wife for the many hours of work on the newsletter mailing.

Supervisor Gordon stated that the Township may be able to save funding by joining Benecon, a health insurance cooperative. Police Coordinator Reamer, Secretary/Treasurer Dille and himself attended a meeting with a Benecon representative at the office. All persons covered by the Township's Capital Blue Cross health insurance will be asked to complete a confidential health questionnaire before Benecon can give an accurate rate.

Supervisor Gordon mentioned that the Adams County Green Committee requested funding from all the local municipalities. The Board wants more information on the program before any decisions can be made.

Zoning Officer Nicks suggested that the Township consider hiring a part-time Township Business Manager. The Board does not believe this is needed at this time.

### **Old Business**

Gil Picarelli for KPI, Inc. responded to the question asked at the August 2006 Board meeting concerning animals grazing on a sand mound. There are no regulations prohibiting animals from grazing on a sand mound but this is not recommended.

Vice-chairman Eckert made a motion to proceed with legal action against Thomas Brown of 384 Mount Hope Road, Fairfield, PA 17320, seconded by Police Coordinator Reamer. The Board unanimously approved this motion. Because Mr. Brown's septic system failed a number of years ago, he was granted use of a holding tank. Mr. Brown is in violation of the Township's Holding Tank Ordinance.

The Fairfield Municipal Authority has not responded to the Township's correspondence concerning one Hamiltonban Township representative to their Authority once McGinley's Choice Development is built.

The National Park Service has increased the battlefield area to include parts of Fairfield. The Board would like Planning Commission Chairman Musselman to research information about the Civil Wars Battles and events in the Township so that it may be included in GG: CBD and the Township's Comprehensive Plan.

### **Next Meetings**

Growing Greener: Conservation By Design's next meeting is October 11, 2006 starting at 7:00 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320

Fall Election is November 7, 2006. Polls open at 7:00 AM to 8:00 PM

The Annual 89<sup>th</sup> Adams County Association of Township Officials Convention is November 8, 2006, starting at 6:00 PM at the York Fire Hall, York, PA.

The next regular Board of Supervisors' meeting will be Thursday November 9, 2006, starting at 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320.

The next 2007 Budget Workshop will be October 19, 2006, starting at 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320.

The next regular scheduled workshop is October 26, 2006, starting at 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320. The topic will be the 2007 Proposed Budget.

### **Adjournment**

At 9:29 PM Vice-chairman Eckert made a motion to adjourn the meeting, seconded by Road Master Deardorff. The Board unanimously approved this motion.

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Secretary/Treasurer  
LuAnn M. Dille

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Chairman  
James E. Benner