

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

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

Others Present: Solicitor Henry O. Heiser, III, Zoning Officer Milton Nicks, Tax Collector Amy Harbaugh, and Secretary/Treasurer LuAnn Dille

Public Attendees: Rex Benchoff, Peter Buglar, Mark Cummins from Cornerstone, Gerry and Karen Deighton, Barry Fitz, Richard Fitz, Joshua George from Morris and Ritchie, Barbara Nicks, Fred Partsch, Dale and Doreen Premo, David and Barbara Prophet, Larry Schnieder, Wayne and Deb Weaver, Donald Wills, and Douglas Woerner

Approval of the Minutes

Vice-chairman Eckert made a motion to approve the official Supervisor's Board meeting minutes of January 3, 2006, seconded by Supervisor Reamer. The Board unanimously approved this motion.

Public Comment

Cornerstone representative Mr. George, from Morris and Ritchie, gave each Supervisor a booklet containing several supporting documents for conservation development assembled by Cornerstone and a zoning overlay amendment that Cornerstone is proposing for adoption. Cornerstone requested that the Supervisors review these documents and ask that the Hamiltonban Township Planning Commission review the proposed ordinance as per the Township Zoning Ordinance Article 15, Section 1500. Cornerstone will have additional copies of this document tomorrow for the Planning Commission members. Secretary/Treasurer Dille will distribute the copies to Planning Commission as soon as possible so that they may discuss this latest proposed amendment.

Larry Schneider of 60 Berry Patch Lane, Orrtanna, PA stated that he understands that the Supervisors and Planning Commission are researching and studying land conservation overlay zoning in order to better manage future developments. He also understands that the Board has been asked to grant exceptions to some regulations. He thought it would be unwise to grant these exceptions until the study is complete. Nine other members of the audience agreed with Mr. Schnieder's statement.

Planning Commission

Solicitor Heiser stated he has received a written request from Attorney Eastman for a time extension on the Gauss Subdivision Plan until March 8, 2006. Road Master Deardorff made a motion to grant this time extension on the Gauss Subdivision until March 8, 2006, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Supervisor Reamer made a motion to approve Planning Commission member Pamela Wiehagen and Secretary/Treasurer LuAnn M. Dille to attend the ABC's of Land Use Management class on the morning of April 23, 2006, in Dauphin County, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to approve the Fitz, Fitz and Sounder Subdivision Plan, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to approve the Dente Subdivision Plan, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Road Master Deardorff made a motion to approve the Carl Bower, Jr. Land Development Plan with the following requirements:

1. Sewer permit must be issued.
2. The owner's certification must be signed and notarized.

This motion was seconded by Supervisor Reamer. The Board unanimously approved this motion. Mr. Bower, Jr. must pass Uniform Construction Code (UCC) inspections before a use and occupancy permit can be issued. When the weather permits the foundation will be inspected. Other issues related to UCC have yet to be determined.

Supervisor Reamer made a motion to approve Hillside Rest Home installing a handicap ramp, seconded by Supervisor Gordon. The Board unanimously approved this motion.

Solicitor Report

Solicitor Heiser stated there is still pending enforcement proceeding with District Justice Beauchat against Carl Bower, Jr. It will continue to be pending until all requirements have been completed. To date Mr. Bower, Jr. has completed what was possible for him. When weather permits he must install the new sewer system.

On February 6, 2006 the Nicholas's of Indian Trail Inn had a sentencing hearing at Adams County Courthouse. As a matter of public record the Nicholas's were found in contempt of court. They are on furlough until March 3, 2006. They were sentenced to six months in Adams County Jail to commence on March 3, 2006 at 6:00 PM if one of the following is not completed. They must completely DOMOLISH the Indian Trail Inn or the Indian Trail Inn must be in full compliance with the UCC. The Nicholas's would be on work release to complete one of the two options. On February 3, 2006 fifty additional photographs were taken while several Board members, two representatives from Middle Department Inspection Agency (MIDA), Zoning Officer Nicks, Police Officer Larmer and Solicitor Heiser conducted an inspection of the property. It is Solicitor Heiser's understanding that after the hearing on February 6, 2006 Mr. Nicholas went immediately to the home of Zoning Officer Nicks where he indicated he just needed to present the proper drawings and obtain MDIA approval of those plans for the reconstruction of Indian Trail Inn. Zoning Officer Nicks mailed a certified correspondence restating the contempt of court results to the Nicholas and had a copy at 23 Carrolls Tract Road, Fairfield, PA which Mr. Nicholas picked-up. Solicitor Heiser sent a correspondence to Nicholas's attorney.

Solicitor Heiser requested that the Board hold an Executive Session to discuss a legal matter. At 7:50 PM Chairman Benner called for an Executive Session, at 8:06 PM the Board returned from the Executive Session. Solicitor Heiser explained that the

Bolin's of 4336 Fairfield Station Road have a problem with set-backs for fencing, animal waste and the number of animals they have at their residences. It is suggested to have the fencing 15 feet from the property line, all the animal waste must be removed by February 17, 2006, all animal waste will be kept in the barn until properly disposed of on another property and the number of animals/fowl can not be increased. At the present time there are seven goats, three ducks and eleven chickens. The Township has received a written correspondence from Joe Bolin requesting the 15 feet set-backs for his fencing because of his pre-existing small lot. Solicitor Heiser suggested granting this waiver. Supervisor Reamer made a motion to grant the waiver so that the Bolins can re-install fencing 15 feet from the property lines because of the pre-existing small lot, seconded by Road Master Deardorff. The Board unanimously approved this motion. The correspondence will be attached to the minutes per Solicitor Heiser's request.

Treasurer's Report

Road Master Deardorff made a motion to add expense account 430.331 Mileage-Highway, transferring \$4000.00 from expense account 432.00 Snow and Ice Removal, seconded by Supervisor Reamer. The Board unanimously approved this motion. Account 410.130 was corrected to be read Police and account 410.14 to read Clerical Staff. Supervisor Gordon made a motion to approve the January 2006 Treasurer's Report, seconded by Supervisor Reamer. The Board unanimously approved this motion.

February 2006

General Account	Income	Expenses	Transfers	Balances
ACNB Checking	\$12,827.97	\$46,947.34	\$40,000	\$ 8,578.87
ACNB Savings	14.16		600	20,724.79
PLGIT	491.83		40,000	90,740.47
ACNB CD				<u>51,861.98</u>
Total Current Assets				\$171,906.11
Sewer Account				
ACNB Checking		2,911.56	3,000	1,054.66
ACNB Saving	6.11			9,109.56
ACNB CDBG	.87			146.20
PLGIT	70.79			<u>26,331.99</u>
Total Current Assets				\$ 36,642.41
State Liquid Fuels				
PLGIT Emergency Fund	16.03			4,773.42
PLGIT	7.21			<u>2,129.49</u>
Total Current Assets				\$ 6,902.91

Approval of Expenditures

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

Secretary's Report

Supervisor Reamer made a motion to increase the Treasurer's Bond to \$250,000.00 seconded by Road Master Deardorff. The Board unanimously approved this motion.

The Bi-annual State Liquid Fuels Audit for 2003 and 2004 from the Auditor General has no findings.

Vice-chairman Eckert made a motion to approve up-grading the business office computer for an approximate cost of \$535.00, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Supervisor Reamer made a motion to approve the January 2006 Secretary's Report, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Tax Collector's Yearly Report

Tax Collector Harbaugh gave her Annual 2005 Tax Collector's Report. Adams County has audited her records and has no findings. Vice-chairman Eckert made a motion to approve the 2005 Exoneration List and the 2005 Delinquent List, seconded by Supervisor Gordon. The Board unanimously approved this motion. The 2005 Delinquent List will be mailed to J. P. Harris, Inc., for collection, by Secretary/Treasurer Dille.

Police Report

Officer Larmer gave the following January 2006 Police Report. She had 39 complaints, one arrest, two investigations, 17 traffic citations, four warnings, and three criminal complaints. She used 145.5 gallons of fuel, traveled 1,816 miles for 12.49 miles per gallon of fuel. Officer Larmer and Christina Anders have successfully completed the Pennsylvania Uniform Crime Reporting Program. Officer Larmer distributed her February 2006 schedule. Supervisor Reamer stated that the police office telephone needs to be replaced because it is not working properly. The 1997 Ford police car has had the ABS and EGR sensors replaced at Davidson Ford of Gettysburg. Supervisor Gordon made a motion to accept the January 2006 Police Report, seconded by Road Master Deardorff. The Board unanimously approved this motion.

EMA Report

Fairfield EMA Coordinator Donald Wills, Jr. hand carried his resignation as Hamiltonban Township's EMA Coordinator to tonight's meeting. After a long discussion his resignation was not accepted. The Board of Supervisors thanked Mr. Wills, Jr. for his 13 years of service as the Township's EMA. Hamiltonban Township Supervisors to date have not approved the Fairfield Regional EMA's (FREMA) amendment for increased funding. The Township would like another month to consider this issue. There are at least three problems with the present situation. The FREMA Executive Board selected a first responder and the individual is not an Adams County resident, and the problem of increased funding. Mr. Schneider cautioned the Township to look to the future needs of an EMA in light of the many proposed new houses.

Hamiltonban Township has three AED machines. There is an AED machine in each police vehicle. The Gettysburg Hospital would like to keep the third AED machine

to use as a spare. The Supervisors agreed to allow the Gettysburg Hospital to use the third AED as a spare.

Road Report

Road Master Deardorff gave the following January 2006 Road Report.

1. Gum Springs Road damage has been addressed and the road will be repaired in the Spring by the trucking company that did the damage.
2. Two loads of road salt will be delivered tomorrow. Only one additional load of road salt will be needed to meet the minimum order amount per the State contract.
3. A street light will be installed at the intersections of Moritz Road and Cold Springs in the near future.
4. The street light at Zoo Road and Jack's Mountain Road has been eliminated due to two homeowner requests.
5. Road Master Deardorff and Med-Ed will meet in the next few days to discuss the installation cost of three additional street lights.
6. He attended the meeting concerning the Bolin's issues on Fairfield Road.
7. Most of the budgeted shop tools have been purchased.
8. Potholes have been patched as needed.
9. All dirt roads have been leveled and surfaced according to their condition.
10. Drainage ditch clean outs have been corrected on Knox Road and Lower Cold Springs Road. Number four stones were used where needed.
11. He had a price for a new 3 feet by 2 feet sign marking the maintenance building on Bullfrog Road, Fairfield, PA.
12. Delineators have been installed on the Reed's Bridge at the intersection of Gum Springs Road and Iron Springs Road to improve visibility. A street light can not be installed because of a lack of electrical supply.
13. By April 2006 minor repairs will need to be completed at the state inspected bridge on Mount Hope Road near Strawberry Hill.

Vice-chairman Eckert made a motion to approve purchasing and installing a sign marking the Township's maintenance building on Bullfrog Road, Fairfield for an approximate cost of \$300.00, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to accept the January 2006 Road Report, seconded by Supervisor Reamer. The Board unanimously approved this motion.

Sewer Report

Road Master Deardorff made the following January 2006 Sewer Report.

1. On February 8 and possibly on February 9 sections of the Orrtanna Treatment sewer lines will be videoed trying to locate areas of infiltration and inflow.
2. A control module has been replaced and installed at a higher location trying to prevent it from being flooded when the pump(s) fail. A telephone monitor/warning system has been installed and activated at the plant.
3. The new effluent pump will be installed next week when it is convenient to have the plumber and electrician present at the same time.

4. Some repairs will be made to the back-up generator in the next two months when weather permits. The generator can function but not at 100%.
5. There is one leak on a main line in the spray field which will be corrected when weather permits.

Vice-chairman Eckert made a motion to accept the January 2006 Sewer Report, seconded by Supervisor Reamer. The Board unanimously approved this motion.

Zoning Officer's Report

Zoning Officer Nicks gave the following January 2006 Zoning Officer's Report. He attended eight meetings; Supervisor's Board meeting, Planning Commission meeting public, a meeting with Solicitor Heiser on the animal ordinance, with Fitz's for the Hamiltonban Township Well Ordinance, with Hillside Rest Home for future construction plans, with Dan Sanders for Sanders Square business expansion, Curt Musselman for an inspection of the Gauss subdivision property, and with Tom Steinberger for explanation of some of the Hamiltonban Township's Zoning Ordinances and Well Ordinance. He issued six permits. One permit was issued for a work house, and workshop/garage. One Use and Occupancy permit was issued and three extensions were granted. He created a Well Ordinance Review Sheet, and had Alexander's Plumbing evaluate it. He moved old files to the new file cabinet, and drafted an updated list of building permits for which Use and Occupancy permits have not been issued.

The Harblaub's illegal trailer/cabin on Tapeworm Lane, Fairfield, will be removed in a reasonable time period. When the removal date is set Solicitor Heiser will inform Zoning Officer Nicks.

A holding tank will be removed at the Tyree Company/Getty Station property at the intersection of Fairfield Road and Carrolls Tract Road, Fairfield in the near future.

The Nicholas's of the Indian Trail Inn were mailed a correspondence by certified mail in regards to the court hearing to prevent any misunderstanding with the court order. Immediately after the court hearing Mr. Nicholas went to Zoning Officer's Nicks home and was asking questions.

Whenever a septic tank is abandoned the normal procedure is to have the septic tank pumped, crushed and filled with clean fill. Zoning Officer Nicks will add this to his demolition procedures list

There was a discussion on the long distance calling areas for Hamiltonban Township's residents. Secretary/Treasurer Dille will inquire with the long distance companies.

There was a property on Deist Lane where a Stop Work Order was posted. The property owners were constructing an addition to their home without a building permit. Construction work has stopped but Zoning Officer Nicks has not been contacted about obtaining a building permit. .

Zoning Officer Nicks worked 43.25 hours, traveled 108 miles, and had 62 telephone calls for a cost of \$3.53. Vice-chairman Eckert made a motion to accept the January 2006 Zoning Officer's Report, seconded by Supervisor Gordon. The Board unanimously approved this motion.

New Business

At a meeting that Supervisor Reamer attended the “Zoning Guidelines for Permitting Domestic Livestock Uses” was distributed. She shared this three page guideline with the Board members since the Township’s animal ordinance is being reviewed.

Chairman Benner would like the Township to encourage the Township’s citizens to clean-up the trash along the roads on, SATURDAY, April 22, Earth Day. Penn Dot has a program where they will supply gloves, vests and trash bags to the public for the collection of trash along State highways. Penn Dot will collect the trash bags set along the highways. Secretary/Treasurer Dille will ask Penn Dot if they will pick-up the trash bags on Township roads.

Supervisor Gordon suggested creating a Township Newsletter to be mailed with the Township’s tax statement which will be mailed the first of March 2006. Road Master Deardorff made a motion to mail a Township Newsletter with each of the Township’s 3,000 tax statements, seconded by Supervisor Reamer. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to request Solicitor Heiser proceed with the proper advertising for the Township’s intent to adopt the Monocacy and Conococheague Creek Stormwater Management Plans, seconded by Supervisor Reamer. The Board unanimously approved this motion. A public hearing will need to be held.

Road Master Deardorff made a motion to continue contracting with Middle Department Inspection Agency to inspect and enforce the Uniform Construction Code, seconded by Supervisor Gordon. The Board unanimously approved this motion.

The Township will continue the life insurance policy for the employees and Board members. Several years ago a tardiness amendment was proposed for personnel policy. Supervisor Reamer asked former Supervisor Nicks if she still had a copy of the proposed tardiness amendment. Mrs. Nicks will check her files.

The Board decided to table proceeding with the fire resistant storage room.

Communications

There were several general communications in the Board packets.

Next Meetings

Joint Workshop Hamiltonban Township Board and Planning Commission with Richard Schmoyer Director of Adams County Planning and Development February 8, 2006, at 7:00 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320

Next regular Board Meeting will be March 7, 2006 at 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320

Adjournment

At 9:24 PM Road Master Deardorff made a motion to adjourn the meeting, seconded by Supervisor Gordon. The Board unanimously approved this motion.

LuAnn M. Dille
Secretary/Treasurer

James E. Benner
Chairman

