

**Hamiltonban Township Board of Supervisors  
Reorganization Meeting and  
Regular Meeting  
23 Carrolls Tract Road, Fairfield, Pa 17320  
January 3, 2006**

**Supervisors Present:** James E. Benner, Jay Edward Deardorff, William E. Eckert, Sr., Robert L. Gordon, and Coleen N. Reamer

**Others Present:** Police Officer Juanita Larmer, Milton Nicks, Zoning Officer, Pamela Wiehagen, Planning Commission Secretary, and LuAnn M. Dille, Secretary/Treasurer

**Public Attendees:** Thomas Brown, Mark Cummins from Cornerstone, Inc., Mr. and Mrs. Albert Dente, David Donaldson, Josh George from MRA, Vickie Gourley, Mary Ott, Barbara Nicks, Mr. and Mrs. Dale Premo, Mr. and Mrs. David Prophet, and Donald Wills, Jr.

At 7:30 PM Supervisor Deardorff called the reorganization meeting to order and those present recited the Pledge of Allegiance.

Supervisor Eckert welcomed the public to the meeting.

Milton Nicks was appointed as temporary chairman,

Supervisor Reamer made a motion to appoint James E. Benner as the Chairman of the Board of Supervisors, seconded by Supervisor Eckert. The Board approved this motion with Supervisor Benner abstaining.

Chairman Benner presided over the remainder of the meeting.

Supervisor Eckert made a motion to appoint LuAnn M. Dille as secretary/treasurer, seconded by Supervisor Deardorff. The Board unanimously approved this motion. Supervisor Eckert made a motion to approve Mrs. Dille's hourly rate at \$12.66, which is a 3% increase, with a treasurer's bond of \$150,000, seconded by Supervisor Deardorff. The Board unanimously approved this motion.

Supervisor Deardorff made a motion to appoint Supervisor Eckert as Vice-chairman of the Board of Supervisors, seconded by Supervisor Gordon. The Board approved this motion with Supervisor Eckert abstaining.

Vice-chairman Eckert made a motion to appoint Supervisor Deardorff as Road Master, seconded by Supervisor Gordon. The Board approved this motion with Supervisor Deardorff abstaining.

Road Master Deardorff made a motion to appoint Coleen Reamer as the Police Department's Coordinator, seconded by Supervisor Gordon. The Board approved this motion with Supervisor Reamer abstaining.

Vice-chairman Eckert made a motion to appoint Road Master Deardorff as the CDL Drug and Alcohol Coordinator, seconded by Supervisor Reamer. The Board approved this motion with Road Master Deardorff abstaining.

Vice-chairman Eckert made a motion to approve Robbie Kauffman's hourly rate at \$14.51, which is a 3% increase, John Harbaugh's hourly rate of \$12.50, and Howard Kessel's hourly rate at \$16.39, which is a 3% increase, seconded by Road Master

Deardorff. The Board unanimously approved this motion. Mr. Kessel did not receive a rate increase in 2005.

Supervisor Gordon made a motion to suggest to the Hamiltonban Township's Auditors that working supervisor's rate be \$11.00 per hour, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to suggest to the Hamiltonban Township's Auditor that the Road Master's hourly rate be \$13.75, seconded by Supervisor Reamer. The Board unanimously approved this motion with Road Master Deardorff abstaining.

Chairman Benner made a motion to approve Zoning Officer Milton Nicks hourly rate at \$13.39, which is a 3 % increase, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Supervisor Reamer made a motion to approve retaining Police Officer Juanita K. Larmer as Hamiltonban Township's Police Officer, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Road Master Deardorff made a motion to approve Police Officer Larmer's hourly rate at \$14.34, which is a 5% increase, seconded by Supervisor Gordon. The Board unanimously approved this motion.

William E. Eckert presented his written resignation as Emergency Management Agency (EMA) Coordinator. Road Master Deardorff made a motion to accept his resignation, seconded by Supervisor Reamer. The Board approved this motion with Vice-chairman Eckert abstaining.

Road Master Deardorff made a motion to appoint Donald F. Wills, Jr., as EMA Chief Coordinator, seconded by Supervisor Gordon. The Board unanimously approved this motion. Supervisor Reamer made a motion that the EMA Coordinator's hourly rate be set at \$11.26, which is a 3% increase, seconded by Road Master Deardorff. The Board unanimously approved this motion. No EMA Deputy Coordinator was appointed.

Supervisor's salaries will remain the same at \$150.00 per month. It has been \$150.00 for a number of years.

Supervisor Reamer made a motion to hold the Supervisors' Board meetings the first Tuesday of each month at the prevailing time of 7:30 PM, the Supervisors' Workshop meetings the last Thursday of each month at the prevailing time of 7:30 PM, and the Planning Commission's meetings the fourth Tuesday of each month at the prevailing time of 7:30 PM. The meetings will be held at 23 Carrolls Tract Road, Fairfield, Pa 17320. Road Master Deardorff seconded the motion. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to approve the Federal allowance mileage rate for the year of 2006. At the present time the Federal mileage rate is \$.44.5 per mile. This motion was seconded by Road Master Deardorff. The Board unanimously approved this motion. When the rate changes Secretary/Treasurer Dille will inform the Board.

Road Master Deardorff made a motion to appoint Supervisor Reamer and Supervisor Gordon as delegates to the Pennsylvania State Association of Township Supervisors (PSATS) State Municipal Convention, seconded by Vice-chairman Eckert. The Board approved this motion with Supervisor Reamer and Supervisor Gordon abstaining.

Road Master Deardorff made a motion to appoint York Adams Tax Bureau to collect the appropriate taxes, seconded by Vice-chairman Eckert. The Board unanimously approved this motion. Vice-chairman Eckert made a motion to appoint Supervisor Reamer as the York Adams Tax Bureau representative, seconded by Road Master Deardorff. The Board approved this motion with Supervisor Reamer abstaining. Vice-chairman Eckert made a motion to appoint Supervisor Gordon as an alternate to the York Adams Tax Bureau, seconded by Road Master Deardorff. The Board approved this motion with Supervisor Gordon abstaining.

Road Master Deardorff made a motion to appoint Pamela Wiehagen to a four-year terms of office to the Hamiltonban Township Planning Commission, seconded by Supervisor Gordon. The Board unanimously approved this motion. Her term of office will expire December 31, 2010.

Road Master Deardorff made a motion to appoint Dale Premo to fill the remaining term of Coleen Reamer on the Zoning Hearing Board, seconded by Supervisor Gordon. The Board unanimously approved this motion. Mr. Premo's term of office will expire December 31, 2006.

Vice-chairman Eckert made a motion to appoint Milton Nicks to be Chairman of the Vacancy Board, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to continue using Adams County National Bank and Pennsylvania Local Government Investment Trust (PLGIT) as depositors, seconded by Supervisor Gordon. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to appoint Lockwood Business Support Services as auditors for the Township. Lockwood Business Support Services will audit the General, Sewer and the State Liquid Fuels Accounts and file the Commonwealth of Pennsylvania annual forms. Road Master Deardorff seconded this. The Board unanimously approved this motion.

Road Master Deardorff made a motion to reappoint Henry O. Heiser, III as the Township's Solicitor, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Road Maser Deardorff made a motion to reappoint Walton V. Davis as the Zoning Hearing Board Solicitor, seconded by Supervisor Reamer. The Board unanimously approved this motion.

Road Master Deardorff made a motion to reappoint the engineering firm of Martin and Martin, Inc. /Tim Cormany, as the Township's engineers, seconded by Supervisor Reamer. The Board unanimously approved this motion.

Road Master Deardorff made a motion to reappoint the engineering firm of William F. Hill, Inc. /Fred Heerbrandt as the Orrtanna Treatment Plant engineers, seconded by Supervisor Reamer. The Board unanimously approved this motion.

Supervisor Gordon made a motion to reappoint KPI, Inc. /Gil Picarelli as the Sewer Enforcement Officer, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Road Master Deardorff made a motion to reappoint Hockley and O'Donnell, Inc. as the insurance carrier, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Chairman Benner made a motion to reappoint Capital Blue Cross as the health insurance carrier, seconded by Supervisor Reamer. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to appoint Daniel Botterbusch as an auditor to fill the remaining term of Robert Gordon, seconded by Road Master Deardorff. The Board unanimously approved this motion. Mr. Botterbusch's will need to run in the Spring Election to retain the office.

The reorganization meeting has concluded at 8:00 PM and the regular monthly Supervisors Board meeting began.

### **Approval of the Minutes**

Supervisor Reamer made a motion to approve the minutes from the December 6, 2005 Supervisor's Board meeting, the Land Conservation District Overlay Workshop meeting minutes and the special meeting minutes for the York Adams Tax Bureau Resolution, seconded by Road Master Deardorff. The Board unanimously approved this motion.

### **Public Comment**

Mr. Musselman asked for an explanation of what is a working supervisor. A working supervisor is when an elected supervisor other than the road master physically works for the Township. A working supervisor would flag for a road project; mow the shoulder, etc.

Mr. George stated Cornerstone is continuing to move forward with the Fitz/Strausbaugh development. They would like to utilize a land conservation approach. They realize an amendment to Article 15 would be needed. They would like the Township to move forward quickly with the amendment changes.

Mrs. English asked about a housing development in Orrtanna. Vice-chairman Eckert responded no plans have been formally submitted to the Township. Chairman Benner, who is also the Vice-President of El Vista Orchards, Inc., stated the property has not been sold yet. It was stated that the citizens of the Township do not want their taxes to be increased to provide services to a developer. Road Master Deardorff stated when there is an increase in the number of houses the tax base increases. It was stated that the Runkle's property was sold and the structures were immediately demolished. The Runkle's property is in the Agriculture Zoning District, which has a minimum two acres lot size.

Vickie Garland asked about Fitz/Strausbaugh development. She has heard something about land being combined with Strawberry Hill. Chairman Benner stated Cornerstone is planning to build 248 houses on 600 acres of land. Cornerstone Developers would like to develop the farm using a land conservation district overlay where they would cluster houses and have 320 acres of un-developed open area instead of 248 houses spread out over the 600 acres. The open area boundary would be touching the Strawberry Hill property.

Mr. Donaldson asked if there is language in the proposed Well Driller's Ordinance regulating agriculture wells. Zoning Officer Nicks responded the Well Driller's Ordinance is on the installation of all wells, residential, commercial and agricultural uses. There are no yield volume requirements. There are no restrictions on

the number of wells per lot or acres. Geothermal wells are included in this ordinance. In the BB Section there are lots that can be affected by the location of their neighbor's well and septic systems.

Mrs. Gorman said it was printed in the Gettysburg Times newspaper article that before any repairs to a well can be made, a township permit must be obtained. Zoning Officer Nicks read a section of Article 800 of the Well Driller's Ordinance "No construction, drilling, boring, reconstruction, major repairs other changes of or for any non-PA DEP permitted/regulated well/water supply for the production of water for domestic, commercial, industrial or agricultural purposes, for which portable water usage is intended or may be used, shall commence unless the property owner ...shall apply for and receive a "well permit" for any such construction activity from Hamiltonban Township. Normal and general repair/maintenance of a well or well equipment does not require a permit but for any major change a permit will be required as stated in Section 800. The price of the permit will be set later in the meeting. If an existing well needs major repairs, this proposed ordinance would require the property owner to obtain a permit from the Township. There is a section on drought emergency regulations that follows the Adams County EMA regulations on drought emergencies, which is in accordance with DEP requirements.

Mr. Hayes commented that he called Secretary/Treasurer Dille and tried to call Zoning Officer Nicks for input for his article. Secretary/Treasurer Dille referred him to Zoning Officer Nicks. Zoning Officer Nicks thought it should be a supervisor to comment. Road Master Deardorff stated every Hamiltonban Township official is reluctant to comment after the last newspaper article which contained misquotes.

Regarding the possibility of large developments, Ms. Garland questioned how does the proposed ordinance test for water quality and volume of groundwater. Supervisor Gordon stated those requirements are in the Subdivision and Land Development Ordinances.

### **Planning Commission**

Road Master Deardorff made a motion to approve Secretary/Treasurer Dille, Supervisor Gordon, Planning Commission Chairman Curtis Musselman, Supervisor Reamer, and Planning Commission Secretary Pamela Wiehagen to attend "Successful Strategies of Sound Land Use Planning", Sunday, April 23, 2006 in Dauphin County at a cost of \$25.00 per person, seconded by Vice-chairman Eckert. The Board unanimously approved this motion. The Township will pay the \$25.00 per person fees and mileage.

Supervisor Gordon made a motion to approve proceeding with the Natural Land Trust Audit for a cost \$500.00, seconded by Supervisor Reamer. The Board unanimously approved this motion.

Supervisor Reamer made a motion to direct the Planning Commission to explore the Natural Land Trust Audit and the Growing Greener concepts, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Planning Commission Chairman Musselman has arranged a workshop meeting with Richard Schmoyer from Adams County Planning and Development, Planning Commission, and the Board on Wednesday, February 8, 2006 starting at 7:00 PM. At this workshop Mr. Schmoyer will encourage questions and answers concerning the

process of changing/updating zoning ordinances, subdivision and land development ordinances, and comprehensive plans.

Supervisor Gordon made a motion to approve the Preliminary Dente Subdivision Plan, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Supervisor Gordon made a motion to approve the Preliminary Fitz, Fitz, and Souders Subdivision Plan, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Road Master Deardorff made a motion to proceed with a zoning ordinance addition: Article V, Section 501, M, 9 School Bus Stop Shelter with a minimum setback 10 feet off road right-of-way, maximum cumulative area of 50 square feet per property, seconded by Supervisor Reamer. The Board unanimously approved this motion.

### **Solicitor's Report**

Solicitor Heiser could not attend this meeting but recommends that the Board adopt Ordinance 01-2006, the Wells Driller's Ordinance. Road Master Deardorff questioned how does the Township control where one lot owner installs their well and septic system that does not prevent the next lot owner from placing a well or septic system? This situation could and has happened in the BB Section. Zoning Officer Nicks replied this Well Driller's Ordinance would not prevent this from occurring. Supervisor Gordon stated, for the press and to inform the public that Hamiltonban Township will require a well, and septic systems permits before a building permit can be issued. Zoning Officer Nicks stated he tries to inform people when they inquire with him concerning building permits to make certain there are sufficient water and an acceptable perc test before they purchase the property.

Vice-chairman Eckert made a motion to approve adopting Ordinance 01-2006, seconded by Supervisor Reamer. The Board unanimously approved this motion.

Road Master Deardorff made a motion to appoint Milton Nicks as the inspector for the Well Driller's Ordinance 01-2006, seconded by Vice-chairman Eckert. The Board unanimously approved this motion. Alexander's Well Drilling is willing to help train the appointed inspector for six months.

Road Master Deardorff made a motion to set the inspection fee at \$60.00 which includes two inspections, seconded by Vice-chairman Eckert. The Board unanimously approved this motion. Well Driller's Ordinance Section 800, Subsection 830, C. "Additional times for any reviews or inspections shall be billed in addition to the application fee at the rate of \$15.00 per each involvement." Carroll Valley Borough charges \$150.00 and Cumberland Township charges \$80.00. Alexander's suggested \$50.00 to \$60.00.

Solicitor Heiser requested a meeting at the convenience of a Supervisor, Zoning Officer Nicks, Police Officer Larmer, and Secretary/Treasurer Dille to discuss the animal ordinance. Chairman Benner would be representing the Board and it was generally agreed to have this meeting.

At 8:56 PM Road Master Deardorff requested an Executive Session for a legal and personnel issue. Secretary/Treasurer requested to attend the Executive Session for one comment. She was invited to attend. She immediately returned. At 9:11 PM the Board returned to the regular meeting.

### **Treasurer's Report**

Supervisor Gordon made a motion to approve the Treasurer's Report with the updated Pennsylvania Local Government Investment Trust (PLGIT) interested posted, General Account \$594.01, Sewer Account \$75.84, State Liquid Fuels \$7.44 and State Liquid Fuels Emergency Fund \$15.78, seconded by Vice-chairman Eckert. The Board unanimously approved this motion. Secretary/Treasurer Dille and Lockwood Business Support Services Joyce Beckman reviewed Hamiltonban Township's financial records in preparation for the Township's Annual Audit, the Commonwealth of Pennsylvania Annual Audit Report and filing the corresponding forms. Earned income taxes will be collected by York Adams Tax Bureau and the Peterbilt truck interest and principle accounts are set up for the Commonwealth's Audit Annual forms.

<b>2006 January</b>	Income	Expenses	Transfer	Balance
<b>General Account</b>				
ACNB Checking				
ACNB Savings				
ACNB CD				
PLGIT				
Total Current Assets				
<b>Sewer Account</b>				
ACNB Checking				
ACNB Savings				
PLGIT				
Total Current Assets				
<b>State Liquid Fuels</b>				
Emergency PLGIT				
PLGIT				
Total Current Assets				

### **Approval of Expenditures**

Supervisor Reamer made motion to approve the expenditures as presented, seconded by Road Master Deardorff. The Board unanimously approved this motion.

### **Secretary's Report**

Vice-chairman Eckert made a motion to purchase a digital printer and supplies to print pictures from the digital camera and cell phones, seconded by Road Master Deardorff. The Board unanimously approved this motion.

### **Police Report**

Officer Larmer gave the following December 2005 Report. She had 54 complaints, two investigation, seven traffic arrests, five warnings, two criminal arrests, six traffic control devices, one careless driving and two thefts. She traveled 1,298 miles and used 100 gallons of fuel. She handed out copies of her January and February work schedules. She presented a chart summarizing her calls in 2005 and deviation of work

chart for 2005. Road Master Deardorff made a motion to approve hiring Christina Anders for \$10.00 per hour for up to five hours per week for clerical service for the police department, seconded by Vice-chairman Eckert. The Board unanimously approved this motion. Supervisor Reamer will have a cell phone to keep in contact with Police Officer Larmer. Vice-chairman Eckert made a motion to accept the December 2005 Police Report and the 2005 Yearly Police Report, seconded by Road Master Deardorff. The Board unanimously approved this motion.

### **EMA Report**

EMA Coordinator Wills stated there was an additional form to be completed for the accident at Route 16 and Harbaugh Valley Road last year. Supervisor Reamer made a motion to approve the EMA Report, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Supervisor Reamer made a motion to appoint Vice-chairman William E. Eckert as the Hamiltonban Township's representative on the Fairfield Regional EMA (FREMA) Executive Board, seconded by Road Master Deardorff. Supervisor Reamer stated that funding for FREMA has changed from \$500.00 per year to a per capita base. An amendment to the agreement will need to be approved. Carroll Valley Borough and Fairfield Boroughs have already approved the amendment. Secretary/Treasurer Dille will have the information to the Supervisor for next month meeting. FREMA's Executive Board will begin to interview applications starting January 16, 2006.

### **Road Report**

Road Master Deardorff stated that John Harbaugh has passed his test for his CDL license therefore the Township is 100 % operational. Cold patching of the potholes has been completed. Sweeping of anti-skid at stop signs and intersections has been done. Winter snow removal cost has been \$30.00 per mile, this included ice melt, salt, anti-skid, labor and fuel cost. The Township has enough materials for the next 2 – 3 storms. The weather outlook says winter will be 60 days strong when it starts in 4 -5 days.

Road Master Deardorff made a motion to approve Solicitor Heiser proceeding with legal actions against a property owner on Gum Springs Road, seconded by Supervisor Gordon. The Board unanimously approved this motion. The property owner's contractor's construction equipment damaged Gum Springs Road.

### **Sewer Report**

Road Master Deardorff made a motion to approve the purchase and installation of an effluent pump for approximately \$5,000.00, seconded by Vice-chairman Eckert. The Board unanimously approved this motion. There are a couple of items in the spray fields which will need to be repaired in the Spring. Mr. Wills stated the street light at Old Waynesboro Pike and Route 16 needs to be repaired. Supervisor Gordon made a motion to approve the December 2005 Sewer Report, seconded by Supervisor Reamer. The Board unanimously approved this motion.

### **Zoning Officer Report**

Zoning Officer Nicks gave the following December 2005 report. He issued five permits. One permit was for a storage unit/kennel, addition to a cabin, an extension and



two uses and occupancy permits. He attended seven meetings: supervisors, workshop, Planning Commission meetings public, a meeting with Nicholas's and three with Solicitor Heiser. He had two court appearances and three hearings, wrote a new ordinance amendment for school bus stops, completed his yearly report and closed out the 2005 building permit files. He worked 33.5 hours, traveled 152 miles and had telephone charges of \$16.42.

Zoning Officer Nicks gave the following 2005 Yearly Zoning Report. Total Construction Cost were \$7,556,630. Total Building Permit Fees were \$6,749.68. Zoning Officer's Nicks' payroll costs were \$6,756.75 for 519.75 hours. Zoning Officer Nicks' telephone costs were \$153.77. Zoning Officer Nicks' mileage costs was \$884.93 for 2,185 miles. Zoning Officer Nicks' total costs was \$7,795.45. Uniform Construction Administrative Fees were \$2,250. Total income from fees verses total expenses was +\$1,204.23. In 2005 permits were issued for 16 new houses, one mobile home replacement, nine additions to houses, and 29 other structures. Vice-chairman Eckert made a motion to approve Zoning Officer Nicks' December 2005 and 2005 Yearly Zoning Report, seconded by Supervisor Gordon. The Board unanimously approved this motion. Zoning Officer Nicks suggested an increase in the permit fees for next year.

### **New Business**

Vice-chairman Eckert commented that in the January 2006 issue of the Pennsylvania Township News magazine it was noted that there is proposed legislation to increase the forest reserve allowance. This would benefit the Township's Sewer Account.

Road Master Deardorff made a motion to approve Supervisor Gordon and Supervisor Reamer to attend new supervisors training class which cost \$125.00 per supervisor, seconded by Vice-chairman Eckert. The Board approved this motion with Supervisors Gordon and Supervisor Reamer abstaining.

### **Old Business**

Road Master Deardorff would like to review the notes of the reporters to prevent the mistakes that were printed after last month's meeting. Meg indicated that would be acceptable. Mr. Hayes did not respond.

### **Meetings**

Auditor's Meeting, January 4, 2006 at 7:30PM, at 23 Carrolls Tract Road, Fairfield, PA

Next Regular Board Meeting, February 7, 2006 at 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA

Joint Board and Planning Commission Meeting with Richard Schmoyer from Adams County Planning and Development February 8, 2006, 7:00 PM at 23 Carrolls Tract Road, Fairfield, PA

**Adjournment**

At 9:59 PM Road Master Deardorff made a motion to adjourn, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

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LuAnn M. Dille  
Secretary/Treasurer

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James E. Benner  
Chairman