

Hamiltonban Township Board of Supervisors  
23 Carrolls Tract Road, Fairfield, Pa 17320  
Regular Meeting Minutes  
April 3, 2007

**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, Planning Commission Secretary Pamela Wiehagen, EMA Coordinator Donald Wills, and Secretary/Treasurer LuAnn Dille

**Public Attendees:** Thomas Brown, James Hanna from Empire Homes, George Harbaugh, Jr., Harry Rood, Barbara Nicks, Dale and Doreen Premo, Robert Sanders, and Douglas Woerner

At 7:38 PM Chairman Benner called the meeting to order and those present recited the Pledge of Allegiance.

**Approval of the Minutes**

Police Coordinator Reamer made a motion to approve the March 6, 2007 Board of Supervisors meeting minutes, the Joint Board of Supervisors and Planning Commission Meeting Minutes of March 27, 2007 and the Board of Supervisors Workshop Meeting Minutes of March 29, 2007, seconded by Supervisor Gordon. The Board unanimously approved this motion.

**Executive Session**

Chairman Benner announced that the Board of Supervisors had an Executive Session preceding this meeting to discuss legal and personnel issues.

**Public Comment** None at this time.

**Planning Commission Recommendations**

Chairman Benner made a motion to grant a modification of Section 10, 307.C for a flag shape lot for the McGinley's Choice Lot Number 455, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

A modification for a shared driveway was requested and then withdrawn for the McGinley's Choice Lot Number 456. This lot's access will be off the alley.

Supervisor Gordon made a motion to table approval of the McGinley's Choice Stormwater Management Plan, seconded by Police Coordinator Reamer. After a discussion this motion was withdrawn. Police Coordinator Reamer made a motion to approve the McGinley's Choice Stormwater Management Plan subject to Martin and Martin, Inc.'s engineer William Kicks review approval, seconded by Supervisor Gordon. The Board unanimously approved this motion.

No action was taken on the Wagerman's Subdivision Plan.

Zoning Officer Nicks stated that the Well Report for Camp Eder was received on April 3, 2007. The sewer report is still needed and Camp Eder is in the process of obtaining the information requested. Zoning Officer Nicks stated there is no need for a Camp Eder Conditional Use Hearing for the RV parking spaces. The Township will refund Camp Eder the \$500.00 Conditional Use Fee. A stormwater plan is still needed for the RV parking area and the roadway to it. Zoning Officer Nicks has consulted with and will correspond with Camp Eder. Camp Eder's original 200 acres has been grandfathered from certain zoning requirements. Any improvements on the Camp Eder additional land must comply with Hamiltonban Township's current ordinances. This will include a master plan for the entire camp. Police Coordinator Reamer made a motion that Camp Eder's request for five or six RV Parking spaces for volunteers be conditional upon Zoning Officer Nicks satisfaction with the Well Report, Sewer Report and Martin and Martin, Inc.'s review of the Camp Eder's stormwater management plan for the gravel road and pad at this time, seconded by Supervisor Gordon. The Board unanimously approved this motion.

There will be a Joint Board of Supervisors and Planning Commission Workshop Meeting on April 4, 2007, starting at 7:00 PM at 23 Carrolls Tract Road, Fairfield, PA 17320.

### **Solicitor Heiser's Report**

Supervisor Gordon made a motion for Solicitor Heiser to advertise for adoption Ordinance Number 01-2007, creating an advisory recreation commission, seconded by Chairman Benner. The Board unanimously approved this motion.

Solicitor Heiser stated that the Board cannot approve a waiver/modification from the Hamiltonban Township's Zoning Ordinances. Mr. Ilko can not install his business sign on someone else's property at the intersection of Carrolls Tract Road and Orrtanna Road, Orrtanna, PA. Mr. Ilko could request a Zoning Hearing but he must prove a hardship.

There will be a Zoning Hearing on April 23, 2007 for Donald and Carol Leaman of 1564 Carrolls Tract Road, Orrtanna, PA, starting at 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320. They want to install a swimming pool in their front yard. Because they own a corner lot, they have two front yards. Hamiltonban Zoning Ordinance Article III, Section 303-A-1 prohibits installation of swimming pools in front yards. Zoning Officer Nicks stated he has consulted with Zoning Hearing Attorney Walton Davis and all legal requirements are in process.

Chairman Benner made a motion to approve the Land and Sea, LLC. contract addendum which includes the recent ruling changes in the Uniform Construction Code for a building code enforcement officer, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Tonight Solicitor Heiser hand carried the transcript from the March 20, 2007 Planning Commission's public meeting/hearing on the Growing Greener: Conservation By Design and other ordinance changes. It will be on file at the business office for examination.

Solicitor Heiser stated that the Board of Supervisors Public Hearing for Growing Greener: Conservation By Design and other ordinances will be April 12, 2007, starting at

7:00 PM at the Fairfield Area School District middle/high school cafeteria. 4840 Fairfield Road, Fairfield, PA 17320.

Solicitor Heiser advised the Township to proceed with caution with any land swap or purchase of any land. There is a very detailed process that must be followed which includes bids and appraisals. He will meet with Road Master Deardorff and Police Coordinator Reamer the week of April 16, 2007 to discuss the process.

Supervisor Gordon asked Solicitor Heiser about curative amendment application fees. Solicitor Heiser stated that a resolution could be drafted to include passing all fees to the applicant, which could include transcription cost, attorney fees and all review fees.

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

Solicitor Heiser stated that Zoning Officer Nicks could draft a formal complaint form and could require a person to make a written formal complaint. At 8:22 PM Solicitor Heiser left the meeting

Zoning Officer Nicks explained the complaint he received concerning several semi-tractor trailers being used for storage, several piles of wood, tin, used limber and non-operative motor vehicles at the Robert Bennett's property at 4530 Cold Spring Road, Fayetteville, PA 17222. .

Zoning Officer Nicks gave the following March 2007 Zoning Officer's Report, He issued seven permits. A permit was issued for a shed, new home, an office room/enlargement of a garage. One Use and Occupancy Permit was issued. Two demolition permits were issued, one for an old house owned by Spence's on Cold Spring Road, Orrtanna, PA and an existing house owned by David Martin at 2570 Waynesboro Road, Fairfield. He attended four public meetings: Supervisors, Planning Commission, Joint Supervisors and Planning Commission and the Planning Commission Public Meeting/Hearing. He completed three inspections: Greager's sewer complaint, Nicholas's back hoe work at the 1604 Iron Springs Road, Fairfield, and a complaint about George Harbaugh's equipment in the BB Section. He has been busy with the public hearing and zoning hearing items. He working 44.25 hours, traveled 170 miles, had 50 telephone calls, and had \$12.49 in telephone charges.

Vice-chairman Eckert made a motion for Zoning Officer Nicks to price a range finder to be used by the Zoning and Maintenance Departments, seconded by Road Master Deardorff. The Board unanimously approved this motion. The price of a ranger finder is \$300.00 to \$600.00.

Police Coordinator Reamer made a motion to approve the March 2007 Zoning Officer's Report, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

### **Treasurer's Report**

Supervisor Gordon made a motion to approve the March 2007 Treasurer's Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

April 2007	Income	Expense	Transfers	Balances
General Account				
ACNB Checking	\$99,303.76	\$41,133.25	\$37,000	\$10,711.75
ACNB Savings	9.60			20,873.00
ACNB CD				53,573.91

PLGIT		37,000	<u>215,880.58</u>
Total Current Assets			\$301,039.24
Sewer Account			
ACNB Checking	9,634.38		8,737.40
ACNB Savings	2.85		6,185.82
PLGIT	37.73		<u>5,815.79</u>
Total Current Assets			\$20,739.01
State Liquid Fuels			
PLGIT	103,178.98	1,514.35	111,608.57
PLGIT Emergency	21.44		<u>5,045.52</u>
Total Current Assets			\$116,654.09

### **Approval of Expenditure's Report**

Vice-chairman Eckert made a motion to approve the March 2007 Expenditure Report, seconded by Chairman Benner. The Board unanimously approved this motion.

### **Secretary's Reports**

This morning Secretary/Treasurer Dille attended training on employee record keeping. It was helpful but could have been more informative if more samples of required forms were distributed instead of just noting different web-sites.

Secretary/Treasurer thanked Zoning Officer Nicks for repairing the right lobby door's inside bottom panel.

Chairman Benner made a motion to approve the March 2007 Secretary's Report, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

### **Police Report**

There was no March 2007 Police Report because of computer problems. When the computer problems are solved, Officer Larmer will deliver the police report to each Supervisor.

### **EMA Report**

Police Coordinator Reamer made a motion to pay mileage for future trainings for EMA Coordinator Wills and EMA Deputy Coordinator Schneider, seconded by Vice-chairman Eckert. The Board unanimously approved this motion. Chairman Benner made a motion to approve the March 2007 EMA Report, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

### **Road Report**

Road Master Deardorff gave the following March 2007 Road Report:

1. The Road Crew is repairing pot holes as they appear.
2. The Road Crew is currently sweeping selected roadways: the BB Section, Beechwood Drive, part of Franklin Street, and at intersections.
3. The Road Crew is repairing road signs and posts throughout the Township and are waiting for more supplies.
4. The Road Crew mixed the remaining road salt with anti-skid. This is stored for next season.

5. The streetlight at Scotch Trail has been installed. Met-Ed will install the remaining three approved streetlights in the near future.
6. Road Master Deardorff is developing a plan and budget for all current roadway concerns and repairs. The roadways will be addressed according to priorities. He has consulted with the warded bid contractors for current prices.
7. Shoulder work will be completed on Zoo Road and lower Cold Springs Road, Gettysburg side, before the second seal coat is applied next week to these areas.
8. The 2007-2008 State contract forms have been completed and recorded by the State.

Road Master Deardorff explained that there were a couple of problems during the March 16, 2007 snowstorm. The snow came down quickly. A school bus got stuck on Cold Springs Road, Fairfield; a snowplow truck was sent immediately to assist the bus and plowed the remaining school bus route with the bus following. This was not the normal snowplow route. As the snowplow truck began its normal route it got stuck. It took another hour for the snowplow truck to free it. Now the normal route had accumulated several inches of snow. The other snowplow truck also got stuck and it took a while to free itself. The two snowplow trucks returned to the maintenance shop and put on the tire chains, which took more time. The snowplow trucks began to push lots of snow off the Township's roadways. It takes each snowplow truck three hours per trip around their pre-planned routes. The snowplow trucks made ten trips in this storm.

The 2007 Ford has been in the Ford repair shop three times for a fuel ignition problem. These repairs were covered under the warranty but are extreme inconvenience, especially during the last snowstorm.

Road Master Deardorff is obtaining estimates for repairing the Township's Roads. The Supervisors will go on the Annual Spring Road Inspection on April 17, 2007 starting at 3:30 PM at the Municipal Office.

The entering Hamiltonban Township signs have been installed at major routes.

Road Master Deardorff made a motion to approve three new streetlights to be installed by Met-Ed at each of the following three locations: at the viaduct on Iron Springs Road, at the CSX Railroad Tunnel on Iron Spring Road, and on Fairfield Station Road at the CSX Railroad Tracts near Mike's Fix-it shop, seconded by Supervisor Gordon. The Board unanimously approved this motion and signed the Met-Ed Resolution. EMA Coordinator Wills suggested installing a streetlight at the Harbaugh Valley substation. Supervisor Gordon made a motion to approve the March 2007 Road Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

### **Sewer Report**

On April 2, 2007 the first quarter Orrtanna Treatment Plant statements were mailed with an insert requesting that only toilet paper be flushed into the sewer system because there have been three major clogs at the Orrtanna Treatment Plant. Road Master Deardorff has had two meeting with Knouse Foods' executives. Knouse Foods has taken a couple of corrective actions. The last clog appears to be "disposable" towels being flushed, collecting and causing problems at the Orrtanna Treatment Plant. Hickory Bridge Restaurant and the Orrtanna Methodist Church have working grease traps. The Orrtanna Treatment Plant is operating properly at the present time. Supervisor Gordon

made a motion to approve the March 2007 Sewer Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

### **New Business**

Police Coordinator Reamer made a motion to form a committee to coordinate a joint/regional park and recreation plan for the Township to include Supervisor Gordon, Planning Commission Secretary Wiehagen and Police Coordinator Reamer, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Police Coordinator Reamer made a motion to support Strawberry Hills obtaining a WREN grant for a public water study education program, seconded by Supervisor Gordon. The Board unanimously approved this motion.

Police Coordinator Reamer and Supervisor Gordon will present the Township at the Association of Township Officials first annual Spring Meeting on May 10, 2007, starting at 7:00 PM at the Adams County Agricultural Center, 670 Old Harrisburg Road, Gettysburg, PA 17325.

### **Old Business**

Comcast responded to the Township's correspondence concerning their rate increase with the reduction of channels.

Highland Township is no long considering merging with another municipality. Highland Township is beginning the process of adopting zoning, subdivision, and comprehensive plan ordinances.

George Harbaugh, Jr. of Harbaugh Hauling asked how is the Township enforcing stormwater management issues that pertained to his business of installing driveways and other earth moving activities. There was a brief discussion. All new subdivisions must have stormwater management plans before approval. The plan must be enforced. When Zoning Officer Nicks approves a land use, the Uniform Construction Code has regulations involving stormwater. Currently Adams County Conservation District Rusty Ryan is working on implementing a workable solution to enforce all the regulations. Zoning Officer Nicks has also consulted with Martin and Martin, Inc.'s engineer Kicks concerning this issue.

Mr. Harbaugh would like to be considered in the Township's bid process for hauling. Road Master Deardorff stated that he will insure a copy of the bid form is mailed to Harbaugh Hauling in May.

Mr. Harbaugh asked about the motor paving on Zoo Road. Road Master Deardorff explained that this area was motor paved in late Fall therefore more aggregate was used. In the next few weeks the second seal coat will be applied, this will seal the road surface. The State has approved a new flexible base material called Pug Mill Process. This process will eliminate the need to seal coat road surfaces.

Mr. Harbaugh also questioned why he was singled out in a recent complaint and not seven or eight of his other neighbors in the BB Section, who also park construction equipment at their houses. Zoning Officer Nicks replied that he had received a telephone complaint and he followed up on that complaint. Mr. Harbaugh will be planting trees for a buffer screen and will try to keep his neighbor happy.

Mr. Harbaugh also complained about dog running loose in the BB Section. Officer Larmer explained there is one State dog warden for three counties at the present time.

Earth Day is April 21, 2007 and the Great Pennsylvania Clean-up is from April 16-21, 2007. The Township has Penn-Dot trash bags, gloves and vests available. The Township Supervisors are encouraging residents to pick-up trash along the roadways. The Township's Road Crew will pick-up the filled trash bags along the Township roads if the residents call the office designating where the trash bags were left.

Supervisor Gordon questioned why the PSAT's Newsletter was not posted on the Township's web-site. Secretary/Treasurer Dille and Mr. Rood explained that the Township has used all the available web space. Only two of the four maps that were included with Growing Greener: Conservation By Design were a posted due to the amount of available web page space. Secretary/Treasurer Dille will inquire about more web space from Embarq.

### **Adjournment**

At 9:36 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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LuAnn M. Dille  
Secretary/Treasurer

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James E. Benner  
Chairman