

Hamiltonban Township Board of Supervisors
23 Carrolls Tract Road, Fairfield, PA 17320
Regular Monthly Meeting Minutes
May 6, 2008

Supervisors Present: Chairman Robert L. Gordon, Vice-chairman James E. Grinder, Road Master Jay Edward Deardorff, Police Coordinator Coleen N. Reamer, and Supervisor James E. Benner

Planning Commission Member Present: Pamela Wiehagen

Staff: Solicitor Matthew Battersby, Police Officer Juanita Larmer, Zoning Officer Milton Nicks, Secretary/Treasurer LuAnn M. Dille, and EMA Coordinator Donald Wills, Jr.

Public: Joe Benchoff, David Benner, Howard and Jean Cline, Tammy Deardorff, Marcia Harmon, Butch Harbaugh, Jesse Myers, Barbara Nicks, Dale and Doreen Premo, Terry Reamer, Peggy Reeher, Bill and Brenda Rigby, Edward Richardson from Liberty Tower's, Harry Rood, Timothy Sensensey, Corey and Carey Sites, Dustin Smith, Tucker Lahr from Launch Wireless, Douglas Woerner, and Rick Fulton from the Gettysburg Times

Chairman Gordon called the meeting to order and welcomed the public to the meeting.

Chairman Gordon announced that there were two Executive Sessions for personnel concerns and one Executive Session concerning a police matter with Liberty Township Police Chief Then.

Police Coordinator Reamer read a statement concerning Glatfelter Tree #1. This will be included as an attachment to the minutes.

Approval of the Minutes

Supervisor Benner made a motion to approve the regular April 1, 2008 Board of Supervisors Meeting minutes, and the April 24, 2008 Board of Supervisors Workshop meeting minutes, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Public Comment

Carey Sites of 1055 Old Waynesboro Road, Fairfield would like to apply for a Customary Home Occupation permit for a licensed day care for six children or less. She has successfully completed the Universal Construction Code (UCC) Inspection. Cory Sites of the same address would like a Customary Home Occupation Permit to allow him to have a business office in their house for his siding company. Supervisor Benner made a motion to allow Mr. and Mrs. Sites' Customary Home Occupation Permits for a day care and business office in their home at 1055 Old Waynesboro Road, Fairfield with one sign, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Marcia Harmon of 525 Cold Springs Road, Gettysburg, PA questioned if Charles Grimm of 523 Cold Springs Road, Gettysburg, PA was allowed to open an inspection

garage business and if he obtained permits for a sign, and the garage he just built. Zoning Officer Nicks did issue Mr. Grimms a building permit for a garage and the garage has passed the UCC inspections. Mr. Grimms was denied a Customary Home Occupation at the Board of Supervisors meeting on December 4, 2007. He was to work only on his personal vehicles. Zoning Officer Nicks has written a correspondence to Mr. Grimm concerning these issues. This was sent certified mailed on April 24, 2008 but the Township has not received notice of Mr. Grimm signing for the correspondence. According to Hamiltonban Township's Zoning Ordinances Mr. Grimm's business is not permitted in an Agriculture Zoning District. Mr. Grimm is to cease his business activities and remove his sign.

Zoning Officer Nicks stated Launch Wireless would like to install a second carrier on the 10 Scotch Trail/BB Section cell tower. A representative from Launch Wireless will be arriving later to this meeting, he is at another commitment. Mr. Lahr arrived later to the meeting. This additional carrier is allowed per the original cell tower approval. Martin and Martin, Inc. Tim Cormany is aware of this request and believes it is acceptable per Hamiltonban Township's Cell Tower Ordinance. Mr. Lahr stated all work would be completed per Hamiltonban Township's current ordinance requirements. Launch Wireless is part of Shendel/ PPS/Sprint. This company may also be a carrier on the proposed Liberty Towers cell tower off French Lane, Fairfield. Others sites are also being considered.

Brenda Rigby of 10 McGlaughlin Lane, Fairfield had complaints about Tom's Gas Station in Towne Center at 4910 Fairfield Road, Fairfield. Mrs. Rigby stated there is a lot of noise from Tom's, people walking on their yard to get to Tom's, the lights are bright in her yard, there is a drainage pipe, the trash hauler pick-up is 4:00 AM and sometimes the parking lot is power washed between 12:00 AM to 3:00 AM. It is so noisy that she can not enjoy her deck. Police Coordinator Reamer stated that the Township could request that the owners of Tom's schedule power washing of concrete at a more reasonable hour. Noise Ordinances are very difficult to enforce. Zoning Officer Nicks will consult with the owner of Tom's to try to resolve these concerns.

Planning Commission

Supervisor Benner made a motion to allow the Coppola/Senseny Lot Addition Plan be considered as a preliminary/final plan and to preliminary/final approve the Coppola/Senseny One Lot Addition Plan, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Chairman Gordon made a motion to accept Charlene Grinder's resignation from the Planning Commission, seconded by Police Coordinator Reamer. The Board unanimously approved this motion. The Township will be looking for someone to fill the position. Volunteer forms are on the front room table with the other meeting correspondences.

Solicitor's Report

Solicitor Battersby stated there was a conditional hearing on the proposed cell tower off French Lane, Fairfield. Two possible conditions could be: bonding for the private road, painting of the structure per Hamiltonban Township's Ordinance. Chairman Gordon made a motion to approve the proposed cell tower off French Lane, Fairfield as long as the applicant complies with Hamiltonban Township's Zoning Ordinance, Article

III, Section 316 on Commercial Wireless Telecommunications Service Facilities, Subdivision and Land Developments Ordinances, and that Planning Commission completes a site inspection for screening, painting or any other conditions. Supervisor Benner seconded this motion. The bonding for the private road has yet to be determined by Martin and Martin, Inc. or by the Road Master Deardorff. Police Coordinator Reamer stated she is disappointed in that the rest of the Township will not benefit from this tower and there are no plans for a tower on the other side of the Township. The cell tower's land development plan has not been submitted to date.

Chairman Gordon made a motion to adopt Zoning Ordinance 01-2008 historical sign markers and placement of building permits, seconded by Supervisor Benner. The Board unanimously approved this motion.

Chairman Gordon made a motion to adopt Subdivision and Land Development Ordinance 02-2008 relating to definitions, plan submission and review requirements, flag lots, street construction criteria, dead-end streets, private roads, dedication of park and recreation land or payment of fees in lieu of, curbs and sidewalks, bridges and stream encroachments and mobile home parks, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Chairman Gordon made a motion to adopt Ordinance 03-2008 addition to the Hamiltonban Township's Well Ordinance for artesian wells, seconded by Vice-chairman Grinder. The Board unanimously approved this motion.

Chairman Gordon made a motion to adopt Resolution 15-2008 List of Existing Private Roads, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Chairman Gordon made a motion to adopt Resolution 16-2008 Greater Ortanna Investment Group/Old Orchard Farm Escrow Account, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Police Coordinator Reamer made a motion for Solicitor Battersby to proceed with updating several ordinances involving the police department. The corresponding fees schedules will be established by resolution. Vice-chairman Grinder seconded this motion. The Board unanimously approved this motion.

Solicitor Battersby suggested increasing the fees for conditional use hearings and zoning hearings.

Police Coordinator Reamer made a motion to have Solicitor Battersby advertise the intent of the Board of Supervisors to adopt the new pension ordinances for the uniform and non-uniform pensions and agreements to appoint PMRS as the new pension provider at the June 3, 2008 Board of Supervisors meeting, to be effective July 1, 2008, seconded by Chairman Gordon. The Board unanimously approved this motion.

Zoning Officer's Report

Zoning Officer Nicks gave the following April 2008 Zoning Officer's Report. He issued eight permits. He issued one permit for each of the following: a Customary Home Occupation Permit, a Well Permit, a Use and Occupancy Permit, a finished home permit, a deck, an enclosed deck, a change of roof pitch with a demolition permit, and a shed. He attended the public Board of Supervisors, and Planning Commission meetings. He met with Solicitor Battersby for a variety of zoning concerns. He had a meeting with Adams County Conservation District, Exit Reality, and Camp Eder. He completed inspections at

Grimm's Business, Murphy's house with Land and Sea, LLC, the Barrow's and the Bennett's property.

Police Officer Larmer and Zoning Officer Nicks have at least five complaints involving junk and abandon cars to inspect and to resolve those issues.

Zoning Officer Nicks wrote a correspondence to Mr. Grimm concerning his non-permitted business at 523 Cold Springs Road, Gettysburg, and to Exit Reality concerning the Use and Occupancy Permit for 30 Mount Hope Road, Fairfield. He has posted the properties for the French Lane cell tower's conditional use hearing. Fairfield Area School District is proceeding to remove the old farm buildings on school property. Walter Loque, owner of the house, at 30 Mount Hope Road, Fairfield is still having problems with Middle Department Inspection Agency (MDIA). MDIA needs to complete the final inspection and then issue their Use and Occupancy Permits.

Jack and Barbara Johnson of 28 Fairfield Station Lane, Fairfield have been issued the proper permit for a temporary housing trailer and other permits to re-build their house after the recent fire. Land and Sea, LLC. will complete the UCC inspections.

Zoning Officer Nicks has documented all currently installed signs in the Township. He has documented the locations, lettering, size and has taken digital pictures. He has a copy of the pictures and the office has a CD of the digital pictures on file. He is in the process of marking a Township map with the locations.

He created a new earth disturbance form.

Zoning Officer Nicks worked 57.5 hours, traveled 357 miles, had 50 telephone calls and telephone charges of \$12.49. Zoning Officer Nicks would like to purchase four non-break-a-way posts that the Township can not use for \$10.00. Supervisor Benner made a motion to approve the April 2008 Zoning Officer's Report, seconded by Vice-chairman Grinder. The Board unanimously approved this motion.

Treasurer's Report

Supervisor Benner made a motion to adopt Resolution 17-2008 Account balance changes from the General Account Budget to the State Liquid Fuels Fund Budget, seconded by Chairman Gordon. The Board unanimously approved this motion.

General Account	Income	Expenses	Transfer	Balances
ACNB Checking	\$152,248.71	\$71,317.13	\$72,000	\$ 12,075.34
ACNB Saving	5.61			20,949.67
PLGIT	150.05		72,000	152,777.36
PGLIT CD	894.79			<u>98,000.00</u>
Total Current Assets				\$283,802.37
Sewer Account				
ACNB Checking	\$1,012.50	\$784.45		\$2,164.07
ACNB Saving	1.66			6,217.43
PLGIT	7.52			<u>6,802.19</u>
Total Current Assets				\$15,183.69
State Liquid Fuels				
PLGIT	\$10.86		\$20,509.00	\$ 22,520.98
PLGIT Emergency	28.17			5,288.57
PLGIT Short-term				<u>111,452.00</u>
Total Current Assets				\$139,261.55

FEMA

ACNB Checking	\$82,633.27	\$87,457.35
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Chairman Gordon made a motion to approve the April 2008 Treasurer's Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Approval of Expenditures

Police Coordinator Reamer made a motion to approve the April 2008 Expense Report, seconded by Supervisor Benner. The Board unanimously approved this motion.

Secretary's Report

No report at this time. Police Coordinator Reamer made a motion to approve no report from the Secretary, seconded by Chairman Gordon. The Board unanimously approved this motion.

Police Report

Police Officer Larmer gave the following April 2008 Police Report. She had 48 service calls, two arrests, three investigations, six criminals, 24 traffic citations plus six others. She traveled 1,059 miles used 88.5 gallons of fuel for 11.97 miles per gallon of fuel.

Police Coordinator Reamer made a motion to approve reimbursing Liberty Chief Then \$19.00 for parking on May 5 and 6, 2008 when he and Officer Larmer attended school violence, school terrorism and NIMS training in Harrisburg, PA, seconded by Vice-chairman Grinder. The Board unanimously approved this motion. Officer Larmer believes this training would be beneficial for the Fairfield Area School District personnel to attend.

Solicitor Battersby was directed to proceed with an inter-municipal police agreement with Liberty Township. There would be no financial obligation just assistance between police departments. All fees and citations would be allocated to the home police department.

On May 8 and 16, 2008 there were special police details in front of the Fairfield Area School District with the assistance from the Adams County Sheriff's Department, Constable Harrison, Liberty Township Police Department and Carroll Valley Borough Police Department. The detail used Carroll Valley's Enradd speed timing device. Thank you correspondences will be mailed to all municipalities involved.

Road Master Deardorff made a motion to approve the April 2008 Police Report, seconded by Supervisor Benner. The Board unanimously approved this motion.

EMA Report

On May 9, 2008 EMA Coordinator Wills and Police Coordinator Reamer will be attending a Penn-DOT meeting at the Gettysburg Armory. EMA Coordinator Wills stated that FREMA representative/Fairfield Mayor Robert Staley has contacted a Highland Township supervisor to see if Highland Township is interested in joining FREMA. Supervisor Benner made a motion to approve the April 2008 EMA Report, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Road Report

Road Master Deardorff gave the following April 2008 Road Report:

1. Delineators and signs have been installed where needed. The Township is in sign compliance where needed. Signs are being replaced with the new series reflective signs. Red delineators are marking cross pipes. White delineators are marking turns and for visibility.
2. The tractor/mower has been serviced and prepared for Spring/Summer mowing.
3. There was a tree down near 1888 Cold Springs Road, Fairfield on April 21, 2008 around 6:00 AM. The tree was cleared off the road by 7:00 AM.
4. Cold patching has been done where needed and will continue to be patched as needed. These pot holes only appear on eight miles of roadways that have not been reconstructed/repaved in the last 10 ½ years.
5. On a section of Old Route 16/Old Waynesboro Road the Road Crew started the first stage of sub-base and base work where needed for a repaving project. The Road Crew cut needed sections and removed the old asphalt surface. Re-basing was completed using large course aggregate for springs and water problems and 3A sub-base stone compacted to road grade. Outside contractor cost for this project would have cost around \$20,000. The Township's only cost is for the aggregate. The Township cleared a blind turn to improve visibility. For the stabilization of this area Fairfield Landscaping donated the seed and straw at a value of \$45.00. After a few days the Township will secure this area's surface with a layer of screenings compacted.
6. The road will be ready for an asphalt project of 1 ½ inches of 9.5mm leveling/wearing course compacted and the crown lessened –making as much as five inches to six inches on the edges. The Township should be able to go past the bridge to next mailbox past Tunnel Lane, Fairfield.
7. All rebuilt areas need to have a scratch coat under laid before the leveling/wearing course application.
8. State Liquid Fuels Funds would be used to pay for this project.
9. On Old Route 16 the Road Crew removed old ground level guide rail, which was not to current code and replaced with delineators at the culvert above the rest home.
10. Currently ISP, Inc. is rebuilding their private entrance. This does not involve Old Route 16/Old Waynesboro Road.
11. The Road Crew will be moving to the BB Section on Wednesday and Thursday and will return to Old Route 16 on Friday.
12. Road Master Deardorff thanked Milton Nicks and Donald Wills, Jr. for flagging services.
13. The Road Crew removed a tree from under the bridge at Zoo Road. It was wedged under the bridge in the stream.
14. Road Master Deardorff met with Pastor Robert Costello of Liberty Worship Center. They have a preliminary plan initiative for their 12,000 square foot building. This plan will be coming to Planning Commission in the next few months.
15. In the past 10 ½ years as the Hamiltonban Township Road Master the Township has re-constructed 22 miles of road, which is 2.2 miles average per year.

16. The FEMA payment has been approved from the rain storm of June 2006 that damaged Cold Springs Road, Fairfield along with a couple of areas on other roads.

Road Master Deardorff stated he has always responded to the Township 24/7 for the last 10 1/2 years.

Road Master Deardorff made a motion to advertise the bids for aggregate and fuels, seconded by Supervisor Benner. The Board unanimously approved this motion.

Supervisor Benner made a motion to advertise for a road crew employee to replace Robbie Kauffman, who resigned as of May 1, 2008, seconded by Road Master Deardorff. The Board voted on this motion. Supervisor Benner and Road Master Deardorff voted in favor of the motion with Chairman Gordon, Vice-chairman Grinder and Police Coordinator Reamer opposing. The motion was not approved.

Vice-chairman Grinder questioned a culvert/ditch cave-in on Cold Springs Road that occurred a month ago. Road Master Deardorff responded by stating there are three culverts, which need to be replaced with concrete walls in that area. Hopefully this will be discussed during the Spring Road Inspection.

Three bids were obtained for a riding lawn mower from OGG Equipment Co., Polaris Gravely, and Harrington and Sons. Chairman Gordon made a motion to purchase a ZT2950 Gravely Rider Zero Turn 22hp Kohler engine, with a 50-inch mowing deck for \$3,090.00 from the lowest bidder Harrington and Sons, seconded by Supervisor Benner. The Board approved this motion with Vice-chairman Grinder not voting.

Chairman Gordon made a motion to hire a full-time road foreman, with one full time road crew employee, seconded by Police Coordinator Reamer. The current employee John Harbaugh will be consulted as to determine what the Township needs to advertise for, and what the current worker could provide. Chairman Gordon acknowledged Road Master Deardorff for his 10 plus years of service to the Township and the community. Chairman Gordon believes this is the proper time for the Township to hire a full time road foreman. This is a difficult decision and the Board is not in complete agreement with this change. Road Master Deardorff is willing to continue to serve as road master, but the opportunity is now to try a new avenue. Hopefully this will work. The Board of Supervisors and the taxpayers will need to deal with this. Police Coordinator Reamer believes financially the Township will be at the same or less cost. She believes it will save the Township funding and it will provide the Township with eight hours per day supervision instead of a call in/check in. Road Master Deardorff responded by stating he has been available 24/7 for the last 10 1/2 years. He was appointed in January as road master for this year. Now because a township employee has left you are telling me my two and half hours I spend a day and 24 miles daily becomes nothing. Police Coordinator Reamer stated she brought this up at last year's budget discussion meeting that if the Township would lose an employee in the future that the Township should look at a full time supervisor. Supervisor Benner stated that Road Master Deardorff has gained a lot of knowledge in the past 10 plus years. There were many comments made from the public supporting the current division of labor and Jay Edward Deardorff.

Supervisor Benner made a motion to table the first motion which was to create a full time road foremen position, seconded by Road Master Deardorff. Supervisor Benner and Road Master Deardorff voted in favor of the motion. The motion failed with

Chairman Gordon, Vice-chairman Grinder and Police Coordinator Reamer opposing the motion.

There was a vote on the motion to advertise to create/hire a road foreman position. The Board of Supervisors will consult the current employee, John Harbaugh, to ask him to determine what the Township should advertise/hire. This motion was approved with Chairman Gordon, Vice-chairman Grinder and Police Coordinator Reamer in favor of the motion with Road Master Deardorff and Supervisor Benner voting no.

Zoning Officer Nicks stated there will need to be a job description for the new position. Chairman Gordon stated the Township would create a job description for this position and other employees. The Board will start implementing the personnel policy and annual reviews of employees.

Sewer Report

Road Master Deardorff gave the following April 2008 Sewer Report:

1. There was a tour at the Orrtanna Treatment Plant (OTP) by the Municipal Authority Board, Board of Supervisors and staff. The Municipal Board held an advertised meeting after the tour at the Hamiltonban Township's office at 23 Carrolls Tract Road, Fairfield, PA.
2. Currently Columbia Gas is working on the pipeline. They will not need to remove a section of the OTP fencing.
3. The OTP is operating properly.

Chairman Gordon made a motion to approve the April 2008 Sewer Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

New Business

Police Coordinator Reamer made a motion to adopt a Cellular Telephone Policy, seconded by Chairman Gordon. The Board unanimously approved this motion.

Chairman Gordon made a motion to approve the South Mountain Fire Company's call boxes, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

The Board of Supervisors would like to request that the Adams County Commissioners exonerate Hamiltonban Township's taxes on Hamiltonban Township's property behind 23 Carrolls Tract Road, Fairfield.

Chairman Gordon made a motion for Police Coordinator Reamer and himself to attend the Official Map Training on May 22, 2008 at a cost of \$21.00 each, seconded by Vice-chairman Grinder. The Board unanimously approved this motion.

Old Business

Chairman Gordon stated a cleaning person has been found therefore there is no need to advertise for the position.

Meeting Dates

The next regular Hamiltonban Township Recreation and Park Commission meeting will be May 14, 2008, prevailing time 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA 17320

A Joint Planning Commission and Board of Supervisors Workshop Meeting on May 15, 2008 to discuss updating the sign ordinance, starting at 7:00 PM at 23 Carrolls Tract Road, Fairfield, PA 17320

There is a BB Section Neighborhood Meeting on May 21, 2008, starting at 7:00 PM, at the Fountaindale Fire Company Building on Old Waynesboro Road, Fairfield, PA. The Board of Supervisors has been asked to attend.

The next regular Planning Commission meeting will be May 27, 2008, prevailing time 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA 17320

The next regular scheduled Supervisors Workshop May 29, 2008, prevailing time 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17230

The next regular Board of Supervisors Meeting will be June 3, 2008, prevailing time 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320

Solicitor Battersby asked if the Board of Supervisors would like Supervisor Deardorff to continue as road master until the new position is filled. Chairman Gordon asked Supervisor Deardorff to continue to be road master. Supervisor Deardorff stated he would continue to be the acting road master.

Adjournment

At 9:31 PM Supervisor Benner made a motion to adjourn the meeting, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

LuAnn M. Dille
Secretary/Treasurer

Robert L. Gordon
Chairman