

Hamiltonban Township Board of Supervisors  
23 Carrolls Tract Road, Fairfield, Pa 17320  
Regular Meeting Minutes  
February 6, 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:** Guy Donaldson Planning Commission member, Solicitor Henry O. Heiser, III, Planning Commission Vice-chairman Stephen W. Jacobs, Planning Commission Chairman Curt Musselman, Zoning Officer Milton Nicks, EMA Coordinator Donald Wills, and Secretary/Treasurer LuAnn Dille  
Planning Commission Secretary Pamela Wiehagen arrived at 9:11 PM.

**Public Attendees:** David Baker, David Donaldson, James Hanna from Empire Homes for McGinley's Choice Subdivision Plan, Ronald Kepner from MDIA, Inc., Barbara Nicks, Dale Premo, Harry Rood, and Douglas Woerner

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

Chairman Benner stated that there was an Executive Session on January 31, 2007 for a personnel matter.

**Approval of Minutes**

Supervisor Gordon made a motion to approve the January 2, 2007 Supervisor's Board Meeting Minutes, the January 9, 2007 Workshop Meeting Minutes and the Workshop Meeting Minutes on January 25, 2007 when Planning Commission members were invited, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

**Public Comments**

Ron Kepner made a presentation to the Board of Supervisors as the newly assigned Middle Department Inspection Agency, Inc. inspector. He also distributed new forms he created to improve efficiency.

Supervisor Gordon made a motion to approve the request for extending the review period for the Empire Homes/ McGinley Choice's Subdivision for 90 days until approximately May 8, 2007, seconded by Chairman Benner. The Board unanimously approved this motion. Mr. Hanna stated that the waiver from Section 902.2 for asphalt instead of concrete sidewalks has been withdrawn. Supervisor Gordon made a motion to approve Waiver Request Two from Section 804.3: Application of typical section to include sidewalks buffered by grass with trees and a roadside swale along Union Avenue. The grass buffer will be five feet instead of six feet. Chairman Benner seconded this motion. The Board unanimously approved this motion.

### **Planning Commission**

Planning Commission Chairman Musselman stated that the Planning Commission re-organized at their January 23, 2007 meeting with the officers remaining the same: Chairman Curtis Musselman, Vice-chairman Stephen Jacobs, Secretary Pamela Wiehagen, members Guy Donaldson and William Shriner.

Donaldson Fruit Farm presented two designs for a 54-acre subdivision off Cold Springs Road, Fairfield, PA. The first design included panhandle lots and shared driveways. The Board liked Design Number 2 with a private road as access to four estate size lots. Road Master Deardorff made a motion to grant a waiver for a private unimproved road approximately 1,500 feet long with a turn around at the end, there will be a 50-foot right-a-way with a 20 foot cartway, seconded by Supervisor Gordon. The Board approved this motion with Chairman Benner abstaining. The Board stated that the Donaldson Fruit Farm should proceed subdividing using their second design.

Planning Commission recommends that the following items be included in the Public Hearing on April 12, 2007, starting at 7:00 PM, at the Fairfield Area School District middle/high school cafeteria, 4840 Fairfield Road, Fairfield, PA.:

#### Text Changes

- Growing Greener: Conservation By Design
- Age Qualified Housing
- Water Impact Study
- Agriculture Nuisance Disclaimer
- Review of Plats – increasing the initial submittal time for review from 10 days to 21 days
- Bus Stop Shelter Setback

#### Zoning District Changes

- Hamiltonban Township Maintenance Shop Property at 3759 Bullfrog Road, Fairfield, PA.
- A portion of Murray's property next to Valley Quarries, Fairfield, PA.
- The Mae Woerner Property off Iron Springs Road and Fairfield Road, Fairfield, PA

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

Police Coordinator Reamer made a motion to approve Harry Rood's shared access road agreement as of February 5, 2007, seconded by Supervisor Gordon. The Board unanimously approved this motion.

Chairman Benner consulted with Solicitor Heiser concerning the court ruling on third party inspection agencies for the Uniform Construction Code (UCC). Solicitor Heiser stated you cannot have an exclusive third party agency but the UCC states municipalities must have a single building code officer. This legal issue is still in the court system.

Solicitor Heiser commented that issues related to private roads and bridges are very complex and need to be thoroughly discussed before any decisions are made. He would like to attend the Joint Planning Commission and Board of Supervisors Workshop Meeting on February 15, 2007. Solicitor Heiser stated that Adams County Planning and Development should be consulted on this issue also.

The Township has been finalizing a number of zoning, subdivision and comprehensive plan ordinances changes for Growing Greener: Conservation By Design plus other text and map changes. Because there are proposed comprehensive plan text changes the Municipal Plan Code requires that Planning Commission hold a public meeting before the Board of Supervisors hold a public hearing. This meeting could be held at a regular monthly Planning Commission meeting but because of the large agenda a special meeting could be necessary. Solicitor Heiser, Mr. Cormany and Secretary/Treasurer Dille will draft a timetable. Road Master Deardorff made a motion to request that Planning Commission hold a public meeting for the same items that the Planning Commission is requesting that the Board of Supervisors hold a public hearing. The list includes:

#### Text Changes

- Growing Greener: Conservation By Design
- Age Qualified Housing
- Water Impact Study
- Agriculture's Nuisance Disclaimer
- Review of Plats – increasing the initial submittal time for review from 10 to 21 days
- Bus Stop Shelter Setback

#### Zoning District Changes

- Hamiltonban Township Maintenance Shop at 3759 at Bullfrog Road, Fairfield, PA.
- A portion of Murray's property next to Valley Quarries, Fairfield, PA.
- The Mae Woerner Property off Iron Springs Road and Fairfield Road, Fairfield, PA

Supervisor Gordon seconded this motion. The Board unanimously approved this motion.

The second third party independent audit of the York Adams Tax Claim Bureau records has not been completed yet. Several municipalities including Hamiltonban Township are waiting for the audit results before establishing a re-payment plan.

Adams Conservation District Rusty Ryan is reviewing the Hamiltonban Township Stormwater Management Plan. Other municipalities have made a couple of modifications, which has made it easier for individual home owners to comply with the regulations.

Ron Kepner from Middle Department Inspection Agency, Inc. (MDIA) made a formal verbal request that MDIA be the inclusive inspection agency and building code officer pending the court decision. Road Master Deardorff made a motion to continue using MDIA as the third party inspection agency and building code officer as long as Ron Kepner is the Township's assigned inspector. The Township wants continuity of services. Police Coordinator Reamer seconded this motion. The Board unanimously approved this motion. At 8:51 PM Solicitor Heiser left the meeting. Police Coordinator Reamer made a motion that a correspondence be sent to MDIA stating that the Township wants consistency in the assigned inspector, which presently is Ron Kemper, and will re-evaluated this issue before the end of June 2007, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

### Treasurer's Report

Supervisor Gordon made a motion to approve the February 2007 Treasurer's Report, seconded by Vice-chairman Eckert. The Board unanimously approved this motion. Supervisor Gordon asked a couple of questions of how Quickbooks shows net income and net loss. Secretary/Treasurer Dille will ask Lockwood Business Support Services these questions.

### Approval of the Expenditures

Police Coordinator Reamer made a motion to approve the February 2007 Expenditures, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

| March 2007           | Income      | Expenses    | Transfers | Balances          |
|----------------------|-------------|-------------|-----------|-------------------|
| General Account      |             |             |           |                   |
| ACNB Checking        | \$28,767.76 | \$56,950.37 | \$20,000  | \$20,394.56       |
| ACNB Savings         |             | 12.99       |           |                   |
| 20,853.40            |             |             |           |                   |
| ACNB CD              |             |             |           | 53,573.91         |
| PLGIT                | 891.05      |             | 20,000    | <u>187,389.61</u> |
| Total Current Assets |             |             |           | \$282,211.48      |
| Sewer Account        |             |             |           |                   |
| ACNB Checking        | 195.00      | 2,014.93    | 1,000     | 500.02            |
| ACNB Savings         |             | 3.85        |           |                   |
| 6,180.01             |             |             |           |                   |
| PLGIT                | 52.59       |             | 1,000     | <u>10,336.93</u>  |
| Total Current Assets |             |             |           | \$17,016.96       |
| State Liquid Fuels   |             |             |           |                   |
| PLGIT Emergency      | 21.24       |             |           | 5,004.89          |
| PLGIT                | 42.04       |             |           | <u>9,905.96</u>   |
| Total Current Assets |             |             |           | \$14,910.85       |

### Secretary's Report

It was stated that the elected auditors approved the annual hourly rate increase of 3% for the working supervisors and the Road Master. Supervisor Gordon made a motion to approve the January 3, 2007 Elected Auditor Meeting Minutes, seconded by Road Master Deardorff. The Board unanimously approved this motion. Police Coordinator Reamer and Supervisor Gordon need to complete a health history questionnaire for an insurance rate from Health America Health Assurance. Chairman Benner made a motion to approve the February 2007 Secretary's Report, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

### Police Report

Officer Larmer gave a brief 2006 Yearly Police Report. She handled 560 complaints, had 155 traffic citations, 19 non-traffic citations, and had 53 criminal arrests. She used 2,046.5 gallons of fuel, and traveled 13,785 miles. She has issued fines of \$20,042.00 and as of December 31, 2006, \$16,430.50 has been paid through the court system. Hamiltonban Township has received \$6,214.44 as of year end.

In January Officer Larmer had 46 complaints, two arrests, eight traffic and six criminal citations, eight investigations and issued two warnings. She used 93 gallons of fuel, traveled 1,094 miles for 11.76 miles per gallon of fuels. Four new tires were purchased for the 2000 Ford through State Contract. There is something wrong with the 97 Ford's transmission and it is at Scott's Auto and Transmission for repairs. The electric gas pump on the gasoline tank will be replaced soon. Officer Larmer complimented the Road Crew and Road Master Deardorff for a job well done clearing the Township roads in the recent snow storms. Supervisor Gordon made a motion to approve the 2006 Yearly Police Report and the February 2007 Police Report, seconded by Road Master Deardorff. The Board unanimously approved this motion.

### **EMA Report**

EMA Coordinator Wills reported that he and EMA Deputy Schneider attended NIMS for fire services training on January 27 and 28, 2007. EMA Deputy Schneider attended Incident Command Systems – EOC Interface training on January 13 and 14, 2007. There was an animal HAZ-Mat incident at 150 Zoo Road, Fairfield, PA 17320. Supervisor Gordon made a motion to approve the February 2007 EMA Report, seconded by Road Master Deardorff. The Board unanimously approved this motion.

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

Zoning Officer Nicks gave the following February 2007 Report. He issued 11 permits. One permit for each of the following: a deck extension, a shed, a family room, a lean-to addition to a garage, and a demolishing permit for Fountaindale Fire Company. He issued three Use and Occupancy Permits and three well permits. He attended seven meetings: Supervisors, Planning Commission, Joint Workshop, public and meetings with Land and Sea, Adams County Planning and Development – Strausbaugh's Subdivision, and Labor and Industry - Williams Mellors, private. He completed four inspections: Blatz - final well, Melvin and Thelma Strausbaugh for a land development plan, Shirley Shaffer – not having a proper building permit and with MDIA. He worked 47 hours, traveled 181 miles, had 62 telephone calls and long distance charges of \$12.49.

Supervisor Gordon made a motion to approve Melvin and Thelma Strausbaugh's of 1648 Iron Springs Road, Fairfield, PA. request for one panhandle lot in their three-lot subdivision plan, and for this plan to be considered as a preliminary/final plan seconded by Chairman Benner. The Board unanimously approved this motion.

The Murray's need to submit to the Township the legal description of the property they requested to be rezoned from Commercial Zoning District to Industrial Zoning District.

Shirley Shaffer of 1579 Carrolls Tract Road, Orrtanna, PA had a building permit for a deck. The deck has become an enclosed 90 square foot living space. Zoning Officer Nicks and MDIA Ron Kepner are trying to resolve these issues.

Police Coordinator Reamer made a motion to allow Barry Reecher to use a 15 X 10 POD as temporary storage until May 30, 2007, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Zoning Officer Nicks stated that Knouse Foods, Inc. will be permanently closing to the public their private drive that goes through their property from Orrtanna Road to Carrolls Tract Road, Orrtanna, PA. in the next few weeks for security reasons.

Chairman Benner made a motion to approve the February 2007 Zoning Officer's Report, seconded by Supervisor Gordon. The Board unanimously approved this motion.

### **Road Report**

Road Master Deardorff gave the following February 2007 Road Report:

1. The Road Crew has installed more signs and delineators throughout the Township.
2. The Road Crew installed flood damage control ditches on Barry Fitz's hill on Cold Springs Road, Orrtanna, PA and installed a water level deep well retention pit on the northeast side of the hill to match the previous two deep well pits on the northwest side four years ago.
3. The Road Crew is removing snow and ice as needed.
4. The 82 International dump truck usually has re-occurring problems every storm. Road Master Deardorff suggested purchasing a new dump truck in the next two years.
5. A form fitted canvas has been installed on the 2007 Ford salt spreader and a strobe light for safety on the top of the spreader. The grill strobe lights were not visible enough in storms for safety.
6. Three streetlights were installed at the following locations:
  - Short Cut Route 16 and Jacks Mountain Road, Fairfield, PA
  - Short Cut Route 16 and Route 16, Fairfield, PA
  - On Iron Springs Road at the railroad tracks at Greenstone, Fairfield, PA
7. A fourth street light has begun to be installed at the railroad tracks on Hickory Bridge Road, Orrtanna, PA.
8. Road Master Deardorff distributed the February Storm Removal Cost Report. Total storm removal cost for February was \$14, 426.71

Supervisor Gordon requested that the road sign for Bullfrog Road at Route 116 be replaced. Road Master Deardorff was unaware that it was missing. Supervisor Gordon also requested that the Township install entering Hamiltonban Township signs on every road at the Township's borders. He had a list of roads without signs. Road Master Deardorff will check with Penn DOT for placement of signs on State Roads. He can order signs for the Township roads. Chairman Benner made a motion to approve the February 2007 Road Report, seconded by Supervisor Gordon. The Board unanimously approved this motion.

### **Sewer Report**

Road Master Deardorff gave the following February 2007 Sewer Report:

1. Road Master Deardorff met with Knouse Foods representative on the disposal problem into the Orrtanna Treatment Plant (OTP). Knouse Foods will make employees aware and provide proper signage to educate the employees about what they are putting in the drains and being collected at the OTP.
2. A motor for the Muffin Monster has been located. The motor will be shipped later this week and will be installed on Monday.
3. The OTP is operating fine as long as there are no future clogs from Knouse Foods.

Hickory Bridge Restaurant and Orrtanna United Methodist Church have functioning grease traps. Police Coordinator Reamer asked if there was a log as to when the generator is automatically started and how long it is running. Road Master Deardorff will request this data from Sewer Operator Howard Kessel. A resident of Highland Township is interested in connecting to the OTP. The OTP sewer line runs through their back yard. Sewer Engineer Fred Heerbrandt stated there is capacity. The Supervisors did not see any problem in allowing the property owner to start the procedures to connect to the OTP. The property owner will need an inter-municipal agreement from Highland Township with Hamiltonban Township. Chairman Benner made a motion to approve the February 2007 Sewer Report, seconded by Supervisor Gordon. The Board unanimously approved this motion.

### **New Business**

Chairman Benner made a motion to approve Resolution 04-2007, appointing Virginia Haines of 164 Haines Lane, Fairfield, PA 17320 as the Hamiltonban Township's Tax Collector for 2007, seconded by Police Coordinator Reamer. The Board unanimously approved this motion. Pamela Wiehagen asked if Mrs. Haines was a registered voter. Mrs. Haines name was not on the List of Registered Voters for Hamiltonban Township that Mrs. Wiehagen picked-up at the Adams County Register's Office today. Police Coordinator Reamer responded she must be a registered voter to run for office.

Vice-chairman Eckert made a motion to approve the 2006 Exoneration List per Adams County Tax Assessor's Office, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Police Coordinator Reamer made a motion to submit the Delinquent Per Capita List to J. P. Harris for collection, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Road Master Deardorff made a motion to approve Chairman Benner, Vice-chairman Eckert, Police Coordinator Reamer and Supervisor Gordon to attend "What Every Township Supervisor Needs to Know" training on March 26, 2007 at PSATS office in Enola, PA, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Hamiltonban Township will explore Highland Township becoming a part of Hamiltonban Township. The Adams County Association of Township Officials and Highland Township are co-sponsoring a meeting at Highland Township on March 8, 2007, starting at 7:00 PM to discuss consolidation/merger. Highland Township Supervisors would like to join the Southwest Regional Comprehensive Plan. Road Master Deardorff made a motion for Planning Commission Chairman Curtis Musselman, Supervisor Robert Gordon and himself to be on the committee to represent the Township in exploring Highland Township joining Hamiltonban Township, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Chairman Benner reported that Pennsylvania will not be observing Earth Day this year but that there is now Pennsylvania Clean-up Day on April 21, 2007. Penn Dot will probably continue to collect bags of trash that are cleaned-up from along the highways.

Chairman of Toys For Tots in Hamiltonban Township William E. Eckert, Sr. and the Township received a plaque for collecting 100 toys for Toys For Tots in 2006. Mr.

and Mrs. Larry Schneider were also recognized for their annual contributions to Toys For Tots.

### **Old Business**

The Fairfield Fire and EMS Company Community Room has been reserved for the 90<sup>th</sup> Annual Convention of the Adams County Association of Township Supervisors.

Supervisor Gordon made a motion to include the "Townships Today's News Letter" on the Hamiltonban Township web-site, seconded by Police Coordinator Reamer. The Board unanimously approved this motion. Secretary/Treasurer Dille will ask Harry Rood to place this on the web-site.

### **Next Meetings**

Joint Board of Supervisors and Planning Commission Workshop will be February 15, 2007, starting at 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320.

The next regular Board of Supervisor Meeting will be March 6, 2007, prevailing time 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320.

The next regular scheduled Supervisors Workshop will be February 22, 2007, prevailing time at 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA 17320.

The next regular scheduled Planning Commission meeting will be February 27, 2007, prevailing time 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA 17320.

The Public Hearing for a number of ordinance text and map changes 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.

### **Adjournment**

At 10:24 PM Supervisor Gordon made a motion to adjourn the meeting, seconded by Chairman Benner. The Board unanimously approved this motion.

---

LuAnn M. Dille  
Secretary/Treasurer

---

James E. Benner  
Chairman