

Hamiltonban Township Board of Supervisors
Regular Meeting
23 Carrolls Tract Road, Fairfield, Pa 17320
December 6, 2005

Supervisors Present: Stephen W. Jacobs Chairman, William E. Eckert, Sr. Vice-chairman, Jay Edward Deardorff Road Master, James E. Benner, and Barbara A. Nicks

Others Present: Solicitor Henry O. Heiser, III, Zoning Officer Milton Nicks, and Secretary/Treasurer LuAnn Dille, and Planning Commission Secretary Pamela Wiehagen

Public Attendees: Arthur Hamrick, Rex Benchoff, Joe and Erica Bolin, Thomas Brown, Mark Cummins from Cornerstone, Ray C. Fitz, Jr., Richard Fitz, Josh George from Morris and Ritchie Inc., Eric Gladhill from C. S. Davidson Inc., Robert Gordon, Alex Hayes from the Gettysburg Times, John Huenki, Douglas E. Myers from Camp Eder, David Sites, Dale and Doreen Premo, Barbara Prophet, Coleen Reamer, Phil Roth, and Doug Woerner

Road Master Deardorff thanked Chairman Stephen W. Jacobs for his many years of services and dedication to Hamiltonban Township. The Township is looking forward to his future involvement in Township issues. Chairman Jacobs received a warm round of applause.

Approval of the Minutes

Supervisor Benner made a motion to approve the November 1, 2005 Supervisor's Board meeting minutes seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Public Comment

Rex Benchoff read a correspondence from Martin and Martin, Inc. concerning the Fitz's Three Lot Subdivision Plan along a substandard private road, Kepner Knob Lane. Martin and Martin, Inc. have no objection to this subdivision with the note on the plans. Planning Commission has informally indicated approval of this plan. There are general notes on the subdivision plan. Item One: "One structure (only one) is allowed on the subdivision, on Lot B, only a replacement building." Item Two: "There will be no other structures to be built on these lots in the future." Item Three: "Septic system for Lot B must be approved by the Hamiltonban Township's sewer enforcement officer. A composting type might be used." Item 11: "No future subdivision or development of these properties will be permitted unless frontage is provided on a public road or a road built to Township specifications." Road Master Deardorff made a motion to allow the Fitz subdivision to precede with the notes on the subdivision plan and restated that no future buildings other than replacing the existing, original cabin and no future subdivision be allowed unless a road is built to Township specifications, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Mr. Hamrick of 351 Fairfield Station Road, Fairfield, would like a permit for the use of a truck trailer as a storage unit. There was a discussion if this lot is large enough for proper set-backs with the CSX Railroad's right-of-way. Earlier this year Officer Larmer requested that Mr. Hamrick clean up his yard. Officer Larmer stated that Mr. Hamrick has significantly cleaned up his property but he needs a place to store some of his materials. Vice-chairman Eckert made a motion to approve issuing Mr. Hamrick a permit for the use of a truck trailer/storage box, as long as the proper set-backs can be obtained, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Mr. Hamrick requested guard rails be placed on his property at the curve on Fairfield Station Road. Two weeks ago another vehicle damaged his property. Road Master Deardorff stated that Fairfield Station Road is maintained by Penn Dot; therefore Mr. Hamrick should direct his request to the Penn Dot Office at 1185 Fairfield Road, Gettysburg.

On September 27, 2005 Mr. Bolins of 4336 Fairfield Road, Fairfield, attended the Planning Commission meeting. At this meeting he was told to clean up the manure pile, reduce some of their animals and remove a non-permitted sign. He has been working a lot at his full time job and has not removed the manure pile. He hopes to remove most of the pile this coming weekend. He requested more time from the Township. He and his wife do not like Police Officer Larmer coming to their house checking on the progress of the above items. They stated this is causing their children to cry at night. Officer Larmer stated she has been to the property three times. They thought they could keep a miniature horse as long as the horse is 100 feet from the property line. Mr. Bolins is in the process of having the small lot re-surveyed. Road Master Deardorff asked if a horse is permitted in the Mixed Residential District. Zoning Officer Nicks stated that the animal ordinance is a stand alone ordinance and is not a part of zoning. Officer Larmer stated they were told to reduce the number of animals and foul on their small lot and the fence is too close to the property line. Mrs. Bolins stated that the fencing rule was going to be changed to 10 feet. Road Master Deardorff stated that he remembers that they were going to reduce their number of animals and foul and the Township would consider a 10 foot set back instead of the 25 feet because this is a small lot. Chairman Jacobs asked Solicitor Heiser if the set back can be waived. He will research the animal ordinance. Vice-chairman Eckert and Road Master Deardorff stated let us work something out the first of 2006 between this couple, the Board members, Officer Larmer, and Solicitor Heiser. Road Master Deardorff stated that the Bolins' must remove the manure piles.

Mr. Thomas Brown stated he would like the Board to review the Animal Ordinance because he feels that it has lots of problems and should be looked at again.

Mr. Sites gave a presentation for his company's plans for the property at Route 116 and Iron Springs Road, Fairfield, the former May White Woener property. Phase One could be a 80,000 to 100,000 square foot multi phase service center with a full service grocery store as an anchor in three to five years with completion in ten years. This could mandate 25 equivalent dwelling units (EDU's) in ten years. In twenty to thirty years his company may build a possible a senior community/village concept/adult center with 300 EDU's. This community hopefully would be pedestrian/community friendly. The residents would walk to the commercial center, the school or downtown Fairfield. At some point the intersection at Route 116 and Iron Springs Road needs to

become a friendly standard intersection design. This may have shops on the ground level with apartments above. This community may have a more vertical look than horizontal look. In the near future the Fairfield Municipal Authority will be expanding for the Empire Home Development. Now is the time for Hamiltonban Township and businesses to plan for future water and sewer capacity. To date Hamiltonban Township has not requested any additional water and sewer capacity for the future. According to Mr. Sites now is the time to plan for the future. It would be wise for the Township and him respectfully to fund a future expansion plans for the "new" sewer plant for needs five, ten and twenty years from now. He will be responsible to fund the engineering cost of the expansion needed for his project. Mr. Sites immediate needs are 15 EDU's up to 25 EDU's and long term for 300 EDU's. Road Master Deardorff stated there are other businesses and areas in the Township that may need future EDU's. Solicitor Heiser read from a legal document concerning the Fairfield Municipal Authority and Empire Homes expansion. Solicitor Heiser stated he is David Sites attorney and in the past, he does not believe there is a conflict of interest.

The Township Supervisors needs to decide how many units will be needed in the future by design not construction. Mr. Sites would be responsible for the cost involved with his projects. If anyone connects to his line they would be responsible to reimburse him as it is documented in the law. Mr. Sites needs to commit to a certain number, 30 EDU's, but tentatively planning for the future EDU's. Fairfield Borough should also plan for the Polly's and Landis's Farms. Hamiltonban Township should think about the other large farms in the Township being developed five, ten, twenty years from now. Road Master Deardorff restated that the Township should draft a correspondence to the Fairfield Municipal Authority requesting expansion for developments in the Township with the cost being evidentially funded by the future developers. Now is the time to plan the design for expansion. It was generally agreed to have a workshop to include the Fairfield Municipal Authority, Hamiltonban Township Supervisors, Empire Homes and any other developers (to include David Sites) who may be interested in the future expansion in the Hamiltonban Township and Fairfield area that would unitize the new proposed water treatment and sewer plant. Mr. Sites made a statement that long-standing property owners need to be included in any discussions. It is not fair that new property owners can change the area without input from the long term property investors.

Planning Commission

In 2001 a land addition from Phil Roth/ Apple Valley Farms II to Camp Eder was approved by the Board of Supervisors. Camp Eder never filed the plan with Adams County. Tim Cormany of Martin and Martin, Inc. has reviewed the plan for the current Township's Ordinance. He stated that there are no significant changes needed to the old plan. Vice-chairman Eckert made a motion to re-approve the Apple Valley Farm II land addition to Camp Eder, seconded by Road Master Deardorff. The Board unanimously approved this motion. Chairman Jacobs re-signed the plan and gave it to Mr. Myers representing Camp Eder. Chairman Jacobs instructed Mr. Myers to file the plan with Adams County within the 90 days.

Planning Commission Chairman Musselman read a correspondence summarizing the denial of the Gauss/Fjordlea Subdivision Plan. There are concerns with the panhandle lot, right-of-way across the stream, and shared driveways. Martin and Martin,

Inc. and Adams County Planning Commission recommended denying this plan at this time. Solicitor Heiser stated that the correspondence is correct but to add the specific ordinances in non-compliance. Road Master Deardorff made a motion to deny the Gauss/Fjordlea Subdivision Plan as recommended by the Hamiltonban Township's Planning Commission, and supported by reviews from Martin and Martin, Inc correspondence dated November 21, 2005 and Adams County Planning and Development correspondence dated October 24, 2005. This motion was seconded by Supervisor Nicks. Mr. Gladhill representing the Gauss Family stated this plan has been discussed at a couple of meetings. The Gauss Family is willing to make changes to get this plan approved. Solicitor Heiser commented on allowing the Gauss more time to improve upon their plan. Road Master Deardorff withdrew his motion. Road Master Deardorff made a motion to extend the plan approval date until the February 3, 2006 Supervisors Board meeting, as long as a written request is received at the Township for an extension, seconded Vice-chairman Eckert. The Board unanimously approved this motion.

Solicitor's Report

There needs to be a short special meeting to pass a resolution for the York/Adams Tax Bureau. Solicitor Heiser will advertise the meeting. Solicitor Heiser requested the Board have an Executive Session to discuss a legal issue. At 8:38 PM the Board had an Executive Session to discuss a legal issue and a personnel issue. The Board returned at 8:59 PM.

Treasurer's Report

Vice-chairman Eckert made a motion to approve the November 2005 Treasurer's Report, seconded by Supervisor Nicks. The Board unanimously approved this motion.

December 2005	Revenues	Expenses	Transfers	Balances
General Account				
ACNB Checking	\$19,158.35	\$57,351.97	\$40,000	\$ 9,950.62
ACNB Savings	14.72			21,329.58
ACNB CD				51,861.98
PLGIT	613.85		40,000	<u>149,654.63</u>
Total Current Assets				\$232,796.81
Sewer Account				
ACNB Checking	420.00	5,379.19	4,500	\$ 473.42
ACNB Savings	6.28			9,098.74
ACNB CD				145.33
PLGIT	73.08		4,500	<u>19,185.36</u>
Total Current Assets				\$28,902.85
State Liquid Fuels Account				
PLGIT	7.54	231.06		\$ 2,114.84
Emergency PLGIT	14.63			<u>4,741.61</u>
Total Current Assets				\$ 6,856.45

Approval of Expenditures

Supervisor Benner made a motion to approve the November 2005 Expenditures, seconded by Supervisor Nicks. The Board unanimously approved this motion.

Secretary's Report

The Business office is on an automatic delivery schedule with Shipley Energy. The office did not have any oil on Monday, December 6, 2005. Shipley made an emergency delivery and restarted the furnace.

The cost for a one-hour fire insulated four-drawer cabinet is \$1,099. The cost for a two-hour fire insulated four-drawer cabinet is \$1,799. Supervisor Nicks suggested fire proofing the room, because of the many filing cabinets needed for the amount of files and records the Township has and must keep. The current walls are solid concrete blocks. Road Master Deardorff made a motion to obtain cost estimates to make the second storage room fire retardant. This motion was seconded by Supervisor Nicks. The Board unanimously approved this motion.

Supervisor Nicks made a motion to appoint Lockwood Business Support Service to conduct the 2005 Audit for the General Account, the Sewer Account and the State Liquid Fuels Account and complete the proper filing for the Commonwealth of Pennsylvania, seconded by Supervisor Benner. The Board unanimously approved this motion.

Supervisor Nicks made a motion to appoint the certified public accounting firm of Musselman and Creager to conduct the 2005 Sewer Account loan audit as mandated by the Commonwealth of Pennsylvania, seconded by Supervisor Benner. The Board unanimously approved this motion.

Police Report

Officer Larmer gave the following November 2005 Police Report. She had 60 complaints, eight investigations, 17 traffic citations, five warnings and two criminal citations. She traveled 1,345 miles, used 116.5 gallons of fuel at 11.55 miles per gallon. Myers Electric repaired a ground line on the rotation lights and added an assist battery to the 2000 Crown Victoria Police Vehicle. Today the 1997 Ford Crown Victoria Police vehicle vascar unit stopped functioning. Today was also the scheduled YIS, Inc. vascar calibration. The serviceman removed the unit and will try to repair the vascar unit at the YIS, Inc. shop. She added one quart of oil to the 2000 Ford Crown Victoria. Officer Larmer stated that she is writing citations under obedience to traffic device instead of under the new school zone. With either of the fines the Township receives the same small funding but the violator does not receive points against their driving record. This is also reducing the number of hearings Officer Larmer must attend. The new Kodak digital camera is producing wonderful pictures. It has been used a lot with the Moore's and the Indian Trail Inn situations. The Road Crew used once to document a driveway/road condition. Supervisor Benner made a motion to approve the November 2005 Police Report, seconded by Road Master Deardorff. The Board unanimously approved this motion.

EMA Report

EMA Responder Coordinator Wills reported on a traffic accident incident at the intersection of Route 16 and Harbaugh Valley Road on November 28, 2005. Several bags of oil absorbent were used because traffic on Route 16 spread the 30 to 50 gallons of diesel fuel down Route 16. A skid of oil absorbent has been purchased. Vice-chairman Eckert requested that 20 bags of oil absorbent be kept at the Fountaindale Volunteer Fire Company because there are several accidents along Route 16. Chairman Jacobs thanked EMA Responder Coordinator Wills for his report and following through with the proper written report.

Road Report

Road Master Deardorff gave his eight year summary presentation as road master. He stated that the Township has reconstructed and resurfaced 60% of the Township's roads. He stated new cross pipes have been installed when needed, side ditches have been improved to allow the flow of stormwater away for the Township's road surfaces. The Township has rebuilt Gum Springs Road, back of Mount Hope Road, then the front of Mount Hope Road to Virginia Mills, the Village of Orrtanna's Main Street, Cold Springs Road from Deer Trail to Newman Road, Moritz Road, and the worst areas on Old Route 16. The BB Section has been repaired when needed. Seal coating has been completed on Lower Mount Hope Road, Bullfrog Road to Route 116, Newman Road, and Baker Road. The Township has also completely reconstructed and re-ditched the dirt roads- Knox Road and Newman Road. Several intersections have been opened creating better visibility. Streetlights have been installed on several very dark intersections and there will be more installed in the future. He has established a good working relationship with the Borough of Carroll Valley, Franklin and Highland Townships.

Hamiltonban Township timbered the Sewer Plant wood land and acquired grant to update the Orrtanna Treatment Plant. New lines, pumps, baffles, aerators and new valves have been installed to increase and maximize the plant. The Township also built an above ground work station building where daily tests are completed. This building improved the safety for the sewer operator.

Hamiltonban Township has developed a very good police department to handle domestic, student, family, and code problems along with minor traffic control. We must continue to work together as a union to manage and control our growth. Growth will increase our tax base putting less of an increase burden on current tax payers.

Road Master Deardorff gave the following November 2005 Road Report.

1. Road signs and delineators have been replaced.
2. The Township has sufficient ice melt, anti-skid and salt for three storms.
3. The yellow dump truck had some important major repairs.
4. The new Peterbilt dump truck had a major problem Sunday, December 4, 2005. The Township's dedicated employee Robbie Kauffman stayed Sunday and with Bob Hamner from Hamner's Garage locating the problem. A part was ordered and installed Monday. Mr. Hamner responded to Newman Road within one hour of the call on a snowy Sunday morning.
5. The Annual Shop Inventory has been completed.

Sewer Report

Road Master Deardorff stated the Orrtanna Treatment Plant is running properly at this time. There is a problem with the old affluent pump. It will need to be replaced soon. There are two affluent pumps; the other one was replaced a few years ago. Last year the two effluent pumps were replaced. The problem became apparent with the two and half inches of rain and when Lagoon Two was drained for the biannual cleaning. The old pump can not keep up with the newer pump and will shut off. Road Master will be obtaining an estimate to replace and install this affluent pump from L/B Water Service for the next Board meeting.

Road Master Deardorff made a motion to hire John A. Harbaugh of 25 Mountain Lane, Fairfield, PA as a full time employee, at \$12.50 per hour with the normal Township's benefits. He must pass his CDL license examination which is scheduled the end of December 2005. Mr. Harbaugh would be starting full employment mid-January 2006; he will be replacing Jack L. Ringler. Mr. Ringler gave his two week notice effective December 16, 2005 close of business. This motion was seconded by Supervisor Benner. The Board unanimously approved this motion. Road Master Deardorff will assist the Township in the interim because he has his CDL license. After Mr. Harbaugh obtains his CDL license he may assist the Township on part-time bases.

Road Master Deardorff made a motion to increase Robbie Kauffman's hourly wage by \$1.00 to \$14.08 with the already Budgeted 3% raise effective January 2006, seconded by Supervisor Benner. The Board unanimously approved this motion. Road Master Deardorff stated the Township can not afford to loss another employee at the beginning of snowplow season. Mr. Kauffman saves the Township funds because of his mechanical abilities.

Chairman Jacobs praised Road Master Deardorff on the accomplishment of improving the Township's roads over the last eight years. Chairman Jacobs made a motion to approve the November 2005 Road Report, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Zoning Officer's Report

Zoning Officer Nicks gave the following November 2005 Zoning Officer's Report. He issued nine permits. Two permits were for two accessory buildings, seven use and occupancy permits were issued, and one extension permit was issued. He attended three meetings; Supervisor's Board and Planning Commission meetings public, and a meeting with Harry Taylor of Middle Department Inspection Agency. He completed 10 inspections between the Moore's and Nicholas' properties for the court cases. He went to the Hamrick's property concerning room for another storage structure and to the Naugle's property on Cold Springs Road for a demolition permit issued in the past. He reported back to Solicitor Heiser after inspecting the Moore's and Nicholas' properties. He had 52 telephone calls. Zoning Officer Nicks worked 31.25 hours, traveled 205 miles and had telephone charges of \$6.25.

Someone from Camp Eder called him asking if some of their volunteers could park their RV's at Camp Eder and could they be allowed to connect to the Camp's sewer plant. He referred the question to KPI, Inc., the Township's Sewer Enforcement Officer. December 15, 2005 is Carl Bower, Jr.'s District Justice Hearing. Since Coleen Reamer

was elected to the Board of Supervisors there is an opening on the Zoning Hearing Board. Zoning Officer Nicks suggested Dale Premo. He has past experience in Texas. Mr. Premo would be willing to serve and would like to give back to the community. Secretary/Treasurer Dille stated that Carroll "Duke" Martin is also interested in serving on the Zoning Hearing Board. The Board will decide whom to appoint at the re-organization meeting on January 3, 2005. Vice-chairman Eckert made a motion to approve the November 2005 Zoning Officer's Report, seconded by Road Master Deardorff. The Board unanimously approved this motion.

New Business

Road Master Deardorff suggested that the Board consider contracting next year with William L. Latchew Company for the commonly used nuts and bolts for the Township's equipment. He believes this would benefit the Township. The Road Crew would have less down time when equipment breaks.

Vice-chairman Eckert made a motion to accept the resignation of Robert Gordon from the Auditing Board and Coleen Reamer from the Zoning Hearing Board, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Carol Leaman of 1564 Carrolls Tract Road, Orrtanna, has been appointed by the Adams County Election Board to serve as an elected auditor on the Auditing Board.

Old Business

Road Master Deardorff made a motion to adopt the 2006 Proposed Budget maintaining the same tax rate as last year which is 6.5, seconded by Supervisor Nicks. The Board unanimously approved this motion.

On November 3, 2005 KPI, Inc conducted an inspection at 1434 Carrolls Tract Road/Deist Lane, Orrtanna. At that time it was stated that there is not running water in the house therefore no on-site sewer system is required. The property has a privy "out house"

Chairman Jacobs made a motion for Solicitor Heiser to proceed with the proper advertising so that the Supervisors may adopt of the Well Driller's Ordinance as presented not to include the water study, seconded by Supervisor Nicks. The Board unanimously approved this motion. After adopting this ordinance the Township will need to appoint someone to enforce the standards set forth in the ordinance.

Next Meetings

On December 8, 2005 at 6:30 PM there is a special workshop meeting on the Land Conservation District Overlay, at 23 Carrolls Tract Road, Fairfield, PA.

The Re-organization and next regular Supervisor's Board Meeting will be January 3, 2005 at 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA.

The Annual Auditor's Meeting will be January 4, 2005 at 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA.

Adjournment

At 9:41 PM Supervisor Benner made a motion to adjourn the meeting, seconded by Supervisor Nicks. The Board unanimously approved this motion.

LuAnn M. Dille
Secretary/Treasurer

Stephen W. Jacobs
Chairman