

Hamiltonban Township  
23 Carrolls Tract Road, Fairfield, PA 17320  
Regular Board of Supervisors Meeting  
May 5, 2009

**Supervisors Present:** Chairman Robert L. Gordon, Vice-chairman James E. Grinder, Police Coordinator Coleen N. Reamer, Supervisor James E. Benner, and Supervisor Dale J. Premo

**Planning Commission:** Chairman Pamela Wiehagen, Secretary Doreen Premo

**Staff:** Solicitor Matthew Battersby, Secretary/Treasurer LuAnn Dille, Road Master John Harbaugh, Jr., Police Officer Juanita Larmer, Joseph McDowell from Martin and Martin, Inc., EMA Deputy Coordinator Larry Schneider and EMA Coordinator Donald Wills, Jr.

**Public:** Pastor Robert Costello, William Mosser IV, Harry Rood, James Watson, Lionel Whitcomb, and Rick Fulton from the Gettysburg Times

At 7:30 PM Chairman Gordon called the meeting to order and welcomed the public to the meeting. The Pledge of Allegiance was recited.

**Approval of the Minutes**

Supervisor Benner made a motion to approve the April 7, 2009 Board of Supervisors meeting minutes with one typographical correction and to approve the April 30, 2009 Board of Supervisors Workshop Meeting minutes, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

**Public Comment**

Supervisor Benner made a motion to approve a Customary Home Occupation Permit for Lionel and Amanda Whitcomb of 2545 Mount Hope Road, Fairfield, PA to operate a seasonal catering business with a trailer that will be permanently parked and operated at a location outside of the township, seconded by Vice-chairman Grinder. The Board unanimously approved this motion.

Police Coordinator Reamer made a motion to disallow the application of William Mosser IV, resident at 75 Bruners Lane, Gettysburg, PA 17325 for a Customary Home Occupation Permit based on an opinion received from the township Solicitor which stated that retail businesses are not permitted in an Agriculture Zoning District per Hamiltonban Township's Zoning Ordinance, seconded by Supervisor Premo. The Board unanimously approved this motion.

Mr. Watson reported that Liberty Worship Center's Land Development Plan has obtained Adams County Conservation approval. Mr. Watson stated that Liberty Worship Center is continuing their effort to secure a performance bond/Letter of Credit to guarantee the completion of all public improvements. Solicitor Battersby stated that the performance bond/Letter of Credit must be completed before final land development plan approval. This bond will be released when all construction has been completed and the township engineers are satisfied with the post construction review. The plan changes suggested by the Hamiltonban Township Planning Commission have already been made on the latest plan to be submitted to the township, but the plan still needs to be reviewed by the Liberty Worship Center Board.

Mr. McDowell presented the Board of Supervisors with two draft copies of the contract documents for the Hamiltonban Township and the Liberty Worship Center shared driveway bid. The contract document was prepared after consulting the Liberty Worship Center engineer. The only items lacking are some bid dates and the review by Solicitor. The advertisement for the shared driveway bid will be placed in the Gettysburg Times on May 12, 2009 and May 18, 2009, with bid submissions to be opened on June 12, 2009. Although the Board is not required to act upon the bid submissions for a period of 60

days after the date of bid opening, the bid is scheduled to be awarded at the July 7, 2009 Board of Supervisors meeting. All work to be specified must be substantially completed within 90 days from issuance of the Notice to Proceed by Hamiltonban Township. Liquidated damages will be set at \$500 for each calendar day that expires after the 90-day period from the issuance of the Notice to Proceed. Police Coordinator Reamer made a motion to proceed with the shared driveway bid offerings pursuant to Solicitor Battersby's review, seconded by Supervisor Benner. The Board unanimously approved this motion. Mr. Watson asked if it would be possible to allow Liberty Worship Center to install a temporary construction entrance to their property. The church would like to start construction as soon as possible after final plan approval which they anticipate will occur at the June 2, 2009 Hamiltonban Township Board of Supervisors meeting. Mr. McDowell stated that the bid documents will have a notation of the possible construction access by Liberty Worship Center, and he also stated that price per unit of measure or lump sum is the best method for receiving competitive bids. Martin and Martin, Inc. will complete periodic construction inspections of the project.

### **Planning Commission**

Tomorrow, a reminder letter from Planning Commission Secretary Doreen Premo will be mailed to Empire Homes requesting the annual McGinley's Choice Subdivision Phase Plan update.

### **Opening and Awarding of bids**

All bids were opened and read aloud. Supervisor Benner made a motion to accept the Hammaker East, LLC bid for single bituminous seal coating using CRS 2PM with # 8 aggregate in-place to Penn-DOT specification at a cost of \$.928 per square yard for up to a possible 75,000 total square yards, and therefore a possible total cost of \$69,600, seconded by Police Coordinator Reamer. The Board unanimously approved this motion. The only other bid was from Wilson Paving for \$1.10 per square yard for up to a possible 75,000 total square yards with a possible total cost of \$82,500. Police Coordinator Reamer made a motion to accept the bid from McDannell Oil, theirs being the single and only bid, for heating fuel at the 23 Carrolls Tract Road business office, seconded by Supervisor Premo. The Board unanimously approved this motion. Police Coordinator Reamer made a motion to accept the Ferrellgas LP bid for propane fuel for heating the maintenance shop at 3759 Bullfrog Road, seconded by Supervisor Benner. Shipley Energy also submitted a bid for the maintenance shop propane fuel with Shipley's bid being rejected by the Board. The Board of Supervisors unanimously approved this motion. Road Master John Harbaugh suggested that the township request removal from the automatic delivery system. He would prefer to call for delivery as needed.

### **Joint Bids Awarding**

Road Master Harbaugh and Supervisor Premo attended the joint bid opening at the Borough of Carroll Valley business office at 5685 Fairfield Road, Fairfield, PA on April 30, 2009. Police Coordinator Reamer made a motion to accept the single bid for road oils from Hammaker East, LLC seconded by Supervisor Premo. The Board unanimously approved this motion. Police Coordinator Reamer made a motion to accept the single bid for 87 octane gasoline at \$1.5866 per gallon, from Shipley Energy, seconded by Supervisor Benner. The Board unanimously approved this motion. Supervisor Benner made a motion to accept the single bid for Superpave materials, from Valley Quarries, Inc., seconded by Police Coordinator Reamer. The Board unanimously approved this motion. Police Coordinator Reamer made a motion to accept the single bid for single and double line painting from Alpha Space Control, seconded by Supervisor Premo. The Board unanimously approved this motion. Police Coordinator Reamer made a motion to accept the single bid for aggregate, from Valley Quarries, Inc., seconded by Supervisor Benner. The Board unanimously approved this motion. Police Coordinator Reamer made a motion to accept the bid for ultra light diesel fuel \$1.7226 per gallon and low sulfur diesel fuel at \$1.7114 per gallon from Shipley Energy, seconded by Supervisor Premo. The Board unanimously approved this motion.

### **Solicitor Battersby's Report**

Solicitor Battersby requested a joint Board of Supervisors and Planning Commission workshop meeting to review the proposed sign ordinance. Solicitor Battersby reported that Adams County Solicitor, Attorney Hartzell, and the Fairfield Area School District are in the process of hiring an appraisal consultant for the Knouse Foods tax assessment appeal.

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

Supervisor Benner made a motion to accept Zoning Officer Wilbur Slothour's April 2009 Zoning Officer's Report, seconded by Supervisor Premo. The Board unanimously approved this motion. Police Coordinator Reamer requested a 2009 comparison of the cost of the zoning officer's expenses against the income received from permits that have been issued.

### **Code Enforcement Officer's Report**

Supervisor Premo made a motion to accept Dale Gettel's April 2009 Code Enforcement Report, seconded by Supervisor Benner. The Board unanimously approved this motion.

### **Road Report**

Supervisor Benner made a motion to accept Road Master Harbaugh's April 2009 Road Report, seconded by Supervisor Premo. The Board unanimously approved this motion. Police Coordinator Reamer made a motion to contract with Keeney Fire Extinguisher Service in Waynesboro, PA to maintain, inspect, and certify the township fire extinguishers, seconded by Supervisor Premo. The Board unanimously approved this motion. Supervisor Premo and Road Master Harbaugh have purchased the road department's notebook computer, the cost having been previously approved by the Board.

### **Sewer Report**

Police Coordinator Reamer made a motion to accept Road Master Harbaugh's April 2009 Sewer Report, seconded by Supervisor Benner. The Board unanimously approved this motion. The issue of an updated system for winter heating at the Orrtanna Treatment Plant is continuing to be researched.

### **Treasurer's Report**

The Board is continuing to renew Certificates of Deposits for 90 days. Supervisor Benner made a motion to approve the April 2009 Treasurer's Report, seconded by Supervisor Premo. The Board unanimously approved this motion.

### **TABLE**

### **Approval of the Expenditures**

Supervisor Premo stated that the Township will need to renew the domain name and that the best value is to renew for two years. Supervisor Benner made a motion to approve the April 2009 Expenditures and to renew the domain for a two year period, seconded by Vice-chairman Grinder. The Board unanimously approved this motion.

### **Secretary's Report**

Secretary/Treasurer Dille thanked Supervisor Premo and Mr. Rood for the work they have continually performed in maintaining the Hamiltonban Township website. The website is used by many residents to obtain permit forms and to review ordinances. Realtors use the website to confirm zoning districts and what is permitted in those zoning districts. Secretary/Treasurer Dille would like to attend free training sponsored by PennDOT on how to use their new mandated electronic filing system on May 26, 2009 from 12:00 PM to 4:00 PM in Gettysburg, PA. Police Coordinator Reamer made a motion to accept the

April 2009 Secretary's Report, seconded by Vice-chairman Grinder. The Board unanimously approved this motion.

### **Police Report**

Police Coordinator Reamer made a motion to accept the April 2009 Police Report, seconded by Supervisor Premo. The Board unanimously approved this motion.

### **EMA Report**

EMA Coordinator Wills stated that the Evans Delivery Company has not reimbursed the Township for the \$91.00 of expenses from the February 13, 2009 incident when their truck carrying juice concentrate partially overturned at Randy's Pre-owned Cars and Trucks lot. EMA Coordinator Wills and others will be attending the PennDOT Spring Partnership Meeting at the PennDOT Maintenance Facility on May 14, 2009. Also, EMA Coordinator Wills and Police Coordinator Reamer will be attending the Department of Environmental Water Sector Incident Command and National Incident Management System seminar on May 21, 2009 at the Adams County Emergency Operations Center. He also reported that our area fire companies are in the process of updating their Adams County service area box cards. Supervisor Benner made a motion to accept the April 2009 EMA Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

### **Old Business**

Vice-chairman Grinder made a motion to release the Jacks Mountain cell tower construction site performance bond and return the proceeds to Liberty Towers, seconded by Supervisor Benner. The Board unanimously approved this motion.

### **New Business**

Police Coordinator Reamer made a motion to offer a 457 employee contribution pension plan product carried through the PSATS Trustees Fund to the Township staff, seconded by Supervisor Benner. The Board unanimously approved this motion.

Supervisor Benner made a motion to sign the Memorandum of Understanding between the Adams County Conservation District and Hamiltonban Township for the promotion of natural resources on both public and private lands within the municipality in order to manage stormwater runoff; manage activities with floodplain; control accelerated erosion; and prevent sedimentation to the waters of this Commonwealth from earth disturbance activities, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Supervisor Benner made a motion to appoint Pamela Wiehagen as a voting delegate and Doreen Premo as the alternate to the Adams County Earned Income Tax Committee, seconded by Supervisor Premo. The Board unanimously approved this motion.

Police Coordinator Reamer made a motion to continue with the current solid waste contract requirements for the new contract, seconded by Supervisor Premo. The Board unanimously approved this motion. The current contract allows for voluntary solid waste pick-up and recycling plus the Tag-a-Bag Program. The current contract does not include a clause for commercial business.

Supervisor Benner has arranged to have the Adams Rescue Mission (ARM) park a recycling trailer at 23 Carrolls Tract Road, Fairfield beside the Township storage shed. The Township will need to schedule volunteers to staff the trailer when donations are accepted to prevent trash from being dumped into the recycling bins. A staircase will need to be built for the trailer. Police Coordinator Reamer made a motion to permit Mr. Benner to make the arrangements for the ARM recycling trailer at 23 Carrolls Tract Road,

Fairfield, PA and begin a search for volunteer staffing, seconded by Supervisor Benner. The Board unanimously approved this motion.

Chairman Gordon made a motion to sign a letter of support for a grant to help fund a gazebo at the Carroll Valley Park, seconded by Supervisor Benner. The Board approved this motion with Vice-chairman Grinder voting no.

Police Coordinator Reamer made a motion to apply to the Voyager Fleet credit card system for payment of high octane fuel used in Hamiltonban Township's small equipment, seconded by Supervisor Premo. The Board unanimously approved this motion.

Chairman Gordon made a motion to not accept Vice-chairman Grinder's resignation as CDL Coordinator and Safety Officer, seconded by Supervisor Benner. Chairman Gordon and Supervisor Benner voted to approve the motion with Police Coordinator Reamer, Supervisor Premo and Vice-chairman Grinder voting against, creating a tie vote. Vice-chairman Grinder broke the tie with his vote to accept the resignation. The motion was carried 3 votes to 2.

Supervisor Premo made a motion to appoint Police Coordinator Reamer as the CDL Coordinator and Safety Officer, seconded by Supervisor Benner. The Board approved this motion with Chairman Gordon voting no. He stated that Police Coordinator Reamer is very busy with many other Township responsibilities.

At 10:04 PM the regular Board of Supervisors meeting was adjourned and the Board went into Executive Session with Solicitor Battersby.

### **Meeting Dates**

- The next regular Hamiltonban Township Recreation and Parks Commission meeting will be May 13, 2009, at the prevailing time of 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA 17320
- The next regular Planning Commission meeting will be May 26, 2009, at the prevailing time of 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320
- The next regular Board of Supervisors Workshop meeting will be May 28, 2009, at the prevailing time of 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320
- The next regular scheduled Board of Supervisors meeting will be on June 2, 2009, at the prevailing time of 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17230

---

LuAnn M. Dille  
Secretary/Treasurer

---

Robert L. Gordon  
Chairman