

**Hamiltonban Township Board of Supervisors**  
**Regular Meeting**  
**23 Carrolls Tract Road, Fairfield, Pa 17320**  
**November 1, 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

**Public Attendees:** Robert F. Bennett, Sr., Robert Gordon, Doreen Premo, Barbara Prophet, Coleen Reamer, Larry Schneider, and Doug Woerner

**Approval of the Minutes**

Vice-chairman Eckert made a motion to approve the October 4, 2005 Supervisor's Board meeting minutes with the addition of "each" before "received" on page 3, under Secretary's Report, line 9, the October 27, 2005 Supervisor's Board Budget Meeting minutes, and the October 8, 2005 Supervisor's Well Ordinance Meeting minutes, seconded by Supervisor Benner. The Board unanimously approved this motion.

**Public Comment**

Mr. Bennett, Sr. of 4530 Cold Springs Road, Orrtanna, PA requested an extension for the use of two storage trailers until an estate is settled. Mr. Bennett's original permit was issued October 2003. Road Master Deardorff made a motion to grant one final extension, permit expiring on May 01, 2006, seconded by Supervisor Benner. The Board unanimously approved this motion.

Mr. Schneider of 60 Berry Lane, Orrtanna, PA stated that at last month's meeting he asked the Supervisors to consider increasing the acreage requirements in the Agriculture Zoning District from two acres to five acres and to increase the Woodland Conservation Zoning District acreage requirements from five acres to 10 acres. He asked the Supervisors what action (s) they plan to take. Supervisor Benner responded by stating that there will be a special meeting on a land conservation district overlay concept on December 8, 2005, at 6:30 PM at 23 Carrolls Tract Road, Fairfield, PA . In this concept zoning requirements may change. Mr. Schneider was invited to attend this public meeting.

**Planning Commission**

On December 8, 2005, at 6:30 PM at 23 Carrolls Tract Road, Fairfield, PA there will be a special meeting for the purpose of exploring the land conservation district overlay concept.

**Solicitor's Report**

Solicitor Heiser stated today he received information concerning bids for solid waste collection and The York Adams Tax Bureau membership requirements. He instructed the Township to consider cost and services provided before awarding any bid.

IESI is the lowest bidder for regular residential pick-up. Road Master Deardorff stated the dumpster cost is higher on the IESI bid than Waste Management of Central PA. IESI District Market Manager Ken Murdock was called for clarification of the dumpster cost. The IESI commercial container cost bid was for a month not per pick-up. ISEI will correspond in writing tomorrow to clarify this. It was generally agreed to accept the ISEI Bid with the clarification for the commercial dumpster price. Vice-chairman Eckert made a motion to tentatively approve IESI as the solid waste haul after clarification of dumpster fees and the approval of the neighboring municipalities in the southwest contract area, seconded by Supervisor Benner. The Board unanimously approved this motion.

Supervisor Benner made a motion for Solicitor Heiser to proceed with all items necessary for Hamiltonban Township to join The York Adams Tax Bureau. There are two ordinances that will need to be passed at the December 2005 Board Meeting. One ordinance is to allow The York Adams Tax Bureau to become a “non-resident” earned income tax collector and the other ordinance is to implement a “Schedule of Cost to Provide Notices of Delinquency or to Collect Delinquent Taxes”. Road Master Deardorff seconded this motion. The Board unanimously approved this motion.

Solicitor Heiser requested that Zoning Officer Nicks and Officer Larmer continue documenting the Moore’s property on Water Street, Fairfield, PA and Nicholas’ property/Indian Trail Inn on Iron springs Road, Fairfield, PA with written logs and with pictures on a daily basis. Zoning Officer Nicks has the dates he completed inspections. Vice-chairman Eckert stated he has observed Nicholas’ working on the building. It appears they are removing the flooring and are trying to repair the roof. Solicitor Heiser stated that Judge Kuhn declared that the Nicholas must comply with the Uniform Construction Code.

Supervisor Nicks asked what is the status of the Well Driller’s Ordinance. Solicitor Heiser responded by stating that at a meeting the Board decided to proceed with the Well Driller’s Ordinance and have the Township’s Engineer Cormany review the technical portion. Supervisor Nicks stated she thought Engineer Cormany was to consider adding the Ground Water Study to the Subdivision and Land Development Plan (SALDO). Solicitor Heiser stated he did not believe that was authorized and that Engineer Cormany is very comfortable with the Township’s present requirement of the Ground Water Study in the SALDO. Chairman Jacobs stated he has spoken with Engineer Cormany today concerning the Well Driller’s Ordinance. Chairman Jacobs believes the proper procedures would be to allow Engineer Cormany to address this issue at the next Planning Commission meeting and then make a recommendation to the Board. Solicitor Heiser will review and advertise the ordinance after Engineer Cormany, the Planning Commission and the Board has given their approvals.

### **Treasure’s Report**

Supervisor Benner made a motion to approval the official Treasurer’s Report for October 2005, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

November 2005	Income	Expenses	Transfers	Balance
<b>General Account</b>				
ACNB Checking	\$51,728.35	\$79,082.63	\$30,000	\$ 8,729.01
ACNB Savings	11.44			21,314.86
ACNB CD	597.27			51,861.98
PLGIT	764.52		30,000	<u>189,040.78</u>
Total Current Assets				\$270,946.63
<b>Sewer Account</b>				
ACNB Checking	918.20	3,190.10		\$ 932.61
ACNB Savings	4.88			9,092.46
ACNB CDBG				145.53
PLGIT	70.05			<u>23,612.28</u>
Total Current Assets				\$ 33,782.68
<b>State Liquid Fuels</b>				
PLGIT	17.02	159.85		\$ 2,338.36
PLGIT Emergency Fund	14.02			<u>4,726.98</u>
Total Current Assets				\$ 7,065.34

### **Approval of the Expenditures**

Vice-chairman Eckert made a motion to approve the expenditures for October 2005, seconded by Supervisor Benner. The Board unanimously approved this motion.

### **Secretary's Report**

Secretary/Treasurer Dille stated the Township has received the 2006 Recycling Pamphlet.

Road Master Deardorff made a motion to make the annual donations to the volunteer fire companies, the Adams County Library System/Fairfield Library, and to the SPCA, seconded by Supervisor Nicks. The Board unanimously approved this motion.

### **Police Report**

Officer Larmer requested Zoning Officer Nicks to explain a situation where a property owner has installed a fence that is in violation of a current ordinance. The present lot is only 80 feet wide. The set backs in the Mixed Residential District is 25 feet. In zoning there are allowances for existing small lots. Zoning Officer Nicks and Officer Larmer were instructed to measure the lot and the placement of the fence for the next monthly meeting. It was suggested to ask Solicitor Heiser if a waiver could be granted.

Officer Larmer gave the following October 2005 Police Report. Officer Larmer had 53 complaints, two arrests, four investigations, five traffic citations, one warning, and two criminals. She traveled 1,046 miles and used 89 gallons of fuel. As in previous years Officer Larmer distributed candy for Trick or Treat in the BB Section and Beechwood Area. She enjoyed her long weekend with her family and still returned in time for Trick or Treat. Supervisor Benner made a motion to approve the October 2005 Police Report, seconded by Supervisor Nicks. The Board unanimously approved this motion.

**EMA Report** No report at this time.

## **Road Report**

Road Master Deardorff gave the following October 2005 Report.

1. Hot mix patching is being done on Lower Cold Springs Road, Upper Cold Springs Road, Baker Road, Mount Carmel Road, Moritz Road, Mount Hope Road, and in the BB Section.
2. The first seal coat has been applied to Moritz Road.
3. Sweeping the road surfaces has been completed where necessary. Hammaker East, Inc. allows the Township to use the equipment free of charge. The Township supplied the fuel.
4. The yellow centerlines will be painted on all Township roads this Saturday.
5. In approximately 10 days the Road Crew will be getting the trucks ready for winter snow removal.
6. The one-ton truck repairs are being finished.
7. The final mowing is just about finished.
8. At the last Budget meeting Road Master Deardorff presented a written plan for future road projects.

Road Master Deardorff attended the second meeting of the Adams County Comprehensive Plan Update. He explained a chart that showed current and proposed developments. Adams County Planning and Development would like to see cluster developments with open areas. He also had a chart that showed the municipalities without a current comprehensive plan, proposed regional comprehensive plans, and municipalities that are proposing to update their comprehensive plans.

Supervisor Nicks asked Road Master Deardorff why the Road Crew took the 2006 Peterbilt back to Pocono Peterbilt. She thought there should be a closer dealership to get repairs completed. Road Master Deardorff explained it was returned for the warranty check-up. In the future the truck will be serviced at Lancaster, PA. John Harbaugh is in the process of obtaining his CDL license. Officer Larmer requested that the Board consider installing a street light at the intersection of Franklin Street and Beechwood Drive. This was a very dark intersection on October 31, 2005. The Fairfield Volunteer Fire and EMS Company parked Engine 2-1 at the intersection to provide lighting and gave out candy for Trick or Treat. A pole would have to be installed at this location which would cost at least \$1,000. Road Master Deardorff stated it was proposed in the 2006 Budget to install four street lights at the following locations: Zoo Road and Jack's Mountain Road, Zoo Road and Iron Springs Road, Gum Springs Road and Iron Springs Road, and Moritz Road at Cold Springs Road.

## **Sewer Report**

Road Master Deardorff gave the following October 2005 Sewer Report.

1. Lagoon Number Two was pumped, cleaned, and repaired where needed. It is now being refilled.
2. The electrical control for the muffin monster has arrived and will be installed in the control building in the near future by Ketterman Electric Inc.

## **Zoning Officer's Report**

Zoning Officer Nicks gave the following October 2005 Zoning Officer's Report. He issued nine permits. One for a new home, three for accessory buildings, one home addition, one pavilion, one demolition permit and two use and occupancy permits. He attended the Supervisor Board Meeting, Planning Commission Meeting, Supervisor's Workshop Meeting public. He attended a meeting at Solicitor Heiser's office for the

Moore's Court Case, two Adams County Court dates, a meeting with the Mini Mart owners and two inspections.

He is documenting the changes at the Nicholas's Property/Indian Trail Inn, on Iron Springs Road, Fairfield. On October 21, 2005 no one was working. October 24, 2005 he did not observe anyone there but the mess in the yard was being cleaned up. On October 28, 2005 someone was removing sheeting from the roof. He also took some pictures.

He worked on a few changes on the Well Driller's Ordinance.

He purchased a new digital camera for the Township.

He worked 38.75 hours, traveled 251 miles and had telephone expense of \$5.98.

Thomas Metz of 60 Dug Lane, Fairfield, wants to install a second sewer system for a cabin and an additional building. There can only be one resident per lot. Mr. Metz wants a permit for a fifth building. Mr. Metz will need to submit a correct plan with all structures and uses of buildings marked properly. The sewer module will need to be submitted for the Department of Environmental Protection approval, KPI, Inc. will then issue a second sewer permit. Zoning Officer Nicks can issue a building permit for a fifth structure. The Township should amend the Township's correspondence stating that the Metz's could have a cabin and another building for recreational use only with a second sewer system. Vice-chairman Eckert made a motion to instruct Mr. Metz to correct his building structure plan, labeling the buildings uses correctly, the Township will amend the correspondence to include a second sewer system for a cabin and an additional structure, and a second sewer permit must be issued by KPI, Inc. Supervisor Nicks seconded this motion. The Board unanimously approved this motion.

Middle Department Inspection Agency inspector for this area, William Naugle, has resigned and Harry Taylor will complete any needed inspections until a new employee is hired.

Vice-chairman Eckert made a motion to approve the October 2005 Zoning Officer's Report, seconded by Road Master Deardorff. The Board unanimously approved this motion.

### **New Business**

The Business Office will be closed from November 7, 2005 through November 18, 2005. Secretary/Treasurer Dille is going on vacation. Supervisor Nicks stated she thought the Fairfield Post Office should hold the Township's mail.

It was generally agreed that the Supervisors, and Staff would like a Christmas Party. Each person paying for his/her meal, no Township funds would be used. The first choice of a restaurant is the Chestnut Logs in Waynesboro, PA, second choice is the Mountain Gate in Waynesboro, PA

Supervisor Nicks stated last year Officer Larmer requested clerical help. She was told it was not budgeted for 2005. Clerical help would be 5 hours a week at \$7.00 per hour for \$2,000 per year. Supervisor Nicks made a motion to hire clerical help for the Police Department for 5 hours a week at \$7.00 an hour for an approximate cost of \$2,000 per year, with no benefits, seconded by Road Master Deardorff. The Board unanimously approved this motion. In the 2006 Proposed Budget the Secretary/Treasurer's salary will be reduce by \$1,000 and the Police Department's liability insurance would be reduced by \$1,000; therefore \$2,000 would be added for clerical staff 410.14 under the Police Department Budget items.

Vice-chairman Eckert made a motion to approve the 2006 Proposed Budget with no tax increase, seconded by Supervisor Nicks. The Board unanimously approved this

motion. Secretary/Treasurer Dille will advertise the 2006 Proposed Budget for adoption at the December 6, 2005 regular Supervisor's Board meeting.

Supervisor Nicks requested that the Board allow her to continue to be enrolled with the Township's health insurance for the month of January. In February she would be joining Medicare. She would pay the premium. Supervisor Benner made a motion to allow Barbara A. Nicks to continue to be enrolled on the Township's health insurance for one month until she turns 65 years old. She will pay the premium. Road Master Deardorff seconded this motion. The Board approved this motion with Supervisor Nicks abstaining.

Supervisor Nicks stated because of the Uniform Construction Code, building permits must be retained forever. She stated she is willing to convert the present filing system of names to the tax parcel numbers. Tax parcel numbers never change. The purchasing of two filing cabinets, one legal size for subdivision plans and one regular for building permits was approved a year ago. There were comments made about purchasing fireproof cabinets. Secretary/Treasurer Dille is to obtain prices for fireproof filing cabinets.

Christian Handyman gave an estimate of \$100.00 to repair the leaking roof at 23 Carrolls Tract Road, Fairfield. This repair should be completed by November 9, 2005, weather permitting.

Supervisor Nicks asked if there is any update on the 1435 Carrolls Tract Road/Diest Lane, Orrtanna, PA sewer/water problem. The Nicks' requested the new owner's name and address for KPI, Inc. The Township has not received any information from KPI, Inc. concerning this issue. Chairman Jacobs will call KPI, Inc.'s, Gil Picarelli tomorrow. Secretary/Treasurer Dille will try to secure the new owner's name from the new GIS program update.

### **Next Meetings**

The 88<sup>th</sup> Annual Adams County Association of Township Officials Meeting is November 9, 2005, at the McSherrystown Fire Department; displays are from 6:00 PM to 6:30 PM with dinner being served at 6:30 PM. Hamiltonban Township's five Supervisors are planning on attending this meeting.

The next regular Supervisor's Board Meeting is December 6, 2005 at 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA

There will be a special meeting on the Land Conservation District Overlay Concept on December 8, 2005, starting at 6:30 PM, at 23 Carrolls Tract Road, Fairfield, PA.

The Annual Re-organization Meeting and regular Board Meeting will be January 3, 2006 at 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA.

The Annual Auditor's Meeting will be January 4, 2006 at 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA.

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LuAnn M. Dille  
Secretary/Treasurer

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Stephen W. Jacobs  
Chairman