

Hamiltonban Township Board of Supervisors
23 Carrolls Tract Road, Fairfield, Pa 17320
Regular Meeting Minutes
June 6, 2006

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: Solicitor Henry O. Heiser, III, Planning Commission Vice-chairman Stephen Jacobs, Zoning Officer Milton Nicks, Planning Commission Secretary Pamela Wiehagen, EMA Coordinator Donald Wills, and Secretary/Treasurer LuAnn Dille

Public Attendees: Thomas Brown, Attorney Jeff Ernico for Empire Homes, James Hanna from Empire Homes, Alex Hayes Gettysburg Times reporter, Randall Inskip for Jemez, LLC, Jeff Kozero for Empire Homes, Barbara Nicks, Dale and Doreen Premo, Terry Stem, Daniel Snyder, and Douglas Woerner

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

Approval of the Minutes and Workshop Minutes

Vice-chairman Eckert made a motion to approve the amended May 2, 2006 Supervisor's Board meeting minutes, page three, second paragraph, third line changing month to year, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Police Coordinator Reamer made a motion to approve the May 25, 2006 Supervisors Workshop meeting minutes, and the May 9, 2006 Growing Greener: Conservation by Design meeting minutes, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Public Comment

Mr. Stem requested a waiver of a grade requirement for a cul-de-sac in a proposed subdivision along Mount Hope Road, Fairfield, PA. He proposed a cul-de-sac to service a five lot subdivision with a grade of 13.08 % instead of 12 %. According to Mr. Stem the proposed cul-de-sac has the Penn Dot required 300-foot sight distance in each direction. Road Master Deardorff made a motion to grant a waiver for a 13.08 % grade for a cul-de-sac for the proposed five lot subdivision on Mount Hope Road pending Martin and Martin, Inc. review, seconded by Supervisor Gordon. The Board unanimously approved this motion.

Road Master Deardorff made a motion to approve a 90-day extension for Randall Inskip's three-lot subdivision on Cold Springs Road, Orrtanna, PA, seconded by Supervisor Gordon. The Board unanimously approved this motion. Mr. Inskip needs the extension for approval of the stormwater management plan review.

Chairman Benner made a motion to approve the Fowler's Preliminary/Final one lot Subdivision Plan on Old Waynesboro Road, Fairfield. PA conditioned upon approval

of their stormwater management plan, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Police Coordinator Reamer made a motion to approve Carroll Valley Farm/Jay Edward Deardorff's one lot Preliminary/Final Subdivision Plan on Carrolls Tract Road, Fairfield, PA conditioned upon approval of stormwater management plan and DEP's approval, seconded by Vice-chairman Eckert. The Board approved this motion with Road Master Deardorff abstaining.

Supervisor Gordon made a motion to approve Mr. Rood's new land addition plan as a Preliminary/Final Plan, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Supervisor Gordon made a motion to approve Daniel and Sharon Synder's one lot subdivision plan as a Preliminary/Final Plan, approve the use of a panhandle lot and the stormwater management variance per Martin and Martin, Inc's. recommendation, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to approve Empire Home's request for modification of the Hamiltonban Township's Subdivision and Land Development Ordinance, Article VIII, Section 804.9, Cul-de-sac Length, Trimble Court will be 1058.08 feet instead of the 800 feet maximum, seconded by Road Master Deardorff. The Board approved this motion with Supervisor Gordon voting no.

Chairman Benner made a motion to approve Empire Home's request for modification of the Hamiltonban Township's Subdivision and Land Development Ordinance, Article VIII, Section 804.12 Directional Changes-three requests for "L" shaped turns in the townhouse layout as long as emergency services have no objections, seconded by Supervisor Gordon. The Board unanimously approved this motion.

Chairman Benner made a motion to approve Empire Home's request for modification of the Hamiltonban Township's Subdivision and Land Development Ordinance, Article VIII, Section 803.5 Flag Lot for Section 3, lot number 6, seconded by Supervisor Gordon. The Board unanimously approved this motion.

Road Master Deardorff made a motion to approve Empire Home's request for modification of the Hamiltonban Township's Subdivision and Land Development Ordinance, Article VIII, Section 803.5 Flag Lots for Section 3, lots numbers 54 and 55 and the 50 foot road footage requirement, seconded by Vice-chairman Eckert. The Board approved this motion with Police Coordinator Reamer and Supervisor Gordon voting no.

Thomas Brown stated if any issues would come before the Hamiltonban Township Zoning Hearing Board, he would excuse himself because he sold land to Empire Homes. Mr. Brown believes Road Master Deardorff should not vote on any motions involving Empire Homes because he/Fairfield Landscaping is contracting jobs from Empire Homes. Jeff Kozero stated that the contracted jobs have been for Carl Sturges not Empire Homes. Solicitor Heiser did not see a problem at this time.

No action was taken on flag lots Section 6, lot number 44 and 45 because Empire Homes' withdrew the request.

Police Coordinator Reamer made a motion to approve Empire Home's request for modification of the Hamiltonban Township's Subdivision and Land Development Ordinance, Article VIII, Section 804.3 Shoulder Width of Collector Street, a reduction of the shoulder width by six feet for approximately 1200 feet of Armistead Avenue between Kershaw Drive and Water Street, seconded by Road Master Deardorff. The Board unanimously approved this motion. The shoulder will be two feet instead of the eight feet.

In the Hamiltonban Township portion of McGinley Choice Development there are no sidewalk designed into the plans. There was a discussion concerning sidewalks and walking trails in the Hamiltonban Township portion of the development. Sidewalks are included in the plans of the development in the Borough of Fairfield. The sidewalk and other issues will be discussed at a later meeting. No formal meeting date was set to discuss McGinley Choice Development with the Borough of Fairfield until Martin and Martin, Inc's formal review is completed. To date the plans have not been formally submitted to the Township for review.

Solicitor's Report

Supervisor Gordon made a motion to adopt Ordinance 03-2006 Monocacy and Conocheague Stormwater Management Plan Ordinance, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Chairman Benner made a motion to adopt Resolution 02-2006 State Contract for the purchase of a 2007 Ford XLT 4X4, seconded by Vice-chairman Eckert. The Board approved this motion with Supervisor Gordon voting no.

The Guass's Road/Bridge Agreement for the Fjordlea Retreat Three-lot Subdivision off Iron Springs Road, Fairfield, PA is ready to be signed. The issues that the Township had concerns about have been addressed. The agreement states that Hamiltonban Township and emergency services are not liable in any way. Mrs. Wiehagen stated that the Planning Commission did not approve this plan and in fact recommended twice that this subdivision plan not be approved. She will not sign the plan. In the past Nancy Jean Hammett did not sign a plan and Mrs. Wiehagen stated again that she would not sign the plan because it was not approved by the Planning Commission. Solicitor Heiser started to explain that when a plan is signed, the signature is stating that the plan has been reviewed not approved. He has read several meeting minutes where this plan has been discussed. At 8:26 PM Mrs. Wiehagen left the meeting. Solicitor Heiser asked who is Vice-chairman of the Planning Commission. It is Stephen W. Jacobs; he was present and signed the plans as being reviewed. Planning Commission Chairman Musselman will also need to sign the plan. The Board approved the plan at the April 4, 2006 regular Board meeting per Solicitor Heiser's recommendation. Police Coordinator Reamer made a motion to accept the road/bridge agreement for the Gauss's Three-lot Subdivision Plan as long as Fjordlea Drive is changed to Fjordlea Lane, and that this agreement is attached to the deeds, seconded by Vice-chairman Eckert. The Board approved this motion with Supervisor Gordon voting no.

Solicitor Heiser would like to have a workshop to explain property re-zoning verses "spot" zoning to the Board. The Township was asked to consider re-zoning the remaining portion of the Mae White Woerner property. This workshop was scheduled

for June 13, 2006 at 6:30 PM, which is just before a public joint workshop meeting on Growing Greener: Conservation By Design.

Zoning Officer's Report

Zoning Officer Nicks gave the following May 2006 Zoning Officer's Report. He issued 12 permits. One for each of the following: a pool, an accessory building, a porch with roof, and a new house. He issued three Use and Occupancy permits and five Well Permits. He attended five meetings: Supervisor's, Planning Commission's meeting, and Growing Greener: Conservation By Design Workshop meeting public, a meeting with Mr. Senseney for a subdivision in the BB Section, and a meeting with Rusty Ryan. He completed four inspections at the following properties: Carl Bower, Jr., Fairfield Treasurer's, Brandenburg's and the Sharon Hartlaub property off Tapeworm Lane.

Mr. Bower, Jr. has not installed the new septic system, requested change of use permit from Middle Department Inspection Agency, and the electrical line in the change of use structure has not been installed to the Universal Building Code requirements as per the court order. Solicitor Heiser will proceed with the next step in the court order. A hearing will be scheduled with District Justice Court 51-3-04 Mark D. Beauchat office.

The Sharon Hartlaub's trailer on Tapeworm Lane is in the process of being torn down. There is debris all around the partially torn down trailer. Solicitor Heiser will call Ms. Hartlaub concerning the clean up schedule.

Fairfield Treasures had two illegal signs, which they removed after an inspection by Zoning Officer Nicks.

There was a complainant that someone was building a house on Cold Springs Road, Orrtanna, PA without a building permit. The property owner was clearing the trees off and dug a basement for a future house. A well permit was issued and the owner will be obtaining a building permit.

A certified correspondence was mailed to the Nicholas's concerning the remaining demolition debris at the site of the formal Indian Trail Inn, Fairfield, PA. The Nicholas's have not picked the correspondence. Solicitor Heiser will speak to the Nicholas' council.

The former Runkle/Clark's property septic system has been pumped, crushed and back filled. In the future the debris will be burnt and the demolition permit satisfied.

Zoning Officer Nicks made a ruling, regarding well construction standards. The depth of the well determines the type of piping, the gauge of wire, and the pump type used. These items are not determined by the depth at which the pump is hung.

Simpson's Construction Company buried the well electrical line at the Noye's property before Zoning Officer Nicks inspected it. Simpson's Construction Company will need to uncover the line, bury it with the proper screening, have Zoning Officer Nicks inspect the project and then re-bury the lines.

Zoning Officer Nicks worked 40.75 hours, traveled 215 miles, had 51 telephone calls and telephone charges of \$12.49 in May. Supervisor Gordon made a motion to accept the May 2006 Zoning Officer's Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

At 8:40 PM Solicitor Heiser left the meeting.

Approval of the Treasure's Report

Police Coordinator Reamer made a motion to approve the May 2006 Treasurer's Report, seconded by Supervisor Gordon. The Board unanimously approved this motion.

June 30, 2006

General Fund	Income	Expenses	Transfers	Balances
ACNB Checking	\$ 22,788.90	\$ 47,316.75	\$35,000	\$ 11,008.94
ACNB Savings	13.53			20,787.14
PLGIT	524.15			232,197.68
ACNB CD				<u>52,638.31</u>
Total Assets				\$316,632.07
Sewer Fund				
ACBN Checking	520.12	7,267.15	4,500	680.16
ACNB Savings	.95			9,140.37
PLGIT	107.48			<u>23,190.45</u>
Total Assets				\$ 33,010.98
State Liquid Fuels				
PLGIT	315.44			68,968.96
PLGIT Emergency	18.79			<u>4,841.98</u>
Total Assets				\$73,810.94

Approval of the Expenditures

Police Coordinator Reamer made a motion to approve the May 2006 Expenditure Report, seconded by Vice-chairmen Eckert. The Board unanimously approved this motion.

Secretary's Report

Secretary/Treasurer Dille stated that Chairman Benner has approved the following dates for her. The business office will be closed Friday, June 16, 2006. She will be on vacation June 19-23, 2006. She is taking her personal day on July 3, 2006. The business office will be closed June 8 from 12:00 PM to 2:00 PM. The new cleaning person did an outstanding job cleaning the business office. Vice-chairman Eckert made a motion to accept the May 2006 Secretary/Treasurer's Report, seconded by Supervisor Gordon. The Board unanimously approved this motion.

Police Department Report

Officer Larmer gave the following May 2006 Police Report. She had 56 complaints, five arrests, 13 investigations, five traffic citations, issued four warnings, six criminal complaints. She traveled 1,338 miles, used 107.5 gallons of fuel, which is 12.5 miles per gallon of fuel. She is going to mark out several more places to conduct traffic control. Biglerville Police Department will assist her. The Hamiltonban Township's Road Crew will install the white heat strips at those locations. The 2000 Ford was taken to Scott's Auto and Transmission to repair a pitman arm and general service maintenance. It was out of service for one and a half days. She distributed the updated June schedule. She will be taking a DUI class June 28, 29, and 30, 2006; the class cost is \$20.00 payable to the District Attorney's office. She requested an Executive Session to

include Secretary/Treasurer Dille to discuss a communication matter. The Board went into an Executive Session including Secretary/Treasurer Dille at 8:53 PM and returned at 9:03 PM. Supervisor Gordon made a motion to approve the May 2006 Police Report as presented, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

EMA Report

Vice-chairman Eckert stated that Fountaindale Fire Company used a lot of flares at the latest accident at the railroad tunnel on Iron Springs Road, Fairfield, PA. The Hamiltonban Police Department will give the Fountaindale Fire Company two boxes of flares. EMA Coordinator Wills reported that on May 3, 2006 there was a fuel spill incident involving a D.L. George truck along Old Waynesboro Road, Fairfield, PA. D.L. George trucking company always is quick to respond and does an excellent job of cleaning up everything. The Township and the County still have not been reimbursed for the accident on November 28, 2005. The insurance company is refusing to pay. Adams County EMA office has turned the case over to District Attorney's office for collection of all unpaid fees.

EMA Coordinator Wills visited Hillside Rest Home and Comfort Care concerning new mandated guidelines for rest homes. He gave them a revised letter from Adams County Deputy EMA Coordinator Mary Bowers and the front page of Hamiltonban Township's Emergency Management Plan. The rest homes are now in compliance.

On May 22, 2006 EMA Coordinator Wills, Jr., EMA Deputy Coordinator Schneider, Supervisor Gordon, and Police Coordinator Reamer had a meeting to discuss new information from PEMA PA Evacuation Planning and Implementation Guidebook. There will be another meeting June 13, 2006 at 1:00 PM. All the Supervisors are welcomed to attend. EMA Coordinator Wills submitted three hours of labor to the Township. EMA Deputy Coordinator Schneider will have a hip replacement on June 12, 2006 and will be off duty for a period of time. Supervisor Gordon made a motion to approve the May 2006 EMA Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Road Report

Road Master Deardorff gave the following May 2006 Road Report.

1. All of the Township roads have been mowed for the first time this season.
2. Trimming along Township signs, bridges, and intersections are being done. There is probably two more days of work.
3. The rented Tiger mower was used to trim the worst areas in the Township.
4. There are a few potholes, low depression areas, and ditching in the BB Section, along Old Route 16 and short cut Route 16 that need to be repaired.
5. Ditching and berm work will be started on the first mountain after the railroad tracks of Cold Springs Road, Fairfield, PA.

Chairman Benner made a motion to pay the Supervisors \$35.00 for the Spring Road Inspection, seconded by Road Master Deardorff. The Board approved this motion with Police Coordinator Reamer voting no. Police Coordinator Reamer does not want to be paid for this.

The Supervisors opened the bids for fuels, oil, aggregate and paving materials. The following bids were awarded.

Road Master Deardorff made a motion to award Shipley Oil the fuel bid with an escalator clause, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Supervisor Gordon made motion to award the LMB oil to produce FB modified or FB 3 modified to the sole bidder Hammaker East Ltd., seconded by Road Master Deardorff. The Board unanimously approved this motion.

Police Coordinator Reamer made a motion to award the sole bidder Valley Quarries, Inc. for PG 64-22 materials, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Chairman Benner made a motion to award the aggregate bid to Valley Quarries, Inc., seconded by Supervisor Gordon. The Board unanimously approved this motion.

Valley Quarries, Inc. /Gettysburg were the sole bidder for cold patch materials.

Road Master Deardorff made a motion to approve the Township obtaining a 2 % loan for the 2007 Ford XLT from the Pennsylvania Capital Loan Program, seconded by Police Coordinator Reamer. The Board approved this motion with Supervisor Gordon voting no.

Road Master Deardorff made a motion to approve the Township obtaining a 5.50 % loan through Adams County National Bank for the 2007 Ford XLT, seconded by Police Coordinator Reamer. The Board approved this motion with Supervisor Gordon voting no.

Vice-chairman Eckert made a motion to approve the May 2006 Road Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Sewer Report

Road Master Deardorff gave the following May 2006 Sewer Report.

1. The Road Crew is servicing all the spray heads and cleaning the nozzles.
2. Maintenances repairs have been made to the aerators.
3. The lagoon problem is still being researched.

Vice-chairman Eckert made a motion to proceed with the collection processes on the two outstanding sewer bills, seconded by Police Coordinator Reamer. The Board unanimously approved this motion. Police Coordinator Reamer made a motion to approve the May 2006 Sewer Report. The Board unanimously approved this motion.

New Business

Strawberry Hill's Board of Directors is in support of the Adams County bond for Keep Adams Green.

Police Coordinator Reamer made a motion to proceed with R. J. Hall, Inc. /Selective to change the Police Officers Pension for a credit of 2% of pension benefit per year for the years served, seconded by Supervisor Gordon. The Board unanimously approved this motion. All pension criteria will remain the same with the exception of the 2% credit per year for years served.

Police Coordinator Reamer made a motion to initiate a capital improvement plan in the 2007 Budget, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Police Coordinator Reamer made a motion to proceed with a proposal to Valley Quarries, Inc. concerning the land swap for new facilities, seconded by Road Master Deardorff. The Board unanimously approved this motion.

There was a correspondence from Cornerstone concerning funding for Growing Greener: Conservation By Design.

Old Business Nothing at this time.

Communications are available upon request

Next Meetings Dates

There will be Growing Greener: Conservation By Design Joint Planning Commission and Board of Supervisors meeting June 13, 2006 starting at 7:00 PM at 23 Carrolls Tract Road, Fairfield, PA 17320.

The next Regular Board Meeting will be Wednesday, July 5, 2006 starting at 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA 17320.

Adjournment

At 9:47 PM Supervisor Gordon made a motion to adjourn the meeting, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

LuAnn M. Dille
Secretary/Treasurer

James E. Benner
Chairman