

**Hamiltonban Township Board of Supervisors
Reorganization Meeting and
Regular Meeting
23 Carrolls Tract Road, Fairfield, Pa 17320
January 3, 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: Police Officer Juanita Larmer, Milton Nicks, Zoning Officer, Pamela Wiehagen, Planning Commission Secretary, and LuAnn M. Dille, Secretary/Treasurer

Public Attendees: Thomas Brown, David Donaldson, Staci George, Gettysburg Times reporter, Robert Gordon, George "Butch" Harbaugh, Fred Heerbrandt engineer from William F. Hill, Inc., and Dustin Smith

At 7:30 PM Mr. Jacobs called the reorganization meeting to order and those present recited the Pledge of Allegiance.

Mr. Jacobs appointed Mrs. Nicks as the temporary secretary for the reorganization meeting and Mr. Eckert as temporary chairman.

Mr. Deardorff made a motion to appoint Mr. Jacobs as Chairman of the Board of Supervisors, seconded by Mr. Benner. The Board unanimously approved this motion.

Mr. Eckert made a motion to appoint LuAnn M. Dille as secretary/treasurer, seconded by Mrs. Nicks. The Board unanimously approved this motion. Mr. Benner made a motion to approve Mrs. Dille's hourly rate at \$12.29 with a treasurer's bond of \$150,000, seconded by Mr. Deardorff. The Board unanimously approved this motion.

Mr. Deardorff made a motion to appoint Mr. Eckert as Vice-chairman of the Board of Supervisors, seconded by Chairman Jacobs. The Board unanimously approved this motion.

Mr. Benner made a motion to appoint Mr. Deardorff as Road Master, seconded by Chairman Jacobs. The Board unanimously approved this motion.

Road Master Deardorff made a motion to appoint Chairman Jacobs as the Police Department's Coordinator, seconded by Mr. Benner. The Board unanimously approved this motion.

Chairman Jacobs made a motion to appoint Road Master Deardorff as CDL Drug and Alcohol Coordinator, seconded by Mrs. Nicks. The Board unanimously approved this motion.

Road Master Deardorff made a motion to approve Robert Almstrom's hourly rate at \$12.41, seconded by Mr. Benner. The Board unanimously approved this motion.

Road Master Deardorff made a motion to approve Robbie Kauffman's and Jack Ringler's hourly rate at \$13.08, seconded by Mrs. Nicks. The Board unanimously approved this motion.

Road Master Deardorff made a motion to approve Harold Kessel's present hourly rate of \$15.91 for 2005, seconded by Chairman Jacobs. The Board unanimously approved this motion.

After a short period of comments Vice-chairman Eckert made a motion to suggest the auditors approve Road Master's hourly rate at \$13.50, and the other working supervisor's rate at \$10.50 seconded by Mr. Benner. The Board unanimously approved this motion.

Road Master Deardorff made a motion to approve Zoning Officer Milton Nicks hourly rate at \$13.00, seconded by Mr. Benner. The Board approved this motion with Mrs. Nicks abstaining.

Road Master Deardorff made a motion to approve Police Officer Larmer's hourly rate at \$13.65, seconded by Mr. Benner. The Board unanimously approved this motion.

Mr. Benner made a motion to appoint Vice-chairman Eckert as EMA Chief Coordinator, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Chairman Jacobs made a motion to appoint Donald Wills, Jr. as EMA Deputy Coordinator, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Mrs. Nicks made a motion to appoint Adams County Earned Income Tax Collection Agency to collect the appropriate taxes, seconded by Mr. Benner. The Board unanimously approved this motion.

Supervisor's monthly salary will remain the same at \$150.00 new term and existing term at \$83.33.

Mrs. Nicks made a motion to hold the Supervisors' Board meetings the first Tuesday of each month at prevailing time of 7:30 PM, the Supervisors' Workshop meetings the last Thursday of each month at prevailing time of 7:30 PM, and the Planning Commission meetings the fourth Tuesday of each month at prevailing time of 7:30 PM, the meetings will be held at 23 Carrolls Tract Road, Fairfield, Pa 17320. Road Master Deardorff seconded the motion. The Board unanimously approved this motion.

Mr. Benner made a motion to approve the Federal allowance mileage rate of \$.40.5 per mile, seconded by Road Master Deardorff. The Board unanimously approved this motion.

No one was appointed as a delegate to the State Convention.

Road Master Deardorff made a motion to appoint Curtis Musselman and Stephen Jacobs to four-year terms of office to the Planning Commission, seconded by Mr. Benner. The Board unanimously approved this motion.

Road Master Deardorff made a motion to appoint Thomas Brown to a three-year term of office to the Zoning Hearing Board, seconded by Mrs. Nicks. The Board unanimously approved this motion.

Road Master Deardorff made a motion to appoint Milton Nicks to be Chairman of the Vacancy Board, seconded by Vice-chairman Eckert. The Board approved this motion with Mrs. Nicks abstaining.

Mr. Benner made a motion to appoint Kevin Diehl to the Agriculture Security Council, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to continue using Adams County National Bank and Pennsylvania Local Government Investment Trust (PLGIT) as depositors, seconded by Mrs. Nicks. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to appoint Lockwood Business Support Services as auditors for the Township. Lockwood Business Support Services will audit the General, Sewer and the State Liquid Fuels Accounts. Mr. Benner seconded this. The Board unanimously approved this motion.

Road Master Deardorff made a motion to reappoint Henry O. Heiser, III as the Township's Solicitor, seconded by Mrs. Nicks. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to reappoint Walton V. Davis as the Zoning Hearing Board Solicitor, seconded by Mrs. Nicks. The Board unanimously approved this motion.

Road Master Deardorff made a motion to reappoint the engineering firm of Martin and Martin, Inc. /Tim Cormany, as the Township's engineers, seconded by Mr. Benner. The Board unanimously approved this motion.

Mrs. Nicks made a motion to reappoint the engineering firm of William F. Hill, Inc. /Fred Heerbrandt as the Orrtanna Treatment Plant engineers, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Chairman Jacobs made a motion to reappoint KPI, Inc. /Gil Picarelli as the Sewer Enforcement Officer, seconded by Mrs. Nicks. The Board unanimously approved this motion.

Road Master Deardorff made a motion to reappoint Hockley and O'Donnell, Inc. as the insurance carrier, seconded by Mrs. Nicks. The Board unanimously approved this motion.

Mr. Benner made a motion to reappoint Capital Blue Cross as the health insurance carrier, seconded by Mrs. Nicks. The Board unanimously approved this motion.

Chairman Jacobs stated the reorganization meeting has concluded and the regular monthly Supervisors Board meeting will begin.

Approval of the Minutes

Mr. Benner made a motion to approve the minutes from the December 7, 2004 Supervisor's Board meeting minutes, seconded by Mrs. Nicks. The Board unanimously approved this motion.

Public Comments

Mr. Heerbrandt thanked the Board for reappointing William F. Hill, Inc as the engineers for the Orrtanna Treatment Plant.

Dave Donaldson, representing the Orrtanna United Methodist Church, wanted clarification concerning the Orrtanna United Methodist Church Zoning Hearing Board. He asked if it was correct that the Supervisors motioned not to require a land development plan for the church parking lot. This is correct. He wanted to know if the Church will receive documentation from the Zoning Hearing Board denying the Church's request for the setback variances. Zoning Officer Nicks replied when the three Zoning Hearing Board members have signed Solicitor Davis' decision, Zoning Officer Nicks will deliver a copy to the Church. Mr. Donaldson believed the church's next step is to appeal the denial by the Hamiltonban Zoning Hearing Board to the Adams County Zoning Hearing Board and the Church has 30 days for that appeal after official notification is received by the Church. Solicitor Heiser stated the Church should seek legal council.

Mr. Donaldson stated the only issue is the setback requirements. Zoning Officer Nicks stated the setbacks, screening and island (s) in the parking lot are the issues. Mr. Donaldson stated does Article III, Section 304, A concerning off street parking apply. Zoning Officer Nicks and Mr. Donaldson will meet to measure the church and decide the number of parking spaces required by the zoning ordinances. Mr. Donaldson stated the church was using about 55 parking spaces, which included the grassy area. Now the church has preliminary paved 60 parking spaces. This is only an increase of 5 parking spaces. Solicitors Heiser stated the Supervisors cannot decide anything on this matter. It is the Zoning Hearing Board and Zoning Officer Nicks authority to decide these issues. Mr. Benner stated there is a Township issue of safety with on street parking. Solicitor Heiser stated there might need to be a change in the zoning ordinance parking lot requirements. Mr. Brown asked if the Hamiltonban Township Ordinance is local law and can they be enforceable. Solicitor Heiser stated yes but local ordinances cannot supersede State and Federal law.

Mr. Harbaugh will be installing a driveway pipe at the Iron Springs Brethren In Christ Church at 855 Iron Springs Road, Fairfield. Later this year the Church will be stoning their parking lot. Mr. Harbaugh asked what are the requirements for sediment screening for the driveway and/or the parking area. Zoning Officer Nicks suggested Mr. Harbaugh call Adams Conservation District for their requirements before any work is started.

Mr. Harbaugh had a problem with a bad check from one of his customers. He wanted to know why the bad check charge has not been filed by Officer Larmer. District Justice Beauchat's office stated the original check was needed. The bank stated a copy of the check was adequate. Officer Larmer now has the original check. Officer Larmer will file theft of services charges immediately. It has been almost two years since Harbaugh Truck's completed this job and the check is for a considerable amount of money.

Planning Commission

Road Master Deardorff made a motion to approve the two panhandle lots of the current Ronald Kump's Subdivision, seconded by Mr. Benner. The Board unanimously approved this motion.

Road Master Deardorff made a motion to preliminary approve Kump's Subdivision with six conditions per Planning Commission recommendations, seconded by Mr. Benner. The Board unanimously approved this motion.

Vice-chairman Eckert made a motion to approve an extension for the Harold Deardorff Subdivision, seconded by Mrs. Nicks. The Board approved this motion with Road Master Deardorff abstaining.

Zoning Officer Nicks will continue to enforce the requirement of his December 2, 2004 memo to Lutricia Rowe of Trish's Treasurers/coffee shop.

Solicitor's Report None at this time.

Treasure's Report

Vice-chairman Eckert made a motion to approve the amended Treasurer's Report. As of 2:15 PM today, the December 2004 interest was posted into the proper Pennsylvania Local Government Trust (PLGIT) accounts. This motion was seconded by Mrs. Nicks. The Board unanimously approved this motion.

Approval of the Expenditures

Vice-chairman Eckert made a motion to approve the expenditures for December 2004, seconded by Mr. Benner. The Board unanimously approved this motion.

January 2005	Revenues	Expenses	Transfers	Balance
General Account				
ACNB Checking Account	\$ 21,429.11	\$ 37,876.43	\$18,000	\$ 11,131.09
ACNB Savings Account	11.37			21,192.18
PLGIT			18,000	93,085.44
ACNB CD				<u>50,781.77</u>
Total Current Assets				\$176,190.48
Sewer Account				
ACNB Checking Account	\$ 10,277.67	\$ 3,173.00	\$ 8,000	\$ 264.54
ACNB Saving Account	4.84			9,040.12
ACNB CDBG	.89			145.33
PLGIT			8,000	<u>38,961.02</u>
Total Current Assets				48,411.01
State Liquid Fuels				
PLGIT				\$ 3,635.98
PLGIT Emergency Fund		88.64		<u>4,623.71</u>
Total Current Assets				\$ 8,259.69

Secretary's Report

The Township finally received reimbursement for the labor cost of \$354 incurred when the Sprint cable was cut on Short Cut 16 on September 3, 2003. The Public Hearing for the zoning district changes at the Fairfield Area School District on April 12, 2005 has been move from the elementary to the middle/high school cafeteria. Sprint DSL was installed today.

Police Report

At 8:46 PM Officer Larmer requested an Executive Session for a police personnel issue. At 8:49 PM the Board continued the regular meeting. Road Master Deardorff made a motion to approve the purchase of a new computer for the police department, seconded by Mrs. Nicks. The Board unanimously approved this motion. Vice-chairman Eckert made a motion to approve the December 2004 Police Report, seconded by Mr. Benner. The Board unanimously approved this motion. The Board received the January and February police schedules. There is a current 2004 police inventory list. Officer Larmer gave a partial year end report. Next year's report will be more completed because she will be using the new monthly report system.

EMA Report None at this time

Road Report

Road Master Deardorff gave the following road report:

1. The Road Crew has been cleaning the banks and ditches on all roads of briars and unwanted saplings, which could cause problems in a heavy snow or ice storm. They have almost completed Cold Springs Road. When they are done on Cold Springs Road they will start on Old 16.
2. The Road Crew is straightening signs and clearing waterways.
3. The trucks are in good shape and are ready for any storm. The tires on the yellow dump truck were replaced with tires from a State contract with S & S Tires in Biglerville, PA.
4. The Road Crew was given a bi-monthly list of 13 items to complete. They have almost completed every item on the list. They are repairing potholes as needed.
5. Rob Almstrom is in the process of re-doing the school sign that was on Iron Spring Road.

Vice-chairman Eckert made a motion to approve Road Master Deardorff's Road Report for December 2004, seconded by Mr. Benner. The Board unanimously approved this motion.

Sewer Report

Road Master Deardorff gave the following sewer report:

1. Repairs in the sewer field have been completed. A couple of spray heads were repaired.
2. Road Master Deardorff is in the process of obtaining prices for a new influent pump at the plant. Road Master Deardorff has consulted with William F. Hill, Inc. /Fred Heerbrandt concerning the pump. Next month he will have price estimates for the Board.
3. The 1,000 gallon underground propane tank at the plant has been replaced with a 500 gallon above ground tank. The water level was too high to install another underground tank. The lines will be reconnected when weather permits.

Vice-chairman Eckert made a motion to approve the sewer report for December 2004, seconded by Mr. Benner. The Board unanimously approved this motion.

Zoning Officer's Report

Zoning Officer Nicks issued 11 permits in the month of December 2004. He issued one permit for each of the following: storage shed, animal shelter, demolition, handicap ramp and deck. He issued two permits for new homes and five use and occupancy permits. He attended seven meetings: Supervisors, Planning Commission, the Orrtanna United Methodist Church's Zoning Hearing, public, a meeting with the County Assessor's office/cabins assessments, Solicitor Hieser/zoning district changes, David Donaldson/Orrtanna United Methodist Church, Ms. Rowe/coffee shop. He completed two inspections: cabins on Fjordela Lane, and the Fellowship Baptist Church trailer. The trailer at the church needs to be removed. He closed out the first zoning

hearing board items for the Towne Center sign variance. He has set-up the second zoning hearing for the church as it has been discussed tonight. He wrote two letters: one for the Myers because their house is in the industrial zone, and Lutricia Rowe/coffee shop parking problems.

Mr. Benner made a motion to approve Zoning Officer's Nicks December 2004 report, seconded by Road Master Deardorff. The Board unanimously approved this motion. Zoning Officer Nicks worked 57.5 hours, traveled 257 miles and had phone charges of \$.65 in the month of December 2004.

Zoning Officer Nicks gave the following 2004 Annual Report:

Total Construction Cost	\$3,659,881.00		
Total Building Permit Fees			\$ 6,220.48
Zoning Officer's Salary	4,238.12	387.75 hours	
Zoning Officer's Telephone Cost	144.28		
Zoning Officer's Mileage	<u>624.96</u>	1736 miles	
Zoning Officer's Total Cost			5,007.36
Uniform Construction Administration Fees			<u>850.00</u>
Net Income- Expenses verses Income			\$ 2,063.12

Mr. Benner made a motion to approve the 2004 Annual Zoning Officer's Report, seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

New Business None at this time.

Old Business

Mrs. Nicks would like to amend Ordinance 04-04 of Hamiltonban Township which is an ordinance describing the parameters and requirements of how an individual would obtain a building permit within Hamiltonban Township, Adams County, Pennsylvania. As of July 15, 2004 a number of changes were made to the Uniform Construction Code (UCC), specifically the structures as defined as utility and miscellaneous use structures (garages, carports, greenhouses and sheds as accessory to a detached single-family home) herein were excluded from the UCC coverage if they are 1,000 square feet or less. Mrs. Nicks suggested that Hamiltonban Township hereby amends the definition of utility and miscellaneous use structures to such structures which are 250 square feet or less thereby making the exclusion from the requirements of the building permit 250 square feet or less for each individual structure. Vice-chairman Eckert made a motion to tentatively approve Ordinance 01-05, which amends Ordinance 04-04; therefore it can be properly advertised, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Mr. Sprow has called Zoning Officer Nicks and Mrs. Nicks-supervisor concerning the right of way to the Baker property at 160 Trinity Acres Lane Extension. The Road Crew installed a driveway pipe after the business office received some paperwork from the Baker's attorney which indicted the problems have been resolved. Mr. Sprow has not signed any legal agreements concerning the right of way issue and he wants the pipe removed, and all permits issued revoked. This is still a civil issue.

Mr. James W. Nye cannot convert the oil burner to a LP burner. The Supervisors suggested Shipley Oil, Aero Oil, and Baughgarden Heating for estimates to convert the oil burner to a LP burner.

Waste Management of Central (WW) charged some Hamiltonban Township customers for recycling. WW will refund the \$12.00 recycle charges because recycling is not available in the Township. Hamiltonban Township has a contract with WW for 2005, basic quarterly charges will be \$34.25 with 96 gallon carts at \$43.25.

No action was taken on appointing a constable for Hamiltonban Township.

Adjournment

At 9:36 PM Road Master Deardorff made a motion to adjourn, seconded by Mrs. Nicks. The Board unanimously approved this motion.

LuAnn M. Dille
Secretary/Treasurer

Stephen W. Jacobs
Chairman