

Hamiltonban Township Board of Supervisors
23 Carrolls Tract Road, Fairfield, Pa 17320
Supervisor's Special Meeting Minutes
March 18, 2008

Supervisors Present: Chairman Robert L. Gordon, Vice-chairman James E. Grinder, Road Master Jay Edward Deardorff, Police Coordinator Coleen N. Reamer, and Supervisor James E. Benner

Planning Commission Members Present: Chairman Curtis Musselman, Vice-chairman Stephen Jacobs, William Shriner and Pamela Wiehagen

Staff: Zoning Officer Milton Nicks, and Secretary/Treasurer LuAnn M. Dille

Public: Old Orchard Farm's Project Manager Gil Clark, Old Orchard Farm Applicant Richard Klein, John Malloy, Barbara Nicks, Dale and Doreen Premo, Old Orchard Farm's Engineer Sam Runyon, Douglas and Glenda Woerner, and Wayne Woerner

Chairman Gordon called the meeting to order and welcomed the public to the meeting.

Approval of Expenditures

Police Coordinator Reamer made a motion to approve the expenditures from March 1, 2008 to March 18, 2008, check numbers 7673 through 7723 excluding check number 7722, seconded by Supervisor Benner. The Board unanimously approved this motion. Supervisor Benner made a motion to approve check number 7722 after Police Coordinator Reamer is satisfied with the documentation on this expense, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

Old Orchard Farms Subdivision/Greater Ortanna Investment Group (GOIG)

At the February 26, 2008 Planning Commission meeting the Planning Commission recommended that the Board of Supervisors preliminarily approve the Old Orchard Farm Subdivision Plan with seven conditions from Martin and Martin, Inc. correspondences dated February 26, 2008. At the March 4, 2008 Board of Supervisors regular meeting, the Board of Supervisors and the GOIG discussed the conditions of the Planning Commission recommendation to preliminarily approve GOIG subdivision plan with conditions. The Board of Supervisors did not believe they had sufficient time to review the latest changes therefore they did not take any formal action on the plan. The Board of Supervisors and the GOIG did agree to hold this special meeting to discuss this plan in detail for possible action tonight.

Solicitor Battersby stated that the Township should have a separate document for the Knox Road improvements to convey with the bonding and subdivision plan.

Mr. Runyon distributed three subdivision plans on the Board of Supervisors table.

Solicitor Battersby would like a separate document for the Knox Road improvement bonding to convey with the engineering plans as part of Phase 1. Chairman Gordon asked what is the timetable for the improvements on Knox Road. Mr. Runyon started to explain the Knox Road improvements on Sheet 15. GOIG will not be responsible for any guide rail installation. The improvements will be to Hamiltonban Township's specifications and inspections. The Homeowner's Association (HOA) will

maintain the grassy area along Knox Road. Hamiltonban Township will request that the utility pole at the intersection of Knox Road and Carrolls Tract Road be moved to allow sufficient distance for truck traffic to turn safely. The Township will not be responsible for any cost involved in moving the utility pole. GOIG repaired the shoulder of Knox Road/Carrolls Tract Road after the heavy equipment that was moved off their property damaged the shoulder. Knox Road bonding will be required at Final Plan approval. The Knox Road improvements with asphalt paving will be completed as part of Phase One. Road Master Deardorff has consulted with Penn-Dot District Representative Rick LeVan about the proposed asphalt improvement on Knox Road. Mr. LeVan is satisfied with the specifications.

Until Old Orchard Road is completed at a later phase, there will be only one ingress and egress for this development. There is a right-of-way between lots 32 and 33. As a preliminary approval condition a written limited right-of-way agreement (easement) with Rodger and Renee Benner of 1758 Orrtanna Road, Orrtanna, PA. 17353 for the use of this right-of-way for emergency use only during Phase One should be included. There is already a memo on page 9 of the plans noting this right-of-way. The trail between Lots 32 and 33 will always need to be open to the public and maintained by the HOA. The trail will cross the right-of-way and parallel the right-of-way shared with Rodger and Renee Benner and their heirs.

Police Coordinator Reamer made a motion that the roadways inside the Old Orchard Farm Subdivision be ordained private and the homeowners association is responsible for all maintenance and improvements, seconded by Vice-chairman Grinder. The Board unanimously approved this motion.

Mr. Cormany stated that on the Greenway Management Plan, on the last page of the land development plan, under Unit 4 the following language should be added "The access to the proposed future equestrian center will be from Carrolls Tract Road and not from the private roads within the subdivision."

Solicitor Battersby would like more documentation stating that the septic systems in the open space area are to be maintained, repaired and improved by the individual property owners respectfully and not the homeowner's association.

There was a discussion about tree lining the street but after reading the Zoning Ordinance, Article III, Section 315.A.5. This is not a requirement per ordinance on private roads.

A buffer landscaping areas was mentioned as screening for the backyards for Lots 37 to 47 and Lots 17 to 21. The backyards would be 1,000 to 1,200 feet away from Carrolls Tract Road at an increasing elevation. This is a gray area in the ordinances if this is required. It was generally agreed not to require this.

Chairman Gordon will like the escrow account of \$10,000 to be a condition upon preliminary approval. The Board of Supervisors approved Resolution 06-2008 requiring an escrow account for \$10,000 at the February 5, 2008 Board of Supervisors regular meeting. Police Coordinator Reamer stated she was upset that GOIG used the Hamiltonban Township as their creditor for the outstanding engineering review fees.

Chairman Gordon made a motion to preliminary approve the Old Orchard Farm Subdivision with the following conditions:

1. An escrow account of \$10,000 must be established by March 31, 2008 at 4:00 PM.
2. The roadways inside the development will be privately owned and maintained by the Home Owners Association.

Conditions from Martin and Martin, Inc. correspondence dated February 26, 2008, must be met.

3. Highland Township approval is also required.
 4. The Applicant will be required to guarantee the completion of all public improvements prior to the release of an approved Final Plan. (700.5) A certified as –built survey of these improvements will be a prerequisite upon completion and prior to the release of any security. (700.8)
 5. The Board has granted a waiver of traffic impact study contingent upon the Developer’s agreement to provide certain improvements to Knox Road. A plan sheet has been added to the set detailing these improvements per discussion with this office and the Road master. The Board should review these design elements and move to agree to these specifications or amend them.
 6. County Conservation District approval and an NPDES permit are required. (699.6)
 7. The Homeowner’s Association documents must be approved by the solicitor. (600.1.M)
 8. A legal agreement will be required with the Township for the greenway conservation easement. The easement and agreement must be recorded with the County. (812.B.10)
 9. PADEP planning module approval is required prior to Final Plan approval. (701.7)
 10. A separate document for the Knox Road improvements and bonding to convey with the engineering plans as part of Phase 1.
 11. A written limited right-of-way agreement (easement) with Rodger and Renee Benner of 1758 Orrtanna Road, Orrtanna, PA. 17353 for emergency use only during Phase One.
 12. The trail between Lots 32 and 33 will need to be always open to the public and maintained by the homeowner’s association. The trail will cross the right-of-way and parallel the right-of-way shared with Rodger and Renee Benner and heirs. These may not be needed as conditions but additions to plans.
 13. Access to the equestrian center will be from Carrolls Tract Road and not from the private roads within the subdivision.
 14. Note that the septic systems in the open space area are to be maintained by the individual property owners respectfully and not the homeowner’s association.
- Supervisor Benner seconded this motion. After a roll call vote the Board approved this motion with Vice-chairman Grinder voting no. If the escrow account funding is not at the Hamiltonban Township office by March 31, 2008 at 4:00 PM, the Board will make a motion to deny the plan at their regular Board of Supervisors monthly meeting April 1, 2008 because the applicant did not meet this condition. The homeowner’s association documents will need to be completed for final approval.

Donaldson Fruit Farm Subdivision Plan

The Donaldson’s are still waiting for Adams County Conservation District (ACCD) approval. The person at the ACCD is on vacation till March 19, 2008. The stormwater management plan is not complete yet because of ACCD. Mr. Kicks from Martin and Martin, Inc. noted that check dams are being utilized to slow down the stormwater along their proposed private road. This should prevent any problems with

stormwater run off at the intersection of the private road Marys Hill Lane at Cold Springs Road, Fairfield, PA 17320.

Camp Eder

Chairman Gordon made a motion to approve Camp Eder application for a T.O.D. sign along State Route 116/Bullfrog Road intersection, seconded by Police Coordinator Reamer. The Board unanimously approved this motion. Chairman Gordon and Road Master Deardorff signed the application.

Hamiltonban Township's Board of Supervisors is planning to review the Township current sign ordinances and adopt amendments for clarification. The Township would like documentation of placement, size and type of all signs within the Township.

Liberty Tower Conditional Use Hearing

Solicitor Battersby and Mr. Cormany will check their schedules for available dates in April for a Conditional Use Hearing for the proposed cell tower. Secretary/Treasurer Dille will coordinate the dates with the Fairfield Area School District and the Board of Supervisors. Zoning Officer Nicks knows he must post the property but because Rood's property is a couple of miles off Iron Springs Road, he asked Solicitor Battersby if he should also post the property at the intersection of Iron Springs Road and Five Forks Lane. Solicitor Battersby stated to ensure proper posting it would be best to post the Rood's property and at the intersection. All adjoining property owners must be notified by certified mailed of the Conditional Use Hearing for the proposed cell tower.

Request for Proposal (RFP) for the New Hamiltonban Township Facility

Chairman Gordon stated that the Township had many meetings concerning the RFP. C. S. Davidson, Inc. assisted the Township in viewing different facilities in the area and helped with the needs assessment. Police Coordinator Reamer stated that Senator Punt's representative in 2006 suggested using an Adams County firm so that the any State funding would stay within Adams County. It was decided to hold a meeting with Martin and Martin, Inc. consultant to discuss the physical design of a building and site planning to obtain a plan that could start the bidding process. This would be a brain storming session. This meeting will be some evening when the consultant is available. At 8:39 PM Mr. Cormany left the meeting.

Pension

Police Coordinator Reamer made a motion to allow an employee that is a member of the Armed Forces and is called to active duty, the option to repay any MMO that would have qualified for State reimbursement and been applied to the Pennsylvania Municipal Retirement System (PMRS) pension plan in his/her absence, to be paid in a lump sum by the employee to the Township, on their return to work. By doing so the Township will show no break in their vesting time accumulation in their pension, seconded by Chairman Gordon. The Board unanimously approved this motion.

Police Coordinator Reamer made a motion for a separate life insurance policy on the police officer in lieu of killed in action coverage by the PMRS pension plan, seconded by Supervisor Benner. The Board unanimously approved this motion. This was also recommended by Solicitor Battersby.

Police Coordinator Reamer made a motion for Solicitor Battersby to contact PMRS to review required documentation to joining PMRS pension plan as discussed, for the PMRS Board's meeting on the March 26, 2008 PMRS meeting but more likely for their May 15, 2008 Board meeting, seconded by Chairman Gordon. The Board unanimously approved this motion.

Penn-DOT Portable Vehicle Speed Monitor and Display Apparatus for Fairfield Area School District's School Zone

Police Coordinator Reamer made a motion to request that Penn-DOT set up their portable vehicle speed-monitoring device and display for one week in the Fairfield Area School Districts' school zone to monitor the speed in this zone, seconded by Road Master Deardorff. The Board unanimously approved this motion. The Township is not responsible for the device but Penn-Dot requested that police also be present to monitor and enforce the speed limit. Officer Larmer is coordinating with surrounding police departments for assistance with coverage. Penn-Dot does not require 24/7 coverage.

Road Department

Road Master Deardorff made a motion to approve the purchase of replacement discharge brushes for the Bobcat, seconded by Supervisor Benner. The Board unanimously approved this motion.

Supervisor Benner made a motion to approve Robbie Kaufman receiving a 2% hourly rate increase effective to the pay period after he received his CDL license back, seconded by Road Master Deardorff. The Board approved this motion with Police Coordinator Reamer and Vice-chairman Grinder voting no. Police Coordinator Reamer stated that Hamiltonban Township adopted a personnel policy and that it should be followed.

Tax Collector Resolution

Police Coordinator Reamer made a motion to draft for adoption a resolution establishing a guideline of tax collector payments to the Township, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Adjournment

At 9:14 PM Supervisor Benner made a motion to adjourn the meeting, seconded by Chairman Gordon. The Board unanimously approved this motion.

LuAnn M. Dille
Secretary/Treasurer

Robert L. Gordon
Chairman