

Hamiltonban Township Board of Supervisors  
23 Carrolls Tract Road, Fairfield, Pa 17320  
Regular Meeting Minutes  
November 7, 2007

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

**Others Present:** Solicitor Henry O. Heiser, III, Zoning Officer Milton Nicks, Secretary/Treasurer LuAnn Dille, EMA Deputy Coordinator Larry Schneider, Planning Commission member and Chair of the Recreation and Park Commission Pamela Wiehagen, and EMA Coordinator Donald Wills

**Public Attendees:** James Grinder, Nick Mirchandani, Barbara Nicks, Dale Premo, Terry Reamer, William Reinke, Harry Rood, Bob Scott, Douglas Woerner, Richard Fulton from the Gettysburg Times, and Step Long from The Dispatch

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

**Approval of the Minutes**

Police Coordinator Reamer made a motion to approve the October 2, 2007, Board of Supervisors Meeting Minutes, and the Board of Supervisors Workshop Meeting Minutes of October 18 and 25, 2007, seconded by Chairman Benner. The Board unanimously approved this motion.

Chairman Benner announced that there was an Executive Session after the October 25, 2007 Workshop Meeting to discuss employees' hourly wages.

**Public Comments** None at this time.

**Planning Commission**

Supervisor Gordon made a motion to continue the process of adopting all the ordinance amendments to include all the Subdivision and Land Development (SALDO), Zoning, and other ordinances listed below:

**SALDO**

- Definitions to Section 200
- Section 600.1.P and section 600.1.Q
- Section 600.10
- Section 600.11
- Section 903.5
- Section 904.3
- Section 904.4
- Section 904.9
- Section 904.20 shall be added
- Section 909 shall be added
- Section 1001
- Section 1002

- Section 1103
- Section 1106.3
- Section 1113

#### Zoning

- Section 309.A.1.j
- Section 501.J
- Article XIV, Section 1400.B.1, Section 1400.B.3, Section 1401.A.1, Section 1402.A.2, Section 1402.B.1, Section 1403.C.4.a, include chart Section 1403.C.4.e, and section 1403.D.1-3
- Section 309.A.5-7
- Section 309A.1.j
- Section 501.J

plus the additional item about artesian wells, and the Recreation and Park Ordinance.

Zoning Officer Nicks would like to include temporary/sandwich sign regulation to the current sign ordinance.

The Glatfelter Tree Farm is for sale. Most of this 2,567 acres parcel is in the Woodland Conservation Zoning District. Zoning Officer Nicks and Martin and Martin Tim Cormany have consulted. At this time it may be beneficial for the Township to consider including Woodland Conservation Zoning District in Growing Greener: Conservation By Design for 500 or more acres.

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

Solicitor Heiser requested an Executive Session for legal matters. The Board and Solicitor Heiser went into an Executive Session at 7:45 PM and returned at 8:14 PM. Solicitor Heiser has received a Correctory, Restated, and Confirmatory Declaration of Easement for Wagerman's One Lot Subdivision off Iron Springs Road, Fairfield, PA. Supervisor Gordon made a motion to approve this Declaration of Easement for the Wagerman's One Lot Subdivision Plan off Iron Springs Road, Fairfield, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Supervisor Gordon made a motion for Solicitor Heiser to advertise for seal bids the purchase of 4.2 acres of land at 3759 Bullfrog Road, Fairfield, PA 17320, bids to be opened at the next regular Board of Supervisors' meeting on December 4, 2007, seconded by Police Coordinator Reamer. The Board approved this motion with Road Master Deardorff abstaining. Road Master Deardorff is the current leaser of the farm land behind 23 Carrolls Tract Road, Fairfield, PA.

Solicitor Heiser started legal action against Thomas Brown of 384 Mount Hope Road, Fairfield, PA for not pumping his holding tank as permitted.

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

Zoning Officer Nicks gave the following October 2007 Zoning Officer's Report. Zoning Officer Nicks issued 13 permits during October 2007. One home replacement permit was issued. One permit extension was granted. Five Use and Occupancy Permits and six Well Permits were issued. He attended six meetings: Supervisors, Planning Commission meetings public, a meeting with Mr. James Regnier, Mr. Richard Fitz, and two possible buyers for the Glatfelter's property. He completed four inspections. The Voss's moved an existing building off the property line. Now the building is in

compliance with the current set-backs. Mr. Hinkhaus has a current building permit for his garage off Cold Springs Road, Gettysburg, PA. The Krape's trailer has been removed. He completed a well inspection for the Myer's. Zoning Officer Nicks has obtained the signatures for Daniel Sanders Zoning Hearing Board Final Report. He has updated the Hamiltonban Township's Private Road list to include Brite Lane off Mount Hope Road, Fairfield. Huffmantown Lane, Gettysburg was already included.

Zoning Officer Nicks suggested adding a new historical marker classification and temporary/sandwich sign regulation to the current sign ordinance. Several temporary/sandwich signs are appearing along Route 116 at Towne Center and Sanders' Square. He has allowed the new business Free Style to have temporary sandwich signs for one month.

Zoning Officer Nicks explained to the Middle Department Inspection Agency (MDIA) Vice-President Peter West at West Chester, PA the problems the Township is having receiving Use and Occupancy Permits for completed building projects. He continued to explain to Vice-president West that several of the MDIA staff failed to complete any follow up on several outstanding permits. Hamiltonban Township has supplied numerous lists to their staff to aid them with follow-up inspections.

Vice-chairman Eckert made a motion to grant a Customary Home Occupation Permit for a catering service business to Dennis and Karen Robert of 18 Bourbon Trail, Fairfield, PA., seconded by Supervisor Gordon. The Board unanimously approved this motion. There will be no cooking of food at their home just the storage of supplies. They are allowed a four square foot sign but will probably not install a sign.

Mr. Scott hand carried a sketch plan for the Fairfield Mini-Mart at 4311 Fairfield Road, Fairfield, PA. to install one gasoline isle with two pumps. Concerns were voiced about parking, alley access, tanker deliveries and traffic patterns, DEP requirements, and Labor and Industries requirements. Zoning Officer Nicks stated that this gas station in the Mixed Residential Zoning District, and that gas pumps would be allowed as a conditional use. Mr. Scott wanted to know if this plan was feasible before completing a detailed survey and formal submission. The Board suggested Mr. Scott attend the next Planning Commission meeting with more information.

Chairman Benner requested that Zoning Officer Nicks inspect the landscape screening at Quebecor, 100 North Miller Street, Fairfield, PA. Several of the trees have died along Miller/Fairfield Station Road, Fairfield, PA.

Zoning Officer Nicks worked 40.25 hours, traveled 222 miles, had 46 telephone calls and long distance charges of \$12.49. Supervisor Gordon made a motion to approve the October 2007 Zoning Officer's Report, seconded by Chairman Benner. The Board unanimously approved this motion.

### **Treasurer's Report**

Supervisor Gordon made a motion to approve the October 2007 Treasurer's Report, seconded by Chairman Benner. The Board unanimously approved this motion.

The 2008 Proposed Budget is available for public review. The Budget Message has been prepared and will be available for the December 4, 2007 regular Board of Supervisors meeting.

December	Income	Expenses	Transfers	Balance
General Account				
ACNB Checking	3,439.54	3,4730.86	20,000	9,123.07
ACNB Savings	10.04			20,940.37
ACNB CD	2,746.54			56,320.45
PLGIT Term				100,000.00
PLGIT	682.96		20,000	<u>134,437.06</u>
Total Current Assets				\$320,820.97
Sewer Account				
ACNB Checking	1,570.59	2,171.51		933.16
ACNB Savings	2.97			6,205.78
PLGIT	6.24			<u>1,157.88</u>
Total Current Assets				\$ 8,296.62
State Liquid Fuels				
PLGIT	111.56			2,023.71
PLGIT Emergency	20.95			<u>5,193.53</u>
Total Current Assets				\$ 7,217.24

### **Approval of the Expenditure's**

Chairman Benner made a motion to approve the October 2007 Expenditure Report, seconded by Road Master Deardorff. The Board unanimously approved this motion.

### **Secretary's Report**

The Bi-annual State Liquid Fuels Audit has been completed. Police Coordinator Reamer made a motion to accept the October 2007 Secretary's Report, seconded by Chairman Benner. The Board unanimously approved this motion.

### **Police Report**

Officer Larmer gave the follow October 2007 Police Report. She had 79 service calls, seven arrests, six traffic citations, issued two warnings and had eight criminal arrests. She traveled 1,539 miles, used 122.6 gallons of fuel for 12.56 miles per gallon of fuel. Officer Larmer and Police Secretary Carol Mattingly attended a UCR Update Training. She handled 70 plus telephone calls. There were a couple of incidents at the Fairfield Area School District this past month. Officer Larmer thanked Vice-chairman Eckert for his assistance as he is a part time security officer at the school. The 2000 Ford had a problem with the vas-car unit. It was repaired and now the 1997 Ford's vas-car is being repaired. Officer Larmer will be working New Year's Eve. Chairman Benner made a motion to approve the October 2007 Police Report, seconded by Supervisor Gordon. The Board unanimously approved this motion.

### **EMA Report**

EMA Coordinator Wills and Deputy Coordinator Schneider attended the South Central Pennsylvania Regional Operations Plan and Incident Management Task Force Meeting on October 23, 2007, at the Gettysburg United States Armory at 72 southwest Confederate Avenue, Gettysburg, PA. He distributed a written report to the Board of Supervisors. The report stated the purpose for the meeting was to update emergency

service personnel on the updated/new plans involving emergency detour routes around Gettysburg, PA with Penn-DOT Traffic Management Control Center. Roadway closure reporting system and Adams County Winter Operation overview were discussed. All State owned highway trucks now have GPS capability.

Again there was a discussion about Green Ridge Road. Chairman Benner will continue to help resolve the house number issues with Franklin Township. Chairman Benner has met with each Hamiltonban Township property owner and explained the problem of the lack of house numbers for emergency services. South Mountain, Blue Ridge Summit Ambulance Corp and Wal-Mart sell four inch house numbers. EMA Coordinator Wills suggested that the next Township newsletter include an article about the important of house numbers and that Hamiltonban Township has an ordinance requiring all property owners to mark their property.

Police Coordinator Reamer and EMA Coordinator Wills are continuing to update the Hamiltonban Township Operation Plans. There will be another work session on November 13, 2007 at 1:30 PM at 23 Carrolls Tract Road, Fairfield. EMA Coordinator Wills and EMA Deputy Coordinator Schneider will be attending a County EOC Meeting, a Damage Reporting Training and a Pipeline dinner meeting. Vice-chairman Eckert made a motion to approve the EMA October 2007 Report, seconded by Police Coordinator Reamer. The Board unanimously approved this motion.

### **Road Report**

Road Master Deardorff congratulated the newly elected officials. Road Master Deardorff gave the following October 2007 Road Report. Included in this list is some of the work that will be completed in November:

1. There is some ditch work to be completed on Knox Road.
2. There is some minor repairs and ditch work on the dirt section of Newman Road.
3. A few more signs need to be installed.
4. Some delineators need to be installed.
5. The Road Crew will be cleaning all the wooded areas inlets and outlets pipes of leaves to prevent clogging during Winter rains.
6. The Road Crew will be once again cold patching some edges and any holes on a warm day next week.
7. The Peterbilt truck will be equipped and ready for Winter weather beginning next week. The following week the International will be equipped and ready for Winter weather.
8. The Township has enough Winter supplies for the starting month of Winter.
9. All the 2007 Road Projects have been finished.
10. A section of the stream area near 950 Cold Spring Road, Fairfield, PA has been clean out of debris after the June 2006 Rain Storm Event.
11. All railroad crossings, crosswalks and lines have been painted.
12. All mowing has been completed.
13. The Road Crew has completed the grading and compaction of the surface of the hill on Knox Road.
14. Signs have been replaced as needed.

Road Master Deardorff met with the new Penn-DOT District 8 Manager Rick Levan. He examined the 2007 Road Projects per State Liquid Fuels requirement. He was very impressed with the amount of re-surfacing and the job that was done for the expended funds. Mr. Levan believes Road Master Deardorff decision to use hot mix versus pug mill was the best way to re-surface the roadways. Hot mix is permanent and proven successful.

Road Master Deardorff met with a Penn-DOT Sign Division Staff Joe Burns in responds to a correspondence written by Supervisor Gordon requesting boundary signs. Road Master Deardorff had a Township map marked with in detail where current Township and Penn-Dot boundary signs are installed and needing to be installed. The Township will need to purchase and install two boundaries signs. Signs will be installed along Beechwood Drive and Old Waynesboro Road. Penn-DOT will be installing probably nine more boundary signs over the next year or so.

Since Road Master Deardorff was appointed road master he has helped to create and implemented road reconstruction process that started at the worse areas and worked from there. The Township has completed re-surfacing 2/3 of the Township's roads. Hopefully the Township funding will allow the completion of two more miles in 2008. The Township still has the following roads to re-surface:

- 2 miles in the BB Section
- 1 mile in South Mountain
- 1 mile on Mount Carmel
- 2.5 miles on Cold Spring Road
- ½ mile on Hickory Bridge Road
- 1 mile on Mount Hope Road
- 1 mile on Bullfrog Road

Road Master Deardorff has been conducting periodic inspections of the Old Orchard Farm Development/Greater Orrtanna Investment Group. As of today there has been no stabilization of the disturbed areas. Number 3 aggregate have been layered with number 6 aggregate, eight inches thick, compacted on slope and pond areas. Connecting areas will then be covered with 2A, 2RC, and 3 aggregate and compacted. Number 3 aggregate is also needed in the section down from the existing orchard crossover to the entrance at Knox Road.

The utility companies have completed the pole work along Cold Springs Road between Carrolls Tract Road and the railroad tracts.

Fairfield Landscaping has donated \$2,000 of materials for the stabilization of the disturbed areas along Cold Spring Road, Fairfield, PA. The Board of Supervisors thanked him for his donation.

Vice-chairman Eckert made a motion to approve the October 2007 Road Report, seconded by Chairman Benner. The Board unanimously approved this motion.

### **Sewer Report**

Road Master Deardorff gave the following October 2007 Sewer Report:

1. On October 10, 2007 there was a meeting of the Hamiltonban Township's Municipal Board and Road Master Deardorff to discuss past problems at the Orrtanna Treatment Plant and the current corrections. Also discussed

were future repairs that might be needed at the 30 year old treatment plant and spray fields.

2. The Hamiltonban Township's Road Crew has repaired all the current problems of the sewer plant spray fields.
3. The plant and spray fields are in good shape for Winter.
4. The lagoons are balanced. The influent and effluent levels are regulated and balanced.

Road Master Deardorff reported that the spray fields are in the best repaired shape in four years. In the future as capital reserves increase the Township may want to improve the spray fields. Supervisor Gordon questioned the status on the City of Harrisburg permit. The Township has completed the annual permit form but the new permit has not been issued.

Police Coordinator Reamer made a motion to increase the sewer rate 15.375 percent for all users per the Hamiltonban Township's Municipal Board recommendation, seconded by Road Master Deardorff. The Board unanimously approved this motion. The Board will adopt a resolution at the next regular meeting.

Secretary/Treasurer Dille was instructed to be more aggressive with delinquent accounts. Past Secretary/Treasurer Nicks agreed with Secretary/Treasurer Dille that it is and has been the same few customers. Secretary/Treasurer Dille and Past Secretary/Treasurer Nicks stated that solicitors have stated that until the balance is over \$500 it will cost the Township more in legal cost than the sewer balances. The rental properties have been reviewed and found to be billed the correct number of units. The Township charges 5% penalty after the first 30 days and then 10% after that. Supervisor Gordon made a motion to approve the October 2007 Sewer Report, seconded by Chairman Benner. The Board unanimously approved this motion.

### **New Business**

Police Coordinator Reamer made a motion that the Board of Supervisors support and Chairman Benner sign a correspondence to DCNR agreeing to the "Enhanced Park, Recreation, Open Space and Greenways Element" being added to the Southwest Adams County Joint Comprehensive Plan, seconded by Supervisor Gordon. The Board unanimously approved this motion.

The Hamiltonban Township's Recreation and Park Plan draft should be ready for the November 13, 2007 Recreation and Park Commission public meeting.

Supervisor Gordon made a motion to appoint Tammy Deardorff to fill the vacancy created when Peggy Abraham resigned from the Hamiltonban Township's Recreation and Park Commission, seconded by Chairman Benner. The Board approved this motion with her husband Road Master Deardorff abstaining. Mrs. Deardorff term of office will expire on December 31, 2008.

Adams County Planning and Development office request for proposal for the Adams County Joint Southwest Comprehensive Plan was mailed to Police Coordinator Reamer as the Hamiltonban Township's representative. She will meet with other municipality representatives on November 15 or 16, 2007 for a review of the proposal.

There will be an open house at the Adams County Emergency Training Facility on November 8, 2007 from 6:00 PM to 9:00 PM to review the FEMA Flood Plain map.

Because Solicitor Heiser does not want to be re-appointed as the Township's solicitor Chairman Benner has contacted several other attorneys. John Phillips of Gettysburg, PA. and Jeffrey Evans of Waynesboro, PA, has corresponded back to the Township. Attorney Lisko has a conflict with another municipal meeting. Attorney Kathryn Gault has not responded to messages left at her office. Chairman Benner will contact Matthew Teeter for a letter of intent. Supervisor Gordon read a list of solicitors from the Adams County Association of Township Officials booklet.

Police Coordinator Reamer made a motion for all the Supervisors to sign a correspondence addressed to Glatfelter Number 1, asking Glatfelter to consider allowing the 2500 plus acres to be preserved by stating the importance of allowing our community of agencies and area sources the time to form a conglomerate that can pool sufficient funding for its rescue for all Pennsylvanians, seconded by Chairman Benner. The Board unanimously approved this motion. This correspondence will also be mailed to a number of legislators, other government agencies and local newspapers.

Because of problems with the Adams County Earned Income Tax calculations give to the York Adams Tax Bureau (YATB), YATB over paid several municipalities. The municipalities needed to correctly complete a form which YATB uses to calculate current payments. Some municipalities either did not complete the form or did not allow for the adjustment of the over payments. There are other firms wanting to collect the earned income tax but they will charge a percentage of the amount collected. The YATB invests the fund and then pays the full amount collected to each municipality at a later date. The YATB uses the dividends from the investment to cover all administrative cost. Supervisor Gordon referred to a newspaper article quoting a McSherrystown certified public account stating it would be benefit to have one collection agency for all the business in the county. Police Coordinator Reamer and Supervisor Gordon are the Township representatives and have attended all the board meetings. They recommended to continue with YATB.

Chairman Benner made a motion to forward the Fairfield Shopping Center's Sewer Module to the Fairfield Municipal Authority for their review, seconded by Supervisor Gordon. The Board unanimously approved this motion.

Supervisor Gordon made a motion for Warner/ISP Mineral, Inc. One Lot Subdivision Plan to be considered as a preliminary/final plan, seconded by Road Master Deardorff. The Board unanimously approved this motion.

### **Old Business**

The Sunshine Trail Sign will not be installed until the Hamiltonban Township's sign ordinance is changed to allow historical signs. Chairman Benner has spoken with the Clines'.

There will be another Joint Board of Supervisors and Planning Commission meeting to finalize all ordinance changes. Secretary/Treasurer Dille will contact Martin and Martin Tim Cormany for evenings he will be available.

The plans for the 90<sup>th</sup> Annual Convention of the Adams County Association of Elected Officials are progressing nicely. Some donations have already been collected. Chairman Benner will try to get several fruit grower to donate items.

**Communications are available upon request.**



**Meeting Dates**

The Hamiltonban Township Recreation and Park Commission Meeting has been rescheduled for November 13, 2007, prevailing time 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA 17320

The next regular Planning Commission Meeting will be November 27, 2007, prevailing time 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA 17320

The next regular Board of Supervisors Workshop Meeting will be November 29, 2007, prevailing time 7:30 PM at 23 Carrolls Tract Road, Fairfield, PA 17320

The next regular Board of Supervisors Meeting will be December 4, 2007, prevailing time 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA 17320

**Adjournment**

At 9:52 PM Chairman Benner made a motion to adjourn the meeting, seconded by Supervisor Gordon. The Board unanimously approved this motion.

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LuAnn M. Dille  
Secretary/Treasurer

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James E. Benner  
Chairman