

Hamiltonban Township Board of Supervisors
Regular Meeting
23 Carrolls Tract Road, Fairfield, Pa 17320
March 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: Fred Heerbrandt engineer from William F. Hill, Inc., Solicitor Henry O. Heiser, III, Police Officer Juanita Larmer, Curt Musselman Planning Commission Chairman, Milton Nicks Zoning Officer, Pamela Wiehagen Planning Commission Secretary, Donald Wills EMA, and LuAnn M. Dille Secretary/Treasurer

Public Attendees: David Benner, James Bigham, Thomas Brown, Matthew Furman from the Evening Sun, Dr. Henry and Dr. Amy Beth Garazo, Robert Gordon, Ronald and David Kump, Coleen Reamer, Glenda and Douglas Woener,

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

Approval of the Minutes

Mr. Benner made a motion to approve the regular Supervisors Board meeting minutes and the text and map changes workshop minutes as presented, seconded by Mrs. Nicks. The Board unanimously approved this motion. The Supervisors' meeting is audibly recorded.

Public Comment

Mr. Heerbrandt presented the Orrtanna Wastewater Treatment Facility Municipal Wasteload Management Chapter 94 Report for 2004. There is a problem with the infiltration and inflow rate at the Orrtanna Treatment Plant. The Pennsylvania Department of Environmental Protection (DEP) may request a formal plan to correct this problem. Road Master Deardorff made a motion to start the process to flush the lines for the Orrtanna Treatment Plant and then to video tape the lines to diagnose the problem area(s) for corrective action (s), seconded by Vice-chairman Eckert. The Board unanimously approved this motion.

Planning Commission

Dr. Amy Beth Garazo stated that when her husband and she recently purchased the property at 4875 Fairfield Road, Fairfield, the May White Woener's property was a working farmer's field. They are concerned about the re-zoning of the May White Woener's property from commercial/agriculture to all commercial. They were unaware that the triangle portion of the property between Iron Springs Road and Route 116 was already zoned commercial. They are concerned about a commercial development changing the entrance and character of the Borough of Fairfield. Dr. Henry Garazo stated if and when the property is developed, hopefully the structure(s) would blend with the

historical surroundings. It was stated that there must be landscaping and screening to protect the surrounding properties.

Zoning Officer Nicks explained in detail the text and zoning district map changes that are proposed for the April 12, 2005 Public Hearing, which will be at the Fairfield Area School District middle/high school cafeteria starting at 7:00 PM. Zoning Officer Nicks' memo dated February 22, 2005 will be an attachment to these minutes. Chairman Jacobs made a motion for Solicitor Heiser to proceed with the proper legal process for the proposed text and map changes as per Zoning Officer Nicks' memo dated February 22, 2005, seconded by Road Master Deardorff. The Board approved this motion with Mr. Benner abstaining. Solicitor Heiser will complete the legal procedures including the legal advertisements in the Gettysburg Times and the Waynesboro Record Herald per the Supervisors request. The legal advertisement is only required in one newspaper of general circulation. On March 3, 2005 Secretary/Treasurer Dille will send the text and map changes to Adams County Planning and Development for their review by certified mail.

There was a small discussion on shared driveway agreements and shared private road agreements. Chairman Jacobs made a motion to approve the preliminary plan for the Kiehl/Bigham's subdivision pending the following eight items: Pennsylvania DEP approval, possible erosion and sedimentation control plan, access for each lot should be defined, owners' statement must be signed and notarized, overall master plan is required, the existing uses of the adjoining properties must be noted, Penn DOT highway occupancy permit must be obtained, lot 7 must have a 50 foot building set-back from Ledge Road, Lots 1, 5, and 6 must have 50 foot setback from property line. Mr. Benner seconded this motion. The Board unanimously approved this motion.

Chairman Jacobs made a motion to approve the Seltzer/Smith's Preliminary/Final Subdivision Plan, pending Pennsylvania DEP's approval, seconded by Road Master Deardorff. The Board unanimously approved this motion. The plans will not be signed until Pennsylvania DEP's approval is received because after the plans are signed the plans must be filed at the Adams County Courthouse within 90 days. DEP can take up to 90 days to review plans.

Mr. Benner made a motion to approve the Ronald Kump's Final Subdivision Plan, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Solicitor's Report

Solicitor Heiser stated it was important to make the motion concerning the map and text changes therefore he can proceed with the proper legal procedures. The Moore case is still on Judge Kuhn's desk. George W. Nicholas of the Indian Trail Inn was served with the complaint. Solicitor Heiser gave the Board copies of Act 209, 1990, Transportation Impact Fees. If the Board is interested in implementing Act 209 they should consider passing this regionally. On March 3, 2005 the Board has a workshop concerning Act 209 with McMahan Associates, Inc. Solicitor Heiser stated he would be willing to discuss Act 209 with the Board after the March 3, 2005 workshop.

Approval of the Treasurer's Report

Road Master Deardorff stated that the rebuilt 1989 Chevrolet warranted transmission installed in February 2005 has gone out, with only 300 miles. Because it is

warranted Hamner's Garage will replace it at no cost to the Township. Vice-chairman Eckert made a motion to approve the February 2005 Treasurer's Report, seconded by Mr. Benner. The Board unanimously approved this motion.

March 2005	Revenues	Expenses	Transfers	Balances
General Account				
ACNB Checking	\$95,061.72	\$51,007.93	\$28,000	\$ 17,631.35
ACNB Savings	11.39			21,214.95
ACNB CD				50,781.77
PLGIT	111.14		28,000	<u>85,360.57</u>
Total Current Assets				\$174,988.64
Sewer Account				
ACNB Checking	\$ 424.64	\$5,476.60	4,500	\$ 249.95
ACNB Savings	4.86			9,049.84
CDBG				145.33
PLGIT	60.82		4,500	<u>33,272.48</u>
Total Current Assets				\$ 42,717.60
State Liquid Fuels				
PLGIT	\$ 5.55	231.06		\$ 3,256.58
PLGIT Emergency Fund	7.25			<u>4,638.42</u>
Total Current Assets				\$ 7,895.00

Approval of the Expenditures

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

Secretary's Report

Waste Management of Central PA (WM) called the office today to inform the Township that solid waste pick-up will be delayed one day because of the snow. WM stated they would make a radio announcement to this effect. The Hamiltonban Township's new web site address is hamiltonban.org. Secretary/Treasurer Dille thanked the Harbaugh family for picking up and delivering the 2005 Tax Duplicate to the Township office. Borough of Carroll Valley has invited someone from the Township to help plan an activity at the 4th of July Celebration that will take place at the Carroll Valley Park.

Police Report

Officer Larmer presented her February 2005 Police Report, which was made easier with her new computer. Officer Larmer had 18 complaints/service calls, 35 traffic arrests. She traveled 1,231 miles and used 101.9 gallons of fuel. Vice-chairman Eckert made a motion to approve the February 2005 Police Report, seconded by Mrs. Nicks. The Board unanimously approved this motion. The 1997 Ford Victoria was inspected and serviced at Scott's Auto and Transmission last week. Mr. Woener made a complaint about the beer bottles littered on his farm along the Carroll Tract Road. Every road in the

Township is littered with beer bottles. Vice-chairman Eckert stated to have road killed deer picked up call Penn DOT at 334-3155 to report the location of the dead deer.

EMA Report

Road Master Deardorff made a motion to proceed with the development of a Regional EMA to include Hamiltonban and Liberty Townships, Fairfield and Carroll Valley Boroughs, seconded by Mr. Benner. The Board unanimously approved this motion. Mrs. Nicks made a motion to approve the purchase of 15 cases of flares at \$31.00 per case, seconded by Road Master Deardorff. The Board unanimously approved this motion. Hamiltonban Township will piggyback on a State contract with the Borough of Carroll Valley for the purchase of the flares. Vice-chairman Eckert stated that the Township should give Fountaindale Fire Company two cases of flares. This is has been done routinely in the past.

Road Report

Road Master Deardorff gave the following February 2005 Road Report:

1. On lower Old Route 16 the worst areas have been dug out, re-based with two feet of # 3 course aggregate, then using # 2 A aggregated to compact and refinish the driving surface. ISP Minerals, Inc. (ISP) has roughly 180 tractor-trailers a day traveling to the mill using the lower part of Old Route 16. This increase of heavy traffic is causing Old Route 16 to deteriorate. Hopefully ISP will pay the total cost of resurfacing that portion of Old Route 16 or at least 50% of the cost. Road Master Deardorff will have a meeting with ISP to discuss payment of the road repairs.
2. The Township will be purchasing the special winter cold patch material in the next few days when it becomes available from the supplier.
3. The Township has enough winter materials for three snowstorms. A long-range winter forecast predicts a very active March with six more winter storms.

Road Master Deardorff, Police Officer Larmer and Secretary/Treasurer Dille praised Robbie Kauffman and Jack Ringler for an excellent job of snow removal. Road Master Deardorff stated this is the best road crew the Township has had in a number of years. They do quality work.

Sewer Report

Road Master Deardorff gave the following February 2005 Sewer Report:

1. Hopefully the LP gas line will be connected from the new above ground tank to the generator. The generator is used in case of power outages at Orrtanna Treatment Plant.
2. The temperatures should not get cold enough for the lagoons to freeze solid therefore the aerators have been re-installed.

Zoning Officer's Report

Zoning Officer Nicks issued three permits. One permit was issued for a new home. One permit was issued for a restrooms addition at Hickory Bridge Restaurant. One permit was issued for an extension of a building permit. He attended three meetings:

Supervisors, Planning Commission public, and a meeting with Solicitor Heiser on the zoning text and map changes. He completed an inspection at Mike's Fix-it-Shop. He sent correspondence to the two illegal cabin owners on Fjordlea Lane. He re-wrote the sign ordinance text changes. He did a follow-up on the UCC Code permits. There are 20 outstanding permits. One was an over site from this summer. The rest of the projects remain unfinished. He updated the maps for all the maps changes for the Planning Commission, Supervisors and for Adams County Planning and Development. He worked 39.25 hours, traveled 87 miles, had 44 telephone calls and telephone charges of \$17.24. Vice-chairman Eckert made a motion to approve the February 2005 Zoning Officers' Report, seconded by Road Master Deardorff. The Board unanimously approved this motion.

Zoning Officer Nicks stated he had a telephone call from G. Randy Reamer requesting that Lot's C12-40 and C12-33 in the Village of Orrtanna be re-zoned from moderate density (R-2) to commercial (C). Road Master Deardorff read a memo, which was hand delivered to his house today with the same request. This would be spot zoning. The Township's Zoning Ordinances have a size and depth requirements for commercial lots. These pre-existing lots are non-conforming to the present Hamiltonban Township's Ordinances. There was a slight discussion and this issue was referred to Solicitor Heiser.

New Business

Tom and Madeline Wajda want their 32 acre property at 145 Tract Road, Fairfield to be included in the Agriculture Security Area of Hamiltonban Township. The Supervisors took no action at this time. On February 24, 2005 Secretary/Treasurer Dille attended a meeting on the Monocacy River Stormwater Management Plan.

Old Business

Secretary/Treasurer Dille did not formally request that Solicitor Heiser advertise Ordinance 01-05, concerning reducing the UCC Code exclusion from 1,000 square feet to 250 square feet until the end of this month. The proper advertising will be completed so that the Supervisors may adopt Ordinance 01-05 at the April 2005 meeting.

Next Regular Board Meeting

The next regular Board meeting will be April 5, 2005 at 7:30 PM at 23 Carroll Tract Road, Fairfield, PA 17320.

Adjournment

At 9:19 PM Road Master Deardorff made a motion to adjourn the meeting, seconded by Mr. Benner. The Board unanimously approved this motion.

LuAnn M. Dille
Secretary/Treasurer

Stephen W. Jacobs
Chairman