

Hamiltonban Township Board of Supervisors

23 Carrolls Tract Road, Fairfield, PA 17320

Monthly Meeting Minutes

May 5, 2015

At 7:00 PM Chairman Gordon called the meeting to order and welcomed the public. The Pledge of Allegiance was recited. The meeting is being recorded for the sole purpose as a review aid in compiling the written minutes.

Supervisors Present: Robert L. Gordon, Coleen N. Reamer, Douglas Woerner, LuAnn M. Dille, and J. Edward Deardorff.

Staff: Solicitor Matthew Battersby, Secretary/Treasurer Deborah K. Feiler, Roadmaster John A. Harbaugh, Jr., EMA Coordinator Don Wills, Jr., and Deputy EMA Coordinator Richard (Sam) Ginn.

Public: Mary Kirby, Andy Mickley, Dave Sites, Ken Walton, Jim Izer, Doreen Premo, Paul Kellett, Kim Mellon, Sue DeVeer, Kelly Lyon, Chuck Reid, John Messeder of the *Gettysburg Times*.

Approval of the Agenda: The Board unanimously approved the Agenda.

Public Comment: Andy Mickley who was listed on the agenda to speak stated that at this time he does not have any comment, but he is concerned about Reids Bridge.

Paul Kellett, President of the Adams County Watershed Alliance (ACWA) stated that he wanted to clear up some confusion with their application (petition) to upgrade the value of Tom's Creek from a High Quality Cold Water Fishes to Exceptional Value Cold Water Fishes through the Chapter 23 process. The application is not being submitted with Specialty Granules, Inc. (SGI) in mind, the ACWA is not anti-SGI. SGI has been a good neighbor to Tom's Creek and that is why Tom's Creek is considered an exceptional value creek. The ACWA is concerned about possible development in the BB section. The ACWA will also be submitting a petition to upgrade Middle Creek by the Strawberry Hill Nature Preserve. The two creeks flow though state forest land which is part of the criteria for the petition.

Sue DeVeer lives on Tom's Creek and is a member of the Friends of Tom's Creek. She stated that the Friends of Tom's Creek held a stream monitoring program and experts found rare macroinvertebrates in the creek. The stream and what is in the stream needs to be protected according to Ms. DeVeer.

Kimberly Mellon of Cascade, Maryland stated that Tom's Creek needs to be protected for everyone living downstream in Maryland.

Supervisor Reamer offered some advice to the ACWA. She stated that with applications like the petition that the ACWA is submitting, Municipalities should be contacted first so that the Board or Council is aware of what is going on in their Municipality. In this case, the Hamiltonban Township Board found out about the petition after it was completed (it has not been submitted). How can this Board act on this matter when they have not researched the issue? Any entity should come to the Township first to discuss their plans for whatever resource in the Township that may be affected.

Approval of the Minutes: Vice-chairman Woerner motioned to approve the April 7, 2015 Board of Supervisors Meeting Minutes and the April 30, 2015 Board of Supervisors Workshop Meeting Minutes. Supervisor Deardorff seconded. The motion carried.

Solicitor's Report: At this time Solicitor Battersby did not have any report. He will weigh in on agenda topics as needed throughout the meeting.

Old/New Business: Mr. Sites, Developer of the Iron Springs Plaza project summarized where the project stands at this time. PennDOT has conditionally approved the Highway Occupancy Permit for signalization and the re-alignment of Iron Springs Road. PennDOT has provided a \$700,000 grant for the project and has permitted Mr. Sites to apply for a Multi-modal Grant as this grant now allows for projects to be developed on State highways. Supervisor Deardorff motioned to support the Iron Springs Plaza Project; approve Resolution 2015-11: PennDOT Reimbursement Grant Agreement of \$700,000; approve Resolution 2015-12: to submit a Multi-Modal Transportation Fund Grant Application; with both grants being used towards infrastructure improvements; and with the Township Solicitor and Mr. Sites' Solicitor preparing a supplemental agreement indemnifying the Township from any costs related to this project which will be executed before the project moves forward. Supervisor Dille seconded. The motion carried unanimously. It is required that Municipalities administer these two types of grants. Mr. Sites left the meeting at 7:25 PM.

Supervisor Deardorff motioned to approve Resolution 2015-10: Closing Reids Bridge spanning Tom's Creek on Mount Hope Road until corrective action can be taken. Vice-chairman Woerner seconded. The motion carried unanimously.

Mr. Kellett asked the Board if they would table the motion regarding the Tom's Creek petition so that the ACWA can work with the Board on this matter. Supervisor Reamer motioned to table the motion to consider the petition to upgrade the water quality of Tom's Creek. Vice-chairman Woerner seconded. The motion carried with Supervisor Deardorff voting against the motion. Mr. Kellett, Mr. Reid, Ms. Mellon, Ms. DeVeer, and Ms. Lyon left the meeting at 7:33 PM.

Supervisor Deardorff motioned to advertise and put out to bid the materials needed for the summer road projects and line painting as presented by Roadmaster Harbaugh, and to be awarded at the June Board of Supervisors meeting. Vice-chairman Woerner seconded. The motion carried unanimously. The majority of the road projects will be on Cold Springs Road. Roadmaster Harbaugh and Secretary/Treasurer Feiler are meeting with a PennDOT representative on May 11th to prepare the bid.

Supervisor Reamer motioned to move to a four, nine hour day work week for the Secretary/Treasurer from Memorial Day thru Labor Day. Vice-chairman Woerner seconded. Supervisor Dille thought that the office should be open the same hours as the road crew works. It was noted that for the last five years there have been no problems with this schedule change and that having the office open at 7:00 AM Monday thru Thursday allows residents to stop by the office on their way to work, which residents have done in the past. A roll call vote was taken: Vice-chairman Woerner - Yea; Supervisor Deardorff - Yea; Supervisor Dille - Nay; Supervisor Reamer - Yea; and Chairman Gordon - Yea. The motion carried.

Supervisor Reamer motioned to move to a four, ten hour day work week for the road crew from Memorial Day thru Labor Day. Chairman Gordon seconded. Supervisor Deardorff stated that he is concerned that if the weather does not cooperate and there are two days of rain, then the road crew basically has lost three days of work. He has spoken with Roadmaster Harbaugh, and Roadmaster Harbaugh said he does not have a problem with not moving to a four day work week. A roll call vote was taken: Vice-chairman Woerner - Nay; Supervisor Deardorff - Nay; Supervisor Dille - Nay; Supervisor Reamer - Yea; and Chairman Gordon - Yea. The motion did not pass.

Treasurer's Report and Formal Approval of all Expenditures for the Month: Secretary/Treasurer Feiler submitted her report prior to the meeting along with the April 2015 Check Detail report. The Board reviewed the April financial statements. Supervisor Dille questioned the use

of taxpayer money that she claimed was used to pay an invoice in the amount of \$958.20 that was paid to KPI Technology out of the Capital Reserve Fund for revisions to the plan for the Township Park. Supervisor Reamer reminded the Board that at the February 2015 Board of Supervisors meeting, the Board approved amending the plan and to use the \$20,000 that was allocated for recreational purposes in the Capital Reserve Fund. She continued by stating that the State allocates funds for Parks and Recreation, as well as funds for roads. These allocated funds must be used for their designated purpose and can not be mixed. The State has pools of money to improve recreation through grants through the Keystone Fund, DCNR, and DECD which the Parks and Recreation Commission will be submitting an application to each of these agencies. Over twenty local businesses have committed funds to a Township Park. If the grant applications are not granted the park project will fail. Roads always come first and there is no competition between other projects and our Roads. Supervisor Dille stated that since the KPI Technology expenditure for a completed engineering plan for the park had been committed she would motion to approve all expenditures for the month of April and accept the Treasurer's Report. Vice-chairman Woerner seconded. The motion carried unanimously.

Secretary's Report: Secretary/Treasurer Feiler submitted her report along with the May calendar prior to the meeting. The Board reviewed the report and calendar. Secretary/Treasurer Feiler added the Road Crew's schedule is now part of the Office Calendar and that Rob Thaeler submitted another copy of the draft Zoning Ordinance which is being routed through the Board mailboxes. Supervisor Dille motioned to accept the Secretary's Report. Supervisor Deardorff seconded. The motion carried unanimously.

Road/Sewer Report: Roadmaster Harbaugh submitted his report prior to the meeting. He mentioned he believes that the reducer at the sewer plant is bad and that he is looking into it. There was a discussion regarding how to proceed with repairing Reids Bridge and how much involvement is needed by the Township Engineer. The Department of Environmental Protection Agency (DEP) needs to be contacted to find out exactly what is required to work over Tom's Creek. At 8:15 PM Chairman Gordon called an Executive Session to discuss this legal matter. At 8:25 PM the Board meeting was called back to order. Supervisor Deardorff motioned to authorize the Township Engineer to continue with his design and specification for the repair of Reids Bridge, to keep the bridge the same size which is a two lane bridge with steel beams, and to have Supervisor Dille contact DEP. Vice-chairman Woerner seconded. The motion carried unanimously. Supervisor Deardorff motioned to accept the Road Report. Supervisor Dille seconded. The motion carried unanimously. Supervisor Reamer motioned to accept the Sewer Report. Supervisor Dille seconded. The motion carried unanimously. At 8:29 PM Solicitor Battersby and Vice-chairman Woerner left the meeting.

Planning Commission Report: Draft Planning Commission minutes for April meeting were distributed to the Board prior to the meeting. No action was needed.

Parks and Recreation Commission Report (PRC): Draft Parks and Recreation Commission minutes for April were distributed to the Board prior to the meeting. Supervisor Reamer motioned to permit space on the Township website for the PRC to post the park plans and the like. Supervisor Dille seconded stating that the residents should be informed about the proposed park. The motion carried unanimously.

EMA Report: Deputy Coordinator Ginn stated that he responded to an accident on Old Waynesboro Road by Miney Branch. A semi-truck went off the road which resulted in a saddle tank leak. The leak was stopped and solvents were put down, there was minimal environmental impact. Roadmaster Harbaugh was called in to assist. EMA Coordinator Wills requested that a sign be put up showing the location of the Hamiltonban Township EMA Office at 31 Carrolls Tract Road. Supervisor Deardorff motioned to accept the EMA Report. Supervisor Dille seconded. The motion carried unanimously.

Fire Company Reports: No reports were submitted in time for the meeting. Representing the Fountaindale Volunteer Fire Company, Mr. Ginn stated the Box Alarm Card was changed to reflect the closing of Reids Bridge.

Zoning Officer's Report: Mr. Wilbur Slothour submitted his formal report for the month of April prior to the meeting. Three building permits were issued for: 55 Scotch Trail, 1005 Iron Springs Road, and 337 Old Waynesboro Road; one Zoning/Land Use Permit was issued for: 337 Old Waynesboro Road; and one Well Permit was issued for: 2400 Mount Hope Road. Supervisor Reamer motioned to accept the Zoning Officer's report. Supervisor Deardorff seconded. The motion carried unanimously.

Code Enforcement Officer's Report: No report was submitted.

Adams County Council of Governments (COG)/Adams County Association of Township Officials Reports (ACATO): Chairman Gordon stated that there was a presentation at the April COG meeting regarding Destination Gettysburg.

Supervisor Reamer mentioned that the ACATO Mid-Year Conference is May 27th with a presentation on Personnel Manuals.

York Adams Tax Bureau (YATB)/Adams County Tax Collection Committee Reports (ACTCC): Supervisor Dille summarized the YATB meeting that she attended. The YATB minutes were distributed to the Board via email. Supervisor Dille was appointed to the YATB By-Laws Committee.

Special Notices: None.

Township Meeting Dates: All public meetings are held at the local prevailing time of 7:00 PM at 23 Carrolls Tract Road, Fairfield, PA. Rescheduled changes of date or time will be advertised via the *Gettysburg Times*. Notice of cancellations will be posted on the office door.

- Parks and Recreation Commission - May 12, 2015
- Planning Commission - May 26, 2015
- Board of Supervisors Workshop - May 28, 2015
- Board of Supervisors - June 2, 2015

Public Comment: Mr. Mickley asked when Reids Bridge was officially closed to traffic and if DEP will issue emergency permits. The bridge was closed April 15, 2015 and the Board will ask DEP about an emergency permit.

Mr. Walton stated that the Board should find out what the DEP requirements would be to fix Reids Bridge with Tom's Creek being an exceptional quality creek vs. a high quality creek.

Adjournment: At 8:49 PM, Supervisor Reamer motioned to adjourn the meeting. Supervisor Deardorff seconded. The motion carried unanimously. At this time the Board moved into an Executive Session to discuss a legal and personnel matter.

Deborah K. Feiler
Secretary/Treasurer

Robert L. Gordon
Chairman