

Hamiltonban Township Board of Supervisors
Regular Meeting
23 Carrolls Tract Road, Fairfield, PA 17320
August 3, 2004

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, Donald Wills, EMA, and LuAnn M. Dille, Secretary/Treasurer

Public Attendees: Thomas Brown, Kathy Gilmore, Robert Gordon, John Harbaugh, and Robert Sharrah for Town Center Phrase III

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

Approval of the Minutes

Vice-chairman Eckert made a motion to approve the July 6, 2004 Supervisor's Board meeting minutes, seconded by Mrs. Nicks. The Board unanimously approved this motion. The Supervisor's meetings are audibly recorded.

Public Comment

Kathy Gilmore thanked the Supervisors for requesting the speed monitoring device on Carrolls Tract Road, Fairfield. It did slow down traffic. Road Master Deardorff stated that State Police Lieutenant Patrick Gerbert attended the June Supervisors meeting. At that time the Township requested the speed monitoring device. Also the State Police used a hand held speed timing device/radar and cited speeding vehicles.

John Harbaugh praised the Road Crew for filling in when the newly installed cross pipes stones began to settle. He stated he has been cited to remove the vehicles from around his home at 25 Mountain Lane. He stated he enjoys participating in demolition derbies. He uses some of the cars in the derbies and the others for parts for his derby cars. He does not want to remove the cars which he hopes to use in the future. He is slowly cleaning up the parts, and removing the cars. Officer Larmer has been to his house a couple of times. He does not want to get rid of his cars but is working with Hamiltonban Township.

Planning Commission

Robert Sharrah representing Towne Center Phrase III stated that Dollar General will be the retail store in Phrase III with 1282 square foot building with a loading area. They have obtained the proper water and sewer permits from the Fairfield Municipal Authority. Mrs. Nicks made a motion to approve Towne Center Phrase III waiver to illustrating all existing building, wells and septic systems within 100 feet of the property.

This was documented in Phrase I. The motion was seconded by Road Master Deardorff. The Board unanimously approved this motion. James Benner made a motion to approve the storm water management plan, seconded by Road Master Deardorff. The Board unanimously approved this motion. Mr. Benner made a motion to approve the Towne Center Phrase III Preliminary/Final Land Development Plan, seconded by Road Master Deardorff. The Board unanimously approved this motion.

A zoning workshop is scheduled for 7:00 PM on August 24, 2004 with the regular Planning Commission at 7:30 PM, at 23 Carrolls Tract Road, Fairfield.

Solicitor's Report

Solicitor Heiser requested an executive session. Chairman Jacobs called for an executive session at 7:43 PM. At 8:03 PM the Board and Solicitor Heiser returned. Mr. Benner made a motion to file a suit-in-equity against George and Mary Nicholas' properties, seconded by Mrs. Nicks. The Board unanimously approved this motion.

DEP called the business office following-up with a complaint concerning the Moore's property.

Solicitor Heiser commented to the Board concerning Dente's subdivision plan driveways right-a- ways. Solicitor Heiser stated although the proposal is unusual with so many points of existing road frontage. The proposed lots each have a legal means of access. Other than special approval for the panhandle lots along Sour Marsh Trail there is no need for any additional waivers or variances as access is already established.

Solicitor Heiser would like a meeting at the Township's office at 23 Carrolls Tract Road on August 11, 2004, with Supervisor Eckert at 6:30 PM, and with the Board of Supervisors at 7:00 PM.

Treasurer's Report

The Road Turn Back account number has been changed to be 355.03. This reflects changes in the State Liquid Fluids audit account numbers.

Approval of Expenditures

Road Master Deardorff explained the repairs to the tractor/mower. The rear box and the pump on the mower were replaced along with the pump and fan belt on the tractor. The positive side to the repairs is that the repair equals the cost of mowing charged by an outside contractor for a mowing season. The Township should probably mow twice more this season with all the rain. Mr. Benner made a motion to approve the expenditures for August 2004, seconded by Mrs. Nicks. The Board unanimously approved this motion.

August	Revenues	Expenses	Transfers	Balance
General Account				
ACNB Checking	\$ 30,510.16	\$ 28,438.50	\$5,000	\$ 18,021.93
ACNB Saving	11.33			\$ 21,159.76
PLGIT	116.27		5,000	\$146,434.31
ACNB CD				<u>\$100,000.00</u>
Total Current Assets				\$285,616.00

Sewer Account			
ACNB Checking	\$ 7,941.91	\$ 4,179.29	\$ 1,673.66
ACNB Saving	4.83		11,418.30
ACNB CDBG			139.44
PLGIT	37.71		<u>45,202.74</u>
Total Current Assets			\$ 58,434.14

State Liquid Fuels			
PLGIT	\$ 53.38	\$ 170.51	\$ 58,405.87
PLGIT Emergency Fund	4.18		<u>4,594.91</u>
Total Current Assets			\$ 63,000.78

Secretary's Report

The foyer window has been replaced. The gutter repaired. The new minute's book arrived today. A new refrigerator was donated to the Township. Brenda Stocklager has resigned as the cleaning person for the business office. She is moving to Virginia.

The business office received a complaint concerning 4980 Fairfield Road, Fairfield. The lawn has not been mowed recently. The pool in the back yard is green with algae. There is a motor home in the driveway with a broken front windshield. The grass is at least 15 inches high. At 5043 Fairfield Road the lawn has not been mowed recently. There is a natural trash pile in the rear yard and some trash generally thrown around the yard. Officer Larmer will investigate these problems.

Police Report

Officer Larmer presented her July 2004 Police Report. There were 50 complaints: 41 within Hamiltonban Township, nine in the surrounding municipalities. Officer Larmer traveled 995 miles and used 81 gallons of fuel for one vehicle. The other vehicle has been used on Mount Hope Road by William Eckert for radio purposes in traffic control. Road Master Deardorff stated the 1997 Ford Crown Vic steering box needs replaced and in the near future it will be repair by Scott's Auto and Trans.

Vice-chairman Eckert made a motion to approve Office Larmer to attend a four day Standardized Field Sobriety Test Training this fall at the Washington Township Police Department, seconded by Mr. Benner. The Board unanimously approved this motion.

On Thursday Officer Larmer will be assisting Liberty Police Department at Site R.

The police department needs fast internet for the updated police programs-J NET and C-NET. Adelphia would charge \$99.00 for installation and a small business monthly fee of \$69.99. Someone would be needed to install and update the police computer. David Bower and Rose's Computer's were suggested. There was a small discussion about computers purchased in the past for the Police Department, the EMA Department, and the business office. EMA Deputy Wills requested to have the computer returned to the EMA Department that the police department is using. The previous police chief, Neal Whittington had taken the new EMA's computer for the police department

Carrolls Valley and Hamiltonban Township Police Department's are going to assist each other with speed control in the near future at Fairfield Area School and in Carroll Valley area.

Officer Larmer has requested that the State Police Drug Task Force assist her with an illegal drug problem in the mountains. Because of the location a helicopter will be needed.

Officer Larmer received a thank you note from Mr. and Mrs. Richard Deardorff for her assistance when their dog was hit on Carrolls Tract Road, Fairfield.

Mr. Brown thanked Officer Larmer for her assistance with a problem at his farm. She was firm when she needed to be but also compassionate when needed.

Road Mater Deardorff asked if Vice-chairman Eckert has assisted Officer Larmer with marking the roads for vascar speed control. Vice-chairman Eckert stated his and Officer Larmer schedule have not allowed this. Vice-chairman Eckert spent one hour with Officer Larmer going over some paper work but needs to commit more time to the project.

There was a sewer problem at the Blue Ridge Sportsman Club pond which is in the Township. A holding tank was full. The alarm went off but before the holding tank was pumped, sewage began to over flow into the pond. Several children got ill with a bacterial infection from the pond water. Sewer Enforcement Officer Gil Picarelli was notified of the problem by Officer Larmer.

Vice-chairman Eckert made a motion to approve the July 2004 Police Report, seconded by Mr. Benner. The Board unanimously approved this motion.

EMA Report

Mr. Wills reported that the Mr. and Mrs. Coshun made a complaint to Hamiltonban Township and Adams County EMA offices on July 2, 2004. They believed there was a hazardous area in their yard near where the motor home, trailer and motorcycles caught fire. DEP Environmental Protection Compliance Specialist David Ralicki, Adams County Hazmat Officer Laura Borth, Fountaindale Fire Department Chief David Martin, Fountaindale Fire Department Deputy Chief Charles Berger, and Hamiltonban Township EMA Deputy Coordinator Donald Wills, Jr. met at 9:00 AM at 9000 Old Waynesboro Road, Fairfield to complete an on-site inspection and perform a variety of tests. Various meters were used and a soil sample was taken. All monitoring and tests were negative.

EMA Director Eckert and EMA Deputy Wills, Jr. attended a meeting on Adams County Hazard Mitigation Plan. Hamiltonban Township has many needed items in place already with the Township's zoning, subdivision plans, and ordinances. As required by the State the two nursing homes in the Township have current evacuation plans. There were some houses built in the Flood Plain which are in danger of flood damage. The streams in the area need to be cleaned out but there are many regulations preventing this. A plan must be implemented to receive pre and post disaster mitigation funding. Road Master Deardorff will represent the Township at the next meeting on August 17, 2004 at 7:30 PM, at the County's Training Center.

At 8:41 PM Pam Wiehagen arrived at the meeting.

Road Report

Road Master Deardorff presented a diagram of a French drain which is being installed on Shaffer's Hill on Mount Hope Road. The storm water will run along the bottom of the French drain. The stones are compacted two inches below the road surface but after motor paving the stones will be four inches below the road surface. In the middle of the hill a 24 inch squash pipe was installed, which will allow one-half of the storm water to immediately exit to the south side of the road. A grate will be placed over the entrance of the squash pipe for servicing and clean out. The remainder of the storm water will continue down the ditch. This has worked very efficiently in the recent heavy rain storm. There is at least one rock that will need to be jack hammered out. The following is the Mount Hope Road projects progression:

1. Finish all work on Shaffer's Hill
2. Build two headwalls: one below Suncrest Lane and at the catch basin near Shaffer's Hill
3. Need to edge the road 6 inches to 10 inches to remove the grass
4. Need to compact the ditches
5. Need to rebuild Soap Stone Quarry curve
6. Need to open ditches to and from all cross pipes
7. Need to hot mix and roll cross pipes after final compaction of cross pipes
8. Need to measure and mark 18.5 foot right-of-way road width

Road Master Deardorff wants to keep cost down as much as possible but still have a finished product that will last for many years with no repairs. He does not want to rush into motor paving until everything is properly completed. He would like to complete this project in August but it may not be completed until September.

The trucks do not need any repairs at this time. Road Master Deardorff had already explained the tractor/mower repairs. He suggested that for the 2005 Budget to include the purchase of a new single axle dump truck. He would like to bid the truck out with new individual pieces like Carroll Valley Borough for a saving of 25 %. Road Master Deardorff believes the taxpayer will benefit from a new truck with a warranty instead of a used truck needing repairs. He would like to have the Boards approval to begin gathering the information needed to bid out a new single axle dump truck with new accessories for the 2005 Budget. Mrs. Nicks made a motion to approve Road Master Deardorff to proceed with the bidding information process for a new single axle dump truck with new accessories for the 2005 Budget, seconded by Mr. Benner. The Board unanimously approved this motion. The Township can not afford down time and the cost of repairs in snow storms. The American Rock Salt Company was awarded the 2004-2005 State Road Salt Contract.

Sewer Report

Sometime in late September the road crew will take a few days to do the annual maintenances at the Orrtanna Treatment Plant and spray fields. From Lagoon #1 a liquid sample was taken to the City Harrisburg Waste Water Plant by Officer Larmer for analysis. Pumping of Lagoon #1 will take place sometime after September 15, 2004. The Orrtanna Treatment Plant pumps have been greased on a monthly basis. There was a problem a couple of months ago caused by a loose pump that has been corrected. Knouse Foods will be replacing a major line near the Orrtanna Treatment Plant spray field this

summer. It was supposed to be installed in July but weather conditions postponed the installation.

Zoning Officers Report

Zoning Officer Nicks issued eight permits in the month of July. One permit was issued for each of the following: a new home, a garage, an animal cage for a mountain lion at the Exotic Animal Rescue on Zoo Road, a foot bridge at Fellowship Baptist Church on Mount Hope Road, a deck, a carport. Two use and occupation permits were issued. He attended five meetings: public Supervisors meeting, public Planning Commission, public Planning Commission Workshop, Adams County Conservation District, and MDIA. Timothy Naugle's building permit was cancelled due to personal problems. Zoning Officer Nicks has explained the situation to Adams County Tax Assessors office. They will stop sending the Naugle's increased tax assessment statements. He completed an inspection in the BB Section. The property owner did not need a building permit, he was replacing an existing entrance way.

Terry Kuykendall's and Mark Keller's sediment fences on Zoo Road are still in violation with Adams County Conservation District regulations. The fences on their properties were installed by a professional, Patrick Murray. The property owners had the proper Erosion and Sediments Plans approved and gave the approved plans to Mr. Murray. Mr. Murray needs to correct his mistake. Andy Blascovich does not want Terry Kuykendall to begin construction until the sediment fence is installed properly. The McClain's sediment fence next to these properties is properly installed.

The Uniform Construction Code (UCC) is continuing to be changed. One change that could affect the Township is the requirements for the size of a structure less than 1,000 square feet not being required to obtain UCC inspections. Now local municipalities can have their own ordinances requiring inspections for structures less than 1,000 square feet. Zoning Officer Nicks gave Solicitor Heiser information concerning this issue tonight for his review.

Zoning Officer Nicks and Secretary Dille would like to purchase a topographic map of the Township. The Planning Commission could also use the map when discussing subdivision plans.

There was a discussion about the physical location of High Rock Road as opposed to how it is showed on the Township's official map. There is a designated area for a helicopter landing off High Rock Road on the official State Forestry maps. This area is maintained by the State Forestry Department.

NCI, Inc. is seriously considering placement of a fiber optic line across the Township. The Township does not have a permit for public utilities. Any road damage caused by NCI, Inc will need to be repaired by NCI, Inc. to Township's standards. NCI, Inc. has three different options as to where to install the fiber optic line.

A developer has contacted Zoning Officer Nicks concerning the development of the Strausbaugh 600 acre orchard on Cold Springs Road, Fairfield.

There are different options on the zoning district changes among the Planning Commission members and Zoning Officer Nicks.

There are several storage boxes/container appearing in the Township. The Township may want to consider an ordinance to regulate these types of storage structures.

Zoning Officer Nicks worked 29.25 hours, traveled 151 miles, had long distance telephone charges for \$10.46, and responded to 40 telephone calls.

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

New Business None at this time

Old Business

Chairman Jacobs explain that Gil Pringle would like Hamiltonban Township to join Highland Township, Cumberland Township, and Mount Pleasant in a joint effort to obtain a higher percentage for franchise fees and other fees from Adelphia. The Board members received information in the past concerning this. The participating municipalities would share the legal fees for Dan Cohen, contract lawyer from Pittsburgh, Pennsylvania. Mr. Pringle estimates Hamiltonban Township portion could be approximately \$2,000. Total cost would be \$10,000. Mr. Pringle believes the municipalities franchise fee will increase annually by 33 1/3 %. It was stated that the Township would spend \$2,000 this year for a joint effort in a new Adelphia contract to have a benefit for an approximate annual franchise fees increase of \$2,100 a year. Chairman Jacobs has talked with Solicitor Heiser concerning this. Adelphia is in bankrupt court. If Adelphia completes bankruptcy, the next company should honor the contract. In the past the Townships have just accepted what percentage was offered. This way a professional will be trying to obtain the best options for the municipalities. Road Master Deardorff made a motion to join an inter-municipal group to obtain a higher percentage on cable fees and on other items offered by Adelphia, seconded by Mr. Benner. The Board unanimously approved this motion.

There will be a school bus safety follow-up meeting at the Fairfield Elementary School, August 25, 2004 at 7:00 PM. It appears that it is the school's responsibility to provide for the safety of the students. The school's employees are required to have training on traffic control. The Fairfield Fire Police have special training for traffic control.

Communications

Communications were available on the front table.

Next Meeting

The next regular meeting will be September 7, 2004, at 7:30 PM, at 23 Carrolls Tract Road, Fairfield, PA.

Adjournment

At 9:32 PM Mr. Benner made a motion to adjourn the meeting, seconded by Road Master Deardorff. The Board unanimously approved this motion.

LuAnn M. Dille
Secretary/Treasurer

Stephen W. Jacobs
Chairman