

Hamilton Township Board of Supervisor's
Regular Meeting Minutes
Monday, October 1, 2012

CALL TO ORDER:

Meeting was called to order at 7:00 pm by Chairman, Stephanie A. Egger.

Supervisors present were Stephanie A. Egger, Timothy D. Beard, III, and John C. O'Brien. Also present were Solicitor, Ronald Tomasko, Attorney, from the firm of James, Smith, Dietterick and Connelly, LLP; Road Master, Jay Livingston; Road Superintendent, Ron Weidner; Ron Balutis, ZO/BCO; and Secretary, Deborah Brogan. Jason Reichard, Township Engineer was not present.

Stephanie A. Egger asked if anyone was using a recording device to record this meeting. Melody Aspers, Hanover Evening Sun, stated that she was recording. Stephanie A. Egger also asked that cell phones be placed on vibrate.

Stephanie A. Egger led the meeting in the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES:

Minutes of September 10, 2012: Stephanie A. Egger asked Timothy D. Beard III and John C. O'Brien if they had reviewed the minutes from the September 10, 2012 Supervisors Meeting. Response was affirmative. John C. O'Brien made a **motion** to approve the minutes as submitted. Timothy D. Beard III second the motion. Motion passed by unanimous vote.

OLD BUSINESS:

1. Cross Keys Diner/Hensco: Stephanie A. Egger presented the test result reports from LABS, Inc. showing the BOD levels for the Cross Keys Diner/Hensco. Judy Gemmill, Cross Keys Diner, had e-mailed a spreadsheet with her report of the BOD levels; this was presented to the Board Members. Timothy D. Beard III stated that the BOD levels continue to look good. Timothy D. Beard III made a **motion** to accept the reports as submitted. John C. O'Brien second the motion. Motion passed by unanimous vote.
2. John Murphy Easement: Stephanie A. Egger stated that there has been no activity on this matter.
3. A hearing has been scheduled before the Board of Supervisors for October 24, 2012 at 1:00 pm at the Hamilton Township Building. The purpose of the hearing is to address an appeal to a decision made by the Hamilton Township Sewer Enforcement Officer for property owned by Mr. David Lease.

NEW BUSINESS:

1. State Police Stats: Stephanie A. Egger read the report from the State Police for service in Hamilton Township for the month of September 2012. There were a total of 21 incidents in the month of September.
2. Liberty Fire Co. No. 11: Stephanie A. Egger read the report from Liberty Fire Co. 11 for service in Hamilton Township for the month of August 2012.
3. United Hook & Ladder Co. No. 33: Stephanie A. Egger stated that no report has been received; no representative was present.
4. Hampton Fire Co. No. 10: Stephanie A. Egger stated that no report has been received; no representative was present.
5. SPCA Collection: Stephanie A. Egger stated that the Township is continuing to collect items for the Adams County SPCA for the care of the animals at the shelter. Stephanie A. Egger informed the residents that a “wish list” was available and they could bring donations to the Township office. Allen Egger took a car-load of items to the SPCA on 9/28 and they were very appreciative. Another delivery will be made the last Friday in October.
6. TEMA Membership: Stephanie A. Egger stated that PSATS has initiated a new Assoc. for Emergency Managers. It is TEMA (Township Emergency Management Association) and it is for Emergency Mgmt Coordinators and Deputies to meet together and share ideas, and get the best training options available. Membership is also open to anyone involved in Emergency Mgmt in the township. Full membership includes discount to seminars, an on-line Resource Center, PSATS Staff consulting and quarterly Newsletters. Cost of the membership is \$125.00. Timothy D. Beard III stated that he felt this was a good idea; he then made a **motion** to approve the membership payment of \$125.00. John C. O'Brien second the motion. Motion passed by unanimous vote.
7. Trick or Treat Night: Stephanie A. Egger reminded the residents that Hamilton Township has scheduled Trick or Treat for October 31st, from 6:00 – 8:00 pm. Stephanie A. Egger also stated that all of the surrounding Townships and Boroughs have scheduled the same night.
8. Zoning Ordinance Amendment: Stephanie A. Egger stated that action needs to be taken on a requested Zoning Amendment issue. At the last Board meeting it was discussed that an amendment be put into effect restricting parking of large vehicles on the streets. Motion was made to have the Planning Commission discuss this matter and make recommendations to the Board. Stephanie A. Egger stated that the Board has received the following recommendation from Mel Lebo, Chairman of the Planning Commission and it states: “In regard to the letter received requesting a change of the zoning ordinance to prohibit vehicles 30’ or more in length to park in the residential areas in the township, the Planning Commission has the following comment: The complainants should try to

resolve the problems themselves.” The Board members all agreed with the Planning Commission recommendation. Timothy D. Beard III made a **motion** to accept the recommendation of the Planning Commission and to send this information back to the resident. John C. O'Brien second the motion. Motion passed by unanimous vote.

9. Stephanie A. Egger stated that the Glabview Pump Station is finished and running well. The total costs came to \$108,952.11. This was the total cost of the pump station, taken in three (3) draws from Adams County National Bank. Stephanie A. Egger stated the cost for the new Pump Station came in below the original quote of \$140,000.00; this is a savings of \$31,047.89. Timothy D. Beard III thanked the Public Works Dept. staff for a job well done.

10. Stephanie A. Egger stated that Mr. Charlie Mallios has made a request to address the Board. Mr. Mallios is one of the owners of the Pine Run Community and they have a letter of credit (LOC) to the Township in the amount of \$74,318.00 which is in place for improvements to the infrastructure at Pine Run Community. As part of the improvements, the cul-de-sac was included in the LOC and the cost for the improvements. Previous improvements have been corrected and made according to code. The owners are asking that this cul-de-sac be removed from the LOC. The cul-de-sac will remain “private” realizing that Pine Run shall continue to maintain and upkeep that area for use as an emergency turn around and for the use of the residents.

Stephanie A. Egger stated that Ronald Tomasko, Attorney will address the responsibility issue. They will give the documents and request letter to the Township Engineer, Jason Reichard for his review and comments before a decision is made by the Board. Stephanie A. Egger stated that Mr. Mallios will be responsible for any and all fees. Mr. Mallios agreed. Action tabled until the next Board meeting.

11. Stephanie A. Egger stated that we received the payment from the Commonwealth of PA for Foreign Fire Relief: Payment will be made as follows to the fire companies: (50%) United Hook & Ladder = \$8,849.75; (25%) Liberty Fire Co. & (25%) Hampton Fire Co. = \$4,424.88. Timothy D. Beard III made a **motion** to make the payments as submitted. John C. O'Brien second the motion. Motion passed by unanimous vote.

12. Mr. Gerald DeGroft, 190 Woods Road, was recognized. Mr. DeGroft presented pictures of damage to his front yard, done by large semi-trucks coming down his road. When they realize that they have to turn around they are damaging his property. DeGroft stated that the road can not handle the weight of these trucks and is not wide enough for a turn around. He wants to know if we can put up signs stating “No Trucks” and have the State Police patrol to catch the people responsible. After discussion; Ron Weidner suggested that the Township put up a “No Trucks Beyond” sign. Timothy D. Beard III made a **motion** to put up signage restricting size and weight of trucks and posting as not a thruway. John C. O'Brien second the motion. Motion passed by unanimous vote.

13. Stephanie A. Egger stated that she received an invitation from Adams County National Bank to attend a seminar called “Cyber Fraud.” She has been to this same seminar and it was very informative. Stephanie A. Egger suggested sending Deborah A.

Brogan to this seminar on October 18th. Timothy D. Beard III made a **motion** to send Deborah A. Brogan to the seminar. John C. O'Brien approved the motion. Motion passed by unanimous vote.

PUBLIC COMMENTS:

Sandra Duttera, 200 Hamilton Drive, Has been having problems with traffic going down her street at high speeds. The street is a dead-end; however signage says "No Parking." She would like to have the sign replaced with a "No Outlet." The Board asked Jay Livingston to investigate this matter and make his recommendations.

Brian Campbell, 12 Deer Trail, stated that in July 2013, a Christian Group is coming to the area and through the sponsorship of the School District, they will be doing home repair work for residents in need. If residents have need for this service, contact information will be made available.

Ed Norton, 240 Runaway Road (Pine Run), stated that he is pleased to see that problems in the Pine Run Community have been handled satisfactorily. Thank you.

Ann Harman, 315 700 Road, thanked Melody Aspers for the article she wrote concerning the David Lease Septic matter. Ann Harman stated that she will provide a copy for the Board.

PLANNING COMMISSION RECOMMENDATIONS AND STATUS OF ACTIVE PLANS:

Stephanie A. Egger stated that a letter of recommendation has been received from Mel Lebo, Chairman of the Planning Commission stating that at the September 18, 2012 meeting the Commission made the following recommendation: "The September 2012 Zoning Map should be sent to the Adams County Office of Planning and Development for comments." The proposed map was presented to the Board for review. After discussion: John C. O'Brien made a **motion** to send the new map to Adams County Planning & Development for review and comments. Timothy D. Beard III second the motion. Motion passed by unanimous vote.

Stephanie A. Egger stated that the verbiage of the Zoning Ordinance Amendments should also be sent to Adams County Planning & Development for review and comments. John C. O'Brien made a **motion** to send the Ordinances to them. Timothy D. Beard III second the motion. Motion passed by unanimous vote.

COMMITTEE & DEPARTMENT REPORTS:

1. East Berlin Area Community Center (EBACC) report and events schedule. Henry Lutz was present and gave his report. He gave an update of the kitchen remodel project, the replacing of doors, the repair of the catch basin and the theft of four outside

picnic tables at a cost of \$400 each. They continue to work on funding and approvals for these projects. They still need another volunteer to represent Hamilton Township.

2. Abbottstown Paradise Joint Sewer Authority representative – John O'Brien stated that the Route 30 project is complete. The bridge replacement is next. New sewer lines will have to be installed. When the project begins, PennDot will do a detour like the one they did on Route 194, using a single lane and a traffic light.

3. Parks and Recreation Board – Virginia Zickafoose was not present. The grant has not yet been received.

4. Road Master's Report – Jay Livingston stated that storm related issues have all been handled. The public works staff is working on the new trucks, which isn't costing as much as originally figured. Mowing is being done. Blacktopping is on hold for now because the paver is not working. State requirements state that we only have until 10/15 to work on the roads, so completion of the roadwork may have to wait till 2013.

5. COG Report – Stephanie A. Egger stated that the COG meeting was held on September 27, 2012. The costs for the county radio system equipment were discussed. The cost is over 5 million dollars. The Township will receive 2 portable units, a base station for the office and a back-up battery. Also discussed was the Community Media TV station. The channel is to be made available and Comcast will carry on channel 12. They are asking for funding to help with the operation. Jay Livingston stated that the Township would be able to use the TV Station. John C. O'Brien stated that any donation should go on the 2013 Budget. John C. O'Brien made a **motion** to table a decision on the donation. Timothy D. Beard III second this motion. Motion passed by unanimous vote.

6. East Berlin Joint Authority Report – John O'Brien stated that they are still working on getting a loan to put in a well at the C W Test development. It has all been approved by DEP. The plant is running well.

7. Finance Committee Report – Brian Campbell presented the report for the Finance Committee. The Finance Committee held their meeting on 9/24/2012 and began working on the 2013 General Budget. Also Mr. Ted Motz from First Energy presented his figures and information on energy costs. Their next meeting is scheduled for 10/8/2013.

8. East Berlin Library – Pat Campbell stated that they have purchased some new furniture and shelving. The new director is doing a great job. Mailings will soon be going out concerning donations towards the new building addition.

Solicitor's Report – Ronald Tomasko, Township Attorney, presented his report to the Board. Ronald Tomasko, Attorney stated that the civil action with Berwick Twp. Was dismissed by Judge Little. The issue will go to a mediator, but the parties have to agree on the mediator. Cross Keys Diner/Hensco – the Court will conduct a status conference on 11/2/2012. The appeal hearing with David Lease and the SEO decision will be held on 10/24/2012.

Engineer's Report – Jason Reichard, P.E. was not present and no report was received.

Zoning Officer's Report – Ron Balutis, ZO/BCO presented his report to the Board of Supervisors. Ron Balutis stated that he is working on the Test/Buttercup well issue with our engineer. A new Vet is moving into Hamilton Township, on Route 194 next to the Adams County National Bank. There are several new homes being built on Old Mill Road.

MOTION TO PAY THE BILLS:

Stephanie A. Egger presented the Board with a listing of the September 2012 bills to be approved for: General Fund, Route 94 Sewer, Glabview Sewer, Traffic Light, and State Fund. Timothy D. Beard III made a **motion** to approve the bills as submitted. John C. O'Brien second the motion. Motion passed by unanimous vote.

Good of the Order:

John C. O'Brien said thank you for coming. Please get out and vote in November.

Timothy D. Beard III stated that he hopes everyone will take care to keep their gutters free of leaves to prevent problems. Have a safe Halloween.

Stephanie A. Egger thanked everyone for coming and asked that they keep the Township informed of happenings around the Township. Please get out and vote in November.

Stephanie A. Egger gave the schedule for the October meetings:

- Next Parks & Recreation Committee Meeting – Tuesday, Oct. 9, 2012 @ 7:00 pm
- Next Planning Commission Meeting – Tuesday, Oct. 12, 2012 @ 7:00 pm
- Next Finance Committee Meeting – Monday, Oct 8, 2012 @ 6:30 pm
- Next Board of Supervisors Regular Meeting – Monday, November 5, 2012 @ 7:00 pm

Adjournment

Having nothing further to discuss, Timothy D. Beard III made a **motion** to adjourn the meeting at 8:20 pm. John C. O'Brien second the motion. Meeting adjourned.

Minutes taken & transcribed by:

Deborah A. Brogan