

MAY 7, 2012 SUPERVISORS' MEETING:

The Straban Township Board of Supervisors met this date, as publicly advertised, at 7:00 p.m. in the meeting room of the Straban Township Municipal Building, 1745 Granite Station Road, Gettysburg, PA 17325 with Board Chair Sharon Hamm presiding. Others in attendance were: Supervisors Tony Sanders and Fred Kammerer; Solicitor Walton V. Davis; William Hill, Engineer; George Mauser, Recreation and Parks Chairman; and Secretary Robin Crushong.

Others in attendance were: Paul Kriger, Representative of the YATB Earned Income Tax Committee; Christine Redding-Myers, Tax Collector; Joey Byrne, representative from United Hook and Ladder; Lawrence and Sandy Martin; Randy and Karen Heflin; Luann Light; Glenn Zepp; Lena Showers; Mike Hanson; Richard Leatham, Representative of S&A Homes, Inc.; Robert Sharrah; Bryan Salzman, attorney for ATAPCO; Gil Picarelli, Engineer for ATAPCO; Dave Lazas, Representative of ATAPCO; News Reporter Jarred Hedes (*Gettysburg Times*); and News Reporter Tim Prudente (*Evening Sun*).

Board Chair Hamm led everyone with the Pledge to the Flag.

- Ms. Hamm informed the residents present of the next scheduled meetings: Board of Supervisors meeting on June 4, 2012; Planning Commission meeting on May 23, 2012; Recreation Board meeting on May 21, 2012. Other workshops that took place in May were May 4, 2012 to discuss signage.

Public Comment:

Luann Light and Randy Heflin, representing the Estate of William Heflin. Ms. Light read a prepared statement concerning the holding tank to be installed at 336 Hunterstown Road, Gettysburg, PA 17325. They are concerned that this holding tank is not being installed and requested that the Board of Supervisors take action.

Minutes:

Mr. Sanders moved, seconded by Mr. Kammerer, to approve the April 2, 2012 minutes as presented. Motion carried unanimously.

Approve Bills:

Mr. Kammerer moved, seconded by Mr. Sanders, to approve the April 12, 2012 and April 26, 2012 bills for payment. Motion carried unanimously.

Office Administrator's Statement:

Ms. Hamm informed the residents in attendance that 26 municipalities have joined with the Adams County Council of Government (ACCOG) to hire a third party consultant to study the County Emergency Services past, current and future emergency service levels and funding needs.

Ms. Hamm asked Solicitor Davis how the progress of the Act 167 Stormwater Management Ordinance draft is coming. Solicitor Davis stated that Erik Vranich, from Wm. Hill's office and himself are working on a final

draft to be presented to the Board of Supervisors shortly. Ms. Hamm stated that the Ordinance would need to be approved at the next Board of Supervisors meeting in order for adoption to meet the required date of July 25, 2012. Mr. Davis stated that was correct.

Reports:

Road Department:

Mr. Sanders informed the residents that the black top bids for Goldenville Road would be going out this month.

Recreation:

Mr. George Mauser, Chair of the Park and Recreation Advisory Board submitted the May 7, 2012 Recreation Advisory Board Report to the Board of Supervisors.

1. Park Improvement Planning: The permitting application has been initiated. The Recreation Board recommends that the Board of Supervisors proceed with the improvements to be conducted in accordance with the approved phasing and leave the paving of the parking as stated in the planned phasing. Review of the recreation funds indicate that there would be no reserve fund if parking was paved this year. The drainage work would be most beneficial to the park at this time.
2. Vandalism: There has been relatively minor vandalism at the park and the State Police have been alerted. They are trying to make more periodic visits to the park.
3. Recreation Plan: The Recreation Advisory Board included a final draft of the Recreation Plan for review by the Board of Supervisors. The Board of Supervisors is asked to provide comments back to the Recreation Board thru Ms. Crushong so that a final draft can be available for adoption by the Board of Supervisors. Ms. Hamm asked if it should be reviewed by the solicitor. Mr. Mauser stated that the document was pretty straight forward but if the Board of Supervisors felt that a legal review was needed that was fine. Mr. Davis stated that a recreation plan has already been established and he is certain that this document is an improvement of what is already adopted so he did not see where there was a need for a legal review. The procedure will be for the Board of Supervisors to adopt a Resolution.

Fire:

Mr. Byrne from United Hook and Ladder presented the Board of Supervisors with the box changes to be signed off by the Board of Supervisors. These are only the box changes for United Hook and Ladder. The other Fire Departments should be coming in with its own changes. **Ms. Hamm moved, seconded by Mr. Kammerer to accept the 2012 updated box alarm for United Hook and Ladder. Motion carried unanimously.** The Board of Supervisors signed the box alarm document and Mr. Byrne will drop a copy off to the township office this week. Mr. Byrne also wanted to thank the Board of Supervisors for their participation in the third party consultant study of the County Emergency Services.

Appearances:

None.

Correspondence:

Mrs. Crushong announced the following:

- Bonneauville Fire Department monthly report for March 2012 shows that the Department responded to 30 Fire and EMS calls for service. Straban Township responses were 3.
- Adams County Association of Township Officials 2011 Audit Report
- Gettysburg National Military Park quarterly newsletter for spring 2012
- Minutes of the Gettysburg Municipal Authority Board of Directors meeting held on March 19, 2012.
- Minutes of the White Run Regional Municipal Authority meeting held on March 21, 2012.
- Minutes of the Adams County Council of Government meeting on April 26, 2012

Old/New Business:

1. **Deshong Holding Tank** - Ms. Hamm requested that Solicitor Davis bring everyone up to date on the Deshong holding tank issue. Mr. Davis stated that the property was sold after a permit was issued for a malfunctioning system. The seller took a substantial loss in the sale so that the malfunctioning system could be corrected. The new owner has not installed the required holding tank. Dean Shultz, the township SEO has requested the installation and the new owner has indicated that he does not want to put one in. The new Owner is subject to penalties prescribed in the Pennsylvania Sewage Facilities Act. **Mr. Sanders moved, seconded by Mr. Kammerer to authorize Solicitor Davis to begin legal action against Deshong in accordance with the Pennsylvania Sewage Facilities Act. Motion carried unanimously.**

2. **Resolution 2012-04 – Defined Benefit Plan** – Ms. Hamm indicated that this was the first year that the Township's pension plan has been with the Pennsylvania State Association of Township Supervisors (PSATS) and this will be a yearly occurrence. **Mr. Kammerer moved, seconded by Mr. Sanders to adopt Resolution 2012-04, Defined Benefit Plan effective January 1, 2011. Motion carried unanimously.**

3. **Ordinance No. 2012-01** - Mr. Kammerer moved, seconded by Mr. Sanders to adopt Ordinance No. 2012-01 to opt-in on the Uniform Construction Code. **Motion carried unanimously.**

4. **Appointment of a UCC Enforcement Officer** - Ms. Hamm moved, seconded by Mr. Sanders to appoint Commonwealth Code Inspection Service (CCIS) as the UCC Enforcement Officer. **Motion carried unanimously.** Mr. Sanders stated that his reason for voting for CCIS is because this firm is already doing the zoning and code enforcement in the township now and you would have the same person to deal with.

5. **Membership on the Gettysburg Municipal Authority (GMA) Board** - Ms. Hamm moved, seconded by Mr. Sanders to approve sending a letter to the Borough of Gettysburg to have membership on the Gettysburg Municipal Authority Board. **Motion carried unanimously.** Ms. Hamm stated that years ago it use to be a 7-member board. Cumberland Township just recently made the same request. GMA has over 500 parcels in Straban Township that it services. Mr. Kammerer stated that the 5-member board needs to give approval for Straban Township to have a member represented on its board. Straban makes the request and Gettysburg Borough Council decides if Straban can have membership on the GMA Board. It is possible the Council will add two members to the GMA Board to accomplish this.

6. **Resolution 2012-05 – authorizing a township agent to assist in the acquisition of State rights of way** – Mr. Davis explained that this is a State requirement that they know that the Board of Supervisors have adopted a Resolution. **Mr. Kammerer moved, seconded by Mr. Sanders to appoint the chair of the Board of Supervisors as the township agent to assist in the acquisition of State rights of way and adopt Resolution 2012-05. Motion carried unanimously.**

7. **Resolution 2012-06 - authorizing institution of eminent domain proceedings to obtain necessary rights of way for highway improvements in the Capital Improvement Plans for Route 30** – Solicitor Davis informed the audience that this was not the official start of eminent domain. This is not the Declaration of Taking that would start the process. This Resolution is not connected to any particular property. This is authorization for preparatory work to be done before a declaration of taking would take place. It would allow the solicitor to research the properties that the developer has not come to an agreement with, contact real estate appraisers and deal with the developer during the process. The declaration of taking is only passed when all other avenues have been exhausted. **Ms. Hamm moved, seconded by Mr. Kammerer to adopt Resolution 2012-06 authorizing institution of eminent domain proceedings to obtain necessary rights of way for highway improvements in the Capital Improvement Plans for Route 30 with Solicitor Walton V. Davis overseeing the process. Motion carried unanimously.**

8. **Stormwater Exemption – 391 Heritage Drive** – Mr. Hill stated that based on the size of the lot, because it is a narrow lot with setbacks of 10 feet, it is not in the best interest to give an exemption. Mike Hanson, representative of the Lake Heritage Property Owner's Association, stated that he understands the risk but for practical matters the lake is to be used as a storm water management. Mr. Davis stated that this statement goes against the 2009 Lake Heritage Phase I Diagnostic-Feasibility Study done by Aqua Link, Inc. Ms. Hamm stated that some effort needs to be made so it is not a complete exemption. Every property needs to do something with storm water management. What the Board of Supervisors do here will set a precedent for the other lot owners within Straban. **Ms. Hamm moved, seconded by Mr. Kammerer that the landowners need to work with the Township engineer to work out the storm water management. Motion carried unanimously.**

Land Use Reviews:

Granite Lake – Revised Final Subdivision Plan – field change – Ms. Hamm indicated that this revised plan was before the Board of Supervisors to slightly revise the size of Lot D from 2.027 acres to 2.0 acres to be within the Clean & Green. **Mr. Kammerer moved, seconded by Mr. Sanders to approve the revised plan indicating a slight revision to the size of Lot D from 2.027 acres to 2.0 acres. Motion carried unanimously.** Mr. Hill stated that the word VOID should be written on the pages that were revised and make reference to where the pages are inserted.

Public Comment:

1. Mr. Dave Lazas, Representative for Atapco – The two (2) highway occupancy permit (HOP) plans for Shealer Road and west of Route 30 are progressing. These permits are contingent upon the rights-of-ways. All agreements have been sent out. The rights-of-ways need to be acquired. They are working on the erosion sediment control plan with the conservation district. There are several agreements being negotiated with WalMart which include the purchase-and-sale agreement and developers' agreements. They are working to relocated power lines with Met-Ed. Once Met-Ed signs off, then the gas line can be

located. The configuration of the right turn only land going into the development has changed slightly. Mr. Davis suggested that Jodie Evans, the township traffic engineer, be sent a copy of this site plan to see if the configuration is better. Mr. Davis asked if Dan Thornton has been involved in this site plan and Mr. Lazas stated that he has been. Attorney Saltzman also stated that the condition statement from PennDot is incorrect and advised the township to hold on signing this until the matters are straighten out. Mr. Saltzman also stated that the signage is also an important issue being worked on.

Adjournment:

With no further business to come before the Board, Mr. Kammerer moved, seconded by Mr. Sanders to adjourn the meeting at 8:10 p.m. this date.

Respectfully submitted,

Robin K. Crushong
Secretary

The next regularly scheduled meeting for the Board of Supervisors of Straban Township will be held on June 4, 2012 at 7:00 p.m.