

The Straban Township Board of Supervisors met this date, as publicly advertised, at 6:45 p.m. in the meeting room of the Straban Township Municipal Building, 1745 Granite Station Road, Gettysburg, PA 17325 with Board Chair Tony Sanders presiding. Others in attendance were: Supervisors Fred Kammerer and Sharon Hamm; Walton V. Davis, Solicitor; and Office Manager Robin Crushong.

Others in attendance were: Lawrence and Sandra Martin; Crissy Redding, Straban Township Tax Collector; and Bill Hill of Wm. F. Hill & Associates.

Straban Township Code of Ordinance, Section 140-12.H.(1) to include surface and overhead utility rights-of-way as bases for alternate locations for streetlights; amending Section 140-12.H.(2) [Route 30 Streetscape enhancements, street lighting] to permit street lamp fixtures to qualify for use if they meet the performance standards required and are deemed by the township engineer to be sufficiently similar to the description contained in Appendix 1.:

Mr. Sanders opened the floor for any comments.

No public comments.

Straban Township Code of Ordinance, Section 117-4 (Definitions) of Article II (Definitions) revising the definition of "building":

Mr. Sanders opened the floor for any comments.

No public comments.

Straban Township Code of Ordinance, Section 140-5 (Definitions) of Article II (Definitions) revising the definition of "awning sign":

Mr. Sanders opened the floor for any comments.

No public comments.

Mr. Sanders moved, seconded by Ms. Hamm to adjourn the hearing at 6:46 p.m. this date.

Respectfully submitted,

Robin K. Crushong
Secretary

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 Tony Sanders presiding. Others in attendance were: Supervisors Fred Kammerer and Sharon Hamm; Secretary Robin Crushong; Solicitor Walton V. Davis; and William F. Hill from Wm. F. Hill & Assoc., Township Engineer.

Others in attendance were: Lawrence & Sandra Martin; Tammy Baumgardner; Michael Keller; Charles Suhr, Attorney for Sites-Bittinger; David Sites; Eric Gladhill, C.S. Davidson; Seth Eric Springer, Esquire; Debbie Redding-Arnold; Crissy Redding; Joey Byrne, United Hook & Ladder Co. #33; Eric Bowmaster, Biglerville Fire Company; Lillian Reed, *Evening Sun*; and Ken Knox, *Gettysburg Times*.

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

- Mr. Sanders informed the residents present of the next scheduled meetings: Board of Supervisors meeting on November 2, 2015; Planning Commission meeting on October 28, 2015; and Recreation Board meeting on November 16, 2015. There was a workshop on September 14, 2015 with a developer.

Public Comment:

None.

Minutes:

Mr. Kammerer moved, seconded by Ms. Hamm, to approve the September 8, 2015 meeting minutes as presented. Motion carried unanimously.

Approve Bills:

Ms. Hamm moved, seconded by Mr. Kammerer, to approve the September 10, 2015; September 17, 2015; September 24, 2015; and September 30, 2015 bills for payment. Motion carried unanimously.

Reports:

Recreation: Nothing at this time.

Solicitor: Nothing at this time.

Fire:

Joey Byrne, United Hook & Ladder Co. #33: Informed the Board that, the merger is going well.

Eric Bowmaster, Biglerville Fire Company: Biglerville did contact Staff Healthcare opting to take advantage of its six-month option to terminate its contract because Biglerville is going to do its ALS in-house. He assured the Board that Biglerville is not going out of the ALS business. We are just moving it from a contract service to an in-house full-time employees. Mr. Sanders stated, shouldn't the township wait to see how that works out for you before we assign these box cards to the Biglerville EMS because if it doesn't work out, we will have to switch it back. Mr. Bowmaster did not see a difference if the township gives it to Biglerville now with a contract or do it in-house. It would just go to the next due company which would be Adams Regional EMS. Mr. Bowmaster also mentioned that he met with the Adams Regional EMS service to discuss the issue of the box cards, as the township had previously asked him to do. What came out of the meeting is that it's not up to the EMS departments to decide who responds to the box cards, it's up to the fire department and the township to make the decision. Mr. Bowmaster stated that Biglerville cannot wait until January 2016 for the box cards to be decided on. They send their fundraising solicitation out next month. If it is going to be switched over they need to know. If they send out the solicitation now and you decide to switch it in January we will have to do a special mailing that will cost us more. Mr. Bowmaster asked if the board would be making a decision regarding the three box cards during this meeting. The Board stated that because it is not an agenda item to be considered tonight, Mr. Bowmaster would need to request to have the item added to the agenda for next month's meeting.

Correspondence:

Ms. Crushong announced the following:

- August 2015 Report from Bonneauville Fire Department
- September 2015 Report from United Hook & Ladder
- Minutes of the Gettysburg Municipal Authority Board of Directors meeting held on August 17, 2015. There was discussion about the proposed YWCA Daycare Lot #22 wherein GMA is willing and presently able to provide public water and sewer for this project provided the client meets all conditions posed for this project. Also, the sewage facility planning update on LTP Rentals, Advance Auto Parts, Tractor Supply Company and Sheetz are eligible for exemptions so the projects should continue to move forward
- Minutes of the White Run Regional Municipal Authority meeting held on August 19, 2015
- Minutes of the Adams County Conservation District Board of Directors meeting held on August 27, 2015

- Minutes of the Adams County Council of Government meeting held on August 27, 2015
- Audit Report from the Auditor General for the Liquid Fuels tax Fund for the period January 1, 2013 to December 31, 2014
- York Adams Tax Bureau 2016 Recommended Budget
- Two (2) letters dated September 23, 2015 from the Gettysburg Area School District one to Atapco Properties, Inc. requesting consideration on reimbursing the District for its direct out-of-pocket costs incurred for legal review and advice for this effort and one to Robin Fitzpatrick of the Adams County Industrial Development Authority stating that the Board of School Directors of the Gettysburg Area School District unanimously voted to repeal the resolution that was approved at the Monday, August 3, 2015 meeting

Old/New Business:

1. **Ordinance No. 2015-07 amending the Code of Ordinances** – Comments were received back from Adams County Office of Planning and Development and the Straban Planning Commission recommending approval. **Ms. Hamm moved, seconded by Mr. Kammerer to approve for adoption Ordinance No. 2015-07 amending Section 140-12.H.(1) to include surface and overhead utility rights-of-way as bases for alternate locations for streetlights; amending Section 140-12.H.(2) [Route 30 Streetscape enhancements, street lighting] to permit street lamp fixtures to qualify for use if they meet the performance standards required and are deemed by the township engineer to be sufficiently similar to the description contained in Appendix 1. Motion carried unanimously.**
2. **Ordinance No. 2015-08 amending the Code of Ordinances** – Comments were received back from Adams County Office of Planning and Development and the Straban Planning Commission recommending approval. **Ms. Hamm moved, seconded by Mr. Kammerer to approve for adoption Ordinance No. 2015-08 revising the definition of “building” in Section 117-4 (Definitions) of Article II (Definitions) of Chapter 117 (Subdivision of Land). Motion carried unanimously.**
3. **Ordinance No. 2015-09 amending the Code of Ordinances** – Comments were received back from Adams County Office of Planning and Development and the Straban Planning Commission recommending approval. **Ms. Hamm moved, seconded by Mr. Kammerer to approve for adoption Ordinance No. 2015-09 revising the definition of “awning sign” in Section 140-5 (Definitions) of Article II (Definitions) of Chapter 140 (Zoning). Motion carried unanimously.**

4. **Certificates for Payment** – Mr. Sanders indicated that the new maintenance building is all finished and these are the last payments to be made with the exception of Gormley Electrical with one last payment to be made.

a) Application and Certification for Payment No. 3 was received from AgPoint Construction Services (General Construction) in the amount of \$18,294.20. The contract price was \$238,767.00; less change order #1 \$11,749.00; less payment #1 \$74,026.96; plus change order #3 \$450.00; less payment #2 \$123,185.99; less payment #3 \$18,294.20; leaves a balance due of \$11,960.85. **Mr. Sanders moved, seconded by Mr. Kammerer to approve Payment No. 3 in the amount of \$18,294.20 to AgPoint Construction Services. Motion carried unanimously.**

b) Application and Certification for Payment No. 4 was received from AgPoint Construction Services (General Construction) in the amount of \$11,960.85. The contract price was \$238,767.00; less change order #1 \$11,749.00; less payment #1 \$74,026.96; plus change order #3 \$450.00; less payment #2 \$123,185.99; less payment #3 \$18,294.20 less payment #4 \$11,960.85; leaves a zero balance. **Mr. Sanders moved, seconded by Mr. Kammerer to approve Payment No. 4 in the amount of \$11,960.85 to AgPoint Construction Services. Motion carried unanimously.**

c) Application and Certification for Payment No. 1 was received from Carl E. Frantz, Inc. (Mechanical Construction) in the amount of \$12,800.00. The contract price was \$12,800.00 so he is requesting full payment. **Mr. Sanders moved, seconded by Mr. Kammerer to approve Payment No. 1 in the amount of \$12,800.00 to Carl E. Frantz, Inc. as full payment for the mechanical construction of the project. Motion carried unanimously.**

d) Application and Certification for Payment No. 2 was received from Carl E. Frantz, Inc. (Plumbing Contract) in the amount of \$9,950.00. The contract price was \$31,750.00; less change order #1 \$1,800.00; less payment #1 \$20,000.00; less payment #2 \$9,950; leaves a zero balance so he is requesting full payment. **Mr. Sanders moved, seconded by Mr. Kammerer to approve Payment No. 2 in the amount of \$9,950.00 to Carl E. Frantz, Inc. as full payment for the plumbing contract of the project. Motion carried unanimously.**

e) Application and Certification for Payment No. 2 was received from Gormley Electrical Services, Inc. (Electrical Contract) in the amount of \$10,035.00. The contract price was \$27,900.00; less payment #1 \$15,075.00; less payment #2 \$10,035.00; leaves a balance due of \$2,790.00. **Mr. Sanders moved, seconded by Mr. Kammerer to approve the payment of \$10,035.00 to Gormley Electrical Services, Inc. Motion carried unanimously.**

5. **Awarding bid for 2002 Viking Plow** - Mr. Sanders stated that the township has received three (3) sealed bids for the 2002 Viking 11 ft. power angle straight plow that it advertised for sale.

Bid #1 – Hobbs Trucking Inc., 4410 Emmitsburg Rd., Fairfield, PA 17320 in the amount of \$900.00.

Bid #2 – Rick's Custom Baling, LLC, 143 Ruppert Road, East Berlin, PA 17316 in the amount of \$863.00.

Bid #3 – Carville Mace, 388 Schottie Rd., Littlestown, PA 17340 in the amount of \$1,010.00.

Ms. Hamm moved, seconded by Mr. Sanders to accept the bid of Carville Mace in the amount of \$1,010.00. Motion carried unanimously.

6. **Notification to PennDot concerning Gettysburg Crossing Project** - Mr. Sanders moved, seconded by Mr. Kammerer to ratify the notification that was sent to PennDOT on September 14, 2015 withdrawing all applications relating to the highway improvements for Atapco's discontinued project. Motion carried unanimously.

7. **Minimum Municipal Obligation (MMO for 2016** – Ms. Hamm moved, seconded by Mr. Kammerer to approve the Minimum Municipal Obligation for 2016 of the municipality with respect to the pension plan. Motion carried unanimously.

8. **Budget Workshop** – Mr. Kammerer moved, seconded by Ms. Hamm to authorize the advertisement for a budget workshop to review the 2016 proposed Budget for Tuesday, October 20, 2015 at 5:00 p.m. at the Township Office. Motion carried unanimously.

9. **Township Solicitor** – Ms. Hamm stated that Mr. Davis will be retiring from practicing law on December 31, 2015. **Ms. Hamm moved, seconded by Mr. Kammerer to appoint John S. Phillips as Township Solicitor effective January 1, 2016. Motion carried unanimously.**

Land Use Reviews:

Advance Auto Parts – Final Land Development Plan (801 York Road) – **Must act by 10/09/15.** A letter was received by e-mail from Joseph Stein of Penn Terra Engineering, Inc. dated September 30, 2015 requesting a time extension through December 8, 2015. **Ms.**

Hamm moved, seconded by Mr. Kammerer to approve the time extension request through December 8, 2015. Motion carried unanimously.

Sites-Bittinger, L.P.-Lot 22 Commerce Center-Prel/Final Subdivision/Land Development Plan (north-west end of Expedition Trail-adjacent to 20 Expedition Trail) – **Must act by 10/20/15**

Ms. Hamm asked Solicitor Davis to give an overview of the Zoning Hearing Board's decision which took place on Wednesday, September 30, 2015. Mr. Davis told the Board that a written decision is not available now, however, a verbal decision was made at the conclusion of the hearing on September 30, 2015 whereby the Zoning Hearing Board granted a temporary variance such as that granted to Tractor Supply and Peebles (Starbucks) whereby streetscape is deferred until there is development of Lot 23; or development on an abutting property; or passage of five (5) years. It was also noted that there were two (2) separate hearings on the same night for Sites-Bittinger (Lot 22) and Kirby Land Holdings (Lot 23) and both were granted temporary variances for streetscape.

Ms. Hamm noted that there are three (3) waivers and one (1) modification of which the Planning Commission approved.

3.a. SALDO 117-17.B(1)(c) – This section requires Preliminary Plan Requirements. The applicant has requested a waiver of this section. The Planning Commission recommended approval. **Ms. Hamm moved, seconded by Mr. Kammerer to approve the requested waiver as depicted as number 3.a. in the Wm. F. Hill Letter dated September 21, 2015 for the Sites-Bittinger Final Land Development Plan. Motion carried unanimously.**

3.b. SALDO 117-20.K, 117-27.B(32), 117-52 – These sections require submission and approval of a Traffic Impact Study. The applicant has requested a waiver of these sections. The Planning Commission recommended approval by a 4-1 vote with Ms. Hamm being the sole opposed. **Mr. Kammerer moved, seconded by Mr. Sanders to approve the waiver for the requirement to submit a Traffic Impact Study.** Ms. Hamm stated that the township traffic engineer submitted a letter dated July 28, 2015 stating that since the existing daycare facility will likely redevelop in the future, a traffic study prepared by the proposed daycare should be required to add the full site development trip generation to the existing traffic volumes projected to opening year conditions, not just the "new" trips when comparing the current to proposed daycare. This is necessary to show the incremental impact of the daycare facility with the understanding that the existing daycare building will be redeveloped. Mr. Shur stated that they requested the waiver because a traffic impact study is not going to give any more information and it's not going to direct them to do anything, because they have already agreed to what they are going to pay in impact fee. Mr. Davis stated that the new peak hour trips trigger the traffic study. If the Board feels there is a need for it or not, or whether the Board wants to give credit to its traffic engineer that is up to the Board to decide. **Motion carried 2-1 with Ms. Hamm opposing.**

3.c. SALDO 117-39.D(2) – Requires streetscape improvements for properties along Route 30 within designated areas. **Ms. Hamm moved, seconded by Mr. Kammerer to approve the requirements of streetscape improvements in accordance with the Zoning Hearing Board’s decision. Motion carried unanimously.**

3.d. SWM 109-23.A.2(i)[1] – The maximum slope of earthen basin embankments shall be 4:1. It appears that the outer embankment slopes are 3:1. The Developer has requested a **modification** of this section to allow for 3:1 slopes on the outside of the basin embankment. **Ms. Hamm moved, seconded by Mr. Sanders to approve the modification 3.d. as depicted in the Wm. F. Hill & Assoc., Inc. letter dated September 21, 2015.**

Ms. Hamm moved, seconded by Mr. Kammerer to approve the plan with the following conditions as outlined in Wm. F. Hill & Associates letter dated September 21, 2015 being met prior to Board of Supervisors signature on the plan:

2. All appropriate signatures of the Final Plans must be provided prior to final plan approval, including the landowner, developer, engineer, surveyor, and landscape architect signatures.

4. SALDO 117-20.A – Planning Module approval from PA DEP must be provided to the Township prior to Plan approval. A Sewage Facilities Planning Exemption has been submitted for approval.

5. SALDO 117-26.D - A financial security estimate must be provided, approved, and bonded prior to Final Plan approval. An estimate has been provided and will be approved upon decision by the Zoning Hearing Board.

6. SALDO 117-50 – Recreation land and/or fees are required for the Development.

8. Subsequent to the previous review letter, a gravel parking area was installed within Lot 23 without appropriate permits from Straban Township. This violation must be resolved, or satisfactory progress made on resolution, prior to approval of this Plan. Kirby Land Holdings has one (1) year temporary variance on this lot from the Zoning Hearing Board.

9. SWM 109-32.A – The Stormwater Management Practices, Facilities, and Systems Maintenance and Monitoring Agreement must be signed and recorded prior to plan approval.

Public Comment:

Seth Eric Springer, Esquire – Mr. Springer represents Tama Baumgardner and Michael Keller. Mr. Keller has a business at 2045 Oxford Road wherein he has been issued a violation letter from the Zoning Officer, Jamie Harbaugh. He is here tonight to get guidance from the Board of Supervisors as to how to correct this. The Zoning Officer told them that if they did

not like his determination that his client could file an appeal with the Zoning Hearing Board and pay \$500.00. His client does not want to pay this fee. Mr. Davis told Mr. Springer that the zoning violations are dealt with through the township zoning officer and not brought before the Board of Supervisors. The Board suggested that he sit down with the Zoning Officer and work this out with him.

Questions from the Press:

None.

Adjournment:

With no further business to come before the Board, Mr. Kammerer moved, seconded by Ms. Hamm to adjourn the meeting at 7:56 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 November 2, 2015 at 7:00 p.m.