

Hamilton Township Board of Supervisors  
Minutes of September 20, 2023 Meeting

The Hamilton Township Board of Supervisors met in a duly advertised business meeting this afternoon with Chairman Jeffrey Rockwell calling the meeting to order at 3:00 PM. Members and guests present in addition to Mr. Rockwell were Richard Troup, Ronald Yeager, Deborah Hollenshead, Solicitor AJ Benchoff, Lee Layman, Craig McCleaf, and Lieutenant Tandy Carey of the Pennsylvania State Police – Chambersburg Barracks.

MINUTES – The Minutes of the September 6, 2023 regular business meeting were approved as presented.

ACCOUNTS PAYABLE LIST – The Accounts Payable List was approved on a motion by Mr. Troup, second by Mr. Yeager. Mr. Rockwell abstained.

TREASURER’S REPORT – The Treasurer’s Report was received and reviewed without comment.

PERSONS TO BE HEARD – Lieutenant Carey of the Pennsylvania State Police, Chambersburg Barracks, was in attendance this afternoon for a periodic visit. Lt. Carey asked if there were any issues in the Township that the Supervisors needed assistance with. The Board indicated there were no issues at the present time. Lt. Carey offered that if any situations arise, our office should contact the Chambersburg Barracks.

At this point in the meeting, the Secretary inquired of Solicitor Benchoff if it would be appropriate to move the “Potential Development of Ordinance to Regulate Backyard Chickens” item listed under Unfinished Business to the end of the meeting as it may be a lengthy discussion. There were people in attendance regarding approval of plans, and this would allow them to exit the meeting after their plan was reviewed if they wished to. Solicitor Benchoff felt that it would be appropriate if the Board would entertain a vote to move that item farther down in the agenda. On a motion by Mr. Yeager, second by Mr. Troup, the Board unanimously voted to discuss this item after New Business items. Those who were in attendance were invited to stay as long as they desired.

1837 HOLLY LANE LLC LAND DEVELOPMENT PLAN – Mr. Craig McCleaf and Mr. Lee Layman, partners of 1837 Holly Lane LLC, were in attendance regarding their land development plan for a duplex dwelling on property identified as 1837 Holly Lane. The township Engineer has reviewed this plan and the accompanying stormwater report and is now recommending approval. The required public improvements bond has been provided to our office, and all outstanding engineering review invoices have been paid. On a motion by Mr. Rockwell, second by Mr. Yeager, this land development plan was unanimously approved.

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LUKE STOUFFER SEWAGE PLANNING MODULE – Our office has received the sewage planning module package for a proposed dwelling and detached garage with living quarters above it on vacant land at 2635 Leafmore Road. This parcel is identified as Lot 1 and contains 26 acres. The Township’s Sewage Enforcement Officer has approved and signed the required sections of the modules. On a Yeager/Troup motion, the Board unanimously approved the modules and authorized the Secretary to complete and forward them to PA Department of Environmental Protection for review.

HOSS LAND COMPANY SUBDIVISION PLAN – The Board reviewed a two-lot subdivision plan for an undeveloped parcel between Fern Lane and Forest Road containing approximately 29 acres. This plan is to subdivide the property into two lots designated as Lot 1, containing 15.8973 acres, and Lot 2, containing 13.1970 acres, for title transfer purposes only. No earthmoving or development is proposed by this plan. On a Rockwell/Troup motion, this subdivision was unanimously approved.

PORTERSNECK, LLC REVISION OF STREET CONFIGURATION – A plan has been received to revise the approved, recorded Phase 2A Final Plan of Laurich Gems South for Portersneck, LLC. The only change in Phase 2A is the road name, with the future road configuration in proposed future Phase 3 being changed. No lot lines have changed in the approved, recorded Phase 2A. Phase 2B has received Preliminary Plan approval, but no Final Plan approval to date; however, the revised road name for Phase 2B is also shown on this plan. The need to change the road configuration for Phase 3 was discovered during preliminary design, and is based upon topography. On a motion by Mr. Yeager, second by Mr. Troup, the Board voted unanimously to accept this revised configuration.

LOCAL SHARE ACCOUNT GRANT – The Secretary provided information to the Board regarding the availability of the Local Share Account Grant, which is made possible by the distribution of gaming revenues through the Commonwealth Financing Authority to support projects in the public interest with the Commonwealth of Pennsylvania. Representatives of the Franklin Fire Company No. 4 have contacted our office to request that the Township consider applying for this grant on their behalf to be used for the purchase of a new Fire Engine. The application period for this grant is September 1, 2023 through November 30, 2023. The Franklin Fire Company has been planning to replace one of their fire engines due to age and maintenance issues, as well as to follow the equipment standards of the National Fire Protection Association. The current engine was purchased in 2004, making it nearly 20 years old. An apparatus committee was formed in March 2022 to investigate the Franklins’ options, meeting with vendors to develop a scope of work for repairing and refurbishing the existing engine, and meeting with manufacturers to write specifications to purchase a new engine. It was determined to be more fiscally responsible to purchase new rather than refurbish based on safety concerns, technology upgrades, reduced maintenance cost, warranty coverage, and life of the apparatus. The price obtained from an approved CoStars vendor is just over \$1,100,000, with a 40-month anticipated delivery. The Secretary contacted the Pennsylvania Department of Community and Economic Development to further discuss details of this specific grant. The maximum grant application request is \$1 million, and no awarding of this grant will be made until at least September 2024.



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LOCAL SHARE ACCOUNT GRANT, continued

If awarded, the funds would be released as a “reimbursement” only after all documentation has been submitted to confirm invoicing and full payment. The Board was further advised that there is a \$100.00 non-refundable application fee, which payment must be made prior to application submission. The Board must also adopt a resolution to apply for the grant on behalf of the Franklin Fire Company, stating the intended use of the grant funds, and designating two representatives from the Township as officials authorized to execute documents and agreements between the Township and the Commonwealth Financing Authority. The Board discussed this matter, and several questions were raised. The Secretary was asked to inquire if the Franklin Fire Company is aware that no decision on grant award will be made before September 2024? If no funds are awarded, do they have another plan for funding this purchase? Is it completely understood that if awarded, the funds are a “reimbursement” that would be released after proof of payment by the Franklins is submitted? Has the Franklin Fire Company approached any other municipality to apply for this grant on their behalf for the engine? If so, what amount is being requested? On a motion by Mr. Yeager, second by Mr. Troup, the Secretary was authorized to submit an application for this grant on behalf of the Franklin Fire Company, to pay the \$100.00 non-refundable application fee, and the Board adopted the resolution as required by the Commonwealth Financing Authority appointing Deborah Hollenshead and Jeffrey Rockwell as the officials to execute documents in connection with this grant application, all of which are subject to written response from the Franklin Fire Company to the above questions.

PA DEPARTMENT OF TRANSPORTATION TRAFFIC IMPROVEMENT CONCEPT PLANS

Our office recently received four different concept plans for traffic improvements to U.S. Route 30 in the area of Sollenberger Road. It was requested that the Board of Supervisors review these conceptual plans and provide a written response as to the favored option. This written response is to be provided to PennDOT’s engineer, Paul Wood of Pennoni. After carefully reviewing the four concept plans, on a Yeager/Troup motion, the Board unanimously voted to prefer Conceptual Alternative 3 – Widening, using the sheets identified as Part 1 and Part 2C, with the stipulation that the existing traffic signal at the entrance to Westside Plaza not be removed. It appears that most of the concepts, if not all, eliminate the current traffic signal. It is the Board’s opinion that doing so would decrease traffic safety. The concept shown on the sheets labeled Part 1 and Part 2C would provide two westbound lanes to the entrance of the Westside Plaza, with only one westbound lane continuing west beyond that point. The Secretary was directed to prepare a letter to Mr. Wood of Pennoni conveying the Board’s preference.

ORDINANCE VIOLATIONS ON VACANT PROPERTY – The Secretary advised the Board that during an investigation into a recent complaint regarding grass not being cut on a property in the Township, it has discovered that the property has been vacant for nearly one year. The HTMA office has indicated that they have no contact information for these property owners, and as a result of unpaid sewer bills, several municipal liens have been filed against the property. According to our records, the property taxes are not delinquent, which may possibly indicate that the property taxes are escrowed in the mortgage. Solicitor Benchhoff suggested contacting the Township’s Tax

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ORDINANCE VIOLATIONS ON VACANT PROPERTY, continued

Collector to inquire if that is the case, and if she can provide the name of the mortgage company. If Mrs. Eiker cannot provide that information, Solicitor Benchhoff will obtain that information from recorded documents at the Court House. Once that information is obtained, our office will attempt to contact the mortgage company to make them aware of the violations on the property and request remediation. This matter will be further investigated.

2024 MINIMUM MUNICIPAL OBLIGATION – The Secretary, as Chief Administrative Officer for the Nonuniformed Pension Plan, has prepared the calculations for the Minimum Municipal Obligation required for the Township’s pension plan for the year 2024. It is estimated that \$35,000.00 is required to be transferred to the Pension Fund checking account to cover anticipated expenses in 2024. On a Yeager/Troup motion, this Minimum Municipal Obligation was approved.

POTENTIAL DEVELOPMENT OF ORDINANCE TO REGULATE BACKYARD CHICKENS  
The Board continued the discussion on developing an ordinance to regulate backyard chickens within Hamilton Township. Following discussion at the September 6, 2023 meeting, the Secretary obtained copies of ordinances from other municipalities for the Supervisors’ review. A draft ordinance was prepared by Solicitor Benchhoff and distributed to the Supervisors for review prior to this afternoon’s meeting. This draft was further discussed, and on a motion by Mr. Rockwell, second by Mr. Yeager, the Solicitor was directed to revise the side building setback for chicken coups and runs to ten (10) feet for lots of one-quarter acre to less than two acres in size. It was also discussed that the draft version should be provided to the Hamilton Township Planning Commission for their review and comments.

ADJOURNMENT – There being no further business this afternoon, the meeting was adjourned at 4:25 PM on a Troup/Yeager motion.

Respectfully submitted,



Deborah J. Hollenshead  
Secretary/Treasurer