

March 6, 2006

The Straban Township Board of Supervisors met this day, March 6, 2006, 7:00 p.m. at 1745 Granite Station Road, Gettysburg.

Present: Troy Martin, Jay McDannell, Mike Spangler, Walton Davis, Bob Coleman, Jean Hawbaker, Bill Hill, Bob Sharrah, Mike Hietikko, Chad Kellner, Karen Millar, Ken Bigham, Margaret & Skip Strayer, Sharon Hamm, Bill Smith, Elaine McKnight, Karen Szoke, Mary Redding, Riley Redding, Adam Redding, Jane Lordeman, Ginette Prendergast, John White, Walter Avery, Bernie Lawrence, Brenda Constable, Sam Dayhoff, Frank Thomas, Roger Parsels, Frank Ruth, Sandy Martin, Mark Gladfelder, Ed & Joan Gillespie, Bert Schulteis.

Troy Martin answered questions raised by Frank. Thomas from the last meeting in regards to the Hunterstown Treatment Plant. There are four entities that put effluent into the treatment plant, Reliant Energy, County, Oak Village and the Village of Hunterstown. There is two ways of billing, per 1,000 gallons the charge is \$6.13, three of the four pay that way, which are Reliant Energy, County and Oak Village. These are metered and pay monthly. The second way for the Village of Hunterstown is \$101.00 quarterly and will also include the Adams County Rescue Mission.

Surrounding areas such as Lake Heritage, they pay \$130.00 quarterly, Cumberland Township pays \$115.00 quarterly and Gettysburg is broken down into water and sewer. A resident who assumes 2,000 cubic feet of water, which is 164 gallons per day, which equals out to \$62.00 for water or \$82.42 for sewer or a combination for \$144.42. Another bill showed 2,900 cubic feet, which is 240 gallons per day, which is \$89.21 for water and \$118.92 for sewer or a combination for \$208.13.

Mr. Martin answered questions raised by Elaine McKnight from a previous meeting.

1) It appears GMA or any other municipal supplier does not have any governing body such as the PUC? Is that correct?

No, that is not correct. The PUC does not have jurisdiction over municipal authorities. However, the courts of common pleas do have jurisdiction to hear complaints from customers regarding the reasonableness of service and of rates.

2) Will Straban or anyone else have any say as to whether GMA will provide these services. Will the agreement be between the developer and GMA, or Straban and GMA or the developer, GMA and Straban?

No, Straban Township will not have any say whether GMA will provide services in the areas in which it is the primary service provider. Those matters will be between

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the person seeking service and GMA. However, if GMA fails to meet the needs of the service area, the Department of Environmental Protection, on an appeal, may direct that Straban Township's Sewage Facilities Plan be amended to provide the necessary service if it finds that the needs of property owners are not being met.

3) Will the same checks and balances-namely all required permits, etc. be required of GMA as it would if the developer were to provide water and sewer or will that still be the responsibility of the developer?

Do not understand the question.

4) Will any other municipal water and sewer authority be allowed to provide service to Straban Twp. Also? (i.e., White Run Regional Municipal Authority or Possum Run Municipal Authority or any other that might turn up)?

Service is already provided in Straban Township by another authority. White Run Regional Municipal Authority provides service to Lake Heritage, Hazelbrook Hills, and Drummer Boy Campground. It is unlikely that Possum Valley Municipal Authority would serve Straban Township due to its distance from Straban and its lack of infrastructure.

5) Will it be mandatory for all existing residents to connect along the route to a development? If so, who pays?

It currently is mandatory for any principal structure within 150 feet of a GMA collection line to connect to that line within 60 days of a written notice to do so. The cost of connection is paid by the property being connected.

6) Where is GMA going to find their water supply?

I have no idea where GMA is going to find new sources of water supply. That question might better be put to GMA. GMA does have a policy that new developments seeking water service need to provide to GMA a source or sources of water sufficient for the needs of the new development, whether the source or sources be on site or at a different location.

PUBLIC COMMENT:

Frank Thomas distributed articles in regards to the Gaming Board. On the 5 minute time limitation for public comment, the township solicitor said that public comment is a courtesy of the Supervisors. I don't agree with that and that public comment was to be

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restricted to subjects on the agenda. One thing that I think should be brought up which is not on the agenda, is that in the past 2 months, I've seen the light at Flickinger Road/Route 30 not working. Another thing is to think about a township cleanup day in the spring of the year. I feel that you guys are thinking the way many other governments do, and that we citizens work for you, it's sort of the other way around. This building belongs to the citizens of Straban and not to you. I think you should reevaluate public comment.

Troy Martin stated we did it this way so we could stay on the business of the township.

Jay McDannell stated as far as we Supervisor's working for you, my number is in the book and you are always welcome to call my house.

Sharon Hamm stated there is a new group started, it's called the "Friends of Hunterstown" formally known as the "Hunterstown Historical Society" and they are requesting a reinstatement of a Historical Commission in Hunterstown. We feel that the development in the area is moving much too quickly and does not take into consideration the whole town of Hunterstown. Our goal is to have the township partner with the PA Museum Commission and Representative Steve Maitland to achieve this goal.

Jane Lordeman had concerns on the following:

- . Incomplete Comprehensive Plan
- . Act 209 - Land Use Assumption Report
- . Township Survey on Proposed casino
- . Sewer Agreement/Act 537 "Official Plan"
- . Proposed Draft Zoning Ordinance

Mark Gladfelter wanted to know how do you come up with five members on the Recreation Board and with the number of supervisor's to serve on the Board. Also, why can a supervisor speak longer than the public?

Wally Davis stated that the legislature tells you how many serve on the Recreation Board. If a special petition is put on a ballot and the majority of the electors choose, the Board of Supervisor's can be expanded to five. The Supervisor's can speak longer than the public because, it is their meeting.

Greg Baran stated that the gist of what the people are trying to say is that the taxpayers get 5 minutes to speak and the developers get to talk for an hour.

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Riley Redding presented a report that was submitted to him at the Planning Commission by Ron Horton on a suggested water study. In addition, had water concerns in regards to Gettysburg Commons Development.

Skip Strayer stated the Board should continue to provide for any equitable value of everyone's property. On another level, since you reappointed your engineer, why is it necessary for the Planning Commission to be labor numerous points at ad nauseam when the engineers and developers agree.

Sharon Hamm wanted to know what's the use of the Planning Commission if we're just suppose to trust and assume that the engineers and developers are in agreement.

Chad Kellner wanted to know that those of us that don't read the newspaper, if certain items could be put on the website.

MINUTES:

The minutes of February 6, 2006 were pre-read and approved by motion of Jay McDannell, 2nd by Mike Spangler. All in favor.

EXPENDITURES AND RECEIPTS:

Expenditures dated February 17 and March 3, 2006 and receipts were reviewed and approved by motion of Mike Spangler, 2nd by Jay McDannell. All in favor.

Troy Martin stated that a letter was received from the State Police for open house invitations on April 20 and May 10, 2006 from 6:00 p.m. - 9:00 p.m.

ZONING OFFICER REPORT:

- 1) A Wetlands workshop will be held on March 21, 2006 at the Ag Center. I would be interested in attending.

The Board agreed that the Zoning Officer should attend this workshop.

ENGINEER'S REPORT:

- 1) The Act 537 Plan is at a standstill until we finalize the agreement with the Gettysburg Municipal Authority. The public will then have a 30 day public comment period on it.

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Mike Spangler moved to adopt Resolution# 2006-04, 2nd by Jay McDannell Authorizing and Directing the Emergency Succession of Municipal Officers and the Continuity of Municipal Government. All in favor.

The Board adopted Ordinance# 2006-02 by motion of Mike Spangler, 2nd by Jay McDannell establishing a Recreation Board, permitting reimbursement for its members' expenses, establishing its powers and duties, and establishing a recreation account. All in favor.

The Board authorized advertisement in the Gettysburg Times and Evening Sun and also on the website that township residents are needed to serve on the Recreation Board.

Jay McDannell moved to approve Leo Keller's Final Subdivision Plan/Form B, 2nd by Mike Spangler. All in favor.

Mike Spangler moved to approve Richard Flickinger's Final Subdivision Plan/Form B, 2nd by Jay McDannell. All in favor.

The Board reviewed the Gettysburg Commons Preliminary Subdivision Plan (Overall Plan) comments from Wm. F. Hill dated March 6, 2006 on outstanding issues.

- 1) Draft documents should be submitted in regards to the Homeowner's Association.
- 2) The Plan shall be sealed and signed by the design engineer prior to recording of the Plan.
- 3) Provide HOP numbers for all intersections with a state road.
- 4) E&S Plan approval.
- 5) Provide proper documentation as to the ownership and maintenance of the Public Water System.
- 6) All plans for the alteration of a water course shall be submitted and approved by the P ADEP and Army Corp of Engineers.
- 7) Need an alternate means of ingress/egress for the lots accessing road 28 (Copeland Lane).
- 8) Driveways may not cross a street right-of-way line within 50 feet of the right-of-way line of an intersecting street. Developer will be providing speed tables throughout the development to calm traffic and improve safety.

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- 9) All P ADEP permits including NPDES, wetland encroachment and/or mitigation, stream crossing permits shall be required prior to Final Plan approval.
- 10) PHMC approval of the Adverse Impact Mitigation Plan is required prior to Final Plan approval.
- 11) Road names, cartway widths, and right-of-way widths should be shown on the existing conditions sheets.
- 12) As a result of random conflict analysis, we have attached a table of potential conflicts between sanitary sewer and stormwater structures.
- 13) Waiting on a revised set of design calculations.
- 14) MLE process may have to be modified with respect to meeting annual mass loading limits for nitrogen when the wastewater treatment facility is expanded and upgraded.
- 15) Production well #4 is depicted with existing structures and silos within the 100 foot wellhead protection zone. The Developer understands if DEP permitting requires the structures to be removed, they will comply.
- 16) The Ordinance specifies a maximum of 25% slope, from which the developer has requested a waiver.
- 17) It is noted that profiles have not been provided for all basin embankments number 8 through 31. Please specify each embankment and include the necessary details for the 4% sloping bench, outlet structure, outlet culvert, emergency spillway, anti-seep collar dimensions and location, clay key core and basin side slopes.
- 18) Revise anti-seep collars using a 3: 1 side slope.

Jay McDannell moved to approve the Preliminary Subdivision Plan (Overall Plan) for Gettysburg Commons, 2nd by Mike Spangler under the following conditions:

- 1) All outside agency approvals are received before the plan is signed as revealed by a letter from WID. Hill dated March 6, 2006.
- 2) All profiles in the aforesaid letter must be provided for all basin embankments number 8 through 31.
- 3) Side slope for the anti-seep collars be provided.

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- 4) All of the modifications not otherwise mentioned and listed on the overall Preliminary Plan would be granted.

The Board reviewed comments from Wm. Hill dated March 6, 2006 on the Gettysburg Commons Final Subdivision Plan/Land Development Plan (Section A - Phase 1).

- 1) The plans shall be signed and notarized by the owner prior to plan approval.
- 2) The developer has stated that a fee in lieu of land shall be paid.
- 3) Applicable SALDO modifications are referenced on Sheet 1 of the Plans, and must be acted on prior to Plan approval
- 4) A Developers' Agreement between the Township and the developer should be executed prior to Final Plan approval.
- 5) The Homeowners' Association Documents and Covenants shall be filed with the Township.
- 6) A financial security estimate must be provided, approved, and bonded prior to Final Plan approval, (Le., sanitary sewer improvements/wastewater treatment facility, storm sewers and related stormwater detention facilities, sidewalks, traffic control and street signage, intersection lighting, landscaping, water system improvements/wells/elevated storage tank, monuments (survey).
- 7) Impact fees for Transportation capital improvements will be paid at building permit issuance.
- 8) All state and local permits should be issued and filed with the township.

Wally Davis will sit down with the Supervisor's to discuss the Developer's Agreement.

Bob Sharrah stated that PADOT has indicated they won't issue the HOP's until the Developer's Agreement is signed.

Jay McDannell moved to approve the Gettysburg Commons Final Subdivision Plan/Final Land Development Plan, 2R by Mike Spangler under the following conditions:

- 1) Indication of approval of modifications
- 2) Homeowner's Association Documents and Covenants shall be filed with the township.

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- 3) Appropriate financial security be provided and approved.
- 4) Outside agency approvals must be received before signing of the plan.
- 5) Developer's Agreement that meets the Engineer's and Solicitor's approval.

Troy Martin mentioned that the Auditors have completed the 2005 Audit.

Adjournment was at 8:35 p.m. by motion of Mike Spangler, 2nd by Jay McDannell

The next regularly scheduled meeting for the Board of Supervisors of Straban Township will be held on April 3, 2006, 7:00 p.m. at 1745 Granite Station Road, Gettysburg.

Jean A. Hawbaker
Secretary/Treasurer
STRABAN TOWNSHIP
BOARD OF SUPERVISORS