

AUGUST 21, 2008 SUPERVISORS' MEETING:

The Mount Joy Township Board of Supervisors met this date, as publicly advertised, at 7:30 p.m. in the meeting room of the Mount Joy Township Municipal Building, 902 Hoffman Home Road, Gettysburg, PA 17325 with Board Chairman James W. Waybright presiding. Others in attendance were: Supervisors William Chantelau, George Scott, Samuel Dayhoff, and Robert Rhodes; Solicitor Walton V. Davis; Zoning Officer Dave Crouse; Treasurer Robin Crushong; and Secretary Brenda J. Constable.

Others in attendance were: News Reporter Aaron Young (*Gettysburg Times*); Tim Brown; Jim & Eleanor Dehoff; Bernie Huesken; Jerry Althoff and Tom Dunchack representing the Planning Commission; Dorcas Shelly; Elsie Morey; Jack McLatchy; Carol E. Holtz; Pam & John Roman representing the Watchdog Group; Audrey Sanders; Jerry Maloney; Eileen T. Holmes; John Mooney and Dave Stair representing Twin Pond Estates development; Vince Dvorak; Sperios Marionos; Debbie Hilling; Bob Gitt; and Harry Wallker.

Board Chairman Waybright led everyone with the Pledge to the Flag.
The Township recorded the meeting.

Minutes:

Mr. Chantelau moved, seconded by Mr. Scott, to approve the minutes of the July 17, 2008 meeting as presented. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Chantelau, to approve the minutes of the August 4, 2008 Special meeting as presented. Motion carried unanimously.

Executive Session/Meeting Reconvened:

Mr. Dayhoff asked for an Executive Session at 7:35 p.m. Board Chairman reconvened the meeting at 7:45 p.m. this date with all in attendance as listed above.

Mr. Davis stated an Executive Session was held to discuss a prior litigation that appears to be ended, and potentially from the same source an identified claim, which could be future litigation.

Public Comments:

1. Jack McLatchy: supports the County Commissioners with regard to placing a question on the ballot as to whether they would support borrowing up to \$10 million for natural resource protection; and with the Township involved in agricultural land preservation. Now the Township is purchasing land to adjoin to the Mud College Schoolhouse property. All of this is costing the people money and he would like to know where the money is coming from. In addition, if the Schoolhouse were to be moved it will cost money. Next year, it is the understanding that Township taxes will be raised. His concerns are that folks on fixed incomes, etc.; how will they cope with all the new changes coming? Is the Township doing the right thing, going to fast, has careful consideration been given to these ideas? He supports the County and trusts the Township in its decisions.
2. Tim Brown: thanked the Supervisors for their efforts in keeping the permit process moving along so that Farm City Day can happen at his farm in September. He also invited the Supervisors to put a table up at the event to recognize the Township's commitment in land preservation program.

3. Eileen Holmes: suggested highlighting the young people in the Township in the Newsletter when they are recognized for their accomplishments with regard to agriculture, or any other businesses.
4. Bob Gitt: suggested Mount Joy Township hold a town meeting.

Persons Requesting Time:

Speros Marinos: regarding combat simulators on his property. The Township had asked him to give advance notice to the Township so it could be announced at the monthly meetings prior to the event. He explained that many times he does not have confirmation until a week or two prior to the event. He sends out notices to a list of people and businesses and would be happy to add anyone to the list if they so desire. It was also suggested that he notify the Township of any potential events so that it could be posted in the Newsletter of the web site.

Announcements:

Ms. Constable announced the following:

- The Conditional Use Hearing originally scheduled for August 18, 2008 for Horizon Group Properties has been postponed with a date to be determined.
- A Conditional Use Hearing is scheduled for September 9, 2008 at 7:30 p.m. for a Special Events Permit requested by Kiwanis Club, Sponsor, for Farm City Day to be held at Tim & Marcia Brown's property on Hickory Road.

Treasurer:

Mr. Scott moved, seconded by Mr. Chantelau, to approve the Treasurer's Report as presented. Motion carried unanimously.

Mr. Chantelau moved, seconded by Mr. Scott, to approve the bills to be paid as presented. Motion carried unanimously.

Subdivision/Land Development Plans:

1. Dvorak, Vince & Elaine: proposed land development plan for a 1,680 sq. ft. pole building at 346 Krug Road, zoned RR. Mr. Dvorak requested a waiver for a full land development plan. The Planning Commission recommends approval with contingencies. Mr. Althoff explained the contingencies requested. Mr. Scott moved, seconded by Mr. Chantelau, to approve the waiver contingent on placing notes on the plan as follows:

- Building is for personal use only and not approved for commercial business
- Stormwater management is to be controlled with downspouts or storage facilities
- Application for a new driveway permit must be made with the Township

Discussion: Supervisors asked if the Township engineer should review and approve the stormwater management. Mr. Althoff suggested only if Mr. Dvorak did not comply with this condition. With no further discussion, the motion carried unanimously.

2. Twin Ponds Estates: proposed 27-lot subdivision at 979 Harney Road, zoned RR. Applicant requested a waiver for stormwater basin location, and a 90-day extension on the plan. Planning Commission recommends denial of waiver request, and approval of extension request. Based on Ordinance No. 2008-01, the Planning Commission suggests the two lots with stormwater basins

become common lots only and not residential. Mr. Dayhoff moved, seconded by Mr. Scott, to deny the request for a waiver for stormwater basin location. Mr. David Stair, owner, and John Mooney, Esq. were present to review these requests. Mr. Mooney commented on the background of this plan, noting the original plan filed in 2007 with 34 lots was determined by DEP to require larger lots due to the results of a hydro-geological study. Eventually the plan was withdrawn by the applicant and a new plan was submitted with 27 lots. Mr. Mooney stated that the density of this subdivision has already gone down and if the waiver request were not approved, the subdivision would diminish even more. Mr. Stair noted that if the waiver request was approved, the stormwater basin would be on a lot with a residential house and the Homeowners' Association would be responsible for the maintenance of the basins. The basin would be owned by the landowner. Mr. Stair stated if the waiver were not approved, the impact would be to redesign the subdivision again, withdraw and resubmit for a third time, or lose two lots, remaining in a total loss of seven lots since the first plan was submitted. Mr. Althoff noted the Planning Commission had been agreeable to the idea of keeping the two lots for common area and just make the houses disappear; not requiring a new plan submission. Mr. Davis noted the applicant had three options: keep the two lots as common areas only and reduce the number of houses; revise the lot lines to keep stormwater basins in common areas and still keep the same number of residential lots; or keep the plan as is and when the Township denies the plan, go for an appeal. If the applicant were to change the lot lines, the Township could consider treating this as a minor revision and not require a re-filing of the plan or review fees. With no further discussion on the motion, the motion carried unanimously to deny the waiver request.

Mr. Scott moved, seconded by Mr. Chantelau, to approve a 90-day extension on the preliminary plan to January 5, 2009. Discussion: it was noted that permits and reviews are needed from third party agencies and the reason for the extension is justified. With no further discussion, the motion carried unanimously.

Mr. Mooney asked for direction as to how the Township would address the plan if the applicant were to move the lot lines and change the plan to address the stormwater areas. The Supervisors agreed they would accept the changes as a revision and no resubmission of the plan or fees would be necessary.

3. Hartlaub, Francis L. Jr.: proposed lot addition to Township property at Mud College Schoolhouse along Baltimore Pike. Planning Commission recommends approval of plan. Mr. Scott moved, seconded by Mr. Chantelau, to approve as a preliminary/final plan. Motion carried unanimously.

Pam Roman asked if the Township settled on the property yet. Mr. Waybright responded no. Ms. Roman asked if the Township had a settlement date. The Supervisors responded no.

Road Report:

Mr. Chantelau moved, seconded by Mr. Scott, to approve the Road Report as presented. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Chantelau, to approve the request to purchase a snowplow balance system from U.S. Municipal Supply, Inc. in the amount of \$1,800.22. Motion carried unanimously.

Zoning Officer's Report:

Mr. Chantelau moved, seconded by Mr. Rhodes, to approve the Zoning Report as presented. Motion carried unanimously.

Correspondence:

Ms. Constable noted receiving the following correspondence:

- S.G. Marinos Co. – WWII combat simulator occurring on Civil War Lane on July 25 – 27, 2008.
- Letter from Stephen C. Alexander regarding Township mowing in front of property located at 1735 Barlow-Two Taverns Road.
- Letters of interest from John Skiles and Debbie Hilling to serve on the Planning Commission.
- WRRMA July minutes

Committee Reports:

Personnel: Nothing to report.

Finance: On behalf of the Finance Committee, Mr. Scott gave a report with regard to the monitoring of the budget throughout the year. He noted the 2009 budget process has begun and department heads are currently working on their budgets. The Finance Committee intends to meet in late September to complete the first draft of the budget. A budget workshop is scheduled for October 2, with tentative budget adoption to be in October and final adoption to be no later than December 18, 2008. Projecting ahead to the end of 2008 shows a deficit of over \$250,000. The Township withdrew from its reserves and now shows a deficit below the \$500,000 cut-off the Supervisors previously agreed upon. The Finance Committee strongly recommends a tax increase for 2009.

Mr. Scott also gave a report as an individual finance committee member. He commented on the need for a tax increase in 2009 as it related to how much and the methods of collecting. With regard to fire service, he noted the fire departments would need an increase to cover fuel costs. Townships are allowed to set up and collect millage for specific fire protection. The road crew will also need an increase to cover fuel and paving costs, as well as prevailing wage changes relative to road surfacing projects. He also commented that Mount Joy may need to become more favorable to commercial, industrial, and retail establishments to generate funds. However, this would be with controlled usage and would continue to preserve and protect agricultural and residential land.

Planning, Land Use & Zoning: Committee finished reviewing the proposed changes to the Permitted Use Table as presented by the Planning Commission. The list will be sent back to the Commission with the Committee's suggestions. The Committee thanked Mr. Davis for his comments.

Building & Grounds: Nothing to report.

Roads: Nothing to report.

Public Safety: Box Alarm Card changes have been submitted for Barlow, Alpha (Littlestown), Gettysburg, and Bonneauville reflecting the elimination of Kingsdale in any of Mount Joy Township's response areas. Mr. Waybright moved, seconded by Mr. Scott, to approve the changes as presented. Motion carried unanimously.

Agricultural Land Preservation:

With recommendation from the Ag Land Preservation Board, Mr. Scott moved, seconded by Mr. Chantelau, to approve the submission of applications for the first two ranked farms in Round V to the Adams County Green Space Grant Program for 2009 funding. Motion carried unanimously.

With recommendation from the Ag Land Preservation Board, Mr. Chantelau moved, seconded by Mr. Rhodes, to sign the Grant Agreements with the County relative to the Straley farm. Motion carried unanimously.

With recommendation from the Ag Land Preservation Board, Mr. Scott moved, seconded by Mr. Chantelau, to approve the Ag Land Coordinator to prepare documentation to begin settlement process for the Craig and Connie Yingling farm, contingent on closure issues being resolved. Motion carried unanimously.

Recreation Board:

Supervisors noted the Rec Board did not meet this month. Last month, the Supervisors approved the purchase of a sign, as required by DCNR, to be placed on the Hartlaub property after the Township purchases it. The amount approved was between \$200 - \$300. The actual price totaled approximately \$650. Mr. Scott moved, seconded by Mr. Chantelau, to approve the purchase of the sign for \$650. Motion carried unanimously.

Other Business:

Security Reduction Request: With recommendation from KPI, Mr. Chantelau moved, seconded by Mr. Dayhoff, to approve a Public Improvements Surety Reduction Request No. 3 for Fairview Farms development, Barton Breighner, Owner, in the amount of \$42,621. Motion carried unanimously.

Appointment of Planning Commission Member: Supervisors noted receiving two applications for filling the vacancy on the Planning Commission due to the resignation of Jim Wiltgen. The Personnel Committee interviewed both applicants and thanked both for their interest in wanting to serve the Township. After review and careful consideration, Mr. Chantelau moved, seconded by Mr. Scott, to appoint John Skiles to the vacant position, effective through December 31, 2010. Motion carried unanimously.

Adjournment:

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Chantelau, to adjourn the Supervisors' meeting at 8:50 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary

