

July 8, 1996

The Mount Joy Township Supervisors held their regular monthly meeting on Monday, July 8, 1996 at the Township Municipal Building located at 902 Hoffman Home Road, Gettysburg, PA. All members were present.

The minutes of the last regular monthly meeting, June 10, 1996, were approved by motion of Moul, 2<sup>nd</sup> by Dayhoff, carried.

The treasurer's report and bills to be paid report consisting of \$3,187.93 to be paid out of the Payroll Account, checks numbered 1543 through 1553 and \$18,006.03 to be paid out of the General Account, checks numbered 7474 through 7498, were approved by motion of Moul, 2<sup>nd</sup> by Dayhoff, carried.

#### Bids for Road Repair - 1996

One bid was received from Wm. Hammaker (Hammaker East, Ltd.) for a total of \$211,840. The supervisors asked the engineer, Mark Lewis, if the Township should reject and rebid or not. Lewis answered that the bid was properly advertised and bid packs were sent to 20 people. We are well into the season for paving and if rebid, the time frame would be tight. The bid is a bit over the estimate of \$185,000. Not many firms do FB type paving anymore. There are a lot of roads that took a beating this winter. Nothing was done in 1995 and limited work in 1994; therefore, the figure is not out of line. Moul said that in touring Mount Joy Township, Lewis said the roads are in excellent condition for a township, with very little cracking. Maintaining roads on a regular basis is easier than letting them go for a few years. Dayhoff question if gutter cleaning and berm work was included in the bid. It was not. Beebe questioned what is the Township's responsibility regarding inspections? Lewis recommended periodic inspections to see that the amount of material was consistent with invoice. A kick-off meeting should be held with the contractor to give direction on the roads. Moul made a motion to accept the bid, 2<sup>nd</sup> by Beebe, carried.

#### Subdivisions:

Robert Slapp - Final plan. Motion by Dayhoff to approve, 2<sup>nd</sup> by Beebe, carried.

#### Road Report:

There was extensive damage during the floods. Most of this has been put back in a safe manner. The Twp. would like to black-top some of these spots; cold patch doesn't hold. This is currently being discussed with the engineer. The worst areas are on Basehoar-Roth and Low Dutch Roads. The mess by the Wiles farm is being cleared up. (NRCS) The bid was awarded to Jerry Justice. Twp. would like a box culvert for this area, but two months manufacturing time is required and NRCS has a 30-day limit on getting the work done. Does the Twp. want a box culvert under Spangler School Road? A 4x10 would be 3/5ths larger than the present two pipes. The cost is approximately \$350/ft. Lewis says this price is typical for a box culvert. The length and design should avoid dropp-offs and provide a safer, more gentle slope. Moul said that the idea of two pipes in the past has proved that things coming downstream creates a dam situation at the pipes. Questioned if the box culvert is worth the difference in cost. Lewis suggested looking at costs and comparing life cycles. A box culvert properly put in has low maintenance. Water over the road presents a safety hazard. A DEP permit is required; could be obtained right away and applied for after the fact in order to get the project in motion. Beebe said that in '90 and '91 boxes were put in at other areas on the stream which are 3/5ths larger than the two pipes. Water from the fields and woods backs up behind the pipes everytime there is a hard thunderstorm.

Lewis said that normally DEP requires upgrading for a 100-year storm. Beebe said that probably much bigger pipe couldn't be used; would have to use multiple pipes. Motion by Beebe to pursue installing box culverts (with the help of the engineer), across Spangler School Road near Basehoar-Roth Rd. where Lousy Run crosses. He stated that in '1 \$367/ft. was paid for a 4x7. Dayhoff asked if work was being done to alleviate this problem. Beebe said that during the flood there was 10' of water, 2 1/2' was crossing the road. Two nights later some repair work was washed away. Moul made a motion to put the facts together in bid form, advertise, etc. 2<sup>nd</sup> by Beebe, carried.

Mower update - The tractor had to be repaired and is currently in Harrisburg having the new mower put on. Moul is to call regarding the status of the tractor/mower.

A spreader has been installed on the truck.

Correspondence:

A letter was received from the Barlow Fire Company expressing thanks for the donation. A 30-year old piece of equipment needs to be replaced.

Carol Holtz - At the May 8 meeting she expressed displeasure regarding tree mutilation. She read a copy of Moul's response which she felt was necessary as Mr. Dayhoff is also a supervisors and her original letter was presented to all three. She stated that Mr. Beebe alluded that trees may have been cut because of school buses. She has talked with Peg Green, Transportation Coordinator of GASD, who in turn talked to all bus drivers traveling that road (White Church Road). None had made a complaint. Ms. Holtz stated that the legal distance within which a Twp. may cut has been over-stepped. Moul told her to get an attorney and sue if she wishes. Mr. Beebe and Kelly did the job and they were within rights. The same type of mowing was done all over the Township, and he feels a favor was done when the trees were trimmed. Holtz stated that the trees were cut 10' above ground level. Beebe stated that at times trees are cut to 13' 6" and attempted to move the meeting along. Holtz said that the letter that was in the newspaper certainly tells the truth about supervisors. Beebe then instructed the secretary to call the state police and recessed the meeting until Ms. Holtz was in control. (8:05 p.m.)

The meeting resumed at 8:10 p.m. Ms. Susan Benner was present to speak on behalf of the D. Edwin Benner family, requesting an amendment to the Zoning Ordinance to allow an agricultural cultural center in the Rural Residential Zoning District. The Benner farm has been existing since 1802 and is on the National Register of Historic magazines and newspapers. Ms. Benner feels very strongly about the farm as her home and stated that her father has many implements including the first patented lawn mower, four-horse wagons, bobsleds, etc. and the knowledge of these. She feels that Mount Joy Township would be an ideal place for an agricultural visitor center and hopes to spark interest in the need for a cultural center on a living farm. Beebe asked if she has talked to the zoning officer. Bower says that things such as this are not permitted in RR according to the Zoning Ordinance. Beebe said that normally the applicant's attorney handles this. Dayhoff said that probably the same steps as the Boyle group would be necessary, have a public hearing and the supervisors would have the final say.

Old Business:

Zoning Hearing Application Fees - Beebe says that he attorney fees for zoning hearings are far outstripping the fee for hearings. He feels that it is not fair for the citizens to have to pay for hearings for things like golf courses, etc. Moul said it is not possible to do anything about this tonight and a study should be made.

Motion by Beebe to look into fees with the attorney to make more realistic. 2<sup>nd</sup> by Moul, carried.

Yingling's Auction - Moul said that after reviewing the plans, he made a motion to conditionally approve the plans. He has read the engineer's comments and has talked to the Zoning Hearing Board Chairman. Motion by Moul to rescind his motion at the last meeting (6/10/96) and start over. According to engineer and Zoning Haring Board Chairman, when decision was made originally, the building was to not be more than 18,000 square feet and included no residence. Since the last meeting, Yingling has gone to the Conservation Office to apply for (and received) a drain and road over wetland because of a single family residence. Beebe said that the plans were passed on the condition that all the engineer's comments be satisfied. Dayhoff does not agree. Beebe says that the old plan was presented to soil conservation. Yingling has requested and was granted a 20' roadway for the proposed dwelling. He has changed also everything he was granted (18,000 sq. ft. building). Motion seconded by Beebe. Moul and Beebe in favor, Dayhoff opposed, carried.

Zoning Board Alternate - Dawson Harner was interviewed on July 1<sup>st</sup>. Moul feels more time is needed before making a decision. Dayhoff abstained from any decision as Mr. Harner is married to a relative of his. Beebe says he has nothing against Harner. Motion by Moul to wait for a while, 2<sup>nd</sup> by Beebe. Supervisors will talk to Harner again and give some more thought to the matter.

New Business:

Adams County Roads - Moul attended a meeting with Adams County Planning and Development regarding upgrading roads in Adams County. They are primarily concerned with roads adjoining Rt. 30. The Board of Supervisors is asked to support Adams County Planning and Development in their quest to have the State upgrade Rt. 30. Moul is in favor of endorsing what they want to do and made a motion to sign, 2<sup>nd</sup> by Beebe, carried.

Golf Course Zoning Hearing - Roger Steele made comments about how the comments of residents of Mount Joy Township were excluded from the record of the hearing. Beebe agrees that resident's opinion should probably be included in the record of the meeting. Atty. Gault said most of what the public said didn't apply to what the decision was about. Motion by Moul to instruct the secretary to notify the Zoning Hearing Board Atty. that entire hearing, with all comments, are to be recorded. 2<sup>nd</sup> by Beebe, carried.

Newell Cox - Kennels are not permitted in the RR area. Bower has contacted Cox several times and has found him cooperative and says he is looking for ways to solve the problem. Moul questioned how many dogs he has and was answered eight or nine. Beebe said that if he wishes an amendment or conditional use, he should apply for such. Moul asked how close was the nearest neighbor and was answered 200-300 ft. No formal complaints have been made. Dayhoff made a motion to wait for a month on this matter, 2<sup>nd</sup> by Moul, carried.

Public Comments:

Bob Gitt - Stated that Rt. 30 is not in Township; nothing has been done to improve Rt. 97 since it was built, approx. 1950. Beebe said that he voted not to give them money because not much was done for Rt. 97.

Roger Steele - Inquired about an air conditioner for the office. The secretary has found a 5000 BTU air conditioner at Rex's and will pick it up.

Meeting adjourned at 8:42.

Submitted by Bonnie L. Koontz, secretary.