

October 21, 1999

The Mt. Joy Township Supervisors held their regular monthly meeting on Thursday, October 21, 1999 at the Township Municipal Building located at 902 Hoffman Home Road, Gettysburg, PA. Supervisors Waybright and Scott were present, Dayhoff was absent. Also present were solicitor Walton V. Davis and Township secretary Bonnie L. Koontz.

The minutes of the last regular meeting, September 16, 1999 were approved by motion of Scott, 2<sup>nd</sup> by Waybright, carried unanimously.

The minutes of the special meeting, September 29, 1999 were approved by motion of Scott, 2<sup>nd</sup> by Waybright, carried unanimously.

The minutes of the meeting September 29, 1999 to continue the agenda from September 16, 1999 were approved by motion of Scott, 2<sup>nd</sup> by Waybright, carried unanimously.

Vice-Chairman Waybright stated that as Dayhoff has been detained at work, he (Waybright) will act as Chairman for this evening.

Public Comments:

Ralph Taylor - Said that he doesn't remember being restricted to what is on the agenda in regard to public comments. (As a point of clarification, when Waybright called for public comments, he asked if there were any public comments in regard to items on the agenda.) Taylor went on to say that after three years, you would think the Final Land Development Plan would be right. There are errors in the road (Rt. 97) and gaps in the submission. The Rettew drawing as of 9/29/99 shows the entrance at the wrong place. The package is self-contradicting. In the 10/7/99 "Directory" seven documents are listed, but not included, for example, a letter of credit to PennDot and a letter of credit to the Township for site improvements.

Bill Chantelau - Feels that there has been an attack on freedom of speech and political participation. Campaign signs had been placed along roadways and also on private property with permission. He believes that the removal of signs denies his and John's (Leino) freedom of participation in the political process. He asked the citizens of Mt. Joy Township to condemn such practices and to participate in the election.

Barb Steele - Had questions regarding Deer Chase. Does the plan qualify as the original or as a new submission? The original plan had 25 lots; 22 in Mt. Joy and 3 in Germany. The new plan shoes 22 lots; the bulk of lot #22 is in Germany Township. Will Germany Township approve?

Karen Saltzgiver - (Robin Circle) Agrees with Ms. Steele. It appears the plan merely adds shoulders to the road; drainage ditches are also needed. She also expressed concern for

safety on Updyke when they (motorists) hit the gravel area in Germany Township. She is also concerned about fuel tanks on lots #14 and #15. Will the tanks be removed and the soil be tested? Will the tank be broken into? The Ag Security Area needs to be made clear to potential residents of the development. She suggested an ag disclaimer be included. The lots are too small to be farmed or to pasture livestock.

Jack McLatchy - Laid a tape recorder on the table and played a recording which stated in part that Ramage wants relief from doing the roads; he was told he would have to fix the roads to meet the ordinance. There was also a question if he (Ramage) owns property on Highland Avenue Road and also in Conewago Township. He was told not to come back with revised plans—he came back with an April (May?) plan and came back with something to fix the roads to the ordinance. The Germany Township parcel has been added to lot #22; he is trying to circumvent the rules. Citizens don't want to have to pay for the developer's mistakes.

(It is here noted that Sam Dayhoff arrived at approximately 7:57 PM.)

The Treasurer's Report for September was approved by motion of Dayhoff, 2<sup>nd</sup> by Scott, carried unanimously.

The Bills to be Paid for September and October to date Report was approved by motion of Waybright, 2<sup>nd</sup> by Scott, carried unanimously.

Acting Chairman Waybright recognized Andrea Crouse who was present on behalf of Gettysburg Area Recreation Department. Ms. Crouse explained the proposed building for the recreation park. She noted that an ice rink or a swimming pool had been previously considered, but these items are seasonal and are costly to maintain. The building could be used all year. The estimated cost of the building is \$350-400,000. Ten thousand dollars is requested from the Township for this project. Scott asked if each Township was being asked to contribute an equal amount of money. He was answered that larger Townships such as Mt. Joy are, but smaller Townships like Freedom are being asked to contribute a lesser amount. Scott then asked if all the money requested from Townships (\$45,000) is received, how will the remainder be raised? Crouse said that money will be received from service groups, fund-raisers, the private sector, etc. There is concern of children in the borough having something to do year round. August Schwab, the Mt. Joy Township representative to the Rec Board, added that the building will have room for everyone all year long, no matter what the age group. Attorney Davis noted that last year Mt. Joy Township had public hearings requiring a large room and asked if this building could be used for that purpose. He was answered yes, any sort of service group could rent out the building.

Waybright here noted that the agenda would be slightly deviated from in order to next discuss the PennDot agility agreement. Fifteen municipalities and fire companies are already involved in this type of agreement. There was an explanation of how the program works. Dayhoff asked if once the paperwork is completed, is it considered a written

agreement. It was explained that once allowed to do work plans, local offices will be dealt with. Everything is in writing; even emergencies eventually get approval. Motion by Scott to join the agility program, 2<sup>nd</sup> by Dayhoff. Atty. Davis asked if the Supervisors wanted to adopt the resolution at the end of the packet. Scott and Dayhoff then withdrew the motion and second, respectively. Motion by Scott to adopt the resolution designating the Chairman to sign contracts, 2<sup>nd</sup> by Dayhoff, carried unanimously.

Subdivisions:

Paul Arnold - Following some clarifications by Williams the surveyor, motion by Dayhoff to approve contingent on the satisfaction of the engineer's comments, 2<sup>nd</sup> by Scott excluding comment #5. Carried unanimously.

Dorothy Boggs - A note has been added to the plan for the protection of back up perc sites. DEP approval has been received. Motion by Scott to approve the plan, 2<sup>nd</sup> by Dayhoff, carried unanimously.

Deer Chase - Scott commented that a letter has been received requesting a waiver, which is it appropriate to look at first. There was discussion on whether the September 21 revision was officially submitted. The Germany Township subdivision has been eliminated; it is now a part of lot #22 in Mt. Joy Township. The developer's engineer, Chris Hoover, said that at the work session road improvement issues were discussed, at which time the Board said to show improvements to the ordinance. Hoover feels the Township engineer's comments have been addressed and they have made a proposal regarding road improvements. No other lot lines have been changed except #22.

At this point the Supervisors and Solicitor Davis went into executive session. The meeting was recalled to order at approximately 9:18 PM.

Davis commented that during the executive session the Supervisors received legal recommendations on what is/is not before the Board tonight. A plan was sent to the Township and sent to the (Twp.) engineer for review. Davis further said in regard to the Hoover letter of October 6, 1999, requesting modification, the ordinance says 'cartway of 32 ft.'. They are asking for modification based on some studies they have done to 24' plus 4' of stabilized shoulder in lieu of the ordinance. There was discussion regarding limited site distance on various lots, wetlands and flood plains. Scott inquired about the fuel tank and was answered that tonight is the first they have heard about it. They are not aware of any underground tanks. Waybright commented that with the 60-day extension being granted, it was assumed they would get together with something more pleasing to eliminate the curve.

Dayhoff suggested that instead of the 32' width, why not do something with the curve. Thirty-two feet creates a speed zone and allows for parking along the road. He thinks it may be practical to widen to the degree shown on the plan and knock out the sharp curve.

Scott asked for clarification regarding the eliminated lots in Germany Township; could the developer in the future go to Germany Township and reinstate those lots in Germany Township. He was answered that this is correct; Mt. Joy has no control over Germany.

Ramage commented that straightening the curve would be extremely expensive; would the supervisors consider waiving the widening of Mud College Road, adding a shoulder but no widening. Dayhoff said that they could still straighten the road and maybe work together on the cost. In return for consideration of smaller road width, consideration will be given to the curve; a berm may be appropriate for Mud College Road with no extension of the pavement but a shoulder added. There was additional discussion regarding the speed limit and lot #22 frontage. Hoover asked about curbs and sidewalks and was told to put the money into the curve.

Davis said that if the request for an extension is not in the office by October 25, the Supervisors must advertise and hold a special meeting or it will be deemed approved. Motion to accept the extension to December 31 by Scott, 2<sup>nd</sup> by Dayhoff, carried unanimously.

#### Road Report:

The road report was read by road superintendent Bill Miller.

#### Zoning Officer's Report:

The zoning officer's report enumerating building permits was read by Vice-Chairman Waybright.

#### Correspondence:

- Letter from Alpha Fire Company No. 1, Inc. thanking Mt. Joy Township for the check to the Fire Relief Fund.
- Letter from the Gettysburg-Adams County Area Chamber of Commerce regarding a Land Use Subcommittee Meeting.
- Letter from the Gettysburg-Adams County Area Chamber of Commerce regarding a subcommittee selection form.
- Gettysburg Area Recreation Department Board meeting minutes for Sept. 20, 1999

#### Announcements:

A budget workshop will be held October 28, 1999 at 8 PM.

November 2, 1999 is election day. Scott questioned if the office will be open or closed. Waybright commented that the confusion of people constantly coming and going makes it difficult to focus on getting any work done. Motion by Dayhoff to close the office on election day, 2<sup>nd</sup> by Scott, carried unanimously.

Old Business:

Plan Submission Policy - Motion to table by Scott, 2<sup>nd</sup> by Dayhoff, carried unanimously.

Waste Pick Up - Motion to table by Waybright, 2<sup>nd</sup> by Scott, carried unanimously.

Bike Tours - Solicitor Davis checked into the rules in the vehicle code regulating bikes; the Township is preempted to what they have enacted. Bike tour signs would come under the sign chapter; the problem is with enforcement. If tours are known of in advance, a “heads up” can be given to police to enforce the ordinance.

New Business:

Septic Agreement - A septic agreement regarding the Earl Leese property on Barlow-Two Taverns Road was drawn up at Gil’s (Picarelli) request. Motion by Dayhoff, 2<sup>nd</sup> by Scott to adopt the agreement, carried unanimously.

Chamber of Commerce Transportation Questionnaire - Motion by Waybright, 2<sup>nd</sup> by Dayhoff to fill out the questionnaire in agreement with the Chamber.

Meeting adjourned at 10:30 PM.

Respectfully submitted,

Bonnie L. Koontz  
Secretary