

## **JANUARY 4, 2010 SUPERVISORS' REORGANIZATION MEETING:**

The Mount Joy Township Board of Supervisors met this date, as publicly advertised, at 10:00 a.m. in the meeting room of the Mount Joy Township Municipal Building, 902 Hoffman Home Road, Gettysburg, PA 17325 with Board Vice Chairman William Chantelau presiding. Others in attendance were: Supervisors Robert Rhodes, Samuel Dayhoff, John Gormont, and David Updyke.

Board Vice Chairman Chantelau led everyone with the Pledge of Allegiance.

### **Temporary Chairman:**

Mr. Gormont moved, seconded by Mr. Rhodes, to nominate Mr. Updyke as temporary chairman. With no further nominations, the motion carried unanimously.

### **Temporary Secretary:**

Mr. Chantelau moved, seconded by Mr. Rhodes, to nominate Brenda Constable as temporary secretary. With no further nominations, the motion carried unanimously.

### **Chairman:**

Mr. Updyke moved, seconded by Mr. Gormont, to nominate Robert Rhodes as Chairman of the Board of Supervisors, effective January 4, 2010. With no further nominations, the motion carried unanimously.

### **Vice-Chairman:**

Mr. Updyke moved, seconded by Mr. Rhodes, to nominate John Gormont as Vice-Chairman of the Board of Supervisors, effective January 4, 2010. With no further nominations, the motion carried unanimously.

### **Solicitor:**

Mr. Rhodes moved, seconded by Mr. Updyke, to appoint Susan J. Smith, Esq. of Smith Cartwright LLP as Township Solicitor, effective January 4, 2010, at the rate of \$135/hour. Motion carried with Mr. Chantelau opposing.

### **Secretary:**

Mr. Chantelau moved that Brenda Dayhoff be re-appointed as Secretary/Office Manager. Due to lack of a second, the motion died.

Mr. Gormont moved, seconded by Mr. Updyke, to appoint Victoria Behnke as Township Secretary/Treasurer, 40 hours per week, effective January 4, 2010. The motion combines the Secretary and Treasurer position into one. At 10:20 a.m. Mr. Dayhoff submitted a written resignation as Supervisor effective immediately. At 10:25 a.m., Mr. Chantelau submitted a verbal resignation as Supervisor. A vote was taken on the Secretary/Treasurer position and the motion carried unanimously.

### **Treasurer's Bond:**

Mr. Gormont moved, seconded by Mr. Updyke, to set the amount of \$1,200,000 for the Treasurer's Bond. Motion carried unanimously.

**Special Request:**

Mr. Gormont made a motion to request both Brenda Dayhoff and Robin Crushong stay on for an additional two weeks at the current pay rate to assist in an orderly transition of the new Secretary/Treasurer. Both Ms. Dayhoff and Ms. Crushong declined before there was a second to the motion.

**Office Assistant:**

Mr. Gormont moved, seconded by Mr. Updyke, to re-appoint Tammi Jacoby as Office Assistant, 30 hours per week, effective January 4, 2010. Motion carried unanimously.

**Road Superintendent:**

Mr. Gormont moved, seconded by Mr. Updyke, to appoint Harold Beebe as Township Road Superintendent, 30 hours per week, effective January 4, 2010. Motion carried unanimously.

**Road Workers:**

Mr. Gormont moved, seconded by Mr. Updyke, to re-appoint Michael Livelsberger and Kevin Gebhart as full-time Township Road Workers, 40 hours per week, effective January 4, 2010. Motion carried unanimously.

**Zoning/Code Enforcement Officer:**

Mr. Gormont moved, seconded by Mr. Updyke, to re-appoint David Crouse as Zoning/Code Enforcement Officer, with hours reduced to 8 hours per week for three months effective January 4, 2010. Motion carried unanimously. The appointment was declined by Mr. Crouse.

**Emergency Management Coordinator:**

Mr. Gormont moved, seconded by Mr. Updyke, to re-appoint Mike Livelsberger as EMC, effective January 4, 2010. Motion carried unanimously.

**Open Records Officer:**

Mr. Gormont moved, seconded by Mr. Updyke, to appoint Victoria Behnke as Open Records Officer, effective January 4, 2010. Motion carried unanimously.

**Drug and Alcohol Administrator:**

Mr. Gormont moved, seconded by Mr. Updyke, to appoint Victoria Behnke as Drug and Alcohol Administrator effective January 4, 2010. Motion carried unanimously.

**Engineering Firm:**

Mr. Gormont moved, seconded by Mr. Updyke, to re-appoint KPI Technology as the Township's Engineering Firm, P. Eric Mains, Engineer, for the interim period of 2010 until RFP's are completed effective January 4, 2010, and to adopt KPI's 2010 Fee Schedule as presented. Motion carried unanimously.

**Assistant Engineering Firm:**

Mr. Gormont moved, seconded by Mr. Updyke, to appoint Herbert Rowland & Grubic, Inc., (HRG) as the assistant engineering firm for the interim period of 2010 until RFP's are complete, effective January 4, 2010. Motion carried unanimously.

**Assistant Solicitor:**

Mr. Gormont moved, seconded by Mr. Updyke, to re-appoint John R. White, Esq. as Assistant Township Solicitor, effective January 4, 2010. Motion carried unanimously.

**Sewage Enforcement Officer:**

Mr. Gormont moved, seconded by Mr. Updyke, to re-appoint Gilbert Picarelli of KPI Technology, as Township Sewage Enforcement Officer for the interim period of 2010 until RFP's are complete, effective January 4, 2010. Motion carried unanimously.

**Assistant Sewage Enforcement Officer:**

Mr. Gormont moved, seconded by Mr. Updyke, to re-appoint Dominic Picarelli of KPI Technology, as Assistant Sewage Enforcement Officer for the interim period of 2010 until RFP's are complete, effective January 4, 2010. Motion carried unanimously.

**Traffic Engineer:**

Mr. Gormont moved, seconded by Mr. Updyke, to re-appoint Trans Associates as the Township Traffic Engineer, and to adopt the 2010 Fee Schedule as presented. Motion carried unanimously.

**Vacancy Board Chairman:**

Mr. Gormont moved, seconded by Mr. Updyke, to appoint Mr. Bradley Trostle as the Vacancy Board Chairman, effective January 1, 2010. Motion carried unanimously.

**Planning Commission Secretary & Assistant Secretary:**

Mr. Gormont moved, seconded by Mr. Updyke, to appoint Victoria Behnke as Planning Commission Secretary effective January 1, 2010 and to determine an assistant secretary at a later date. Motion carried unanimously.

**Planning Commission Vacancies:**

Mr. Rhodes noted that there are two vacancies on the Planning Commission Board and that those openings will be advertised if letters of interest from potential candidates are not received.

### **Zoning Hearing Board Secretary:**

Mr. Gormont moved, seconded by Mr. Updyke, to appoint Victoria Behnke as Zoning Hearing Board Secretary, effective January 1, 2010. Motion carried unanimously.

### **Zoning Hearing Board Appointment:**

Mr. Gormont moved, seconded by Mr. Updyke, to appoint Mr. Arnold Freas to the Zoning Hearing Board for a three-year term beginning January 1, 2010 through December 31, 2012. Motion carried unanimously.

### **Agricultural Land Preservation Coordinator & Secretary, Assistant Secretary, and Solicitor:**

Mr. Gormont moved, seconded by Mr. Updyke, to appoint Tammi Jacoby as Ag Land Preservation Coordinator and Secretary, Victoria Behnke as Assistant Secretary, and John R. White, Esq., as Solicitor, effective January 1, 2010. Motion carried unanimously.

### **Agricultural Land Preservation Board:**

Mr. Rhodes noted that there is one vacancy on the board and that position will be advertised if letters of interest from potential candidates are not received.

### **Ag Security Area Advisory Committee Secretary:**

Mr. Gormont moved, seconded by Mr. Updyke, to appoint Tammi Jacoby as Ag Security Area Advisory Committee Secretary, effective January 1, 2010. Motion carried unanimously.

### **Recreation Board Secretary and Assistant Secretary:**

Mr. Gormont moved, seconded by Mr. Updyke, to re-appoint Tammi Jacoby as Recreation Board Secretary, effective January 1, 2010 and that the position of Assistant Secretary be determined at a later date. Motion carried unanimously.

### **Recreation Board Vacancy:**

Mr. Rhodes noted there one vacancy on the Recreation Board. Candidates will be interviewed. Mr. Gormont moved, seconded by Mr. Updyke, that appointments should be made no later than the regularly scheduled Supervisor's Meeting in January. Motion carried unanimously.

### **Historical Committee:**

Mr. Updyke moved, seconded by Mr. Gormont, to appoint Pam Roman to the Historical Committee, effective January 1, 2010, term expiring December 31, 2014. Motion carried unanimously.

### **Red Rock Municipal Authority:**

Mr. Gormont moved, seconded by Mr. Updyke, to re-appoint Mr. Ken Picking to the Red Rock Municipal Authority for a five-year term, effective January 1, 2010 through December 31, 2014. Motion carried unanimously.

**White Run Regional Municipal Authority:**

Mr. Gormont moved, seconded by Mr. Updyke, to re-appoint Barbara R. Neth to the WRRMA for a five-year term, effective January 1, 2010 through December 31, 2014. Motion carried unanimously.

**Sub-Committees:**

Mr. Gormont moved, seconded by Mr. Updyke, to appoint the following to the 2010 sub-committees:

PERSONNEL:	Robert Rhodes and John Gormont
FINANCE:	John Gormont and David Updyke
PLANNING, LAND USE & ZONING:	To be determined
BUILDING & GROUNDS: (Includes Mud College)	To be determined
ROADS:	To be determined
PUBLIC SAFETY:	To be determined

Motion carried unanimously.

**Township Auditor:**

Mr. Gormont moved, seconded by Mr. Updyke, to appoint Robert Stahley to fill the open vacancy from the resignation of Harold Kirschner to complete the four years of that term. Motion carried unanimously. Mr. Stahley declined.

Mr. Gormont moved, seconded by Mr. Updyke, to appoint Eleanor Dehoff as auditor for a six-year term, effective January 1, 2010 through December 31, 2013. Motion carried unanimously.

**Depository Banks:**

Mr. Gormont moved, seconded by Mr. Updyke, to approve the following as depositories for the Township: Adams County National Bank, PNC, and Susquehanna. Motion carried unanimously.

**Financial Bonds:**

Mr. Gormont moved, seconded by Mr. Updyke, to set the amount of financial bonds for those Supervisors who are authorized to sign checks and for the Secretary/Treasurer as follows:

- Robert Rhodes, John Gormont - \$1,200,000
- Victoria Behnke - \$50,000

Motion carried unanimously.

**Pay Rates / Plans:**

Mr. Gormont moved, seconded by Mr. Updyke, to approve the pay rates / plans as follows, with the exception of rates set by Township Auditors, effective January 1, 2010:

- Victoria Behnke, Secretary/Treasurer..... \$18.00/hour
- David Crouse, Zoning Officer ..... \$15.79/hour    Max 3 months

Tammi Jacoby, Office Assistant .....	\$12.42/hour	Max 30 hours per week
Harold Beebe, Road Superintendent.....	\$15.00/hour	Max 30 hours per week
Michael Livelsberger, Road Worker/EMC.....	\$17.76/hour	
Kevin Gebhart, Road Worker .....	\$17.16/hour	
Emergency Road Crew Help.....	\$13.00/hour	
Planning Commission Members .....	\$50.00/advertised meeting *	
Zoning Hearing Board Members .....	\$50.00/advertised meeting *	
		*Not to Exceed \$1,875 annually
Tax Collector .....	5% of collection, Not to exceed \$6,500	
Working Supervisors .....	set by Township Auditors	

Motion carried unanimously.

**Auditors' Compensation Rate:**

Mr. Gormont moved, seconded by Mr. Updyke, to set the rate of \$10.00 per hour for Township Auditors as per Second Class Township Code, Article VI, §607(4), effective January 4, 2010. Motion carried unanimously.

**Meeting Day and Time:**

Mr. Updyke moved, seconded by Mr. Rhodes, to set the third Thursday of each month at 7:00 p.m. as the regular meeting day and time for the Supervisors monthly meeting. Motion carried unanimously.

**Delegate to PSATS:**

Mr. Gormont moved, seconded by Mr. Updyke, to designate John Gormont and David Updyke as the delegates to the PSATS annual convention, with Mr. Gormont as the voting delegate. Motion carried unanimously.

**2010 Holidays:**

Mr. Gormont moved, seconded by Mr. Updyke, to approve the following days as the 2010 Holidays for Township employees:

January 1, 2010	New Year's Day
February 15, 2010	Presidents' Day
May 31, 2010	Memorial Day
July 5, 2010	Independence Day
September 6, 2010	Labor Day
November 11, 2010	Veterans' Day
November 25, 2010	Thanksgiving Day
December 24, 2010	Christmas Eve
December 31, 2010	New Year's Eve for 2011

Motion carried unanimously.

Mr. Gormont moved, seconded by Mr. Updyke, to eliminate the employee birthday as a paid holiday. Motion Carried unanimously.

**Birthday Pay:**

Mr. Gormont moved, seconded by Mr. Updyke, to eliminate the employee birthday as a paid holiday. Motion carried unanimously.

**Hours of Operation:**

Mr. Gormont moved, seconded by Mr. Updyke, to designate the hours the office will be open to the public as follows:

Monday, Wednesday, and Friday	9:00 a.m. – 12:00 p.m.
Tuesday and Thursday	1:00 p.m. – 4:00 p.m.

Motion carried unanimously.

**Other Business:**

**Land Use Permit Fees:** Mr. Gormont moved, seconded by Mr. Updyke, to keep the land use permit fees the same and adopt Resolution #1 of 2010 as follows:

RESOLUTION NO. 1 OF 2010

RESOLVED this 4<sup>th</sup> day of January 2010, the Mount Joy Township Supervisors adopt the following fee schedule for land use permits.

All requests shall be subject to an additional fee of \$50 if re-filing a modified application is required.

All permits are valid for one year. A renewal of one year will be issued with required documentation.

Residential permits (including farm structures) shall be based on the value of the improvements as follows:

<u>Value of Improvement</u>	<u>Permit Fee</u>
\$0 to \$1,000	\$50
\$1,001 to \$5,000	\$75
\$5,001 to \$25,000	\$125
\$25,001 to \$50,000	\$175
\$50,001 to \$100,000	\$225
Over \$100,000	\$325 + \$1.00 per \$1,000 over \$100,000

Permits for Commercial or Industrial development shall use the following fee schedule:

For buildings up to 5,000 square feet, the fees shall be the same as those for residential. An additional fee for parking areas or other accessory uses shall be subject to a charge of \$0.10 per square foot.

For buildings over 5,000 square feet, an additional permit fee (in addition to the amount stated above based upon residential fees) of \$0.40 per square foot for the square footage in excess of 5,000 square feet, and \$0.20 per square foot for all parking areas or other accessory uses associated with buildings in excess of 5,000 square feet, shall be required. [revised for clarity, July 19, 2007]

Barns and other farming structures are not considered as commercial or industrial development.

Motion carried unanimously.

**Sign Permit Fees:** Mr. Gormont moved, seconded by Mr. Updyke, to keep the sign permit fees the same and adopts Resolution #2 of 2010 as follows:

RESOLUTION NO. 2 OF 2010

BE IT RESOLVED, this 4<sup>th</sup> day of January, 2010, that the Mount Joy Township Supervisors hereby adopt the following permit fees for freestanding and wall signs:

Up to 40 sq. ft.	\$ 50.00
41 sq. ft .up to 60 sq. ft.	\$100.00
61 sq. ft. and over	\$4.00 per sq. ft. calculated on both sides of sign

Motion carried unanimously.

**Subdivision / Land Development Review Fees:** Mr. Rhodes moved, seconded by Mr. Updyke, to keep the subdivision/land development review fees the same, and adopt Resolution #3 of 2010 as follows:

RESOLUTION NO. 3 OF 2010

BE IT RESOLVED, this 4<sup>th</sup> day of January 2010, the Mount Joy Township Supervisors adopt the following fee schedule for Subdivision and Land Development Plan reviews:

Preliminary Plan	\$150 per lot
Final Plan	\$175 per lot
Preliminary/Final Plan	\$325 per lot

Payment is due upon submission of the plan, plus any expenses in excess of the fee to be paid by the applicant.

Motion carried unanimously.

**Zoning Hearing Fee:** Mr. Gormont moved, seconded by Mr. Updyke, to reduce the zoning hearing fee from \$700 to \$500 and adopt Resolution #4 of 2010 as follows:

RESOLUTION NO. 4 OF 2010

Resolved this 4<sup>th</sup> day of January 2010, the Mount Joy Township Supervisors adopt the following fee schedule for Zoning Hearings:

Filing Fee	\$500
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Plus any expenses in excess of the fee to be paid by the applicant.

The motion carried unanimously.

**Special Events Permit Fee:** Mr. Rhodes moved, seconded by Mr. Updyke, to keep the special event permit fee the same and adopt Resolution #5 of 2010 as follows:

RESOLUTION NO. 5 OF 2010

Resolved this 4<sup>th</sup> day of January 2010, the Mount Joy Township Board of Supervisors adopt the following fee schedule for a Special Events Permit:

\$500 per application
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Payment is due upon submission of the permit application, plus any expenses in excess of the fee to be paid by the applicant.

Motion carried unanimously.

**Well Permit Fees:** Mr. Rhodes moved, seconded by Mr. Updyke, to keep the well construction



permit fee the same and adopt Resolution #6 of 2010 as follows:

#### RESOLUTION NO. 6 OF 2010

RESOLVED this 4<sup>th</sup> day of January 2010, the Mount Joy Township Supervisors adopt the fee of \$250.00 for well construction permits. Payment is due upon submission of the application, plus any expenses in excess of the fee to be paid by the applicant.

All permits shall be in effect as of the date of issuance, and shall remain in effect for a period of 12 months. In the event that water supply construction under the permit has not been completed at the expiration of 12 months from the date of issuance, the permit shall expire and the validity of the permit shall cease and terminate.

A request for an extension to a permit must be submitted to the Township in writing ten [10] days prior to the expiration date of the permit. Extensions are limited to ninety [90] days. Subsequent requests must be accompanied by an application for a new permit with appropriate fee.

In the event a permit expires and construction has not begun, an application for a new permit must be submitted with appropriate fee.

Motion carried unanimously.

**Recreation Fee:** Mr. Rhodes moved, seconded by Mr. Updyke, to keep the recreation fee the same as 2009 and adopt Resolution #7 of 2010 as follows:

#### RESOLUTION NO. 7 OF 2010

RESOLVED this 4<sup>th</sup> day of January 2010, the Mount Joy Township Supervisors adopt the fee of \$1,500.00 for residential development.

The Board of Supervisors initially set the fee at \$600.00 per dwelling unit, by Ordinance No. 2003-05, Section 86-36(E), until and unless such fee may be updated by resolution of the Board of Supervisors.

The Board of Supervisors hereby adopts the fee of One Thousand Five Hundred Dollars (\$1,500.00) as the fee to be collected in accordance with Ordinance No. 2003-05, Section 86-36(E).

The Board of Supervisors hereby adopts the contents of Ordinance No. 2003-05, Section 86-36 as stated including the above-referenced change.

Motion carried unanimously.

**York Adams Tax Bureau:** Mr. Rhodes moved, seconded by Mr. Updyke, to adopt Resolution #8 of 2010 appointing David Updyke as the Township's representative, and John Gormont as the alternate, as follows:

#### RESOLUTION NO. 8 OF 2010

A Resolution appointing a representative and an alternate representative to the York Adams Tax Bureau ("YATB") to be entitled to participate in discussions and vote at the Board of Directors' meetings on behalf of Mount Joy Township.

Whereas, Mount Joy Township has designated YATB as the agency to collect the taxes authorized by the Local Tax Enabling Act, by a Joint Agreement of Participating Municipalities and School Districts with Respect to York Adams Tax Bureau dated November 17, 2005 to begin January 1, 2006; and

Whereas, it is required of Mount Joy Township to appoint a representative and an alternate representative in accordance with Article III of the By-Laws of the York Adams Tax Bureau.

Now, Therefore, Be It Resolved, by the Board of Supervisors of Mount Joy Township, in a lawfully constituted meeting this 4<sup>th</sup> day of January 2010, the following persons are lawfully elected or appointed officials of Mount Joy Township and are authorized to participate in discussions and vote at the Board of Directors' meetings on behalf of the Township.

David Updyke	Supervisor	Representative
John Gormont	Supervisor	Alternate Representative

Further, be it resolved, that the designated representative and/or alternate representative will present to the Board of Supervisors of Mount Joy a quarterly report of additions and/or changes made or to be made concerning the YATB; and

Further, be it resolved, this action will cancel any previous authorizations; and

Further, be it resolved, this matter of appointment of representation will be an agenda item at each January Reorganization Meeting of the Board of Supervisors; and

Further, be it resolved, signed duplicates of this document will be mailed by the Secretary to the YATB.

Motion carried unanimously.

**Employees' Health Insurance:** Mr. Gormont moved, seconded by Mr. Rhodes, to adopt Resolution #9 of 2010 relative to the health insurance policy for full-time employees as follows:

#### RESOLUTION NO. 9 OF 2010

A Resolution indicating that the health insurance policy of the benefit package available to full-time employees will be reviewed annually by the Mount Joy Township Board of Supervisors.

Whereas, Mount Joy Township has a health insurance policy in effect for full-time employees wherein the Township pays 70% of health insurance and the employee will be responsible for 30% on each full-time employee wishing coverage; and

Whereas, if a full-time employee opts to have additional coverage (i.e., spouse, spouse + child, family, etc.), then the Township will pay 70% of this coverage and the employee will be responsible for 30%; and

Whereas, if an employee opts to take advantage of the dental or vision coverage offered, the Township will pay 70% on employee or any other coverage (i.e., spouse, spouse + child, family, etc.) and the employee will be responsible for 30%; and

Whereas, if an employee opts to take advantage of the short term disability, long term disability or life insurance coverage offered, the employee is responsible for 100% of these costs; and

Whereas, it is necessary to review the benefit package of the Township annually to make any financial adjustments for the benefit of the Township and employees.

Now, Therefore, Be It Resolved, by the Board of Supervisors of Mount Joy Township, in a lawfully constituted meeting this 4<sup>th</sup> day of January 2010, the insurance benefit package for full-time employees will be reviewed annually in September of each year; and

Further, be it resolved, this matter of insurance review will be an agenda item at each January Reorganization Meeting of the Board of Supervisors; and

Further, be it resolved, a signed duplicate of this document will be included in the Mount Joy Township Personnel Policies and Benefits Handbook by the Secretary.

Motion carried unanimously.

**Resolution to Pay Bills:** Mr. Updyke moved, seconded by Mr. Rhodes, to adopt Resolution #10 of 2010 approving to pay regular monthly bills as follows:

#### RESOLUTION NO. 10 OF 2010

A Resolution of the Board of Supervisors of the Township of Mount Joy, Adams County, Pennsylvania, authorizing the payment of recurring and customary bills and expenses prior to the approval of the bills list at the monthly meeting of the Board of Supervisors.

Whereas, the Board of Supervisors ("Board") of the Township of Mount Joy, Adams County, Pennsylvania, ("Township") meets once a month;

Whereas, at each meeting of the Board of Supervisors, a list of bills and expenses incurred by the Township is presented for review and approval or denial for payment;

Whereas, the Township experiences recurring and customary expenses each month for items such as payroll, utility services, and professional services;

Whereas, some of the said recurring and customary expenses have penalties and/or late fees if not paid within a stated time period, which time period may expire prior to the monthly meeting of the Board, and payroll must be paid more often than monthly; and,

Whereas, the aforesaid expenses, because they are recurring, can be adjusted in later billings should there be an overcharge, or an undercharge, or other irregularity in the amount billed and paid prior to approval of the bills list by the Board;

Now Therefore, Be It Resolved, that the township officials authorized to make and sign drafts, checks, and other forms of payment from the Township funds for expenses of the township be, and hereby are, authorized to pay recurring and customary bills and expenses of the Township prior to approval of payment of those bills and expenses by the Board of Supervisors of Mount Joy Township when those bills meet the following criteria:

- The bill or expense is a recurring expense, such as a utility bill, a bill from a professional adviser to the Township, an employee wage or salary, etc.;
- It is reasonably expected that if there is an error in the payment made prior to approval of the Bills List by the Board, there will be a subsequent opportunity adjust for the error; and,
- The bill or expense is for an employee, or is from a vendor or creditor who has presented billings in the past that have been approved by the Board and who has not been the subject of disputes or differences concerning such prior billings.

Adopted this 4<sup>th</sup> day of January 2010.

Motion carried unanimously.

**Resolution for Financial Authorizations:** Mr. Updyke moved, seconded by Mr. Gormont, to adopt Resolution #11 of 2010 for financial authorizations as follows:

RESOLUTION NO. 11 OF 2010

A Resolution indicating those individuals and their titles authorized to conduct financial transactions on behalf of Mount Joy Township.

Whereas, Mount Joy Township has various depositories for funds; and

Whereas, the Mount Joy Board of Supervisors has changed since many of these investment instruments were initiated; and

Whereas, it is now necessary to reinvest and or change some of the investment vehicles.

Now, Therefore, Be It Resolved, by the Board of Supervisors of Mount Joy Township, in a lawfully constituted meeting this 4<sup>th</sup> day of January 2010, the following persons are lawfully elected or appointed officials of Mount Joy Township and are authorized to conduct financial transactions on behalf of the Township.

Robert N. Rhodes	Supervisor	Chairman
John Gormont	Supervisor	Vice-Chairman
David Updyke	Supervisor	Finance Committee
Victoria Behnke	Treasurer	

Further, be it resolved, this action will cancel any previous authorizations; and

Further, be it resolved this matter of financial authorization will be an agenda item at each January Reorganization Meeting of the Board of Supervisors; and

Further, be it resolved, signed duplicates of this document will be mailed by the Secretary to each financial institution where we now have Township funds deposited.

Motion carried unanimously.

**Mileage Reimbursement Resolution:** Mr. Gormont moved, seconded by Mr. Updyke, to adopt Resolution #12 of 2010 setting the rate of reimbursement for mileage as follows:

RESOLUTION NO. 12 OF 2010

A Resolution indicating that the standard business mileage rate will be set in accordance with the current Internal Revenue Service ("IRS") rate and will be increased or decreased in accordance with the IRS.

Whereas, Mount Joy Township has set the rate of reimbursement for standard business mileage at the rate set by the IRS effective January 1, 2010 at 50 cents per mile; and

Whereas, if at any time during this current year the IRS increases or decreases the mileage reimbursement rate, the Treasurer of Mount Joy Township has the authorization to reimburse based on the increased or decreased rate set by the IRS; and

Now, Therefore, Be It Resolved, by the Board of Supervisors of Mount Joy Township, in a lawfully constituted meeting this 4<sup>th</sup> day of January 2010, the mileage reimbursement rate will be reviewed annually in December of each year; and

Further, be it resolved, that the rate of reimbursement for mileage will be set in accordance with the rate set by the IRS at all times during this current year; and

Further, be it resolved, this matter of mileage reimbursement rate will be an agenda item at each January Reorganization Meeting of the Board of Supervisors; and

Further, be it resolved, a signed duplicate of this document will be included in the Mount Joy Township Personnel Policies and Benefits Handbook by the Secretary.

Motion carried unanimously.

**Open Records Resolution/Policy:** Mr. Gormont moved, seconded by Mr. Updyke, to adopt Resolution #13 of 2010, amending Resolution No. 2002-05, the Pennsylvania "Right-To-Know" Open Records Law and Open Records Policy as follows:

RESOLUTION NO. 13 of 2010

### **TOWNSHIP OF MOUNT JOY, ADAMS COUNTY, PENNSYLVANIA**

A RESOLUTION AMENDING MOUNT JOY TOWNSHIP RESOLUTION NO. 2002-05 ESTABLISHING POLICIES AND PROCEDURES TO COMPLY WITH ACT 100 OF 2002 (the Pennsylvania "Right-to-Know Law", providing for access to "public records"), AND SETTING FEES FOR COSTS, AS AMENDED AND MODIFIED BY ACT 3 OF 2008 (the Pennsylvania "Right-to-Know Law", signed February 14, 2008, and effective January 1, 2009).

BE IT RESOLVED BY the Board of Supervisors of the Township of Mount Joy that the following shall be applicable to requests for public records:

#### **A. REGULAR BUSINESS HOURS OF TOWNSHIP OFFICE**

All documents deemed public records and in possession of Mount Joy Township shall be available for inspection, retrieval, and duplication, in accord with this Resolution and the "Right to Know Law", at the Township office during regular business hours, which are as follows:

Monday, Wednesday, and Friday from 9:00 a.m. – 12:00 p.m.

Tuesday and Thursday from 1:00 p.m. – 4:00 p.m.

The above schedule will not be observed when national or state holidays coincide with regular business hours, when the Township building is being used for national or state/local elections, or when inclement weather or other extraordinary event occurs and the Township determines to close the office.

#### **B. RECEIPT OF REQUESTS FOR ACCESS TO PUBLIC RECORDS**

Written requests for records shall be presented to the Open Records Officer on a form provided by the Township. Such requests shall be received (whether by personal visit, by telephone, by mail, or by Email) on the days that the regular business hours of the Township office are observed (see A. above). The Open Records Officer may, in his or her sole discretion, act upon oral requests; however, responses to oral requests are not required to meet the time limitations provided by this Resolution or the "Right to Know Law".

C. OFFICER TO WHOM REQUESTS FOR ACCESS TO PUBLIC RECORDS  
ARE TO BE DIRECTED

All requests for access to public records, which are made pursuant to the Right-to-Know Law, must be directed to the Open Records Officer of the Township, at the Township Office. The contact information for the Township Office is:

Open Records Officer: Victoria Behnke, Secretary/Treasurer  
Address: 902 Hoffman Home Road  
Gettysburg, PA 17325  
Phone: (717) 359-4500  
Fax: (717) 359-9741  
Email: vbehnke@embarqmail.com

D. FEES FOR DUPLICATION OF RECORDS

1. Fees for duplication of records, which can be accomplished by the Township. The fee for duplicating Township records (whether they are public records or other records which the Township has consented to duplicate) are:

- a. Photocopying: 25¢ per page for paper documents that can be duplicated on the Township's photocopier.
- b. Electronic copies: \$1.00 per computer 3.5 floppy disk or CD-R, for material that is electronically stored and which is requested to be copied on to a disk or CD-R. Only disks or CD-Rs furnished by the Township will be used to duplicate electronically stored records (to protect the Township's systems from possible outside electronic interference or infection).

2. Fees for duplication of records, which cannot be accomplished by the Township. The fee for duplicating records which the Township staff cannot perform at the Township Office with Township equipment shall be the actual cost of production to the Township (Examples of documents that the Township may not be able to duplicate with its equipment are: subdivision plans; land development plans; drafts of survey; zoning maps; and other documents which are larger than 11 inches by 17 inches.) If mailing is requested, the cost of postage will be charged. The township shall require prepayment if the total fees are estimated to exceed \$100.

3. Fees for duplication of records created by others. Certain records are created by others whose living is dependent upon being paid for copies of the documents, or are created by those who may have copyrights to the documents. (An example of the former is a transcript of a hearing prepared by a court reporter who is entitled to compensation for copies of transcripts.) In those cases, the Township will either direct the requester to contact the document's preparer, or (in its sole discretion) the Open Records Officer may cause the copy to be produced and the requester shall be charged the actual cost to the Township for production. An estimated fee for these documents must be paid in advance of the placement of an order for a duplicated copy, no matter what the total cost may be.

4. Copies of published documents. In certain cases, documents are duplicated and ready for distribution in advance of a request. Those documents will be made available at the price determined from time to time by the Township. (Examples of such documents are copies of the Subdivision and Land Development ordinance and the Zoning Ordinance.)

5. Payment of fees. Fees for duplication expenses, shall be paid prior to delivery of the duplicates to the requester. A credit shall be given for any prepayment, and a refund will be given if the cost of production is less than the estimated fee (see ¶ D.3. above). Where the anticipated fees for duplication are likely to exceed \$100.00, the Township may require an advanced payment prior to making the duplicates. (See, Right-to-Know Law, section 1307.(h).)

## E. CERTIFICATION OF DUPLICATES

The fee for a certification of a duplicated record shall be \$1.00 per record.

## F. RESPONSE

The township shall make a good-faith effort to provide the requested public record(s) as promptly as possible. The Open Records Officer shall cooperate with those requesting records to review and/or duplicate original township documents while taking reasonable measures to protect township documents from the possibility of theft, damage, and/or modification.

The Open Records Officer shall review all written requests for access to public records. As soon as possible, but no later than five business days after receiving a written request (see section B. above) to access public records, the Open Records Officer shall respond to such requests in writing consistent with Act 3 of 2008, the "Right-to-Know Law".

## G. CONTACT INFORMATION FOR APPEALS

If a written request is denied or deemed denied, the requester may file an appeal in writing to, Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, Plaza Level, Harrisburg, PA 17120-0225.

## H. APPEALS PROCESS

The appeal shall be filed within 15 business days of the mailing date of the township's response or within 15 business days of a deemed denial. The appeal shall state the grounds upon which the requester asserts the records is a public record and shall address any grounds stated by the township for delaying or denying the request.

## I. APPLICABILITY

This Resolution shall apply to all requests for public records received (see section B. above) on or after January 2, 2010.

RESOLVED this 4<sup>th</sup> day of January, 2010.

Motion carried unanimously.

**Tax Collection Committee:** Mr. Rhodes moved, seconded by Mr. Updyke, to discuss the Tax Collection Committee at the next regular Supervisor's meeting.

Motion carried unanimously.

**Part-time Temporary Employees:** Mr. Gormont moved, seconded by Mr. Rhodes, to set the part-time temporary wage at \$13.00 per hour.

Motion carried unanimously.

**Board of Supervisors Resignations:** Mr. Rhodes moved, seconded by Mr. Updyke, to accept the written resignation of Samuel Dayhoff.

Motion carried unanimously.

Mr. Rhodes moved, seconded by Mr. Gormont, to accept the verbal resignation of William Chantelau, pending receipt of his written resignation.

Motion carried unanimously.

**Return of Township Property:** Mr. Rhodes moved, seconded by Mr. Updyke, that Victoria Behnke will contact William Chantelau, Samuel Dayhoff, Brenda Dayhoff, and Robin Crushong and ask that keys, passwords, and any sensitive information be returned, and that signatories on any bank accounts be changed.

Motion carried unanimously.

**Return of Township Property:** Mr. Rhodes moved, seconded by Mr. Updyke, that Victoria Behnke contact David Crouse and ask for the return of any keys or confidential information be returned, and that any bank accounts with his signature be changed.

Motion carried unanimously.

**Old Business:**

**2009 Balance Sheet:** Mr. Gormont moved, seconded by Mr. Rhodes, to accept the Summary Balance Sheet as of December 31, 2009 as presented. Motion carried unanimously.

**Annual Reports:**

Mr. Rhodes moved, seconded by Mr. Gormont, to accept the 2009 Annual Report from the Planning Commission, as presented. Motion carried unanimously.

Mr. Rhodes moved, seconded by Mr. Gormont, to accept the 2009 Annual Report from the Recreation Board as presented. Motion carried unanimously.

Mr. Rhodes moved, seconded by Mr. Updyke, to accept the 2009 Annual Report from the Agricultural Land Preservation Board as presented. Motion carried unanimously.

Mr. Rhodes thanked all members for volunteering and serving the Township.

**Final Public Comment:**

1. Anyone should be able to call the township office during inclement weather to out find the status of the roads. Mr. Rhodes said that he would look into it.

**Adjournment:**

With no further business to come before the Board, Mr. Gormont moved, seconded by Mr. Updyke, to adjourn the Reorganization Meeting at 11:15 a.m. this date. Motion carried unanimously.

Respectfully submitted,

Victoria Behnke  
Secretary/Treasurer