

**Mount Joy Township Supervisors’  
Supervisors’ Regular Meeting  
January 15, 2015**

**Meeting Minutes**

**Present:** John Gormont, Chairman; David Updyke, Vice-Chair; Gil Clark; Dennis Bowman; Bradley Trostle; Susan Smith, Solicitor; Sheri Moyer, Secretary

The Mount Joy Township Board of Supervisors met this date, as publicly advertised, at the Mount Joy Township Building located at 902 Hoffman Home Rd., Gettysburg, Pennsylvania.

**Call to Order:** John Gormont, presiding.

**Starting Time:** 7:00 p.m.

**Pledge of Allegiance**

**Public Comments:** None.

**Approval of Minutes:**

- Supervisors’ Regular Meeting Minutes, December 18, 2014. Mr. Updyke moved, seconded by Mr. Bowman, to approve Minutes as presented. Motion carried unanimously.
- Conditional Use Hearing Minutes, December 22, 2014. Mr. Updyke moved, seconded by Mr. Clark, to approve Minutes as presented. Motion carried unanimously.
- Supervisors’ Organization Meeting Minutes, January 5, 2015. Mr. Updyke moved, seconded by Mr. Clark, to approve Minutes as presented. Mr. Bowman abstained as he was absent from the meeting. Motion carried unanimously.

**Chairman’s Comments:**

**Solicitor’s Report:** Mr. Bowman moved, seconded by Mr. Updyke, to approve the report as presented. Motion carried unanimously.

**Persons Requesting Time on Agenda:** None.

**Announcements:** None.

**Treasurer’s Reports:**

- Approval of Monthly Finance Report. Mr. Updyke moved, seconded by Mr. Bowman, to approve the report as presented. Motion carried unanimously.
- Approval Bills Paid Report. Mr. Updyke moved, seconded by Mr. Bowman, to approve the report as presented. Motion carried unanimously.

**Road Report:** Mr. Updyke moved, seconded by Mr. Bowman, to approve the report as presented. Motion carried unanimously.

## Subdivision and Land Dev.:

- Ramsburg – Minor Subdivision Plan: Mr. Sharrah presented a plan stating that this property is located on Baltimore Pike. Currently located on the property is a house, barn, a metal building and about 40 years ago there was a cement block building constructed and was used as a plumbing office and retail operation. Referring to the building as an existing non-conforming building and that retail use is an existing non-conforming use. The applicants want to use the existing non-conforming building as a retail use to sell poultry. Mr. Sharrah indicated that what the applicant is proposing, he believes, would be considered an agricultural use. The Zoning/Code Enforcement Officer's and Engineer's review made the following determinations: ZO110-119.B-F (Lighting) The applicant explained that there is an overhead light attached to one of the buildings and agreed to install another overhead light on the cement building both being able to illuminate the parking area. ZO 110-123.B (2) – (Parking) Mr. Sharrah pointed out the parking area, 6 spaces defined by using bumper blocks. ZO 110-123.C. (2) – (Parking/Aisles) Plan depicts a 16 foot driveway width. A 25 foot width is required. ZO 110-123.D. (6) – (State permit) Mr. Sharrah explained that the road width is 20 feet wide and they have obtained a PennDOT highway occupancy permit. ZO110-123.E (2) – (Landscaping) All portions of required parking, loading facilities and driveways shall be surfaced. Mr. Sharrah believes the parking area does not have to be paved since this is an agricultural business area and is encircled/enclosed by buildings located on the property. ZO110-125.A(1) – (off-street loading facilities) Mr. Sharrah pointed out a hatched 10' x 25' loading area which he believes meets the requirements since they do not have tractor trailers on the property. ZO11-126 – (Signage) There is no signage proposed on the plan. The applicant acknowledges that should they wish to put up signage they would need to apply. ZO110-141.D – (Buffer yards) The existing building sits close to the boundary line and was constructed prior to the zoning ordinance being adopted. The zoning officer along with the engineer believe the buffer area applies because the newly developed proposed building use requires a 30' buffer. Mr. Sharrah questioned that as he believes it is an agricultural use not a commercial use and it is not newly developed. Ms. Smith questioned how long ago the plumbing operation was. Mr. Sharrah indicated it began about 40 years ago. Ms. Smith questioned when the operation ended. Mr. Sharrah did not know that information. Ms. Smith stated that you cannot take advantage of a use that has not been active zoning wise. Ms. Smith explained that a variance from the 30' buffer would need to be submitted to the Zoning Hearing Board and questioned the Supervisors if they would have any objections to such a variance. Mr. Clark stated he did not. He could see the section from the street to the building having some screening. The building itself is a screen and the applicant could plant some shrubbery against the building to enhance the look of the building. Mr. Clark moved, seconded by Mr. Bowman, to suggest the Board of Supervisors recommend to the Zoning Hearing Board that they waive the buffer requirements where the building is located. Motion carried unanimously. Ms. Smith explained that since this is a minor subdivision plan the Board will need to make a motion regarding approval/disapproval of the plan. Mr. Clark moved, seconded by Mr. Trostle to approve with conditions that the lights be identified and in compliance with 119.B.F. be demonstrated; that parking bumper blocks be shown on the plan; provide a 20' access drive; construct an apron or extend the right of way; obtain a variance from §110-141.D.; resolution of a backup area for vehicle turnaround; and that you are otherwise are in compliance with the engineer's comments dated January 6, 2015 comment numbers 10 – 19. Motion carried unanimously. The zoning/code enforcement officer will send a letter to the applicant informing the applicants of what conditions need to be revised on the plan.

- Conover – Subdivision Plan – Re-approval: Ms. Smith indicated that there was a subdivision plan completed and approved in 1978 and was not recorded. Ms. Smith explained that once a plan is approved it must be recorded within 90 days of the approval. If the plan is not recorded within the 90 day time period the approval expires. There was a house constructed on the property in 1978 after the subdivision was approved. The lot wasn't recorded but meets the lot size requirements, meets the dimension requirements has an existing building on it. Ms. Smith stated that since it meets all the requirements she doesn't feel there is any legal obstacle of approving the plan again. Mr. Bowman moved, seconded by Mr. Clark, to approve the subdivision

plan. Motion carried unanimously. Ms. Smith advised that the Zoning/Code Enforcement Officer will need to send a letter to Mr. Conover advising him of the decision made by the Board tonight which would be documentation to the County that the plan has been reapproved. Mr. Conover will need to go to the engineering firm to prepare an 18” x 24” the Mylar with an updated the signature block for the Township and County to sign which will enable the plan to be recorded.

**Engineering Report:** Mr. Updyke moved, seconded by Mr. Trostle, to approve the report as presented. Motion carried unanimously.

**Zoning & Code Enforcement Officer’s Report:** Mr. Updyke moved, seconded by Mr. Bowman, to approve the report as presented. Motion carried unanimously.

**Land and Sea Services, LLC, Building Inspections:** Mr. Clark moved, seconded by Mr. Updyke, to approve the report as presented. Motion carried unanimously.

**Open Records Officer Report:**

- James Waybright requesting money received for the Chevrolet Tahoe – Granted. However, the Township never owned a Chevrolet Tahoe. The Bill of Sale for GMC Yukon was provided.
- Amanda Wheeler - Construction Journal requesting Uniform Code Inspection Services list of respondents and anticipated award date – Denied.
- Arthur Linck requesting a copy of audio recording of meeting minutes from September 18, 2014 – Denied.
- Arthur Linck requesting to inspect any and all records regarding 1885 Baltimore Pike, Gettysburg – Granted in part; Denied in part.
- 2014 Annual Open Records Officer Report

**Fire Company Reports:**

|                          | <b>MJT Calls per month</b> | <b>YTD Calls in MJT</b> |
|--------------------------|----------------------------|-------------------------|
| 1. Alpha Fire Company    | 9                          | 9                       |
| 2. Barlow Fire Company   | 5                          | 5                       |
| 3. Bonneauville Fire Co. | No Report                  | 0                       |
| 4. Gettysburg Fire Co.   | No Report                  | 0                       |

- Alpha Fire Company Financial Statements – December 31, 2013. The Board acknowledged receipt of the financial statements presented.
- Barlow Profit & Loss report: The Board acknowledged receipt of the profit/loss financial reports presented.

**Correspondence**

- Christmas card from Mike Breighner
- Columbia Gas of Pennsylvania – Emergency preparedness
- Letter dated December 23, 2014 from Adams County Conservation District regarding Compliance Notice for the Links at Gettysburg – Garrison Falls
- Memorandum dated January 6, 2015 from the Board of Auditors regarding Compliance with Second Class Township Code
- Invitation from Gettysburg/Adams Chamber of Commerce regarding County Connection breakfast on January 29, 2015

### **Committee/Board Reports:**

- Personnel (B. Trostle, D. Updyke) No Report
- Finance (J. Gormont, D. Updyke) No Report
- Planning Commission – No January meeting
- Planning, Land Use & Zoning (D. Bowman) No Report
- Building & Grounds (G. Clark) No Report
- Roads (J. Gormont) Mr. Gormont presented the 2014 tool and small equipment inventories.
- Public Safety (G. Clark) No Report

### **Business:**

- Appointment of Sandra DeFoe to ZHB: Mr. Bowman moved, seconded by Mr. Trostle, to appoint Ms. DeFoe to the Zoning Hearing Board. Motion carried unanimously.
- Appointment of Phillip Morey to Gettysburg National Park Advisory Commission: Mr. Bowman moved, seconded by Mr. Trostle, to appoint Mr. Morey to the Gettysburg National Park Advisory Commission. Motion carried unanimously.
- Applications for Designation as Historic Buildings – Resolution: Ms. Smith stated that a new ordinance was adopted in 2012 which provides those property owners who would like their properties to be on the list of historic buildings within the township, subject to the protections and requirements of the ordinance. In contemplating whether or not a building qualifies the Historic Commission for the township would evaluate the applications and would determine based on the stated criteria within the ordinance whether or not the building qualifies. Once that process is done, a recommendation is presented to the Board and once that process is complete the Board is to, by Resolution, establish the list and/or any additions to the list. Currently, there are no buildings on the list. Ms. Smith stated that since the township no longer has a Historic Commission, Ms. Moyer took on the role of serving in that capacity reviewing the applications and determining if any of those buildings fit the criteria and she has a recommendation to the Board. Based on Ms. Moyer's recommendation there is a Resolution before the Board. Ms. Moyer stated that the township received a total of six applications with four being designated historic. Ms. Moyer recommended the Benner's farm located at 230 Benner Road qualifies because it is listed on the National Register of Historic places; the Bower's farm located at 104 Bowers Road qualifies as Governor Robert Casey awarded them the "Century Certificate" because of the historic significance of the farm; the Shultz farm located at 1610 Baltimore Pike qualifies as the house and barn are located within Gettysburg National Park and is listed on the Warren Map as known during the Civil War as the Peter Baker farm; The Danielson home located at 506 Plunkert Road qualified because of the house and property lineage. The two buildings that did not qualify were the Richter house located at 636 Hoffman Home Road and the Brame house located at 3406 Baltimore Pike as Ms. Moyer was unable to locate any information that would qualify them under the ordinance. Mr. Bowman moved, seconded by Mr. Clark, to approve Resolution No. 8 of 2015 establishing a list of designated historic buildings. Motion carried unanimously.
- Draft Ordinance authorizing participation in the PSATS Unemployment Compensation Trust - set hearing date: Hearing date is set for Thursday, February 5, 2015. Ms. Moyer will publish the date/time in the Gettysburg Times.
- UCC Opt In – status: Ms. Smith stated as part of her communicating with Labor and Industry that the township is going to opt-in presented two draft ordinances which she would present to Labor and Industry in the hopes that they would waive the 180 days' time frame. The first ordinance is for opting-in and by opting-in the township is going to administer and enforce the UCC that has been adopted statewide. The second ordinance is to enter into an inter-municipal agreement for the appeals board. By administrative vote the Board agreed with having Ms. Smith attach these to her communication to the state seeking a shorter time frame than 180 days for permission to opt-in.
- Building Code Inspector Interview: Mr. Slothour presented some additional information and services that Land and Sea Services, LLC provides. Mr. Slothour indicated that all personnel wear uniforms and drive Supervisors' Regular Meeting, January 15, 2015

marked vehicles to identify them with the company. They have office personnel to answer calls during business hours. They have been a member of the Pennsylvania Association of Building Code Officials Legislative Committee for 10 years and a member of the Board of Pennsylvania Association of Building Code Officials for three years. They provide monthly reports of township permits and inspections to the townships and quarterly reports or permits issued to DCED. A representative will accompany and participate in Labor & Industry inspector audits. Mr. Bowman questioned the size of their staff. Mr. Slothour indicated they have four inspectors and two full time office staff and one part time officer. Inspections are scheduled hourly. Mr. Gormont questioned the \$40.00/hour fee billed to the township for work performed for administration and enforcement of the PA UCC for project time and travel only. Mr. Slothour stated that would be if someone builds a house and the township contacts him to have him check it. They have no permits and Mr. Slothour issues a stop work order or if he would have to send them an order to show cause. It's for the administration and enforcement side of the UCC. Mr. Gormont thanked Mr. Slothour for coming this evening and stated that the township would get back to him once a decision is made.

- Krystal Picazo, 2441 Low Dutch Road – Septic Issue: Ms. Picazo indicated she is new to the township. She moved in April and received a letter from the township stating she needed her septic inspected. She had the septic inspected and pumped prior to settlement. She respectfully asked the Board if they would accept the report form from the hauler who is not part of the approved list. Mr. Gormont suggested that we provide Ms. Picazo a copy of the inspection form to have the hauler complete and return to the township. Mr. Gormont moved, Mr. Bowman second, to approve the pumping of her septic, including the hauler who was not on the approved list. Motion carried unanimously.

- Deputy Tax Collector – Resolution: Ms. Smith stated that the tax collector law was amended last year and that it mandated that every tax collector provide for a deputy. For the specific purpose to cover the tax collector duties should the tax collector become incapacitated due to mental and/or physical defect and provides that the township approve the appointment and that the bonding authority of the tax collector also approves it. Mr. Clark moved, seconded by Mr. Trostle, to approve Resolution No. 9 of 2015 appointing a deputy tax collector. Motion carried unanimously.

- Zoning Ordinance – review draft administrative provisions: Ms. Smith presented a document regarding the administration of the zoning ordinance. This is the business portion of the ordinance. The Board is to review the document in preparation for discussion at the February 5, 2015 workshop meeting.

**Executive Session:** None

**Adjournment:** With no further business to be discussed by the Board, Mr. Bowman moved, seconded by Mr. Trostle, to adjourn the meeting. Motion carried unanimously. Meeting adjourned 9:43 p.m.

Respectfully Submitted,

Sheri L. Moyer  
Secretary