

**Mt. Joy Township  
Supervisors' Regular Meeting & Public Hearing  
February 16, 2017**

**Meeting Minutes**

**Present:** John Gormont, Chairman; David Updyke, Vice-Chair; Dennis Bowman; Gil Clark; 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 HEARING**

**Call to Order:** Public Hearing Meeting, duly advertised, opened at 7:01 p.m.  
Chairman, John Gormont presiding.

Sheetz Intermunicipal Transfer of Liquor License for; (i) sale of beer for on-site consumption and to go and; (ii) sale of wine to go

Ms. Smith explained that the public hearing is required by state law for the transfer of a liquor license into the township. The proposed site for the license is the Sheetz on Rte. 97. At the conclusion of the public hearing, the Board will need to make a decision based on findings of facts based on information received tonight. Should the Board decide to act on this liquor license transfer it would be handled through a resolution.

Paul Namey, attorney representing Sheetz explained how they came to apply for the transfer of the license. He presented a floor plan of the store highlighting the location of the designated register for gas purchases and also where the beer will be located within the store. He then presented facts on how Sheetz has handled the sale of beer and wine in other locations.

**Public Comments:** Carol Holtz – questioned who monitors the consumption of beer within in the dining area? Mr. Namey stated that there are two dedicated managers, the overall store manager and then the liquor code requires a restaurant manager who devotes their full time attention to the operation of the restaurant. Ms. Holtz questioned about cameras outside to monitor that someone is not buying the alcohol and then drinking in the parking lot. Mr. Namey affirmed that, as previously stated, at other locations they have not experienced any issues, including two college towns.

Ms. Holtz had another concern being the intersection. It is a very dangerous intersection.

Steve Wentz - Questioned if the resolution would specify that a customer is only permitted to consume two beers in the restaurant. If the liquor control board increases the amount consumed would Sheetz come back before the Board for approval? Ms. Smith said the Board's action is based on findings of facts presented tonight. Among those findings of facts will be the representation of Sheetz' policy is to limit on-site consumption of beer to two cans or two bottles.

Mr. Updyke moved, seconded by Mr. Trostle, to close the public hearing. Motion carried unanimously.

**Adjournment:** Closed Public Hearing: 7:31 p.m.

Supervisors' Regular Meeting Reconvened at 7:32 p.m.

**Board Action Regarding Sheetz Intermunicipal Transfer of Liquor License:** Mr. Bowman moved, seconded by Mr. Clark, to have Ms. Smith prepare a resolution based on the findings of facts presented tonight to act on at another meeting. Motion carried unanimously.

**Auditor's Report:**

- SEK & Co. 2016 audit presentation: Ms. Curnow from SEK & Co. presented the Board with the audit for the year 2016. She explained that, in the packet, before them are two separate letters, their management letter and the required communication and the financial report which is the Township's DCED report. She said the Township received an unmodified audit opinion which is the goal of an audit. This is the best audit opinion you can get. Ms. Curnow said the state report has been submitted and the Notice of Audit has been given to Mr. Hartman for publication. Mr. Gormont thanked Ms. Curnow for performing the audit. He also thanked Mr. Hartman for his good work.

**Public Comment:** None.

**Approval of Minutes:**

- Supervisors' Regular Meeting Minutes, January 19, 2017. Mr. Updyke moved, seconded by Mr. Clark, to accept Minutes as presented. Motion carried unanimously.
- Supervisors' Workshop Meeting Minutes, February 2, 2017: Mr. Bowman moved, seconded by Mr. Clark, to accept Minutes as presented. Motion carried unanimously.

**Chairman's Comments:** None.

**Solicitor's Report:** Mr. Trostle moved, seconded by Mr. Updyke, to accept the Solicitor's 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 accept the report as presented. Motion carried unanimously.
- Approval of Bills Paid Report. Mr. Bowman moved, seconded by Mr. Trostle, to accept the report as presented. Motion carried unanimously.

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

**Subdivision and Land Dev.:** None.

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

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

**Building Inspections:**

- **Land and Sea Service Inspection Report:** Mr. Updyke moved, seconded by Mr. Bowman, to accept the report as presented. Motion carried unanimously.
- **MDIA Inspection Report:** Mr. Bowman moved, seconded by Mr. Trostle, to accept the report as presented. Motion carried unanimously.
- **UCC Quarterly Report:** Mr. Gormont said this is the report that is filed with the State. During the last quarter of 2016, 14 permits were issued with a \$56.00 fee. The Board acknowledged receipt of the UCC Quarterly Report filed by Land and Sea Services.

**Open Records Officer Report**

- Ronald Shultz requesting stormwater management plan for 71 Heritage Drive, Lake Heritage, Gettysburg, PA - Granted
- Lynn Jorden – Jones Mandel – directed to the policy and form on website.

**Fire Company Reports:**

	<b>MJT Calls per month</b>	<b>YTD Calls in MJT</b>
1. Alpha Fire Company	3	3
2. Barlow Fire Company	8	8
3. Gettysburg Fire Co.	9	9
4. United Hook & Ladder No. 33-3	0	0

Mr. Bowman, moved, seconded by Mr. Updyke, to accept the report as presented. Motion carried unanimously.

- Barlow Fire Company's 990 form for 2016: The Board acknowledged receipt of Barlow Fire Company's 990 form for 2016.

**Correspondence:**

- Letter dated January 11, 2017 from Adams County Office of Planning & Development regarding Henry High farm 175 King Road, agricultural land preservation easement appraisal
- Letter dated January 13, 2017 from Adams County Office of Planning & Development regarding possible township participation in the Agricultural Land Preservation program
- Letter dated January 19, 2017 from United States Department of Agriculture separating the park from Francis Hartlaub's farm for the purposes of programs administered by the Farm Service Agency and Letter dated January 30, 2017 from United States Department of Agriculture regarding the park being removed and considered non-agricultural land
- Email dated January 26, 2017 from Kim Frank, Adams County Hazardous Materials Coordinator regarding Tier II Reporting
- Invitation to Gettysburg Fire Company's Awards Banquet on Saturday, March 11, 2017
- Invitation to the Land Conservancy of Adams County 21<sup>st</sup> Annual Membership Banquet & Silent Auction
- Invitation to Alpha Fire Company's Annual Appreciation Banquet on March 4, 2017

**Committee Reports:**

Personnel: (Trostle and Updyke) No report.

Finance: (Gormont and Updyke) No report.

Planning Commission: No meeting in February

Planning, Land Use & Zoning: (Bowman) No report.

Building & Grounds: (Clark) No report.

Roads: (Gormont): No report.

Public Safety: (Clark) No report.

**Business:**

- Zoning Ordinance - Consideration and vote upon enactment of amendment to provide standards and requirements relating to parking commercial and recreational vehicles, as revised following public hearing: Ms. Smith said that the revisions made were for clarification and not substantial changes. The determination was made at the workshop meeting that these are not substantial changes and there is not a need for another public hearing. Mr. Bowman moved, seconded by Mr. Clark, to adopt Ordinance 2017-01 as revised per public hearing comments. Ayes – Mr. Bowman, Mr. Clark, Mr. Gormont, Mr. Updyke. Nay – Mr. Trostle. Motion carried.
- Gettysburg and Littlestown Recreation Distributions: Mr. Gormont said that the Township annually contributes a total of \$8,000.00 which is split evenly (\$4,000.00 to Gettysburg Recreation Department and \$4,000.00 to Littlestown Recreation Department. He would like to get authorization from the Board to distribute this year's money. As reported in the audit report this contribution was missed last year. Mr. Gormont would like to make an \$8,000.00 contribution to each to make up for last year. Mr. Clark, moved, seconded by Mr.

Trostle, to approve the distribution of \$8,000.00 to both Gettysburg and Littlestown Recreation Departments. Motion carried unanimously.

- Links at Gettysburg – extension request for final plan submission for Fryer tract: Mr. Gormont said that we received a letter from the Links at Gettysburg requesting a one year extension for the submission of the plans for the Fryer tract. Mr. Gormont went on to read a letter addressed to Mr. Klein from Susan Smith stating the he no longer meets the MPC requirements of being a legal applicant. Mr. Gormont said we have not received anything from Mr. Klein. Ms. Smith said she received a response that Mr. Klein is working on this issue. The Board did not take any action at this time.

- Well Citations: Mr. Gormont said that back in 2007 there were seven wells drilled for a development. There were no land development plans submitted and the whole idea went away. He said this was for the Ramsburg tract. The ordinance states that any well drilled and abandoned for a year needs to be decommissioned. Mr. Ramsburg came into the office today to ask if he put a hand pump on the wells would that be sufficient. Mr. Gormont said he feels it is well beyond the timeline to decommission the wells. Ms. Smith said there is a one year abandonment standard. If the well is not used for one year it is considered abandoned and needs to be decommissioned. These wells have not been used. Ms. Smith said the other issue is if they are recommissioned will they meet the standards in the ordinance. Mr. Bowman asked if there is a plan in the works. Mr. Gormont said they need to understand that there was never a plan submitted. Ms. Hare said there were well permits issued, however, the application was made by the developer and not the land owner. Ms. Smith said that he was notified twice in writing and we received no response. He was then cited. Mr. Gormont questioned if the Board needs to take any action on this. Mr. Gormont said that it appears the Board's determination is that the wells need to be decommissioned. Ms. Smith said that if the Board feels the staff is taking the appropriate action then there is no need to act.

**Executive Session:** None

**Adjournment:** With no further business to be discussed by the Board, Mr. Updyke moved, seconded by Mr. Bowman, to adjourn the meeting. Motion carried unanimously. Meeting adjourned 8:25 p.m.

Submitted by,

Sheri L. Moyer  
Secretary