

**Mount Joy Township  
Supervisors' Workshop Meeting  
April 3, 2014, 7:00 p.m.**

**Meeting Minutes**

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

2 Number of Residents Signed Attendance Sheet for this meeting.

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, PA 17325.

**I. Call to Order:** John Gormont presiding. Starting Time: 7:00 pm

**II. Public Comments:** None. Mr. Gormont commented on the new carpeting.

**III. Business:**

Gibbons Bond Reduction. The Gibbons issue was the extension of the sewer line on White Church Road. They had to post bond of \$6,820.00 because they were coming out on to a Township right-of-way. The work has been completed and Wm. F. Hill recommends the Township reduce the bond amount by \$3,333.00. Mr. Bowman moved, seconded by Mr. Updyke, to reduce the Gibbons Bond by \$3,333.00. Motion carried unanimously.

Resolution. A Resolution to appoint Sheri Moyer as the Open Records Officer and also establish a fee for a certified copy of \$4.00. This fee originally was \$1.00. Mr. Updyke moved, seconded by Mr. Clark, to approve Resolution #13 of 2014, appointing Sheri Moyer as the ORO and also to increase the cost of certified copies to \$4.00. Motion carried unanimously.

Adams County COG Membership. Mr. Gormont stated that we received a \$100.00 invoice for our membership renewal in the Adams County COG. Mr. Gormont explained that this is a public meeting so it is open to the public and that being a member is not a requirement to attend the meeting. Mr. Gormont indicated he did not know what privileges membership gives. Mr. Clark said that if the Township maintains their membership we get a copy of the minutes and possibly could have a say in decisions. Ms. Moyer indicated that the approved minutes are posted on the County's website. Mr. Trostle said he felt that the Township not renewing the membership is making a statement. That statement being that the Township is not happy with the direction in which the COG is going. Mr. Bowman indicated that he would attend the meetings when he was available. Mr. Clark moved, seconded by Mr. Bowman, for the Township to maintain their membership.

Ayes: Mr. Bowman, Mr. Clark

Nay: Mr. Gormont, Mr. Updyke, and Mr. Trostle

Supervisors declined membership for this year.

ZHB Workshop presented by Adams County Planning & Development. Ms. Moyer will email Zoning Hearing Board Members to inform them of the workshop and will register those individuals interested. We can send up to 6 individuals for \$25.00. The Workshop is April 30, 2014 at 6:30 p.m.

Met-Ed bill for flashing lights at Hoffman Home Orphanage. Mr. Gormont met with Mr. Stonesifer and asked how the flashing lights came about. Mr. Stonesifer did not know because he has not been employed there long enough to know the difference. Mr. Gormont stated that Mr. Stonesifer asked to have school signs put up but they are charted as an orphanage and there is no mention of school. Mr. Gormont asked why we are paying this bill. Mr. Bowman indicated that he seems to remember that at one time they paid this bill. Mr. Trostle questioned if at one time there was an Ordinance to establish the position of those signs along a state road in the Township right-of-way and was there an Ordinance to establish the position in the lights or Agreement stating who would pay for the lights. Mr. Gormont said that he does not know if we would have anything in our files since this is a state road and maintained by PennDOT. Mr. Trostle said that maybe PennDOT has/had an agreement which states responsibility for payment of the bill. Ms. Smith stated that if the state wants to place a pole or light in a DOT maintained and owned right-of-way they automatically burden the municipality with the obligation to maintain them and pay those bills. Municipalities can push off responsibility to the cost causer by a separate agreement. So if the lights were authorized by DOT their expectation is that the Township is responsible unless we have a separate arrangement. Mr. Gormont questioned if we enter in to a separate agreement today we could accomplish the same thing. Ms. Smith replied absolutely. Mr. Gormont went on to ask if anyone had any suggestions other than putting up a fence to keep the children on the property and not running out in the street. Mr. Trostle recommended putting the suggestion in writing to them since child safety is their responsibility not a township responsibility. Mr. Gormont indicated that he will speak with Mr. Stonesifer again regarding these issues.

Insurance Proposal. Mr. Gormont indicated that we are currently insured through Hockley & O'Donnell agency with Selective as insurance carrier and that the Township received a renewal policy with a premium of \$30,341.00. Mr. Gormont met with the agent, Mr. Hockley, to try to reduce the cost of the insurance. Mr. Hockley's approach was that the Township could reduce the premium by removing coverages or lowering costs on certain pieces of equipment. Mr. Gormont had Ms. Moyer contact PSATS to see who they might use or recommend. PSATS uses and recommended the HDH Group and had Mr. Allen Miller contact the Township. Mr. Miller met with Mr. Gormont and asked Mr. Miller to prepare a quote comparing "apples to apples" coverage. Mr. Miller came back to the Township with a quote of \$25,240.00 which is a \$5,101.00 difference for same coverage. The biggest piece with that is in the Worker's Comp. portion of the invoice. Workers' Comp. through Hockley and O'Donnell was over \$11,000.00 while Worker's Comp. through this plan is \$7,000.00. In addition to that this plan is set up as a trust and after 4 years they provide a rebate (dividend) back to you based on claims and the performance of the Trust. The dividends for 2008 were \$949,000.00, 2009 it was \$848,000.00, 2010 was \$1,062,444.00, 2011 was \$1,230,502, 2012 was \$1,306,455.00, 2013 was \$1,669,531.00 and 2014 was \$2,139,024.00. Mr. Miller advised that after 4 years you get approximately 20% of your first year premium back as a dividend. Mr. Bowman moved that we accept the new policy with two favorable recommendations from people who currently are using this company seconded by Mr. Updyke, to change insurance coverage to the HDH Group. Motion carried unanimously.

#### **IV. Correspondence:**

- Letter dated Feb. 18, 2014 from PSATS re: Proposed Bylaws
- Letter dated Feb. 18, 2014 from National Multiple Sclerosis re: July 26-27, 2014 Mason Dixon Bike ride which will be coming through the Township.
- Letter dated Feb. 19, 2014 from Adams County Planning & Development re: New Fee Schedule
- Letter dated Feb. 21, 2014 from Senator Alloway re: this year's allocation increases
- Email dated Feb. 25, 2014 from James Witt re: Trash Removal. Mr. Witt is very pleased with the Township that the residents are allowed to choose their own trash removal company.
- Letter dated Feb. 25, 2014 to Susan Smith from Stephen Alexander re: Appeal to Attorney General. Appealing the 2004 zoning relief that he has been unsuccessful in obtaining. Ms. Smith said she does not believe the Attorney General will respond.
- Letter dated Feb. 27, 2014 from Trans Associates re: New Contact Individual. Trans Associates is closing their local office and will be moving to State College. Ms. Moyer will keep the new contact information on file.
- Email dated March 4, 2014 from ACTCC enclosing Jan. meeting minutes, YATB Feb. 12, 2014 Minutes and Unallocated Funds, Past Present and Future.
- Letter dated March 6, 2014 from the Office of the Attorney General re: ACRE review request. This is just acknowledging receipt of the request submitted by Ramsburg.
- Valley Quarries, Inc. Project Notice – roadway improvements on Rte 15 with an end date of November 14, 2015.
- Letter dated March 10, 2014 from Lobar Site Development re: Commencement of construction of 2 bridges on Rte 116.
- Thank you card from the family of John M. Gelwicks, Sr. Bradley Shank's grandfather. The family is thanking the Township for the flowers sent.
- Emails dated Feb. 27 and March 12, 2014 from Comcast re: Channel changes
- Email dated March 18, 2014 from Jerry Poland regarding the traffic routing for Rte 116 closure
- Letter dated March 19, 2014 from the Friends of Gettysburg inviting the Supervisors to their 25th anniversary weekend celebration June 29 – July 1, 2014.
- Letter dated March 20, 2014 from Wm. F. Hill enclosing White Run Regional Municipal Authority Chapter 94, Annual Report 2013 which will be on file in the office if anyone wants to look at it.

#### **V. Solicitor Comments:**

Reimbursement to employees for Health Coverage. Ms. Smith wanted to bring to the Supervisors attention a question and answer section in the Pennsylvania Township News magazine regarding health care coverage for employees. She believes the section that is referenced in the article in fact enables a municipality to enter into a medical plan for its employees. Ms. Smith does not believe it forecloses the Township from compensating an employee, included in the employee's compensation, coverage for health care. Ms. Smith stated that if the Township offers the employees some reimbursement for a portion of their health care it has to be reported as income to the employee and the employee has to pay taxes on it. When the employee does their yearly tax return they will claim whatever portion they have paid toward their health care.

Correspondence to the Solicitor. Ms. Smith spoke about a recent decision of the courts and determination by the Office of Open Records, the attorney-client privilege is not applicable to a record that is copied to the solicitor. The conclusion reached by the courts and OOR is that no legal advice is sought when the solicitor is copied on correspondence. Ms. Smith indicated that she has been copied on correspondence between Supervisors and/or staff where they are seeking her review and legal advice. Ms. Smith stated that if correspondence is being sent to her with the intent to have it reviewed and legal advice provided, Ms. Smith should be addressed as a direct recipient of the correspondence.

Adams Associates had their hearing. Adams Associates is the property owner who refused to have the septic inspected or pumped. Adams Associates has received notices for over a year. They went before the Court and the Judge found Adams Associates guilty. The Judge could have assessed Adams Associates with a fine of up to \$1,000.00 a day. In this case the Judge assessed them with a fine of \$1,000.00 plus costs. The District Attorney approached Ms. Smith after the hearing requesting relief from the additional citations. Ms. Smith stated the new citations are at a magistrate court level and the Township will not prosecute if Adams Associates has the septic inspected or pumped. The Township has received notice that the case has been scheduled before the Magistrate Judge on April 16, 2014.

**VI. Executive Session No Executive Session:** There was no executive session.

**VII. Adjournment:** With no further business to be discussed by the Board, the meeting was adjourned at 8:09 p.m.

Respectfully Submitted,

Sheri L. Moyer  
Secretary