

**Mt. Joy Township
Supervisors' Regular Meeting
March 21, 2019**

Meeting Minutes

Present: John Gormont, Chairman; David Updyke, Vice-Chairman; Dennis Bowman; Jeffrey Patterson; Terry Scholle; 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.

The proposed ordinance, amending Chapter 110, Zoning, Section 110-107 to revise use not provided for requirement for similarity; Section 110-111 (Definitions) to amend definition of family; Section 110-402. NN Wireless telecommunication facilities to comply with Federal Communications Commission Declaratory Ruling adopted September 26, 2018; Section 110-1101(C) to revise requirements for an appeal from a determination of a Zoning Officer; and amend the Zoning Map to correct the spelling of Speelman Klinger Road.

Ms. Smith said there are three sections in the zoning ordinance to be amended and one change to the zoning map. She went through each explaining the reasons for the changes.

Public Comments: None.

With no further comments, Mr. Scholle moved, seconded by Mr. Bowman, to close the Public Hearing. Motion carried unanimously.

Adjournment: Closed Public Hearing: 7:12 p.m.

Supervisors' Regular Meeting Reconvened at 7:12 p.m.

Board Action: Mr. Patterson moved, seconded by Mr. Scholle, to adopt Ordinance 2019-01. Motion carried unanimously.

Public Comment: Carol Holtz, questioned Mr. Bowman if his term is expiring and if he was running again. Mary Grace Keller said that Bernie Mazer is running for office and that she will be interviewing him.

Issac Lapp from Lancaster County introduced his son, Benuel who purchased 86 Roberts Road and his two sons-in-law. He questioned what permits/requirements need to be completed to possibly have a dairy farm or other type of animals (hogs, chickens, turkeys) on the property.

Steve Kelly – regarding the right of way GIS mapping.

Paul Boronow, Wm. Penn Real Estate Associates. They specialize in relocating Amish people out of Lancaster County to surrounding counties and hope that, going forward, there is a good relationship between the township and those people who are relocating in the township.

Approval of Minutes:

- Supervisors' Regular Meeting Minutes, February 21, 2019: Mr. Updyke moved, seconded by Mr. Bowman, to accept Minutes. Motion carried unanimously.
- Supervisors' Workshop Meeting Minutes, March 7, 2019: No meeting.

Solicitor's Report: Mr. Updyke moved, seconded by Mr. Patterson, to accept the Solicitor's report as presented. Motion carried unanimously.

Persons Requesting Time on Agenda: None.

Treasurer's Reports:

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

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

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

Subdivision and Land Dev.: No plans.

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

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

Land and Sea Service Inspection Report: Mr. Updyke moved, seconded by Mr. Bowman, to accept the report as presented. Motion carried unanimously.

Open Records Officer Report:

- Mark Maginnis requesting a copy of 17 Trevor Court plot plan – Granted

Fire Company Reports:

	MJT Calls per month	YTD Calls in MJT
1. Alpha Fire Company	2	8
2. Barlow Fire Company	3	11
3. Gettysburg Fire Co.	3	11
4. United Hook & Ladder No. 33-3	0	3

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

- Fourth quarter financial report from United Hook & Ladder No. 33-3. Mr. Bowman moved, seconded by Mr. Updyke, to accept the fourth quarter financial report and disburse the funds to United Hook & Ladder. Motion carried unanimously.

Correspondence:

- Letter from PennDOT regarding Notice of Payment Turnback Maintenance March 2019
- Letter from PennDOT regarding Notice of Payment Liquid Fuels March 2019
- Letter dated March 5, 2019 from Adams County Commissioners regarding municipalities piggy backing on county bridge maintenance program
- Letter from DEP dated March 6, 2019 regarding 7-Eleven storage tank closure report indicating groundwater contamination
- DEP Earth Disturbance Inspection Report Dated February 11, 2019 - 1800 Baltimore Pike – Erik Vranich will report on this
- DEP Earth Disturbance Inspection Report Dated March 20, 2019 - 1800 Baltimore Pike – Erik Vranich will report on this
- White Run Regional Municipal Authority Chapter 94 Municipal Wasteload Management Annual Report for calendar year 2018

Committee Reports:

- Personnel: (Patterson and Updyke) No report.
- Finance: (Gormont and Updyke) No report.
- Roads: (Gormont) No report.
- Public Safety: (Bowman) No report.

Business

- Seal Coat Bid – Opening: The Township received two (2) bid(s) in response to the advertisement for Seal Coating. The bid(s) were received by the Township on March 21, 2019 prior to the March 21, 2019 4:00 p.m. deadline. The bid(s) remained sealed and were opened at 7:58 p.m. during the Board of Supervisors’ regular meeting.

Company	Amount	Meet Requirements
Hammaker East, Ltd. 1514 Black Gap Road Fayetteville, PA 17222	\$ 64,544.04	Yes
Stewart & Tate 950 Smile Way York, PA 17404	\$ 65,340.88	Yes

Mr. Bowman moved, seconded by Mr. Patterson to accept the bid from Hammaker East, Ltd. in the amount of \$64,544.04 for the seal coating project. Motion carried unanimously.

- Precision Paving – Approved Septic Hauler List: Mr. Patterson moved, seconded by Mr. Bowman, to add Precision Paving to the 2019 Approved Haulers List. Motion carried unanimously.
- Zoning Hearing Board Resignation of Robert Hood: Mr. Patterson moved, seconded by Mr. Scholle, to accept Robert Hood’s resignation letter. Motion carried unanimously.
- Elected Auditor Resignation of James V. Kane: The Board acknowledged Mr. Kane’s resignation letter.
- Reaffirm poll appointing James Kane to Zoning Hearing Board: Mr. Updyke moved, seconded by Mr. Scholle, to appoint James Kane to the Zoning Hearing Board to fill Mr. Hood's vacancy. His term will expire December 31, 2021. Motion carried unanimously.
- Kehr - Land development financial security reduction: Mr. Vranich said he conducted inspections and he recommends a reduction in the financial security amount of \$27,490.37. Mr. Patterson moved, seconded by Mr. Scholle, to reduce the financial security \$27,490.37 from \$32,626.00 to \$5,135.63. Motion carried unanimously.
- Adams County Association of Township Officials - discussion items
 - support or oppose having two UCC inspectors
 - support or oppose having three UCC inspectors
 - support or oppose have State collect Earned Income Tax (EIT)

Mr. Gormont said the ACATO is requesting each Township respond to an email survey with their opinion on the requirement that townships have more than one UCC inspector. The purpose is that ACATO will provide that information to our State Representatives and PSATS indicating, as a whole within in the County, we support or oppose the bill. The Board agreed that the legislation should remain as it currently is.

Mr. Gormont said the other issue is to support or oppose having the State collect the EIT. Currently, York Adams Tax Bureau collected the EIT for the Township. This is a new bill to have the State collect and disburse the EIT. The Board agreed to continue to keep it local.

- 2019 Proposed PSATS Resolutions Discussion: Mr. Gormont questioned if the Board had an opportunity to review the PSATS Resolutions. Mr. Scholle questioned several of the resolutions as to their content and why they are even necessary. Mr. Scholle said in Farm Borough, if something like this was presented, they would all have to be defended. He would expect the same thing happen with PSATS. Mr. Gormont said if someone opposes something, they can go to a microphone and voice their opposition and then they take a vote, and everyone follows the next person and votes to approve. Ms. Smith spoke about Resolution 19-30, “That PSATS seek legislation to amend the Municipalities Planning Code (Act 247 of 1968) to provide that agricultural zoning be recognized as a legislative and zoning classification in Pennsylvania.” She said this has been in place since 1968 when the Municipalities Planning Code was adopted. She said if you go to any township in Pennsylvania, on their zoning map will be some color that

will designate an agricultural zone. Ms. Smith questioned if there were any Resolutions that the Board would like Mr. Gormont to actively support? Mr. Gormont said usually someone will ask for a unanimous vote for all resolutions and they get approved.

- Links at Gettysburg - 2018 Revisions to Landscaping Plan for Garrison Falls: Mr. Bowman moved, seconded by Mr. Updyke, to approve the plan with the condition that all fees be paid prior to signature. Motion carried unanimously.
- Stormwater Management Ordinance Violation - 1800 Baltimore Pike: Mr. Vranich said that when they issued a notice of violation on the property the owner was given 30 days to submit a stormwater management plan to address the increased impervious area. That deadline was March 15, 2019. They asked for an extension of that 30 days period until April 12, 2019. Since Mr. Vranich issued the violation, if the Board agrees, he will grant the extension for another 30 days. Ms. Smith said that because this is not a time requirement that the township is bound by. This is Mr. Vranich, the administrator of the Stormwater Management Ordinance, setting an initial deadline for a response and now a request for extension of time. Ms. Smith said that Mr. Vranich should be the individual as the administrator of the ordinance to grant the extension and notify the Board of that extension. She felt that the Board could state that going forward, any future requests for extension of time the Board would like to be the body who make the approval or denial of the extension requests. Mr. Bowman moved, seconded by Mr. Scholle, to authorize Mr. Vranich to grant extensions upon the first request and report back to the Board. Any subsequent requests for extension of time will then go before the Board for approval. Motion carried unanimously.

Other Business (not on agenda):

E-Recycling Event: Mr. Gormont said we discussed having another e-recycling event. Saturday September 14, 2019 was the date that was decided. Ms. Moyer will contact the company who handled it last year and confirm the date and get a 20-yard container and 30-yard container for the event.

Adams County Association of Township Officials Right to Know Resolution discussion: Mr. Gormont read the draft resolution from the Adams County Association of Township Officials regarding a change they are requesting having to do with providing personal information such as personal address, phone numbers, email address, etc. Ms. Smith said that according to law personal information are not considered as public records. Ms. Smith said that by the determination of the Court. The Court decided that information is not considered public record. Ms. Smith said that you have to provide an employee's business number, so if an employee is assigned a phone number that is considered a public record. A private phone number, address and email is not. Email used for business purposes can be produced. Ms. Smith said she believes the intent here is to have that specifically stated within the right to know law. Mr. Bowman moved, Mr. Scholle seconded, to be in support of the resolution to amend the right to know law to exempt the employee's private information. Motion carried unanimously.

Executive Session: Start time: 8:55 p.m.

Topics: Existing and pending legislation involving 1685 Baltimore Pike, Morris and 1800 Baltimore Pike

Meeting Reconvened: 9:00 p.m.

Mr. Updyke moved, seconded by Mr. Patterson, to grant authorization for Ms. Smith to proceed with the actions as discussed in executive session. Motion carried unanimously.

Adjournment: With no further business to be discussed by the Board, Mr. Patterson moved, seconded by Mr. Updyke, to adjourn the meeting. Motion carried unanimously. Meeting adjourned 9:02 p.m.

Submitted by,

Sheri L. Moyer
Secretary