

MAY 20, 2010 SUPERVISOR'S MEETING:

The Mount Joy Township Board of Supervisors met this date, as publicly advertised, at 7:00 pm in the meeting room of the Mount Joy Township Building, 902 Hoffman Home Road, Gettysburg, PA 17325 with Board Chairman John Gormont presiding. Others in attendance were: Vice-Chairman David Updyke, Supervisors Robert Rhodes, Gilbert Clark, and Michael Gearhart; Solicitor Susan J. Smith; and Secretary/Treasurer Victoria Behnke and Zoning Officer Cindy Smith.

Board Chairman John Gormont led everyone with the pledge to the Flag.

Minutes

Mr. Clark moved, seconded by Mr. Updyke, to approve the minutes of the April 15, 2010 regular meeting. Motion carried unanimously. Mr. Clark moved, seconded by Mr. Gearhart, to approve the minutes of the May 10, 2010 special meeting. Motion carried unanimously.

Chairman's Statement

Mr. Gormont thanked everyone for attending the meeting.

Solicitor's Report

Solicitor Smith addressed legal review requests by board members, staff, and the Zoning Officer. She helped the Zoning Officer with questions regarding a four-wheeler track, part of which was in a flood plain. This issue brought up concerns that the Township has similar zoning provisions in two separate ordinances with different procedures. She suggests consolidating these into one ordinance. This should go before the Planning Commission for review. She presented four action items for the board to discuss later in the meeting.

Public Comment

1. Carol Holtz appreciated the newsletter, especially the Community News section. She asked about the results of the recent Zoning Hearing and wanted to know if the Township could set fines. She also wanted to know if the outstanding code books have been returned to the Township.
2. Eileen Holmes wanted to know if the Township is obligated to purchase the rest of the Hartlaub property near Mud College Schoolhouse.
3. Matt Sentz, Barlow Volunteer Fire Department, asked everyone to keep alert for motorcycles because this is Motorcycle Safety Month.

Persons Requesting Time on Agenda

Heidi Benner of Benner Homestead Farm – requested approval from the supervisors to conduct a Girl Scout project that creates a Living History Museum on her family farm. This project would run from the present until July 2011 when she no longer will be a Girl Scout. There will be no fees involved, and there will be parking available. Attorney Smith stated that it is okay to conduct this type of project on a short term basis, but a Conditional Use would need to be applied for, or the Planning Commission should review a Living History Farm Use as a permitted use. If the Board chooses the second option, they should place a time constraint on the Planning Commission to do their review. Mr. Clark moved, seconded by Mr. Rhodes, to approve Heidi Benner's Gold Award Girl Scout project as presented in her written proposal, which would expire in July 2011. Motion carried unanimously.

Announcements

- Tire Collection Event – Adams County Environmental Services Department
- Met-Ed Energy Efficiency programs – visit www.energysavePA.com for information on saving energy and money

- Two Ag Land Preservation Board vacancies – terms expiring 12/31/2010 and 12/31/2011

Treasurer's Report

Mr. Updyke moved, seconded by Mr. Gearhart, to approve the Treasurer's report as presented. Motion carried unanimously. Mr. Rhodes moved, seconded by Mr. Clark, to approve the bills paid for April 2010 as presented. Motion carried unanimously. Mr. Rhodes moved, seconded by Mr. Updyke, to approve the Mount Joy Township Auditor's report for the First Quarter 2010 vs. First Quarter 2009. Motion carried unanimously.

Subdivision/Land Development Plans

Guy and Susan Hood, 2942 Baltimore Pike, Parcel #30H15-0011-000 - Attorney Smith stated that the board needs to first act on the waiver request of a preliminary plan discussed in Chapter 86-10 of the ordinance. Mr. Clark moved, seconded by Mr. Rhodes, to grant the request to be relieved from the requirement to submit a preliminary plan as per Chapter 86-10, so as to approve a single application. Motion carried unanimously. Mr. Rhodes moved, seconded by Mr. Clark, to conditionally approve this plan contingent on an approved Planning Module for Lot 2 and the owners sign and notarize the Owner's Acknowledgement on the plan. Motion carried unanimously.

Road Report

Mr. Rhodes moved, seconded by Mr. Gearhart, to approve the Road report as presented. Motion carried unanimously.

Zoning Report

Mr. Updyke moved, seconded by Mr. Rhodes, to approve the Zoning report as presented. Motion carried unanimously.

Open Records Officer Report

No report.

Correspondence

- Adams County Council of Governments Minutes of April 22, 2010
- York Adams Tax Bureau Board of Directors Minutes of April 26, 2010

Committee Reports

Personnel: (Clark and Gormont)

- Mr. Gormont moved, seconded by Mr. Clark, to reaffirm the appointment of part-time Mower Operator Carl Strine. Motion carried unanimously.
- Mr. Gormont moved, seconded by Mr. Rhodes, to reaffirm the appointment of part-time Building & Grounds Maintenance Worker Brandon Updyke. Motion carried with Mr. Updyke abstaining.

Finance:

Planning, Land Use & Zoning: (Clark and Rhodes)

- Planning Commission recommendation to re-zone parcel at Hickory Road and Route 97 from IC to VH – the board wants to send a letter to the Planning Commission asking them to state in writing their reasons for the zoning change.
- Solicitor-proposed amendments to Zoning Ordinance(requires County and Township Planning Commission review)

1. Conditional Use process ordinance (Section 110-17) – Attorney Smith stated the Township Conditional Use procedure is not correct. It must conform to the Municipal Planning Code. Current code should be changed from 90 days to schedule a hearing to 60 days and 45 days after the hearing to submit a written

decision. Mr. Clark moved, seconded by Mr. Rhodes, to refer this proposed ordinance for a thirty day review by the Adams County Planning Commission and the Mount Joy Township Planning Commission and then schedule a public hearing at the Board of Supervisors regular meeting in July. Motion carried unanimously.

2. No-impact home-based business ordinance (Section 110-20) – Attorney Smith noted that the MPC states that you must have this ordinance in your Zoning ordinance. Mr. Gormont moved, seconded by Mr. Clark, to refer this proposed ordinance to the Adams County Planning Commission and the Mount Joy Township Planning Commission for a thirty day review and the schedule a public hearing at the Board of Supervisors regular meeting in July. Motion carried unanimously.
- Solicitor-proposed amendments to Zoning Ordinance (requires Township Planning Commission review)
 1. Attorney Smith noted that farm-related living history centers are allowed under the ordinance but that they fall under the Conditional Use process. She recommends that the Board refer this to the Township Planning Commission and ask them whether this ordinance should stand the way it is or have them change this to a permitted use and identify which parcels would fall under this use.
 2. Chapter 35 – Building Permits and Floodplain Management – Attorney Smith noted the floodplain ordinance is in two separate ordinances, one in Zoning and the other in a stand-alone ordinance. She recommends that they be consolidated. Mr. Updyke moved, seconded by Mr. Gearhart, to send a letter to the Planning Commission regarding these two items for them to review and report back to the Board in 90 days. Motion carried unanimously. Attorney Smith will write the letter to the Planning Commission.

Building & Grounds: (Updyke and Gearhart)

Mr. Gormont would like to replace the front doors of the lobby. Mr. Gearhart is looking into pricing.

Roads: (Updyke and Rhodes)

Mr. Rhodes met with Gerry Wagner, Penn DOT, and Ronnie Reed to discuss upcoming road projects:

1. Krug Road – reset existing 42” pipe. Richard Weidner had the lowest phone bid of \$7050.
2. Four guardrails – Liquid fuels money will only pay for new materials and labor. Used guardrails can be used. Chemung had the lowest bid for used guardrails: two on Basehoar Roth Road, \$2190 and \$1895; Straley Road, \$2190; and Krug Road, \$2085.
3. Tar & Chip – need to advertise for sealed bids for this project.

Mr. Rhodes moved, seconded by Mr. Clark, to hire Richard Weidner to reset the pipe on Krug Road, and hire Chemung to put up guardrails on Basehoar Roth Road, Straley Road, and Krug Road. Motion carried unanimously.

Public Safety: (Clark and Gearhart)

No report.

Council of Government: (Gormont and Clark)

No report.

Historical Committee:

Mr. Updyke moved, seconded by Mr. Gearhart, to approve the Historical Committee report as presented. Motion carried unanimously. The Historical Committee is doing a fundraiser at Friendly’s Restaurant on June 17, 2010 between 5:00 pm and 8:00 pm to help with advertising of historical properties in the Township. It was suggested that the fundraiser be put on the Township website.

Ag Security Area Committee:

Mr. Updyke reported that the Ag Security Area Committee voted for David Kinsella’s application to be included in the ASA.

Strategic Planning Committee:

No report.

Gettysburg Area Recreation Study Committee:

Mr. Rhodes moved, seconded by Mr. Clark, to set a public hearing at the Board of Supervisors regular meeting in June to vote on an ordinance adopting the intergovernmental agreement of cooperation establishing the Gettysburg Area Recreation and Park Commission. Motion carried unanimously.

Agricultural Land Preservation Board

Mr. Gormont moved, seconded by Mr. Clark, to reaffirm the appointment of Sue Harbin as Ag Land Preservation Board Secretary. Motion carried unanimously. There was no quorum at the meeting. Board chairperson, Audrey Weiland will conduct three current farm inspections. Mr. Rhodes moved, seconded by Mr. Gearhart, to approve the report as presented. Motion carried unanimously.

Recreation Board

Mr. Clark moved, seconded by Mr. Gearhart, to approve the Recreation report as presented. Motion carried unanimously. Mr. Clark moved, seconded by Mr. Rhodes, to give expiring recreation board fees to the parks per the Recreation Board report. Motion carried with Mr. Gormont voting nay.

Other Business

1. Alexander Zoning Hearing Board for June 2010 – Mr. Alexander has not paid his fees and has asked for a waiver of those fees. Attorney Smith advised the board to take a position. Mr. Updyke moved, seconded by Mr. Clark, that the Township not waive the fees for Mr. Alexander's Zoning Hearing Board. Motion carried unanimously.

New Business

1. Mr. Updyke moved, seconded by Mr. Clark, to adopt Resolution #19 of 2010 as follows:

RESOLUTION NO. 19 OF 2010

OF THE MOUNT JOY TOWNSHIP BOARD OF SUPERVISORS ADOPTING AND APPROVING THE MOUNT JOY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA AGRICULTURAL SECURITY AREA PROPOSAL WITH ADDITIONS AND MODIFICATIONS

WHEREAS, a proposal has been submitted to the Mount Joy Township Board of Supervisors for the review of the Mount Joy Township, Adams County, Pennsylvania Agricultural Security Area, in accordance with the provisions of the "Agricultural Area Security Law", Act of June 30, 1981, P.L. 128, No. 43, §2, and all revisions to the said statute through Act 14 of 2001 (the "Act"), a true and correct copy of which is attached hereto and made part hereof (the "Proposal"); and

WHEREAS, in response to the Proposal, the Township Board of Supervisors has complied with and completed the procedures and considerations prescribed in Sections 5, 6, and 7 of the Act; and

WHEREAS, the Proposal includes the following owners, parcels, and acreage within Mount Joy Township, Adams County Pennsylvania.

<u>Name(s) of Owners(s)</u>	<u>Tax Parcel No.</u>	<u>No. of Acres/Parcel</u>
David T. Kinsella	30H16-0050A-000	82.53 acres

WHEREAS, after duly advertised public hearing and after consideration of the factors mentioned in Section 7 of the Act, the Mount Joy Township Board of Supervisors desire to approve and adopt the review, modifications, additions and deletions to the Mount Joy Township, Adams County, Pennsylvania Agricultural Security Area.

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved, that the present Resolution, the Proposal and a description of the subject Mount Joy Township, Adams County, Pennsylvania Agricultural Security Area review, modifications, additions and deletions, shall be filed forthwith in the Office of the Recorder of Deeds of Adams County, Pennsylvania, with the Mount Joy Township, Adams County, Pennsylvania Planning Commission and the Adams County, Pennsylvania Planning Commission, and with the Adams County Land Preservation Office.

Motion carried unanimously.

2. Software Permit Manager- Mr. Gormont discussed a proposal to purchase a software application that manages all types of permitting for the township. The cost is \$15,500. Mr. Gormont moved, seconded by Mr. Rhodes, to purchase the CS-Graphx Permit Manager software application as described in the written proposal. Motion carried unanimously.
3. Mr. Gormont moved, seconded by Mr. Gearhart, to set aside the first Thursday of every month at 7:00 pm as a Supervisors Workshop meeting. Motion carried unanimously.

Adjournment

With no further business to be discussed by the board, Mr. Updyke moved, seconded by Mr. Gearhart, to adjourn the meeting at 9:55 pm.

Respectfully submitted,

Victoria Behnke
Secretary/Treasurer