

JANUARY 5, 2009 SUPERVISORS' REORGANIZATION MEETING:

The Mount Joy Township Board of Supervisors met this date, as publicly advertised, at 10:00 a.m. in the meeting room of the Mount Joy Township Municipal Building, 902 Hoffman Home Road, Gettysburg, PA 17325 with Board Chairman James W. Waybright presiding. Others in attendance were: Supervisors William Chantelau, George Scott, Samuel Dayhoff, and Robert Rhodes; employees Dave Crouse, Robin Crushong, Tammi Jacoby, Mike Livelsberger, Kevin Gebhart, and Secretary Brenda J. Constable.

Others in attendance were: News Reporter Aaron Young (*Gettysburg Times*); Jerry Althoff; Eileen Holmes; and Carol Holtz.

Board Chairman Waybright led everyone with the Pledge to the Flag.

Temporary Chairman:

Mr. Chantelau moved, seconded by Mr. Dayhoff, to nominate Mr. Scott as temporary chairman. With no further nominations, the motion carried unanimously.

Temporary Secretary:

Mr. Chantelau moved, seconded by Mr. Rhodes, to nominate Brenda Constable as temporary secretary. With no further nominations, the motion carried unanimously.

Chairman:

Mr. Chantelau moved, seconded by Mr. Rhodes, to nominate James Waybright as Chairman of the Board of Supervisors, effective January 5, 2009. With no further nominations, the motion carried unanimously. Mr. Chantelau commented that he appreciates Jim's willingness to serve as Chairman again and he does an outstanding job. Mr. Scott added that he appreciates the time Jim spends on stopping in the office and keeping on top of everything.

Vice-Chairman:

Mr. Scott moved, seconded by Mr. Dayhoff, to nominate William Chantelau as Vice-Chairman of the Board of Supervisors, effective January 5, 2009. With no further nominations, the motion carried unanimously.

Secretary:

Mr. Chantelau moved, seconded by Mr. Scott, to re-appoint Brenda Constable as Township Secretary/Office Manager, 40 hours per week, effective January 5, 2009. Motion carried unanimously.

Treasurer:

Mr. Scott moved, seconded by Mr. Chantelau, to re-appoint Robin Crushong as Township Treasurer, 24 hours per week, effective January 5, 2009. Motion carried unanimously.

Treasurer's Bond:

Mr. Scott moved, seconded by Mr. Chantelau, to set the amount of \$1,200,000 for the Treasurer's Bond. Motion carried unanimously.

Office Assistant:

Mr. Chantelau moved, seconded by Mr. Rhodes, to re-appoint Tammi Jacoby as Office Assistant, 30 hours per week, effective January 5, 2009. Motion carried unanimously.

Road Superintendent:

Mr. Scott moved, seconded by Mr. Chantelau, to re-appoint Samuel Dayhoff as Township Road Superintendent, 40 hours per week, effective January 5, 2009. Motion carried with Mr. Dayhoff recusing himself.

Road Workers:

Mr. Chantelau moved, seconded by Mr. Scott, to re-appoint Michael Livelsberger and Kevin Gebhart as full-time Township Road Workers, 40 hours per week, effective January 5, 2009. Motion carried unanimously.

Zoning/Code Enforcement Officer:

Mr. Scott moved, seconded by Mr. Rhodes, to re-appoint David Crouse as Zoning/Code Enforcement Officer, with reduced hours from 24 to 12 hours per week, effective January 5, 2009. Motion carried unanimously.

Emergency Management Coordinator:

Mr. Chantelau moved, seconded by Mr. Scott, to re-appoint Mike Livelsberger as EMC, effective January 5, 2009. Motion carried unanimously.

Engineering Firm:

Mr. Scott moved, seconded by Mr. Dayhoff, to re-appoint KPI Technology as the Township's Engineering Firm, P. Eric Mains, Engineer, effective January 5, 2009, and to adopt KPI's 2009 Fee Schedule as presented. Motion carried unanimously.

Assistant Engineering Firm:

Mr. Scott moved, seconded by Mr. Chantelau, to appoint Herbert Rowland & Grubic, Inc., (HRG) as the assistant engineering firm, effective January 5, 2009. Motion carried unanimously.

Solicitor:

Mr. Scott moved, seconded by Mr. Chantelau, to re-appoint Walton V. Davis, Esq. as Township Solicitor, effective January 5, 2009, at the rate of \$120/hour. Motion carried unanimously.

Assistant Solicitor:

Mr. Dayhoff moved, seconded by Mr. Chantelau, to re-appoint John R. White, Esq. as Assistant Township Solicitor, effective January 5, 2009. Motion carried unanimously.

Sewage Enforcement Officer:

Mr. Scott moved, seconded by Mr. Dayhoff, to re-appoint Gilbert Picarelli of KPI Technology, as Township Sewage Enforcement Officer, effective January 5, 2009. Motion carried unanimously.

Assistant Sewage Enforcement Officer:

Mr. Dayhoff moved, seconded by Mr. Scott, to re-appoint Dominic Picarelli of KPI Technology, as Assistant Sewage Enforcement Officer, effective January 5, 2009. Motion carried unanimously.

Traffic Engineer:

Mr. Scott moved, seconded by Mr. Dayhoff, to re-appoint Trans Associates as the Township Traffic Engineer, and to adopt the 2009 Fee Schedule as presented. Motion carried unanimously.

Vacancy Board Chairman:

Mr. Dayhoff moved, seconded by Mr. Chantelau, to re-appoint Mr. Louis "Sandy" Rice as the Vacancy Board Chairman, effective January 1, 2009. Motion carried unanimously.

Planning Commission Secretary & Assistant Secretary:

Mr. Scott moved, seconded by Mr. Rhodes, to re-appoint Brenda Constable as Planning Commission Secretary and re-appoint Tammi Jacoby as Assistant Secretary, effective January 1, 2009. Motion carried unanimously.

Planning Commission Re-Appointment:

Mr. Waybright noted the term of Audrey Weiland expired December 31, 2008 and she submitted a letter of interest for re-appointment. Mr. Scott moved, seconded by Mr. Chantelau, to re-appoint Ms. Weiland to a four-year term, effective January 1, 2009 through December 31, 2012. Motion carried unanimously.

Zoning Hearing Board Secretary:

Mr. Chantelau moved, seconded by Mr. Rhodes, to re-appoint Brenda Constable as Zoning Hearing Board Secretary, effective January 1, 2009. Motion carried unanimously.

Zoning Hearing Board Re-Appointments:

Mr. Waybright noted the terms of Travis Dutterer and Elsie Morey expired December 31, 2008 and both submitted a letter of interest for re-appointment. Mr. Chantelau moved, seconded by Mr. Scott, to re-appoint Mr. Dutterer, member, and Mrs. Morey, alternate member, to the Zoning Hearing Board for three-year terms beginning January 1, 2009 through December 31, 2011. Motion carried unanimously.

Agricultural Land Preservation Coordinator, Secretary, Assistant Secretary, and Solicitor:

Mr. Chantelau moved, seconded by Mr. Scott, to re-appoint Robin Crushong as Ag Land Preservation Coordinator and Secretary, Brenda Constable as Assistant Secretary, and John R. White, Esq., as Solicitor, effective January 1, 2009. Motion carried unanimously.

Recreation Board Secretary and Assistant Secretary:

Mr. Scott moved, seconded by Mr. Chantelau, to re-appoint Tammi Jacoby as Secretary and Brenda Constable as Assistant Secretary to the Recreation Board. Motion carried unanimously.

Recreation Board Vacancy:

Mr. Waybright noted the term of August Schwab expired December 31, 2008 and he was not interested for re-appointment. Two interested citizens have submitted their names to be considered for the position. Interviews would need to be conducted, either by the Personnel Committee or by the Supervisors in a public meeting. Mr. Dayhoff moved, seconded by Mr. Scott, to table appointment to this Board and to conduct interviews either before or no later than the regularly scheduled Supervisors' Meeting in January. Motion carried unanimously.

Red Rock Municipal Authority:

Mr. Waybright noted the term of Richard A. Klein has expired December 31, 2008 and he has submitted a letter of interest for re-appointment. Mr. Scott moved, seconded by Mr. Chantelau, to re-appoint Mr. Klein to the Red Rock Municipal Authority for a five-year term, effective January 1, 2009 through December 31, 2013. Motion carried unanimously.

White Run Regional Municipal Authority:

It was noted that Donald Hubbard Jr. was reappointed to the WRRMA at the December 18, 2008 Supervisors' Meeting for a five-year term, effective January 1, 2009 through December 31, 2013.

Sub-Committees:

Mr. Chantelau moved, seconded by Mr. Scott, to keep the sub-committees for 2009 the same as 2008 as follows:

PERSONNEL:	James Waybright and William Chantelau
FINANCE:	William Chantelau and George Scott
PLANNING, LAND USE & ZONING:	William Chantelau and Robert Rhodes
BUILDING & GROUNDS: (includes Mud College)	George Scott and Sam Dayhoff
ROADS:	James Waybright and Robert Rhodes
PUBLIC SAFETY:	James Waybright and Sam Dayhoff

Motion carried unanimously.

Mr. Dayhoff asked the Roads Committee to get together as soon as possible to ride the roads in order to create a project list for 2009.

Depository Banks:

Mr. Scott moved, seconded by Mr. Chantelau, to approve the following as depositories for the Township: Adams County National Bank, PNC, and Susquehanna. Discussion: If the Treasurer finds other institutions that could give better interest rates on CD's, investments, etc., throughout the year, the Supervisors would act on approval as an additional depository at that time. Motion carried unanimously.

Financial Bonds:

Mr. Scott moved, seconded by Mr. Rhodes, to set the amount of financial bonds for those Supervisors who are authorized to sign checks, and for the Secretary/Office Manager as follows:

James W. Waybright, William J. Chantelau, - \$1,200,000
Brenda J. Constable - \$50,000

Motion carried with Mr. Dayhoff abstaining.

Pay Rates / Plans:

With recommendation from the Finance and Personnel Committees, and per 2009 Budget, Mr. Chantelau moved, seconded by Mr. Rhodes, to approve the same pay rates as in 2008 reflecting no increase for 2009 for Township employees, and pay rates for Board members as follows, with the exception of rates set by Township Auditors, effective January 1, 2009:

Brenda Constable, Secretary/Office Manager	\$19.29/hour
Robin Crushong, Treasurer	\$20.37/hour
David Crouse, Zoning Officer	\$15.79/hour
Tammi Jacoby, Office Assistant	\$12.42/hour
Samuel Dayhoff, Road Superintendent.	pay rate for a working Supervisor is set by the Township Auditors
Michael Livelsberger, Road Worker/EMC.....	\$17.76/hour
Kevin Gebhart, Road Worker	\$17.16/hour
Emergency Road Crew Help.....	\$14.00/hour
Planning Commission Members	\$50.00/advertised meeting *
Zoning Hearing Board Members	\$50.00/advertised meeting *
	*Not to Exceed \$1,875 annually
Tax Collector	5% of collection
Working Supervisors	set by Township Auditors

Motion carried unanimously.

Auditors' Compensation Rate:

Mr. Scott moved, seconded by Mr. Chantelau, to set the rate of \$10.00 per hour for Township Auditors as per Second Class Township Code, Article VI, §607(4), effective January 5, 2009. Motion carried unanimously.

Meeting Day and Time:

Mr. Dayhoff moved, seconded by Mr. Scott, to set the third Thursday of each month at 7:30 p.m. as the regular meeting day and time for the Supervisors monthly meeting. Motion carried unanimously.

Delegate to PSATS:

Mr. Dayhoff moved, seconded by Mr. Scott, to designate William Chantelau as the voting delegate for Mount Joy Township to the PSATS annual convention. Motion carried unanimously.

2009 Holidays:

Mr. Chantelau moved on behalf of the Personnel Committee, that Mount Joy Township employees who have been employees of the Township for at least two (2) years be given their birthdays as a day off. Mr. Scott seconded the motion. Discussion: Mr. Chantelau explained that since the employees' did not receive an increase in pay rates this year, an action which will carry forward, the Personnel Committee recommends they be given their birthday as a day off. If the birthday falls on a holiday or a day that the office is closed, then the day(s) before or after, whichever is closer, will be recognized as the day off for his/her birthday. In addition, this action is to be added to the Personnel Policy Manual under "Days Off", including the change of office hours to read "normal working days". With no further discussion, the motion carried with Mr. Dayhoff abstaining.

Mr. Scott moved, seconded by Mr. Chantelau, to approve the following days as the 2008 Holidays for Township employees:

January 1, 2009	New Year's Day
January 19, 2009	Martin Luther King Jr. Day
February 16, 2009	Presidents' Day
May 25, 2009	Memorial Day
July 3, 2009	Independence Day
September 7, 2009	Labor Day
October 12, 2009	Columbus Day
November 3, 2009	Election Day
November 11, 2009	Veterans' Day
November 26, 2009	Thanksgiving Day
December 24, 2009	Christmas Eve
December 25, 2009	Christmas Day

Motion carried with Mr. Dayhoff abstaining.

Hours of Operation:

Mr. Chantelau moved, seconded by Mr. Scott, to change the hours of operation for 2009 as follows: Closed Mondays and Fridays, Open Tuesday, Wednesday, and Thursday, 9:00 a.m. - 3:00 p.m. , effective January 12, 2009. Discussion: Mr. Chantelau noted this change reflects the current restrained fiscal budget. If there would be a need for the office to be open on either a Monday or Friday, it would be addressed as needed. The staff would work their normal hours, which includes Mondays and Fridays for some, and will need to flex their time so as not to cause any overtime within a pay period, with the exception of the road crew relative to emergency calls. It was also noted that the new office hours should be distributed to the businesses and agencies that work regularly with the Township. Motion carried unanimously.

Other Business:

Land Use Permit Fees: Mr. Scott moved, seconded by Mr. Rhodes, to keep the land use permit fees the same and adopt Resolution #1 of 2009 as follows:

RESOLUTION NO. 1 OF 2009

RESOLVED this 5th day of January 2009, the Mount Joy Township Supervisors adopt the following fee schedule for land use permits.

All requests shall be subject to an additional fee of \$50 if re-filing a modified application is required.

All permits are valid for one year. A renewal of one year will be issued with required documentation.

Residential permits (including farm structures) shall be based on the value of the improvements as follows:

<u>Value of Improvement</u>	<u>Permit Fee</u>
\$0 to \$1,000	\$50
\$1,001 to \$5,000	\$75
\$5,001 to \$25,000	\$125
\$25,001 to \$50,000	\$175
\$50,001 to \$100,000	\$225
Over \$100,000	\$325 + \$1.00 per \$1,000 over \$100,000

Permits for Commercial or Industrial development shall use the following fee schedule:

For buildings up to 5,000 square feet, the fees shall be the same as those for residential. An additional fee for parking areas or other accessory uses shall be subject to a charge of \$0.10 per square foot.

For buildings over 5,000 square feet, an additional permit fee (in addition to the amount stated above based upon residential fees) of \$0.40 per square foot for the square footage in excess of 5,000 square feet, and \$0.20 per square foot for all parking areas or other accessory uses associated with buildings in excess of 5,000 square feet, shall be required. [revised for clarity, July 19, 2007]

Barns and other farming structures are not considered as commercial or industrial development.

Motion carried unanimously.

Sign Permit Fees: Mr. Scott moved, seconded by Mr. Chantelau, to keep the sign permit fees the same and adopts Resolution #2 of 2009 as follows:

RESOLUTION NO. 2 OF 2009

BE IT RESOLVED, this 5th day of January, 2009, that the Mount Joy Township Supervisors hereby adopt the following permit fees for freestanding and wall signs:

Up to 40 sq. ft.	\$ 50.00
41 sq. ft .up to 60 sq. ft.	\$100.00
61 sq. ft. and over	\$4.00 per sq. ft. calculated on both sides of sign

Motion carried unanimously.

Subdivision / Land Development Review Fees: It was noted that during budget discussions, the Supervisors would track the engineer costs, etc. to see if the review fees should be increased. Ms. Constable gave a summary of engineer costs for all subdivision filed in 2008, which reflected the current review fees cover the engineering expenses. Discussion was held with regard to what would happen if the

market picks up, or get worse. The Supervisors concluded to continue the tracking of costs and if the fees need to be increased or lowered, they would reconsider the fees next year and could change at that time.

Mr. Scott moved, seconded by Mr. Chantelau, to keep the subdivision/land development review fees the same and adopt Resolution #3 of 2009 as follows:

RESOLUTION NO. 3 OF 2009

BE IT RESOLVED, this 5th day of January 2009, the Mount Joy Township Supervisors adopt the following fee schedule for Subdivision and Land Development Plan reviews:

Preliminary Plan	\$150 per lot
Final Plan	\$175 per lot
Preliminary/Final Plan	\$325 per lot

Payment is due upon submission of the plan, plus any expenses in excess of the fee to be paid by the applicant.

Motion carried unanimously.

Zoning Hearing Fee: Mr. Scott moved, seconded by Mr. Chantelau, to increase the zoning hearing fee from \$500 to \$700 and adopt Resolution #4 of 2009 as follows:

RESOLUTION NO. 4 OF 2009

Resolved this 5th day of January 2009, the Mount Joy Township Supervisors adopt the following fee schedule for Zoning Hearings:

Filing Fee	\$700
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Plus any expenses in excess of the fee to be paid by the applicant.

Discussion: The Supervisors explained that this increase came about from a recent local level court case where the District Judge ruled against the Township and for a citizen who refused to pay expenses that were incurred over and above the filing fee he paid. The District Judge stated the application fees should cover all anticipated fees for a normal hearing. Mr. Rhodes felt it was not fair to punish all the citizens for one man's actions. Mr. Waybright felt it was not fair for the taxpayers to pay for one man's frivolous law suits because he chooses not to pay for them. Further discussion regarding a refund to an applicant if his/her zoning costs do not reach the \$700 fee. Mr. Scott noted this could get complicated with determining what level should be set for refunds, e.g. \$1.00, \$.50, anything over \$100, etc. and then if the citizen is not refunded for anything less than that, they could have the ability to review and challenge it, etc., running up more legal costs for the township, ultimately the taxpayer.

Mr. Rhodes moved to set a policy for issuing refunds if the applicant does not reach the \$700 application filing fee. Due to lack of a second, the motion died.

With no further discussion on the original motion, the motion carried unanimously.

Special Events Permit Fee: Mr. Scott moved, seconded by Mr. Chantelau, to keep the special event permit fee the same and adopt Resolution #5 of 2009 as follows:

RESOLUTION NO. 5 OF 2009

Resolved this 5th day of January 2009, the Mount Joy Township Board of Supervisors adopt the following fee schedule for a Special Events Permit:

\$500 per application

Payment is due upon submission of the permit application, plus any expenses in excess of the fee to be paid by the applicant.

Discussion: Mr. Scott asked if there were anything to consider for changing this process or language based on the last permit filed (which was the only permit since the ordinance was put in place). It was noted that the process worked and the only thing needing changed was a typographical error in the Code of Ordinances, which would be reported to General Code by the Office Manager.

With no further discussion, the motion carried unanimously.

Well Permit Fees: Mr. Waybright moved, seconded by Mr. Scott, to keep the well construction permit fee the same and adopt Resolution #6 of 2009 as follows:

RESOLUTION NO. 6 OF 2009

RESOLVED this 5th day of January 2009, the Mount Joy Township Supervisors adopt the fee of \$250.00 for well construction permits. Payment is due upon submission of the application, plus any expenses in excess of the fee to be paid by the applicant.

All permits shall be in effect as of the date of issuance, and shall remain in effect for a period of 12 months. In the event that water supply construction under the permit has not been completed at the expiration of 12 months from the date of issuance, the permit shall expire and the validity of the permit shall cease and terminate.

A request for an extension to a permit must be submitted to the Township in writing ten [10] days prior to the expiration date of the permit. Extensions are limited to ninety [90] days. Subsequent requests must be accompanied by an application for a new permit with appropriate fee.

In the event a permit expires and construction has not begun, an application for a new permit must be submitted with appropriate fee.

Motion carried unanimously.

Recreation Fee: Per Chapter 86-36 of the Township Code of Ordinances, the Supervisors may update the recreation fee that was originally established at \$600 per dwelling unit, and increased to \$1,500 in 2006. Mr. Scott moved, seconded by Mr. Chantelau, to keep the recreation fee the same as 2008 and adopt Resolution #7 of 2009 as follows:

RESOLUTION NO. 7 OF 2009

RESOLVED this 5th day of January 2009, the Mount Joy Township Supervisors adopt the fee of \$1,500.00 for residential development.

The Board of Supervisors initially set the fee at \$600.00 per dwelling unit, by Ordinance No. 2003-05, Section 86-36(E), until and unless such fee may be updated by resolution of the Board of Supervisors.

The Board of Supervisors hereby adopts the fee of One Thousand Five Hundred Dollars (\$1,500.00) as the fee to be collected in accordance with Ordinance No. 2003-05, Section 86-36(E).

The Board of Supervisors hereby adopts the contents of Ordinance No. 2003-05, Section 86-36 as stated including the above-referenced change.

Motion carried unanimously.

York Adams Tax Bureau: Request from York Adams Tax Bureau to appoint a representative and alternate representative to the YATB to be entitled to participate and vote at the Board of Directors' meeting for the Township. Mr. Dayhoff moved, seconded by Mr. Scott, to adopt Resolution #8 of 2009 appointing William Chantelau as the Township's representative, and George Scott as the alternate, as follows:

RESOLUTION NO. 8 OF 2009

A Resolution appointing a representative and an alternate representative to the York Adams Tax Bureau ("YATB") to be entitled to participate in discussions and vote at the Board of Directors' meetings on behalf of Mount Joy Township.

Whereas, Mount Joy Township has designated YATB as the agency to collect the taxes authorized by the Local Tax Enabling Act, by a Joint Agreement of Participating Municipalities and School Districts with Respect to York Adams Tax Bureau dated November 17, 2005 to begin January 1, 2006; and

Whereas, it is required of Mount Joy Township to appoint a representative and an alternate representative in accordance with Article III of the By-Laws of the York Adams Tax Bureau.

Now, Therefore, Be It Resolved, by the Board of Supervisors of Mount Joy Township, in a lawfully constituted meeting this 5th day of January 2009, the following persons are lawfully elected or appointed officials of Mount Joy Township and are authorized to participate in discussions and vote at the Board of Directors' meetings on behalf of the Township.

William J. Chantelau	Supervisor	Representative
George L. Scott	Supervisor	Alternate Representative

Further, be it resolved, that the designated representative and/or alternate representative will present to the Board of Supervisors of Mount Joy a quarterly report of additions and/or changes made or to be made concerning the YATB; and

Further, be it resolved, this action will cancel any previous authorizations; and

Further, be it resolved, this matter of appointment of representation will be an agenda item at each January Reorganization Meeting of the Board of Supervisors; and

Further, be it resolved, signed duplicates of this document will be mailed by the Secretary to the YATB.

Motion carried unanimously.

Employees' Health Insurance: Mr. Waybright moved, seconded by Mr. Chantelau, to adopt Resolution #9 of 2009 relative to the health insurance policy for full-time employees as follows:

RESOLUTION NO. 9 OF 2009

A Resolution indicating that the health insurance policy of the benefit package available to full-time employees will be reviewed annually by the Mount Joy Township Board of Supervisors.

Whereas, Mount Joy Township has a health insurance policy in effect for full-time employees wherein the Township pays 100% of health insurance on each full-time employee wishing coverage; and

Whereas, if a full-time employee opts to have additional coverage (i.e., spouse, spouse + child, family, etc.), then the Township will pay 85% of this coverage and the employee will be responsible for 15%; and

Whereas, if an employee opts to take advantage of the dental or vision coverage offered, the Township will pay 85% on employee or any other coverage (i.e., spouse, spouse + child, family, etc.) and the employee will be responsible for 15%; and

Whereas, if an employee opts to take advantage of the short term disability, long term disability or life insurance coverage offered, the employee is responsible for 100% of these costs; and

Whereas, it is necessary to review the benefit package of the Township annually to make any financial adjustments for the benefit of the Township and employees.

Now, Therefore, Be It Resolved, by the Board of Supervisors of Mount Joy Township, in a lawfully constituted meeting this 5th day of January 2009, the insurance benefit package for full-time employees will be reviewed annually in September of each year; and

Further, be it resolved, this matter of insurance review will be an agenda item at each January Reorganization Meeting of the Board of Supervisors; and

Further, be it resolved, a signed duplicate of this document will be included in the Mount Joy Township Personnel Policies and Benefits Handbook by the Secretary.

Motion carried with Mr. Dayhoff abstaining.

Resolution to Pay Bills: Mr. Scott moved, seconded by Mr. Chantelau, to adopt Resolution #10 of 2009 approving to pay regular monthly bills as follows:

RESOLUTION NO. 10 OF 2009

A Resolution of the Board of Supervisors of the Township of Mount Joy, Adams County, Pennsylvania, authorizing the payment of recurring and customary bills and expenses prior to the approval of the bills list at the monthly meeting of the Board of Supervisors.

Whereas, the Board of Supervisors ("Board") of the Township of Mount Joy, Adams County, Pennsylvania, ("Township") meets once a month;

Whereas, at each meeting of the Board of Supervisors, a list of bills and expenses incurred by the Township is presented for review and approval or denial for payment;

Whereas, the Township experiences recurring and customary expenses each month for items such as payroll, utility services, and professional services;

Whereas, some of the said recurring and customary expenses have penalties and/or late fees if not paid within a stated time period, which time period may expire prior to the monthly meeting of the Board, and payroll must be paid more often than monthly; and,

Whereas, the aforesaid expenses, because they are recurring, can be adjusted in later billings should there be an overcharge, or an undercharge, or other irregularity in the amount billed and paid prior to approval of the bills list by the Board;

Now Therefore, Be It Resolved, that the township officials authorized to make and sign drafts, checks, and other forms of payment from the Township funds for expenses of the township be, and hereby are, authorized to pay recurring and customary bills and expenses of the Township prior to approval of payment of those bills and expenses by the Board of Supervisors of Mount Joy Township when those bills meet the following criteria:

- The bill or expense is a recurring expense, such as a utility bill, a bill from a professional adviser to the Township, an employee wage or salary, etc.;
- It is reasonably expected that if there is an error in the payment made prior to approval of the Bills List by the Board, there will be a subsequent opportunity adjust for the error; and,
- The bill or expense is for an employee, or is from a vendor or creditor who has presented billings in the past that have been approved by the Board and who has not been the subject of disputes or differences concerning such prior billings.

Adopted this 5th day of January 2009.

Motion carried with Mr. Dayhoff abstaining.

Resolution for Financial Authorizations: Mr. Scott moved, seconded by Mr. Chantelau, to adopt Resolution #11 of 2009 for financial authorizations as follows:

RESOLUTION NO. 11 OF 2009

A Resolution indicating those individuals and their titles authorized to conduct financial transactions on behalf of Mount Joy Township.

Whereas, Mount Joy Township has various depositories for funds; and

Whereas, the Mount Joy Board of Supervisors has changed since many of these investment instruments were initiated; and

Whereas, it is now necessary to reinvest and or change some of the investment vehicles.

Now, Therefore, Be It Resolved, by the Board of Supervisors of Mount Joy Township, in a lawfully constituted meeting this 5th day of January 2009, the following persons are lawfully elected or appointed officials of Mount Joy Township and are authorized to conduct financial transactions on behalf of the Township.

James W. Waybright	Supervisor	Chairman
William J. Chantelau	Supervisor	Vice-Chairman
George Scott	Supervisor	Finance Committee
Robin K. Crushong	Treasurer	

Further, be it resolved, this action will cancel any previous authorizations; and

Further, be it resolved this matter of financial authorization will be an agenda item at each January Reorganization Meeting of the Board of Supervisors; and

Further, be it resolved, signed duplicates of this document will be mailed by the Secretary to each financial institution where we now have Township funds deposited.

Motion carried unanimously.

Resolution for Increased Density in PGC: Mr. Scott moved, seconded by Mr. Waybright, to adopt Resolution #12 of 2009 keeping the contribution amount for increase in dwelling density in PGC the same as last year as follows:

RESOLUTION NO. 12 OF 2009

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MOUNT JOY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, AMENDING RESOLUTION NO. 10 OF 2005, AND NO. 11 OF 2006, RE-ESTABLISHING THE CONTRIBUTION AMOUNT FOR EACH TEN PER CENT (10%) INCREASE IN DWELLING DENSITY PER ACRE IN PLANNED GOLF COMMUNITIES.

RECITALS

1. On May 19, 2005, the Board of Supervisors of Mount Joy Township enacted amendments to §110-70.C.(1)(f), §110-70.C.(6)(g), and §110-70.C.(6)(i) of Chapter 110 (Zoning of the township's Code of Ordinances.
2. The aforesaid amendments became effective 5 days after enactment.
3. Pursuant to the amendment to §110-70.C.(6)(i), the Board of Supervisor of Mount Joy Township is to establish a "contribution amount" to be made to the Mount Joy Township Agricultural Land Preservation Program for each ten per cent. (10%) increase in overall dwelling density of a Planned Golf Community if such density increase is permitted by the Board of Supervisors.
4. In order to establish an amount of contribution that is rationally related to the cost of preserving a correspondingly appropriate amount of land, the Board of Supervisors hereby adopts the following Resolution.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Mount Joy Township, Adams County, Pennsylvania, that pursuant to Chapter 110 (Zoning), Article V (Principal Uses), §110-70 (Planned Golf Community), sub-section C.(6)(i), the amount of contribution for each ten per cent. (10%) increase, or part thereof, of dwelling density (above the limitation of .8 units times project acreage; see, §110-70.(1)(f)) in a Planned Golf Community shall be Fifty Two Thousand Seven Hundred Sixty Dollars and No Cents (\$52,760.00).

ADOPTED and effective this 5th day of January 2009.

Motion carried unanimously.

Mileage Reimbursement Resolution: Mr. Dayhoff moved, seconded by Mr. Chantelau, to adopt Resolution #13 of 2009 setting the rate of reimbursement for mileage as follows:

RESOLUTION NO. 13 OF 2009

A Resolution indicating that the standard business mileage rate will be set in accordance with the current Internal Revenue Service ("IRS") rate and will be increased or decreased in accordance with the IRS.

Whereas, Mount Joy Township has set the rate of reimbursement for standard business mileage at the rate set by the IRS effective January 1, 2009 at 55 cents per mile; and

Whereas, if at any time during this current year the IRS increases or decreases the mileage reimbursement rate, the Treasurer of Mount Joy Township has the authorization to reimburse based on the increased or decreased rate set by the IRS; and

Now, Therefore, Be It Resolved, by the Board of Supervisors of Mount Joy Township, in a lawfully constituted meeting this 5th day of January 2009, the mileage reimbursement rate will be reviewed annually in December of each year; and

Further, be it resolved, that the rate of reimbursement for mileage will be set in accordance with the rate set by the IRS at all times during this current year; and

Further, be it resolved, this matter of mileage reimbursement rate will be an agenda item at each January Reorganization Meeting of the Board of Supervisors; and

Further, be it resolved, a signed duplicate of this document will be included in the Mount Joy Township Personnel Policies and Benefits Handbook by the Secretary.

Motion carried unanimously.

Open Records Resolution/Policy: Mr. Chantelau moved, seconded by Mr. Scott, to adopt Resolution #14 of 2009, amending Resolution No. 2002-05, the Pennsylvania "Right-To-Know" Open Records Law and Open Records Policy as follows:

RESOLUTION NO. 14 of 2009

TOWNSHIP OF MOUNT JOY, ADAMS COUNTY, PENNSYLVANIA

A RESOLUTION AMENDING MOUNT JOY TOWNSHIP RESOLUTION NO. 2002-05 ESTABLISHING POLICIES AND PROCEDURES TO COMPLY WITH ACT 100 OF 2002 (the Pennsylvania "Right-to-Know Law", providing for access to "public records"), AND SETTING FEES FOR COSTS, AS AMENDED AND MODIFIED BY ACT 3 OF 2008 (the Pennsylvania "Right-to-Know Law", signed February 14, 2008, and effective January 1, 2009).

BE IT RESOLVED BY the Board of Supervisors of the Township of Mount Joy that the following shall be applicable to requests for public records:

A. REGULAR BUSINESS HOURS OF TOWNSHIP OFFICE

All documents deemed public records and in possession of Mount Joy Township shall be available for inspection, retrieval, and duplication, in accord with this Resolution and the "Right to Know Law", at the Township office during regular business hours, which are as follows:

Tuesday through Thursday from 9:00 a.m. – 3:00 p.m.

The above schedule will not be observed when national or state holidays coincide with regular business hours, when the Township building is being used for national or state/local elections, or when inclement weather or other extraordinary event occurs and the Township determines to close the office.

B. RECEIPT OF REQUESTS FOR ACCESS TO PUBLIC RECORDS

Written requests for records shall be presented to the Open Records Officer on a form provided by the Township. Such requests shall be received (whether by personal visit, by telephone, by mail, or by Email) on the days that the regular business hours of the Township office are observed (see A. above). The Open Records Officer may, in his or her sole discretion, act upon oral requests; however, responses to oral requests are not required to meet the time limitations provided by this Resolution or the "Right to Know Law".

C. OFFICER TO WHOM REQUESTS FOR ACCESS TO PUBLIC RECORDS ARE TO BE DIRECTED

All requests for access to public records, which are made pursuant to the Right-to-Know Law, must be directed to the Open Records Officer of the Township, at the Township Office. The contact information for the Township Office is:

Open Records Officer: Brenda J. Constable, Secretary/Office Manager
Address: 902 Hoffman Home Road
Gettysburg, PA 17325
Phone: (717) 359-4500
Fax: (717) 359-9741
Email: bconstable@embarqmail.com

D. FEES FOR DUPLICATION OF RECORDS

1. Fees for duplication of records, which can be accomplished by the Township. The fee for duplicating Township records (whether they are public records or other records, which the Township has consented to duplicate) are:

a. Photocopying: 25¢ per page for paper documents that can be duplicated on the Township's photocopier.

- b. Electronic copies: \$1.00 per computer 3.5 floppy disk or CD-R, for material that is electronically stored and which is requested to be copied on to a disk or CD-R. Only disks or CD-Rs furnished by the Township will be used to duplicate electronically stored records (to protect the Township's systems from possible outside electronic interference or infection).

2. Fees for duplication of records, which cannot be accomplished by the Township. The fee for duplicating records which the Township staff cannot perform at the Township Office with Township equipment shall be the actual cost of production to the Township (Examples of documents that the Township may not be able to duplicate with its equipment are: subdivision plans; land development plans; drafts of survey; zoning maps; and other documents which are larger than 11 inches by 17 inches.) If mailing is requested, the cost of postage will be charged. The township shall require prepayment if the total fees are estimated to exceed \$100.

3. Fees for duplication of records created by others. Certain records are created by others whose living is dependent upon being paid for copies of the documents, or are created by those who may have copyrights to the documents. (An example of the former is a transcript of a hearing prepared by a court reporter who is entitled to compensation for copies of transcripts.) In those cases, the Township will either direct the requester to contact the document's preparer, or (in its sole discretion) the Open Records Officer may cause the copy to be produced and the requester shall be charged the actual cost to the Township for production. An estimated fee for these documents must be paid in advance of the placement of an order for a duplicated copy, no matter what the total cost may be.

4. Copies of published documents. In certain cases, documents are duplicated and ready for distribution in advance of a request. Those documents will be made available at the price determined from time to time by the Township. (Examples of such documents are copies of the Subdivision and Land Development ordinance and the Zoning Ordinance.)

5. Payment of fees. Fees for duplication expenses, shall be paid prior to delivery of the duplicates to the requester. A credit shall be given for any prepayment, and a refund will be given if the cost of production is less than the estimated fee (see ¶ D.3. above). Where the anticipated fees for duplication are likely to exceed \$100.00, the Township may require an advanced payment prior to making the duplicates. (See, Right-to-Know Law, section 1307.(h).)

E. CERTIFICATION OF DUPLICATES

The fee for a certification of a duplicated record shall be \$1.00 per record.

F. RESPONSE

The township shall make a good-faith effort to provide the requested public record(s) as promptly as possible. The Open Records Officer shall cooperate with those requesting records to review and/or duplicate original township documents while taking reasonable measures to protect township documents from the possibility of theft, damage, and/or modification.

The Open Records Officer shall review all written requests for access to public records. As soon as possible, but no later than five business days after receiving a written request (see section B. above) to access public records, the Open Records Officer shall respond to such requests in writing consistent with Act 3 of 2008, the "Right-to-Know Law".

G. CONTACT INFORMATION FOR APPEALS

If a written request is denied or deemed denied, the requester may file an appeal in writing to, Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, Plaza Level, Harrisburg, PA 17120-0225.

H. APPEALS PROCESS

The appeal shall be filed within 15 business days of the mailing date of the township's response or within 15 business days of a deemed denial. The appeal shall state the grounds upon which the requester asserts the records is a public record and shall address any grounds stated by the township for delaying or denying the request.

I. APPLICABILITY

This Resolution shall apply to all requests for public records received (see section B. above) on or after January 2, 2009. RESOLVED this 5th day of January, 2009.

Motion carried unanimously.

Part-time Temporary Employees: Mr. Chantelau moved, seconded by Mr. Scott, to appoint the following part-time temporary employees as needed at \$14.00 per hour and authorize the Road Superintendent to call these people for help during emergency situations, such as plowing snow, etc.: Chad Yingling, Luke Dayhoff, Ronnie Reed, Bill Chantelau, Jim Waybright, George Scott, Brad Waybright, Chris Waybright. Motion carried unanimously.

Adams County SPCA Contract: Mr. Waybright moved, seconded by Mr. Scott, to approve and sign the Adams County SPCA Animal Services Contract with funding at \$.50 per capita. Discussion: it was noted that the budget allows for funding above the \$.50 per capita and if funds and budget monitoring allows, the additional funds could be sent to the SPCA at a later date during 2009. Motion carried unanimously.

Township Historical Committee: Mr. Chantelau noted that the Strategic Planning Initiative Committee, during their scenario development and presentations over the last year and one-half, discussed the possible formation of a Historic Committee within the Township. If the Supervisors would support such a committee, the committee would move forward with developing a draft outline with a statement of purpose, define the committee's scope of activities the historic committee could undertake, and membership; the number of members and terms of service. The committee would begin with the current historical material the township has collected over the years.

Mr. Chantelau moved, seconded by Mr. Scott, to authorize the Strategic Planning Initiative Committee to pursue formation of a Mount Joy Township Historic Committee. Discussion: Mr. Dayhoff asked what direction the SPI Committee sees the historic committee going. Mr. Chantelau responded it would identify all the historic areas of the township and document them. They would also develop options that would eventually be presented to the Supervisors to see what the director the Supervisors would want to go with the information. Mr. Scott only concern is that he would not want this committee to duplicate what other Historical Societies are already doing. With no further discussion, the Motion carried unanimously.

Old Business:

2008 Balance Sheet: Mr. Scott moved, seconded by Mr. Chantelau, to accept the Summary Balance Sheet as of December 31, 2008 as presented. Motion carried unanimously.

Annual Reports:

Mr. Scott moved, seconded by Mr. Chantelau, to accept the 2008 Annual Report from the Planning Commission, as presented. Motion carried unanimously.

Mr. Chantelau moved, seconded by Mr. Scott, to accept the 2008 Annual Report from the Recreation Board as presented. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Chantelau, to accept the 2008 Annual Report from the Agricultural Land Preservation Board as presented. Motion carried unanimously.

Mr. Waybright thanked all members for volunteering and serving the Township.

Final Public Comment:

1. Carol Holtz as the Supervisors to elaborate on the "Open Records Policy". Mr. Scott gave Ms.

Holtz a copy of the draft Resolution.

2. Mr. Chantelau reminded the Supervisors of the upcoming COG (Council of Government) meeting on January 8, 2009 at 7:00 p.m. at the Mount Joy Township Building.
3. Mr. Crouse thanked the Supervisors for stopping in the office and checking in with the employees as often as their other schedules permit.

Adjournment:

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Dayhoff, to adjourn the Reorganization Meeting at 11:35 a.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary