

JUNE 19, 2003 SUPERVISORS' MEETING:

The Mount Joy Township Board of Supervisors met this date in regular session at 7:00 p.m. in the meeting room of the Mount Joy Township Municipal Building, 902 Hoffman Home Road, Gettysburg, PA 17325, with Chairman James W. Waybright presiding. Others in attendance were: Supervisors William Chantelau, William Rogers, and George Scott; Solicitor Walton V. Davis; News Reporters Alex Gayhart (*The Gettysburg Times*) and Erin Negley (*The Evening Sun*); Sam Dayhoff, Building & Grounds Coordinator; and Brenda J. Constable, Secretary. Supervisor Harold J. Kirschner was absent.

Citizens in attendance were: Jim & Sue Hitz; Robert Ness; John Leino; Mike and Nora Keller; Jeff and Sharon Cooke; Jerry Maloney; Kitty and Joe Hoffman; Beverly Boyd representing Leroy and Millard Basehoar; Raiana Mearns; John McAlister; Eileen Holmes; Barbara Steele; Henry Reaver Jr.; Ed Reichart; Rick Klein; Dick Owings; and

Mr. Waybright led everyone with the Pledge of Allegiance to the Flag.

Public Comment:

1. John Leino, Lake Heritage resident, commented on his objection to the Agricultural Land Preservation program. He presented his written comments reflecting the Township's operation budgets from 1999 to 2003. He feels that the Township cannot afford this program.
2. Jerry Maloney, Township resident, debated Mr. Leino's comments, pointing out that the Ag Preservation Board has presented a proposal, with supporting documentation, as to how the Township can afford this program. He questioned Mr. Leino if he had supporting figures to back up his comments. Mr. Leino responded no, only estimating.
3. Sam Dayhoff, Acting Coordinator for the Ag Program, responding to Mr. Leino's comments, also stated that the Ag Land Preservation funding proposal that was submitted to the Supervisors, included a number of scenarios. The Ag Land Preservation Board did what the Supervisors asked of them, which was to give proposals to them on how to fund the program. What the Board provided is a way to show that the Township can afford the \$1,000,000.
4. Dick Owings, Ag Board member, also responded to Mr. Leino's comments. He pointed out how important this program is to Mt. Joy Township and if we don't do it now, we will lose our open space. Development from Maryland is already here. He also stressed that the funding proposal does give options on how the program can be funded.
5. Joe Hoffman, Mud College Rd., commented on his support for the program. He moved here from Maryland and has seen what can happen by not preserving land. Many large highways, which requires more roadwork, more personnel needs, etc.
6. Carol Newhart, Ag Board member, commented on the Township Comprehensive Planning Committee conducting a survey two years ago, which resulted in 90% of the Township residents wanting to preserve open space and rural character. The Supervisors have adopted the Ag Land Preservation Program, and now the Supervisors need to follow through with their actions.
7. Robert Ness, resident on Roberts Road, stated that he works in Carroll County, Md., for the public schools and has also seen what can happen to open space if not preserved. He supports the Program.
8. John Leino, again, commented that, in his opinion, he thinks that the Township cannot afford this program.
9. Raiana Mearns, Freedom Township resident but owns 257 acres in Mt. Joy Township. She favors the program and would like to see the Supervisors follow through with preserving land. She does not want to see her land become an oasis of farmland with development surrounding it.

10. Barbara Steele, Mud College Road resident, also supports the Ag Land Preservation Program. She feels that it is time the farmers got a break and have the option to preserve their land rather than developing it.
11. Sam Dayhoff, addressed Mr. Leino's comments, adding that the Board has figures that show the Township can afford the program. This is not an expense but rather an investment for the Township.
12. Rick Klein, owner of The Links At Gettysburg, stated that he saw the Ag Board's funding proposal and pointed out that he thinks the numbers used for anticipated new revenue from The Links Development is probably understated. The Ag Board could probably figure another 25-30% towards this program.

Treasurer's Report:

Mr. Chantelau moved, seconded by Mr. Scott, to approve the Treasurer's Report for May and June as presented. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Chantelau, to approve the bills to be paid for May and June as presented. Motion carried unanimously.

Subdivision/Land Development Plans:

1. Michael J. Keller: presented a preliminary subdivision plan for ten (10) lots along Hoffman Home Road. It was noted that Mr. Keller had been granted an extension through August 30, 2003. The Planning Commission recommends approval contingent on Conservation District/DEP approval being provided with the Final Plan, and posting of security in the amount of \$40,720 with the Final Plan to ensure the completion of the grading and drainage improvements. Mr. Scott gave an overview of this plan, noting that Mr. Keller has already accomplished some of the work that is included in the security. Mr. Scott moved, seconded by Mr. Rogers, to approve as a Preliminary Plan, contingent on Conservation District/DEP approval and the posting of security. Mr. Waybright asked if the security would be in the form of a Bond or Line of Credit. Mr. Keller responded that a Letter of Credit with PNC Bank would be used. With no further discussion, the motion carried unanimously.
2. Jeffrey W. Cooke: presented a final subdivision plan for nine (9) lots along Schwartz Road. It was noted that Mr. Cooke was granted an extension through June 19, 2003. The Planning Commission recommends approval contingent on satisfying HRG comments in letter dated July 11, 2003. Mr. Scott gave an overview of this plan and HRG comments were reviewed. Mr. Cooke agreed to provide evidence of approval of the plan and driveway crossings for Lots 2 and 6 through 9 by the Conservation District and DEP. Mr. Cooke agreed to have his attorney draw up an agreement for road widening that is needed in the area of the development and has agreed to provide funding in the total amount of \$17,000 to the Township for this cost (see November 2002 minutes). HRG commented that the required corner sight distance for the Lot 1 driveway does not meet the minimum requirements. It was noted that this is the parent lot and the Cookes did not plan on moving from this lot; the driveway has been here "forever". Mr. Davis stated that he spoke with Mark Lewis, engineer, and Mr. Lewis' concern was that since this is a non-compliance driveway, this would be an opportunity to correct it and bring it into compliance. Mr. Waybright commented that this is a similar situation as on a previous plan along Plunkert Road where a stonewall should have been removed. However, the Supervisors did not make this a condition of approval. Precedence has been set and he cannot see where they could now make the Cooke's change their driveway. Mr. Rogers commented that HRG comments are only recommendations and the Supervisors have the final decision to require this change or not. With no further discussion, Mr. Rogers moved, seconded by Mr. Rogers, to approve as a Final Plan contingent on Conservation District and DEP plan approval of driveway crossings for Lots 2 and 6 through 9, and approval of an agreement for the cost of road widening. Motion carried unanimously.

3. LeRoy & Millard Basehoar: The Basehoars requested, as recommended by the Adams County Planning & Development Director, to have the Supervisors ratify their approval of the revised subdivision plan that was approved on May 15, 2003, due to County comments being received and dated after the May 15, 2003 minutes. The Supervisors noted that County comments were received on June 17, 2003 and reviewed. Mr. Scott moved, seconded by Mr. Rogers, to ratify the approval of the revised subdivision preliminary/final plan for Lot 2. Motion carried.

Road Report:

Mr. Chantelau moved, seconded by Mr. Scott, to approve the Road Report as presented. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Chantelau, to authorize Mr. Graham to advertise the Ford tractor/mower to the public for bidding purposes. Motion carried unanimously.

Bid Opening:

Mr. Waybright announced that a bid opening would be held at this time, as publicly advertised, for 114,026 Sq. Yds. Bituminous Seal Coat. The Supervisors opened and read aloud each bid received as follows:

a. Stewart & Tate, Inc. 1020 North Hartley Street York, PA 17405	Unit Price \$.507 10% Bid Bond included	Total \$57,811.00
b. Hammaker East, Ltd. 133 Siloam Road Chambersburg, PA 17201	Unit Price \$.49 10% Bid Bond included	Total \$55,872.74
c. Wilson Paving 480 West Old York Road Carlisle, PA 17013	Unit Price \$.59 10% Bid Bond included	Total \$67,275.34

Mr. Chantelau moved, seconded by Mr. Rogers, to award the bid for the bituminous seal coat to Hammaker East, Ltd., in the total bid amount of \$55,872.74. Motion carried unanimously.

EMA Plan Resolutions and Certifications:

As recommended by Anthony Graham, EMA Coordinator, Mr. Scott moved, seconded by Mr. Rogers, to approve and sign the following EMA documents:

- Resolution No. 9 of 2003 – Emergency Operations Plan of Mount Joy Township.
- Resolution No. 10 of 2003 – Authorizing and Directing the Emergency Succession of Municipal Officers and the Continuity of Municipal Government.
- Emergency Operations Plan for Mount Joy Township
- Municipal Emergency Operations Plan “Review, Maintenance and Concurrence” Form

Motion carried unanimously.

Building Permit/Zoning Officer's Report:

Mr. Chantelau moved, seconded by Mr. Scott, approve the Zoning Officer's Report as presented. Motion carried unanimously.

Building & Grounds Report:

Mr. Chantelau moved, seconded by Mr. Rogers, to approve the Building & Grounds Report as presented. Motion carried unanimously.

Correspondence:

Ms. Constable noted receiving the following correspondence:

- National Multiple Sclerosis Society 2003 MS Bike Tour will be on Saturday, July 12 and will be using the Township Building site as a rest stop.
- Minutes from the May 14, 2003 organizational meeting of the Red Rock Municipal Authority.

Committee Reports:

Personnel: Nothing to report.

Finance: Mr. Chantelau noted that Brenda Constable, Secretary, has been trained to do payroll in the absence of Robin Crushong, Treasurer.

Planning, Land Use & Zoning: Mr. Scott noted that the Supervisors are still working on the Comprehensive Plan. Mr. Waybright noted that a workshop will be held on June 25, 2003 at 8:00 p.m. to discuss specific zoning options for the area of Route 97 and Route 15. He added that he and Mr. Scott are the Supervisors who will be attending, along with a few Planning Commission and Comprehensive Plan Committee members. However, the public is invited and this workshop will be advertised.

Building & Grounds: Nothing to report.

Roads: Mr. Waybright noted that Mud College Road will soon be paved. Mr. Dayhoff stated that the equipment is in place but they haven't been able to start due to the wet weather.

Agricultural Land Preservation: The Supervisors noted receiving the minutes from the June 9, 2003 meeting and their monthly report.

Program Amendment: With recommendation from the Ag Land Preservation Board, Mr. Chantelau moved, seconded by Mr. Waybright, to amend page 16 of the Ag Land Preservation Program guidelines. Motion carried unanimously.

Agricultural Land Preservation Funding Plan:

The Agricultural Land Preservation Board, via Bond Counsel and Financial Consultant, presented a proposed funding plan for consideration and action in order to move forward with sending Requests For Proposals (RFP) to funding institutions. Mr. Scott questioned what the Supervisors were actually being

asked to approve. He added that he is concerned that the Supervisors are being asked to vote on funding without first holding a meeting to see if they are going to go with \$1,000,000. Mr. Dayhoff explained that this is just the RFP process to gather information in order to assist the Supervisors as to whether they would want to vote for a loan or bond issuance.

Mr. Chantelau stated that he is concerned about CAFOs (Concentrated Animal Feed Operations). He noted that there have already been two approved in County Planning, one north of Route 234 along Route 15 and the other north of the Heidlersburg Exit. He feels that we may be setting ourselves up for unintended consequences that we don't want. Mr. Dayhoff responded that this could be managed through different zoning restrictions. Mr. Davis stated that if there are too many restrictions, then the farmer may not want to sell land. The Agricultural Land Preservation Program does not address this; this should be done through zoning, not restrictions in the Program. Carol Newhart stated that there is nothing to stop CAFOs from coming into the Township now. This needs to be addressed through zoning. She added that the Ag Board will do some research on intensive farm operations. She reminded the Supervisors that the only purpose for the request to send out RFPs is to be able to decide if the Township could go with a bond or a loan.

Mr. Chantelau questioned some language in the proposal letter being sent to funding institutions. He understood it to mean that the Supervisors are committed to vote by July 17, 2003. Mr. Davis pointed out that the Township is not committed; accepting a proposal is not the same as buying an easement.

Further discussion questioned what would happen if The Links revenue did not become a reality; the Township would then have to foot the payment. Carol Newhart explained that now is the time to do this; the Township would be getting this loan or bond at a very low interest rate. Beau Ramsburg stated that 900 acres is well worth going for it; the Board's long-term goal is 5,000. He added that the Board is hoping for federal, state and county assistance and with \$1,000,000 more (above the \$300,000) they could go for more acres. Mr. Scott questioned if the Board had any idea of what dollar amount, above the \$1,000,000, would be needed once they pass the 900 acres. Mr. Ramsburg responded that they have not looked at that yet because they have devoted their time on preparing this funding proposal. He further added that springtime is the earliest that they could try for federal or state matching grant monies.

Mr. Scott moved, seconded by Mr. Waybright, to approve the proposed funding plan and forward the Request For Proposals to lending institutions. Mr. Chantelau mentioned that bond counsel and financial consultant had wanted to meet on Friday, July 11, 2003 to review the proposals; however, that was not convenient. The Supervisors set the date of Tuesday, July 15 at 8:00 p.m. to review proposals. With no further discussion, the motion carried unanimously.

Ag Land Preservation Program – Farm Appraisal:

With recommendation from the Ag Land Preservation Board, Mr. Scott moved, seconded by Mr. Waybright, to approve the expenditure of \$500 to perform an appraisal of a farm. Motion carried unanimously.

Other Business:

The Supervisors noted that they would like to set a policy with regard to Township committees and boards sending out correspondence. They feel that these committees and boards should get approval by the Supervisors prior to sending out letters, etc. Mr. Chantelau will draft a policy for the Supervisors' review and then forward to the committees and boards.

New Business:

Holding Tank Permit Agreement:

Mr. Chantelau moved, seconded by Mr. Scott, to approve a Holding Tank Permit Agreement for Full Gospel Light House located at 5 White Church Road, Gettysburg, PA 17325, c/o Richard Wells. Motion carried unanimously.

Adjournment:

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Chantelau, to adjourn the Supervisors' Meeting at 9:10 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary