

MAY 18, 2006 SUPERVISORS' MEETING:

The Mount Joy Township Board of Supervisors met this date in regularly scheduled session at 7:30 p.m. in the Mount Joy Township Municipal Building, 902 Hoffman Home Road, Gettysburg, Pennsylvania, with Board Chairman James Waybright presiding. Others in attendance were: Supervisors William Chantelau, George Scott, Samuel Dayhoff, and Harold Kirschner; Solicitor Walton V. Davis; Zoning Officer Dave Crouse; Treasurer Robin Crushong; Eric Mains of KPI; News Reporters Aaron Young (*The Gettysburg Times*), and Meg Bernhardt (*The Evening Sun*); and Brenda Constable, Secretary.

Citizens in attendance were: Steve Kelley; Karen Breighner; Jack McLatchy; Audrey Sanders; Kathy Nye; Mel Nye; Anna Nye; Dave Updyke; Steve Zeigler; David Forsythe representing Robert Rock; Henry C. Reaver; Jerry Maloney; Carol E. Holtz; Joe Erb, Esq. representing Barton Breighner; Jerry Althoff representing the Planning Commission; Luke Stuffle; Ed & Nancy Reichart; John McAlister; Eileen Holmes; Steve Loss representing Barton Breighner.

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

Minutes: Mr. Kirschner moved, seconded by Mr. Chantelau, to approve the minutes of the March 16, 2006 Meeting as presented. Motion carried unanimously.

Public Comment:

1. Steve Kelley, 259 Clapsaddle Road. Sent a letter to the Supervisors regarding the Phillip Justice mining operation site. He would like the Township to put pressure on Mr. Justice to require placement of a berm on the northeast side of the mining site. The Supervisors responded that Mr. Crouse will address this issue to the extent that he can; DEP is also involved in this and has requirements that Mr. Justice must follow. Mr. Kelley questioned the enforcement of soil erosion. He stated that he spoke to Rusty Ryan of County Conservation District and Mr. Ryan stated that the township is to enforce the erosion issue. The Supervisors responded that Mr. Crouse would also address this issue with him. Mr. Kelley also asked to meet with the Road Master and Zoning Officer on a road related matter. Mr. Waybright told him to call in to the office and make an appointment.
2. Carol Holtz, White Church Road. Asked what the status was with the Westminster (Keystone Custom Homes) development; she referenced their extension request as listed on the agenda. She also asked if any testing for water quality was done at this site. Mr. Dayhoff responded that water testing for availability was done at this site and is sufficient, but DEP approves water quality. Ms. Holtz then commented on the letter that the Supervisors approved last month to send to the Secretary of DEP regarding a moratorium on well construction for new homes. She stated that this request was made a few years ago and wanted to know what happened from that time until present; did the Township do anything during this time. Supervisors responded nothing has happened; the legislature would not do anything since the request was made during the drought period. She questioned what would happen to the existing homeowners after all development is completed and a drought was to occur; is the Township making any plans? Mr. Chantelau responded that this is a very weak issue for the entire state, not just townships. The State does not have a plan for this and they refuse to address the issue. He urged the citizens to write DEP and request something be done.
3. Eileen Holmes, White Church Road. Commented that she had to call the Township during the week about traffic lights not working at the Outlets, and there is still some lights out. The Supervisors responded that when a problem is reported, it is checked every time, but sometimes the lights work when they are being checked. If there is a problem, the company is called to fix them immediately. The Supervisors stated that if lights are out or not working, they just have to keep reporting it and the problem will be checked out.

Mrs. Holmes also noted that she has requested a detailed Treasurer's Report rather than a summary which is what is being made available to citizens who attend the Supervisors' Meeting. The Supervisors responded that she is welcome to come in to the office to request a copy of a detailed report any time during business hours.

Persons Requesting Time:

Mr. Steve Alexander, Barlow-Two Taverns Road, asked if the zoning change was addressed yet for the Ramsburg properties per a comment from Mr. Dayhoff during a zoning hearing. He stated that if his well goes dry the Township will dig him a new well, and if 10-wheelers go down his road and hit his mailbox, he is suing everybody.

Announcements:

Ms. Constable announced that the Conservation District is requesting assistance from citizens to locate areas with standing water to collect mosquitoes for monitoring the risk of West Nile Virus. The District representative's name and phone number was given out for citizens to contact them.

Mr. Chantelau announced that Representative Stephen Maitland is polling citizens about the possibility of increasing the sales tax by $\frac{1}{2}$ % or 1% as long as everything else stays the same; i.e. no increase in school real estate taxes. A sales tax would be paid by everyone, even tourists, and the burden would not just be on the homeowner. Anyone responding should contact Mr. Maitland's office.

Mr. Dayhoff announced that he would be attending a PSATS sponsored seminar on May 23, 2006 at Shippensburg University on Influenza Pandemic Response Plan.

Mr. Chantelau noted that he would be attending the National Incident Management System (NIMS) training on June 3, 2006. This training is required certification in order for municipalities to be eligible to receive federal disaster preparedness funding.

Treasurer's Report:

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

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

Subdivision/Land Development Plans:

1. Rock, Robert and Carolyn Kieas: proposed 1,120 sq. ft. pole building at 1075 Harney Road. Mr. Dave Forsythe was present to represent Mr. Rock. Requesting a waiver of a full LDP. With recommendation from the Planning Commission, Mr. Dayhoff moved, seconded by Mr. Scott, to approve the waiver for a full Land Development Plan as presented. Motion carried unanimously.
2. Stuffle, Luke: proposed 2,286 sq. ft. storage building at 545 Hoffman Home Road. Mr. Stuffle was present to review this sketch plan. He is requesting a waiver of a full LDP. With recommendation from the Planning Commission, Mr. Scott moved, seconded by Mr. Kirschner, to approve the waiver for a full Land Development Plan with the inclusion of contour lines to be shown on the sketch plan. Motion carried unanimously.

3. Nye, Matt: proposed 1,400 sq. ft. pole building on Benner Road. Mrs. Nye was present to review this sketch plan. They are requesting a waiver of a full LDP. With recommendation from the Planning Commission, Mr. Dayhoff moved, seconded by Mr. Chantelau, to approve the waiver for a full Land Development Plan as presented. Motion carried unanimously.
4. Westminster - Keystone Custom Homes: proposed 204-lot subdivision on White Church and Goulden Roads, currently Meadow Brook Golf Course. It was noted that this plan is on an extension through May 30, 2006. Applicant is requesting a 90-day extension through August 31, 2006. Mr. Eric Mains gave an update on the status of this plan, noting that they are waiting for a meeting to be scheduled with Keystone representatives to address the outstanding issues. Mr. Dayhoff moved, seconded by Mr. Scott, to grant the 90-day extension through August 31, 2006. Motion carried unanimously.
5. Reichart, R. Edward: proposed 2-lot subdivision on Bowers Road. Mr. Reichart was present to review this plan. Planning Commission recommends approval as a preliminary/final plan contingent on satisfying KPI comments. Mr. Scott moved, seconded by Mr. Kirschner, to approve a waiver for preliminary plan review and accept as a preliminary/final plan contingent on satisfying KPI comments dated April 18, 2006. Motion carried unanimously. Mr. Scott moved, seconded by Mr. Dayhoff, to approve the Sewage Facilities Planning Module and submit to DEP as presented. Motion carried unanimously.
6. Zeigler, G. Steven: proposed 2-lot subdivision at 4002 Baltimore Pike. Mr. Zeigler was present to review this plan. Planning Commission recommends approval as a preliminary/final plan contingent on satisfying KPI comments. It was noted that County comments were not yet received, however, their 30-day review period ended May 17, 2006. Mr. Davis reviewed the notes on the plan relative to no sewage permit issued for Lot 1 until Mount Joy Township and DEP have an approved sewage facilities plan. It was noted that Lot 1 (parent tract) already has an existing system on it and the note should also include Lot 2 (new lot). Mr. Dayhoff moved, seconded by Mr. Chantelau, to approve a waiver for preliminary plan review and accept as a preliminary/final plan contingent on satisfying KPI comments dated May 2, 2006 and that the note on the plan relative to no septic being allowed includes Lot 2. Motion carried unanimously.
7. Fairview Farms – Barton Breighner: proposed 14-lot subdivision on Hickory Road. It was noted that this plan is currently on an extension through June 16, 2006. Mr. Steve Loss, Engineer for Mr. Breighner, asked to address a modification request for swales that was presented to the Supervisors last month. The request was tabled until at the April meeting contingent on soil profile testing being performed. Mr. Dayhoff moved, seconded by Mr. Chantelau, to table the modification request until the June Meeting. Discussion: Mr. Waybright explained that this plan was not on the agenda for this meeting because nothing had been received from the applicant's engineer by the close of business this date. However, a faxed response was sent to the office sometime after 3:30 p.m. this date, and a hard copy was given to the Supervisors prior to the beginning of this meeting. Mr. Waybright explained that it is not fair to the Supervisors to be expected to read and review the documents right before the start of a meeting. He requested that any information for the Supervisors' monthly meeting should be submitted to the Township Office no later than one week prior to the meeting. With no further discussion, the motion carried unanimously.
Mr. Joe Erb, Esq., Attorney for Mr. Breighner, commented that the waivers and modifications discussed at last month's meeting were very extensive and the Supervisors did request information for this month's meeting. However, he apologized for his client, Mr. Breighner, and their engineer, Loss-Stair, for the untimely manner in which the information was submitted to the Supervisors for their review. The Supervisors thanked Mr. Erb for his apology.

Road Report:

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

Mr. Chantelau noted that the Road Report included a list of signs that needed replaced and that this is a costly expense to the Township that should not be occurring. Because of vandalism, signs always need replaced. Mr. Chantelau asked citizens to report these acts to the Township if they see them happening. Mr. Dayhoff noted that one of the worst areas is at the intersection of Krug and California Roads; the stop sign and road sign continues to be vandalized.

Mr. Kirschner noted that he sits on the County Planning Board and they have approved a plan for Adams County to do car pooling beginning October 1, 2006. This program is paid for by a federal grant.

Zoning Report:

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

Building & Grounds:

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

Mr. Dayhoff noted that he attended a seminar in Grantville on Parks, Greenways and Trails. He added that the seminar focused on rails to trails program and the positive impact it has on the local economy.

Correspondence:

Ms. Constable noted receiving the following correspondence:

- WRRMA minutes from March
- PennDOT response to changing the speed limit on Hoffman Home Road from 55 mph to 50 mph
- Gettysburg YWCA "Thank You" letter for donation
- Littlestown Elementary Football Association request for donation towards a new equipment shed
- Littlestown Senior Center "Thank You" letter for donation
- Letter from Pam Roman requesting to rearrange the agenda order for monthly meetings
- Letter from Steve & Carol Kelley regarding Justice Mining Operation Site

Committee Reports:

Personnel: Mr. Chantelau moved, seconded by Mr. Waybright, to approve the employment of Jesse Hubbard to the vacant position of part-time Office Assistant, effective May 30, 2006 at the rate of \$11.00 per hour. Motion carried unanimously.

Finance: Nothing to report.

Planning, Land Use & Zoning: Mr. Scott noted that this committee is working on criteria to address the recent requests for zoning changes, now totaling 26 requests. The committee hopes to have something ready for next month's meeting.

Building & Grounds: Nothing to report.

Roads: Eric Mains, Engineer, noted that the culvert work on Basehoar-Roth Road should be ready by next month.
Mr. Waybright noted that Mason/Dixon Road will be closing on Monday, May 22, 2006 for six weeks.

Public Safety: Mr. Dayhoff and Mr. Waybright went to the PA State Police Open House on May 10, 2006.

Agricultural Land Preservation: Noted receiving the monthly report. Mr. Dayhoff asked for an Executive Session.

Recreation Board: Noted receiving the monthly report.

Act 209 Traffic Impact Advisory Committee: Committee did not meet this month.

Other Business:

Submission Deadline of Documents for Meeting:

Mr. Chantelau addressed the issue of needing to set a deadline for submission of documents to the Supervisors for consideration at the regular monthly meeting. The Supervisors would like to have more time to read, review, question issues, etc. They agreed to set a policy at the June meeting.

Executive Session:

Mr. Waybright called for an Executive Session at 8:45 p.m. this date.

Meeting Reconvened:

Board Chairman Waybright reconvened the Supervisors' Meeting at 9:25 p.m. this date with the following others in attendance: Supervisors Chantelau, Scott, Dayhoff, and Kirschner; Solicitor Davis; Dave Crouse, Zoning Officer; Robin Crushong, Treasurer; Brenda Constable, Secretary; News Reporters Aaron Young, and Meg Bernhardt. Others were: Jerry Althoff; Jerry Maloney; Eileen Holmes; Carol Holtz; Steve Kelley; Audrey Sanders; Henry Reaver; Dave Updyke; and Beau Ramsburg.

Mr. Davis noted the following issues were discussed during Executive Session:

- Two different parcels of real estate, one not ready to act on, and the second one relative to an ag easement.
- Questions to the solicitor regarding zoning issues

Agricultural Land Preservation:

Kenneth Dayhoff Farm: With recommendation from the Ag Land Preservation Board, Mr. Chantelau moved, seconded by Mr. Kirschner, to approve and ratify the signing of a Promissory Note on May 15, 2006 for purchase of an agricultural conservation easement for the Kenneth J. & Mildred L. Dayhoff property located at 2065 Low Dutch Road, Gettysburg, PA 17325. It was noted that one-half of the note paid in 2006 at closing and the remaining half would be paid in January 2007, with no interest on deferred payment. Motion carried with Sam Dayhoff recusing himself.

Mr. Dave Updyke questioned how many total acres were with the Kenneth Dayhoff property. The Supervisors responded 202 acres in Mount Joy Township and 33 acres in Mount Pleasant Township.

Round III Farm: With recommendation from the Ag Land Preservation Board, Mr. Chantelau moved, seconded by Mr. Scott, to accept a counter-offer from Irvin Conover for 90% of the appraised value of 57.55 acres for the first farm in Round III. Motion carried unanimously.

Adjournment:

With no further business to come before the Board, Mr. Dayhoff moved, seconded by Mr. Scott, to adjourn the Supervisors' Meeting at 9:30 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary