

**Mount Joy Township Supervisors’
Supervisors’ Regular Meeting
May 19, 2016**

Meeting Minutes

Present: John Gormont, Chairman; David Updyke, Vice-Chair; Dennis Bowman; Gil Clark; Bradley Trostle; 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 Comments: None.

Approval of Minutes:

- Supervisors Workshop Meeting Minutes, April 7, 2016: Mr. Clark moved, seconded by Mr. Trostle, to accept Minutes as presented. Motion carried. Note: Mr. Updyke abstained since he was not in attendance.
- Supervisors Regular Meeting Minutes, April 21, 2016: Mr. Clark moved, seconded by Mr. Updyke, to accept Minutes as presented. Motion carried.
- Supervisors Workshop Meeting Minutes, May 5, 2016: Mr. Bowman moved, seconded by Mr. Clark, to accept Minutes as presented. Motion carried. Note: Mr. Updyke abstained since he was not in attendance.

Chairman’s Comments: Mr. Gormont said that he and Ms. Moyer met with the FEMA representative regarding the big snow storm back in January. There were a couple of bills which we did not have prior to the meeting but have come in so all the necessary paperwork has been submitted.

Mr. Gormont said that the John Deere tractor has been sold. The asking price was \$39,000.00 and we received \$38,000.00.

Mr. Gormont said that he and Ms. Moyer met with Mark Clowney at the County regarding the Agricultural Security Area properties. The list that the Township had and the list that the County had were dramatically different. Ms. Moyer is going to update our records to match what the County has which are recorded with the Recorder of Deeds.

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

Persons Requesting Time on Agenda: None.

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

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

Subdivision and Land Dev.: None.

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

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

Building Inspections:

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

Fire Company Reports:

	MJT Calls per month	YTD Calls in MJT
1. Alpha Fire Company	4	10
2. Barlow Fire Company	5	13
3. United Hook & Ladder No. 33-3	2	2
4. Gettysburg Fire Co.	3	9

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

Alpha Fire Company's 1st quarter financial statements: Mr. Updyke moved, seconded by Mr. Clark, to accept the report as presented. Motion carried unanimously.

Mr. Bowman moved, seconded by Mr. Updyke, to approve the 1st quarter distribution payment to Alpha Fire Company. Motion carried unanimously.

Open Records Officer Report:

- Todd McCauslin – Supervisors meeting minutes for March 17, and April 21, meetings– Granted in part, denied in part

Correspondence:

- Letter dated April 25, 2016 from DEP – Notice of Violation Lee Metals Parking Lot 1309 Hoffman Home Road
- Letter dated April 26, 2016 from Adams County Conservation District regarding Alloway Creek Bridge replacement project plan review
- Letter dated May 1, 2016 from Adams County Community Foundation requesting a donation and enclosing their 2015 Annual Report
- Adams County Association of Township Officials mid-year conference registration form

Committee/Board Reports:

- Personnel (B. Trostle, D. Updyke): No report
- Finance (J. Gormont, D. Updyke): No report
- Planning Commission: May report: Mr. Updyke moved, seconded by Mr. Clark, to accept the report as presented. Motion carried unanimously.
- Planning, Land Use & Zoning (D. Bowman): No report
- Building & Grounds (G. Clark): No report.
- Roads (J. Gormont): Mr. Gormont said that tar and chipping on the roads was completed and that the White Road repair work should be completed by the end of next week.
- Public Safety (G. Clark): No report

Business:

- Agricultural Security Area ASA – 7 year review (Mount Joy Area 2): Ms. Smith said that following discussions with the County there are three ASA areas in the Township. She said the law says to create an ASA you need 250 acres and you can add to it and there is no limit. The parcels to be added should be 2 acres or \$2,000.00 of agricultural value from the property. Ms. Smith said the law states that the Municipality must review the ASA every seven years. She went on to say that the review is to determine if there is any reason not to keep a property within the ASA because you think it no longer meets the criteria for inclusion or because the property wants out of the ASA, and to allow an opportunity for new properties to be added in to the ASA. Ms. Smith said the factors for consideration; (1) has there been historic agriculture use of the property, (2) proposed or intended agriculture use of the property, and (3) are the soils on the property appropriate for farming in Pennsylvania. The process for the review is that initially there is a 30 day notice to the property owners who are in the ASA to give them notice that the Township is are going to engage in the review. Once that 30 days is complete then the Township formerly have the ASA review considered by the Planning Commission, the County Planning Commission and the Agricultural Security Area committee. Those groups have 45 days to review and give recommendations. Following that a public hearing must be held on the matter no later than 120 days before the end of the seventh year and there is no definition in the ASA as to when that seven year kicks in. Once the public hearing occurs the Board can decide not to act. If the Board decides not to act then it remains status quo and will not be reviewed for another seven years. Mr. Trostle moved, seconded by Mr. Clark, to begin the Agricultural Security Area seven year review process for Mount Joy Area 2. Motion carried unanimously.
- Holiday Inn Express financial security adjustment: Mr. Vranich said that they are continuing to do work at the site and have requested a security reduction of \$11,853.05. They still have to clean up the new land development plan for the new building. Mr. Vranich said he has no issue with the reduction amount of \$11,853.05. Mr. Trostle moved, seconded by Mr. Clark, to reduce the financial security \$11,853.05 from \$399,392.40 to \$387,539.35. Motion carried unanimously.
- Line Painting: Mr. Gormont said we contacted several people about getting line painting done and received one response back from D.E. Gemmill with a price of \$6,129.91. Mr. Gormont said they are the company who did the line painting last year. Mr. Clark moved, seconded by Mr. Updyke, to approve contacting D.E. Gemmill to have them do the line painting. Motion carried unanimously.
- Alpha Fire Company call box changes: Mr. Gormont said we received from Alpha Fire Company their call box changes. They made changes but they did not give us anything to compare the changes to. Mr. Gormont spoke with the chief who told him that we are the only ones who have not responded. When questioned, “What are the changes” the chief’s response was, “I don’t know because he did not know what they were before”. He indicated that none of the changes were made to the first due response area. There are no

additions to or deletions from territory for the Alpha Fire Company. Where the difference does come in is their back up (2nd responder). Mr. Gormont questioned the Board if this is something that should be coordinated with the other fire companies. Mr. Clark moved, seconded by Mr. Trostle, to approve and sign the call box paperwork. Motion carried unanimously.

Ms. Smith asked if she could speak about a zoning issue. She indicated that there is a piece of property that someone is interested in taking over and utilizing for a commercial use. It is located in a zoning district which does not allow the use. She indicated the law says that it would have been a non-conforming use and would only be a lawfully non-conforming use if it existed prior to the adoption of the zoning ordinance which we believe is 1999. Ms. Smith asked if anyone on the Board had any knowledge of what existed there. The aerial photo, in the year the zoning ordinance was adopted, provides no indication of any kind of commercial use of that property. That comes more than a decade later. The question is do you give a permission and continue a use that is not lawfully existing? A new non-conforming use. Or do you hold the line and say it is not a permitted use? The property is located on Harney Road and was used as a car lot sales and repair. Mr. Clark indicated that he had his car repainted there back in 2007 and he was there since he moved here in 2004. Then the car repair facility went out of business a couple of years ago and nothing was going on there. Then it got cleaned up and a landscaping business went in which is now gone. Ms. Smith said this is the issue this is a zoning district which does not permit any of these uses.

Executive Session: None

Adjournment: With no further business to be discussed by the Board, Mr. Updyke moved, seconded by Mr. Clark, to adjourn the meeting. Motion carried unanimously. Meeting adjourned 8:17 p.m.

Respectfully Submitted,

Sheri L. Moyer
Secretary