

September 17, 1998

The Mount Joy Township Supervisors held their regular monthly meeting on Thursday, September 17, 1998 at the Township Municipal Building located at 902 Hoffman Home Road, Gettysburg, PA. Members Dayhoff, Beebe and Waybright were present as was Township Solicitor, Walton V. Davis.

Waybright noted that the minutes of the August 20, 1998 Supervisors' regular meeting needed to be corrected under the topic of Subdivision Marker Ordinance to show the date to be advertised for adoption as September 17, 1998. Minutes were approved with this correction by motion of Beebe, 2<sup>nd</sup> by Waybright, carried unanimously.

Public Comments:

Ralph Taylor - Referred to Paragraph 409 from the Pennsylvania Uniform Eminent Domain Code and said that Rettew Associates were unlawfully on Lake Heritage Property as they didn't give 10 days prior notice. Mr. Taylor also commented regarding negotiations between the Lake and The Boyle Group, and questioned whether a letter has been received by the Township from The Boyle Group that the Lake's counter offer is "unacceptable". (A complete copy of Mr. Taylor's comments will be filed in the permanent Township Minute Book.)

Attorney Davis asked Mr. Taylor if he was on the Lake Board, at which time Mr. Taylor deferred to Gerald Royals, who stated that he has been on the Board for five years. Mr. Royals disagrees that there is a traffic problem there now; he feels the traffic flows well now. He further feels that Boyle will create a problem with what he wants to do.

Mr. Beebe said that a resident called and asked if he had heard of a letter being sent to the Township from The Boyle Group. Beebe said that Boyle has a problem to solve.

Mr. Dayhoff said that the Township did not authorize any surveying on that (Lake Heritage) road.

Mr. Royals asked if Harold recalled seeing the letter, did Sam recall? Harold thinks that what he saw was in the form of a memo.

Attorney Davis said that if the Lake is concerned about the status of negotiations with The Boyle Group, just pick up the phone and call them (Boyle Group) and ask.

Maria Medici - Inquired when lights were going to be put up at the front of the building.

The Treasurer's Report for August was approved by motion of Waybright, 2<sup>nd</sup> by Beebe, carried unanimously. Secretary Koontz noted that the Township received notification from Bank of Hanover that there has been no activity in the State checking account in a year, making the account inactive. Unless the account is activated the Township will be

charged \$5.00 a month to maintain this account. The secretary recommended combining the State checking account with the State Index Fund account, as we can still write checks from the Index Fund account and don't really need the separate checking account. Motion by Beebe to combine the State checking account with the State Index Fund account. 2<sup>nd</sup> by Waybright, carried unanimously.

The Bills to be Paid Report was approved by motion of Waybright, 2<sup>nd</sup> by Dayhoff, carried unanimously.

#### Subdivisions:

Ken Wenger - County comments and DEP approval have been received. Motion for approval by Dayhoff, 2<sup>nd</sup> by Beebe, carried unanimously.

Craig Redding - DEP approval not as yet received; Motion by Beebe to approve pending DEP approval, 2<sup>nd</sup> by Waybright, carried unanimously.

#### Road Report:

The Road Report was read by Road Superintendent Kirby Gavin, including the status of the Updyke Road bridge, the Township equipment shed roof, White Run Lane, etc. Attorney Davis suggested writing to the roofing bidders about the problem to see if there would be a guarantee to cover it; the Supervisors agreed. Regarding White Run Lane, Arentz Paving submitted a quote of \$6,167 for approximately 1700', both sides of road. A quote was also received from Henson Paving for \$12,700. Dayhoff questioned if the problem was going to be fixed or moved and if adjoining property owners had been contacted. (No) If something is not done, we are going to lose the road. Beebe said that some years ago an attempt was made to curb the whole thing. The Township asked the landowners to bear some of the burden and were turned down. If now some parts are curbed, they will want the whole thing done. Motion by Waybright to go with the Arentz bid, 2<sup>nd</sup> by Beebe, carried unanimously.

Regarding guide rails for the Updyke Road bridge, two suppliers have been contacted. Chemung Supply out of New York is cost prohibitive for installing. L. S. Lee will install for \$3705, to be shared with Germany Township. Dayhoff asked if Germany Township was willing to share the cost. Beebe said that the original agreement was that Germany would share the cost. Motion by Dayhoff to install the guide rail through L. S. Lee so long as Germany shares the cost. 2<sup>nd</sup> by Waybright, carried unanimously.

Gavin read a list of building permits issued.

Regarding Jim Reaver's problem presented last month, Mr. Reaver was unable to attend the meeting with the supervisors at the site. Beebe says that the driveway pipe is the owner's responsibility to clean up and he doesn't think any money should be spent to replace as the pipe is not rotting out, but needs cleaned out. Dayhoff thinks a nice, neat

job was done, and doesn't have a problem if Reaver buys the pipe helping him install it. Waybright noted that other work needs to be done near there. Motion by Dayhoff that Kirby (Gavin) go back to Mr. Reaver with the offer to help with labor and equipment to assist in placing the pipe when the Township is there to clean the gutter. Mr. Reaver is responsible for the removal of the old pipe and the material to be removed and the material to cover the new pipe, 2<sup>nd</sup> by Waybright. Motion carried, Dayhoff and Waybright in favor, Beebe opposed.

#### Correspondence:

1. Letter from Soroptimist International of Gettysburg regarding a meeting October 20, 1998 with State Representative David J. Steil speaking on "Land Use Planning Legislation".
2. Letter from Gettysburg-Adams County Area Chamber of Commerce regarding a meeting September 20, 1998 regarding Land Use issues.
3. Letter from Gettysburg-Adams Area Chamber of Commerce seeking nominations for the outstanding citizen of Adams County.
4. Letter from Adams County Economic Development Corporation seeking support. Motion be Beebe to contribute the same as last year, asking where the money goes, 2<sup>nd</sup> by Dayhoff, carried unanimously.

Mr. Ralph Taylor, speaking from the floor, again asked whether there had not been any correspondence received from Boyle and was answered "no".

#### Announcements:

1. Farm/City Day will be held Saturday, September 19 from 10 - 3 at the Repasky farm on Two Taverns Road.
2. A Fall Farm Frolic will be held on Saturday, September 26 at the Darzcastle farm.
3. Landscaping plans for the Township grounds will be here next month.

#### Old Business:

Subdivision Marker Ordinance - This ordinance was advertised for adoption at this meeting. Motion be Beebe to adopt the ordinance for a 24" x 3/4" marker. 2<sup>nd</sup> by Waybright, carried unanimously.

Long Road - Following discussion regarding the vacation of the unimproved section of Long Road (1.2 mi.), there was a motion by Dayhoff to try to get the property owners to agree and sign an agreement for the vacation of the road, 2<sup>nd</sup> by Waybright. Lyman Schwartz stated that it is Craig Yingling's opinion that the executrix of the Mearns estate won't sign off. Motion carried, Dayhoff and Waybright in favor, Beebe abstained due to

being a property owner along the road. Kirby Gavin is to check with Sherman Wright to see if a cul-de-sac is needed. Attorney Davis will contact Attorney Henry Heiser, who is handling the settlement of the estate, to contact the executrix.

Spray Irrigation - This procedure is now recognized as a means of sewage disposal. Motion by Dayhoff to direct Gil (Picarelli) that when he sees a maintenance agreement with a reputable maintenance firm, he may issue a permit. The Township is to be notified when and if the agreement is terminated for any reason. 2<sup>nd</sup> by Beebe, carried unanimously. An ordinance was suggested that the Township says spray irrigation permits can be issued if a maintenance agreement is presented to the Sewage Enforcement Officer. Beebe commented that another system is coming soon, an artificial wetland, which has been taken off the experimental list. This will have to be monitored. Attorney Davis will get with Gil (Picarelli) and draw something up for the next Planning Commission meeting.

#### New Business:

Budget Workshop Meeting - This meeting will be held Tuesday, October 13, 1998 at 10:00 in the Township Building and will be advertised.

Seminars - There are various seminars relating to planning, zoning, newsletters, etc. Motion by Dayhoff, 2<sup>nd</sup> by Waybright, that if any of the various board members or employees want to attend these seminars, the Township will pay for the training. Carried unanimously.

Agriculture Security Areas - Applications are being taken for enrollment in the Ag Security Area. This will be advertised.

Employee evaluations - Employee evaluations were done on September 17, 1998. Motion by Waybright, 2<sup>nd</sup> by Dayhoff, to increase the rate of pay for Zoning Officer Jill Coleman from \$8.00 an hour to \$9.00 an hour. Motion carried, Waybright and Dayhoff in favor, Beebe abstained as he was not able to be present for the discussions with the employees.

Property on boundary of two Townships - There is a situation where there is a piece of property on the boundary of Mount Joy and Mount Pleasant Townships. (Sponseller) Mr. Sponseller's daughter and her husband wish to erect a residence on the Mount Pleasant side, but there is no suitable perc there. There is, however, an acceptable perc site on the Mount Joy side. An agreement has been prepared by Attorney Teeter and reviewed by Attorney Davis, Gil Picarelli, Dean Shultz and Mount Pleasant Township and is acceptable. When Mr. Sponseller is no longer resident at 342 Willow Road, the old house will be demolished. Motion by Dayhoff to accept the agreement, 2<sup>nd</sup> by Beebe, carried unanimously.

The Board of Supervisors and Attorney Davis went into executive session at 9:15.

The meeting was recalled to order at 9:44. Attorney Davis stated that three items of existing or threatened litigation were discussed as well as personnel procedures. No official action was contemplated at this time.

Motion for adjournment at 9:45 by Waybright, 2<sup>nd</sup> by Dayhoff, carried unanimously.

Respectfully submitted,

Bonnie L. Koontz  
Secretary