

## **SEPTEMBER 17, 2009 SUPERVISORS' MEETING:**

The Mount Joy Township Board of Supervisors met this date, as publicly advertised, at 7:30 p.m. in the meeting room of the Mount Joy Township Municipal Building, 902 Hoffman Home Road, Gettysburg, PA 17325 with Board Vice- Chairman William Chantelau presiding. Others in attendance were: Supervisors Samuel Dayhoff, George Scott; and Robert Rhodes; Walton V. Davis, Solicitor; Robin Crushong, Treasurer; Dave Crouse, Zoning Officer; Eric Mains, Engineer; and Secretary Brenda Constable. Board Chairman James Waybright was not present.

Others in attendance were: News Reporter Tim Stonesifer (*Evening Sun*); David Updyke; Jerry Maloney; Pam & John Roman; Kim Birkhead; Eileen Holmes; Gwen Updyke; Jim Witt; Carol E. Holtz; Audrey Sanders; John Gormont; Jack McLatchy; Galen Shelly; Lynn Anne Sukeena; Jerry Althoff and Tom Dunchack representing the Planning Commission; and Phillip Hileman representing The Outlet Shoppes.

Board Vice Chairman Chantelau led everyone with the Pledge to the Flag.

**Minutes:** Mr. Scott moved, seconded by Mr. Rhodes, to approve the August 20, 2009 minutes as presented. Motion carried unanimously.

**Chairman's Statement:** Vice Chairman Chantelau read a statement regarding land use relative to the Township's purchase of the Hartlaub property located adjacent to the Mud College Schoolhouse property. He noted a citizen had contacted DCNR informing them that cows were grazing on the property, which was supposed to be used for recreation, and the citizen requested that the open planning grant money in the amount of \$250,000 received by the Township for this purchase should be returned to DCNR. Mr. Chantelau read a letter received from DCNR confirming that the Township was allowed this non-recreational use for up to two years from the date of purchase, i.e. September 15, 2010. After that time, the site needs to become open to the general public.

### **Public Comment:**

1. Carol Holtz: asked when the Township purchased a third mower. Mr. Dayhoff responded that the Township has only one mower; Straban Township was helping to catch up and in turn, Mt. Joy will then help Straban. She also commented with regard to the draft comprehensive recreation, parks, and open space plan that the study committee members received; they should have been provided with a hard copy rather than just electronically.
2. Eileen Holmes: asked if White Church and Solomon Roads were completed with tar & chip. Mr. Dayhoff responded yes and added the loose gravel will be swept and lines will be painted in a few weeks.

**Announcements:** Ms. Constable announced fireworks at The Links on October 2, 4, and 10; and a WWII combat simulator on the farm in the area of Civil War Lane on October 16 – 20, 2009.

**Treasurer's Report:** Mr. Scott moved, seconded by Mr. Rhodes, to approve the Treasurer's Report as presented. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Rhodes, to approve the bills to be paid as presented. Motion carried with Mr. Dayhoff abstaining.

## **Subdivision/Land Development Plans:**

1. Shelly, Galen S.: proposed 2-lot subdivision at 485 and 537 California Road for purposes of a deed correction from an original subdivision plan in 1995. Planning Commission recommends approval. Mr. Dayhoff moved, seconded by Mr. Scott, to approve the plan as a preliminary/final for deed correction purposes. Motion carried unanimously.  
Mr. Shelly requested a waiver or reduction of planning review fee paid in the amount of \$650 for this second plan as required for the deed correction. Mr. Dayhoff moved, seconded by Mr. Rhodes, to approve a waiver of the fee. Discussion: It was noted that Mr. Shelly paid the \$650 review fee for the proposed subdivision plan that is currently on the table and this second plan was needed only to correct a deed description. With no further discussion, the motion carried unanimously.
2. Shelly, Galen S.: proposed 2-lot conveyance at 537 California Road. Tabled from June 18, 2009 with extension through October 17, 2009. Mr. Scott moved, seconded by Mr. Rhodes, to remove the plan from the table. Motion carried unanimously.  
Mr. Dayhoff moved, seconded by Mr. Scott, to approve the preliminary/plan contingent on submission of proof of the above-mentioned plan being recorded and the deed corrected. Motion carried unanimously.  
Mr. Scott moved, seconded by Mr. Dayhoff, to approve a Request for Waiver and Non-Building Declaration as presented. Motion carried unanimously.

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

**Zoning Report:** Mr. Scott moved, seconded by Mr. Rhodes, to approve the Zoning Report as presented. Motion carried unanimously.

**Correspondence:** Ms. Constable noted receiving the WRRMA minutes from August.

## **Committee Reports:**

Personnel: Nothing to report.

Finance: Mr. Scott moved, seconded by Mr. Rhodes, to authorize the legal advertisement announcing a 2010 budget workshop on October 1, 2009 at 7:00 p.m. Motion carried unanimously.

Planning, Land Use & Zoning: Eric Mains, Township Engineer, reported that KPI is still working on the updates for the Act 537 and plans to have it ready by next month for submission to DEP. He also reported that with regard to the proposed well ordinance revision, the application form needs to be revised and expanded. He submitted draft copies to the Board for their review. The Supervisors are to submit their comments to the Secretary and she will consolidate them and send them back to Mr. Mains.

Building & Grounds: Nothing to report.

Roads: Mr. Rhodes noted the committee briefly met to go over some proposed budget items.

Public Safety: Nothing to report.

Council of Governments: Mr. Chantelau noted the COG is officially formed and Mount Joy Township is part of this group. The COG will be looking at several things to work together with other townships.

Historical Committee: Mr. Scott moved, seconded by Mr. Rhodes, to accept the Historical Committee report as presented. Motion carried unanimously. It was noted that the Committee is recommending the Supervisors consider a requirement that the Outlet Shoppes maintain and restore the Aaron Sheely Barn, which is located on the Outlet property. It was also noted that Tim Smith of the Adams County Historical Society will speak about Mount Joy's involvement in the Civil War at the November 4 Committee meeting. All meetings are open to the public.

Ag Security Area Committee: Mr. Scott moved, seconded by Mr. Rhodes, to authorize the legal advertisement and posting of the Seven Year Review Public Notice and to authorize sending a letter to landowners in the ASA notifying them of the review. Motion carried unanimously.

Strategic Planning Initiative Committee: Mr. Scott moved, seconded by Mr. Dayhoff, to accept the letter and matrix of various scenarios developed as presented. Motion carried unanimously.

#### **Ag Land Preservation Board:**

With recommendation from the Ag Land Board, Mr. Scott moved, seconded by Mr. Rhodes, to approve Section I of an Adams County Green Space Grant application. Mr. Chantelau noted that this action will start the official process to obtain a grant from the county to use towards the purchase of an agricultural conservation easement in the future. Motion carried unanimously.

The Ag Land Board asked the Supervisors to review, consider, and give comment on a proposed funding project presented by the Ag Board. It was suggested using a "spirit card" to raise funds to be used towards the purchase of ag easements. Businesses would be contacted to be listed as sponsors, purchasers of the card would receive discounts at these sponsored businesses, and the funds raised would go to the Ag program. Discussion: Mr. Chantelau asked the Solicitor for an opinion. Mr. Davis had concerns with the township being in competition or conflict with private enterprise. He did not feel the supervisors could authorize this without approval of the legislature. However, he noted that it would be okay for an outside private organization to do this; a group could do it but not the Board. The group would need to establish a non-profit corporation and then they could turn the funds over to the township to be used for ag easements.

Mr. Scott thanked the Ag Board for looking at outside sources, and he and Mr. Chantelau encouraged the Board to continue doing this and to keep discussing other possibilities.

**Recreation Board:** Mr. Scott moved, seconded by Mr. Rhodes, to accept the monthly report as presented. Motion carried unanimously.

Mr. Rhodes noted the Peer-to-Peer group would be meeting September 30<sup>th</sup>.

Recreation Study Committee: Mr. Scott moved, seconded by Mr. Rhodes, to authorize a legal notice for the Rec Study Committee to advertise a Public Meeting on October 8, 2009 at 7:00 p.m. to receive public comment on the Draft Comprehensive Recreation, Parks, and Open Space Plan. Motion carried unanimously. Ms. Constable announced that a copy of the draft plan would be available in the office for public review and on the township's web site prior to the meeting.

**New Business:**

Outlet Shoppes Extended Hours: Per the Conditional Use Amendment dated January 15, 2009, Horizon Group Properties requested approval of extended hours for a one-day event on Thanksgiving night, November 26, 2009 beginning at midnight and continuing through normal business hours on November 27, 2009. Mr. Dayhoff moved, seconded by Mr. Scott, to approve the extended hours as stated. Motion carried unanimously.

Pension Plan: Mr. Scott moved, seconded by Mr. Rhodes, to approve the General Employee's Pension Plan Minimum Municipal Obligation for 2010. Motion carried with Mr. Dayhoff abstaining.

**Executive Session:** Mr. Chantelau called for an Executive Session at 8:35 p.m. this date.

**Meeting Reconvened:** Mr. Chantelau reconvened the Supervisors' Meeting at 8:53 p.m. this date with all members and staff present as stated above. Citizens in attendance were: Pam Roman; Carol Holtz; Galen Shelly; LynnAnne Sukeena; Eileen Holmes; Kim Birkhead; Jerry Althoff; Jerry Maloney; Tom Dunchack; Dave Updyke; John Gormont.

Mr. Davis stated the Executive Session was for attorney/client advice on how to proceed to approach a budget item; and any and all existing litigation.

**Adjournment:**

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Dayhoff, to adjourn the Supervisors' Meeting at 8:55 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable  
Secretary