

**Mount Joy Township Supervisors’  
Regular Meeting  
May 17, 2012**

**Meeting Minutes**

Present: Board Chairman - John Gormont; Supervisors - David Updyke, Gilbert Clark, Bradley Trostle, Michael Gearhart  
Solicitor - Susan Smith; Office Assistant – Sheri Moyer

14 Number of Residents Signed Attendance Sheet for this meeting.

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, PA 17325.

Item/Topic	Discussion	Action/Resolution	Follow Up/ Date
<b>Call to Order</b>	John Gormont presiding. Starting Time: 7:00 pm		
<b>Pledge of Allegiance</b>			
<b>Public Comments</b>			
Speros Marinos 201 Civil War Lane	Mr. Marinos thanked the Twp for being a caring Board and very approachable doing wonders with the finances. One primary difference with the Board is that agriculture and tourism should be No 1 and 2 for getting our income in Adams County. Last night, one of the points made was that we are going to be building more and getting more revenue. Mr. Marinos' main concern is when do (or how do) we know that the Twp needs to provide police service. Thanks the Board again for their service and also the Road Crew for maintaining the roads.		
Glenn Myers Barlow Two Taverns Road	Mr. Myers received a threatening letter and needs to know what this letter is about. He presented the letter to Mr. Gormont to review. Mr. Gormont explained that the letter is from the Twp ZO informing him that he needs to have his septic system inspected and/or pumped sometime during this year. It is mandated by DEP that anyone who has septic systems need to have it inspected every three years. Mr. Gormont further explained that it is not meant to be a threatening letter. It is meant to have everyone conform. The State originally mandated that septic systems needed to be pumped every three years but, thanks to the Boards work, now, if it is less than 1/3 full it only requires inspection.		
<b>Approval of Minutes</b>	<ul style="list-style-type: none"> <li>• April 19, 2012 Regular Meeting Minutes</li> <li>• May 3, 2012 Supervisors' Workshop Mtg. Minutes</li> </ul>	<p><b>Mr. Gearhart moved, seconded by Mr. Updyke to approve Minutes as presented. Motion carried unanimously.</b></p> <p><b>Mr. Gearhart moved, seconded by Mr. Trostle to approve Minutes as presented. Motion carried unanimously.</b></p>	
<b>Chairman’s Statement –</b>	Mr. Gormont introduced the Office Assistant, Sheri		

<b>John Gormont</b>	Moyer.		
<b>Solicitor's Report – Susan Smith, Esq.</b>	Solicitor's Report presented. • Act 13 The Gas Drilling Act. This Act was enacted. This presents a substantial change in the concept of local planning. The Gas Act tells those communities subject to gas drilling activities that gas drilling is allowed in every district. It tells them what the standards are and how close they can be to homes.		Mr. Updyke moved, seconded by Mr. Gearhart to accept Report as presented. Motion carried unanimously.
<b>Persons Requesting Time on Agenda</b>	No requests.		
<b>Announcements</b>	None		
<b>Treasurer's Reports</b>	Approval of Monthly Finance Report  Approval Bills Paid Report.		Mr. Updyke moved, seconded by Mr. Gormont to accept Report as presented. Motion carried unanimously.  Mr. Updyke moved, seconded by Mr. Gormont to accept Report as presented. Motion carried unanimously.
<b>Road Report</b>	Report presented. • Mr. Gormont stated that on Low Dutch Road guiderails have been installed along the road in two places. .		Mr. Updyke moved, seconded by Mr. Gearhart to accepted Report at presented. Motion carried unanimously.
<b>Subdivision and Land Dev.</b>	No plans presented.		
<b>Wm. F. Hill &amp; Assoc. Engineering Report, Eric Vranich</b>	Report presented.		Mr. Gearhart moved, seconded by Mr. Trostle to accept Report as presented. Motion carried unanimously.
<b>Zoning Officer's Report Cindy Smith</b>	Report presented.		Mr. Updyke moved, seconded by Mr. Trostle to accept Report as presented. Motion carried unanimously.
<b>Land and Sea Services, LLC, Building Inspections</b>	Report presented.		Mr. Updyke moved, seconded by Mr. Trostle to accept Report as presented. Motion carried unanimously.
<b>Monthly Fire Co. Reports</b>	Fire Calls & EMS		
<b>March</b>	<b>MJT Calls per month</b>	<b>YTD Calls in MJT</b>	
1. Alpha Fire Company	3	9	
2. Barlow Fire Company	No report this month		
3. Bonneauville Fire Co.	No report this month		
4. Gettysburg Fire Co.	No report this month		
<b>Correspondence</b>	• Post card from Breighner Tree Farm • Gettysburg Fire Company Annual Report • Email from Jennifer Florer, PSATS regarding traffic sign regulations. The Federal Highway		



	Administration plans to eliminate 46 traffic sign regulations. This will allow townships to replace signs when they are worn out rather than by a specific date.		
<b>Committee/Board Reports</b>			
<u>Personnel</u> G. Clark, B. Trostle	Revised Personnel Manual presented.	<b>Tabled until we make the changes to our employees retirement plan program.</b>	
<u>Finance</u> J. Gormont, D. Updyke	Nothing to report at this time.		
<u>Planning Commission</u>	<ul style="list-style-type: none"> <li>• April report</li> <li>• Comprehensive Plan Recommendations</li> </ul>	<b>Mr. Updyke moved, seconded by Mr. Gearhart to accept the April Report as presented. Motion carried unanimously.</b>	To be reviewed and discussed at Workshop meeting
<u>Planning, Land Use &amp; Zoning - G. Clark</u>	Nothing to report at this time.		
<u>Building &amp; Grounds</u> M. Gearhart	Mr. Gearhart stated that the contractor will be here the first week in June to install the motion lights. Mr. Gearhart requested approval of getting pricing to replace several outside doors that are rusting out.		
<u>Roads</u> D. Updyke	FEMA update. The paperwork has been submitted and approved. We are waiting for FEMA to submit the paperwork necessary for payment. FEMA indicated it would be 4-6 weeks before we receive anything.		
<u>Public Safety</u> B. Trostle	Nothing to report.		
<u>Council of Government</u> M. Gearhart	Monthly report presented.		
<b>Other Business</b>			
1. Schwartz Non-building Waiver, Erik Vranich	Mr. Vranich presented a plan for a subdivision located down Furney, Barlow Two Tavern and White Church Road. It is an existing lot, three tracts to be subdivided into 18 lots marked agricultural. This means no sewage planning, no sewage testing, which is why they are coming for a non-building waiver. The plan as submitted is laid out in a manner that is similar to a typical building lot configuration. Ron Garis, Beyond all Boundaries stated that the total acreage is 285 inherited from Violet	<b>Mr. Schwartz said to withdraw the plan.</b>	

	<p>Schwartz to three siblings, Lyman Schwartz, Ronald Schwartz, and Cheryl Weaver. They want to subdivide the 285 acres evenly between the three as agriculture lots which is why they are seeking a non-building waiver. Mr. Vranich explained that a Non-building Waiver is intended to be used on large acreage lots where there is no need for sewage planning or risk for future building on the lot. The DEP non-waiver form states that the Twp accepts full responsibility to identify any violation and to provide soil testing and any other environmental assessments. The Twp Solicitor explained if DEP believes the Twp is granting non-building waivers for the purpose of deferring sewage planning for development in the future then what DEP can do is order you as the Twp to bear the entire cost of doing the planning for this property, all 18 lots. Literally you become the planner for the developer and incur all of the costs. Mr. Bowman speaking as a member of the Planning Commission felt that the Planning Commission would not approve this. Mr. Gormont said from the Board's standpoint based on the opinions of Mr. Clark and the guidance of the Twp Solicitor that granting a non-building waiver is not the appropriate thing for the Twp to do. To do so, potentially places on the Twp the burden of future Act 537 compliance. The lots do not have perc sites and that is an absolute requirement. The Board asked if they wanted to withdraw the plan submitted. Mr. Schwartz said to withdraw the plan.</p>		
<p>2. Mockenhaupt Benefits Group General Employees' Pension Plan Ordinance</p>	<p>Ordinance to rescind previous Ordinances 2001-04 and 2005-02.</p> <p>Mr. Gormont said the pension plan has been managed in a number of different ways since its been adopted. Since its been done by Ordinance we need to do it by Ordinance to except a minor change we want to make to the plan. The pension plan is not an "act of law" but a benefit to the employees and should be handled the same as other employee benefits. Proposed to repeal Ordinances 2001-04 and 2005-02 and reenact those changes as Resolutions.</p>	<p><b>Mr. Clark moved, seconded by Mr. Updyke to advertise and hold a Public Hearing at the June 7<sup>th</sup> Workshop Meeting to adopt an Ordinance to rescind Ordinances 2001-04 and 2005-02. Motion carried unanimously.</b></p>	<p>To be a Public Hearing at the Workshop meeting.</p>
<p><b>New Business</b></p>			
<p><b>Executive Session</b></p>	<p>Start: 7:59 pm</p> <p>Topic: Conditional Use Hearing:</p>	<p><b>Mr. Gearhart made a motion, seconded by Mr. Updyke to approve CU2012-01. Motion carried 4-0.</b></p>	



	<p>CU2012-01 Gettysburg Intelligent Transportation System</p> <p>Meeting Reconvened: 8:22pm</p> <p>Mr. Clark declined to vote since he was not at the hearing. Based on testimony and discussion the Board had they have come to the conclusion that this is an appropriate use and would not present any harm or issues to the Twp and may provide benefit to the stores at the Outlets. Based on the evidence provided, traffic flow will not be affected during the non rush hours so that it will not impact the traffic within that area.</p>		
<b>Executive Session</b>	<p>Start: 8:25 pm</p> <p>Topic: Conditional Use Hearing: CU2012-02 Sheetz, Inc.</p> <p>Meeting Reconvened: 9:00 pm</p> <p>The Board determined a need to reopen the public hearing to be held on June 7<sup>th</sup> as part of the regular meeting and will solely be to discuss the Traffic Impact Study nothing else.</p>		To be a public hearing during workshop meeting.
<b>Adjournment</b>	Meeting adjourned 9:02 pm.		

Respectfully Submitted,

Sheri Moyer  
Office Assistant