

DECEMBER 16, 2004 SUPERVISORS' MEETING:

The Mount Joy Township Board of Supervisors met this date in regularly scheduled session at 7:00 p.m. in the Township Municipal Building, 902 Hoffman Home Road, Gettysburg, PA, with Chairman James Waybright presiding. Others in attendance were: Supervisors William Chantelau, George Scott, Harold Kirschner, and Samuel Dayhoff; Solicitor Walton V. Davis; News Reporters Jarrad Hedes (*The Gettysburg Times*) and Matt Furman (*Evening Sun*); Treasurer Robin Crushong; and Secretary Brenda Constable.

Others in attendance were: Deb Zepp, Stenographer; John Washington of Ballard Spar et al representing The Links At Gettysburg NID; Rick Klein of The Links At Gettysburg; Robert Wormald representing The Links At Gettysburg; Jerry Althoff and Dick Owings representing the Mount Joy Township Planning Commission; John Leino; Elsie D. Morey; and Richard Munshour representing WRRMA.

Chairman Waybright led everyone with the Pledge to the Flag.

Minutes:

Mr. Chantelau moved, seconded by Mr. Dayhoff, to approve the minutes of the November 18, 2004 meeting as presented. Motion carried unanimously.

Chairman's Statement:

Mr. Waybright thanked the staff, supervisors, and citizens for a successful year in the Township. He noted that there were issues throughout the year that were dealt with in a professional manner and appreciates everyone's help and support.

Meeting Recessed:

Mr. Waybright recessed the Supervisors Meeting at this time to hold a Public Hearing.

Public Hearing:

Mr. Waybright convened a Public Hearing at this time, as publicly advertised, for the purpose of accepting public comment from affected property owners of the Neighborhood Improvement District at The Links At Gettysburg regarding the "Second NID Plan Amendment", and "Authorization for Incurrence of Nonelectoral Debt". He noted that Deb Zepp, Stenographer, would be transcribing the hearing. Mr. Richard Klein of The Links At Gettysburg, and Attorney John Washington of Ballard Spahr, et al, Bond Council, gave an overview of the proposed ordinances. Mr. Walton Davis, Township Solicitor, asked for Proof of Publications verifying that this Hearing was publicly advertised.

(see Transcript for discussion of the Hearing in its entirety)

Meeting Reconvened:

Mr. Waybright reconvened the Supervisors' regular meeting at 7:35 p.m. this date with all in attendance as mentioned above. Robin Crushong became Acting Secretary so that Brenda Constable could assist Mr. Washington with revisions to the proposed NID Ordinances, prior to final adoption.

Ordinance Adoptions:

Ordinance No. 2004-05: NID Second Plan Amendment:

Mr. Chantelau moved, seconded by Mr. Scott, to adopt Ordinance No. 2004-05, "Approving Amendments to the Final Neighborhood Improvement District Plan dated April 15, 2003, for The Links At Gettysburg Neighborhood Improvement District (The "Original" Plan), which was approved by Ordinance No. 2003-03 enacted and ordained on May 15, 2003 by the Board of Supervisors of the Township of Mount Joy, Adams County, Pennsylvania, as such Original Plan was thereafter amended by an amendment dated June 2, 2004, approved by Ordinance No. 2004-01 enacted and ordained on June 17, 2004 by the Township Supervisors", as written and presented. Motion carried unanimously.

Ordinance No. 2004-06: NID Incurrence of Nonelectoral Debt:

Mr. Scott moved, seconded by Mr. Kirschner, to adopt Ordinance No. 2004-06, "Authorizing the Incurrence of Nonelectoral Debt by the Township of Mount Joy, Adams County, Pennsylvania (1) to finance certain public improvements (collectively, the "Public Improvements") within The Links At Gettysburg NID, (2) to capitalize a portion of the interest on the Bonds, (3) to fund a Debt Service Reserve Fund or to purchase a Debt Service Reserve Fund Surety or Letter Of Credit for the Bonds and (4) to pay issuance costs; declaring the useful lives of the public improvements; providing for the evidencing of such debt by an issue of Revenue Bonds; authorizing and directing the preparation, certification and filing with the Department of Community and Economic Development of the Debt Statement required by Section 8110 of the Local Government Unit Debt Act; authorizing the Issuance of Revenue Bonds in an aggregate principal amount not exceeding \$8,726,000; approving the form of (i) the Indenture of Trust, including the funds created thereunder, the redemption provisions and the other terms and the provisions of the Bonds including the forms thereof set forth therein, (ii) the Development Agreement, (iii) the Private Placement Agreement relating to the Bonds, (iv) the Management Agreement; authorizing the Officers of the Township to execute the Indenture of Trust, the Development Agreement, the Private Placement Agreement, the Management Agreement, the Bonds and such other documents as appropriate in order to effectuate the issuance, sale and delivery of the Bonds; covenanting to pay the Debt Service on the Bonds solely from Special Assessment Revenues and Proceeds of the Bonds made available for such purpose and not as a General Obligation Debt of the Issuer or as a pledge of the Issuer's full faith, credit and taxing power; providing for a Trustee, Paying Agent, Registrar and Sinking Fund Depository; finding that a private sale by negotiation of the Bonds is in the best interest of the Township; accepting the proposal set forth in the Private Placement Agreement for the purchase of the Bonds; and repealing inconsistent ordinances". Motion carried unanimously.

Treasurer's Report:

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

Mr. Chantelau moved, seconded by Mr. Kirschner, to approve the bills to be paid for the month of November and part of December as presented. Motion carried unanimously.

Subdivision / Land Development Plans:

1. The Links At Gettysburg: Mr. Klein gave a brief overview of a Conceptual plan for the Garrison Falls portion of the Golf Community.

Executive Session:

Mr. Waybright called for an Executive Session at 8:15 p.m.

Meeting Reconvened:

Mr. Waybright reconvened the Supervisors' Meeting at 8:55 p.m. this date with all in attendance as mentioned above, except Deb Zepp, Rick Klein, John Washington, and Robert Wormald. Brenda Constable resumed her position as Secretary.

Mr. Davis noted that the Executive Session was held in order to discuss a personnel matter. No action is needed by the Supervisors at this time.

Road Report:

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

Zoning Officer's Report:

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

Building & Grounds Report:

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

Correspondence:

Mr. Waybright noted receiving a letter of request from Hoffman Homes For Youth to have both flashing lights on Orphanage Road near the campus to operate 24 hours per day, 7 days per week. He noted that the light that already flashes 24/7 costs \$8.48 per month, and the light that is on a timer costs \$8.82 per month.

Mr. Dayhoff moved, seconded by Mr. Scott, to approve the second flashing light to work 24/7 at the cost of the Township. Motion carried unanimously.

Committee Reports:

Personnel: Mr. Chantelau noted that the Personnel Committee held a staff meeting on December 7th that was very informative and productive, with the staff continuing to work towards making the office run more smoothly and be helpful to the citizens.

Finance: Tax Collector Compensation: Mr. Chantelau moved, seconded by Mr. Kirschner, to approve a 5% commission on taxes collected as compensation to the Tax Collector for the term 2006-2009. Motion carried unanimously.
Fire Companies Allocations: The Finance Committee recommends that the fire company allocations be distributed as follows: State funds - \$2,000 to each company; Township funds - \$5,000 to each company, and the remainder funds to be determined by the number

of calls in each service area, pro rata. Mr. Dayhoff moved, seconded by Mr. Scott, to table this issue until the Reorganization Meeting. Motion carried unanimously.

Pension Fund: Mr. Scott moved, seconded by Mr. Kirschner, to extend the pension fund for part-time workers to those who work 15 hours per week (was 20 hours per week). Motion carried with Mr. Dayhoff abstaining.

Debit Card: Mr. Chantelau noted that the Finance Committee and Treasurer are still investigating the use of a debit card rather than a Township credit card.

Amusement & Admission Tax: Mr. Chantelau moved, seconded by Mr. Kirschner, to approve an ordinance amendment to the Admissions Tax Report changing the late fee for amusement and admissions tax from 5% to 6%. Motion carried unanimously.

Planning, Land Use & Zoning: Nothing to report.

Building & Grounds: Mr. Scott noted that the new roof for the salt shed should be done before the end of the year.

Roads: Mr. Waybright noted that the Roads Committee has contacted one firm to do a presentation of the Act 209 Traffic Impact Fees, and is working on getting a second one, both for a presentation sometime in January.

Public Safety: Noted that fire company allocations are being reviewed and considered, which will be further discussed at the reorganization meeting.

Agricultural Land Preservation: Mr. Sam Dayhoff presented a written recusal of himself from participation in the Township's potential purchase of a preservation easement on the Kenneth Dayhoff farm due to family relationship. Mr. Waybright read this letter aloud.

Executive Session:

Mr. Waybright called for an Executive Session at 9:10 p.m. this date.

Meeting Reconvened:

Mr. Waybright reconvened the Supervisors' Meeting at 9:33 p.m. this date with the following others in attendance: Supervisors Chantelau, Scott, Kirschner, and Dayhoff; Solicitor Walton Davis; Robin Crushong, Treasurer; and Secretary Brenda Constable. Others in attendance were: Jerry Althoff; Richard Munshour, and Matt Furman.

Mr. Davis noted that the Executive Session was held with regard to a potential real estate negotiation, which is allowed under the Sunshine Act. No action is needed.

Announcements:

Brenda Constable announced the following:

- Holiday tree and trimmings drop-off in front of the Township Building through the end of January, 2005.
- Terms will be expiring at the end of the year on the Planning Commission, Zoning Hearing Board, Ag Land Preservation Board, and White Run Regional Municipal Authority.

- A Public Hearing will be held on December 20, 2004 at 7:30 p.m. for "Conservation By Design" amendments to the zoning ordinance.
- Noted that the Township Office will be closed on December 23, 24 and 31.

Other Business:

2005 Budget:

Robin Crushong, Treasurer, noted that adoption of the budget was tabled from last month's meeting in order to add monies to a line item for Act 209. She updated the "Budget Message" and noted that the Township still has a current surplus of \$51,229.41 from the 2004 proposed expenditures. It was noted that the revised budget was re-advertised for public inspection. Ms. Crushong further recommended that an additional \$1,000 be added to each line item for operating supplies; and advertising, printing and binding. This is needed due to increased mailing list for the Township Newsletter, which includes additional printing of newsletters, and postage.

Mr. Chantelau moved, seconded by Mr. Kirschner, to approve \$1,000 in the line item for operating supplies; and in advertising, printing and binding. Motion carried unanimously.

Mr. Kirschner moved, seconded by Mr. Scott, to approve the 2005 Budget as amended. Discussion: It was noted that there were some allocations approved to be expended in 2004 that may not be paid until 2005. Mr. Davis pointed out one instance that a contract was signed in 2004 for payment, but the work may not be performed until 2005, which payment would then be made in 2005. With no further discussion, the motion carried unanimously.

Parks & Recreation Board Draft Ordinance:

Mr. Scott moved, seconded by Mr. Chantelau, to authorize the Secretary to advertise the intent to adopt a Parks & Recreation Board Ordinance for the January 20, 2005 meeting. Motion carried unanimously.

New Business:

Reorganization Meeting:

Mr. Waybright noted that by law, the Supervisors must hold a Reorganization meeting on the first Monday of January, which would be January 3, 2005. Mr. Scott moved, seconded by Mr. Chantelau, to set the time for the Reorganization Meeting at 10:00 a.m. Motion carried unanimously.

Draft Well Ordinance:

Mr. Dayhoff moved, seconded by Mr. Waybright, to table action on this ordinance and have the Land Use Committee review it with their recommendation to the Supervisors at the January meeting. Motion carried unanimously.

White Run Regional Municipal Authority:

Mr. Waybright noted receiving a letter dated December 15, 2004, from WRRMA, noting their willingness to assist the Township in pursuing and investigating the feasibility of the Authority to take ownership and assume responsibility for the operation of remote or satellite wastewater treatment systems

serving future land development projects within the Township. The Supervisors noted that they would like to review the Authority's comments and continue this discussion in the future.

Adjournment:

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Dayhoff, to adjourn the Supervisors' Meeting at 9:45 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary