

NOVEMBER 19, 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 Chairman James W. Waybright presiding. Others in attendance were: Supervisors William Chantelau, Samuel Dayhoff, George Scott; and Robert Rhodes; Solicitor Walton V. Davis; Robin Crushong, Treasurer; Dave Crouse, Zoning Officer; Gil Picarelli, SEO and Craig Zack of KPI; and Secretary Brenda Constable.

Others in attendance were: News Reporter Tim Stonesifer (*Evening Sun*); Jerry Althoff, Tom Dunchack, and Audrey Weiland representing the Planning Commission; Lou Shuba and LynnAnne Sukeena representing the Recreation Board; Edward Crisp, David Trump, Wayne Fleharty, and Bill England representing the Kingsdale Fire Company; Steve Alexander; Dave Updyke; John Gormont; James Brown representing Barlow Fire Company; Dorcus Shelly; Galen Shelly; Elizabeth Ibex; Victor Ibex; Harry Walker; Eleanor Dehoff; Sandi Cooper; Audrey Sanders; Nancy Barthelme; Debbie Hilling; Bernie Huesken; Georgia Freas; Owen Freas; Hannah Hottenstein; Lori Hottenstien; O.D. Hottenstein; Betty Baker; Bernard Wiles; Kim Birkhead; Elsie Morey; Steve Felix; Keith Stanley; Jack McLatchy; Eileen T. Holmes; Ray Herr Jr.; Carol E. Holtz; Libby Trostle; Brad Trostle.

Chairman Waybright led everyone with the Pledge to the Flag.

Minutes:

Mr. Chantelau moved, seconded by Mr. Scott, to approve the October 15, 2009 minutes as presented. Motion carried unanimously.

Public Comment:

1. Eleanor Dehoff, Harney Road: commented relative to sound management and fiscal responsibility.
2. Steve Alexander, Barlow-Two Taverns Road: written notification of his challenge to the Township Code.
3. O.D. Hottenstein, Spangler Schoolhouse Road: asked Supervisors not to open \$2 Million Bond and other questions regarding budget.

Persons Requesting Time On Agenda:

1. Keith Stanley: commented relative to greenways and a letter from the supervisors sent to petition signors.
2. Jim Brown representing the Barlow Fire Company: presented the 2010 budget.
3. William England representing the Kingsdale Fire Company: requesting township support to get territory back. Submitted 2009 minutes and financial records.
4. Elizabeth Ibex: commented relative to the draft comprehensive recreation and open space plan.
5. Sam Dayhoff: commented relative to Harold Beebe letter to editor and current township programs.

Announcements:

Ms. Constable announced the following:

- WWII combat simulator on farm surrounding Civil War Lane from October 16-18 was postponed due to rain and rescheduled to December 11 – 13, 2009.

- Terms expiring on Boards and Commissions: Planning Commission (4-yr) Jerry Althoff; Recreation Board (5-Yr) David Mowery; Zoning Hearing Board (3-Yr) Lee Ramsburg; Historical Committee (5-Yr) Pam Roman; WRRMA (5-Yr) Barbara Neth.
- Current Waste Management customers - collection in 2010: WM is supposed to be sending current customers letters regarding collection options in 2010; and, if citizens call and are told they must use Penn Waste it is because WM dispatchers are confusing this Township with Mount Joy Township in Lancaster County.

Treasurer's Report:

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

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

Subdivision/Land Development Plans:

1. Harding, Steven & Kimberly: proposed land development plan for a 1,080 sq. ft. garage at 955 Hoffman Home Road, zoned AC. Mr. Harding requested a waiver from a full land development plan. Planning Commission recommended approval of waiver. After review of the plan, Mr. Dayhoff moved, seconded by Mr. Scott, to approve the waiver of a full land development plan. Motion carried unanimously.
2. Wiles, Bernard L.: proposed 3-lot subdivision and 3-lot addition plan on Yingling and Basehoar-Roth Roads, zoned RR. Planning Commission recommended approval of waiver for preliminary plan and accept as a preliminary/final plan with contingencies. Planning Commission also recommended approval of Sewage Facilities Planning Module for Lots 2 and 3 and approval of a Request for Waiver and Non-Building Declaration for Lot Additions A, B, and C. Mr. Althoff gave comments from Planning Commission requesting proper language be placed on the plan with regard to the conveyances of lot additions A, B, & C over a three-year period. This is done in order to prevent violation of Clean & Green requirements. Solicitor Davis stated he was okay with the language already identified on the plan addressing this issue. Mr. Scott moved, seconded by Mr. Chantelau, to accept and approve the plan as a preliminary/final. Motion carried unanimously.
Mr. Dayhoff moved, seconded by Mr. Scott, to approve the Sewage Facilities Planning Module for Lots 2 and 3 and the Request for Waiver and Non-Building Declaration for Lot Additions A, B, & C. Motion carried unanimously.

Road Report:

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

Request to purchase a snow plow balance system from U.S. Municipal Supply in the amount of \$1,829.25. Mr. Scott moved, seconded by Mr. Chantelau, to approve the purchase. Motion carried unanimously.

Zoning Officer's Report:

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

Correspondence:

Ms. Constable reported receiving the following correspondence:

- WRRMA October Minutes
- Littlestown Baseball For Youth Inc. requesting donations
- PennDOT continuing traffic counts on municipal roads in 2010
- Gettysburg Borough "Thank You" letter for support and participation in Gettysburg Recreation Study (Peer-to-Peer) and requested support for funding.
- Petition relative to *Draft* Comprehensive Recreation, Parks & Open Space Plan (received 10/27/09)
- Petition submitted to Rec Study Committee in June relative to using private property for public recreation (received 11/17/09)

Committee Reports:

Personnel: Mr. Chantelau moved, seconded by Mr. Rhodes, to approve a change to the Personnel Policy amending Section "Conditions of Employment" for "Overtime/Compensatory Time" relative to emergency situations only, adding: "Overtime shall be paid on a per-day basis regardless of the total number of hours worked during the pay period." Motion carried with Mr. Dayhoff abstaining.

Mr. Waybright read a letter of resignation from Solicitor Walton V. Davis, effective 12:01 a.m. January 4, 2010. Mr. Chantelau moved, seconded by Mr. Waybright, to accept the resignation with deep regret. Mr. Chantelau commented that Mr. Davis has served the Township extremely well and is highly thought of throughout the townships within the county. Mr. Waybright added that Mount Joy Township was very fortunate to have a solicitor with municipal knowledge in all areas, such as issues with developments, etc., to help get through. The solicitor's job is to protect the township. Mr. Scott noted that one big reason a good solicitor is needed is the example of Mr. Alexander who is always trying to file frivolous lawsuits against the township. With no further comments, the motion carried unanimously.

Finance: Mr. Scott moved, seconded by Mr. Chantelau, as allowed per PA Second Class Township Code, to authorize an advertisement to hold a special meeting in December with the intent to hire a Certified Public Accounting firm to audit the books of the township for fiscal year 2009. It was noted that this is a professional service and the firm could be hired without the township having to accept proposals. It was also noted that two of the three auditors would no longer be in office in 2010, which resulted in two vacancies. Motion carried unanimously.

It was noted that the 2010 budget is scheduled for adoption on December 17, 2009 and the tentative budget is available for public inspection during regular business hours and on the Township's web site.

Planning, Land & Use & Zoning: Rock Creek Corridor Project: Mr. Rhodes and Mr. Chantelau gave an update on the Rock Creek Corridor project, noting the award of a \$30,000 Smart Transportation grant from PennDOT. The Committee met with PennDOT representative to discuss funding for the program and the process needed for the next phase. The grant would go towards the cost of a PennDOT-approved engineer firm. The Committee

recommends Gannett Fleming for this project. Mr. Dayhoff moved, seconded by Mr. Scott, to approve the Committee's recommendation of Gannett Fleming and to notify PennDOT of this selection. Motion carried unanimously.

The Committee also suggested the Planning Commission get involved with this project. It was noted the invoicing would go to PennDOT with no money coming into or out of the Township. All funds would be handled through PennDOT. The Committee explained the Rock Creek Corridor is the area along the Baltimore Pike between Route 15 and Rock Creek.

Act 537 Plan – Resolution: Mr. Chantelau moved, seconded by Mr. Dayhoff, to adopt Resolution No. 24 of 2009 reflecting revisions to the Act 537 Sewage Facilities Plan with the inclusion of a Sewage Management On-Lot District Ordinance. Mr. Rhodes questioned language regarding alternative systems. Motion carried with Mr. Rhodes voting no.

Mr. Dayhoff moved, seconded by Mr. Scott, to approve and authorize the Chairman to sign a letter to DEP for submission of revisions to the Act 537 for their review and approval of the plan. Motion carried unanimously.

Building & Grounds: Nothing to report.

Roads: Lines have been painted on all roads that were previously tar & chipped. PennDOT standard has changed to require larger size anti-skid.

Public Safety: Nothing to report.

Council of Government (COG): Mr. Chantelau reported a representative from 21st Century Appraisals announced they would be in Mount Joy Township during the next 3-4 weeks working on the reassessment for the County. He explained the process for obtaining values, how citizens can check their values, and appeal process.

Historical Committee: Received monthly report. Noted Tim Smith from Adams County Historical Society was a guest speaker at last month's meeting.

Executive Session:

Mr. Waybright called for an Executive Session at 9:30 p.m. this date.

Meeting Reconvened:

Mr. Waybright reconvened the Supervisors' Meeting at 10:00 p.m. this date with all members and staff in attendance. Others present were: Carol Holtz; Eileen Holmes; Tina Cooper; LynnAnne Sukeena; Lori, Hannah, and OD Hottenstein; Harry Walker; Dorcus Shelly; Galen Shelly; Elizabeth Ibex; Audrey Weiland; Kim Birkhead; Keith Stanley; Bob Gitt; Brad & Libby Trostle; Audrey & Ken Sanders; Steve Kelly; Lyman Schwartz; Bernie Huesken; Deborah Hilling; Tom Dunchack; Lou Shuba; Dave Updyke; John Gormont; Gwen Updyke; and three others not identified.

Mr. Davis reported Executive Session was held to discuss litigation by Stephen C. Alexander, and acquisition for agricultural land preservation.

Agricultural Land Preservation:

With recommendation from the Ag Land Preservation Board, Mr. Scott moved, seconded by Mr. Chantelau, to approve the purchase of agricultural land preservation easement in the amount of One Thousand Eight Hundred Seventy-Five Dollars and Fifty-Two Cents (\$1,875.52) per acre to purchase the improved real property located at and known as 485 California Road, Littlestown, Mount Joy Township, Adams County, Pennsylvania 17340, and as described in Deed Book 5420 and Page 30, totaling 97.8298 deeded acres, all of which acreage has been appraised for this price, owned by Galen S. Shelly. It was noted that Mr. Shelly accepted the Board's offer of 80% of the appraised value. Motion carried unanimously.

Mr. Dayhoff moved, seconded by Mr. Scott, to approve obtaining appraisals on the first two ranked farms in Round VI. Motion carried unanimously.

Mr. Chantelau moved, seconded by Mr. Scott, to accept the resignation of David Updyke from the Ag Land Preservation Board, effective November 10, 2009. Motion carried unanimously. Supervisors noted a vacancy now exists as a citizen representative and the term expires December 31, 2011.

Recreation Board:

Noted receiving the monthly report.

Mr. Chantelau moved, seconded by Mr. Scott, to table action on the Draft Comprehensive Recreation, Parks and Open Space Plan as recommended by the Rec Board, noting the deletion of Lousy Run Passive Greenway. Mr. Chantelau noted since there have been changes to the draft plan the supervisors need more time to review it. He also recognized and named the citizen volunteers on the Recreation Study Committee who created this draft plan. Mr. Rhodes suggested eliminating all greenways in the draft plan due to controversy regarding passive versus active. With no further discussion, the motion to table carried unanimously.

Other Business:

Mr. Scott moved, seconded by Mr. Chantelau, to approve submission of a letter to all petition signors relative to the Draft Rec Plan, effective retroactive to October 29, 2009. Motion carried unanimously.

New Business:

Mr. Chantelau moved, seconded by Mr. Rhodes, to send a letter to Representative Dan Moul and Senator Rich Alloway regarding opposition of proposed imposed fees on municipalities for State Police coverage. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Dayhoff, to approve and sign a Participant Release Form between the Township and Keith and Adams Stanley for voluntary roadside trash collection. Motion carried unanimously.

Adjournment:

With no further business to come before the Board, Mr. Waybright adjourned the meeting at 10:20 p.m. this date.

Respectfully submitted,

Brenda J. Constable
Secretary