

**Mt. Joy Township Supervisors’  
Regular Meeting  
September 16, 2010**

**Meeting Minutes**

Present: Board Chairman - John Gormont; Supervisors - David Updyke, Gilbert Clark, Michael Gearhart, Robert Rhodes;  
Solicitor - Susan Smith; Zoning Officer – Cindy Smith; Secretary/Treasurer - Susan Harbin.

26 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>Approval of Minutes</b>	1. August 19, 2010 Supervisors’ Regular Meeting Minutes.  2. September 2, 2010 Supervisors’ Workshop Meeting Minutes.  3. September 2, 2010 Public Budget Workshop Minutes.	<b>Mr. Rhodes moved, seconded by Mr. Gearhart, to approve the August 19, 2010 Supervisors’ Regular Meeting Minutes. Motion carried unanimously.</b>  <b>Mr. Rhodes moved, seconded by Mr. Updyke, to approve the September 2, 2010 Supervisors’ Workshop Meeting Minutes. Motion carried unanimously.</b>  <b>Mr. Rhodes moved, seconded by Mr. Gearhart, to approve the September 2, 2010 Public Budget Workshop Minutes. Motion carried unanimously.</b>	
<b>Chairman’s Statement – John Gormont</b>	Mr. Gormont commented that the Board is glad to see resident participation in the Township meetings and appreciates all residents attending the meeting this evening.		
<b>Solicitor’s Report – Susan Smith, Esq.</b>		<b>Mr. Gearhart moved, seconded by Mr. Rhodes, to accept the Solicitor’s Report as presented. Motion carried unanimously.</b>	

1. Requests by Board Members for Legal/Advice	<ul style="list-style-type: none"> <li>• TDR Ordinance</li> <li>• Transportation Improvement Impact Fees ordinance</li> <li>• Fire protection tax funding resolution</li> <li>• Response to public opposition to scheduled and planned road improvements</li> </ul>	
2. Requests by Administrative Staff for Legal Review/Advice	No requests this month.	
3. Requests from Zoning Officer for Legal Review/Advice	<ul style="list-style-type: none"> <li>• Links zoning procedures</li> <li>• Junkyards and non-conforming use interface</li> <li>• Road frontage requirements</li> <li>• Fairview Farms- compliance with conditions of approval</li> <li>• Serdula-compliance with conditions of approval</li> </ul>	
4. Requests from KPI for Legal Review/Advice	<ul style="list-style-type: none"> <li>• Fairview Farms- review and comment on plan note</li> </ul>	
5. Attorney Items	<ul style="list-style-type: none"> <li>• Jacoby Unemployment Compensation appeal hearing- report of proceedings</li> <li>• Alexander- appeal from decision of ZHB denying request for relief from application fee</li> <li>• Links- NID Ordinance, NID bond and conditional use permit issues</li> <li>• Alexander-Turn-back program letter</li> <li>• Links, Phase I-performance security posting</li> <li>• Steelworkers Union election and bargaining unit- collective bargaining agreement status</li> <li>• Right-to-Know- report on Open Records Office Determinations of interest</li> <li>• Pending or enacted statutory law or regulations- report on matters of interest</li> <li>• Court and ALJ decisions of interest</li> </ul>	
6. Action Items for the Board	<ul style="list-style-type: none"> <li>• Referral of ordinances to Mount Joy and County planning commissions for review and setting of date of public hearing</li> </ul>	
<b>Persons Requesting Time on Agenda</b>	No requests this month.	
<b>Public Comment</b> 1. Matt Sentz	<p>Mr. Sentz is in the building trade and asking for clarification of new township ordinance concerning sand mounts and septic tanks.</p> <p>Mr. Gormont stated that anyone who has an on-lot septic system must have the system inspected every 3 yrs. If the tank is 1/3 full of sludge, the tank will need to be</p>	

<p>2. Eileen Holmes, Carol Holt</p> <p>3. Al Ferranto, Concerned Citizens of Cumberland Township Group</p> <p>4. Roger Steele</p>	<p>pumped. Septic companies will inspect the tanks, measure the sludge and issue a certificate. Required inspections will go into effect in 2011. The Township has been divided into 3 zones. Inspections will be tracked according to these zones.</p> <p>Ms. Holmes and Ms. Holt expressed appreciation for mowing done on White Church Rd.</p> <p>Mr. Ferranto presented a paper outlining an emergency action plan in the event of damage to the Lake Heritage Dam. Mr. Ferranto commented that the date on the current plan is 2004. New management at Lake Heritage told Mr. Ferranto that they were unaware of the plan.</p> <p>Mr. Steele suggested that the township may be interested in attending a kick-off meeting on Sept. 21, 5-7pm at Adams Cty Ag Ctr in Gettysburg, to give input for an advisory committee to help guide development of the plan and associated technical analyses. The Interstate Commission on the Potomac River Basin (ICPRB) is partnering with concerned stakeholders of Adams County and the PA Dept. of Environmental Protection under the state's Water Resources Planning Act to assist with a pilot assessment of Rock and Marsh creeks.</p>	<p>Mr. Gormont said that township Supervisor Gearhart will be investigating and report back to the Supervisors.</p> <p>Supervisor Gil Clark will attend meeting.</p>	
<p><b>Announcements</b></p>	<ul style="list-style-type: none"> <li>• Mosquito control in Mt. Joy and Butler Townships, Adams County is scheduled to reduce high populations of mosquitoes that carry West Nile Virus. Mt. Joy areas around the Outlets will be sprayed around Sept. 23.</li> <li>• Horizon Group Properties notified that Township that The Outlet Shoppes at Gettysburg will be holding a 1 day event with extended hrs of operation to open at midnight on Thanksgiving evening, 11/25 and remain open until normal business hrs. on 11/26.</li> <li>• The Adams Cty Conservation District is providing a free well and septic system workshop at the Ag Ctr</li> </ul>		

	on Tues., Oct 19, 1-3pm and 6-8pm. Water will also be tested for coliform bacteria and E.coli.		
<b>Treasurer</b>	See attached monthly report.  See attached Bills To Be Paid Report	<b>Mr. Gearhart moved, seconded by Mr. Rhodes to accept the Treasurer's Report as presented. Motion carried unanimously.</b>  <b>Mr. Updyke moved, seconded by Mr. Gearhart, to accept the Bills To Be Paid Report as presented. Motion carried unanimously.</b>	
<b>Subdivision and Land Development Plans:</b>  1. The Links at Gettysburg, The Villas at the retreat, Preliminary/Final Plans	Robert Sharrah, of Sharrah Design Group, Inc. presented Phase I Preliminary/Final Subdivision Plans for the Villas at the Retreat at The Links at Gettysburg, to the Board of Supervisors.  Mr. Sharrah affirmatively stated on the record that the ultimate buildout of the Links will comply with the PGC conditional use requirements for mix of residential uses as set forth in Section 110-70.C.(1)(g).	<b>Mr. Clark moved, seconded by Mr. Gearhart to accept Phase 1 Preliminary/Final Subdivision for the Villas at the Retreat at The Links at Gettysburg with the follow conditions:</b> <b>1. Under Zoning Ordinance, Section 110-70.C.(6)(g), the Board agreed to consider the following modification of the Planned Golf Community Conditional Use for The Links at Gettysburg approved by the Board on October 18, 2001. In lieu of 14 buildings containing 189 condominium units, the Plan provides for: (i) 36 lots to be improved with single-family detached dwellings and (ii) one existing building containing 12 condominium units.</b> <b>2. The Board approved a modification of the approved Conditional Use (Paragraph 20 of the Conditional Use Decision) to allow the proposed lots intended for fee simple conveyance to front on or have access to a private road/street.</b> <b>3. The Board granted the request for waiver/modification from SALDO, Section 86-11 (preliminary plan requirement) to allow a combined preliminary/final plan.</b> <b>4. The Board granted the request for waiver/modification of SALDO, Section 86-</b>	

		<p><b>18.A(5) (private streets prohibition) to allow private streets.</b></p> <p><b>5. The Board granted the request for waiver/modification from SALDO, Section 86-27 (sidewalks requirement) to allow development without sidewalks.</b></p> <p><b>6. The Board approved the Plan with the following conditions:</b></p> <ul style="list-style-type: none"> <li><b>a. Revise the Plan to include notes reciting the Board's grants of modification of the approved Conditional Use and waiver/modification from the requirements of the SALDO.</b></li> <li><b>b. Revise the Plan to remove parking spaces at the terminus of Savannah Drive that are located within the 50 foot open space buffer required by SALDO, Section 110.70.C.(5)(b).</b></li> <li><b>c. Owner's acknowledgement to be signed and notarized on the revised Plan.</b></li> <li><b>d. Post performance security in a form acceptable to the Township and in the amount of \$89,841.13.</b></li> </ul> <p><b>Motion carried unanimously.</b></p>	
<p><b>Road Report</b></p>	<p>See attached report.</p>	<p><b>Mr. Rhodes moved, seconded by Mr. Updyke, to approve the Road Report as presented. Motion carried unanimously.</b></p>	
<p><b>Zoning Officer's Report Cindy Smith</b></p>	<ul style="list-style-type: none"> <li>• Zoning permits- 9</li> <li>• Driveway Permits- 1</li> <li>• Well Permits- 1</li> <li>• Continued work with Supervisor Clark and Eric Mains of (KPI) to implement a Stormwater Management procedure and fee process</li> <li>• Answered numerous inquires of township residents re: county assessments, general zoning issues, sub-division and land development planning and the zoning hearing process</li> <li>• Completed recordation process for the "Serdula"</li> </ul>	<p><b>Mr. Updyke moved, seconded by Mr. Gearhart, to accept the Zoning Report as presented. Motion carried unanimously.</b></p>	

	<ul style="list-style-type: none"> <li>• Subdivision and Land Development plan</li> <li>• Continued the follow-up process, tracking and reviewing the following 2 Sub-Divisions: Fairview Farms and the Villa's at the Links.</li> </ul> <p>Mr. Gormont stated that the Township received G 11 from DEP to repair culvert on Krug Rd.</p>		
<p><b>Land and Sea Services, LLC, July and August 2010 Building Inspections</b></p>	<p>See <b>attached</b> report.</p>	<p>For Information.</p>	
<p><b>Open Records Report</b></p>	<p>Nothing to report at this time.</p>		
<p><b>Correspondence</b></p>	<ol style="list-style-type: none"> <li>1. Adams County Office of the Aging Letter                     <ul style="list-style-type: none"> <li>- requesting financial support</li> </ul> </li> <li>2. Free workshop for well and septic system owners                     <ul style="list-style-type: none"> <li>- free seminar and water testing on Oct. 19th</li> </ul> </li> <li>3. Letter from Marilyn Truss, see attached.                     <ul style="list-style-type: none"> <li>- road complaint for Speelman Klinger Rd., concerns being addressed by Roadmaster</li> </ul> </li> </ol>		
<p><b>Committee Reports</b>  <u>Personnel</u> - G. Clark,                  J. Gormont                  1. PA Municipal Health Insurance Cooperative Agreement</p>	<p>Hockley and O'Donnell, the Township's Healthcare Insurance Agent is canceling the Township's Capital Blue Cross Plan and will no longer cover only 1 employee with dental and vision plans, but no health insurance plan.</p> <p>Capital Blue Cross is available through Eastern Adams Group, a group of local municipalities, townships, and police depts. Supplier is Benecon Insurance Group.</p> <ol style="list-style-type: none"> <li>1. <b>See attached Resolution No. 23 of 2010:</b>                      An Resolution Authorizing, Mount Joy Township, Adams County, PA, To Join With Other Authorities As A Member Of The PA Municipal Health Insurance Cooperative (PMHIC), To Enter Into An Intergovernmental Agreement For The Purpose Of Joining The PMHIC And To Participate As A Member Of The PMHIC.</li> <li>2. <b>See attached Agreement:</b>                      PA Municipal Health Insurance Cooperative</li> </ol>	<p><b>Mr. Gearhart moved, seconded by Mr. Clark, to adopt Resolution No. 23 of 2010, to enter into an Intergovernmental Agreement for the purpose of joining the Pennsylvania Municipal Health Insurance Cooperative (PMHIC) as presented. Motion carried unanimously.</b></p> <p><b>Mr. Gearhart moved, seconded by Mr. Updyke, to</b></p>	

	<p>Agreement.</p>	<p><b>accept the PA Municipal Health Insurance Cooperative Agreement. Motion carried unanimously.</b></p>	
<p><u>Finance –</u> J. Gormont, D.Updyke 1. Adopt 2011 Tentative Budget</p>	<p>See attached: Mt. Joy Township 2011 Tentative Budget. Previously discussed at Supervisors' Workshop. 32% reduction in revenues, 37% reduction in expenditures, and based on numbers of today, a 35% reduction in real estate taxes.</p> <p>Mr. Gormont asking the Board for approval to make a lump sum payment of \$155,500 on Ag Land Preservation Loan: \$46,000 already in the budget this yr. for payment on the \$1 million loan, and the \$31,000 already in budget for payment on the \$2 million loan which the Township no longer has, and the \$41,000 additional interest from \$1 million loan, and the remainder of the interest from the \$2 million loan of \$37,000. Totals approx. \$155,000. Making this payment on the Ag Land Preservation Loan will reduce the debt 30% from the beginning of the yr.</p>	<p><b>Mr. Updyke moved, seconded by Mr. Gearhart, to tentatively adopt the Mt. Joy Township 2011 Tentative Budget as presented, with the understanding that the budget cannot be finalized until county reassessments are completed. Motion carried unanimously.</b></p> <p><b>Mr. Updyke moved, seconded by Mr. Gearhart, to make a \$155, 500 payment on the \$1 million Line of Credit/Ag Land Preservation Loan. Motion carried unanimously.</b></p>	
<p><u>Planning, Land Use &amp; Zoning-</u> G. Clark, R. Rhodes 1. Stormwater Management Issues, Focus on Fee Schedule</p>	<p>See attached: Stormwater Management Planning – Review and Administrative Fee Schedule</p>	<p>Solicitor recommendations:</p> <ul style="list-style-type: none"> <li>• Remove the word be from last sentence at bottom of Fee Schedule to read ‘...Land Development Ordinance shall adhere to the Fee Schedule...’</li> <li>• Separate the last sentence from the paragraph to put emphasis on Stormwater Management Plans only.</li> <li>• #3 Recordation of Maintenance &amp; Monitoring Agreement on Deed by Township. Remove the word ‘deed’. This is a free-standing agreement that will be recoded, but not recorded on the deed.</li> </ul> <p><b>Mr. Clark moved, seconded by Mr. Rhodes, to accept the Stormwater Management Fee</b></p>	

		<b>Schedule as amended. Motion carried unanimously.</b>	
2. ACT-209 A. Composition of Cmt.	Will not be discussed at this time.		
B. Ordinance No.2010-04	See attached: Ordinance No. 2010-04, An ordinance Amending the Code Of The Township Of Mount Joy, Adams Cty., PA, To Repeal The Mount Joy Township Impact Fee Ordinance. This ordinance is written to repeal the ACT 209 Ordinance. There will be a Public Meeting held on Thus. 10/7.	Ads will be published to announce Public Hearing Meeting to be held at the next Workshop mtg. in Oct. for Ordinance No. 2010-04.	Forward to Public Hearing Mtg. Oct. 7, 2010.
<u>Building &amp; Grounds</u> – D. Updyke, M. Gearhart	Township building door - waiting for a date for completion.		
<u>Roads</u> – D. Updyke, R. Rhodes	See attached report. <ul style="list-style-type: none"> <li>• Seal Coating</li> <li>• Line Paining</li> <li>• Tree Removal</li> <li>• Creak Seal</li> <li>• Culvert, CP-11</li> <li>• Grade-All</li> <li>• Gas Tank</li> </ul>		
<u>Auditor's Report</u>	Nothing to report at this time.		
<u>Public Safety</u> 1. Fire Tax Distribution	Mr. Gormont presented a report on the Fire Tax Distribution, see attached. Distribution is based upon population, land area, and fire calls. This is information the Township receives from Adams Cty, used for the distribution between 4 fire companies serving Mt. Joy Township.	<b>Mr. Updyke moved, seconded by Mr. Gearhart, to approve the 2010 Fire Company Distribution as presented. Motion carried unanimously.</b>	
<u>Council of Government</u> J. Gormont, G. Clark	Nothing to report at this time.		
<u>Historical Committee</u>	Nothing to report at this time.		
<u>Ag Security Planning Committee</u>	Nothing t report at this time.		
<u>Strategic Planning Committee</u>	Nothing to report at this time.		
<b>Agricultural Land Preservation Board</b>	Nothing to report at this time.		
<b>Recreation Board</b> 1. Recommendation to Board of Supervisors Concerning	Mt. Joy Township Community Park is officially open and sign is posted. Some concerns discussed, supervisors will work to	<b>Mr. Rhodes moved, seconded by Mr. Updyke to accept the Recreation Board Report as presented. Motion carried unanimously.</b>	

Mount Joy Community Park	resolve situation.		
<b>Other Business</b> 1. Intermunicipal Agreement with Germany Township and Resolution	See attached Resolution #20. See attached agreement.	<b>Mr. Rhodes moved, seconded by Mr. Gearhart to adopt Resolution #20 of 2010, Intermunicipal Cooperative or Shared Services Agreement For Road Maintenance Services. Motion carried unanimously.</b>  <b>Mr. Rhodes moved, seconded by Mr. Clark to accept the Intermunicipal Agreement as presented. Motion carried unanimously.</b>	
<b>New Business</b> 1. Ordinance No.2010-03 An Ordinance Amending The Code Of The Township Of Mount Joy, Adams Cty, PA, To Repeal the Provisions Of The Zoning Ordinance Relating To Transfer Of Development Rights (TDR)	See attached. Purpose of Ordinance is to amend Mt. Joy Twp Zoning Ordinance to repeal the TDR Program as it exists today.	Adams Cty Planning Commission and Mt. Joy Twp Planning Commission will be notified and sent a copy of the Ordinance. Public Hearing will also be advertised announcing the intent to consider and to vote on this ordinance.	Forward to Public Hearing Mtg. at Supervisors' Mtg. Oct. 21, 2010.
2. Resolution No. 22 of 2010 A Resolution Of The Board Of Supervisors Of Mount Joy Township, Adams Cty, PA, Removing The Fire Appropriations Tax Levied By Resolution 22 of 2008.	See attached Resolution. Purpose of Resolution is to remove the Fire Tax, instead of a dedicated fire tax. Contributions will now come from the Mt. Joy General Fund.	<b>Mr. Rhodes moved, seconded by Mr. Gearhart to accept the Intermunicipal Agreement as presented. Motion carried unanimously.</b>	
<b>Adjournment</b>	Meeting adjourned 9:14 pm.		

Respectfully Submitted,

Susan C. Harbin  
Secretary/Treasurer