

**Mount Joy Township
Supervisors' Regular Meeting and Public Hearing
August 16, 2018
Meeting Minutes**

Present: John Gormont, Chairman; David Updyke, Vice-Chair; Dennis Bowman; Jeffrey Patterson; Terry Scholle; Susan Smith, Solicitor; Sheri Moyer, Secretary

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, Pennsylvania.

Call to Order: John Gormont, presiding.

Starting Time: 7:00 p.m.

Pledge of Allegiance

PUBLIC HEARING

Call to Order: Public Hearing Meeting, duly advertised, opened at 7:01 p.m.
Chairman, John Gormont presiding.

The proposed ordinance, regulating and providing for the issuance of permits for the display of display fireworks within Mount Joy Township. The purpose is to adopt reasonable rules and regulations (display site inspection, bond, indemnification, time of display, violation/penalties), including a requirement for application and issuance of a Township permit, for the display of display fireworks as defined by and in accordance with Section 2406 of Act 43 of 2017. This ordinance does not regulate either consumer fireworks or fireworks used for agricultural purposes.

Ms. Smith read the definition of display fireworks from the law, "Large fireworks to be used solely by professional pyrotechnicians and designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This includes, but is not limited to:

1. salutes that contain more than two grains or 130 milligrams of explosive materials;
2. aerial shells containing more than 60 grams of pyrotechnic compositions; and
3. other display pieces that exceed the limits of explosive materials for classification as consumer fireworks and are classified as fireworks."

She stated it is not the fireworks that consumers may purchase.

Public Comments: Eric Hubbard, Chief, Barlow Fire Company. He stated that Barlow Fire Department feels that if the township is the one that is issuing the permit the township should have their Code Enforcement Officer or their Emergency Management Coordinator sign off on the permit. They are not, employees of the township. They are not interested in taking over that liability.

Hurshel Shank, Gettysburg Fire Company Chief. He stated he does not have the training to inspect the site. He also stated that there are no guidelines for the inspection. He is very concerned about who will stand behind him and the fire company if something happens. He questioned if the Township is sending them to school for the appropriate training or is the township going to stand behind him if something happens. He is very concerned about the liability issue.

Mr. Bowman questioned what the state defines as a site area and Ms. Smith said that they do not. There are no guidelines for the inspection.

Ms. Smith said these questions need to be directed to the state officials who adopted the Act written the way it is because their expectation was that you, the fire departments, had the expertise.

With no further comments, Mr. Bowman moved, seconded by Mr. Scholle to close the Public Hearing. Motion carried unanimously.

Adjournment: Closed Public Hearing: 7:29 p.m.

Supervisors' Regular Meeting Reconvened at 7:29 p.m.

Board Action: Mr. Bowman moved, seconded by Mr. Scholle, to table the implementation of this draft as presented at this public meeting until adequate response from the state regarding the issues the local fire departments have raised. Motion carried unanimously.

Public Comments: Steve Kelly regarding the trees cutting back from the roads.

Approval of Minutes:

- Supervisors' Regular Meeting Minutes, July 19, 2018. Mr. Updyke moved, seconded by Mr. Patterson, to approve the minutes as presented. Motion carried unanimously. Mr. Bowman abstained as he was not present at the meeting.
- Supervisors' Workshop Meeting Minutes, August 2, 2018. No meeting.

Chairman's Comments: None.

Solicitor's Report: Mr. Updyke moved, seconded by Mr. Bowman, to accept the report as presented. Motion carried unanimously.

Persons Requesting Time on Agenda: None.

Announcements: None.

Treasurer's Reports:

- Approval of Monthly Finance Report. Mr. Updyke moved, seconded by Mr. Bowman, to accept the financial report for July. Motion carried unanimously.
- Approval of Bills Paid Report. Mr. Bowman moved, seconded by Mr. Updyke, to accept the report as presented. Motion carried unanimously.

Road Report: Mr. Patterson moved, seconded by Mr. Bowman, to approve the road report. Motion carried unanimously.

Planning Commission: Mr. Bowman moved, seconded by Mr. Updyke, to accept the report as presented. Motion carried unanimously.

Subdivision and Land Dev.:

- Plan for Gregory W. McGrew Proposed Agricultural Accessory Building – Time Extension: Mr. Vranich said that they requested to table the plan at the last Planning Commission meeting as they decided to make some

extensive changes to the plan. This would be the first extension request and they just submitted the revised plan. The 90 days extension would extend the action deadline from August 29, 2018 to November 27, 2018. That would mean that the Board would need to act at their November 15, 2018 meeting. Mr. Updyke moved, seconded by Mr. Patterson, to extend the deadline to November 27, 2018. Motion carried unanimously.

- Final Land Development Plan for Old Glory Contractors, dated July 18, 2018: They are proposing a new accessory building triggering the need for a land development plan. Which was reviewed by the Planning Commission and tabled. They have some review comments that need to be addressed and will be before the Planning Commission next month.

- Lyman Schwartz – Planning Waiver & Non-Building Declaration: Mr. Vranich said this non-building waiver is the result of a minor subdivision plan which will come before the Board of Supervisors. One of the conditions of the plan is that they are requesting a non-building waiver. It's for a lot addition to the property. This property currently has a building that is located partially on another lot, also owned by Mr. Schwartz. This would bring the building into compliance with the ordinance and setbacks. Mr. Patterson moved, seconded by Mr. Scholle, to authorize the Chairman to sign the Non-building Waiver. Motion carried unanimously.

Engineering Report: Mr. Updyke moved, seconded by Mr. Scholle, to accept the report as presented. Motion carried unanimously.

Zoning Officer/Code Enforcement Officer’s Report: Mr. Updyke moved, seconded by Mr. Bowman, to accept the report for July. Motion carried unanimously.

Land and Sea Service Inspection Report: Mr. Updyke moved, seconded by Mr. Patterson, to accept the report as presented. Motion carried unanimously.

- **UCC Quarterly Report for April - June 2018:** Mr. Gormont said this is the report that is filed with the State. There were a total of 10 permits issued and the fees paid were \$45.00.

Open Records Officer Report: None.

Fire Company Reports:

	MJT Calls per month	YTD Calls in MJT
1. Alpha Fire Company	3	13
2. Barlow Fire Company	3	24
3. Gettysburg Fire Co.	2	16
4. United Hook & Ladder.	0	3

Mr. Bowman moved, seconded by Mr. Patterson, to accept the report as presented. Motion carried unanimously.

Correspondence:

- Letter from Adams County SPCA requesting a donation
- Invitation to the County Commissioners' Community Forum & Community Media's Annual Open House on August 21, 2018

Committee/Board Reports:

- Personnel (Patterson, Updyke): No report
- Finance (Gormont, Updyke): No report

- Roads (Gormont): Mr. Gormont said shoulder cutting on the Township roads will be starting late this month or early September. If they are shoulder cutting in your area and you want dirt, contact the Roadmaster.
- Public Safety (Bowman): No report

Business:

- Noel Zachary – Zoning Permit reimbursement: Mr. Patterson moved, seconded by Mr. Scholle, to approve the reimbursement of \$50.00 to Noel Zachary. Motion carried unanimously.
- Financial Security Reduction for Gettysburg Tours (Fely Investments LP): Mr. Vranich said that they did their inspection and there are a couple of things that need to be completed. The owner decided (instead of a partial release) to table until next month and do a full release.
- AAR Plastics – Set Conditional Use Hearing date: The Board set October 4, 2018 at 7:00 p.m. as the date for the conditional use hearing.
- Pension Plan – MMO: Mr. Updyke moved, seconded by Mr. Patterson, to approve the signing of the financial obligation and minimum municipal requirement obligation for 2019 and payment of \$7,650.00 to the pension plan. Motion carried unanimously.
- Resolution establishing administrative fee for the permit required by Ordinance No. 2018 -02: This was tabled until the Ordinance is adopted.
- ASA – Set public hearing date: The Board set October 18, 2018 at 7:05 p.m. for the public hearing date for the proposal for addition to the ASA submitted by Mr. and Mrs. Martin.

Other Business (not on the Agenda):

- Ramsburg – Well abandonment: Ms. Hare said that at the May meeting the Board approved a 90 day extension for Mr. Ramsburg to fill in the (abandoned) 3 wells on White Church Road. That extension expired on May 16, 2018. She stated she has not received any information that the wells were abandoned. The Board decided to send a courtesy letter giving him until August 27, 2018 for a response. If no response, then we will need to cite him again.
- Roof Proposals: Mr. Gormont said he received three different quotes for pricing on replacing the roof. Mr. Patterson moved, seconded by Mr. Bowman, to accept the quote from Steiner Roofing in the amount of \$11,000.00 for the replacement of the building roof. Motion carried unanimously.

Executive Session: Start: 8:22 p.m.

Topic(s): Herrick construction litigation.

Meeting Reconvened: 8:36 p.m.

Adjournment: With no further business to be discussed by the Board, Mr. Updyke moved, seconded by Mr. Scholle, to adjourn the meeting. Motion carried unanimously. Meeting adjourned 8:39 p.m.

Respectfully Submitted,

Sheri L. Moyer
Secretary