

AUGUST 18, 2005 SUPERVISORS' MEETING:

The Mount Joy Township Board of Supervisors met this date in regularly scheduled session at 7:40 p.m. in the Mount Joy Township Municipal Building, 902 Hoffman Home Road, Gettysburg, Pennsylvania, with Board Vice-Chairman William Chantelau presiding. Others in attendance were: Supervisors George Scott, and Harold Kirschner; Solicitor Walton V. Davis; Zoning Officer Dave Crouse; News Reporter Jarrad Hedes (*Gettysburg Times*); and Brenda Constable, Secretary. Supervisors not present were James Waybright and Samuel Dayhoff.

Citizens in attendance were: Henry Reaver Jr., John & Pam Roman; Elsie Morey; Chad Yingling; Will & Debi Rogers; Lyman Schwartz; Todd Eachus representing Comcast; Jerry Althoff representing the Planning Commission; Jack & Berry Myers; John Leino; Jack McLatchy; Bob Gitt; and Dave Updyke.

Board Vice-Chairman Chantelau led everyone with the Pledge to the Flag.

Minutes:

Mr. Scott moved, seconded by Mr. Kirschner, to approve the minutes of the July 21, 2005 Public Hearing as presented. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Kirschner, to approve the minutes of the July 21, 2005 meeting as presented. Motion carried unanimously.

Chairman's Statement:

Mr. Chantelau noted that Mr. Waybright and Mr. Dayhoff were on vacation this week and that is why they were not in attendance.

Persons Requesting Time:

1. Lyman Schwartz: regarding Long Road. Mr. Schwartz explained that he had originally started a petition in 1998 to abandon or close the unimproved section of Long Road. However, within the last 3 to 4 months, his son has asked him for a lot behind his business off of Barlow-Two Taverns Road. The right-of-way from the store abuts to the unimproved section of Long Road. If he were to subdivide a lot with the required 300' of road frontage, he would need to go into the store property. So instead, he would like to see something happen that would allow his son to access the lot from Long Road. He stated that he is still in favor of closing Long Road. He would like the Supervisors to consider some options such as improving Long Road down to the corner of his property where it meets with Chad Yingling's property and then dead-ending it with a cul-de-sac. He feels that this could be favorable to all of the landowners on Long Road, including Michael Danner, giving them access as needed. He feels that if the road were to go on through past Plotica's, it would be doable. He added that 20 years ago and up to about 12 years ago, he used the road with trucks and horses so it does go through. He said that his signature would be on Chad Yingling's petition to vacate the road if the Township would finalize something on Long Road or if something would happen on Barlow-Two Taverns with regard to some type of exception or variance granted for allowable road frontage less than 300 ft. The Supervisors questioned what the distance would be to black top Long Road from Plotica's mailbox down to Yingling's field. Mr. Schwartz thought about 600-700 ft. Mr. Schwartz added from that point [Yingling's field] to his [Schwartz] corner property, it would be another 825 ft. So the total to improve would be approximately 1,525 ft. Mr. Scott asked if access from Barlow-Two Taverns were opened,

would it give good access to his lot. Mr. Schwartz stated that it could happen but approximately 600-700 ft. of it would be hard to do because of a very low area and a stream crossing.

2. Chad Yingling: Mr. Yingling stated that he could not present his petition at this time without Mr. Schwartz's signature. The Supervisors asked if he had received all other Long Road residents' signatures. Mr. Yingling stated that he had and that Mr. Schwartz was the only resident that had not signed. The Supervisors asked what part of Long Road he was suggesting to be closed. Mr. Yingling said that it would be from the end of the blacktop to the end of the unimproved section. He added that if there would be a cul-de-sac put in before Plotica's property, there would be only four property owners past Plotica's; Michael Danner, Lyman Schwartz, Tom Leach, and himself.
3. Debi Rogers: representing the SPCA. She presented a handout to the Supervisors requesting 2006 municipal funding. She stated that the SPCA is making a plea to all municipalities for donations of at least \$1.00 per resident. Mount Joy gave \$1,500 to the SPCA in 2005, and the same for the last few years. She added that compared to other municipalities, Mount Joy's donation is one of the highest. She presented statistics and projections that reflected Mount Joy's census for 2004 at 3,607.

Treasurer's Report:

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

Mr. Kirschner moved, seconded by Mr. Scott, to approve the bills to be paid for July and part of August as presented. Motion carried unanimously.

Subdivision/Land Development Plans:

1. Weiland, Gary & Audrey: proposed preliminary land development plan. Mr. Scott moved, seconded by Mr. Kirschner, to grant a second extension from September 9, 2005 to December 16, 2005. Motion carried unanimously.
2. Onorato, Joseph J. & Barbara A.: proposed 4-lot subdivision (2 lot additions) at 358 Orphanage Road. This plan was tabled from last month. Mr. Scott moved, seconded by Mr. Kirschner, to table this plan again until next month. Motion carried unanimously.

Road Report:

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

Zoning Officer's Report:

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

Building & Grounds Report:

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

Correspondence:

Ms. Constable noted receiving the following correspondence:

- WRRMA minutes from June
- Received a petition regarding the proposed map amendment
- Received notice from S.G Marinos Co. of a private WWII combat simulator that occurred August 13, 14, 15 at 201 Civil War Lane.
- Received notice from the Adams County Planning & Development office of the 2007 Transportation Improvement Program Update.
 - Mr. Scott moved, seconded by Mr. Chantelau, to recommend the Road Committee participate in the transportation plan with the County. Motion carried unanimously.

Committee Reports:

Personnel: On behalf of the Personnel Committee, Mr. Chantelau noted it was with regret to receive notice of the resignation of Donnie Himes. Mr. Scott moved, seconded by Mr. Kirschner, to accept the resignation of Donald Himes, Road Worker, effective August 31, 2005. Motion carried unanimously.

Finance:	Nothing to report.
Planning, Land Use and Zoning:	Nothing to report.
Building & Grounds:	Nothing to report.
Roads:	Nothing to report.
Public Safety:	Nothing to report.

Agricultural Land Preservation: Noted receiving the monthly report from the Ag Land Preservation Board. With recommendation from the Ag Land Board, Mr. Scott moved, seconded by Mr. Kirschner, to authorize Adams County Surveyors to perform a closure check on the fifth ranked farm. Motion carried unanimously.

Fourth Ranked Farm Purchase of Easement:

With recommendation from the Ag Land Preservation Board, Mr. Kirschner moved, seconded by Mr. Scott, to approve the purchase of agricultural land preservation easement in the amount of One Thousand Five Hundred Fifty-Five Dollars (\$1,550.00) per acre to purchase the improved real property located at and known as 2065 Low Dutch Road, Gettysburg, Mount Joy Township, Adams County, Pennsylvania 17325, consisting of 172.77 deeded acres, being part of a larger 206.08 acre parcel, as described in Deed Book 3328 at Page 233, all of which acreage has been appraised for this price, owned by Kenneth J. & Mildred L. Dayhoff. Motion carried unanimously.

Opening of Round II:

With recommendation from the Ag Land Preservation Board, Mr. Kirschner moved, seconded by Mr. Scott, to approve the opening of Round II beginning September 5, 2005 (*see September 15, 2005 minutes – changing the date to September 6, 2005*) and closing October 10, 2005. Discussion: Mr. Scott asked if this obligates the Township to anything. Mr. Davis stated that it only announces the time period in which the Township will take

applications; it does not obligate the Township to anything else. With no further discussion, the motion carried unanimously.

Recreation Board: With recommendation from the Rec Board, Mr. Scott moved, seconded by Mr. Kirschner, to authorize the Recreation Board to include a survey, cover letter, and insert in the next Township Newsletter as presented. Motion carried unanimously.

Act 209 Advisory Committee: With recommendation from the Act 209 Advisory Committee, Mr. Scott moved, seconded by Mr. Kirschner, to amend the Act 209 Resolution No. 8 of 2005, amended July 21, 2005, to include the following intersections as areas to be studied: California & Krug; Mud College & Updyke; and Fish & Game and Hoffman Home Roads. Motion carried unanimously.

Announcements:

Mr. Chantelau noted the Open House and Alumni Reunion for the Mud College Schoolhouse on Saturday, August 20, 2005 and Sunday, August 21, 2005 from 2:00 – 4:00 p.m.

Other Business:

Ordinance No. 2005-08:

Mr. Kirschner moved, seconded by Mr. Scott, to adopt Ordinance No. 2005-08, as follows:

ORDINANCE NO. 2005 — 08

AN ORDINANCE OF THE TOWNSHIP OF MOUNT JOY, ADAMS COUNTY, PENNSYLVANIA, AMENDING SECTION 104-2 (Speed Limits) OF ARTICLE II (Traffic Regulations) OF CHAPTER 104 (Vehicles and Traffic) OF THE CODE OF ORDINANCES TO PROVIDE A SPEED LIMIT OF 40 MILES PER HOUR ON BARLOW-TWO TAVERNS ROAD.

The Board of Supervisors of Mount Joy Township hereby ordains as follows:

Section 1. Section 104-2 (Speed Limits) of Article II (Traffic Regulations) of Chapter 104 (Vehicles and Traffic) of the Code of Ordinances of Mount Joy Township is hereby amended to add the following to the list of Streets and speed limits imposed on those streets:

Name of Street	Speed Limit	Location
Barlow-Two Taverns Road	40	From Route 97, running in a southwesterly direction to Orphanage Road

Section 2. The remainder of §104-2., Speed Limits, shall remain as previously written and is republished and ratified.

ENACTED AND ORDAINED this 18th day of August, 2005.

MOUNT JOY TOWNSHIP SUPERVISORS

Motion carried unanimously.

/s/

Act 209 Traffic Impact Study:

Mr. Kirschner moved, seconded by Mr. Scott, to instruct Trans Associates to perform the traffic counts as needed rather than Township personnel. Discussion: Mr. Chantelau noted that the Township does not have the extra personnel to do this, plus training time would need to be included and this study can not be delayed due to an 18 month deadline. With no further discussion, the motion carried unanimously.

Cable Company Franchise:

Received a request from Comcast to sign a Resolution for consent to assignment and change of control and authority relative to the franchise agreement with Adelphia Communications to Comcast Corporation (Comcast). Mr. Todd Eachus, representative of Comcast, was present to answer any questions the Supervisors had. Mr. Davis stated that he had reviewed the Resolution and noted that he had some revisions to it, so he advised the Supervisors not to sign it at this time. Mr. Eachus stated that the Township had until the end of October to sign the Resolution. Mr. Davis reviewed his revisions with Mr. Eachus, in which he stated that the revisions would be acceptable. Mr. Davis stated that he would send the revisions to him in writing. Mr. Chantelau noted that the Township had discussed having cable service to all public services in the township such as government offices, fire companies, and that the Township would like to see this in its new agreement with Comcast. Mr. Scott moved, seconded by Mr. Kirschner, to table action on the Resolution until next month. Motion carried unanimously.

New Business:

Well Ordinance Amendment:

The Supervisors received a recommendation from KPI Technology, SEO and well inspector, to amend the Well Construction Ordinance No. 2005-05, Section 5.C.(3) reducing the 200 foot to 100 foot distance of abutting properties well location which is to be included on the sketch plans. Mr. Davis commented that this section of the current ordinance is only asking to *show* other features on abutting properties where the proposed well is less than 200 feet from property lines; it is not saying that the proposed well must be constructed 200 feet or more from the property lines. Mr. Scott moved, seconded by Mr. Kirschner, to have the Planning Commission give a recommendation on this request, and to obtain more detailed information from KPI as to why they are suggesting this. Motion carried unanimously.

Executive Session:

Mr. Chantelau called for an Executive Session at 8:30 p.m. this date.

Meeting Reconvened:

Mr. Chantelau reconvened the Supervisors' Meeting at 8:55 p.m. this date with the following others in attendance: Supervisors Scott and Kirschner; Solicitor Davis; Zoning Officer Dave Crouse; and Brenda Constable, Secretary. Others in attendance were: Jarrad Hedes of *The Gettysburg Times*; Bob Gitt; Jerry Althoff; Lyman Schwartz; Steve Kelley; Henry Reaver; and Dave Updyke:

Mr. Davis noted that two (2) issues were discussed during Executive Session:

1. Probable persecution relative to the zoning and junkyard ordinance.
2. Former Golden Menu Restaurant with a liquor license. The owner is now moving to a smaller building on the property and wants to use the liquor license.

Mr. Scott moved, seconded by Mr. Kirschner, to authorize the Zoning Officer to investigate any and all pending applications with the PA Liquor Control Board concerning this subject license, and to also delegate the Planning, Land Use & Zoning Committee the privilege to allow the Zoning Officer and/or the Solicitor to appear before the LCB if a hearing is to be held prior to the next Supervisors Meeting. Motion carried unanimously.

Adjournment:

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Kirschner, to adjourn the Supervisors' Meeting at 9:00 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary