

OCTOBER 17, 2002 SUPERVISORS' MEETING:

The Mount Joy Township 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 George Scott, Will Rogers and Bill Chantelau; Solicitor Walton V. Davis; and Secretary Brenda Constable.

Citizens in attendance were: David L. Yingling; Harold Kirschner; Robert & Gina Slapp; Sharon Cooke; Jerry Althoff; Elsie D. Morey; Eileen Holmes; John McAlister; Jack McLatchy; and John & Pam Roman.

Chairman Waybright led everyone with the Pledge to the Flag.

Minutes:

Mr. Chantelau moved, seconded by Mr. Scott, to approve the minutes of the September 19, 2002 meeting as presented. Motion carried unanimously.

Chairman's Statement: None was given.

Public Comment:

1. Eileen Holmes – complimented Supervisor Will Rogers on his new business, and encouraged all to patronize local businesses when possible, rather than going out of the township.

Treasurer's Report:

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

Mr. Chantelau moved, seconded by Mr. Scott, to approve the bills to be paid for September and October as presented. Motion carried unanimously.

Subdivision/Land Development Plans:

1. Cooke, Jeffrey & Sharon: subdivision of nine (9) lots totaling 58.226 acres at 290 Schwartz Road. Mr. Waybright noted that the Planning Commission recommends approval as a Preliminary Plan with conditions. It was also noted that the 90-day approval period ends November 14, 2002. Mr. Scott gave a brief overview of the Planning Commission's discussions on this plan, including the issue of road frontage widening. The Cookes had asked if the Supervisors would consider accepting "X" amount of dollars as each lot is sold, rather than a one-time amount up front. Mr. Waybright then acknowledged Mr. Samuel Dayhoff who asked to give public comment, as a township citizen, and not as a township employee. Mr. Dayhoff stated that the Supervisors just recently passed a subdivision plan where the road had to be shifted and the applicant, who is a non-township resident, did not have to pay anything towards this work. He does not think it is fair now, to require a township resident to have to contribute financially towards road improvements. A precedence has now been set by the previous action. Mr. Dayhoff then thanked the Supervisors for letting him comment. The Supervisors reviewed HRG comment #s 5, 11, 12, and 13, (letter dated August 14, 2002) which were listed as conditions from the Planning Commission's recommendation for approval. Comment #5

- regarding road widening: Mr. Chantelau stated that he would like to see the roadwork done, and paid for, up front. Mrs. Cooke stated that they were not planning on developing any of the lots for at least 2-3 years. Mr. Scott suggested that the Supervisors get a dollar amount from the engineer as to what the total cost would be to widen the road in the entire area of the subdivision. Mr. Chantelau noted that the first time the township had a development of this size, similar to Harry Ramage's two developments, the work, and money, was done up front. Comment #s 11 and 13 – regarding setbacks from surface waters in delineating building sites, and show proposed well locations: Mrs. Cooke stated that Riley Redding, Surveyor, will be putting notes on the plan to address this on the final plan. Comment #12 – DEP permits for driveway crossings: Mrs. Cooke stated that they just recently spoke with DEP and were told that it would be approximately 45 days until the permits are issued.

County comments were then reviewed (letter dated August 28, 2002). Discussion was held on the subject of floodplain and wetland areas. The Supervisors commented that the road sits up high enough and the 100-year floodplain is already shown on the plan. Mr. Chantelau questioned if the concept of "clustering" had ever been discussed for this subdivision, since the new Comprehensive Plan addresses this. Mrs. Cooke stated that "clustering" was not specifically discussed; however, the idea of shared driveways were, and if that were done, then they would have to follow the "street" requirements of the ordinance. Clustering is not being proposed.

Mr. Chantelau suggested that the plan be approved as a Preliminary, have HRG determine what the cost would be to widen the road, and then set a dollar amount per lot to be given to the township as each lot is sold. He then questioned if this could be done. Mr. Davis stated that this could be done as long as it is clear with a conditional approval and the Cookes agree with the dollar amounts. If the Cookes would not agree, then the final plan would not be approved.

Due to the 90-day approval period of November 14, 2002, which falls before the November 21 Supervisors' Meeting, and other outstanding issues (cost for road widening, and DEP permits), Mrs. Cooke presented a letter to the Supervisors requesting an extension of time for final review of their Preliminary Plan, until November 30, 2002.

Mr. Chantelau moved, seconded by Mr. Scott, to approve an extension of time for final review of the Preliminary Plan, from November 14, 2002 to November 30, 2002. Motion carried unanimously.

2. Slapp, Robert - final subdivision plan of three (3) lots at 325 Crouse Road. Mr. Waybright noted that this plan was before the Planning Commission on October 9, 2002 and was not acted on because County comments had not yet been received. County comments came in on October 16, 2002 and were favorable. The only condition on this final approval was that SEO confirmation was needed with regard to the on-site sewer system being installed and inspected. Written confirmation was received October 16, 2002. Mr. Slapp had asked if the Supervisors would consider acting on this plan due to settlement dates that he had already scheduled, which were prior to the November 13, 2002 Commission meeting. After receipt of the County comments, the Planning Commission members were polled, and gave their approval for the plan to go before the Supervisors at this time. Mr. Scott moved, seconded by Mr. Rogers, to approve as a Final Plan. Motion carried unanimously.

Road Report:

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

Building Permit/Zoning Officer Report:

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

Building & Grounds Report:

Fuel Tanks:

Sam Dayhoff, Coordinator, presented two (2) quotes for a 2,000 gal. diesel, and a 300 gal. gasoline tank as follows:

Keystone Petroleum 981 Trindle Road, West Mechanicsburg, PA 17055	\$12,736.51
---	-------------

PWI Inc. 211 Lincolnway West New Oxford, PA 17350	\$ 9,775.00
---	-------------

Mr. Dayhoff stated that he was unable to obtain three (3) quotes, as required, because these were the only two (2) possible quotes that could be obtained for this type of project due to specific certifications.

Mr. Scott moved, seconded by Mr. Rogers, to accept the quote from PWI in the amount of \$9,775, for materials and installation only. Discussion: Mr. Dayhoff stated that the township work crew would do the concrete work. There is money in the budget for this expense; previously budgeted for a storage room, but this was not done. With no further discussion, the motion carried unanimously.

Agricultural Land Preservation:

Mr. Dayhoff noted that the Ag Land Preservation Formulation Committee is getting closer to finalizing program guidelines. They invited the Supervisors to their November 11, 2002 meeting, where they will be reviewing a list of permitted uses. They have also set the date of December 9, 2002 as a "Public Informational Meeting".

Correspondence:

Mr. Waybright noted that the September minutes of the Gettysburg Recreation Board had been received and is available to the public.

Committee Reports:

Personnel: Nothing to report.

Finance: Treasurer Robin Crushong asked the Supervisors for guidance as to how the Volunteer Fire Relief Association monies should be allocated to the five (5) fire companies that serve our Township. The total amount received this year is \$20,410.52. Mr. Scott moved, seconded by Mr. Rogers, to give \$2,000 to each of the companies, and then divide the balance by a percentage based on the number of people served in each of the company's "first due area" within the Township. Motion carried unanimously.

Ms. Crushong also noted that a Certificate of Deposit will be maturing on November 2nd and the interest rates at the banks are very low. She suggested putting the funds in a savings account that is getting a higher interest rate. Mr. Chantelau moved, seconded by Mr. Scott, to move the funds from the CD to a savings account until the CD interest rate goes up. Motion carried unanimously.

Planning, Land Use & Zoning: Mr. Scott noted that the WAAC (Watershed Alliance of Adams County) held a meeting last evening for the Rock Creek Watershed working group. The meeting was held at Mount Joy Township building. He stated that stormwater management is a very hot topic right now in the County, and needs to be address in the Comprehensive Plan. The working group meets every third Wednesday of each month and will again be meeting at Mount Joy Township on November 20th.

Mr. Chantelau stated that the townships are being mandated by the federal government to come up with a stormwater management plan, including a stormwater management ordinance that needs to be adopted. The townships would have six (6) months after the state approves the County plan, to approve a plan as well. The committee needs to decide if they want a separate ordinance or include it in the township's Subdivision and Land Development Ordinance. This will affect developers in the township.

Mr. Scott addressed the ongoing process of developing a Township Comprehensive Plan. He noted that the Supervisors need to make the final decision and that time is soon coming. He suggested that the Supervisors hold a workshop with Charlie Schmehl of URDC, consultant, to review every step of the process to make sure that everything is being addressed prior to the Supervisors' decision. This meeting would not have to be prior to the Public Hearing on December 10, because the Supervisors would have time after the hearing to do this review.

Building & Grounds:	Nothing to report
Roads:	Nothing to report
Public Safety:	Nothing to report
Agricultural Land Preservation:	Nothing to report

New Business:

Resolution No. 2002-05:

Mr. Chantelau moved, seconded by Mr. Rogers, to adopt the following Resolution:

RESOLUTION NO. 2002-05

TOWNSHIP OF MOUNT JOY, ADAMS COUNTY, PENNSYLVANIA

A RESOLUTION ESTABLISHING POLICIES AND PROCEDURES TO COMPLY WITH ACT 100 OF 2002 (the Pennsylvania "Right-to-Know Law", providing for access to "public records"), AND SETTING FEES FOR COSTS.

The Board of Supervisors of the Township of Mount Joy adopts the following Resolution.

A. REGULAR BUSINESS HOURS OF TOWNSHIP OFFICE

The regular business hours for the Township office are as follows:

Monday through Thursday from 9:00 a.m. – 3:00 p.m.

The above schedule will not be observed when national or state holidays coincide with regular business hours, when the Township building is being used for national or state/local elections, or when inclement weather or other extraordinary event occurs and the Township determines to close the office.

B. RECEIPT OF REQUESTS FOR ACCESS TO PUBLIC RECORDS

The Township will receive requests (whether by personal visit, by telephone, or by mail) on the days that the regular business hours of the Township office are observed (see A. above).

C. OFFICER TO WHOM REQUESTS FOR ACCESS TO PUBLIC RECORDS ARE TO BE DIRECTED

All requests for access to public records, which are made pursuant to the Right-to-Know Law, must be directed to the Secretary of the Township, at the Township Office. The address and telephone number of the Township Office are:

902 Hoffman Home Road
Gettysburg, PA 17325
(717) 359-4500

D. FEES FOR DUPLICATION OF RECORDS

1. Fees for duplication of records which can be accomplished by the Township. The fee for duplicating Township records (whether they are public records or other records which the Township has consented to duplicate) are:

- a. Photocopying: 25¢ per page for paper documents that can be duplicated on the Township's photocopier.
- b. Disk copies: \$1.00 per computer 3.5 floppy disk, for material that is electronically stored and which is requested to be copied on to a disk. Only disks furnished by the Township will be used to duplicate electronically stored records (to protect the Township's systems from possible outside electronic interference or infection).

2. Fees for duplication of records which cannot be accomplished by the Township. The fee for duplicating records which the Township staff cannot perform at the Township Office with Township equipment shall be the actual cost to the Township plus: 15% of the actual cost to the Township, but not less than \$5.00 per document. (Examples of documents that the Township may not be able to duplicate with its equipment are: subdivision plans; land development plans; drafts of survey; zoning maps; and other documents which are larger than 8.5 inches by 14 inches.)

3. Fees for duplication of records created by others. Certain records are created by others whose living is dependent upon being paid for copies of the documents, or are created by those who may have copyrights to the documents. (An example of the former is a transcript of a hearing prepared by a court reporter whom is entitled to compensation for copies of transcripts.) In those cases, the Township will either direct the requester to contact the document's preparer, or (in its sole discretion) determine the fee owing to the preparer and add 15% to determine the total cost due. Fees for these documents must be paid in advance of the placement of an order for a duplicated copy, no matter what the total cost may be.

4. Copies of published documents. In certain cases, documents are duplicated and ready for distribution in advance of a request. Those documents will be made available at the price determined from time to time by the Township. (Examples of such documents are copies of the Subdivision and Land Development ordinance and the Zoning Ordinance.)

5. Payment of fees. Fees for duplication expenses, except as provided in 3. above, shall be paid prior to delivery of the duplicates to the requester. Where the anticipated fees for duplication are likely to exceed \$100.00, the Township may require an advanced payment prior to making the duplicates. (See, Right-to-Know Law, section 7.(H).)

E. CERTIFICATION OF DUPLICATES

The fee for a certification of a duplicated document shall be \$5.00 per document.
ADOPTED this 17th day of October, 2002.

Attest:

TOWNSHIP OF MOUNT JOY

_____/s/_____
Its Chairman

_____/s/_____
Its Secretary

Motion carried unanimously.

Workshop – The Links/PGC Ordinance Amendment:

Mr. Waybright moved, seconded by Mr. Scott, to authorize the Secretary to advertise a workshop for November 12, 2002, at 7:00 p.m. to deliberate on proposed provisions to the Planned Golf Community section of the Zoning Ordinance, and the Neighborhood Improvement District Tax. Motion carried unanimously.

2003 Proposed Budget:

The Supervisors noted that they held a budget workshop on October 1st, as publicly advertised, and presented a proposed 2003 budget for review. After some minor revisions were made to a few line item amounts, Mr. Chantelau moved, seconded by Mr. Scott, to tentatively adopt the 2003 budget as presented and authorize the Secretary to advertise said tentative adoption, for public inspection. The Supervisors thanked Robin Crushong, Treasurer, for doing a fine job on the preparation of the budget. With no further discussion, the motion carried unanimously.

Executive Session:

Board Chairman Waybright called for an Executive Session at 8:30 p.m. this date.

Meeting Reconvened:

Board Chairman Waybright reconvened the Supervisors' Meeting at 8:40 p.m. this date with the following others in attendance: Supervisors' Scott, Chantelau and Scott; Solicitor Davis; Secretary Constable; Sam Dayhoff, Eileen Holmes, and Jerry Althoff.

Mr. Davis explained that he gave legal advise with regard to a new item on the agenda.

Subdivision Plan Approval Revision:

Mr. Waybright stated that a subdivision plan that was approved at the September 19, 2002 meeting has come back to the Supervisors for reconsideration with regard to a condition that was attached to the approval. The plan was presented by Carroll Crum, and Mr. David Yingling, neighbor, along Harney Road. Mr. Waybright asked for any public comment. Eileen Holmes stated that she does not like out-of-township residents coming in and complaining about our township requirements and the need to follow them. She would like to see the Supervisors follow all requirements as listed in the Township's Ordinance and all applicants, whether out-of-township or not, be made to follow them.

Mr. Waybright explained that one of the conditions for approval was that the legal description of the dedicated right-of-way must be shown on the plan. He noted that this particular piece of land is along a state road so the Township would never take the dedication. In addition, a 10-foot strip of land would be in the dedication, and virtually land lock Mr. Yingling's current property.

Mr. Scott moved, seconded by Mr. Rogers, to amend the approval of the plan with the same conditions as listed in the September 19 minutes, *deleting* the requirement for a written legal description to the right-of-way line. Motion carried unanimously.

Adjournment:

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Chantelau, to adjourn the Supervisors' Meeting at 8:45 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary