

JANUARY 17, 2002 SUPERVISORS' MEETING:

The Mount Joy Township Supervisors met this date in regularly scheduled session at 7:00 p.m. in the Township Building, 902 Hoffman Home Road, Gettysburg, PA, with Chairman James Waybright presiding. Others in attendance were: Supervisors Scott and Chantelau; Solicitor Walton V. Davis; News Reporter Alex Gayhart (*The Gettysburg Times*); and Secretary Brenda Constable. Supervisor Will Rogers was not present.

Citizens in attendance were: Ralph H. Taylor representing the LHPOA; Eileen Holmes; Brenda Herring; Elsie Morey; Jerry Maloney; Speros Marinos; Henry Reaver, Jr.; Lyman Schwartz; and John McAlister.

Chairman Waybright led everyone with the Pledge to the Flag.

Minutes:

December 20, 2001:

Chantelau moved, seconded by Scott, to approve the minutes of the December 20, 2001 meeting as presented. Motion carried unanimously.

January 7, 2002:

Scott moved, seconded by Chantelau, to approve the minutes of the January 7, 2002 Organizational Meeting as presented. Motion carried unanimously.

Public Comments:

1. Speros Marinos – asked the Supervisors to consider regionalized police force to serve the citizens in the Township. He stated that he has had to call the State police various times in the past and that they have a long response time, i.e. one hour or more.
2. Eileen Holmes – a) with regard to the recent Planning Commission appointment of Jerry Althoff, Ms. Holmes questioned when the Township received notice that Elsie Morey did not wish to be reappointed to the Planning Commission for another term and also questioned why the vacancy was not announced. Ms. Morey was present and responded to Ms. Holmes comment, stating that she had notified the Chairman of the Planning Commission in December of her wishes not to be reappointed. b) She also questioned when the decision was made to change Sam Dayhoff's position. Chairman Waybright responded that the Personnel Committee made a recommendation; it was discussed and approved at the Organizational Meeting held on January 7th.
3. George Scott – stated that he has been told that a citizen who would like to attend the Supervisor Meetings does not come because he cannot hear what is being said, and at the last Planning Commission Meeting one citizen did not hear the correct action that was being taken. Because of this, Mr. Scott suggested that the Supervisors use the microphones that are already in place. Everyone concurred.

Persons Requesting Time On Agenda:

1. Speros Marinos announced that a private World War 2 combat simulator (re-enactment) will be held on February 22-24, 2002 at his farm located at 1897 Baltimore Pike, near the intersection of Route 15 and Route 97. This event will be hosted and managed by the 4th Armored Division Re-enactment Association, who will provide liability insurance, portable toilets and on-site security. He further stated that less than 100 people would be expected. No spectators will be allowed. Weapons used are A.T.F. legal and under the size of 81mm. Ammunition will be blanks. The Supervisors instructed Mr. Marinos to contact Penn DOT with regard to road access into and out of the site. They also asked him to contact the Sewage Enforcement Officer with regard to sanitary facilities and issues of concern, if any. The Supervisors asked what would be done for parking facilities. Mr. Marinos responded that there is approximately 5/10th of a mile of stone road at the site and the vehicles will be able to park there.

This issue raised the question as to whether or not the Supervisors would want to consider a "special events ordinance" in the future. The Supervisors instructed Solicitor Davis to research this and provide a draft ordinance for their review.

Treasurer's Report:

Chantelau moved, seconded by Scott, to approve the Treasurer's Report for December 2001 and January 2002 as presented. Motion carried unanimously.

Scott moved, seconded by Chantelau, to approve the Bills to be paid for the month of December 2001 and January 2002 as presented. Motion carried unanimously.

Subdivision/Land Development Plans:

1. Yingling, Keith & Kevin - preliminary subdivision plan which has been on the table since September 20, 2001. No one was present to discuss this plan and Chairman Waybright noted that the Planning Commission has recommended disapproval due to no new information received from the developer. It was noted that this plan had been tabled because of many technical issues that needed to be addressed. An extension had been granted through January 31, 2002. At this time, Chairman Waybright noted that the Supervisors had received a letter today, dated January 15, 2002, from Surveyor Bob Sharrah, on behalf of the Yinglings. This letter waives the 90-day time requirement for the Supervisors to act on the plan and authorizes another extension until April 30, 2002. Discussion then followed regarding a statement in Sharrah's letter referencing the applicant's decision on how to address the concerns of the Township and HRG, Engineer, by revising the plans and resubmitting them in the near future. Chantelau stated that rather than trying to address a list of revisions, the Supervisors could disapprove the plan that is currently on the table and then let them [Yinglings] start over again with brand new plans. Solicitor Davis stated that if the plan were disapproved, a rejection letter would need to be sent to the Yinglings within 15 days (no later than February 1, 2002), listing the specific reasons as to why the plan was rejected. Scott moved, seconded by Chantelau, to reject the plan based upon the severity and complexity of issues that need to be addressed as referenced in HRG's letter dated July 2, 2001 and Adams County Planning and Development letter dated July 6, 2001, and further, that no new information has been received from the developer to date; the developer should submit an entirely new plan. Motion carried unanimously.

Road Report:

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

Route 97 Speed Limit:

Road Superintendent Anthony Graham pointed out in his report that he had sent a letter to Penn DOT regarding the current speed limit of 55 MPH on Route 97, asking if it could be reduced in the area from California Road to the township boundary line west of Gettysburg Road. This request was as result of a citizen who felt that this road is unsafe because of vehicles traveling too fast through this corridor. He received a response from Penn DOT, stating that the results of their speed study indicated that a change was not justified.

Dam Inspections:

Graham also received a response from Attorney John Phillips, representing the Lake Heritage Property Owner's Association (LHPOA), with regard to the Township's request to provide a dam inspection report and proof of insurance for the Lake's dam. An inspection report prepared by William F. Hill & Associates was provided. However, the letter stated that there is no insurance coverage for the dam.

Zoning Officer's Report:

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

Building & Grounds Report:

Storage Shed:

Dayhoff reported that the new storage shed is completed and has been inspected by Labor and Industry. An occupancy permit has also been received.

Salt Storage Shed Proposal:

Dayhoff presented two (2) proposals of different types of salt storage sheds for the Supervisors' consideration. The first was a picture of the Penn DOT salt shed. The second was a feed shed from a local dairy farm. Dayhoff stated that the road crew recommends the second style (feed shed) because it would be more applicable to our needs. This would consist of three (3) full bays and six (6) small bays. Dayhoff also presented a proposal from D. P. Services Plus of Spring Grove, reflecting a total of \$1,600 to provide eight (8) sets of construction drawings for the "feed shed" style salt storage shed. After discussion of clarification on the size of the building and the placement of it behind the Township storage building, Scott moved, seconded by Chantelau, to accept the general concept of the "feed shed" style and the proposal as submitted from D.P. Services Plus in the amount of \$1,600. Motion carried unanimously.

Shop Office Space:

Dayhoff submitted a proposal from D.P. Services Plus for construction drawings of a 20' x 20' addition to the rear of the shop building, to be used as office space for the Road Crew. The proposal amount is not to exceed \$1,100. He pointed out that the Road Crew would be able to do the construction themselves. Scott asked for a drawing showing the specific layout of where the building will be placed on Township land, and a detailed layout of what will be inside the office, including placement of a heater. Dayhoff was instructed to submit this drawing by the February meeting for the Supervisors consideration. No action was taken at this time.

Shop Ventilation Fans:

Dayhoff submitted two (2) proposals for a ventilation exhaust fan and fresh air damper for the shop building. Scott moved, seconded by Waybright, to accept the proposal from Thomas, Inc. of Thomasville, PA, in the amount of \$2,595. Motion carried unanimously.

Mud College Schoolhouse Report:

Waybright moved, seconded by Scott, to approve the Mud College Schoolhouse Report as presented. Motion carried.

Correspondence:

Secretary Constable noted receiving the following correspondence:

- October and November minutes from White Run Regional Municipal Authority
- December minutes from the Gettysburg Recreational Department
- Response from Penn DOT denying the application for Tourist Oriented Directional signs for the Yingling Auction Gallery
- PSATS request for support of the "Fund for the Advancement of the State System of Higher Education" scholarship
- An invitation from the Fairfield School District to be a judge at the Science Fair. The Supervisors announced that anyone could volunteer for this. Citizen Jerry Maloney stated that he would be interested in being a judge; he was given the information on who to contact at the School District.
- Received letters of thanks from Barlow and Littlestown Fire companies for financial support

Committee Reports:

Personnel: Waybright noted that the reappointment of Mike Purnell was overlooked at the Organizational Meeting. Chantelau moved, seconded by Waybright, to reappoint Mike Purnell as Roadmaster. Motion carried unanimously.

Personnel continued: Chantelau noted that a report was submitted from Jay Little, Zoning Officer, regarding a request for additional hours per week. His report mentioned additional duties that have been given to him that are not covered in his current job description. Chantelau stated that the Personnel Committee would need to work with the Zoning Officer to update and get an accurate job description for his position.

Finance: Waybright noted that the Supervisors received a letter from a consortium company regarding workers' compensation rates. Chantelau stated that this information has been forwarded to the Treasurer for research and action.

Planning, Land Use & Zoning: Scott noted that the Planning Commission reorganized during their January meeting with Nicky Cool being appointed as Chairman and Roger Steele appointed as Vice Chairman for 2002.

Waybright noted that he had attended a meeting in Carroll County, Maryland, regarding modified sand filter designs. He stated that this was an interesting concept and that the Supervisors may want to look at this since the Township is currently developing its Comprehensive Plan. Waybright asked the speaker to attend one of our Comp Plan meetings.

Announcements:

Secretary Constable announced the following:

- Received a notice from Adelphia, the local cable company, of a rate increase from \$31.99/month to \$33.99/month, effective February 2002.
- Received a notice from the Adams County Election & Voter Registration Department that Primary Election day is on May 21, 2002 and General Election day on November 5, 2002.
- The office will be closed on Monday, January 21, 2002 in recognition of the Martin Luther King, Jr. Birthday holiday. However, the Comp Plan meeting scheduled for 7:00 p.m. that date would still be held.

Other Business:

Long Road Extension:

Waybright noted that the Supervisors received a response from HRG, as instructed, with regard to the flagging of wetlands in the area of a proposed cul-de-sac by landowner Mike Danner. Constable stated that she had already coordinated this information with Adams County Surveyors so that they could locate the 17 flags and 3 soil test pits and show them on the sketch plan from Mr. Danner. Mr. Danner stated that he recently spoke with Tim Redding, surveyor, and added that he is ready to go out and do this within the next day or so. No action is required by the Supervisors at this time. It was noted that the Township is not paying Adams County Surveyors to do this work; they are contracted with Mr. Danner and he should pay for this if he wants to proceed. Mr. Danner stated that he understands this and that he will proceed, based on a letter from Solicitor Davis which states that Long Road is a Township Road.

Deer Chase Development:

It was noted that Mr. Harry Ramage, developer of Deer Chase development, had previously asked the Township for a partial financial security reduction for the roadwork that has already been completed. After review by Solicitor Davis and Mark Lewis, HRG engineer, they recommend that the financial surety be reduced from \$96,082.91 (as previously established per HRG letter dated February 16, 2000) to \$39,358.61.

Scott moved, seconded by Waybright, to allow a reduction of the financial security from \$96,082.91 to \$39,358.61 with a method as accepted by Solicitor Davis, contingent that Mr. Ramage comes in with the security of \$39,358.61 as a new Letter of Credit or a written understanding between the bank and

Township, of the reduction amount. However, Solicitor Davis would prefer a brand new Letter of Credit.. Motion carried unanimously.

New Business:

Agricultural Security Areas:

It was noted that a Supervisor representative vacancy currently exists on the ASA Advisory Committee since that position was previously held by Sam Dayhoff. Waybright moved, seconded by Scott, to appoint Bill Chantelau as the Supervisor representative on the ASA Advisory Committee. Motion carried unanimously.

Agricultural Land Preservation:

With the Township's intent to start its own Agricultural Land Preservation Program, the Supervisors had previously asked Sam Dayhoff to coordinate a list of Township residents that would be willing to serve on a Preservation Board. Dayhoff stated that he had contacted Solicitor John White with regard to how many members should sit on this Board and how it is formed. White suggested that five (5) members should be sufficient, represented by farmers, business owners, citizens, and a municipal official. Mr. Dayhoff presented the following list of five (5) Township residents that had expressed their desire to serve: David Kehr – dairy farmer; Everett Ramsburg, III – dairy farmer; Carol Newhart – citizen and business owner; Richard Owings – municipal official (Planning Commission); and Benjy Conover – crop farmer. Discussion was held among Supervisors and citizens regarding term lengths, any other interested residents, process on funding and citizen approval, application process, ranking systems, stipulation of board make-up, etc. It was concluded that the committee would need to address all of these issues and then make a recommendation to the Supervisors.

Scott moved, seconded by Chantelau, to appoint the five (5) Township residents mentioned above as the "Formulation Committee" for the Agricultural Land Preservation Program and to have them obtain all information to answer the above-mentioned questions as well as detailing the program, recommendations on how to get input from the citizens, how to mirror the County program for selecting farms, etc. A resolution or ordinance should be developed setting forth all of the details of the Program. Dayhoff reminded everyone that this committee is made up of volunteers. With no further discussion, the motion carried.

Scott moved, seconded by Chantelau, to designate Sam Dayhoff as a "volunteer" for the duration of the formulation committee process. (This was clarified due to Dayhoff's status as a paid employee for the Township). Motion carried unanimously.

The Links at Gettysburg – Red Rock:

The Supervisors received a letter dated January 17, 2002 from Bob Sharrah, on behalf of his client, Rick Klein and The Links at Gettysburg Land Company, LLC, requesting that the Supervisors consider the submission of a modified Preliminary Plan for a portion of the Red Rock community, rather than the entire design. His letter further states that the remaining designs shall be submitted for review and approval within approximately 30 to 45 days of the initial submission.

Scott moved, seconded by Waybright, to table this issue until the next Supervisor Meeting since this letter was just received today and no one has had an opportunity to think it through and research the Code for compliance. Scott then retracted his motion and Waybright retracted his second. Scott moved to request input from the Solicitor, Engineer and Planning Commission prior to making a decision on this request. With lack of a second, the motion died.

Discussion followed; Solicitor Davis stated that the Municipalities Planning Code allows for large projects to be done in phases, however, he would like to look at the MPC before he offers a final opinion on this request. Scott added that he would also like to see HRG's comments on this.

Scott moved, seconded by Waybright, to table this request until the next meeting and to forward Sharrah's letter to the Planning Commission for their review and input. Motion carried unanimously.

Executive Session:

Board Chairman Waybright called for an Executive Session at 9:15 p.m. this date.

Meeting Reconvened:

Board Chairman Waybright reconvened the Supervisors' Meeting at 9:30 p.m. this date with the following others in attendance: Supervisors Scott and Chantelau; Solicitor Davis; News Reporter Alex Gayhart; and Secretary Brenda Constable. Citizens in attendance were: Eileen Holmes; Ralph Taylor; Jerry Maloney; Henry Reaver, and Lyman Schwartz.

Solicitor Davis stated that during Executive Session the matter of a pending land use appeal by Edward Reichart was discussed but no action is required.

The second issue was with regard to an identifiable complaint, which has not yet been filed as a suit; however, the Supervisors were told at a previous meeting that it might be. This matter was discussed only and no action is required.

Other Business:

Chantelau noted that the Supervisors had received a letter from Roger Steele regarding recognition of volunteers. He suggested that the Personnel Committee address this recommendation.

Adjournment:

With no further business to come before the Board, Scott moved, seconded by Chantelau, to adjourn the Supervisors' Meeting at 9:35 p.m. this date. Motion carried.

Respectfully submitted,

Brenda J. Constable
Secretary