

JANUARY 19, 2006 SUPERVISORS' MEETING:

The Mount Joy Township Board of Supervisors met this date in regularly scheduled session at 7:30 p.m. in the Mount Joy Township Municipal Building, 902 Hoffman Home Road, Gettysburg, Pennsylvania, with Board Chairman James Waybright presiding. Others in attendance were: Supervisors George Scott, Samuel Dayhoff, and Harold Kirschner; Zoning Officer Dave Crouse; Treasurer Robin Crushong; News Reporters Aaron Young (*The Gettysburg Times*); and Meg Bernhardt (*The Evening Sun*); and Brenda Constable, Secretary. Supervisor William Chantelau was not present.

Citizens in attendance were: James Small; Jerry Althoff representing the Planning Commission; Millard Basehoar; LeRoy & Jacqueline Basehoar; Elsie D. Morey; Jerry Poland representing the Bonneauville Fire Department; Carol E. Holtz; John McAlister; Dave Stair of Loss-Stair Engineering representing Barton Breighner; Trish Jeffrey; Betty & Jack Myers; Tim Cormany representing Martin & Martin; James Turner representing Barlow Fire Department; Jack McLatchy; and Andrew Payne.

Board chairman Waybright led everyone with the Pledge to the Flag.

Minutes:

Mr. Dayhoff moved, seconded by Mr. Scott, to approve the minutes of the December 20, 2005 meeting as presented. Motion carried unanimously.

Public Comments:

1. Jacqueline Basehoar: asked the Supervisors to consider amending the December 20, 2005 minutes to reflect under Public Comments, that Beverly Boyd submitted a letter written by their attorney relative to their opposition of the inclusion of the Carol Newhart farm into the Township's Ag Land Preservation Program. Mr. Waybright asked if the Supervisors would consider this amendment. Mr. Scott moved, seconded by Mr. Dayhoff, to amend the December 20, 2005 minutes to reflect the submission of the attorney letter. Motion carried unanimously.
2. Jerry Poland of the Bonneauville Fire Company: stated that representatives have been visiting each municipality to give updated reports about the Fire Company's activities. Mr. Poland gave the December monthly report.

Persons Requesting Time On Agenda:

1. Jim Small: informed the Supervisors that he was installing a geo-thermal heating system and to do so, would require him to dig two holes into the ground. This would subject him to require two well permits from the Township. Mr. Small questioned why he would need this, so the Zoning Officer checked with the Sewage Enforcement Officer, who advised that DEP considers anytime there is penetration into the ground, it is considered a well. Mr. Small stated that he would be going 265 feet deep. Mr. Crouse further stated that Mr. Picarelli confirmed that DEP considers this a well, it should be inspected, and Pennsylvania considers this type of heating system to be permitted. Anytime you go into the ground, there is the possibility of contamination, problems with sewage systems, etc. Mr. Scott questioned the cost of well permits. Mr. Crouse stated that it would be \$200 for each permit. The Supervisors questioned if this issue were to be dealt with in the future then they need to determine how to handle this. Mr. Crouse added that he thinks other jurisdictions have other classifications for this. Mr. Dayhoff moved, seconded by Mr. Scott, to have Mr. Crouse check with Mr. Picarelli and if he can inspect both

in one trip, then the Township would be willing to charge only one well permit fee. In the meantime, if Mr. Course finds out about other classifications, then they would deal with it and would need to work with Mr. Picarelli on this. Motion carried unanimously.

2. Trish Jeffrey: new resident at 460 Hoffman Home Road. Would like to request that the speed limit on Hoffman Home Road be lowered. Since this is a state road, she checked with PennDOT and spoke to Mr. Patel, who informed her that the municipality would need to request the speed study. Mr. Dayhoff moved, seconded by Mr. Scott, to instruct the Secretary to draft a letter to PennDOT requesting a speed study for Hoffman Home Road. Motion carried unanimously.

Treasurer's Report:

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

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

Subdivision/Land Development Plans:

1. Westminster-Keystone Custom Homes: proposed 204-lot subdivision on White church and Goulden Roads (Meadow Brook Golf Course). Extension was granted through January 26, 2006. Applicant requests a second extension through March 17, 2006. Supervisors noted that the Planning Commission recommends approval of second extension. Mr. Scott moved, seconded by Mr. Kirschner, to approve a 60-day extension request through March 17, 2006. Motion carried unanimously.
2. Fairview Farms-Barton Breighner, Owner: proposed 14-lot subdivision on Hickory Road. Requesting a 90-day extension through June 16, 2006. Supervisors noted Planning Commission recommends approval of an extension. It was noted that the 90-day deadline from original submission is March 15, 2006. Mr. Althoff gave an overview of the status of this plan, noting that there were still quite a number of comments from the engineer and county that needed to be addressed. Mr. Davis asked if any more perk tests had been completed or if they had only four done as in the previous plan that was denied. Mr. Althoff responded that not all had the perks done, there were only four lots that show backup sites, the rest are using spray irrigation systems. Mr. Waybright informed the engineer and applicant that they need to understand that the Supervisors only have so much tolerance and it appears that this plan was submitted with a lot of outstanding issues that should have been on the plan in the beginning, but was submitted to meet a deadline, which is taxing the tolerance of this Board. Mr. Dayhoff moved, seconded by Mr. Scott, to deny the request for an extension because it seems that an incomplete plan was originally submitted. Discussion: Mr. David Stair, Engineer, noted that waivers had been requested for some issues commented by the engineer, but the Planning Commission had wanted to hear from the Township Engineer and Sewage Enforcement Officer before they made any recommendations to the Supervisors. In addition, he noted that probes are complete and they are finishing up on this work. It was noted that KPI, Engineer, had 20+ comments outstanding, down from 60+ from the last plan that was denied. Mr. Paul Pazula, representing Mr. Breighner, asked how many plans come before this Board that are perfect. Mr. Waybright responded not many, however, they are more complete by the time they come to the Supervisors for any kind of action. He added that the plan needs to be right when it comes in. Mr. Stair stated that he felt the plan was right and complete when it was submitted. Mr. Scott pointed out that the 90 day timeline is not until March, so the applicant would

still have the February meeting to come back with more items addressed, and could ask for an extension at that time if needed. With no further discussion, the 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:

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

Correspondence:

Ms. Constable noted receiving the following correspondence:

- WRRMA November minutes
- Fairfield School District 18th Science Fair January 27th, looking for volunteers to judge
- Beyland, Inc. applying for NPDES permit for Lot 22 in Deer Chase Development
- Cumberland Township Land Use Assumption Report received for comment prior to a public hearing
- PennDOT notification regarding corrections needed for the Links Highway Occupancy Permit
- Tax Collector Settlement for 2005

Committee Reports:

Personnel:	Nothing to report.
Finance:	Nothing to report.
Planning, Land Use & Zoning:	Nothing to report.
Building & Grounds:	Nothing to report.
Roads:	Nothing to report.

Public Safety: Mr. Scott moved, seconded by Mr. Kirschner, to request each fire company servicing Mount Joy Township to submit a copy of their annual audit and association audit to the Township. Motion carried unanimously.

Gettysburg Fire Department submitted Box Alarm Card for 2006 noting that there we no changes from 2005. Citizen Jerry Poland of Bonneauville Fire Department commented that he heard that Gettysburg was going to have a lot of changes this year. Mr. Dayhoff moved, seconded by Mr. Kirschner, to approve the Gettysburg Box Alarm Cards for 2006 contingent that there are no changes from last year. Motion carried unanimously.

Agricultural Land Preservation: Noted receiving the monthly report.

With recommendation from the Ag Land Preservation Board, Mr. Scott moved, seconded by Mr. Kirschner, to adopt a Resolution revising the Mount Joy Township Ag Land Preservation Program allowing the Township to open its own round without coinciding with the County's program. Discussion: Mr. Waybright asked if the change specifies the length of how long a round could be open. Mr. Dayhoff responded that this needs to be set. Mr. Davis added that the resolution allows this time line to be set, and that it could be set at the reorganization meeting as policy. With no further discussion, the motion carried unanimously.

With recommendation from the Ag Land Preservation Board, Mr. Scott moved, seconded by Mr. Waybright, to grant an extension on the settlement date for the fourth approved farm, Kenneth Dayhoff. Motion carried with Mr. Dayhoff recusing himself.

Recreation Advisory Board: Noted receiving the monthly report.

It was noted that the appointment of the Secretary and Assistant Secretary to the Rec Board was not acted on at the Reorganization Meeting. Mr. Scott moved, seconded by Mr. Kirschner, to reappoint Robin Crushong as Secretary, and appoint Becky Sebold as Assistant Secretary to the Rec Board. Motion carried unanimously.

Act 209 Traffic Impact Advisory Committee: Mr. Tim Cormany of Martin & Martin gave an overview of the Land Use Assumptions Report and the results of the Public Hearing on January 4, 2006 to receive public comment on this report. He noted that no public comment was given. It was noted that page 6 of the report that listed all of the township roads to be in the service area listed Barlow Road, which is not in Mount Joy Township. Mr. Dayhoff moved, seconded by Mr. Scott, to amend the Land Use Assumptions Report to remove Barlow Road from the list of road names in the service area, and to approve the Report as presented. Motion carried unanimously.

Announcements:

Mr. Waybright announced that the Supervisors would be holding a Public Information Meeting on January 30, 2006 at 7:00 p.m. to inform the public and residents on Transfer Development Rights and explain how the program works. It was noted that Mr. John Mahoney, Attorney and representative of Keystone Custom Homes, would be presenting the program explaining the nuts and bolts of the program. The Supervisors expressed that this information meeting is especially important to landowners who recently received a letter from brokers looking to purchase TDRs.

Other Business:

PennDOT Bridge Replacement Project:

Mr. Waybright noted that he and Mr. Chantelau will be meeting with representatives of PennDOT on January 23, 2006 to discuss the bridge replacement project on Route 97.

Draft Zoning Ordinance Amendment:

Mr. Davis noted that he and Mr. Mahoney representing Keystone Custom Homes, have been working on language for a text amendment to the zoning ordinance relative to TDRs and the submission timetable. He gave an overview of the proposed changes, with one change being that TDRs would need to

be submitted to the Township between the Preliminary Plan and Final Plan stage, rather than at the time of submission of the Preliminary Plan. Mr. Kirschner moved, seconded by Mr. Scott, to instruct Mr. Davis to put this text amendment in Ordinance form for consideration to move forward at next month's meeting with the planning review process. Motion carried unanimously.

New Business:

Financial Reduction Request:

With recommendation from HRG, Mr. Scott moved, seconded by Mr. Kirschner, to approve Financial Surety reduction #2 for Michael J. Keller subdivision on Hoffman Home Road in the amount of \$1,370. Motion carried unanimously.

Executive Session:

Mr. Waybright called for an Executive Session at 8:45 p.m. this date.

Meeting Reconvened:

Mr. Waybright reconvened the Supervisors' Meeting at 9:00 p.m. this date with the following others in attendance: Supervisors Chantelau, Scott, Dayhoff, and Kirschner; Zoning Officer Dave Crouse; Treasurer Robin Crushong; News Reporters Aaron Young and Meg Bernhardt; Jerry Althoff; Mr. & Mrs. James Myers; and Secretary Brenda Constable.

Mr. Davis noted that the Supervisors discussed a potential acquisition of real estate, and an ongoing litigation with Premier Construction.

Salt Shed Roof:

Mr. Dayhoff moved, seconded by Mr. Scott, to instruct the Solicitor to send a letter to Premier Construction notifying them that if the Township does not get a response from them or payment for the civil suit that was awarded to the Township for the faulty roof within 30 days, then the Township would proceed with filing a complaint. Motion carried unanimously.

Adjournment:

With no further business to come before the Board, Mr. Dayhoff moved, seconded by Mr. Scott, to adjourn the Supervisors' Meeting at 9:05 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary