

March 16, 2000

The Mt. Joy Township Supervisors held their regular monthly meeting on Thursday, March 16, 2000 in the Township municipal building located at 902 Hoffman Home Road, Gettysburg, PA. All Supervisors, Dayhoff, Waybright and Chantelau, were present. Also present was Township solicitor Walton V. Davis and Township secretary Bonnie L. Koontz.

The minutes of the last regular meeting, February 17, 2000 were approved by motion of Waybright, 2nd by Dayhoff, carried; Chantelau abstained because of not being in attendance at the February meeting.

The minutes of the March 7, 2000 special meeting were approved by motion of Waybright, 2nd by Chantelau, carried unanimously.

Public Comments:

Dean Shultz - Expressed appreciation that the Supervisors are starting a comprehensive plan. He also appreciates the opportunity to serve on the committee. Over the last couple of years suggestions have been made to changes in the Zoning Ordinance, but it was expressed to wait for the comprehensive plan to be done. Now there is a proposal for an extreme major change which will drastically affect every area in the Township. It is hoped that the Supervisors will respond that the proposal will be taken under consideration when doing the comprehensive plan. Something similar happened in a nearby Township and was done by that Township's consultants. This is an extreme change and it is felt that if changes in the ordinance are made before the comprehensive plan, it will all be wasted.

Eileen Holmes - Questioned if the Township requested a bond from the Delancey Group. Atty. Davis answered that the lender to Delancey is holding a separate account for 110% of the site improvements. Ms. Holmes also questioned if the 'deer crossing' sign on Rt. 97 had been moved.

Dean Shultz - Commented that coming down the road (PA 97), near the construction site, the painted lines are quickly wearing off. It is suggested that reflective paint be used.

Eileen Holmes - Hates to see junk lying along the road. Suggests that the next newsletter contain something about not trashing Mt. Joy Township.

Jerry Maloney - Commented that near the construction (Delancey) site, they can't avoid getting dirt on the road, but could they at least clean it once a week.

There were no further public comments.

The Treasurer's Report for February was approved by motion of Chantelau, 2nd by Dayhoff, carried unanimously.

The Bills to be Paid for February and March to date were approved by motion of Waybright, 2nd by Chantelau, carried unanimously.

Chairman Dayhoff next recognized John Leino who was present representing the Mt. Joy Township Board of Elected Auditors. Mr. Leino read the auditors' report for the annual audit. Anthony Graham will contact Sanders Roofing to obtain a warranty in writing as suggested by the auditors.

Subdivisions:

Thomas Cruetzer - Modules were approved to be sent to DEP by motion of Dayhoff, 2nd by Chantelau, carried unanimously.

Samuel Myers - Preliminary plan; the Planning Commission recommended denial based on Herbert Rowland and Grubic's letter of March 8, 2000. Motion by Chantelau to reject the preliminary plan based on HRG's letter of 02/08/00, 2nd by Waybright, carried unanimously.

Blue and Gray - The final plan was denied by the Planning Commission. Motion by Chantelau, 2nd by Waybright to deny the plan because the conditions in HRG's letters of 02/09/00 and 02/16/00 have not been satisfied. Motion carried unanimously.

Road Report:

The Road Report was read by Road Superintendent Anthony Graham. It was noted that the Township recently purchased a roller at the Arentz auction.

Zoning Officer's Report:

Building permits issued during the past month were read by Dayhoff.

Correspondence:

- Excerpts of a letter from Nancy Taylor were read wherein she expresses concern about excessive vacation and holiday pays.
- A letter was read from Lake Heritage Property Owners Association regarding the possibility of entering into a contract for snow plowing of Heritage Drive.

Announcements:

Comprehensive Plan Consultant - Dayhoff commented that on March 7, 2000, for what will be one of the largest projects undertaken by the Township, no one attended the meeting that was held to choose the comprehensive plan consultant. Norman Day Associates and Urban Research and Development Corporation were interviewed twice. Norman Day Associates indicated reluctance to come back for a second interview. Urban

Research was pleased to come back. Prior to the meeting, Dayhoff wasn't 100% sure of who to go with.

Chantelau commented that he felt Urban Research and Development was the better company. He noted that Norman Day has already done Cumberland Township's and Adams County's comprehensive plans; now another set of eyes will be viewing things. Also, Urban Research and Development came across as more aggressive; they *wanted* to do the job. They have worked with Mt. Joy Township before on the zoning ordinance and SALDO.

Waybright commented that in talking with (Walt) Lee of HRG, there are two types of leadership. Norman Day would use the "Do it this way approach" and Urban Research would ask the Township what it wanted and then give guidance in the right direction to get there.

Dayhoff also commented that there was a price difference of \$14,000 more for Norman Day. Since NDA has already done Cumberland's and the County's, some of the work should already have been done. URDC is providing more services; for example, they will tabulate the questionnaire which will be mailed to all Township residents. NDA proposed mailing it to only a limited number of residents.

Old Business:

Items to be sent to auction - The list was approved by motion of Dayhoff, 2nd by Chantelau, carried unanimously.

Cell Tower Ordinance - When interviewing possible firms to do the comprehensive plan, mention was made of the cell tower ordinance. URDC sent a sample ordinance; this should be passed on to the Planning Commission and Mark (Lewis) for review.

ROSD ordinance - Text amendment; Rick Klein of The Links at Gettysburg was present to ask the Supervisors to continue the review process. As the ordinance exists at present, 150 units could be built with no change. He feels that what is being proposed would be a better thing for the Township and suggested that the Supervisors go to Lancaster to see a similar development. Dayhoff asked if he was willing to wait until after the comprehensive plan is done and Klein said he would rather not. Motion by Dayhoff to proceed with the possibility of an ordinance change for ROSD, 2nd by Waybright. Chantelau asked what was meant by 'proceed'? Dayhoff answered that the process will be continued and if it goes to a hearing, it could still be turned down. Atty. Davis suggested not going to a hearing until there is an ordinance that can be accepted. He added that there is no clock "ticking" on a zoning request. Motion carried unanimously.

No Parking on Rt. 97 - This item is in reference to the area near the Hoffman Home Road and Barlow-Two Taverns Road intersections with PA 97. This matter was tabled for review until the next meeting.

Mailboxes - Atty. Davis commented that mailboxes in the Township right-of-way are in peril. If they are pushed over because the plow was pushing snow in the Township right-of-way, it is the owner's problem. Snow plow truck drivers do not try to hit them. Dayhoff said that the Township is going to put berms on the road and is working with the State's 'agility program' to use the milling machine. Some mailboxes will need moved back. Chantelau commented that most people don't realize the Township has the right-of-way. There was discussion of notifying people to move mailboxes or the Township will move them. The Township assumes no responsibility for damage to the mailbox when being moved. Atty. Davis commented that putting the mailboxes back would be getting on private property. Motion by Waybright to notify every resident involved with the option of moving the mailbox or the Township removing it with the Township not being responsible for the mailbox during removal. 2nd by Chantelau who added that the letter that goes out will explain why the work is being done. Motion carried unanimously.

New Business:

Tax Payer Bill of Rights - Atty. Davis had recommended that the Township have one. It does not apply to real estate tax, but to other taxes. If the Township doesn't have such a bill and someone doesn't pay, there is no recourse. Chantelau had reviewed the proposed bill of rights and prepared some comments which were given to the solicitor. Further discussion was tabled.

BOCA Code - In the Conditional Use Decision of May 6, 1998, it was stated that the project would be built to BOCA requirements (for retail). After the second set of hearings, the project included a hotel. The hotel people stick-build; they don't masonry build, so they want, in effect, to build a different building than what was permitted in the CUD. Both the Township solicitor and the Township engineer agree that they can not do this.

Motion for adjournment at 9:20 PM by Waybright, 2nd by Chantelau, carried unanimously.

Respectfully submitted,

Bonnie L. Koontz
Secretary