

**Mt. Joy Township Supervisors’
Regular Meeting
October 21, 2010**

Meeting Minutes

Present: Board Chairman - John Gormont; Supervisors - David Updyke, Gilbert Clark, Michael Gearhart, Robert Rhodes;
Solicitor - Susan Smith; Zoning Officer – Cindy Smith; Secretary/Treasurer - Susan Harbin.

29 Number of Residents Signed Attendance Sheet for this meeting.

The Mount Joy Township Board of Supervisors met this date, as publicly advertised, at the Mount Joy Township Building located at 902 Hoffman Home Rd., Gettysburg, PA 17325.

Item/Topic	Discussion	Action/Resolution	Follow Up/ Date
Call to Order	John Gormont presiding. Starting Time: 7:00 pm		
Pledge of Allegiance			
Approval of Minutes	1. September 16, 2010 Supervisors’ Regular Meeting Minutes. 2. October 7, 2010 Supervisors’ Workshop Meeting Minutes. 3. October 7, 2010 Public Hearing Minutes.	Mr. Gearhart moved, seconded by Mr. Updyke, to approve the September 16, 2010 Supervisors’ Regular Meeting Minutes. Motion carried unanimously. Mr. Rhodes moved, seconded by Mr. Gearhart, to approve the October 7, 2010 Supervisors’ Workshop Meeting Minutes. Motion carried unanimously. Mr. Updyke moved, seconded by Mr. Rhodes, to approve the October 7, 2010 Public Hearing Minutes. Motion carried unanimously.	
Chairman’s Statement – John Gormont	Chairman Gormont thanked residents for coming to the meeting this evening. He also commented on his appreciation for the fire companies being represented this evening at the township meeting. Mr. Gormont announced that Supervisor Clark will be arriving 15 mins. late for the meeting this evening due to a previous appointment.		

Solicitor's Report – Susan Smith, Esq.		Mr. Updyke moved, seconded by Mr. Rhodes, to accept the Solicitor's Report as presented. Motion carried unanimously.	
1. Requests by Board Members for Legal/Advice	<ul style="list-style-type: none"> • Fire protection services • Weiland performance bond • Assessment – municipal challenge 		
2. Requests by Administrative Staff for Legal Review/Advice	<ul style="list-style-type: none"> • Links fire hydrants escrow proposal • Links Retreat conditional approval 		
3. Requests from Zoning Officer for Legal Review/Advice	<ul style="list-style-type: none"> • Hubbard subdivision re-approval request • Minutes books – permanency • Subdivision submission requirements 		
4. Requests from KPI for Legal Review/Advice	None		
5. Attorney Items	<ul style="list-style-type: none"> • Transportation Impact Fee Ordinance • Septic Tank Ordinance/Act 537 Plan • EIT – Act 32 requirements • Alexander – appeal from decision of ZHB denying request for relief from application fee – Status Report • Alexander – Turn-back program letter • Links, Phase I – performance security posting • Park – various issues • Steelworkers Union election and bargaining unit – collective bargaining agreement status (monitoring) • Right-to-Know – report on Open Records Office Determinations of interest • Pending or enacted statutory law or regulations – report on matters of interest • Court and ALJ decisions – report on decisions of interest 		
6. Action Items for the Board	<ul style="list-style-type: none"> • Refer Septic Tank Ordinance to public hearing • Links Fire Hydrants Agreement for reimbursement 		
Persons Requesting Time on Agenda	No requests this month.		
Public Comment 1. Carol Holtz	Ms. Holtz asked the Supervisors how township monies are divided up among the 4 fire companies supporting Mt. Joy Township and what is the population of the township? Supervisor Gormont clarified that the population of Mt. Joy Township is 3,232 according to the 2000 Census. Distributions are based on: 1) the population in area the fire company serves, 2) acreage of the areas they serve, 3) the number of calls to that area. Each fire company is assigned call boxes; there are 1st responders and if needed		

	designated 2 nd responders. In addition, each of the 4 companies responds to calls from other twps and also receives contributions from those twps. In addition to the 86K from Mt. Joy Twp, the fire companies receive Fire Relief Association monies from the state of PA in the amount of 29K. These monies have been collected from insurance premiums from PA residents who purchase fire insurance form outside the state.		
2. Sperios Marinos	Mr. Marinos is thanking the supervisors for repealing the Traffic Impact fees, ACT 209. He is also asking the township to allow commercial development in the area of the intersection of Rt. 15 and Rt. 97. Mr. Marinos' final comment states his appreciation that the Mt. Joy Township Board of Supervisors is very approachable and willing to resolve problems.		
Announcements	No announcements at this time.		
Treasurer	Approval of monthly report Approval Bills Paid Report.	Mr. Updyke moved, seconded by Mr. Gearhart to accept the Treasurer's Report as presented. Motion carried unanimously. Mr. Rhodes moved, seconded by Mr. Updyke, to accept the Bills Paid Report as presented. Motion carried unanimously.	
Subdivision and Land Development Plans: 1. Donald Hubbard Subdivision	Attached: 1. Sharrah Design Group letter dated 10/15/2010 2. Copy of 9/20/2007 Supervisors' Meeting Minutes. 3. KPI Technology letter dated 10/21/2010 The Donald Hubbard Subdivision Plan, property located at 1880 Baltimore Pike and 1919 Highland Ave. Rd., was reviewed and approved by the Board of Supervisors in Sept., 2007. The minor subdivision was prepared in an effort to realign various deeds held by Mr. Hubbard to make the lot configuration more appropriate with the physical conditions at the site. No new construction was or will be undertaken as a result of the subdivision. Unfortunately, due to personal issues, the plan was not recorded within the prescribed 90 day period from the date of approval. Mr. Hubbard is requesting the Board of Supervisors re-affirm the previous approval granted in 2007, re-enter current signature and dates, and forego any formal re-submission and review process on the	Mr. Updyke moved, seconded by Mr. Rhodes, to approve the Donald Hubbard Subdivision Plans, property located at 1880 Baltimore Pike and 1919 Highland Ave. Rd., as presented. Motion carried unanimously.	Once signed by Township, Bob Sharrah will deliver Subdivision Plans to the County to record.

	basis that no substantive changes have occurred since 2007.		
Road Report	See attached report.	Mr. Rhodes moved, seconded by Mr. Updyke, to approve the Road Report as presented. Motion carried unanimously.	
Zoning Officer's Report Cindy Smith	<ul style="list-style-type: none"> • Zoning permits- 6 • Driveway Permits- 0 • Well Permits- 1 • Sign Permit- 2 • Received GP-11 permit approval for Krug Road culvert. • Completed Storm Water Management fee schedule • Attended Planning Commission meeting on 9/8/10 • Answered numerous inquires of township residents re: county assessments, general zoning issues, sub-division and land development planning and the zoning hearing process • Reconciliation of Storm Water Management fee accounting. • Continued follow-up process, tracking and reviewing the following 2 sub-Division applications: <ol style="list-style-type: none"> 1. Fairview Farms 2. The Villa's @ the Links 	Mr. Rhodes moved, seconded by Mr. Gearhart, to accept the Zoning Report as presented. Motion carried unanimously.	
Land and Sea Services, LLC, September 2010 Building Inspections	See attached report.	For Information.	
Open Records Report	Nothing to report at this time.		
Correspondence	Alllen Baldwin, Gettysburg Fire Department, letter dated 10/13/2010, in response to discussion at the 10/4/2010 meeting with the Township. The 4 Fire Companies servicing Mt. Joy Twp. have designated Allen Baldwin as their representative with the Township. Mr. Gormont contacted Mr. Baldwin to meet and discuss issues and work on a solution moving forward.		
Committee Reports Personnel - G. Clark, J. Gormont Employee Insurance	Mt Joy will not be eligible to participate in the Eastern Adams Group, Benecon Insurance Group, due to no employee requesting full health insurance. Eastern Adams Group will not accept employees requesting eye		

	and dental insurance only.		
<u>Finance</u> – J. Gormont, D. Updyke 1. Township Budget	Continuing to work on budget for final approval. All information to finalize budget will not be available until Dec.		
2. Auditor's Report	See attached Auditor's report dated 10/21/2010.	Mr. Rhodes moved, seconded by Mr. Updyke, to accept the Auditor's Report as presented. Motion carried unanimously.	
<u>Planning, Land Use & Zoning</u> – G. Clark, R. Rhodes	Nothing to report at this time.		
<u>Building & Grounds</u> – D. Updyke, M. Gearhart 1. Security at the Township Building	Attempted break-in at the Township Bldg last month. Someone tried to break into a window in the conference room. Some items have been stolen from the property, American flag and chain fencing. Supervisor Gearhart, after an inspection of the facility with police, is investigating ways to secure the facility for better protection. More lighting around the building is being suggested.	Supervisor Gearhart is currently receiving quotes form electricians to improve lighting around the Township building.	
<u>Roads</u> – D. Updyke, R. Rhodes 1. Updates	<ul style="list-style-type: none"> • At the next workshop meeting, Supervisor Rhodes will address projects for upcoming year. • He is currently organizing a call-up list for snow plow drivers. • The township has a large dirt pile behind the twp building due to road work done this summer. The Roadmaster would like to put a bid in the paper to have the dirt hauled away and get some money for the dirt. 		
2. Agility Agreement With PennDot	Last month each Supervisor received a copy of the Agility Agreement with PennDot.	Mr. Clark moved, seconded by Mr. Rhodes, to enter into an agreement with PennDot and to accept the Agility Report. Motion carried unanimously.	Chairman Gormont will sign Agreement and return it to PennDot.
3. Road Crew Hours	Supervisor Updyke is requesting discussion concerning the weekly hours of the road crew workers. This has been an ongoing discussion since January on the hours of the road crew. He is recommending a standard work week of 25hrs. In the event of snow or ice on the roads,	Mr. Updyke moved, seconded by Mr. Clark, to change the road crew work hours to a 25 hrs standard work week.	

	<p>the crew would stay to finish the job. The Roadmaster has stated that the work for the road crew from now until April 2011 will consist of tree trimming and snow removal.</p> <p>Supervisor Rhodes is recommending keeping a standard work week of 40 hrs. for the road crew, and if there is no work, send the road crew home. As full time employees, they can collect unemployment when not working a 40 hr. week.</p> <p>Supervisor Clark commented that several other area townships have road crews who work 5 hr. days. He emphasized that salaries are being paid by the tax payers and it is not fair to our residents to pay a road crew while there is no work to be done.</p>	<p>Mr. Gearhart moved, seconded by Mr. Clark to tabled the previous motion and to discuss standard work week hours for the road crew in detail at the Nov. 4th Supervisors' Workshop Meeting and review options to be presented and voted on at the Nov. 18th Regular Supervisors' Meeting. Motion carried unanimously.</p>	<p>Forward to Regular Supervisors' Meeting, Nov. 18, 2010.</p>
<p><u>Public Safety</u> - G. Clark, M. Gearhart Emergency Action Plan, Surveillance, Warning and Evacuation Procedures, Lake Heritage Dam</p>	<p>Supervisor Gearhart contacted Lake Heritage Community concerning the Emergency Action Plan for Lake Heritage Dam. The current plan is dated 2004, but still in affect and is being updated. No date was given for completion of update.</p>		
<p><u>Council of Government</u> J. Gormont, G. Clark</p>	<p>Nothing to report at this time. Mr. Gormont will attend meeting on 10.28.</p>		
<p><u>Historical Committee</u></p>	<p>Approval of Historical Cmte. Oct. 6, 2010 Meeting Minutes.</p>	<p>Mr. Updyke moved, seconded by Mr. Gearhart, to accept the Historical Committee Meeting Minutes as presented. Motion carried unanimously.</p>	
<p><u>Ag Security Planning Committee</u></p>	<p>Nothing to report at this time.</p>		
<p><u>Strategic Planning Committee</u></p>	<p>Nothing to report at this time.</p>		
<p>Agricultural Land Preservation Board</p>	<p>Nothing to report at this time.</p>		
<p>Recreation Board</p>	<p>Supervisors Gormont and Clark presented a summary of recent activities:</p> <ul style="list-style-type: none"> • Met with DCNR presenting changes to Rec Plan for the park. • DCNR sent a letter to the Township explaining what was needed to get plan approved. • Mr. Gormont and Mr. Clark met with State Representative Dan Moul to discuss the situation. 		

	<ul style="list-style-type: none"> • DCNR met with Mr. Gormont and Mr. Clark in Dan Moul's office to discuss Rec Plan. • Mr. Clark has made changes to the Rec Plan and will send updated document back to DCNR. <p>The previous Board of Supervisors did not adopt the Plan in Jan. 2010, as it was presented. The new Board of Supervisors rewrote the Plan to be acceptable to residents and sent revised Plan back to DCNR for approval. The revised Plan was rejected by DCNR stating that requirements were not met as to holding public meetings. At this point, Mr. Gormont and Mr. Clark contacted Dan Moul who called the consultant and suggested the consultant provide some assistance to the Township. The Township cannot receive funding for this project until DCNR approves the Plan.</p> <p>Revisions are still in process. After 10 months, the Plan is still in the state of limbo. The Township will be requesting an extension for the grant, since grant monies run out at the end of 2010.</p> <p>The Supervisors are asking for public comments.</p> <p>Residents have been concerned that the Green Way could have hiking and biking trails along streams that go through back yards and private property.</p>		
Other Business	Several Zoning Code Books have not been returned to the Township from former employees.	The Secretary will send a letter to each former employee requesting return of the Zoning Code Book or cost to replace the book. The Secretary will contact General Code for pricing.	
New Business 1. Public Meeting for Ordinance 2010-05	A Public Hearing is needed for the Township to move forward with Ordinance 2010-05, an ordinance to amend Chapter 68 (Septic Systems) to add new definitions, a new article II establishing sewage management districts in the township and requiring periodic pumping of septic systems. This ordinance is required of the Township, based on Act 537, by the DEP. Pumping schedule will start in 2011.	Secretary will advertise to hold a Public Hearing for Ordinance 2010-05 at the Supervisors' Workshop Meeting, Nov. 4 th . At 8:00pm to receive public comment and to enact the Ordinance.	
2. Public Fire Hydrants at the Links	Rick Klein, developer of The Links at Gettysburg, is requesting fire hydrants in The Links to become public hydrants. Solicitor is recommending a different agreement arrangement than has been presented to the Township by Mr. Klein.	The Board of Supervisors' give the Township Solicitor permission to work directly with Mr. Klein on an agreement for the public fire hydrants which will be presented to the Board of Supervisors.	
3. EIT Ordinance	Solicitor is recommending the Township revise the EIT Ordinance to refer to the new act in it's language and than re-adopt the revised EIT Ordinance.		

<p>4. Speed Limit Signs - G. Clark</p>	<p>Supervisor Clark has received comments from residents who are concerned that some Mt. Joy Twp roads have no speed limit signs posted.</p> <p>Chairman Gormont explained that a Traffic Study must be done by PennDot before the Township can post a speed limit sign. A Traffic Study costs the Township approximately \$1,500 per road.</p>	<p>Supervisor Rhodes stated that he will investigate and report back to the Supervisors. He also will inquire to see if a Traffic Study is needed to post a speed limit sign of 40mph or over.</p>	
<p>Executive Session</p>	<p>The Board of Supervisors had an Executive Session with the Township Solicitor. Executive Session started at 8:12 pm. Topic of Discussion: <ol style="list-style-type: none"> 1. Alexander Appeal that is pending 2. Jacoby Worker's Compensation Claim Executive Session ended and Board of Supervisors re-entered the public meeting at 8:22pm.</p>		
<p>Adjournment</p>	<p>Meeting adjourned 8:24 pm.</p>		

Respectfully Submitted,

Susan C. Harbin
Secretary/Treasurer