

**Mount Joy Township Supervisors’
Supervisors’ Regular Meeting
October 16, 2014**

Meeting Minutes

Present: John Gormont, Chairman; David Updyke, Vice-Chair; Gil Clark; Dennis Bowman; Bradley Trostle; Susan Smith, Solicitor; Sheri Moyer, Secretary

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, Pennsylvania.

Call to Order: John Gormont, presiding.

Starting Time: 7:00 p.m.

Pledge of Allegiance

Public Comments: None.

Approval of Minutes:

- Supervisors’ Regular Meeting Minutes, September 18, 2014. Mr. Updyke moved, seconded by Mr. Bowman, to approve Minutes as presented. Motion carried unanimously.
- Supervisors’ Workshop Meeting Minutes, October 2, 2014. Mr. Updyke moved, seconded by Mr. Bowman to approve Minutes as presented. Motion carried unanimously.

Chairman’s Comments: No comments.

Solicitor’s Report: Mr. Updyke moved, seconded by Mr. Clark, to approve the report as presented. Motion carried unanimously.

Persons Requesting Time on Agenda: None.

Relocated Business:

- Links of Gettysburg/Fryer Tract – Traffic Speed Study. Mr. Vranich explained that since the last meeting the Links traffic consultant gathered all their information and submitted it to PennDOT. A speed study completed in December of 2013 shows the posted speed limit of 50 mph and the average speed recorded over a period of one week was 59 mph southbound (85%) and 58 mph northbound. The traffic study was completed by Traffic Planning and Design (TPD) for Mr. Klein. Mr. Schaefer from Trans Associates, the Township’s traffic engineer, stated in his letter that the design for egress and ingress right now meets the sight distance requirement. Sight distances are based on speed and slope of the road. The 2013 speed study was not submitted to PennDOT. Mr. Trostle questioned if the design was based on the posted speed limit or the 85% speed limit. Mr. Vranich indicated that Mr. Schaefer indicated that the design was in accordance with 85% speed. Mr. Vranich indicated the Township can request the 2013 speed study be included with the study paperwork already submitted to PennDOT requesting PennDOT to review to make sure the design is proper. Mr. Bowman moved, seconded by Mr. Updyke, to send the 2013 speed study to PennDOT for their review and no further speed study has to be done. Motion carried unanimously.

Announcements: None.

Treasurer's Reports:

- Approval of Monthly Finance Report. Mr. Updyke moved, seconded by Mr. Bowman, to approve the report as presented. Motion carried unanimously.
- Approval Bills Paid Report. Mr. Clark moved, seconded by Mr. Bowman, to approve the report as presented. Motion carried unanimously.

Road Report: Mr. Clark moved, seconded by Mr. Updyke, to approve the report as presented. Motion carried unanimously.

Subdivision and Land Dev.: None

Engineering Report: Mr. Trostle moved, seconded by Mr. Bowman, to approve the report as presented. Motion carried unanimously.

Plunkert Road Drainage Issue: Mr. Vranich met with the Roadmaster and property owner along Plunkert Road and specifically looked at three areas. Without completing an elevation survey along the gutter line it is hard to determine how the water flows. The Roadmaster took several pictures following the heavy rain on Tuesday which show several locations where the water ponds. Mr. Vranich recommended that prior to cutting any ditches for drainage it would be a good idea to take some elevations to make sure that running the grader down the road will accomplish the drainage flow. Both the Roadmaster and Mr. Vranich indicated that neither of them knew of any icing issues last winter. There is a possibility at one location that the current water flow could be creating a wetlands. The first step the Township would need to do would be to have a Wetland Scientist look at the property to determine if there is a wetlands. If not, then the Township could proceed with cutting the ditches. Mr. Vranich said this is not something we need to have a decision on tonight. The Board needs to be aware of the situation and possibly think about it for a project for next spring.

Zoning & Code Enforcement Officer's Report: Mr. Updyke moved, seconded by Mr. Trostle to approve the report as presented. Motion carried unanimously.

Land and Sea Services, LLC, Building Inspections: Mr. Trostle pointed out several misspellings in the report, North Cumberland Road should read North Chamberlain Road and Trevpr Road should be Trevor Road. Mr. Trostle also wanted to enter into the record that absent from the report for the month of July for reasons unknown would be 35 Bridge Valley Road, Gettysburg, and also for reasons unknown it was absent from the August report but it appears in the September report. Mr. Gormont stated that 35 Bridge Valley Road also does not have a building permit number listed while all the other properties listed did. Mr. Updyke moved, seconded by Mr. Clark, to approve the report as presented. Motion carried unanimously.

Open Records Officer Report:

- Brenda Jones – CDC News requesting bid result or the awardee and their amount for line painting project – Denied
- Amanda Wheeler - Construction Journal requesting tabulation sheet for the 2014 Road Department Line Painting bid due date September 18, 2014 – Granted
- Leslie Handler – CDC News requesting bid results from September 18, 2014 due date for Road Department Line Painting – Granted
- Amanda Wheeler – Construction Journal requesting rebid documents for 2014 Road Department Line Painting due date October 16, 2014 – Granted
- Myra Turner – Reed Construction Data requesting current list or potential bidders and cost estimate for the Line Painting Bid due October 16, 2014 – Denied

- Veronica Flowers – ISqFt requesting current list or potential bidders and cost estimate for the Line Painting Bid due October 16, 2014 – Denied

Fire Company Reports

	MJT Calls per month	YTD Calls in MJT
1. Alpha Fire Company	2	18
2. Barlow Fire Company	No Report	
3. Bonneauville Fire Co.	2	15
4. Gettysburg Fire Co.	No Report	

Mr. Clark moved, seconded by Mr. Updyke, to approve the report as presented. Motion carried unanimously.

Correspondence:

- Letter dated September 18, 2014 from PSATS Unemployment Compensation Group Trust re: 2015 rates
- Gettysburg Adams Chamber of Commerce – 95th Anniversary Annual Meeting, November 5, 2014
- Letter dated September 26, 2014 from Adams County Community Foundation enclosing Annual Report and requesting a donation
- Memorandum dated October 3, 2014 from Adams County Office for Aging, Inc. requesting a donation
- Penn State Extension Adams County Annual Banquet, October 23, 2014
- Letter dated October 6, 2014 from Susan J. Smith addressed to the Attorney General re: ACRE Review Request
- Notice received Gettysburg Adams Chamber of Commerce seeking nominations for Outstanding Citizen Award
- Letter from Community Media requesting a donation
- Letter dated October 15, 2014 from Sheri Moyer enclosing Mt. Joy Twp’s Annual Inspection Report

Committee/Board Reports:

- Personnel (B. Trostle, D. Updyke) No Report
- Finance (J. Gormont, D. Updyke) Mr. Gormont stated the financial committee is working on the budget and hopefully will present a draft at the regular meeting in November.
- Planning Commission: Monthly report presented. Mr. Bowman moved, seconded by Mr. Updyke, to approve the report as presented. Motion carried unanimously.
- Planning, Land Use & Zoning (D. Bowman) No Report
- Building & Grounds (G. Clark) No Report
- Roads (J. Gormont) No Report
- Public Safety (G. Clark) No Report

Business

- Ag Land Preservation – Annual Property Inspections: Ms. Smith explained that each year an inspection of the property must be completed to make sure the property is still being used appropriately to be included in the Ag Land Preservation. Mr. Updyke moved, seconded by Mr. Bowman, to accept the report as presented. Motion carried unanimously.
- Building Inspections: Mr. Clark stated that he leans towards opting in. Mr. Clark stated he would like to have a Request for Qualifications (RFQ) to obtain a professional. Mr. Gormont stated that it is his understanding that should the Township opt in we would be incurring a little more paperwork here at the Township but those costs would be minimal. Any fees paid would be reimbursing the third party inspector.

Mr. Gormont stated that the current system we have allows the Township to track the permits and inspections, etc. Mr. Trostle questioned if this limits the Township to one inspector. Ms. Smith said that most municipalities have one, however, that decision is up to the Board. Mr. Bowman questioned what the Township would gain by doing this. Mr. Gormont said that it would allow the Township more control of what construction is happening within the township. Ms. Smith said that commercial/industrial construction is being inspected/managed by the State. Residential projects are not under their jurisdiction so they are not managing the process. The Township is not because the Township decided opt out. Currently, the Township is relying on a third party inspector so the Township has no way of knowing what that third party inspector has done or not done. Ms. Smith stated if the Township opts in they would have to create a Board of Appeals consisting of citizens from the Township that would meet as needed. Mr. Updyke moved, seconded by Mr. Trostle, to put an RFQ out for building inspectors. Motion carried unanimously.

- Fire and Emergency Services Agreement – Barlow: Mr. Clark indicated that Barlow is ready to sign the agreement but have two language issues. Mr. Clark indicated that they are down to two issues, the representatives from Barlow want the language in the Level of Service to include ...”unless regulatory requirements mandate that a certain amount of equipment and manpower supplement the response for the service call” and in paragraph 3.a. Funding they want the following added to the paragraph ...”within the Township by multiple companies in a total amount”. Ms. Smith will draft a letter to all four fire companies to clarify the language issues and Mr. Gormont will provide the funding formula as an attachment to the letter. Mr. Bowman moved, seconded by Mr. Clark, to have a letter sent to all four fire companies to clarify the language. Motion carried unanimously. The due date for the signed Agreement is October 23, 2014.

- Well Ordinance: Mr. Bowman stated there is a need to rewrite the well ordinance because the current setbacks for wells are not typical for geothermal installations. Mr. Bowman believes there is a difference between geothermal wells and water supplying wells. Mr. Bowman questioned the last setback which is foundation setback. The draft ordinance presented by Ms. Smith and Mr. Vranich has a 10 foot setback from foundation. Mr. Bowman stated he has spoken with well drillers who told him that they have no issue with equipment or drilling within a 5 foot setback. Mr. Bowman agrees with the draft with the exception of the 10 foot setback. He would like it to be 5 feet. Mr. Vranich indicated that the Township was the forerunner of having a well ordinance. The County just came out with a model ordinance which is very, very similar to the Township’s current ordinance. Mr. Vranich read directly from the Township’s ordinance the description of a geothermal system and how the system works. Within the geothermal well description Mr. Vranich read the well driller is to provide to the Township their certification prior to work being completed. Mr. Gormont questioned whether within the current ordinance there is any requirement for recording where they are located. Mr. Gormont stated that he has researched and read many other township/boroughs ordinances where they require documentation and also the location is recorded as part of the deed as to where these systems are located. Mr. Trostle questioned if there is any section within the current ordinance for closure and or abandoned. Mr. Vranich said that there is a section titled “Abandoned Water Supplies” which is not exactly geothermal. Mr. Trostle stated that the new ordinance needs to specifically differentiate well from borehole and also from a water supply well and geothermal. Mr. Gormont would like to have language within the ordinance as to a design document showing the location of the wells and also recording the document. Ms. Smith said that our current ordinance requires an application which includes a design document showing the location of the well. The current ordinance does not address the recording issue but it does address the design. Mr. Gormont also stated in much of the documentation that he has researched and also documentation from DEP that both water wells and geothermal wells (boreholes) are treated the same. Mr. Trostle stated that he would like language to define how the boreholes are abandoned. How the fluid (antifreeze – toxic or nontoxic) is removed and closed off. Mr. Gormont explained that he contacted DEP for Adams County and was referred over to the Source Water Protection Coordinator who said err on the side of caution he recommended leaving the seatbacks as they are within the current ordinance. Mr. Trostle stated that at a minimum he believes we need a procedure

to; (1) identify whether or not the individuals who are drilling boreholes are properly certified; (2) the fluid (antifreeze) being used; (3) recording of the location of the boreholes, and; (4) the procedure for closure/abandonment of the boreholes. Ms. Smith and Mr. Vranich will draft a new ordinance for the November 21, 2014 supervisors meeting.

- Bid Opening – Line Painting: The Township received two bids for the line painting project. Bids opened at: 8:42 p.m.

Bidder	Description	Unit Price	Total Price
D.E. Gemmill, Inc.	63,898 LF single yellow	\$0.69/lf	\$4,408.96
101740 Chapel Church Road Red Lion, PA 17356	21,346 LF double yellow	\$0.139/lf	\$2,967.09
	Total Bid Amount		\$7,376.05
Midlantic Marking, Inc.	63,898 LF single yellow	\$0.08/lf	\$5,111.84
P.O. Box 7997 Gaithersburg, MD 20898	21,346 LF double yellow	\$0.15/lf	\$3,201.90
	Total Bid Amount		\$8,313.74

Low bidder is D.E. Gemmill, Inc.

Mr. Updyke moved, seconded by Mr. Clark, to accept D.E. Gemmill as the company to complete the line painting project. Motion carried unanimously

Executive Session:

Start: 9:21 p.m.

Topics:Herrick ZHB appeal
 Links at Gettysburg Well Ordinance Violations – MDJ Summary Citations
 Hartlaub litigation

Meeting Reconvened: 9:32 p.m.

Adjournment: With no further business to be discussed by the Board, Mr. Updyke moved, seconded by Mr. Trostle, to adjourn the meeting. Motion carried unanimously. Meeting adjourned 9:33 p.m.

Respectfully Submitted,

Sheri L. Moyer
 Secretary