

**Mount Joy Township
Supervisors' Regular Meeting and Public Hearing
October 18, 2018
Meeting Minutes**

Present: John Gormont, Chairman; David Updyke, Vice-Chair; Dennis Bowman; Jeffrey Patterson; Terry Scholle; 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 HEARING

Call to Order: Public Hearing Meeting, duly advertised, opened at 7:02 p.m.
Chairman, John Gormont presiding.

Proposal for the Inclusion in the Mount Joy Township Agricultural Security Area of:

- Robert G. & Sharon J. Martin, 1401 Barlow Two Taverns Road, Gettysburg, PA 17325; 30G16-0023; 22.58 acres.
- Robert G. & Sharon J. Martin, 1403 Barlow Two Taverns Road, Gettysburg, PA 17325; 30G16-0043; 8.2 acres.

Public Comments: None.

Adjournment: Closed Public Hearing: 7:05 p.m.

Supervisors' Regular Meeting Reconvened at 7:05 p.m.

Board Action Regarding Proposals for the Inclusion in the Mount Joy Agricultural Security Area:

Mr. Patterson moved, seconded by Mr. Bowman, to accept the Agricultural Security Area application of Robert G. & Sharon J. Martin, 1401 Barlow Two Taverns Road, 30G16-0023; 22.58 acres and 1403 Barlow Two Taverns Road, 30G16-0043; 8.2 acres for a total of 30.78 acres by adopting Resolution 14 of 2018. Motion carried unanimously.

Public Comments: None.

Approval of Minutes:

- Supervisors' Regular Meeting Minutes, September 20, 2018. Mr. Updyke moved, seconded by Mr. Bowman to approve the minutes as presented. Motion carried unanimously.
- Supervisors' Workshop Meeting Minutes, October 4, 2018: Mr. Updyke moved, seconded by Mr. Scholle, to approve the October 4th workshop meeting minutes as presented. Motion carried unanimously.

Chairman's Comments: None.

Solicitor's Report: Mr. Updyke moved, seconded by Mr. Patterson, to accept the report as presented. Motion carried unanimously.

Persons Requesting Time on Agenda: None.

Announcements: None.

Treasurer's Reports:

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

Road Report: Mr. Patterson moved, seconded by Mr. Updyke, to approve the road report. Motion carried unanimously.

Planning Commission: Mr. Updyke moved, seconded by Mr. Scholle, to accept the Planning Commission report for October as presented. Motion carried unanimously.

Subdivision and Land Dev.:

- Final Subdivision Plan for Lyman D. Schwartz – Lot Addition: Mr. Vranich said last month they tabled the plan because it needed to have the comment referencing the building being commercial. They have removed the note and have no reference to it being commercial. Mr. Scholle moved, seconded by Mr. Updyke, to conditionally approve the plan pending satisfactory resolution of the Zoning Officer and Engineer's letters both dated October 11, 2018. Motion carried unanimously.
- Final Land Development Plan for Old Glory Contractors c/o William Dell dated July 18, 2018, revised September 27, 2018: Mr. Vranich said this plan is for a 3,500 square foot accessory building behind the existing buildings on the property. The is for storage of items that are currently being stored outside. Mr. Bowman moved, seconded by Mr. Scholle, to conditionally approve the plan pending satisfactory resolution of the Zoning Officer letter dated September 27, 1028, (item 2) and the Engineer's letter dated October 1, 2018, (items 3 & 4). Motion carried unanimously.

Engineering Report: Mr. Patterson moved, seconded by Mr. Scholle, to accept the October engineer report as presented. Motion carried unanimously.

Zoning Officer/Code Enforcement Officer's Report: Mr. Updyke moved, seconded by Mr. Bowman, to accept the report for July. Motion carried unanimously.

Land and Sea Service Inspection Report: Mr. Bowman moved, seconded by Mr. Patterson, to accept the report as presented. Motion carried unanimously.

Open Records Officer Report:

- Richard A. Klein – All records related to well construction permit applications or other applications/permits filed pursuant to the Mt. Joy Township well ordinance filed with the Township in 2013 & 2014 other than the applications for the following properties 163 Savannah Dr., 32 Brookside Lane, 98 Brookside Lane, 9 S. Chamberlain Ct., 35 Bridge Valley Dr., 210 Savannah Dr. - Partial denial due to

insufficient request and granted regarding other application/permits filed pursuant to the Mt. Joy Township well ordinance

- Linda A. Adams – Screening along route 15 – trees were cut, screening on south side – half the trees died, would like to know the four stages of improvements plans, especially next to our property, is there a permit for the floodlight? – Denied due to insufficient request and because no records exist.
- Steve Rice – Straban Township’s July 1, 2016 referencing Straban’s Land Use Assumption Report – Granted

Fire Company Reports:

	MJT Calls per month	YTD Calls in MJT
1. Alpha Fire Company	1	18
2. Barlow Fire Company	3	34
3. Gettysburg Fire Co.	4	24
4. United Hook & Ladder.	1	5

Mr. Updyke moved, seconded by Mr. Patterson, to accept the report as presented. Motion carried unanimously.

Third quarter financial reports from Gettysburg Fire Company. Mr. Bowman moved, seconded by Mr. Scholle, to accept the financial report from Gettysburg Fire Company. Motion carried unanimously.

Mr. Updyke moved, seconded by Mr. Bowman, to release the third quarter disbursement to Gettysburg Fire Company. Motion carried unanimously.

Correspondence:

- Letter dated August 17, 2018 from Herrick Septic & Excavating regarding Pennsylvania Septic Management Association “Septic Smart Week”
- Letter from Survivors, Inc. regarding them providing safety and shelter to domestic violence, sexual assault and human trafficking, housing for abused individuals seeking a donation
- Notice of estimated allocation Municipal Liquid Fuels and Turnback dated September 2018
- Letter dated October 11, 2018 from Ms. Moyer enclosing the Green Space Grant Program inspection report

Committee/Board Reports:

- Personnel (Patterson, Updyke): No report
- Finance (Gormont, Updyke): No report
- Roads (Gormont): Mr. Gormont said the shoulder cutting is complete on all township roads.
- Public Safety (Bowman): No report

Business:

- AAR Plastics Conditional Use Decision: Mr. Patterson moved, seconded by Mr. Bowman, to approve the Conditional Use with the following conditions:

1. The residential structure existing on the Property shall no longer be occupied and used as a single-family dwelling. The residential structure existing on the Property shall be an accessory structure to the principal nonresidential conditional use and may be occupied and used as a “break room” for the employees, including occasional overnight accommodations during periods of extended fabrication operations.

2. The bathroom in the existing residential structure on the Property shall be retained for usage by the owners, operators, employees, agents, contractors, vendors and customers. No temporary toilet facilities

shall be placed on the Property. No later than the date of submission of a preliminary land development plan for the construction of the accessory building described in the Application, the Applicant shall obtain a written determination from the SEO that the existing septic system is adequate to handle septage that may be generated in relation to the construction of an accessory building should the Township's UCC Official determine that the proposed structure requires restroom facilities.

3. No later than July 1, 2019, the Applicant shall submit a preliminary land development plan for the construction of the proposed accessory building described and depicted in the Application and at public hearing. No later than 60 days from the date of the approval of the Preliminary Land Development Plan the Applicant shall submit a Final Land Development Plan for the construction of proposed building described and depicted in the Application. No later than 45 days from the date of the approval of the Final Land Development Plan the Applicant shall satisfy all conditions, if any, attached to the approval of the Final Land Development Plan. The preliminary and land development plan shall demonstrate compliance with all applicable requirements of the Zoning Ordinance, including but not limited to landscaping, parking and loading areas. In the event of Applicant's failure to meet any of the deadlines stated above, the Applicant shall cease the use of the Property until such time as the following requirements of the Zoning Ordinance and SALDO have been satisfied as confirmed by inspection of the Zoning Officer and Township Engineer:

- Zoning Ordinance, Section 110-603 Table of Off Street Parking and Loading Requirements
- Zoning Ordinance, Section 110-605.C. Design standards for off-street parking and loading.
- Zoning Ordinance, Article VII Landscaping
- SALDO, Section 86-20

4. No later than July 1, 2019, the Applicant shall obtain a written determination from PennDOT of the requirement for a highway occupancy permit for the conditional use of the Property. In the event PennDOT determines that a highway occupancy permit is required, the Applicant shall obtain such permit prior to approval of a final land development plan. In the event PennDOT determines that a highway occupancy permit is required, and the Applicant fails to meet any of the deadlines stated in Condition No. 3 related to the preliminary and/or final land development plan, the Applicant shall cease the use of the Property until such time as a PennDOT highway occupancy permit has been obtained.

5. No later than 60 days from the date of this Decision, the Applicant shall obtain permits required under the Uniform Construction Code and final inspections and approvals for work authorized by the permits for the improvements already made or proposed to be made to the existing structures on the Property, as described by Applicant on the record, or present to the Township a written determination from the Township's UCC Official that permit(s) are not required for the work.

6. No later than 30 days from the date of invoice issued by the Township, the Applicant shall pay any additional fees for expenses incurred by the Township relating to the Application. Motion carried unanimously.

- ASA Resolution: See above for motion.
- Reimbursement of Stormwater Management funds:
 - ✚ Michael & Carmen Babst
 - ✚ Keith & Catherine Ballantyne
 - ✚ Eric & Jennifer Seidel
 - ✚ Kyle Zink

Mr. Bowman moved, seconded by Mr. Updyke, to reimburse the individuals for their excess fees. Motion carried unanimously.

- Backup SEO: Mr. Vranich said Matt Re who was Wm. F. Hill's backup SEO has left their company. He said Mr. Re is still local and still has his certification. Matt said he is willing to serve as backup SEO. Mr. Vranich said he does not see a need to utilize his services, but the Township does need to have a backup. Mr. Vranich said he will remain on their payroll as a part time employee should he be needed. He also indicated he was in contact with Gettysburg Engineering, Dean Shultz, who would also be available should Mr. Leese or Mr. Re not be available.

- Links at Gettysburg – Financial Security Agreement: Mr. Gormont read a letter received from Mr. Klein dated October 8, 2018. Ms. Smith said the Board directed a letter be sent to Mr. Klein with information needed to be submitted to the Board for consideration of a schedule and items they would be acting upon. Mr. Vranich handed out a very rough schedule that he received via email today. Mr. Gormont questioned if there was a date the Board will receive the plan. Mr. Klein stated it would be the end of the month. Mr. Klein said the HOA is in agreement. He said the plan is substantially complete and the intent of the original plan is being tweaked just like they did for Roundtop/Lookout with a schedule for Spring planting. Mr. Gormont questioned if the HOA had a meeting with the residents and all the residents reviewed it? Or is that just the HOA Board reviewing it. Mr. Klein said it was the HOA Board meets with different homeowners. Mr. Gormont questioned Mr. Klein if all the residents in that area have agreed to that? Mr. Klein said, "Correct". Mr. Bowman said the individual residents do not have a right to sign, the Board represents them. The Board had input from the residents. The HOA Board is fiduciary responsible group there, not the individual homeowners. Mr. Gormont said he does not want the individual residents to sign it, he wants to know if the HOA Board spoke with each of the residents to see if this is what they want. Mr. Bowman said, bottom line is, if the Board says its 100% that's what it is. Mr. Klein said to answer the question, "Yes they have". Mr. Bowman said that they have agreed through their Board.

Mr. Vranich said from a procedural stand, the plan will get submitted to the Township from either Mr. Sharrah or Mr. Klein. It would be reviewed by both the Zoning Officer and himself to make sure it meets the ordinance requirements that are in place to PCG's. It would come before the Board for approval and be signed by the Supervisors, the HOA and Mr. Klein so that all parties agree with the conditions in the plan because that plan is changing the approved original landscaping plan. Mr. Vranich said the plan should be in front of the Board if it is submitted by the end of this month.

Mr. Gormont said that the Township is now current with all the receipts from the homeowners. Mr. Klein agreed.

Ms. Smith said the Board needs to approve the proposal to submit a plan by the end of the month and complete the improvements that are outstanding by Spring 2019. Mr. Vranich suggested we put the date for completion to be June 1, 2019 and within 6 months of final grading after completion of building a house they complete that landscaping.

Ms. Smith said what's before the Board is to accept the proposed schedule putting in the completion of the improvements by June 1, 2019 and everything else completed within 6 months of the final grading after completion of construction on any lot.

Mr. Vranich reiterated, the proposed plan by the end of the month. All plantings for what's completed now by June 1, 2019 and all plantings for what's yet to be completed within 6 months when those areas have received final grading. Mr. Vranich said if the Board approves this he would make sure that language appears on the plan.

Mr. Patterson moved, seconded by Mr. Bowman, to accept the proposed schedule with the dates. Motion carried unanimously.

Other Business (not on the Agenda):

- Ramsburg Well Issue: Ms. Smith said they have 3 wells that Mr. Ramsburg indicated he did not want to decommission but to put into active use. The deadline set by the Board is a month from now. She questioned the Board to see if they want to have Ms. Hare send a letter with that obligation. If he does not ask for an extension, he would have to abandon those 3 wells. Mr. Gormont moved, seconded by Mr. Bowman, to have the Zoning Officer issue a letter to Mr. Ramsburg informing him of the deadline for the completion of those wells being put into service. Motion carried unanimously.
- Lake Heritage Brine Agreement: Mr. Gormont sent to Lake Heritage a draft agreement for the salt they want to spread. To date, we have not received any response back.
- Office Lighting Proposals: Mr. Bowman moved, seconded by Mr. Patterson, to accept the quote from John Spalding Electric in the amount of \$3,200.00 to replace the light fixtures in the meeting room and offices including dimmer switches. Motion carried unanimously.
- Budget: Mr. Patterson moved, seconded by Mr. Scholle to put the draft budget out for public review. Motion carried unanimously.
- ACATO By-Laws: Mr. Gormont asked if the Board had any comments on the draft by-laws. The response was that it looked good as presented.
- Personnel Manual: To be discussed at the workshop meeting in November.
- Water Shed Implementation Plan Phase III: Mr. Vranich said this is a follow up to a meeting he attended on behalf of the Township. This is to reduce the loading in to the Chesapeake Bay. They set different phases and goals to reduce the pollutants going into the bay. We are now in Phase III where the County will have to submit a plan on how they hope to reduce these levels. The plan is intended to be voluntary. If it is not being complied with it could become mandatory. Mr. Vranich said he will keep the Township updated on what they are doing going forward.

Executive Session: None.

Adjournment: With no further business to be discussed by the Board, Mr. Updyke moved, seconded by Mr. Scholle, to adjourn the meeting. Motion carried unanimously. Meeting adjourned 8:30 p.m.

Respectfully Submitted,

Sheri L. Moyer
Secretary