

**MOUNT JOY TOWNSHIP SUPERVISORS  
MINUTES  
OCTOBER 21, 2021 REGULAR MEETING**

The meeting was an open meeting, also conducted as a remote meeting through the SmartMeeting platform. Attendance and votes were taken by roll call.

**Present:** John Gormont, Chairman; David Updyke; Vice Chairman Terry Scholle; Bernie Mazer; Judy Morley

**Also Present:** Susan Smith, Solicitor; Erik Vranich, Township Engineer; Melissa Zirkle, Administrative Assistant; Shannon Hare, Secretary and Zoning Officer and Code Enforcement Officer

**Supervisors-reaffirmation of email poll**

- Acceptance of resignation of Supervisor Patterson. Supervisor Mazer moved, seconded by Supervisor Scholle to accept the resignation of Jeffery Patterson. Motion carried, unanimously.
- Appointment of Dr. Judy Morley to fill vacancy on Board of Supervisors. Supervisor Mazer moved, seconded by Supervisor Updyke to appoint Dr. Judy Morley as supervisor to fill the seat vacated by Supervisor Patterson. Motion carried, unanimously.

**Public Hearings**

Suspended regular meeting and opened public hearing on Act 50 ordinance at 7:02pm

- **AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MOUNT JOY, ADAMS COUNTY, PENNSYLVANIA, CHAPTER 110, ZONING, TO COMPLY WITH PENNSYLVANIA’S SMALL WIRELESS FACILITIES DEPLOYMENT ACT, ACT 50 OF 2021, BY ADDING THE SMALL WIRELESS FACILITY USE AS A PERMITTED USE IN A RIGHT-OF-WAY IN ALL ZONING DISTRICTS, RELATED DEFINITIONS, APPLICATION PROCEDURES, AND STANDARDS AND REQUIREMENTS**, amends the Zoning Ordinance to comply with Act 50 of 2021. The ordinance provides for a small wireless facility use as a permitted use in the public rights-of-way in all zoning districts, use-specific definitions, design standards, zoning permit and application procedures and discontinuation requirements. Solicitor Smith discussed the proposed ordinance.

Solicitor Smith explained that Act 50 of 2021 mandated that all municipalities provide for small wireless facilities as a permitted use in the municipal rights-of-way in all zoning districts. She also noted that Act 50 called for the amendment of municipal zoning ordinances and also provided that, in the event amendments were not made, the provisions of Act 50 are in effect. Solicitor Smith advised that it was prudent to adopt the ordinance to inform the general public, regulated public and the ordinance administrators of the requirements. Solicitor Smith said that the Township could still administer its road encroachment ordinance.

There were no public comments.

Closed public hearing at 7:09pm.

Opened public hearing on SALDO amendment ordinance at 7:09pm.

- **AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MOUNT JOY, ADAMS COUNTY, PENNSYLVANIA, CHAPTER 86, SUBDIVISION AND LAND DEVELOPMENT, TO AMEND SECTIONS 86-11.A(1) and 86-12(A)(1) TO DELETE A 15 DAY PROVISION AND TO ADD REFERENCE TO A POLICY ESTABLISHING PLAN SUBMISSION DEADLINES**, amends the SALDO to establish preliminary and final subdivision and land development plans submission deadlines by policy concurrently approved by the Board. The proposed policy requires that initial plans and resubmission (revision) plans be submitted 30 days and 15 days, respectively, prior to the Planning Commission meeting at which the plans will first be reviewed, and enlarges the submission deadline for resubmission plans to 30 days when plan revisions result in changes to the number of lots proposed, changes to roadway layout, an increase or decrease in building square footage of more than 10%, or substantial revisions to the stormwater management design.

Solicitor Smith said that this amendment originated from staff. Deadlines are short and it is often difficult to get plan reviews done and to the Board by the deadline. This amendment removes the deadline and replaces it with a policy which, for purposes of public hearing, is embedded in the draft ordinance.

There were no public comments on the ordinance amendment.

Supervisor Updyke moved, seconded by Supervisor Scholle to close the public hearing. Motion carried, unanimously. Supervisor Mazer moved, seconded by Supervisor Scholle to adopt the policy, as stated in the draft ordinance, that requires that initial plans and resubmission (revision) plans be submitted 30 days and 15 days, respectively, prior to the Planning Commission meeting at which the plans will first be reviewed, and enlarges the submission deadline for resubmission plans to 30 days when plan revisions result in changes to the number of lots proposed, changes to roadway layout, an increase or decrease in building square footage of more than 10%, or substantial revisions to the stormwater management design. Motion carried, unanimously.

**Announcement** There was an executive session on October 7, 2021, from 9:05-9:20 pm regarding litigation (Brookview Land Use Appeal, McCauslin RTK Appeal, Gettysburg Concrete Commonwealth Court Appeal).

**Public Comment.** None

**Written Public Comment.** Elizabeth Zaic 6 Parkland Ct- Stormwater management issue with their property.

### **Persons Requesting Time on the Agenda**

- Adams County Transportation Planning Organization (ACTPO) discussion on Long Range Transportation Plan (LRTP). Laura Neiderer and Andrew Merkel from Adams County discussed the Long Range Transportation Plan for Mount Joy Township. ACTPO is responsible for updating the LRTP every 5 years. This is a federal mandate. ACTPO is a policy-making body that prioritizes and allocates funds for state owned and maintained roads and bridges, bicycle/pedestrian safety, and other transportation-related improvements. The types of improvements include; roads/pavement maintenance, bridges, intersections, safety concerns, congestion, transit and expanded infrastructure (e.g. bike/Ped facilities, turning lanes, connections). Supervisor Scholle asked about a large corrugated culvert on Fish and Game Rd and whether or not it would be on the long range plan for replacement. Andrew Merkel said that the information used was pulled from PennDOT records. Solicitor Smith said there were inconsistencies between PennDOT's road classifications reported in the LRTP and the Township's road classifications map which triggers SALDO regulations. Township Engineer, Erik Vranich will compare the two and report to the Board. Andy Merkel offered to provide information about how PennDOT determines road classifications.

### **Approval of Minutes**

- Regular Meeting Minutes, September 16, 2021. Supervisor Mazer moved, seconded by Supervisor Scholle to approve the minutes. 3-0, both Supervisors Morley and Updyke abstained.
- Workshop Meeting Minutes, October 7, 2021. Supervisor Mazer moved, seconded by Supervisor Scholle to approve the minutes. 4-0 Supervisor Morley abstained.

**Solicitor's Report.** Solicitor Smith presented her report. Supervisor Updyke moved, seconded by Supervisor Scholle to accept the Solicitor's Report for the period following the September regular meeting. Motion carried, unanimously.

### **Treasurer**

- Approval of Monthly Finance Report. Supervisor Updyke moved, seconded by Supervisor Mazer to approve the Monthly Finance Report for September 2021. Motion carried, unanimously.
- Approval of Bills Paid Report. Supervisor Updyke moved, seconded by Supervisor Mazer to approve the Bills Paid Report for September 2021. Motion carried, unanimously.

**Police Report.** Supervisor Updyke moved, seconded by Supervisor Scholle to accept the September 2021 Police Report. Motion carried, unanimously.

**Roadmaster's Report.** Roadmaster Gormont reported that the Basehor-Roth road project was almost complete. The guiderails need to be put back up and line painting will follow. Roadmaster Gormont reported that the project went well, with the biggest problem being the removal of 22 very large pipes. The Township is planning a project to widen Krug Rd. at the intersection of Hoffman Home Rd. to allow for the trucks to make their turns without ending up in the yards of the neighbors. The project will hopefully take place in 2-3 weeks. There is a utility guide pole that first needs to be moved.

**Engineer's Report.** Mr. Vranich presented his report. Supervisor Updyke moved, seconded by Supervisor Scholle to accept the Engineer's Report for September 2021. Motion carried, unanimously.

**Zoning Officer and Code Enforcement Officer's Report.** Supervisor Updyke moved, seconded by Supervisor Mazer to accept the Zoning and Code Enforcement Officer's Report for September 2021. Motion carried, unanimously.

**Planning Commission's Report.** No report.

**Land and Sea Report.** Supervisor Updyke moved, seconded by Supervisor Mazer to accept Land and Sea's Permits and Inspections Report for September 2021. Motion carried, unanimously.

**Open Records Officer's Report-** There were a number of Right-To-Know Requests received by the Township. The requests and disposition were reported-on the agenda.

### **Fire Company Reports**

- Supervisor Updyke moved, seconded by Supervisor Mazer to accept Fire Companies' reports for September 2021 and to disburse the third quarter funds to Barlow, Gettysburg, and United Hook and Ladder. Motion carried, unanimously.

### **Correspondence**

The following correspondence was acknowledged:

- Attestation engagement Liquid Fuels Tax Fund for 2020
- Notice of Estimated Allocation Municipal Liquid Fuels and Turnback-Estimated Liquid Fuels allocation for 2022
- Memorandum dated September 22, 2021 from Adams County Office for Aging, Inc. requesting a contribution
- Letter dated September 24, 2021 from Pennsylvania Department of Transportation regarding the Winter Partnership Meeting
- Letter received October 4, 2021 from Community Media requesting a meeting to share their vision, successes, and needs.
- Letter dated October 4, 2021 from the Littlestown Area Senior Center requesting a donation.
- Letter dated October 5, 2021 from Pennsylvania Department of Environmental Protection regarding a technical deficiency of the Mark H. Kitzinger planning module application.
- Letter dated October 12, 2021 from PSATS Trustees regarding Insurance and Retirement Services

### **Subdivision/Land Development Plans**

- The Links at Gettysburg Planned Golf Community Preliminary Subdivision Plan for Wade Run Community. Erik Vranich stated that no revised plans have been submitted yet. The action deadline is November 13, 2021, therefore an extension of time is needed. The Board accepted the letter from the applicant extending the deadline to February 11, 2022.

Mr. Vranich presented the Planning Module for Board action. There were no public comments received in response to the required DEP notice. Supervisor Mazer moved, seconded by Supervisor Updyke to authorize the signing of the planning module. 4-0, Supervisor Morley abstained.

Solicitor Smith stated that an application to the PUC for the required certificate of public convenience to serve the project area has not been submitted.

- *TENTATIVE PENDING SUBMISSION OF REVISED PLAN* Minor Final Subdivision Plan Roundtop Lot Addition Plat-The Courtyards at the Links at Gettysburg. Erik Vranich stated that no revised plans have been submitted. The action deadline is December 31, 2021. He recommended that the plan be tabled.
- *TENTATIVE PENDING SUBMISSION OF REVISED PLAN* Open Space Plan The Links at Gettysburg. Erik Vranich stated that no revised plans have been submitted. This is not a subdivision or land development plan, so there is not formal deadline. He recommended that the plan be tabled.

### **Committee Reports**

- Personnel: (Patterson and Updyke). No report
- Finance: (Gormont and Updyke). Budget later in agenda
- Roads (Gormont). No report

### **Business**

- Resignation of Judy Morley from Zoning Hearing Board. Supervisor Scholl moved, seconded by Supervisor Updyke to accept the resignation of Dr. Judy Morley from the Zoning Hearing Board. Motion carried, unanimously.
- Comcast application for the state's Unserved High-Speed Broadband Funding Program (UHSB) for extension of broadband on Hoffman Home Road. Supervisor Scholle moved, seconded by Supervisor Mazer to reaffirm the email poll to issue a letter of support for Comcast's application for the state's unserved high-speed broadband funding program. 4-0, Supervisor Morley abstained. The original vote was 3-1.
- Disbursement of Fireman's relief funds to fire companies. The Board acknowledged.
- Septic Report for 1303 Barlow Two Taverns Rd. Supervisor Updyke moved, seconded by Supervisor Mazer to accept the inspection report from Eco-Tech for the OLDs requirement for 1303 Barlow Two Taverns Rd. Motion carried, unanimously.
- Septic Report for 506 Plunkert Rd. Supervisor Mazer moved, seconded by Supervisor Updyke to accept the inspection report from Premiere Property Services for the OLDs requirement for 506 Plunkert Rd. Motion carried, unanimously.
- Septic Report for 3435 Baltimore Pike. Supervisor Mazer moved, seconded by Supervisor Updyke to accept the inspection report from Pump Services, Inc. for the OLDs requirement for 3435 Baltimore Pike. Motion carried, unanimously.

- Request for exemption from Chapter 68 Septic Systems for 365 Bowers Rd. Supervisor Scholle moved, seconded by Supervisor Updyke to accept the request for exemption from Chapter 68 Septic Systems for 365 Bowers Rd. since the property has been vacant since 2009. Motion carried, unanimously.
- United Hook and Ladder Box Card. Supervisor Updyke moved, seconded by Supervisor Scholle to approve the changes to the box card. Motion carried, unanimously.
- 2022 Budget. Supervisor Scholle moved, seconded by Supervisor Mazer to accept the budget for 2022. Motion carried, unanimously.
- American Rescue Plans Funds. Solicitor Smith said that no additional guidelines have been issued since the deadline for the report was changed from October 2021 to April 2022.
- **Adjournment.** With no further business to be discussed by the Board, Supervisor Updyke moved, seconded by Supervisor Scholle, to adjourn the meeting. Motion carried unanimously. Meeting adjourned 8:09 p.m.

Respectfully submitted by,

Shannon M. Hare  
Secretary