

**Mt. Joy Township  
Supervisors' Regular Meeting and Public Hearing  
November 21, 2019**

**Meeting Minutes**

**Present:** John Gormont, Chairman; David Updyke, Vice-Chairman; 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 7:01 p.m.  
Chairman, John Gormont presiding.

The purpose of the meeting is to receive public comment on a proposed ordinance restricting on-street parking on Baltimore Pike (S.R. 97) at its intersection with Bowers Road (T-428)

**Public Comment:** Mary Kinsella, 365 Bowers Road, Littlestown, Pennsylvania regarding the intersection and how dangerous it is with cars parked on Baltimore Pike near the corner. She said you have to pull almost out on Rte. 97 to see oncoming vehicles.

With no further public comments, Mr. Gormont closed the public hearing.

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

Supervisors' meeting reconvened at 7:05 p.m.

Mr. Patterson moved, seconded by Mr. Bowman to adopt ordinance 2019-04. Motion carried unanimously.

Ms. Smith said the State Police should be notified of the ordinance by sending them a copy and the signs need to be ordered.

**Public Comment:** Carol Holtz, White Church Road, Gettysburg, Pennsylvania regarding the uncomfortable chairs in the meeting room.

**Approval of Minutes:**

- Supervisors' Regular Meeting Minutes, October 17, 2019: Mr. Bowman moved, seconded by Mr. Scholle, to approve regular meeting minutes. Motion carried unanimously.
- Supervisors' Workshop Meeting Minutes, November 7, 2019: No Meeting.

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

**Persons Requesting Time on Agenda:** None.

**Treasurer's Reports:**

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

**Police Report:** Mr. Gormont reported there was a total of 79 calls for the month. Ten (10) criminal, eighteen (18) traffic (either an accident or traffic stop), forty-six (46) service/general calls and five (5) calls where no response was required.

**Road Report:** Mr. Updyke moved, seconded by Mr. Scholle, to accept the September road report. Motion carried unanimously.

**Planning Commission Report:** No report.

**Subdivision and Land Dev.:**

- AAR Plastic & Glass LLC - Preliminary/Final Land Development Plan, Light Industrial Re-development - Time Extension: Mr. Vranich said Bob Sharrah submitted an extension letter to the township granting a ninety (90) day extension. The 90-day extension would extend the action deadline to February 28, 2020. Mr. Gormont said the Board acknowledged receipt of the extension request.

**Engineering Report:** Mr. Updyke moved, seconded by Mr. Scholle, to accept the Engineer's report. Motion carried unanimously.

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

**Land and Sea Service Inspection Report:** Mr. Bowman moved, seconded by Mr. Updyke, to accept report. Motion carried unanimously.

- **UCC Quarterly Report for July – September 2019:** Mr. Gormont said this is the report that is filed with the Pennsylvania Department of Community and Economic Development. During the first quarter of 2019, there were five (5) permits for new single-family residential housing; eleven (11) permits for all other residential projects; no permits issued for a new commercial project and one (1) permit issued for all other commercial projects for a total of seventeen (17) permits. The total fee paid was \$76.50.

**Open Records Officer Report:** No report.

**Fire Company Reports:**

	MJT Calls per month	YTD Calls in MJT
1. Alpha Fire Company	1	21
2. Barlow Fire Company	4	41
3. Gettysburg Fire Co.	3	35
4. United Hook & Ladder No. 33-3	2	12

Mr. Bowman moved, seconded by Mr. Updyke, to accept the fire company reports. Motion carried unanimously.

- 2020 Proposed Budget for Barlow Fire Company: The Board acknowledged receipt of Barlow Fire Company's 2020 Proposed Budget.
- Gettysburg Fire Company - 2018 Form 990: The Board acknowledged receipt of Gettysburg Fire Company's Form 990 for 2018.

**Correspondence:**

- Email dated October 20, 2019 from Molly Ecker regarding retiring from volunteering as a teacher at Mud College School
- Letter received from Rabbittransit on November 4, 2019 enclosing the 2018-2019 Annual Report
- Barlow Volunteer Fire Co., Press Release regarding not replacing the siren.

**Committee Reports:**

- Personnel: (Patterson and Updyke) Mr. Patterson said there is a need for executive session.
- Finance: (Gormont and Updyke) No report.
- Roads: (Gormont) No report.
- Public Safety: (Bowman) No report.

**Business:**

- 2020 Budget: Mr. Bowman moved, seconded by Mr. Scholle, to adopt the 2020 Budget as presented. Motion carried unanimously.
- CD Maturing in December: Mr. Gormont said that one of the CD's at ACNB is maturing. Current interest rate for a 13-month CD is 1.9%. He said Mr. Hartman's recommendation is with an election year coming up, the markets are expecting the rates to stay put or go down. Therefore, he is recommending renewing the CD at the 1.9% interest rate. Mr. Patterson moved, seconded by Mr. Scholle, to renew the CD at the 1.9% interest rate for 13 months. Motion carried unanimously.
- Letter from Dean Shultz requesting exemption from mandatory pumping of septic system for property located at 1789 Hoffman Home Road: Mr. Bowman moved, seconded by Mr. Scholle, to exempt Mr. Schultz's property located at 1789 Hoffman Home Road from the mandatory pumping of the septic system for this cycle only. Motion carried unanimously.

- Chapter 84 Streets & Sidewalks Violation – Comcast: Ms. Smith said Comcast completed a permit application for work done on Barlow Two Taverns Road for the work to be completed in the State’s jurisdiction. They did not complete a permit application for the work to be completed in the Township’s jurisdiction and went ahead and did the work. Comcast responded that they had their permit. It was explained to them that part of the road is a state road and part was turned back to the Township. She said she would like to discuss this violation further in executive session.
- FRPP easement monitoring for Cynthia Keller Farm (formerly Dayhoff farm): Ms. Moyer said this property is located at 2065 Low Dutch Road. She said the house is in Mt. Pleasant Township however, the fields which are preserved through the Farm and Ranch Lands Protection Program (FRPP) are located in Mt. Joy Township. She said as a requirement of the program the property must be inspected/monitored annually. The NRCS inspects/monitors preserved lands every five years unless there is a change in ownership which is what happened last year with the passing of Ken Dayhoff. The farm was transferred from the Dayhoff’s to their daughter Cynthia Keller and it was inspected by an NRCS contractor. The Township needs to dedicate an individual to monitor this preserved farm annually. We can hire someone such as the County Land Conservancy of Adams County or possibly ask the County’s preservation office to do the inspection. The Board said they will decide how to handle these inspections in the early spring of 2020.
- Hazardous Materials – Tripwire: Ms. Moyer said the township received a letter and disc from Kimberly S. Frank, Haz Mat Coordinator/Emergency Planner at the County, with all the Tier II SARA facilities listed within the township. The only facility listed was Comcast located on Rte. 97 storing industrial batteries. Ms. Moyer said she spoke with Ms. Frank and questioned why Tripwire was not listed. Ms. Frank said they never turned in anything to the state. She indicated that the County is aware that Tripwire also has storage bunkers in Franklin Township. Her suggestion was to do a right to know request to either the state or ATF requesting what is stored on their properties. Ms. Smith suggested a letter be sent to Tripwire inquiring about what hazardous materials and how much are being stored on the property.
- Letter from Pete Voegle regarding Lake Heritage dam upgrades: Mr. Gormont said he received an email from Pete Voegle regarding the dam at Lake Heritage. They are looking for ways to get funding for some of the costs for the upgrades and are asking the township to send a letter to Tom Hughes, State Hazard Mitigation Officer at the Pennsylvania Emergency Management Agency. Mr. Gormont said Mr. Voegle sent a draft letter for the township’s use however, the wording read as if the township was stepping up as a financial partner. Mr. Gormont requested Ms. Smith to draft a letter. The Board approved sending the letter Susan drafted.
- Repeal Admission’s Tax Ordinance: Ms. Smith said the township currently has an ordinance in place that permits the township to assess an admission tax on golf fees, but only up to 40% of those fees. Gettysburg School District adopted a resolution in the 1970s assessing an admissions tax of 10%. A decade later, the Township adopted an admissions tax ordinance setting a rate of 10%. Once the Township adopted the admissions tax ordinance, by operation of the Tax Law each entity could only assess a 5% rate. While the Tax Law enabled the two entities to agree to a different allocation of the maximum 10% rate, there is no record at the Township of such agreement. Currently the township is collecting 2%. If the Township eliminates its admissions tax altogether, the Tax Law operates to allow the School District to collect the full 10% (established rate by the 1970s resolution). However, in any given year the school district’s

limiting statute, which results in the current effective tax rate of 2.78%, potentially could result in any given year in an effective tax rate of less than 10%. Mr. Gormont said we are the only township who is imposing an admission tax on golf courses. Mr. Bowman moved, seconded by Mr. Patterson, to prepare an ordinance to repeal the admission tax ordinance. Motion carried unanimously. The public hearing will be held on December 19, 2019.

- Resolution to adopt the emergency operations plan: Ms. Moyer stated that every two years the township is required to update the Emergency Operations Plan (EOP). She said she worked with the township's EMC, Dave Reaver, on updated the manual, which is now complete, and requires a resolution and promulgation to adopt the EOP. Mr. Patterson moved, seconded by Mr. Scholle, to accept the updated plan and adopt Resolution 16 of 2019 and Promulgation. Motion carried unanimously.

**Other Business (not on agenda):**

- Pre-project Meeting: Ms. Hare indicated someone is requesting a meeting with Ms. Smith, Mr. Vranich and herself. Mr. Gormont said in the past, the Board authorized these meetings with the understanding that a requirement was to prepay a fee to cover the cost of the staff attending the meeting. Mr. Patterson moved, seconded by Mr. Scholle to authorize the staff to conduct a meeting if the applicant prepays. Motion carried unanimously.

**Executive Session:** Start: 8:20 p.m.

Topic(s): Personnel matter, Comcast violation enforcement action, Tripwire violation enforcement on the property located at 1800 Baltimore Pike and the Links land use appeals

Meeting Reconvened: 9:08 p.m.

Mr. Patterson moved, seconded by Mr. Scholle, to authorize Ms. Smith to provide a follow up letter to Comcast. Motion carried unanimously.

**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 9:10 p.m.

Submitted by,

Sheri L. Moyer, Secretary