

**Mt. Joy Township Supervisors’
Workshop Meeting
December 2, 2010
7:00 p.m.**

Meeting Minutes

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

11 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
I.	Call to Order	John Gormont presiding. Starting Time: 7:00 pm		
II.	Business			
	A. 2011 Revised Tentative Budget	See attached revised budget. Revenue has increased based on changes in real estate taxes, approximately a 20k increase of revenue. Reason for the increase in real estate tax is to cover the new arrangement with the fire company contributions of 72K for 2011. A small working group will meet together in January/February to work on a solution for Mt. Joy Twp contributions moving forward to get equitable funding throughout the county. Reassessment changes from county effecting Mt. Joy Twp, 1,720 taxable properties of 107M, at a mil rate of 2.38 gave the twp a tax levy of 258K. By law, the	Mr. Gormont moved, seconded by Mr. Gearhart to tentatively adopt the revised budget presented in draft form with revenues of \$634,312.82 and expenditures of \$634,312.82 with one revision on the state funds adjustment on the carry over monies from 2010 into 2011 budget. Motion carried unanimously. Meeting will be advertised 20 days prior to public meeting to adopt the 2011 Tentative Budget. Public meeting will be held on Mon., Dec. 27, at 7:00pm.	

		<p>twp cannot collect more than 258K plus 5%. The Oct 31st assessed value of 1,720 twp properties is now 466M, at new mil rate of 0.555, gives twp a tax levy of 259K. The supervisors' desire is to provide a tax reduction to residents, so in order to equalize the millage based on the reassessment, the supervisors are using a millage rate of .44.</p> <p>Example: Under the old mil rate of 2.38, the avg. home was assessed at 62K and taxes were \$149. Under the new assessment the avg. home assessed at 259K with new mil rate of .44, taxes will be \$114. This is a 20% reduction below what the adjusted mil rate is from the reassessment.</p> <p>Previous budget had a 35% reduction. The revised budget, due to new fire contribution arrangement, is now down to 20% instead of 35% reduction.</p>		
	<p>B. Noise Ordinance Rick Klein, The Links at Gettysburg and Harry Tassou, Olivia's Restaurant</p>	<p>Mr. Klein introduced Dave Christensen, Investigation Consultation Education for Liquor Licensees, to the Board of Supervisors.</p> <p>See attached:</p> <ol style="list-style-type: none"> 1. 5.32 Restrictions/Exceptions 2. Section 4-493.1 Rights of Municipalities Preserved 3. Township of Oxford, Adams County, Resolution No. 2009-15 4. Part 8, Noise Violations <p>Mr. Christensen informed the MJT Board of current PA restrictions stating that a licensee may not use inside or outside of the licensed premises a loudspeaker or similar device whereby the sound of music or other entertainment, or the advertisement thereof, can be heard on the outside of the licensed premises. He comments that some townships have opted out of this restriction by submitting a petition with the PA Liquor Board for an exemption from the regulations regarding amplified music being heard off</p>	<p>Supervisors asked Solicitor to put together a draft of a Noise Ordinance to review.</p>	

		<p>the licensed premises and adopting a local noise ordinance and a resolution confirming support of the petition citing the noise ordinance and its intention to enforce the ordinance in place of the Liquor Board's regulations.</p> <p>Rick Klein, owner of The Links at Gettysburg and Harry Tassou, owner of Olivia's restaurant are requesting the Board of Supervisors to create a noise ordinance and submit a petition and resolution to the Liquor Board citing that the current Liquor Board regulations are extremely restrictive. Complaints could merit lose of liquor license. Mr. Klein and Mr. Tassou are willing to work with the twp to restrict music as commonly agreed upon.</p> <p>A letter was sent to the Twp Supervisors by a resident complaining of noise from one of the restaurants. Chairman Gormont read letter to the Board.</p> <p>The Twp Solicitor commented that the Twp must be able to enforce a noise ordinance and a twp enforcement officer must be present to hear the noise in order to document the complaint. She suggested a hand held decimal reader may be of use in this situation.</p> <p>A concerned was voiced as to the expense of a Code Enforcement Officer and the problem of handling situations after twp office hours are closed. Mr. Klein suggested hiring a subcontractor to do this service.</p>		
	<p>C. Temporary Walkways on Golf Trails – Rick Klein, The Links at Gettysburg</p>	<p>Mr. Klein is requesting use of the The Links Golf Course golf cart trails to be used as pedestrian walkways when the golf course is not opened. He clarified that this is a temporary agreement until the remainder of the walking paths are completed for The Links at Gettysburg community. Mr. Klein presented</p>	<p>Mr. Updyke moved, seconded by Mr. Gearhart to approve the temporary use of golf course paths when the golf course is closed, as pedestrian walking paths, subject to the rules</p>	

		<p>a map of The Links at Gettysburg Golf Course and Community.</p> <p>Twp Solicitor comments:</p> <ul style="list-style-type: none"> - The map presented cannot be used to approve walkways. - Solicitor reviewed the conditional use approval plans and does not see walkways marked on these. - The original conditional plans must be reviewed with the walking paths marked, before final approval of the Board of Supervisors. <p>Solicitor asking when the walkways were established and approved originally? Mr. Klein stated that they were approved on the Land Development Plan. Twp Solicitor informed Mr. Klein that he must provide a modified the Land Development Plan with temporary walking paths marked for the Board to approved the modified Land Development Plan. Solicitor also asked Mr. Klein how long is the temporary arrangement? Mr. Klein stated that permanent walking paths will be installed as the next phases are completed. He did not have a date for completion of future phases.</p>	<p>and conditions of the golf course. Motion carried unanimously.</p> <p>Mr. Rhodes moved, seconded by Mr. Gormont, for the Board to accept golf cart paths as temporary trails with the condition that Mr. Klein will provide the Board with formal plans showing permanent walkways and the expectation to build permanent walking paths for each phase at no later than the completion of each phase of development.</p> <p>Mr. Klein will provide the Board with a copy of the Base Land Development Plan showing 6 phases for build outs displaying walking paths.</p>	<p>Mr. Klein to provide plans for Dec. 16th Supervisors' Meeting.</p>
	<p>D. Fire Hydrants, The Links at Gettysburg, Rick Klein</p>	<p>See attached Draft Agreement For Payment of Fire Hydrant Fees.</p> <p>Solicitor is suggesting the Twp collect 3 month payment in advance.</p> <p>Addition to agreement since last discussed with Supervisors:</p> <ul style="list-style-type: none"> - Item No. 2 states that the Twp agrees to accept any additional fire hydrants identified on the Plan as "installed but bagged" or "future" when placed into service and upon receipt of the advance payment. - Item No. 5, i presents date of Dec. 10, 2010, 	<p>Mr. Gearhart moved, seconded by Mr. Rhodes to approve Agreement For Payment of Fire Hydrant Fees, effective Jan. 1, 2011, subject to changes cited by Twp Solicitor. Motion carried unanimously.</p>	

		<p>advanced payment is due to Twp.</p> <ul style="list-style-type: none"> - Item No. 7 adds 3 month payment (\$1,350) to be held in escrow account in the event of discontinued payments and cancellation of agreement. 		
	E. Engineering Proposals	<p>See attached. Supervisors all agree to interview 3 companies: KPI Technology, WmF. Hill & Assoc., Inc. and FPE Consulting.</p>	Personal Cmte will hold interviews with KPI Technology, WmF. Hill & Assoc., Inc. and FPE Consulting.	Secr. to set up interviews next week.
	F. SPCA Animal Contribution	<p>See attached SPCA 2011 Services Agreement. Letter attached requesting donation.</p> <p>Chairman Gormont commented that the SPCA has provided no financial statements to the Twp. Money has been designated in the 2011 budget for a contribution, but Mr. Gormont is requesting an accountability for monies received before a contribution is made.</p>	Supervisors requesting a letter to be sent to the SPCA requesting financial statements before any future contributions will be sent.	Secr. to draft letter.
	G Comcast	Effective Jan. 1, 2011, Comcast is adjusting prices, your bill may change, 2/3 of costs have gone down.	For information.	
	H. Resolution #21 of 2010, Establishing Tax Levies for the Calendar Year 2011	<p>Changes:</p> <ul style="list-style-type: none"> - Delete fire tax. - Add .44 mils - Delete Paragraph B 	Resolution #21 of 2010, Establishing Tax Levies for the Calendar Year 2011 will be adopted at the public meeting when the 2011 Budget is adopted.	Forward to Public Meeting, Dec. 27 th
	I. Burning Ordinance – Gil Clark	<p>See attached sample Open Burning Regulations. Mr. Clark informed the Board of a situation which has occurred in the Twp with a resident burning materials on 3 different occasion creating horrendous odors and smoke. Residents in the Twp have called to complain, some residents got sick. It has been discovered that soy bean seed coated with insecticide were being burned, along with mattresses, coated barn beams, and other materials. The Twp could not respond because there is no open burning ordinance for the Twp. DEP was called and responded. Barlow Fire Company responded and put the fire out. Adams</p>	Chairman Gormont will contact John Eline, EMS Services of Adams Cty to find out why this was not handled property for burning on Sun. and after dark. He has also asked the DEP if this resident will be cited for burning materials not allowed to be burned in Adams Cty. The response was that the resident would probably not be cited.	

		County has an Open Burning Ordinance restricting burning on Sundays and at night. Mr. Clark is requesting that the Supervisors consider an Open Burning Ordinance be added to the existing Burning Ban Ordinance.		
	J. Road Issues - Bob Rhodes	Supervisor Rhodes presented a Road Report as follows: <ol style="list-style-type: none"> 1. Straban/Mt. Joy Road Improvement – turn around area, MJT owns approx 100 ft for one house only. Straban wants to repair road at a cost of approx. \$800. Mr. Rhodes states that Straban dug up the road to put a ditch in, and should be responsible to repair. Or at least share in the cost. 2. 20 Ton Truck Jack is needed. 3. Truck Rental, Snow Removal, driver wants a commitment for 20hrs of work for the year @ \$150/hr = \$3,000/yr as an agreement. 4. Snow Plow list, Temporary Workers, same list as previous, 5 good prospects. 5. Completed copy of winter procedures attached. 	<ol style="list-style-type: none"> 1. Mr. Rhodes will discuss with Straband Twp road repair to reach an agreement. 2. Roadmaster will present estimate needed for approval. 3. Supervisors are requesting an agreement for 10hr commitment @ \$150 = \$1,500/yr. Mr. Rhodes will discuss with driver. 	
	K. Fire Company Contributions	Fire companies will receive a 10% cut from the 2010 contributions. MJT 2011 budget must be approved by the end of 2010, and needed to come to an agreement with supporting fire companies to have fire protections for twp residents. The supervisors intend to continue to reduce fire contributions in coming years, requesting fire companies to gain more financial support from other surrounding municipalities and townships. A committee will be formed to meet in Jan./Feb. to negotiate with the 4 supporting fire companies to determine funding for subsequent years.		
III.	Correspondence			
	A. Lake Heritage	Supervisor Gearhart informed the Board that he has	Any residents requesting a copy will need to make a	

	Response Letter	received a copy of a Draft of Emergency Action Plan for Lake Heritage Dam. A copy is filed in the Twp office.	request with the Lake Heritage Home Owner's Assoc.	
	B. Steel Workers Union Meeting	Chairman Gormont received a call from the Steel Workers Union informing the Twp that based on state and federal law, the Twp could not change working conditions for the road crew. The Twp cannot cut working hours from a 40 hr week to a 25 hr week. Mr. Gormont discussed this with legal counsel who advised him to reinstate the road crew to a 40 hr. work week. A negotiation meeting has been set for Dec. 14 th with the Steel Workers Union Negotiator.	Mr. Gormont is requesting 2 Supervisors to be the Negotiating Committee representing the Twp. Supervisors Updyke and Clark have volunteered to be on the committee and meet with the Union to negotiate a contract.	
IV.	Other Business			
	A. Employee Appraisals	Employee appraisals/evaluations are currently being prepared. Chairman Gormont is suggesting that each written evaluation be reviewed and approved by the entire Board of Supervisors.		
	B. Invitation	Solicitor Susan Smith has invited the Supervisors and employees to a Christmas Open House at her office on Dec. 14, 4 – 7:00pm.		
IV.	Adjournment	With no further business to be discussed by the Board, the meeting was adjourned at 9:59p.m.		

Respectfully Submitted,

Susan C. Harbin
Secretary/Treasurer