

**Mt. Joy Township Supervisors’
Regular Meeting
December 16, 2010**

Meeting Minutes

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

10 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
Call to Order	John Gormont presiding. Starting Time: 7:00 pm		
Pledge of Allegiance			
Approval of Minutes	Approval of the November 18, 2010 Meeting Minutes Approval of the December 2, 2010 Workshop Meeting Minutes	Mr. Updyke moved, seconded by Mr. Rhodes, to approve the November 18, 2010 Supervisors’ Regular Meeting Minutes. Motion carried unanimously. Mr. Updyke moved, seconded by Mr. Gearhart, to approve the December 2, 2010 Supervisors’ Workshop Meeting Minutes. Motion carried unanimously.	
Chairman’s Statement – John Gormont	Nothing at this time.		
Solicitor’s Report – Susan Smith, Esq.	See attached report.	Mr. Clark moved, seconded by Mr. Updyke, to accept the Solicitor’s Report as presented. Motion carried unanimously.	
1. Requests by Board Members for Legal Review/Advice	Collective bargaining agreement.		
2. Requests by	<ul style="list-style-type: none"> • HUD acquired property 		

Administrative Staff for Legal Review/Advice	<ul style="list-style-type: none"> • Historic preservation requirements 		
3. Requests From Zoning Officer for Legal Review/Advice	None.		
4. Requests From KPI for Legal Review/Advice	None.		
5. Attorney Items	<ul style="list-style-type: none"> • Collective bargaining agreement • Noise ordinance • Links Fire Hydrant Ordinance (finalized) • Alexander – brief in opposition to appeal from ZHB decision denying <i>in forma pauperis</i> status • Alexander – Turn-back program letter • Links, Phase I – performance security posting • Right-to-Know - report on Open Records Office Determinations of particular interest <i>OOR has not published November or December Determinations</i> • Pending or enacted statutory law or regulations – report on matters of particular interest <ul style="list-style-type: none"> ➢ Act 109 of 2010 (HB 1394) For properties receiving agricultural preferential tax treatment, the Act allows for generation of electricity using Tier 1 energy resource (solar, hydro, etc.) without loss of tax relief on the remaining portions of the property. Signed into law on November 24, 2010; effective immediately. ➢ Act 111 (HB 1609) Amends the Pennsylvania Municipalities Planning Code to provide enabling authority for traditional neighborhood developments. Signed into law on November 24, 2010; effective January 24, 2011. ➢ Act 118 (NB 2321) Consolidates all of the fire service statutes (not including municipal enabling act provisions) into Title 35. Signed into law on November 24, 2010; effective January 24, 2011. • Court and ALJ decisions – report on decisions of particular interest • Other matters of interest <ul style="list-style-type: none"> ➢ Attorney General's special investigation of PSAT and its former director 		
Persons Requesting Time on Agenda Mark Wherley, Community Media Initiative	Mr. Wherley represents ACTV, a "PEG" (Public, Education, and Government Access) channel and is a representative for Adams and York County's TV coverage area. He is asking the twp to send a letter of support for funding through Comcast, the twp's local cable provider's support. A federal communication act requires monies to be turned over from the cable company.	Chairman to sign letter of support.	

Public Comment David Updyke	<ul style="list-style-type: none"> Supervisor Updyke publicly thanked resident Heidi Benner for her hard work and accomplishment with creating a history museum on her family homestead. Mr. Updyke stated that the museum is very impressive, with many very old pieces of farm equipment still in working condition. He encourages residents to call for an appointment and tour the facility. Heidi's desire is to continue to expand the museum. The farm has been in Heidi's family since 1800. Mr. Updyke also publicly thanked Keith and Adam Stanley for their volunteer work in the Mt. Joy Community Park. Keith and Adam have dedicated many hours to help clean up wire and debris on the Park property. The Supervisors appreciate their hard work. 		
Announcements	No announcements at this time.		
Treasurer	<p>Approval of monthly finance report</p> <p>Approval Bills Paid Report.</p>	<p>Mr. Rhodes moved, seconded by Mr. Gearhart, to accept the Treasurer's Report as presented. Motion carried unanimously.</p> <p>Mr. Rhodes moved, seconded by Mr. Updyke to accept the Bills Paid Report as presented. Motion carried unanimously.</p>	
Subdivision and Land Development Plans	Nothing to present at this time.		
Road Report	<p>See attached report.</p> <p>Supervisor Rhodes made a suggestion that when the Roadmaster uses his personal vehicle to check road conditions during a snow storm or bad weather, the twp should reimburse the Roadmaster for his mileage.</p>	<p>Mr. Rhodes moved, seconded by Mr. Updyke, to approve the Road Report as presented. Motion carried unanimously.</p> <p>Supervisors agreed that the Roadmaster should turn in a mileage report for reimbursement of gas mileage.</p>	
Zoning Officer's Report Cindy Smith	<ul style="list-style-type: none"> Zoning permits – 3 Attended the 2 day "Course in Zoning" presented by PMPEL. Answered numerous inquires of township residents regarding the general zoning issues. Reconciliation of Storm Water Management accounting fees. Continued administrative work for the Fairview Farms sub-division. 	<p>Mr. Updyke moved, seconded by Mr. Gearhart, to accept the Zoning Report as presented. Motion carried unanimously.</p>	
Land and Sea Services, LLC, November 2010 Building Inspections	Report presented.	For Information.	

Open Records Report	No open record requests this month.		
Correspondence 1. Gettysburg Fire Dept. "Santa Run" 2. Bonneauville Fire Dept. Donation Request.	1. Gettysburg Fire Dept. is hosting a "Santa Run" and requesting donations of non-perishable goods which will be distributed to less fortunate families. They are collecting basic foods, hats, gloves and socks for needy families. 2. Bonneauville Fire Dept. is requesting a contribution from the Twp for a subscription for ambulance service. Suggested contribution of \$75 - \$100.		
Committee Reports <u>Personnel</u> - G. Clark, J. Gormont 1. Status of Evaluations	Employee evaluations are currently being revised and will be presented at the Jan mtg. Reviews with employees will be scheduled prior to the Supervisors' meeting.		
<u>Finance</u> – J. Gormont, D. Updyke 1. 2011 Budget and Resolution 21 Public Meeting 2. Engineering Proposals for 2011 Update	1. A Public Hearing meeting to adopt the 2011 Budget and Resolution 21, Establishing Various Tax Levies for the Calendar Year 2011, has been advertised and will be held on Mon., Dec. 27, 2010, at 7:00pm. 2. Supervisors Updyke and Clark, the MJT Finance Cmte., has met with the 3 Engineering Companies the Board voted to interview at the Wkshop mtg.	After much discussion concerning KPI Technologies and Wm F Hill & Assoc, Inc., a vote was held: Supervisors Clark and Rhodes voted for KPI Technologies. Supervisors Gormont, Gearhart, and Updyke voted for Wm F Hill & Assoc., Inc. Mr. Gearhart moved, seconded by Mr. Updyke, accepting Wm F Hill & Assoc., Inc. to provide Engineering and SEO services to the Twp for the year 2011. 3 votes yea, 2 votes nay. Motion passed.	
<u>Auditor's Report</u>	Nothing to report at this time.		
<u>Planning Commission</u> 1. Harry Tassou-Formation of Future Business Association	Mr. Tassou, Chairman of the Planning Commission, commented to the Brd of Supervisors that a Business Association of Mt. Joy Township businesses would be an asset to the Twp. He is asking permission for the future	Solicitor will research use of Twp facility for private meetings.	

	<p>Business Association to use the Twp Bldg to meet on a monthly basis. Mr. Tassou stated that this would show good will toward small local businesses.</p> <p>The Twp solicitor commented that the Business Assoc. would be run independently of the Brd of Supervisors and that the meetings would be private for the Assoc. only, separate from Twp business meetings.</p>	Re-organization meeting will be held on Wed., 1/12/2011.	
2. Audrey Weiland- Rock Creek Corridor Project	<p>See Attached.</p> <p>Ms. Weiland, representing the PC, requested current information concerning the Rock Creek Corridor Project. She stated that last year, the Twp was awarded a grant from PennDot as part of their Smart Transportation Project, planning for future commercial and residential growth along the Rock Creek Corridor of Rt. 97.</p> <p>The Supervisors responded that a grant was never given, but that a survey was available with explicit provision that results from the survey <u>must</u> be accepted. The Twp was obligated, if accepting the survey, to implement ordinances to comply with the findings. It was decided that this could be an expensive and unnecessary endeavor for the Twp. The project/survey was dropped.</p>		
<u>Planning, Land Use & Zoning-</u> G. Clark, R. Rhodes	Nothing to report at this time.		
<u>Building & Grounds –</u> D. Updyke, M. Gearhart	Nothing to report at this time.		
<u>Roads –</u> D. Updyke, R. Rhodes	<ol style="list-style-type: none"> 1. Truck Rental for snow removal agreement with Hank Versma has been verbally accepted with a 10 hr. commitment @\$150/hr = \$1,500/yr. 2. 20 ton truck jack update. The cost of the 20 ton truck jack is approx. \$745. It was suggested to order the jack now for snow storm preparation and pay for the jack when invoice is received in Jan under the 2011 Liquid Fuels budget. 	Mr. Gormont moved, seconded by Mr. Rhodes, to order the 20 ton truck jack at this time. Motion carried unanimously.	

	<p>3. Review of Procedures for Winter Maintenance of Township Roads and update on list of temporary snow removal road crew.</p> <p>4. Update on Straban Twp road conflict. MJT Roadmaster put stone down for turnaround area on Mt. Joy Rd, located behind Lake Heritage. Straban Twp accepted this compromise.</p>	Supervisors accepted the list of Temporary Roadcrew Workers for snow removal.	
<u>Public Safety</u> - G. Clark, M. Gearhart	Nothing to report at this time.		
<u>Council of Government</u> J. Gormont, G. Clark	Nothing to report		
<u>Historical Committee</u>	December 10, 2010 mtg cancelled due to no quorum.	Re-organization meeting will be held on Wed., 1/5/2011.	
<u>Ag Security Planning Committee</u>	Nothing to report at this time.		
<u>Strategic Planning Committee</u>	Nothing to report at this time.		
Agricultural Land Preservation Board	Nothing to report at this time.	Re-organization meeting will be held on Tues., 1/11/2011.	
Recreation Board	<p>See attached Supervisor's Report.</p> <ul style="list-style-type: none"> • Toby Hartlaub's term expires on 12/31/10 and is asking to remain on the board for another term. • Lou Shubba resigned from the Board <ul style="list-style-type: none"> • The Rec Brd is requesting a copy of map/survey of Mt. Joy Community Park property. • Several suggestions/requests made concerning MJT park: <ul style="list-style-type: none"> - Have Mr.Hartlaub install a Sand Mound to take out the drain off from his property's Septic area. - A pipe or culvert should be installed by the Roads Crew in the Ditch on the other side of the first fence as you enter the Park. - The first fence should be removed immediately. The Barbed Wire on the fences should be removed. We have no access to get a truck onto the property. - The Rec Board secretary did send an email to the 	<p>Mr. Rhodes moved, seconded by Mr. Updyke, to accept the Recreation Report as presented. Motion carried unanimously.</p> <p>Re-organization meeting will be held on Tues., 1/4/2011.</p> <p>Zoning Officer will supply for next Rec. Brd Mtg.</p> <p>Supervisor Gormont will discuss these concerns with the SEO to investigate.</p>	

	<p>office requesting a notice be put on the MJT Website asking the MJT Residents for their ideas concerning what would be the best use of the park and also volunteer their time, talents and muscle in that regard. The Recreation Board Secretary has a list of 5/6 persons who have already volunteered to help regarding installing plants that are natural to Pennsylvania and they would donate the plants and the muscle to plant them.</p> <ul style="list-style-type: none"> - It is suggested that we inquire from the Historical Society and the Supervisors if they would desire the Mud College School House be moved further into the Park. We feel it is too close to the road and both the building could be damaged and possibly children playing near/outside the schoolhouse could be hurt. - A possible plan would be to incorporate the area as a Nature Park with a wood chip path inside the perimeter of the Park for walkers and nature lovers. We should include the Eagle Scouts and any volunteers to help with building small bridges to go across ditches between the "rooms". - Ask Germany Township if we can borrow their Woodchipper. We can use Christmas Trees and or downed trees on the Park Property to start the walking paths and/or ask residents to provide their downed trees. 		
<p>Other Business 1. Noise Ordinance, Rick Klein</p>	<p>See attached Draft Noise Ordinance Mr. Klein thanked the Board of Supervisors for listening to his Harry Tassou's concerns about the PA Liquor Board Noise Restrictions. Both are willing to comply with any restrictions MJT would require if the Twp opts out of the PA Liquor Board Noise Ordinance and creates a Noise Ordinance for the Twp.</p> <p>Solicitor commented that the Twp must submit Noise Ordinance to the PA Liquor Board, request to opt out of</p>	<p>Supervisors will review the Draft Ordinance presented by the Twp Solicitor.</p>	<p>Forward Draft Noise Ordinance to Supervisors' Workshop Mtg, 1/6.</p>

	PA restrictions, and must be approved by the PA Liquor Board.		
2. Burn Ordinance, Gil Clark	<p>Supervisor Clark is asking to Board of Supervisors to consider an addition to the Twp existing Burn Ordinance clarifying burning of toxic materials creating toxic smoke.</p> <p>Supervisor Gormont explained that he has an appointment with the county to discuss coordinating burning situations with the Twp, the county, and DEP.</p> <p>The Twp Solicitor stated that a Burn Ordinance is not necessary if the MJT has a referral process for reporting a whole list of situations. This is an acceptable alternative to a Burn Ordinance.</p>	.	
3. Update on Code Books Not Returned to MJT Office.	A registered letter has been sent to 2 residents requesting return of Twp Code Books. An invoice for replacement cost of \$175 was enclosed in the letter and a statement the Twp Solicitor has been notified of the above actions.		
Adjournment	Meeting adjourned 8:24 pm.		

Respectfully Submitted,

Susan C. Harbin
Secretary/Treasurer