

FEBRUARY 15, 2007 SUPERVISORS' MEETING:

The Mount Joy Township Board of Supervisors met this date, as publicly advertised, at 7:30 p.m. in the meeting room of the Mount Joy Township Municipal building, 902 Hoffman Home Road, Gettysburg, PA 17325 with Board Chairman James W. Waybright presiding. Others in attendance were: Supervisors William Chantelau, George Scott, Harold Kirschner, and Samuel Dayhoff; Solicitor Walton V. Davis; Robin Crushong, Treasurer; Tammi Jacoby, Office Assistant; News Reporters Aaron Young (*The Gettysburg Times*), and Matt Casey (*Evening Sun*); and Secretary Brenda J. Constable.

Others in attendance were: David Updyke, John Roman, Audrey Sanders all representing the Watch Dog Group; Ken Sanders; Sally Alexander; Les & Janet McNally; Mackey & Lola Clay; Lou Shuba; Harry Walker; Rick Klein representing The Links At Gettysburg; and Bernie Yannetti representing RRMA.

Board Chairman Waybright led everyone with the Pledge to the Flag.
The meeting was being recorded.

Minutes:

Mr. Chantelau moved, seconded by Mr. Kirschner, to approve the minutes of the January 18, 2007 meeting as presented. Motion carried unanimously.

Public Comments:

1. Dave Updyke: read a statement relative to a graph and table that was in the Township's Summer 2006 Newsletter showing proposed build-out using TDR zoning option and conservation by design option as *compared to* conventional zoning.
2. Janet & Les McNally: owns 25 acres that border Hazelbrook Hills, Lake Heritage, and Route 15. WRRMA wants to run a sewer line through their property. Looking for direction as to what options would be available to them if they were to subdivide in the future. Supervisors advised McNallys to go to the Planning Commission with a sketch plan.

Announcements:

Ms. Constable announced the following:

- Conditional Use Hearing for Shipley Stores, Inc. has been continued to March 7, 2007 at 7:30 p.m.
- A follow up from last month's meeting, Mr. Coddington had asked about the Emergency Action Plan for Lake Heritage Dam and suggested that it be published in the newsletter. The Plan is too large to put in the newsletter, but the page that indicates the list of places where copies of the entire plan can be viewed will be in the newsletter.
- Noted that an electronics drive was being held on April 14, 2007 at Penn Township Waste Water Plan in Hanover, for Adams and York County residents.

Treasurer:

Mr. Chantelau moved, seconded by Mr. Kirschner, to approve the Treasurer's Report for the month of January and part of February as presented. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Kirschner, to approve the bills to be paid for the month of January and part of February as presented. Motion carried unanimously.

Subdivision/Land Development Plans:

1. Westminster-Keystone Custom Homes: proposed 204-lot subdivision on White Church and Goulden Roads. Requesting an extension through April 30, 2007. Mr. Dayhoff moved, seconded by Mr. Scott, to approve a 62 day extension through April 30, 2007. Motion carried unanimously.
2. ShIPLEY Stores, Inc.: proposed land development plan for removal of existing store at 1910 Baltimore Pike, and building of new store with gas pumps and bank. Extension through April 23, 2007. No action and remains on the table.
3. Fairview Farms-Barton Breighner, Owner: proposed final plan for 13-lot subdivision at 545 Hickory Road. Extension through May 13, 2007. No action and remains on the table.

Road Report:

Mr. Chantelau moved, seconded by Mr. Scott, to approve the Road Report as presented. Motion carried unanimously.

Zoning Officer's Report:

Mr. Scott moved, seconded by Mr. Chantelau, to approve the Zoning Officer's Report as presented. Motion carried unanimously.

Correspondence:

Ms. Constable noted receiving the following correspondence:

- PennDOT Bridge Preservation project on Route 15 – Kinsley Construction gave notification that work will begin at the south end at the Maryland state line and run north to the York Springs exit. Fourteen bridges will be maintained and work is to start on February 26, 2007 through October 16, 2007.
- WRRMA October and November minutes
- Acknowledgement from Met-Ed/First Energy regarding repair work that was requested by the Township for the street light on Route 97 at the White Church Road intersection. (It was noted that this was a follow up to a request from Mr. Coddington at the January meeting).
- Telephone response from PennDOT representative to study the area on Route 97 to prohibit the use of engine retardant brakes. (It was noted that this was a follow up to a request from Mr. Coddington at the January meeting).
- PennDOT response to place "slow" signs in the Two Taverns area. (This was requested by Mrs. Holmes at the November 16, 2006 meeting).
- Notice from U.S. Dept. of Commerce announcing the beginning process for participating in the 2010 Census.
- WRRMA solicitor request for status update of proposed subdivision/land development plans. Ms. Constable noted that an update was submitted to him, and will continue to give him monthly minutes for plan status.
- Complaints from White Run residents regarding Yingling's Auction and restaurant garbage blowing on to their properties. It was noted that the Zoning Officer and Supervisors have talked to Mr. Yingling about this problem, and the Zoning Officer will speak to him again regarding ordinance requirements for enclosing garbage container areas. The Supervisors will also continue to monitor the situation.

- March 8, 2007, Highland Township and the County Assoc. of Township Officials will be holding a meeting regarding "Changing Boundaries". Mr. Chantelau will be attending.
- Opinion and Court Order dated February 2, 2007 from Judge Michael George dismissing the complaint filed by Stephen C. Alexander, Plaintiff, with prejudice.

Executive Session:

Mr. Waybright called an Executive Session at 8:00 p.m. this date.

Meeting Reconvened:

Mr. Waybright reconvened the meeting at 8:05 p.m. this date with all Supervisors in attendance. Others present were: Solicitor Walton V. Davis; Robin Crushong, Treasurer; Tammi Jacoby, Office Assistant; News Reporters Aaron Young and Matt Casey; Citizens Lou Shuba; Dave Updyke; Ken & Audrey Sanders; Sally Alexander; Rick Klein; Bernie Yannetti; Mackly & Lola Clay; and Harry Walker.

Mr. Waybright noted that during Executive Session, discussion was held with regard to possible litigation on expenses regarding the Alexander case. Mr. Dayhoff noted that to date, this case has cost the Township residents approximately \$3,000.

Alexander Case – Reimbursement:

Mr. Dayhoff moved, seconded by Mr. Scott, to authorize Solicitor Davis to prepare whatever documents are necessary to collect the expenses the Township incurred relative to the Stephen C. Alexander case. Motion carried unanimously.

Committee Reports:

Personnel: Nothing to report.

Finance: Mr. Kirschner noted that he and Robin Crushong, Treasurer, met with YATB (York Adams Tax Bureau) with a list of questions. Half of them were answered and the rest will be followed up on by the YATB representative. Mr. Davis noted that the deadline for municipalities to respond to YATB regarding the repayment options is April 30, 2007.

Planning, Land Use & Zoning: Mr. Chantelau noted that the annual PA Land Conservation Conference is coming up in May and would like to see some representatives from Mount Joy Township attend. Mr. Chantelau moved, seconded by Mr. Scott, to approve not more than four attendees to the conference. Motion carried unanimously.

Building & Grounds: Nothing to report.

Roads: Nothing to report.

Public Safety: Nothing to report.

Agricultural Land Preservation: Noted receiving the monthly report. With recommendation by the Ag Land Preservation Board, Mr. Scott moved, seconded by Mr. Chantelau, to approve the amended application to the Preservation Program. Discussion: Mr. Dayhoff asked if Solicitor John White had reviewed the amendment. Mrs. Crushong responded that the amendment to the application was to include all of the information that was on the County's application. Now that the Township does not require an applicant to apply to the

County first, the Township's application had to include the information that was previously obtained from the County's application. With no further discussion, the motion carried unanimously.

Recreation Board: Noted no monthly report because the Board did not meet in February.

Other Business:

Public Hearing Scheduled:

Mr. Dayhoff moved, seconded by Mr. Chantelau, to set the date and time of April 19, 2007 at 7:15 p.m. for a public hearing on a proposed ordinance amending the zoning ordinance eliminating the need for a traffic study if in a transportation service area as adopted by the Traffic Impact Ordinance, and to authorize submission of the proposed ordinance to the County and Township Planning Commissions for review and comment. Motion carried unanimously.

Comcast Franchise Agreement:

Tabled from last month, Mr. Davis noted that the issues the Township had raised with the agreement have been addressed. However, separate from the agreement, the issue of offering a basic package as what is offered in Dillsburg has not been addressed. The Supervisors agreed that they would like to wait for a response on the basic package offer before taking any action on the franchise agreement. This issue remains on the table.

New Business:

SEO Reimbursement for 2006:

Mr. Scott moved, seconded by Mr. Chantelau, to authorize Mr. Waybright to sign and submit the 2006 application for Reimbursement for Enforcing the Pennsylvania Sewage Facilities Act and Onlot Sewage Disposal Program Annual Report for Mount Joy Township, Adams County. Motion carried unanimously.

NID (Neighborhood Improvement District) Assignments and Bonds:

Mr. Chantelau moved, seconded by Mr. Dayhoff, to authorize any and all necessary documents ratifying the 2007A-2 Series Bonds, closing documents, and assignments as related to the NID at The Links At Gettysburg. Motion carried unanimously.

Emergency Operations Plan Update:

Mr. Scott moved, seconded by Mr. Chantelau, to adopt Resolution #16 of 2007 authorizing and directing the emergency succession of municipal officers and the continuity of municipal government. Motion carried unanimously.

Mr. Dayhoff moved, seconded by Mr. Scott, to adopt Resolution #17 of 2007 adopting the Emergency Operations Plan of Mount Joy Township. Motion carried unanimously.

Destruction of Municipal Records:

Mr. Dayhoff moved, seconded by Mr. Scott, to adopt Resolution #18 of 2007, the Retention and Destruction of Municipal Records. It was noted that the following records would be destroyed, as per the schedules and procedures for the disposition of records as set forth in the "Municipal Records Manual" of the Pennsylvania Historical and Museum Commission:

Administrative Records: Building /Land Use Permits prior to 2000
Pennsylvania Bulletins prior to 2006
Insurance policies prior to 2001
General/Miscellaneous Correspondence 1997 – 2001
Tax Exoneration Lists prior to 2002
General Zoning Correspondence 1996

Financial Records: Bank Statements 1994 – 2000; Check Stubs 1995 – 1999;
Annual Budgets 1998 – 2000; Payroll Tax Ledgers 1996; Petty Cash
Reconciliation 1997; Invoices, Receipts, Payroll 1996 – 2000

Motion carried unanimously.

Newspaper Subscriptions:

Mr. Chantelau moved, seconded by Mr. Scott, to approve the expense for annual subscriptions for the *Gettysburg Times* and *Hanover Evening Sun* newspapers. Motion carried unanimously.

Adjournment:

With no further business to come before the Board, Mr. Dayhoff moved, seconded by Mr. Kirschner, to adjourn the Supervisors' Meeting at 8:30 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary