

March 18, 1999

The Mt. Joy Township Supervisors held their regular monthly meeting on Thursday, March 18, 1999 at 7:30 PM in the Township Municipal Building located at 902 Hoffman Home Road, Gettysburg, PA. All Supervisors (Dayhoff, Beebe and Waybright) were present. Also present were Township solicitor Walton V. Davis and Township secretary Bonnie L. Koontz.

The minutes from the January 25, 1999 meeting and the February 18, 1999 meeting were approved by motion of Beebe, 2nd by Dayhoff, carried unanimously.

Public Comments:

Ralph Taylor - Expressed concern regarding three issues: 1) the widening of the Rt. 15 overpass bridge 2) Township expenditures for the review of the Boyle land development plan and 3) Adams County's need to explore funding for parks and recreation. A complete copy of Mr. Taylor's comments will be retained in the Township's Minute Book.

Eileen Holmes - Inquired if the people here have job descriptions and was answered "Yes". She also inquired if there was anything regarding speaking to the press. Dayhoff responded that it was up to the individual if he/she wanted to comment. There is no official policy regarding addressing the press; they are speaking for themselves. Normally the Chairman speaks for the Board.

Chairman Dayhoff recognized Marcia Brown, Mt. Joy Township Auditor, who was present to present the annual auditors' report. Balances, income and expenditures were verified. A substantial improvement over previous years was noted. The Supervisors were commended for implementing changes and acquiring additional help and Secretary Bonnie Koontz was commended for taking the time to learn the procedures on the computer.

Chairman Dayhoff next recognized Walt Kelch, Paramedic Coordinator of Gettysburg Hospital Medic 28, who was present to request an ordinance designating Medic 28 as the primary unit responding in this area. He presented a copy of House Bill No. 2725 and a copy of the ordinance recently passed by the Gettysburg Borough. Beebe commented that due to living here, he often sees two units going to Hoffman Home and questioned why two respond and if signing an ordinance would affect this. He was answered "No" and it was further explained that units are dispatched by 911. The Medic 28 unit doesn't transport anyone; it brings personnel and equipment. Dayhoff recommended that the solicitor review the ordinance.

The Treasurer's Report for February was approved by motion of Waybright, 2nd by Beebe, carried unanimously.

The Bills to be Paid Report for February and Bills to be Paid for March to date was approved by motion of Dayhoff, 2nd by Waybright, carried unanimously.

Subdivisions:

Frankie's Used Cars - Modules had been previously submitted using a Component I form which is restricted to single-family residential use; are now submitted with a Component II. Motion to approve the modules to be sent to DEP by Beebe, 2nd by Waybright, carried unanimously.

Road Report:

The road report was read by Road Superintendent William Miller. Motion by Waybright, 2nd by Beebe to have stone and oil bids to be opened at the April meeting, carried unanimously.

Zoning Officer's Report:

The Zoning Officer's Report was read by Dayhoff. Three building permits were issued in February. The Mt. Joy Township Zoning Hearing Board has appointed Jay Kalasnik to serve as Zoning Solicitor.

Correspondence:

- ◆ A notice was received from The Bureau of the Census requesting cooperation with persons who are verifying addresses.
- ◆ A letter was received from Adams County Conservation District regarding their annual awards banquet.
- ◆ A letter was received from Earnest E. Long, Jr. regarding the Boyle Conditional Use Permit and the Heritage Drive issue.
- ◆ A letter was received from Earnest E. Long, Jr. requesting a public hearing be held in regard to the Boyle land development plans. Beebe commented that the developer must live up to the ordinances and the conditions. The Planning Commission has the Township engineer and legal counsel at its disposal. What benefit would it be to the Township to have another hearing? Ralph Taylor, speaking from the floor, said he felt it would be much more productive to have a hearing then for people to get their five minutes worth during the public comment period at a regular meeting. Beebe said that this is different than a conditional use hearing. We (the Township) are to the point where they (Boyle Group) have to obey the ordinances; there is no gray area, it is all black and white. Dayhoff added that the Township will rely on the engineer and solicitor to see that the requirements are met.

Bill Chantelau, speaking from the floor, said that the Planning Commission had a workshop last night, and that the Gettysburg Times was accurate. No motions could be made, but the Planning Commission was going to make a recommendation for

experts to be hired. Dayhoff said that memo was before the Supervisors tonight. Waybright added that at this point, he doesn't think there should be a hearing scheduled. The Planning Commission should be left to do its work and see how it goes. Motion by Dayhoff to not schedule a hearing at this time, 2nd by Beebe, carried unanimously.

- ◆ PennDot's Liquid Fuels Audit Report was received.
- ◆ A letter was received from PEMA appointing William Miller as Emergency Management Coordinator.
- ◆ A letter was received from the Adams County Prevent-A-Litter Society seeking funding. Following discussion, motion by Dayhoff to donate \$100.00, 2nd by Beebe, carried unanimously.
- ◆ Gettysburg Area Recreation Department's meeting minutes were received.
- ◆ A notice was received regarding the Littlestown Area Chamber of Commerce Annual Meeting.

Announcements:

There will be a public hearing Wednesday, March 24, 1999 at 7:30 PM regarding conditional use applications for Carlson County Inns and two restaurants.

Old Business:

SEO's Fee Schedule - The fee schedule now includes fees for spray irrigation systems. Motion to adopt by Waybright, 2nd by Beebe, carried unanimously.

Ag Security Area - Motion by Dayhoff, 2nd by Waybright, to move forward with the ag security review process, carried unanimously.

New Business:

Dedicated Right-of-Ways - Motion by Dayhoff, 2nd by Beebe to table this until the solicitor and engineer get together to discuss the cataloging of these right-of-ways.

Personnel Issues - John Stambaugh left on February 10, 1999. An employment ad generated 28 applications, of which 13 were interviewed. Motion by Waybright, 2nd by Dayhoff to hire Michael Purnell at the rate of \$12.00 per hour and the same benefit package. Motion carried, Waybright and Dayhoff in favor, Beebe opposed.

Equipment Purchases - Consideration has been given to the purchase of a backhoe through the "piggy-back" program. Models from John Deere, Caterpillar and Case have been reviewed. A Case Model 580 can be purchased for \$65,377.20 and a John Deere 310 SE

for \$67,663.27. The John Deere has a fabricated steel boom. The Case boom is cast; the entire boom would have to be replaced. The John Deere also has heat ducts on the floor and the cab door opens outward. As there is use anticipated on shoulders and ditches, there would be more visibility in getting out of the John Deere cab. The "Cat" was about \$65,000 before the power-tilt, which would be about another \$8200. Motion by Waybright to purchase the John Deere 310 SE with power tilt for \$67,663.27 through the State contract, handled by Worley. Discussion and additional questions ensued and it was decided to return to this issue later in the meeting to allow Road Superintendent Miller time to find the figures.

Planning Commission Memo - The MJT Planning Commission suggests to the Supervisors that if Mark Lewis has not yet begun his official review of the Boyle land development plans, he should be instructed to do so before it becomes an official matter. The Planning Commission also suggests that it be allowed to hire recognized experts to aid in the review pertaining to traffic, safety, security, and water supply. Dayhoff said that the Planning Commission has the Township's engineer and solicitor at their service and it is not felt that additional expert witnesses are needed at this time. Herbert, Rowland and Grubic can handle anything that might come up or would know who to contact. Motion by Dayhoff not to bring in experts other than what is currently employed by the Township, 2nd by Waybright. Beebe added that Mark Lewis will call in whoever he needs if necessary. Motion carried unanimously.

Backhoe - There was further discussion on the backhoe. Motion by Waybright to buy the John Deere 310 SE @ \$67,663.27, 2nd by Dayhoff. Beebe said he would have liked to have seen this purchased with another township as he doesn't feel the Township needs one for such limited use. Motion carried, Waybright and Dayhoff in favor, Beebe opposed.

An executive session was called at approximately 9:05. Attorney Davis stated that the things to be discussed in the executive session included an ongoing land use issue and possible prosecution, existing litigation by Lake Heritage in regard to a tax exemption and three issues concerning legal advice which is confidential.

The meeting was recalled to order at 9:22 PM.

At the executive session there was discussion regarding a pending application regarding a balloon lift and legal advice was given. Motion by Waybright that if Boyle wants a balloon lift, he should apply for a conditional use permit; the position of the Supervisors is that it is another pad site. The motion was seconded by Beebe who added that it was not a part of the original conditional use permit application. Motion carried unanimously.

The Zoning Officer was instructed to send a letter to Boyle with a copy to be given to the Planning Commission.

Motion by Waybright for adjournment at 9:24, 2nd by Dayhoff, carried unanimously.

Respectfully submitted,

Bonnie L. Koontz
Secretary