

MARCH 18, 2004 SUPERVISORS' MEETING:

The Mount Joy Township Board of Supervisors met this date in regularly scheduled session at 7:00 p.m. in the Township Municipal Building, 902 Hoffman Home Road, Gettysburg, PA, with Chairman James Waybright presiding. Others in attendance were: Supervisors William Chantelau, George Scott, William Rogers, and Harold Kirschner; Solicitor Walton V. Davis; News Reporter Alex Gayhart (*The Gettysburg Times*); Todd Hammond (*Hanover Evening Sun*); Sam Dayhoff, Building & Grounds Coordinator; Jay Little, Zoning Officer; Robin Crushong, Treasurer; and Secretary Brenda Constable.

Others in attendance were: Eileen Holmes; John A. Leino and Bob Staley, Township Auditors; Bob Sharrah representing TGIFridays and The Links At Gettysburg; Nancy Brown, Denise Shelleman, and Wendy Beauchat, Esquire representing Gettysburg Village Factory Stores; Jerry Althoff, Planning Commission; Gil Picarelli, S.E.O. of KPI Technology; Sylvia Turner; Elsie Morey; Jack McLatchy; John McAlister; Henry C. Reaver Jr.; E.L. Ramsburg III; Tim Redding representing Harold Beebe; Harry Ramage, owner of Beyland, Inc.; and Rick Klein of The Links At Gettysburg.

Chairman Waybright led everyone with the Pledge to the Flag.

Minutes:

Mr. Kirschner moved, seconded by Mr. Scott, to approve the minutes of the February 19, 2004 meeting as presented. Motion carried unanimously.

Public Comments: None were given.

Persons Requesting Time On Agenda:

1. John Leino, representing the Township Auditors, presented the 2003 Audit Report. Mr. Waybright then responded to the comments that needed follow-up:
 - Ag Land Preservation Program – recording of debt on the books: The Treasurer is addressing this issue. The debt was shown on the books but not in the fashion the Auditors wanted to show it.
 - 2003 Budget – interest received on investments not reflected: The Treasurer will start to show the interest in the budget. This was an item that was never reflected in previous budgets.
 - Mud College School – policy for expense and income for accounts: This was addressed last year by breaking out expense and income, with details, for each account. However, the Auditors would like to see a written policy and procedure for how each account is to be used. The Auditors will meet with the Mud College Committee to discuss this.
 - Neighborhood Improvement District Management Association (NIDMA) at The Links At Gettysburg – Supervisor minutes of April 15, 2003 regarding clarity of who is financially responsible for the debt of NIDMA: This is being addressed with The Link's legal representative to make sure that the language is corrected and understandable in the minutes.
 - Gasoline and diesel fuel usage recordings: The Township had 30 more gallons than what was reported.

Mr. Scott moved, seconded by Mr. Chantelau, to accept the 2003 Audit Report as presented. Motion carried unanimously.

2. Gil Picarelli, Sewage Enforcement Officer, gave an overview of the 2003 Activity Report of reimbursable and non-reimbursable expenses. Mr. Chantelau moved, seconded by Mr. Scott, to accept the 2003 S.E.O. Activity Report as presented. Motion carried unanimously.

Discussion was then held with regard to DEP allowing fill sites to go in, and also future building in wetland areas. Mr. Picarelli commented that the Township could probably control this through zoning, e.g. not allowing basements, etc. Mr. Chantelau recommended that the S.E.O. draft a letter for the Supervisors to consider at next month's meeting, which would then be forwarded to DEP. Mr. Picarelli agreed to do this.

Treasurer's Report:

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

Mr. Chantelau moved, seconded by Mr. Rogers, to approve the bills to be paid for the month of February and part of March as presented. Motion carried unanimously.

Subdivision/Land Development Plans:

1. Delancey Gettysburg: A sketch plan was presented to the Planning Commission and forwarded to the Supervisors for approval of the roof design for a proposed restaurant, TGI Fridays. Wendy Beauchat, Esq., and Bob Sharrah, land development consultant, gave an overview of the sketch plan, noting that there is no appearance of a flat roof, which would comply with the conditional use for the Gettysburg Village Factory Stores. HRG comments dated March 18, 2004 were reviewed. Mr. Waybright questioned what the hours of operation would be. Ms. Beauchat stated that the restaurant would be open until 11:00 p.m. Deliveries would be made in the morning, prior to opening. Mr. Davis pointed out that if the Supervisors approve this design for the roof, their approval does not include the signage.

Mr. Scott moved, seconded by Mr. Rogers, to accept the sketch plan as presented with regard to the appearance of the roof only, and not the signage. Motion carried unanimously.

Signage:

Ms. Beauchat asked the Supervisors to consider a text amendment to the zoning ordinance by adding regulations for signage in the Specialized Village Shopping Center district, and a new sign for the 7-11 store. Ms. Beauchat noted that 7-11 was not responsive to the idea of combining their sign with the proposed sign for the Outlets; they prefer to have their own sign. A sample diagram of a proposed pylon sign was presented for review. Ms. Beauchat asked for a Public Hearing for the text amendment. She also asked the Supervisors to consider a text amendment of 110-83, SVSC, to allow a movie theater. Mr. Davis noted that the County and Township Planning Commissions would need 30 days to review the proposed amendment prior to the public hearing. If the Supervisors were to consider this request, they could authorize the advertisement at the April 15, 2004 meeting, for the public hearing to be held on May 20, 2004. Mr. Davis also noted that an amendment to the Conditional Use Permit would be needed for the hours of operation for the restaurant and movie theater.

2. Beyland, Inc.: Deer Chase Lot 22 – proposed subdivision of Lot 22 into two (2) lots. It was noted that an extension was granted through March 18, 2004. Mr. Ramage has requested another 90-day extension through June 17, 2004. Mr. Althoff gave an overview as to why the Planning Commission recommends that the Supervisors approve the extension request. He noted that the main issues of flood plain and wetland issues are still being addressed by Mr. Ramage's and the Township's engineers, which could take at least another month.

Mr. Scott moved, seconded by Mr. Chantelau, to grant a 90-day extension through June 17, 2004. Motion carried unanimously.

3. Beebe, Harold R.: final subdivision plan consisting of seven (7) lots along Hoffman Home and Orphanage Roads. Mr. Tim Redding of Adams County Surveyors was present to review this plan. The Planning Commission recommends approval contingent on satisfying HRG comments dated February 10, 2004. Mr. Althoff gave an overview of this plan and noted that HRG comment regarding street widening would not be an issue because Hoffman Home and Orphanage Roads are state roads. Long Road, which is a Township road, borders one side of Lot 1 only. Discussion was held with regard to widening the entrance of Long Road, which would require the Township to obtain an easement of right-of-way. Mr. Redding stated that he would speak with Mr. Beebe about this.
Mr. Rogers moved, seconded by Mr. Scott, to approve this final subdivision plan contingent on satisfying HRG comments regarding driveway placements, clear sight and corner triangles to be shown on the plan, and to have HRG prepare a cost estimate and proper radius needed for an easement on the corner of Lot 1 in order to widen Long Road entrance, with the approval of Mr. Beebe. Motion carried unanimously.

The Planning Commission also recommends approval of a Sewage Facilities Planning Module. Mr. Scott moved, seconded by Mr. Rogers, to approve Resolution No. 10 of 2004, for Plan Revision for New Land Development, as presented. Discussion: Mr. Little questioned if the Stormwater Management Plan would be needed now since any house on any of these lots would sit below the road level. Mr. Davis stated that we could not do this now but would need to wait until someone builds on the lot. With no further discussion, the motion carried unanimously.

Road Report:

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

Aggregate Bid:

With recommendation from Mr. Graham, Road Superintendent, Mr. Scott moved, seconded by Mr. Kirschner, to authorize the advertisement for Invitation For Bid for Aggregate and to set the date of April 15, 2004 to open said bids. Motion carried unanimously.

Speed Limit Posting:

Mr. Waybright noted that last month the Supervisors would consider an ordinance to post the speed limit of 35 mph on Updyke and Miller Roads. After further research, it was noted that Ordinance No. 2001-01 was adopted on May 17, 2001. The signs have been ordered and will be put in place as soon as possible.

Building Permit/Zoning Officer's Report:

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

UCC (Uniform Construction Code):

Mr. Waybright noted that Mr. Little, Zoning Officer, held a public workshop last evening, March 17, 2004, to review facts that he had received with regard to municipalities "opting in" or "opting out" of the UCC. He noted that the meeting was well attended by a number of municipal officials, engineers, and builders. Mr. Chantelau asked if it were the Supervisors intent to hold a workshop with Mount Joy Township officials only, to discuss this

issue. Mr. Rogers agreed that this would be a good idea. The Supervisors set the date of March 24, 2004 at 8:30 a.m. to hold a workshop on this issue. Mr. Little noted that the UCC is effective April 9, 2004, however, the municipalities have until July 8, 2004 to decide if they would “opt in” or “opt out”. Mr. Scott gave an explanation of what the state UCC is to the public.

Building & Grounds Report:

Mr. Rogers moved, seconded by Mr. Scott, to approve the Building & Grounds report as presented. Motion carried unanimously.

Correspondence:

Secretary Brenda Constable noted receiving the following correspondence:

- WRRMA January minutes
- PennDOT application to PA DEP for bridge replacement located between Two Taverns and Germantown on Rt. 97.
- Littlestown Baseball For Youth donation request
- Littlestown YMCA Annual Support Campaign
- Adams County Television invitation to participate in new series for municipal government
- Littlestown Chamber of Commerce Newsletter

The Supervisors instructed the Secretary to send a letter to the Littlestown Baseball For Youth offering the Township’s assistance with equipment (backhoe, etc.) or whatever may be needed for improvements.

Committee Reports:

Personnel: Nothing to report.

Finance: Mr. Chantelau moved, seconded by Mr. Scott, to set the fee of \$35.00 each for sale of the Township’s Comprehensive Plan. Motion carried unanimously.
Mr. Chantelau moved, seconded by Mr. Scott, to set the fee of \$15.00 each for the sale of the Township’s Stormwater Management Plan. Motion carried unanimously.

Planning, Land Use & Zoning: Nothing to report.

Building & Grounds: Nothing to report.

Roads: Nothing to report.

Public Safety: Nothing to report.

Agricultural Land Preservation: Noted receiving the monthly by the Ag Land Preservation Board.
Mr. Waybright noted that the Land Conservancy of Adams County presented a plaque to Mount Joy Township last Thursday evening at their annual appreciation dinner. He noted that the Land Conservancy is very pleased that we are all going for the same goal. Mr. Waybright thanked Beau Ramsburg for all of the work that the Ag Land Preservation Board has done since its beginning. Mr. Ramsburg thanked Mount Joy Township for pioneering this program and gave credit to the Supervisors and citizens of the Township.

With recommendation from the Ag Land Preservation Board, Mr. Scott moved, seconded by Mr. Kirschner, to approve an amendment to the Program requiring an applicant to obtain a Resource Management System approval from the Adams County Farm Service Agency and/or the National Resource Conservation District on the proposed preserved farm anytime prior to settlement. Motion carried unanimously.

Other Business:

Proposed Well Ordinance:

As a follow-up to last month's meeting, the Supervisors held a discussion with regard to a proposed well ordinance for the Township. The Supervisors reviewed various sample ordinances that were provided to them by the Planning Commission. Mr. Chantelau agreed with the Planning Commission recommendation that anything to improve the health, safety and welfare is needed. After further discussion regarding pump test reports, inspections, etc., Mr. Scott suggested that the Supervisors discuss this with the Sewage Enforcement Officer for his suggestions/recommendations. The Supervisors decided to add this issue to their workshop on March 24, 2004 and invite Gil Picarelli, S.E.O. to attend.

Adelphia Franchise Agreement:

Mr. Davis noted that he had reviewed the latest version of the Adelphia Franchise Agreement and pointed out that there are still some concerns that need addressed. No action was taken at this time.

Land Development Plan Review Fees:

Mr. Waybright noted that this issue was not listed on the agenda so he opened the floor for public comment. None was given.

Mr. Waybright explained that a fee schedule was set at the beginning of the year that addressed the review of subdivision plans, but did not address land development plans. A proposed fee schedule was presented for consideration.

Mr. Scott moved, seconded by Mr. Kirschner, to adopt Resolution No. 9 of 2004, as follows:

Resolved this 18th day of March 2004, the Mount Joy Township Supervisors adopt the following fee schedule for Land Development reviews:

| | |
|------------------------|---------------|
| Preliminary Plan | \$100 per lot |
| Final Plan | \$125 per lot |
| Preliminary/Final Plan | \$225 per lot |

Payment is due upon submission of the plan. All expenses of any Township advisors shall be passed on to the applicant.

Motion carried unanimously.

New Business:

Financial Security Reduction #8:

A request from Rick Klein of the Links At Gettysburg, and recommendation from Mark Lewis, HRG Engineer, Mr. Rogers moved, seconded by Mr. Scott, to authorize the release of Draw #8 Reduction of Security in the amount of \$96,675.00 for Phase IA at The Courtyards At The Links At Gettysburg. Motion carried unanimously.

Mr. Rick Klein, owner of The Links At Gettysburg, asked the Supervisors to consider approving a 50% reduction on the improvement security amount (10% over the required total estimate). Secretary Constable noted that Mark Lewis, Engineer, stated that he would like to discuss this request with Mr. Davis prior to any Supervisor action. The Supervisors agreed that this request would be addressed at the March 24, 2004 workshop. No action was taken at this time.

Proposed SALDO Amendment:

Discussion was held with regard to a recommendation from HRG and the Planning Commission asking the Supervisors to consider a SALDO amendment adding a provision, as deemed necessary by the Township, to require a detailed flood plain study. The Supervisors requested to have Mark Lewis send a written amendment for their consideration. No official action was taken at this time.

Executive Session:

Board Chairman Waybright called for an Executive Session at 9:05 p.m. this date.

Meeting Reconvened:

Board Chairman Waybright reconvened the Supervisors' Meeting at 9:20 p.m. this date with the following others in attendance: Supervisors Bill Chantelau, Will Rogers, George Scott, and Harold Kirschner; Solicitor Walton V. Davis; Sam Dayhoff, Building & Grounds Coordinator; Jerry Althoff, Planning Commission Chairman; News Reporter Alex Gayhart (*The Gettysburg Times*); and Secretary Brenda J. Constable.

Mr. Davis stated that one issue was discussed during Executive Session with regard to a continuing problem with a Township building and possible litigation. No action was needed at this time.

Adjournment:

With no further business to come before the Board, Mr. Rogers moved, seconded by Mr. Chantelau, to adjourn the Supervisors' Meeting at 9:22 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Recording Secretary