

FEBRUARY 17, 2005 SUPERVISORS' MEETING:

The Mount Joy Township Board of Supervisors met this date in regularly scheduled session at 7:45 p.m. in the Mount Joy Township Municipal Building, 902 Hoffman Home Road, Gettysburg, Pennsylvania, 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; Treasurer Robin Crushong; Zoning Officer Fran Lorenzo; News Reporter Rachel Swick (*The Evening Sun*); and Brenda Constable, Secretary.

Citizens in attendance were: Jerry Althoff representing the Planning Commission; Denise Shelleman, Nancy Brown, Andrew Kleeman, and Wendy Beauchat, Esq. all representing the Gettysburg Village Factory Stores; Richard Munchour and Barbara Neth representing WRRMA; John McAlister; Eileen Holmes; and Rick Klein representing The Links At Gettysburg.

Board Chairman Waybright led everyone with the Pledge to the Flag.

Chairman's Statement:

Mr. Waybright noted that prior to the Supervisors' Meeting, they heard two presentations on the Act 209 Traffic Impact Fees, noting that the Township is considering this new legislation.

Minutes:

Mr. Chantelau moved, seconded by Mr. Scott, to approve the minutes of the January 20, 2005 Supervisors' Meeting as presented. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Chantelau, to approve the minutes of the January 20, 2005 Agricultural Security Area Public Hearing as presented. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Kirschner, to approve the minutes of the January 20, 2005 Act 537 Special Meeting as presented. Motion carried unanimously.

Public Comments:

Eileen Holmes commented with regard to the Treasurer's Report. She thinks it is important to list a detailed report of deposits received rather than a summary total. Mrs. Holmes also noticed that a tent had been placed on the grounds of the Gettysburg Village Factory Stores in front of the hotel, and is heated inside. She questioned if this had fire company approval. She also asked where the Hitz proposed subdivision property is located at on the Harney Road, whether across the road from St. James Church or down further where there is a bad area that would not be suitable for safe driveway placements. It was confirmed that the proposed subdivision was across from the church.

Treasurer's Report:

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

Subdivision/Land Development Plans:

1. Hitz, James & Susan: no one was present to represent this plan so the Supervisors held this issue until later.

Executive Session:

Board Chairman Waybright called for an Executive Session at 7:50 p.m. this date.

Meeting Reconvened:

Board Chairman Waybright reconvened the Supervisors' Meeting at 8:05 p.m. with all present as noted above.

Mr. Davis noted that a personnel issue was discussed during the Executive Session and there was no need for action.

Road Report:

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

With recommendation from Anthony Graham, Road Superintendent, Mr. Chantelau moved, seconded by Mr. Kirschner, to approve an expenditure of \$1,940.50 to Stephenson Equipment to make hydraulic connectors. Motion carried unanimously.

Zoning Officer's Report:

No Report was issued this month due to the recent employment of a new Zoning Officer. A Report will be submitted next month.

Building & Grounds Report:

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

Correspondence:

Ms. Constable noted the following correspondence received:

- Adams County Planning 2004 Year End Subdivision and Land Development Activity Report
- S.G. Marinos will be holding a private WWII combat simulator on February 26 and 27, 2005 with less than 70 participants at 201 Civil War Lane.

Committee Reports:

Personnel: Mr. Chantelau moved, seconded by Mr. Dayhoff, to appoint Brenda Constable as Interim Zoning Officer, effective retroactive to January 1, 2005 through February 6, 2005. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Kirschner, to approve the employment of Fran Lorenzo as Zoning/Code Enforcement Officer, effective retroactive to February 7, 2005. Motion carried unanimously.

Finance: As a follow up to previous discussions regarding a Township credit card, Mr. Chantelau noted that the Township should have its own credit card with CommunityBanks in approximately two weeks.

Planning, Land Use & Zoning: Proposed Well Ordinance: tabled until next month.

Occupancy Permits: Mr. Davis noted that the Township had a process in place to issue occupancy permits based on a 1999 Ordinance that was approved, but recently found that it was never codified. In April of 2004 the Township opted out of the Uniform Construction Code, which indicated that the Township should not issue occupancy permits. Ordinance No. 2004-2 references the issuance of a Certificate of Occupancy. Mr. Davis questioned whether the Township wants to issue Certificate of Occupancy or not. Mr. Chantelau recalled that the Supervisors felt that if they continued to issue Certificates of Occupancy, that it could be used as a control measure to be sure that the UCC was followed and that all inspections were being done. The Township could then request a copy of the final inspection report. Mr. Davis stated that the Township would need to adopt an ordinance to repeal the 1999 Ordinance, and prepare new language as to whatever the Township decides to do with occupancy permits.

Mr. Dayhoff moved, seconded by Mr. Scott, to instruct Mr. Davis to draft an ordinance for the Supervisors' review, to eventually set a date for a Public Hearing, send the proposed ordinance to the Planning Agencies for a 30-day review, and set a date for final adoption. Motion carried unanimously.

Public Safety: Mr. Waybright noted the annual Fire Company Banquets for Kingsdale, Barlow and Littlestown, and asked for Supervisor participation at each.

Agricultural Land Preservation: Noted receiving the monthly report.

Other Business:

WRRMA Appointment:

Mr. Dayhoff stated that after much discussion and consideration of filling the expired term of Barbara Neth's position on the WRRMA, and if open dialogue continues, especially with any new development coming into the Township, he moved to reappoint Barbara Neth to a five-year term, effective February 17, 2005 through December 31, 2010. Mr. Scott seconded the motion and the motion carried unanimously. Mr. Waybright thanked everyone who had expressed an interest in serving on the Authority and noted that they would be considered for any future Township boards or committees.

New Business:

Delancey Gettysburg Associates, L.P.

The Supervisors noted a request from Delancey Gettysburg Associates, L.P. for a proposed zoning text amendment changing the parking ratios in the Specialized Village Shopping Center section of the ordinance. Mr. Chantelau moved, seconded by Mr. Scott, to set the date and time of March 17, 2005 at 6:45 p.m. for a Public Hearing for a proposed text amendment to the Zoning Ordinance amending the table of off-street parking requirements of the Township by redefining the parking requirements for the SVSC. Motion carried unanimously.

Conservation By Design:

Mr. Scott moved, seconded by Mr. Chantelau, to set the date and time of March 17, 2005 at 7:00 p.m. for a Public Hearing for a proposed amendment to the Conservation Design Development provisions of the Zoning Ordinance. Motion carried unanimously.

Zoning Hearing Application:

With recommendation from the Zoning Hearing Board, Mr. Chantelau moved, seconded by Mr. Scott, to approve the revised "Application For Hearing with Mount Joy Township Zoning Hearing Board" as presented, however, changing #7 to read "Action of Zoning Officer appealed from, if any" to "Appeal of Zoning Officer decision, if any. Motion carried unanimously.

2004 Tax Collector's Report:

Mr. Scott moved, seconded by Mr. Kirschner, to accept the 2004 Tax Collector's Report from Kimberly Little and to authorize the submission of the per capita collectable list to J.P. Harris & Associates, delinquent tax collection agency. Motion carried unanimously.

2004 Sewage Enforcement Officer Reimbursement Report:

Mr. Dayhoff moved, seconded by Mr. Scott, to authorize the submission of the 2004 S.E.O. Reimbursement Report to the PA Department of Environmental Protection. Motion carried unanimously.

Executive Session:

Mr. Waybright called for an Executive Session at 8:35 p.m. this date.

Meeting Reconvened:

Mr. Waybright reconvened the Supervisors' Meeting at 8:55 p.m. this date with the following others in attendance: Supervisors William Chantelau, George Scott, Harold Kirschner, and Samuel Dayhoff; Solicitor Walton V. Davis; Treasurer Robin Crushong; Zoning Officer Fran Lorenzo; News Reporter Rachel Swick (*The Evening Sun*); and Brenda Constable, Secretary.

Citizens in attendance were: Eileen Holmes; Jerry Althoff; Rick Klein; Barbara Neth; and Richard Munshour.

Mr. Davis noted that two issues of litigation were discussed during Executive Session: 1) the demolition of a partially destroyed structure; and 2) a legal dispute regarding the roof replacement on the salt shed.

Subdivision/Land Development Plans:

1. Hitz, James & Susan: With no representative present to review this plan, Mr. Dayhoff moved, seconded by Mr. Chantelau, to table this plan until the March meeting. Motion carried unanimously.

Final Public Comment:

1. Barbara Neth thanked the Supervisors for her reappointment to the WRRMA.
2. Rick Klein gave an overview of the final phase of the design for the Courtyard Community at The Links At Gettysburg. He provided two different concepts: a) the current plan approved of a hotel conference center/time share with 262 single-family homes and 300 unit hotel; or b) an Inn/Condo/SF homes with 100 rooms in the Inn, 168 condominiums, and 225 single-family units. This option would provide less sewer, water, and condos than the original option.

Adjournment:

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Dayhoff, to adjourn the Supervisors' Meeting at 9:40 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary