

MARCH 19, 2009 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, Samuel Dayhoff, and Robert Rhodes; Solicitor Walton V. Davis; David Crouse, Zoning Officer; Assistant Secretary Robin Crushong. Supervisor George Scott and Secretary Brenda J. Constable were not present.

Others in attendance were: News Reporters Aaron Young (*Gettysburg Times*), Tom Dunchack, Audrey Weiland, John Skiles and Jerry Althoff representing the Planning Commission; Pam Roman; John Gormont; Bernie Huesken; John Roman; David Updyke, Dean Hempfing representing Ryan Megonnell; Reg Baugher representing Lake Point Associates; Elsie Morey; Ronald D. Garis, PLS of Carl Bert & Associates; Kim Birkhead; Carol E. Holtz; Eileen T. Holmes; Stanley Deitz; Richard Munshour; Sally Alexander; Kathy Glahn and E.L. Ramsburg III representing the Adams County Farmers' Market; Audrey Sanders; Craig Benner; and LynnAnne Sukeena.

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

Minutes:

Mr. Chantelau moved, seconded by Mr. Rhodes, to approve the February 19, 2009 minutes as presented. Motion carried unanimously.

Chairman's Statement:

Informed the public that there is an addition to the agenda under "Other Business" entitled Sewage Management District.

Public Comment:

1. Eileen Holmes: asked the Treasurer who we paid \$1,400.00 to on the January 31, 2009 Treasurer Report. Mr. Waybright told Ms. Holmes that no one at the table had a copy of the January Treasurer Report so an answer would be provided at a later time. Ms. Holmes also asked questions concerning the Yingling Ag settlement and the payment to Campbell & White in the amount of \$169,000.00. Mrs. Crushong explained that the \$169,000.00 was the cost of the easement. The check was written out to Campbell & White because Mr. White's firm was the settlement agent and that he puts it into his escrow account.
2. Mr. Chantelau: thanked all of the citizens for coming out to the meetings. He was at another township meeting and they had two citizens in attendance. Our township has a large number of citizens every month.

Persons Requesting Time on Agenda:

Craig Benner: asked the Board of Supervisors to consider a new ordinance requiring additional oversight when working in or adjacent to cemetery grounds. The township needs to protect historical areas and should look at the old churches and cemeteries. Mr. Benner offered to write the Ordinance for the Board of Supervisors approval.

Mr. Chantelau pointed out at last month's Supervisors' meeting a Historical Committee was established and he suggested that Mr. Benner meet with Elsie Morey who is a committee member.

Announcements:

Mrs. Crushong announced the following:

- Adams County Partnership for Land Use Education seminars, one on March 25 on "Natural resource protection 101; and one on April 13 on "Aging infrastructure: don't cross that bridge!
- ASA Advisory Committee vacancy in farmer category; meets as needed; no term limits.
- Adams County Conservation District holding a Well Water & Septic System workshop on April 22.
- A public hearing will be held on April 16th at 7:00 p.m. prior to the Supervisors' regular meeting, to accept public comment on a proposed text amendment to the Specialized Village Shopping Center section of the zoning ordinance relative to setbacks and steep slopes.
- Notice that Solomon Road will be closed for approximately one month beginning April 1st for bridge repair.

Treasurer's Report:

Mr. Chantelau moved, seconded by Mr. Rhodes, to approve the monthly Treasurer's Report as presented. Motion carried unanimously.

Mr. Chantelau moved, seconded by Mr. Rhodes, to approve the monthly bills to be paid as presented. Motion carried with Mr. Dayhoff abstaining.

Subdivision/Land Development Plans:

1. Munshour, Richard E.: proposed lot addition at 1650 Baltimore Pike, zoned VH. Mr. Munshour was present to answer any questions the Board of Supervisors might have. Mr. Chantelau moved, seconded by Mr. Dayhoff, to approve the Planning Waiver & Non-Building Declaration. Motion carried unanimously. Mr. Chantelau moved, seconded by Mr. Rhodes to approve as Final Plan with contingencies. Motion carried unanimously.
2. Lake Point Associates: proposed 2-lot subdivision along Bowers Road zoned AC. Reg Baugher from Hanover Land Services was present to answer any questions the Board of Supervisors might have. The Board of Supervisors questioned the lot size differential and Mr. Baugher informed them that they had to do a Hydrogeologic Study as required by the Township Zoning Ordinance which required that they have 2.8 acres but then when you take the right-of-way out of that you are left with 1.6 acres. Mr. Dayhoff moved, seconded by Mr. Chantelau to approve the waiver for preliminary review and accept as a Final Plan with contingencies. Motion carried unanimously.
3. Megonnell, Ryan: proposed 2-lot subdivision at 1055 Hoffman Home Road, zoned AC. Dean Hempfing with Loss-Stair Engineering presented to the Board of Supervisors a revised plan in accordance with KPI Technologies comments. Mr. Hempfing has forwarded a copy to KPI. The Planning Commission has not seen this plan. Mr. Althoff stated that they make their recommendations on the plan they have in front of them. Mr. Dayhoff moved, seconded by Mr. Chantelau to approve the waiver for preliminary review and accept as a Preliminary/Final Plan as long as the new plan submitted

this evening meets all of KPI Technologies comments, and approves Resolution #19 of 2009 for the Sewage Facilities Planning Module. Motion carried unanimously.

Road Report:

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

Mr. Dayhoff requested permission to advertise for bid for the purchase of aggregate and that the bids would be opened next month at the Board of Supervisors meeting. Mr. Rhodes asked what the aggregate was for and Mr. Dayhoff told him it was for all kinds of stones that they would need. With recommendation from Mr. Dayhoff, Road Superintendent, Mr. Chantelau moved, seconded by Mr. Rhodes to approve the advertisement for bid for the purchase of aggregate and to set the date and time of April 16, 2009 at 7:30 p.m. to open said bids. Motion carried unanimously.

Mr. Dayhoff also informed the Board of Supervisors that the township signs along with the state signs within the township need to be upgraded to hi-reflective signage. Mr. Dayhoff sent out requests for quotes since it was under \$4,000.00. The quotes he got in are as follows: U.S. Municipal = \$3,400.30; Newman Traffic Signs = \$3,360.50; and Chemung Supply Corporation = \$3,328.70. With recommendation from Mr. Dayhoff, Road Superintendent, Mr. Rhodes moved, seconded by Mr. Chantelau to approve the purchase of signs from Chemung Supply Corporation in the amount of \$3,328.70. Motion carried unanimously.

Mr. Rhodes asked what the \$204.00 in his report was. Mr. Dayhoff stated that he applied to 3M Company for a grant to help offset the cost of upgrading the signage and he received approval for the grant in the amount of \$204.00.

Zoning Officer's Report:

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

Correspondence:

Mrs. Crushong noted receiving the following correspondence:

- White Run Regional Municipal Authority minutes for February
- County Commissioners letter relative to the formation of the Adams County Water Resources Advisory Committee
- Pennsylvania American Water will be making application to the Dept. of Environmental Protection for General Permit 5 for installation of a water pipe under Plum Run, extension of water line along the south side of Heritage Drive
- "Thank You" letter from the Littlestown Recreation Program for our recent contribution. They indicated that the money would be used for "continued upkeep and operation of the Borough's Community Park, which serves as a regional recreational area".

Discussion: Mr. Davis suggested that a letter be sent to Littlestown Recreation explaining that the fees must be used for "acquisition of your recreation facilities or equipment" only. They should be requested to submit a revised letter stating where these funds were used. Mr. Chantelau asked if anyone was aware of HB606 which addresses use of recreation fees. This bill is to include "operation/maintenance" in recreation fee uses. Representative Moul is a co-signor and PSATS supports it too. The report is due out on

Tuesday. The Association of Township Officials needs to make sure that Senator Alloway is on board so when it goes to the Senate he can support it.

Committee Reports:

Personnel: Nothing to report

Finance: Nothing to report.

Planning, Land Use & Zoning: Mr. Chantelau congratulated the Farmer's Market on receiving grant funding for the second year through the Pennsylvania Department of Agriculture's Direct Farm Sales Program. Mr. Chantelau stated that the Land Use and Zoning Committee reviewed the material submitted by the Adams County Farmers' Market Association, reviewed our ordinances and discussed this with our solicitor. The Committee regrettably concluded that: "Directional off-premises signs" are all that is available, and all that is likely to be available in the future. These are permitted by the current code. The signs the Farmers' Market presented can not be used. Mr. Davis found several cases where the Township lost. "Directional signs" can be used but this is it. The size is 15"x48", letters only at 6" tall and not more than 2 miles away. This is found in Section 110-138 of the current code. Property owner approval is required.

Building & Grounds: Nothing to report.

Roads: Nothing to report.

Public Safety: Mr. Dayhoff moved, seconded by Mr. Chantelau to approve the Alpha Fire Company No. 1 (Littlestown) box alarm card changes as presented. Motion carried unanimously.

Council of Government (COG): A Council of Government (COG) has been formed with the Association of Township Officials, Association of Boroughs, School Districts and County. The purpose of this Council is to provide a forum by which the governmental entities of Adams County may meet to discuss issues of mutual interest and to coordinate joint activities between members on an as-needed, voluntary basis. The Council will meet monthly on the 4th Thursday at 8:30 a.m. with the first meeting to be April 23rd. Each governmental entity must appoint a representative and an alternate. Mr. Dayhoff moved, seconded by Mr. Rhodes to appoint Mr. Chantelau as the Representative. Motion carried unanimously. Mr. Dayhoff moved, seconded by Mr. Chantelau, to appoint Mr. Waybright as the Alternate. Motion carried unanimously.

Agricultural Land Preservation:

Mr. Chantelau moved, seconded by Mr. Waybright, to approve the monthly report as presented. Motion carried unanimously.

With recommendation from the Ag Land Preservation Board, Mr. Chantelau moved, seconded by Mr. Waybright, to approve the language to the Ag Land Preservation Program relative to re-application. Mrs. Crushong explained that at the request of the Board of Supervisors last month that the Ag Land Preservation solicitor prepared language to be added to the Program to address issues of re-application to a new round. With no further discussion on the re-application language, the motion carried unanimously.

With recommendation from the Ag Land Preservation Board, Mr. Dayhoff moved, seconded by Mr. Chantelau, to have the Ag Land Coordinator send previous and new applications to re-applicants for

processing updates. Mrs. Crushong explained that if a new application is signed then we have an application for each round. With no further discussion, motion carried unanimously.

With recommendation from the Ag Land Preservation Board, Mr. Chantelau moved, seconded by Mr. Dayhoff to approve sending letters to property owners with 35+ acres announcing the opening of Round VI. Motion carried unanimously.

Recreation Board:

This Board did not meet this month. Next scheduled meeting is April 14, 2009 at 6:30 p.m.

Other Business:

Well Ordinance Amendment: Mr. Chantelau stated a proposed change to the SALDO in Chapter 86, paragraph 86-11C that incorporates the suggestion discussed at a recent meeting, retains the ability of the engineer to request hydrogeology studies and sewer studies when there are concerns about the source of water and sewer services for a particular development, and it provides the flexibility needed by the Township to monitor the construction of wells. It would require the well to be actually dug and be operational BEFORE a house or business accessing that well was built. Mr. Davis' concern with this change to the SALDO is if the SALDO is to be amended to refer to the well ordinance, then the amendment must be sent to the planning commissions (Township and County), advertise a public hearing, conduct a public hearing, advertise adoption and then adopt.

Discussion as to whether this should be done at final review instead of preliminary plan review? Lot lines may change between preliminary and final. Once the preliminary plan is approved it is known where the well could be drilled. The final plan needs to show where the well is. Mr. Davis questioned which subdivision does it apply to, and will results be required on final plan? The plan would show the water quality/quantity but the Township would not be responsible for regulating the quality or quantity of water. The landowner will be responsible for the testing. It was suggested that the committee work on this some more, come back next month with a final. A meeting should be scheduled with Mr. Davis, Jerry Althoff and the committee to review the Ordinance. Mr. Chantelau is expecting this matter to be finished by June.

Sewer Management Districts: Mr. Chantelau presented the OLDS (On-Lot Disposal Systems) Pumping Districts Map prepared by KPI Technologies to the Board members for review. KPI used GIS as its base because it makes a nice map for one, and secondly, behind the map, there is an attribute table which can be used to track which parcels are in which district. From that a mailing address list can be retrieved for sending notices, etc. This is the same concept used in the well program right now, with the tracking of well permits. It was discussed earlier that the Act 209 map could be used for this purpose; however, it is the opinion of KPI that the districts should be kept separate. Mr. Rhodes brought up the issue of the three (3) year pumping vs. inspection. Mr. Davis said that language could be put in the plan and see how DEP responds. Mr. Dayhoff moved, seconded by Mr. Rhodes to accept the OLDS Pumping Districts Map prepared by KPI Technologies as is and directed KPI Technologies to move forward with the Act 537. Motion carried unanimously.

New Business: None.

Executive Session:

Mr. Waybright called for an Executive Session at 9:00 p.m. and requested that Audrey Weiland and Robin Crushong join them.

Meeting Reconvened:

Mr. Waybright reconvened the Supervisors' Meeting at 9:20 p.m. this date with all Supervisors and Solicitor in attendance, including the Assistant Secretary. Others in attendance were: Zoning Officer Dave Crouse; News Reporter Aaron Young; Jerry Althoff; Tom Dunchack; Audrey Weiland; David Updyke; John Gormont; Audrey Sanders; Bernie Huesken; Pam & John Roman; Elsie Morey; Eileen Holmes; Carol Holtz; Sally Alexander; Kim Birckhead; Stanley Deitz; John Skiles; and LynnAnne Sukeena.

Mr. Davis noted that the Executive Session covered a meeting with representatives from the Agricultural Land Preservation Board to discuss procedures in acquisition of real estate.

Adjournment:

With no further business to come before the Board, Mr. Waybright adjourned the Meeting at 9:20 p.m. this date.

Respectfully submitted,

Robin K. Crushong
Assistant Secretary