

MARCH 24, 2004 SUPERVISORS' SPECIAL MEETING:

The Mount Joy Township Board of Supervisors held a special meeting this date, as publicly advertised, at 8:30 a.m. in the Township Municipal Building, 902 Hoffman Home Road, Gettysburg, PA, with Chairman James Waybright presiding. Others in attendance were: Supervisors William Chantelau, and Harold Kirschner; Solicitor Walton V. Davis; Sewage Enforcement Officer Gil Picarelli; News Reporter Alex Gayhart (*The Gettysburg Times*); Jay Little, Zoning Officer; Jerry Althoff, Planning Commission Chairman; and Secretary Brenda Constable.

Mr. Waybright led everyone with the Pledge to the Flag.

Public Comment: None was given.

Proposed Well Ordinance:

The Supervisors and Gil Picarelli reviewed copies of water well ordinances from Tinicum Township, Bucks County, and a draft ordinance dated "Revised Draft 2/13/03" for Mount Joy Township that was prepared by URDC and Benetec for discussion during the Comprehensive Plan process.

Much consideration was given to the draft ordinance, specifically to the "Standards" section (Section 6). Mr. Picarelli pointed out that the law currently states that a septic must be 100' away from an existing well. However, there is no law for how far a well must be placed from an existing septic. Mr. Davis suggested that language be added to the ordinance to address this. Mr. Picarelli commented that Carroll Valley requires a well to be drilled prior to a septic being placed, so the Township could set its own requirements. Mr. Waybright questioned what the process or order should be when someone comes in for a permit. The consensus was to have the sewer and well permit at the same time, then issue the land use permit. Or another option would be to require the well to be drilled prior to the land being sold. Discussion was held with regard to the casing into the bedrock and what the measurement should be. Mr. Althoff commented that this could be addressed in various ways; the idea is to make sure that the water is drinkable.

Referencing §86-28, sewer and water supply systems, it was recommended that this language be changed. It was decided to have Mr. Picarelli use the 2/13/03 draft, give suggested language/ideas in draft form, email this to each of the Supervisors so that they could review it and add their comments to the same document, and then have Mr. Davis clean it up.

UCC (Uniform Construction Code):

Mr. Chantelau asked Mr. Little to give a review of what the Township currently does now for any new construction. Mr. Little stated that we issue a Land Use Permit (we currently call it a Building Permit) and collect a fee prior to any building, and then we issue an Occupancy Permit at the end of the process.

Mr. Waybright asked to step through the process if the Township were to "opt in" and then if it were to "opt out":

“Opt Out”:

- Obtain a Land use Permit from the Township (must have a sewer and well permit)
- Township notifies applicant that nine (9) inspections are needed (give a written notice), and plan review is needed.
 - The Township could provide a list of inspectors, or offer DEP’s web address to obtain a list.
 - The plan review must be done in 15 days.
- Occupancy Permit would be obtained from “their” building code official.
 - The Township may want the applicant to come back to the Township to make sure that the “actual” driveway is placed where it should be; the septic is placed where it should be, and the well is placed where it should be and is deep enough.
 - ► The Inspector only needs to notify the property owner, lending institution, and

Summary of Opting Out: The Township does what it does now; issue a land use permit and occupancy permit. Some change should be made to the ordinance to mandate the occupancy permit and copy of inspections come to the Township.

“Opt In”:

- Township would administer and do reviews in-house.
 - Would be very expensive administratively
- Could administer the code in-house, do all permits, and third party the inspections via contract.
 - Labor & Industry does only commercial inspections; third party would do residential
 - Maintain control and can collect fees
 - Minimal administrative cost to Mount Joy Township for advertising and appeals process.
 - Zoning Officer already has certifications and is already using a tracking system for all permits
- Set up an Appeals Board
 - Suggest setting up a regional board
- Collect inspection fees at the Township

Summary to “Opt In”: Issue permits, maintain control over all construction, collect fees to offset administrative costs, third party out all inspections, need to set up Appeals Board, obtain results of all inspections.

The Supervisors instructed Mr. Little to submit a recommended “Land Use Permit” application to the Planning Commission for their review on April 14, 2004, as well as the Supervisors on April 15, 2004. Mr. Chantelau suggested that Mr. Little create a handout that would be signed by the applicant notifying them of what is needed until the Supervisors make a decision. Mr. Chantelau asked Mr. Little to survey the surrounding municipalities to get a feel as to what they are going to do.

The Links At Gettysburg Improvement Security:

Mr. Richard Klein, owner of The Links At Gettysburg, made a request at the March 18, 2004 Supervisors' Meeting, asking them to consider reducing the improvement security by 50%. Mr. Davis stated that he spoke with Mark Lewis, Township Engineer, about this request and both agree that the Supervisors should not reduce this security until the project is done and approved. He explained that this improvement security is not a "retainage" but rather a security in the amount of 10% over and above the total project cost. If improvements are needed at the end of the project, the Township could be hit with it and if the cost were over \$10,000 the work would need to go out on bid, or if over \$25,000, prevailing wage would come into effect. Mr. Davis stated that the Supervisors could consider a lesser percentage or dollar amount if they so choose.

After further discussion, Mr. Chantelau moved, seconded by Mr. Kirschner, to reduce the security in the amount of \$50,000. All Supervisors voted no and the motion was denied.

Mr. Chantelau moved, seconded by Mr. Kirschner, to reduce the security in the amount of \$45,000. Motion carried unanimously.

Adjournment:

Mr. Chantelau moved, seconded by Mr. Kirschner, to adjourn the Special Meeting at 12:30 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary