

APRIL 19, 2007 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, George Scott, and Samuel Dayhoff; Robin Crushong, Treasurer; News Reporters Aaron Young (*The Gettysburg Times*), and Matt Casey (*Evening Sun*); and Secretary Brenda J. Constable. Supervisor Harold Kirschner and Solicitor Walton Davis were not present.

Others in attendance were: Audrey Weiland and Jerry Althoff representing the Planning Commission; Carol E. Holtz; Pam & John Roman, and Audrey Sanders representing the Watchdog Group; Sally Alexander; Robert Jonas; Will Rogers representing The Links; Harry Walker; Elsie D. Morey; Lou Shuba; John Leino; Jack McLatchy; Robert Gitt; Lynn Anne Sukeena; Dorcas Shelly; Meda Clapsaddle; Steve Clapsaddle; Mary Ann Clapsaddle; Kirk Sohonage and Jim Hockenberry representing Gettysburg Granite Quarry.

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

The meeting was being recorded by the Township and by Robert Rhodes.

Minutes:

Mr. Chantelau moved, seconded by Mr. Scott, to approve the minutes of the March 15, 2007 meeting as presented. Motion carried unanimously.

Public Comments: None

Persons Requesting Time:

1. **Auditors:** John Leino, Chairman of Township Auditors, presented the 2006 Audit Report.
2. **Dave Maring, Barlow Fire Company:** submitted Box Card changes. The Public Safety Committee and EMC reviewed the changes and questioned why Company 19 (Bonnewille) was listed as first call for the Route 97/Two Taverns intersection area, especially since the bridge is out right now. Mr. Maring stated that Bonnewille has a paid crew, and two weeks ago Littlestown started a paid crew and he is trying to move around the area. Mr. Dayhoff moved, seconded by Mr. Scott, to approve the box card changes as presented. Mr. Waybright noted that they will try it this way and if this system doesn't work, they will need to adjust. With no further discussion, the motion carried unanimously. Mr. Maring noted that he has been working back at The Links and the passed issues he had raised have been addressed. He also noted that the concerns he had raised relative to the Gettysburg Village Outlets have also been working out okay. He was also in touch with engineers for the proposed Ramsburg development and noted that initially, there was a problem with water flow.
3. **Bob Gitt:** request for a workshop with the Supervisors to discuss a proposed subdivision on Mud College Road. Mr. Jerry Althoff gave an overview of the issue. Mr. Dayhoff recalled that the area of discussion was zoned RR during the comprehensive plan process per Mr. Gitt's request so that the area would remain the same as the other lots that were already there. Mr. Gitt stated that he put fill sites in the area in 2001 and waited over the years so that he could get a good perk. During that time, the minimum lot size requirements for a lot in RR changed from 1.5 acres to 3 acres. The Supervisors pointed out that Mr. Gitt should have submitted a preliminary plan in 2001 for the two additional lots, then wait for the perk approvals, and then do a final plan after the four year waiting period. That way

the lot size of 1.5 acres could have been approved. Mr. Scott did not see a need to hold a workshop because the Planning Commission had already given Mr. Gitt the available options for subdividing. Mr. Chantelau and Mr. Dayhoff agreed that a workshop was not needed so Mr. Gitt's request was denied.

Treasurer's Report:

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

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

Subdivision/Land Development Plans:

1. Westminster-Keystone Custom Homes: proposed 204-lot subdivision on White Church and Goulden Roads. Mr. Chantelau moved, seconded by Mr. Scott, to remove from the table for discussion. Motion carried unanimously.
Applicant requested a 120-day extension. Planning Commission recommends approval of extension. Mr. Scott moved, seconded by Mr. Chantelau, to approve a 120-day extension through August 31, 2007. Motion carried unanimously.
2. ShIPLEY Stores, Inc.: proposed land development plan for removal of existing store at 1910 Baltimore Pike, and building of new store with gas pumps and bank. Mr. Scott moved, seconded by Mr. Chantelau, to remove from the table for discussion. Motion carried unanimously.
Applicant requested a 90-day extension. Planning Commission recommends approval of extension. Mr. Dayhoff moved, seconded by Mr. Scott, to approve a 90-day extension through July 23, 2007. Motion carried unanimously.
3. Fairview Farms-Barton Breighner, Owner: proposed Final plan for Phase I, 7 lots, at 545 Hickory Road. Mr. Chantelau moved, seconded by Mr. Scott, to remove from the table for discussion. Motion carried unanimously.
Applicant requested a 63-day extension. Mr. Scott moved, seconded by Mr. Chantelau, to approve a 63-day extension through July 19, 2007. Motion carried unanimously.
4. Clapsaddle, Meda: proposed one-lot subdivision of 10 acres to Gettysburg Granite Quarry at 1790 Baltimore Pike. Planning Commission recommends approval of waivers as requested and accept as a Final plan. Meda, Steven, and Mary Ann Clapsaddle were present to review this plan. Representatives present for Gettysburg Granite were Attorney Kirk Sohonage and Jim Hockenberry, Surveyor. Mary Ann Clapsaddle, on behalf of the Clapsaddle family, stated that Gettysburg Granite is not on the piece of land that is supposed to be subdivided per the Judge (County) and at this point, the family is asking that this process be stopped immediately. Mr. Waybright asked Attorney Kirk Sohonage, representing Gettysburg Granite, to briefly respond. Mr. Sohonage noted that they were before the Planning Commission last week and the family raised similar objections at that time as well. He noted that he submitted a copy of the transcript before Judge Bigham (County Court of Common Pleas) to the Planning Commission, which was dated December 19, 2006, and the matters were laid out in full at that time. The Clapsaddle's, Meda, Mary Ann, Steve, and Walter, were all present at the court proceeding; they all agreed to the sale of the property and agreed to the subdivision of this property. It was staked by a surveyor and the stakes are still in place. He feels that their issues raised at the Planning Commission (the same as tonight) were adequately addressed at that time. Mr. Waybright then asked Mr. Althoff to give comments on behalf of the Planning Commission. Mr. Althoff gave an overview, noting that the Commission reviewed the Court Order and that it does in fact state

the property would be subdivided and sold to Gettysburg Granite, and that all four parties involved (Meda, Steve, Walter, Mary Ann Clapsaddle) agreed to the sale of the property. The Planning Commission proceeded with the plan on the table as they would for any other subdivision. The Planning Commission recommends approval of the plan as a Final plan, including all waivers as requested, that being a) waiver of preliminary plan review; b) waiver of E&S plan; c) waiver of existing contours; and d) waiver of wetlands delineation, which has a condition, because the property will be used for overburden and is part of the mining operation so it is controlled by DEP; something that the Township can't control. He also noted that County Conservation District did not comment on any of these issues. If the wetland delineation waiver is granted, the Planning Commission requested that a note be placed on the plan that a field study was conducted and no wetlands were present. Mr. Scott asked if Gettysburg Granite has some kind of proof that they have an equitable interest and can come here and represent for this land. He suggested that this issue be tabled so the Supervisors can consult with their Solicitor on this matter. Mr. Dayhoff moved, seconded by Mr. Chantelau, to table this plan until next month. Discussion: Mr. Chantelau noted that he had reviewed documents related to this piece of land and Gettysburg Granite and he had at least 12 issues that need to be addressed; and also, he feels this will allow time to get some improvements on this plan for the future. He feels the plan should delineate exactly what and where the five acres are for the granite quarry, which is what the mining permit is for. There are other issues like this that should be clarified now while the opportunity exists. Meda, Mary Ann, and Steve Clapsaddle commented that they have a problem with access to a piece of their property located above the quarry. With no further discussion, the motion carried unanimously.

5. Links At Gettysburg-Garrison Falls IIB: proposed 26 units at The Links At Gettysburg. Planning Commission recommends approval of Final Plan including modifications as requested. Mr. Scott moved, seconded by Mr. Chantelau, to approve Garrison Falls Phase IIB Final Plan and modifications as listed on the title sheet. Motion carried unanimously.


Road Report:

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

Bid Opening:

A bid opening for aggregate and seal coat was held at this time, as publicly advertised. The following bids were opened and read aloud:

BIDS RECEIVED FOR SEAL COAT – 2007
(For Various Township Roads)

VENDOR NAME 		Steward & Tate		Wilson Paving		Hammaker East Ltd.	
QTY	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
140,000 Sq. Yd.	Bituminous Seal Coat E- 2M/ E-3M Oil	84.9¢	118,860	1.14	159,600	79.7¢	111,580
	10% Bid Bond		Yes		Yes		Yes

Mr. Scott moved, seconded by Mr. Chantelau, to award the bid for seal coat to Hammaker East Ltd., 1514 Black Gap Road, Fayetteville, PA 17222. Motion carried unanimously.

BIDS RECEIVED FOR AGGREGATE – 2007

1. VENDOR: **Vulcan Construction** 10% Bid Bond Included

QTY TONS	DESCRIP	UNIT FOB	TOTAL	UNIT DELIV	TOTAL
3,000	2A Stone	7.00	21,000	9.75	29,250
300	2B Stone	8.30	2,490	11.05	3,315
300	#3 Stone	9.05	2,715	11.80	3,540
300	Anti-Skid	9.10	2,730	11.85	3,555
200	Rip Rap	12.75	2,550	16.00	3,200
500	BCBC Super Pave	No Bid			
100	Super Pave Top Wearing Course	No Bid			
	TOTAL		31,485		42,860

2. VENDOR: **Valley Quarries** 10% Bid Bond Included

QTY TONS	DESCRIP	UNIT FOB	TOTAL	UNIT DELIV	TOTAL
3,000	2A Stone	5.95	17,850	8.15	24,450
300	2B Stone	7.70	2,310	9.90	2,970
300	#3 Stone	7.60	1,520	9.80	1,960
300	Anti-Skid	7.75	2,325	9.95	2,985
200	Rip Rap	10.25	2,050	12.95	2,590
500	BCBC Super Pave	44.89	22,445	47.75	23,875
100	Super Pave Top Wearing Course	38.89	3,889	41.75	4,175
	TOTAL		52,389		63,005

Mr. Scott moved, seconded by Mr. Chantelau, to award the bid for aggregate to Valley Quarries, Inc., 297 Quarry Road, PO Box J, Chambersburg, PA 17201, based upon the Unit Price. Motion carried unanimously.

Zoning Report:

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

Correspondence:

Ms. Constable noted receiving the following correspondence:

- Littlestown YMCA "Kids Come First" Annual Support Campaign
- Adams and York Counties conducting a study to determine the feasibility of a trail connecting Gettysburg to Hanover. Supervisors suggested that the Rec Board attend.
- County Planning 2006 Building Permit and Development Annual Reports
- WRRMA 2006 Annual Operation Report
- Tire Collection Event at Ag Center on June 2nd
- Heartland Assoc. Inc. placing a Fourth of July tent at Yingling's Auction from June 23 through July 7.
- County Conservation District West Nile Virus information

Committee Reports:

Personnel: Mr. Chantelau moved, seconded by Mr. Scott, to approve a medical leave for Dave Crouse, Zoning Officer, effective April 16, 2006. Motion carried unanimously.
Mr. Scott moved, seconded by Mr. Chantelau, to appoint Brenda Constable as Acting Zoning Officer during the medical leave of Dave Crouse. Motion carried unanimously.

Finance: Nothing to report.
Planning, Land Use and Zoning: Nothing to report.
Building & Grounds: Nothing to report.

Roads: The Supervisors noted that Dave Crouse developed a list of dedicated right-of-ways from all approved subdivisions for the period of January 2003 through December 2006, as offers for acceptance to the Township. If the Township accepts these dedications, they become the Township's right-of-ways as part of its roads. It was noted that all offers do not need to be accepted. The Supervisors reviewed the list of 39 offers of dedications. Mr. Chantelau moved, seconded by Mr. Scott, to accept all 39 offers of dedicated right-of-ways as listed. Motion carried unanimously.

Public Safety: Nothing to report

Agricultural Land Preservation: No report – did not meet in April.

Recreation Board: Supervisors noted receiving the monthly report. With recommendation from the Rec Board, the following actions were taken:

- a) Request to schedule a workshop with sub-committee of supervisors. Mr. Chantelau noted there are new members on the Rec Board and they are looking for direction and clarification as to what their responsibilities are, especially with the preparation of an RFP (Request For Proposal) for the comprehensive recreation, parks, and open space plan. It was decided that the Planning, Land Use & Zoning Committee would meet with the Rec Board at their regular meeting on May 8. In addition, Mr. Scott moved, seconded by Mr. Dayhoff, to instruct the Rec Board to prepare the RFP for the plan. Motion carried unanimously.
Upon the Rec Board's request, it was also agreed that the supervisors attend the next two or three Rec Board meetings to provide guidance.
- b) Mr. Scott moved, seconded by Mr. Chantelau, to approve the placement of a bicycle rack in front of the Township building. Motion carried unanimously.
- c) Mr. Scott moved, seconded by Mr. Dayhoff, to approve Rec Board membership to the PA Recreation and Parks Society (PRPS) at \$200. Motion carried unanimously.

Other Business:

Comcast Franchise Agreement:

Mr. Scott moved, seconded by Mr. Chantelau, to remove from the table for discussion. Motion carried unanimously.

Supervisors noted that Mr. Davis has reviewed all revisions to the agreement and is satisfied that the agreement is final and ready for signatures. Mr. Dayhoff moved, seconded by Mr. Scott, to approve the Comcast Franchise Agreement. Motion carried unanimously.

Ordinance No. 2007-01:

Mr. Dayhoff moved, seconded by Mr. Chantelau, to adopt Ordinance No. 2007-01 amending the zoning ordinance eliminating traffic studies if in a transportation service area. Motion carried unanimously.

New Business:

Township Brochure:

Mr. Chantelau announced that he has created a township brochure geared mainly toward new residents to inform them of township government, and what Mount Joy Township is about. The brochure will also be put on the Township's web site and in the next newsletter. Mr. Dayhoff also suggested that the brochure be sent to local realty companies. Mr. Chantelau moved, seconded by Mr. Scott, to approve the format of the Township Brochure as presented and authorizes the distribution as stated above. Motion carried unanimously.

Executive Session:

Mr. Waybright called for an Executive Session at 9:00 p.m. this date.

Meeting Reconvened:

Mr. Waybright reconvened the Supervisors Meeting at 9:10 pm. with all in attendance. It was noted that possible litigation was discussed and no action is needed at this time.

Adjournment:

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Dayhoff, to adjourn the Supervisors' Meeting at 9:11 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary