

APRIL 3, 2002 SUPERVISORS' SPECIAL MEETING:

The Mount Joy Township Supervisors held a special meeting this date, as publicly advertised, at 7:30 p.m. in the Township Building, 902 Hoffman Home Road, Gettysburg, PA, with Chairman James Waybright presiding. Others in attendance were: Supervisors Scott and Chantelau; Solicitor Walton V. Davis; Employees Sam Dayhoff and Anthony Graham; and Secretary Brenda Constable.

Citizens in attendance were: Jim and Gerri Pruitt; Craig Yingling; John and Rose Bartlett; Phil and Barbara Plotica; Attorney Timothy J. Shultis representing Ploticas; Mike Danner; Tim Redding representing Danner; Eileen Holmes; Jerry Maloney; and Ed Reichart.

Chairman Waybright led everyone with the Pledge to the Flag.

Minutes:

Excerpt of the February 21, 2002 minutes of the Supervisors' Meeting regarding the discussion of Long Road was distributed to all attendees.

Excerpt of the March 21, 2002 "draft" minutes of the Supervisors' Meeting regarding the bids received for a salt storage shed was distributed to all attendees.

Chairman's Statement:

Chairman Waybright stated the purpose of the meeting was to discuss options for Long Road with the Long Road residents, as agreed upon at the February Supervisors' Meeting and decide what actions to take, if any, on the bids received for the salt storage shed that were tabled at the March 21, 2002 meeting.

Public Comment: No public comment at this time.

Long Road:

Phil Plotica gave opening remarks, stating that the general consensus of the residents on Long Road would like to see things stay the way they are. He further stated that over the past year, investigations have been ongoing to determine the legal status of Long Road regarding where it ends and where it starts.

With regard to the cul-de-sac issue, Mr. Plotica stated that for the past twenty (20) plus years, no one has objected to vehicles using their turn-around. However, he proposed three (3) options for the Township to consider:

1. If the Township were to agree with the current proposal from Michael Danner, then the Plotica's would like to have Long Road moved approximately fifty feet (50') to the east, only in the area by their house; or
2. Put a cul-de-sac in the area where the paved road currently ends (before the Plotica's house); or
3. Enlarge the radius of the Plotica's driveway the whole way around with an exclusive easement. Plotica's are willing to grant an easement or cul-de-sac at the end of the road if acceptable to them and Michael Danner.

Tim Redding, of Adams County Surveyors and on behalf of Mike Danner, stated that the original concept was that Danner give up his property if the Township puts the road back to the proposed cul-de-sac and then the rest of the road would be vacated. Danner is willing to give up the rest of the road. Danner agreed that he is comfortable with his plan. He further stated that he would also be okay with moving the road to the east of the Plotica's property.

Scott questioned that under the current zoning, he is not sure if we can do what is being proposed. Danner stated that if a cul-de-sac is moved up in front of the Plotica's house (option 2), then he would be hesitant to vacate the rest of the road because he would not have proper access to his land.

Phil Plotica pointed out that his comments are on behalf of he and his wife and not all the residents of Long Road. Gerri Pruitt (Long Road resident) asked Danner if it wouldn't be cheaper [for the Township] to access his property by coming off of King Road rather than Long Road where the residents [taxpayers] would have to pay for the improvement. Craig Yingling asked what the road improvement would cost. The Supervisors responded that when they had previously looked into this, the cost was about \$82,302, which included paving to the cul-de-sac (approximately 780').

Jim Pruitt asked how much it would cost to improve the driveway around the Plotica's (option 3). Waybright and Scott both stated that they are not comfortable with that option.

Scott clarified what could be done as a Township: 1) do nothing; 2) do what is proposed; or 3) put in a road, improve it, not pave it but have proper drainage.

Danner stated that he had originally asked for only pipe and stones. The Township came back with the question of whether or not he would consider putting in a cul-de-sac. Danner clarified that he was not originally asking for that but if the Township was willing to do that, then he would put forth a plan.

Sam Dayhoff stated that, in his opinion, the portion of the road from the proposed cul-de-sac to the area of Barlow-Two Taverns Road would be abandoned and then have a dead end road. He further added that if a cul-de-sac goes in, it wouldn't have to be paved immediately; it could be done in phases.

Gerri Pruitt questioned that if the Township were to pay for this, and another property owner comes in with a similar proposal, would the Township keep paying \$82,000+ to keep doing the same thing as what is proposed here? Solicitor Davis questioned if the Township even has any other roads with the same situation. This whole issue of Long Road started with a certain landowner (not present here) stating that if the Township didn't vacate the road, then it will open to Barlow-Two Taverns Road.

Rose Bartlett (Long Road resident) questioned if Danner has access now to Long Road from his property. Danner stated that he doesn't because of wetlands.

Waybright addressed various comments, stating that if he lived on Long Road, he would like to see the road go through the whole way to Barlow-Two Taverns Road. In an emergency situation at the beginning of Long Road, the rest of the residents would be stuck! It is a health and safety issue that the Township does something. In the past, we have just been lucky. He also clarified that the plan that was submitted by Danner is nothing more than a plan for what to do with the road, it is not a land development

plan so any proposed lots that are shown on it should be ignored at this time. If Danner ever decides to develop land, then he must go through the proper procedure for that.

Further discussion followed with suggestions to move the proposed cul-de-sac [Danner's] back so that any future/proposed lots would have enough road frontage. Redding stated that to do that, Danner would have to be willing to give up a lot for proper frontage on the remaining lots. Scott explained how the developer is responsible to pay for road widening in the area of development. It was agreed by all that whatever is done, they need to stay away from the Plotica's house.

Barbara Plotica stated that large trucks now have a problem getting into the entrance of Long Road. They have to use the Township parking lot to turn into position to enter Long Road. Scott stated that the Township is in the process of widening Township roads each year, including entrances.

Tim Shultis, Plotica's attorney, asked if the Township engineer ever considered anything else short of a cul-de-sac, such as a "T" or a "Y"? Solicitor Davis responded that the Township ordinance does not allow "T" or "Y".

Following Scott's suggestion, Waybright questioned Danner if he would be willing to pay for improvements if the cul-de-sac were to be moved approximately 150' from where he originally proposed it to be. Danner explained that that suggestion would not improve his access to the area because it is still in the wetland area. Danner stated that he would want to see what the cost would be before he makes a decision on this suggestion. He also questioned who would be paying for the surveying since it would have to be re-surveyed. Waybright stated that they would get a cost for excavation and stones from the point of the proposed cul-de-sac to the 150' proposal. Danner stated that if the cul-de-sac is moved, the water issue may be worse than what it is now. Scott explained that a cul-de-sac would need to be built high enough in order to get rid of the water, no matter where the cul-de-sac is placed.

Scott agreed that whatever is done, the road should be moved away from the Plotica's house. Tim Redding stated that changes would require more engineer work. Solicitor Davis stated that the work can't be done unless Danner gives up the land and if he doesn't, the Township can condemn it. Danner wants a cost projection on the road improvement of what he would need to supply. Solicitor Davis suggested that the Township have its engineer, HRG, give a cost breakdown of straight road from the proposed cul-de-sac to the new proposed location cul-de-sac, not paved, with proper drainage.

Waybright asked for any further comments. Danner stated that he is pleased that everyone can sit down together to discuss this and work out a solution together. Craig Yingling stated that he does not object to giving up some of his land to make the entrance of Long Road larger.

Chantelau questioned/clarified with Danner if the plan were to stay as he originally proposed, does he agree to vacate the remainder of Long Road? Danner responded yes. Solicitor Davis clarified that Danner would vacate the balance of Long Road if the plan stays as is; however, if the cul-de-sac goes elsewhere, then he is not sure if he agrees to vacate the balance of Long Road – yet!. Danner responded that he wants to consider the option first.

Plotica's questioned what is the next step. Waybright stated that the Township will get Danner a cost estimate and then further discussions will be needed. Then the Supervisors will have to come to a consensus of what the Township would be willing to do. The Supervisors could have another special

meeting, if needed, or at a regular Supervisors' meeting, discuss the Township's status. No decision will be made without the Ploticia's knowing what is being decided on.

Salt Storage Shed Bids:

As a result of the bid opening at the Supervisors' regular meeting on March 21, 2002, all bids received for the salt storage shed came in much higher than budgeted, so the Supervisors tabled action on them. Chantelau moved, seconded by Scott, to take off the table for discussion. Motion carried unanimously.

Sam Dayhoff, Building & Grounds Coordinator, presented estimate breakdowns of each portion of the work to be done, along with a breakdown of funds and how to move them around within the budget if the Supervisors were to choose to do such.

Scott questioned who provided the original \$93,000 amount for budget purposes. Dayhoff responded that he received the estimate from Drew Plunkert of D.P. Services Plus; however, he is now estimating a higher cost because of the height of the wall and rebar. Dayhoff figured a estimate of \$56,000+ without labor and high costs for materials. Plunkert recommends that the Township consider bidding the work separately. Solicitor Davis stated that the Township can break out the work and accept separate bids. There are certain areas that should be bid separately anyway, such as the HVAC and electric. He further stated that there is no reason why the Township can't be its own contractor. The Township would still need to keep the prevailing wage since it is over \$25,000.

Dayhoff suggested that maybe some of the work could be done next year, i.e. the electric and garage door. Chantelau asked what could be done this year for \$90,000+? Waybright stated that we could build one-half of the shed this year to stay within the budget and the other half next year; however, doing it that way would run into more money in the long run because costs will be up next year. The size can't be changed because what is proposed now is what we need.

Scott stated that some of the add-ons increased the price. He felt that there was no need to use coated rebar so we could bid again without the rebar. He also suggested to let the contractor use the option to taper the wall, i.e. 12" at the bottom and 8" at the top. He asked if there were any other options that could be considered to reduce the cost.

Dayhoff recommended that the Supervisors reject all bids. Bid the concrete separate and have Drew Plunkert draw up the bid packets. Then bid the roof next year. Waybright suggested that we bid both now so that we know where we are at with costs. Solicitor Davis suggested that we bid both ways; with rebar and without rebar.

Scott moved, seconded by Chantelau, to reject all three (3) bids that were opened on March 21, 2002. Motion carried unanimously.

Chantelau questioned if this was the only alternative we had for a salt shed or could we look at other buildings that are less expensive. Scott stated that this would be a much more useable building and it's worth the difference in price for a more functional building. Chantelau asked if there were other buildings that we could drive our trucks into. Waybright responded yes but not necessarily be able to dump anything. Dayhoff stated that the biggest expense is the prevailing wage. The cost of concrete is

approximately \$20,000; rebar is approximately \$9,000. Dayhoff stated that he would like to have the concrete set for about a year, then seal it.

Waybright moved to have Dayhoff contact Drew Plunkert and notify him that we would like to bid the work separately, one for the concrete and one for the roof. The contractor should have the option to bid with or without rebar. Have Drew prepare the bid packets as soon as possible and be reviewed and approved by Dayhoff and Scott. The bid opening date is to be set for May 16, 2002 during the regular meeting of the Supervisors. Scott seconded the motion. Discussion: Chantelau asked if the electric is to be included. Scott stated that we can do this ourselves or do it at our convenience. No electric is to be included in this bid process. With no further discussion, the motion carried unanimously.

Executive Session:

Board Chairman Waybright called for an executive session at 8:55 p.m. this date.

Meeting Reconvened:

Board Chairman Waybright reconvened the Supervisors Special Meeting at 9:08 p.m. this date with the following others in attendance: Supervisors Scott and Chantelau; Solicitor Davis; Sam Dayhoff; Anthony Graham; Jerry Maloney; and Eileen Holmes; and Secretary Brenda Constable.

Solicitor Davis stated that there was no business to discuss in executive session, only a technical question regarding a request by the Supervisors on a lawyer to client issue for land use and zoning advise.

Adjournment:

With no further business to come before the Board, Scott moved, seconded by Chantelau, to adjourn the Special Meeting at 9:10 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary