

JUNE 21, 2007 SUPERVISORS' MEETING:

The Mount Joy Township Board of Supervisors met this date, as publicly advertised, at 7:35 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, Harold Kirschner, and Samuel Dayhoff; Solicitor Walton V. Davis; Robin Crushong, Treasurer; Dave Crouse, Zoning Officer; News Reporter Aaron Young (*The Gettysburg Times*), and Matt Casey (*Hanover Evening Sun*); and Secretary Brenda J. Constable.

Others in attendance were: Frances L. and Robert I. Davis; Robert Jonas; Dave Updyke and Pam Roman representing the Watchdog Group; Dorcas Shelly; Barton Breighner; Steve Loss representing Fairview Farms and Twin Pond Estates; Harry Walker; Mike & Nora Keller; Lou Shuba; Elsie Morey; Jerry Althoff representing the Planning Commission; Eileen Holmes; Sally Alexander; Glenn Snyder; Chad Yingling; Craig Yingling; Marty Qually; and Jerry Maloney.

Board Chairman Waybright led everyone with the Pledge to the Flag.
The meeting was being recorded by the Township.

Chairman's Statement:

Mr. Waybright addressed an incident that arose over the last month with regard to the treatment of staff. During a phone conversation with a township resident, a staff member was yelled at and cussed at for the staff doing their job. He explained that the staff is here to follow the policy that is set by the Board of Supervisors. If a resident is not happy with a certain policy, they should address the Board to see if any changes should be taken. He emphasized that the Supervisors will not tolerate this behavior in the future, and added that the staff person involved did the right thing by hanging up the phone. No staff member deserves to be talked to in the tone or manner that had taken place. The Supervisors will explore the legal remedies that are available to them and will proceed with those remedies.

Minutes:

Mr. Chantelau moved, seconded by Mr. Kirschner, to approve the May 17, 2007 minute as presented. Motion carried unanimously.

Public Comment:

1. Eileen Holmes: a) requested detailed Treasurer's Report; b) suggested that a representative from the area between Route 15 and Rock Creek should be on the Strategic Planning Initiative Committee.
2. George Scott: presented a cap to the Road Superintendent for the fine job the road crew does.

Announcements:

Ms. Constable followed up on the notice of elimination of Outdoor Area Lighting (OAL) with Met Ed and found that the letter received and discussed last month was to be directed to private homeowners who have a pole light on their property maintained or owned by Met-Ed. This does not affect the street lights on Route 97. If any, it would affect the pole light the Township has in front of the municipal building.

Treasurer's Report:

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

Mr. Scott moved, seconded by Mr. Kirschner, to approve the bills to be paid for the month of May and part of June as presented. Motion carried unanimously.

Subdivision/Land Development Plans:

1. Westminster-Keystone Custom Homes: proposed 204-lot subdivision on White Church and Goulden Roads. (Extension through 08/31/07). Remains on the table.
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. (Extension granted through 07/23/07) Remains on table.
3. Clapsaddle, Meda: Request for Planning Waiver & Non-Building Declaration for 10 acre lot addition to Gettysburg Granite Quarry at 1790 Baltimore Pike, approved May 17, 2007. It was noted that the Planning Commission recommends approval. Mr. Dayhoff moved, seconded by Mr. Scott, to approve the Declaration as presented. Motion carried unanimously.
4. Snyder, R. Glenn: proposed 2-lot subdivision/lot addition on Speelman-Klingler road. Mr. Snyder was present to review this plan. It was noted that the Planning Commission recommends approval as a Preliminary/Final and approval of a Request for Planning Waiver & Non-Building Declaration. Mr. Dayhoff moved, seconded by Mr. Kirschner, to approve as a Preliminary/Final Plan. Motion carried unanimously. Mr. Scott moved, seconded by Mr. Chantelau, to approve the Request for Planning Waiver & Non-Building Declaration as presented. Motion carried unanimously.
5. Keller, Michael J.: proposed 3-lot subdivision on Speelman-Klingler Road. Mr. Keller was present to review this plan. Planning Commission recommends approval of Final plan. Mr. Dayhoff moved, seconded by Mr. Scott, to approve the Final plan. Motion carried unanimously.
6. Fairview Farms-Barton Breighner, Owner: proposed Final plan for Phase I with seven lots located at 545 Hickory Road. Mr. Breighner and Mr. Steve Loss, Engineer, were present to review this plan. Planning Commission reviewed and made recommendation on the revised intersection design that was suggested by PennDOT. Supervisors reviewed four options that Planning Commission submitted as follows:
 - a) Waive the cul-de-sac length (southern entrance between lots 10 and 12), temporarily, while still requiring bonding for a center street to be put in place, for whatever time period the Supervisors determine;
 - b) Allow Phase I to go through as presented, allowing two small interior streets with temporary cul-de-sacs on it, still bonding the center street, for whatever time limit the Supervisors determine;
 - c) Wait for PennDOT's response in case they would have any other suggestions or recommendations; and
 - d) Loss-Stair Engineering to speak with Mr. Breighner to see if he would consider revising Phase I to include Lots 6, 7, 8, 9, 10, 11, and 12, rather than 1, 2, 3, 4, 10, 11, 12 in order to use only one temporary cul-de-sac in Phase I.

It was noted that the cul-de-sac at the southern entrance is proposed at 1,460 feet long which exceeds the Township's maximum requirement of 800 feet. Mr. Breighner stated that he would be agreeable to change the lots to be developed in Phase I if the Supervisors would consider that option. He added that Phase II would depend on the sale of lots which could take about two years. All Supervisors

agreed that they did not like the right-in/right-out suggestion from PennDOT and would prefer that the entire development be acted on at one time rather than in phases, this way the entire street could be constructed at once. Further discussion was held regarding time period for sale of lots, bonding for infrastructure, etc. Mr. Davis confirmed that the Homeowner Association Agreements have been revised and are fine as far as the Township is concerned.

Mr. Scott moved, seconded by Mr. Dayhoff, to approve the Final Plan for the entire 13-lot subdivision contingent on PennDOT approval, Homeowner Association document approvals, and posting of financial security bonding for infrastructure. Motion carried unanimously.

Discussion on the financial bonding, Mr. Scott moved, seconded by Mr. Kirschner, to approve an automatic renewal for security not to exceed four years. Motion carried unanimously.

7. Twin Pond Estates-Bon-Ton Builders: proposed 34-lot subdivision on Harney Road. Mr. Steve Loss, Engineer, was present to review this plan. Applicant is requesting a 120-day extension period. Mr. Chantelau questioned who did the perks for this development. Mr. Loss stated that Mr. Luke Smelty of SAIC did the perks, but Gil Picarelli, Township SEO, did a sight review and was okay with it. Mr. Dayhoff moved, seconded by Mr. Scott, to approve a 120-day extension through December 9, 2007. Motion carried unanimously.
8. The Links At Gettysburg-Cavalry Chase: proposed 26 unit subdivision/land development. Applicant requests a 90-day extension. Mr. Dayhoff moved, seconded by Mr. Chantelau, to approve a 90-day extension through October 11, 2007. Motion carried unanimously.
9. The Links At Gettysburg-Powder Creek: proposed 44 unit subdivision/land development plan. Applicant requests a 90-day extension. Mr. Dayhoff moved, seconded by Mr. Scott, to approve a 90-day extension through November 9, 2007. Motion carried unanimously.

Road Report:

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

With recommendation from Sam Dayhoff, Road Superintendent, Mr. Scott moved, seconded by Mr. Waybright, to authorize the advertisement to accept bids for 1,500 Ton asphalt with the bid opening to be July 19, 2007. Motion carried unanimously.

Zoning Report:

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

Mr. Scott moved, seconded by Mr. Chantelau, to approve the junkyard certificates as presented for 2007-2008. Motion carried unanimously.

Correspondence:

Ms. Constable noted receiving the following correspondence:

- WRRMA April minutes
- Barlow Fire Department 2004-2005 Audit Report
- Gettysburg YWCA "Thank You" for donation
- Gettysburg Senior Center "Thank You" for donation
- Adams County Transit Authority request for donation

- Notice from County Court of Common Pleas of Notice of Appeal filed by David and Leslie Updyke to Commonwealth Court of PA from Opinion and Order of May 8, 2007 relative to a zoning hearing decision of August 2006.

Committee Reports:

Personnel: Nothing to report.

Finance: Nothing to report.

Planning, Land Use & Zoning: Committee noted receiving a request to review the land use permit fee calculation for permits for commercial or industrial development. Mr. Scott stated that the Committee felt the issue at hand was interpretation as to the wording on the application, and not a problem with the calculation. He suggested that the Solicitor clarify the language so it is understood by all applications for proper calculation. The change would later be adopted by Resolution.

Mr. Chantelau reported that the Adams County Green Space Program will hold regional meetings throughout the County, and Mount Joy Township will host a meeting on July 18 for this region. There will be a presentation to the municipalities to inform them on how to apply for grants that are available to this program.

Building & Grounds: Nothing to report.

Roads: Nothing to report.

Public Safety: Nothing to report

Agricultural Land Preservation: Noted receiving the monthly report.

- Mr. Scott moved, seconded by Mr. Kirschner, to approve a 60-day extension for RMS Plans, and a 60-day automatic renewal after that until plans are completed. Motion carried unanimously.
- Mr. Scott moved, seconded by Mr. Dayhoff, to approve a form letter to be offered to landowners so they can request the County to prepare Conservation and RMS Plans for them. Motion carried unanimously.
- Bill Chantelau to attend July meeting to discuss Green Space Program.
- Mr. Dayhoff moved, seconded by Mr. Chantelau, to approve and sign the Agreements of Sale for the second and third ranked farms in Round III, approving the purchase of agricultural land preservation easement in the amount of Three Thousand Three Hundred Twelve Dollars (\$3,312.00) per acre to purchase the improved real property located at and known as 710 Mud College Road, Lot 1, Littlestown, Mount Joy Township, Adams County, Pennsylvania 17340, and as described in Deed Book 2844 at Page 239; Record Book 4773 at Page 200, and Plat Book 92 at Page 47/Record Book 4747 at Page 73, totaling 20.409 deeded acres, all of which acreage has been appraised for this price, owned by Margaret E. Miller Trust; and the purchase of agricultural land preservation easement in the amount of Three Thousand Four Hundred Twenty-Eight Dollars (\$3,428.00) per acre to purchase the improved real property located at and known as 710 Mud College Road, Lot 2, Littlestown, Mount Joy Township, Adams County, Pennsylvania 17340, and as described in Deed Book 2844 at Page 239; Record Book 4773 at Page 205, and Plan Book 92 at Page 47/Record Book 4747 at Page 73, totaling 34.282 deeded acres, all of which acreage has been appraised for this price, owned by Margaret E. Miller Trust. It

was noted that these amounts are 80% of the appraised value. Approval to send the Agreements of Sale to Solicitor White for settlement. Motion carried unanimously.

- Mr. Dayhoff moved, seconded by Mr. Chantelau, to approve Agrarian Associates to perform appraisals on the first and second ranked farms in Round IV. Motion carried unanimously.

Recreation Board: Mr. Kirschner moved, seconded by Mr. Chantelau, to approve the monthly report as presented.

Motion carried unanimously.

- Mr. Scott moved, seconded by Mr. Dayhoff, to approve a press release as presented. Motion carried unanimously.
- Request two supervisors to attend July meeting; Mr. Chantelau and Mr. Kirschner will attend.
- Announced the need for community involvement with the Rec Board.
- Mr. Dayhoff moved, seconded by Mr. Scott, to approve a letter to be sent to surrounding boroughs and townships. Motion carried unanimously.

Other Business:

1. Strategic Planning Initiative: Mr. Chantelau followed up on a discussion held last month, noting that he had been in contact with several people concerning the programmatic of how to go about organizing this initiative and has received a copy of the *Pennsylvania Governor's Center for Local Government Services Municipal Planning Self-Assessment Tool* to be used as a starting point.
2. Received a report from Audrey Weiland, Planning Commission member, who attended training seminars at PSATS and PALTA (PA Land Trust Assoc).
3. Mr. Chantelau gave a report from attending the PSATS and PALTA conferences.

New Business:

Long Road:

Mr. Chantelau moved, seconded by Mr. Dayhoff, to adopt Resolution No. 20 of 2007, vacating a portion of Long Road. Motion carried unanimously.

Mr. Scott moved, seconded by Mr. Kirschner, to adopt Resolution No. 21 of 2007, accepting the dedication of Long Road from Craig, Connie, and Chad Yingling. Motion carried unanimously.

Holding Tank Agreement:

Request from Tam Tran, Golden Menu Restaurant, to approve a Holding Tank Permit Agreement at 1885 Baltimore Pike. Mr. Dayhoff moved, seconded by Mr. Chantelau, to table action on this until a time frame is provided and the demolished restaurant pile of rubble is cleaned up. Motion carried unanimously.

PA PERCS, Inc.:

Request from PERCS to sign an updated Municipal Service Agreement for traffic Control Signals at the Gettysburg Village Outlets. Mr. Scott moved, seconded by Mr. Chantelau, to table action per Mr.

Davis's recommendation until certain items in the agreement can be revised and until PERCS provides a copy of the current agreement on file for review and comparison. 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 9:35 p.m. this date with the following in attendance: Supervisors William Chantelau, George Scott, Harold Kirschner, and Samuel Dayhoff; Solicitor Walton V. Davis; Robin Crushong, Treasurer; Dave Crouse, Zoning Officer; News Reporter Aaron Young (*The Gettysburg Times*), and Matt Casey (*Hanover Evening Sun*); and Secretary Brenda J. Constable. Citizens attending were: Lou Shuba; Jerry Althoff; Jerry Maloney; Glenn Snyder; Pam Roman; Sally Alexander; Eileen Holmes; Marty Qually; Dorcas Shelly; Harry Walker.

Mr. Davis noted the following issues discussed during Executive Session:

- Possible violation relative to code fire safety;
- What remedies could be taken for staff harassment;
- Personnel matter for recreation coordinator

Recreation Board – Coordinator:

Mr. Scott moved, seconded by Mr. Chantelau, to appoint Robin Crushong as Project Coordinator for the Recreation Board. Motion carried unanimously.

Adjournment:

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Dayhoff, to adjourn the Supervisors' Meeting at 9:35 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary