

## **MAY 20, 2004 SUPERVISORS' MEETING:**

The Mount Joy Township Board of Supervisors met this date in regularly scheduled session at 7:00 p.m. in the Township Municipal Building, 902 Hoffman Home Road, Gettysburg, PA, with Chairman James Waybright presiding. Others in attendance were: Supervisors William Chantelau, George Scott, Harold Kirschner and Sam Dayhoff; News Reporter Staci George (*The Gettysburg Times*); Erin James (*Hanover Evening Sun*); and Secretary Brenda Constable.

Others in attendance were: Denise Shelleman, and Wendy Beauchat representing Gettysburg Village Factory Stores; Mike & Nora Keller; Elsie D. Morey; Eileen T. Holmes; Carol E. Holtz; Kevin Schriver; Paula Seabold; John McAlister; Jerry Althoff representing the Township Planning Commission; and Bill Hill representing the Kellers.

Chairman Waybright led everyone with the Pledge to the Flag.

### **Minutes:**

Mr. Kirschner moved, seconded by Mr. Chantelau, to approve the minutes of the April 15, 2004 meeting as presented. Motion carried unanimously.

### **Treasurer's Report:**

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

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

### **Subdivision/Land Development Plans:**

1. Keller, Michael J.: presented a proposed subdivision of ten (10) lots along Hoffman Home Road. The Planning Commission recommends approval as a Final Plan contingent on satisfying HRG comments of May 7, 2004. Mr. Althoff, Planning Commission Chairman, gave an overview of this plan. It was noted that all documents/permits required have been submitted to the Township, as well as a letter from PNC Bank relative to a Letter of Credit for security. With no further discussion, Mr. Scott moved, seconded by Mr. Dayhoff, to approve as a Final Plan, contingent on addressing all of HRG comments. Motion carried unanimously.

### **Road Report:**

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

### **Bid Opening – Seal Coat and Binder Coarse:**

Mr. Waybright announced that a bid opening would be held at this time, as publicly advertised, for seal coat and binder coarse. The Supervisors opened and read aloud the following bids received:

**FB-1 BINDER COARSE: (Schwartz Road Project)**

VENDOR NAME 		HAMMAKER EAST LTD. 133 Siloam Road, Chambersburg, PA 17201		WILSON PAVING 480 West Old York Road Carlisle, PA 17013	
QTY	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1,900 Tons	FB-Binder Coarse	\$25.70	\$48,830	\$27.75	\$52,725
10,000 Sq. Yd.	Bituminus Seal Coat	\$ 1.10	\$11,000	\$1.20	\$12,000
	<b>TOTAL</b>		<b>\$59,830</b>		<b>\$64,725</b>

Both Bidders included a 10% Bid Bond

**SEAL COAT: (Various Township Roads)**

VENDOR NAME 		STUART & TATE, INC. 950 Smile Way York, PA 17404		HAMMAKER EAST LTD. 133 Siloam Road, Chambersburg, PA 17201		WILSON PAVING 480 West Old York Road Carlisle, PA 17013	
QTY	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
140,000 Sq. Yd.	Bituminus Seal Coat	\$5449	\$76,286	\$54	\$75,600	\$64	\$89,600

All Bidders included a 10% Bid Bond

After review by the Supervisors and Solicitor, Mr. Chantelau moved, seconded by Mr. Scott, to award both bids to Hammaker, East Ltd. Motion carried unanimously. Both Bidders included a 10% Bid Bond

**Zoning Officer Report:**

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

**Code Change:**

Mr. Little recommended that the Township Code be changed everywhere the words “building permit” are referenced due to the Township opting out of the UCC. The Township now issues “Land Use Permits” and not building permits. Mr. Davis suggested that a new definition could be added to the SALDO and Zoning Ordinances stating that everywhere building permits is referenced, that it does not have anything to do with the UCC building permit. Planning Commission would need to review it, and a hearing would need to be held prior to adoption. Mr. Chantelau moved, seconded by Mr. Scott, to instruct the Solicitor to prepare all of the necessary documents needed to reflect all “building permits” as “Land Use Permits”. Motion carried unanimously.

**Building & Grounds Report:**

Mr. Chantelau moved, seconded by Mr. Kirschner, to approve the Building & Grounds Report as presented. Motion carried unanimously.

## **Correspondence:**

Mrs. Constable announced the following correspondence received:

- WRRMA March minutes
- Draft Adams County Municipal Waste Management Plan – the Supervisors have 30 days to review and give comment back to the County.

## **Committee Reports:**

Personnel: Mr. Chantelau noted the return of Donnie Himes from medical leave, effective May 12, 2004.

Mr. Scott moved, seconded by Mr. Kirschner, to approve the employment of the following as summer road workers and to set the rate of \$10.00 per hour for each:

- Paula Sebold, effective retroactive from April 29, 2004 through August 2004
- Chad Yingling, effective June 10, 2004 through August 2004

Motion carried unanimously.

Finance: Mr. Chantelau noted that the Finance Committee has given instructions to the Treasurer to allow the State to make direct deposits to the Township account for State police fines and penalties collected.

Planning, Land Use & Zoning: Mr. Chantelau noted that he attended a meeting sponsored by the County Association of Township Officials. Issues discussed were open space and recreation program that municipalities can use if the County Commissioners move forward with a bond issuance. He will keep the Supervisors apprised of what happens and will continue to attend these meetings.

Building & Grounds: Nothing to report

Roads: Nothing to report

Public Safety: Nothing to report

Agricultural Land Preservation: The Ag Land Preservation Board did not meet this month.

## **Announcements:**

Mr. Chantelau noted that he will be attending a breakfast with Representative Maitland on May 27 and plans to ask questions regarding the new UCC.

Mr. Chantelau noted that the Supervisors were available to meet the public during Primary Election Day and had a few visitors. He is proposing to do this again in November and if only a few visit at that time, then he would suggest that they do not do this again. All Supervisors concurred.

## **Other Business:**

Mr. Dayhoff moved, seconded by Mr. Chantelau, to approve the financial surety in the amount of \$562,825.73 as approved by HRG, relative to The Links At Gettysburg, Phase IB project. Motion carried unanimously.

## **New Business:**

### Gettysburg Fire Co. Box Alarm Cards:

Mr. Kirschner moved, seconded by Mr. Dayhoff, to approve the Box Alarm Card changes as presented by the Gettysburg Fire Department. Motion carried unanimously.

### Delancey Assoc. – Amendment Requests:

Wendy Beauchat, Esq., representing Delancey Gettysburg, L.P., presented proposed text amendments to the Township's Zoning Ordinance for the SVSC section relative to signage and a movie theater. She also recommended a modification of a Conditional Use Decision relative to hours of operation. The Supervisors and Solicitor reviewed the proposed changes. It was noted that the Planning Commission concurs with the recommended changes but has concerns with late hours for the movie theater and additional security needed.

Mr. Scott moved, seconded by Mr. Dayhoff, to set the date and time for two (2) public hearings, one for Zoning Ordinance text amendment and the other for a modification to a Conditional Use decision, during the regular meeting of the Supervisors on July 15, 2004, beginning at 7:00 p.m., and 7:15 p.m. Motion carried unanimously.

## **Executive Session:**

Mr. Waybright called for an Executive Session at 9:05 p.m. this date.

## **Meeting Reconvened:**

Mr. Waybright reconvened the Supervisors' Meeting at 9:25 p.m. this date with the following others in attendance: Supervisors Bill Chantelau, George Scott, Harold Kirschner, and Sam Dayhoff; Solicitor Walton V. Davis; and Brenda Constable, Secretary. Citizens in attendance were: Eileen Holmes and Carol Holtz.

Mr. Davis stated that four (4) issues were discussed during Executive Session:

- Golden Menu Building – official action would be addressed later
- Updyke Road and its involvement with the Soil Conservation District regarding silt from property draining into ditch.
- Ongoing litigation on Salt Shed
- Phil Justice mining operation and a meeting with DEP officials on May 21, 2004.

Mr. Scott moved, seconded by Mr. Chantelau, to authorize the Township Engineer, HRG, to do an inspection of Golden Menu Restaurant to address concerns of safety. Motion carried unanimously.

## **Adjournment:**

Mr. Scott moved, seconded by Mr. Chantelau, to adjourn at 9:30 p.m. this date. Motion carried.

Respectfully submitted,

Brenda J. Constable  
Secretary