

MAY 15, 2008 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, Samuel Dayhoff, and Robert Rhodes; Solicitor Walton V. Davis; Zoning Officer Dave Crouse; Treasurer Robin Crushong; and Secretary Brenda J. Constable.

Others in attendance were: Aaron Young, Reporter (*Gettysburg Times*); Jerry Althoff and Tom Dunchack representing the Planning Commission; Robert Jones; Elsie D. Morey; Eileen T. Holmes; Carol E. Holtz; Pam Roman and Dave Updyke representing the Watchdog Group; John Eline of Adams County Emergency Services; John McLatchy Lynn Anne Sukeena; Sally Alexander; and Mike Livelsberger, Township EMS Coordinator.

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

Minutes:

Mr. Chantelau moved, seconded by Mr. Scott, to approve the April 17, 2008 minutes as presented. Motion carried unanimously.

Public Comment:

Pam Roman: Mentioned a recent article in *The Evening Sun* regarding York Water Company planning on raising their rates. She thinks Mount Joy Township is in York Water's sights and feels the Supervisors need to look at this with caution because it will put pressure on people that are already under a lot of pressure with high prices from gasoline and food, etc. People's rights would be taken away if they had their own wells and would be mandated to hook up to public water. She asked the Supervisors to consider this issue and be cautious.

Presentation:

Mr. John Eline, Director of Adams County Emergency Services, presented a certificate/plaque to Mike Livelsberger, Mount Joy Township EMC, for completing all of the certification requirements in Emergency Management. The Supervisors thanked Mike for his interest in pursuing this and following it through and thanked John for his cooperation and support with the Township.

Emergency Operations Plan:

Mike Livelsberger, Emergency Management Coordinator, presented an updated EOP reflecting the deletion of outgoing supervisor Harold Kirschner and the addition Bob Rhodes as the new supervisor.

Mr. Dayhoff asked Mr. Eline if any progress has been made with regard to preparation of a regional plan. Mr. Eline responded that a seminar was held on Saturday with local elected officials and they talked about proposed changes with Title 35. He forwarded proposed changes to every municipality in the County for review. As Title 35 stands right now, there are significant changes from what is required in each municipality and it is determined by population in each municipality as to what is required. Right now, it suggests that if your municipal population is 5,000 or less you are not required to appoint an emergency management coordinator or

have your own EOP. But it encourages municipalities with 5,000 people or less to work with neighboring municipalities to establish a regional plan. The intent is for the Director of PEMA to push the legislation through before the end of 2008.

With no further discussion, Mr. Dayhoff moved, seconded by Mr. Chantelau, to adopt Resolution #17 of 2008 updating the Township's EOP. Motion carried unanimously.

Announcements:

Ms. Constable announced the following:

- Partnership for Land Use Education "Citizen Engagement in Land Use" seminar on May 20, 7-9 p.m.
- Partnership for Land Use Education "Call to Duty" seminar on June 12, 7 p.m. at Gettysburg Fire Hall. It was noted that this was a result of the Mount Joy Township Strategic Planning Initiative Committee hosting an information session with the fire companies who serve the Township and realizing the needs of the fire companies. The Township then took that issue to the County and they have set up this seminar to educate everyone in the County as to the needs of the fire companies.

Treasurer's Report:

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

Mr. Chantelau moved, seconded by Mr. Scott, to approve the bills to be paid as presented. Motion carried unanimously.

Subdivision/Land Development Plans:

1. Westminster-Keystone Custom Homes: proposed 204-lot subdivision on White Church and Goulden Roads. It was noted the Supervisors' extension is through July 31, 2008. Supervisors noted receipt of a water status report from Keystone's engineering firm. Applicant is requesting a 60-day extension through September 30, 2008. Planning Commission recommends approval of extension. Mr. Scott moved, seconded by Mr. Dayhoff, to table the extension request and request from Keystone evidence that they still have an equitable interest in the subject property. Discussion: The Supervisors felt this information is needed based on hear say from reliable sources. Mr. Scott commented that the supervisors will need to educate themselves with what this water issue means. With no further discussion, the motion carried unanimously.

Mr. Rhodes commented that Keystone has been stating that they are waiting on a decision from the Susquehanna River Basin (SRB) on this project, but now seems to be going back to considering wells. He questioned if this meant that SRB did not give them the authority to bring water here. Mrs. Elsie Morey responded that to her knowledge, they (SRB) have not even met yet on this issue. Mr. Waybright stated they will just have to ask what Keystone's intentions are.

2. Holtzople, Jerred & Vickie: proposed land development plan for a 6,000 sq. ft. agricultural storage building at 2475 Taneytown Road. Applicant was requesting a waiver of a full LDP and Planning Commission recommended approval of waiver. Mr. Crouse, Zoning Officer informed the Supervisors that Mr. Holtzople notified him today that he wanted to withdraw this request due to changing the plan and down sizing the

building. Mr. Dayhoff moved, seconded by Mr. Scott, to deny the waiver request for a full LDP based on the representation that the applicant wants to withdraw the plan. Motion carried unanimously.

Road Report:

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

Mr. Waybright announced two bid openings would be held at this time, as publicly advertised. The Supervisors opened and read aloud the following bids received:

Basehoar-Roth Road Box Culvert:

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| 1. Kinsley Construction Company
2700 Water Street
PO Box 2886
York, PA 17405 | 10% bid bond included | \$91,750 |
| 2. Victor V. Re & Son
1755 Table Rock Road
Gettysburg, PA 17325 | 10% bid bond included | \$85,000 |

Mr. Scott moved, seconded by Mr. Rhodes, to award the bid for the Basehoar-Roth Box Culvert project to Victor V. Re & Son in the total bid amount of \$85,000. Motion carried unanimously.

Pavement Markings at Rt. 15 & Rt. 97 Intersections:

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| 1. Alpha Space Control, Inc.
1580 Gabler Road
Chambersurg, PA 17201 | 10% bid bond included | \$19,043 |
| 2. Traffic & Safety Signs, Inc.
703 Terminal Way
Kennett Square, PA 19348 | 10% bid bond included | \$31,190 |
| 3. Interstate Road Management Corp.
322 Rocky Road
Hazleton, PA 18201 | 10% bid bond included | \$23,943.10 |

Mr. Chantelau moved, seconded by Mr. Scott, to award the bid to Alpha Space Control, Inc. in the total bid amount of \$19,043 contingent on review and approval from Trans Associates, Traffic Engineer, relative to the work to be performed. Motion carried unanimously.

Meeting Recessed / Reconvened:

Mr. Waybright recessed the meeting at 8:10 p.m. this date to meet with the Roads Sub-Committee and the Road Superintendent.

Mr. Waybright reconvened the meeting at 8:20 p.m. this date with all in attendance. Mr. Waybright announced the purpose of the recess was to have the Roads Committee review and determine what future road work could be completed with remaining Liquid Fuels monies after payment for work from the bids that were just accepted.

Road Repair Work:

Mr. Dayhoff noted that repair work is needed on White Church Road, Mud College Road, and Barlow-Two Taverns Road. However, due to the bids received above, he recommended that work on only White Church Road be approved at this time, noting that Mud College and Barlow-Two Taverns road work would need to be put on hold until next year. Mr. Rhodes moved, seconded by Mr. Scott, to authorize the advertisement to accept bids for rubberized joint sealing and poly patch on White Church Road and to be completed in two phases. Phase I would be from Rt. 97 to the intersection of Patterson and Solomon Roads; and Phase II would be from Patterson and Solomon Road intersection to Barlow-Two Taverns Road. The date and time for the bid opening is set for June 19, 2008 at 7:30 p.m. during the Supervisors' regular monthly meeting. Mr. Dayhoff also noted another road project for the future is to reclaim Heritage Drive. When it is decided to do this, he would like to get with LHPOA to see if they would consider doing a section. He explained that the base of Heritage Drive is breaking up underneath and the pavement will be lost. That project alone will be approximately \$100,000+. Reclaiming process would be replacing the base and paving. With no further discussion, the motion carried unanimously.

Pam Roman complimented the road crew on doing an excellent job with mowing along the roads, specifically along her home on Updyke Road.

Zoning Officer's Report:

Mr. Scott moved, seconded by Mr. Chantelau, to approve the Zoning Officer's Report as presented. Mr. Waybright noted that the report reflects new construction in the Township has been limited to decks and small sheds; new single family homes are not happening except for a few that have been on the books for quite some time. It was also noted that a Farmers Market will be held at the Outlet Shoppes; scheduled to start operations on Friday, May 23, 2008. They will be open from 9:00 a.m. until 1:00 p.m. on Friday's only. Mr. Davis noted that this is a specifically allowed use in this area. With no further discussion, the motion carried unanimously.

Correspondence:

Ms. Constable noted receiving the following correspondence:

- Received notice from Lion Heart Film Works of filming Civil War combat scenes on May 2 - 4 at 201 Civil War Lane for an upcoming documentary.
- Gettysburg Senior Center requesting donations.
- Notice from DEP regarding a request to transfer a large non-coal mine permit (industrial minerals) from Clapsaddle to Gettysburg Granite LLC.
- Thank you letter from the County Assoc. of Township Officials for use of the meeting room for their spring conference.

Committee Reports:

Personnel: Nothing to report.

Finance: Discussion regarding the Auditors' 2007 Year End Report presented at last month's meeting. Mr. Chantelau moved, seconded by Mr. Scott, to not accept the Auditors Report as submitted, pending receipt of a revised report based on the Supervisors' written response that highlighted serious inaccuracies. Discussion: the Supervisors do not want an erroneous report in the minutes and would like a corrected and revised report for the record. Mr. Dayhoff suggested rather than a revised report, the Auditors should withdraw the report submitted. Mr. Chantelau stated the Supervisors are not accepting it so they would have to withdraw it. Mr. Davis suggested this matter be tabled until after Executive Session. Mr. Chantelau moved, seconded by Mr. Scott, to table action on acceptance of the Auditors' Report until after Executive Session. Motion carried unanimously.

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

Public Safety: Mr. Waybright noted that he and Mr. Chantelau attended a seminar for elected officials on Saturday at the County EOC. He also noted that he and Mr. Dayhoff have a tentative meeting scheduled with the fire companies to review box cards.

Agricultural Land Preservation Board: Did not meet this month – no report.

Recreation Board:

Mr. Dayhoff moved, seconded by Mr. Scott, to accept the Recreation Board's report as presented. Motion carried unanimously.

Other Business:

Resolution #16 of 2008: Mr. Dayhoff moved, seconded by Mr. Scott, to adopt Resolution #16 of 2008 amending Resolution #8 of 2005, by confirming the replacement members to the Act 209 Traffic Impact Advisory Committee filling any vacancies. Motion carried unanimously.

Ordinance #2008-01: Mr. Chantelau moved, seconded by Mr. Rhodes, to adopt Ordinance #2008-01 amending Section 86-30.K. (Ownership and maintenance of stormwater facilities) of Chapter 86 (Subdivision and Land Development) of The Code of Ordinances to rewrite sub-section (3) by adding requirements for easements on lots, and to add a new sub-section (9) to provide that storm water facilities shall be placed in common areas of subdivisions and land developments. Motion carried unanimously.

Executive Session:

Mr. Waybright called for an Executive Session at 8:40 p.m. this date.

Meeting Reconvened:

Mr. Waybright reconvened the Supervisors' Meeting at 8:45 p.m. this date with the following others in attendance: Supervisors Chantelau, Scott, Dayhoff, and Rhodes; Solicitor Davis; Robin Crushong, Dave

Crouse, and Brenda Constable, Secretary. Others were: Aaron Young; Pam Roman; Sally Alexander; John Jones; Jerry Maloney; Carol Holt; Eileen Holmes.

Mr. Davis noted the Executive Session was the attorney giving the client an interpretation and advice.

Auditors' 2007 Year End Report:

Mr. Chantelau moved, seconded by Mr. Scott, to move the motion from the table regarding the Auditors' 2007 Year End Report (as recorded under Finance Committee report) back to the table for discussion. Motion carried unanimously.

Mr. Chantelau moved, seconded by Mr. Scott, to withdraw the original motion based on advice of counsel and take no action on the Auditors' Report at this time. Motion carried unanimously.

Adjournment:

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Chantelau, to adjourn the Supervisors' Meeting at 8:48 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary