

**Mount Joy Township Supervisors’
Regular Meeting
June 21, 2012**

Meeting Minutes

Present: Board Chairman - John Gormont; Supervisors - David Updyke, Gilbert Clark, Michael Gearhart, Bradley Trostle,
Solicitor - Susan Smith; Secretary/Treasurer – Susan Harbin

 9 Number of Residents Signed Attendance Sheet for this meeting.

The Mount Joy Township Board of Supervisors met this date, as publicly advertised, at the Mount Joy Township Building located at 902 Hoffman Home Rd., Gettysburg, PA 17325.

Item/Topic	Discussion	Action/Resolution	Follow Up/ Date
Call to Order	John Gormont presiding. Starting Time: 7:00 pm		
Pledge of Allegiance			
Public Comments	None.		
Approval of Minutes	<ul style="list-style-type: none"> • May 17, 2012 Regular Meeting Minutes • June 7, 2012 Supervisors' Workshop & Public Hearing Mtg. Minutes 	<p>Mr. Gearhart moved, seconded by Mr. Updyke, to approve Minutes as presented. Motion carried unanimously.</p> <p>Mr. Gearhart moved, seconded by Mr. Clark, to approve Minutes as presented. Motion carried unanimously.</p>	
Chairman’s Statement – John Gormont			
Solicitor’s Report – Susan Smith, Esq.	<p>Solicitor’s Report presented.</p> <ul style="list-style-type: none"> • Fireworks permit form being circulated that requires residents get a Twp signature signing off on fireworks permits. MJT does not have a fireworks ordinance and does not give permission for private use of fireworks. • Mud College has been nominated for registration on the National Historical Register. Members of the Historical Brd greatly complemented Elsie Morey’s organization with the material provided during the application. 	Mr. Updyke moved, seconded by Mr. Clark, to accept Report as presented. Motion carried unanimously.	

Persons Requesting Time on Agenda	No requests.		
Announcements			
Treasurer's Reports	Approval of Monthly Finance Report Approval Bills Paid Report.	Mr. Updyke moved, seconded by Mr. Gearhart, to accept Report as presented. Motion carried unanimously. Mr. Updyke moved, seconded by Mr. Trostle, to accept Report as presented. Motion carried unanimously.	
Road Report	Report presented.	Mr. Updyke moved, seconded by Mr. Clark, to accepted Report at presented. Motion carried unanimously.	
Subdivision and Land Dev.			
Mikesell Land Development Plan	Request for a 6 mo. extension for review period concerning the Mikesell Land Development Plan, in order to resolve remaining issues. Recommendations: <ul style="list-style-type: none"> • Wm F. Hill & Assoc – support the acceptance of the 6 month time extension • Cindy Smith, MJT ZO – recommends approval of 6 month extension 	Mr. Clark moved, seconded by Mr. Gearhart, to accept the offer of 180 Day Extension for the Mikesell Land Development Plan as presented. Motion carried unanimously.	
Wm. F. Hill & Assoc. Engineering Report, Eric Vranich			
A. General Report	Report presented.	Mr. Gearhart moved, seconded by Mr. Updyke, to accept Report as presented. Motion carried unanimously.	
B. Sheetz Transportation Impact Study Review	Memorandum presented on revised TSI for Sheetz. Solicitor recommending the Brd to take action to have comments/review submitted to the state. Discussion recorded under New Business, Traffic Impact Study		
Zoning Officer's Report Cindy Smith	Report presented.	Mr. Updyke moved, seconded by Mr. Trostle, to accept Report as presented. Motion carried unanimously.	
Land and Sea Services, LLC, Building Inspections	Report presented.	Mr. Gearhart moved, seconded by Mr. Clark, to accept Report as presented. Motion	

<p>Junk Yard Permits</p>	<p>Zoning Officer presented 6/30/2012 through 7/1/2013 Junk Yard Permits to the Board for approval.</p> <p>MJT Zoning Officer stated that all listed junk yards are in compliance with Chp 58-9, A – K. of the MJT Junk Yard Ordinance.</p> <ol style="list-style-type: none"> 1. J12-01, Frankies Used Auto Parts 1665 Baltimore Pike, Gettysburg, PA 2. J12-02, Moon's Imports 1650 Baltimore Pike, Gettysburg, PA 3. J12-03, Frank Hartlaub Used Cars 4110 Baltimore Pike, Littlestown, PA 4. J12-04, Sam Hartlaub 1475 Highland Ave., Gettysburg, PA 5. J12-05, John McAlister, IV 2771 Baltimore Pike, Gettysburg, PA 6. J12-06, John McAlister, IV 3668 Baltimore Pike, Littlestown, PA 7. J12-07, Jeff A. Miller 691 Mud College Rd, Littlestown, PA 8. J12-08, Steven Zeigler 4002 Baltimore Pike, Littlestown, PA 9. J12-09, McDaniel Salvage 2771 Baltimore Pike, Gettysburg, PA <p>Solicitor asked if all the junk yards are in compliance with the ordinance and have any expanded beyond their historic footprint that was established when the junk yard ordinance went into effect. Solicitor also stated that according to the ordinance, all junk yards must be in compliance with other ordinances in the Twp, including zoning ordinances. Solicitor recommended that if there is any potential issue with zoning, the Brd. of Supervisors should not sign a junk yard permit until the issue is resolved.</p> <p>To clarify, the Solicitor stated that the John McAlister junk yard located at 3668 Baltimore Pike, Littlestown,</p>	<p>carried unanimously.</p> <p>Mr. Clark moved, seconded by Mr. Updyke, to grant Junk Yard Permits for all applicants other than License #J12-06. Motion carried unanimously.</p> <p>Mr. Clark moved, seconded by Mr. Updyke, to grant a 30 day extension of the existing License #12-06 to John McAlister, IV, 3668</p>	
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	<p>PA, License # J12-06, is in question. McAlister must be in compliance with the zoning regulation. If the junk yard has expanded beyond a historical non-conforming footprint, the junk yard would be in violation without having a variance or some other relief in that provision. Solicitor commented that a short term extension of existing license could be granted until issues are resolved.</p> <p>Zoning Officer stated that there are no records in the Twp. of original footprint for McAlister or any of the existing junk yards.</p> <p>Solicitor requesting time to research historical footprint of McAlister junk yard.</p>	Baltimore Pike, Littlestown, PA. Motion carried unanimously.	
Open Records Officer Report	Gettysburg Convention & Visitors Bureau, request for 2011 Amusement Tax Spreadsheet		
Monthly Fire Co. Reports	Fire Calls & EMS		
March	MJT Calls per month	YTD Calls in MJT	Mr. Gormont will have Office Assistant draft a letter to Alpha Fire Company requesting monthly reports for 2012 to remain in compliance with agreement.
1. Alpha Fire Company	No report	9	
2. Barlow Fire Company	4	14	
3. Bonneauville Fire Co.	2	25	
4. Gettysburg Fire Co.	7	47	
Correspondence	<ul style="list-style-type: none"> • Gettysburg Fire Company 2012 Municipal Box Alarm Review Form – Supervisors discussed changes and approved. • Barlow Fire Co. Donation Request • Mud College National Historic Register, e-mail from Susan Smith – thank you to Elsie • Commonwealth of PA DEP Storage Tank Registration/Permit Certification • Caterpillar Bill of Sale • Anchor House Bike Ride Certificate of Insurance • Mud College Student, Ltr of Apology • Steve Rice e-mail, request for Bond documents • Comcast e-mail regarding Digital Adapter Pricing • S.G. Marinos Ltr, regarding WWII Enactment 		
Committee/Board Reports			
<u>Personnel</u> G. Clark, B. Trostle	Nothing to report at this time.		
<u>Finance</u> J. Gormont, D. Updyke	Nothing to report at this time.		

<u>Planning Commission</u>	June Summary Report presented. MJT Comprehensive Plan Revision Recommendations	MJT Comprehensive Plan Revision Recommendations will be forwarded to the Supervisors' Wkshp., 7/5.	Forward to Wkshp. Mtg on 7/5.
<u>Planning, Land Use & Zoning - G. Clark</u>	Nothing to report at this time.		
<u>Building & Grounds</u> M. Gearhart	<ul style="list-style-type: none"> Outdoor lights have been installed on the salt shed. Currently working on replacement of metal doors on bldg. Starting to gather info for Mud College schoolhouse repairs. 	Solicitor will forward historical preservation contractor names.	Forward Repairs to Mud College to Wkshp. Mtg. on 7/5.
<u>Roads</u> D. Updyke	Nothing to report at this time.		
<u>Public Safety</u> B. Trostle	Nothing to report at this time.		
<u>Council of Government</u> M. Gearhart	COG May 24 Meeting Mins. presented.	Mr. Clark will substitute if Mr. Gearhart cannot attend COG meeting. If neither can attend, Mr. Gormont will attend. Mr. Gormont will attend July meeting.	.
Executive Session	Start: 7:42 pm Topic: To consider the Sheetz Conditional Use Application. Meeting Reconvened: 7:51 pm		
	Mr. Trostle read the conditions of approval aloud. <ul style="list-style-type: none"> Mr. Updyke stated that opposition did not meet the burden of proof that the Sheetz would be detrimental. Mr. Gearhart noted that some residents were supporting the establishment of a Sheetz in the Twp., also noted was a second exit possibility for the Lake Heritage residents from their development to avoid Sheetz traffic at Lake Heritage entrance. Mr. Clark listened to concerns of residents opposing Sheetz, however, he commented on the standard of the 	Mr. Updyke moved, seconded by Mr. Gearhart, to approve the Conditional Use Application for an Auto Service Station for Sheetz, Inc. with the following conditions: <ol style="list-style-type: none"> Declaration of condominium ground lease of Sheetz Lot and, cross-easements for access between the Sheetz Lot and the remainder of the Property documents shall be recorded with the land development plan at the Adams Count Recorder of Deeds. 	

	<p>law that the Twp. is obligated to follow. In order to deny Sheetz, potential damages and harm would have had to be proven to the residents, which it was not. There is no legal reason to deny the Conditional Use Application.</p> <ul style="list-style-type: none"> • Mr. Trostle noted that the largest contention around Sheetz was extra traffic at the intersection on Rt. 97. Testimonies supported the handling of extra traffic at this intersection, based on factual studies. • Mr. Gormont commented that in order to deny the Sheetz Conditional Use Application there needs to be legal cause of which there is none. He commended Sheetz on their presentation, bringing in credible witnesses and qualified experts to present their case. <p>MJT Solicitor presented 5 conditions to Sheetz representatives requesting a response to the conditions and agreement of the conditions set forth in the motion.</p> <p>Sheetz Solicitor requested a change in wording for condition #1 to read memo of ground lease of Sheetz Lot.</p> <p>Solicitor noted that Mr. Gormont, Trostle, and Updyke were present at both the 1st and 2nd Public Hearings for Sheetz. Mr. Clark was present at the 2nd Public Hearing and absent for the 1st Public Hearing for Sheetz. Mr. Clark stated that he has read the transcript in it entirety for the 1st Public Hearing. Mr. Gearhart was present at the 1st Public Hearing and absent for the 2nd Public Hearing. Mr. Gearhart stated that he has read the transcript of the 2nd Public Hearing for Sheetz.</p>	<ol style="list-style-type: none"> 2. Before constructing and operating the Sheetz Store, Sheetz shall have obtained an approved final land development plan. 3. As part of the land development plan application, Sheetz shall submit any further revised Traffic Impact Study or supplements submitted to PennDOT. 4. Sheetz shall provide a copy of its emergency management plan for the Sheetz Store to the Twp's EMC. 5. Prior to opening the Sheetz Store, Sheetz shall provide a number to be distributed to the general public for use in registering complaints and a 24/7 contact name and number for use by the Twp. officials. <p>Mr. Updyke moved, seconded by Mr. Gearhart, to agree to amend the motion to change condition #1 to read memo of ground lease of Sheetz Lot.</p> <p>Vote was unanimous. Motion carried.</p>	
	<p>Solicitor stated that previously presented TIS was not final. Sheetz will need to obtain a full Traffic Impact Study which will be reviewed by the Twp. and submitted to PennDot. Application will also be submitted with the Land Development Review Approval, which is a separate process, not advertised, and no public hearing is associated with this.</p>		
<p>New Business</p>			
<p>A. Traffic Impact Study,</p>	<p>PennDot had submitted comments in response to the 1st</p>	<p>Mr. Clark moved, seconded by Mr. Trostle</p>	

Eric Vranich, Wm F Hill & Assoc.	Traffic Impact Study prepared by Sheetz. PennDot is waiting for a response and comments from the Twp and confirmation as to adjacent developments, and how they impact the study. Mr. Vranich reviewed the Sheetz Traffic Impact Study and Memorandums. See attached comments.	to direct the Township engineer, Eric Vranish, to forward comments and recommendations, excluding Item #2, considering requiring supplemental traffic counts during July as a condition, to PennDot. Motion carried unanimously.	
B. Phone System, John Gormont	Mr. Gormont suggested replacing the phone system in the Twp. Bldg. The cost is approx. \$1100, including caller ID, voicemail, and is expandable up to 16 phones. Mr. Clark would like to review a copy of price comparison and company information about selected phone system.	Mr. Gormont will forward all phone system information to the Supervisors.	
C. Computer System, John Gormont	Mr. Gormont suggested updating the office computers. Existing computers are old and very slow.		Forward to Wkshp Mtg., 7/5.
Other Business			
Stormwater Management Ordinance	Solicitor previously presented the Stormwater Management Ordinance to the Supervisors and is currently working with the Twp. engineer	Mr. Gormont moved, seconded by Mr. Updyke, that the Stormwater Management Ordinance should be finalized between Twp. Solicitor and Twp. Engineer and will be presented for public hearing on Thurs. July 19 to adopt the ordinance.	
Executive Session	Start: 8:21 pm Topic: Fairview Farms Meeting Reconvened: 8:29 pm		
Adjournment	Meeting adjourned 8:30 pm.		

Respectfully Submitted,

Susan C. Harbin
Secretary/Treasurer