

MARCH 20, 2003 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, and Will Rogers; Solicitor Walton V. Davis; and Secretary Brenda Constable.

Others in attendance were: Thomas Collins of McDermitt concrete, Inc.; Eileen Holmes; Ellie Bennett; Harold Kirschner; Mike & Nora Keller; Kim Keller; Robert Staley, Township Auditor; Marcia Brown, Township Auditor; Tim Brown: Henry Reaver Jr.; Gil Picarelli, S.E.O.& Donnie Picarelli of KPI Technology; Edward Reaver; John McAlister; Bob Sharrah representing The Links At Gettysburg; Rick Klein of The Links At Gettysburg; and Jerry Maloney.

Chairman Waybright led everyone with the Pledge to the Flag.

Minutes:

Mr. Rogers moved, seconded by Mr. Scott, to approve the minutes of February 20, 2003 as presented. Motion carried unanimously.

Public Comments:

Tim Brown commented that there was a good article in the last edition of *The Township News* magazine on farmland preservation and encouraged the Supervisors to read it. He expressed his support for the Township's own agricultural land preservation program, adding that this is a very good program; even if would mean raising taxes.

Persons Requesting Time:

Auditors 2002 Report:

Marcia Brown presented the 2002 Audit Report, commending the accuracy of the Township's records and the performance of Robin Crushong, Treasurer. A few items were brought to the Supervisors' attention: record the gasoline and diesel fuel usage on December 31 each year; revise the cost structure of the building permit fees to eliminate ambiguity from on level to the next; issue a policy statement or directive regarding the imposition of the penalty for late admissions tax submission by golf courses; review the employee's pension plan with regard to vesting; and set a policy or procedure with regard to how Mud College Schoolhouse expenses are to be handled, as well as how all types of incomes should be used.

Mr. Waybright addressed each of the comments, stating that the Road Superintendent is aware of the gasoline and diesel fuel usage reporting; building permit fees will be revised later in this meeting; the late submission of the golf course admissions tax would have only been about \$2.00 penalty but the Treasurer is aware of this now and will address all late submissions. Discussion was then held on what could be done to clarify the Schoolhouse funds.

Mr. Scott moved, seconded by Mr. Chantelau, to request that the Mud College Schoolhouse committee give a proposal on all financial status and give this information to the Treasurer so that a more detailed record can be provided, showing what the goal for each account is, general funds versus the trust fund. Motion carried unanimously.

Sewage Enforcement Officer 2002 Report:

Gil Picarelli, S.E.O. presented the 2002 Activity Report, showing non-reimbursable (planning) time and expenses, and reimbursable expenses. He noted that after reimbursements, we should be approximately \$900 to the good.

A short discussion was then held with regard to trends in the area of sewage enforcement and new types of systems that are coming out.

Treasurer's Report:

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

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

Subdivision/Land Development Plans:

1. Keller, Michael: preliminary plan for subdivision of ten (10) lots along Hoffman Home road. The Planning Commission recommends approval with contingencies. It was noted that Mr. Keller was granted an extension through April 17, 2003. The Supervisors had received additional comments from HRG today, dated March 20, 2003, after the Planning Commission meeting, and a different construction estimate from what William F. Hill had prepared.

Mr. Chantelau moved, seconded by Mr. Rogers, to recommend HRG and William Hill & Associates work out all of these issues and go back to the Planning Commission next month for further recommendation to the Supervisors. Discussion: Mr. Rogers expressed his concern that this is the second time that HRG has sent information to the Supervisors right before their meeting and after the Planning Commission meeting. This information should have been sent in a more timely fashion. Motion carried with Mr. Waybright voting no.

It was noted that DEP had returned Mr. Keller's Sewage Facilities Module because it was approved by the Supervisors prior to receiving Component 4B-County Planning Agency's form. In order for DEP to accept this, the Supervisors must re-approve it.

Mr. Scott moved, seconded by Mr. Rogers, to approve the Sewage Facilities Module, as modified with the addition of Component 4B. Motion carried unanimously.

2. The Links At Gettysburg – Courtyard Community: preliminary land development plan for 111 residential units at 602 Mason Dixon Road. The Planning Commission recommends approval with contingencies. Mr. Rick Klein and Mr. Bob Sharrah were present to address comments from HRG, dated March 12, 2003, noting that some issues have already been satisfied and others are in the process. It was noted that a modification was being requested of the proposed dwellings located in the "landscape buffer yard". Mr. Rogers moved, seconded by Mr. Scott, to approve the modification as requested. Motion carried unanimously.

Mr. Rogers moved, seconded by Mr. Scott, to approve the preliminary plan contingent on addressing all of HRG comments as listed in the March 12, 2003 letter, with the exception of the modification as mentioned above. Motion carried unanimously.

Bid Opening –Aggregate:

Mr. Waybright announced that a bid opening would be held at this time for the Road Department – Aggregate, as publicly advertised. He noted that three (3) bids were received, each were opened and read aloud as follows:

		VALLEY QUARRIES				VULCAN				MCDERMITT CONCRETE			
QTY	DESCRIPTION	UNIT FOB	TOTAL	UNIT DELIV	TOTAL	UNIT FOB	TOTAL	UNIT DELIV	TOTAL	UNIT FOB	TOTAL	UNIT DELIV	TOTAL
3000	2A Stone	5.50	16,500	7.30	21,900	5.80	17,400	8.10	24,300	No Bid	No Bid	No Bid	No Bid
300	2B	6.65	1,995	8.45	2,535	7.05	2,115	9.35	2,805	No Bid	No Bid	No Bid	No Bid
500	#3	6.75	3,375	8.55	4,275	7.20	3,600	9.50	4,750	No Bid	No Bid	No Bid	No Bid
1200	Anti-Skid	6.55	7,860	8.35	10,020	7.25	8,700	9.55	11,460	No Bid	No Bid	No Bid	No Bid
500	Rip Rap	9.00	4,500	11.30	5,650	9.95	4,975	12.75	6,375	No Bid	No Bid	No Bid	No Bid
2000	ID-2 Wearing *	27.10	54,200	29.50	59,000	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	32.85	65,700
500	BCBC	23.10	11,550	25.50	12,750	No Bid	No Bid	No Bid	No Bid	23.00	11,500	No Bid	No Bid
	TOTAL		99,980		116,130		36,790		49,690		11,500		65,700

*Delivered

Mr. Chantelau moved, seconded by Mr. Scott, to award the bid to Valley Quarries. Motion carried unanimously.

Mud College Report:

Ellie Bennett, Committee chairperson, informed the Supervisors that the electric heat has been installed in the schoolhouse. She noted that classes will start in April, two (2) of them from Arendtsville Elementary, 4th & 5th grade. To date, three (3) classes are scheduled for May and June from Gettysburg and Littlestown school districts. An Open House is scheduled for August.

Mr. Waybright thanked the committee for their volunteer work, noting that this program is really developing and more interest is coming from the surrounding school districts.

The Links At Gettysburg Planned Golf Community – Deeds and Declarations:

Mr. Waybright noted that with the developing of a planned golf community in the Township, and pursuant to the Township’s Zoning Ordinance §110-28(38.1), several documents must be recorded in the Adams County Recorder of Deeds Office as follows:

- Declaration of Deed Covenants for The Links At Gettysburg PGC Preserved Open Space (“Open space Declaration”)

- Declaration of Covenants and Restrictions for The Courtyards At The Links At Gettysburg, A Planned Community (“Courtyards Declaration”)
- Declaration of The Links At Gettysburg Master Association (“Master Association Declaration”)

The PGC Ordinance requires that the Open Space Declaration be reviewed and approved by the Township Solicitor prior to recording and that the Courtyards Declaration and Master Association Declaration be reviewed and approved by the Supervisors.

Mr. Davis and the Supervisors reviewed all of these documents with Mr. Klein and Mr. Sharrah, noting some changes. Mr. Waybright noted that no action is needed until the changes are made and that the action is not needed until the final plans are in order.

Road Report:

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

Zoning Officer’s Report:

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

Expense Request:

It was noted that an expenditure of up to \$1400 was approved last month for the purchase of a laptop computer to be used in the field. Mr. Little, Zoning Officer, researched the type of laptop needed, software and hardware, and found that the price was an additional \$218 above the \$1400. Mr. Scott moved, seconded by Mr. Rogers, to approve the additional expenditure of \$218 for the purchase of a laptop computer. Motion carried unanimously.

Mount Joy Township Election House:

Mr. Little reported that he had followed up on obtaining information about the old Mount Joy Township Election House, which is currently located at 52 Two-Taverns Road. The property was originally titled to Adams County on September 26, 1942. However, sometime during 1991, the County Tax Assessor’s Office listed it as being owned to Mount Joy Township but a title transfer was never done. If the Township wants the election house, they could petition the County Commissioners for it. Mr. Chantelau moved, seconded by Mr. Scott, to have the Building & Grounds Coordinator to investigate all aspects of acquiring the old election house. Motion carried unanimously.

Building & Grounds Report:

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

Correspondence:

Ms. Constable noted receiving the following correspondence:

- Gettysburg/Adams Chamber of Commerce Newsletter
- White run Regional Municipal Authority January minutes
- Green Ribbon Commission Public Presentation Invitation
- Bonneauville Fire company Annual Banquet on March 29, 2003
- Littlestown Chamber Newsletter

Committee Reports:

Personnel: With recommendation from the Zoning Hearing Board, Mr. Scott moved, seconded by Mr. Rogers, to approve job descriptions for the Zoning Officer and Zoning Board Secretary relative to their duties and responsibilities with the Zoning Hearing Board. Discussion: Mr. Chantelau noted that the duties for the Zoning Officer would be added to his job description for the Township because he reports directly to the Supervisors and not the Zoning Hearing Board. The duties for the Zoning Board Secretary would be separate from the job description of secretary for the Supervisors because the ZHB Secretary reports to the ZHB. With no further discussion, the motion carried unanimously.

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

Roads: Mr. Waybright noted that the Road Superintendent has recommended that an ad be placed in PSATS magazine, *The Township News*, for the old tractor. Discussion was held with regard to setting an asking price for it, or the possibility of bidding it out. Mr. Scott moved, seconded by Mr. Chantelau, to go with Mr. Graham's recommendation of a starting amount of \$15,000 and if any offers come in less than that, to consult with the Supervisors for their approval, or denial. An ad should also be placed in the PSATS magazine. Motion carried unanimously.

Public Safety: It was noted that Will Rogers would be attending the Bonneauville Fire Company Annual Banquet.

Agricultural Land Preservation: Mr. Waybright moved, seconded by Mr. Scott, to accept the Ag Land Preservation Board Report as presented. Motion carried unanimously.

New Legislation: Mr. Chantelau noted that the Supervisors received a letter from Rep. Stephen Maitland regarding two draft bills for legislation pertaining to farmland preservation. The first bill would create an agricultural land impact fee of \$1,000 per acre to be assessed upon developers who convert agricultural land to non-agricultural uses. The second bill would amend the Second Class Township Code to permit townships to purchase agricultural lands with township funds, place conservation easement on the agricultural lands, and return them to the market for sale. Mr. Chantelau moved, seconded by Mr. Scott, to forward a letter of support to Rep. Maitland for these two bills. Motion carried unanimously. Mr. Waybright thanked Mr. Chantelau for bringing this very important issue to the Supervisors.

Announcements:

Ms. Constable announced the following:

- The April meeting of the Supervisors has been changed from Thursday, April 17 to Tuesday, April 15, 2003 beginning at 7:30 p.m. with two (2) public hearings being held at 7:00 p.m. and 7:15 p.m.
- Currently accepting bids for the carpentry portion of the Salt Storage Shed, with the opening being held on April 15, 2003.

Other Business:

Building Permit Fees – Amended:

With recommendation from the Township Auditors, Mr. Rogers moved, seconded by Mr. Chantelau, to amend Resolution No. 1 of 2003, setting building permit fees as follows:

<u>Value of Improvement</u>	<u>Permit Fee</u>
0 to \$5,000	\$ 25
\$5,001 to \$25,000	\$ 50
\$25,001 to \$50,000	\$ 75
\$50,001 to \$100,000	\$125
Over \$100,000	\$150 + \$1.00 per \$1000 over \$100,000

Motion carried.

Nursing Home Cost Increase:

Mr. Rogers announced that the Governor is trying to impose a new tax on nursing home beds at \$5.00 per bed. He noted that Senator Punt is against this and will speak to the Governor about it. He will share any data that he receives on this issue with us.

New Business:

Holding Tank Permit Agreement:

Mr. Scott moved, seconded by Mr. Rogers, to approve and sign the Holding Tank Permit Agreement between the Township and Dean & Judith Shultz. Motion carried unanimously.

Stormwater Ordinance:

Mr. Chantelau reported on attending the Rock Creek Working Group meeting, noting that they are working on a draft stormwater management ordinance. The concept is for municipalities to adopt this ordinance but as currently drafted, the municipalities have discretion to amend portions of it. Mr. Chantelau recommends that the Township encourage and take the position at the working group level that all municipalities adopt the same ordinance, with the same requirements with no individual municipality amendments. He stated that the rationale for this is that the protection of the watershed and the stormwater run off with infiltration of water to the water table know no political boundaries and therefore, the

requirements for managing stormwater to provide maximum return of water to the ground should be common across all in the watershed area.

Mr. Chantelau moved, seconded by Mr. Rogers, that the Mount Joy Township Board of Supervisors encourages all municipalities to work to adopt the draft recommended ordinance of the working group and instruct the Mount Joy representatives to support this position. Motion carried unanimously.

Executive Session:

Mr. Waybright called for an Executive Session at 9:25 p.m. this date.

Meeting Reconvened:

Mr. Waybright reconvened the Supervisors meeting at 9:37 p.m. this date with the following others in attendance: Supervisors Chantelau, Rogers, and Scott; Solicitor Davis; Secretary Constable; citizens Eileen Holmes, Jerry Maloney, Henry and Edward Reaver.

Mr. Davis reported that during Executive Session, they discussed what effect or meaning notes on a subdivision plan might have in the future, such as one that is currently in litigation.

Adjournment:

With no further business to come before the Board, Mr. Scott moved, seconded by Mr. Rogers, to adjourn the Supervisors' Meeting at 9:40 p.m. this date. Motion carried unanimously.

Respectfully submitted,

Brenda J. Constable
Secretary