

**MOUNT JOY TOWNSHIP SUPERVISORS
MINUTES
January 19, 2023 REGULAR MEETING**

The meeting was an open meeting, also conducted as a remote meeting through the ZOOM platform. Attendance and votes were taken by roll call.

Present: Bernie Mazer, Chairman; Terry Scholle, Vice Chairman; Gil Clark; Todd McCauslin, Christine Demas

Also Present: Susan Smith, Solicitor; Shannon Hare, Secretary and Zoning Officer and Code Enforcement Officer; Mitz Whatley, Assistant Treasurer and Assistant Administrator; Shane Wise, Roadmaster

Roll call

Executive Session from 7:02pm-7:15pm on Green Pallet Land Use Appeals.

Persons' Requesting Time on the Agenda.

Ben Reid, Bond Counsel provided an update for the Links NID Bond Restructuring. Attorney Reid said that all principal documents have been drafted. It is the opinion of Bond Counsel that everything was done properly. Mike Koziski, 58 Brookside Lane, asked if homeowners should be ready to pay the NID assessment this year. Mr. Klein said that it will hit the tax roll in the spring, but not be delinquent till December. Solicitor Smith suggested that any new information about the assessments be distributed to the Township and homeowners.

Chairman/Vice-Chairman Comments: Chairman Mazer had no comments.

Vice-Chairman Comments: Vice-Chairman Scholle said to check the website because Alpha Fire Company is offering CPR classes and the details are posted there.

Public Comment.

Nick Demas 71 Miller Rd-budget

Approval of Minutes

Regular Meeting Minutes for December 15, 2022 and the Organization Meeting Minutes for January 3, 2023 were approved by consent.

Solicitor's Report. Solicitor Smith presented her report for the period following the December regular meeting. Supervisor Clark moved, seconded by Supervisor Scholle to accept the Solicitor's Report. Motion carried, unanimously.

Solicitor Smith mentioned that PADEP had established contaminant levels for PFOS & PFOA, noting that they are less aggressive than federal standards.

Engineer's Report. Engineer Vranich was not present. Kevin Fersch attended in his place. Supervisor Demas moved, seconded by Supervisor Clark to accept the Township Engineer's written December report. Motion carried, unanimously.

Roadmaster's Report. Roadmaster Wise presented his report. Supervisor Scholle moved, seconded by Supervisor Clark to accept the Roadmaster's written report for December 2022. Motion carried, unanimously.

Omnibus Motion to Accept the Following. Supervisor Scholle moved, seconded by Supervisor Demas to approve Treasurer, Police, Zoning Officer and Code Enforcement Officer, Planning Commission, Land & Sea, Open Records Office reports and Fire Companies' Reports.

Supervisor Demas moved, seconded by Supervisor McCauslin to accept the fourth quarter financial report from Barlow and Gettysburg and to disburse funds. Motion carried, unanimously.

Correspondence- Correspondence listed on the agenda was acknowledged.

Subdivision/Land Development Plans

- The Links at Gettysburg Planned Golf Community Preliminary Subdivision Plan for Wade Run Community.

Written Comment:

John Kirby 102 Bridge Valley Rd-concerns about Wade Run

James Calder 75 Bridge Valley Rd-concerns about Wade Run

Mr. Klein submitted a written request for a 60-day extension. Solicitor Smith described progress made since the December meeting.

- Revised Preliminary Plan – Following issuance of Township Engineer and Zoning Officer review comments dated December 9, 2022, applicant submitted a revised preliminary plan. The revised preliminary plan was submitted on January 13, 2023, after the submission deadline for this meeting had passed. Because of the late submission, there was insufficient time to perform reviews of the revised preliminary plan.
- Assessment of traffic impact of proposed phase one on roads interior to the Links – Based on the Board's December meeting, the applicant's traffic engineer was to have addressed this matter in advance of the January meeting. There were no direct communications from the applicant's traffic engineer to the Township Traffic Engineer. On January 17, 2023, a traffic analysis was submitted to the Township Engineer, who forwarded it to the Township Traffic Engineer. Given the recent submission, the Traffic Engineer had not had sufficient time to review and comment on the submission.
- Construction access HOP - PennDOT has issued temporary construction access HOP.
- Waiver of the SALDO HOP requirement – MPC requires a written request with justification addressing the MPC standard for grant of a waiver. A written justification was submitted with a revised plan and related extension request, and is not an action item on the agenda.
- Easements declaration – Applicant provided recording information for the submitted unsigned, undated easement document. The Township Engineer confirmed that it was signed by prior owner Fryer and recorded before the property was sold to current owner DeGroft.

Supervisor Scholle moved, seconded by Supervisor McCauslin to grant the request for a 60-day extension. Motion carried, unanimously.

- Preliminary/Final Land Development Plan Green Pallet, LLC (revised plan dated December 19, 2022) – BOS action deadline: February 25, 2023. Kevin Fersch, Township Engineer in place of Erik Vranich, talked about the litigation and list of variances. He said that his office did not oppose the request for waiver from SALDO 86:10 Preliminary Plan requirement. Approval of the requested

Waiver to allow submission of a combined Preliminary/Final Land Development Plan will not adversely impact the review process, plan quality, or public health/safety. Solicitor Smith noted additional factors supporting the grant of waiver, including the project size and submission of a plan addressing both preliminary and final plan requirement. Supervisor Demas moved, seconded by Supervisor Clark to grant the waiver to SALDO 86:10 Preliminary Plan requirement. Motion carried, unanimously. The Board discussed comments on the review letters. Mr. Green asked where they stood with the settlement negotiations. Solicitor Smith said that she feels that they are close to an agreement, and that she would be reaching out to Mr. Green tomorrow with the Board's proposal on the remaining noise variance. Supervisor McCauslin moved, seconded by Supervisor Scholle to conditionally approve the Preliminary/ Final Land Development Plan upon satisfactory completion of all comments on the Zoning Officer and Township Engineer review letters dated January 3, 2023, and subject to the disposition of the Land Use Appeal. Motion carried, unanimously.

Business

- 2023 Mt Joy Township Approved Haulers List. Ms. Hare stated there was no change to the list from last year. Supervisor Scholle moved, seconded by Supervisor Clark to approve the 2023 Septic Haulers List. Motion carried, unanimously.
- Sewage Planning Module and Holding Tank Agreement for Menno Beiler at 170 Furney Rd. Supervisor Clark moved, seconded by Supervisor Scholle to approve the sewage planning module and holding tank agreement and to authorize the Chairman to sign on behalf of the Board. Motion carried, unanimously.
- Appointment to the Zoning Hearing Board for a 3-year term ending December 31, 2025, and for a 1-year term ending December 31, 2023. Supervisor Clark moved, seconded by Supervisor Scholle, to appoint Nick Demas to the Zoning Hearing Board for a 3-year term ending December 31, 2025, and Dr. Judy Morley to a 1-year term ending December 31, 2023. Motion carried, unanimously.
- Appointment of auditor for a 1-year term ending December 31, 2023. Supervisor Demas moved, seconded by Supervisor Scholle to appoint Nick Buckley as auditor for a 1-year term ending December 31, 2023. Motion carried, unanimously.

Adjournment. With no further business to be discussed by the Board, Supervisor Scholle moved, seconded by Supervisor McCauslin to adjourn the meeting. Motion carried, unanimously. Meeting adjourned at 8:15 pm.

Respectfully submitted by,
Shannon M. Hare
Secretary