

**MOUNT JOY TOWNSHIP SUPERVISORS
MINUTES
Thursday, April 18, 2024**

The meeting was an open meeting, also conducted as a remote meeting through the ZOOM platform. Attendance was taken by roll call. The meeting was called to order at 7pm.

Present: Christine Demas, Chairman; Chad Yingling, Vice-Chairman; Bernie Mazer; Todd McCauslin; Sandy Yerger.

Also Present: Luke Gibson, Solicitor; Erik Vranich, Township Engineer; Mitz Whatley, Assistant Treasurer, Kim Livelsberger; Zoning Officer, Dave Williams; Roadmaster.

Public Hearing

Public Hearing duly advertised, opened at 7:00 p.m.

An Ordinance of the Board of Supervisors of Mount Joy Township, Adams County, Pennsylvania, Amending Article 4, "Specific Requirements," of Chapter 110, "Zoning," of the Code of Mount Joy Township to remove certain time extension provisions relating to solar energy systems.

This has been advertised and this is the final step for this ordinance. The ordinance was passed back in 2020 and it actually benefited only one industry, which was solar. It was a four-year extension between when they are approved to when they had to break ground. Since it was just for one industry, it didn't seem fair. So, there was a move to do ordinance number two to remove the solar extension. Are there any comments or any discussion?

Public Comments: None

Supervisor Mazer moved, seconded by Supervisor Yerger, to remove the solar extension from the ordinance and adopt Ordinance No. 2024-2. Motion carried unanimously.

Public hearing was closed at 7:02 p.m.

Public Hearing

Public Hearing Meeting, duly advertised, opened at 7:03 p.m.

Proposal for the Inclusion in the Mount Joy Township Agricultural Security Area of:

- Linda Newman, 5 Bulk Plant Road, Littlestown, PA 17340; 30H15-0023; 122.75acres.

This also has been advertised. It has gone to the planning board, it has gone through the ag security board. Supervisor Yingling stated the Committee didn't find any reason why it shouldn't be added. The driveway is actually not in our township. It is in Mount Pleasant. The majority of the property is in Mount Joy. The ASA Committee met and we were kind of surprised that it wasn't already in it. We discussed it and really didn't find any reason for it not to be in. We voted to approve it. The

MOUNT JOY TOWNSHIP SUPERVISORS

MINUTES

Thursday, April 18, 2024

Planning Board also voted to approve it. The County also approved it. Does anyone have any questions about the ASA program or the Newman property?

Public Comments: None

Supervisor McCauslin moved, seconded by Supervisor Mazer, to approve the ASA for the Newman property. Motion carried unanimously.

Public hearing was closed at 7:05 p.m

Supervisors' Regular Meeting Reconvened at 7:05 p.m.

Chairman Comments: Since you all probably heard that the solar, the NextEra solar project has been pulled from Mount Joy. Since then, there's a number of us that get calls literally weekly and emails asking one how we did it. Everyone really wants to hear one thing that happened that changed it for us and there was not any one thing. I want to make it clear that some of the big things that did change it for us were over 952 people were involved and took a vested interest in whether or not solar would be on 1,000 acres in Mount Joy. We have a new board. That was another thing. And finally, let's not kid ourselves, we have a new solicitor. So those together helped move this forward. This week alone, I was telling someone I've received three letters and one phone call about companies wanting to come in to do solar. What preserves our township from other onslaughts is our new Ordinance. We've updated it. It was updated and accepted in 2022. And that's what's going to preserve us. I kind of feel protected, but the people here need to stay vigilant.

Public Comment: None.

Roadmaster's Report: I can make it short and sweet too, right? Rain stops, snow stops, now we're dealing with the grass issue. You'll be seeing the tractor out on the roads and just be cautious of it. It's a new fellow on it so we'll be taking our time. We got everybody enrolled in flag training because you'll see us out. We have our bids out for seal coating several roads and we have an overlay bid out for one road that's going to be done this year. So, everything's moving right along. Supervisor Yingling moved, seconded by Supervisor Yerger, to accept the Roadmaster's report. Motion carried unanimously.

Engineer's Report: Engineer Vranich presented his report for the period following the March regular meeting. Supervisor Yerger moved, seconded by Supervisor Yingling, to accept the Engineer's report. Motion carried unanimously.

Omnibus Motion to Accept the Following:

Approval of Minutes: A motion was made by Supervisor Mazer, seconded by Supervisor McCauslin to accept the minutes for the BOS Regular Meeting Minutes from March 21, 2024, the BOS Workshop Meeting Minutes March 28, 2024, as written. Motion carried, unanimously.

Police Report:

Fire Reports:

Zoning Officer's report:

Planning Commission's Report:

MOUNT JOY TOWNSHIP SUPERVISORS

MINUTES

Thursday, April 18, 2024

Land and Seas' Report:

MDIA's Report:

Correspondence Received:

- Letter from David Rawlings requesting text amendment to the Table of Uses in the Baltimore Corridor Overlay
- Trans Associates, Monthly Status Report
- Association of State Floodplain Managers, survey
- PA, DEP, Approval Letter, 1845 Baltimore Pike wastewater treatment plant
- Keller Engineers, Act 14 Notification, White Run Regional
- Adams County Conservation District – NPDES General Permit Approval for 1141 Highland Avenue Road, Gettysburg
- Barlow Fire Department, Golf Tournament
- General Code, Improvements to eCode360 platform

Open Records Officer's Report: There were no additional RTKs

Supervisor Mazer moved, seconded by Supervisor McCauslin to approved the Omnibus Motion. Motion carried unanimously.

Business:

- Engage Pennsylvania Economy League as the contractor for the STMP program The STMP program, facilitated by the Pennsylvania Department of Economic Development, helps prepare organizations for comprehensive planning by ensuring financial efficiency and operational effectiveness. Supervisor Mazer initiated the process by finding the Pennsylvania Economy League through a bidding process. The board approved spending the allocated funds, although the formal hiring process was pending until now. The grant from DCED (Department of Community and Economic Development) covers 50% of the program cost, with the township responsible for the remaining half. Engaging the Pennsylvania Economy League was unanimously approved during the meeting, with plans for a kickoff meeting involving the DCED representative. Supervisor McCauslin moved, seconded by Supervisor Mazer, to engage the Pennsylvania Economy League as the contractor for the STMP program. Motion carried unanimously.

- Presentation: Mr. Dave Rawlings request for Amendment to the Table of Uses. Mr. Dave Rawlings requested an amendment to the Table of Uses for a property on Baltimore Pike, which Tripwire Operations Group will take over. The intention is to convert the property into a child development center, filling a gap in the overlay district's listed uses. The proposed center will occupy two buildings, with plans for classrooms, offices, and administration spaces. It will cater to children aged two through five, potentially including infants, and offer daycare and after-school programs. The board unanimously expressed support for amending the Table of Uses to accommodate the daycare center, pending legal documentation by the solicitor. Supervisor Mazer moved, seconded by Supervisor Yerger, to motion that we want to say the board looks in favor on the change of the change of uses for the Baltimore Pike Corridor overlay to allow to allow the daycare center. Motion carried unanimously.

MOUNT JOY TOWNSHIP SUPERVISORS
MINUTES
Thursday, April 18, 2024

Supervisor McCauslin moved, seconded by Supervisor Yingling, to have the solicitor do an ordinance amendment to allow for a childcare center in the Baltimore Pike Corridor overlay district and as part have the applicant pay for the advertising. Motion carried unanimously.

- Select two Appointments to the Zoning Hearing Board, 3-year term. Chair Demas stated that a month ago, we expanded the zoning hearing board to five people, and we received three letters of interest. Deb Hilling, Dave Williams and Stu Kravitz. These would be three-year terms. Following discussion Supervisor Yerger moved, seconded by Supervisor McCaslin to appoint Stu Kravitz and Deb Hilling to the Zoning Hearing Board.

Roll Call vote: Todd - Yes; Chad – No; Christine, Yes; Bernie – No; Sandy – Yes. Motion carried.

- Resolution 11, Appointments to Zoning Hearing Board. Supervisor Yerger moved, seconded by Supervisor McCauslin to adopt Resolution 11, appointments to the Zoning Hearing Board. Motion carried unanimously.

- Resolution 12, Adopting and approving the addition to the ASA. Supervisor Mazer moved, seconded by Supervisor Yingling, to adopt Resolution 12, adopting and approving the addition to the ASA. Motion carried.

- Request for ordinance amendment §110-111.B, definition of “Impervious Surface”, discussion and decision. Chair Demas stated there was discussion last month about this and decided to push it to the planning board and the planning board came back with a negative and suggested to us that we not approve a change in the definition. Supervisor McCauslin moved, seconded by Supervisor Mazer to not change §110-111.B, definition of “Impervious Surface.” Motion carried unanimously.

- Printing of the April Newsletter through White Deer does not exceed \$2,300.00 plus postage. Chair Demas said this is currently in the budget, but why it's on here is because the whole marketing plan has not been approved. The goal is that we would have four printed. Supervisor McCauslin moved, seconded by Supervisor Mazer, to approve the printing of the April Newsletter through White Deer with the cost not to exceed \$2,300.00 plus postage. Motion carried unanimously.

- Barlow Fire Department disbursement for 4th quarter 2023 & 1st quarter 2024 and United Hook & Ladder Fire Department disbursement for 4th quarter 2023 & 1st quarter 2024. Supervisor Yingling moved, seconded by Supervisor Mazer to approve disbursement for both the 4th quarter of 2023 and the 1st quarter of 2024 for both Barlow Fire Department and United Hook and Ladder. Motion carried unanimously.

- Discussion Settlement of Mt. Joy Township v. Potter matters, authorize Chair to sign agreement. This is to accept the agreement. Chair Demas stated she had sent the board a red line copy. All of those changes were accepted by Mr. Potter. Supervisor Mazer moved, seconded by Supervisor Yingling, to approve the Chair to sign the Settlement Agreement. Motion carried unanimously.

MOUNT JOY TOWNSHIP SUPERVISORS

MINUTES

Thursday, April 18, 2024

- Discussion Links at Gettysburg, Wade Run, Developers Agreement (NID) This is to authorize advertising the ordinance of the Wade Run NID at the developer's cost and expense. The public hearing will be on the agenda for May. Supervisor Yingling moved, seconded by Supervisor Yerger, to authorize advertising and have Rick Kline pay for it. Motion carried unanimously.

- Authorize execution of an amendment to the NID Indenture to accommodate certain requirements of the new trustee Wilmington Trust. ACNB Bank has resigned or is in the process of resigning as trustee under the NID indenture and we've been having ongoing discussions with them to work out the details between Wilmington Trust, the successor trustee of ACNB. Following discussion, Supervisor Mazer moved, Seconded by Supervisor McCauslin to accept the amendment to the NID indenture to accommodate the requirements and then have the chairperson sign it. Motion carried unanimously.

Executive Session (if needed)

Adjournment

With no further business to be discussed by the Board, Supervisor Mazer moved, seconded by Supervisor Yerger, to adjourn the meeting. Motion carried, unanimously. Meeting adjourned at 7:52 p.m.

Respectfully submitted,

Sheri Moyer
Township Secretary