

**MOUNT JOY TOWNSHIP SUPERVISORS
MINUTES
MAY 19, 2022 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; Dr. Judy Morley (via ZOOM); Todd McCauslin, Christine Demas

Also Present: Susan Smith, Solicitor; Melissa Zirkle, Administrative Assistant; Shane Wise, Roadmaster; Shannon Hare, Secretary and Zoning Officer and Code Enforcement Officer

Person's Requesting Time on the Agenda: Kevin Moul, Treasurer for United Hook and Ladder Fire Department said he wanted to touch base about the contract. He said that there was a difference in the funds received and what is in the contract for 2020 and 2021. Chairman Mazer said that the Township would do a reconciliation to correct any deficiencies.

Announcement: There was an executive session on Thursday May 5, 2022 from 4:00pm-5:30pm on threatened litigation and non-litigation alternative proposal.

Chairman/Vice-Chairman Comments: Chairman Mazer brought up a few Latin phrases he said would help with serving the public. Cui bono? which means "to whom for a benefit", but for us means, Who stands to gain? A question that should be raised for any project for which there is no apparent need. Who benefits from the decision? We as a Board need to be open to what answers that question provides. Another Latin question, Cui malo? which means "Bad for whom?" or "Who suffers?"

The Chairman also commented that the Board is rule bound and there are activities which the Board of Supervisors are responsible for: make ordinances and resolutions; oversee finance, personnel, and budget; approve conditional use applications; approve land development and subdivision plans and related performance security. These are stated in the Municipal Planning Code which also stipulates that the execution of activities with the Zoning Ordinance are performed by the Zoning Officer, not the Board. Any dispute with the Zoning Officer's decision is heard by the Zoning Hearing Board.

Vice-Chairman Comments: Vice-Chairman Scholle talked about a proposed shredder event. He encouraged residents to go to the website and take the survey so that the Township could see if residents would merit an event being scheduled. Vice-Chairman Scholle serves as delegate to the York Adams Tax Bureau (YATB) and said that there has been an increase in the number of people subject to delinquent taxes collection. He said that there is a form and explanation on the Township website. Vice-Chairman Scholle mentioned that Senator Doug Mastriano was proposing a bill to increase annual funding for land preservation. He also mentioned that Adams County has provided the Township with a draft copy of their 2023-2026 Transportation Improvement Program for public review and comment. The comment period is from May 16, 2022-June 16, 2022 and comments will be accepted via phone, mail or email.

Public Comment. There was no public comment.

Approval of Minutes

Supervisor Demas proposed amendments to the draft minutes. Supervisor Demas moved, seconded by Supervisor McCauslin to approve the meeting minutes for April 21, 2022 as amended. Motion carried, unanimously.

Solicitor's Report. Solicitor Smith presented her report, including an update on the solar facility decommissioning bill and comment on the meaning of “normal Township expenses” for ARPA funds allocation. Supervisor Scholle moved, seconded by Supervisor McCauslin to accept the Solicitor's Report for the period following the April regular meeting. Motion carried, unanimously.

Engineer's Report. Engineer Vranich presented his report. Supervisor Morley moved, seconded by Supervisor Demas to accept the Engineer's Report for April 2022. Motion carried, unanimously.

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

Treasurer, Police, Zoning Officer and Code Enforcement Officer, Planning Commission, Land & Sea, Open Records Office, Fire Companies Reports

Supervisor Demas moved, seconded by Supervisor Scholle to accept by omnibus motion the April Treasurer, Zoning & Code Enforcement, Planning Commission, Land and Sea, Open Records Officer and Fire Companies' reports. Motion carried, unanimously.

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. The Township Engineer, Erik Vranich explained background information to the Board. A conditional use approval allowed the Fryer Tract to be added to the existing Links PGC. The project consists of 99 housing units and the Homestead lot. Mr. Vranich did not recommend conditional approval at this time but felt that it was necessary to go over all the waivers and modifications being requested. The waivers and modifications are as follows:
- SALDO 86-18.A(5)-This section states that private streets are not permitted. The applicant has requested a modification of this section. The modification was granted from this section to allow for private streets consistent with the approved conditional use for the property. Ongoing ownership and maintenance of the private streets is the responsibility of the applicant. Public access to the private streets is to be maintained. Supervisor Demas moved, seconded by Supervisor Scholle to grant the modification from SALDO 86-18.A(5) section to allow for private streets consistent with the Conditional Use Approval granted by Mt Joy Township for the project. The term private relates to ongoing ownership and maintenance as being the responsibility of a private entity. Public access to the private streets is to be maintained. Motion carried, unanimously.
- SALDO 86-18.B-This section established the minimum road right-of-way with (50') and cartway width (22' cartway width 4' shoulders). The applicant requested a modification of this section. The modification was granted from this section to allow for a 40-foot right-of-way and 24 feet of paved cartway consistent with the approved conditional use for the property and right-of-way and cartway widths consistent with other communities of the Links at Gettysburg Planned Golf Community. Supervisor Morley moved, seconded by Supervisor McCauslin to grant the modification from SALDO 86-18.B to allow for a 40-foot Right-of-Way and 24 feet of paved cartway is consistent with the Conditional Use Approval granted by Mt Joy Township for the project. The Right-of-Way and cartway widths proposed are consistent with other communities of the Links at Gettysburg Planned Golf Community. Motion carried, unanimously.

- SALDO 86-21.B-This section established the maximum block length of 1,600 feet. The applicant requested a waiver from this section due to a longer block length to avoid sensitive areas. The waiver was granted by Mt Joy Township. Supervisor Scholle moved, seconded by Supervisor Demas to grant the modification from SALDO 86-21.B to relieve the developer of curbing along all streets is consistent with the Conditional Use Approval granted by Mt Joy Township for the project. Placement of curbing is limited to the courtyards and islands of the Taneytown Road access for management of stormwater. Motion carried, unanimously.
- SALDO 86-26-This section establishes the requirements for curbing on all roadways. The applicant requested a modification of this section. The modification was granted to relieve the developer of curbing along some of the streets consistent with the approved conditional use for the property. Placement of curbing is limited to the courtyards and islands of the Taneytown Road access for management of stormwater. Supervisor Morley moved, seconded by Supervisor McCauslin to grant the modification from SALDO 86-26. to relieve the developer of curbing along all streets consistent with the Conditional Use Approval granted by Mt Joy Township for the project. Placement of curbing is limited to the courtyards and islands of the Taneytown Road access for management of stormwater. Motion carried, unanimously.
- SALDO 86-27-This section establishes the requirements for sidewalks. The applicant requested a waiver from this section. A waiver was granted from this section to allow the construction of a pedestrian trail along Bridge Valley Road in lieu of sidewalks along each roadway and the courtyards. The pedestrian trail connects to the greater Links at Gettysburg Planned Golf Community Trails. Supervisor Demas moved, seconded by Supervisor McCauslin to grant the modification from SALDO 86-27 to relieve the developer of sidewalks consistent with the Conditional Use Approval granted by Mt Joy Township for the project. A pedestrian trail along Bridge Valley Road is proposed in lieu of sidewalks along each roadway and the courtyards. The pedestrian trail connects to the greater Links at Gettysburg Planned Golf Community Trails. Motion carried, unanimously.
- SWM 81-301.A.(1)(h)-The minimum size of storm sewer piping is 15". The applicant requested a waiver from this section to allow the use of 12" piping. A waiver was granted from this section because the Links at Gettysburg and ultimately the Wade Run Community HOA serving as both owner and responsible party for maintenance of the Stormwater Management Facilities has the maintenance capability to ensure smaller pipe sizes 12-inch piping are kept clear of debris. The smaller pipe sizes are necessary to obtain adequate cover and convey runoff from the courtyard areas. Pipe sizes smaller than 15 inches currently exist within the Links at Gettysburg Planned Golf Community. Supervisor Morley moved, seconded by Supervisor Demas to grant a waiver from SWM 81-301.A(1)(h) to allow for 12-inch pipes. Motion carried, unanimously.
- SWM 81-310.A(1)(o)-All drainage easements shall have a minimum width of twenty (20) feet. The applicant requested a waiver from this section to allow for a 10' easement width. The waiver was granted with a condition that notation be added to the plan that no landscaping or other obstructions are placed within the 10-foot easement. Links at Gettysburg and ultimately the Wade Run Community HOA serving as both owner and responsible party for maintenance of the Stormwater Management Facilities has access to numerous pieces of maintenance equipment capable of traversing and operating within a 10-foot easement. Relief from the standard 20 feet of easement width is required within the courtyard cluster areas where separation between dwellings is limited to 10 feet. Supervisor McCauslin moved, seconded by Supervisor Scholle to grant a waiver from SWM 81-210.A(1) with a condition that notation be added to the plan that

no landscaping or other obstructions are placed within the 10-foot easement. Links at Gettysburg and ultimately the Wade Run Community HOA serving as both owner and responsible party for maintenance of the Stormwater Management Facilities has access to numerous pieces of maintenance equipment capable of traversing and operating within a 10-foot easement. Relief from the standard 20 feet of easement width is required within the courtyard cluster areas where separation between dwellings is limited to 10 feet. Motion carried, unanimously.

- SWM 81-310.A(2)(i)[1]-The slope of detention basin embankments shall be 4:1 unless otherwise approved by the Township Engineer. The applicant requested a modification of this section to allow for 3:1 slope for the proposed basin embankments. The modification was granted with the condition that any basin with more than 2 feet of ponding depth must have 4:1 slope inside the basin. The Links at Gettysburg and ultimately the Wade Run Community HOA, serving as both owner and responsible party for maintenance of the Stormwater Management Facilities has access to numerous pieces of maintenance equipment capable of traversing and operating on slopes at a 3:1 grade. Relief from the 4:1 slope for basin berms is required to protect existing environmentally sensitive areas of the site. Supervisor Scholle moved, seconded by Supervisor McCauslin to grant a waiver from SWM 81-310.A(i)[1] with the condition that any basin with more than 2 feet of ponding depth must have 4:1 slope inside the basin. The Links at Gettysburg and ultimately the Wade Run Community HOA, serving as both owner and responsible party for maintenance of the Stormwater Management Facilities has access to numerous pieces of maintenance equipment capable of traversing and operating on slopes at a 3:1 grade. Relief from the 4:1 slope for basin berms is required to protect existing environmentally sensitive areas of the site. Motion carried, unanimously.

Committee Reports

- Personnel: (Mazer and Morley). No report.
- Finance: (Scholle and Demas). Supervisor Demas reported that they are beginning to build the 5-year plan.
- American Rescue Plan Act: (McCauslin). Supervisor McCauslin reported that Supervisor Demas created a spreadsheet for wish lists to be made by June 3rd.

Business

- Tar and Chip Bid. The Township received only one bid. The bid was from Russell Standard in the amount of \$73,983.96 (approx. \$1.53/sqyd) to do California Rd., Bowers Rd., Patterson Rd., Solomon Rd., and Cemetery Rd. Supervisor McCauslin moved, seconded by Supervisor Scholle to award the tar and chip bid to Russell Standard in the amount of \$73,983.96. Motion carried, unanimously.
- Temporary and Partial Use and Occupancy Permit 10 Lori Lane. Solicitor Smith informed the Board that the Building Code Official was seeking Board authorization to issue a temporary and partial occupancy permit for a structure near completion which the basement flooded during the May 5-7 storms. Both the temporary/partial and final permits will be issued only after inspection. The Building Code Official indicated an intent to issue the temporary/partial occupancy permit with conditions relating to completion of structural stormwater management improvements. Supervisor Demas moved, seconded by Supervisor McCauslin to authorize the Building Code Official to issue a temporary Use and Occupancy Permit for the upper floors of 10 Lori Lane with the conditions of completion of stormwater management and the final inspection.

- Jeffcoat ASA Application. Supervisor Scholle moved, seconded by Supervisor Demas to accept the ASA application submitted by Christopher Jeffcoat. Motion carried, unanimously.
- E-Recycling Discussion. Supervisor Scholle moved, seconded by Supervisor McCauslin to schedule the E-Recycling event for Saturday October 8, 2022 from 8am to noon. Motion carried, unanimously.
- Appointment of NID Bond Counsel. The Links has requested that the Township create a new NID for the development area Wade Run. The Links also requests that the period for the issuance of bonds for the existing Links NID be extended. Ballard and Spahr has agreed to serve as the Township's bond counsel for both matters and has presented an engagement letter. Supervisor Demas moved, seconded by Supervisor McCauslin to approve the Township engaging Ballard and Spahr and to authorize Chairman Mazer to sign the engagement letter. Motion carried, unanimously.
- Brookview facilitated discussions. Solicitor Smith reported that this business item was inadvertently listed on the agenda.
- Historic Preservation Task Force. Supervisor Demas reported that another meeting was held. The Historic Preservation Task Force said that in years past there was an open house at the Mud College Schoolhouse. They are hoping to have another one in the September timeframe. Anyone who wants to volunteer should contact Supervisors Demas or Morley. Supervisor Demas also reported that Mary Tate Local Policy Manager for the Governor's Center for Local Government Services for DCED will be doing a presentation at the June Workshop meeting on what paths are needed in order to reinstate historic preservation in Mt. Joy.
- ARPA Allocation. Supervisor McCauslin had nothing to report.

Executive Session. The Board announced its intention to enter into executive session.

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 9:06 p.m.

Respectfully submitted by,

Shannon M. Hare
Secretary