

# MOUNT JOY TOWNSHIP SUPERVISORS

## MINUTES

Thursday, July 18, 2024

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The regular Board of Supervisor's meeting was an open, in-person meeting, with additional public access via the remote meeting application ZOOM. 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:** Sam Wiser, Solicitor; Erik Vranich, Township Engineer; Bruce Hartman, Treasurer, Mitz Whatley, Assistant Treasurer, Kim Livelsberger; Zoning/Code Enforcement Officer, Dave Williams; Roadmaster.

**Chairman Comments:** Chairman Demas stated there is going to be a little change in the agenda order. Moving the Chairman Comments, Public Comments and Omnibus Motion to the beginning of the meeting, next will be the Presentation to the Board regarding the Links at Gettysburg and finally the action items. She also stated there is a burn ban that's been activated until the end of August. There was a little rain yesterday, but we are still very dry. And finally, the second newsletter should be delivered to everyone's mailbox soon. The goal for the next newsletter will be October.

**Public Comment:** None.

### **Omnibus Motion to Accept the Following:**

#### **Approval of Minutes**

#### **Treasurer Report:**

**Roadmaster's Report:** Mr. Williams said the new equipment works fine. They used it for the first time the other day on Long Street. Two of the culverts needed to be dug out and repaired. They were repaired and blacktopped. The broom box picked everything up. Mr. Williams stated "It was all neat and clean when we left. Moving forward, we are preparing the roads that are getting seal coated and overlaid ready". C. E. Williams is going to be starting on the overlay project in the first week in August. Mr. Williams then gave a brief presentation of what the roadcrew has been doing so far this year.

**Engineer's Report:** Engineer Vranich said he really does not have anything to add today. It's an action item for Dollar General, which will be later on, and just working through a number of projects, and stormwater permits.

Supervisor Mazer moved, seconded by Supervisor Yerger to approve the Omnibus Motion. Motion carried unanimously. Motion included acceptance of the following reports:

Police Report, Fire Reports, Zoning Officer's report, Planning Commission's Report, Land and Seas' Report, MDIA's Report, Correspondence Received and the Open Records Officer's Report.

### **Presentation to the Board of Supervisors:**

Links at Gettysburg – SALDO 86-25A Modification Request: In the discussion, Mr. Kline introduced Jeff Goodwin, a geotechnical engineer with extensive experience at the Links of Gettysburg and Greater Adams County. Mr. Goodwin described their long history with the site's

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soils and rock, including developing environmental processes for arsenic remediation that have become statewide recommendations.

The current modification under discussion involves using on-site shale rock as the road subbase for low-traffic residential development areas instead of bringing in external materials. This approach has been used in Washington Township, Franklin County, since at least 2002, supporting sustainability by utilizing on-site resources.

Chairman Demas clarified that Mr. Goodwin's request was specific to the planned golf community and not a broader ordinance change. Mr. Kline confirmed they were seeking a modification rather than an ordinance change, specifically for White Run, with potential future requests for other developments like Powder Creek and Calgary during their plan approval phases.

The discussion involved clarifying requirements for a modification request under two different ordinance provisions: the PGC ordinance and the Subdivision and Land Development (SALDO) ordinance.

Mr. Kline and Mr. Goodwin discussed using on-site shale rock as a road subbase in residential development. The subdivision land development ordinance requires a written request and evaluation against criteria, including proving that the modification will provide results that are "equal or better" than existing standards.

The board considered attaching conditions to the modification, such as requiring Mr. Goodwin to certify that each installation meets the township engineer's review and approval. This certification process would ensure that the alternative standard is maintained throughout the project.

The discussion continued to address the specifics of modifying the ordinance provisions for the use of shale rock as a road subbase. Here are the key points:

1. **Clarification of Ordinances:** The discussion involved the PGC ordinance and the SALDO, each having different provisions for modifications.
2. **Modification Request Requirements:** The SALDO requires a written request and proof that the proposed modification provides "equal or better" results than the existing standards.
3. **Certification and Conditions:** The board considered attaching conditions to the modification. Mr. Goodwin would need to certify that each installation of the shale rock subbase meets the township engineer's review and approval, ensuring the alternative standard is maintained.
4. **As-Built Plans:** Any changes made during construction, referred to as "field changes," would need to be recorded in an updated spec sheet for the roads. This spec sheet would detail which portions use shale and which use blacktop. These updates would be included in the final recorded plans.
5. **Protocol Development:** Mr. Goodwin was tasked with working with the township engineers to develop a protocol for the implementation of the shale substitution. This protocol will be reviewed by the board in the following month.
6. **Motion and Approval:** A motion was made to authorize the modification, subject to specific conditions:
  - o The geotechnical engineer must certify that the shale substitution is equal to or better than the current standard.

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- The developer must work with the township engineer to develop policies and procedures for the shale substitution.
- An as-built plan identifying the areas of shale substitution and cross-sections must be generated and recorded at the developer's expense.

Supervisor Yingling moved, seconded by Mr. Mazer to authorize a modification to the SALDO, as well as the specification provision in the PGC ordinance that specifies the eight inches to a to allow for the use of the shale as specified in the application, subject to the condition that the geotechnical engineer certifies that it is equal to or better than the 2A at the time of initial installation. The developer shall work with the township engineer to come up with policies and procedures, aka a protocol, for the implementation of the shale substitution product. The developer would also be required to generate an as-built plan that identifies the area where the substitution will be implemented. Any cross sections that are to be included in that plan will be recorded at the developer's expense. Motion Carried.

The protocol will be reviewed at the August BOS meeting.

### Action Items:

- Dollar General – Request for Time Extension to the BOS meeting on October 17, 2024: Chairman Demas stated Dollar General has requested a time extension to the October meeting. They have turned in some plans that will go to the planning board. Mr. Vranich stated this would be the second one. He said the board would take a motion or take action to accept the time extension offered by Dollar General, it's October 17, 2024. Supervisor Yingling moved, seconded by Supervisor Mazer, to approve the time extension to the October 17, 2024, meeting. Motion carried.
- Ordinance 2024-05 amending Chapter 68, “Septic Systems,” regarding maintenance of on-lot sewage disposal: Chairman Demas stated the next agenda item is the ordinance amending Chapter 68 the septic system. She turned it over to Todd who did all the research on this topic. Chairman Demas confirmed, the ordinance change has been advertised and was open for public comment. The Township received none.

The discussion covered various topics regarding the amendment to the Act 537 plan, septic tank inspections, and nitrate levels:

#### 1. Amendment Details:

- There was a conversation with DEP (Department of Environmental Protection) on March 5, where DEP confirmed that an amendment to the original Act 537 plan is required.
- The amendment involves changing the inspection cycle from three years to four years.
- DEP indicated that this change would not impact on the existing Act 537 plan.
- After approval, a letter must be sent to DEP to formalize the change.

#### 2. Septic Tank Inspections and Failures:

- The inspection typically involves only the septic tank and not the field.

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- Field inspections usually occur during property conveyance, if required by the mortgage company, or if there is a complaint from a neighbor.
- One reason cited for every 3-year inspections was high nitrate levels in random well testing across the municipality could indicate failing septic systems. But nitrates can occur naturally or also come from agricultural sources like fertilizer and animal manure. DEP does not even cite failing septic systems as a typical reason for high nitrates.
- Historical context was provided, indicating that high nitrate levels previously led to changes in zoning, such as increasing lot sizes from three acres to ten acres due to agricultural activity rather than housing development.

### 3. Questions and Clarifications:

- Supervisor McCauslin stated that the original 537 Plan suggested wells to be inspected every 4 years, there is no record of why it was changed to 3 years in the final version.
- Supervisor McCauslin confirmed his discussion with DEP that this modification would not impact the overall Plan in their opinion.
- He also stated that this Plan does not remove the responsibilities of the homeowner to maintain their own systems.

Supervisor Mazer moved, seconded by Supervisor Yingling, to adopt Ordinance 2024-05 amending Chapter 68, “Septic Systems” regarding maintenance of on-lot sewage disposal. Motion carried.

- Consolidate banks to move Truist and ACNB accounts to a single bank: Chairman Demas said that this is a continued discussion from last month’s meeting. Supervisor Mazer reached out to several other banks and prepared a summary of their responses. Four banks provided something and were willing to come in and talk through and answer any questions. The first question he asked all of them, except for ACNB, was, “Do you do collateralization?” They all responded that they do. He then questioned about QuickBooks. Other than ACNB, they all work with QuickBooks. Mr. Hartman said when he came here 10 years ago, the township was working with Susquehanna bank and ACNB. Susquehanna Bank eventually turned into Truist. It was never any conscious effort on the part of the Board to change banks. Through consolidations and purchases, it became Truist. In discussion about the information provided, it was highlighted that there were a number of reasons that Members 1<sup>st</sup> was selected last month, such as office locations and overall responsiveness of Members 1<sup>st</sup>. It was also noted that other banks noted benefits such as Wealth Management services and Sweep accounts, neither service would be used by the Township. Supervisor McCauslin moved, seconded by Supervisor Yingling to consolidate the Truist and ACNB accounts to Members 1<sup>st</sup>. With a four to one vote - motion carried. (Supervisor Mazer opposed).

- Alpha Fire Co. 2023 Financials for 2<sup>nd</sup>, 3<sup>rd</sup> & 4<sup>th</sup> quarters. 2024 Financials for 1<sup>st</sup> & 2<sup>nd</sup> quarters: Chairman Demas said that the Township received the financial reports for the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2023 and the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2024. Supervisors Yingling moved, seconded by Supervisor McCauslin to approve the financials and the distribution of funds. Motion carried.

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- Barlow Fire Co. 2024 Financials for 2<sup>nd</sup> quarter: Chairman Demas said the Township received the financial reports for the 2<sup>nd</sup> quarter of 2024 from Barlow. Supervisor Yerger moved, seconded by Supervisor Yingling, to approve disbursement to Barlow Fire Co. for the 2<sup>nd</sup> quarter of 2024. Motion carried.

- Approval of cost-of-living increase for eligible employees: The Board went into Executive Session to discuss personnel issues and returned at 8:35 p.m.

Chairman Demas asked for a motion to approve a cost-of-living increase, of 3.1% for eligible employees as of January 3, 2024, because it will be retroactive to the beginning of the year. Supervisor Yingling moved, seconded by Supervisor Yerger to approve a cost-of-living increase for the eligible employees retroactive to January 3, 2024. Motion carried.

- Appointment of part-time Treasurer: Chairman Demas stated that she and Supervisor Yerger interviewed Melinda Jones for the Treasurer position that is currently held by Bruce Hartman. She has a very good background, strong in the financial side to the business owner. Mr. Hartman has agreed to stay on for an extended period of time to help train and ensure a smooth transition. Supervisor McCauslin moved, seconded by Supervisor Mazer to appoint a part-time treasurer, Melinda Jones, at the pay rate of \$25.00 per hour. Motion carried.

- Review and approval of ARPA spending: Chairman Demas presented a spreadsheet showing all fund spent out of the ARPA funds and said the Township has to spend the funds or have them encumbered by the end of the year. By September or by the latest October we should hear if we get the grant for the tractor we are trying to purchase. If the grant is not approved, Chairman Demas proposed that the funds go to that purchase. We also have plans to apply for funding to hire a company to work with the Township updating the Comprehensive Plan. Supervisor Yingling moved, seconded by Supervisor McCauslin, to approve the review of the ARPA fund spending and planned expenditures. Motion carried.

### Adjournment

With no further business to be discussed by the Board, Supervisor Yerger moved, seconded by Supervisor Yingling, to adjourn the meeting. Motion carried, unanimously.

Meeting adjourned at 8:48 p.m.

Respectfully submitted,

Sheri Moyer  
Township Secretary