

MOUNT JOY TOWNSHIP SUPERVISORS

MINUTES

Thursday, October 17, 2024

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: Issac Wakefield; Melinda Jones, Treasurer

Chairman Comments: Chairman Demas announced that the Board had an executive session at the September meeting to discuss personnel issues. She also mentioned that the Mud College Schoolhouse had some issues before students arrived, but Mike Golden, Interim Roadmaster, was able to get things cleaned up and fixed in time for a tour by the class of 1974 from Littlestown. The class enjoyed the tour and history of the schoolhouse and made a donation to support it.

Public Comment: Amos Miller - 440 Hickory Road, raised questions and concerns regarding stormwater management requirements for high tunnels. Mr. Miller stated that he had researched this issue with State Representative Dave Zimmerman, who indicated there is no stormwater management requirement for high tunnels in Pennsylvania. Chairman Demas acknowledged that the township has had discussions about stormwater management for high tunnels, and said they would need to further investigate the state-level regulations and potential exemptions. There was a discussion about the impact of township ordinances versus state laws, and the possibility of revising the township's ordinances if there are state-level exemptions.

OMNIBUS MOTION TO ACCEPT THE FOLLOWING:

Approval of Minutes:

- Regular Meeting Minutes, September 19, 2024
- BOS Workshop Meeting, September 26, 2024

Supervisor Mazer requested clarification in the September 19th meeting minutes regarding a phone poll for line painting. The minutes stated that the quote for the line painting was sent to all Board members before the meeting, which Supervisor Mazer felt implied he had been notified prior to the vote. Chairman Demas clarified that the vote was not final until it was reaffirmed at the meeting, and that all reports and documents are sent to the Board members a week before the meeting. Supervisor Mazer requested that the last sentence about the quote being sent to all Board members be moved to after the roll call, separate from the reaffirmation of the phone poll. Supervisor Mazer moved, seconded by Supervisor McCauslin, to approve the Omnibus Motion. Motion carried, unanimously. Motion included acceptance of approval the BOS Minutes as revised, Treasurer's Report, Roadmaster's Report, Engineer's Report, 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.

Agricultural Land Preservation Program Presentation: Ellen Dayhoff, the Director of the Agricultural Land Preservation Program in Adams County, provided an overview of the program

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and its tools for farmland preservation. She explained the criteria for farms to qualify for the program, including minimum acreage, soil classification, and farmable land percentage. Ms. Dayhoff discussed the ranking process for farm applications, noting the challenges faced by Mt Joy Township due to soil types and agricultural zoning. She shared examples of successful farmland preservation projects in the county, including partnerships with townships and nonprofits. Ms. Dayhoff mentioned a significant donation from Tim Brown that has helped preserve farms in Mt Joy Township and offered to assist the township in creating a conservation plan and exploring funding sources.

ACTION ITEMS:

- Alpha Fire Company 2nd & 3rd quarter Financial Reports: Chairman Demas said the Township received Alpha Fire Company financials for the 2nd and 3rd quarters of 2024. Supervisor Mazer moved, seconded by Supervisor McCauslin, to approve the distribution for the 2nd and 3rd quarters to Alpha Fire Company. Motion carried, unanimously.
- Barlow Fire Company 3rd quarter Financial Report: Chairman Demas said the Township received Barlow Fire Company financials for the 3rd quarter of 2024. Supervisor Mazer moved, seconded by Supervisor McCauslin, to approve the distribution for the 3rd quarter to Barlow Fire Company. Motion carried, unanimously.
- Gettysburg Fire Company 3rd quarter Financial Report: Chairman Demas said the Township received Gettysburg Fire Company financials for the 3rd quarter of 2024. Supervisor Mazer moved, seconded by Supervisor McCauslin, to approve the distribution for the 3rd quarter to Gettysburg Fire Company. Motion carried, unanimously.
- Dollar General request for time extension to the BOS meeting on January 20, 2025: Chairman Demas stated Dollar General has requested a time extension to the January 20, 2025 meeting. This would be the third request for a time extension. The Board would need to take a motion or action to accept the time extension offered by Dollar General to the January 20, 2025 meeting. Supervisor Mazer moved, seconded by Supervisor McCauslin, to approve the time extension to the January 20, 2025 meeting. Motion carried, unanimously.

2025 Draft Budget presentation: Melinda Jones, Treasurer, presented the draft 2025 budget, highlighting the challenges of budgeting without ARPA funds and the need to adjust for inflation. The Board discussed specific line items, including repair and maintenance to roads and line painting, and the need for a detailed plan for road maintenance. Supervisor Mazer moved, seconded by Supervisor Yingling, to publish the advertisement of the draft 2025 budget for public comment. Motion carried, unanimously.

- Comcast Franchise Agreement: Chairman Demas presented the updated Comcast franchise agreement, noting that Comcast agreed to all the changes requested by the township, except for extending the response time for written letters from 15 to 30 days. The Board discussed the impact of the 5% franchise fee on residents and the need to diversify income sources. Supervisor McCauslin moved, seconded by Supervisor Yerger, to approve the new, updated Comcast agreement with 5% rate fee. Motion Carried. Supervisor Mazer opposed.

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- **Local Service Tax Ordinance:** Chairman Demas then presented the proposed Local Service Tax Ordinance, explaining its purpose and impact on residents and workers in the township. The Board debated the fairness and necessity of the tax, with concerns raised about additional fees and taxes. Attorney Wakefield stated what the Board is authorizing tonight is the advertisement of this ordinance. The Township is required to do this for a few weeks prior to the public meeting. Supervisor Yingling moved, seconded by Supervisor McCauslin, to authorize advertisement of the local service tax ordinance to go forward. Motion carried, unanimously.
- **Fire Insurance Ordinance:** Chairman Demas stated the fire insurance escrow ordinance, stemming from the Pell stamp program and based on Act 93 from 1994, was discussed. This ordinance protects the township by requiring insurance payouts to prioritize covering township cleanup costs before any other payments. Without it, the township would risk not being reimbursed for these expenses. Attorney Wakefield stated tonight would be authorizing the advertisement of the ordinance. The ordinance was something that Pell recommended, noting that the Township does not have an ordinance in place. The procedures and everything that are encompassed in this are statutory. There is an Act that largely contains almost identical overhead that is written in this ordinance. Insurance companies will not abide by that Act unless the municipality has an ordinance in place. DCED maintains a database of those Townships that have adopted an ordinance. When the insurance carrier is getting ready to pay the insurer, they must contact the Township first. If the Township already incurred costs, those would be paid. If the Township did not incur costs, there is a formula for how much the Township would have to put in an escrow account in the event the Township does incur any costs. Ultimately, the insured needs the money to do the work. The insurer can come to the Township to indicate the Township is holding too much in escrow. The insurer can present the cost estimate, in which case the Township would release the difference to them, keeping the remaining amount in escrow. Once the work is completed, the Township would release all the funds. One other caveat is it doesn't prohibit or impede in any way the Township's ability to either come to an agreement with the insurer or the insurance carrier to otherwise address the issues. Supervisor Mazer moved, seconded by Supervisor McCauslin, to advertise the ordinance. Motion carried, unanimously.

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

Meeting adjourned at 8:28 pm

Executive Session: None.

Respectfully submitted,

Sheri Moyer
Township Secretary