

**MOUNT JOY TOWNSHIP SUPERVISORS
MINUTES
SEPTEMBER 15, 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; Gil Clark; Todd McCauslin, Christine Demas

Also Present: Susan Smith, Solicitor; Shane Wise, Roadmaster; Trevor Wise, Road Crew; Shannon Hare, Secretary and Zoning Officer and Code Enforcement Officer

Roll call

Persons' Requesting Time on the Agenda

- Raymond Gouker along with Tom Landis and Mark Wherley from Community Media presented information about Community Media does. They have been serving the community for 35 years. Their channel focuses on the positives of the county. They were asking that the Township consider Community Media when the time comes to spend the ARPA money.

Chairman/Vice-Chairman Comments: Chairman Mazer reminded everyone of the Mud College Open House on Sunday September 18, 2022 from noon-4pm.

Vice-Chairman Comments: Vice-Chairman Scholle had no remarks.

Public Comment.

Tom Newhart-720 Plunkert Rd- Decision on Brookview Land Use Appeal Agricultural Conservation District Brookview Preliminary Land Development Plan (also submitted written comment)

Larry Combs-351 Speelman Klinger Rd- agreed with Tom Newhart comments

Steve Yerger-175 Bulk Plant Rd-said a prayer

Nick Demas 71 Miller Rd- AC District Brookview Preliminary Land Development Plan-solar panel specifications, rotation and glare

Glenda Gerrick 663 Plunkert Rd-disappointed with Brookview Preliminary Land Development Plan decision

Barb Steele 456 Mud College Rd-Planning Commission recommendation to approve Brookview AC District Preliminary Land Development Plan; Planning Commission Vice-Chair treatment of residents; glare study

Approval of Minutes

Supervisor Demas moved, seconded by Supervisor McCauslin to approve Regular Meeting Minutes from August 18, 2022 with amendment to insert the following statement prior to the vote on the Brookview AC District Preliminary Land Development Plan: "Chairman Mazer called for the vote." Motion carried, unanimously.

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

Engineer's Report. Engineer Vranich presented his report. Supervisor Scholle moved, seconded by Supervisor Clark to accept the Engineer's August 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 August 2022. Motion carried, unanimously.

Supervisor Scholle moved, seconded by Supervisor McCauslin to approve Treasurer, Police, Zoning Officer and Code Enforcement Officer, Planning Commission, Land & Sea, Open Records Office reports. Supervisors Mazer, Scholle, Clark, and McCauslin voted yes. Supervisor Demas abstained. Motion carried.

Fire Reports. Supervisor McCauslin moved, seconded by Supervisor Demas to accept the fire company reports. Motion carried, unanimously.

Correspondence- Correspondence listed on the agenda was acknowledged.

Subdivision/Land Development Plans-None

Committee Reports

- Personnel: (Mazer and Morley). No report.
- Finance: (Scholle and Demas). No report.
- American Rescue Plan Act: (McCauslin). No report.

Business

- Affirm email poll for newsletter distribution. Supervisor Demas moved, seconded by Supervisor McCauslin to approve payment to White Deer of \$1,740.00 for the publication of the newsletter and \$486.47 for postage. Motion carried, unanimously.
- Shredder Event date change. Supervisor Scholle moved, seconded by Supervisor Clark to move the shredder event to April 29, 2022 due to conflict with shredder company. Motion carried, unanimously.
- Olde Glory Contractors Final Land Development Plan Financial Security Release. Township Engineer Erik Vranich explained that Olde Glory did a Land Development Plan a number of years ago and the Township was holding financial security for this project in the amount of \$721.00 to ensure the stormwater management facilities for the approved Land Development Plan and subsequent stormwater revisions were finalized and seeded/stabilized appropriately. This work has been confirmed to have been completed. Supervisor Scholle moved, seconded by Supervisor McCauslin to approve full release of the Olde Glory Contractors final Land Development Plan Financial Security in the amount of \$721.00. Motion carried, unanimously.
- Amos G. & Lydia B. Miller Proposed Greenhouse Final Land Development Financial Security Release. Township Engineer Erik Vranich explained that Amos and Lydia Miller proposed a greenhouse on Hickory Rd. The Township was holding financial security for this Land Development Plan in the amount of \$25,335.20 to secure the completion of the necessary stormwater management facilities for the site as well as final site stabilization. A final site inspection has been performed and the project is substantially completed at this time. Supervisor Clark moved, seconded by Supervisor

Demas to approve full release of the Amos G. and Lydia B. Miller Proposed Greenhouse-Final Land Development Plan Financial Security in the amount of \$25,335.20. Motion carried, unanimously.

- 456 Mud College Rd. Historic Designation. Barbara Steele presented information and pictures of her residence for Board consideration of her application under the Zoning Ordinance for designation as a historic building. Supervisor Demas moved, seconded by Supervisor McCauslin to designate the residential building at 456 Mud College Rd. as a historic building. Motion carried, unanimously.
- Purchase road signs for replacement and inventory. Roadmaster Wise said that they were in the process of replacing road name signs that are either faded or missing. He got a quote for \$2,598.00 for 96 signs. Supervisor Demas moved, seconded by Supervisor McCauslin to approve purchasing road name signs for replacement and inventory not to exceed \$3,500.00. Motion carried, unanimously.
- Amish Buggy Signs-Amendment to agenda. Supervisor Demas moved, seconded by Supervisor McCauslin to amend the agenda to add replacement of Amish buggy signs for emergency circumstance related to health and safety. Motion carried, 4-1. Supervisors Mazer, Scholle, McCauslin, and Demas voted yes. Supervisor Clark voted no because he thought that without a plan to stop them from being stolen, it would just continue to happen..
- Replacement of the Amish Buggy Signs. The signs are being stolen.
Public Comment-
Larry Combs-351 Speelman Klinger-likes idea of explosives to resolve theft
Tom Newhart-720 Plunkert Rd-install cameras to catch thief
Steve Wantz-446 Harney Rd- secure sign with cable
Nick Demas-71 Miller Rd-replacing continuously is definition of insanity
Carol Holtz-220 White Church Rd-tourists are not aware of Amish; who is responsible if there is an accident
Barbara Steele-456 Mud College Rd-similar incident with mailbox bashing
Marlene Lufriu-458 Mud College Rd- sign with warning words instead of picture
Shelia Combs-351 Speelman Klinger-PennDOT relook at speed limit on Baltimore Pike

Supervisor Clark moved, seconded by Supervisor Demas to table the discussion of replacing the Amish buggy signs. Motion carried, unanimously.

- 2023 Financial Requirement and Minimum Municipal Obligation. Solicitor Smith explained that this is a requirement for the Township's Pension Plan. Supervisor Scholle moved, seconded by Supervisor McCauslin to authorize Chairman Mazer to sign, on behalf of the Board, the affirmation that this was presented to the Board as required by law. Motion carried, unanimously.
- Winter Maintenance Resolution. Solicitor Smith explained a resolution to enter into the Agreement is needed as part of the 5-year Winter Maintenance Agreement with PennDOT. The agreement calls for the Township to conduct winter maintenance activities on PennDOT roads with reimbursement by PennDOT. The state roads covered by the Agreement are Hoffman Home Rd, Orphanage Rd, the lower end of Barlow-Two Taverns Rd, and Hickory Rd. Supervisor Scholle moved, seconded by Supervisor Clark, to approve the Winter Maintenance Resolution. Motion carried, unanimously. Resolution 14 of 2022.
- Budget Amendment Resolution – Receipt of ARPA Tranche 2. Solicitor Smith explained that the Township received the second tranche of the ARPA funds. The resolution is to amend the approved

2022 Budget to recognize the receipt of the money. Supervisor Scholle moved, seconded by Supervisor Clark to approve the resolution and to authorize Chairman Mazer to sign it on behalf of the Board. Motion carried, unanimously. Resolution 15 of 2022.

- Authorization to Land & Sea to complete UCC inspections at 311 Speelman Klinger Rd. Gettysburg. Solicitor Smith explained that 311 Speelman Klinger was permitted and inspected by MDIA, the former Township Building Code Official. Although MDIA did a final inspection, by agreement with the homeowners a Use and Occupancy Permit was not issued. There were multiple attempts over more than a year by the Township and the homeowners to contact MDIA to complete the inspections and issue the Use and Occupancy Permit. After these failed attempts, the Township reached out to its current BCO, Land and Sea, who said that they would complete the inspections for issuance of a Use and Occupancy Permit, if the Township authorized it because of the liability. Solicitor Smith explained Land and Sea's concerns that it does not have information about work that is no longer visible for inspection. Solicitor Smith stated that Land and Sea is entitled to payment from the homeowner for its inspection services and may require covered work to be exposed to complete necessary inspections. Homeowners, Mr. and Mrs. Combs, agreed to these terms. Supervisor McCauslin moved, seconded by Supervisor Demas to authorize Land and Sea to complete UCC inspections and issue the Use and Occupancy Permit for 311 Speelman Klinger Rd. Motion carried, unanimously.
- Disengage Ballard Spahr. Chairman Mazer said that the Board wished to disengage Ballard Spahr as Bond Counsel. Supervisor Clark moved, seconded by Supervisor Demas to authorize Chairman Mazer to sign, on behalf of the Board, the letter disengaging Ballard Spahr. Motion carried, unanimously.
- Engage Mette Evans. Chairman Mazer said that the Board wished to engage Mette Evans as new Bond Counsel. Supervisor Scholle moved, seconded by Supervisor Clark to authorize Chairman Mazer to sign, on behalf of the Board, the engagement letter with Mette Evans. Motion carried, unanimously.
- Lighting/glare Engineer. Chairman Mazer said that the Board previously approved appointing a lighting engineer to review Brookview's glare study up to \$20,000 in expense. Township Engineer Erik Vranich reached out to a number of lighting engineers. Gannett Fleming provided two options.
 1. Option 1-Review of glare study for adequacy and general consistency with industry standards. Will include a review of the procedures utilized for the study and a written summary of the findings, which will either agree with the method utilized or outline deficiencies with the report. Cost estimate: \$7,500.00.
 2. Option 2-Review of glare study for adequacy and will also include detailed analysis of the information within the study. This will involve re-building the study utilizing software and checking inputs into the glare analysis. Cost estimate: \$21,215.00.

After discussion, Supervisor Scholle moved, seconded by Supervisor McCauslin, to table the appointment and selection of option pending Township Engineer Erik Vranich obtaining some additional information from Gannett Fleming. Motion carried, unanimously.

Public Comment-

Tom Newhart-720 Plunkert Rd- concern about glare on Township roads from rotating panels

Nick Demas-71 Miller Rd- do not know what panels were the subject of the glare study; lighting engineer should have analysis software

Shelia Combs-351 Speelman Klinger Rd-what is standard for glare

Larry Combs-351 Speelman Klinger Rd- availability of panels which cause-less glare

The Board announced its intention to enter into executive session after the regular meeting to discuss personnel.

Adjournment. With no further business to be discussed by the Board, Supervisor McCauslin moved, seconded by Supervisor Scholle to adjourn the meeting. Motion carried unanimously. Meeting adjourned 9:32 p.m.

Respectfully submitted by,

Shannon M. Hare
Secretary