

MOUNT JOY TOWNSHIP SUPERVISORS

MINUTES

Thursday, November 21, 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 7p.m.

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

Also Present: Issac Wakefield, Solicitor; Erik Vranich, Township Engineer; Melinda Jones, Treasurer; Kim Livelsberger; Zoning/Code Enforcement Officer

PUBLIC HEARINGS: All three public hearings were duly advertised and opened at 7:01 p.m.

1. Warehouse and Distribution Centers Ordinance: Chair Demas said this amendment to the zoning ordinance was recommended to the Board for adoption from the Planning Commission. It has been advertised and made available to the public. Supervisor Mazer raised some issues highlighted in the Adams County Planning and Development review, such as the BPC Overlay setback requirements. Attorney Wakefield said he reviewed the County comments and agrees, two of the recommendations from Adams County, would be administrative edit.

Public Comments: None

Supervisor McCauslin moved, seconded by Supervisor Yingling, to accept the Warehouses and Distributions Centers ordinance with the two administrative revisions. Motion carried, unanimously.

2. Fire Insurance Ordinance: Chair Demas stated this was a recommendation that came out of the report from our STMP (Strategic Management and Planning) program. This also has been advertised. Floor opened for any questions from the board or from the public.

Public Comments: None

Supervisor Mazer moved, seconded by Supervisor Yerger, to adopt the Fire Insurance Ordinance. Motion carried, unanimously.

Local Service Taxes Ordinance: Chair Demas highlighted that the Local Service Taxes Ordinance was also a recommendation from the STMP program. The ordinance has been properly advertised as required. Attorney Wakefield explained that the Pennsylvania Economy League (PEL) outlined optional funding tools for the township. The study revealed that the township does not levy the local services tax at the maximum level, unlike many other municipalities. The Local Services Tax (LST) applies to individuals working in the township, even if they don't live in the township, they are still using local services such as roads. It's based on employment location rather than residency or property ownership. The tax revenue is shared between the township and the school district. and is intended for continued improvements benefiting everyone, including non-residents. The LST is already levied, but PEL recommended increasing it as the township lacks other major tax sources (like property tax). The township's main revenue comes from earned

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income taxes. Chair Demas noted that the proposed increase to \$52 per year is \$1 per week, with individuals only paying for the portion of the year they work in the township. There is also an exemption for those earning less than \$12,000/year.

Public Comments: Bob Stillwell questioned why the township needs to impose another tax? He asked if it was to balance the budget? Chair Demas said the recommendation that came from STMP, that we needed to diversify our tax base. The question was raised if this tax was needed to balance the budget. Chair Demas replied, No. Supervisor McCauslin said that LST is every way and that every place he worked at it was \$52.00. Mr. Stillwell said if this is included in the budget, he opposes this tax.

Tom Newhart, Plunkert Road said one of the reasons we have a balanced budget, include getting some new equipment for our road crews, is because of this federal ARPA money is going to run out. The township will need to find an income source without having an overall township tax. A dollar a week, not going to break anyone. He said he is in favor of what the Board is doing.

Terry Sholle, Fish and Game Road, noted from the financial report that the checking and savings total is about two and a half million dollars as of September 30, 2024, with that type of funding that's available, he thinks this is more of a nuisance tax than and a diversification of the financial input.

Nick Demas, Miller Road said last month, he remembered the Treasurer stating there was a 5% hit in liquid fuels, and they forecast 2% every year. That is revenue that needs to be replaced.

Supervisor Mazer moved, seconded by Supervisor Yingling, that the Local Service Taxes Ordinance be passed. Motion carried 4-1. Supervisor Mazer opposed.

Public hearings closed at 7:30 p.m.

Supervisors' Regular Meeting Reconvened at 7: 30 p.m.

Supervisor Yingling made a motion to amend the agenda to include a discussion on the ARPA funds, seconded by Supervisor McCauslin. Motion carried, unanimously.

Chairman Comments: Chair Demas said that the burn ban is still in effect. She said residence can call the office and also the non-emergency number at the County. Another place to call is DCNR who updates risk information twice a day. She also said that the Adams County Planning department reached out to each township to outline their "historic and heritage" assets. Supervisor Mazer gathered the information for Mt. Joy. On December 18th the County Planning Commission will present their findings. She also said that the workshop meeting for this month is cancelled because of the holiday and on behalf of the Board wishes everyone a wonderful Thanksgiving.

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Public Comment: Randy Thomas, Clapsaddle Road, spoke about his ongoing concerns regarding gun safety after his house was struck by bullets multiple times.

Tom Newhart, Plunkert Rd, recounted another example of a shooting incident. The family sought help from the police. Situation has caused concern due to the lack of accountability and action, especially when safety is at risk.

PA State Police, Corporal Isaac White discussed the legal complexities surrounding the issue.

Mike Boccabello asked about Title 18 offenses and recklessly endangerment.

Corporal White, discussed the responsibilities of the Game Commission, SPS and the District Attorney.

Supervisor McCauslin asked about recklessness and codes.

Mike Boccabello, asked about an ordinance.

Solicitor Wakefield, discussed risk.

Jessica Kureth, Mud College Road, expressed concerns regarding the ongoing shooting near her property, specifically from a neighboring range, and the danger to her children and their friends.

Missy Miller recounted a night when bullets were flying across her yard, prompting her to take shelter inside.

Both Jessica and Missy highlighted the need for action to prevent further safety risks, with the implication that creating a proper backstop is necessary. However, the enforcement of such measures remains a complex issue due to legal and jurisdictional challenges.

Chris Burne pointed out the need for immediate enforcement and action, and he felt that relying on the Game Commission without a local ordinance wouldn't be enough to handle the problem.

Barbara Steele, Mud College Road, shared her perspective and advocated for stronger safety measures, such as requiring a backstop for shooting.

Bob Stillwell, Garrison Falls stated he is gun owner and member of a gun range. He shared his concerns about the lack of follow-up on incidents involving stray bullets.

Chair Demas sought clarification from the Corporal about filing a private criminal complaint in this situation. The Corporal stated a complaint would go to the District Attorney's office, where it would be up to the DA to decide whether to pursue the case.

Steve Yerger asked if citizens can file with the DA directly, and the answer is yes.

Corporal White stated he would follow up on the concerns and contact residents directly.

OMNIBUS MOTION TO ACCEPT THE FOLLOWING:

Motion included acceptance of the following reports: Regular BOS Meeting Minutes, October 17, 2024 and the BOS Workshop Meeting, October 24, 2024, Treasurer 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.

Supervisor Mazer moved, seconded by Supervisor Yingling, to approve the Omnibus Motion. Motion carried, unanimously.

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ACTION ITEMS:

- ARPA funding discussion: Supervisor Yingling said he is curious as to how much we had left in ARPA funds. Treasurer Jones stated she believed it was around \$50,000. The supervisors are to send purchasing requests to Supervisor McCauslin by December 6, 2024, with pricing so that he can present it to the Board at their December meeting.
- United Hook and Ladder Fire Company 2nd and 3rd quarters Financial Reports: Chair Demas said the Township received United Hook and Ladder Fire Company financials for the 2nd and 3rd quarters. Supervisor Mazer moved seconded by Supervisor Yingling, to approve the distribution for the 2nd and 3rd quarters to United Hook and Ladder Fire Company. Motion carried, unanimously.
- Hiring of Part-Time Road Crew member: Chairman Demas stated Mr. Cody Huffman was a walk-in applicant, he was interviewed, references were checked and the BOS received a copy of his application. Supervisor Mazer moved, seconded by Supervisor McCauslin to hire Cody Huffman as a part time road crew member starting December 2, 2024, with the expectation that he obtains his CDL within 6 months. Motion Carried. 4-1, Supervisor Yingling objected.
- Fire Department Agreements: Chair Demas presented a draft proposal to the BOS on a data driven way to fund the fire departments that is objective and verifiable. Funding was included in the presentation for the Harney, Maryland, Fire Department. The interactive session allowed for clarification of the data and its quality regarding call boxes and sources of funding. The Chair stated that she did not talk to Fire Departments before the meeting, nor did she talk to Harney about providing funding. The item, while listed as an action item, was characterized as informational only. Barlow Fire Department welcomes continuing discussion.
- Approval of the Budget for 2025: The board discusses the proposed budget for 2025. It was noted that this was a balanced budget. Supervisor Mazer moved seconded by Supervisor McCauslin to approve the budget for 2025 as presented. Motion carried, unanimously.

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 9:53 p.m.

Executive Session: Started at: 10:04 p.m. Ended: 10:41p.m. Topic: Personnel issues

Respectfully submitted,

Sheri Moyer
Township Secretary