**NOVEMBER 2023 MINUTES**

**CALL TO ORDER:** The Muncy Township Supervisors met in the Muncy Township Fire Hall on November 8, 2023.,, Matthew Doyle and Heath Ohnmeiss, Gary Harmon, Gwen Pidcoe, and Mike Wiley were present. The meeting was called to order by Matthew Doyle at 7:30 p.m.

The Executive Meeting was held before this meeting to discuss legal and personnel issues.

**PREVIOUS MINUTES:** Gary Harmon motioned to accept the October minutes. Heath Ohnmeiss seconded the motion. Matthew Doyle agreed. Motion carried.

**PLANNING COMMISSION MINUTES** no action items

**TREASURER’S REPORT** The treasurer’s report for October 2023 was motioned for approval by Matthew Doyle. Heath Ohnmeiss seconded the motion. Gary Harmon agreed. Motion carried.

 **PLANNING COMMISSION REPORT**: no action items

**PUBLIC COMMENT AGENDA ITEMS**:

Denise Artley questions how much rock salt did we purchase from Cargill Rock Salt

Gwen Pidcoe stated we purchased 150 tons.

**FIRE COMPANY:** Report on File

**POLICE DEPARTMENT REPORT:** Report on file.

**ROAD MASTERS REPORT**: Report on File

**OLD BUSINESS:**

**PERMIT OFFICER REPORT: 1** zoning permit, 0 building permits.

**NEW BUSINESS:**

**2024 BUDGET ADVERTISE:** No tax increase. Heath Ohnmeiss motioned to advertise 2024 budget. Gary Harmon seconded the motion. Matthew Doyle agreed. Motion carried.

**ORDINANCE PENSION 2023-03 DROP PROGRAM POLICE**: Matthew Doyle motioned to add the Drop program to our police pension with a deferred payment option. Gary Harmon seconded the motion. Heath Ohnmeiss agreed. Motion carried**.**

**SAFETY COMMITTEE**:

* **SAFETY MINUTES**: Heath Ohnmeiss motioned to accept the safety minutes for October. Gary Harmon seconded the motion. Matthew Doyle agreed. Motion carried.

**REVIEW MONTHLY BILLS:** Heath Ohnmeiss motioned to pay monthly bills. Matthew Doyle seconded the motion. Gary Harmon agreed. Motion carried.

**PUBLIC COMMENT:**

Ann Smith what are the new budget meeting dates?

Matthew Doyle stated there are no other budget meetings.

Ann Smith then this is illegal and wrong because the dates were advertised wrong.

Mike Wiley stated that the second-class township code does not require a budget meeting. The township only needs to advertise 20 days ahead for budget review before approval.

Denise Artley, who made the mistake?

Tom Schaech Resolution for the lerta tax for the mall properties, I know has been pulled for tonight’s meeting for whatever reason. The facts for that property any occupancy changes for that property would need to go through zoning. What kind of housing will be constructed what is the price range? Census in a medium household income for this area is $51,700. We lost employment of 4.1% this year. The development of the mall used state college as their references. Their population is a lot more than Lycoming County. The job market in this community is mostly retrial sales.

The 2020 NACO estimated every $1 gained cost the township $1.25 for Police, EMS, and Fire. But now it costs $1.50. We are losing population. Young people are not staying here. Airport lost a major carrier.

The owners of the mall received a $5 million dollar loan from Lycoming County. Then asked for a lerta tax rebate. Have you seen plans for this project How can you sign on to something you have not seen a plan for. Who will pay for the increase in services? When does the time frame start? There are a lot of unanswered questions. LCWSA has an NDA does the county have one? DO you have to sign one? I understand you may not know and that is why it was pulled for tonight.

Charlie Bush we built Target Plaza, we didn’t ask for Lerta. We got loans. We went through the 2008 financial crisis. We went through covid. We didn’t ask for any kind of tax break. I wish Jin and the developers success. I find it hard that other businesses to do it on their own. I don’t have a problem with the tax abatements until it is town down and rebuilt, but not open ended.

Denise Artley the grant you applied for, where are we at with this.

Gwen Pidcoe stated that it is still in review with the state.

Paula Miller stated it am very disappointed with the whole budget situation. The work sessions were not advertised correctly. There were questions about health insurance and breaking it down more so people could understand. You are elected to represent us.

Ann Smith questioned the paperwork turned into Gwen Pidcoe about the 1933 Act 69 for Auditor. Ms. Doyle is an elected auditor for the Township as well as an appointed judge of elections. I talked to the DA officer. I told Gwen that I wanted answers at this meeting.

Mike Wiley stated that voters services as no issues with Ms. Doyle holding both positions. The DA’s Office has no issues with Ms. Doyle holding both positions. She is elected auditor for the township. The Judge of Elections is a position with Lycoming County which means both positions are not held for the township that the act states that you are referencing.

Why did the DA officer then tell me to get an attorney to present this issue?

Mike Wiley he told you that because the Da can’t do anything about it and if you feel there is an issue to get an attorney. The Township has no standing on this issue.

Paul Kramer stated a proposal to form a committee to go over the township zoning issues.

Mike Wiley you can provide the planning commission changes to a zoning ordinance.. The planning commission has the authority to amend an ordinance. There is nothing preventing you from doing this on your own.

Paul Kramer how long does it take from presentation to the final amendment?

Mike Wiley stated a public hearing process for zoning amendment, 30 days planning commission then 30 days Lycoming County 2 advertisements then a hearing. This will take months from start to finish. You must follow the MPC municipal planning which is the state laws.

Paul Kramer asked if Solar Farms fall under the MPC?

Mike Wiley stated that yes it falls under the MPC.

Denise Artley has there been discussion about giving the zoning back to the county.

Larry Spatz do you realize there are a lot of loopholes in the planning code.

Matthew Doyle stated that yes there are loopholes.

Larry Spatz then what is the fastest way to close these loopholes. It doesn’t look like there is any speed on this. We have not gotten a response about any changes.

Mike Wiley one person talk at a time. This is public comment time only.

Gary Harmon stated that when we took over our own zoning we knew that there would be issues. We do not know everything this is why we have a planning commission and a township hearing board.

Mike Wiley stated that a consultant was hired by the previous board to write a new zoning and land development ordinance. Because the board does not know all the zoning laws. You will need to provide the planning commission with the issues that you see, and they will need to review to see if it can be changed according to the laws. What you may consider a problem someone else may not see as a problem.

Larry Spatz so they don’t know the issue.

Mike Wiley they don’t have the expertise with zoning or the saldo. It would be more helpful to the process by letting the planning commission know what exactly you feel the issues are.

Larry Spatz we know there are problems no ne one was prepared for this. We need to fix this problem in this room. WE know what it is. Other companies will use these loopholes.

Mike Wiley if you are referring to the solar farm there are many townships that do not even have an ordinance on a solar farm and must allow it anywhere. This is hitting the township hard and fast but at least this township has an ordinance in place.

Paul Kramer I am doing a lot of research and many townships do not have anything at least we have something.

Gary Jones I am part of the zoning hearing board, and we struggle to make these decisions, but we need to follow the ordinance.

Mike Wiley stated watch what is said because there are litigations and appeals on the solar farm.

Gary Jones stated that Larry brought up information from the county. There is nothing we can do about how the public feels. If I could change this people would have a right.

Charlie Bush it feels like you guys are not taking us seriously. You just give us blank stares.

Have any of you looked at the damage of solar farms? The solar institute states they should be 1720 feet away from the nearest dwelling at a minimum. This is a big deal. I don’t care what they say there is going to be lasting damage to the land and people’s health. Have you looked into this?

Gary Harmon stated that we are taking this very seriously. We are looking at all the issues.

Mike Wiley stated when a municipality allows for every use whether you have an issue with it or not. The township cannot exclude a use. They are just not slowed. The challenge comes having to provide a space for every use within the township. And to the fairness of this board, they let their meeting be the most interactive. They do not need to allow this. I do not think is fair to accuse this board of not caring and not putting the township first. Looking at this room with all the smiles makes this board very uncomfortable. This board has taken a lot dealing with all the criticism a few have been throwing at them in the last year. Not everyone will agree with decisions, but they have to look out for the whole township.

Denise Artley questioned who the was the consultant?

Mike Wiley stated that Douglas Hovey was the consultant.

Denise Artley can we go back to him could we look at rewriting the ordinance?

Mike Wiley stated that this ordinance was enacted January 1, 2023, and that it is very expensive to write a complete ordinance as well as very time consuming.

Deise Artley stated that she agrees that we have been harsh. I will admit. I will be sitting up front starting in January.

Mike Wiley stated that the Penn State co-op is looking at enacting a solar ordinance. Which is after Muncy Twp enacted theirs. Lycoming County enacted their ordinance after Muncy Township enacted theirs. There are good ordinances out there; a lot are based off the counties. The County ordinance will not work in every township the same way. This is the ordinance we have now and what the county has now. I am not saying jump ship and go to the county.

Tom Schaech I know by talking to Paul and Larry they are not criticizing they are asking for latitude to look at the ordinance from A-Z and give recommendations of the loopholes. Besides the solar farm we have a bigger issue with the mall and what they will be asking to go ahead. Mike I don’t agree with what you are saying you have not been here for the last year.

Paula Miller provisions the hearing Scott Williams said he it doesn’t matter what the people think they can’t take that into factor. The people should have a say, we should have input. They don’t think this care.

Paul Edkin In the agricultural area did the zoning change this area because it is residential.

Gwen Pidcoe stated that this area we are talking about on the one side is countryside and the other side is neighborhood preservation. We never had a zoning area listed as residential.

Gary Jones I make a motion to rehire Doug Hovey.

Mike Wiley stated that he does not think it is a good idea to rehire Mr. Hovey just look at other townships and adjust the current ordinance. This will be the easiest solution.

Paul Kramer I would like to look at and get to and end goal and move along as quickly as possible with the people from the township, county, and planning omission.

Gary Harmon stated he thinks this is a great idea that you should take this one and look at the ordinance.

Mike Wiley recommended looking at the county ordinance.

Joe Perry questioned what the process was again to make changes to an ordinance.

Mike Wiley stated there are 3 ways:

1. Planning commission can initiate.
2. The board of supervisors
3. Citizens

Look at the county ordinance then get any changes to the planning commission which then will take 30 days to review then the county has 30 days to review. There must be two advertisements then a hearing.

Joe Perry I was just looking at the process not clear on the process.

Mike Wiley The fastest way to deal with it is taking changes to the planning commission for a 30-day review then it will be given the county for a 30-day review. Then there will need to be 2 advertisements done within a two-week period then a hearing.

Brenda Holdren questions if we are aware of the advertisements in the sun gazette about the zoning hearing board.

Mike Wiley stated that we are aware.

Terry Lauchley the planning board needs to get with outside sources to change the ordinance. Wolf Township is looking at outside sources.

Gary Harmon stated that this is already in motion.

Mike Wiley looks at other townships or the county and see what they have will work for your township they are great references.

Heath Ohnmeiss look at what they have and get back to the planning commission with the changes that you feel need to be made.

Jim Smith why doesn’t everyone get together and draft something together, so all parties are involved.

Gary Harmon stated that that was the plan.

Mike Wiley stated that you cannot have a Corum of supervisors.

Mark Sortman stated that he was a newly elected County Commissioner and that he is coming from a supervisor’s seat from Loyalsock township. I don’t ever recall having meetings like this we are lucky to have a few people attend. Just wanted to introduce myself.

**ADJOURN:** Matthew Doyle motioned to adjourn the meeting at 8:42pm. Gary Harmon the motion. Heath Ohnmeiss agreed. Motion carried.