**FEBRUARY 2024 MINUTES**

**CALL TO ORDER:** The Muncy Township Supervisors met in the Muncy Township Fire Hall on February 14, 2024.,, Gary Harmon and Heath Ohnmeiss, Denise Artley, Gwen Pidcoe, and Scott Williams were present. The meeting was called to order by Gary Harmon at 7:30 p.m.

Work information session before meeting.

**PREVIOUS MINUTES:** Heath Ohnmeiss motioned to accept the January minutes. Denise Artley seconded the motion. Gary Harmon agreed. Motion carried.

**Re-Org Minutes:** Denise Artley questioned that when you have a CPA your auditors cannot audit the books is this true?

Scott Williams stated that yes this is true.

Denise Artley motioned to approve the re-org minutes. Gary Harmon seconded the motion. Heath Ohnmeiss agreed. Motion carried.

Ann Smith stated that in the note to the auditors. As the tax collector she was accused of denying access to her books. I did not state that the auditors can’t come to my office and go through my books. They would need to give me notice so I can take off work. March 19 Melissa Doyle did a RTK, and I denied it because I don’t respond to RTK. I was served an illegal subpoena by a constable at work. I asked Matt who approved he stated he couldn’t discuss. I explained it wasn’t legal in a meeting. It was signed by Missy not a judge. She wanted 7 years of records, instead of one year. She gave me 10 days to comply. Tax documents can’t leave my office.

Scott Williams if you already retain an auditor that audits your books the elected auditors can’t access.

Paula Miller you should ask for her resignation.

**PLANNING COMMISSION MINUTES no minutes.**

**TREASURER’S REPORT** The treasurer’s report for January2023 was motioned for approval by Denise Artley. Heath Ohnmeiss seconded the motion. Gary Harmon agreed. Motion carried.

 **PLANNING COMMISSION REPORT**: no action items

**PUBLIC COMMENT AGENDA ITEMS**:

Scott Williams there are a lot of people here tonight. I was brought up to speed with the Lerta Tax Ordinance. I have gone over it and it is standard.

Lerta allows taxing municipalities to agree to give a tax break to developers. It needs to be approved by the County, School, and Municipality. It has to be by Ordinance to set the terms of the benefit. Please understand this is only the very first step. The developers still need to follow all the zoning and land developments laws set into place by the Townships ordinances. So they will still need to get zoning approvals and land development approvals before anything can be built. The developer cannot build what ever they want without approvals first.

The supervisors would like to give everyone a chance to speak tonight but would like to keep from having repeat questions. There will be a limited time to 3 minutes, and we will not come around a second time.

The developers will be giving you a short presentation of what they would like to do. Then we will listen to concerns 1 at a time. At the end then the supervisors will make a decision if it gets a second it will pass, if it doesn’t then the vote is done.

Gary Harmon stated that we give 5 minutes to voice concerns.

Ara from Famvest stated that they required the Lycoming mall, and we rebranded it the District at Lycoming Valley. We are happy to be able to bring life back to the area. I would like to dispel some rumors. WE have not and do not plan on putting in immigrant housing or section 8. The people that are looking to invest in this project do not want to see that. WE want to do the best that we can for this area.

We have built all over Pennsylvania and other states. Centre and Lycoming County, New York, New Jersey, Pennsylvania, and North Carolina. WE built things like retail, restaurants, and Industrial areas. 2891 S. Reach Road was shuttered for years now is a tire distributor. We sold land that is now Muncy Geisinger. We built Faxon bowling alley, Halliburton,, Clean Harbor, Ruby Tuesday that is now Texas Roadhouse, Chipotle. The old Foundry site will now be a Wawa. The projects we have done in Lycoming County alone are over 75 Mill dollars plus all the jobs it created.

This project we are planning on retail, hospitality, restaurants and maybe some housing. Our tenants that we are planning on bringing in require a confidentiality agreement in writing. This is why we cannot tell who is coming at this point.

Malls are in a decline, but shopping centers and mixed-use areas are on the rise. Retailers need incentive to invest in money to come to our area. This is the reason we are asking for this Lerta Tax.. This also signals to the business coming that the community wants to see growth.

We need to do a lot of Utility improvements. the infrastructure is over 40 years old. The financial aspect to build this kind of development is significant. We are looking into 5-6 state grants. We will be investing 10’s of millions of dollars of our own money into this project to match the grants we have received. We are confident in this project will be good for this community. We hope to receive your support. Thank you.

Gary Jones Thank you Famvest for being here tonight. I like the building venture I am just in disagreement about the Lerta. You cannot announce any tenants you say you are in negotiations yet. Chapel Hill are you partners with them?

Scott Williams we are not asking questions for them to answer.

Terri Lauchle yes we are! We want to find out.

Ara stated the GFD is associated with the project. They have tremendous amounts of experience with building a redevelopment of this size.

Gary Jones Is the big D is that the logo for the district? Did you write the ordinance?

Mike Wiley stated that they did not write this ordinance and it is the same ordinance that the school and the county already approved.

Gary Jones Lerta is not based for the developer but who comes in. I emailed the supervisors with the conflicts that I have with the Lerta. It becomes law after it is voted in. I disagree with Scott Williams on the interpretation of the ordinance. Page 1 section3 the property that was purchased includes Best Buy but not Big Lots. Plus other parcel numbers. These are in the commercial zoning district this does not include in this zone to have residential. Mr. Williams stated that they would have to go through zoning to get approved, but I don’t think that they do. The supervisors are responsible for this.

Section 8 I have been researching this standard Lerta Ordinance. This Ordinance has many inconsistencies in my opinion. If 23-04 is signed by our supervisors it states in the ordinance that it overrules our zoning ordinance. Their developers do not need to apply for any zoning permits.. I know you may disagree. I am not an attorney. I have read many contracts. You can still change things you do not like in this ordinance. I would like to see this happen. I would like to help with this. I believe the County has a conflict because they lent the developer 5 million dollars.

Thomas Schaech Famvest has finally talked to residents. I don’t think anyone is apposed to redevelopment. You just need to answer some questions that would affect the residents. At the commissioners’ meeting none of our questions were answered. Tax payers have zero courtesy. We have to read what you are doing in the sun-gazette or social media. One has to assume this is blind arrogance. Have you looked at the fiscal effect? Law enforcement and fire and Ems., they will add to the demand. We have already been subject to a 25% tax increase. 5 million from the County and 5 million in recap money. You need to use your own capital and not ask the residents for assistance. Why should we pay for corporate profit?

Ron Foreman what is the percentage of housing/retail compared to mix use?

Scott Williams nothing has been presented at this time.

Ron Foreman Multi-Use Mixed Use- we are not just going to let it be residential. There is no financial benefit for this. This is premature.

Ara stated that they have made a commitment to continue to pay what we are currently paying in property taxes. We will not ask for an appeal to lower taxes as things get torn down. When your taxes go up so will ours..

Terri Lauchle where is this in writing? Show us the documents. We want to see the documents.

Mike Wiley the school has a pilot program in place which follows the ordinance. The tax dollars will remain the same for the School, County and Township. The commitment has been made.

Denise Artley I heard that there will be a reassessment.

Scott Williams the County is planning on a reassessment of properties yes. There taxes will change with the reassessment like everyone else. The assessment of the mall used to be much higher at 56 million in 2016. In 2020 it went to 22 million and in 2021 it went to 10.3 million. Now it is at 9 million.

Mike Wiley stated that in 2016 they paid a total tax of 1.4 million. In 2023 they only pay a total of $232,000. With this redevelopment this will reverse this trend.

Ara stated the Township will also still be receiving the LST and Eit Tax.

Mike Wiley pointed out that the language in the Lerta Ordinance is the state statue. This development is driven by the zoning ordinance. If the Township does not want residential at this location, then the developer cannot build residential.

Ron Foreman does the tax increase, that was imposed include the $30,000 the Township receives. If the taxes go up theirs will go up too.

Ara stated that it is and if the millage rate goes up their taxes will go up too.

Terri Lauchle I want facts not just your words. We need proof.

Mike Wiley This Township has an open Township meeting public comments to board. Ara was kind enough to answer. The school advertised the agreement and acted on it in a public meeting. You can find the documents because they are public record..

Terri Lauchle so you are saying Mr. Wiley that you have nothing in writing.

Mike Wiley no that is not what I am saying. It is on public record and voted on at the school level and follows with the ordinance.

Fred Harris they are objecting to $33,000.

Scott Williams not they are not objecting to paying their current taxes. This just pertains to future development at this location. They will still pay increases.

Fred Harris main part of zoning is to protect the township.

Larry Spatz you said possible residential no immigrants. You didn’t say no section 8 housing. What will it cost each resident over the next 10 years. Our taxes should go down or be stable.

Ara stated that we do not build section 8 housing that is not what we do.

Larry Spatz I would like to see senior housing at the current place we have there is a 2-year waiting list.

Ara stated that they could consider that.

Paula Miller during the time that our taxes are not going to be increased the service are going to increase. It will cost the residents.

Jason Fink if there is a 1 mill. Increase we will pay the 1 mill increase as well. If nothing happens tonight and they demolish the mall they have every right to file an appeal to lower their taxes. The Township will receive a lot less in taxes at this point.

Joe Merrick so we will be stuck with this just like we are stuck with everything else.

Larry Spatz I built my house 1 year ago and had to pay my property taxes as the property became more valuable. If our taxes go up theirs should as well.

Scott Williams theirs will go up the same way.

Jason Fink They will continue to pay the $32,000 to the Township like they have been. That hasn’t changed. If the Township increases their millage rate Famvest will also pay the increase.

Terri Lauchle where is this info. You Mr. Fink need to come prepared.

Jason Fink Lerta wording is a state statue. You could have gone on your phone and looked this information up while we are sitting here.

Terri Lauchle you are trying to rebuttal. You are saying this is a state law.

Lee Jacobs asked if Famvest would use local builders. Are the local people going to benefit?

Ara stated that they use local engineers and contractors as long as they are competitive. We like to keep things local.

Gary Harmon stated that the original mall was built with a Lerta Ordinance.

Ann Smith so you are saying that if they place $50 million of new building they do not want to pay on that. You were elected to look out for the best interests of the Township. Remember the residents elected you.

Gary Harmon stated that he understands that He is putting the best interest of the taxpayers first. You have to take personal feelings out of it and vote on what is best. Remember I am a taxpayer in this Township as well.

Thomas Schaech every $1 costs the Township $1.5 in services.

Gary Jones so you are saying that residential has to go through the zoning process.

Terri Lauchle I have done my research on Famvest. They are part of PrimeCore. They are well versed in what they are doing. They have 30 years in investing. Jon has 25 years in real estate investment. He develops commercial properties. Reading over a list of documents she researched.

Scott Williams told Terri Lauchle her time was up.

Terri Lauchle This is our Township we can talk how long we want to. We have waited months. We did not vote you into office we voted o the supervisors.

Scott Williams just don’t want to waste our time.

Terri Lauchle continued reading her paperwork. Stating they are billionaires asking the taxpayers of Muncy Township for a tax break. They are receiving federal tax credits. Mr. Wiley is also the attorney for the commissioners that voted for the $5 million dollar loan. They asked LCWSA for an NDA why? They are a public utility. The public has a right to know what is going on. What are they hiding. I sent in a right to know request to LCWSA on January 26. It came back denied. How these men are given so much money without giving any information. The lady from LCWSA helped me rewrite my right to know at this time I still have not heard anything. We THE PEOPLE said no. We have a right to know. No one holds them accountable. The County the School and Muncy Bank sure don’t.

Scott Williams asked Terri Lauchle if she was done?

Terri Lauchle stated that she is not done. The supervisors took the oath of office to support the constitution of the US and commonwealth. You are elected by the people for the people. These men are coming for a tax break. This is their golden ticket with this ordinance. I called Marc Sortman this morning to talk to talk to him about this golden ticket. He said he would get back to me and guess what he never got back to me. I assume that he didn’t because of this very golden ticket that we have been talking about tonight. Thank you for your time. Kill this we do not want this. You should not vote on this tonight. We should have a referendum on the ballet and let the taxpayers vote on this.

Denise Artley I was not at the original meeting. Ara did call me to answer some of my questions. Thank you for coming tonight.. If the Lerta does not pass will you still proceed with the development?

Ara stated that he is not sure they will have to reevaluate.

Donnie Reese This Lerta tax is to entice a business to develop in our township. You people have stated that they will not bring a living wage. Businesses we have now don’t all have a living wage. If we don’t do this the Township should just shut its doors and just don’t build anything.

Genie Wines to my understanding it is to entice the businesses to come. The Township will make more money if businesses come here. I don’t know where all of you people will be in 10 years. I am worried about my children and grandchildren. If this helps them and it is just the beginning. These guys are a success story. They have done well all over the place. Remember this small group in this township do not speak for the majority of the residents.

Tom Croucher if they do not pass this tonight, they will knock down the mall and have it reassessed. Then the Township will lose money and our taxes will go up. It seems like a no brainer to me. Pass it.

Gary Jones Famvest is not going to leave if you don’t pass it. They are into the county for 5 million dollars. Everything we have been told is a lie. Get the Bush property out of this.

**FIRE REPORT:** Report on file.

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

**ROAD MASTERS REPORT**: Report on File

**OLD BUSINESS:**

**PERMIT OFFICER REPORT:**  zoning permit, 2 building permits.

**NEW BUSINESS:**

**SAFETY COMMITTEE**:

* **SAFETY MINUTES**: Gary Harmon motioned to accept the safety minutes for January. Denise Artley seconded the motion. Gary Harmon agreed. Motion carried.

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

**PUBLIC COMMENT:**

Fred Harris what did they just approve?

Paula Miller the Lerta

Denise Artley I opposed.

Gary Jones questioned on Feb 10 with changes to the zoning ordinance going into a contract.

Gary Harmon we still need to talk with attorney.

Paula Miller stated that you need a better doorbell when people come in.

Gary Harmon stated that we will look into it.

**ADJOURN:** Gary Harmon motioned to adjourn the meeting at 9:24 pm. Heath Ohnmeiss the motion. Denise Artley agreed. Motion carried..