

MOUNT JOY BOROUGH COUNCIL
January 2, 2018 Minutes

The Mount Joy Borough Council held its regular meeting on January 2, 2018, at the Mount Joy Borough Office. Mayor Timothy Bradley, Jr. called the meeting to order at 7:00 PM.

Roll Call- Present were Councilors Joshua Deering, Lu Ann Fahndrich, Mary Ginder, William Hall, Jon Millar, Michael Reese, Jake Smeltz, Brian Youngerman, Charles Glessner and Mayor Timothy Bradley, Jr. Staff present were Borough Manager, Samuel Sulkosky; Public Works Director, Dennis Nissley; Stormwater Officer, Dave Salley; Police Chief, Maurice Williams and Administrative Assistant, Andrea Zell. Codes and Zoning Officer; Stacie Gibbs was absent.

Mayor Bradley gave the invocation, and the Pledge of Allegiance followed.

Mayor Bradley collectively administered the Oath of Office to newly elected and re-elected Borough Council members, Deering, Fahndrich, Hall, Ginder, Reese and Youngerman.

Reorganization of Borough Council

Mayor Bradley introduced the reorganization of the Mount Joy Borough Council. Mayor Bradley opened the nominations for Council President. Youngerman made a motion to nominate Glessner; the nomination was seconded by Smeltz. Glessner accepted the nomination. Deering made a motion to nominate Smeltz; the nomination was seconded by Ginder. Ginder made a motion to close nominations for Council President; Glessner seconded the motion. Smeltz said that he is honored by the nomination but he believes that Glessner is a great Council President. Smeltz said that Glessner always makes himself available when needed and listens to concerns and corrects them. He suggested that the Councilors vote for Glessner for President. Voice vote for Glessner for Council President. *Motion carries unanimously.* President Glessner thanked Smeltz for his comments and thanked the Councilors for their votes.

Mayor Bradley opened the nominations for Council Vice President. Ginder made a motion to nominate Youngerman; the nomination was seconded by Reese. Youngerman accepted the nomination. There were no other nominations. Ginder made a motion to close nominations for Vice President; Reese seconded the motion. Voice vote for Youngerman for Council Vice President. *Motion carries unanimously.*

Mayor Bradley opened the nominations for President Pro-Tem. Youngerman made a motion to nominate Hall; the nomination was seconded by Reese. Hall accepted the nomination. There were no other nominations. Ginder made a motion to close nominations for President Pro-Tem; President Glessner seconded the motion. Voice vote for Hall for President Pro-Tem. *Motion carries unanimously.*

Mayor Bradley passed the gavel to President Glessner to preside over the remainder of the meeting. President Glessner welcomed Fahndrich and thanked her for her willingness to serve on Council. President Glessner asked Fahndrich to serve on the Public Safety Committee and he asked Deering to serve on the Public Works Committee.

President Glessner announced that an executive session was held on December 4, 2017, to discuss labor issues and December 18, 2017, for labor and legal issues. He also announced that there will be an executive session following the meeting to discuss legal issues.

On a **MOTION** by Hall, and a second by Ginder, approval was given to accept the agenda for the January 2, 2018, Borough Council meeting. *Motion carries unanimously.*

Public Input Period

Ferne Silverman, 630 Florin Avenue, thanked Fire Department Mount Joy (FDMJ) for their help with decorating the tree in the downtown for Christmas. She also thanked First Presbyterian Church and The Gathering Place for providing refreshments for the volunteers. Silverman said that due to extremely cold weather, the date to remove the Christmas decorations was moved to Saturday, January 13, 2018.

Mayoral Recognition

Mayor Bradley recognized and thanked those who have served the Borough as staff members, volunteers, or as elected officials during 2017. He welcomed all those returning or entering new positions of service for 2018. Mayor Bradley said that he hopes that all who serve experience fulfillment while giving their best to our community.

Mayor Bradley thanked Phil Colvin for his service as FDMJ Fire Chief over the past two years.

Report of Mayor

Mayor Bradley provided and reviewed a written monthly report for December 2017. He stated that he contacted PennDOT and Michael Baker representatives concerning the parking utilization study that had been initiated in the summer. He said that the conversation highlighted misinformation and several delays in the project. He reported that the delay was due to staffing issues as well as waiting on PennDOT approval. Mayor Bradley stated that he emphasized the need for increased coordination and communication. He informed Council that a meeting is scheduled on January 8, 2018, that will take place with the transportation committee.

Mayor Bradley said that he would like to see action taken in early 2018 regarding the ward boundaries in the Borough. He stated that he made a suggestion to the Administration Finance Committee to form a working committee to review the Borough's ordinances to make sure that they are in keeping with the times.

Report of the Chief of Police

Maurice Williams, Police Chief, provided and reviewed a written monthly report for November 15, 2017, through December 14, 2017. The report showed 32 traffic arrests and 17 criminal arrests for the month. There were 61 UCR reportable incidents and 391 CAD incidents for the month, with a total of 5,818 incidents year to date. Monies collected by the Police Department for the month for tickets, permits, reports, and services totaled \$3,736.07.

Report of Fire Department Mount Joy (FDMJ)

Phil Colvin, FDMJ Fire Chief, provided and reviewed a written monthly report for November 2017. Colvin announced that Matt Gohn is the newly elected Fire Chief and Gohn will be taking over on January 11, 2018. Colvin said that he greatly appreciated the cooperation and support over the past two years from the Borough while he was the Fire Chief. Colvin said he will still be involved in FDMJ and running calls.

Ginder thanked Colvin for his service. Hall thanked Colvin on behalf of the Public Safety Committee for his dedication to FDMJ. Mayor Bradley expressed his gratitude for the quality of the membership at FDMJ. He said that there are many individuals who can step into leadership roles and have no problem relinquishing their titles once their term is completed and continue to serve in other capacities. President Glessner thanked Colvin for his service.

Report of Main Street Mount Joy (MSMJ)

Kim Brewer, MSMJ Manager, provided and reviewed a written monthly report for December 2017. Brewer thanked the Columbia Borough for their assistance with installing the holiday banners.

Hall said that he is very excited about the summer banner program and he asked Brewer if the banners will be limited strictly to the military or will there be allowances for members of the fire department. Brewer said that there has been discussion regarding who will qualify for a banner possibly even hometown heroes. She said that the committee will need to come up with appropriate guidelines for who qualifies for a banner and how the banners will be rotated if more banners are sold than we have available spaces. Deering asked if Brewer is still working with the Veterans of Foreign Wars (VFW) and The American Legion on the banner program. Brewer said yes. Mayor Bradley said that this is a great way to connect the community to its past in a very meaningful way. He said that in World War I the town placed the names of the soldiers on the street posts. Mayor Bradley thanked Brewer for her efforts.

Youngerman asked for details on the future plans of the building at 65 East Main Street. Brewer said that she is currently working through possibilities for the building.

Brewer informed Council that she will be contacting the national historic trust regarding the sale of the R & R Automotive property.

Report of the Milanof-Schock Library (MSL)

Barbara Basile, Executive Director of Milanof-Schock Library, provided and reviewed a written monthly report for November 2017. Basile announced that MSL will be open on Fridays from 10 AM – 5 PM.

Report of Codes and Zoning Officer

Stacie Gibbs, Codes and Zoning Officer, provided a written monthly report for December 2017. Sulkosky reviewed the report due to Gibbs' absence.

Report of Stormwater Officer

Dave Salley, Stormwater Enforcement Officer, provided and reviewed a written monthly report for December 2017. Salley announced that Penn State will be holding a homeowner's guide to stormwater seminar at the MSL and he will be presenting at the event. Salley said that once the date and time is confirmed he will update Council.

Report of Public Works Director

Dennis Nissley, Public Works Director, provided and reviewed a written monthly report for December 2017. Nissley reported that he fielded questions regarding the snow removal policy due to the snow event over the weekend. He said that he directed residents to the website to view the Borough's winter operations policy. Nissley said that he and Salley are continuing to do street evaluations and in they will be providing a report to the Public Works Committee that will detail the street conditions in the Borough. Nissley stated that there will be a public open house and plans display of the Marietta

Avenue Pedestrian Improvement Project on January 23, 2018, at 6:00 PM in council chambers. He said that letters have been sent to the homeowners directly affected by the project inviting them to the event and it has been publicly advertised and added to the Borough website.

Hall asked if there was a resolution for the residents on Pink Alley regarding their reseeding issue. Nissley said that staff reseeded the area in late fall and we will be reevaluating in the spring.

Report of the Borough Authority Manager

John Leaman, Authority Manager, provided a written monthly report for December 2017.

Report of the Borough Manager

Samuel Sulkosky, Borough Manager, provided and reviewed a written monthly report for December 2017. Sulkosky stated that the Zoning Hearing Board variance was denied.

Deering asked what the next steps will be regarding the Lion's Club Pool. Sulkosky said that a detailed report was provided to Council and it should be discussed at committee levels.

Approval of the Minutes of the Previous Meeting

On a **MOTION** by Youngerman, and a second by Millar, approval was given for the minutes of the regular Borough Council meeting held on December 4, 2017. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Reese, approval was given for the minutes of the special Council meeting held on December 18, 2017. *Motion carries unanimously.*

Administration and Finance Committee

On a **MOTION** by Youngerman, and a second by Reese, a request was made to approve Resolution No. 1-18; reducing employee contributions to the Police Pension Plan for 2017.

On a **MOTION** by Hall and a second by Youngerman, the motion was tabled until documentation is provided. *Motion carries unanimously*

On a **MOTION** by Youngerman and a second by Reese, a request was made to approve the release of the Letter of Credit for SM Johns & Son Construction, LLC, located at 645 Donegal Springs Road, in the amount of \$165,000.00.

On a **MOTION** by Hall, and a second by Millar, the motion was tabled until documentation is provided. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Reese, a request was made to approve Resolution No. 2-18; The Mount Joy Borough Code of Conduct for Elected Officials.

Council discussed the policy and its importance. Smeltz requested that Council table the motion for a month to allow for input to improve on the document. Councilors agreed with this request. Youngerman withdrew the motion.

On a **MOTION** by Youngerman, and a second by Hall, a request was made to remove from the table the motion regarding Resolution No. 1-18; reducing employee contributions to the Police Pension Plan for 2017. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Reese, a request was made to approve Resolution No. 1-18; reducing employee contributions to the Police Pension Plan for 2017.

Hall stated that he remembers doing this every year that he has been on Council and questioned why we are continuing to waive the employee contribution. He said that if the pension fund is not fully funded then why does Council continue to waive employee contribution to the pension plan. President Glessner said that the reason Council chose not to ask for contributions was because there was enough money to cover the cost. Hall said that the contract does not require us to waive employee contributions. Smeltz said that Council should abide by what the contract says going forward. Sulkosky reminded council that this resolution is for the year 2017 and it is retrospective. Hall said that if we do not pass a resolution for 2018 it will affect payroll going forward. Sulkosky said that a resolution will be forth coming for 2018 contributions. Youngerman read a section of the Pennsylvania Code that states that the governing body of the borough, township or police department, may on an annual basis by ordinance or resolution, reduce or eliminate funds by members. Youngerman said that he would like to have the solicitor review this section. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Reese, a request was made to remove from the table the motion regarding the release of the Letter of Credit for SM Johns & Son Construction, LLC, located at 645 Donegal Springs Road, in the amount of \$165,000.00. *Motion carries unanimously.*

On a **MOTION** by Youngerman and a second by Reese, approval was given for the release of the Letter of Credit for SM Johns & Son Construction, LLC, located at 645 Donegal Springs Road, in the amount of \$165,000.00. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Reese, approval was given to pre-fund the voluntary employee Flexible Spending Accounts (FSA) with a pre-tax employee contribution per pay to reimburse the Borough up to maximum of \$2,650 FSA contribution annually per employee. *Motion carries unanimously.*

Report of the Public Safety Committee

On a **MOTION** by Hall, and a second by Deering, approval was given for Ordinance No. 1-18 (formerly Ordinance No. 5-17) Amending Chapter 255 Article III, §255-47 imposing a 26,000 pounds weight limit to North Market Avenue between Main Street to Hill Street.

Hall stated that truck drivers confuse North Market Street and North Market Avenue and make a turn onto North Market Avenue and get stuck. He said the signage should deter truckers from making this mistake. *Motion carries unanimously.*

On a **MOTION** by Hall, and a second by Smeltz, approval was given for a request by the Mount Joy Cyclones football team for a special exemption from the Borough Noise Ordinance for home games at the Lakes Park for the following dates in 2018; 3/24, 4/7, 4/21, 5/14, 6/2, 6/16 and 6/23.

Smeltz said that issues have been brought to his attention regarding the Mount Joy Cyclones football team's games. He said that he spoke to Deering at the Public Safety Committee meeting regarding the issues and he has been given personal assurances that Deering will do his best to make sure that the actions of the team will remain within the character of the community. Mayor Bradley said that there have been complaints related to trash, noise and parking. He said the amplification of the music seems to be the overwhelming issue that residents bring to our attention. Mayor Bradley said that his preference would be that the amplification only be used for the national anthem and play calling and eliminating the music. Reese asked what time the games begin. Deering said that the music begins at 2:30 PM and the game starts at 3:00 PM. Reese said that the type of music that is played is also a problem. Millar asked how long the music is played. Deering said the music starts 30 minutes before the game and 15 minutes at half time. Youngerman said that last year Council heard many complaints from homeowners around the park and he said that he is skeptical of the type of music that is played. Youngerman asked for Deering to give his personal assurance that the lyrics of the music that will be played at the games will be appropriate. Deering said yes. Youngerman asked if parking can be condensed. Deering said no. Fahndrich stated that the date 5/14 should be changed to 5/12.

An **AMENDMENT** by Hall, and second by Youngerman, approval was given to change the date from 5/14 to 5/12 on the original motion. *Motion carries. Deering abstained.*

On a **MOTION** by Hall, and a second by Smeltz, approval was given for a request by the Mount Joy Cyclones football team for a special exemption from the Borough Noise Ordinance for home games at the Lakes Park for the following dates in 2018; 3/24, 4/7, 4/21, 5/12, 6/2, 6/16 and 6/23. *Motion carries. Deering abstained.*

Report of the Public Works Committee

No business to discuss.

Public Input Period

Kim Brewer, MSMJ, clarified that the banner program consists of a small group of people with representatives from The American Legion, VFW, Historical Society and going forward Councilor Hall. She asked for Deering's understanding of a request that a more appropriate liaison be chosen from the organization he represents.

Bruce Haigh, 504 Rose Petal Lane, said he contacted Nissley regarding the snow removal over the weekend. He suggested that salt be put down due to the 14-day forecast. He said he received many calls from residents in his neighborhood due to the road conditions.

Any other matter proper to come before Council

President Glessner announced that a boot camp is offered by the Pennsylvania Boroughs Association for all Council members and it will be paid for by the Borough. Sulkosky said it will be held at the Eden Resort on February 2-3, 2018

Hall reported that the signage at New Street has been replaced. He also said that the Chief Williams did research on adding signage at the intersection of Park Avenue and Main Street. PennDOT will be adding signage to the location but it does not require action by Council for the addition. Hall also said that he has fielded questions regarding the Lion's Club pool. He said he does not believe that the municipality should take over due to liability but perhaps a regional recreation commission like the athletic association or soccer clubs might be interested in getting involved. President Glessner said he and Sulkosky have been looking into options. Smeltz said that there is a possibility of grant money that is available.

Smeltz updated Council on the study that has been conducted by PennDOT at the intersections of State Route 772 and Main Street. He said that they are considering several options to reroute 772 and he will be providing Council with more information when it is available.

Youngerman stated that the Administration Finance Committee has discussed drafting a letter to PennDOT regarding their management of the Train Station Project. Mayor Bradley cautioned against this action and said he wants to make sure that we are not pushing and pulling in two separate directions as borough officials when we are trying to get something accomplished. He said that PennDOT has agreed to a meeting regarding the parking study. Youngerman asked the Mayor if the meeting will include discussion of the R&R Automotive property. Mayor Bradley said that it might be brought up but the meeting will be regarding parking. Ginder asked who the meeting is open to. Mayor Bradley said that the meeting is limited to the transportation committee.

Authorization to Pay Bills

On a **MOTION** by Youngerman, and a second by Reese, Council approved paying the bills as presented.

GENERAL FUND	\$	137,395.29
REFUSE/RECYCLING	\$	46,304.51
CAPITAL IMPROVEMENTS FUND	\$	-
HIGHWAY AID FUND	\$	29,193.90
ESCROW FUND	\$	7,711.78
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	220,605.48

Motion carries unanimously.

Meetings and dates of importance

See the white calendar for the month of January 2018.

Council went into executive session at 8:53 PM for labor and personnel issues. Executive session ended at 9:54 PM.

On a **MOTION** by Hall, and a second by Millar, a request was made to approve a Resolution of the Borough Council of the Borough of Mount Joy, Lancaster County, Pennsylvania, reducing the employee contributions to the Police Pension Plan for the year 2018. Now therefore, be and it is hereby resolved, by the Borough Council of the Borough of Mount Joy, that Resolution No. 3-18, in accordance with pension regulations, it is resolved and enacted as follows: The governing body of the municipality eliminates employee pension contributions on an annual basis for the calendar year 2018. Voting Yes: Millar, Reese, Deering. Voting No: Hall, Smeltz, Glessner, Youngerman, Ginder, Fahndrich. *Motion fails 3 yes and 6 no.*

On a **MOTION** by Smeltz, and a second by Hall, approval was given for a resolution of the Borough Council of the Borough of Mount Joy, Lancaster County, Pennsylvania, reducing employee contributions to the Police Pension Plan for the month of January 2018. Now, therefore, be and it is hereby resolved, by the Borough Council of the Borough of Mount Joy, that Resolution No. 4-18, in accordance with pension regulations, it is resolved and enacted as follows: The governing body of the municipality eliminates employee pension contributions on a monthly basis for the month of January 2018. *Motion carries unanimously.*

Adjournment

On a **MOTION** by Ginder, and a second by Millar, approval was given to adjourn the meeting at 10:21 PM. *Motion carries unanimously.*

Respectfully Submitted,


 Samuel Sulkosky
 Borough Manager/Secretary

