

**MOUNT JOY BOROUGH COUNCIL**  
**December 7, 2015 Minutes**

The Mount Joy Borough Council held its regular meeting on December 7, 2015, at the Mount Joy Borough Office.

Council President Glessner called the meeting to order at 7:02 pm.

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

Roll Call- Present was: Present were Councilors Deering, Ginder, Metzler, Mowrer, Murray, Reese, Seidel, Youngerman, President Glessner and Mayor Bradley. Also present were Borough Manager, Scott Hershey; Public Works Director, Dennis Nissley; Police Chief, Williams; and Codes and Zoning officer, Stacie Gibbs.

Glessner announced there would be an executive session to discuss personnel matters held at the end of the meeting and that no decisions would be made.

**Presentations**

Randy Gockley, Lancaster County EMA Coordinator, presented Mayor Bradley with PA Emergency Management Advanced Certification. Gockley remarked that Mayor Bradley is the only Mayor in Lancaster County to complete the advanced certification.

Gockley presented Ken Barto with County PA Emergency Management Basic and Advanced certification.

Mayor Bradley and Council President Glessner presented a certificate of appreciation to outgoing Councilor Barry Mowrer for his time serving on Council. Youngerman thanked Mowrer for his service on the Florin ward and remarked that Mowrer made Mount Joy a better place. Murray echoed the remarks for Mowrer.

Mayor Bradley and Council President Glessner also presented a certificate of appreciation to outgoing Councilor Chris Metzler for his time serving on Council and serving as Council President. Murray thanked Metzler for his hours spent and the leadership he provided through challenging times.

**Public Input Period**

Ned Sterling, 13 W. Main St., asked if there will be a tax increase. Hershey said there would not be a tax increase.

Sterling asked if Borough employees would receive a 3.5% increase. Murray replied that there would not be a 3.5% uniform increase. Wages will be based on a recently completed wage study. Reese said there would be a total of 3.0% to be distributed but it would differ for each employee.

Sterling asked what the wage increase would be for the Police Department. Glessner said under contract, it is 3%

Sterling inquired about the property on New Haven Street with a barn and if the barn was going to be fixed. Bradley answered by informing Sterling that the barn was removed.

**Report of Mayor**

Mayor Bradley provided and reviewed a written monthly report for November. Bradley complimented the Donegal fall athletic teams on a job well done.

**Report of the Chief of Police**

A written monthly report was provided for October 15, 2015 through November 14, 2015. The report showed 31 traffic arrests and 18 criminal arrests for the month. There were 70 UCR reportable incidents and 444 CAD incidents for the month, with a total of 3,541 incidents year to date. Monies collected by the Police Department for the month for tickets, permits, reports, and services totaled \$2,307.59.

Mowrer asked if there was time for the newer officers to work with the detective. Chief Williams said that they assist the detective on follow ups and interviews as well as investigating their own cases giving them investigation experience. Mowrer asked why the detective closed cases numbers are down. Williams explained that it's the nature of the cases and that some are cold cases, which can't move forward. The Mayor added that the case numbers don't take into account the severity of the cases. Significant man hours are put into these cases. The department is not fully staffed and there are only 8 officers who can work on their own at this point.

Seidel said he has the same concerns as Mowrer. He asked if there can be a break down in the cold cases in the next police report. Williams said yes.

**Report of Fire Department Mount Joy (FDMJ)**

William Hall, Fire Chief, Fire Department Mount Joy, reviewed a written monthly report for November 2015. Hall reported that a recruiting day is set for January 23, 2016 with 14 other fire departments participating across the county.

Mowrer inquired about employers who are cooperative in allowing fireman to leave their jobs for a fire call. He also asked if we do anything for them in appreciation. Hall reported that 3 employers should be mentioned. J.B. Hostetter Hardware, Pennsy Supply and Mount Joy Borough Authority. J. B. Hostetter has been participating since the seventies and has also donated to the fund drive. Mayor Bradley remarked that employers have a larger commitment now than they did in the seventies due to increased number of calls. Youngerman said that there should be further discussion in regards to this matter.

Deering asked about where perspective recruits would go for the recruiting day. Hall explained that they would be reporting to their local fire company. Glessner asked how long it takes to train recruits. Hall said it varies on each candidate but it is about a three to nine month time frame. Murray asked how FDMJ is situated with fire police staffing. Hall said numbers are trending upward at about one per call and with advanced notice, such as Winterfest, it could be up to four..

Bradley and Glessner thanked Hall for his service.

### **Report of Main Street Mount Joy (MSMJ)**

Kim Brewer, Main Street Mount Joy Manager, provided the monthly report for November.

Brewer asked if all in attendance would call their local representatives regarding State funding for Main Street programs.

Brewer reported that Winterfest was a success. MSMJ increased that area of Winterfest by a block. Six businesses opened with events and there were record numbers in attendance. It was a fabulous evening. Brewer thanked Hershey for the help of the Public Works and Police department. She appreciated all of the help that was provided. Brewer thanked Metzler for cleaning the office.

4<sup>th</sup> Friday will be held on December 18<sup>th</sup> due to the Christmas Holiday.

Bradley inquired about the new cheese steak restaurant. Brewer said she was helping them find a manager for the restaurant.

Glessner thanked Brewer for her dedication.

### **Report of the Milanof-Schock Library**

No report provided. Debra Rosser-Hogben, Executive Director of Milanof-Schock Library, was in attendance.

Rosser-Hogben reported that there would be a local library system and county library merger. Youngerman asked how it would affect the library funding. Rosser-Hogben replied that the library is independent but relies on the county for some support with services such as cataloging, IT support, etc. The effects on the library remain to be seen. Youngerman asked for Rosser-Hogben's opinion. Rosser-Hogben said it is something to keep an eye on, the operation of the library is a combined effort and the library relies on those services mentioned. She said there would be public meetings regarding the merger. Deering asked to be notified when the meetings will occur, so Council members could attend.

Seidel asked if they would be adding Friday hours. Rosser-Hogben said that they would like to, but because of funding, are not able to at this point.

Rosser-Hogben reported that she will be retiring on Dec 30, 2015 and thanked Council for their support.

Bradley thanked Rosser-Hogben for her time and dedication. He also added that she was well respected in the community.

### **Report of Codes and Zoning Officer**

Stacie Gibbs, Codes and Zoning Officer, provided and reviewed a written monthly report for November 2015.

Gibbs reported that Council received the updates on new zoning ordinance. Hershey commended Gibbs and the Mount Joy Planning Commission for their work on the new zoning ordinance and stated that because of their work, revision of the Zoning Ordinance will be completed at a greatly reduced cost.

### **Report of Stormwater Officer**

Ken Barto, Stormwater Enforcement Officer, provided a written monthly report for November 2015.

Youngerman asked how stormwater violations are found and noted that it appears that stormwater facilities often fail inspections. Barto stated that because this is a new program, inspections have not been completed on a regular basis in the past which may be why the facilities fail the inspections.

Barto gave an MS4 Stormwater presentation which explained how rainwater can be good and bad. He shared information on how property owners and residents can play a part in minimizing pollutants entering the stormwater system improving stormwater quality.

Deering ask if the rust on the water tank on Lumber Street is a problem. Hershey said the tank was inspected, including an inspection of the interior of the tank and that it is structurally sound. He said that the rust is only a cosmetic issue. Borough Authority member, Bob Golicher, echoed Hershey's response and stated that the Authority does not like the looks of it, but it is structurally safe. He added that the cost to repaint the tower was close to one million dollars.

### **Report of the Borough Authority Manager**

Authority Manager, John Leaman provided a written monthly report for November 2015.

### **Report of the Borough Manager**

Borough Manager Hershey provided and reviewed a written monthly report for November 2015.

Deering asked if Council will see the final draft for LERTA. Hershey said yes. Deering also inquired about the MPO meeting time and date. Hershey responded that the MPO meeting is scheduled for December 14, 2015, at 12pm.

Seidel inquired about the status of the website. Hershey said it is not progressing as quickly desired. Gibbs explained that the staff is revising to be more user friendly and is expecting it to be completed by March 1, 2016. Deering asked if we have paid anything yet and also asked how many staff hours were being spent. Hershey responded that no payments have been made. He noted that a large amount of time was spent on regaining control of the Borough's domain names that were established many years ago. Reese commented that it has been in progress since May 2016 and it is still not finished. Deering echoed Reese's comments. Bradley asked if staff could prioritize pages for the website as a means to get the new website up and running. Deering asked if there was a written contract between the Borough and web designer. Hershey responded that there was a proposal.

### **Approval of the Minutes of the Previous Meeting**

On a **MOTION** by Metzler, and a second by Youngerman, approval was given for the minutes from the Regular Borough Council Meeting held on November 2, 2015, and the Special Borough Council meetings held on November 10, 2015, and November 24, 2015, as revised. *Motion carries unanimously.*

### **Administration and Finance Committee**

Glessner announced public hearing on a request by H&R Transload, LLC, located at 900 Square Street, Mount Joy, to change the zoning classification of a tract of land containing 0.38 acre, more or less, situate on the south side of Square

Street and West side of South Market Avenue, (known as 207 South Market Avenue) which now includes the adjoining Penn Central Transportation Company Easement being 8 feet by 216 feet, more or less and which was part of 900 Square Street, from Medium Density Residential to Light Industrial Zoning District.

On a **MOTION** by Youngerman, and a second by Murray, approval was given to open public hearing by H&R Transload, LLC, to change the zoning classification of a tract of land. *Motion carries unanimously.*

Keith Good, CGA Architects, representing H&R Transload, gave a presentation on the written plan information provided. Mike Higgins, representing H&R Transload, gave an overview of the business and future plans.

Ned Sterling, 13 W. Main St., asked if the house on the corner of Square St. and Market St. is a single family or multi-family dwelling. Higgins said it is a single family dwelling and that there are no plans to knock houses down or make any changes to the residences.

On a **MOTION** by Youngerman, and a second by Murray, approval was given to close public hearing by H&R Transload, LLC, to change the zoning classification of a tract of land. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Murray, approval was given to enact Ordinance #6-15, changing the zoning classification of a tract of land containing 0.38 acre, more or less, situate on the south side of Square Street and West side of South Market Avenue, (known as 207 South Market Avenue) which now includes the adjoining Penn Central Transportation Company Easement being 8 feet by 216 feet, more or less and which was part of 900 Square Street, from Medium Density Residential to Light Industrial Zoning District. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Murray, approval was given for a request by H&R Transload, LLC, located at 900 Square Street, Mount Joy, to join the property known as 207 South Market Avenue, and identified on the proposed plan as Lot B, with the lot to the west known as 900 Square Street and identified on the proposed plan as Lot A. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Murray, approval was given to adopt Resolution # 16-15, appointing individuals to various boards, commissions and positions.

Seidel noted the appointment of Rick Hamm to serve on the Borough Authority Board. Seidel stated that not one Council member sits on the Authority Board and suggested Council consider appointing a member to the Authority Board. Glessner said we will have to see if it is legally allowed and report back.

Seidel suggested reconsidering the appointment of Arro as the Borough's engineer. Glessner asked why Seidel is suggesting this. Seidel said because of recent transgressions with paperwork incorrectly submitted that could have cost the Borough money. Hershey said that this is in reference to the Union School Road project and that it was not a fatal error. He said that Arro is willing to work with the Borough to correct the problem and feels Arro is valuable to have as the Borough's engineering consultant. Gibbs agreed with Hershey that Arro is very valuable and said the Borough has worked closely with Arro for many years, and that Arro responds to requests in a timely manner; Arro is very familiar with the Borough's Ordinances, can provide competent review letters and recommendations and have had nothing but positive interactions with their firm.

Deering asked if the Borough has considered any other engineering firms. Hershey said no, Arro has always been the Borough's engineer. Seidel said the Administration and Finance Committee has not been doing their due diligence and asked Council to consider not appointing Arro as engineer. Glessner said the Borough never had any problems with Arro in all the years that the Borough has worked with them and did not feel the Borough needed to look at any other firms. Murray said he has an issue with Seidel's comment.

Reese suggested appointing Arro for only one year instead of two and in that time research and revisit this at the end of the year. Seidel asked if the Borough can use Arro without appointing them. Hershey said no. Seidel asked if we can use another engineering firm along with Arro being appointed. Hershey said yes in cases where Arro does not have staff members with the expertise in the area needed.

Youngerman made a **MOTION**, with a second by Murray, to amend the motion to appoint Arro for one year, not two years, according to Resolution # 16-15. *Motion carries.* Deering abstained.

On a **MOTION** by Youngerman, and a second by Murray, approval was given to adopt Resolution # 17-15, establishing meeting dates and times for the 2016 calendar year.

Deering asked if Public Safety Committee meeting's time could be changed to 6:30pm instead of 6:00pm. Youngerman made a **MOTION**, with a second by Murray, to amend the motion to change Public Safety Committee meeting's time from 6:00pm to 6:30pm according to Resolution # 17-15. *Motion carries unanimously.*

#### **Report of the Public Safety Committee**

On a **MOTION** by Metzler, and a second by Deering, approval was given for a request by Holly Shultz for installation of a Handicapped Parking sign at 743 West Main Street. *Motion carries unanimously.*

On a **MOTION** by Metzler, and a second by Deering, approval was given for a request by Stephen Ihnat for installation of Deaf Child signs to be installed in the vicinity of 451 South Plum Street. *Motion carries unanimously.*

Metzler reported on the matrix request Seidel asked for from November's council meeting. He stated that Public Safety Committee decided to put this on the January meeting agenda due to the fact that the committees will be restructured at the beginning of the year.

#### **Report of the Public Works Committee**

Nissley provided and reviewed the monthly written report for November 2015.

On a **MOTION** by Seidel, and a second by Mowrer, approval was given for a request by Ruth Schwartz for a waiver of Chapter 232, Section 59E, as restated by Ordinance #2-15, prohibiting downspouts and rain gutters from being placed within the sidewalk and/or curb at 55 Marietta Avenue.

Deering spoke with concerns of waivers being requested too frequently. Gibbs said that with each situation, residents are provided with all options and the waiver request is one of those options. Mayor Bradley said he has had concerns with this as well, but there are residents that have real challenges with being able to dispose of stormwater. He said his hope is that Council will continue with the process of considering waivers. Deering said that if waivers continue to be granted, the system is broken. Youngerman said that if permits issued over time, the system is not broken and that the majority of permits do not require an exemption. *Councilors Glessner, Mowrer, Murray, Seidel and Youngerman voting yes. Councilors Deering, Ginder, Metzler and Reese voting no. Motion carries 5 to 4.*

On a **MOTION** by Seidel, and a second by Mowrer, approval was given a request by the Florin Hill Partnership for a reduction of Letter of Credit #D006898 in the amount of \$9,381.50 leaving a balance of \$3,028.15 for the work remaining to complete improvements to the Stormwater Management Basin located at the Borough Public Works Facility, 25 South Melhorn Drive, Mount Joy. Deering said he has concerns with approving this with all the street dedication issues that are going on up there. Seidel said the motion is strictly for the water retention basin. Hershey said this is a separate project unrelated to the streets. *Motion carries unanimously.*

**Public Input Period**

Dave Schell, of Shell's Web Design, was present mid-way through the meeting, and stated that he understood there were concerns about the website. Deering asked where we were in the website process. Schell responded that the website should soon be ready to go live as soon as staff is able to supply all the information needed. Mayor Bradley said that the concerns are content and information and asked if there was an option to launch just the essential information pages now. Schell responded that yes, we could do that, but he still needs the information from staff. He said that based on the Borough's staffing levels and their other responsibilities, seven months is a reasonable amount of time to get the website up and running. He said he spent a lot of time on problems with the Borough's domain name.

Deering asked the progress with the online bill pay. Schell said that staff is not ready to do online bill pay. He said this is not an easy process and there is a lot involved in getting this in place. Deering asked what the time line is for getting this in place. Gibbs said that it is hard to say and that the Borough and Borough Authority's refuse/recycling and water/sewer software programs would have to be in sync with the website which has to be in sync with the bank. Schell cautioned Council that online bill pay is something that has to be completely ready for before being launched.

Bob Golicher commented on storm water exemptions and suggested that the Borough look at the big picture when making decisions.

Metzler thanked everyone for the privilege of serving on Borough Council.

Mayor Bradley suggested assessing the new website to determine the minimum needed for an effective launch. Reese asked what the advantages are of going piece by piece rather than waiting to launch until all information is gathered. Mayor Bradley responded that it makes sense because websites evolve as time goes on anyway. Schell commented that if a website is not complete, it will spawn more questions from residents and phone call volume will be higher. Deering asked if Council could get the URL for the test website. Hershey said yes.

**Any other matter proper to come before Council**

Seidel made a **MOTION**, with a second by Deering to request Neighborhood Electric Vehicles (NEV) are permitted on designated areas listed at 25 mph but not 35 mph within the Mount Joy Borough.

Hershey provided a memo and reported that, per the revisions to the Vehicle Code, NEV's are permitted on public streets where the speed limit is 25 mph or less. Council action would be required only for streets where the speed limit is greater than 25 mph but not greater than 35 mph. The only streets in the Borough with speed limits over 25 mph are PennDOT streets over which the Borough has no authority. PennDOT would need to authorize the use of NEV's on those roadways. Action by Council would only be required if the Borough desired to prohibit these vehicles from particular streets because the vehicles were determined to be a hazard.

Seidel withdrew his **MOTION**, with a second by Deering.

**Authorization to Pay Bills**

On a **MOTION** by Youngerman, and a second by Murray, the Council unanimously approved paying the bills as presented:

GENERAL FUND	\$	97,792.83
REFUSE/RECYCLING	\$	39,788.41
CAPITAL IMPROVEMENTS FUND	\$	20,750.00
HIGHWAY AID FUND	\$	11,332.11
TAX ACCOUNT	\$	3,721.82
ESCROW FUND	\$	1,411.24
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	174,796.41

*Motion carries unanimously.*

**Meetings and dates of importance**

See the green calendar for the month of December 2015.

Council went into Executive Session at 10:30 pm to discuss personnel matters. Executive session ended at 11:30pm. No decisions followed.

**Adjournment**

On a motion by Metzler, and a second by Mowrer, approval was given to adjourn the meeting at 11:30pm. *Motion carries unanimously.*

Respectfully Submitted,



Scott Hershey  
Borough Manager/Secretary

