

MOUNT JOY BOROUGH COUNCIL
February 5, 2018 Minutes

The Mount Joy Borough Council held its regular meeting on February 5, 2018, at the Mount Joy Borough Office. President Glessner called the meeting to order at 7:00 PM.

Roll Call- Present were Councilors Joshua Deering, Lu Ann Fahndrich, Mary Ginder, Charles Glessner, William Hall, Michael Reese, Jake Smeltz and Brian Youngerman. Staff present were Borough Manager, Samuel Sulkosky; Public Works Director, Dennis Nissley; Stormwater Officer, Dave Salley; Police Chief, Maurice Williams; Zoning and Codes Officer, Stacie Gibbs and Administrative Assistant, Andrea Zell. Councilor Jon Millar was absent. Mayor Timothy Bradley, Jr. arrived at 7:05 PM.

President Glessner gave the invocation, and the Pledge of Allegiance followed.

President Glessner announced that an executive session was held on January 2, 2018, to discuss labor issues and personnel issues. Decisions were made with Council voting on Resolution No. 3-18 which was not approved and Resolution No. 4-18 which was approved.

On a **MOTION** by Reese, and a second by Ginder, approval was given to accept the agenda for the February 5, 2018, Borough Council meeting. *Motion carries unanimously.*

Public Input Period

None

Report of the Chief of Police

Maurice Williams, Police Chief, provided and reviewed a written monthly report for December 15, 2017, through January 14, 2018. The report showed 29 traffic arrests and 19 criminal arrests for the month. There were 70 UCR reportable incidents and 347 CAD incidents for the month, with a total of 6,165 incidents year to date. Monies collected by the Police Department for the month for tickets, permits, reports, and services totaled \$0.00.

Report of Fire Department Mount Joy (FDMJ)

Matt Gohn, FDMJ Fire Chief, provided and reviewed a written monthly report for December 2017 and the 2017 annual report.

Report of Main Street Mount Joy (MSMJ)

Kim Brewer, MSMJ Manager, provided and reviewed a written monthly report for January 2018.

Hall asked when the new brewery will be opening. Brewer said that the owners have not given a specific date but are hoping to be open this summer. Reese asked what the parking plans are for the brewery. Gibbs said that there are no parking plans. Brewer said that they are working on parking agreements.

Report of the Milanof-Schock Library (MSL)

Barbara Basile, Executive Director of Milanof-Schock Library, provided and reviewed a written monthly report for January 2017. Basile said that MSL had 250 children programs in 2017 and 4,500 people participated in those events. She said that she is pleased with the response that residents have had to the addition of Friday hours.

Report of Codes and Zoning Officer

Stacie Gibbs, Codes and Zoning Officer, provided and reviewed a written monthly report for January 2018 and the 2017 annual report. Gibbs informed Council that there will not be a Planning Commission meeting in February due to no new business but the meeting in March will include the final plan for Laurel Harvest Labs. Gibbs invited Council to attend the meeting to hear the recommendations that the Planning Commission might have. Smeltz asked what the Planning Commission is required to look at regarding Laurel Harvest Labs. Gibbs said they are looking at the plan and making sure it is consistent with our subdivision and land development and stormwater ordinances.

Report of Stormwater Officer

Dave Salley, Stormwater Enforcement Officer, provided and reviewed a written monthly report for January 2018.

Deering asked if the paving maintenance plan is posted on the website. Salley said that the plan will be presented to the Public Works Committee on February 12, 2018.

Report of Public Works Director

Dennis Nissley, Public Works Director, provided and reviewed a written monthly report for January 2018. Nissley said that the street evaluation survey is completed and will be presented to the Public Works Committee on February 12, 2018. He

said that the Public Meeting for the Marietta Avenue Pedestrian Improvement project was held on January 23, 2018. Nissley reported that the North Plum Street and New Haven Street projects are being publicly put out for bid next week.

Hall asked when the sidewalks will need completed for the North Plum Street project. Nissley said May 31, 2018. Nissley said the Florin Church of the Brethren has been given the option to transition from a sidewalk to a walking path to alleviate the problem with a sidewalk to the edge of the Borough. He said that snow would be an issue for them to keep clear and it would also help with stormwater management to have a grass swale along the road. Hall pointed out that the sidewalk would go to the edge of the Borough with no connection. He said that he hopes that the Public Works Committee will look at excluding this property for a sidewalk that goes to nowhere. Nissley said that due to the plans for the Complete Streets and making the Borough more accessible, we need to be careful not to pick and choose who receives waivers. Hall said that years ago Council chose to not have sidewalks on the south side of Main Street. Sulkosky said that item was used against the Borough in the grant process.

Report of the Borough Authority Manager

John Leaman, Authority Manager, provided a written monthly report for January 2018.

Report of the Borough Manager

Samuel Sulkosky, Borough Manager, provided and reviewed a written monthly report for January 2018. Employee benefit meetings were held for Flexible Spending Accounts, Pension Plan, 457 Plan and Aflec Plans.

Deering asked if there is a timeline for the completion of the pipeline crossing Main Street in the Borough. Sulkosky said he does not know when it will be completed.

Mayoral Recognition

Mayor Bradley introduced Elaine and Russel Kuhns. Mayor Bradley stated that Elaine has recently been recognized by the Rotary Club and Representative Hickernell for her work with The Mount Joy Food Bank and Mount Joy Helping Services. Mayor Bradley recognized Elaine for her many years of faithful service volunteering with Mount Joy Helping Services and the Mount Joy Food Bank. Elaine said that this is a special recognition and it also recognizes the many people behind it. She said that Mount Joy Helping Service was started by Borough Council and that in 1947 Borough Council had a coal fund that they used to help buy coal for poor families. She said that council turned it over to a group of interested citizens that were funded by the Red Feather. Kuhns said that Council has themselves to thank because they got the program started. Mayor Bradley thanked Russell Kuhns for his support to Elaine as she served her community.

Report of Mayor

Mayor Bradley provided and reviewed a written monthly report for January 2018. He stated that his meeting with PennDOT was rescheduled for Thursday, February 8, 2018. Mayor Bradley said that he intended on meeting with PennDOT face to face but they are only available for a telephone interview unless the meeting was scheduled before 3:00 PM. Mayor Bradley reported that he was contacted by the Lancaster County Chamber Women in Business to discuss the possibility of hosting in their mentoring program.

Approval of the Minutes of the Previous Meeting

On a MOTION by Hall, and a second by Reese, approval was given for the minutes of the regular Borough Council meeting held on January 2, 2018. *Motion carries unanimously.*

Administration and Finance Committee

On a MOTION by Youngerman, and a second by Reese, approval was given for Resolution No. 5-18; A Resolution of the Borough Council of the Borough of Mount Joy, Lancaster County, Pennsylvania, appointing Northwest Savings Bank as a depository for Borough funds with a term expiring 1/1/2020. *Motion carries unanimously.*

On a MOTION by Youngerman and a second by Reese, a request was made to approve a Preliminary/Final Land Development Plan for Square Deal 950 for a proposed building expansion, off-street parking and stormwater facilities located on their property at 950 Square Street, Mount Joy, conditioned upon compliance with the comment letters.

Todd Vaughn, David Miller Associates, gave a presentation on the Preliminary/Final Land Development Plan. Gibbs stated that it has been agreed upon that a pedestrian walk way will be installed for connectivity until the Borough improves the alley. At that time, the owners will be required to install the sidewalks. Smeltz asked if there is legal documentation requiring the installation of curbs and sidewalks. Vaughn said yes it will be a recorded document that was prepared by the Borough solicitor. Vaughn said that the deferment is for the walking path. Hall stated that the walking path does not make any connections to other paths and no other sidewalks. Vaughn said that you have to start somewhere and the ones that you start with do not connect with other paths but the hopes are that eventually you start making those connections. Hall said that Council needs to decide if we want our connectivity through the alleys of our town. *Motion carries unanimously.*

On a MOTION by Youngerman, and a second by Reese, a request was made to authorize the execution of a Stormwater Management Agreement, Road Improvements Agreement, and a Pedestrian Access Agreement for Square Deal 950, upon receipt of documents executed on behalf of the landowner.

Gibbs said that the road improvement agreement describes the requirements that Smeltz was referring to regarding future work. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Reese, a request was made to approve a waiver of Section 232.7.C from the CTD Group, requesting to post a cash escrow in the amount of \$1,000.00, rather than a bond or letter of credit for a street opening permit at 540 Clay Alley, Mount Joy, PA. Consider letter from UGI to establish an annual escrow for street opening permits in the amount of \$2,000 in accordance with Section 232.7(B).

Gibbs explained that the escrow is held for two years to ensure that the work is properly completed and if issues arise the funds can be taken from the escrow for repair. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Reese, a request was made to remove from the table Resolution No. 2-18, Code of Conduct for Elected Officials. *Motion carries unanimously.*

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

Sulkosky stated that two additions were made after Council's input. The additions were sections 8 and 9. *Motion carries unanimously.*

Council discussed the reapportionment of the Borough's Wards. Reese stated that if Council chooses to adopt the at large system then there would be no need to reapportion the wards. Sulkosky said that there are two options that Council must consider. The two options are redrawing the wards or adopting an at large system. He said that the at large system requires the reduction of two seats on Council from nine members to seven members. The ward system would require redrawing the lines to balance the number of people in each ward. He directed Council to view the three redrawn ward models supplied in the packet. Sulkosky said that according to the Borough Code, reapportioning should be completed after a census which means it should have been completed in 2012. Hall asked if there is a possibility to take action now with an effective date of January 2019. Mayor Bradley stated that Council members do not represent their wards exclusively. He said that there have been several issues that have come up over the past four years that Council members who represented different wards have championed for people outside of their ward. He said it becomes limiting when a Council member who is still willing to serve but moves to a ward where there is not an available seat. Mayor Bradley said that if Council's vote effects the entire Borough then give the entire Borough the ability to say yay or nay on a candidate. Smeltz agreed with Mayor Bradley and said that he believes that bigger is not always better and seven members would be an appropriate number. He stated that he has only casted votes for the entire Borough not just his ward. Smeltz pointed out that if the at large system is adopted then Council would never have to reapportion again. Youngerman said that he sees the benefit to a larger Council and said that there is much experience and institutional knowledge within the current Council members. He believes that the loss of two members would be a loss to the Borough. Youngerman also said that he thinks the committees work well with three members in each committee. Hall stated that he is in favor of reapportioning the wards. Reese said that he does not think Council members vote by their ward but he is concerned about the committees only having seven members. Smeltz said committees would transition into work sessions where everyone figures it out together. Mayor Bradley said that there are benefits to having committees to spread the work load. President Glessner suggested to wait until the next Council meeting for a decision. Hall asked for the Administration and Finance Committee to select one model of the reapportion of the wards and bring it as the option to the March 5, 2018, Council meeting. Gibbs said Council will need to reapportion after the 2020 census.

Report of the Public Safety Committee

On a **MOTION** by Hall, and a second by Smeltz, a request was made to approve the closure of Main Street between Angle Street and Barbara Street from 1:30 PM to 4:00 PM, on May 26, 2018, and authorize Police Chief Williams to submit the necessary applications to PennDOT for the closure permit for the Memorial Day Parade, conditioned upon the Mount Joy Memorial Day Parade Committee providing all necessary completed forms and documentation. *Motion carries unanimously.*

On a **MOTION** by Hall, and a second by Smeltz, a request was made to approve the installation of a Crosswalk sign(s) at the east entrance of Sassafra Terrace and Park Avenue on East Main Street. *Motion carries unanimously.*

On a **MOTION** by Hall, and a second by Smeltz, a request was made to adopt Resolution No. 8-18, authorizing the trade-in of a 2011 Ford Crown Victoria toward the purchase of a new 2018 Dodge Charger through the PA COSTARS Purchasing Program Contract # 013-108 from Susquehanna Chrysler Dodge Jeep Ram for a trade-in value of not less than \$2,500. *Motion carries unanimously.*

On a **MOTION** by Hall, and a second by Smeltz, a request was made to approve Resolution No. 9-18, authorizing the purchase of a new, 2018 Dodge Charger, through the PA COSTARS Purchasing Contract # 013-108 from Susquehanna Chrysler Dodge Jeep Ram including upgrades for a price not to exceed \$35,000 plus Tags. *Motion carries unanimously.*

On a **MOTION** by Hall, and a second by Smeltz, a request was made to approve Resolution No. 10-18, a Resolution of Borough Council to allow the suspension of a banner across SR 230 from April 27, 2018 to May 12, 2018 near the Borough Offices at 21 East Main Street, Mount Joy as requested by Lancaster Mennonite School, Kraybill Campus for their Lancaster Mennonite School – Kraybill Campus Auction on May 11, 2018.

Deering asked if the issues were resolved with the banner poles. Nissley said that staff uses the bucket truck to install the banners. Deering asked if the poles are under warrantee. Nissley said no.

Report of the Public Works Committee

On a **MOTION** by Deering, and a second by Ginder, a request was made to adopt Resolution No. 6-18, authorizing the trade-in of a 2002 Chevrolet Tahoe toward the purchase of a new 2018 Dodge Ram Tradesman 2500 through the PA COSTARS Purchasing Program Contract # 013-108 from Susquehanna Chrysler Dodge Jeep Ram for a trade-in value of not less than \$2,850.

Reese said there is an error on the dollar amount of the resolution on the paragraph beginning with whereas. It should be corrected to 2,850.00. *Motion carries unanimously.*

On a **MOTION** by Deering, and a second by Ginder, a request was made to approve Resolution No. 7-18, authorizing the purchase of a new, 2018 Dodge Ram Tradesman 2500, through the PA COSTARS Purchasing Contract # 013-108 from Susquehanna Chrysler Dodge Jeep Ram with additional equipment of a Fisher XV2 Stainless Steel power V plow 9'6" through E.M Kutz and Lighting Package through Global Public Safety, LLC for a price not to exceed \$34,000 plus Tags. *Motion carries unanimously.*

Public Input Period

Bruce Haigh, 504 Rose Petal Lane, said he is the person that brought forth the issue of the ward boundaries. He encouraged Council to read the Borough Code. Haigh said that if Council chooses an at large system then they would abolish the wards and have a seven-member council. He said that sitting borough council members will finish their term even if Council chooses the at large system. He said that in the State Senate there has been a bill that has been introduced that would allow Boroughs to do the same as municipalities to establish stormwater management districts. He stated that 50 years ago he was in Vietnam during the Tet Offensive. President Glessner thanked Haigh for his service.

Any other matter proper to come before Council

Hall said that the Public Safety Committee continues to work on the Facilities Use Form and once they finish they will pass it onto the other committees.

Deering asked for an update on the online bill pay. Sulkosky said that the Borough and Borough Authority solicitors discovered some legal issues with the contract and there is a possibility that we will be looking at a different company.

Authorization to Pay Bills

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

GENERAL FUND	\$	200,674.54
REFUSE/RECYCLING	\$	44,094.77
CAPITAL IMPROVEMENTS FUND	\$	4,880.94
HIGHWAY AID FUND	\$	16,184.27
ESCROW FUND	\$	1,297.59
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	267,132.11

Motion carries unanimously.

Meetings and dates of importance

See the pink calendar for the month of February 2018.

Council went into executive session at 8:22 PM for labor and personnel issues. Executive session ended at 8:46 PM. President Glessner stated that personnel, real property and labor issues were discussed. No decisions were made.

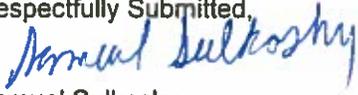
President Glessner announced the appointment of Fahndrich as the Council Liaison for Main Street Mount Joy replacing Smeltz. Fahndrich accepted the appointment.

Council had a discussion concerning the Pennsylvania Cable Network (PCN) Exploring Pennsylvania Boroughs program. Council agreed that Ginder would be the Council representative on the program. Ginder agreed to participate on behalf of Council.

Adjournment

On a **MOTION** by Smeltz and a second by Deering, approval was given to adjourn the meeting at 8:54 PM. *Motion carries unanimously.*

Respectfully Submitted,



Samuel Sulkosky
Borough Manager/Secretary