

MOUNT JOY BOROUGH COUNCIL
March 6, 2023, Minutes

The Mount Joy Borough Council held its regular meeting on March 6, 2023.

President Hall called the meeting to order at 7:03 PM.

Roll Call- Present were Councilors, Lu Ann Fahndrich, Mary Ginder, Bruce Haigh, Eric Roering, Bob Ruschke, Brian Youngerman, President William Hall and Mayor Timothy Bradley, Jr. Staff present were Borough Manager, Mark G. Pugliese I; Assistant Borough Manager/Finance Director, Jill Frey; Public Works Director, Dennis Nissley; Codes, Zoning and Planning Administrator, Duane Brady, Jr.; Police Chief, Robert Goshen and Administrative Assistant, Lisa Peffley. Absent were Dominic Castaldi and David Eichler.

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

President Hall announced there was no Executive Session between the February meeting and the March meeting of Council.

On a **MOTION** by Roering, and a second by Ruschke, a request was made to accept the agenda for the March 6, 2023, Borough Council Meeting Agenda. An **AMENDMENT** by Roering, and a second by Ruschke, to remove the Eagle Scout Project presentation. *Amendment passes. Main motion carries unanimously as amended.*

Castaldi joined the meeting at this time.

Public Input Period

Ron Grose, 210 Pinkerton Rd, said he has a checklist of items he would like to go over. First, he wanted to thank the Chief for watching speeders on Pinkerton Road. Grose also said thank you for putting a covering in front of some of the storm water drain inlets because there was a big gap spread and he was worried about a kid crawling down there. He said there is a big utility truck parked along Pinkerton Road for almost a week now, and other people are starting to park along Pinkerton Road also. His understanding was it is not supposed to be parked on and that it was intended for a bike path. He asked what the final plan was. Will there be street parking, or will it be a bike path? He commented on CMS, a construction company, and he doesn't approve of his style. He said he copied some of the email correspondence he has had with CMS. He said he saw on the agenda there is an agenda item regarding help with some expenses for people on Pinkerton Road for putting their driveways back in order. He is happy to see that. He wanted to know when they will be seeing the bills for the curbs. He also commented on the agenda item regarding the exception to the alcohol prohibition for the Fete en Independence event at Little Chiques Park. He asked what the liability is and why we can't have a place where we don't have alcohol at. He said there are 12 places between Gus's and Hummers to get alcohol.

Ned Sterling, 13 W Main St., said he asked Kerry Myers with the Chamber to take a poll at their next board meeting in regards to the Borough building remaining on Main Street as opposed to moving it to the Grandview location. He said Myers reported back that overwhelmingly the members had no preference. However, he does not feel this survey was productive because most of the board members are not Borough residents.

Report of Mayor

Mayor Bradley provided a written report for February 2023. Mayor Bradley congratulated Chief Goshen and Sergeant Drexel for completing the School of Police Staff and Command at Northwestern University.

Report of the Chief of Police

Robert Goshen, Police Chief, provided a written monthly report for January 1, 2023, to January 31, 2023. The report showed 68 traffic arrests and 20 criminal arrests for the month. There was a total of 825 incidents for the month of January, with a total of 825 incidents year to date.

Report of Fire Department Mount Joy (FDMJ)

Brett Hamm, FDMJ Fire Chief, provided and reviewed a written monthly report for January 2023.

Report of PSH Life Lion

Adam Marden provided a written monthly report for January 2023.

Northwest EMA

No report.

Report of EMA

Mayor Bradley provided a written report for February 2023. Mayor Bradley said he is awaiting NARM information in order to finalize the updated Borough emergency operation for 2023. Mayor Bradley discussed the Incident Action Plan for the Make-A-Wish Mother's Day Convoy with Chief Goshen and informed him that the plan will be completed by Rapho Township EMA Coordinator and shared with participation municipalities.

Report of the Milanof-Schock Library (MSL)

Joseph McIlhenney provided and reviewed a written monthly report for January 2023.

Report of Code/Zoning & Planning Administrator

Duane Brady, Jr., Codes, Zoning and Planning Administrator, provided a written monthly report for February 2023.

Stormwater, Projects & Grants Coordinator

No Report.

Report of Public Works Director

Dennis Nissley, Public Works Director, provided a written report for February 2023. Nissley said final paving for the Pinkerton Road project is scheduled for the first week in April.

Report of the Borough Authority Manager

Joseph Ardini, Authority Manager, provided a written monthly report for February 2023.

Report of the Assistant Borough Manager/Finance Officer

Jill Frey, Assistant Borough Manager/Finance Officer, provided a written report for February 2023.

Report of the Borough Manager

Mark G. Pugliese I, Borough Manager, provided a written report for February 2023.

Approval of the Minutes of the Previous Meeting

On a **MOTION** by Roering, and a second by Ruschke, approval was given for the minutes of the regular Borough Council meeting held on February 6, 2023. *Motion carries unanimously.*

Building Ad Hoc Committee

Deering said at their last meeting, Committee spent most of the time talking about the zoning so at this point everything is on hold.

On a **MOTION** by Roering, and a second by Ruschke, a request was made to amend subsection 270-15 of the Borough Ordinance as recommended by the Borough Solicitor. An **AMENDMENT** by Haigh, and a second by Roering, a request was made to rescind last month's guidance. *Amendment passes. Main Motion as amended carries 7-1, Youngerman voting No.*

Administration and Finance Committee

On a **MOTION** by Youngerman, and a second by Roering, a request was made authorize the Borough's Financial Officer to transfer Department of Justice grant funds in the amount of \$49,996.80 from the General Fund to the Capital Fund. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Roering, a request was made to adopt **Resolution 2023-05** appoint Codes Administrators, Inc, as the Boroughs Codes Inspection service provider. *Motion carries unanimously.*

Pugliese gave a briefing on GFL Environmental refuse fees, comparing the fees for December 2022 and January 2023 showing the reason why Council needed to raise fees for residents and businesses for 2023.

On a **MOTION** by Youngerman, and a second by Roering, a request was made to remove from the table a motion made by Youngerman and seconded by Roering to advise EdgeUP Technology to remove the equipment from the building as a "failed system" and receive a full refund. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Roering, a request was made to advise EdgeUP Technology to remove the equipment from the building as a "failed system" and receive a full refund. *Motion is defeated.*

Report of Public Works Committee

On a **MOTION** by Ginder, and a second by Ruschke, a request was made that the Borough assume the costs of driveway restoration on Pinkerton Rd and N. Angle St. either by contracting the work out or having it performed by Public Works Department. An **AMENDMENT** by Haigh, and second by Ginder, a request was made to have the work done to the satisfaction of Director of Public Works. *Amendment passes. Main Motion as amended carries unanimously.*

On a **MOTION** by Ginder, and a second by Ruschke, a request was made to approve the use of Memorial Park for "Music in Memorial Park" on Sunday, July 30, 2023, Sunday August 6, 2023, and August 13, 2023, as requested by the Mount Joy Area Chamber of Commerce. *Motion carries unanimously.*

On a **MOTION** by Ginder, and a second by Ruschke, a request was made to approve the request by Voyage Mount Joy for "Fete en Independence" at Little Chiques Park on July 1st from 5:00 – 8:00 pm. *Roering abstained. Motion carries unanimously.*

Report of the Public Safety Committee

On a **MOTION** by Fahndrich, and a second by Castaldi, a request was made to grant an exception to the noise ordinance for "Fete en Independence" event at Little Chiques Park on July 1st from 5:00 – 8:00 pm. *Motion carries unanimously.*

On a **MOTION** by Fahndrich, and a second by Castaldi, a request was made to grant an exception to the alcohol prohibition in Borough parks for "Fete en Independence" event at Little Chiques Park on July 1st from 5:00 – 8:00 pm. *Motion carries 7-1, Hall voting No.*

On a **MOTION** by Fahndrich, and a second by Castaldi, a request was made to grant an exception to the concession's prohibition in Borough Parks for Earth Day event sponsored by Voyage Mount Joy to be held at Little Chiques Park on April 8, 2023, from 1:00 to 5:00 pm. *Roering abstained. Motion carries unanimously.*

On a **MOTION** by Fahndrich, and a second by Castaldi, a request was made to adopt **Resolution 2023-06**, request to hang banner across Main Street for Fire Department Mount Joy recruitment drive from March 20, 2023, through April 3, 2023. *Motion carries unanimously.*

Public Input Period

Ned Sterling, 13 W. Main St., said regarding the amendment to Ordinance 270-15 that he wished someone would have read the amendment to the general public so they knew exactly what it said. He said it was not in the packet so how could the public comment on it. Hall read the amendment verbiage as recommended by the Borough Solicitor. He asked Nissley if there is a contract out for the street tree replacement. He also asked about the letter he sent to our codes enforcement a while back regarding 13 and 15 East Main Street, the old Jury property and old Darrenkamp's Store, regarding need for maintenance and repair and where that stands and if and when the maintenance will take place.

Ron Grose, 2310 Pinkerton Rd., asked when they will get a bill for the curbs on Pinkerton Rd. He asked again if the recording can be made available to the public and the draft minutes for the meetings.

Josh Deering, 33 Frank, St., asked Chief Goshen if there is ever a point in time where certain roads are looked at and speed limits maybe increased.

Any other matter proper to come before Council.

Mayor Brady feels there should be some discussion regarding the adjacent properties, 13 and 15 East Street, and what the Borough's plans are for these properties.

Haigh followed up on Eichler's question regarding Cresco Labs detention basin on South Jacob Street. He reached out to Lancaster County Conservation and after reviewing the information he obtained from them, he feels the basin does not work correctly. He said he will turn this information over to the Borough Manager. Haigh also talked about economic development. He feels the Borough needs to start looking for ways to bring revenue into the Borough other than just property taxes. He asked Council to get involved with LERTA and Pilot Program that Deering mentioned at the Admin Finance meeting.

Authorization to Pay Bills

On a **MOTION** by Youngerman, and a second by Roering, Council approved paying the bills as presented from February 1-February 28, 2023. An **AMENDMENT** by Haigh, and a second by Castaldi, to withhold and discuss a payment from the General fund, a bill in the amount of \$5,455.95 to ARRO Consulting for Pinkerton Road and vote on that separately. *Amendment passes. Main Motion carries as amended unanimously.*

GENERAL FUND	\$	172,159.01
REFUSE/RECYCLING	\$	76,379.33
CAPITAL IMPROVEMENTS FUND	\$	28,856.61
HIGHWAY AID FUND	\$	-
ESCROW FUND	\$	459.25
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	277,854.20

Haigh explained to Council why he asked for an amendment to not include the ARRO Consulting bill. He said it is due to the two change orders and the terms of the contract regarding the change orders. He said the Borough has reached out to ARRO concerning this matter with no satisfaction. Haigh feels if the Borough does not pay the bill maybe this will prompt a response from ARRO.

Pugliese informed Council the bill for ARRO came in on February 8th and has already been paid. Pugliese explained to Council typically the bills are already paid prior to the Council meetings. If we would wait to pay the bill until after the Council meetings they would be late and we would have to pay penalties.

On a **MOTION** by Haigh, and a second by Roering, a request was made pay the ARRO Consulting bill. *On a roll call vote, Castaldi, Fahndrich, Ginder, Roering and Ruschke voting Yes and Haigh, Youngerman and Hall voting No. Motion carries 5-3.*

Meetings and dates of importance

See the white calendar for the month of March.

Executive Session

No Executive Session was held.

Adjournment

On a **MOTION** by Youngerman, and a second by Roering, approval was given to adjourn the meeting at 9:05 PM. *Motion carries unanimously.*

Respectfully Submitted,



Mark G. Pugliese
Borough Manager/Secretary