

MOUNT JOY BOROUGH COUNCIL
April 4, 2016 Minutes

The Mount Joy Borough Council held its regular meeting on April 4, 2016, at the Mount Joy Borough Office.

President Glessner called the meeting to order at 7:00 pm.

Roll Call- Present were Councilors Deering, Ginder, Glessner, Millar, Murray, Reese, Seidel, Smeltz, Youngerman, and Mayor Bradley. Also present were Borough Manager, Scott Hershey; Public Works Director, Dennis Nissley; Police Chief, Maurice Williams; Codes and Zoning Officer, Stacie Gibbs; Administrative Assistant, Andrea Zell.

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

On a **MOTION** by Ginder, and second by Youngerman, approval was given to accept the agenda for the April 4, 2016, Council meeting. *Motion carries unanimously.*

Mayoral Recognitions

Bradley presented a certificate of recognition to Kenneth Gainer for the years he served on the Authority board and thanked him for his service.

Bradley presented a certificate of recognition to John Weidman for the years he served on the Authority board and thanked him for his service.

Mayoral Proclamations

Mayor Bradley declared April 17-23, 2016, Heroin and Opioid Awareness Week. Bradley encouraged all citizens and Borough leadership to attend the program organized by the Donegal Substance Abuse Alliance and the Lancaster County Anti Heroin Task Force entitled "Heroin, A Community Conversation", on April 21, 2016, at the Donegal Junior High School beginning at 6:00pm.

Public Input Period

Gilbert Cornwall, 131 Mount Joy Street, explained that there has been an increase in the number of stray cats on his property and in his neighborhood. Cornwall suggested that Council approves a law to license cats. Glessner asked for Cornwall's telephone number so that the correct person would contact him in regards to this matter. Gibbs said she would be giving Cornwall a call.

Report of Mayor

Mayor Bradley provided and reviewed a written monthly report for March. Bradley said Senator Pat Toomey's office reached out to him to discuss how the Federal government could be more involved helping at the local level with the Anti Heroin issue. Senator Ryan Aument's office reached out to Bradley as well.

Report of the Chief of Police

Williams provided and reviewed a written monthly report for February 15, 2016, through March 14, 2016. The report showed 15 traffic arrests and 27 criminal arrests for the month. There were 67 UCR reportable incidents and 331 CAD incidents for the month, with a total of 869 incidents year to date. Monies collected by the Police Department for the month for tickets, permits, reports, and services totaled \$915.81.

Report of Fire Department Mount Joy (FDMJ)

Philip Colvin, Fire Chief, FDMJ, provided and reviewed a written monthly report for February. Colvin said that the fire police have been requested to go outside of the district to help neighboring fire departments with events such as bike races, road races and parades. He said that the FDMJ has learned through their insurance company, that for the fire police to be covered by workers compensation, Council needs to approve each event. Colvin said there is an option to have a blanket approval instead of each event being brought before Council.

Report of Main Street Mount Joy (MSMJ)

Kim Brewer, MSMJ Manager, provided and reviewed a written monthly report for March. Brewer thanked Mayor Bradley and Josh Deering for attending the surprise announcement meeting for MSMJ. Bradley asked when Rosie's Tavola will be opening. Brewer said they are hoping to open at the end of April 2016.

Report of the Milanof-Schock Library (MSL)

Barbara Basile, Executive Director of Milanof-Schock Library, provided and reviewed a report. Basile said the Library is gearing up for the Summer Reading Program. Basile reported that last year the MSL served over 1,000 children during the Summer Reading Program. She said it is a costly program so the Library will be conducting fundraisers.

Report of Codes and Zoning Officer

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

Reese asked why the permit applications are down from previous months. Gibbs explained there have not been new home permits issued recently. Deering asked about the new timeline for the revised order of 29 New Haven Street. Gibbs said it is done and will be filed on April 5, 2016.

Report of Stormwater Officer

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

Report of the Borough Authority Manager

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

Hershey said the Authority is continuing to work through designs for the proposed water plant. Hershey explained that a representative from RBC Capital will be attending the April Administration and Finance Committee meeting as well as the May Borough Council meeting to present the details of the borrowing.

Report of the Borough Manager

Scott Hershey, Borough Manager, provided and reviewed a written monthly report for March.

Hershey said that the Florin Fire Station property transfer is complete. Deering asked when the traffic signalization was going to be completed. Nissley said bidding would be done in July or August.

Approval of the Minutes of the Previous Meeting

On a MOTION by Seidel, and a second by Reese, approval was given for the minutes from the Regular Borough Council Meeting held on March 7, 2016. *Motion carries unanimously.*

Administration and Finance Committee

On a MOTION by Youngerman, and second by Murray, approval was given for the appropriate Borough officials to execute a Stormwater Management Agreement and Declaration of Easement, between Jonathan E. Charles and Rhoda R. Charles, and Mount Joy Borough. a Declaration of Easement and Maintenance Agreement with Consent of Lien Holder between Jonathan E. Charles and Rhoda R. Charles, the Mount Joy Borough Authority, Steve Strode and Christine Strode, and Mount Joy Borough. Approval is conditioned upon financial security being posted, Condominium Declarations being recorded, fee in lieu of dedication of park land being received by the Borough, and all documents as required by the Mount Joy Borough Authority being approved and executed by the Mount Joy Borough Authority. *Motion carries unanimously.*

Presentation of the 2015 Audit

Megan Senkowski, from Trout, Ebersole & Groff, LLP, provided a written report and gave an oral presentation. Senkowski and fellow auditor, Jill Gilbert, answered related questions pertaining to the 2015 Audit.

On a MOTION by Youngerman, and second by Murray, approval was given to accept the 2015 Audit and related information as presented. *Motion carries unanimously.*

Glessner opened the Public Hearing on the repeal of the current Zoning Ordinance and enacting the new Zoning Ordinance. Glessner clarified the public has the opportunity to speak and asked for any comments from the public.

Bruce Haigh, 504 Rose Petal Lane, stated that he feels the Mount Joy Borough Zoning Ordinance, section 270-51, should better comply with state and federal regulations for well head protection.

On a MOTION by Reese, and second by Youngerman, approval was given to close the Public Hearing. *Motion carries unanimously.*

On a MOTION by Youngerman, and second by Murray, approval was given to repeal the current Mount Joy Borough Zoning Ordinance and to enact Ordinance #1-16, the new Mount Joy Borough Zoning Ordinance. *Motion carries unanimously.*

On a MOTION by Youngerman, and second by Murray, approval was given to remove from the table, the motion to approve the draft LERTA Ordinance and draft property list and to authorize the Borough Solicitor to advertise a public hearing, the ordinance and the property list.

Seidel commented that there are a few other local businesses in the Borough that would have benefited from this program. Youngerman thanked Seidel for the time he put into compiling his list. *Motion carries unanimously.*

On a MOTION by Youngerman, and a second by Murray, approval was given for the draft LERTA Ordinance and draft property list as revised and to authorize the Borough Solicitor to advertise a public hearing, the ordinance and property list.

Reese said that the wording in the ordinance is speaking only of a specific area so the language would need to be changed if there was a decision to expand the area. Gibbs said that the Mount Joy Borough Planning Commission has been over the list with the help of the community planner from the Lancaster County Planning Commission. She also said the ordinance will eventually expire and with time we will see how many properties will have utilized the Ordinance. Gibbs added that the LERTA Ordinance is a way to stimulate owner's reinvestments. Bradley thanked everyone for their hard work. Bradley said the properties identified are a great starting point and hopes that Council will move forward. *Motion carries unanimously.*

On a MOTION by Youngerman, and second by Murray, approval was given adopt Resolution #13-16, designating public depository and authorizing withdrawal of Municipal Public Moneys. *Motion carries unanimously.*

Ordinance Number Revision- Advisement

Hershey explained there were two Ordinances given number 6-16. There has been a revision to name Ordinance 6A-16 to the H&R Transload rezoning ordinance.

On a MOTION by Youngerman, and second by Murray, approval was given to adopt Resolution #14-16, designating Scott M. Hershey, Borough Manager/Secretary, as the Borough's Agent to sign any and all documents as required by the Federal Emergency Management Agency (FEMA) and the Pennsylvania Emergency Management Agency (PEMA) for application(s) for federal disaster assistance for the January 22 and 23, 2016, snow event. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and second by Murray, approval was given to adopt Resolution #18-16, re-establishing and amending fees to be charged for licenses and administrative services.

Youngerman asked if the duplicate tax bill fee was new. Hershey explained it is not a new fee and the process for obtaining a duplicate tax bill is the same as a tax certification, therefore the fees need to be the same. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and second by Murray, approval was given to approve and adopt the revised Borough/Borough Authority Employee Handbook.

Seidel asked if formal employee performance evaluations were in the previous handbook. Hershey said yes. *Motion carries unanimously.*

Report of the Public Safety Committee

On a **MOTION** by Reese, and a second by Deering, approval was given for requests from Fire Department Mount Joy (FDMJ) for Fire Police assistance at the Hempfield Rec. Triathlon (Rapho Township) on April 17, 2016, the Manheim Rock-N-Glow 5K Race (Rapho Township) on June 4, 2016, and the Elizabethtown High School Graduation (Rapho Township) on June 8, 2016.

Ginder asked if there was a set fee for the services rendered. Hershey said no. He explained that neighboring fire departments reciprocate their services. Bradley suggested that Council moves to reduce the burden on the FDMJ of having to go through this process and provide blanket permission. Reese said at the next Public Safety Committee meeting they would discuss giving the FDMJ the blanket permission. Murray asked if this would resolve the workers compensation problem. Reese said if Council gives the blanket permission it would resolve the problem. *Motion carries unanimously.*

On a **MOTION** by Reese, and second by Deering, approval was given for the closure of Main Street between Angle Street and Barbara Street from 1:30 PM to 4:00 PM, on May 28, 2016, 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 Reese, and a second by Deering, approval was given for the closure of Main Street between New Haven/Manheim Streets and Barbara Street from 9:00 AM to 3:30 PM, on July 23, 2016, and authorize Police Chief Williams to submit the necessary applications to PennDOT for the closure permit for the Taste of Mount Joy/Crusin' Cuisine event, conditioned upon Main Street Mount Joy providing all necessary completed forms and documentation. *Motion carries unanimously.*

On a **MOTION** by Reese, and a second by Deering, approval was given for a request by Main Street Mount Joy to close Delta Street between Main Street and Henry Street from 9:00 AM to 4:00 PM, on July 23, 2016 for the Taste of Mount Joy/Crusin' Cuisine event, conditioned upon Main Street Mount Joy providing all necessary completed forms and documentation. *Motion carries unanimously.*

On a **MOTION** by Reese, and a second by Smeltz, approval was given to authorize the Borough Solicitor to draft and advertise an ordinance making Apple Alley one way northbound between West Main Street and Church Street.

Youngerman asked why this is being considered by Council. Reese said residents brought concerns to the Public Safety Committee regarding the narrow width of the Alley. Williams explained that between Main Street and Church Street, Apple Alley is very narrow and traffic causes opposing vehicles to pull off onto private property. *Motion carries.* Deering voting no.

Report of the Public Works Committee

Nissley provided and reviewed the monthly written report for March 2016. Nissley said the bids for the repaving of Bridge Blvd. and Henry St. will be opened on May 3. The bids will be presented to Council for approval at the June meeting and construction would begin in July. Nissley said Mark Harman from Arro Inc. will be attending the next Public Works Committee meeting to give an update on MS4 requirements. Nissley publically recognized Donegal Experiential Education Program at Donegal High School, Crossroads Youth Group, M & M Masonry, Timbers Tree Service and a number of organizations for their help to the Parks Department. These organizations donated their time and made improvements that might not have otherwise been completed.

Seidel asked Nissley to elaborate on the new computer software that the Public Works is using. Nissley explained that the CS Datum software has been very user friendly and a great tool for the Public Works Department. CS Datum is web based so as the employees are in the field they can access and update the program.

Murray asked when the patches will be completed on W. Main Street at the former gas plant. Gibbs said that might not be completed until the Park is finished. Glessner asked when the Park project will be completed. Gibbs said they are waiting for some legal agreements but it should be very soon.

Glessner asked if Bridge Blvd would be reinforced due to the truck traffic. Nissley explained that there will be a twelve inch base with cement mixed in.

On a **MOTION** by Seidel, and a second by Ginder, approval was given to reject any and all bids received for the Grandview Swale Project and to authorize Borough Staff and the Borough engineer to rebid the project.

Seidel explained that all of the received bids were over and above the budgeted amount. Nissley added that a mandatory pre-bid meeting will take place and the bidding will be done through Penn Bid. Murray asked how far above the budgeted amount were the bids. Nissley said the bids were \$11,000.00 over the budgeted amount. Deering asked why we are doing a pre-bid meeting. Seidel said he believes it will get the bids more in line with what was budgeted. Deering asked if this process will delay the schedule. Seidel said yes and that if the bids do not come in at the budgeted cost the Public Works Committee would look for other projects to complete. *Motion carries unanimously.*

On a **MOTION** by Seidel, and second by Millar, approval was given for revisions to the Main Street Snow removal policy authorizing the Borough Council President and the Chairperson of the Public Works Committee to approve additional snow removal operations if necessary.

Seidel said this would give the Council President and Chairperson of the Public Works Committee the authorization if snowfall happens after Council has met. Reese wanted clarification that only one removal is authorized. Seidel said only one removal is authorized by staff but this policy would give authorization to the Council President and the Chairperson of the Public Works Committee for additional snow removal operations if needed. Seidel added that this is our commitment to the business district of Main Street to

remove snow. Bradley said due to the unpredictability of weather, and the cumbersome task of bringing nine individuals together, this gives leadership the ability to take action when needed. Youngerman said this policy revolves around the parking issue on Main Street. He also believes the snow removal should be added to the budget possibly as an emergency management fund. Glessner said the Borough Manager is involved in everyday operations and he believes the Borough Manager should be included. Murray said he agrees with Youngerman on adding emergency snow removal to the budget. *Motion carries.* Reese and Youngerman voting no.

On a MOTION by Seidel, and second by Ginder, approval was given to adopt Resolution #15-16, authorizing the trade-in of a 2007 John Deere model 304J Compact Wheel Loader toward the purchase of a new, 2016 John Deere Model 324K Compact Wheel Loader through the PA COSTARS Purchasing Program, Contract #2420-20, from Plasterer Equipment Company for a trade-in value of no less than \$32,000.00. Reese asked if it is with in the budget. Seidel said yes. *Motion carries unanimously.*

On a MOTION by Seidel, and second by Millar, approval was given to adopt Resolution #16-16 approving a lease/purchase agreement with FNB Commercial Leasing and authorizing Scott M. Hershey, Borough Manager/Secretary to execute all documents as may be required by FNB Leasing in connection with the lease/purchase of a 2016, John Deere Model 324K Compact Wheel Loader. *Motion carries unanimously.*

On a MOTION by Seidel, and second by Millar, approval was given to adopt Resolution #17-16 approving a lease/purchase agreement with FNB Commercial Leasing and authorizing Scott M. Hershey, Borough Manager/Secretary to execute all documents as may be required by FNB Leasing in connection with the lease/purchase of a 2016, John Deere Model 1575 tractor and Model 72SD mower deck.

Deering asked why we lease instead of purchase. Hershey explained that leasing allows the Borough to trade in equipment and also to space payments over a period of years instead of hitting a fund at one time. Murray asked if the equipment could be purchased at the end of the term. Hershey said yes. Bradley asked if this process is used when the Borough purchases trucks. Hershey responded that it was used with the last dump truck with the payments being split between refuse and highway aid funds. *Motion carries unanimously.*

Seidel emphasized that the CS Datum software is a great tool for the Public Works Department and also for Stormwater and feels it will keep the Borough ahead of the game.

Public Input Period

Kim Brewer, MSMJ Manager, said the value of volunteer hours for MSMJ is \$55,612.42. This amount will be recorded on any grant applications.

Any other matter proper to come before Council

Deering asked if there would be an executive session following the meeting. Glessner said the meeting will be held on later date.

Authorization to Pay Bills

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

GENERAL FUND	\$	210,321.86
REFUSE/RECYCLING	\$	49,077.47
CAPITAL IMPROVEMENTS FUND	\$	57,900.45
HIGHWAY AID FUND	\$	12,400.89
TAX ACCOUNT	\$	97,464.27
ESCROW FUND	\$	840.00
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	428,004.94

Seidel asked why Birchland and Fairview lighting was so high. Hershey clarified that amount includes street lighting over a larger area of the Borough, but this is the way PPL designates it. *Motion carries unanimously.*

Meetings and dates of importance

See the pink calendar for the month of April 2016.

Bradley asked for approval to add the event on April 21, 2016, Community Conversation, on the Borough website. Hershey said if Council is not opposed, it can be done.

Adjournment

On a MOTION by Murray and second by Ginder, Council approved adjourning the meeting at 9:40pm. *Motion carries unanimously.*

Respectfully Submitted,



Scott Hershey
Borough Manager/Secretary