

MOUNT JOY BOROUGH COUNCIL
July 11, 2016 Minutes

The Mount Joy Borough Council held its regular meeting on July 11, 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, Murray, Reese, Seidel, Smeltz and Youngerman. Also present were Borough Manager, Scott Hershey; Public Works Director, Dennis Nissley; Police Chief, Maurice Williams and Administrative Assistant, Andrea Zell. Millar, Mayor Bradley and Codes and Zoning Officer, Stacie Gibbs were absent.

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

Glessner announced there would be an Executive Session to discuss personnel matters at the end of the meeting and a decision or decisions may follow the Executive Session.

On a **MOTION** by Ginder, and second by Youngerman, approval was given to accept the agenda for the July 11, 2016, Borough Council meeting. *Motion carries unanimously.*

Public Input Period

Sherry Wolgemuth, 656 Wood St, stated that if Council approves that no parking is allowed on Bridge Boulevard, she will not have parking for her residence. She respectfully requested that parking be allowed on Bridge Boulevard.

Paula Morrow, 254 Red Cedar Lane, Marietta, said that her son was traveling on Main Street last month and the banner hanging across Main Street fell and struck his vehicle. Morrow requested that the Borough pay for the damages because it was the Borough's property that broke her son's windshield. She said the total is \$245.00. Glessner allowed this non-resident/property owner comment because of the circumstances surrounding this issue and said that this issue will be discussed later on in the meeting during other matters proper to come before Council.

Bruce Haigh, 504 Rose Petal Lane, thanked Council for having the public packet available on the website. Seidel asked Haigh if the Right to Know Requests would be reduced now that there are public packets available. Haigh said some items are now available that would not require a Right to Know Request.

Tina Hoffer, 82 E Main Street, said she takes care of the Main Street planters. Hoffer asked who is responsible for eliminating the weeds on Main Street. Hershey said the Public Works Department. Hoffer suggested that someone walk down Main Street and apply weed killer instead of using a vehicle to disperse the product. She also asked for better care of the bushes in the park at East Main and Barbara Streets. Hoffer thanked Council for all of the work that they do.

Report of Mayor

Mayor Bradley provided a written monthly report for June. Hershey provided a verbal report in the Mayor's absence. Mayor Bradley continues to work on the Heroin issue, organized a recognition ceremony for Malmedy Massacre survivor and Mount Joy resident, Harold Billow and noted that there was an over reporting issue in the SAFE kit matter and that the actual number of backlogged cases is zero.

Report of the Chief of Police

Maurice Williams, Police Chief, provided and reviewed a written monthly report for May 15, 2016, through June 14, 2016. The report showed 40 traffic arrests and 18 criminal arrests for the month. There were 57 UCR reportable incidents and 416 CAD incidents for the month, with a total of 2,367 incidents year to date. Monies collected by the Police Department for the month for tickets, permits, reports, and services totaled \$1,341.49.

Seidel commended the Police Department on the number of closed cases.

Deering thanked Chief Williams for installing the speed monitoring devices on Donegal Springs Road. Williams said there is a second device that will be placed on North Barbara Street later this month. These devices will provide data to assist the Officers in targeting enforcement to a certain time of day that vehicles are speeding through an area.

Report of Fire Department Mount Joy (FDMJ)

Philip Colvin, Fire Chief, FDMJ, provided and reviewed a written monthly report for May.

Colvin said that due to the report being added to the public packet, he will be eliminating the addresses under notable instances or events. Colvin said if Council would like that information, he would provide it at their request.

Youngerman asked if there is a summary report of how much mutual aid is received and provided. Colvin said he does not have a summary but he can make changes and add that information to the report. He noted that the number can be deceiving because it includes Emergency Medical Service for every vehicle accident. Colvin said he would work on making the appropriate changes to this report.

Report of Main Street Mount Joy (MSMJ)

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

Brewer said many people have been approaching her to discuss the great work Mayor Bradley is doing in our community. She stated he is well known for his involvement with the anti-heroin task force. Brewer said he is helping people to see what we are doing in Mount Joy and people appreciate his leadership. Brewer recognized Brian Brubaker, Parks Superintendent, for his prompt help with cleaning benches. She said Brubaker does a great job and he even volunteers his own time to make sure the job is completed in a timely manner.

Reese asked about the series of business vacancies on Main Street. Brewer provided an update on the status of many vacant properties and explained that there is much work being done to fill the vacant properties. Brewer said that MSMJ received accreditation. She said the office is incredibly busy and they have been open every day.

Ginder asked for an update on the Farmer's Market. Brewer reported that because the Corn Crib Market will be closing, they have started the process of looking into an outdoor concept. Ginder said she believes the outdoor concept is a winner and it would attract people to Mount Joy. Brewer said the vendors at the Corn Crib Market contacted MSMJ to express their desire to stay after they found out it was closing. Brewer said the property owner would allow them to stay if MSMJ would take on the responsibility of renting the market and collecting monies. Brewer explained that MSMJ is extremely busy and they are still trying to determine whether or not to take this on. Seidel requested to view the financial information involved with the process.

Deering said he would like to see a budget report like the one that was provided in 2015. Brewer asked Deering to specify what information he would like to see and she would provide it.

Report of the Milanof-Schock Library (MSL)

Barbara Basile, Executive Director of Milanof-Schock Library, provided and reviewed a report for May.

Report of Codes and Zoning Officer

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

Deering asked for an update on 29 New Haven Street. Hershey said Gibbs was waiting for return calls from organizations she contacted for cleaning up the inside of the property.

Report of Stormwater Officer

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

Report of the Borough Authority Manager

John Leaman, Authority Manager, provided a written monthly report for June. Hershey reported that the Borough Authority's borrowing guaranty would most likely be included on the September or October Borough Council meeting agenda. He stated that there have been no changes to the information provide at previous meetings and asked if it was acceptable for the guaranty to go directly to Borough Council for consideration when ready. Council indicated that the guaranty could go directly to Council when ready.

Report of the Borough Manager

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

Hershey reported that an open house of the Borough and Borough Authority is scheduled for September 24, 2016.

Deering asked if Hershey is tracking his time spent on Right to Know Requests. Hershey said yes. Deering asked when the traffic light signalization will be done. Nissley said he would check with his contact.

Reese asked when the Union School Road paving would be completed. Hershey said there have been many attempts to contact PennDOT regarding this issue but no response has been received.

Murray asked if the traffic lights will have preemption. Hershey said yes.

Approval of the Minutes of the Previous Meeting

On a **MOTION** by Reese, and second by Seidel, approval was given for the regular Borough Council Meeting held on June 6, 2016.

Murray asked for a change to be made to the report of Main Street Mount Joy concerning Crafter Hours. He feels where it states, "they will be leaving Main Street due to a space issue", it should read, "due to a space issue they are moving to another location in the Main Street corridor." Murray also requested that a comment be added under Authorization to Pay Bills, stating: "Murray noted that of the \$350,000.00 going out of the general fund, \$250,000.00 of it is paying off debt." *Motion carries unanimously.*

Administration and Finance Committee

On a **MOTION** by Youngerman, and second by Murray, approval was given for a request by Messiah Family Services for a reduction of construction escrow for Mount Joy Country Homes, Phase 2A in the amount of \$70,222.90, leaving a balance of \$7,920.00 remaining in the construction escrow. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and second by Murray, the revised draft LERTA Ordinance and property list were approved. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Murray, approval was given to adopt Resolution 20-16, declaring Mount Joy Borough's intent to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008, and amended on July 23, 2009. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Murray, approval was given to adopt Resolution 21-16, designating Scott Hershey as the Authorized Official for the PennDOT dotGrants system and authorizing the Authorized Official to assign roles within dotGrants on behalf of the Borough of Mount Joy. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Murray, approval was given to adopt Resolution 22-16, authorizing the submittal and modification of PennDOT dotGrant objects on behalf of the Borough of Mount Joy. *Motion carries unanimously.*

Report of the Public Safety Committee

On a **MOTION** by Reese, and second by Smeltz, approval was given for a request by Main Street Mount Joy for exemption from the Borough Noise Ordinance to hold a movie event at Memorial Park on July 22, 2016, from 8:00 PM to 11:00 PM as part of the 4th Friday/Taste of Mount Joy/Crusin Cuisine events weekend.

Ginder asked if neighbors would be notified. Brewer said yes, she would do that as a courtesy. *Motion carries unanimously.*

Report of the Public Works Committee

Dennis Nissley, Public Works Director, provided and reviewed the written monthly report for June.

Deering asked if Wellington Chase contacted the Borough due to the loss of the parking spaces on Bridge Boulevard. Nissley said they are aware of the loss in parking spaces. He also noted that the spaces in question were installed without a permit and that there was adequate parking available in the Wellington Chase parking lot according to the facility manager.

On a **MOTION** by Seidel, and a second by Ginder, approval was given for a request by the Donegal Substance Abuse Alliance to hold the Lights of Hope event at Memorial Park on September 10, 2016, from 4:00 PM to 9:00 PM. *Motion carries unanimously.*

On a **MOTION** by Seidel, and a second by Ginder, approval was given for a request by Main Street Mount Joy to hold a movie event at Memorial Park on July 22, 2016, from 8:00 PM to 11:00 PM as part of the 4th Friday/Taste of Mount Joy/Crusin Cuisine events weekend. *Motion carries unanimously.*

On a **MOTION** by Seidel, and a second by Ginder, approval was given for a request by the Mount Joy Chamber of Commerce to hold Music in the Park at Memorial Park on the evenings of Sunday, July 28; Sunday, August 7; Sunday, August 14 (with an ice cream social beginning at 5 pm); and Sunday, August 21. Music in the Park is sponsored by local businesses, individuals and the Chamber. *Motion carries unanimously.*

On a **MOTION** by Seidel, and a second by Ginder, approval was given to award a bid for the Grandview Swale Improvements Project to the lowest responsible and responsive bidder, RCW Solutions, LLC, in the amount of \$45,999.56.

NOTE: Jumper Landscaping, LLC, submitted a lower bid, but did not provide required information with their bid documents. Jumper's bid was therefore considered non-responsive and was not accepted.

Deering pointed out that the number was incorrect on the agenda and should read \$46,999.56.

On a **MOTION** by Seidel and a second by Ginder, approval was given to amend the original motion to change \$45,999.56 to \$46,999.56. *Motion carries unanimously.*

On a **MOTION** by Seidel, and a second by Reese, approval was given for a Right of Way Agreement between Mount Joy Borough and the Mount Joy Borough Authority granting water and sanitary sewer Rights of Way in various areas of Little Chiques Park and authorizing the Borough Council President to execute the agreement. *Motion carries unanimously.*

On a **MOTION** by Seidel, and a second by Ginder, approval was given to authorize the Borough Solicitor to draft and advertise revisions to the Borough Parking Ordinance establishing no parking regulations on Bridge Boulevard between Wood Street and South Angle Street.

Nissley explained the exhibits from the Borough Engineer that were provided in the Council packets. The exhibits showed that if parking is permitted on Bridge Boulevard as the Wolgemuths have requested, trucks turning onto Bridge Boulevard from Wood Street would conflict with vehicles on Bridge Boulevard waiting to enter Wood Street which could cause accidents.

Deering asked if the street will be any wider. Nissley said yes, but the residents are currently parking on the area that will be sidewalk when the street improvement project is completed. Deering asked since there have been no incidents, why are we not allowing parking.

Youngerman said he does not want to take away parking from our constituents. He expressed his concern for the loss of parking and did not want the residents who have had parking on the street for 17 years to lose that privilege.

Hershey said that based on current engineering standards, the recommendation of the Borough Engineer is to not allow parking on Bridge Boulevard. Smeltz said he agrees with Youngerman. He said we should allow parking and see how it goes. Smeltz said if it becomes an issue we can change it at a later date. Reese added that he does not think sidewalks are needed on Bridge Boulevard. Murray asked if there could be sidewalks on one side of the street instead of both sides. Nissley said the neighbors had the opportunity to present a proposal to Public Works Committee regarding this matter but all residents were not able to come to an agreement.

On a **MOTION** by Seidel and a second by Ginder, approval was given to amend the original motion to include "except for two spaces on the west side at the most convenient location (the location which would provide the least amount of potential conflict)." *Motion carries unanimously.*

Public Input Period

Ferne Silberman, 630 Florin Ave, said that if there is no parking for the resident, it will reduce the property value of their home.

Sherry Wolgemouth, 656 Wood Street, said she would like for the sidewalks to be installed and see how traffic flows before the parking spaces are determined.

Bruce Haigh, 504 Rose Petal Lane, said he believes Council did the right thing in allowing parking on Bridge Boulevard.

Kim Brewer, MSMJ, asked if Council wishes to have any other residents contacted in regards to events planned in the Borough. She said she would be happy to accommodate.

Any other matter proper to come before Council

Youngerman asked if the Public Safety Committee had further discussion on the disruptive conduct ordinance. Reese said no.

Deering announced that the Mount Joy Cyclones football team won the championship.

Glessner revisited the discussion regarding payment of Andrew Morrow's windshield. He said the cost would be \$245.00. Hershey said that per the PA Tort Claims Act if the Borough was aware of issues with the cables then the Borough would be responsible. He said that prior to the banner being installed, the mounting equipment was inspected and a new cable installed. Smeltz said he is in favor of Council paying the bill. Smeltz offered to pay for the balance if Council did not vote in favor of paying the bill. Seidel said he would also personally contribute to the bill but did not feel the Borough should be paying for the damage.

On a **MOTION** by Smeltz and a second by Ginder, approval was given to pay Mrs. Morrow \$245.00 for the damaged windshield on her son's vehicle from signage and cabling system. *Motion carries.* Seidel and Glessner voting no.

Authorization to Pay Bills

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

GENERAL FUND	\$	101,772.97
REFUSE/RECYCLING	\$	43,988.64
CAPITAL IMPROVEMENTS FUND	\$	5,533.82
HIGHWAY AID FUND	\$	24,346.13
TAX ACCOUNT	\$	427,598.87
ESCROW FUND	\$	4,034.23
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	607,274.66

Seidel inquired about the IRS phone blast charge. Hershey said it was a phone blast sent to all Borough residents informing them of an IRS scam. Seidel inquired about the charge for rain barrels. Hershey said the charge was for extra rain barrels purchased as part of the rain barrel sale and in conjunction with the Borough's rain barrel workshop. *Motion carries unanimously.*

Meetings and dates of importance

See the red calendar for the month of July 2016.

Council went into Executive Session at 9:20 PM and came out of Executive Session at 9:31 PM

On a **MOTION** by Reese, and a second by Smeltz, approval was given to accept a letter of resignation from part-time police officer Donald Rusnak and authorize the Police Chief to hire a replacement part-time officer. *Motion carries unanimously*

President Glessner read portions of a letter of notification of retirement from Borough Manager Scott Hershey. He noted that Hershey will be retiring at the end of 2016. His separation date will be December 25, 2016, the last day of payroll 26 for 2016. Hershey will be taking accrued vacation and personal days terminally, and his last day worked will be on or about November 15, 2016.

On a **MOTION** by Seidel, and second by Smeltz, approval was given to accept Borough Manager, Scott Hershey's letter of notification of retirement as presented. *Motion carries unanimously*

Council discussed beginning the Manager search process. President Glessner shared that he contacted the Pennsylvania State Association of Boroughs (PSAB). PSAB provides no cost services in assisting the Borough in the Manager Search process and a website to post the opening for a one-time fee of \$75.00. The Council at this time will not advertise the position in the newspaper. There was brief additional discussion about online search services, but no decision.

On a **MOTION** by Murray and second by Seidel, approval was given to authorize the Manager search process to begin using the services of the Pennsylvania State Association of Boroughs. *Motion carries unanimously*

Adjournment

On a **MOTION** by Seidel and second by Reese, Council approved adjourning the meeting at 10:03 PM. *Motion carries unanimously.*

Respectfully Submitted,

Scott Hershey
Borough Manager/Secretary