

MOUNT JOY BOROUGH COUNCIL
July 11, 2022, Minutes

The Mount Joy Borough Council held its regular meeting on July 11, 2022.

President Hall called the meeting to order at 7:00 PM.

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

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

President Hall announced there will be an executive session under Item # 19 of this agenda to discuss a legal and personnel matter.

On a **MOTION** by Roering, and a second by Ruschke, a request was made to accept the agenda for the July 11, 2022, Borough Council meeting. Haigh stated that he will excuse himself from voting on Item # 12A, referencing the Melhorn Stormwater Basin, and from discussion on Items # 8,9 and 25 of the Manager's report.

Public Input Period

Bob Jerman, 840 Terrace Ave., spoke regarding last months' meeting and the building project and the 9 million dollars to be spent. He said this will have an impact on taxes, that inflation is tough for people, and that Council needs to consider this. He said the building is a lot of money for this community. He asked if there were ever thoughts of regionalizing the Police Department. He said Council must be responsible for taxpayers in the Borough.

Mayor Bradley addressed Jerman's concerns. He said Council already visited the idea of regionalization of the Police Department and had no interest from outside Departments. Jerman stated that when it was considered, there were issues with the Police Department, and it is understandable why there was no interest. He asked if anyone has checked into this more recently and if not, they should.

Steve Gault, 130 Delta St., spoke concerning Item # 13B on the agenda, to draft changes to the Borough's parking Ordinance. He said he is opposed to the changes and feels it could create a lot of enforcement issues.

Wandering PA's Waterways Report – Councilor Eichler

Eichler reviewed a power point presentation and spoke on items he learned by visiting other Municipalities concerning Stormwater ideas, solutions, and funding opportunities.

Report of Mayor

Mayor Bradley provided and reviewed a written report for June 2022.

Report of the Chief of Police

Robert Goshen, Police Chief, provided a written monthly report for May 1, 2022, to May 31, 2022. The report showed 46 traffic arrests and 13 criminal arrests for the month. There was a total of 636 incidents for the month of May, with a total of 2,976 incidents year to date.

Report of Fire Department Mount Joy (FDMJ)

Matt Gohn, FDMJ Fire Chief, provided and reviewed a written monthly report for June 2022.

Report of PSH Life Lion

A written monthly report was provided for June 2022.

Report of Northwest EMS

A written monthly report was provided for June 2022.

Report of EMA

A written monthly report was provided for June 2022.

Report of Main Street Mount Joy (MSMJ)

Dave Schell, Executive Director, provided and reviewed a written monthly report for June 2022. Schell announced that the Board of Directors for Main Street Mount Joy made a unanimous decision to operate independently from Mount Joy Borough Council and will return the remaining contribution given for year 2022.

Report of the Milanof-Schock Library (MSL)

Joseph McIlhenney provided and reviewed a written monthly report for May 2022. He announced the alpacas are coming, and that Silo from the Barnstormers is coming as well. He thanked Council and staff for all their support.

Report of Codes and Zoning Officer

No Report

Report of Public Works Director

Dennis Nissley, Public Works Director, provided and reviewed a written report for May 2022. Roering asked if the meetings for the property owners for the Pinkerton Rd. and N. Angle St. projects scheduled for Tuesday, July 12, and Thursday, July 14, can be broadcast. Pugliese said that he thinks we can. Eichler said the residents appreciate the communication from Dennis and all he is doing.

Hall spoke regarding the problems they are still having with the Manheim St. stormwater project. He asked who is paying for the repaving. Dennis said they are still working that out. He said it is not going to be a complete repave, just an area of repave.

Report of the Borough Authority Manager

Joseph Ardini, Authority Manager, provided a written monthly report for June 2022.

Report of the Assistant Borough Manager/Finance Officer

Jill Frey, Assistant Borough Manager/Finance Officer, provided and reviewed a written report for June 2022.

Report of the Borough Manager

Mark G. Pugliese I, Borough Manager, provided and reviewed a written report for June 2022.

Approval of the Minutes of the Previous Meeting

On a **MOTION** by Youngerman, and a second by Haigh, approval was given for the minutes of the regular Borough Council meeting held on June 6, 2022. Youngerman requested to add a second paragraph in the minutes, under the Building Ad Hoc Committee section to say, "Youngerman indicated that he is in favor of a building project, but disappointed in the process. He believes a move to the next-door property would be doable. He has a strong preference that the Borough remain downtown and is concerned that there is no financial plan to pay for any project." *Motion carries unanimously.*

Building Ad Hoc Committee

Deering announced that the next Building Ad Hoc meeting is Monday, July 18, 2022, at 5pm. He stated that the site survey is completed, and the Committee will review and discuss that, as well as some changes to the program.

Pugliese discussed the deed restriction for lot # 2 of Grandview Park. He stated that the Grandview Park is two parcels; lot # 1 is where the school building was and lot # 2 is everything else. When monies were obtained for Grant to purchase that, there was a deed restriction that we were not to develop that portion of land. After talking to Lancaster County Planning Commission, they stated that it would not be a big deal. They said we would be able to dedicate another acre somewhere else that we would not build on, so it could just be a tradeoff of the two parcels.

Administration and Finance Committee

On a **MOTION** by Youngerman, and a second by Roering, a request was made to authorize the Borough Manager to speak with a representative from Melhorn Trucking in reference to the Melhorn Stormwater Basin, BMP 107. Pugliese reported that the discussion may not happen right away, and that he recommends counsel first. *Motion carries unanimously; Councilor Haigh abstained from voting.*

On a **MOTION** by Youngerman, and a second by Roering, a request was made to authorize the Borough Manager to attend PSAB Municipal Legal Update scheduled for July 27 & 28, 2022, in Harrisburg. *Motion carries unanimously.*

On a **MOTION** by Roering, and a second by Ruschke, a request was made to authorize the Borough Council President and Borough Manager to sign the provided documents for Amendment No. 3 to the Mount Joy Police Pension Plan. Pugliese explained that the Pension Plan and the CBA have had different verbiage and that this Amendment enables them to mirror

each other, thus bringing our Plan up to the Auditor General's standards of compliance. *Motion carries 8 to 1; Councilor Youngerman voting NO.*

On a **MOTION** Roering, and a second by Ruschke, a request was made to authorize the Borough Manager to have the Borough Solicitor prepare and advertise Ordinances for Amendments to the Uniform and Non-Uniform Pension Plans. *Motion carries 8 to 1; Councilor Youngerman voting NO.*

On a **MOTION** by Youngerman, and a seconded by Roering, a request was made to accept the letter of resignation of Alecia Hair from the Zoning Hearing Board. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a seconded by Roering, a request was made to waive the Application Fee from Fire Department Mount Joy in the amount of \$275.00. Said fee was regarding the adding of a sprinkler system to the Fire Station. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a seconded by Roering, a request was made to name Commonwealth Code Inspection Services as interim Codes & Zoning Officer through September 2022. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a seconded by Roering, a request was made to ratify the Officers of the Mount Joy Community Foundation as follows, Robert Foltz – President, Mark Pugliese – Secretary, and Karl Hackman – Treasurer. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a seconded by Roering, a request was made to authorize the Borough Manager to sign a “Letter of Intent” with Member’s First Credit Union to become a Select Employer Group. *Motion carries unanimously.*

Discussion on Council’s Committee structure. Youngerman reviewed options for Committee meeting structure and asked for thoughts from Council. Ginder said she would like 2 Council meetings a month and no Committee meetings. Castaldi said he changed his position on this, and if we have 9 Council members, we should keep some type of Committees, possibly restructuring a couple Committees. He said regardless, we must make it better than it is. Mayor Bradley said that as for the length of the Council meetings, it is difficult to discuss through difficult issues in a short period of time. He said you cannot have substantial conversations with short meeting and recommends the structure stay as it is. He said conversations in Committees can now be heard online. Roering said that although you can hear the Committee meetings, you cannot speak. He said if there is a question or point to be made, you must wait until Council to do so. Hall asked if once the Committee meetings are over, if all of Council could get the draft minutes to see what was discussed. He said he is leaning toward 2 Council meetings a month. Pugliese said that topics come up after Committee meetings, and then gets held up and could be up to 7 weeks until it comes before Council. Hall said we need to find a mechanism for items to go through Council without going through Committees. Haigh suggested to establish an Ad Hoc Committee with one member from each Committee and whatever staff Pugliese recommends. Mayor Bradley said it is ironic to talk about forming another Committee. Youngerman said that the Manager needs flexibility, and we need to add flexibility for Council agenda items. Mayor Bradley asked if Committee packets can be sent to full Council to keep Council members informed as to what is discussed in Committees. Ruschke suggested a time limit for each subject.

On a **MOTION** by Haigh, and a seconded by Roering, a request was made to create an Ad Hoc Committee with one member from each Committee, Mayor Bradley, Borough Manager, and one member of staff. *Councilors Roering, Ginder, and Haigh voting yes; Councilors Castaldi, Eichler, Fahndrich, Hall, Ruschke, and Youngerman voting no; 3 – YES, 6 – NO. Motion does not carry.*

Report of the Public Safety Committee

On a **MOTION** by Fahndrich, and a seconded by Castaldi, a request was made to authorize the Borough Solicitor to advertise Ordinance 02-2022, Animal Control Ordinance, with a noted change on Page 3, under section 92-18 (b), where it states, “It shall be the duty of the owner, custodian, or keeper...”, to cross off the word, “keeper”. Mayor Bradley noted that in some places throughout the Ordinance it refers to the word, “Owner”, and others refers to, “Owner/Custodian”. He believes, “Owner/Custodian” seems to be the intent, and that it should be consistent throughout. He suggested to have the definition of Owner on the first page say, “Owner/Custodian”. Hall called for a vote on the Original Motion with the change to eliminate the word, “keeper” as noted, and to change the definition of Owner to, “Owner/Custodian”. *Motion carries unanimously.*

On a **MOTION** by Fahndrich, and a seconded by Castaldi, a request was made to authorize the Borough Solicitor to draft an Ordinance adopting changes to the Borough’s parking Ordinance. Hall said it will be drawn internally and sent to the Solicitor. Fahndrich spoke regarding Mr. Gault’s comments and said that this Ordinance was worded so that if residents want to establish permit parking, it gives them a process by which to do so. Youngerman spoke of PennDOT’s control of parking and said that paid parking will stop people from coming downtown. Mayor Bradley said that this Ordinance creates a venue

of transparency and sets the bar high for permit parking to be set in place and sets a high standard of criteria to meet for this to happen. Haigh said he disagrees with the Mayor and that the bar is not set high. Youngerman made a MOTION to amend the motion to include the verbiage, “the parking permit may be suspended by Council upon notification by placing two or more notices on the designated location 48 hours prior to the parking restrictions”. Youngerman then removed his motion to amend. Hall took it back to the original motion to authorize the Borough Solicitor to draft an Ordinance. *Motion carries unanimously.*

Discussion of EMS Authority; Articles of Incorporation and advertisement of Public Hearing on August 31, 2022. Mark noted that this was not part of the Public Safety Committee's agenda. He said that if we are going to join the Authority, the ad would have to be prior to August 1, 2022, and we would not have another Council meeting before that. Haigh said that either we are in, or we are out. Hall said he thought we already decided this last month. Mayor Bradley said that it is not necessary to attend the Authority meetings if we are not going to opt in.

Report of the Public Works Committee

On a **MOTION** by Ginder, and a second by Ruschke, a request was made to adopt the Parks Advisory Commission's Mission Statement. Hall asked if this is a Commission or a Board and asked if we really want this. He said it feels like we are creating another level of bureaucracy. Mayor Bradley said we see the fruit of the surrounding Municipalities that have these types of things. He thinks is more comprehensive, gives people with a passion an opportunity to be involved, and hopes we move forward with the Advisory Board. Castaldi agreed with the Mayor. *Motion carries unanimously.*

Castaldi asked about an item on the Public Works agenda where Dennis was asking for a waiver for the size of a pipe. Haigh said it was in reference to Wood St. and that Public Works asked for feedback from ARRO, and it will be on the July 18, 2022, agenda.

Public Input Period

Ned Sterling, 13 W. Main St., asked if there was any time frame on the construction of Brady Alley. Pugliese said no, there have been complications and it will take some time to figure out. Sterling asked what the delay is replacing the dead street trees. Nissley referred to Tim Leibfried, from Burns Tree Service; the one responsible for replacement. Leibfried said there are numerous factors to consider, for example, they must be more selective of the trees they put in, the size, the boxes need to be bigger, they have to consider utilities, etc. He is hoping for September for replacement. Sterling asked if the Mount Joy Foundation spoke of any projects going on at their last meeting. Ginder said no. Sterling asked about the Deeds at Grandview. Hall explained the Deed restrictions.

Josh Deering, 33 Frank St., asked that Council make sure they are speaking into their microphones; with the broadcasting we are now doing, you must be sure people can hear. He said that the 2-hour parking, and said it is meant to drive business in town and create a turnover. He said that he likes the Committee structure the way it is, and that the Committee's are meant to do their due diligence.

Beth Brelje, 550 N. Angle St., spoke of Committee structure. She said the idea is not to send items back to Committee, but to be decisive and make decisions.

Ron Grose, 210 Pinkerton Rd., said that Dennis has been very helpful, and he looks forward to the upcoming meetings. He said Council needs to be careful with the proposed 9 million dollar building cost. He said that with the Animal Ordinance, it is required for animals to have collars and that he had a cat almost die from a collar and is not putting a collar on his cat. He asked this be reconsidered.

Any other matter proper to come before Council

Haigh, President of Whitmoyer Haigh, spoke of Item # 25 in the Borough Manager's report, the Florin Hill infiltration Basin "D". He said that Charter Homes decided to move the Basin by 85 feet and that they could not find any record of plans being files at the Recorder of Deeds. He said they will have to bring this to the Public Works Committee meeting for discussion. He wanted to publicly thank Dennis Nissley and Mark Pugliese for their hard work on this.

Hall asked where we stand with Lots F and M in Florin Hill. Haigh said they never filed plans, and time has expired, and no extension has been requested. Castaldi said this could be a problem.

Pugliese announced that Voyage Mount Joy is sponsoring National Night Out on August 2, 2022, from 6-8pm. Pugliese reported that he will be on vacation from July 30 – August 7.

Hall stated that Saturday, July 16, 2022, is Mount Joy Night at the Barnstormers and encouraged all to attend.

Authorization to Pay Bills

On a **MOTION** by Youngerman, and a second by Roering, Council approved paying the bills as presented from June 1 – June 30, 2022.

GENERAL FUND	\$ 214,916.45
REFUSE/RECYCLING	\$ 59,417.36
CAPITAL IMPROVEMENTS FUND	\$ 68,202.03
HIGHWAY AID FUND	\$ 3,089.41
ESCROW FUND	\$ 4,109.53
JOY LAND ACCOUNT	\$ -

GRAND TOTAL EXPENDITURES	\$ 349,734.78
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Motion carries unanimously.

Meetings and dates of importance

See the white calendar for the month of July.

Executive Session

Council went into Executive Session at 10:08pm. Council came out of Executive Session at 10:22pm. No decisions were made.

Adjournment

On a **MOTION** by Eichler, and a second by Roering, approval was given to adjourn the meeting at 10:23pm. *Motion carries unanimously.*

Respectfully Submitted,



Mark G. Pugliese
Borough Manager/Secretary