

MOUNT JOY BOROUGH COUNCIL
September 11, 2017 Minutes

The Mount Joy Borough Council held its regular meeting on September 11, 2017, at the Mount Joy Borough Office.

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

Roll Call- Present were Councilors Joshua Deering, Mary Ginder, William Hall, Jon Millar, Michael Reese, Hans Seidel, Jake Smeltz, Brian Youngerman, President Glessner and Mayor Timothy Bradley. Staff present were Borough Manager, Samuel Sulkosky; Public Works Director, Dennis Nissley; Stormwater Officer, Dave Salley; Police Sergeant, Scott Drexel; Zoning and Codes Officer, Stacie Gibbs and Administrative Assistant, Andrea Zell.

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

President Glessner announced that executive sessions were held on August 7, 2017, to discuss personnel and legal issues; August 8, 2017, and August 9, 2017, to discuss labor issues. No decisions were made. President Glessner also announced that there will be an executive session to discuss legal matters following the meeting.

On a **MOTION** by Seidel, and a second by Reese, approval was given to accept the agenda for the September 11, 2017, Borough Council meeting. *Motion carries unanimously.*

Public Input Period

Bruce Haigh, 504 Rose Petal Lane, asked for everyone to take a moment to remember the sixteenth anniversary of September 11, 2001, and to think of those that were impacted by hurricane Harvey and Irma. Haigh said the traffic signal at the intersection of New Haven Street and Main Street is making it dangerous for vehicles trying to make left turns from Main Street. He said he observed traffic at that intersection during rush hour on September 7, 2017, and he said that approximately 80% of the vehicles that made left turns were going through the yellow and red lights. Haigh said that a transportation engineer needs to re-evaluate this intersection now that the signalization project is complete. Haigh believes there is a high chance for a serious accident to occur at the intersection.

Don Longsderff, 307 West Donegal Street, said that Pit Stop Hobbies' public-address (PA) system is extremely loud and at times they do not finish until after 11:00 PM. He said he can clearly hear the announcer from inside his home and wants the volume to be turned down on the PA system. He said he has called Pit Stop Hobbies repeatedly and left messages to address this issue. Longsderff said that recently he got in touch with someone at Pitt Stop Hobbies and the man he spoke to told him that he was harassing him by calling. Mayor Bradley asked Longsderff if he contacted the Police Department. Longsderff said yes. He said that the person he spoke to at Pit Stop Hobbies said the Police came to Pit Stop Hobbies and went to Longsderff's house to hear the PA system and he was told that the Police said there is not a problem. Drexel told Longsderff to call the Police Department on the next occasion and they will come to assess the situation.

Barbara Basile, Rotary Club of Mount Joy, invited all in attendance to the Kid's Joy Land Community Day on September 24, 2017, from 3:30 PM - 6:00 PM.

Report of Mayor

Mayor Bradley provided and reviewed a written monthly report for August 2017. Mayor Bradley recognized the staff and volunteers of the Milanof -Schock Library. He said they continually run programs which foster a sense of community while educating the public and their work is a benefit to Mount Joy.

Mayor Bradley asked Council to pause for a moment of silence in remembrance of those who lost their lives on September 11, 2001.

Report of the Chief of Police

Scott Drexel, Police Sergeant, provided and reviewed a written monthly report for July 15, 2017, through August 14, 2017. The report showed 71 traffic arrests and 38 criminal arrests for the month. There were 94 UCR reportable incidents and 449 CAD incidents for the month, with a total of 3688 incidents year to date. Monies collected by the Police Department for the month for tickets, permits, reports, and services totaled \$3,226.63. Drexel provided a press release to Council explaining the 2017 Passenger Safety Enforcement Mobilization and how the Mount Joy Borough Police Department will be participating in this event.

Report of Fire Department Mount Joy (FDMJ)

Phil Colvin, FDMJ Fire Chief, provided and reviewed a written monthly report for July 2017.

Report of Main Street Mount Joy (MSMJ)

Kim Brewer, MSMJ Manager, provided and reviewed a written monthly report for August 2017. Brewer thanked Chief Williams and the Mount Joy Police Department for their continued support during MSMJ events and their cooperative efforts in helping to make these events safe and enjoyable for the community. Brewer said MSMJ is working on finalizing the anchor building grant.

Mayor Bradley said the Clydesdale event was wonderful for the town and thanked Brewer for her efforts. Hall asked Brewer if there was an estimate on the crowd. Brewer said that Budweiser will provide those estimates to MSMJ.

Report of the Milanof-Schock Library (MSL)

Barbara Basile, Executive Director of Milanof-Schock Library, provided and reviewed a written monthly report for July 2017. Basile announced that a pork barbeque fundraiser will take place on October 13, 2017, and tickets will cost \$10.00. Basile said that 350 people attended the solar eclipse event and there were only 60 eclipse glasses available. Basile was thrilled to see the community come together and share the glasses. She said it was an amazing event and it was an awesome experience.

Hall said his teenager and grandsons love to visit the library. Hall thanked Basile for all that she does at MSL.

Report of Codes and Zoning Officer

Stacie Gibbs, Codes and Zoning Officer, provided and reviewed a written monthly report for August 2017. Gibbs said that Old Standby Park should be ready for dedication at the October 2017, Council meeting.

Report of Stormwater Officer

Dave Salley, Stormwater Enforcement Officer, provided and reviewed a written monthly report for August 2017. Salley said St. Mark's United Methodist Church Vacation Bible School donated \$360.00 to the Borough. Salley said this money will be used to purchase more plants for the Grandview Park Rain Garden. He said a planting event will be scheduled in the spring of 2018.

Report of the Borough Authority Manager

John Leaman, Authority Manager, provided a written monthly report for August 2017.

Report of the Borough Manager

Samuel Sulkosky, Borough Manager, provided and reviewed a written monthly report for August 2017. Sulkosky said that nine Millersville University students and one professor participated in the United Way of Lancaster's 2017 Day of Caring on September 9, 2017, by volunteering their time to the Borough. These individuals completed various tasks within the Borough. Sulkosky thanked Brian Brubaker, Parks Superintendent, and Barbara Basile, MSL, for their participation at the event.

Reese asked how the change on the Marietta Avenue Pedestrian Improvement Project would affect the cost. Sulkosky said the Borough Authority has agreed to a 50% cost share.

Approval of the Minutes of the Previous Meeting

On a MOTION by Reese, and a second by Ginder, a request was made to approve the minutes of the regular Borough Council meeting held on August 7, 2017.

Mayor Bradley stated that under Mayoral Recognition a correction needs to be made to Joanna Harlacher's name. He said the k needs to be replaced with an h. *Motion carries unanimously with correction.*

Administration and Finance Committee

On a **MOTION** by Youngerman, and a second by Reese, a request was made to approve the application by Turkey Hill, LLC, of the liquor license transfer for its store located at 703 East Main Street, Mount Joy, PA, by adoption of Resolution No. 18-17.

An amendment was made by Youngerman, and a second by Hall, to add language to the Resolution below the fourth paragraph "WHEREAS, Mount Joy Borough Council did hold a vote pursuant to Section 461 (b.3) of the Liquor Code, 47 P.S. §4-461 (b.3), and by a majority vote of duly-elected representative councilors of the people of Mount Joy did reject the application for an intermunicipal transfer of a liquor license; and WHEREAS, Turkey Hill, LLC, did file suit and use legal action to compel Mount Joy Borough Council to alter the course of its decision on the issue of the intermunicipal transfer of a liquor license; and"

Reese said he does not agree with the amendment because he does not feel compelled by Turkey Hill to alter his vote. Seidel agreed with Reese. Youngerman said the purpose of the amendment is for the record on the truth of the matter and it states the interest of the community. President Glessner said that all parties have gone through the proper channels and Council is not being forced into this decision. *A roll call vote: Ginder, Hall, Millar, Smeltz and Youngerman voting yes. Deering, Reese, Seidel and President Glessner voting no. Motion carries 5 to 4.*

On a **MOTION** by Youngerman, and a second by Reese, approval was given for the application by Turkey Hill, LLC, of the liquor license transfer for its store located at 703 East Main Street, Mount Joy, PA by adoption of Resolution No. 18-17. *A roll call vote: Deering, Ginder, Reese, Seidel, Youngerman and President Glessner voting yes. Hall, Millar, Smeltz voting no. Motion carries 6 to 3.*

On a **MOTION** by Youngerman, and a second by Reese, approval was given for a request by Charter Homes for reduction of financial security for Florin Hill Phase 2B in the amount of \$120,053.12, as recommended by the Borough Engineer. *Motion carries unanimously.*

Report of the Public Safety Committee

On a **MOTION** by Hall, and a second by Deering, approval was given to authorize the solicitor to draft an amendment and advertise a change to Borough Ordinance Chapter §255-47 Vehicle Weight Limits, limiting the area of South Barbara Street from East Donegal Street to New Street to trucks with a maximum gross vehicle weight of 26,000 pounds.

Seidel asked if this is a difficult issue for the Police to enforce. Drexel said no and if there is reason to believe a truck is over the maximum weight limit, we can use scales of neighboring jurisdictions. *Motion carries unanimously.*

On a **MOTION** by Hall, and a second by Smeltz, approval was given to authorize the solicitor to draft an amendment, and advertise for the amendment to Borough Ordinance Chapter §255-63, Vehicles and Traffic, Article IV Parking Regulations, Parking Prohibited At All Times in Certain Locations, to prohibit parking on the South side of West Main Street, between Lemon Street and a point 125 feet west of the eastern Lemon Street curb line, in accordance with the requirements of the Highway Occupancy Permit for the required off-site improvements to Lemon Street, in accordance with the approved Land Development Plan for the American Legion Post 185.

Millar asked if the surrounding homeowners will be affected. Mayor Bradley said that the homeowners who would be affected came to the Public Safety Committee meeting and they are ok with this change. Hall stated that the homeowners in question have off street parking. *Motion carries unanimously. Deering abstained.*

On a **MOTION** by Hall, and a second by Deering, approval was given to authorize the solicitor to draft an amendment, and advertise for the amendment to Ordinance Chapter §255-71(A) changing the \$15.00 fee to \$20.00 for all offenses except handicapped parking. *Motion carries unanimously.*

On a **MOTION** by Hall, and a second by Deering, approval was given to Arbor Rose HOA for a request to conduct a Block Party on Saturday, September 16, 2017, from 5:00 – 9:00 PM authorizing the closure of School Lane from Florin Avenue to Rose Petal Avenue for the duration of the event plus adequate time for set-up and clean up after the event.

An amendment was made by Hall, and a second by Deering to change the date to October 14, 2017. *Motion carries unanimously.*

On a **MOTION** by Hall, and a second by Deering, approval was given to Arbor Rose HOA for a request to conduct a Block Party on Saturday, October 14, 2017, from 5:00 PM – 9:00 PM authorizing the closure of School Lane from Florin Avenue to Rose Petal Avenue for the duration of the event plus adequate time for set-up and clean up after the event. *Motion carries unanimously.*

On a **MOTION** by Hall, and a second by Deering, approval was given to change the time of the previous motion from 4:00 PM - 8:00 PM. *Motion carries unanimously.*

On a **MOTION** by Hall, and a second by Deering, approval was given for a request by Main Street Mount Joy for exemption from the Borough Noise Ordinance to hold "Movies in the Park" events at Memorial Park for the dates of September 15, 2017, and September 22, 2017, (rain date), from 8:00 PM to 11:00 PM. *Motion carries unanimously.*

Report of the Public Works Committee

Dennis Nissley, Public Works Director, provided and reviewed a written monthly report for August 2017. Nissley said that South Plum Street is scheduled to be paved in mid-September 2017. He said that the Marietta Avenue Pedestrian Improvement Project plans have been revised for the width and the Borough will be working with the Borough Authority on the relocation of the water line between Locust Lane and School Lane. Nissley said the Rotary Park Path Extension paving will take place by the end of October 2017. Nissley reported that the retaining wall has been built and the Lancaster County Career and Technology shop class is working on building a railing for the project.

On a **MOTION** by Seidel, and a second by Millar, approval was given for the National Pollutant Discharge Elimination (NPDES) Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4) Pollutant Reduction Plan (PRP) as presented by ARRO Engineering. *Motion carries unanimously.*

On a **MOTION** by Seidel, and a second by Ginder, approval was given to grant a waiver under Borough Ordinance Chapter §232-59(E) allowing for existing downspout to remain under the sidewalk and/or curb to Trinity Evangelical Congregational Church, 100 New Haven Street, Mount Joy, PA.

Seidel stated that Council has already granted several waivers from this ordinance. He said that the church offered to add a rain barrel to improve on their existing downspouts. Gibbs explained that the church does not have a pervious surface for the water to go to disconnect from the stormwater system. She said that Council has not offered a waiver to anyone who has a pervious area to divert the water. Deering asked if there was a way to know the amount of run off that is produced from this building. Salley said there is a formula that can be used to determine the amounts. Deering asked if that formula is used when determining if a waiver can be granted. Salley said no, it is the features of the property that is taking into consideration. *Motion carries unanimously. Millar abstained.*

Public Input Period

Kim Brewer, MSMJ, asked if barricades will be in place at the Arbor Rose Community block party to close the street. Mayor Bradley said the Public Safety Committee had a discussion regarding barricades and we will ensure that proper measures will be taken to keep people safe in that area.

Bruce Haigh, 504 Rose Petal Lane, asked if the written and public comments on the PRP will be added to the website. Salley said that all comments can be posed to the website. Haigh informed Deering that the amount of stormwater run-off from the church building would be minuscule.

Any other matter proper to come before Council

No matters to come before Council.

Authorization to Pay Bills

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

GENERAL FUND	\$	137,823.55
REFUSE/RECYCLING	\$	42,004.16
CAPITAL IMPROVEMENTS FUND	\$	14,631.00
HIGHWAY AID FUND	\$	34,612.85
ESCROW FUND	\$	5,333.81

JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	234,405.37

Motion carries unanimously.

Meetings and dates of importance

See the purple calendar for the month of September 2017.

Council went into executive session at 8:15 PM and came out at 8:34 PM.

On a **MOTION** by Hall, and a second by Millar, Council directed the Borough Manager to send a letter to Mr. James Newcomer stating that Council considers the Newcomer letter dated August 24, 2017, as a rejection to the Borough's letter dated August 14, 2017, and no further action will be taken by Borough Council. *Motion carries 8 to 1. Seidel voting no.*

On a **MOTION** by Seidel, and a second by Reese, approval was given to adjourn the meeting at 8:40 PM. *Motion carries unanimously*

Respectfully Submitted,



Samuel Sulkosky
Borough Manager/Secretary

