

MOUNT JOY BOROUGH COUNCIL
January 3, 2022, Minutes

The Mount Joy Borough Council held its reorganizational and regular meeting on January 3, 2022, at the Mount Joy Borough Office. Mayor Timothy Bradley, Jr. 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, William Hall, Eric Roering, Bob Ruschke, Brian Youngerman, and Mayor Timothy Bradley, Jr. Staff present were Borough Manager, Mark G. Pugliese I; Public Works Director, Dennis Nissley; Stormwater Officer, Dave Salley; Codes and Zoning Officer; Stacie Gibbs; Police Chief, Robert Goshen and Administrative Assistant, Lisa Peffley.

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

Mayor Bradley collectively administered the Oath of Office to newly elected and re-elected Borough Council members, Fahndrich, Ginder, Haigh, Roering and Youngerman.

Reorganization of Borough Council

Mayor Bradley introduced the reorganization of the Mount Joy Borough Council. Mayor Bradley opened the nominations for Council President. Fahndrich made a motion to nominate Hall; the nomination was seconded by Ruschke. *Motion carries 8-0-1, Hall abstained.*

Mayor Bradley opened the nominations for Council Vice President. Youngerman made a motion to nominate Fahndrich; the nomination was seconded by Hall. *Motion carries 8-0-1, Fahndrich abstained.*

Mayor Bradley opened the nominations for President Pro-Tem. Hall made a motion to nominate Youngerman; the nomination was seconded by Ruschke. *Motion carries 8-0-1, Youngerman abstained.*

Mayor Bradley passed the gavel to President Hall to preside over the remainder of the meeting.

President Hall made appointments to the Administration and Finance Committee. Chairman, Brian Youngerman, Councilman Eric Roering and President William Hall.

Mayor Bradley passed the gavel over to President Hall. At this time Hall turned the floor over to Councilman Haigh for a statement. Haigh stated that he contacted Brian D. Jacisin, Chief Counsel for the Pennsylvania State Ethics Commission, and that he has provided a preliminary Advice/Opinion email dated December 13, 2021. In Summary, Mr. Jacisin has advised me that my work on behalf of my clients, Gary Schatz Garage, LLC and Gary and Raeann Schatz, and the Arbor Rose residents, does not create conflict of interest provide I rescues myself from any discussions, interactions and/or voting regarding these matters as a member of Borough Council. The Pennsylvania State Ethics Commission will follow up with official correspondence after the New Year. I have been advised to by the Pennsylvania State Ethics Commission that at the first public meeting I should verbally inform members of Borough Council, Borough Staff, and the general public regarding the exact nature(s) of my current and potential conflicts of interests, that I should outline all restrictions placed on my actions as a member of Borough Council regarding any potential conflicts of interest, and that I should outline all actions that the Pennsylvania Ethics Commission has indicated that I am sill allowed to take either as a private citizen or as President of Whittemore and Haigh Engineering Inc. regarding my current and any future clients that the Pennsylvania Sate Ethics Commission does not consider a conflict of interest and are, therefore, not an "ethic violation."

President Hall made appointments to the Public Works Committee. Chairwomen, Mary Ginder; Councilman, Bruce Haigh and Councilman Robert Ruschke.

President Hall made appointments to the Public Safety Committee. Chairwomen, LuAnn Fahndrich; Councilman, Dave Eichler and Councilman, Dominic Castaldi.

President Hall made appointments to the Ad Hoc Committee for the Borough Building. Chairman, Joshua Deering, Planning Commission; William Hall, Mount Joy Borough Council President; Robert Ruschke, Mount Joy Borough Councilman; John Rebman, Mount Joy Borough Authority Chairperson; Larry Derr, Mount Joy Borough Authority Vice Chairperson; Mark Pugliese I, Mount Joy Borough Manager; Robert Goshen, Chief of Police; and Joseph Ardini, Mount Joy Borough Authority Manager.

The Ad Hoc Committee for the contract negotiations is dissolved.

The Ad Hoc Committee for the train station is dissolved with future action referred to the Administration and Finance Committee.

The Liaison to Main Street Mount Joy will be Dominic Castaldi.

In line with the Pennsylvania Borough Code, the Mayor will serve as an ex-officio member of all committees.

On a **MOTION** by Ginder, and a second by Haigh, approval was given to accept the agenda for the January 3, 2022, Borough Council meeting. An **AMENDMENT** by Fahndrich, and a second by Castaldi, a request was made to change the wording in 14a, from motion to discuss. *Amendment carries unanimously.* An **AMENDMENT** by Youngerman, and a second by Ginder, a request was made to add an item 13e, send to the Solicitor to draft an Ordinance to name the County as the tax collector for the Borough. *Amendment carries unanimously. Motion, as amended, carries unanimously.*

Public Input Period

Raeann Schatz, representing Schatz's Garage, 1090 W Main St., spoke regarding the 3 items of the Melhorn Basin condition and need of repair. She wanted to know the timeline of when it will be completed.

Ned Sterling, 13 W. Main St., asked if the Mount Joy Community Foundation came up with any community projects and if the meetings were open to the public. Sterling also asked if the Borough will be replacing the dead street trees this year.

Dale Murray, 120 Farmington Way, welcomed Castaldi as the new liaison for MSMJ and thanked Fahndrich for her years of the liaison with MSMJ. Murray asked Council to consider having a member from the public be part of the Building Ad Hoc Committee. He asked each Council member to decide on a max figure and cap amount for the new building. Murray asked Council to pass the Act 50 item that is on tonight's agenda.

Report of Mayor

Mayor Bradley provided and reviewed a written monthly report for December 2021.

Report of the Chief of Police

Robert Goshen, Police Chief, provided and reviewed a written monthly report for November 1, 2021, through November 30, 2021. The report showed 42 traffic arrests and 42 criminal arrests for the month. There was a total of 562 incidents for the month of November, with a total of 7,495 incidents year to date. Monies collected by the Police Department for the month for tickets, permits, reports, and services totaled \$4,129.95.

Report of Fire Department Mount Joy (FDMJ)

Matt Gohn, FDMJ Fire Chief, provided and reviewed a written monthly report for November 2021.

Report of PSH Life Lion LLC

Adam Marden provided a written monthly report for November 2021.

Report of EMA

No report provided.

Report of Main Street Mount Joy (MSMJ)

Dave Schell, Executive Director, provided and reviewed a monthly report for December 2021. Schell thanked everyone who helped out with Winterfest and made it a success. Schell informed Council that at year end MSMJ has provided over \$150,000 worth of services into the downtown area through these types of activities. This does not include MSMJ's time to create / plan / run events. The Downtown businesses get these services for free if they need them.

Report of the Milanof-Schock Library (MSL)

No report provided.

Report of Codes and Zoning Officer

Stacie Gibbs, Codes and Zoning Officer, provided a written monthly report for December 2021 and 2019 Annual Zoning, Code & Planning Reports. Gibbs gave updates on the Mount Joy Senior Housing project, Laurel Harvest Labs and Mount Joy Dental.

Report of Stormwater Officer

Dave Salley, Stormwater Enforcement Officer, provided and reviewed a written monthly report for December 2021.

Report of Public Works Director

Dennis Nissley, Public Works Director, provided and reviewed a written monthly report for December 2021.

Report of the Borough Authority Manager

Joseph Ardini, Authority Manager, provided a written monthly report for December 2021.

Report of the Assistant Borough Manager/Finance Officer

Jill Frey, Assistant Borough Manager/Finance Officer provided a written monthly report for December 2021.

Report of the Borough Manager

Mark G Pugliese I, Borough Manager, provided and reviewed a written monthly report for December 2021. Pugliese gave and update on Grants and AV equipment for Council Chambers.

Approval of the Minutes of the Previous Meeting

On a **MOTION** by Eichler, and a second by Castaldi, approval was given for the minutes of the regular Borough Council meeting held on December 6, 2021. *Motion carries unanimously.*

Building Ad Hoc Committee

Deering, Chairman, said there were no recommendations to Council.

Administration and Finance Committee

On a **MOTION** by Youngerman, and a second by Roering, a request was made to send a letter to elected state officials reference Act 50. After some discussion Hall said he feels the concept is right, however he does not feel it is quite right or ready to be sent. On a **MOTION** by Youngerman, and a second by Haigh, a request was made to be laid on the table to be reconsidered at the next Council meeting. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Roering, a request was made to extend the Police Chief's MOU to January 2, 2024. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Roering, a request was made to extend the Borough Manager's MOU to January 2, 2024. An **AMENDMENT** by Haigh, and a second by Youngerman, a request was made to strike the words "or compensatory time" from item #1 of the MOU. *Amendment carries unanimously.* An **AMENDMENT** by Haigh, and a second by Roering, a request was made to be able to use the compensatory time within 45 days instead of 30 days. Amendment withdrawn. An **AMENDMENT** by Haigh, and a second by Roering, to change the 30 day reference to 60 day in item #8. *Amendment carries 7-2, Hall and Castaldi voting No. Main Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Roering, a request was made to direct the Solicitor to draft and advertise an Ordinance for the Lancaster County Tax Collection Bureau to be the Tax Collector for the Borough for two years.. *Motion carries unanimously.*

Report of the Public Safety Committee

Fahndrich led a discussion of purchase of laptops/tablets for Council to utilize at public meetings in lieu of paper meeting packets. Said monies to be drawn from the "CARES Act" funding.

Report of the Public Works Committee

On a **MOTION** by Ginder, and a second by Ruschke, a request was made to approve the Rotary Park Maintenance Responsibilities memorandum of Understanding and to authorize the Brough Manager or Public Works Director to execute or sign the document. Mayor Bradley has some issues with item Z, Vending Machine Maintenance and Vandal Repairs. He feels the language is not clear. Hall said he feels there is a lot of uncertainty. An **AMENDMENT** by Ginder, and a second by Haigh, a request was made to strike Z from the MOU. After further discussion, Ginder withdrew the Motion and Amendment and will bring the MOU back at a later date. Hall suggested that any Councilors contact Nissley with any changes to the MOU within the next couple of weeks.

On a **MOTION** by Ginder, and a second by Ruschke, a request was made to authorize the Borough Manager to have an Ordinance drafted and advertised to post Apple Alley from West Main Street to Clay Alley "NOT TRUCKS". *Motion carries unanimously.*

Public Input Period

Beth Brelja, 550 N Angle St., asked how much money the Borough gives to MSMJ and what percentage of MSMJ budget comes from the Borough.

Ned Sterling, 13 W Main St., asked if a Council member can also serve as an alternate on the Zoning Hearing Board.

Josh Deering, 33 Frank St., asked for the status of the re-routing of 772.

Any other matter proper to come before Council

Mayor Bradley thanked Ferne Silberman for providing a history of Winterfest and the tree decorating via email. On behalf of the Borough the Mayor wanted to thank the following people/organizations: The Brubakers for trimming the tree and getting it back into shape, Barbara O'Neil and the First Presbyterian Church for opening up the church and providing lunch and use of restrooms, Ned Sterling set up of the decorations keeping the decorations in order, FDMJ for their help in decorating of the tree, MSMJ and Dave Schell for providing the decorations throughout Main Street.

Fahndrich said the Chief and Borough Manager have been in contact with the Make a Wish Foundation regarding them coming through Mount Joy the second Sunday in May. The Make a Wish Foundation is hoping to enlarge their participants to more than 500 trucks.

Castaldi welcomed the new and re-elected Councilors and Mayor. He also wished Ginder good luck as the new Chair of the Public Works Committee.

Authorization to Pay Bills

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

GENERAL FUND	\$	149,093.87
REFUSE/RECYCLING	\$	57,452.49
CAPITAL IMPROVEMENTS FUND	\$	79,988.18
HIGHWAY AID FUND	\$	11,012.62
ESCROW FUND	\$	12,359.01
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	309,906.17

Motion carries unanimously.

Meetings and dates of importance

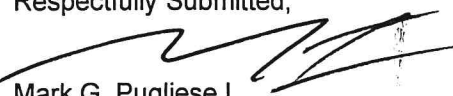
See the white calendar for the month of January 2022.

Council went into executive session at 10:00 PM. Executive session ended at 11:03 PM. On a **MOTION** by Ruschke, and a second by Ginder, to agree in principal the document presented by the Police Negotiating Committee Titled "Mount Joy Borough Police Negotiating Committee & Mount Joy Borough Police Officers' Association Executive Committee's Mutual Agreed Upon 2022-2025 Police Contract Items dated December 15, 2021. *Motion carries unanimously.*

Adjournment

On a **MOTION** by Youngerman, and a second by Ginder, approval was given to adjourn the meeting at 11:06 PM. *Motion carries unanimously.*

Respectfully Submitted,


Mark G. Pugliese I
Borough Manager/Secretary