

MOUNT JOY BOROUGH COUNCIL
October 1, 2018 Minutes

The Mount Joy Borough Council held its regular meeting on October 1, 2018, at the Mount Joy Borough Council Chambers.

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

Roll Call - Present were Councilors Joshua Deering, Lu Ann Fahndrich, Mary Ginder, William Hall, Jon Millar, Michael Reese, Jake Smeltz, Brian Youngerman, President Glessner and Mayor Timothy Bradley, Jr. Staff present were Borough Manager, Samuel Sulkosky; Public Works Director, Dennis Nissley; Stormwater Officer, Dave Salley; Police Chief, Maurice Williams; Zoning and Codes Officer, Stacie Gibbs; and Administrative Assistant, Lisa Peffley.

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

President Glessner announced there was an Executive Session held on September 10, 2018, for personnel issues. No decisions were made. There will be an Executive Session tonight following the Council meeting for legal and real estate issues. There may be a decision following.

On a **MOTION** by Reese, and a second by Ginder, approval was given to accept the agenda for the October 1, 2018, Borough Council meeting. *Motion carries unanimously.*

Public Input Period

Glessner announced there will be a time limit of three minutes per individual.

Raeann Schatz, 24 Fairview Ave., Marietta, said she came to Council last month concerning the water basin located near her business located at 1090 W. Main Street. She is here tonight to get an update as to what is happening with that. Sulkosky told her the Borough is looking at it. Schatz asked if she will be kept up to date on what is happening with the basin. Glessner told her yes, they will let her know when the research is finished and what the outcome is.

Ned Sterling, 13 W. Main St., asked if COBRA is the police management system the Borough decided on. The Chief responded, COBRA is not an RMS system, it is an information sharing system. Sterling asked the Chief if there is a system he is leaning toward. The Chiefs response was CSI.

Dale Murray, 120 Farmington Way, commended Council on the decision they made last month with Giant concerning the denial of the liquor license. He asked Council to pass 10c on tonight's Agenda.

Barbara Basile reported the Town Clock is not back as planned due to the wrong color of paint. Basile said hopefully it will be back next month.

Bruce Haigh, 504 Rose Petal Ln., spoke regarding the Pollution Reduction Plan and the Chesapeake Bay Plan. He said there is a meeting in October, he plans to attend to see if there are any changes or modifications to the Plans.

Report of the Mayor

Mayor Bradley gave a written and verbal monthly report for September 2018. The Mayor told Council that he met with the Sidewalk Working Group to compile research findings. The Mayor gave a power point presentation at the Mount Joy Boroughs Public Works Committee meeting on alternatives to the current sidewalk policy based on other existing programs and state/national guidelines.

Report of the Chief of Police

Maurice Williams, Police Chief, provided and reviewed a written monthly report for August 1, 2018, through August 31, 2018. The report showed 63 traffic arrests, 1 juvenile arrest and 22 criminal arrests for the month. There were 62 UCR reportable incidents and 416 CAD incidents for the month, with a total of 3880 incidents year to date. Monies collected by the Police Department for the month for tickets, permits, reports, and services totaled \$5,074.34. The Chief reported Officer Reed completed his field training and is on his own at this point.

Report of Fire Department Mount Joy (FDMJ)

Matt Gohn, FDMJ Fire Chief, provided and reviewed a written monthly report for August 2018.

Report of SVEMS

Candy Blanchflower provided a written monthly report for September 2018.

Report of Main Street Mount Joy (MSMJ)

Dave Schell, Executive Director, provided and reviewed a written monthly report for September 2018. Schell said they had a very successful 4th Friday, with over 400 people attending the Blues, Brews and BBQs event. Schell told Council he is managing a DCED Google group for Main Street Managers.

Report of the Milanof-Schock Library (MSL)

Barbara Basile, Executive Director of Milanof-Schock Library, provided a written monthly report for August 2018. Basile said the Annual Benefit Auction was a success, raising over \$28,000.

Report of Codes and Zoning Officer

Stacie Gibbs, Codes and Zoning Officer, provided and reviewed a written monthly report for September 2018. Mayor Bradley asked Gibbs if the Gerberich- Payne building was brought up to code. Gibbs replied, yes, they did what Council waived them to do.

Report of Stormwater Officer

Dave Salley, Stormwater Enforcement Officer, provided and reviewed a written monthly report for September 2018. Deering asked Salley for an update of Pink Alley and Rotary Park. Salley reported after the August 31, 2018, flooding, staff and ARRO evaluated the damage that was done at both projects. It was determined that Pink Alley detention basin had minor damage (replace matting and plants) but Rotary Park swale was a complete loss. The swale will need to be re-graded, re-seeded, re-matted, vegetation re-planted, and have the check dams reconstructed. Staff and ARRO have informed DEP about the current condition of the project. Staff is exploring funding options to re-construct the designed plans.

Report of Public Works Director

Dennis Nissley, Public Works Director, provided and reviewed a written monthly report for September 2018. Nissley stated there are no changes to the projects that are currently in place since last month. Nissley said the Public Works Department is currently down two employees at this time. Nissley told Council he is in the process of interviewing and hopes to fill the two open positions within the next two weeks.

Report of the Borough Authority Manager

John Leaman, Authority Manager, provided a written monthly report for September 2018.

Report of the Borough Manager

Samuel Sulkosky, Borough Manager, provided and reviewed a written monthly report for September 2018. Sulkosky informed Council he received an email from Phil Colvin, with LEMA, stating as of October 1, 2018, LEMA will no longer be collecting the damage assessment forms. FEMA conducted their visit on Thursday of last week and has the data they need to make the decision. If we receive any additional forms, he asked that we please keep them for your records. Colvin said, the message to send to people now is that we are waiting for FEMA to make the determination on the Presidential Declaration. They have collected the necessary information they need as of this date. If we do receive a Presidential Declaration, the announcement will be made public through all media outlets. We will also provide the information to you to place on your web sites and social media outlets. If we are declared, the residents will need to register with FEMA and then go to a Disaster Recovery Center (DRC) and apply for assistance.

Approval of the Minutes of the Previous Meeting

On a MOTION by Reese, and a second by Ginder, approval was given for the minutes of the regular Borough Council meeting held on September 10, 2018. *Motion carries unanimously.*

Administration and Finance Committee

On a MOTION by Youngerman, and a second by Reese, a request was made to approve Resolution No. 27-18, a Resolution disposing of municipal records as recommended by the Pennsylvania Archives Office. *Motion carries unanimously.*

On a MOTION by Youngerman, and a second by Reese, a request was made to approve a request from Laurel Harvest Labs, for a 90-day extension of time in which to record the approved Preliminary/Final Land Development Plan approved by the Mount Joy Borough Council on April 2, 2018, in accordance with the Mount Joy Borough Subdivision and Land Development Ordinance, Section 240-29A. The 90-day extension of time will expire on January 2, 2019. *Motion carries unanimously.*

On a MOTION by Youngerman, and a second by Reese, a request was made to direct the Borough Solicitor to defend the Borough's position concerning the Giant Food Stores appeal of the denial of the Intermunicipal Liquor License Transfer per Resolution No. 26-18. *Roll call vote, Millar, Fahndrich, Hall, Smeltz, and Youngerman voting Yes. Deering, Ginder, Reese, Glessner voting No. Motion carries 5-4 for the Borough to defend.*

Ginder commented on this matter, stating she feels Council is flip flopping when it comes to allowing liquor licenses in the Borough and asked if Borough really has the time and resources to defend this decision.

Reese commented on this matter, stating the liquor license would allow Giant to stay competitive in this business. He feels this is a business decision and this is the way things are headed. Reese said Giant invests in this community by employing local people and paying taxes and does not feel we should deny them this opportunity to stay competitive.

Deering commented on this matter, stating he does not feel that Giant will be in competition with local bars in the area.

Bradley commented on this matter, reminding Council that Giant currently holds the lease at Darrenkamps and wonders if it would be a possibility that Giant would decide to move to that location, which is located in Rapho township, in order to use their liquor license. Bradley feels Council should look at the possible consequences of denying Giant the liquor license.

Millar commented on this matter, stating he feels bringing another liquor license into the Borough will hurt the already existing small business. He does not feel that Giant will be hurt by not being able to sell beer and wine.

Youngerman commented on this matter, stating he feels Council needs to stand by their decision in denying Giant the liquor license.

On a **MOTION** by Youngerman, and a second by Reese, a request was made to approve Chiques Creek Reenvisioned NFWF Grant Funding Program Landowner Agreement. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Reese, a request was made to accept the 2019 Minimum Municipal Obligation for the Uniformed and Non-Uniformed Pension plans as presented. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Reese, a request was made to advertise budget meetings for November 1, November 8 and November 15, 2018. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Reese, a request was made to authorize expenses under Borough Code §701.1 for Councilor Lu Ann Fahndrich to attend the PSAB Fall Conference from October 12-14, 2018. *Motion carries, Fahndrich abstains.*

Report of the Public Safety Committee

On a **MOTION** by Hall, and a second by Smeltz, a request was made to approve a handicapped parking space application for 201 East Main Street. *Motion carries unanimously.* Hall noted the parking space will actually be on the first block of North High Street due to the fact there is no parking available at 201 East Main Street.

Report of the Public Works Committee

On a **MOTION** by Deering, and second by Millar, a request was made to approve a Frisbee Golf Course at Little Chiques Park as presented by Dave Christian. *Motion carries unanimously.*

Public Input Period

Dale Murray, 120 Farmington Way, told Council he appreciated the vote on the Giant issue.

Bruce Haigh, 504 Rose Petal Ln., commented on the Borough's basin located near Gus's and its design.

Ned Sterling, 13 W Main St., asked what is going on at Gateway Park. Nissley told him flood damage repair.

Bob Ruchke, 550 N Angle St., said he does not have an issue with Giant selling beer and wine, his concern is consuming it on the premises. Smeltz told Ruchke the license is a restaurant license so therefore they must offer it to be able to be consumed on the premises.

Larry Boozer, 209 Midland Circle, said after reviewing the preliminary offerings from the 772 Routing Study, he does not see any left turn signals on W. Main Street. He feels it should be simple and hopes someone will address this issue.

Smeltz reviewed the 772 Routing Study with Council and said he will email the study for them to review. He told Council this is just a briefing and to not make a decision today.

Authorization to Pay Bills

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

GENERAL FUND	\$	114,635.63
REFUSE/RECYCLING	\$	48,836.08
CAPITAL IMPROVEMENTS FUND	\$	1,500.94
HIGHWAY AID FUND	\$	4,549.24
ESCROW FUND	\$	455.00
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	169,976.89

Motion carries unanimously.

Meetings and dates of importance

See the orange calendar for the month of October 2018.

Council went into executive session at 8:32 pm to discuss legal and real estate issues. Council came out of executive session at 9:38 pm.

Councilor Youngerman made a motion, seconded by Councilor Reese to direct the Borough's Solicitor to continue to enforce the stormwater violation notice issued by Borough Stormwater Officer Dave Salley to The Lakes at Donegal Springs Homeowner Association on May 12, 2017. All voted in favor with Fahndrich abstaining. *Motion carries 8-0-1.*

Councilor Deering made a motion that the Borough purchase the property located at 15 West Main Street, seconded by Councilor Millar. Councilor Deering made a motion to amend the original motion that the Borough purchase the property at 15 West Main Street for \$208,000, seconded by Councilor Millar. Roll call on the amendment was Deering, Fahndrich, Millar, Youngerman and Glessner voting yes, Ginder, Hall, Reese and Smeltz voting no. *Motion on the amendment passes 5-4.* A roll call on the original motion was Deering, Fahndrich, Millar, Youngerman, and Glessner voting yes, Ginder, Hall, Reese and Smeltz voting no. *Motion carries 5-4.*

Council entered into Executive Session for personnel issues at 9:45 pm. Council came out of Executive Session at 10:41 pm. No decisions were made.

Adjournment

On a **MOTION** by Hall, and a second by Reese, approval was given to adjourn the meeting at 10:42 pm. *Motion carries unanimously.*

Respectfully Submitted,



Samuel Sulkosky
Borough Manager/Secretary