

MOUNT JOY BOROUGH COUNCIL
October 2, 2023, Minutes

The Mount Joy Borough Council held its regular meeting on October 2, 2023.

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

Roll Call- Present were Councilors, Dominic Castaldi, David Eichler, LuAnn Fahndrich, Mary Ginder, David Greineder, Bruce Haigh, Bob Ruschke, Brian Youngerman, President William Hall and Mayor Timothy Bradley, Jr. via Zoom. Staff present were Borough Manager, Mark G. Pugliese I; Assistant Borough Manager/Finance Director, Jill Frey; Public Works Director, Dennis Nissley Codes, Zoning and Stormwater Administrator, Duane Brady, Jr.; Police Chief, Robert Goshen and Administrative Assistant, Lisa Peffley.

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

President Hall announced there was an Executive Session by full Council held after last month's meeting to discuss the hiring of an individual for Public Works/Parks. There was none held outside of regular Council meeting between September 11, 2023, and October 2, 2023. There may be an executive session tonight.

On a **MOTION** by Eichler, and a second by Ruschke, a request was made to accept the agenda for the October 2, 2023, Borough Council Meeting Agenda. An **AMENDMENT** by Fahndrich, with a second by Castaldi, a request was made to add 13b, Resolution 2023-14, to the agenda. *Amendment passes.* An **AMENDMENT** by Haigh, and a second by Ginder to add 12e, Chiques Crossing in Rapho Township discussion to the agenda. *Amendment passes. Main Motion as amended carries unanimously.*

Public Input Period

Linda Campbell, 662 Wood St., said she would like to express some concerns about the paving project on Wood Street. She said the equipment that came through sounded like an earthquake and said she learned from neighbors that there had been some structural damage, specifically cracks in the plaster and foundations to various houses in the area. She said there was a small meeting on Friday morning but only three property owners were present. She suggested that the Borough should notify the others. She thinks the Borough needs to have a Structural Engineer look at the properties where people have concerns about their foundation and cracks. Most of those properties are old with the houses being built in the 1920s with plaster walls.

Report of Mayor

Mayor Bradley provided an oral report for September 2023, via Zoom. Bradley said he attended the ribbon cutting ceremony for the Gerberich Payne building, Mount Joy Senior Housing on behalf of the Borough and accepted a framed photo of the building for the Borough.

Report of the Chief of Police

Robert Goshen, Police Chief, provided a written monthly report for August 1, 2023, to August 31, 2023. The report showed 50 traffic arrests and 13 criminal arrests for the month. There was a total of 734 incidents for the month of August, with a total of 5,615 incidents year to date.

Report of Fire Department Mount Joy (FDMJ)

Brett Hamm, FDMJ Fire Chief, provided and reviewed a written monthly report for August 2023.

Report of PSH Life Lion

Adam Marden provided and reviewed a written monthly report for August 2023.

Northwest EMA

No report.

Report of EMA

No report.

Report of the Milanof-Schock Library (MSL)

Joseph McIlhenney provided a written monthly report for August 2023.

Report of Code/Zoning & Stormwater Administrator

Duane Brady, Jr., Codes, Zoning and Planning Administrator, provided a written monthly report for September 2023. Brady informed Council that the MS4 was submitted last week to the DEP.

Grants, Projects, and Community & Economic Development Administrator

No report.

Report of Public Works Director

Dennis Nissley, Public Works Director, provided a written report for September 2023.

Report of the Borough Authority Manager

Scott Kapcsos, Authority Manager, provided a written monthly report for September 2023.

Report of the Assistant Borough Manager/Finance Officer

Jill Frey, Assistant Borough Manager/Finance Officer, provided a written report for August 2023.

Report of the Borough Manager

Mark G. Pugliese I, Borough Manager, provided a written report for September 2023.

Approval of the Minutes of the Previous Meeting

On a **MOTION** by Ginder, and a second by Haigh, approval was given for the minutes of the regular Borough Council meeting held on September 11, 2023. *Motion carries as unanimously.*

Building Ad Hoc Committee

Deering said they are moving ahead with the design phase and there are upcoming meetings to discuss the HVAC and interior design.

Administration and Finance Committee

On a **MOTION** by Youngerman, and a second by Greineder, a request was made to authorize Council President and Manager to ratify the documents for a bus shelter at Old Standby Park. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Greineder, a request was made to award the contract for the RRFB and Street markings as part of the MTF Grant to Herr Signal & Lighting in the amount of \$370,800.00 *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Greineder, a request was made to acknowledge receipt of MMO of both the Police and Non-Uniform Pension Plans. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Greineder, a request was made to release the remaining Financial Securities in the amount of \$22,904.35 to Square Deal 950 LLC, upon satisfying all Borough obligations. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Greineder, a request was made to authorize enforcement action in the form of a non-traffic summary citation against the property owner and/or renter of 124 N Angle St by Codes/Zoning Officer or the Borough Solicitor. *Motion carries unanimously.*

Sketch Submission waiver request for Orchard Rd. Smeigh with DC Gohn was present to present the sketch and request the waiver request. On a **MOTION** by Haigh, and a second by Ruschke, a request was made to waive the traffic study with a traffic assessment in lieu of that and waive the fee in lieu of the traffic impact study. *Motion carries 8-1, Youngerman voting No*

Briefing of Zoning Hearing Board cases 23-07 and 23-08, Special Exception for Short Term Rental by Brady. On a **MOTION** by Youngerman, and a second by Greineder, a request was made to have Council be represented by both the Zoning/Codes Officer and Borough Solicitor before the Zoning Hearing Board to voice Councils opposition to cases 23-07 & 23-08. *On a roll call vote, motion carries 7-1, Eichler, Ginder, Greineder, Haigh, Ruschke, Youngerman and Hall voting yes, Castaldi voting no and Fahndrich abstaining.*

On a **MOITON** by Youngerman, and a second by Greineder, a request was made to set the base salary for non-uniform employees at 2% with up to an additional 2% merit pay based upon the employee's performance appraisal. *Motion carries 8-1, Haigh voting No.*

Report of Public Works Committee

On a **MOTION** by Ginder, and a second by Haigh, a request was made to waive the 10% administrative fee for sidewalks on the Iacobacci Property on Pinkerton Rd. *Motion failed unanimously.*

On a **MOTION** by Ginder, and a second by Ruschke, a request was made to approve the use of Memorial Park by St. Lukes Episcopal Church on 10/29/2020 from 11:00 am until 12:30 pm. *Motion carries unanimously.*

Haigh led a discussion on "downspouts and gutters". No action was taken.

Update on Wood Street

There was a discussion regarding vibration from some of the equipment working on Wood Street and concerns from some residents of possible damage due to that vibration. The Borough contracted with a separate engineering firm to monitor and evaluate the vibration from the equipment at different locations in the area where construction is taking place. Another concern was damage done to a newly installed curb at 720 Wood Street when they were installing ADA ramps in that area. The contractor repaired the curb, but the repair was unacceptable. There was discussion regarding damage done to newly installed curbs and sidewalks at Wood Street and Market Street from the large trucks going to and from Wenger Feeds.

On a **MOTION** by Haigh, and a second by Ruschke, a request was made to allow Staff to direct the contractor or the property owner to make appropriate repairs. If they are not made within 15 days the Borough will engage a contractor, make the repairs and take legal action to recover the cost. *Motion carries unanimously.*

Haigh led a discussion on Chiques Crossing in Rapho Township regarding parking and their November meeting to discuss amending their Ordinance pertaining to this. No action taken.

Report of the Public Safety Committee

On a **MOTION** by Fahndrich, and a second by Eichler, a request was made to approve the trade-in of the 2018 Dodge Charger for the amount of \$10,500 towards the purchase of the 2024 Dodge Durango Pursuit AWD police vehicle. *Motion carries unanimously.*

On a **MOTION** by Fahndrich, and a second by Castaldi, a request was made to adopt Resolution 2023-14, showing the Borough's intent to allow a suspense of a banner across State Route 230 for the purposes of advertising the Fire Department Recruitment Drive 10/23/2023 – 11/4/2023. *Motion carries unanimously.*

Public Input Period

None.

Any other matter proper to come before Council.

Pugliese informed Council of the upcoming rate increases he received from LCSWMA. He said he received a Community registration form for Winterfest and asked if Council would like him to fill it out. Hall said yes.

Haigh asked if the Borough has paid LB Construction for the work on Wood Street yet. On a **MOTION** by Haigh, and a second by Castaldi, a request was made to withhold funds from LB Construction until we get satisfactory answers. *Motion carries unanimously.*

Eichler said he attended the Lancaster County Preservation Summit on September 20th. He said he learned that the Gerbrich Payne building was an adaptive reuse of a building, quoted as the process of converting a building into another use other than the original. He said he found out that there are certain tax credits that go along with the use or reuse of properties like that. He said one of the reasons why he attended the Summit is the fact that Mount Joy Borough has a Historical Society and several Boroughs do not.

Youngerman volunteered to set up a table and hand out candy at the Mount Joy Spooktacular Fun Night on October 27th.

Haigh said the Public Works Committee is making slow but steady progress on the Sidewalk Ordinance. He will be sending out two short videos, one referencing wheelchairs and one referencing blind people for Council to look at so they can understand the issues from their perspective.

Authorization to Pay Bills

On a **MOTION** by Youngerman, and a second by Greineder, Council approved paying the bills as presented from September 1-September 30, 2023. *Motion carries 8-1, with Hall voting no.*

GENERAL FUND	\$	100,176.74
REFUSE/RECYCLING	\$	76,295.44
CAPITAL IMPROVEMENTS FUND	\$	183,367.03
HIGHWAY AID FUND	\$	-
ESCROW FUND	\$	2,310.50
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	362,149.71

Meetings and dates of importance

See the orange calendar for the month of October.

Executive Session

None

Adjournment

On a **MOTION** by Ginder, and a second by Haigh, approval was given to adjourn the meeting at 9:35 PM. *Motion carries unanimously.*

Respectfully Submitted,



Mark G. Pugliese
Borough Manager/Secretary