

MOUNT JOY BOROUGH COUNCIL
December 3, 2018 Minutes

The Mount Joy Borough Council held its regular meeting on December 3, 2018, at the Mount Joy Borough Council Chambers.

President Youngerman 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, and Mayor Timothy Bradley, Jr. Staff present were Borough Manager, Samuel Sulkosky; Public Works Director, Dennis Nissley; Stormwater Officer, Dave Salley; Stacie Gibbs, Codes and Zoning Officer; Police Chief, Maurice Williams; and Administrative Assistant, Lisa Peffley.

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

President Youngerman announced there was no Executive Session held on November 5, 2018

On a **MOTION** by Ginder, and a second by Millar, approval was given to accept the agenda for the December 3, 2018, Borough Council meeting. *Motion carries unanimously.*

David Eichler and Mark Hiester were each interviewed by Council for the vacant East Ward Council seat.

On a **MOTION** by Reese, and a second by Deering, a request was made to approve Resolution No. 36-18, appointing David Eichler to the position of Borough Council for the East Ward. *Motion carries unanimously.*

Mayor Bradley administered the Oath of Office for newly appointed Council member David Eichler.

Councilor Smeltz turned in his written resignation to President Youngerman and Borough Council members prior to the start of tonight's meeting. Youngerman thanked Smeltz for his service.

Public Input Period

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

Sue Sterling, 13 W. Main St., spoke regarding 12j on tonight's agenda she was concerned about the current owner / resident living arrangement and his financial responsibilities that go along with that once the Borough takes ownership of the property.

Ned Sterling, 13 W. Main St., thanked and congratulated Council on balancing the Budget with out a tax increase. Sterling was disappointed to see the demolition of the property located at 136 and 140 Main Street. He is asking Council to give the Planning Commission authorization to review the existing Zoning Ordinance in regard to demolition and historic preservation.

Bruce Haigh, 504 Rose Petal Ln., told Council he is here tonight to represent Gary and Raeann Schatz. Haigh discussed a packet, which included photos, he prepared for Council members and Darrell Becker concerning the Mount Joy Borough Stormwater Management Basin located near his client's property. Haigh also discussed the AMTRAK pipe nearby. He would like to also discuss that tonight. Haigh wanted to make it very clear that no one here tonight had anything to do with Gus's expansion or Florin Hill.

Dale Murray, 120 Farmington Way, questioned Smeltz on his resignation regarding his term on the Borough Council. Smeltz replied, due to the change and new responsibilities of his job he feels this is the best option for everyone including his family and community. Smeltz said it was an honor to serve the people of his community and that he will miss everyone.

Darrell Becker with ARRO Consulting presented a report concerning the Mount Joy Borough Stormwater Management Basin (West of the Public Works Facility). The report was as followed:

A survey of the Stormwater Management Basin (SMB) was performed in November 2018 and an as-constructed plan prepared. ARRO compared some of the SMB design features with the as-constructed survey features. The comparison is shown below:

	DESIGN	AS-CONSTRUCTED
Storage Volume (CF)	252,343	166,907
Berm Height	384.00	383.20

Spillway Height	383.00	382.78
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Based on the storage volume comparison, the as-constructed basin has approximately 66% of the required volume.

ARRO used the stormwater report prepared for the Florin Hills Development to determine if the SMB functions as designed.

The SMB was originally designed in 1994 to hold the 100-year storm event for the Melhorn Subdivision in accordance with the Borough's Stormwater Management Ordinance. The SMB was then utilized in 2005 by the Florin Hill development for a portion of the Phase 1 stormwater runoff. Our calculations, using the as-constructed basin information, indicate the SMB will overtop in the 2-year storm event rather than the requirement of the 100-year storm event.

However, the historical information and from a practicability standpoint shows the SMB has contained all the storm events since 2005 except for tropical storm Lee in September of 2011 (approximately 100-year storm) and the August 31, 2018 storm (exceeded the 100-year storm).

The as-constructed survey also shows a swale between a pipe discharging from Gus's Keystone Restaurant parking lot and the pipe discharging into the SMB. The berm elevation of this swale is lower than the spillway of the SMB. Therefore, stormwater will back-up through the pipe and flow over the swale berm prior to flowing over the SMB spillway.

The above issues can be addressed by raising the SMB berm and spillway elevations and replacing the swale with a pipe.

Near the outfall of the SMB is an 18" pipe through the railroad embankment which is owned and maintained by AMTRAK. The Florin Hills stormwater report calculated the capacity of that pipe as 17.2 cubic feet per second (CFS). We did not verify the capacity or condition of the pipe, but this may be a contributing factor to adjacent flooding condition.

Report of the Mayor

Mayor Bradley provided and reviewed a written monthly report for November 2018. The Mayor read the Proclamation given to the Donegal Varsity Field Hockey for their hard work, sacrifice, and commitment and to congratulate them on winning the 2018 PIAA AA State Championship. Mayor Bradley also wanted to thank Melhorn for making the property scheduled for demolition, available to the Fire Department of Mount Joy for training and thanked Glessner for his many years of service at the Borough. Mayor wanted to personally thank Jake Smeltz for his time with the Borough. The Mayor said had the pleasure of interning under him at the Senate and he can say with great confidence that as he steps into his new role, he will serve the citizens of not only in Mount Joy but across the state professionally and with great acumen.

Report of the Chief of Police

Maurice Williams, Police Chief, provided and reviewed a written monthly report for October 1, 2018, through October 31, 2018. The report showed 63 traffic arrests, 6 juvenile arrest and 32 criminal arrests for the month. There were 69 UCR reportable incidents and 590 CAD incidents for the month, with a total of 5,592 incidents year to date. Monies collected by the Police Department for the month for tickets, permits, reports, and services totaled \$2,991.66.

Report of Fire Department Mount Joy (FDMJ)

Matt Gohn, FDMJ Fire Chief, provided and reviewed a written monthly report for October 2018. Hall provided and briefly reviewed SR6 report.

Report of SVEMS

Candy Blanchflower provided a written monthly report for November 2018.

Report of EMA

Matthew Kratz provided a written monthly report of November 2018.

Report of Main Street Mount Joy (MSMJ)

Dave Schell, Executive Director, provided a written monthly report for November 2018. Schell commented that he would like to be involved in the Parking Utilization Study as he is getting complaints on parking.

Report of the Milanof-Schock Library (MSL)

Barbara Basile, Executive Director of Milanof-Schock Library, provided a written monthly report for October 2018. Basile was happy to announce that the Library will be celebrating 20 years this year.

Report of Codes and Zoning Officer

Stacie Gibbs, Codes and Zoning Officer, provided and reviewed a written monthly report for November 2018.

Report of Stormwater Officer

Dave Salley, Stormwater Enforcement Officer, provided a written monthly report for November 2018. Salley told Council

the DEP Rotary Park BMP Supplementary Grant was approved, and the Borough will be receiving an additional \$37,000 for repair to the Rotary Park swale damaged in the August 31, 2018 flood.

Report of Public Works Director

Dennis Nissley, Public Works Director, provided and reviewed a written monthly report for November 2018. Nissley wanted to publicly thank the Florin Church of the Brethren for their willingness to work with the Borough staff in designing and completing walking path. This walking path provides a safe and attractive place for people to walk in that area.

Report of the Borough Authority Manager

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

Report of the Borough Manager

Samuel Sulkosky, Borough Manager, provided and reviewed a written monthly report for November 2018.

Approval of the Minutes of the Special Meeting

On a **MOTION** by Smeltz, and a second by Deering, approval was given for the minutes of the Special Meeting held on November 1, 2018. *Motion carries. Ginder, Reese and Hall abstain due to their absence.*

Approval of the Minutes of the Previous Meeting

On a **MOTION** by Hall, and a second by Reese, approval was given for the minutes of the regular Borough Council meeting held on November 5, 2018. *Motion carries unanimously.*

Approval of the Minutes of the Special Meeting

On a **MOTION** by Hall, and a second by Deering, approval was given for the minutes of the Special Meeting held on November 8, 2018. *Motion carries. Reese and Millar abstain due to their absence.*

Administration and Finance Committee

On a **MOTION** by Reese, and a second by Ginder, a request was made to approve the 2019 General Fund Budget. *Motion carries unanimously.*

On a **MOTION** by Reese and a second by Ginder, a request was made to approve the 2019 Capital Fund Budget. *Motion carries unanimously.*

On a **MOTION** by Reese, and a second by Ginder, a request was made to approve Ordinance No. 6-18 fixing the Tax Rate on Real Estate for Fiscal Year 2019 at 3.754 Mils and establishing the discount, face and penalty dates. *Motion carries unanimously.*

On a **MOTION** by Reese, and a second by Ginder, a request was made to approve Resolution No. 32-18 establishing the 2019 refuse and recycling rates as required annually under the Municipal Waste and Recycling Ordinance. *Motion carries unanimously.*

On a **MOTION** by Reese, and a second by Ginder, a request was made to approve Resolution No. 33-18 – 2019 Borough Boards/Commission appointments and/or reappointments with offices and terms specified in the Resolution. *Motion carries 8-1, Hall voting No.*

On a **MOTION** by Reese, and a second by Ginder, a request was made to approve Resolution No. 34-18 – advertising the 2019 meeting dates, times and locations for Council, Boards, Commissions and Committees. *Motion carries unanimously.*

On a **MOTION** by Reese, and a second by Ginder, a request was made to allocate \$30,381 in the Capital fund line item 30.487.160 to the non-uniform pension fund. *Motion carries unanimously.*

On a **MOTION** by Reese, and a second by Ginder, a request was made to approve Resolution No. 35-18 – amending or elimination the certain fees for 2019 specifically under section 20E, and Section 21E, F, G, H, I, J, and K. *Motion carries unanimously.*

On a **MOTION** by Reese, and a second by Ginder, a request was made to approve the Mount Joy Borough/Mount Joy Borough Authority Reimbursement Agreement effective January 1, 2019 through December 31, 2020. *Motion carries unanimously.*

On a **MOTION** by Reese and a second by Ginder, a request was made to negotiate a short-term month to month residential rental agreement with the current occupant(s) of 15 East Main Street, Mount Joy, PA. *Motion carries unanimously.*

Report of the Public Safety Committee

On a **MOTION** by Hall, and a second by Smeltz, a request was made to direct the Borough's Solicitor and staff to develop amendments to the Chapter 255 Article IV, Vehicles and Traffic, providing for a 20 foot no parking setback at all intersections within the Borough. *Motion carries unanimously.*

Report of the Public Works Committee

On a **MOTION** by Deering, and second by Ginder, a request was made to approve Resolution No. 31-18 authorizing the sale of certain property using the Municibid Online Auction Service. *Motion carries unanimously.*

On a **MOTION** by Deering, and second by Millar, a request was made to approve the Agreement Providing for Grant of Pedestrian Easement between the Florin Church of the Brethren, 815 Bruce Avenue in Mount Joy, and Mount Joy Borough, 21 East Main Street, Mount Joy, authorizing a Pedestrian Pathway. *Motion carries unanimously.*

Public Input Period

Bruce Haigh, 504 Rose Petal Ln., read a letter from ARRO and discussed information from DC Gohn regarding the Stormwater Management Basin located west of the Public Works Building.

Ned Sterling, 13 W Main St., ask what is happening with the Giant legal suit concerning the Borough and them selling liquor in their store. Youngerman replied, Giant is taking it to the Court of Common Pleas. Also, Sterling asked if there is a fee if someone is interested in getting on the Historical Society Register. Gibbs replied, No.

Any other Matters proper to come before Council

President Youngerman opened the floor for nominations for the office of President of the Borough Council. Youngerman nominated Hall for Borough Council President. Hall accepted the nomination. On a **MOTION** by Reese and a second by Eichler, the nomination for President were closed. *Motion carries unanimously, and Hall was elected President of the Borough Council.*

The floor was opened for nominations for the office of Vice President of the Borough Council. Millar nominated Youngerman for Vice President of Council. Youngerman accepted the nomination. On a **MOTION** by Reese and a second by Deering, the nominations were closed. *Motion carries unanimously and Youngerman was elected Vice President of the Borough Council.*

Hall appointed Eichler to the Public Safety Committee and appointed Fahndrich Chairperson of the Public Safety Committee.

Authorization to Pay Bills

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

GENERAL FUND	\$	105,954.69
REFUSE/RECYCLING	\$	50,755.06
CAPITAL IMPROVEMENTS FUND	\$	78,122.57
HIGHWAY AID FUND	\$	275,651.59
ESCROW FUND	\$	653.75
JOY LAND ACCOUNT	\$	1,216.00
GRAND TOTAL EXPENDITURES	\$	512,353.66

Motion carries unanimously.

Meetings and dates of importance

See the white calendar for the month of December 2018.

Council went into executive session. Executive session ended at 9:45 PM for personnel reasons. No decisions were made.

Adjournment

On a **MOTION** by Smeltz, and a second by Fahndrich, approval was given to adjourn the meeting at 9:47pm. *Motion carries unanimously.*

Respectfully Submitted,



Samuel Sulkosky
Borough Manager/Secretary