

MOUNT JOY BOROUGH COUNCIL
December 4, 2023, Minutes

The Mount Joy Borough Council held its regular meeting on December 4, 2023.

President Hall called the meeting to order at 7:05 PM.

Roll Call- Present were Councilors, Dominic Castaldi, David Eichler, Mary Ginder, David Greineder, Bruce Haigh, Bob Ruschke, Brian Youngerman, and President William Hall. 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. Absent was Councilor LuAnn Fahndrich

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 in Council Chambers to discuss legal issue surrounding planned land development plans tonight before the Council Meeting.

On a **MOTION** by Eichler, and a second by Castaldi, a request was made to accept the agenda for the December 4, 2023, Borough Council Meeting Agenda. An **AMENDMENT** by Haigh, with a second by Eichler, a request was made to switch 11 a ii with 11 a i on the agenda and then split 11 a ii into two motions. One for the Stormwater waiver and one for the traffic study waiver. *Amendment passes. Main Motion as amended carries unanimously.*

Public Input Period

Alyssa Zevallos, 123 W. Main St., comment on the upcoming vote regarding the new building. She said she hopes that Council's vote is coming from an informed place. She said the lack of clarity is really concerning to her regarding the cost and the amount of money already invested in the project. She felt like it was hard for her to find information. She said she knows there is already funding as long as it is started by the end of this year which is a little concerning to her because it would mean moving forward immediately and it is so much money. Also, she has some concern about losing green space.

Dale Murray, 120 Farmington Wy., said he feels that tonight Council will be voting on the most expensive project in the Borough's history and that it should be a roll call vote. He expressed his concerns over the cost of the project and future effects on the taxpayers.

Fred Bean, 1112 Collina Ln., said he has been a resident of Florin Hills for about six years and enjoys Mount Joy very much. He said he is concerned about the further development of Florin Hills. He is hoping that the further development continues the way it was laid out, the original plan for phase 3 that was presented many years ago. He said Florin Hills is a wonderful development. It was done in the correct manner, kind of a traditional urban type of neighborhood. He also has some concern regarding the streets.

Florin Hills, Blocks F & M and Phase 3 Discussion

Robert Bowman, President, and Founder of Charter Homes and Anthony Faranda-Diedrich, Vice President, Charter Homes presented to Council their plans to complete the Florin Hill Neighborhood. They were directed to work with staff and come up with a plan to present to Council in February 2024.

On a **MOTION** by Youngerman, with a second by Ruschke, a request was made to authorize the staff to research options with Florin Hills Partnership and engage in a discussion as how to proceed with respect to blocks F an M and phase 3 of Florin Hills and return to Council with recommendations which are in the best interest of Mount Joy residents. *Motion carries unanimously.*

Report of Mayor

Mayor Bradley provided Council with written report for November 2023. He informed Council that he attended the Rapho Township meeting regarding Little Chiques Crossing and delivered the Borough's letter. He said it is clear, that we will need to continue some level of involvement as the project continues to unfold. He also attended the tree lighting at Winterfest and wanted to thank any and all volunteers who where involved. It was the 25th Anniversary.

Report of the Chief of Police

Robert Goshen, Police Chief, provided a written monthly report for October 1, 2023, to October 31, 2023. The report showed 23 traffic arrests and 18 criminal arrests for the month. There was a total of 534 incidents for the month of October, with a total of 6,735 incidents year to date.

Report of Fire Department Mount Joy (FDMJ)

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

Report of PSH Life Lion

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

Northwest EMA

Provided a written report for November 2023.

Report of EMA

No report.

Report of the Milanof-Schock Library (MSL)

Joseph McIlhenney provided and review a written monthly report for October 2023.

Report of Code/Zoning & Stormwater Administrator

Duane Brady, Jr., Codes, Zoning and Stormwater Administrator, provided a written monthly report for November 2023.

Grants, Projects, and Community & Economic Development Administrator

No report.

Report of Public Works Director

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

Report of the Borough Authority Manager

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

Report of the Assistant Borough Manager/Finance Officer

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

Report of the Borough Manager

Mark G. Pugliese I, Borough Manager, provided a written report for November 2023. Pugliese said the Borough has been in regular conversations with Cresco Labs and that they have reached out to Rettew and to the Stormwater Authority. He said we have seen pretty much a complete turn around and they are certainly trying to do the right thing and get things moving.

Approval of the Minutes of the Previous Meeting

On a **MOTION** by Greineder, and a second by Ginder, approval was given for the minutes of the regular Borough Council meeting held on November 6, 2023. *Motion carries as unanimously.* On a **MOTION** by Greineder, and a second by Ginder, approval was given for the minutes of the November 21, 2023, Special Budget Meeting with a correction on page 3, paragraph 6, change percent to mils. *Motion carries as unanimously.*

Building Ad Hoc Committee

On a **MOTION** by Haigh, and a second by Ruschke, a request was made to grant the waiver from the requirements of Section 240-62.B of the Borough Subdivision and Land Development Ordinance. *Motion carries 6-2 on a roll call vote. Castaldi, Eichler, Greineder, Haigh, Ruschke, Hall, voting Yes. Ginder and Youngerman voting No.*

On a **MOTION** by Haigh, and a second by Ruschke, a request was made to grant the waiver from the requirements of Section 226-32.A(2)(c) of the Borough Stormwater Management Ordinance. An **AMENDMENT** by Haigh, and a second by Ruschke, to attempt to get the ratio down to 5-1 with limestone chips under the amended soil and investigate other places. *Amendment passes 7-1, Castaldi voting No. Main Motion carries 6-2 on a roll call vote. Eichler, Ginder, Greineder, Haigh, Ruschke, Hall voting Yes. Castaldi and Youngerman voting No.*

Councilor Haigh and Mayor Bradley voiced their concerns with granting the waiver regarding the Stormwater. After some discussion among Council and Carolyn DuBois, ASLA, Project Manager with K&W. Haigh offered the Amendment.

On a **MOTION** by Ruschke, and a second by Haigh, a request was made to add the conditions numbered 1 – 5 to the waivers of both Stormwater Management and Land Development Ordinances. *Motion carries 7-1, Youngerman voting No.*

Youngerman said before I turn my attention to supporting this project and helping to find funding to reduce the financial impact of the project on the residence of Mount Joy. I want to thank the Committee for their time and their energy and putting together what is going to be a really beautiful and useful and purposeful project. A lot of time and thought went into this so congratulations to all of you. That said, I would have preferred a choice to be given to the Council a good, better, best option. A high-low option, one to stay on Main Street, one to go elsewhere. As it was, there was really no choice for Council to make during this whole process, just a very expensive option. I wanted to say, somewhere on a personal level, I have been floating around this crazy idea about getting the Borough Authority to contribute a \$1M to the project. I was talking to counselors, future counselors, past counselors, my wife, and at polling place. What I did not know at the time, that there was maybe some background talk or discussion going on as to actually getting a \$1M from the Borough Authority as a contribution to this plan. I just want everyone to know I wasn't trying to do some sort of hey, I know something you do not know, or I was not trying to scuttle the plan because people had this actual thing going on that I did not know about. So, I am happy to see that that it actually happened that we actually may be getting some money from the Borough Authority. I think that's the kind of thinking that we need as to getting funding sources and trying to reduce the financial impact and I think to that extent we do need to be honest with the residents.

Eichler said he echoes some of what Councilor Youngman said in wanting to thank Josh Deering, the Building Ad Hoc Committee, Todd and Crabtree for the years of time spent and all their work along with the several public outings provided. I know we got the \$3M RACP and \$1M from the Borough Authority and with the 3 properties who knows? \$750,000 to a \$1M, maybe there. I have full confidence that whether we go the mortgage or bond route that we will get more RACP in a couple years and that we will get more ARPA money from the County to really reduce this so it's not a 25-year journey. I have full confidence that we're going to be able to win that. Thank you.

Castaldi said I will be somewhat critical of the Council that I am a member of. Initially, I was critical of the Building Ad Hoc Committee, but the Ad Hoc Committee did what it was charged to do. I think that Counsel that I sit on, has been remiss in not having some of the conversations that we are having tonight earlier in the process. I am concerned about consuming park land. I wish we were more engaged earlier, but we finally got in the game and here we are and I am ready to move on.

Mayor Bradley said in terms of the process that we did some things in an inverted fashion. I made these comments at the community meeting as well. I really feel I mean, while it is a blessing to have the RACP money available to us, but I think in many respects it expedited the process and I think it puts some things out of order as to how they should have been done. From a personal perspective, I generally look at my finances on the front end, realize what the costs are going to be, and then I go out car shopping. I do not go out car shopping, and then figure out how I'm going to pay for it and I really wish we would have done that. I really wish the numbers and the overall implication in terms of tax burden over the course of several years would be realized and maybe had been gamed out. I know early on, people were asking how much money is it going to cost the Borough. The response was it could cost us zero if we get enough grant money. Well, that's fine, but the chances of that happening versus you know, not happening, I think, are strong. I think it was articulated in public comment tonight that while there is going to be an increase today, there will be other very large increases in order to have to pay for this, if additional money is not coming and that is a real issue. I did advocate, while certainly Council did not task the Ad Hoc Committee with coming back with multiple proposals. I strongly advocated on the Ad Hoc Committee that they bring those back, and they will let Council consider whether or not they want to deal with one or more recommendations, but kind of went down into one area of recommendation. So again, I am not going to go through issue by issue but I think it is a far easier sell to the public when you say we looked at the finances first, and then we looked at the project after that. Again, I think Council was put in a very difficult position. There was not an expectation that the clock was going to have to tick as fast as it did. I think our understanding at the very beginning was that we had a 10-year window of time to be able to kind of make this thing work out. I think everybody was highly surprised that did not happen. From a needs perspective, I will say this, I think it goes beyond just providing big offices for our employees to work in. I think that it is a mischaracterization in terms of the square footage. I do not think you can take that total square footage and say, Okay, is that just for employees. I think there is more when you look at the meeting rooms and other things. I think that's one thing. I can speak from the Police Department perspective. Having that this is a third Chief that I have worked with in my tenure here, all of them, collectively, were not looking for bigger offices for themselves, or bigger places for their employees to work what they were looking for was a functional facility that allowed for policing to happen the way that it needs to happen in the 21st century. I think the Chief is going to be a good soldier and do what he can with whatever resources he is being given, but the question is, are your holding facilities what those holding facilities need to be in order to ensure that we are in the best position to ensure that prisoner safety. I think we could all agree that it's probably not a good idea to have to use the employee break room in the Police Department in order to be able to conduct interviews and our investigations with people. There is a whole

host of things we could go through point by point, that have more to do with the building layout, design and size. It is clear that something has to be addressed as far as the Police Department. Now, whether or not that needs to be this facility, I think that's a different question for a different day. Again, I think I would go back to what can we afford, and then try to kind of work that in and what are willing to stomach in terms of a tax increase. I think that is where the more robust conversation had to happen, and not toward the end of this. My hope is that there is additional RACP money and if Council approves the project, that some of that ARPA funding does get loosened up. It is unfortunate in terms of timing, if we would had a crystal ball, I think everybody agrees that they would have pulled the trigger on trying to do this project 6, 7, 8 years ago, when it did come in at \$4M. But due to this hyperinflation that we have experienced. We are obviously having to pay a lot more than surrounding municipalities who moved on projects 10 years ago had to pay as much of you know, as everybody in the world is having to do right now with hyperinflation. So yeah, I wish there were some other options, and I wish we would take a look at what the financial implications are a little bit more in terms of time moving forward before saying, yes, this is a project we want to go ahead with. I do not know that we have robustly looked at that.

Haigh said I have had a lot of mixed feelings about this for the last 2 years. And, Josh, I know I beat you up pretty bad at times, and ask you a lot of questions, and, Todd, you just really got blasted by me many times big and deep. The option of staying here in the long run just is not feasible. It is not cost effective and we have \$3M coming from RACP, we have \$1M coming from the Borough Authority, and we have some money coming from the sale of the buildings on Main Street and I understand that there is going to be costs to the taxpayers, but I do not think this opportunity is going to present itself again in the next 10 years.

Haigh offered an Amendment that the proceeds from the sale of 13 - 15, 21 and 23 East Main Street, with the exception of the \$208,000 it costs us to buy 13-15 E Main Street, be placed in an interest-bearing count, and only be used for debt payment. I think that then, can defer any tax increases for the next 2 or 3 years or minimize it. Amendment fails due to lack of a second.

Hall said I thank former Council, President Glessner, who had the foresight to appoint this Committee and thank them for the work they have done. Josh started on the Committee as the East Ward Member of Council. Even after he was off Council, he agreed to stay on the Committee to replace Councilor Glessner on the Committee. I can tell you Josh worked, Josh worked all the time, and Josh met with everybody, and Josh was out at tests and was at meetings that Council did not need to be involved and just everything down to chairs and tables, probably. Just working it all out and we know that is not all Josh does, and we all know that he has been involved in a lot of other things other than this Committee. So, thank you. Thank you to the Committee. Thank you to the members of the Borough Authority that were on the Committee, and the Borough Authority Board. Thank you to staff, and I know that that all of staff, behind the scenes sometimes, you know, we say the Manager, but down to backhoe operators that came out and help with test pits so that we save that money. It is appreciated. I am not happy about the cost, but as the Mayor said, if we had the crystal ball we could have got this for a lot less. But you know times have changed and costs went up, and I said that as we are moving forward and developing the plan. We should all be working to find ways to offset the cost and you know that happened some, but not completely. Councilor Youngman's idea, he had it on paper. I saw it the night that we found out that the Borough Authority had done it. So maybe, I do not know, but maybe subtle means, you influence them. Addressing the issue of multiple proposals. We had a lot of proposals. We looked at different sites, and I do not remember specifically if they came here or not, but I know we were looking pretty hard at a property on Mount Joy Street, and we felt that that was going to be too expensive, and again, the crystal ball Mayor, if we had it, then where will we be? The mayor himself came up to the meeting one time and said, hey, what do we think about Grandview? So we looked at that, and that seemed to get a lot of consensus in the Committee and momentum. I do not how many different plans were drawn up, a lot. Josh drew a lot. Crabtree has been on board with us for a long time. Many years of pro bono work. Regarding park land, I am not happy about the open space concept of what we are losing, but I think that we have a lot of open space in the Borough that we do not use very wisely. We have a park on West Donegal Street that most people do not even realize is there, and it probably could fit in this room, but it's a park and we mow it and we put a park bench there, and I do not know if anybody ever even goes in it. I see Grandview as a very large field that we pay somebody to cut once a week. or twice a week, or whatever it needs and it is kind of underutilized. I have been up there, and I have walked through it, and I just see the potential of what can come of that part of land. As you know, as an offshoot of this development, there is an amazing grove of very mature trees up on the northwest corner that I think would be perfect for a picnic table or two and a great place for walking trails, or whatever else. It is surely underutilized land and yes, we are going to sacrifice a little bit of it, maybe a lot of it, depending on how you slice it, but I think in the end, we are going to have a much better developed park. I have some other ideas, but for a different time. Here we are, we have a motion in front of us and we are going to take a vote.

On a **MOTION** by Ruschke, and a second by Ginder, a request was made to approve construction of a new Mount Joy Borough and Mount Joy Borough Authority municipal services complex on the tract owned by the Borough identified as 300 Orchard Road, Mount Joy, Pennsylvania, as substantially shown on the Preliminary/Final Land Development Plan Administration/Police Department Facility at 300 Orchard Road Grandview Park prepared by Kurowski & Wilson, LLC. *Motion carries 7-1 on a roll call vote. Castaldi, Eichler, Ginder, Greineder, Haigh, Ruschke, Hall voting Yes. Youngerman voting No.*

On a **MOTION** by Youngerman, and a second by Ruschke, a request was made to authorize the Borough Manager to execute the engagement letter form PFM Financial Advisors, LLC, effective November 28, 2023 for professional services relating to financing for the Borough's proposed municipal services complex and infrastructure projects including but not limited to streets, storm water management, and Americans with Disabilities Act accessibility projects in the form present at this meeting. *Motion carries unanimously.*

Administration and Finance Committee

On a **MOTION** by Youngerman, and a second by Greineder, a request was made to appoint the accounting firm of Boyer & Ritter, LLC as the Borough auditors. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Greineder, a request was made to authorize Borough staff to contact the Borough Solicitor to draft an ordinance under Act 172 to provide active members in good standing of the Fire Department Mount Joy with a stipend of \$200.00 annually for tax relief. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Greineder, a request was made to increase the life insurance policy of non-uniformed employees from \$10,000 to \$15, 000. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Greineder, a request was made to authorize the Codes & Zoning Officer to take enforcement action for the property of 104 Manheim Street. Brady recommended the motion be withdrawn due to the fact the violation has been satisfied. Youngerman withdrew the motion.

Brady provided Council with an information and answered any questions regarding revisions to Borough Ordinances Chapter 195, Property Maintenance Code and Chapter 205, Rental. No actions was taken.

Report of Public Works Committee

No Business to come before Council

Report of the Public Safety Committee

On a **MOTION** by Castaldi, and a second by Eichler, a request was made for the conditional offer of employment to hire Davie Reeves as a fulltime Police Officer with the Mount Joy Borough Police. *Motion carries unanimously.*

Public Input Period

Alyssa Zevallos, 123 W. Main St., thanked the Borough for the work on the crosswalks and the bike racks. She said since the building project was approved tonight, she asked Council to continue to look for grants to help with the cost of the project. She asked if there could be some type of taxpayer assistance in the future if the taxes would continue to go up.

Any other matter proper to come before Council

Eichler thanked Councilor Castaldi and Ruschke for their time and service on Council.

Castaldi said it has been a pleasure and an honor to serve on Council.

Youngerman thanked Duane Brady for his terrific presentation on behalf of Council at Winterfest. He did a terrific job displaying information to the public regarding permitting, stormwater management and the building project.

Haigh commented on the email he sent out to Council regarding the new flood risk tool from FEMA and how it pertains to the prosed Chiques Crossing.

Ginder thanked all the originations that organized Winterfest. It was a big success and everybody there was very happy and it was a joyful night.

Authorization to Pay Bills

On a **MOTION** by Youngerman, and a second by Greineder, Council approved paying the bills as presented from November 1 - November 30, 2023. *Motion carries 6-2, with Ruschke and Hall voting no.*

GENERAL FUND	\$	166,504.00
REFUSE/RECYCLING	\$	151,120.76
CAPITAL IMPROVEMENTS FUND	\$	13,540.27
HIGHWAY AID FUND	\$	-
ESCROW FUND	\$	4,227.62
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	335,392.65

Meetings and dates of importance

See the Green calendar for the month of December.

Executive Session

None.

Adjournment

On a **MOTION** by Greineder, and a second by Ruschke, approval was given to adjourn the meeting at 10:00 PM. *Motion carries unanimously.*

Respectfully Submitted,



Mark G. Pugliese
Borough Manager/Secretary