

MOUNT JOY BOROUGH COUNCIL
February 5, 2024, Minutes

The Mount Joy Borough Council held its regular meeting on February 5, 2024.

Roll Call- Present were Councilors Matthew Crider, David Eichler, Lu Ann Fahndrich, Mary Ginder, David Greineder, Bruce Haigh, William Hall, Philip Kark, Brian Youngerman, and Mayor Timothy Bradley, Jr. Staff present were Borough Manager, Mark G. Pugliese I; Assistant Borough Manager/Financial Director, Jill Frey; Public Works Director, Dennis Nissley; Interim Codes and Zoning Officer, Sam Meckley from Rettew; Police Chief, Robert Goshen and Administrative Assistant, Lisa Peffley.

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

Hall announced there was no Executive Session held outside of the prior Council meeting. Council adjourned from the regular meeting and went into Executive Session at 7:03 PM to discuss a legal matter regarding Chiques Crossing as well as a Real Estate matter regarding Public Works and Parks facilities. Council came out of Executive Session at 8:23 PM.

On a **MOTION** by Ginder, and a second by Greineder, approval was given to accept the agenda for the February 5, 2024, Borough Council meeting. *Motion carries unanimously.*

Public Input Period

Dale Murray, 120 Farmington Wy., said he appreciates Council meeting at least partial on the Chiques Crossing proposal. He said Dave Christian and himself have laid out some extensive documentation of the numerous Ordinance problems with that proposal and it is interesting to him that the developer got the approval that he did. He said traffic and flood plan are two issues that he feels the Borough has. He said he thinks there should be another traffic study done.

Nick Castaldi, 1059 Regan St., said he is a seven-year resident of Florin Hill Development. He said there were about half a dozen people here tonight from the Florin Hill Development that wanted to comment but due to the length of the meeting so far, they left. He said the residents of Florin Hill are frustrated and would like to see the streets get finished and the project completed and be completed properly. He said another concern is stormwater. He is happy to see the Florin Hill developers here tonight and hope that Council and the developers can work through a process that will enhance the property values and create the neighborhood they bought into.

On a **MOTION** by Greineder, and a second by Ginder, a request was made to accept all reports as presented unless there are any questions from Council. *Motion carries unanimously.*

Report of Mayor

Mayor Bradley provided and reviewed a written monthly report for January 2024.

Report of the Chief of Police

Robert Goshen, Police Chief, provided a written monthly report for December 1, 2023, through December 31, 2023. The report showed 24 traffic arrests and 20 criminal arrests for the month. There was a total of 501 incidents for the month of November, with a total of 7,723 incidents year to date.

Report of Fire Department Mount Joy (FDMJ)

Brett Hamm, FDMJ Fire Chief, provided a written monthly report for December 2023, and a written Annual Report for 2023.

Report of PSH Life Lion LLC

Nathaniel Buchanan, Interim Supervisor/Assistant Chief, provided a written report for December 2023.

Northwest EMS

Scott A. Kingsboro, Executive Director, provided a written report December 2023.

Report of EMA

Philip Colvin, EMA Coordinator, provided a written report for December 2023 – January 2024.

Report of the Milanof-Schock Library (MSL)

Joseph McIlhenney provided a written monthly report for December 2023.

Report of Codes/ Zoning & Stormwater Administrator

Sam Meckley, Interim Codes, Zoning & Stormwater Administrator, provided a written monthly report for January 2024.

Grants, Projects, and Community & Economic Development Administrator

No report provided.

Report of Public Works Director

Dennis Nissley, Public Works Director, provided a written monthly report for January 2024.

Report of the Borough Authority Manager

Scott Kapcsos, Authority Manager, provided a written monthly report for January 2024.

Report of the Assistant Borough Manager/Finance Officer

Jill Frey, Assistant Borough Manager/Finance Officer provided a written monthly report for January 2024.

Report of the Borough Manager

Mark G Pugliese I, Borough Manager, provided and reviewed a written monthly report for January 2024.

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 January 2, 2024. *Motion carries unanimously.*

Florin Hills Update and Presentation of Sketch Plan for Block A and Phase III

Present was Anthony Faranda-Diedrich, Rob Bowman, Jeff Schick and Debra Shulski. Anthony said they were here in December and Council asked them to work with staff and the solicitor to put together a framework that addresses Council concerns and issues and also chart a path forward to complete the neighborhood. He said the goal tonight is just to give you an update on where they are at in those discussions with staff and the Borough Solicitor and ask for feedback. Hall asked what the difference would be to develop it under the current Ordinances. They presented a sketch plan to Council and asked if they could see a draft of the agreement so that they can start the process of working through the agreement on the assumption that storm water is going to be okay. Anthony said they can be working on things while the Borough is reviewing the stormwater plans. The Borough Solicitor stated that a previous motion by Council did not include Commercial Unit A so Council will need to address that at the next Council meeting.

Building Ad Hoc Committee

Deering, Chairman, informed Council that the January meeting was cancelled due to weather conditions. He said there are lots of meetings happening with Crabtree discussing any concerns or changes. The Mayor voiced his concerns regarding lack of space for long time storage of Borough documents.

Administration and Finance Committee

Updates/discussion on Chiques Crossing, this was discussed in tonight's Executive Session. Flooding and density matters were part of the discussion in Executive Session. Pugliese said he wanted to reassure the public that we are working minimize any adverse effects to the Borough.

On a **MOTION** by Youngerman, and a second by Kark, a request was made to approve Resolution No. 2024-04, Council appointments to various Boards, Commissions, Authority, Committees as well as individuals and firms to specified positions. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to approve Resolution 2024-05, setting the dates and times for the Parks & Recreation Advisory Board meetings. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to authorize staff to advertise the bidding of the Borough Park/Kunkle Field Project. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to authorize staff to advertise the bidding for a consultant for the Little Chiques Park Master Plan. *Motion carries 8-1, Hall voting No.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to authorize the Borough Manager to sign letter of engagement with Stifel, Nicholas & Company, Inc. underwriter for bonds and notes for financing of the Municipal Services Complex as well as following the recommendations of the Borough Solicitor for Bond Counsel. *Motion carries 8-1, Youngerman voting No.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to authorize the Borough Manager to sign the Professional Services Agreement for Little Chiques Streambank Restoration Project. An **AMENDMENT** by Haigh, and a second by Ginder, strike a8 and a9, and add in the terms and conditions under paragraph 6 and under 18.1, when during construction observation activities, RETTEW observes the Contractor in a violation of the General or Technical Conditions of the Contract or there is a deficiency in the Contract language, RETTEW shall within twenty-four hours or the next business day provide written notice to the Client stating the extent and character of the violation/deficiency and offer a preliminary recommendation/course of action for the Clients consideration and action. *Amendment passes and main motion carries as amended.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to approve the final land development plan for the Janus School, 205 Lefever Rd., on the condition that any and all outstanding comments are addresses and resolved to the satisfaction of Borough staff and Engineer. An **AMENDMENT** by Haigh, and as second by Youngerman, a request was made to add and Solicitor at the end. *Amendment passes and main motion carries as amended.*

Report of the Public Safety Committee

On a **MOTION** by Fahndrich, and a second by Eichler a request was made to accept the Annual Report of the Mount Joy Borough Civil Service Commission. *Motion carries unanimously.*

On a **MOTION** by Fahndrich and a second by Eichler a request was made to authorize the sale of the 2017 RAM 1500 pick-up truck (police vehicle). *Motion carries unanimously.*

On a **MOTION** by Fahndrich and a second by Eichler a request was made to authorize initiating the promotional process to fill the vacant Sergeant's position. *Motion carries unanimously.*

Report of the Public Works Committee

Street Planning Presentation by Dennis Nissley

Old Market Street/Manheim Street Drainage Swale Update – Pugliese said at Council's direction, the Borough had the Solicitor write a letter to the Attorney for the property at 209 Old Market St basically saying the Borough fix it this time but after that it will be up to the property owner to maintain it. Pugliese said the second letter dated January 31st from the property owners Attorney said the they are in agreement with that but would like notice before the Borough goes in and starts the repair.

On a **MOTION** by Ginder, and a second by Youngerman, a request was made to have solicitor draw up documents for the conveyance of the Mount Joy Borough Parks Department Building to the Mount Joy Borough Authority in exchange for Mount Joy Borough Authority relinquishing rights to use the Mount Joy Borough Public Works facility subject to leases for limited use of the facilities by each party. *Motion carries unanimously.*

Public Input Period

Rae Ann Schatz, Schatz Garage, 1090 W Main St., asked Council to please check, double check and triple check the stormwater that will be coming off of the Florin Hill Development. She said she is very nervous about this and just wants to be sure they will be okay.

Josh Deering, 33 Frank St., asked if there were any updates on the 772 reroute and Mount Joy Community Foundation. He said he is disappointed to hear the Township is not willing to have another outlet for traffic at the upper end of the Florin Hill Development. He thanked Dennis for the street planning presentation, saying it was very good. He asked about Birchland and when it is scheduled. He feels that is a vital connection between Grandview and Rotary Park. His concern is for the kids that have to walk that without sidewalks and the speeding traffic through there.

Any other matter proper to come before Council

Eichler asked Nissley who owns the of land on East Donegal St to South Jacob St that runs parallel with the railroad tracks. He is concerned about the invasive sumac in that area and feels whoever owns it needs to maintain it.

Authorization to Acknowledge the Payment of Bills

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

GENERAL FUND	\$	291,038.06
REFUSE/RECYCLING	\$	80,331.63
CAPITAL IMPROVEMENTS FUND	\$	164,906.24
HIGHWAY AID FUND	\$	-
ESCROW FUND	\$	5,486.26
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	541,762.19

Motion carries 8-1, Hall voting No.

Meetings and dates of importance

See the red calendar for the month of February 2024.

Executive Session Council went into Executive Session at 10:41 PM to discuss Police Department legal issue regarding a grievance. Council came out of Executive Session at 11:07 PM.

Adjournment

On a **MOTION** by Greineder, and a second by Haigh, approval was given to adjourn the meeting at 11:08 PM. *Motion carries unanimously.*

Respectfully Submitted,



Mark G. Pugliese I
Borough Manager/Secretary