

**MOUNT JOY BOROUGH COUNCIL**  
**February 6, 2023, Minutes**

The Mount Joy Borough Council held its regular meeting on February 6, 2023.

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

Roll Call- Present were Councilors, Dominic Castaldi, David Eichler, Lu Ann Fahndrich, Mary Ginder, Bruce Haigh, Eric Roering, Bob Ruschke, Brian Youngerman, President William Hall and Mayor Timothy Bradley, Jr. Staff present were Borough Manager, Mark G. Pugliese I; Assistant Borough Manager/Finance Director, Jill Frey; Public Works Director, Dennis Nissley; Codes, Zoning and Planning 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 no Executive Session at last month's meeting and none planned for this evening at this time.

On a **MOTION** by Eichler, and a second by Ruschke, a request was made to accept the agenda for the February 6, 2023, Borough Council Meeting Agenda. An **AMENDMENT** by Castaldi, and a second by Eichler to add the Friends of Donegal street closure to 13d. *Amendment passes. Main motion carries unanimously as amended.*

**Public Input Period**

Dave Weiser, 616 Water St., commented on the number of citations per officer per month and that there has been no handicapped citations written in the last two years. He requested increase in enforcement in this area in the future.

Dave Schell, 214 E Main St., said the street closure request for the Friends of Donegal event is the same as the Craft Show, so if Council has any questions regarding this, he can answer them.

RaeAnn Schatz, Schatz Garage, 1090 W Main St., said she hopes that Council will seriously consider item 12a, replacing the Borough's current engineer with RETTEW.

Dale Murray, 120 Farmington Wy., thanked Council for setting down with Whitmoyer and resolving their parking issue. Murray spoke regarding the needs analysis for the new Municipal Building and asked when it will be available to the public. He asked why the Borough has not bid out the architectural services for the new building? Murry said once again, he suggests doing what the Mayor said awhile back of rehabbing the Parks building for the Police Department and constructing a pole barn for the Parks Department.

Rodney Wilbert, 119 David St., said he concurs with Dale about the Police Department moving to the Parks building and construction the pole barn for Parks equipment. He then suggested just redo the Borough office and keep it centrally located on Main Street.

Ned Sterling, 13 W. Main St., said he wanted to go over a few comments from organizations that are opposed to moving the Borough Office off Main St. He said the Borough has a letter from Main Street Mount Joy that expresses their opposition of moving the Borough Office off Main Street. He said another organization, the Design Committee, which he is a part of, five out of six of those members are opposed to moving the Borough Office off Main Street. The one had no opinion. Sterling said the Zoning Hearing Board which currently consist of four members, three out of those four members were in favor of keeping the Borough Office on Main St. The one member had no opinion. He said the poll was taken after the Zoning Hearing Board meeting and was not part of the minutes. The final organization he polled was the Mount Joy Area Historical Society, which he is also a member of five out of the six members were in favor of keeping the Borough Office on Main St. The one had no opinion. President Hall asked Mr. Sterling to clarify what he stated about the Zoning Hearing Board. Sterling stated the Zoning Hearing Board which currently consist of four members, three out of those four members were in favor of keeping the Borough Office on Main St. The one member had no opinion. He said the poll was taken after the Zoning Hearing Board meeting and was not part of the minutes.

Eagle Scout Project Presentation by Thomas Dohl, Jr. for the Harold Billow Memorial. At this time Hall passed the gavel to Vice President, LuAnn Fahndrich. On a **MOTION** by Hall, and a second by Castaldi, a request was made to approve the Harold Billow Memorial Eagle Scout Project as presented. *Motion carries unanimously.*

#### **Report of Mayor**

Mayor Bradley provided a written report for January 2023. The Mayor stated he continues to discuss the ongoing speed enforcement with the Police Chief and various details the Department has been running. In addition, he has been in contact with Bruce to talk specifically about the ADA ramp designs. The Mayor said he fielded public concerns related to the potential Municipal Complex.

#### **Report of the Chief of Police**

Robert Goshen, Police Chief, provided a written monthly report for December 1, 2022, to December 31, 2022. The report showed 17 traffic arrests and 19 criminal arrests for the month. There was a total of 564 incidents for the month of December, with a total of 7,632 incidents year to date.

#### **Report of Fire Department Mount Joy (FDMJ)**

Brett Hamm, FDMJ Fire Chief, provided and reviewed a written monthly report for December 2022 and provided a written annual report for 2022.

#### **Report of PSH Life Lion**

Adam Marden provided a written monthly report for January 2023.

#### **Northwest EMA**

Provided a written report for January 2023.

#### **Report of EMA**

Mayor Bradley provided a written report for January 2023.

#### **Report of the Milanof-Schock Library (MSL)**

Joseph McIlhenney provided and reviewed a written monthly report for December 2022.

#### **Report of Code/Zoning & Planning Administrator**

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

#### **Stormwater, Projects & Grants Coordinator**

No Report.

#### **Report of Public Works Director**

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

#### **Report of the Borough Authority Manager**

Joseph Ardini, Authority Manager, provided a written monthly report for January 2023.

#### **Report of the Assistant Borough Manager/Finance Officer**

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

#### **Report of the Borough Manager**

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

#### **Approval of the Minutes of the Previous Meeting**

On a **MOTION** by Roering, and a second by Ruschke, approval was given for the minutes of the regular Borough Council meeting held on January 9, 2023. *Motion carries unanimously.*

#### **Building Ad Hoc Committee**

Deering said based on comments he wanted to review what soft cost are concerning the project. He asked Vukmanic from Crabtree to explain these costs. Vukmanic said there are two costs, the construction cost which would be the brick and mortar and soft cost. Vukmanic said soft cost would be things like permitting, testing, fees, construction contingencies, furniture, equipment, financing if the project was bonded, data and technology. Typically, percentage wise with this project soft costs are estimated at approximately 22%. Deering said they did do a pretty thorough analysis in reference to the Florin Station and constructing a pole barn for the Parks Department. He said there are other needs than just constructing a pole

barn for the Parks Department and he asked Vukmanic to touch on the topic. Vukmanic said they did a full survey of the property about 6 months ago. He said the word pole barn has been used but it really is a prefabricated metal building and it would have meet ASHRAE standards in order to be occupied and a simple "pole barn" will not do that. Vukmanic reminded everyone that this project will be at prevailing wage since it is a municipal project. So when folks are asking local contractors for quick pricing or estimates it is not going to be accurate. Vukmanic talked about the Florin Station's square footage, the building itself along with the additions and the HVAC system and everything that would need to be done in order to use it for the Police Department. Vukmanic said you would also have to bring the current building up to ASHRAE standards, ADA standards, and IBC standards. Some other things you need to look at are potential zoning issues, stormwater due to increasing the impervious surface, and where you would put the pole barn/prefabricated metal building. So once you look at all of this, the number Crabtree gave for that project is a valid number. Deering said there was a request to have a look at the current Main Street buildings structural capacity. Vukmanic and a structural engineer visited the Borough Office and did an assessment of the both basement areas of both sides of the building. He stated that the area under the Police Department is in fairly good shape except for some concrete falling over the years due to water infiltration. The other side of the building however is a little concerning. Vukmanic said the numbers he gave for rehabbing the current building are also valid. The building needs more than just some new flooring and a coat of paint. He said once you start to alter a building depending on what needs to be done it could change from a level 1 alteration to a level 2 and at that point you need to bring things up to certain codes. Mayor Bradley stated that he would like to take a second look at building a new Police Station and doing minor upgrades to the current building. Pugliese spoke regarding the conditions of the current of the building relating to the health and safety of the employees. He said there are areas of black mold in the current building. He also, said there is a good possibility of exposure to lead paint and probably asbestos underneath the current carpet that is lifted. He stated he has no issues with staying at this location, but he is concerned about the potential health risk to the employees and feels that would need to be addressed.

#### **Administration and Finance Committee**

On a **MOTION** by Youngerman, and a second by Roering, a request was made adopt Resolution 2023-02, a resolution appointing RETTEW Engineering as the Borough Engineer effective immediately. Councilor Haigh abstained due to possible conflict of interest. *Motion carries unanimously.*

On a **MOTION** by Castaldi, and a second by Eichler, a request was made to have ARRO complete Pinkerton Road and the staff phase anything else accordingly. *On a roll call vote, Castaldi, Eichler, Fahndrich, Ginder, and Ruschke voting yes. Youngerman, Roering and Hall voting No. Haigh abstained. Motion carries 5-3.*

On a **MOTION** by Youngerman, and a second by Roering, a request was made to reschedule the November 16, 2023, Budget Meeting date to Tuesday, November 21, 2023, due to schedule conflict with Admin & Finance Committee. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Roering, a request was made to authorize the Borough Manager to attend PELRAS Conference, March 15-19, 2023, at a cost of \$600.00 plus hotel and other costs to be reimbursed as permitted by Borough Code. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Roering, acknowledge receipt of audit letter from Trout CPA dated January 24, 2023. *Motion carries unanimously.*

Zoning Hearing Briefing – Lot #2 and Lot #3 Pink Alley by Brady. Eichler asked Brady if there is any reason to oppose project. Brady stated that there is really nothing in the Ordinance to prevent it from moving forward.

#### **Report of the Public Safety Committee**

On a **MOTION** by Fahndrich, and a second by Eichler, a request was made to authorize the Borough Council president and Borough Manager to sign Indemnification Agreement with Make-A-Wish Foundation of Philadelphia for the Mother's Day Convoy. *Motion carries unanimously.*

On a **MOTION** by Fahndrich, and a second by Castaldi, a request was made to approve road closure request for the Mount Joy Memorial Day parade, May 27, 2023. *Motion carries unanimously.*

On a **MOTION** by Fahndrich, and a second by Eichler, a request was made to approve road closure request for the MSMJ Arts and Craft Show, June 10, 2023. *Motion carries unanimously.*

On a **MOTION** by Fahndrich, and a second by Castaldi, a request was made to adopt **Resolution 2023-03**, request to hang banner across Main Street for the following organizations: Kraybill Mennonite School banner, May 1 – 13, 2023; Donegal High School Graduation banner, May 29 – June 9, 2023; Milanof-Schock Library banner, June 9 – 26, 2023, providing conditions are met. *Motion carries unanimously.*

On a **MOTION** by Fahndrich, and a second by Castaldi, a request was made to approve the road closure on Delta Street for the Friends of Donegal for April 20, 2023, or the rain date of May 6, 2023, providing the conditions have been met. *Motion carries unanimously.*

#### **Report of the Public Works Committee**

On a **MOTION** by Ginder, and a second by Ruschke, a request was made to conduct a survey for repair of the Manheim Street swale and provide this information to the property owners that are required to make repairs to the swale. *Motion carries unanimously.*

On a **MOTION** by Ginder, and a second by Ruschke, a request was made to adopt **Resolution 2023-04**, to establish a Parks Advisory Board. *Motion carries 8-1, Hall voting no.*

#### **Public Input Period**

Dave Schell, 214 E. Main St., said he feels the Borough was premature in applying for the RACP Grant. He pointed out a few items/qualifications regarding the grant.

Dave Weiser, 616 Water St., said he is looking forward to the stats moving forward. He spoke regarding Handicapped parking and the violations he sees in the Borough. He complimented Duane and Dennis on their work in the Borough.

Dale Murry 120 Farmington Wy., asked what the square footage of the current Police Department is. He compared it to the Florin Station Building/Parks Department building. He asked what the soft cost are for the Grandview plan. He would like what the Mayor proposed for the Parks Department to be looked at again and get a cost to have the Police Department relocated there. He doesn't feel the original cost from Crabtree is accurate. Murry doesn't feel that the current Borough building empty would be sellable.

Ferne Silberman, 630 Florin Ave., said she was in the Borough building back in 1950 when it was an Acme and barber shop before it became the Borough Office and Police Station. She said being a Realtor she has been in older homes and sees the health hazard like black mold which is dangerous and other health hazards. She said if you were to start doing work on the Borough Office you will need to bring it up to code. She said discussion of a new building started in 2009 and the longer you wait to build a new building the higher the cost is going to be. She thinks the Police Department definitely needs improved. She doesn't want to see taxes go up but it might be necessary.

Rodney Wilbert, 119 David St., said maybe the Borough needs to do phase work on the current Borough Building. He said he thinks if the Police Department would put a patrol car at the intersection of Marietta and Main you would be able to pay for the new Police Department with stop sign violations.

Josh Deering, 33 Frank, St., said he wanted to make Council and everyone aware of a big meeting at Elizabethtown High School on February 15th regarding proposed warehouses in Rapho Township and Mount Joy Township. He said even though the warehouses are not in the Borough, the Borough will be affected by them with truck traffic.

Ned Sterling, 13 W. Main St., asked if it is going to be standard procedure to discuss items coming before the Zoning Hearing Board.

Charles Groff, 211 Frank St., asked if a traffic study was done at Grandview. He feels that it does not make sense to move the Police Department up at Grandview.

#### **Any other matter proper to come before Council**

New municipal complex zoning hearing variance. With the parcel currently zoned conservation it has restriction. Hall said the impervious coverage would exceed the allowable. Therefore, the Borough would need to apply for a zoning variance. Hall asked Deering and Vukmanic for some clarity. On a **MOTION** by Haigh, and a second by Ruschke, a request was made to have the Solicitor prepare the zoning hearing variance with assistance from K & W and have them attend the Zoning Hearing Board meeting with cost not to exceed \$5690. *On a roll call vote. Eichler, Haigh, Roering, Ruschke, and Hall voting yes. Castaldi, Fahndrich, Ginder, and Youngerman voting No. Motion carries 5-4.*

**Authorization to Pay Bills**

On a **MOTION** by Youngerman, and a second by Roering, Council approved paying the bills as presented from January 1-January 31, 2022.

GENERAL FUND	\$	234,297.25
REFUSE/RECYCLING	\$	53,051.85
CAPITAL IMPROVEMENTS FUND	\$	104,083.22
HIGHWAY AID FUND	\$	-
ESCROW FUND	\$	55.50
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	391,487.82

*Motion carries unanimously.*

**Meetings and dates of importance**

See the red calendar for the month of February.

**Executive Session**

No Executive Session was held.

**Adjournment**

On a **MOTION** by Roering, and a second by Ginder, approval was given to adjourn the meeting at 11:05 PM. *Motion carries unanimously.*

Respectfully Submitted,



Mark G. Pugliese  
Borough Manager/Secretary