

MOUNT JOY BOROUGH COUNCIL
April 1, 2019 Minutes

The Mount Joy Borough Council held its regular meeting on April 1, 2019, at the Mount Joy Borough Council Chambers.

President Hall called the meeting to order at 7:04 PM.

Roll Call - Present were Councilors Joshua Deering, David Eichler, Lu Ann Fahndrich, David Feuerstacke, Mary Ginder, Jon Millar, Michael Reese, Brian Youngerman, President William Hall and Mayor Timothy Bradley, Jr. Staff present were Borough Manager, Samuel Sulkosky; Public Works Director, Dennis Nissley; Stormwater Officer, Dave Salley; Codes and Zoning Officer, Stacie Gibbs; Police Chief, Maurice Williams; and Administrative Assistant, Lisa Peffley.

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

President Hall announced there was an Executive Session held on March 4, 2019, for personnel and legal issues. No decisions were made.

On a **MOTION** by Reese, and a second by Eichler, approval was given to accept the revised agenda for the April 1, 2019, Borough Council meeting. *Motion carries unanimously.*

Public Input Period

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

Raeann Schatz, 24 Fairview Ave., Marietta, asked for an update on the water retention basin behind Gus's since the last Council meeting. Deering responded that he has nothing to report and it will be on the agenda for next Monday with further input from Darrell. Schatz also asked for an update and timeline on the curb installation at Gus's and a timeline of connection of the pipe for the quick fix that was previously discussed. Deering responded that a letter was sent to Gus's concerning the installation of the curbs and that they are working with the Borough with no objection. Deering said as far as the pipe connection, that will also be discussed at next Monday's meeting. Schatz wanted to know what progress has been made on the NPDES permit. Deering said ARRO has started the process and will give an update at Monday's meeting.

Barbara Basile reminded everyone of the Rotary's annual shredding event happening at the Library on April 27, 2019, from 9:00 am to 11:00 am.

Bruce Haigh, 504 Rose Petal Ln, said he has a prepared statement and that he does not expect a response. He told Council he is here tonight representing Gary and Raeann Schatz.

Colin Casella, 310 Merchant Ave., asked when Charter Homes went for approval of their neighborhood, Florin Hill, was there a formal time for them to start and complete the neighborhood? Hall said no, but there is a formal time after the plan is filed for them to begin and they met that, but this is no formal time for completion. Gibbs stated there is a phasing schedule and if they do not meet the phasing schedule then the municipal planning code kicks in and if they have not filed a plan then any new Ordinances that the Borough has adopted in the interim, they must follow now. So, for example, phase three has not been submitted yet and since then the Borough has adopted several new Ordinance so when Florin Hill comes in with plan for phase three, they must meet all new Ordinances, but there is no time limit as to when they must file that plan. Casella's follow up question is if Charter Homes decides not to do anything for the next 20 years is there anything the Borough can do while they have no speeding enforcement, no speed limits signs, no street cleaning, no leaf collection, no road dedication. Is that their right to do that? Hall said he does not believe that Borough can force them to complete their project. Gibbs agreed with Hall.

Ned Sterling, 13 W. Main St., asked if since the last Council meeting whether the Administrative Finance Committee found out the process of filling a vacancy on the Authority Board. Youngerman said they did not discuss that at their last meeting but will reach out to the Authority Director and ask what that process is.

Paul James, 306 Locust Ln., asked for clarification of the letter he received from Mount Joy Borough concerning the paving of Pinkerton Rd.

Report of the Mayor

Mayor Bradley provided and reviewed a written monthly report for March 2019. The Mayor gave an update to Council concerning the Parking Utilization Study stating the third/final meeting is expected to happen April 10, 2019. The Mayor expects to give a final presentation to the Public Safety Committee in April and to Council in May.

Report of the Chief of Police

Maurice Williams, Police Chief, provided and reviewed a written monthly report for February 1, 2019, through February 28, 2019. The report showed 74 traffic arrests, 0 juvenile arrests and 35 criminal arrests for the month. There were 54 UCR reportable incidents and 461 CAD incidents for the month, with a total of 1062 incidents year to date. Monies collected by the Police Department for the month for tickets, permits, reports, and services totaled \$4,129.77. The Chief stated ISP is completed for the Race scheduled in April.

Report of Fire Department Mount Joy (FDMJ)

Matt Gohn, FDMJ Fire Chief, provided and reviewed a written monthly report for February 2019.

Report of SVEMS

Candy Blanchflower provided a written monthly report for March 2019.

Report of EMA

Matt Kratz provided a verbal report. Kratz told Council there are three new members.

Report of Main Street Mount Joy (MSMJ)

Dave Schell, Executive Director, provided a written monthly report for March 2019. Schell reported MSMJ will be starting to develop a new 5-year Strategic Plan for Main Street Mount Joy. MSMJ is also developing a new "Downtown Passport" program to encourage people to spend money downtown. It is free for businesses and public to participate, and a chance for the public to win a basket of items from participating businesses. The program will run two times a year for three months at a time.

Report of the Milanof-Schock Library (MSL)

Barbara Basile, Executive Director of Milanof-Schock Library, provided a written monthly report for January 2019. Basile reported that the summer reading program is underway, also the Library is planning a large Birthday bash.

Report of Codes and Zoning Officer

Stacie Gibbs, Codes and Zoning Officer, provided a written monthly report for March 2019.

Report of Stormwater Officer

Dave Salley, Stormwater Enforcement Officer, provided a written monthly report for March 2019. Salley reported staff will be meeting with DEP to discuss the Pollution Reduction Plan Comment Letter.

Report of Public Works Director

Dennis Nissley, Public Works Director, provided and a written monthly report for March 2019. Sulkosky thanked Dennis for all his time and hard work he put into the DEP 902 recycling grant. He did a great job.

Report of the Borough Authority Manager

Joseph Ardini, Authority Manager, provided a written monthly report for March 2019.

Report of the Borough Manager

Samuel Sulkosky, Borough Manager, provided and reviewed a written monthly report for March 2019. Sulkosky reported that the removal of the Jacob Street bridge is scheduled for June 14, 2019, and the notice to proceed for the Marietta Ave. pedestrian project is scheduled for July 22nd. Sulkosky told Council he is waiting for clarification from Gannett Fleming on when the Market Street bridge will reopen.

Approval of the Minutes of the Previous Meeting

On a **MOTION** by Reese, and a second by Ginder, approval was given for the minutes of the regular Borough Council meeting held on March 4, 2019. *Motion carries unanimously.*

Administration and Finance Committee

On a **MOTION** by Youngerman, and a second by Reese, a request was made to approve Resolution No. 9-19; Department of Education Keystone Grant for Public Libraries. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Feuerstacke, a request was made to approve Resolution No. 10-19; PEMA Hazard Mitigation Grant Program (HMGP). *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Feuerstacke, a request was made to approve the Agreement for use of the Crafcu Melter Applicator between East Donegal Twp, Mount Joy Borough and Mount Joy Twp. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Reese, a request was made to approve the Residential Lease Agreement for 15 East Main Street, Mount Joy. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Feuerstacke, a request was made to approve a request from Laurel Harvest Labs, for a 90-day extension of time in which to record the approved Preliminary/Final Land Development Plan approved by the Mount Joy Borough Council on April 2, 2018, in accordance with the Mount Joy Borough Subdivision and Land Development Ordinance, Section 240-29A. The 90-day extension will expire on July 2, 2019. *Motion carries unanimously.*

Report of the Public Safety Committee

On a **MOTION** by Fahndrich, and a second by Eichler, a request was made to approve the FDMJ request to close Lemon Street and a portion of Clay Alley on Saturday, April 6, 2019, for fire department training. *Motion carries unanimously.*

On a **MOTION** by Fahndrich, and a second by Eichler, a request was made to approve Resolution No. 11-19; Mount Joy Borough Emergency Operations Plan (EOP) Basic. *Motion carries unanimously.*

On a **MOTION** by Fahndrich, and a second by Eichler, a request was made to approve Resolution No. 12-19, a Resolution of Borough Council to allow the suspension of a banner across SR 230 for a Book Sale by the Milanof-Schock Library from May 31, 2019 to June 15, 2019, near the Borough Offices at 21 West main street, Mount Joy. *Motion carries unanimously.*

Report of the Public Works Committee

On a **MOTION** by Deering, and a second by Ginder a request was made to approve the Mount Joy Chamber of Commerce request for Music in the Memorial Park as per their letter dated March 7, 2019, with the request dates of July 27, August 4, 11 & 17, 2019. *Motion carries unanimously.*

On a **MOTION** by Deering, and a second by Millar, a request was made to approve the Mount Joy Legion Riders request to hold chicken BBQ's on May 4 and October 5, 2019, utilizing Old Standby Park from 10:00 am to 2:00 pm. *Motion carries unanimously.*

On a **MOTION** by Deering, and a second by Ginder, a request was made to approve the Milanof-Schock Library request for the closure of Farmview Street from School Lane to Bent Oak Street on Saturday, June 22, 2019, from 12:00 pm to 5:00 pm for the 20th anniversary of the Library. *Motion carries unanimously.*

On a **MOTION** by Deering, and a second by Ginder, a request was made to reconsider the Motion from March 4, 2019, Council meeting, paving of Cherry Alley. *Motion carries unanimously.*

Public Input Period

Gary Schatz, 24 Fairview Ln., Marietta, questioned how Res. 11-19 that was passed tonight will affect him. Hall explained the Resolution to him.

Bruce Haigh, 540 Rose Petal Ln., gave an opinion on and questioned the Florin Hill basin and their stormwater management agreement.

Ned Sterling, 13 W. Main St., asked if the parking study will be available online for the public to view. The Mayor said he was not sure if it would be or not.

Tod Dohl, 9 E. Main St., asked when the settlement date is the property located at 15 E. Main St. and what the plans are for that property. Hall responded settlement is scheduled for April 15, 2019.

Larry Derr, 715 Terrace Ave., he feels maybe the Borough should be look at the sidewalk and curb issue from a different angle. For example, maybe we the Borough should be looking at where we need them rather than where we do not. Derr gave some examples to areas where he feels they would and would not be needed. Derr feels the Borough should listen to the residents.

Any Other Matters Proper to Come Before Council

The Mayor spoke concerning the Multi Modal Grant the Borough applied for but was denied. He had questions concerning the reason for denial. Sulkosky responded the Borough had a one in eight chance of getting the grant and that he spoke to Representative Hickernell's office and Senator Aument's office to see where we were deficient and once, we know that, we can see whether we should re-apply. July 31, 2019 is the next deadline to re-apply.

Hall announced an administrative change. Hall would like all Committees to submit the draft minutes to all Council members as soon as they are completed. Hall wants to make sure Council members understand that these are draft minutes for

informational purposes only and that they are pre-approved documents, so they are not eligible for Right to Know Requests. The way it is now, members of Council do not know what is happening at other Committee levels until the business has already come through Council.

The Mayor distributed a handout titled "Mount Joy Sidewalk Determination Process" that he created and gave an explanation to Council of that handout. The handout shows steps to follow in determining whether sidewalks are required or not. Step 1; Initial Need based on if any of the following exist, Alley as defined, traffic counts under a certain number, cul-de-sac/dead end, right of way limitations. If any of these conditions exist a Letter of No Need would be sent. The deciding body would be Staff and the time frame would be 2 ½ years prior to construction. If none of these conditions exist, proceed to Step 2; Committee Evaluation. The Committee would use a multi-variable scoring mechanism which includes, but not limited to, subjective items to determine the need for sidewalk; technical feasibility/challenges, environmental impact, pedestrian generators/use and traffic conditions. The deciding body would be an appointed independent Committee and the time frame would be 2 years prior to construction. If conditions do not warrant a need, a Letter of No Need would be sent by Staff with a time frame of 2 years prior to construction. If conditions do warrant a need then proceed to Step 3; Letter of Need sent by Staff 2 years prior to construction. At this point the property owner can appeal the letter. The Borough Council would make a decision whether or not to reject or grant the appeal. If Council grants the appeal, a Letter of No Need would be sent. If Council rejects the appeal, the property owner would be required to install the sidewalks.

Reese commented on the fact that something like this would end up being a 17-page Ordinance. Hall said that a policy, like this one, could be referenced in the Ordinance.

Authorization to Pay Bills

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

GENERAL FUND	\$	259,982.94
REFUSE/RECYCLING	\$	48,418.75
CAPITAL IMPROVEMENTS FUND	\$	19,080.55
HIGHWAY AID FUND	\$	17,841.75
ESCROW FUND	\$	252.00
JOY LAND ACCOUNT	\$	
GRAND TOTAL EXPENDITURES	\$	345,575.99

Motion carries unanimously.

Meetings and dates of importance

See the purple calendar for the month of April 2019.

Council went into executive session at 8:25pm for legal issues and personnel issues. Council came out of executive session at 9:35pm. No decisions were made.

On a MOTION by Youngerman, and a second by Millar, Councilor Deering was appointed as delegate, Borough Manager Sulkosky as alternate delegate to the PA State Association of Boroughs 2019 Annual Conference on June 9-12, 2019 in Hershey. *Motion carries unanimously.*

Adjournment

On a MOTION by Deering, and a second by Feuerstacke, approval was given to adjourn the meeting at 9:37pm. *Motion carries unanimously.*

Respectfully Submitted,

Samuel Sulkosky
Borough Manager/Secretary