

MOUNT JOY BOROUGH COUNCIL
April 6, 2020 Minutes

The Mount Joy Borough Council held its regular meeting on April 6, 2020. Considering the Coronavirus Emergency Declarations issued by the Borough of Mount Joy, the Governor of Pennsylvania and the President of the United States, this public meeting was held as a virtual meeting.

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

Roll Call- Present were Councilors Dominic Castaldi, Joshua Deering, David Eichler, Lu Ann Fahndrich, Mary Ginder, William Hall, Michael Reese, Bob Ruschke, 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. Councilor Brian Youngerman was absent.

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

President Hall announced there was an Executive Session held on March 2, 2020 for personnel issues. Council moved to rehire a full-time police officer with credit for time of service with Mount Joy Borough under the terms of current contract and lowest in seniority with start date to be determined by the Chief of Police upon completion of all required testing. On March 2, 2020, Council went into a second executive session for legal issues. Council approved a motion to direct the Borough Solicitor to defend NPDES Permit No. PAC360474. Executive Session was held on March 23, 2020 for Covid-19 Emergency and legal issues. In an open public meeting, Council approved Resolution No.10-20 – Declaration of Disaster Emergency, the Police Mutual Assistance Agreement, the Lancaster County COVID-19 Task Force and advertising for two Part-time Police Officers. Executive Session was held on March 26, 2020 for personnel issues, no decisions were made.

On a **MOTION** by Ginder, and a second by Ruschke, approval was given to accept the agenda for the April 6, 2020, Borough Council meeting. *Motion carries unanimously.*

Councilor Brian Youngerman joined the meeting at this time, 7:09 PM.

Public Input Period

Whitney Walmer, student at HACC, asked due to the Covid-19 crisis if the Borough meetings will continue to be held virtually and if this is the first virtual meeting the Borough has held.

Ned Sterling, 13 W. Main St., inquired about Item 13 D on tonight's Agenda. He wants to know the purpose of the Ordinance.

Dave Schell, Main Street Mount Joy, asked for clarification of the wording in the Ordinance under 13 D on tonight's Agenda.

Barb Basile, Mount Joy Rotary, informed everyone that the Rotary shredding event scheduled for Saturday, April 25th has been cancelled. They do plan on rescheduling it.

Kristen Bitner, S. Delta St., told Council she was riding bike on S. Delta Street the other day and noticed an orange cone on an empty lot at the end of S. Delta Street. They discovered it was a sink hole that was about 10-12 feet deep. She wanted to know if that was Borough owned property or private property and if it should be posted with a sign so that no one gets injured.

Bruce Haigh, 504 Rose Petal Ln., via email, asked what the Borough is doing to eliminate noncritical essential expenditures to offset loss of tax revenues.

Presentation of the 2019 Audit

Nicole Cradic, Megan Senkowski and Amanda Kilroy, Trout CPA, provided a written report and gave an oral presentation on the Borough's financial statements and supplementary information for the year end 2019.

Report of Mayor

Mayor Bradley provided and reviewed a written monthly report for March 2020. The Mayor commented that this month has been extraordinary in the many challenges that it has placed upon our citizens, schools, business community, civic organizations, and employees; I have witnessed a tremendous outpouring of good will and willingness to work together across the community. Many individuals and organizations are using ingenuity to engage with our community in helpful and meaningful ways. I would like to highlight the work that Mount Joy Helping Services and Food Bank as it tackles increased demand due to the economic challenges of this pandemic. They have acted as a hub to connect numerous organizations with an interest in helping to populations in need. I would further encourage members of the community to

support the important work of this organization. Additionally, I would like to thank the Donegal School District for their continued efforts to feed our student population through its combined staff of employees and volunteers. Lastly, I want to emphasize that throughout this pandemic many of the public safety needs of the community are being served by volunteers. These volunteers continue to expose themselves to risk of exposure for the protection of community and they need to be appropriately thanked for their sacrifice and dedication. This is particularly the case as it pertains to our ALL VOLUNTEER fire department.

The Mayor stated on March 2nd and 3rd he contacted Sen. Aument and the staff for Rep. Stephen Barrar, Chair of the Veterans' Affairs & Emergency Preparedness Committee concerning the State's COVID-19 preparations and expressed concerns regarding what was (at the time) protection and preparedness posture of the State concerning the impending pandemic.

The Mayor also issued an order to the Chief to put COVID-19 protocols into place to limit cross-contamination of staff and protect officers.

Immediately following the Governor's Order related to the closure of non-essential businesses, I contacted the County DA seeking clarification as to any limitations of authority that may exist for municipal law enforcement officers to enforce the order. The Chief similarly contacted the County Chief's Association and surrounding municipalities. Based on that feedback the department developed an enforcement protocol. A poorly worded statement was released on social media by the MJPD concerning department enforcement of the Governor's order. On March 26, a news agency, which did not substantiate their assertions with department leadership, wrongly concluded and reported that the Borough was not enforcing the order. When brought to my attention, I investigated the issue, followed up with attempt to directly contact to the news agency, and directed the Chief to make an official corrective statement which accurately communicates the Borough's protocol. Also directed the Chief of Police to take additional steps to ensure that the existing procedures are followed related to the release of official statement regardless of medium.

On March 16th, the Mayor issued a State of Emergency Mayoral Proclamation under Title 8. He specifically waited until that date so that the seven-day limitation would go until the Borough's Public Safety Meeting.

Report of the Chief of Police

Maurice Williams, Police Chief, provided and reviewed a written monthly report for February 1, 2020, through February 29, 2020. The report showed 33 traffic arrests and 11 criminal arrests for the month. There was a total of 559 incidents for the month of February, with a total of 1,133 incidents year to date. Monies collected by the Police Department for the month for tickets, permits, reports, and services totaled \$5,107.90.

Report of Fire Department Mount Joy (FDMJ)

Matt Gohn, FDMJ Fire Chief, provided and reviewed a written monthly report for February 2020.

Report of SVEMS

No Report. A written report was given at the Public Safety Meeting.

Report of EMA

No Report

Report of Main Street Mount Joy (MSMJ)

Dave Schell, Executive Director, provided a monthly report for March 2020.

Report of the Milanof-Schock Library (MSL)

Barbara Basile, Executive Director of Milanof-Schock Library, provided and reviewed a written monthly report for February 2020. The Library has made changes so that people can use the online resources more. She feels the Library will be in sad shape financially due to the cancelation of the Golf Tournament, May Yard Sale and no Passport income. Basile is unsure about the June book sale.

Report of Codes and Zoning Officer

Stacie Gibbs, Codes and Zoning Officer, provided a written monthly report for March 2020. Gibbs stated that all rental inspections scheduled for March and April will be rescheduled for a later date.

Report of Stormwater Officer

Dave Salley, Stormwater Enforcement Officer, provided and reviewed a written monthly report for March 2020. Salley told Council he is currently working on two Grants. The one Grant is the National Fish and Wildlife Foundation (NFWF) Small Watershed Grant (SWG) for Planning and Technical Assistance. Project includes planning and design of streambank

restoration along Little Chiques Creek including in-stream improvements, improving drainage in Little Chiques Park and accessibility to the stream for fishing and recreation. The other Grant is the DCNR Community Conservation Partnership Program (C2P2) Planning and Funding. Due April 22, 2020. Grant request \$130,000. Project includes the design of an overall master plan for Little Chiques Park which will evaluate exiting features, trail connections, ADA accessibility and planning and design of stream bank restoration along Little Chiques Creek including in-stream improvements, improving drainage in Little Chiques Park, and accessibility to the stream for fishing and recreation.

Report of Public Works Director

Dennis Nissley, Public Works Director, provided a written report for March 2020. Nissley said he has implemented social distancing and safe working practices for the Public Works staff. Nissley stated that the Compost site has been closed due to the Governor's stay at home orders.

Report of the Borough Authority Manager

Joseph Ardini, Authority Manager, provided a written monthly report for March 2020.

Report of the Borough Manager

Samuel Sulkosky, Borough Manager, provided and reviewed a written monthly report for March 2020. Sulkosky informed Council the Borough's Facebook page went live March 25, 2020. He stated the Borough had to make some emergency purchases such as laptops and webcams. Sulkosky said he has provided Council with a report regarding the actions the Borough has taken regarding the Covid-19 crisis and will continue to keep them updated.

President Hall thanked Staff, Borough Manager and Police Chief for everything they are doing to try and adapt and keep the Borough going during this Covid-19 crisis. Good Job!

Approval of the Minutes of the Previous Meeting

On a **MOTION** by Youngerman, and a second by Ginder, approval was given for the minutes of the regular Borough Council meeting held on March 2, 2020. *Motion carries unanimously.*

Administration and Finance Committee

On a **MOTION** by Youngerman, and a second by Reese, a request was made to approve the Mount Joy Country Homes request for release of financial security in the amount of \$16,138 for Phase 1A, the remaining \$3,000 for Phase 1B, and the remaining \$7,920 for Phase 2A. *Motion carries unanimously.*

On a **MOTION** by Youngerman and a second by Reese, a request was made to name Josh Deering a Voting Delegate and Sam Sulkosky as Alternate Delegate to the PSAB 2020 Annual Conference from June 7-10, 2020 in Hershey PA. *Motion carries unanimously.*

Report of the Public Safety Committee

None

Report of the Public Works Committee

On a **MOTION** by Deering, and a second by Ruschke, a request was made to approve Resolution No. 11-20, NFWF Small Watershed Grant. *Motion carries unanimously.*

On a **MOTION** by Deering, and a second by Ginder, a request was made to approve Resolution No. 12-20, DCNR Community and Recreation Grant. *Motion carries unanimously.*

On a **MOTION** by Deering, and a second by Ruschke, a request was made to approve revised 5-Year Street and Alley Plan. *Motion carries unanimously.*

On a **MOTION** by Deering, and a second by Ginder, a request was made to advertise Ordinance No. 3-20; Chapter 232, Streets and Sidewalks, Article IV, Sidewalk and Curb Installation; Maintenance, to revise regulations governing the Main Street Revitalization Area. The wording under Section 1 regarding the amendment should be Main Street not High Street. Sulkosky will have the Solicitor make the correction. *Motion carries unanimously with correction to be made by Solicitor.*

On a **MOTION** by Deering and a second by Ginder, a request was made to approve the Mount Joy Chamber of Commerce request for 2020 Music in the Park for July 26, August 2, August 9, and August 16 from 5:30 pm to 7:30 pm in Memorial Park. *Roll call vote; Deering, Fahndrich, Ginder, Reese, Ruschke and Hall voting yes, Eichler and Youngerman voting no, Castaldi absent. Motion carries 6-2.*

Public Input Period

Ned Sterling, 13 W Main St., commented on Ordinance 232-64 Main Street Revitalization Area.

Whitney Walmer, student of HACC, inquired about the Ordinance Sterling was talking about and asked what the process is and how soon would that go into effect. Walmer also asked about the extension of the business district. Schell told Walmer to email him and they can discuss that further at a later time if she would like.

Any other matter proper to come before Council

Sulkosky lead a discussion of the Lancaster County Treasurer's correspondence concerning real estate taxes. The Lancaster County Treasurer, Amber Martin, is asking all townships and boroughs to adopt a resolution to establish a zero penalty on the Lancaster County 2020 real estate tax therefore extending the base amount of real estate tax until December 31, 2020. The County would need all townships and boroughs to agree to extend the 2020 base period until the end of the year and waive delinquent taxes if 2020 property taxes are paid before December 31, 2020. Martin stated in her letter that the Commissioners are in agreement that some type of relief needs to be offered. She did state that the Commissioners will not be extending the discount period. Sulkosky told Council that Martin stated in her letter approximately 85-95% of taxes are escrowed. Sulkosky said at this time he does not know how many townships or boroughs are considering this and he is not sure how many would be in favor of the December 31, 2020 deadline. Sulkosky feels an October or November deadline would be better. The Lancaster County Treasurer would like to have all resolutions signed by April 30, 2020. Youngerman said he would be in favor of this to help those who have lost your jobs due to Covid-19. However, he is not in favor of the December 31, 2020 deadline. Hall is also in favor of extending the deadline and feels this is the right thing to do.

On a **MOTION** by Hall, and a second by Ginder, a request was made to have the Solicitor prepare and advertise an Ordinance extending the base period for the Mount Joy Borough taxes year 2020 to December 31, 2020 contingent upon the County Commissioner also extending the County's base period to December 31, 2020. An **AMENDMENT** by Deering, and a second by Hall, a request was made to change the date to November 30, 2020. *Amendment carries unanimously. Motion as amended carries unanimously.*

Sulkosky informed Council that the street sweeping scheduled for April was rescheduled for May 11-15th.

Authorization to Pay Bills

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

GENERAL FUND	\$	117,327.18
REFUSE/RECYCLING	\$	52,151.50
CAPITAL IMPROVEMENTS FUND	\$	-
HIGHWAY AID FUND	\$	2,630.00
ESCROW FUND	\$	1,034.18
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	173,142.86

Motion carries unanimously.

Meetings and dates of importance

See the yellow calendar for the month of April 2020. Hall stated until further notice all scheduled meetings of Council including its Committees will be held electronically by Zoom. You can find links to these meeting on social media and the Borough website.

Council did not hold an executive session.

Adjournment

On a **MOTION** by Reese, and a second by Deering, approval was given to adjourn the meeting at 9:45 PM. *Motion carries unanimously.*

Respectfully Submitted,



Samuel Sulkosky
Borough Manager/Secretary