

MOUNT JOY BOROUGH COUNCIL
May 6, 2024, Minutes

The Mount Joy Borough Council held its regular meeting on May 6, 2024.

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

Roll Call- Present were Councilors Matthew Crider, 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; Codes and Zoning Officer, Brett Hamm; Grants, Projects, and Community & Economic Development Administrator, Rachel Stebbins; Police Chief, Robert Goshen and Administrative Assistant, Lisa Peffley. Councilor David Eichler joined the meeting at 7:02 PM.

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.

On a **MOTION** by Ginder, and a second by Kark, a request was made to accept the agenda for the May 6, 2024, Borough Council meeting. An **AMENDMENT** by Haigh, and a second by Youngerman, to add 14f, a discussion on Florin Hill Stormwater. *Amendment passes. Motion carries unanimously as amended.*

Public Input Period

David Weiser, 616 Water St., said he feels like he and his neighbors were targeted this past weekend by the Mount Joy Borough Police Department when they were issued parking tickets for parking on the wrong side of the street. He said he feels like he is being harassed and targeted by them, so he served the Chief a notice of No Trespassing.

Madeline Feliciano-Weiser, 616 Water St., said she also feels like they were targeted due to her husband voicing his opinion regarding the Mount Joy Borough Police Department.

Stephanie Raum, 611 Water St., said they have lived on their street and have been parking on the wrong side of the street for the past 26 years and have never been ticketed until now. She feels the same way as Weiser and his wife, and that they were targeted by the Mount Joy Police Department.

Ned Sterling, 13 W Main St., asked why the topic of the boundary lines for 9 East Main Street and 15 East Main Street are not on tonight's agenda. He asked if the Borough has contacted anyone yet about the code violation for 15 East Main Street. Sterling also asked how Council would feel about moving the sign at Gateway Park if grant money would be available.

Mayoral Proclamations

Mayor Bradley presented Chief Goshen with a Mayoral Proclamation in honor of Peace Officers week, May 12, 2024.

Mayor Bradley presented the EMS providers with a Mayoral Proclamation in honor of EMS week, May 19, 2024.

Presentation – Boyer & Ritter 2023 Audit

James Farano, Boyer & Ritter CPA firm, provided a detailed written report and gave an oral presentation on the Borough's audit, financial statements, and supplementary information for the year end 2023. Farano answered related questions pertaining to the audit.

Report of Mayor

Mayor Bradley provided a written monthly report for April 2024.

Report of the Chief of Police

Robert Goshen, Police Chief, provided a written monthly report for March 1, 2024, through March 31, 2024. The report showed 78 traffic arrests and 27 criminal arrests for the month. There was a total of 650 incidents for the month of March, with a total of 1,862 incidents year to date. The Chief pointed out under Criminal Charges there asterisks beside January and February numbers. He stated that the reporting system is under reporting and the numbers are higher than previously reported.

Report of Fire Department Mount Joy (FDMJ)

Brett Hamm, FDMJ Fire Chief, provided and reviewed a written monthly report for March 2024.

Report of PSH Life Lion LLC

Scott Bushle, Director Penn State Health Life Lion, provided and reviewed a written report for March 2024.

Report of Municipal Emergency Services Authority (MESA)

No report provided.

Report of EMA

Phillip Colvin, EMA Coordinator, provided a written report for April 2024

Report of the Milanof-Schock Library (MSL)

Joseph McIlhenney provided and reviewed a written monthly report for March 2024.

Report of Codes/ Zoning & Stormwater Administrator

Brett Hamm, Codes, Zoning & Stormwater Administrator, provided a written monthly report for April 2024.

Report of Grants, Projects, and Community & Economic Development Administrator

Rachel Stebbins, Grants, Projects, and Community & Economic Development Administrator provided a written monthly report for April 2024.

Report of Public Works Director

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

Report of the Borough Authority Manager

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

Report of the Assistant Borough Manager/Finance Officer

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

Report of the Borough Manager

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

Approval of the Minutes of the Previous Meeting

On a **MOTION** by Ginder, and a second by Greineder, approval was given for the minutes of the regular Borough Council meeting held on April 1, 2024, with correction to typo on page 2. *Motion carries unanimously.*

Building Ad Hoc Committee

Deering said April was a busy month, and that 90% of the plans were submitted. He said Council had the opportunity to view and make any comments and ask questions on April 29th. Council was informed that there will be an informal public meeting for the public to have the opportunity to view the proposed plans on Tuesday, May 21, 2024, following the Mount Joy Borough Authority meeting. Vulkmanic gave an update and upcoming timelines regarding bids.

Hall passed gavel to Council Vice President Greineder. On a **MOTION** by Hall, and a second by Kark, a request was made to authorize CRA to release the RFP for bid once all concerns of staff and Council have been addressed to the satisfaction of Borough staff. *Motion carries unanimously.*

Mayor Bradley commented, we have heard the timeline as to when potential discussions around contracts and things to be done. We know that Council looked at least some of the initial financing. We see a financing update. I guess my question is, at what point is there a conversation and then what format would that conversation happen as to the necessary millage increases to be able to cover the cost for such a project, and whether or not that is even feasible. So my concern is that, and I think it was brought up by the public I think, last year and maybe even the year prior to that, that the concern was that when the snowball started rolling it was just a foregone conclusion that the project was going to be built, but I would hope that at some point we have that conversation, because I think at the end of the day that is terms of a legacy that I think any elected official can leave behind is yes, there's buildings, but there's also the financial condition that you leave things in and whether or not this is something that we can afford. I have said that on multiple occasions, and I think that that conversation should have happened first to realize what the ceiling was in terms of what was affordable, and then to try to address Borough needs within that ceiling but that doesn't seem to be the order that it took place. And here we are.

So again, I would hope that whether it's something that is going to be happening at the Admin and Finance Committee meeting in short order, or something that's happening at the full Council meeting. But it has to go beyond the Ad Hoc Committee and has to be a discussion that is had within this body. I would hope. I hear, some of uncertainty but the reality is yes, we can. What if? But I think at the end of the day you paint worst case scenario you pay best case scenario, but again, I don't know that is the total number of the project that really matters. I think it is once the financing. Once we had a ballpark, and I think we have a ballpark. You can work out what those costs might look like over the course of the 30 years and realize whether or not that is something that is able to be accomplished. I guess I'm a little confused, because what I hear is that Council is not willing. There does not seem to be a will on Council, yet I hear the chairman of the Admin and Finance Committee saying that something that you'd be willing to do you chair the committee. You can put it on an agenda. All it requires is for you to ask for it to be on the agenda, put it on the agenda, have a conversation about it. Discuss it and then come to some understanding as to what is possible, but what I hear is but essentially we're kicking the can down the street until what we get the meeting where we're supposed to award the contracts, and then we just award the contract? I am bewildered by this part of the process. It is the most important part of the process. Can you afford it? And what's it going to cost the resident? What is the millage increase going to look like? That's what everybody in the crowd cares about, because at the end of the day that's where the rubber hits the road, and I think you can justify things that you need. But the what prioritizes it is not what we want, what prioritizes it is, what can we afford? And what can we address with the amount of money that we have at our disposal. That's where we have to be, and we can't just say, well, spend it. And then, at the end of the day, whatever that means afterwards. So we build a place that we can house all of these folks who work within the Borough, and then what we come back three years later and say, we have to lay off a bunch of folks because we can't afford to pay them. And the millage increase, doesn't it? It just doesn't make sense to me. So I think there needs to be a robust conversation. There needs to be a conversation that happens outside of the context of the meetings that we always complain, take forever, so that you can have a robust conversation about it, and then come back with a maximum level what do we think we can afford in terms of even looking at the increases over the course of the next few years. Like we had a real heavy lift, this past budget cycle in trying to take all of our street projects and trying to prioritize those and get those into a level of affordability. And now we're going to hoist this on top of it. And so again, I think the conversation has to happen sooner rather than later and all it requires is for it to be listed on an agenda.

Administration and Finance Committee

On a **MOTION** by Youngerman, and a second by Kark, a request was made to award the Little Chiques Park Master Site Plan development to YSM Landscape Architects in the amount of \$56,250.00, as recommended by Parks & Recreation Advisory Board and the Borough Engineer. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to adopt Resolution 2024-12, a resolution to authorize staff to apply for a DCED grant in the amount of \$300,000.00 for the streambank restoration project. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to authorize staff to apply for an ARLE grant for the upgrading of the crosswalks at the four (4) noted controlled intersections to install stamped concrete or stamped thermoplastic. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to adopt Ordinance 02-2024, an ordinance implementing a volunteer fire service earned income tax and real estate tax credit program; enacting tax credits for volunteer members of volunteer fire companies; and establishing administrative procedures and appeals. *Motion carries. Hall abstained.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to approve the waiver of Section 226-37.C(1)(a)(4) – Minimum pipe diameter in vehicular loading areas outside of the right-of-way. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to approve waiver of Section 240-46.B(2) – Concrete sidewalks in Industrial Facilities. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to approve the Stormwater Management Plan as prepared by ELA Group for 200 Chocolate Avenue with modifications on the condition that all outstanding comments are addressed and resolved to the satisfaction of the Borough staff, Borough Engineer, and Borough Solicitor. *Motion carries unanimously.*

Report of the Public Safety Committee

On a **MOTION** by Fahndrich, and a second by Eichler, a request was made for Fire Department Mount Joy to display a banner on the Borough Banner poles from October 25, 2024, to November 5, 2024. *Motion carries unanimously.*

Chief Goshen provided Council with the results of selective enforcement grants, DUI Enforcement March 8, 2024 to March 17, 2024, and Aggressive Driving Enforcement March 18, 2024 to April 8, 2024.

Fahndrich discussed with Council how they would like to recognize national law Enforcement Week, May 12 through May 25, 2024, and National EMS Week, May 19 through May 25, 2024.

Report of the Public Works Committee

On a **MOTION** by Ginder, and a second by Greineder, a request was made to award Contract #1, Charter Lane and School Lane ADA Curb Ramps and Pinkerton Road sidewalks to Kinsley Construction, LLC for \$93,955.00. *Motion carries unanimously.*

On a **MOTION** by Ginder, and a second by Greineder, a request was made to award Contract #2, School Lane and Charter Lane roadway widening and paving to Alan Myers, LP for \$559,200.00. *Motion carries unanimously.*

On a **MOTION** by Ginder, and a second by Greineder, a request was made to award Heritage Grant contract to SM Johns and Son Construction LLC for the base bid price of \$584,801.72 plus alternates 1 and 4 for a total of \$646,555.44. *Motion carries unanimously.*

On a **MOTION** by Ginder, and a second by Greineder, a request was made to honor the request from Eric Moore, a post-doctoral researcher at the University of Delaware, to collect soil Samples along Little Chiques Creek in the vicinity where the dam had been removed. *Motion carries unanimously.*

On a **MOTION** by Ginder, and a second by Greineder, a request was made to honor the request from St. Luke's Episcopal Church for the use of Memorial Park on June 30th from 9:00 am until 12 noon. *Motion carries unanimously.*

Haigh led a brief discussion regarding the Storm Water Management Report for Phase 3 of Florin Hill Development that was submitted on April 17th by Florin Hill Partnership. He asked Council to give Rettew flexibility in wording when they write the letter to minimize the impact on the HOA after the developer has finished the project.

Public Input Period

Emanuel Hoffer, 82 E Main St., asked if his property taxes will be going up and the percentage.

Josh Deering, 33 Frank St., asked what happened to the State Championship sign that was located at Gateway Park, where was it relocated to, what the plans are for the Codes Officer going out into the Borough and looking at code violations/issues and if there was any action since last Council meeting on the Community Foundation topic.

Ned Sterling, 13 W Main St., asked where the two remaining bus shelters will be located. He also asked about item 3c on the Managers report regarding some items that used to be done by the Main Street program and if Borough would consider reapplying for that.

Any other matter proper to come before Council

Mayor Bradley asked what the deadline was for sidewalk installation on Pinkerton Road. He asked what is happening with the corner property that had asked for a variance in terms of sidewalk material, and what is happening with the part that is still not in compliance. Haigh responded that the property owner was granted an extension until May 30, 2024, because he was having a swimming pool installed and did not want big trucks driving across a newly installed sidewalk.

Hall stated the Borough received three letters: one letter from Red Rose Repeater Association about their exercise on field day event; one from Elizabethtown Borough regarding the Northwest Lancaster County Comprehensive Plan and one from Mount Joy Historical Society thanking the Borough for our donation.

Eichler commented on possibly providing Council with tablets to use to view supporting documents, reports, etc instead of printing them all out on paper. It would save paper. He also spoke regarding the topic of relocating the sign at Gateway Park, he asked if the Borough owns the land directly above the wall at Gateway Park and the possibility of putting it there.

Mayor Bradley gave a suggestion of possibly relocating the sign to Borough Park. He feels it would be a good fit.

Haigh said he attended the Comprehensive Plan kickoff meeting for Rapho Township, Manheim Borough, and Penn Township. He said it appears that everybody around Mount Joy Borough except for Marietta and East Donegal Township has gone the route of updating their comp plans. He asked how we go about updating our comp plan that is 10 years old.

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	\$	322,939.52
REFUSE/RECYCLING	\$	82,632.57
CAPITAL IMPROVEMENTS FUND	\$	70,526.79
HIGHWAY AID FUND	\$	-
ESCROW FUND	\$	9,590.63
JOY LAND ACCOUNT	\$	-
GRAND TOTAL EXPENDITURES	\$	485,689.51

Motion carries unanimously.

Meetings and dates of importance

See the white calendar for the month of May 2024.

Executive Session

None

Adjournment

On a **MOTION** by Greineder, and a second by Ginder, approval was given to adjourn the meeting at 9:51 PM. *Motion carries unanimously.*

Respectfully Submitted,



Mark G. Pugliese I
Borough Manager/Secretary