



Mount Joy Borough Council
Administration & Finance Committee Meeting Minutes
June 24, 2021

Members present: Chairman Youngerman, Councilor Hall, and Councilor Reese.

Others present: Borough Manager, Mark Pugliese; Finance & Business Administrator, Jill Frey; Mayor Bradley; Codes and Zoning Officer, Stacie Gibbs; Public Works Director, Dennis Nissley; and Stormwater Officer, David Salley.

Chairman Youngerman called the meeting to order at 6:30 PM.

Executive Sessions: Youngerman announced there may be an Executive Session at the end of tonight's meeting.

On a **MOTION** by Hall, seconded by Youngerman, to approve the June 24, 2021, agenda as presented. *Motion carries unanimously.*

Public Input Period:
None

On a **MOTION** by Hall, seconded by Youngerman, to approve the Minutes from the May 27, 2021, meeting. *Motion carries unanimously.*

Administration, Budget, and Finance:

Manager's Report:
Pugliese provided a written report.

On a **MOTION** by Youngerman, seconded by Reese, a request was made to recommend to Council to approve updated Job Descriptions for the Administrative Assistant and Part-time Receptionist/Secretary. *Motion carries unanimously.*

On a **MOTION** by Youngerman, seconded by Reese, a request was made to recommend to Council to raise no objections to the conveyance of 820 Church Street, Mount Joy, PA from Susquehanna Valley EMS to Penn State Health Life Lion LLC. *Motion carries unanimously.*

Hall commented that his computer was having glitches. He said that he considers items a. and b. to be combined and requested that the floor be opened for comments again. Request granted by Youngerman.

Discussion was had on the conveyance of 820 Church St. from SVEMS to Penn State Health Life Lion LLC and the Ground Ambulance Service Agreement. Hall expressed concerns with the services provided by the ambulance for residents within the Borough.

Mike Fitzgibbons from SVEMS was present to address questions or concern. He said that with the change to Penn State Life Lion and an agreement in place, they are foreseeing an even better ambulance/health service to residents of Mount Joy Borough. He said there has not been an agreement for the 29 years that he was involved, and that you do not have to have an agreement in place in order to address the real estate issue.

Mayor Bradley expressed concerns with being presented with the changes at the last minute and feeling rushed into making a decision, as well as concerns over the services provided to the residents and utilization of the building at 820 Church St.

Reese stated that the healthcare business is changing, and although we may not like the bigger organizations coming in, long term, this is where it is going to go. He said it seems like we are getting the services we need and that Penn State is going to provide that same service, if not better. He said SVEMS is kind of promoting this and pushing for this, so why would we not agree with it as well.

Scott Buchle, from Penn State Life Lion was present. He spoke saying that he understands the concerns and that they are committed to do their best to correct any concerns and provide the best service possible. He said that they are offering the Borough a better option than what they have now or what they will ever get in this County, and it does not seem to be enough. He said he understands the frustration but the other side of this is that this health system gives the

Borough better opportunity for the community as well as giving the employees that are going to be coming over a better opportunity than SVEMS could ever offer. Penn State Life Lion is going to be 10 times more efficient and 10 times better for the Community.

Nicole Lehman, in house Attorney for Penn State Life Lion was present. She spoke, saying that all of the Borough's Solicitor's concerns were addressed and edits were made to the agreement. She said she apologizes if the Borough felt as though they were backed in the corner and that was not the intention. She said there are a lot of business transactions happening right now within Penn State Health and that they are in an opportunity of extreme growth and very excited about it.

Abby Tucker, Esquire, Attorney for SVEMS, spoke concerning the reverter clause and the deed. She said the deed restriction states that if the property is transferred to an entity that is no longer a medical services corporation, and is not a responding agency in Lancaster County, then the deed does revert. She said they are asking for acknowledgement that Penn State Life Lion is a non-profit medical services corporation, so they are all set with the deed.

Hall noted that, from a parliamentary standpoint, there is a MOTION and a second on the floor. Youngerman said yes, for item a. He said that the discussion has waived in different directions from item a. and asked for recommendation from President Hall. Hall said unless someone objects, we will vote on the MOTION. Youngerman asked for a vote on item C.a. *Motion carries unanimously.*

On a MOTION by Youngerman, seconded by Reese, a request was made to move the "Ground Ambulance Service Provider Agreement" to Public Safety Committee and to advise Public Safety Committee that this Committee raises no objections to the agreement. *Motion carries unanimously.*

Discussion on the continued use of video conferencing for such time that Council rescinds Disaster Declaration and/or returns to in-person meeting noting that this too would affect all committee meetings, Planning Commission Meeting, Zoning Hearing Board Meetings, etc.

Hall said that he feels we should get back to regular meetings and that he is not in agreement with broadcasting meetings. He said the Declaration has been rescinded, meetings have been advertised, Act 15 is expired, and we need to go back to full meetings. He said we must follow the law. Reese asked if Monday's Public Safety Committee meeting will be live and in person. Youngerman said that it should be but is not sure. Hall said that if we meet virtually, we might be out of our scope, but if we meet in person, we are sure to be doing what we are supposed to do. Pugliese said that he would reach out to Councilmember Fahndrich about Monday night's Public Safety Committee meeting.

On a MOTION by Hall, seconded by Youngerman, a request was made to recommend to full Council to rescind the Mount Joy Borough Emergency Declaration. *Motion carries unanimously.*

Land Development, Zoning & Codes:
Code Report was provided in writing.

Mount Joy Senior Housing, 240 W. Main Street, Mount Joy, PA. Brian Cooley, ASLA, from D.C. Gohn, present to answer any questions or concerns.

On a MOTION by Youngerman, seconded by Reese, a request was made to recommend to Council to waive §240-43.H.1 to improve streets in which a subdivision or land development abuts an existing Borough and/or State street. *Motion carries unanimously.*

On a MOTION by Youngerman, seconded by Hall, a request was made to recommend to Council to waive §240-43.I.(4) for street intersections with a local street to be a minimum radius of 20'. *Motion carries unanimously.*

On a MOTION by Youngerman, seconded by Reese, a request was made to recommend to Council to waive §240-46.C.(1) requiring that curbing shall be provided along the edge of any landscaped portion of a parking facility. *Motion carries unanimously.*

On a MOTION by Youngerman, seconded by Reese, a request was made to recommend to Council to waive §240-57.D.(1) to dedicate recreation land to the Borough. *Motion carries unanimously.*

On a MOTION by Youngerman, seconded by Reese, a request was made to Council to waive §240.57.G requiring a fee in lieu of dedication of recreation and accept the applicants proposed fee of \$2,000 per unit for a total fee of \$72,000.

Youngerman asked if there should be a fee for Commercial space as well. Brian Cooley stated that this fee does not accommodate for Commercial space. He said it would not be cost productive. He said \$72,000 was approved by

the Planning Commission and by this body a month ago. He said that any excess cash goes to pay down the past debt for the property. *Motion carries unanimously.*

On a **MOTION** by Youngerman, seconded by Reese, a request was made to recommend to Council to waive §240-46.C.(1) requiring that applications for all residential developments with 20 or more dwelling units and buildings containing 1000sf of usable space provide a traffic study and report. *Motion carries unanimously.*

On a **MOTION** by Youngerman, seconded by Reese, a request was made to recommend to Council to waive §226-32.A.(2)(c) requiring for the loading ratios in Karst areas to be a maximum of 3:1 impervious drainage area for infiltration area and 5:1 total draining area to infiltration area. *Motion carries unanimously.*

On a **MOTION** by Youngerman, seconded by Reese, a request was made to recommend to Council to waive §226-37.a.(6)(b) requiring that the use of the emergency spillway to convey flows greater than the 50-year storm is permitted.

Youngerman asked why a waiver is being requested on the 50-year stormwater requirement when the rain garden claims to be able to handle a 2 to 100-year storm.

Cooley stated that the ordinance says you are allowed to use the emergency spillway to route the facility for a 50 or 100 year storm. However, we are proposing to use the spillway to route the 2, 10, 25, and then the 50 and 100. This is because the spillway is 10 feet wide. The bottom elevation of the facility is at elevation 375.0, and the spillway is at 376.5. So, from the bottom of the rain garden to the spillway is 1.5 feet, so that is the maximum depth of the of the facility and stormwater within the facility. We try to design these facilities for small sites like this to be under two feet in total storage depth, because once you get above two feet you need to get into more of an engineer facility where there are clay cores and inlets that need installed for outlet structures, we would need a tie into PennDOT structures and just a lot more engineering design costs associated with that. So, right now we are just proposing the emergency spillway to discharge stormwater for the 2, 10, 25, 50 and 100, rather than just the 50 and 100, which the ordinance permits. Now that being said, we are reducing the total flow for all of design storms for this entire drainage area so even though we're discharging storm water at a 2-year storm through this facility, all of the design storms are less than what currently drains to this drainage area.

Hall said that, looking at the pre/post peak runoff comparison chart provided by Mr. Cooley, pre-development peak flow right now is 3.1 and total post-development flow at the 50 year is 3.39, which is not much higher, and the 100 year is 3.99. He asked if the rain garden can be made any larger and slightly deeper, that we can take total post-development flow and get that 100 year down to 3.1 so that the 100-year total post-development is equal to or less than the current 2-year.

Cooley said that he believes they can certainly accommodate so the 100-year post-development flow, we would try to get to 3.1 for the total, which matches the pre 2-year 3.1. Hall said, yes, instead of the 3.99. Cooley said he can certainly look at doing that. He said the waiver request would still be at the 2, 10, and 25, with the condition of matching the total post-development 100 year to the 2-year pre-development, 2-year storm. He said he can have those numbers for the Council meeting in July. He said he would probably re-route the facility and submit that to the Borough engineer for them to review and have an updated letter for the Council meeting if that is an acceptable approach.

Hall offered an Amendment that states that we add the words, "conditioned upon the total post-development flow, in cubic feet per second (cfs), be equal to or less than the pre-development peak flow in cfs for the 2-year, which is 3.10 cfs. Amendment seconded by Youngerman. Hall and Youngerman voting Yes, Reese voting No. *Motion Carries.*

Youngerman returned to a vote for the original **MOTION** on the floor, to recommend to Council to waive §226-37.a.(6)(b) requiring that the use of the emergency spillway to convey flows greater than the 50-year storm is permitted, as Amended. Hall and Youngerman voting Yes, Reese voting No. *Motion Carries.*

On a **MOTION** by Youngerman, seconded by Hall, a request was made to recommend to Council to approve a Preliminary/Final Plan for Mount Joy Senior Housing, LP in accordance with Chapter 240, to re-develop an existing building into 36 senior housing units consisting of 12 1-bedroom apartments, 24 2-bedroom apartments, 4000-6000 square feet of commercial space on the bottom floor elevation and 40 off-street parking spaces at the property located at 240 W. Main St., Mount Joy, PA, conditioned upon Borough Solicitor and Borough Engineer comments being addressed, a Dedication Agreement and Ordinance being drafted at applicant's expense and Stormwater Management Agreement and Land Development Agreement being recorded. *Motion carries unanimously.*

Youngerman prompted discussion of draft Resolution for Active Transportation Guidebook. Hall said that concerns were addressed, and it meets the intent without tying the Borough's hands.

On a **MOTION** by Hall, seconded by Reese, a request was made to recommend to Council to approve the draft Resolution for Active Transportation Guidebook.

Youngerman said he had a problem with the use of an undefined word in Section 4, which uses the term "equity", but does not define what equity is.

Youngerman made a **MOTION** to remove the word, "equity" from Section 4. *Motion dies for lack of a second.*

Youngerman stated on Section 4D where it states, "contribute to a more equitable transportation system for people of all income levels, ages and abilities", he said he does not know what equitable means, but he thinks accessible is a better word to insert there. Youngerman made a **MOTION** to replace the word "equitable" to "accessible". *Motion dies for a lack of second.*

Youngerman made a **MOTION**, for page 1 of the draft Resolution, the third, "whereas", where it states, "whereas the active transportation and complete street-based principles contribute toward the safety, health, equity, economic viability", that the word equity be removed from this line. *Motion dies for a lack of second.*

Hall moved to vote on the original **MOTION**, for the draft Resolution for Active Transportation Guidebook be sent to full Council. Youngerman said he is not going to entertain that motion. He said there is a typo, in the last "whereas" clause where it states, "whereas the will to the maximum extent practical design, etc.". He said he thinks it means the will of Mount Joy. Gibbs said she would rather ask the Solicitor and see what her intent is with that or if she made a typo. Hall said he thinks it is missing the word "to" in front of the word "design", but that he agrees that we should take it back to the Solicitor to fix that typo. Hall said it does not stall what we are trying to do here in getting this Resolution to full Council.

Youngerman called for a vote on the original **MOTION** for the draft Resolution for Active Transportation Guidebook be sent to full Council. *Motion carries unanimously.*

Youngerman announced that a Public Hearing will be held at the next Council meeting for proposed Ordinance to amend the Zoning Ordinance to regulate personal expression signs and clarify regulations concerning special exceptions.

On a **MOTION** by Youngerman, seconded by Hall, a request was made to recommend to Council to approve Resolution No. 7-21; Authorization of signatures for the Amendment to the PennDOT Complete Streets Grant Reimbursement Agreement. *Motion carries unanimously.*

Grant Updates:

On a **MOTION** by Youngerman, seconded by Reese, a request was made to approve the format of the Grant Tracking Spreadsheet prepared by the Manager and move to full Council directing the Manager to provide said spreadsheet to Council on a quarterly basis. Hall asked if there could be a larger font and put on legal-sized paper. Pugliese said yes. *Motion carries unanimously.*

Project Updates:

None

Public Input Period:

None

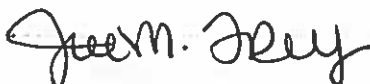
Executive Session:

Administration & Finance Committee moved into Executive Session to discuss 2 personnel matters at 9:27pm. Council came out of Executive Session at 10:21pm.

Any Other Matter to Come Before the Committee.

On a **MOTION** by Youngerman, seconded by Reese, a request was made to recommend to Council to authorize the Borough Manager and Finance & Business Administrator be bonded for \$500,000 each. *Motion carries unanimously.*

Motion by Reese, seconded by Youngerman, approval to adjourn the meeting at 10:30 PM. *Motion carries unanimously.*



Submitted by Jill Frey, Assistant Borough Manager