



Mount Joy Borough Council
Administration & Finance Committee Meeting Minutes
August 26, 2021

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

Others present: Borough Manager, Mark Pugliese; Assistant Borough Manager, Jill Frey; Codes and Zoning Officer, Stacie Gibbs; Part-time Receptionist, Linda Gainer

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

Executive Sessions: None

On a **MOTION** by Reese, and a second by Hall, approval was given for the August 26, 2021, agenda as presented. *Motion carries unanimously.*

Public Input Period:

Ned Sterling, 13 W. Main Street, discussion on 6N – reference on demolished buildings. He proposes revising the building Ordinance and asks Council to consider reviewing demolition permits as a discussion item. He stated that local registries require 1 of the 4 requirements and Mount Joy requires 2 of the 4 requirements. He asked that Council consider changing our ordinance to require 1 out of 4. He suggested possibly a conditional use hearing before demolition is allowed. Gibbs said that Council does discuss all demolitions and that she is open to revisiting the Ordinance and making possible changes if Council wishes.

On a **MOTION** by Reese, and a second by Hall, approval was given for the Minutes from the July 22, 2021, meeting. *Motion carries unanimously.* **Amendment** to July 22 minutes, changing that the approval of the June 24, 2021, meeting is a second by Reese, not Youngerman. *MOTION unanimously carries as amended.*

Administration, Budget, and Finance:

Manager's Report:

Pugliese provided a written report.

Pugliese added to his report, discussion on the fenced in water basin at Locust Lane and Pinkerton Road. He said there is a sinkhole issue on Locust Lane on private property. He said the previous owner is deceased and the land has been given back to the County and the Borough does not have the right to do anything unless the County gives us permission. He said the County has the right to sell it, but no one wants to buy it. He said the land needs to be maintained as a stormwater facility and that stormwater becomes the responsibility of the Borough and it is not safe for our equipment to go on the property. Gibbs said that there are several issues going on. She said a low flow concrete channel is not recommended anymore, there will need to be testing done, there is question as to if it is safe to go in there, and that the area possibly needs a whole new design. Pugliese said the Borough needs to keep on top of this and decide soon.

On a **MOTION** by Youngerman, and a second by Hall, a request was made to recommend to Council approval of Trick or Treat in Mount Joy Borough for Friday, October 29, 2021, from 6:00 pm to 8:00 pm, as recommended by Lancaster Inter-Municipal Committee policy of 1992. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Hall, a request was made to recommend to Council Resolution 12-21, reducing employee contribution to the police pension plan. Pugliese stated that this should be done annually. *Motion carries unanimously*

On a **MOTION** by Youngerman, and a second by Reese, a request was made to recommend to Council to accept the Non-Uniform Pension Plan. *Motion carries unanimously*

On a **MOTION** by Youngerman, and a second by Reese, a request was made to recommend to Council Resolution 13-21, appointing the Borough Manager as Chief Administrative Officer for the Borough of Mount Joy Police and Non-Uniformed Pension Plans. *Motion carries unanimously*

On a **MOTION** by Youngerman, and a second by Reese, a request was made to recommend to Council authorization for staff to work with the Borough Solicitor to amend or draft a new ordinance to address Act 50. Pugliese reported that Act 50 binds the hands of the municipality allowing wireless carriers to put antennas wherever they want. He said we can have input in the design of the antenna and that it is suggested that we find pictures of other antenna designs. He said that Act 50 does allow municipalities to impose some fees, however some municipalities are not staffed to handle the applications and services that result and that Gibbs will need to come up with an application and a method by which to process them. Gibbs said that we will have 20 some locations that need permits and that we will need to have an ordinance in place by October 29, 2021. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Reese, a request was made to recommend to Council to award the contract for Manheim Street Project to Wexcon, Inc., in the amount of \$151,485.00. Hall asked if the Borough could get this project done in time for PennDOT to do the paving. Pugliese stated that the Borough is going to proceed with the work and then PennDOT will come back to do the topcoat next year. *Motion carries 2 -1. Hall voting no.*

Pugliese opened discussion on the budget timeline. He gave a handout of the budget timeline, using the model from last year. Hall suggested to mix up the dates for the meetings so others can attend if they wish.

Pugliese opened discussion or ideas on disposition of funds related to American Rescue Plan Act Grant funding. Youngerman suggested awarding staff members who came in during difficult conditions. He said that this has been done before and would fit under the Essential Workers criteria. Hall suggested funds could be used toward a building project, such as security or air handling. He said that this is difficult because we are still unclear on how the funds can be used and do not want to find out later that money was used inappropriately. Youngerman asked if the money had to be committed to a project. Pugliese said the Treasury Department is creating a final report on how to use the funds but it will not be available until October. He said other Borough Managers have not spent the funds, as they do not have clear guidelines

Pugliese gave an update on the Electrical Supply contract set to expire 11/30/21. He said they are still waiting on the numbers to come in. Reese said he thinks we should do at least a 2-year term. Pugliese said that we will probably have approximately 15 quotes and 2 brokers to give us recommendations, and that we will have numbers ready for the September Council meeting

On a **MOTION** by Youngerman, and a second by Reese, a request was made to recommend to Council to authorize staff to distribute funds received from revenue of the soda machine at Rotary Park to David Eichler for installation and maintenance of duck boxes along Little Chiques Creek in the area of Little Chiques Park. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Hall, a request was made to recommend to Council to accept the Mount Joy Borough Authority Sewer System Audit report. *Motion carries unanimously*

On a **MOTION** by Hall, and a second by Youngerman, a request was made to recommend to Council to have Certified Carpet clean, sanitize and protect the carpets in the Municipal building at cost of \$996.00. Hall asked if the Borough could use the CARES Act money for this. Pugliese stated yes. A **MOTION** was made by Youngerman, with a second by Reese, to AMEND the motion to authorize Manager to use CARES Act Funds. *MOTION unanimously carries as amended.*

Youngerman acknowledged the receipt of the document from Ned Sterling in reference to "Demolished Buildings" and recognized the time and thoughtfulness of the document.

Hall commented concerning demolished buildings. He stated that although he agrees that it is unfortunate that properties are tore down, that they also come down for legitimate reasons and often unsafe conditions. He said the demolitions have no reflection on the Borough's code enforcement. He said he is completely opposed to a conditional use hearing every time we tear down a building. He said a lot of people put time into the Historical list and feel it is a good list. He said there may be value in changing the requirement in the Ordinance from 2 of 4, to 1 of 4, and that there are some points (of Sterling's) that need consideration. Youngerman agreed.

Gibbs spoke concerning the requirement in the Ordinance for 2 of 4, saying that as the Planning Commission spent time on this back in 2015 and 2016, the comments from Councilors were that they did not want to tell people what they have to do with their own properties and that they did not want to see hundreds and hundreds of properties on the registry, so they made the requirement of 2 so there would not be a large number of houses on the registry. She said

if Council wants to look at that again, we can, and that it must go through LCPC and PC and there would be a \$2,000 application fee through PC first. She said she does not like to see a demolition permit either and that she asks to see a contractor's estimate to bring a property to code first. She said we could look at changing the requirement, or we could add all properties along Main St., so then all properties would have to go through the conditional use process. She said that properties are taken down with no guarantee that something else will go back up in its place are taking away our tax dollars.

Hall said that we are not ready to act. Reese asked if Gibbs would lay out all the options. Hall asked if we could see the registry list again. Gibbs said she would do both. Hall said to send everything to all of Council and put it as discussion on the October's Planning Commission meeting. Stacie said she will.

On a **MOTION** by Youngerman, and second by Reese, a request was made to move to Council the purchase and installation of video conferencing equipment as quoted by EdgeUp in the amount of \$10,238.00 with an additional cost of installing an electrical outlet by Hertzler Electric, Inc., in the amount of \$655.00 and installation of network line by 12:34 in the amount of \$458.00, for a total cost not to exceed \$11,351.00. Said funds being drawn from 2020 Cares Act Funding.

Reese noted that we have had to hold meetings at St. Mark's Church on occasion. He asked if the new technology commits us to conduct the meetings like this all the time. Youngerman said that we are drafting a policy now as to how this will be done and that the policy will address that. Reese questioned if committee members should give approval before there is a policy in place.

Hall asked if Council would be able to use the equipment at a different location. Pugliese said it can be moved and used in a different facility, but it would not be able to be moved to a temporary facility.

Hall said there is no urgency to approve this, and it may be better to hold off on a decision.
Youngerman withdrew his MOTION, and a second by Reese.

On a **MOTION** by Youngerman, and a second by Hall, a request was made to recommend to Council to authorize Borough Manager to present 2022 Minimum Municipal Obligation (MMO) for both the Uniform and Non-Uniform Pension Plans at the September 13, 2021, Borough Council meeting. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Hall, a request was made to recommend to Council to authorize Borough Manager to attend PSAB Fall Leadership Conference in Erie, PA on Oct. 8th through the 10th, 2021, and to pay for and/or reimburse authorized expenses as provided by Section 701 of the Borough Code. *Motion carries unanimously.*

Pugliese received a request from Representative Hickernell's office for a request for Capital Budget Projects for the possibility of funding. He stated that staff was given the letter to consider building plans and said that we need to have shovel ready projects. He said the application is fairly easy and has to be submitted by September 22, 2021. He said he will have more ideas ready by the September 13, 2021, Council meeting.

Land Development, Zoning and Codes:

Zoning Officers Report:

Gibbs provided written report.

Gibbs reminded committee members that Resolution 11-21, regarding the Complete Streets Guide, had previously been moved to the September Council Agenda.

Gibbs reported the acknowledgement of receipt of Lancaster County Ordinance 150-2021, amending Ordinance 124 of 2016, to extend the Local Economic Revitalization Tax Assistance (LERTA) program for designated areas within the Borough of Mount Joy.

Grant Updates:

Pugliese provided the Grant Tracking Document created for easily following Grant progress. Pugliese reported that he applied for a Susquehanna Mutual Trust Small Safety Grant for an AED for the Borough building.

Project Updates:

Pugliese reported on the train station underground storm water basin conveyance of deed, agreement, and paid parking. He stated that he, along with Dave Salley, Assistant Public Works Director; Jen Granger from PennDOT, and Borough Solicitor, Josele Cleary conducted a conference call. He said they discussed the agreement, the basins, and the Borough Right of Way. He said that Lancaster County courthouse does not have as built plans and will get those to us when they are done. He said we are working toward a quick claims deed and in the meantime PennDOT will be able to perform work on it as needed.

He said that as for paid parking, PennDOT is going to put gates at their two lots with paid parking. As for Henry St. parking, that is for our discretion. Pugliese asked what the Borough's intention is for the small lot that is on Henry St. Hall said it can be used for anything.

Legislative Updates:

Pugliese reported on Act 65 of 2021 – Sunshine Act Agenda Requirements effective August 31, 2021, and provided a letter from the Borough Solicitor. He said that we have boards up now, used to post the agenda, 24 hours ahead of time. Hall said we can amend it anytime. Pugliese said it has some criteria. Youngerman said we must keep an eye on what we do to make sure we are in compliance.

Public Input Period:

Ned Sterling, 13 W. Main St., spoke concerning the demolishing of buildings. He said that historical buildings are part of the street scape and that preserving both are important to the community. He said he does not feel the Planning Commission members would give historical preservation a fair consideration. He said that civilians should be involved with the Ordinance on historic preservation.

Hall said that what Sterling said was heard and is getting movement. Gibbs thanked Sterling for his comments. She said that the Municipal Planning Code requires this subject matter go to Lancaster County Planning Commission and that she will let them know it will be on the Planning Commission agenda in October.

Joshua Deering, 33 Frank St., said that, as for demolitions, 544 W. Main St. had too much work that was needed and 560 Clay Alley had a large amount of asbestos. He said that there are projects coming to town because of demolitions.

As for video conferencing, he said he is disappointed the committee did not act on this. He said the equipment would be very beneficial for staff as well, allowing them to participate in Webinars, conduct presentations, etc. Hall said the intent was not to derail the project, just to have it better prepared.

Deering suggested using CARES Act money to pay for the carpet cleaning and asked if doing so would take away money from CARES Act for video equipment. Pugliese said the carpet cleaning was not taken out of CARES Act money intended for video conferencing.

Executive Session:

None

Any Other Matter to Come Before the Committee:

None

On a **Motion** by Hall, and a second by Reese, approval was given to adjourn the meeting at 8:35 PM. *Motion carries unanimously.*



Submitted by Mark Pugliese, Borough Manager

NEXT ADMINISTRATION AND FINANCE COMMITTEE MEETING – Thursday, September 23, 2021, at 6:30pm.