

**MOUNT JOY BOROUGH COUNCIL**  
**August 4, 2025, Minutes**

The Mount Joy Borough Council held its regular meeting on August 4, 2025.

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

Roll Call- Present were Councilors, David Greineder, William Hall, Bruce Haigh, Philip Kark, Mitchell Scordo (via Zoom), Brian Youngerman and Mayor Timothy Bradley, Jr. Staff present were Manager, Mark G. Pugliese I; Chief Goshen; Grants, Projects, and Community & Economic Development Administrator, Rachel Stebbins. Codes and Zoning Officer, Brett Hamm; and Administrative Assistant, Lisa Peffley. Absent were Councilor David Eichler, Lu Ann Fahndrich, Mary Ginder, Public Works Director, Dennis Nissley; and Assistant Borough Manager/Financial Director, Jill Frey.

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

**Executive Session** – There were no Executive Sessions held by Council between July 7, 2025, and August 4, 2025.

Councilor Haigh said he must publicly state that when any discussion comes up on BMP 107 and BMP 125, he will have to recuse himself because he represents/provides engineering services to the Schatz. Haigh said this is an agreement or decision that was made by the State Ethics Commission back in 2022. Haigh said he will recuse himself on any discussion under item 13G, BMP 107 & 125. Haigh asked if 13G could be split into two separate discussions so that he may participate in the general discussion of the July 14, 2025 flooding.

On a **MOTION** by Greineder, and a second by Kark, a request was made to accept the agenda for the August 4, 2025, Council meeting. An **AMENDMENT** by Kark, with a second by Youngerman, a request was made to split item 13G into two separate discussions, 13G-1 being Borough wide flooding and 13G-2 being strictly discussing BMP 107 & 125. *Amendment passes. Main motion as amended carries unanimously.*

Pugliese said he was in contact with the Borough Solicitor and wanted to remind Council that there is an outstanding lawsuit regarding BMP 125 and that Council should not make comments referencing BMP 125.

**Public Hearing** – Rezoning of lots 1087, 1101, 1105, and 1109 of Wood Street and 275 Musser Road from Light Industrial District (LI) to Medium Density Residential District (MDR).

On a **MOTION** by Greineder, and a second by Kark, a request was made to open the Public Hearing. *Motion carries unanimously*

The purpose of this hearing is to allow the public to ask questions and make comments about the proposed ordinance. The proposed ordinance has one part: Change the zoning of lots 1087, 1101, 1105, 1109 Wood Street and lot 275 Musser Rd from Light Industrial District (LI) to Medium Density Residential District (MDR) on the Mount Joy borough Zoning Map. This is a legislative hearing, not a judicial hearing. As such there is not a stenographic record and there is no 'party status'. The decision to adopt or not adopt this ordinance is entirely up to the Borough Council as a legislative decision. The public's questions and comments will be considered in making our decision. Council may choose to act on this proposed ordinance this evening or at a future Borough Council meeting. This proposed ordinance has been reviewed at public meetings by the Mount Joy Borough and Lancaster County Planning Commissions prior to this evening's hearing. We will hear from any members of the public in the audience first and then open the floor to those who may be joining us remotely. Zoning Officer presents that the Hearing Notice has been properly posted and that the Hearing Notice has been properly advertised.

Council members, Mayor and Staff comments: Councilor Haigh asked what the maximum building height in the medium density residential is and if it would be possible to put in a three-story townhouse. He said he would not want to see that happen.

Mayor Bradley commented that the zoning being proposed fits the neighborhood.

Public Comment: Kiana Smith, 1101 Wood St, asked if the rezoning changes would affect their taxes or if it affects any of the current building on these properties like outbuildings or storage sheds.

Brandon Lehman, owner of 1087 Wood St, said he has no plans for building anything 40 foot tall on this property.

On a **MOTION** by Greineder, and a second by Haigh, a request was made to close the Public Hearing on Ordinance 04-2025. *Motion carries unanimously*

On a **MOTION** by Greineder, and a second by Haigh, a request was made to adopt Ordinance 04-2025. An Ordinance, amending the Mount Joy Borough Code of Ordinances, Chapter 270, Zoning, by changing the Zoning classification of tracts of land identified as 1087, 1101, 1105, 1109 Wood St. and 275 Musser Rd. In the Borough of Mount Joy, Lancaster County, Pennsylvania, from LI-Light Industrial to MDR-Medium Density Residential District and amending the Borough Zoning Map accordingly. *Motion carries unanimously.*

**Presentation** - Kip Van Blarcom with LCPD gave a presentation on the future steps to completing a new Regional Comprehensive Plan. He took questions and comments from Council and the Mayor. He said the Plan is a general statement of what you want your community to look like in the future.

### **Public Input Period**

Diane Bair, 113 N. Barbara St., said she came to the meeting tonight to go on the record that she brought to the Borough's attention about the flooding problems behind her house and filled out a public works form online about the storm drain in July and has not heard anything back yet. She said there are still tree branches, a brick and other items inside the storm drain since 2018. She said this is the second car they lost due to flooding in that area. The first car was in 2018. Her garage along with her neighbors also got flooded. She said when she purchased the property back in 2016 there were no reports of flooding in that area between Mount Joy Street and North Alley back in Alley D. She said it floods there all the time now. She would like to know if there are plans in the works to look at the sewer drain system there and if anyone is going to come and clean it out.

Jeremy Basore, 111 N. Barbara St., feels the constant building in different areas such as Florin Hill, Elm Crest and the effects this has on stormwater runoff and how it effects his property and other surrounding areas in the Borough. He asked what the Borough has done to address the existing infrastructure within the Borough limits to account for the additional building? He also asked how much of an effect the streambank restoration improvements may have possibly had. He asked how old the infrastructure is in his area.

Kim Bair, 33 Penn Court, spoke about the Rotary Park bioswale that was created after the 2018 storm. She said the sign there said it handles 26% of Mount Joy's floodwater and flows right into that end of Little Chiques Creek and comes back through town. She said it does not seem to be able to handle the water. She asked if that is adding to the storm water that is now flowing back into town instead of being take away where the inlets are, because how is the water getting 40 feet above the creek level into North Barbara St to the alley behind it.

Mitch Hummer, 624 School Ln., said he moved here in 2017 and lives in a planned development that was approved by Council. He was flooded in 2018 and again this July. He said this was something he never thought he would have to deal with when moving into a planned neighborhood. Now this will be something he will have to deal with for the rest of his life or until he moves. The massive flooding event in 2018 effected his family especially his three young children. He is looking for action.

Craig Rothstein, 630 School Ln., said he has lived there for 24 years and has 3 flooding incidents. He said there has got to be a way to divert the water into a drainage field underground through some grates. He said when it rains hard for 20 minutes the storm drains start to fill up and the road fills up, it looks like a lake in that area. He said there is flooding in his area that shouldn't be. There is no body of water where he lives. He said he gets water from the Orchards, through Westview Park, that runs through the park and back through his backyard like a river and pools up at the four corners and fills up. He is not blaming anyone on Council but wants the Borough to find a solution to this problem.

Tony Myers, 509 Peace Ave., said he agrees with Craig that there needs to be something done about the water collecting in that area. He has been flooded multiple times as well. He said he is blessed to live in a really nice community and neighborhood and would like the Borough to find a solution to this problem.

Josh Deering, 33 Frank St., talked about the water issues on Frank St and the development on that Street over the past few years. He asked how that could be affecting the stormwater in that area. He said he feels like there are basins and swales that are not functioning properly in the Borough and that the Borough should maybe spend some money on those issues and not on just roads/streets. Maybe focus on the roads/streets that are really bad and than also on stormwater issues.

Rae Ann Schatz, 1090 W. Main St., said this has been the 3<sup>rd</sup> time she has been flooded since 2011, and BMP 125 still does not meet the current Borough Ordinance for the 100-year 24-hour storm as Rettew and K&W have made known. She said an easy fix with no cost to the Borough would be to remove the 13 parking spaces that the Borough owns in Gus's parking lot. That area was previously part of BMP 125. She said that BMP 107, Melhorn Basin, does not function as

required by the Borough Ordinance in effect in 1999. Both ARRO and Rettew agreed that BMP 107 is not large enough to meet the 1999 Ordinance requirements. She said that BMP 107 discharges to the West which is not authorized, and is competing against the Borough Basin, BMP 125, to go under the railroad tracks which then backs up on her property and floods her property. She said she isn't asking for any favors but just wants to protect her property from the 100-year, 24-hour flood which is required by the Borough Ordinance. She said when they flood, they lose business, customers cars, equipment, etc. She handed Council a map to show what the area of the garage looked like in 1993 before they took over the business in 2001. She pointed out how everything around the garage in 1993 was all green space. Gus's restaurant was there and one Melhorn trucking building. Now when you look at it, it's nothing but macadam and roof tops and that is why she is being flooded. She feels like she is being squeezed out. She needs someone to take charge and get these basins fixed. She said as of tonight BMP 107 was still filled with mud and stagnant water. It never emptied since the July 14<sup>th</sup> rain event. She provided Council with a picture of that.

Bruce Haigh, Whittemore & Haigh Engineering, 504 Rose Petal Ln., said as the Engineer representing the Schatz for the last six years, we've had a little bit of progress. He said in regard to BMP 125, the only thing the Schatz are asking for is that the basin be upgraded to meet the 24-hour 100-year storm event. He feels that BMP 107 is a major problem. He said it is not functioning as designed back in 1999 and doesn't meet the Ordinance of 1999. He said in 2022 ARRO made a recommendation to the Borough to increase the capacity to a minimum of 132,000 cubic feet. He doesn't understand why the Borough does not issue a letter to Melhorn Sales Services Trucking stating that the basin does not meet the standards for which it is designed, and it is not being maintained consistent with the approval plans and approved Stormwater management reports from May 1999. He feels the issue with BMP 125 is a little more complicated, but the Borough has an easy solution, the agreement with Gus's that goes back to 2009, that was a 5-year lease. He would like Council to consider three things tonight. 1. Letter to Melhorn Sales Service and Trucking that says your basin is not being maintained. 2. When Amtrak comes to put the head wall on the culvert underneath the railroad tracks, please have them make sure that the pipe underneath the railroad tracks is the correct size. 3. Come to an agreement on a solution that BMP 125 will handle the 100-year 24-hour storm and is consistent with completion of development or Florin Hill.

Rob Bownman, President of Charter Homes and Neighborhoods, said he wanted to give a full update to Council on Phase 3 given the weather in the last couple months. He said they have a NPSDS permit and have been working closely with Borough staff and all Borough consultants and have created an interim pollution discharge permit which allowed them to get started on the construction of the upper part of the site. The seven-inch storm was fully handled as designed and nothing happened that was not anticipated in the plan. The water remained on site, and it functioned as it should have. The current intermediate plan is to do the top part of Phase 3. They have a final amendment that should be approved probably sometime late in September which would allow them to complete the balance of the site and get everything stabilized which it currently is now. They will continue with the upper half of Phase 3 until that amendment is approved and they will move to the lower half and complete that as well. Haigh commented that the statement from Bowman regarding the storm and it being handled as designed and nothing happened was incorrect. Haigh said that it failed in the first two hours.

#### **Report of Mayor**

Mayor Bradley provided his report to Council for the month of July 2025.

#### **Report of the Chief of Police**

Robert Goshen, Police Chief, provided a monthly written report for June 1, 2025, through June 30, 2025. The report showed 81 traffic arrests and 16 criminal arrests for the month. There was a total of 677 incidents for the month of June, with a total of 3,636 incidents year to date.

#### **Report of Fire Department Mount Joy (FDMJ)**

Brett Hamm, FDMJ Fire Chief, provided a written monthly report for June 2025.

#### **Report of PSH Life Lion LLC**

Provided a written monthly report for June 2025.

#### **Report of EMA**

Phil Colvin provided a written report for the period June 22, 2025, to July 28, 2025.

#### **Report of the Milanof-Schock Library (MSL)**

Joseph McIlhenney provided a written report for June 2025.

#### **Report of Codes/ Zoning & Stormwater Administrator**

Brett Hamm, Codes, Zoning & Stormwater Administrator, provided a written monthly report for July 2025.

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

Rachel Stebbins, Grants, Projects, and Community & Economic Development Administrator provided a written monthly report for July 2025.

### **Report of Public Works Director**

Dennis Nissley, Public Works Director, provided a written monthly report for July 2025.

### **Report of the Borough Authority Manager**

Scott Kapcsos, Borough Authority Manager, provided a written report for July 2025.

### **Report of the Assistant Borough Manager/Finance Officer**

No written report due to medical leave, but did provide a Budget Report.

### **Report of the Borough Manager**

Mark G Pugliese I, Borough Manager, provided a written monthly report for July 2025.

### **Approval of the Minutes of the Previous Meeting**

On a **MOTION** by Haigh, and a second by Kark, approval was given for the minutes of the regular Borough Council meeting held on June 2, 2025, with typographical error corrected. *Motion carries unanimously.*

### **Building Ad Hoc Committee**

Council discussed their concerns on the following items with Vukmanic with Crabtree and Kurowski with K & W (both via Zoom) timeliness of change orders, timeliness of pay apps and paying for change orders that are caused by insufficient design (police fence/gate, tree that was not on the plan, etc).

On a **MOTION** by Kark and a second by Haigh, a request was made to approve the Verkada Camera & Door Proposal in the amount of \$175,672.26 and authorize the Borough Manager to sign said proposal. *Motion carries 5-1 on a roll call vote; Scordo, Greineder, Haigh, Kark and Hall voting Yes, Youngerman voting No.*

### **Administration and Finance Committee**

Hall acknowledged receipt of the PLGIT report.

On a **MOTION** by Youngerman, and a second by Kark, a request was made to submit a letter of support for the rehabilitation of the PA RT 462 bridge between Wrightsville, Pa and Columbia, PA. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to authorize the Borough Manager to attend the PSAB Fall Leadership Conference, October 3 through the 5 in State College and to pay for and/or reimburse expenses as provided by Section 701 of the Borough Code. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to authorize the Borough Manager to attend the 2025 PSAB Summer Board Meeting on August 5 and 6 in Pittsburgh. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to approve the Pre-Construction and Construction Services Proposal from RETTEW for the Little Chiques Streambank Restoration Project, Phase 3, in the amount of \$56,000.00. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Kark, a request was made to contribute \$4.00 to every \$1.00 contributed by Marietta borough for the funding of a new Regional Comprehensive Plan. An **AMENDMENT** by Youngerman, and a second by Haigh, to add a cap of \$10,000. *The amendment is defeated.* An **AMENDMENT** by Haigh, to cap it at \$6,000. *Amendment fails due to lack of a second. Motion is defeated.*

### **Discussion of Flood Issues**

Haigh said at the Public Works meeting which was 7 days after the flood, the Public Works Committee asked Nissley to start assembling a list of known and critical areas within the Borough and breaking those out into infrastructure areas and detention basins. He said then at the next Public Works Committee meeting they will investigate and prioritize them and figure out which ones we can attack first within whatever available funding that may exist. Nissley has an extensive list of areas that have old, corrugated metal piping in the systems that need looked at and where there are undersized pipes.

After hearing from residents tonight there will probably be a few more areas added to that list. They will then have to be addressed case by case.



Kark spoke in regard to his neighbor's property on Bruce Ave and the amount of water in that area. He asked if anything can be done with stormwater there.

Hall told Nissley to make sure inlet by inlet, street by street that they are all clean first and then inspect pipes because that is more involved and will take more time.

Mayor Bradley thinks when we redo roads/streets we should also be looking at stormwater management at that time especially in problematic areas.

Hall said we need to do whatever maintenance we can and start documenting where the problems are and look for a solution.

BMP 107 is holding water and turning green with algae and attracting thousands of mosquitoes. Pugliese feels it is our duty to do something about it because it is now a public health issue. He will be reaching out to the Borough Solicitor regarding BMP 107.

The Mayor feels that BMP 107 lack of drainage needs to be addressed immediately.

On a **MOTION** by Youngerman, and a second by Kark, a request was made to approve Resolution 2025-12, a resolution to allow the suspension of a banner across State Route 230/E, Main Street for Resist Popcorn. *Motion carries unanimously.*

#### **Public Safety Committee**

Chief Goshen is looking for authorization from Council to the Make-A-Wish Foundation change the Route so that it does not travel through the Borough. He said it has become unsafe and taxed out resources the Borough has available. Over the past few years there have been multiple accidents and Officers and Fire Police nearly getting hit by participants. He has also received complaints from business owners in the Borough that people are unable to access them. Goshen said that he and the Borough's EMA coordinator were denied by Lori Dietrich, the Executive Director of the Make-A-Wish Convoy to participate in the after-action meeting.

Hall handed the gavel over to Greineder.

On a **MOTION** by Hall, and a second by Youngerman, a request was made to send a letter to the Make-A-Wish Foundation advising that the Borough does not have the resources to support the convoy in 2026, nor will the Borough provide resources to support the convoy in 2026; and further, to send a copy of the letter to East Donegal Township, Mount Joy Township, Rapho Township, Penn Township, and Manheim Borough; and further, to direct Borough staff to draft an after action report to support the Borough's position. *Motion carries unanimously.*

Greineder returned the gavel Hall.

Goshen advised Council that there will be a partial road closure of Lefever Road on October 4, 2025, for the Ginger Goudle 5K Run.

#### **Public Works Committee**

On a **MOTION** by Haigh, and a second by Greineder, a request was made to approve Kunkle Field MOU. *Motion carries unanimously.*

On a **MOTION** by Haigh, and a second by Greineder, a request was made to adopt/accept Little Chiques Park Master Plan *Motion carries unanimously.*

On a **MOTION** by Haigh, and a second by Greineder, a request was made to allow Faith Outreach Church to hold Music in the Park at Memorial Park on September 9, 2025. *Motion carries unanimously.*

On a **MOTION** by Haigh, and a second by Greineder, a request was made that sidewalks be required on the west side of South Market Avenue from Wood Street to Donegal Springs Road and on the east side from Donegal Springs Road to the entrance to Donegal Business Center. Property owners on the east side of South Market Avenue shall either remove sidewalks and landscape the area or maintain existing sidewalks consistent with borough code standards. An **AMENDMENT** by Haigh, and a second by Hall, to require sidewalks on the East side from Wood Street to Poplar Alley. *Amendment carries.* An **AMNENDMENT** by Haigh, and a second by Greineder, to allow asphalt sidewalks on the east side that are pre-existing and meets Borough requirements be allowed to continue to exist. *Amendment carries. Main Motion carries as amended.*

On a **MOTION** by Haigh, and a second by Greineder, a request was made to have the Manager negotiate with Wenger Feeds on abandonment of South Market Avenue from Wood Street to the railroad tracks. *Motion carries unanimously.*

On a **MOTION** by Haigh, and a second by Greineder, a request was made to agree to the PennDOT winter maintenance agreement. *Motion carries unanimously.*

#### **Public Input Period**

Rae Ann Schatz, 1090 W. Main St., said she is disappointed that the Borough is not moving ahead with the Melhorn Basin. She said since 2018 that the water is flowing on to her property. She said it is going past the Borough Basin and getting to her property. She said the law states that you are not allowed to dump stormwater on your neighbor but eventually that is what is happening so if it never gets fixed it will continue. She has pictures of evidence that this is happening. She asked why the Boroughs attorney isn't telling you to straighten this out.

Josh Deering, 33 Frank St., said that the feature on the Borough's homepage on the Borough's website where people can report issues is not working. He would like someone to look into that and have it corrected.

Bruce Haigh, Whittemore & Haigh Engineering, 504 Rose Petal Ln., said he was at the command center on July 14, 2025, and said that they ran out of pumps, so he asked Brett Hamm what pumps costs. Haigh presented FDMJ a check in the amount of \$750 on behalf of Whittemore & Haigh Engineering, for purchase of more pumps.

Dave Christian, 227 Park Ave., spoke regarding the Regional Comprehensive Plan and thanked Council for their discussion on that.

#### **Any other matter proper to come before Council**

Florin Hill – On a **MOTION** by Haigh, and a second by Greineder, a request was made to allow the Borough Manager to decide when he issues the building permits based upon the recommendations of the Solicitor, the Borough Engineer, DEP, and Lancaster County Conservation District. *Motion carries unanimously.*

#### **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	\$ 215,700.76
REFUSE/RECYCLING	\$ 80,752.31
CAPITAL IMPROVEMENTS FUND	\$ 575,227.11
HIGHWAY AID FUND	\$ -
ESCROW FUND	\$ 34,461.22
JOY LAND ACCOUNT	\$ -
GRAND TOTAL EXPENDITURES	\$ 906,141.40

*Motion carries unanimously.*

#### **Meetings and dates of importance**

See the white calendar for the month of August.

#### **Executive Session**

Council went into Executive Session at 12:39AM for two legal matters. Council came out of Executive Session at 1:11AM.

#### **Adjournment**

On a **MOTION** by Greineder, and a second by Kark, approval was given to adjourn the meeting at 1:12AM. *Motion carries unanimously.*

Respectfully Submitted,



Mark G. Pugliese I  
Borough Manager/Secretary