



Mount Joy Borough Council
Administration & Finance Committee Meeting Minutes
February 23, 2023

Members Present: Chairman Youngerman, Councilor Hall, Councilor Roering

Others Present: Borough Manager, Mark Pugliese; Assistant Borough Manager, Jill Frey; Zoning & Codes Officer, Duane Brady; Part-time Receptionist, Linda Gainer

Chairman Youngerman called the Meeting to Order at 6:30 pm.

Executive Session – No Executive Session held by Committee between 1/26/23 through 2/23/23.

On a **MOTION** by Roering, and a second by Hall, approval is given for the Agenda for the February 23, 2023, Administration and Finance Committee meeting as presented. *Motion carries unanimously.*

Public Input Period

Dale Murray, 120 Farmington Way. Murray is not a fan of the building project. Murray states the Borough has the RACP money but where will the remainder come from. Murray feels the committee should take another look at the numbers and convert to what the Mayor said. The current building could be renovated. The building would need to be brought up to ADA standards and with second floor access if needed. Murray does feel a new police department is needed.

Hall stated that there is no signed contract and no project.

Mike Reese, 318 Locust Lane, is disappointed. The Borough needs to take a look at the taxpayer. Mount Joy is a small borough with about 8500 residents making it a small tax base. Growth is stagnant and there is not much room to grow. Take into account the budget and the effect of police department salary costs in a few years, add that cost in. Reese cannot believe that a cost calculation cannot be done to have a tax number to residents.

Bruce Haigh, Council Member West Ward, has concerns about economic development. The Borough needs to look at two things. Look at LERTA. The Borough needs a 501C3 organization to replace what Main Street Mount Joy did. Haigh does not agree with changing zoning ordinance as proposed. He feels lot two at Grandview should be rezoned. It meets the minimum needs for the Borough. It does not need a Zoning Hearing Board meeting for a variance. Rezoning gets you what you need.

Hall asked what activities a 501C3 organization can do. There is a 501C3 organization. If there is a gap in funding to address, a donation could be done, or a grant searched.

Josh Deering, 33 Frank Street, stated that Main Street Mount Joy is still here. There are other organizations, Voyage – Mount Joy and the Chamber of Commerce, promoting Mount Joy in various degrees.

On a **MOTION** by Hall, and a second by Roering, approval is given for the Minutes of the January 26, 2023 Administration & Finance Committee meeting. Minutes are not included in the packet but Hall and Roering saw them via email. *Motion carries 2 to 1 with Youngerman abstaining.*

Administration, Budget, and Finance

Manager's Report: Pugliese did not highlight anything and asked for questions on the report.

Further Discussion on Locust Lane stormwater basin: This item was before the Committee last month. The consensus is that the Borough has no interest in the taking over the property unless there would be an escrow account to make repairs. Pugliese will have our Solicitor send a letter to their attorney. The Borough checked with Penn State Extension to find out how deep the sinkhole is. Hall stated that the stormwater management plan does not work as designed with the sinkholes and safety is an issue due to the fence on the edge of the sinkhole. This is a violation but the County will not do anything about repairing the sinkholes. Brady cited an ordinance that states misuse or maintenance of property can be a violation but he is not able to enforce the violation. Youngerman suggested sending letters to the County requesting repairs be done. It's a liability if we don't enforce the violation. Pugliese stated, again, that the County has said it will not do anything. Hall stated the reality is that it needs fixed, the borough could take ownership if repairs are made. Youngerman asked if there is grant money to make repairs to the sinkholes.

Discussion on Mount Joy Vendor Evaluation: Youngerman created an evaluation form with point scoring rather than asking just for comments. He wants to gauge the level of satisfaction the Council members have with our engineering, lawyer, inspection service, etc. Hall questioned what we do once we've had the vendors rated. Do we look elsewhere for a service if the rating is are low. What if ratings are in the middle. Do we then ask them to fix a problem or move on. Some vendors we've used for a long time and use is based on the relationship and knowledge they have of the Borough. Roering felt we should already know if a service is failing. The form can be used to send to the vendor and tell them the issues that need fixed. Hall stated that timing is important. We need to know when vendors are appointed so we can ask staff if there are problems before that time. This can be done easily by emailing correct staff. Roering would like to see a timeline of when vendor contracts are renewed. Youngerman will work on the timeline and policy and bring this back to the Committee.

Further discussion of length of Council & Committee Meetings: Roering feels we need to figure out how to make meetings shorter. Hall suggests that it helps if members read their packets ahead of meetings and ask their questions prior to the meeting. We need to trust the Committees and the work they do. If there's a good idea, vote on it rather than getting caught up in talking it over many times. If it's a bad idea, don't make a motion. Roering stated that several items return to a committee after it's been to full Council. Youngerman still has concern over longer meetings if there are fewer meetings.

Discussion on Department of Justice grant monies received in the amount of \$49,996.80: Pugliese stated, on direction from the Auditors, these funds need to be transferred from the General Fund to the Capital Fund. On a **MOTION** by Hall, and a second by Roering, approval is given to move to full Council the transferring of DOJ grant funds in the amount of \$49,996.80 from the General Fund to Capital Fund. *Motion carries unanimously.*

Discussion on Act 172 of November 21, 2016: Hall stated that if we think this is a good idea, there are plenty of systems in place to reach out and see how other counties word their ordinances and

use as a template to fit our own. Hall directs Pugliese to research how other municipalities or counties use Act 172.

Pinkerton Road Briefing: Driveway Remediation – the Borough is planning to finish paving Pinkerton Road during the first week in April. It should take one to two days. There have been many issues. A memo from Dennis Nissley was handed out at the start of this meeting. It addresses that some of the handicapped ramps are not traditional handicap ramps. They meet a broad sense of ADA compliant. Designs and specific diagrams were given but couldn't use either. Contractors did what suited them. Contractors who had to excavate so residents could get into their driveways, were to taper the space. It is recommended that the driveway issue be moved before Council to decide who is to fix them. Pugliese will give the issue to Rettew to look at and see what remedies can be made. Hall stated that this item is on the agenda for Public Works Committee. Before the finish coat is put on, this needs to be fixed as best as we can even if we delay paving. We need to get this a right as we can and make it better before we walk away from it.

Briefing on GFL Environment: A sheet included in the packet shows the rate increase from GFL which explains why we had to raise our rates.

Briefing – Engineering firm transition: Pugliese will meet with ARRO and Rettew on Friday and decide the best way forward.

Discussion Ground Ambulance Service Agreement: No agreement has been reached yet. Penn State Life Lion has been answering calls without a written agreement to be at special events. Unless Public Safety Committee needs an agreement, service is happening without one.

Mount Joy Night @ Barnstormers Event: Pugliese stated that Saturday, July 29 is the date set for this event which is Christmas in July. The ballpark is looking for a sponsor for the night. There is a charge for the tables set up for community participation.

Land Development, Zoning, & Codes

Brady presented the Codes & Zoning report and highlighted that the Zoning Hearing Board approved both requests for variances.

Discussion on performance of CCIS and Code Administrators proposal: Brady is finding that service from CCIS is not adequate. There have been continuing issues with communication and paperwork, including a paperwork issue today. CCIS, just today, turned in a cost sheet for their services. Brady has been researching firms and Code Administrators stood out. They are certified in every county in the state. They are operating digitally with reports and inspections sent digitally. Brady has an appointment with them on Monday to discuss what working with them would look like. Brady had a hard time finding anyone who has had issues with Code Administrators. Youngerman asked if comparisons had been done on the fees charged by both companies. Code Administrators fees are less than CCIS by about one third.

On a **MOTION** by Hall, and a second by Roering to move to full Council the recommendation to switch from Commonwealth Codes to Codes Administrators as the new code and inspection services company.

Motion carries unanimously.

Brady spoke about the Property Management Codes. The Borough is currently using codes from 2009 and Brady would like to bring the property codes up to current status - 2018. The state reviews and updates the codes every five years. There is no mechanism to bring the codes up to date, we can only amend the ordinance to bring codes up to date. Brady would like to put in a mechanism to adopt codes as reviewed by the state.

On a **MOTION** by Hall, and a second by Roering to approval is given to give the proposed changes to the Solicitor for review for preparation for the March 4, 2023, Council meeting.
Motion carries unanimously.

Discussion on proposed amendments to Chapter 195 of Borough Ordinance: Brady would like to change the term landlord/owner to Landlord. This makes all parties responsible for problems with rental properties whether they are a property owner or a property management company.

Brady stated there are about ten to fifteen properties listed as rental units but occupied by a family member. Currently, code reads any property not specifically owner occupied can be charged a fee. If a child has ownership on the property for estate purposes but the parent lives in the property, it is not owner occupied and can be charged a yearly fee. A child may be living in a property owned by the parent but not paying rent. A permit may not be necessary. Brady would like to create a definition for Family Member in the First Degree.

Grant Updates: No updates

Borough Building Ad Hoc Committee

Deering noted that there is not much new in the last two weeks. The Committee is waiting on the how to move forward around a decision for zoning for the property. He reminds the committee that the Ad Hoc Committee reports to Council and does what Council directs. Pugliese stated there are options for a variance that may be needed for the property versus rezoning to combine the two lots. Pugliese did seek the Solicitor's advice on what she would recommend. An email was sent out from the Solicitor on her recommendations. Pugliese spoke of the opinion letter on the property with Brady's report. He pointed out that if the lots are combined, the deed restrictions will apply to the entire lot.

Deering also stated that as the scope of the project changes, there are different requirements. Ad Hoc needs movement from the Administration & Finance Committee to do infiltration testing and geotechnical bore testing at the site. These items are on hold. Some things needed to continue forward in preparation.

On a **MOTION** by Hall, and a second by Roering, to send to full Council the amending of subsection 270-15 of the Borough Ordinance as recommended by the Borough Solicitor.
Motion carries 2 to 1 with Youngerman opposed.

Ordinances: None

Public Input Period

Dale Murray, 120 Farmington Way, asked for clarification on what the Zoning Board was against in the building project. It was stated that the Zoning Board was opposed to moving off Main Street.

Bruce Haigh, 504 Rose Petal Lane, suggests Public Works paint the curb on Locust Lane, based on tax maps, where the Melhorn property stops. Costs to repair the sinkholes are speculative. The Borough may be able to send a letter to have the repairs fixed if there is a visible sinkhole on Melhorn property. In the Manager's Report, #17, clarification on the last sentence: the opinion of probable cause was by K & W in 2010-2012. Haigh also spoke about the handicapped ramps on Pinkerton. They must meet minimum standards. Most do not meet ADA requirements. Some are larger, some are too far away from the curb. He advises to not finish the wearing surface of the road until the Borough is satisfied.

Josh Deering, 33 Frank Street, spoke about economic development. PILOT is one organization that works in the Borough. Deering challenges committee members to walk downtown with him and look at the businesses and how the store fronts are being used on the Main Street. Deering also commented on preparation for meetings. Council meetings can be accessed on-line now. He suggests that members read their packets and ask their questions before they come to meetings.

Executive Session: Committee broke for Executive Session at 8:47 PM and came out of Executive Session at 9:00 pm.

Any Other Matter to Come Before the Committee: Hall commented on Item 18 on the Manager's Report regarding the microphones. If they are working ok then this item can be disposed of at the next Council meeting.

On a **MOTION** by Hall, and a second by Roering, approval was given to adjourn the meeting at 9:04 pm. *Motion carries unanimously.*

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'MGP', is written over a light blue rectangular background.

Mark G. Pugliese
Borough Manager/Secretary

**NEXT ADMINISTRATION AND FINANCE COMMITTEE MEETING
THURSDAY, MARCH 23, 2023 AT 6:30 PM IN COUNCIL CHAMBERS**