



**Mount Joy Borough Council**  
**Administration & Finance Committee Meeting Minutes**  
**August 24, 2023, at 6:30 pm**

Members Present: Chairman Youngerman, Councilors Hall and Greineder

Others Present: Borough Manager, Mark Pugliese; 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 July 27, 2023, through August 24, 2023.

On a **MOTION** by Hall, and a second by Greineder, approval is given for the Agenda for the August 24, 2023, Administration and Finance Committee meeting. *Motion carries unanimously.*

**Public Input Period:** None

On a **MOTION** by Hall, and a second by Greineder, approval is given of the Minutes of the July 27, 2023, Administration and Finance Committee meeting. *Motion carries unanimously.*

**Administration, Budget, and Finance**

Manager's Report: It's been a busy month. The Multi-Modal Transportation grant for flashing beacons at intersections is out for advertising. This should be complete by next spring.

There have been emails back and forth regarding Florin Hill. Pugliese received a new estimate of costs to complete Florin Hill. They would like to move forward with Phase 3 under 2004 ordinance and stormwater codes. Our Solicitor is adamant that they need to abide by the updated ordinance and stormwater management codes. They would like to do the heavy equipment work on Phase 3 when they finish Phases 1 and 2 so the wearing course on the roadways can be done and the Borough can adopt the roads. Hall would like to see them finish Phases 1 and 2, then talk about Phase 3; they don't follow through on what they say.

Pugliese has heard nothing back from Amtrak.

Hall asked about the Locust Lane BMP. Pugliese stated nothing has been heard.

Public Works will go before Council at the next meeting to get the go-ahead regarding sidewalks that have not been installed yet. The Borough would have the sidewalks installed and bill owners. The Council has to approve this as a whole.

Pugliese received an email from PennDOT District 8 concerning an on-line complaint about Manheim Mount Joy Road and Main Street traffic pattern. Both are state roads. Pugliese responded that the Borough is attempting to get re-routing. When someone at PennDOT is willing to talk, we'll talk.

Discussion of positions and Job Description for Economic Development and Grants Administrator: The job description draft in the packet is the same as last month. Hall suggested that the name Economic Development be changed to Community Development to encompass event type of things. Hall also suggested that this position report to the Assistant Borough Manager. Hall also suggested reaching out to the community groups in the Borough for their input on the job and job description. Youngerman suggested Community and Economic Development. His concern was who does someone see about a new business; he didn't want to see that niche lost. The Borough should be present at events and could have hand-out materials.

On a **MOTION** by Greineder, and a second by Hall, approval is given to move to full Council authorizing the Borough Manager to attend the PSAB Fall Leadership Conference in Erie, PA on October 13<sup>th</sup> through the 15<sup>th</sup>, 2023 (This is a Friday to Sunday conference) and to pay for and/or reimburse expenses as provided by Section 701 of the Borough Code. *Motion carries unanimously.*

Budget Update: Pugliese is still waiting for numbers for the 5 Year Capital Expense Plan. He will send an email when it's finished. Youngerman asked what's included in capital expenses. Pugliese stated anything over \$1000 is a capital expense.

Salary & Merit Pay: Pugliese provided a spreadsheet for your information. There was a general increase in salary of 2%, then an additional percentage based on evaluations. Hall asked if anyone got just the base. Pugliese stated that no one got just the base increase. Hall asked if there was any feedback from employees. Pugliese stated there were no complaints. Youngerman suggested you might want to make the base higher due to inflation. This would need to be decided before the November budget meeting. Youngerman asked if this should be talked about at the Council meeting. Hall felt the concept could be discussed at a Council meeting but he's not ready to talk about numbers. Youngerman asked about the timeframe. Hall suggested the September Council meeting for the concept and the October Council meeting for the percentage numbers.

On a **MOTION** by Hall, and a second by Greineder, approval is given to send to full Council discussion with a motion to continue with base pay plus merit-based increase. *Motion carries unanimously.*

County Salary Survey: East Hempfield polled everyone; Pugliese created a worksheet showing municipalities and borough, then townships. Pugliese wants to add populations to the worksheet as there are vast differences in the population between various municipalities, boroughs and townships.

Florin Hill: this was discussed in the Manager's Report. Hall added that the Borough needs to keep putting pressure on for this. Youngerman asked about the option to add 10% to costs.

306 Locust Lane Easement Update: Pugliese stated there are no updates. Hall asked if there is any need for more discussion. Pugliese will remove it from the future agenda.

Discussion/update on Act 172, Volunteer Fire Company member's tax relief: Pugliese met with the President of the Fire Department and was provided with a list of 59 active members of the department. Some are active fire fighters, and some are involved in administrative and other jobs in the department. 20 members live in the Borough, some in Rapho Twp, East Donegal and Mount Joy Twp. There was discussion whether relief should be a dollar amount or percentage of taxes. Youngerman asked what constituted an active member. Hall stated members meet annual training requirements, semi-annual training, call volume or administrative duties. Pugliese felt this should move to the Solicitor next for guidance.

On a **MOTION** by Hall, and a second by Greineder, approval is given to move to full Council an Ordinance and have the Manager work with the Solicitor to adopt and advertise an ordinance creating an Act 172 program in Mount Joy Borough and that annual amount be set by Council Resolution. *Motion carries unanimously.*

### **Land Development, Zoning & Codes**

Brady presented the monthly report and highlighted that permit requests have slowed down this month. Commonwealth Code has performed inspections without building permits issued by Zoning. An email and cease and desist letter have been sent. Brady will be filing a proper complaint against the company for violating the uniform construction code.

Rentals are good. Brady is looking toward renewals for 2024 year by preparing documents and letters to be sent out. In 2024-2025, Brady would like to move the timetable up for renewal of rental applications. Code says by January 1, and we start January 5.

Violations report was handed out. Brady highlighted that at 454 W Main Street two trailers are removed with some debris still in place. The third trailer is well on the way to being repaired. The property investigation of the fire at 206 W Main Street has been released and remediation will begin. Brady has several trainings in the coming months. Brady has met with Rettew to get up to speed on Stormwater MS4 annual report and will begin to attend Public Works meetings to be more engaged as Stormwater Officer.

The Zoning Hearing Board granted the variance to Sporting Valley Feeds for a grain bin. The Planning Commission took a submission from D.C. Gohn for the new owners who are asking for 2 waivers for 30 Orchard Road. The Public Safety Committee will meet August 30, 2023.

Hall inquired about how CCIS is doing inspections in Mount Joy. Someone did work without the proper permit and then called CCIS to inspect and they came and inspected the property? Brady stated that the rental inspection failed for electrical work done without a permit issued. Code Administrator is the appointed company for the Borough and CCIS is in violation for doing the inspections as a non-recognized third party in the Borough. Hall asked if this violation happened after the change in company. Brady stated that it did.

On a **MOTION** by Hall, and a second by Greineder, approval is given to move to full Council, the appointment of Thomas Paul to Zoning Hearing Board with a term expiration of 1/1/26. *Motion carries unanimously.*

Brady has been dealing with the property owner of a rental property at 305 E Main Street since December 2022 with violations on various repairs needed as per the Property Maintenance Code. The owner has filed an appeal on the notice of violation with the Borough Manager.

On a **MOTION** by Hall, and a second by Greineder, approval is given to move to full Council authorizing prosecution against the owner of 305 E Main St under Section 195-3 for violations of the Property Maintenance Code (Unsafe Equipment, Interior Surfaces, Stairs and Walking Surfaces, Electrical System Hazards, Requirement to Appoint a Manager, Duties of Owners and Managers of Residential Rental Units) by the Code Enforcement Officer or Borough Solicitor. *Motion carries unanimously.*

Discussion of Zoning Hearing Board Appeal, 35 Columbia Ave: Resident at 35 Columbia Ave put in an application for a duck house which was denied based on the Zoning Ordinance. The owner has appealed claiming disability due to military experience stating he has trauma related injuries. Animals are part of his therapy. Brady stated the original application had no supporting documentation of a disability except articles on trauma therapy. Pugliese stated the Borough does not want to take the position that owner can't have ducks if he has a disability. The Zoning Hearing Board can restrict the number of ducks and not allow eggs

to be sold. Brady would like to see legitimate proof from a medical entity. Redacted screenshots from a government portal doesn't stand up to scrutiny. Youngerman stated the owner should be able to obtain and provide documentation of disability.

Discussion on two draft ordinances of the Mount Joy Rental Code & Property Management Code: Brady has consulted with the Police Department, the Borough Manager, and the Solicitor for her comments. Brady pointed out that short term rentals are on page 6. Hall questioned A2 stating "shall not have occupancy under this use for more than 180 days in a calendar year". Is this adequate? Hall's concern isn't having short term rental but having them scattered throughout the borough taking away from the housing market. Brady stated this is a typical clause and 180 days is in the middle range; most situations would be 3 – 4-day weekends. Youngerman asked the rationale of the number of days being limited. Brady stated the core precedent is seasonal use. Hall asked if there was a limit on the length of any one rental within 180 days. Brady stated the standard definition is 30 days. It is possible to extend the use to long-term for someone looking for work in the area. It comes down to the type of language on the paperwork submitted.

### **Grant Updates**

Pugliese pointed out the grant chart. There have been a lot of updates, several checks have been received. The Multi-modal grant is out for bid. A basic presentation will be done tomorrow on line 32, Connects 2040. Lines 34 and 35 there is an action plan to submit LCP to the County. The RACP grant and the 902 grant are not open yet for applications.

### **Ordinances**

One side of Pinkerton Road is already within the ordinance as being open for parking: the ordinance switches sides. Ordinance will be moved to full Council

### **Borough Building Ad Hoc Committee**

General Updates: Josh Deering stated that it was a good meeting. The Geotech and infiltration tests were reviewed, and the results were favorable. The CRA has their civil engineer working to get everything submitted to the County for review.

Review of building schematic: The committee has a look at the current building design; it's a good design, very efficient and is for 18,155 square feet.

Hall suggested this might be a good time for a more public session stating this is where we are.

On a **MOTION** by Hall, and a second by Greineder, approval is given to move to full Council the waiving of all fees to Mount Joy Borough regarding the Municipal Services Complex. *Motion carries unanimously.*

### **Public Input Period**

Josh Deering, 33 Frank Street, asking Codes Officer if he looks for code violations. Brady stated that as he travels the Borough, he does make note of violations he sees. There is a new feature on the Public Works site for emails; where do they go? Deering also asked how many chickens are allowed; Brady stated that 2 fowl is the maximum on a 10,000 square feet lot or greater.

**Executive Session:** None

### **Any Other Matter to Come Before the Committee**

Youngerman would like to have an Executive Session, which requires him to advertise it to the Committee 24 hours ahead to discuss a personnel matter.

On a **MOTION** by Hall, and a second by Greineder, approval is given to adjourn the meeting at 8:29 pm.  
*Motion carries unanimously.*

Respectfully submitted,

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

Mark G. Pugliese I  
Borough Manager/Secretary

**NEXT ADMINISTRATION AND FINANCE COMMITTEE MEETING**  
**Thursday, September 28, 2023, at 6:30 pm in Council Chambers**