



Mount Joy Borough
Administration & Finance Committee Meeting Minutes
September 28, 2023, at 6:30 pm

Members Present: Chairman Youngerman, Councilors Hall and Greineder

Others Present: Borough Manager, Mark Pugliese (via Zoom); 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 August 24, 2023, through September 28, 2023.

On a **MOTION** by Greineder, and a second by Hall, approval is given for the Agenda for the September 28, 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 August 24, 2023, Administration and Finance Committee meeting. *Motion carries unanimously.*

Administration, Budget, and Finance

Manager's Report: Pugliese highlighted that grant information is moving forward. There will be a meeting with the state at Kunkle Field. Rettew has been told the Borough would like to have the work done in Kunkle Field in the fall, so it doesn't impact the spring baseball season. Rettew is still working on the RFP. The Multi-Modal can move ahead when Council approves to hire a contractor.

On a **MOTION** by Greineder, and a second by Hall, approval is given to move to full Council authorizing Council President and Manager to ratify the documents for a bus shelter at Old Standby Park. *Motion carries unanimously.*

There will also be a bus shelter at Paula's Baton parking lot but a few more inches are needed into their mulch area to meet the space requirements. We are unable to have a bus shelter in front of Copper Cup. There is not enough room from the curb without moving a parking lot light.

Update on Job Description for Community & Economic Development, Projects and Grants Administrator: Pugliese stated that the job description title was updated and updated throughout the document. Youngerman asked if the name needed to be so long. Hall stated it needs to be to cover all the jobs. Youngerman's concern is will this be the person to contact about where there is business space and a contact for landlords and renters. Hall suggested this could be written into the job description. Pugliese agreed this should be highlighted as part of the job description. He could remove the grants/projects from the title. It's in the body of the description. Youngerman would like to work on the language and Hall has some ideas. Hall will flesh this out with the Manager for the next meeting.

Budget Update: Pugliese stated the budget looks good. The Borough is under budget in revenues and expenditures and in good shape for the end of the year. Each Committee will see the budget at their level by next month and will be able to comment and make recommendations for the first budget meeting. There should be no surprises at the budget meeting.

Florin Hill Update: Pugliese stated that he, Brady, and the Engineers have been invited to a meeting/video conference on October 11 to see where everything stands. Our Solicitor will be brought in at some point. The Solicitor questioned if we are going to permit Florin Hill to build under previous building standards from 2009. Youngerman asked Brady if they can build under the 2009 standards. Brady stated they cannot. A five-year relief was granted from changes to zoning ordinances. The traditional neighborhood development zoning they were approved under has been removed from current zoning and there are no regulations for what they want to build. It is considered medium high density at this point. Pugliese stated that Phase 3 will increase housing more than originally planned. Hall stated he is more concerned about Phases 1 and 2, Blocks F and M. Florin Hill is requesting to do the heavy equipment work for Phase 3 while finishing work on Phases 1 and 2. Pugliese stated that the updated cost opinion is acceptable to Rettew.

Discussion/Update on Act 172: Youngerman would like to get this formalized this year and in the budget with a number in mind. He feels there are four items to figure: Is the reward only for Borough residents, is it an EIT or real estate tax deduction or the amount in cash, what is the standard that qualifies a fireman as active and how many are qualified as active. Pugliese stated the fire department has a robust system of what qualifies as active. Hall stated that the fire department keeps very good records. Hall suggested Pugliese look at the Office of State Fire Commission and the section of their website dedicated to information on Act 172. There is a lot of information available. Discussion continued on what qualifies as active. Greineder suggested getting feedback from Council. A flat fee of \$200 has been posed. Could \$250 to \$300 be put in the budget? If a flat fee, could it go to all active members not just Borough residents. Pugliese stated this would be a legal question. Item is not ready for a motion.

Discussion on Salary Increases and Merit Pay: Youngerman asked what numbers are we working with. 2% base raise across the board, then up to an extra 2% based on the evaluation. Hall asked if this is the same as the end of last year. Pugliese stated that it is.

On a **MOTION** by Hall, and a second by Greineder, approval is given to move to full Council the base and possible review score increase of 2% plus up to an additional 2%. *Motion carries unanimously.*

Discussion on Resolving Property Line Issue on Jury Property: Pugliese stated that two feet of the candy store property belongs to the Dohl's. The property line goes through the building. We need to start to consider how to rectify the issue if we sell the current building and build a new municipal building. Hall asked if 13 and 15 E Main Street are both on the same deed and Pugliese stated that they are. It's suggested to check with the Solicitor on what we need to do; what are the options. The building has been here for many years, maybe there is a provision that says it's not yours anymore. The Borough might have to buy the two feet. Youngerman suggests asking the Solicitor about adverse possession.

On a **MOTION** by Hall, and a second by Greineder, approval was given to move to full Council the awarding of the contract for the RRFB and Street Markings as part of the MTF Grant to Herr Signal & Lighting in the amount of \$370,800.00. *Motion carries unanimously.*

On a **MOTION** by Hall, and a second by Greineder, approval is given to move to full Council the acknowledge receipt of MMO of both the Police and Non-Uniform Pension Plans.
Motion carries unanimously.

Land Development, Zoning, & Codes

Codes & Zoning Report: Brady gave an update on the ZHB meeting. The case to keep ducks at 35 Columbia Avenue was granted. The variance for 349 Chocolate Avenue – Rholan Paving – was denied and the wall that was being built in the alley will need to be removed and the land restored. Rholan was building the wall on property that did not belong to him or anyone. Brady suggested Council may need to take action on the paper alleys in the Borough if landowners don't decide and adjust their deeds.

The Borough has a Notice of Termination from Stormwater facilities for 950 Square Street they requested through ARRO and ARRO agrees.

On a **MOTION** by Hall, and a second by Greineder, approval is given to move to full Council, the release of the remaining Financial Securities in the amount of \$22,904.35 to Square Deal 950 LLC. Pugliese made an amendment with a **MOTION** by Hall, and a second by Greineder, to include to satisfy all outstanding invoices from the Borough. *Amendment carries unanimously and the original motion carries unanimously.*

On a **MOTION** by Hall, and a second by Greineder, approval was given to move to full Council authorizing the Codes/Zoning Officer to escalate Property Maintenance Violation to a summary non-traffic offense for property at 608 Bernhard Ave. **MOTION is withdrawn.** Brady received information that the case is closed and there will be a Sheriff sale. The \$75 fee is part of the final sale, and the Borough should see payment of the fee within six to eight weeks.

Awaken Properties have purchased and renovated properties at 163 New Haven Street and 19 Poplar Street and are operating them as short-term rentals. Brady had a meeting with the owners/partners during the summer on the short-term rental ordinance. There have been complaints from residents on Poplar Street about the abundance of out of state vehicles on the street taking up the majority of the block. Youngerman would like to hear Council's opinion. Awaken Properties requested an RTK on a Florin Hill property that was granted a short-term rental which established a precedent in 2019-20. Brady stated that Awaken Properties will have their lawyer present to use a portion of the zoning ordinance that is not regulated to be granted a special exception to make owners/partners legal on those two properties, and Brady would like to have the Borough's Solicitor, Joselle Cleary or Jason Hess at the Case 23-07 and 23-08 hearing.

On a **MOTION** by Hall, and a second by Greineder, approval is given to move to full Council the Zoning Hearing Board case 23-07 and 23-08 that Council be represented by the Codes Enforcement Officer and the Solicitor at the Zoning Hearing Board to present the Borough Council's opposition to these two cases. *Motion carries unanimously.*

Review Sketch Submission and Waiver Request for 30 Orchard Road with possible motion to full Council: DC Gohn has submitted an application for CPS Physical Therapy for 30 Orchard Road. Todd Smeigh will present at Council. They are looking for relief from the traffic study or relief from fee in lieu of traffic study. Investigation of traffic impact showed very minimal impact at Orchard Road and Main Street. They are putting a 1500 square foot addition onto the existing building. The Planning Commission made some adjustments on the sketch.

On a **MOTION** by Hall, and a second by Greineder, approval is given to move to full Council the review, the sketch submission and waiver request for 30 Orchard Road. *Motion carries unanimously.*

Update on Rental/Property Maintenance Ordinances: Our Solicitor sent a review letter draft on the Property Maintenance Code which is very close to ready. The Rental Code needs more work. The current structure has rent and property maintenance code tied together. If we separate them, the Solicitor suggests doing them all at one time. The Solicitor questioned short term rental as a conditional use and asked for confirmation that Council wants to see the applications of short-term rentals. Short term rental conditional use goes before Council for more oversight on the application rather than delegated to the Zoning Hearing

Board. Hall suggested wording to not allow people to leave their homes for the weekend to be able to rent it out. This may not be much of a problem in Mount Joy, but it can't hurt to have it in.

On a **MOTION** by Hall, and a second by Greineder, approval is given to move to full Council authorizing enforcement action against the property owner and/or renter of 124 N Angle Street by Borough staff or the Borough Solicitor. *Motion carries unanimously.*

Grant Updates: Pugliese provided the Grant Tracking Document. The SMT Grant has been approved for the first of eight First Aid kits in vehicles.

The Reserves swale, there have been issues getting a third bid. The Solicitor said to document that two other businesses were solicited for bids and show that no other bid was offered.

Ordinances: Nothing

Borough Building Ad Hoc Committee: Deering updated that Ad Hoc Committee is working on the design development phase. The HVAC system will be discussed at the meeting next week. There will be a meeting on interior design on Wednesday. This will complete the information for the Ad Hoc Committee, and they will be able to present their findings to Council. Pugliese stated that Crabtree will be meeting at the current building to discuss the interior. Youngerman asked about the financial impact for next year. Deering stated that the numbers have been submitted for the consultant for the last phase of documents and design.

Public Input Period: None

Executive Session: None

Any Other Matter to Come Before the Committee: Nothing

On a **MOTION** by Hall, and a second by Greineder, approval is given to adjourn the meeting at 7:55 pm. *Motion carries unanimously.*

Respectfully submitted,



Mark G. Pugliese I
Borough Manager/Secretary

NEXT ADMINISTRATION AND FINANCE COMMITTEE MEETING
Thursday, October 26, 2023, at 6:30 PM in Council Chambers