

MOUNT JOY BOROUGH COUNCIL
March 2, 2015 Minutes

The Mount Joy Borough Council held its regular meeting on March 2, 2015, at the Mount Joy Borough Office.

President Gohn called the meeting to order at 7:00 pm.

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

Roll Call - Present were: Councilors Bower, Deering, Glessner, Mowrer, Reese, Seidel, Youngerman, Council President Gohn, and Mayor Bradley. Also present were Borough Manager, Scott Hershey, and Public Works Director, Dennis Nissley. Officer in Charge, Scott Drexel, arrived at 7:35pm.

Gohn announced there will be an executive session on personnel matters following the meeting and a decision may follow.

Presentations and Recognitions

Randy Gockley, Director of Emergency Management Agency (EMA) of Lancaster County, presented a Basic Certificate of Recognition to Margaret Hamm and a Professional Certificate of Recognition to Rick Hamm.

Report of Mayor

Mayor Bradley recognized the work of Detective Hosking, acknowledging that he has been doing an outstanding job. Bradley recognized Borough Manager, Scott Hershey, acknowledging his hard work in helping the Police department throughout the current staffing situation, saying he is an asset to the Borough.

Bradley reported that he is in the initial stages of organizing a workshop with Kari Stanley, program supervisor of Lancaster County's Children Alliance, for awareness on child advocacy.

Bradley reported Mount Joy Emergency Management Agency conducted warming stations table top exercises.

Bradley reported he has attended several meetings on the heroine problem in our community and would like to plan an event on awareness.

Seidel stated recognition to Mayor Bradley and his efforts and time with keeping the Police Department running. Seidel recognized Detective Hosking's work, stating the closed cases this month are down to 182, from over 400 eight months ago.

Report of the Chief of Police

A monthly written report was provided for January 15, 2015 through February 14, 2015. The report shows there were 17 traffic arrests and 32 criminal arrests for the month. There were 82 UCR reportable incidents and 248 CAD incidents for the month, with a total of 330 incidents year to date. Monies collected by the Police Department for the month for tickets, permits, reports, and services totaled \$ 3,644.17.

Report of Fire Department Mount Joy (FDMJ)

William Hall, Fire Chief, Fire Department Mount Joy, reviewed the monthly report provided for February 2015. He reported there were a lot of overnight incidents this month, which is not common and the Annual Banquet is March 21, 2015.

Reese asked how many incidents were fires. Hall said that this month there were two fires that involved dollar values, but FDMJ gets calls for a lot of other things, such as this month there was an infant in respiratory arrest who was revived.

Deering asked if the recruitment was successful. Hall said yes, FDMJ acquired twelve new members and one member that went from inactive to active. He said they are now in the training phase.

Gohn asked how coverage is during the day. Hall said it is spotty and that typically there are not many volunteers around during the day. Mowrer asked if any businesses pay if a volunteer leaves during a fire call. Hall said not many do. He said there are two Authority employees who are members of FDMJ and if there is activity during the day, the Authority does pay. He said there is good support there.

Report of Main Street Mount Joy (MSMJ)

Kim Brewer, MSMJ manager, reviewed the monthly written report provided for February 2015.

Brewer reported that on March 3, 2015, MSMJ will receive the preliminary state budget for DCED funding. She said at that time, they will be sending out the line items that pertain to MSMJ, the Borough, and their projects.

Bower asked if information about Fire & Ice event will be coming soon. Brewer said MSMJ chose to cancel Fire & Ice. She said there was a memo sent and explained that last year when the Fire & Ice event was planned, there were businesses that agreed to buy ice blocks and then did not have the money to pay for them so the financial burden fell on MSMJ. She said they could not take the chance of that happening again this year and felt it was a wise business decision to cancel.

Reese asked if they have had any response from the new partnership program. Brewer said they have received \$4,500.00 so far and more to come. Reese asked how that impacts the Fire & Ice event. Brewer said the partnership program is money Main Street did not allocate and planned to use to keep MSMJ functioning. She said they have been talking to businesses about this and have held public meetings. She said a lot of businesses were not aware of the money involved in the Fire & Ice event and that it seemed to be an eye opener by making the choice to not hold the Fire & Ice event.

Bradley said that last year monies brought into MSMJ were received in a non-partnership way and asked if the partnership is affecting the other donations. Brewer said no. She said there are businesses that have partnered and still give in other ways.

Bower commended MSMJ for making a good business decision by not holding the Fire & Ice event. Mayor Bradley agreed. Deering said he has been to the last two board meetings and they were very good and seem to be moving in the right direction.

Report of the Milanof-Schock Library

The monthly newsletter was provided.

Report of Codes and Zoning Officer

A monthly written report was provided for February 2015.

Bower noted that this month permit revenues were low and that it was a wise choice to lower the incoming permit costs in the 2015 budget.

Reese commented that the Planning Commission minutes are hard to follow and rather lengthy. Bower agreed and said they will work on condensing the minutes. Reese said there seemed to be confusion with the Mount Joy Borough Registry of Historic Buildings and the criteria of the list. Bower said there was a member of the Planning Commission that questioned our standards for the list. He said there has been lengthy discussion about the list, which they are trying to keep at the Planning Commission level. He said he thinks they have a good list; it is still an ongoing process and will be brought back to Council for approval when complete.

Deering asked who is responsible for 803 Ella Drive, from the property line to the road. Hershey said he would ask Gibbs and let him know.

Report of Stormwater Officer

Nissley said the storm water report for February 2015 is included with Gibbs monthly codes and zoning report.

Report of the Borough Authority Manager

Authority Manager, John Leaman provided a monthly written report for February 2015. Leaman was present for any questions.

Report of the Borough Manager

Hershey reviewed the monthly written report for February 2015.

Hershey reported that the Auditors will present the 2014 Borough Audit at the March 25, 2015, Administration/Finance meeting, and the April 6, 2015, Council meeting. He stated that presentation at the March 26, 2015, Administration and Finance Committee meeting will be more detailed and encouraged council members to attend.

Bower asked if there will be an online bill pay option with the new/updated webpage for the Borough. Hershey said Borough staff is scheduled to talk about that.

Reese asked what is planned for the Market St. Bridge in relation to the rail enhancement project. Hershey said the sidewalk is going to be widened to eight feet on the East side and invited Reese to stop at the office to see the plans for the project.

Public Input Period

Ned Sterling, 13 W. Main St., questioned item 9B on the agenda, asking why there is a motion to eliminate employee contributions to the Mount Joy Borough Police Pension. Hershey said it is procedural and that if the Borough does not require contribution to the pension plan, a resolution must be adopted. This is a requirement of Act 600, the police pension law. He said as long as he has been Manager; a contribution has not been required.

Sterling asked if there has been an ad hoc committee meeting. Bradley said the chairman of the ad hoc committee has reported that there have been conversations between the Borough and neighboring municipalities. Seidel said he saw an article about County Wide Regionalization.

Sterling questioned the Boroughs employee's health care contributions. He asked if the Mount Joy Borough Authority has reviewed this and if they have decided to make any changes with their employees. Leaman said they decided to make no changes to their employee health care contributions this year but would like to get the Borough and Borough Authority Administration Committees together later this year for discussion about next year.

Approval of the Minutes of the Previous Meeting

On a **MOTION** by Reese, and a second by Seidel, approval was given for the minutes from the Regular Borough Council Meeting held on February 2, 2015, and the special council meetings held on February 9, 2015, and February 23, 2015. *Motion carries unanimously.*

Administration and Finance Committee

Mount Joy Borough Authority Refinancing Presentation.

Leaman introduced Stephen Flaherty, with RBC Capital Markets. Flaherty gave a written report to all council members and a brief oral presentation concerning the 2010 Mount Joy Borough Authority sewer bond refunding opportunity. He asked if Council had any concerns with the proposal. A general consensus of approval from the Council is needed to keep the process moving. If not, the Borough Authority will be requesting Council's approval of the proposal at the April 6, 2015, Borough Council meeting.

Bower said the proposed refinancing does not extend the debt, does not change the obligation, and will save the Authority money. Flaherty said it is a simple win/win situation. Council unanimously agreed. Flaherty said the intent is for Council to consider approval of the guarantee at the April 6, 2015 Council meeting. Council President Gohn said he will try to attend the Authority meeting on March 17, 2015.

On a **MOTION** by Glessner, and a second by Bower, approval was given to adopt Resolution #5-15, eliminating employee contributions to the Mount Joy Borough Police Pension. *Motion carries unanimously.*

On a **MOTION** by Youngerman, and a second by Glessner, approval was given for an agreement with CS-Graphx for CSG Permit Manager ver806.7 software and to authorize the Borough Manager to execute the agreement. *Motion carries unanimously.*

Glessner opened discussion concerning the Local Economic Revitalization Tax Assistance Act (LERTA). Hershey provided a memo explaining LERTA and gave a brief oral explanation, stating that this authorizes local taxing authorities to give tax relief for certain properties, establishing standards and qualifications, and providing an exemption schedule over a period of time. He said he met with school district representatives for discussion because if the school district is not on board, there will not be as much tax relief. He said it will be discussed at the next school board meeting.

Bower said he thinks the focus with this tax should be on revitalization. He said it would be nice to see expansion in the downtown area beyond the Gerberich-Payne building, to connect the East side of downtown with the West side. Bradley said he approached Gibbs about the LERTA specifically about the Gerberich-Payne Shoe Factory building and had investors interested at the

time. He said the investment was more than the worth of the building and the LERTA would help situations such as these. He said the places that have utilized the LERTA have been successful and he agrees with Bower, that he would like to see the expansion beyond this area.

Reese asked who determines the worth of the possible properties. Hershey said he does not know and at this point we are just trying to determine how Council feels about this. Reese asked what the steps are from here. Hershey said this would be established by Ordinance and would first have to first go through Administration/Finance Committee.

Bower asked that if an application were submitted, who would be involved in the review process. Gohn said it would more than likely come through Planning Commission. Hershey said that if Council wants to proceed, we would have to contact the School District and Lancaster County to see if all parties are on board and go on with discussion from there. Council is unanimously on board with the LERTA.

Report of the Public Safety Committee

On a **MOTION** by Deering, and a second by Reese, approval was given to adopt Resolution #6-15, approving a request by Lancaster Mennonite School- Kraybill Campus to have a banner suspended across East Main Street on the Borough banner poles from April 24, 2015 through May 11, 2015, to promote the Kraybill Campus Benefit Auction to be held on May 8, 2015. *Motion carries unanimously.*

On a **MOTION** by Deering, and a second by Reese, approval was given for a request by the Mount Joy Cyclones football team for exemption from the Borough noise ordinance for home games at the Lakes Park on March 28, April 12, April 18, May 2 and May 9, 2015. *Motion carries unanimously.*

Report of the Public Works Committee

Nissley reviewed the monthly written report for February 2015.

Nissley reported the Union School Road storm water project will be starting late March 2015. He reported there is no new news on the Marietta Ave. Bridge project. He reported on the Jacob St. Bridge, saying the good news is that PennDOT approved funding of the design of the removal of the bridge and the bad news is the cost of the removal is now going to be \$800,000.00. Bradley strongly suggested council members go to our State Legislator about this.

Deering questioned the sign survey to check retro-reflectivity, asking about the time involved in doing this. Nissley said it is mandated by the State to have a plan in place to check the retro-reflectivity of our signs. He said staff will drive around in the evenings to check the signs. He said it takes approximately 2-3 evenings. He said the alternative is to purchase a retro-reflectometer that costs approximately \$8,000.00.

Bower thanked Nissley and all of the Public Works crew for being out there during inclement weather and taking care of our roads.

Deering asked for an update on the signalization. Bower said there are no further updates and it will be discussed more at Public Works meeting. Nissley said the plans have been sent to PennDOT and it is in their hands.

Hershey reported on the Marietta Ave. curb and sidewalk project. He said the funding has been pulled. He said he was asked if the Borough Council would like Representative Hickernell to work with Senator Aument to attempt to resurrect the project. He said he thinks it is a good idea and a project that is worthwhile. Bower said the project will directly benefit the School District and would like to see them back in. Hershey said he will contact Representative Hickernell.

On a **MOTION** by Bower, and a second by Mowrer, approval was given for a request by the Mount Joy Cyclones football team for use of the Lakes Park for home games at the Lakes Park on March 28, April 12, April 18, May 2 and May 9, 2015. *Motion carries unanimously.*

On a **MOTION** by Bower, and a second by Mowrer, approval was given to enact Ordinance #2-15, amending the Code of Ordinances, Chapter 232, Streets and Sidewalks, Article IV, Sidewalks and Curbs; Installation and Maintenance, to amend and restate construction standards.

Reese inquired about downspouts and how they are not allowed to go into the curb and sidewalk under the sidewalk and asked what a property owner's options would be with that requirement. Nissley said this requirement relates to the new storm water ordinance. Bradley said that a lot of properties have no room for another type of infiltration. Bower said this has already been discussed during the process when the storm water Ordinance was adopted. Youngerman asked what a property owner is to do if they do not have adequate ground on their property. Bower said they can create a rain garden, an underground drain system, etc., or in some cases a waiver can be granted. He said that the motion on the table does not change how we are addressing storm water issues; this has already been established with the storm water ordinance. He said we are only updating our curb and sidewalk ordinance to match the storm water ordinance. He said it is only when improvements occur will people have to comply.

Motion carries 6 to 2. Councilors Glessner and Youngerman voting no.

On a **MOTION** by Bower, and a second by Mowrer, approval was given to adopt Resolution #7-15 Establishing and Imposing Fees to be charged in connection with the administration of the sidewalk and curb ordinance.

Bower said the inspections of curb and sidewalk work has always fallen on the Public Works employees and they should have never been involved in doing this. He said that often times the employees would have to leave the job site to take care of this, it has been costing the tax payers money, and there should have been a fee imposed all along.

Motion carries 6 to 2. Councilors Glessner and Reese voting no.

Bower opened discussion concerning Kids Joy Land funds and purchases. Hershey reviewed a detailed written report provided to Council.

Joanne Pinkerton, Vice President Mount Joy Rotary Club, gave an update, reporting the proposed build date is September 22 – 27, 2015. She said Rotary is working on finding a fiscal 501(c)3 partner. She said they will be meeting with Lancaster County Community (LCC) Foundation and are looking to raise \$100,000.00 with their help. She said they found a CPA who specializes in 501(c)3's and the CPA and Rotary are meeting with the LCC Foundation Wednesday, March 11, 2015. She also stated that the Rotary Club was working with a local church through which the funds raised may be able to be expended. Hershey responded that he

provided Council with a memo that provided information about the Borough being a vehicle for expending funds for Joy Land. Discussion of that memo appeared to be unnecessary with the information provided by Pinkerton.

Bradley asked what the total build cost will be. Deering said Joy Land Committee updated the fundraising amount from \$175,000.00 to \$225,000.00.

On a **MOTION** by Bower, and a second by Mowrer, approval was given for a Stormwater Drainage Easement and Maintenance Agreement with Cross Roads Brethern in Christ Church, and authorizing the Borough Manager to execute the agreement. Approval is conditioned upon review and approval of Solicitor for the Mount Joy Borough Authority. *Motion carries unanimously.*

Any other matter proper to come before Council

Deering announced a fundraiser for Kids joy Land. On March 28, 2015, there will be a bus trip to Washington D.C. in conjunction with the Cherry Blossom Festival. He said there is also a Kite Festival being held there at the same time. The trip will leave the Giant parking lot in Mount Joy at 7am and will return at 8:30pm.

Reese asked about line item 01.433.370 (signals maintenance & repair) in the budget report provided, saying \$10,796.75 was spent year to date and only \$3,500.00 was budgeted. Nissley explained that \$8,000.00 was spent for items that were actually budgeted to be completed in 2014. Jill Frey, bookkeeper for Mount Joy Borough, stated that once the 2014 audit is complete, this may be reflected in the 2014 final figures.

Gohn announced that his Council seat is up for re-election at the end of 2015 and that he is not going to run for re-election.

Authorization to Pay Bills

On a **MOTION** by Youngerman, and a second by Glessner, it was approved to pay the bills as presented:

GENERAL FUND	\$	241,592.60
REFUSE/RECYCLING	\$	39,528.41
CAPITAL IMPROVEMENTS FUND	\$	415.22
HIGHWAY AID FUND	\$	6,396.38
TAX ACCOUNT	\$	-
ESCROW FUND	\$	168,429.85
GRAND TOTAL EXPENDITURES	\$	456,362.46

Motion carries unanimously.

Meetings and dates of importance

See the green calendar for the month of March 2015.

Council went into executive session at 9:55pm. Executive session ended at 10:55pm.

On a **MOTION** by Deering, and a second by Reese, approval was given to hire Daniel Gordon as patrol officer with the Mount Joy Police Department. *Motion carries unanimously.*

Adjournment

On a **MOTION** by Reese, and a second by Bower, meeting was adjourned at 10:57pm. *Motion carries unanimously.*

Respectfully Submitted,



Scott Hershey
Borough Manager/Secretary