

MOUNTVILLE BOROUGH COUNCIL  
MEETING MINUTES  
April 12, 2021

A meeting of the Mountville Borough Council was held on Monday, March 12, 2021, beginning at 7:00 p.m. in the Mountville Borough Hall at 21 E. Main Street, Mountville, PA.

The following Council members participated: President Lenny D. Heisey, Matthew Auker, Jesse Hersh, and Richard Spiegel. Also attending were West Hempfield Township Police Chief Lisa Layden, Mountville Fire Co #1 Chief Dean Gantz, Zoning Officer Sam Meckley, and Borough Manager Mark G. Pugliese I.

The meeting was called to order at 7:00 p.m. by Council President L. Heisey who then gave an invocation and led in the Pledge of Allegiance.

J. Hersh moved to accept the minutes of the March 8, 2021 meeting as distributed. R. Spiegel seconded the motion. Council was in accord and the motion carried.

R. Spiegel moved to accept the financial reports and fund distributions as presented. M. Auker seconded the motion. Council was in accord and the motion carried.

#### Recognition of Visitors

#### Audit

President Heisey recognized Mike Reiner and Alissa Harrison of Sager, Swisher and Company, LLP to present the 2020 Audit Report. The 2020 Audit Report was distributed to Council prior to the meeting. There were no major discrepancies found within the report and that revenues from investments increased over the past year. However, the report does mention that Council should monitor the delinquent trash accounts more thoroughly as well as attempt to diversify how monies are collected to ensure proper checks and balances.

President Heisey asked if it would be proper for Council to vote on submitting delinquent trash accounts for collection. M. Reiner stated that at a minimum the Chair of the Health & Sanitation Committee and a small number of members should review them before going to collection. A. Harrison stated that Council should also monitor the outstanding accumulative balances. Borough Manager mentioned that staff will be able to better monitor those who have outstanding balances as well as accumulative balances. He further mentioned that there are some residents who haven't paid for years.

President Heisey recommended that moving forward that the Health & Sanitation Chair will review delinquent accounts and that Council will vote on appropriate action to be taken.

#### SHENTEL

President Heisey recognized Kurt Kosko of Shentel. K. Kosko advised Council that Shentel is looking to provide cable television service, phone service and internet service to the Mountville Community. He advised Council that Shentel is a

public traded company and had previously operated under the SPRINT trademark which was sold to “T-Mobile.” He indicated that they currently have over 6,700 miles of fiber cable throughout their service area which includes redundant fiber in Pennsylvania. Their plans are to run fiber into the homes which is more resilient than current cable and that their system provides symmetrical bandwidth which is equal speeds for uploading and downloading on the internet. He further stated that once construction is started, it will take 12 – 18 months to build out a network in the Borough which will cover the majority of the Borough residents.

When asked how this would affect COMCAST customers, he stated that the franchise agreement they are asking Council to approve is not for a single service provider but merely gives the residents the opportunity to choose who their provider would be, unlike the current situation.

When asked about specific pricing, K. Kosko advised that those interested could go to the website and look at “GLOFiber” for current pricing and services.

At this point the Borough Manager informed Council that the Borough had engaged the services of the Cohen Law Group through the Lancaster County Intermunicipal Committee to negotiate the new franchise agreement with COMCAST. The Cohen Law Group, through its attorney Phillip Fraga, has provided negotiations with Shentel as well, at no additional cost to the Borough. The Manager has been on several conference calls and video conference calls with P. Fraga, Shentel as well as other municipalities in Lancaster County who are also considering signing an agreement with Shentel. P. Fraga has provided Council with an Executive Summary of the franchise agreement with Shentel along with a resolution and ordinance for the agreement. The agreement with Shentel is fairly similar to that of recent COMCAST agreements. The Manager further stated that he had communicated with the Borough Solicitor who indicated that Council could ratify the agreement with Shentel through a resolution however, in the past, Council has used an ordinance to ratify the agreement with COMCAST. The Borough Solicitor stated that it would be his recommendation to continue the process via an ordinance. Manager M. Pugliese stated that in the case of an ordinance, he would need Council to authorize the Borough Solicitor to advertise the ordinance for action at the May Borough Council meeting. R. Spiegel made a motion to authorize the Borough Solicitor to advertise the discussion and action at the next Council meeting. M. Aufer seconded the motion. Motion approved.

#### Public Safety – Police/Fire

Chair R. Spiegel recognized West Hempfield Township Police Chief Lisa Layden who reviewed the March 2021 report which had been distributed. She mentioned that there were 58 calls for service during the month of March and 13 crashes. She advised Council that Sergeant Kunkle and Officer Murray each received a Letter of Commendation for Life Saving action which occurred in the Borough. Circumstances revolved around an unresponsive infant that was resuscitated by the officers before emergency medical personnel arrived on scene. In addition to saving the infant’s life, they protected and managed a crime scene. An individual was charged with abuse. Chief Layden further advised that the department will be switching over to a new reporting format that will be required by the federal and state governments. More to come on that. She further advised Council that Officer James Gardill was recently promoted to the rank of Corporal.

Lastly, Chief Layden advised Council that the department had received complaints of individuals not stopping for the new stop signs at Hoover and Manor Streets as well as complaining of a truck that was parked close to the stop sign partially obstructing it. She indicated that she did have an officer monitor the sign and during that time all motorists had stopped prior to proceeding through the intersection. However, the truck was there and is legally parked but she

provided Council with a photograph of the view of vehicles traveling west on Hoover Street while the truck was parked there which showed a partial obstruction of the sign. Council discussed options but felt that no further action should be taken until the stop bars are painted on the roadway.

Chair R. Spiegel recognized Mountville Fire Co #1 Chief Gantz. Chief Gantz reviewed the March 2021 monthly report stating that the department responded to 35 calls for service in 31 days.

With regards to the annual fund drive, Chief Gantz reported that so far, they have received 36 donations totaling \$832.00.

Lastly, he mentioned that last year the Fire Company President and Fire Chief appointed an individual as their Public Information Officer or PIO. The PIO has teamed up with the local chapter of the Red Cross for a community blitz to distribute smoke detectors in the Borough. The PIO will be getting in touch with the Borough Manager to discuss ways that the Borough can help get the word out.

Chairman Spiegel referred to the fire tax on the agenda and stated that it is tabled for now until he can gather more information.

Chair mentioned that Council was made aware of the fact that effective July 1, 2021 Penn State Health Life Lion, LLC will acquire Susquehanna Valley EMS. A letter has been distributed to all of Council explaining that they will honor all previous memberships and plan on continuing the membership program. M. Pugliese stated that they had also proposed an agreement which is currently being reviewed by the Borough Solicitor.

#### Public Safety – Planning/Zoning

Chair J. Hersh reported that 5 permits were issued.

#2202	41 Village Dr	18 solar panels installed	\$244.50
#2206	243 Providence Pl	install 78 linear feet of fence	\$ 35.00
#2207	157 Ruby St	install 12'X18'X10' high shed	\$ 43.20
#2208	50 Pennridge Ave	Repave/expand driveway	\$ 35.00
#2209	454 Hillside Dr	Finish basement	\$137.70

Mountville Planning Commission had nothing new for review.

Nothing further to report.

#### General Government

In the absence of the Chair, the Borough Manager, M. Pugliese advised Council that the VFW was proceeding with the planned "Honoring Our Military" banners to be displayed from utility poles in the Borough. Council was provided with an application and those in the gallery were also offered one.

President Heisey advised council of the resignation of Gregory J. Workman from the Mountville Borough Authority. L. Heisey read the letter to Council. R. Spiegel made a motion to accept Greg Workman's letter of resignation. Motion seconded by J. Hersh. Motion carried. President Heisey advised that there have been several people who have expressed interest in the position so there will be more to come on this topic at the next Council meeting.

#### Public Works – Streets

Chair M. Auker, referring to the agenda, stated that Council has already discussed the issues that have been raised regarding the new stop intersection at Hoover and Manor Streets and the plan to delay any further action until the stop bars are painted on the roadway.

Chair then directed Council to the memorandum distributed in regards to the fee structure for submitting the ARLE grant. He then recognized Sam Meckley, Zoning Officer, who stated that there was a 6-step process required for the ARLE grant for the restructuring of the intersection of Main & Manor Streets. The first 3 steps would cost approximately \$3,000.00 which includes items such as traffic count. S. Meckley reinforced that it is best to get the traffic count during the time that school is in session as that effects the traffic volume. Additionally, the items pertaining to the first 3 steps may be used for the first 3 years of application should the Borough not received the grant on its first attempt. He further stated that the remaining 3 steps would not occur until such time as the grant application period opens up. M. Auker made a motion to have RETTEW apply for the ARLE grant on behalf of the Borough at a cost of \$6,500 as presented in their memo. Seconded by J. Hersh. Motion carried.

With regards to the 2021 Resurfacing Project, S. Meckley stated that Abel Recon has already completed the pipe relining and observed no major problems. He advised that we can now proceed with the resurfacing projects on Fridy and Bridge Street. At this time, the Manager stated that at the advice of the auditors, Council needs to take formal action to increase the Highway Aid Budget for the 2021 repaving project that was already approved at the Council's March meeting. R. Spiegel made a motion to adopt Resolution 2021-1 amending the Highway Aid Budget, line item 434.100 to \$202,467.51. Motion seconded by M. Auker. Motion carried and Resolution 2021-1 adopted.

Chair advised Council that 3 estimates were obtained for repairing the Public Works backhoe. He stated that each of the estimates were not comparing "apples to apples". The estimate from DH Funks of \$3,200.00 to \$4,000.00 was a cursory estimate, the estimate from TEREX in the amount of \$13,922.17 was a very thorough estimate that covers all mechanical and several cosmetic issues, and the estimate from OTC Fleet Services of \$5,025.46 covers just the mechanical issues that are in need of repair. M. Auker made a motion to have the backhoe repaired by OTC Fleet Services in the amount of \$5,025.46. J. Hersh seconded the motion. Motion carried.

#### Public Works – Health/Sanitation

In the absence of the Chair, President Heisey read the proposed Resolution 2021-2 appointing RETTEW as the Borough's Sewage Enforcement Officer. J. Hersh made a motion to adopt Resolution 2021-2, appointing RETTEW as the Borough's Sewage Enforcement Officer. R. Spiegel seconded the motion. Motion carried.

President Heisey then directed Council's attention to a report submitted by the Borough Manager listing those individuals who are currently delinquent on their trash payments asking Council to authorize staff to submit the delinquent accounts to Creditech. R. Spiegel made the motion to authorize staff to submit the 1<sup>st</sup> quarter delinquent trash accounts to Creditech for collection. J. Hersh seconded the motion. Motion carried.

President Heisey asked Council to consider the request from Manheim Township to adopt a resolution asking the County Commissioners to create a Lancaster County Health Department. Council was not in favor of such resolution and there were no motions to pass said resolution.

### Parks & Recreation

In the absence of Chairman J. Eastep, President Heisey advised Council that we were still in need of a representative to serve on the Hempfield Area Recreation Commission. Borough Manager advised that Jeff Book of Hempfield Rec submitted a name to him of a resident who was willing to serve on the commission which was Council Member H. Morgan. M. Pugliese did contact H. Morgan and confirmed that he was willing to serve on the Commission once he returns to better health. Council chose to table the nomination until H. Morgan returns to Council meetings.

President Heisey asked S. Meckley to brief Council on the status of the MS4 Project and NFWLF and Greenway Grants at the Spring Hill Park. S. Meckley informed Council that the Site Survey was completed and that the surveyors encountered some areas of difficulty that they weren't expecting stating that there were several discharge pipes that were not all accounted for earlier and that the primary inflow pipe on the north side of the basin is showing signs of wear and tear which required extra work to document the conditions. With that said, the cost of the survey came in at \$3,500.00 which is \$1,000.00 more than allocated by Council at the March meeting. S. Meckley stated that these costs should be covered within the Growing Greener Grant.

Borough Manager then discussed the Lancaster County Redevelopment Authority Grant for the Woodworks Playground. He informed Council that in working with the vendor of the playground equipment on a preliminary design and phasing in of the equipment as well as the intent to hold a public meeting for input, staff will not be able to make the deadline for the grant. With that said, he will continue to develop the project so that should additional grant monies become available, all of the basic work will be completed so that a grant application will be able to be submitted very quickly.

Borough Manager then presented Council with the Mountville Borough Community Park Rehabilitation Project for which a grant through the Department of Conservation and Natural Resources may be applied for. The Manager first provided Council with an audit of the current facilities and amenities at the Community Park as well as pointing out the condition and any needs for repair. He then reviewed the qualifications for the DCNR grant as well as the limited funding available through the Small Community Grant. Should Council approve the application for the grant, the grant would cover the rehabilitation of the tennis and basketball courts, add pickleball striping on one of the tennis courts, add a bocce court, ADA compliant paths to all the courts as well as adding a rain garden and bioswale. While there were still some outstanding estimates, the Manager indicated as an example that should the grant be for \$90,000.00, the Borough would be able to apply \$10,000.00 to administrative fees and the Borough's matching costs would come in at \$30,000.00. He further stated that the Borough could apply in-kind labor towards their responsibility. Additionally, if the grant would be awarded to the Borough, it would become part of the 2022 Budget so this is something that can be planned for next budget year. The Manager explained that should Council wish to proceed; they would need to adopt Resolution 2021-3. J. Hersh made a motion to adopt Resolution 2021-3 permitting for the application to DCNR for a grant for the Mountville Borough Community Park Rehabilitation Project. Motion seconded by R. Spiegel. Motion passed.

President Heisey presented Council with a request from the Lancaster Public Library, Mountville Branch, to waive fees for the pavilion rental so that they can hold two programs at the Community Park on 7/21/21 at 1:30 pm and on 8/3/21

at 1:00 pm. R. Spiegel made a motion to waive the pavilion rental fees for the Lancaster Public Library per their request. M. Aufer seconded the motion. Motion passed.

Old Business

No old business to discuss.

Mayor's Report

Mayor Kresge was absent, no report submitted.

Manager's Report

M. Pugliese advised Council that the request from Day Spring Christian Academy for a helicopter to land at the Community Park has been withdrawn but will probably appear before them in the fall.

M. Pugliese advised Council that he had attempted to get 3 quotes for termite control as there are signs of live termite infestation. The quotes from Kirchner's Pest Control for \$2,000.00 and Ehrlich for \$3,180.00 were previously presented to Council at their February 2021 Council meeting. Tomlinson Bomberger also came out to inspect the property and decided that they couldn't guarantee that they could eradicate the termites so they choose not to provide a quote. J. Hersh made a motion to contract with Kirchner's Pest Control in the amount of \$2,000.00 for termite treatments and to forego the yearly pest service they proposed. R. Spiegel seconded the motion. Motion carried.

The Manager advised Council that the Borough received a letter from Lancaster Public Library thanking Council for its yearly donation.

He advised Council that the past weekend, a group of Millersville University Students volunteered and came out and spread mulch at Borough Hall, Borough Cemetery, and the Community Park. The efforts were coordinated by Lori Leaman.

The Manager advised Council that the Spring/Summer Newsletter has come out and is posted on our website. He commended Doris Reisinger for compiling all the information and authoring the articles for a very professional newsletter.

He advised Council that currently the Borough utilizes the County to collect our Earned Income Tax. In keeping with the recommendations of the auditors, he has been in contact with the County to see if they would be able to give the Borough a proposal on collecting the Local Service Tax as well.

Lastly, the Manager advised Council that as part of the education component to MS4, Council usually staffs a stand at the Mountville Days Carnival. He will send out an email later in the month to secure some volunteers.

Personnel Committee

President Heisey informed Council that the Manager's position has been advertised and that several promising applications have been received. The Personnel Committee will be conducting some interviews on April 26<sup>th</sup>, 2021 and hopefully they will have a recommendation at the next Council meeting, otherwise they do have an individual who has offered to be an interim manager until a permanent replacement is found. It was noted that the current Manager's last day at work due to the Memorial Day Weekend is May 28<sup>th</sup>.

Miscellaneous

R. Spiegel made a motion to cancel the April 26, 2021 Borough Council Meeting. Seconded by J. Hersh. Motion carried.

With no further business, meeting was adjourned at 9:15 pm.

Respectfully submitted,



Mark G. Pugliese I  
Secretary/Treasurer

Gallery:

Steve Mitchell  
Kurt Kosko  
Mike Reiner  
Alissa Harrison  
Beth Hess  
Brandon Rennix  
Julia O'Leary