

ELIZABETHTOWN BOROUGH COUNCIL
REGULAR MEETING
July 16, 2009
Minutes

The regular meeting of the Elizabethtown Borough Council was held on July 16, 2009 at 7:00 PM at the Elizabethtown Borough Office. Present were Meade Bierly, Phil Clark, Dr. Dale Treese, Chuck Mummert, Jeff McCloud, and Tom Shaud. Also present were Mayor Robert Brain, Manager Peter Whipple, Assistant Manager Roni Ryan, and Police Chief Jack Mentzer.

The minutes of the regular meeting of June 18, 2009, the public hearing of July 2, 2009, and the work session minutes of July 2, 2009 were approved on a motion by Clark and a second by Mummert.

The next order of business was a presentation of life saving commendations by Mayor Robert Brain to Officer Nicholas Finicle and Officer Richard Regel.

Mayor Robert Brain presented a proclamation and certificate of appreciation to Robert Gruber for his twenty (20) years of service as a crossing guard.

Public Comment

- 1) Charles Metzler, 1003 S. Locust Street, complained that newspaper deliveries were not being conducted accurately and requested the delivery person be cited for littering.
- 2) Thomas Leber, 146 E. Hummelstown Street, complained that there is an excessive duck population in the Borough.
- 3) Mark Heister, Mount Joy Borough Manager, reported on water fowl controls utilized in Mount Joy Borough.
- 4) Linda Krayeski, 126 E. Washington Street, was present to complain about the conditions at 130 E. Washing Street and to inquire on the status of the property.

Reports

1. The financial report was approved on a motion by Clark and a second by McCloud.
2. The Fire Company reported that it responded to a total of 47 calls in June, 16 of the calls in the Borough.
3. Northwest EMS reported a total of 81 calls for the month of June with 582 calls in the Borough for the year 2009.
4. Manager's Report
 - a. Ryan provided the 2009 Mid-Year Budget Report

Old Business

1. It was motioned by Clark, seconded by McCloud, to approve the sewer connection fee waiver request for 153 E. High Street, Suite 101, with the following conditions:
 - a) Non-profit uses (up to 9 agencies) that occupy the ground and first floors will receive a waiver of tapping fees.
 - b) Tapping fees for the proposed two new apartment units on the to-be-created second floor, if constructed, will be determined based on an analysis of flow data for the non-profit agencies as compared to the previous three commercial uses. Borough Council will need to review and determine if the tapping fees are to be levied for the apartments in advance of the proposed construction. Flow data will be reviewed after one year for the commercial units and a determination re: applicable tapping fees will be made if the flow exceeds the previous usage.
 - c) The waiver is only for the (up to) nine (9) non-profit agencies and the potential of two apartments that are to provide temporary transitional housing. Any change in the intensity of use or hours of operation or new commercial uses must be approved by Borough Council regardless of whether they are permitted by the zoning ordinance. The waivers are non-transferrable without the prior approval of Borough Council.
 - d) One quarterly invoice for the property will be mailed to the owner of record.

Motion carried unanimously.

2. It was motioned by Treese, seconded by Shaud, to approve the sewer connection fee waiver request for 28 S. Poplar Street with the following conditions:
 - a) Provide off-street parking for the residential and commercial units in accordance with the zoning ordinance.
 - b) Flow data will be reviewed after one year for the commercial units and a determination re: applicable tapping fees will be made if the flow exceeds the previous usage.
 - c) Waiver is only for the massage therapy (2 ½ employees) and soap-making business (1 employee). Any change in the intensity of use or hours of operation or new commercial uses must be approved by Borough Council regardless of whether they are permitted by the zoning ordinance. The waiver is non-transferable without prior approval for Borough Council.
 - d) One quarterly invoice for the property will be mailed to the owner of record.

Motion carried unanimously.

New Business

1. It was motioned by Mummert, seconded by McCloud, to approve the advertisement of an ordinance for Patient Only Parking on East High Street. Motion carried unanimously.
2. It was motioned by Treese, seconded by Mummert, to approve a resolution appointing Roni Ryan as the primary voting delegate and Jeff McCloud as the first alternate and Pete Whipple as the second alternate voting delegates to the Lancaster County Tax Collection Committee. Motion carried unanimously.

3. It was motioned by Mummert, seconded by Clark, to approve the low bid and accompanying alternate bids for the Elizabethtown Intermodal Transportation Center Improvement Project. The following bids were received. Upon review, Lobar, Inc. is identified as the low bid.

a)	Lobar, Inc. Dillsburg, PA	\$5,869,000
	Alternate bid #1 accepted Slate roof replacement	\$ 76,000
	Alternate bid #2 declined	
	Alternate bid #3 accepted Alternate door work	\$ 7,500
	Alternate bid #4 declined	
	Alternate bid #5 accepted Eliminate flip-up edge	(\$ 443,000)
	Alternate bid #6 NA	
b)	Alexander Building Construction Co. Harrisburg, PA	\$6,980,731
c)	Bob Smith Contractors, Inc. Lancaster, PA	\$5,876,000
d)	Caldwell, Heckles & Egan, Inc. Lancaster, PA	\$6,076,000
e)	Paul Risk Associates, Inc. Quarryville, PA	\$6,084,000
f)	Warfel Construction Company East Petersburg, PA	\$6,635,000
g)	Wohlsen Lancaster, PA	\$6,097,000

Motion carried unanimously.

4. It was motioned by Treese, seconded by Mummert, to approve the Force Account Agreement with Amtrak for the construction of the improvements at the Elizabethtown Intermodal Transportation Center Improvement Project. Motion carried unanimously.

Bills Payable

It was motioned by Mummert, seconded by Clark, to pay the bills as presented:

General Fund	\$ 173,030.13
Sewer Fund	\$ 43,450.04
Capital Reserve Fund	\$ 27,263.49
Subdivision Escrow Fund	\$ 76.00
Unemployment Compensation Fund	\$ 3,809.00

Motion carried unanimously.

Bierly announced that Borough Council had a tour of the Street Department garage on July 9, 2009.

Council Remarks

There being no further business, the meeting adjourned at 8:25 PM on a motion by Treese, and a second by Mummert.