

ELIZABETHTOWN BOROUGH COUNCIL
REGULAR MEETING
September 15, 2011
Minutes

The regular meeting of the Elizabethtown Borough Council was held on Thursday, September 15, 2011 at 7:00 p.m. at the Borough Office. Present were Councilmembers Meade Bierly, J. Neil Ketchum, Jeff McCloud, Tom Shaud, and Phil Clark. Dr. C. Dale Treese was absent. Also present were Manager Roni Ryan, Assistant Manager Cindy Foster, and Police Chief Jack Mentzer.

After a motion by Bierly, second by Shaud, minutes of the following meetings were unanimously approved:

- Regular Meeting—August 18, 2011
- Work Session—September 1, 2011

Public Comment

- **Jim Scalpello, 154 Sherfield Court**, expressed concerns with cars driving too fast in the cul-de-sac and asked if the speed limit could be reduced.

- **Dottie Horst, 612 South Spruce Street**, stated that while the Fire Department did a great job, she was frustrated with the Borough's response to the recent flooding. She felt that arrangements should have been made for unlimited trash pick-up and free dumpsters for people in need and suggested Borough staff should have gone door-to-door to offer assistance.

Reports

1. The Financial Report was unanimously approved after a motion by Shaud, second by McCloud.
2. The Code Enforcement Report was provided as an informational item.
3. The Fire Company had no report this month.
4. Northwest EMS responded to 143 calls in the Borough during the month of August bringing the year-to-date total to 984.

Old Business

1. John Lippa, President of Members 1st Credit Union; Aaron Navarro of J. Michael Brightbill; James Strong of McNees, Wallace & Nurick; and Craig Mellott of Traffic Planning & Design addressed Council seeking approval for submission of a Highway Occupancy Permit (HOP) application on behalf of Members 1st to the Pennsylvania Department of Transportation for installation of sidewalk on South Market Street. Following a synopsis of the project to date, discussion ensued on the extent of sidewalk planned from the corner of Carey Lane and South Market Street onto CVS property in Mount Joy Township. The project timeline was reviewed and it was noted that approval by both the Township and the Borough would be required before proceeding with the HOP application.

Motion by Bierly, second by Shaud, to approve a request to submit a Highway Occupancy Permit application on behalf of Members 1st Credit Union to the Pennsylvania Department of Transportation for installation of sidewalk on South Market Street, subject to the following conditions:

- a. The plan must receive Borough engineer review and approval.
- b. The applicant must provide a letter from the property owner (CVS) granting permission for Members 1st to build the sidewalk and agreeing to maintain the sidewalk once installed.
- c. Approval is subject to Mount Joy Township review and approval of the section of sidewalk in the Township.
- d. Execution of an agreement between Members 1st and the Borough that includes the following:
 - i. States that the Borough is not constructing or maintaining the sidewalk and that the HOP application is on behalf of Members 1st.
 - ii. The design of the sidewalk as it appears in the HOP application will be included in the land development plan for the site, and that financial security in the form of a letter of credit will be provided for the improvements upon approval of the land development plan.
 - iii. The development of the site will meet the requirements of the Borough's stormwater management ordinance, and the sidewalk will be included in the stormwater calculations.

Motion carried unanimously.

New Business

1. Motion by McCloud, second by Bierly, to approve Resolution 2011-5 in support of Mount Joy Township's application to join the Elizabethtown Area Water Authority. Motion carried unanimously with the exception of Shaud who abstained.
2. Motion by Shaud, second by Ketchum, to authorize the Borough Manager to enter into an agreement with Lancaster City for the sale of nutrient credits from the Borough's Wastewater Treatment Plant upon certification and verification of the credits by the Pennsylvania Department of Environmental Protection. Motion carried unanimously.
3. Motion by McCloud, second by Ketchum, to approve Requisition 2011-8 dated September 1, 2011 in the amount of \$668,482.77 payable to Pennsy Supply, Inc. for the West College Avenue Phase II Project. Motion carried unanimously.
4. Motion by Bierly, second by McCloud, to approve Change Order #2 in the amount of \$805.15 for the West College Avenue Phase II Project. Motion carried unanimously.
5. Motion by Bierly, second by Ketchum, to approve Change Order #9 in the amount of \$13,834.67 for the Elizabethtown Train Station Rehabilitation Project. Motion carried unanimously.
6. Motion by McCloud, second by Ketchum, to approve Requisition #2 dated August 22, 2011 for the Rose Alley Pedestrian and Bicycle Pathway Project in the amount of \$32,589.90 payable to BR Kreider & Sons, Inc. Motion carried unanimously.

Bills Payable

Motion by McCloud, second by Ketchum, to pay the bills as presented:

General Fund.....	\$370,167.79
Sewer Fund	\$102,854.58
Capital Reserve Fund.....	\$23,052.38
Subdivision Escrow Fund	\$1,881.01
Parks & Recreation Fund.....	\$2,878.36

Motion carried unanimously.

Mayor's Remarks

Council Remarks

Following a motion by Shaud, second by Ketchum, the meeting unanimously adjourned at 8:27 p.m. whereupon Council entered Executive Session to discuss a personnel matter.