

ELIZABETHTOWN BOROUGH COUNCIL
PUBLIC MEETING
March 3, 2022
Minutes

A public meeting of Elizabethtown Borough Council was held on Thursday, March 3, 2022. Present were Councilmembers Lanty Moss, Tom Shaud, J. Marc Hershey, Phil Clark, Jay Hynicker and Jeff McCloud and Mayor Chuck Mummert. Also present were Assistant Borough Manager Ann Roda, Public Works Director Jeff Kinsey, Planning and Zoning Director Pamela Roberts, and Elizabethtown Police Corporal Matthew Shuey.

President Hershey called the meeting to order at 7:00 PM.

Public Comment

There was no public comment.

Presentation

1. An introduction to the AutoZone Preliminary/Final Land Development Plan was made by representatives for AutoZone. It was noted that this is a new application but quite similar to what was conditionally approved in 2020 and that Elizabethtown Borough Planning Commission recommend approval of the AutoZone Preliminary/Final Land Development Plan under the condition that all comments in Lancaster Civil Engineer's February 3, 2022 review letter be addressed. President Hershey asked if the financial security would be updated and if there are additional approvals needed. Attorney Tsudy stated the financial security would be updated and there are outstanding permits still needed for the project. President Hershey stated that Borough Council was not in the position to approve the application but that it may be considered on March 17, 2022.

Approval of Meeting Minutes

After a motion by Vice President Clark, second by Councilperson Shaud, Borough Council voted unanimously to approve the February 17, 2022 Public Meeting minutes.

Old Business

1. A discussion on the future of the Fun Fort play space at Community Park was held. The discussion focused on: timing and if replacement of the Fun Fort project should occur at the same time a Master Plan for any future enhancements to Community Park is developed; potential use of cooperative purchasing (COSTARS, KPN, etc.) versus putting the project out for public bid; type and level of community involvement; and, if there is a need for a vehicle, such as a foundation, to be established for funding donations.

Following the discussion President Hershey stated that Borough Council would like to move forward with an effort to replace the Fun Fort while at the same time work to create a Master

Plan for any future enhancements to Community Park. There will be communication and community involvement for the replacement of Fun Fort and the development of the Master Plan.

Staff was asked to work with several vendors to get design and pricing to present at a future meeting. Staff was also asked to complete additional research on what is required to set up a foundation.

Representatives from the Lions Club commented that there is interest in having equipment for handicapped children within any new park project. There was also a brief mention of having a dog park within the Borough.

2. Councilmember Shaud motioned to approve a proposal from Lancaster Civil Engineering to complete survey work of Community Park parcels. The outcome of the survey work will be used as part of the Community Park improvements and Master Plan development. Vice President Clark seconded the motion. Borough Council unanimously voted to approve a proposal from Lancaster Civil Engineering to complete survey work of Community Park parcels to a spending level of \$35,400.
3. Assistant Borough Manager Roda provided an update on forthcoming funding applications. Staff anticipates submitted for a Community Conservation Partnership grant to develop a Community Park Master Plan. Applications for the Watershed Restoration and Protection Program (WRPP) and Greenways, Trails and Recreation Program (GTRP) will be submitted for the needed MS4 improvements at Hickory Lane Park. An application will also be submitted for the Local Share Account Program to completed a Downtown Elizabethtown: Development Planning and Early Implementation project.
4. Vice President Clark motioned to approve Resolution 2022-07 to apply for funding through the Statewide Local Share Assessment from the Commonwealth Financing Authority. Councilperson McCloud seconded the motion. Borough Council unanimously voted to approve Resolution 2022-07 to apply for funding.

Prior to the motion, Assistant Borough Manager stated the funding would be for an initiative “Downtown Elizabethtown: Development Planning and Early Implementation”. The initiative will include the creation of a Downtown Development Plan and implementation of activities to enhance crosswalk safety downtown with new lighted crosswalk signage and address safety issue by replacing the marquee at the former Moose building on Market Square in collaboration with the Marriage Hub / House on the Rock Family Ministries. Total project costs are currently estimated at \$350,000. The Borough's application will request 90% of total project costs (\$315,000) from the state and indicate that there is a 10% (\$35,000) local match in place.

Councilmember McCloud asked who would provide the 10% match. Roda replied that the application is underdevelopment, including the match. Roda added that staff will provide an update at the next meeting.

5. Councilmember McCloud motioned to accept the 2021 Annual Audit as presented on February 17, 2022 and for the concise audit statement be published in a paper of general circulation. Councilperson Hynicker seconded the motion. Borough Council unanimously voted to accept the 2021 Annual Audit and print the concise audit statement.

New Business

1. Councilmember McCloud motioned to award the construction contract to Ebersole Excavating, Inc. for the bid amount of \$374,544.00 contingent on: LCRA's review and approval of the bids for compliance with the United States Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) requirements; and, Receipt of acceptable Performance and Payment Bonds, Certificates of Insurance, executed Agreements and any other information identified in the Contract Documents. Councilperson Hynicker seconded the motion. Borough Council unanimously voted to award the construction contract to Ebersole Excavating, Inc. for the bid amount of \$374,544.00 with the stated contingences.

The other bids received, through PennBID, for the project included:

- Farhat Excavating, LLC - \$381,000.00
- Wexcon, Inc – \$391,822.00
- Barrasso Excavation Inc - \$546,001.00

2. Vice President Clark motioned to award a contract to Flyway Excavating Inc in the bid amount of \$24,705 for bridge work. Councilperson Shaud seconded the motion. Borough Council unanimously voted to award the construction contract to Flyway Excavating Inc in the bid amount of \$24,705 for bridge work.

The other bids received, through PennBID, for the project included:

- JDI Site Solutions LLC- \$30,874.99
- Lobar Site Development - \$38,466.00
- Mar-Allen - \$44,888.00
- Construction Masters Services, LLC - \$49,930.00
- JVI Group Inc - \$56,100.00

3. Councilperson McCloud motioned to award the 2022 Stone Contract to Pennsy Supply at the provided (price per ton delivered) bid amounts

- PA-2A Subbase - \$12.78
- AASHTO #8 (1B) - \$20.28
- AASHTO #57 (2B) – \$17.28
- AASHTO #3 (3A) – \$17.28
- Stone Dust – \$16.28

and a calculated total of \$37,804.80. Councilperson Shaud seconded the motion. Borough Council unanimously voted to award 2022 Stone Contract to Pennsy Supply at the provided (price per ton delivered) bid amounts.

The other bid received for the project was from R.E. Pierson Materials:

- PA-2A Subbase - \$13.40
- AASHTO #8 (1B) - \$18.40
- AASHTO #57 (2B) – \$16.40
- AASHTO #3 (3A) – \$16.40
- Stone Dust – \$13.40

at a calculated total of \$38,244.

4. Vice President Clark motioned to award the sale of the 2010 Crown Victoria Police Interceptor to Joe Huber of NY for \$5,100. Councilperson Hynicker seconded the motion. Borough Council unanimously voted to award of the 2010 Crown Victoria Police Interceptor.
5. Councilperson McCloud motioned to approve the Memorandum of Understanding with Lancaster County Conservation District. Councilperson Hynicker seconded the motion. Borough Council unanimously voted to approve the Memorandum of Understanding with Lancaster County Conservation District.
6. Assistant Borough Manager Roda stated the Pathway Project is progressing and staff is nearing a point of having a final let date and notice to proceed date from PennDOT. Preliminary dates have the project completing by November 2022.
7. Councilperson Moss motioned to reject the payment agreement for payment of outstanding fees owed on residential rental property. Councilperson Shaud seconded the motion. Borough Council unanimously voted to reject the payment agreement.
8. Vice President Clark motioned to authorize the Elizabethtown Fire Department Special Fire Police to provide security, traffic, and crowd control related to preparations for the Penryn Fire Company Mud Sale on Saturday, March 19, 2022 and for future requests of Fire Police to be deferred to the Elizabethtown Fire Department Fire Chief. Councilperson McCloud seconded the motion. Borough Council unanimously voted to authorize the Elizabethtown Fire Department Special Fire Police to provide security, traffic, and crowd control related to preparations for the Penryn Fire Company Mud Sale on Saturday, March 19, 2022 and for future requests of Fire Police to be deferred to the Elizabethtown Fire Department Fire Chief.

Mayors Remarks

Mayor Mummert commented on an upcoming meeting of the Lancaster County Borough Association.

Council Remarks

Councilmembers commented on future improvements to FunFort.

President Hershey announced that there will be a meeting on NWEMS on March 30, 2022 with location and time details to be provided. Hershey provided thoughts and prayers to the Bierly family with the passing of Meade Bierly.

Adjourn

The meeting was adjourned by President Hershey, without objection, at 8:17 PM.

Respectfully Submitted,

Rebecca S. Denlinger
Borough Manager

Note: Meeting minutes were drafted by Assistant Borough Manager Ann Roda on behalf of Rebecca S. Denlinger. Denlinger was absent from the meeting.