

**ELIZABETHTOWN BOROUGH COUNCIL**  
**PUBLIC MEETING**  
**October 5, 2023**  
**Minutes**

A public meeting of Elizabethtown Borough Council was held on Thursday, October 5, 2023. Present were Councilpersons Tom Shaud, Jay Hynicker, J. Marc Hershey and Phil Clark. Also present were Borough Manager Rebecca S. Denlinger, Assistant Borough Manager Ann Roda, Public Works Director Jeff Kinsey, Planning and Zoning Director Pam Roberts, and Elizabethtown Police Lieutenant Shane Deardorff. Councilmembers Lanty Moss and Jeff McCloud and Mayor Mummert were absent.

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

**Public Comment**

1. There was no public comment.

**Presentation**

1. Denise Grove, Executive Director for the Elizabethtown Area Chamber of Commerce (EACC) provided an update on EACC Activities. As part of the update a request for continued funding support of \$14,000 for 2024 was made.
2. Representatives from Elizabethtown Area School District and their development team attended the meeting to introduce the Stadium Renovations Land Development Plan to Borough Council. The presentation introduced the plan, reviewed requested modifications, and provided Borough Council the opportunity to ask they had on the project. Legal counsel for EASD requested Borough Council to consider accepting a bond without surety instead of a typical letter of credit. The attorney stated that instead of obtaining a Letter of Credit at the taxpayers' expense, EASD is hoping the Borough would consider accepting a bond without surety.

Borough Council had limited questions on the project but did ask if the project would raise taxes. Mr. Templin Athletic Director with Elizabethtown Area School District responded the project has been planned for several years and a tax increase would not be needed. Borough Council had no questions on the suggested bond without surety.

**Approval of Meeting Minutes**

1. After a motion by Councilperson Hynicker, and second by Councilperson Shaud, Borough Council voted unanimously to approve the September 21, 2023 Public Meeting minutes.

**Old Business**

1. Borough Manager Denlinger stated Elizabethtown Area School District had requested minor

changes to the School Resource Officer (SRO) Agreement to clarify chain of command for the SRO. Borough Council had no objections to the agreement changes.

It was motioned by Vice-President Clark to approve the School Resource Officer (SRO) Agreement with Elizabethtown Area School District. Councilperson Hynicker seconded the motion. By unanimous vote, Borough Council approved the SRO Agreement.

2. It was motioned by Vice-President Clark to approve Ordinance #1010 to accept Maize Circle and Broken Arrow Drive as a part of the public road system of Elizabethtown Borough. Councilmember Shaud second the motion. By roll call vote, Borough Council unanimously voted to approve Ordinance #1010 to accept Maize Circle and Broken Arrow Drive.

Following the acceptance of Maize Circle and Broken Arrow Drive, it was motioned by Vice-President Clark to approve Ordinance #1011 to set the traffic regulations of Maize Circle and Broken Arrow Drive. Councilmember Shaud second the motion. By roll call vote, Borough Council unanimously voted to approve Ordinance #1011 to set traffic regulations for Maize Circle and Broken Arrow Drive.

3. It was motioned by Vice-President Clark to approve the requested modifications in relation to the Final Subdivision and Lot Add of Plan for Burkholder Builders prepared by DC Gohn Associates, dated December 19, 2022, last revised September 28, 2023.

The requested modifications are as follows:

1. Chapter 17, Section 307.4.A(4) - Inlets/Manholes at Points of Change
2. Chapter 17, Section 307.4.B(2)(d) - Minimum Pipe Diameter under Vehicular Loading
3. Chapter 17, Section 307.4.B(3)(d) - Minimum Pipe Diameter under Non-Vehicular Loading
4. Chapter 22, Section 303.A - Preliminary Plan
5. Chapter 22, Section 602.4.D - Double Frontage Lot

Councilmember Shaud second the motion. By unanimous vote, Borough Council approved Burkholder Builder Maize Circle Subdivision and Land Development Plan.

Vice-President Clark then moved to approve the Plan entitled Final Subdivision and Lot Add of Plan for Burkholder Builders prepared by DC Gohn Associates, dated December 19, 2022, last revised September 28, 2023, subject to the following conditions and, upon satisfaction of such conditions, authorize execution and release of such plan:

1. Addressing the comments from the Lancaster Civil review letter dated October 4, 2023.
2. Addressing and satisfy the comments from the Borough Solicitor review letter dated December 29, 2022.
3. Submission and approval of an amended HOA agreement for Conoy Crossing Phase 4-5.
4. Developer will submit the numbers for the proposed units to Borough staff to review and approval before installation.

Councilmember Shaud second the motion. By unanimous vote, Borough Council approved the Plan entitled Final Subdivision and Lot Add of Plan for Burkholder Builders.

4. Borough Manager Denlinger explained that a first draft of the Fiscal Year 2024 budget is provided. She added that there are still several areas in which staff are working to finalize line items such as information technology and the refuse and recycling expenditures. President Hershey thanked staff for the draft and asked for a more complete version to be provided by October 19, 2023 for a review to begin on October 26, 2023. He asked for a full capital projects list, vehicle replacement schedule and refuse and recycling and sewer rates to be provided.

### **New Business**

1. Assistant Borough Manager requested Borough Council consider the closing of the Construction Fund Account. She stated the account is currently with PLGIT and should be closed given recent fraudulent activity that has occurred. No funds were lost through the fraudulent activity and EPD is investigating. Councilperson Shaud motioned to close the Construction Fund Account. Councilperson Hynicker seconded the motion. By unanimous vote, Borough Council approved the closure of the Construction Fund Account.
2. With regret Vice-President Clark accepted the resignation of Borough Manager Rebecca S. Denlinger effective October 20, 2023. Councilperson Hynicker seconded the motion. By unanimous vote, Borough Council accepted the resignation of Borough Manager Rebecca S. Denlinger.
3. It was motioned by Councilperson Shaud to appoint Ann Roda as the Borough Manager and Secretary/Treasurer effective October 21, 2023. Councilperson Hynicker seconded the motion. By unanimous vote, Borough Council appointed Ann Roda as the Borough Manager and Secretary/Treasurer.
4. It was motioned by Councilperson Shaud to appoint Pamela Roberts as Assistant Borough Manager and Assistant Borough Secretary/Treasurer, effective October 21, 2023. Councilperson Hynicker seconded the motion. By unanimous vote, Borough Council appointed Ann Roda as the Pamela Roberts as Assistant Borough Manager and Assistant Borough Secretary/Treasurer.
5. Through a formal motion of Councilperson Shaud, and a second by Hynicker, the following appointments were made:
  - a. Ann Roda as the Borough Representative to the Elizabethtown Area Chamber of Commerce effective October 21, 2023.
  - b. Ann Roda as the Borough Open Records Officer, effective immediately.
  - c. Pamela Roberts as the Borough Assistant Open Records Officer, effective immediately.
  - d. Ann Roda to the Elizabethtown Development Authority effective as of October 6, 2023.

By unanimous vote, Borough Council approved the appointments.

### **Mayor Remarks**

- Mayor Mummert was not present for the meeting.

### **Council Remarks**

- Councilperson Hynicker thanked Rebecca for her time and service to the Borough and wished her well in her new position.
- Councilperson Shaud thanked Rebecca for her direction and hard work and congratulated Ann and Pam on their appointments.
- Vice President Clark thanked the public for attending and thanked Rebecca for her service to the borough.
- President Hershey echoed the comments of others for Rebecca, Ann, and Pam.

### **Adjourn**

Prior to adjourning the meeting, President Hershey stated that Borough Council would meet in an Executive Session after the meeting to discuss a personnel matter.

President Hershey adjourned the meeting, without objection, at 7:47 PM.

Respectfully Submitted,

Rebecca S. Denlinger  
Borough Manager