

**ELIZABETHTOWN BOROUGH COUNCIL
REGULAR MEETING
February 21, 2019
Minutes**

The regular meeting of Elizabethtown Borough Council was held on Thursday, February 21, 2019 at 7:00 p.m. at the Borough Office. Present were Council members, Bill Troutman, Tom Shaud, J. Neil Ketchum, Jr., J. Marc Hershey, Phil Clark, and Jeff McCloud. Also present were Borough Manager Roni Ryan, Assistant Borough Manager Ann Roda, Police Chief Ed Cunningham, Public Works Director Jeff Kinsey and Mayor Chuck Mummert.

President Hershey called the meeting to order at 7:00 p.m. and noted that council held an Executive Session at 6:15 p.m. to discuss a police personnel matter.

Public Comment

1. Beverly Gill, 436 Highlawn Avenue, asked council if there was any way to change the law in how trapping and displacement of animals is handled in the Borough. She stated that she is seeking to find a more acceptable manner. President Hershey requested that borough staff follow-up to see if trapping is being handled within the borough's ordinance.

Approval of Meeting Minutes

After a motion by Clark, second by Ketchum, minutes of the following meetings were unanimously approved:

1. Regular Meeting - January 17, 2019
2. Work Session Meeting - February 7, 2019

Presentations

1. Mayor Mummert presented a proclamation to members of the Elizabethtown DeMolay. The proclamation stated that March is observed as DeMolay month.
2. Nicole Cradic and Sean Post of Trout, Ebersole & Groff provided a recap of the independent auditors' report for the year ending December 31, 2018. Cradic reported that there were no findings and once again the audit resulted in a clean unmodified opinion and Post provided a detailed review of receipts and disbursements for all funds.

President Hershey asked about the Police Training Fund and if it should be separate or combined with the General Fund. Post responded that the standard practice is to keep the two funds separate based on how the use of federal funds is mandated. President Hershey then requested borough staff to provide council with a list of what can be paid for from the police training fund.

President Hershey noted that the actuarial valuation listed for the police pension fund was listed as January 1, 2017 and asked if there was an updated number. Post responded that

the review is done every two years.

Councilmember McCloud asked what unmodified opinion meant. Cradic responded that it meant everything is presented how it is supposed to be presented and there are no discrepancies or questions.

It was noted by Borough Manager Ryan that following the presentation, Borough Council would act on the approval or rejection of the audit at a future meeting.

Reports

1. The Financial Report was unanimously approved after a motion by McCloud and second by Troutman.
2. There were no questions on the Code Enforcement report.
3. The Fire Company responded to 42 calls during the month of January, 11 of which were in the Borough, with an average response time of 5 minutes 23 seconds.
4. Northwest EMS responded to 122 Borough calls during the month of January.

Old Business

1. It was motioned by Ketchum, seconded by Troutman, to approve Resolution 2019-1 authorizing the filing of a Redevelopment Assistance Capital Program grant application on behalf of Elizabethtown College and entering into a cooperation agreement with Elizabethtown College for the administration of the grant.

Councilmember McCloud asked if the resolution was for the grant and the agreement. Borough Manager Ryan noted that it was for both.

The motion carried unanimously.

New Business

1. It was motioned by Clark, seconded by Shaud, to approve Resolution 2019-2 adopting the 2019 Lancaster County Hazard Mitigation Plan. The motion carried unanimously.
2. It was motioned by McCloud, seconded by Clark, to approve the appointment of Eric E. Kopp II as Alternate Zoning Hearing Board member effective March 1, 2019 to fill an unexpired term to December 31, 2021. The motion carried unanimously.
3. It was motioned by Clark, seconded by Troutman, to approve the request by an Elizabethtown resident for a temporary waiver of sanitary sewer and trash fees from March 2019 to March 2020 during military deployment. The motion carried unanimously.

4. It was motioned by McCloud, seconded by Troutman, to reject a request for the waiver of a \$91.53 late fee for the fourth quarter 2018 sanitary sewer payment for 45 N. Market Street.

Councilmember Clark asked how many requests borough staff have authorized. Borough Manager Ryan noted that staff does not have the authority to waive late fees once the date has passed. Any such request would need to be provided in writing and presented to Borough Council for consideration.

The motion carried unanimously.

5. It was motioned by Shaud, seconded by McCloud, to approve Resolution 2019-3 approving the disposition of records in accordance with the Municipal Records Manual of December 16, 2008 (as amended July 3, 2009). The motion carried unanimously.
6. Borough Manager Ryan stated that the sidewalk discussion was a continuation of the February work session regarding pedestrian accommodations on a section of S. Mount Joy Street. She noted from the discussion there likely could be two options that council could consider. One option could be that Council decides to install pedestrian accommodations on this section of S. Mount Joy Street this year. Another option could be to delay the decision of this particular street and discuss sidewalk connectivity overall in the Borough and consider options for construction and future installation if warranted.

It was identified, by Ryan, that staff is drafting an update to the sidewalk ordinance to clarify current specifications and details for sidewalk construction and that Section 107 outlines streets which have been exempt from the requirement of sidewalks over the years. In preparation of the ordinance update the list was provided to Council so it could be reviewed and changes could be incorporated as needed. Ryan also stated that prior to the meeting the property owners along S. Mount Joy Street were notified of the meeting and agenda topic and two property owners were in attendance.

President Hershey remarked to councilmembers that there should be discussion of the plans that have been designed by the engineer and decision of how to proceed. Councilmember Clark stated that the concept is worth looking into and implementing it on S. Mount Joy Street would be allow for the design to be monitored for functionality then determine if it could be used elsewhere.

One of the property owners asked if the pedestrian accommodation would be a painted area or a sidewalk. Both property owners suggested that maybe a painted area should be tested rather than a permanent area. And, both were concerned with the costs and wanted to understand who would be paying for the work.

The pedestrian accommodation was described as a slanted curb with a blacktop top that it would be permanently installed in the cart way. By installing it in the cart way

it would avoid existing trees, walls, utilities etc. It would also provide a physical distinction to the walkway where a painted area is just visual. Also, through the discussion it was noted that sidewalks are typically installed as part of land development but that wasn't always the case historically with S. Mount Joy being an example.

Councilmember Troutman noted that if the installation is not done now it could impact downspouts when the street is paved. Borough Manager Ryan responded that to mill the section of road it would be roughly \$9,000. She also added that in the past there have been examples where a new ramp or sidewalk being installed the borough covers the cost and then any future maintenance would be the responsibility of the property owner.

Councilmember Clark asked what the life expectancy of the walkway would be since it would be a blacktop top and streets are typically repaved every 20 years. Public Works Director Kinsey responded that it would depend on the foundation. He noted that it would have the same thickness of paving and would not be the same type of pathway as found in the park.

Councilmember Ketchum noted that he was one of the property owners and as a resident has some questions on the placement in relationship to existing property features and costs. As a councilmember he conceptually favors the pedestrian connection provided by the walkway. And, Councilmember McCloud offered his support for the concept as a runner and a coach noting the walkway provides safety for pedestrians while not disturbing existing properties, trees and such.

Resident Richard Sheidy asked if blacktop can be used as a sidewalk surface. Borough Manager Ryan noted that the use of blacktop would be an ordinance revision but its use would be by special request similar to other material such as brick. Concrete would still be the standard.

7. It was motioned by McCloud, seconded by Troutman, to approve the installation and payment by the Borough of a pedestrian walkway on South Mount Joy Street from Ridge Road to Ridgeview Avenue and authorize staff to prepare contracts for construction. Councilmember Ketchum abstained. The motion carried unanimously.
8. It was motioned by Ketchum, seconded by Shaud, to approve a 45-day extension for the review of the AutoZone Land Development Plan for a new expiration date of April 19, 2019. The motion carried unanimously.
9. It was motioned by McCloud, seconded by Troutman, to approve payment in the amount of \$284,189.23 to eciConstruction, LLC for work performed on the Elizabethtown Public Works Garage (Invoice No.30.18062.4). The motion carried unanimously.

Bills Payable

Motion by McCloud, second by Troutman, to pay the bills and budgeted transfers as presented:

General Fund.....	\$162,262.81
Sewer Fund	\$204,174.66
Capital Reserve Fund.....	\$314,280.64
Train Station Fund.....	\$1,466.30
Subdivision Escrow Fund.....	\$2,226.77
Health Insurance Fund.....	\$132,605.38
Parks Fund.....	\$3,572.56

The motion carried unanimously.

Adjourn

Following a motion by Shaud, second by Troutman, the meeting unanimously adjourned at 8:27 p.m.

Respectfully Submitted,

Roni Ryan
Borough Manager

