

**ELIZABETHTOWN BOROUGH COUNCIL  
WORK SESSION MEETING**

**March 7, 2019**

**Minutes**

The Work Session Meeting of Elizabethtown Borough Council was held on Thursday, March 7, 2019 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, Public Works Director Jeff Kinsey, Planning and Zoning Director Pamela Craddock, Police Chief Ed Cunningham and Mayor Chuck Mummert.

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

Public Comment

There was no public comment.

Administration

**1. Public Works Garage Construction Update**

Mark Binkley, Fidevia Construction Management & Consulting, provided an update on the Public Works Garage Construction. Mr. Binkley also presented two change orders to borough council for consideration. Greg Holland with Century Engineering as well as Serena Wray and Peter Kerekgyarto also attended the meeting to answer questions pertaining to the change orders.

Mr. Binkley noted that the steel frame of the building was constructed and about 35-40 % of roof has been installed. The initial site work has been completed and underground utilities have been installed. It was noted that the contractor encountered unsuitable soil below subgrade that needed to be removed and that more details would be provided on the issue at a future meeting.

- a. It was motioned by Shaud, seconded by Troutman, to approve Change Order #3 for the Elizabethtown Public Works Garage Project in the amount of \$4,268.00 for shop drawing review changes. The motion carried unanimously.

Mr. Binkley noted that the change order was a result of revisions that were needed between the drawings and the manufacture. The column of the building is larger than shown on the plans and column and finishes needed to be revised to reflect the larger column.

- b. It was motioned by Troutman, seconded by McCloud, to approve authorizing the Borough Manger to execute pending Change Order #4 for the Elizabethtown Public Works Garage Project in an amount not to exceed \$165,730.00 for storage shed revisions. The motion carried with President Hershey opposing the motion.

Councilmembers asked a number of questions pertaining to the change order and the cost of the revisions. They wanted to understand how and why the revision was necessary and requested information on why this wasn't captured during design. While councilmembers moved a motion to approve the change order, they did reserve the ability to discuss further any potential legal options for errors and omissions.

Binkley, Holland and Wray provided responses to the questions posed. They provided an overview from project/bid design and how the revisions alter the original design.

## **2. LERTA Ordinance**

Borough Manager Ryan provided an overview of the LERTA program that was adopted in 2014 and set to expire in May 2019. The LERTA is enacted in cooperation among Elizabethtown Borough, the Elizabethtown Area School District, and Lancaster County. All three entities agreed to adopt the LERTA for certain tax exemptions for three specific downtown properties in 2014. In 2014 the Elizabethtown Area Chamber of Commerce took the initiative to coordinate with the three public entities for adoption of the LERTA. It was noted that to date no applications have been received for LERTA.

Councilmember Troutman asked how LERTA worked. Ryan explained that when an application is received the applicant is applying for a tax exemption. The county assessment office identifies the difference between the original value and the new value and if approved the applicant pays that difference for ten years.

Following the discussion staff was directed to speak with the Chamber on coordination interest and begin the discussion with the school district and county to extend the LERTA program for another 5 years.

## **3. Borough Facilities Discussion**

Borough Manager Ryan provided an update and noted that appraisals were completed for 600 S. Hanover Street, 620 S. Hanover Street and 101 Plum Street and staff is in discussions with the architect to update and confirm architectural design, structural & MEP engineering, and construction costs.

President Hershey added that the Fire Company is completing their own feasibility study on their individual expansion of 171 N. Mount Joy Street. The feasibility study is expected to be completed in April.

## **4. NWEMS Funding Update**

President Hershey provided an update on the NWEMS meeting that was held on February 13, 2019. The meeting focused on financial needs of NWEMS in an effort to

have the discussion before the funding need is dire. Additional meetings will be held and future updates will be provided.

**5. Proposed Ordinance #991 amending the Borough's Code of Ordinances addressing truck restrictions in the Borough and curb and sidewalk installation.**

Planning and Zoning Director Pam Craddock provided an overview of the proposed ordinance. In the proposed ordinance there are two separate sections from the Borough's Code of Ordinances. These include: updating truck restrictions on certain streets; and, updating specifications for curb and sidewalk installation. They are combined in one proposed ordinance for efficiency in administrative and advertisement costs. The exhibits in the proposed curb and sidewalk ordinance amendment are updated to reflect current construction standards and to utilize current technology to make the exhibits clear and easier to read. It was noted that the proposed ordinance will appear on the March 21st public meeting agenda for advertisement.

Councilmember Ketchum requested a red-lined version of the draft ordinance so proposed revisions can be reviewed. And, councilmember Troutman asked if they needed to act on the proposed ordinance now or could wait until the pathway on S. Mount Joy Street is complete. Borough Manager Ryan responded that the proposed ordinance would not impact the work on S. Mount Joy Street and council could determine at a later time if revisions are needed for streets that are exempt from sidewalks.

Resident Richard Seidy asked if the truck ordinance addressed brake retardants. It was explained that the proposed ordinance does not address brake retardants. It was explained that the use of brake retarders may not be prohibited by a local authority unless prior written approval is obtained from the Department of Transportation.

**Police Department**

**1. Monthly Report**

Chief Cunningham presented the police department's monthly. He noted the officer's response to a number of weather-related calls as well as the department's participation in a training session that was held at Elizabethtown College.

President Hershey announced that following the adjournment of the meeting Council would hold an Executive Session for safety training.

After a motion by Clark, seconded by McCloud, the meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

Roni Ryan

Borough Manager