

ELIZABETHTOWN BOROUGH COUNCIL
REGULAR MEETING
May 16, 2019
Minutes

The regular meeting of Elizabethtown Borough Council was held on Thursday, May 16, 2019 at 7:00 p.m. at the Borough Office. Present were Council members Bill Troutman, Tom Shaud, 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, Planning and Zoning Director Pam Craddock and Mayor Chuck Mummert. Absent was J. Neil Ketchum, Jr.

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

Public Comment

There was no public comment.

Approval of Meeting Minutes

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

1. Regular Meeting – April 18, 2019
2. Work Session Meeting – May 2, 2019

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 63 calls during the month of April, 20 of which were in the Borough, with an average response time of 4 minutes 57 seconds.
4. Northwest EMS responded to 104 Borough calls during the month of April bringing the total year to date calls to 433.

Presentation

1. Deb Drury provided an update on the Elizabethtown Public Library in which she used an analogy between mangos and library focusing on the benefits each provide. She highlighted existing and upcoming programs and included statistics on library usage. Board members were introduced and council was thanked for their commitment to the library.

Old Business

1. It was motioned by Clark, seconded by Shaud, to approve Ordinance # 992 amending the Rules and Regulations for the Civil Service Commission in the Elizabethtown Borough Code of Ordinances. Following a roll call vote, the motion carried unanimously.

Michael Hensch, Chair of the Civil Service Commission, noted that the Commission met on Tuesday, May 14, 2019. They reviewed the ordinance revisions and did not have any questions or objections.

2. It was motioned by McCloud, seconded by Troutman, to approve Ordinance # 993 extending the existing Local Economic Revitalization Tax Assistance (LERTA) Program. Following a roll call vote, the motion carried unanimously.

President Hershey asked about the next steps with the ordinance. Borough Manager Ryan stated that the school board and the county would receive a copy of the ordinance for consideration. Councilmember McCloud asked if the borough has any indication from the school or county on the extension. Ryan noted that she has had preliminary discussions with representatives but has not heard anything on their potential next steps. Councilmember Clark asked if approval from all three is necessary and if the tax assistance applies to the building or parcel. Ryan responded that approval does not have to be across the board and that the tax assistance applies to the parcel. It was also noted that the assistance is based on the difference between original value and value when improvements are made.

3. It was motioned by Clark, seconded by Troutman, to approve the Non-Uniformed Employee Personnel Policy dated May 16, 2019. The motion carried unanimously.

New Business

1. It was motioned by Shaud, seconded by Clark, to approve a waiver request from the property owner at 53-61 E. Washington Street from the allocation of an additional sanitary sewer EDU and payment of the accompanying connection fee of \$2,017 for the new construction building planned at this address. Approval is upon the condition that the building be added to the billing records as one commercial unit to receive quarterly invoices for sanitary sewer usage. The motion carried unanimously.

President Hershey asked if the two residential and two commercial units should be altered to all residential or all commercial. Doug Lamb, the representative for United Churches, provided an explanation on the intended use of the buildings. Borough Manager Ryan noted that staff felt the units are adequate now based on the anticipated water usage and once the building is complete can be further reviewed if needed. Councilmember Troutman asked about ownership of the property. Mr. Lamb responded that United Churches Elizabethtown Area owns the property.

2. It was motioned by Clark, seconded by McCloud, to approve engaging the services of Cohen Law Group to assist in the franchise renewal negotiations with Comcast of Southeast Pennsylvania, LLC. The motion carried unanimously.

Councilmember McCloud noted that the audit is timely to ensure the Borough is being paid appropriately for the right of ways. Councilmember Troutman asked if the contract allows only Comcast to use the right of ways or if other providers can locate in the same area. Borough Manager Ryan noted that the contract will need to be reviewed to answer that question. President Hershey noted that with the contract renewal it should allow for consumers to have options.

3. It was motioned by Troutman, seconded by Shaud, to approve the 2019 Memorandum of Understanding with Lancaster County Conservation District. The motion carried unanimously.

President Hershey asked if this MOU is expanded for MS4 requirements. Borough Manager Ryan noted that the responsibilities have not changed specifically for MS4. Planning and Zoning Director Craddock added that for MS4 requirements the Borough has the district listed as a responsible entity that can complete inspections. The inspection responsibility is part of the MOU for any project located in the borough.

4. It was motioned by McCloud, seconded by Troutman, to approve payment in the amount of \$375,599.22 to eciConstruction, LLC for work performed on the Elizabethtown Public Works Garage (Invoice No.30.18062.7 and Invoice No.30.18062.8). The motion carried unanimously.
5. It was motioned by Troutman, seconded by Shaud, to approve Resolution 2019-4 declaring the Borough's intent to reimburse its General Fund and capital reserve funds from future borrowed funds for expenditures related to its Borough facilities project. The motion carried unanimously.

President Hershey asked if this resolution expires and if it just covers costs associated with 56 N. Market Street. Borough Manager Ryan responded that the resolution is for three years which is in line with the terms of financing requirements and is written for borough facilities which can include more than one project.

6. It was motioned by Clark, seconded by McCloud, to approve a contract with Conrad Siegel of Harrisburg, PA for pension plan investment advisory, custodial and management services for the Borough's Non-Uniformed Employees' Pension Plan and the Police Pension Plan. The motion carried unanimously.

Borough Manager Ryan provided an overview that six (6) proposals for pension plan investment, advisory, and custodial services were received. The proposed annual fees ranged from an estimated \$29,400 to \$93,500 with some of the fees being a flat fee and others were sliding scale based on assets held in the pension plans. The proposals provided a mix of investment strategies were proposed ranging from index fund focused

to heavily managed accounts. It was noted that Conrad Siegel currently provides pension investment advisory services to 25 municipalities in PA. The proposal was complete to the instructions in the RFP; and, the accompanying documents were simple, clear, and concise and demonstrated an understanding of the unique long-term investment needs of a municipality.

7. It was motioned by Troutman, seconded by Shaud, to approve a 60-day extension of time for review of the Village Green Apartment Complex Preliminary/Final Land Development Plan for a new expiration date of August 22, 2019. The motion carried unanimously.

Bills Payable

It was motioned by McCloud, seconded by Troutman, to approve the list of monthly bills and budgeted transfers as presented:

General Fund	\$160,867.80
Sewer Fund	\$129,532.20
Capital Reserve Fund	\$4,009.19
Construction Fund	\$392,071.40
Train Station Fund	\$1,046.39
Subdivision Escrow Fund	\$21,058.60
Health Insurance Fund	\$72,658.71

The motion carried unanimously.

Adjourn

President Hershey noted that Council would be meeting in executive session to discuss a legal matter and real estate matter.

Following a motion by Shaud, second by Clark, the meeting unanimously adjourned at 7:42 p.m.

Respectfully Submitted,

Roni Ryan
Borough Manager