

**ELIZABETHTOWN BOROUGH COUNCIL
REGULAR MEETING
February 15, 2018
Minutes**

The regular meeting of Elizabethtown Borough Council was held on Thursday, February 15, 2018 at 7:00 p.m. at the Borough Office. Present were Councilmembers Bill Troutman, Tom Shaud, J. Marc Hershey, Phil Clark and Jeff McCloud. Also present were Borough Manager Roni Ryan, Assistant Borough Manager Ann Roda, Public Works Director Wayne DeVan, Planning and Zoning Director Pamela Craddock, Police Chief Ed Cunningham, and Mayor Chuck Mummert. Absent was Council member J. Neil Ketchum, Jr.

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

Weis Liquor License Inter-Municipal Transfer Public Hearing

Ellen M. Freeman, Esq. with Flaherty & O'Hara PC and Tim Snyder, Senior Manager with Weis Inc. attended the public hearing and provided an overview regarding the Inter-Municipal Transfer of a Liquor License request.

President Hershey asked how PLCB would view the license transfer if a portion of the store is in Mt. Joy Township. Ms. Freeman indicated that PLCB would look at where the majority of the store is located. Clark asked how many stores operated by Weis have a liquor license. Mr. Snyder answered that of 204 stores, 56 cafes are operated. McCloud asked if this would add footprint to the store. Mr. Snyder responded that the license would not add to the footprint of the store. There was no public comment, and at 7:15 p.m. the public hearing was closed.

Action Item:

It was motioned by Clark, seconded by McCloud, to approve Resolution 2018-2 approving the inter-municipal transfer of Liquor License No. R-17793 from Liquor Control Board to Weis Markets, Inc. for 1629 South Market Street. Motion carried unanimously.

Public Comment

1. Carol Witmer, 129 North Maple Street, requested an update on how the borough was handling properties listed as Air BNB's on the Air BNB website. Council President Hershey and Planning & Zoning Director Craddock noted the adoption of the ordinance and correspondence regarding the regulations sent to identified property owners.

Approval of Minutes

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

1. Regular Meeting - January 18, 2018
2. Regional Elected Officials Meeting – January 31, 2018
3. Work Session Meeting - February 1, 2018

Presentations

1. Mayor Mummert presented a Proclamation to the Elizabethtown DeMolay in honor of the 99th anniversary of the Order of DeMolay and recognized March as *DeMolay Month*.
2. David Madary of Derck & Edson Associates presented the Elizabethtown College Fitness and Wellness Center Final Land Development Plan. Mr. Madary also presented three map overlays that demonstrate existing and future plans for the pedestrian and bicycle access and connections internal and external to campus. It was noted that the pedestrian pathway along Campus Road would be completed by 2022.

President Hershey asked when the college planned begin construction to which Mr. Madary answered the college seeks to begin construction in April 2018 and be completed June 2019. McCloud asked for clarification on the track size and it was noted to be 180 meters. Borough Council deferred action on the plan until the March 1, 2018 Borough Council Work Session.

3. Mayor Mummert presented the Elizabethtown Police Department peer 2017 Officer of the Year recognition to Detective Dustin Ryan.

Reports

1. The Financial Report was unanimously approved after a motion by McCloud and second by Troutman.
2. The Code Enforcement Report was provided as an informational item and there were no questions.
3. The Fire Company responded to 84 calls during the month of January, 23 of which were in the Borough, with an average response time of 5 minutes 39 seconds.
4. There was no monthly report for Northwest EMS.

Old Business

1. It was motioned by McCloud, seconded by Troutman, to approve the Financial Statements and Annual Audit 2017 as presented by Trout, Ebersole & Groff at the February 1, 2018 work session meeting. Motion carried unanimously.
2. Clarifications for Conoy Crossing:
 - a. It was motioned by Clark, seconded by McCloud, to clarify that Borough Council approved a deferral, not a waiver, for sidewalks for the Conoy Crossing development adjacent to the Cheryl Espenshade property. Sidewalks will be required by Conoy Crossing when the Espenshade property is developed. Motion carried unanimously.
 - b. It was motioned by McCloud, seconded by Troutman, to clarify that the \$100 per unit fee in lieu of land dedication for parks and recreation is acceptable for the remaining phases of the development. Motion carried unanimously.
3. Requests from Conoy Crossing:
 - a. It was motioned by McCloud, seconded by Troutman, to defer a decision on the timing and conditions of dedication of Masonic Drive following completion of Phase 3. Motion carried unanimously.
 - b. It was motioned by Clark, seconded by Troutman, to defer a decision on the request for relief of the improvement guarantee requirement for the shared portion of potential

warranted improvements at the Maytown Avenue and Market Street intersection. Motion carried unanimously.

- c. It was motioned by McCloud, seconded by Clark, to reject the request to provide relief from the inclusion of certain features, specifically landscaping / street trees, right-of-way monumentation, street lights, and a 10% contingency, in the cost estimate for the required improvement guarantee for the construction of Masonic Drive. Motion carried unanimously.

Todd Smeigh of DC Gohn provided an update on discussions with ERSA and West Donegal Township (WDT) on the sewer lateral at Maytown Avenue. He was also asked on the timing of the construction of Masonic Drive at the Maytown Avenue intersection prior to Penn Dot resurfacing in 2018. Smeigh noted that the timeline is being discussed with ERSA and WDT in relation to the installation of utilities.

New Business

- 1. It was motioned by McCloud, seconded by Clark, to reject the written request by the property owner at 310 E. Bainbridge Street for a waiver of the \$35 inspection fee for uncleared sidewalks following a snow event. Motion carried unanimously.
- 2. It was motioned by Shaud, seconded by McCloud, to approve Resolution 2018-3 regarding the consideration of health in future policy development and implementation, budgeting, and delivery of services. Motion carried unanimously.
- 3. It was motioned by Clark, seconded by Troutman, to approve Resolution 2018-4 regarding the disposal of records in accordance with the Municipal Records Manual by the Pennsylvania Historical and Museum Commission (PHMC) Bureau of Archives and History as amended July 23, 2009. Motion carried unanimously.
- 4. It was motioned by Clark, seconded by Shaud, to replace the agenda item to extend the expiration date of the Corporal testing results with the approval to promote Officer Jesse Schlotzhauer to Corporal effective March 1, 2018. Motion carried unanimously.

Bills Payable

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

General Fund	\$194,023.67
Sewer Fund	\$ 74,825.77
Subdivision Escrow Fund.....	\$4,589.13

Motion carried unanimously.

Adjourn

Following a motion by Clark, second by McCloud, the meeting unanimously adjourned at 8:00 p.m.

Respectfully Submitted,

Roni Ryan
Borough Manager