

**ELIZABETHTOWN BOROUGH**  
**Lancaster County, Pennsylvania**

**RESOLUTION NO. 2021-13**

A RESOLUTION OF ELIZABETHTOWN BOROUGH AUTHORIZING  
SUBMISSION OF A REIMBURSEMENT REQUEST TO THE  
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR CHANGES  
TO THE SEWER SYSTEM OF THIS BOROUGH.

WHEREAS, the Pennsylvania Department of Transportation ("PennDOT") has determined to undertake a project to improve Market Street (SR 0230 Section 051) within the Borough of Elizabethtown, Lancaster County, Pennsylvania; and

WHEREAS, the PennDOT project requires adjustments to the Borough's manhole frames and covers which are presently located in public right-of-way; and

WHEREAS, this Borough has agreed to expedite the installation of manhole frames and manhole cover replacements for such portion of its sewer facilities via incorporation into the PennDOT project and desires to request that PennDOT reimburse it for costs associated with such installation of manhole frames and manhole cover replacements of the Borough's sewer facilities.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by Borough Council of Elizabethtown Borough, Lancaster County, as follows:

Section 1. In accordance with the requirements of the Pennsylvania Department of Transportation Design Manual – Part 5, Chapter 8.1.C, Elizabethtown Borough does hereby authorize the submission of the attached request for the Pennsylvania Department of Transportation to provide a 75.00 per centum reimbursement to Elizabethtown Borough for all costs, less any betterments, incurred in installing manhole frames and replacing manhole covers for our sewer facility affected by SR 0320, Section 051 Highway Improvement Project necessitated by the Pennsylvania Department of Transportation Highway Improvement in Lancaster County.

Section 2. The President or Vice President of Borough Council of this Borough is authorized and directed to sign a Utility Reimbursement Agreement on its behalf and the Secretary is authorized and directed to attest the President's or Vice President's signature on the Utility Reimbursement Agreement for this highway project.

Section 3. In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions,

sections, sentences, clauses or parts of this Resolution, it being the intent of the Borough that the remainder of the Resolution shall be and shall remain in full force and effect.

Section 4. This Resolution shall take effect and be in force immediately.

DULY ADOPTED this 16th day of December, 2021, by Borough Council of Elizabethtown Borough, Lancaster County, Pennsylvania, in lawful session duly assembled.

ELIZABETHTOWN BOROUGH  
Lancaster County, Pennsylvania

Attest: Rebecca S. Dief  
(Assistant) Secretary

By: [Signature]  
(Vice) President  
Borough Council

[BOROUGH SEAL]

## CERTIFICATE

I, the undersigned, (~~Assistant~~) Secretary of Elizabethtown Borough ("Borough") certify as follows: The foregoing is a true and correct copy of a Resolution which duly was adopted by affirmative vote of a majority of the members of Borough Council at a meeting of said Borough Council duly convened and held according to law on December 16, 2021, at which meeting a quorum was present; that such Resolution duly has been recorded in the minutes of Borough Council; and that said Resolution is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that Borough Council met the advance notice and public comment requirements of the Sunshine Act, 65 Pa. C.S. §701 et seq., as amended, by advertising the date of said meeting, by posting prominently a notice of said meeting at the principal office of the Borough or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting prior to adopting such Resolution.

IN WITNESS WHEREOF, I set my hand and affix the official seal of Elizabethtown Borough, this 16<sup>th</sup> day of December, 2021.

  
(Assistant) Secretary

[BOROUGH SEAL]