

ELIZABETHTOWN BOROUGH COUNCIL
WORK SESSION MEETING
May 6, 2021
Minutes

The regular meeting of Elizabethtown Borough Council was held on Thursday, May 6, 2021. For everyone's safety, the Borough Council meeting was held with the absolute minimum number of individuals gathered in person, employing both mandatory masks and maximum physical distancing measures. In person participants included Tom Shaud, Phil Clark, Bill Troutman, J. Neil Ketchum Jr., J. Marc Hershey, Police Chief Ed Cunningham, Mayor Mummert, Assistant Borough Manager Ann Roda, Planning and Zoning Director Pamela Roberts, and Public Works Director Jeff Kinsey. Staff member Borough Manager Rebecca S. Denlinger joined the meeting remotely using Zoom. Councilmember Jeff McCloud arrived at 7:30 p.m.

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

Public Comment

1. Timothy Runkle, 15 Teakwood Circle, requested that Borough Council: consider live streaming and recording council meetings and making the recording available on the Borough website; provide electronic record of proposed and final resolutions and make the information available on the Borough website; and, for Resolution 2020-06 on Racial Justice, Equity, and Action that Borough Council either rescind the resolution or carry through with the resolution and provide a section on meeting agendas focused on diversity, equity and inclusion initiatives.

Old Business

1. Borough Manager Rebecca Denlinger provided an update on the Engineer of Record Request for Proposals. She stated that an online survey was used to help coordinate the proposal review. Based on the RFP review it is recommended that Borough Council short-list and interview four firms: ELA, Hanover Engineering, Herbert Rowland and Grubic and Lancaster Civil / C.S. Davidson. Additionally, Denlinger asked Borough Council to identify two members to participate in the interviews.

Councilmember Troutman stated that his review of the proposals came to different recommendation but that all proposals outlined good qualifications, meet outlined criteria and didn't disagree with the recommended short-list. He did question the true costs of the proposals. President Hershey added that much of the pricing was similar and the short list represents those firms that have a closer proximity to the borough or conduct similar work in Lancaster County. Councilmember Shaud agreed with the points on costs and qualifications.

A question was asked how potential conflicts may be handled if an engineer is selected and represents both the borough and a surrounding municipality. Vice-President Ketchum added that the engineer would have a professional license that would address any conflicts that may arise. He added that he looked at those with proximity to the borough and those that may already have a working relationship with Lancaster County.

President Hershey stated that there was no opposition to the suggested short list and asked

Borough Council who would participate in the interviews. Councilperson Shaud stated he would participate and suggested the Vice-President Ketchum participate as well. Vice-President Ketchum agreed.

2. Denlinger stated that the Lancaster County Commissioners recently rescinded their Emergency Declaration. She added that at a previous public meeting, Borough Council discussed following the lead of the county in determining when to rescind the Borough's Emergency Declaration. It was added that the emergency declaration allowed the borough to make purchases outside of the normal procurement procedures but that the borough has not had to execute that option and rescinding would not have an impact to borough operations.

Councilperson Troutman asked if the rescinded emergency declaration would change Governor Wolf's May 31, 2021 lifting of mitigation orders except masking. Denlinger responded that it would not because the emergency declaration is for Elizabethtown Borough and the Governor's mitigation orders are statewide.

It was motioned by Clark, seconded by Troutman, to rescind the March 2020 Emergency Declaration. Motion passed unanimously.

President Hershey added that staff recently updated park signage that visitors continue to adhere to CDC and PA Dept of Health guidelines with respect to all COVID-19 mitigation measures for physical distancing, mask wearing, and other measures to protect the health of our residents and employees.

New Business

1. Public Works Director Jeff Kinsey provided an overview on Apple Alley Bridge and N. Cherry Alley Bridge. He stated that C.S Davidson recently completed a safe load capacity analysis and from the analysis it is recommended that weight limits for the bridges be posted. This recommendation would be an ordinance amendment to Chapter 15 (Motor Vehicles and Traffic), Part 3 (Restrictions on Size, Weight and Type of Vehicle and Load), Section 301 (Vehicle Weight Limits Established on Certain Streets and Bridges). President Hershey asked if Apple Alley is large enough for large vehicles to which Councilperson Shaud commented that dump trucks used to access Apple Alley.

It was motioned by Clark, seconded by Troutman, to advertise the ordinance amendment.

President Hershey asked if there were any other ordinance modifications that should also be advertised to which Denlinger responded that there were no other modifications at this time. Vice-President Ketchum asked what implications the weight restrictions would have in those areas. Kinsey responded that the weight restrictions may impact certain size trucks from crossing the bridge. President Hershey asked staff to reach out to Lucky Ducks restaurant and the trash hauler to make them aware of the potential ordinance amendment.

Motioned passed unanimously.

2. Assistant Borough Manager Ann Roda stated that the owner of 717-719 S. Market Street sent a letter petitioning Borough Council to allow them to maintain their trash hauler and not participate in the Borough's Residential Trash Program. Roda explained that prior to 2021 this

property had 3 rental units and 1 commercial unit. Based on the Solid Waste Ordinance the property could opt out and not participate in the Borough's Residential Trash Program because of the commercial unit. In 2021 this property switched to 4 residential units which changed the status of participating in the trash program. She added that at the time of the meeting staff is not aware of any setback or collection issues for the current dumpster that is servicing the property.

Vice-President Ketchum and Councilperson Troutman each shared concern of allowing the property to opt out and the precedent that might set. It was motioned by McCloud, seconded by Troutman, to deny the petition from the owner of 717-719 S. Market Street to maintain their own trash hauler. Motion passed unanimously.

President Hershey asked how the decision would be communicated to the resident. Roda responded that a letter would be sent.

3. Denlinger stated that the Borough and Mount Joy Township (MJT) Public Works Departments have identified a piece of equipment that they would like to purchase and share jointly for road work projects. The equipment is a 2008 Roadhog Milling Machine that would be used by the departments to mill pavement down and reduce material that needs to be stored and disposed. An agreement of the joint purchase would be drafted and the total cost of the equipment is \$26,780.

Councilperson Shaud spoke in favor of the purchase and noted that he has been suggesting this type of equipment purchase for years. President Hershey suggested that the agreement include something for maintenance and hours used. He also asked if this type of equipment would be something EAWA may be able to use. Kinsey replied that EAWA would not typically have a need for this type of equipment.

It was motioned by Ketchum, seconded by Troutman, to jointly purchase the 2008 Roadhog Milling Machine with Mount Joy Township and to execute a Memorandum of Understanding for the joint purchase and use. Motioned passed unanimously.

Prior to adjourning the meeting President Hershey stated that Borough Council would meet in an Executive Session following the meeting to discuss a Personnel Matter.

After a motion by Shaud, seconded by Ketchum, the meeting was adjourned at 7:48 p.m.

Respectfully Submitted,

Rebecca S. Denlinger
Borough Manager