

ELIZABETHTOWN BOROUGH COUNCIL
PUBLIC MEETING
May 18, 2023
Minutes

A public meeting of Elizabethtown Borough Council was held on Thursday, May 18, 2023. Present were Councilmembers Lanty Moss, Tom Shaud, J. Marc Hershey, Phil Clark, Jeff McCloud and Jay Hynicker and Mayor Chuck Mummert. Also in attendance were Borough Manager Rebecca Denlinger, Assistant Borough Manager Ann Roda, Public Works Director Jeff Kinsey, and Elizabethtown Police Department Chief Ed Cunningham.

Conditional Use Hearing for 449 and 451 West High Street

President Hershey opened the Conditional Use Hearing for 449 and 451 West High Street at 7:00 PM.

President Hershey stated on May 18, 2023, DeRosa Capital 7, LP, Applicant, communicated that they will be seeking a continuance of the Conditional Use Hearing scheduled for this evening. President Hershey then read the following letter from Barley Snyder, Legal Counsel for Applicant:

DeRosa Capital 7, LP, is hereby requesting a continuance of Elizabethtown Borough's hearing on its Conditional Use application from May 18, 2023, to June 15, 2023. Applicant will respond to the latest review letters prior to June 1, 2023.

Councilperson McCloud motioned to continue the hearing on the conditional use application of DeRosa Capital 7 LP relating to 449 and 451 West High Street until June 15, 2023, at 7:00 PM. Vice President Clark seconded the motion. Borough Council unanimously voted to continue the hearing on the conditional use application of DeRosa Capital 7 LP relating to 449 and 451 West High Street until June 15, 2023, at 7:00 PM.

President Hershey closed the Conditional Use Hearing at 7:04 PM.

CDBG Public Hearing

President Hershey opened the CDBG Public Hearing at 7:05 PM.

President Hershey stated the hearing was being held to discuss needs that should be addressed through funds available under Lancaster County's FY 2023 Community Development Block Grant (CDBG) Program. Elizabethtown Borough intends to submit two projects to the Lancaster County Redevelopment Authority to address needs identified by the Borough and contained in Lancaster County's 2016-2020 Consolidated Plan. Affected residents, property-owners, and other stakeholders were invited to attend and comment on the following: \$348,000 for replacement of a bridge located on S. Chestnut Street; \$301,660 for repairs to the N. Lime Street bridge and replacement of the bridge located on Hickory Lane.

President Hershey asked if anyone in the public had any questions or comments on either application. There were no questions or comments. President Hershey asked if any Borough Councilmembers had any questions or comments; there were no questions or comments.

President Hershey closed the CDBG Public Hearing at 7:07 PM.

President Hershey then called the Public Meeting to order at 7:08 PM. He stated that prior to the meeting Borough Council meet in an Executive Session to discuss a legal matter.

Presentation

Michael E. Peters, Legal Counsel for Ocean State Job Lot provided an overview of the Ocean State Job Lot Land Development Waiver Request. He explained the existing building space will be split into three spaces, Ocean State Job Lot will occupy space one and Harbor Freight and Planet Fitness will be located in the other two. There will be minor exterior work.

It was motioned by Councilperson Shaud to approve the Land Development Waiver Request from Ocean State Job Lots conditioned upon the Market Street Square subdivision plan being recorded included all related documents being executed and required financial security being posted. Vice President Clark seconded the motion. The motion was unanimously approved by Borough Council.

Public Comment

There was no public comment.

Approval of Meeting Minutes

After a motion by Councilperson Moss, second by Councilperson McCloud, Borough Council voted unanimously to approve the Public Meeting minutes for May 4, 2023.

Reports

1. Borough Council unanimously approved the Financial Report and PLIGT Report as submitted after a motion by Vice President Clark and second by Councilperson Hynicker.
2. There were no questions on the April 2023 Elizabethtown Police Department report. Chief Cunningham stated that thefts were higher for the month given a rash of car break ins. He reminded everyone to lock their vehicles as a deterrent for the crime. Cunningham added that the mock assessment for accreditation was held and EPD passed with a few paperwork items to correct before the final assessment.
3. There were no questions on the April 2023 Code Enforcement Report.
4. The Fire Company responded to 54 calls during the month of April 2023, 23 of which were in the Borough and a year-to-date call volume of 230.

5. Northwest EMS responded to 673 calls during the month of April 2023, of which 141 were within the Borough which is 21% of calls. Year to date Northwest EMS has responded to 2,908 calls with 21% were in the Borough.
6. There were no questions on the April 2023 EAWA reports.
7. There were no questions on the GEARS report for March 2023.
8. The Elizabethtown Area Chamber of Commerce report for the month of April 2023 was added to the list of regular reports. Manager Denlinger noted the ongoing efforts of the Chamber Executive Director, Denise Grove, to work with the Board of Directors to revamp the membership structure and to secure new members. There were no questions.
9. There were no questions on the April 2023 MESA reports.

Old Business

1. It was motioned by Councilperson Hynicker to approve Resolution 2023-05 to apply for funding from Lancaster County Housing and Redevelopment Authorities Community Development Block Grant (CDBG) Public Improvements Program to complete the South Chestnut Street Bridge & Railing Project. Vice President Clark seconded the motion. Borough Council unanimously approved Resolution 2023-05 to apply for CDBG funding for the South Chestnut Street Bridge & Railing Project.
2. It was motioned by Councilperson Hynicker to approve Resolution 2023-06 to apply for funding from Lancaster County Housing and Redevelopment Authorities Community Development Block Grant (CDBG) Public Improvements Program to complete the Hickory Lane & North Lime Street Bridge Project. Vice President Clark seconded the motion. Borough Council unanimously approved Resolution 2023-06 to apply for CDBG funding for the Hickory Lane & North Lime Street Bridge Project.
3. It was motioned by Councilperson Hynicker to submit a Letter of Intent to request Technical Assistance from PA DCED Center for Local Government Services to study Regional Police Consolidation. Councilperson McCloud seconded the motion. Borough Council unanimously approved submitting a Letter of Intent for Technical Assistance to study Regional Police Consolidation.

Prior to the motion Borough Manager Denlinger stated that the study would look at Elizabethtown Borough and Northwest Regional Police Departments within the primary evaluation with additional evaluation being done to potentially include other municipalities.

4. Borough Council discussed a DRAFT Ordinance regarding a Volunteer Service Tax Credit Program. Borough Manager Denlinger and Vice President Clark lead the discussion with President Hershey abstaining. The Volunteer Service Tax Credit would initially be for Volunteer Fire Fighters and provide an incentive to be a volunteer. Several programs from

across Lancaster County were discussed and several scenarios for such a program within the borough were highlighted. Scenarios centered around being a credit on earned income or real estate property taxes. At a future meeting staff will present the scenarios for further discussion.

New Business

1. Action on the Ocean State Job Lot - Land Development Waiver Request was taken by Borough Council as part of the presentation earlier in the meeting.
2. It was motioned by Councilperson Hynicker to approve Resolution No. 2023-07 to authorize Rebecca S. Denlinger to sign the Traffic Signal Maintenance Agreement with PA Department of Transportation and submit future traffic signal permits. Vice President Clark seconded the motion. Borough Council unanimously approved Resolution 2023-07 to sign and submit the Traffic Signal Maintenance Agreement to PennDOT.
3. Assistant Borough Manager Roda reviewed with council recent vandalism events that have occurred within Community Park. Recent damage has been within Area 5 and the bathrooms throughout the park. There has been some level of vandalism but recent events have been more damaging. She added that staff is evaluating options for cameras without the park and the options would be presented for consideration with the FY2024 Budget.

President Hershey asked staff to find an interim solution for cameras in the park with the final solution to be presented during FY2024 budget discussions. There were no objections by other councilmembers on this direction.

4. It was motioned by Councilperson McCloud to approve the release of \$70,782.77 from the Letter of Credit maintained for Conoy Crossing Phases 4 & 5. Vice President Clark seconded the motion. Borough Council unanimously approved the release of funds for Conoy Crossing Phases 4 & 5.
5. Assistant Borough Manager Roda provided an update on the Elizabethtown Borough Street Sweeping Program for 2023. She stated that schedule for sweeping in 2023 is as follows:
 - Monday June 5th – Even side of street on the South side of town
 - Tuesday June 6th – Even side of street on the North side of town
 - Wednesday June 7th – Odd side of street on the Southside of town
 - Thursday June 8th – Odd side of street on the North side of town
 - Friday June 9th – Make up day and Parking Lots

It was added that there will be parking restrictions and the restrictions will be enforced.

6. It was motioned by Vice President Clark to approve the Borough Manager sending a letter of support for the Countywide Watershed-based Act 167 Plan. Councilperson Hynicker seconded the motion. Borough Council unanimously approved sending a letter of support for a Countywide Watershed-based Act 167 Plan.

Bills Payable

Upon motion by Councilperson Moss and second by Councilperson Hynicker, Borough Council voted unanimously to approve the list of monthly bills as presented:

General Fund	\$234,796.81
Sewer Fund	\$112,981.89
Debt Service Fund	\$30,893.52
Capital Reserve Fund	\$8,246.80
Sewer Capital Projects Fund	\$19,204.04
Subdivision Escrow Fund	\$1,745.75
Parks Fund	\$96,688.52

Prior to remarks President Hershey recognized Councilperson McCloud for his 20 years of service to Elizabethtown Borough.

Mayors Remarks

- Mayor Mummert congratulated McCloud for his service recognition and invited all to attend the Memorial Day Parade and program in Community Park.

Council Remarks

- Councilperson McCloud thanked the voters for their votes and stated he enjoys serving the community and working for borough residents.
- Councilperson Hynicker had nothing to add.
- Councilperson Moss had nothing to add.
- Councilperson Shaud commented on the progress of the park and the need to protect it.
- Vice-President Clark congratulated McCloud.
- President Hershey had nothing additional to add.

Adjourn

Prior to adjourning the meeting President Hershey stated an Executive Session would be held to discuss a personnel matter.

President Hershey adjourned the meeting, without objection, at 8:34 PM.

Respectfully Submitted,

Rebecca S. Denlinger
Borough Manager