

ELIZABETHTOWN BOROUGH COUNCIL
REGULAR MEETING
May 21, 2020
Minutes

The regular meeting of Elizabethtown Borough Council was held on Thursday, May 21, 2020. To best comply with Governor Wolf's COVID-19 orders (but still conduct regular business) this Borough Council meeting was held with the absolute minimum number of individuals gathered at the Borough Office. Participants included Tom Shaud, J. Marc Hershey, Phil Clark, Borough Manager Rebecca S. Denlinger and Police Chief Ed Cunningham. The remaining members of Borough Council including Jeff McCloud, J. Neil Ketchum Jr., Bill Troutman, and Mayor Mummert as well as staff members Assistant Borough Manager Ann Roda, Public Works Director Jeff Kinsey and Planning and Zoning Director Pamela Roberts joined the meeting remotely using Zoom.

President Hershey called the meeting to order at 7:00 p.m. and stated that prior to the meeting an Executive Session was held to discuss a legal matter. He also reviewed the use of the Zoom technology.

Public Hearing – CDBG Project

President Hershey called the public hearing to order at 7:00 p.m. and Borough Manager Denlinger provided an introduction to the Community Development Block Grant (CDBG) application. The grant application was submitted for the replacement of sanitary sewer infrastructure, including 11 laterals, serving 14 residences on East Willow Street from Market Street to Spruce Street. The Borough invited affected residents, property-owners, and other stakeholders to attend and comment on the project. Denlinger added that the maximum grant amount would be \$200,000. Project costs exceeding that amount and grant match would be a budget item for the 2021 budget year.

Frank Carotto, of 65 E. Willow Street, asked when the project would be completed and how it would be designed. Mr. Carotto stated that he would have a complicated sewer tie in. Public Works Director Jeff Kinsey responded that the project would be designed to address the connection issues and it, if awarded, would be completed in 2021.

With no questions from the public or from councilmembers the hearing was closed at 7:09 p.m.

Public Comment

1. Sharon Ogilvie, 236 N. Locust Street, provided public comment on the reopening of the park. Specifically, she read a letter that she sent to council on May 18, 2020.
2. Barb Keener, 634 S. Spruce Street, provided public comment on the reopening of the park and asked for the park to be reopened to celebrate Memorial Day.

Approval of Meeting Minutes

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

1. Regular Meeting – April 16, 2020
2. Meeting – May 14, 2020

Reports

1. The Financial Report was unanimously approved after a motion by McCloud and second by Troutman.
2. EPD Chief Cunningham stated that the call volume is swinging back to normal and through the community celebrations there were 37 drive by celebrations completed.
3. There were no questions on the Code Enforcement report.
4. The Fire Company responded to 38 calls during the month of April, of which 9 were in the Borough, with an average response time of 5 minutes 9 seconds.
5. Northwest EMS responded to 448 calls during the month of April, of which 62 calls, roughly 14%, were within the Borough. Year to date Northwest EMS has responded to 2323 calls and 342 within the Borough.
6. There were no questions on the Elizabethtown Area Water Authority Report.
7. There were no questions on the GEARS Report.

Old Business

1. Borough Manager Denlinger provided updates on borough operations related to COVID-19. Denlinger added that the office reopened the past week, staff are back in and operations are still fully functioning. She added that the Borough will be hosting two polling locations, one at Borough Hall and one at the new Public Works Facility on June 2, 2020.

Chief Cunningham added that EPD is also back to full service. He added that there is a privately planned vehicle procession planned for Monday, May 25 (Memorial Day) for Elizabethtown High School Class of 2020 Graduates. This is not a borough planned procession but EPD will provide escort and fire police will assist with traffic control.

President Hershey asked councilmembers about reopening the park following the discussion that took place on May 14, 2020 and the public comment received. Councilmember Shaud started by saying maybe 2 of the courts could be opened for basketball allowing kids to be out and playing. Clark stated that should not wait until green to reopen but questioned how much could open while still being in line with

guidelines available. Troutman added that full court basketball would be 10 people and suggested staggering the hoops to still have the space be open but be mindful of group sizing. Troutman raised concern with the playground and the surfaces. McCloud agreed with suggestion of staggering the hoops at the courts but raised concern with the playground and sizing control.

Mayor Mummert asked about disinfection in the park when it is open. Denlinger replied that the Borough does not have the staff or capabilities to clean and disinfect to the level needed. She suggested that when in red the restrooms should stay closed, when in yellow could increase frequency but would track costs and place signage. President Hershey added that should seek some modification and signage to get the kids out of the house and in the fresh air.

It was settled on opening the basketball courts with hoops staggered, play equipment open and restrooms remain closed. Signage would also be posted. Parks were to be reopened for the Memorial Day weekend.

2. It was motioned by Shaud, seconded by Clark, to approve Resolution 2020-03 to extend the period in which real estate taxes may be paid at the base rate for 2020 until November 30, 2020. The motion passed unanimously.
3. President Hershey adjusted the agenda and moved the Conoy Crossing topic up on the agenda.
 - a) John Smith, attorney for Conoy Crossing attended the meeting virtually and provided an overview of his clients requested discussion on the Improvement Guaranty Letter of Credit held for traffic improvements in relation to the development of Conoy Crossing. Smith stated that in 2007 Conoy Crossing provided improvement guarantees for two intersections (Masonic Drive and Maytown Road and Masonic Drive and W. Bainbridge). He added that a traffic study from 2016 is showing no change in traffic volume and as of current he is not aware of any plans in place for improving these intersections and based on the MPC those impact fees should be returned if not used within three years.

President Hershey responded that this project has taken several years longer than anticipated. He added that the traffic study is to be completed when the development is completed. Ketchum added that Masonic Village is also part of the discussion of the Masonic Drive and W. Bainbridge. He added similar to Hershey that the study is to be conducted when the development is complete.

Jack added that the letter of credit is coming due and they will renew but would want to develop a plan for completion. President Hershey responded that this request should be discussed in further detail with all parties.

- b) It was motioned by Ketchum, seconded by Troutman, to approve a 90-day time extension for recordation of the Conoy Crossing Phase 4 & 5 Final Land

Development Plan for a revised expiration date of September 3, 2020. Motioned passed unanimously.

4. President Hershey asked how the other members of council would like to proceed with the Additions and Renovations to 56 North Market Street for Elizabethtown Borough Hall and Administrative Office Project with the low bid expiring June 24, 2020. Ketchum noted that conditions have not changed and asked if it were possible to extend for 90 days. He also asked if there were alternative funding options to consider for the project. Troutman agreed with Ketchum's points. McCloud stated he was concerned with the impact on the budget and residents and that either the bids be rejected or see if an extension can be provided. Denlinger responded that the borough can go back to the apparent low bidder and request an extension but that an agreement cannot be signed.

It was motioned by Ketchum, seconded by Clark, to authorize the Borough Manager to request a 90-day extension on the bid results. Motion passed unanimously.

President Hershey followed up asking what the next step should be if they do not extend the bid submission. Ketchum added that there would be two meetings in June in which this could be discussed. Because there is an added cost to seek financing no official vote was taken and council will revisit the project at a future meeting.

5. Planning and Zoning Director Roberts stated that no interest in the position was sought for the Donegal-Elizabethtown Area Appeals Board. President Hershey added that he had spoken with Thomas Spadaro regarding the appointment. He added that Spadaro has previous construction experience and currently owns his own construction business and would be willing to serve on the board.

It was motioned by Clark, seconded by Shaud, to appoint Thomas Spadaro to the Donegal-Elizabethtown Area Appeals Board. Motion passed unanimously.

New Business

1. Denlinger stated that there was a good influx of revenue so far for 2020 and that Borough has collected roughly 37% but that based on the projections from Lancaster County Borough staff have been evaluating the 2020 Budget. Several projects have been identified based either on time to complete or need to complete that could be rescheduled for a future year.

Public Works Director Kinsey stated that due to COVID-19 the Public Works Crew is about two months behind with sewer and storm sewer repairs. They will not be able to complete the necessary work in time for 2020 paving. Denlinger added that not completing the storm sewer and paving repairs would be roughly \$105,000 in budget adjustments. President Hershey asked how not paving this year would impact liquid fuel funding and Councilmember Clark asked if adjusting the paving schedule would be an impact. Denlinger responded that there would not be an impact to liquid fuels and Kinsey added that there would not be a concern with adjusting the paving program. He also added

that crews will continue to complete sewer repairs but storm sewer repairs would be completed in 2021.

President Hershey asked how this delay in work would impact contracts that the borough had approved. Denlinger responded that for concrete not all of the contract documentation has been received and that with the decrease in revenue and impact on ability to complete work the paving contract would be limited.

It was motioned by McCloud, seconded by Clark, for the Borough Manager to inform Brian Stauffer of Stauffer Concrete that the borough is withdrawing its notice of award due to the failure to provide documentation needed for the contract. Motion passed unanimously.

It was motioned by Ketchum, seconded by Clark, for the Borough Manager to inform Pennsy Supply that the borough is withdrawing its notice of award due to COVID-19 and the impacts COVID-19 had created. Motion passed unanimously.

Kinsey asked that with postponing paving this year if residents could be provided a one-year extension to complete necessary curb and sidewalk work. President Hershey responded that a one-year extension should be provided.

2. It was motioned by Shaud, seconded by Clark to approve the School Resource Officer Agreement: MOU with Elizabethtown Area School District. Motion passed 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	\$206,451.61
Sewer Fund	\$116,948.37
Capital Reserve Fund	\$9,343.37
Train Station Fund	\$3,371.93
Subdivision Escrow Fund	\$4,336.25
Health Insurance Fund	\$146,077.17

The motion carried unanimously.

Adjourn

Following a motion by Shaud, seconded by Troutman, the meeting unanimously adjourned at 9:28 p.m.

Respectfully Submitted,

Rebecca S. Denlinger
Borough Manager