

ELIZABETHTOWN BOROUGH COUNCIL
PUBLIC MEETING
September 15, 2022
Minutes

A public meeting of Elizabethtown Borough Council was held on Thursday, September 15, 2022. 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 S. Denlinger, Assistant Borough Manager Ann Roda, Public Works Director Jeff Kinsey, and Police Chief Ed Cunningham.

President Hershey called the Public Meeting to order at 7:00 PM and led the meeting participants in the Pledge of Allegiance.

Public Comment

Commissioner John Trescot, Lancaster County Board of County Commissioners, introduced himself and spoke about county functions and proposed ARPA projects.

Approval of Meeting Minutes

After a motion by Councilperson McCloud, second by Councilperson Hynicker, Borough Council voted unanimously to approve the September 1, 2022 Public Meeting minutes.

Reports

1. Borough Council unanimously approved the Financial Report and PLIGT Report as submitted after a motion by Councilperson Clark and second by Councilperson McCloud.
2. Regarding the Elizabethtown Police Department Report for August 2022, Chief Cunningham noted that the call volume was normal for the month but noted that the thefts from the month were up. This volume is due to two significant thefts. Chief Cunningham added that the “Pizza with a Cop” event went well and had roughly 200 attend over the course of the event.

President Hershey asked what takeaways from the Elizabethtown Fair were identified. The Chief responded that parking seemed to be the biggest issue. He stated that for 2023 he will be working with Cockers to develop a towing plan.

3. There were no questions on the Code Enforcement Report for August 2022.
4. The Fire Company responded to 70 calls during the month of August 2022, of which 29 were in the Borough, with an average response time of 5 minutes 23 seconds.
5. Northwest EMS responded to 781 calls during the month of August 2022, of which 171 calls, 22%, were within the Borough. Year to date there have been 5,925 calls with 1,131 calls within the Borough which is 19%.

6. There were no questions on the Elizabethtown Area Water Authority Reports for August 2022.
7. There were no questions on the GEARS report for July 2022. Councilperson Hynicker stated that East Donegal will officially join GEARS in 2023.

Old Business

1. President Hershey and Borough Manager Denlinger provided an update on the development of Regional Emergency Services Administrative Authority. President Hershey answered questions on rate development, speed of development and anticipated next steps.
2. It was motioned by Councilperson Hynicker to advertise Ordinance No. 1005 and accompanying Articles of Incorporation. The action was “SIGNIFYING THE INTENTION AND DESIRE OF THE COUNCIL OF THIS BOROUGH TO ORGANIZE AN AUTHORITY FOR THE PURPOSE OF ADMINISTERING EMERGENCY MEDICAL SERVICES ON BEHALF OF THIS BOROUGH UNDER THE PENNSYLVANIA MUNICIPALITY AUTHORITIES ACT JOINTLY WITH THE BOROUGH OF MANHEIM AND MARIETTA, AND THE TOWNSHIPS OF CLAY, CONOY, EAST DONEGAL, ELIZABETH, MOUNT JOY, PENN, RAPHO, AND WEST DONEGAL, ALL IN LANCASTER COUNTY, AND WITH THE TOWNSHIP OF CONEWAGO, IN DAUPHIN COUNTY; DESIGNATING THE ENTIRETY OF THIS BOROUGH AS A SERVICE DISTRICT OF THE AUTHORITY; SETTING FORTH AND AUTHORIZING EXECUTION OF ARTICLES OF INCORPORATION; APPOINTING AND FIXING THE TERM OF THE FIRST MEMBER OF THE BOARD APPOINTED BY THIS BOROUGH; AND TAKING ALL OTHER NECESSARY ACTION.” Councilperson Shaud seconded the motion. Borough Council voted unanimously to approve the advertisement of Ordinance No. 1005 and accompanying Articles of Incorporation for the Regional Emergency Services Administrative Authority.
3. Borough Manager Denlinger stated that for the PennDOT Market Street Resurfacing Project, NESL (contractor) will begin their work on Sunday Night September 18. The plan is to start at the eastern part of the job (near Giant), and work west (towards Linden Avenue). The contractor will post a large area of the downtown area for No Parking from 6:00 PM to 6:00 AM. It is anticipated that milling will take place from Sunday, September 18 through Friday September 23. NESL will then begin paving - to occur from Sunday September 25 through Friday September 30. If NESL does not complete the paving on Friday September 30, they will finish it up the week of October 2, 2022. Denlinger noted that all work is weather dependent.
4. A representative for the Market Street Square Preliminary/Final Land Development Plan was before Borough Council seeking conditional approval of the Market Street Square Preliminary/Final Land Development Plan. The representative reviewed the three modifications the applicant was seeking for the plan. The representative stated that the

applicant was no longer seeking a modification request for Chapter 22, Section 611.4, Street Trees.

It was motioned by Vice President Clark to approve the requested modifications and deferral in relation to the Market Street Square Preliminary/Final Land Development Plan prepared by Colliers Engineering and Design dated August 3, 2021, last revised August 22, 2022 and as reflected in the Lancaster Civil September 7, 2022 review letter. The requested modifications and deferral are as follows:

1. Chapter 21, Section 503.14.B – Street Design Standards for Shaeffer Road
2. Chapter 21, Section 503.14.B – Street Design Standards for S Market Street
3. Chapter 22, Section 303.A – Submission of Preliminary Plan
4. Chapter 22, Section 403.A(1) – Drafting Standards
5. Chapter 22, Section 606.1.A – Dedication of Additional Right of Way for Shaeffer Road
6. Chapter 22, Section 606.1.A – Dedication of Additional Right of Way for S Market Street
7. Deferral of Chapter 22, Section 607 – Curbing and Sidewalk along S Mount Joy Street.

Councilperson Hynicker seconded the motion. Borough Council voted unanimously to approve the requested modifications and deferral in relation to the Market Street Square Preliminary/Final Land Development Plan.

It was then motioned by Councilperson McCloud to approve the Market Street Square Preliminary/Final Land Development Plan prepared by Colliers Engineering and Design dated August 3, 2021, last revised August 22, 2022, subject to the following conditions and, upon satisfaction of such conditions, authorize execution and release of such plan:

1. Applicant shall comply with all requirements set forth in the letter from the Borough Engineer dated September 7, 2022.
2. Applicant shall comply with all requirements set forth in the letter from the Borough Solicitor dated November 9, 2021.
3. Applicant shall post financial security in an amount of approved by the Borough Engineer and in a form acceptable to the Borough Solicitor.
4. All agreements between the Applicant and the Borough that were called out in the letter from the Borough Engineer dated September 7, 2022 shall be presented in a form acceptable to the Borough Solicitor and then fully executed and recorded.
5. Before signature and release of plans for recordation, the applicant shall receive approval from Mount Joy Township.

Vice-President Clark seconded the motion. Borough Council voted unanimously to approve to the Market Street Square Preliminary/Final Land Development Plan.

5. EPD Chief Cunningham reviewed ordinance amendments for Chapter 1 (Civil Service Commission) and Chapter 13 (Transient Retail Business). Regarding the Civil Service Commission revisions councilmembers had questions on the revisions being made for discipline and training opportunities. Chief Cunningham responded that he would review the

language and revise as needed. Assistant Borough Manager Roda stated that amendment language will be reviewed in October for the discussed One-Way Street changes W. Hummelstown Street, W. Washington Street and S. Spruce Street.

6. Borough council discussed updates to the playground equipment at Community Park. Specifically, Council reviewed the pieces of playground equipment that will replace the existing Fun Fort as well as the potential scheduling of the overall planning, engineering, site preparation and construction elements of the project. Borough Council asked for the open dead space to be looked at and have equipment pulled in to reduce the dead space. For timing of the equipment Borough Council expressed their desire for the new playground equipment to be in place for Memorial Day 2023 or shortly thereafter. For the next meeting staff will continue to narrow in on the playground costs, site work needs, and scheduling.
7. Assistant Borough Manager Roda stated that construction on the pedestrian pathway off of S. Chestnut Street will begin on Monday, September 19, 2022. It is anticipated that the work will be complete in February 2023. Construction updates will be provided as the project progresses.
8. Borough Manager Denlinger provided an update on several funding applications that borough staff had been working on. These updates included:
 - **American Rescue Plan Act (ARPA)**
 - As of August 9, 2022, the borough received its second tranche of ARPA funds in the amount of \$600,863.35. The additional \$1,893.78 is the second payment of ARPA dollars reallocated to PA municipalities - from municipalities who had earlier declined the ARPA funds.
 - Staff received communication that Lancaster County received the borough's ARPA Funding request seeking support of the SCADA System upgrade at the wastewater treatment plant.
 - **PA DCNR - Community Conservation Partnership Program (C2P2)**
 - Denlinger stated that staff received notice that the request for \$30,000 toward the Development of a Master Site Plan to plan and prioritize improvements to (and future maintenance of) Elizabethtown Borough's Community Park was awarded. Denlinger noted that this project will be included in the FY2023 Budget.
 - She added that DCNR had also recently announced they are accepting applications for a special fall funding round from September 6 to October 27, 2022. This special Fall round is funded from multiple sources, with the largest being the federal American Rescue Plan Act (ARPA) funding made available to DCNR through the Outdoor Recreation Program as part of Pennsylvania's fiscal year 2022-2023 budget. Staff is communicating with the DCNR Regional Recreation and Conservation Manager to discuss a potential application for funding assistance and an update will be provided at the next meeting.
 - **Lancaster MPO / Lancaster County Planning Department - connects2040 Implementation Program Funding**
 - While not official, the Buckingham Boulevard project was not prioritized for funding by the TIES Committee that makes recommendations for funding to the

Lancaster MPO. She added that an update will be provided when staff has received official notification of any award notices.

There were no questions on the updates provided.

New Business

1. Assistant Borough Manager Roda provided an overview of Zoning Hearing Board applications that will be on the agenda for the October Zoning Hearing Board meeting. Applications included: 53 E Washington Street and 921 Spring Garden Street.

The applicant for 53 E Washington Street is seeking variances in relation to required parking for the social services buildings on the property. Prior to the application being submitted Borough staff has asked for additional information about the property, including a detailed description of all uses on the property and the associated square footage for each use. This information is needed to verify parking calculations to confirm the appropriate number of spaces will be provided. Unfortunately, the applicant failed to provide the requested information to the Borough and submitted the Zoning Hearing Board application before receiving approval from Borough representatives. At the time of the overview, staff's position is not in support of the application. Borough Council members had no questions on the position staff is proposing on the application.

The applicant for 921 Spring Garden Street is requesting a variance to allow more than the maximum requirement of coverage. Borough Council did not take a position on the application.

2. It was motioned by Vice-President Clark to approve the acceptance of Officer Joshua Cook, Officer Wade T. Gernert and Officer Kenneth E. Lefever as fulltime officers of the Elizabethtown Police Department. Councilperson McCloud seconded the motion. Borough Council unanimously approved the acceptance of Officer Joshua Cook, Officer Wade T. Gernert and Officer Kenneth E. Lefever as fulltime officers of the Elizabethtown Police Department.
3. Borough Manager Denlinger presented the Pension Minimum Municipal Obligation (MMO) Report. She indicated the amounts in the report will be incorporated into the draft FY2023 budget material. There were no questions on the presented report.
4. Assistant Borough Manager Roda provided an update on the Act 537 Official Sewage Facilities Plan Special Study for Radio Road Interceptor Improvements. She stated the boroughs engineer provided a draft copy of the Act 537 Official Sewage Facilities Plan Special Study for Radio Road Interceptor Improvements (plan) for review and comment. Following staff's review, the engineer will finalize the plan and it will be published for a 30-day comment period. This plan is a necessary step to continue the improvements to the Radio Road Interceptor. There were no questions.

5. It was motioned by Councilperson Shaud to suspended parking meter enforcement during 2022 Holiday Season with meters bagged starting on Sunday November 20, 2022 in advance of Thanksgiving and Small Business Saturday, and ending on Sunday, January 8, 2023. Vice President Clark seconded the motion. Borough Council unanimously approved the suspension of parking meter enforcement during the 2022 Holiday season.

Bills Payable

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

General Fund	\$289,628.39
Sewer Fund	\$101,682.63
Capital Reserve Fund	\$15,662.64
Subdivision Escrow Fund	\$904.00
Parks Fund	\$310.75

Mayors Remarks

Mayor Mummert stated he will be speaking at several events about Elizabethtown.

Council Remarks

- Councilperson McCloud spoke of a Washington Post article he read concerning lethal force and insurance.
- Councilperson Hynicker thanked staff for their work on new equipment to replace FunFort.
- Councilperson Shaud had no remarks.
- Vice President Clark thanked the public for attending.
- President Hershey noted appreciation for staff and the number of projects underway.

Adjourn

Upon motion by Councilperson Shaud and second by Councilperson Hynicker, and without objection, the meeting was adjourned by President Hershey at 9:48 PM.

Respectfully Submitted,

Rebecca S. Denlinger
Borough Manager