

ELIZABETHTOWN BOROUGH COUNCIL
REGULAR MEETING
September 17, 2020
Minutes

The regular meeting of Elizabethtown Borough Council was held on Thursday, September 17, 2020. Present were Council members Bill Troutman, Tom Shaud, J. Neil Ketchum Jr., J. Marc Hershey, Phil Clark and Jeff McCloud. Also present were Borough Manager Rebecca S. Denlinger, Assistant Borough Manager Ann Roda, Police Chief Ed Cunningham, Planning and Zoning Director Pam Roberts, Public Works Director Jeff Kinsey and Mayor Chuck Mummert.

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

Public Comment

There was no public comment.

Approval of Meeting Minutes

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

1. Regular Meeting – August 20, 2020
2. Work Session Meeting – September 3, 2020

Reports

1. The Financial Report was unanimously approved after a motion by Clark and second by Troutman.
2. EPD Chief Cunningham stated that the report shows a larger number for theft which is a result of 8-10 incidents involving items being stolen from vehicles. The Chief added that the vehicles were not damaged as they were unlocked. The Chief plans to work with the Borough Office to put a reminder out for residents to lock vehicles. There were no questions on the report.
3. There were no questions on the Code Enforcement report. President Hershey added that the UCC Accessibility Audit was provided and there were no questions on the audit.
4. The Fire Company responded to 53 calls during the month of August, of which 18 were in the Borough, with an average response time of 3 minutes 37 seconds. Councilmember Shaud added that councilmembers and residents should be proud of the volunteers that we have for how they responded and handle large fires. President Hershey added that the response time is also something to note given that many houses cannot achieve that timely of a response.
5. Northwest EMS responded to 647 calls during the month of August, of which 84 calls,

13%, were within the Borough. Year to date Northwest EMS has responded to 4702 calls and 676 within the Borough.

6. There were no questions on the Elizabethtown Area Water Authority Report. President Hershey asked that borough representatives on the Authority Board note the contributions made by Jason Bock during the response to the recent large fire aided in the Fire Company's ability to extinguish the fire. His understanding of the hydrant loops was helpful.
7. The GEARS Financial Report for August 2020 was not received prior to the meeting but will be reviewed for a future meeting.

Old Business

1. Planning and Zoning Director Pam Roberts stated that Elizabethtown College has requested a 6-month extension of time to allow for the recording of the Elizabethtown College Masters Center Final Land Development Plan. This recordation time extension would establish a new expiration date of March 17, 2021. Roberts added that Borough ordinance and the Lancaster County Recorder of Deeds requires that all plans are recorded within 90 days of approval. The Elizabethtown College Masters Addition Land Development Plan was approved on August 19, 2019 and on December 19, 2019 and March 19, 2020, Borough Council granted time extension requests to Elizabethtown College extending the recordation deadline to September 17, 2020.

Councilmember Ketchum asked if any work on the project has begun and if there have been any changes with stormwater or subdivision ordinances since the plan was approved. Roberts responded that work cannot begin until the plan is recorded. She added that minor changes have been made to the plan to incorporate comments from the County Conservation District review but no changes have been made for borough stormwater or subdivision ordinances that would be an impact for this plan. Roberts stated that any changes in stormwater or subdivision ordinances would not be incorporated into the approved plan.

President Hershey asked if there was a reason for the delay in recording the plan and what would be the ramifications if the date is not extended. Roberts explained that at first the delay was related to the review of the County Conservation District and when she reached out to the College on the upcoming timeframe it was explained that the delay is related to COVID-19. If the plan is not extended or recorded the college would start from the beginning of the process.

Councilmember McCloud asked if this project is part of the RCAP grant? Roberts responded that this was not part of the RCAP grant.

It was motioned by Ketchum, seconded by Clark, to extend the plan recordation time for the Elizabethtown College Masters Center Final Land Development Plan for 30 days with a new expiration date of October 17, 2020 and request Elizabethtown College to provide

an update to Borough Council on October 1, 2020 Work Session. Motioned passed unanimously.

2. Borough Manager Denlinger stated that draft agreements were provided by Jeff Shank on Sunday September 13, 2020. The municipal managers discussed the draft agreements as it relates to the language of the annual maintenance expenses. The draft agreements did not capture the change for annual budget and maintenance. The change should clarify that the annual GEARS budget will include annual maintenance expenses for the Poplar Street facility/property (that will be included the shared funding formula - capped at 18% of the GEARS budget) and that GEARS will need to propose any capital improvements to the Authority for their consideration and action.

Councilmember Ketchum asked the deadline for the agreement. Denlinger responded that the deadline is October 26, 2020 which would mean finalizing by October 15, 2020 or at the October 22, 2020 budget meeting.

President Hershey expressed frustration with the draft product that was received. He then highlighted several areas of concern. These included:

- Article 2, Statement of Purpose - "...In the event GEARS is dissolved and liquidated, after paying or making provisions for payments of all known liabilities of GEARS, its assets shall be distributed to another 501 (C)(3) organization, or to a governmental unit to be held exclusively for public purpose....." the language should be strengthen that it is not an independent decision but should be one for the governing bodies that have been funding the organization. Councilmember Ketchum acknowledge that the language is to show that there is a process.
- Article 3, Section 3 should stipulate that appointed participants should be residents with the EASD. Councilmember Ketchum suggested broadening the location in case other municipalities join. It was suggested to reference that appointed representatives should be residents of the participating municipality.
- The population figures needing to be included prior to final version of the agreement.
- Clarification is needed on the maintenance contribution as it was thought to be built into the budget. Councilmember Clark stated that in past years maintenance contribution was part of the budget but will now be broken out. Councilmember Ketchum added that clarification is still needed to the draft agreement for maintenance being discussed with the Elizabethtown Area Community Services Authority. In order for the parts to function there needs to be an active Elizabethtown Area Community Services Authority. Councilmember Ketchum added that the GEARS Board and the Elizabethtown Area Community Services Authority are made up of two different sets of members to which Hershey suggested that in the future the Borough ensure there is a connection in appointed representatives.
- Quorum requirements in Section 6.01.2 and Section 9.06 should be a minimum of 2 from each municipality or at least two-thirds of representatives.

Councilmember Troutman asked for clarification between the GEARS board and the Elizabethtown Area Community Services Authority as it relates to funding and that

would equate to additional funding. Councilmember Ketchum stated that it could be additional depending on maintenance needs. President Hershey added the separation would be similar to a tenant and landlord. The tenant (GEARs) is responsible for cleaning, lightbulbs etc., whereas the landlord (Elizabethtown Area Community Services Authority) would be responsible for new HVAC, roof etc. Councilmember Shaud added that the separation of capital maintenance may be a good thing. It would allow GEARs to focus on the activities and services.

President Hershey asked if there was any benefit to trying to schedule an advertised regional meeting to discuss the agreement prior to October 26, 2020. Denlinger will mention the meeting to the municipal managers and will follow-up once Mount Joy Township has met to discuss the draft agreement. Denlinger will also summarize the comments discussed and will share with the municipal managers.

3. Borough Manager Denlinger provided an overview of the internal working drafts of the general fund and sewer fund for the 2021 proposed budget. She indicated that there is still work to be done and still a number of values that we will not have access to (from partners, vendors, etc.) until we prepare the next draft/version.

In the current working draft, the Real Estate Taxes are based on a 4.6 Millage Rate (same as FY2020) on last year's assessment at a collection rate of 90% and in the second version reduced by another 10%. It is anticipated to be a reduction in both Real Estate Transfer Tax and EIT/LST collections and utility collections. The reductions are largely due to unknown COVID-19 impacts.

President Hershey stated at the macro level there is a savings this year and the large expense differences in the two versions is salaries. He then asked for a comments column to be added to put into context the assumption being made. He asked when the next version would be provided to which Denlinger responded that it would be posted in working draft form on September 29, 2020 and would include all funds and fund transfers as written in the fiscal policies.

Councilmember Ketchum asked if a lump bar graph could be provided to show total revenue and total expenditures by fund. Denlinger responded that graphs would be completed.

Assistant Borough Manager Ann Roda sought feedback and guidance from council on several projects and if they should be included in 2021 budget proposals. For Community Park it was asked if park improvements should focus just on FunFort or all of the park system. Councilmember Shaud said he would like to see options for Community Park and not just a focus on FunFort. Councilmember Clark agreed with Shaud. President Hershey suggested taking a holistic approach to developing a Master Plan for Community Park.

Another project that was discussed is the property owned on W. Bainbridge Street and if this property should remain farmed or converted to grass land that is mowed. The reason for the question is to ensure the land meets requirements outlined for the Chesapeake Bay

reduction plans. Staff will follow-up with the farmer that is farming the land to ensure appropriate agricultural plans are in place and an agreement would be drafted.

Council was also asked about 56 N. Market Street and the parking lot of 600 S. Hanover Street. The paving of the parking lot will be held for 2021 and revisited for 2022 and no additional budgeting, besides maintenance, should be considered with 56 N Market until all pieces of the budget are evaluated.

President Hershey asked for the projects that additional information be provided with the next version of the draft budget so they can be evaluated with all budget expenses. Roda responded that a project summary, time frame and fund information will be provided with the next working draft.

New Business

1. Chief Cunningham provided an overview of a funding opportunity with the Pennsylvania Commission on Crime and Delinquency (PCCD) for Law Enforcement and Corrections Body-Worn Camera Policy and Implementation Program. The grant requires 50% match and the Chief sought guidance from Council on submitting an application.

Chief Cunningham stated that body worn cameras are an excellent tool and provide a significant benefit when used. He added that he is still working to gather costs but approximate figures indicate year one would be roughly \$28,000 with a municipal match of \$14,000 and add approximately \$2,500 to the operating budget. If expand to include other functionality the costs for the municipal match could be between roughly \$15,000 - \$25,000 and operating expenses of \$4,000-\$5,000.

Councilmember Shaud asked how many cameras would be purchased. Cunningham responded that it would be for 10 body worn cameras with a future expansion to include vehicles and the station. Councilmember Ketchum asked when applications are due and when awarded. Cunningham responded that applications are due October 15, 2020 and would be awarded in early December.

Cunningham added that if the borough moved forward with the application, he would work with the District Attorney's Office Grant Writer to submit a joint application with three other departments. President Hershey asked if the applications are reviewed and awarded with a percentage or based on scoring and if there is a benefit to applying separately. Cunningham responded that typically the grants are all or nothing and that it would not make a difference in the application as each department has to justify the amount requested.

Councilmember Clark asked how the cameras would be activated. Cunningham answered that the cameras would be manually activated but that capabilities can improve the more that is spent on the system.

Councilmember Shaud indicated he would support the application. Hershey and Ketchum

also indicated support for the application.

President Hershey stated that EPD should apply for the grant opportunity.

2. For Trick or Treat 2020 President Hershey stated that following staff's recommendation Elizabethtown will continue to follow the policy set by the Lancaster InterMunicipal Committee (LIMC) whereby trick-or-treating is held on Halloween (October 31), except when Halloween falls on a Saturday or Sunday, in which case trick-or-treating should be on the prior Friday. For 2020, Halloween falls on Saturday so Elizabethtown would be establishing Friday, October 30th (6:00 PM - 8:00 PM) as the date and time for this year's activity. He added that trick-or-treating is not an event that is officially scheduled by the Borough and the Borough will not reschedule or suggest a rain date in the event of inclement weather or because of this year's health crisis and if residents do participate they should be mindful of PPE and social distancing recommendations.

Bills Payable

It was motioned by McCloud, seconded by Troutman, to approve the list of monthly bills and budgeted transfers as presented:

General Fund	\$161,462.09
Sewer Fund	\$96,867.19
Capital Reserve Fund	\$3,661.00
Construction Fund	\$137.50
Train Station Fund	\$1,243.89
Subdivision Escrow Fund	\$5,015.95
Health Insurance Fund	\$3,801.40
Parks Fund	\$217.78

The motion carried unanimously.

Prior to adjourning the meeting, President Hershey stated council would meet in an Executive Session following the meeting to discuss a personnel matter.

Adjourn

Following a motion by Clark, seconded by Ketchum, the meeting unanimously adjourned at 9:10 p.m.

Respectfully Submitted,

Rebecca S. Denlinger
Borough Manager