

ELIZABETHTOWN BOROUGH COUNCIL
WORK SESSION MEETING
October 1, 2020
Minutes

The regular meeting of Elizabethtown Borough Council was held on Thursday, October 1, 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.

Administration

1. Planning and Zoning Director Roberts introduced Resolution 2020-08 to replace the traffic signal at Linden Avenue and N. Market Street as part of PennDOT's Road Widening Project. Roberts stated that PennDOT has asked Vision Group Ventures, the developer for a warehouse project along SR 230 in Londonderry Township, to make improvements to the intersection of Linden Avenue and North Market Street within Elizabethtown Borough to help accommodate a potential increase in truck traffic to the new facility.

Representatives from Vision Group Ventures, including the traffic engineer, Craig Mellott with Traffic Planning and Design, Inc. and legal representative David Tshudy with Troutman Pepper were present to answer questions about the project. Mr. Mellott stated that as part of the traffic impact study improvements are needed for the NE corner of the intersection to widen the turn radius and as part of the street widening project, the traffic signal pole must be relocated. He stated that though Linden Avenue and North Market Street are both PennDOT roads, the traffic signal is owned by Elizabethtown Borough. It was added that all necessary right-of-ways have been obtained from property owners.

Mr. Tshudy added that the developer is seeking authorization to execute the application to authorize the signal permit application and to execute an agreement with the developer. Elizabethtown Borough is required by PennDOT to be the applicant for any work associated with traffic signals. All costs associated with the road widening project and improvements to the traffic signal will be covered by the developer.

Roberts noted that Borough Solicitor had worked with the developer's attorney to create an agreement that specifies the Borough is not responsible for the costs of any improvements related to this road widening project.

President Hershey asked is a full study of traffic intersection including counts was conducted.

He also asked about the stop bar and left turn lane for the south bound lane would be affected. Merlott responded that a full study of the intersection was done but the study did not find an impact to the left turn lane as much of the impact would be north at Toll House Road. He added that the stop bar could be adjusted.

Councilmember Shaud asked if most traffic will go toward Toll House Road.

Councilmember Ketchum asked if the owner of the warehouse would have any control on traffic and travel patterns. Merlott responded that much of the traffic is anticipated to go towards Toll House Road. Tshudy added that traffic and travel patterns will depend on the tenant.

Mayor Mummert asked about j brakes and jack brakes and if there was a way to make trucks stop at the intersection. Merlott responded that the intersection will be set in the same manner it currently is but with a widen turning radius.

Councilmember Ketchum asked about the existing preemption devices and synchronization. Merlott responded that all items would be placed in-kind and timing would be adjusted if needed. President Hershey asked about the timeline. Merlott responded that the permit is needed as part of the PennDOT process and would anticipate Spring 2021 construction.

President Hershey asked staff if there was anything else needed for the resolution or agreement. Assistant Borough Manager Roda responded that supporting documentation referenced in the permit signal application is needed. Merlott stated that the documentation would be signed.

It was motioned by Clark, seconded by Shaud, to approve Resolution 2020-08 to replace the traffic signal at Linden Avenue and N. Market Street as part of PennDOT's Road Widening Project and authorizing the Borough Manager to sign the agreement and application once all the documentation for the permit application is provided by the developer. Motioned passed unanimously.

2. Planning and Zoning Director Roberts stated that representatives with AutoZone were present to discuss the AutoZone Preliminary/Final Land Development Plan. David Tshudy with Troutman Pepper added that he has been working with the Borough Solicitor on the agreements discussed at the previous meeting in August 2020. He added that his client is seeking three waivers for the project. These waivers include: submission of a preliminary/final land development plan; the width of stormwater easements; volume control; and, trees within the stormwater easement.

Roberts noted the review comment from Hanover Engineering's August 6, 2020 review letter no longer pertain to this project regarding the width of the stormwater easement. She added that there is no comment to the waiver requested on volume control and for the trees in the stormwater easement there is concern that roots from the trees will encroach on the stormwater facility and potentially damage the system.

President Hershey asked if it is only two trees on Market Street or all. Roberts responded that

the concern is the trees along Market Street and on the left of the driveway could grow into the swale. President Hershey asked if there is another species that could be used. Chris Peters, with MDM, responded that he is not aware of a species that could be used and of full mature trees being an issue with the swales. Peters added that the owner has responsibility to maintain the stormwater facility and the Borough can enforce on that agreement. Roberts added that the recommendation of the engineer on August 6, 2020 was to not grant the waiver as the Operation and Maintenance agreements should not be established if there is a potential problem in the future.

President Hershey asked what legal agreements are outstanding for the project. Tshudy responded that the stormwater agreement is being drafted and the HOP is almost in final form.

Councilmember Shaud asked if the roots could be in a container to limit the potential impact to the stormwater facility. Peters responded that the roots could be in a container but that would limit the growth of the tree and be an issue then to meet the shade requirements. President Hershey followed with a question on the size of the lot and deliveries. Peters responded that AutoZone is able to schedule the deliveries so they do not occur during business hours.

It was motioned by McCloud, seconded by Troutman, to approve the waiver to allow a preliminary/final plan to be submitted as one submission, to modify volume management with the alternative approach for volume control; and, allow for trees to be planted within proximity to the stormwater facility. Motioned passed unanimously.

3. Caroline Lalvani, Matt Aungst and Mark Zimmerman provided updates on Elizabethtown College Campus projects. Lalvani indicated that students will remain at home following Thanksgiving break and the semester will be completed virtually. She added that the college is in the process of planning for the Spring semester given the pandemic.

Zimmerman stated that for the PA program the college renovated existing classroom space in the Masters Center to create an assessment lab, three exam rooms, changing and locker room, and upgrades to the ventilation system of the current cadaver lab. The project also included renovating a classroom across the academic quad in Thompson gym to provide a dedicated classroom for PA students. Renovations were completed this summer to one of the Schreiber Quad wings. The renovations included new kitchens, bathrooms, LED lighting, flooring, finishes and HVAC units. The college hopes to continue with incremental renovations to the remaining apartments in following years. This was the first major renovation to the Quads since they were constructed in 1992.

The Hackman renovation project was completed this summer with the final work on the south building. The renovations which spanned a full year to both the north and south buildings provided new kitchens and bathrooms for each unit, finishes, LED lighting and dehumidification and HVAC upgrades. Five apartments were renovated to provide additional ADA units to increase our ADA housing stock. This was the first major renovation to the apartments since they were constructed in 2002. The Hackman apartments provides

apartment style living for 184 upper classmen. Brinser Hall saw a significant renovation and improvement this summer as well. Built in 1965, and designed to house 111 students, the residence hall had mostly received cosmetic renovations through its building life, with the exception being the installation of a new roof in 2010. The renovation was a complete mechanical renovation to the six group style, stacked restrooms, with new lighting, finishes fixtures, showers and countertops. Finishes and flooring were also replaced in the hallways and rooms, with new LED lighting, electrical upgrades, and a new lobby.

He added that the RACP project is also underway and on schedule. The ADA walkways and lighting are complete and work is ongoing at the softball field with an expected completion by the end of the calendar year. The tennis courts are expected to be completed and ready for use very soon. An update was also provided on updates to the existing central district plant.

President Hershey stated council asked for the presentation because of the request to extend the recording of the Elizabethtown College Masters Center Final Land Development Plan. The plan was approved almost a year ago and if keep pushing out the standards and process could change which would make the plan no longer valid. Lalvani stated that the pandemic has impacted plans at the college and the college is continually evaluating their role and academic programs. Councilmember Ketchum added that someone is not watching land development deadlines and that if they were planning then the deadlines should not be one that the Borough had to follow-up on and council should have comfort in the process going forward. Lalvani added that internally they can address planning and deadlines differently in the future.

President Hershey asked if there is a review that could be done given the extension of the project for almost two years following the conditional use approval and 18-months following land development plan approval. Roberts responded that she could look to see if a condition could be added to the approval for a review to be completed to ensure the project continues to meet requirements.

Councilmember Ketchum asked if the college is committed to the pathway as the focus seems to be on finishing a tennis court but not safe transport for students. He added that a large development is proposed but there is no pathway to assist pedestrians and bicyclists. Lalvani responded that they are working in good faith but funding constraints and delays are making it hard to implement. Aungst added that the need to talk about the project and have the right people involved to discuss. Ketchum suggested talking now and not when a grant needs to be developed. He added that communication is key and there should be communication early and often.

President Hershey added that it is frustrating to see the progress and money being spent on campus and a project that would benefit the campus and community is at the bottom of the list. Lalvani stated that she would disagree. The college is trying to be a good partner.

Councilmember Clark shared with the frustration expressed and agreed that there should be a discussion before issues arise. Councilmember Shaud stated he wanted to see the pathway to be more of a priority and that it receive serious attention.

President Hershey requested a reminder of the dates. Roberts responded that the Bower's Fitness Center Land Development Plan was approved March 2, 2018, Masters Center Conditional Use Hearing was approved June 20, 2019 and the Masters Center Land Development Plan was approved September 27, 2019.

It was motioned by Ketchum, seconded by Clark to approve the extension of the Elizabethtown College Masters Center Final Land Development Plan with an expiration date of March 17, 2021. Motioned passed unanimously.

Following the motion President Hershey stated to college representatives that it is time to get a quantitative plan together for the pathway. If planning is not successful the college is going to need to find funding for the pathway as it is part of the approved conditional use.

4. Borough Manager Denlinger stated that for the GEARs agreement, both Mount Joy Township and West Donegal Township boards have decided in recent public meetings to extend the current GEARs agreement through the end of the year to allow for new agreement to be put in place by then. It was motioned by Ketchum, seconded by Clark, to extend the current GEARs agreement to December 31, 2020. Motion passed unanimously.

Following the motion David Wendel, Executive Director of GEARs, provided an update on GEARs including their approved 2021 budget as well as current operations and programs being offered. Wendel also discussed his review of maintenance costs to determine a realistic figure to use for the 2021 budget as well as for capital reserve funding.

Councilmember Ketchum asked how much is maintenance for programing versus maintaining the asset of the building. President Hershey follow-up and asked if there are capital projects intermixed with maintenance. Wendel added that there were roughly 2 projects in the last two years that would be in excess of \$10,000 and the rest of the projects would be less. The maintenance is a mix between building maintenance for the asset and programing.

President Hershey asked if there would be capital cost included in 2021. Denlinger responded that there would be and it should be discussed with all municipalities together.

President Hershey stated he would like to create a subcommittee of council to get the agreement across the line, work through the authority component and work to find an agreement that is fair and equitable. He suggested that Councilmember Clark and Councilmember Ketchum continue to fill this role with Rebecca Denlinger coordinating all participants. Councilmember Troutman added that the authority should be maintaining capital costs for HVAC etc and those costs for programing are not capital costs. President Hershey agreed and related the costs to those of a landlord and tenant.

5. Assistant Borough Manager Roda stated that the Borough has participated in the Municipal Utility Alliance Energy Program with Constellation Energy since 2009 and the current agreement expires in November of 2020. Constellation has provided renewal options for

consideration. She stated that staff is recommending considering a term length of 3 years or 4 years in length and the previous agreement was 4 years.

It was motioned by Troutman, seconded by Shaud to enter into a three-year agreement and for Rebecca S. Denlinger to sign any forthcoming agreement with Constellation Energy.

6. Borough Manager Denlinger provided a review of the FY2020 Q3 Review and draft FY2021 budget. She stated that council members would receive their budget books early next week in time to review prior to the budget meeting scheduled for October 15, 2020.

Revisions to the draft spreadsheet were suggested by Councilmember Ketchum. President Hershey asked if the material provided prior to the October 15, 2020 meeting would include all funds and transfers. Denlinger responded that the columns would be adjusted and the material would include funds and transfers. She added that narratives would also be developed to call out special items.

Councilmember Shaud asked if the budget meeting would begin at 6 p.m. Denlinger responded that meetings were advertised for 7 p.m. but that they could be readvertised for 6 p.m.

Police Department

1. Chief Cunningham provided an update on hiring and stated that once the scores are released the job will be announced. He anticipates posting for three weeks to a month for a beginning of the year start date.

After a motion by Clark, seconded by Ketchum, the meeting was adjourned at 9:05 p.m.

Respectfully Submitted,

Rebecca S. Denlinger
Borough Manager