

ELIZABETHTOWN BOROUGH COUNCIL
PUBLIC MEETING
December 15, 2022
Minutes

A public meeting of Elizabethtown Borough Council was held on Thursday, December 15, 2022. Present were Councilmembers Lanty Moss, Tom Shaud, Phil Clark, Jeff McCloud and Jay Hynicker. Absent from the meeting was Councilmember J. Marc Hershey and Mayor Chuck Mummert. Also in attendance were Borough Manager Rebecca Denlinger, Assistant Borough Manager Ann Roda, Public Works Director Jeff Kinsey, Planning and Zoning Director Roberts and Police Chief Ed Cunningham.

Vice-President Clark called the Public Meeting to order at 7:00 PM.

Public Comment

There was no public comment.

Approval of Meeting Minutes

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

Reports

1. Borough Council unanimously approved the Financial Report and PLIGT Report as submitted after a motion by Councilperson McCloud and second by Councilperson Moss.
2. Chief Cunningham reported that the value showing for burglary is high due to the theft of expensive items and the report is showing two retail thefts.
3. There were no questions on the Code Enforcement Report for November 2022.
4. The Fire Company responded to 72 calls during the month of November 2022, 22 of which were in the Borough, with an average response time of 4 minutes 35 seconds. Councilmember Shaud stated that since January the Fire Company Volunteers have completed over 5,000 hours of training and call response.
5. Northwest EMS responded to 765 calls during the month of November 2022, of which 151 were within the Borough. Year to date there have been 8,195 calls with 1,598 calls within the Borough which is 19.5% of calls.
6. There were no questions on the EAWA reports for November 2022.
7. There were no questions on the GEARS report for October 2022.

Old Business

1. Councilperson Shaud motioned to approve Resolution 2022-30 adopting the Act 537 Official Sewage Facilities Plan Special Study for the Radio Road Interceptor Improvements Project as a revision to the Official Plan. Councilperson Hynicker seconded the motion. Borough Council unanimously voted to approve Resolution 2022-30 adopting the special study for Radio Road Interceptor Improvements Project.

Borough Manager Denlinger stated that the special study was completed after several important flow studies were done on the Radio Road Interceptor. The flow studies and the planned improvements for the interceptor are needed to remain in compliance with the Corrective Action Plan (CAP) that the borough submitted to PADEP in 2015. The CAP is to reduce the overload of the sewer line and provide for needed capacity. In partnership with Elizabethtown Regional Sewer Authority, Elizabethtown Borough will complete the Radio Road Interceptor Project to replace, rehabilitate, and upgrade approximately 11,400 linear feet of deteriorated, hydraulically limited, gravity sewer main; thereby, reducing inflow and infiltration and providing for adequate hydraulic capacity for existing and future flows.

2. Councilperson McCloud motioned to approve Resolution 2022-31 approving the disposal of certain records in accordance with the Pennsylvania Historical and Museum Commission Municipal Records Manual as amended March 28, 2019. Councilperson Shaud seconded the motion. Borough Council unanimously voted to approve Resolution 2022-31 to dispose of the identified records.
3. Councilperson Hynicker motioned to approve Resolution 2022-32 to apply for COVID-19 ARPA H2O PA – Water Supply, Sanitary Sewer, and Storm Water Projects funding for the Radio Road Interceptor Project. Councilperson Shaud seconded the motion. Borough Council unanimously voted to approve Resolution 2022-32 to apply for funding from Commonwealth Financing Authority COVID-19 ARPA H2O PA – Water Supply, Sanitary Sewer, and Storm Water Projects.
4. Councilperson McCloud motioned to approve Resolution 2022-33 to apply for COVID-19 ARPA PA Small Water and Sewer funding for the Elizabethtown WWTP SCADA System Projects. Councilperson Hynicker seconded the motion. Borough Council unanimously voted to approve Resolution 2022-33 to apply for funding from Commonwealth Financing Authority COVID-19 ARPA PA Small Water and Sewer funding.
5. Borough Manager Denlinger provided an update on funding applications that the Borough submitted in 2022. With the addition of the two CFA applications, approved earlier in the meeting, the borough applied for grant funding through thirteen (13) applications in 2022. As of the meeting the borough received a response for six (6) of the applications. Two applications were not funded and the other 4 were awarded funding. Funding was received from: Redevelopment Assistance Capital Program (RACP) for the Explore Elizabethtown Downtown Improvement Initiative (Phase I) Project; Community Conservation Partnership Program for the Community Park Master Plan; Community Development Block Grant

(2022) for Infrastructure Repairs to Large and Small Span Bridges; and, Watershed Restoration and Protection Program (WRPP) for a portion of the Hickory Lane Park and Stream Restoration Project.

New Business

1. Elizabethtown College has requested a full release of the remaining financial security held for the Bowers Fitness Center Land Development Plan. Lancaster Civil Engineering reviewed the request and recommended that the Borough release \$4,401.70. Councilperson Shaud motioned to release the financial security for the Bowers Fitness Center Land Development Plan in the amount of \$4,401.70 with a remaining balance of zero. Councilperson McCloud seconded the motion. Borough Council unanimously voted to approve to release the financial security for Elizabethtown College's Bowers Fitness Center Land Development Plan.
2. Elizabethtown College has requested a full release of the remaining financial security held for the Herr Field Minor Stormwater Management Plan. Lancaster Civil Engineering reviewed the request and recommended that the Borough release \$176,572.00. Councilperson McCloud motioned to release the financial security for the Herr Field Minor Stormwater Plan in the amount of \$176,572.00 with a remaining balance of zero. Councilperson Hynicker seconded the motion. Borough Council unanimously voted to approve to release the financial security for Herr Field Minor Stormwater Plan.
3. Borough Council did not express concerns with, nor did they take a formal position on, the Zoning Hearing Board Application for 40 North Spruce Street. The applicant is seeking a variance for the side-yard setback in the R-3 High-Density Residential District. The side-yard requirement is 8ft and the house is already legally non-conforming at 5' 9". The applicant would like to construct an addition to the house that will further encroach on the setback at 4' 6".
4. Regarding the Zoning Hearing Board Application for 53 East Washington Street, the applicant is seeking a number of variances in relation to the social services building on site. Staff previously requested supporting information to determine the required number of parking spaces for the entire campus. The applicant has not provided the information. Borough Council expressed disappointment that the applicant has yet to supply the requested information. They support staff providing the Borough's position to deny the request if the information is not provided and the matter is brought before the Zoning Hearing Board.
5. Councilperson Shaud motioned to approve Resolution 2022-34 establishing a fee for extra service tags purchased by Third Party Distributors. The fee was set at \$2.90. Councilperson McCloud seconded the motion. Borough Council unanimously voted to approve Resolution 2022-34 establishing a fee for extra service tags purchased by Third Party Distributors.
6. Elizabethtown Police Department Chief Cunningham provided an update on EPD Personnel Matters. He stated that Officers Matthew C. Celsky and John W. Stewart both graduated the Police Academy on Monday, December 12, 2022 and were sworn in on Tuesday, December

13, 2022. It was added that Officer Celsky graduated the academy top of the class and received the Safe Driving Award.

Chief Cunningham shared that following interviews held during a recent Executive Session, he is recommending the Borough hire Justin T. Barnes as a Non-Certified Probationary Police Officer effective January 9, 2023, coinciding with the start of his participation in the Harrisburg Area Community College's 122nd Municipal Police Academy. Councilperson McCloud motioned to appoint Justin T. Barnes as a Non-Certified Probationary Police Officer, effective January 9, 2023, coinciding with the start of his participation in the Harrisburg Area Community College's 122nd Municipal Police Academy. Barnes will be eligible for an appointment as full-time Probationary Police Officer conditional upon his successful graduation from the 122nd Municipal Police Academy. Councilperson Hynicker seconded the motion. Borough Council unanimously voted to appoint Justin T. Barnes as a Non-Certified Probationary Police Officer, effective January 9, 2023.

Bills Payable

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

General Fund	\$853,141.37
Sewer Fund	\$77,790.03
Debt Service Fund	\$157,780.75
Capital Reserve Fund	\$10,041.66
Sewer Capital Projects Fund	\$33,213.00
Subdivision Escrow Fund	\$3,408.75
Parks Fund	\$256,412.55

Mayors Remarks

Mayor Mummert was not present for the meeting.

Council Remarks

- Councilperson McCloud commented on the meeting being the last of 2022 and shared his appreciation for the work staff has accomplished and help Borough Council accomplish over the year. He wished everyone a wonderful holiday season.
- Councilperson Hynicker thanked those in attendance for their participation in local government and thanked staff for the ongoing efforts to apply for grants. He wished everyone a happy and healthy holiday season.
- Councilperson Moss commented on the parade and enjoyed handing out the candy canes.
- Councilperson Shaud thanked everyone for their work on the parade and wished everyone a Merry Christmas and Happy New Year.

- Vice President Clark thanked the public for their attendance and staff for their work on the grant applications. He appreciated hearing that the new officers excelled at the Police Academy. He also mentioned the New Year's Event that will take place on East High Street and at the Lutheran Church.

Adjourn

Upon motion by Councilperson McCloud and second by Councilperson Shaud, and without objection, the meeting was adjourned by Vice President Clark at 8:06 PM.

Respectfully Submitted,

Rebecca S. Denlinger
Borough Manager