

ELIZABETHTOWN BOROUGH COUNCIL
REGULAR MEETING
March 15, 2018
Minutes

The regular meeting of Elizabethtown Borough Council was held on Thursday, March 15, 2018 at 7:00 p.m. at the Borough Office. Present were Councilmembers, Tom Shaud, J. Neil Ketchum, Jr., J. Marc Hershey and Phil Clark. Also present were Borough Manager Roni Ryan, Assistant Borough Manager Ann Roda, Public Works Director Wayne DeVan, Planning and Zoning Director Pamela Craddock, Lieutenant Shane Deardorff, Mayor Chuck Mummert and Josele Cleary, Borough Solicitor with Morgan, Hallgren, Crosswell & Kane, P.C. Absent were Council members Bill Troutman and Jeff McCloud.

President Hershey called the meeting to order at 7:00 pm and noted that council held an Executive Session at 6:30 p.m. to discuss a legal matter.

Masonic Village Conditional Use Hearing

Borough Solicitor Josele Cleary, Morgan, Hallgren, Crosswell & Kane, P.C., provided an overview of the process and format of the conditional use hearing. No witnesses for either party, Elizabethtown Borough or Masonic Village, were added and four exhibits were introduced.

Craig Smith, Client Manager/ Senior Associate with RGS Associates and Patrick J. Sampsell, Chief Environmental and Facilities Officer with Masonic Village attended the public hearing and provided an overview regarding the Conditional Use request. Following the overview two additional exhibits, architectural rendering and sketch plan, were introduced.

Council members asked a question pertaining to the design of the buildings and how they compared to surrounding buildings, sought clarification on the traffic study and asked about the inclusion of the sidewalk along Bainbridge Road. The Masonic Village representatives indicated that the facade would be similar to surrounding buildings, the improvements outlined in the traffic study were already completed by Masonic Village and that Masonic Village was committed to having a pathway/asphalt path along Bainbridge Road to Willowood Swim Club.

There was no public comment, and at 7:32 p.m. the public hearing was closed. Borough Council held an Executive Session and at 7:40 p.m. the meeting resumed.

Action Item:

It was motioned by Ketchum, seconded by Clark, to approve the conditional use request from Masonic Village for the construction of four residential apartment buildings in a Mixed Use Zoning District with the following conditions:

1. Applicant shall submit, obtain approval of, and record a land development plan meeting requirements of the Elizabethtown Borough Subdivision and Land Development Ordinance.
2. Applicant shall install a pedestrian pathway to the Willowood Swim Club as part of the development. The pathway shall be shown on the Land Development Plan.
3. Applicant shall continue to be bound by prior agreements relating to contributions to improvements to the intersection of Masonic Drive and Bainbridge Road, including potential signalization.
4. Prior to the issuance of permits to authorize construction on the Property, Applicant

- shall pay tapping fees for 48 sewer EDUs to the Borough for the apartment buildings and any additional EDUs needed for the proposed restaurant and office space in Building 1 and shall provide evidence that it has paid all tapping fees required by Elizabethtown Area Water Authority. It is the intention of this condition that the applicable tapping fees shall be paid for each building prior to the issuance of a construction permit for such building.
5. Applicant shall obtain all permits and approvals required by Borough Ordinances including, but not limited to, the Subdivision and Land Development Ordinance and the Uniform Construction Code.
 6. Applicant shall pay to the Borough one half of the appearance fee of the court reporter in accordance with Section 908(7) of the MPC within 30 days of the date of an invoice from the Borough for such appearance fee. This condition does not limit the Borough from requiring payment of the appearance fee of the court reporter for the hearings before the Borough Zoning Hearing Board.
 7. Applicant shall reimburse the Borough for all attorneys' fees involved in connection with the conditional use hearing and preparation of the Decision.
 8. The foregoing decision shall be binding on the Applicant, its successors and assigns.
 9. Applicant shall at all times comply with and adhere to the representations contained in its Application and the evidence presented to Council at the hearing on March 15, 2018.
 10. Any violation of these conditions shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies in the MPC and the Zoning Ordinance.

Following a roll call vote, the motion carried unanimously.

Public Comment

There was no public comment.

Approval of Minutes

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

1. Regular Meeting – February 15, 2018
2. Work Session Meeting - March 1, 2018

Reports

1. The Financial Report was unanimously approved after a motion by Clark and second by Ketchum.
2. The Code Enforcement Report was provided as an informational item and there were no questions.
3. The Fire Company responded to 53 calls during the month of February, 19 of which were in the Borough, with an average response time of 7 minutes 23 seconds.
4. Northwest EMS responded to 108 Borough calls during the month of February bringing the year-to-date total for Borough calls to 218.

New Business

1. It was motioned by Clark, seconded by Ketchum, to approve the energy service agreement with Titan Gas and Power for the purchase of natural gas over a three year term for the Borough Office facilities. Motion carried unanimously.

2. It was motioned by Shaud, seconded by Clark, to approve the 2018-2020 Mowing Contract from Longstead Lawn & Landscape in the amount of \$21,014 (year 1), \$21,014 (year 2) and \$21,308 (year 3).
3. It was motioned by Ketchum, seconded by Clark, to approve the low bid for the 2018 Concrete Contract from Geoff Good Concrete, in the amount of \$13,155.
4. It was motioned by Clark, seconded by Ketchum, to approve the low bid for the 2018 Paving Contract from Pennsy Supply Inc. in the amount of \$267,900.48.
5. It was motioned by Shaud, seconded by Ketchum, to approve the low bid for the 2018 Stone Contract from RE Pierson Materials in the amount of \$29,200.
6. It was motioned by Ketchum, seconded by Clark, to approve Resolution 2018-5 regarding the disposal of records in accordance with the Municipal Records Manual by the Pennsylvania Historical and Museum Commission (PHMC) Bureau of Archives and History as amended July 23, 2009.

Bills Payable

Motion by Ketchum, second by Clark, to pay the bills and budgeted transfers as presented:

General Fund.....	\$245,217.27
Sewer Fund	\$99,224.00
Train Station Fund	\$2,936.75
Subdivision Escrow Fund	\$5,354.00
Parks Fund	\$3,057.01

Motion carried unanimously.

President Hershey announced that following the adjournment of the meeting Council would hold an Executive Session to discuss a legal matter, a real estate matter and a personnel matter.

Adjourn

Following a motion by Ketchum, second by Clark, the meeting unanimously adjourned at 8:00 p.m.

Respectfully Submitted,

Roni Ryan
Borough Manager