

**ELIZABETHTOWN BOROUGH COUNCIL
REORGANIZATION MEETING
January 6, 2020
Minutes**

The Reorganization Meeting of Elizabethtown Borough Council was held on Monday, January 6, 2020 at the Borough Office. Mummert administered the oath of office to Phillip Clark, Jeffrey McCloud and Thomas Shaud before calling the meeting to order at 7:01 p.m. Present were Councilmembers Tom Shaud, J. Neil Ketchum, Jr., J. Marc Hershey, Phil Clark, and Jeff McCloud. Also present were Borough Manager Roni Ryan, Assistant Borough Manager Ann Roda, Public Works Director Jeff Kinsey, Planning and Zoning Director Pamela Robert, Police Chief Ed Cunningham, and Mayor Chuck Mummert. Absent from the meeting was Councilmember Bill Troutman.

Nominations and Election of Council President & Vice President

Mummert opened the floor for nominations, Ketchum nominated Hershey to serve as Council President for calendar years 2020-2021. Hershey was unanimously elected as President. Mummert then relinquished control of the meeting to Hershey. Hershey opened the floor for nominations for Vice President, Shaud nominated Ketchum to serve as Council Vice President for calendar years 2020-2021. Clark second the nomination and Ketchum was unanimously elected as Council Vice President.

Staff & Consultant Appointments

It was motioned by Clark, second by McCloud, to approve the following staff and consultant appointments for calendar years 2020-2021:

- a. Roni Ryan – Borough Manager, Secretary, Treasurer, Open Records Officer through January 22, 2020.
- b. Rebecca Denlinger – Borough Manager, Secretary, Treasurer, Open Records Officer effective January 23, 2020.
- c. Ann Roda – Assistant Secretary, Assistant Treasurer, Assistant Open Records Officer
- d. Ed Cunningham – Chief of Police, Assistant Open Records Officer
- e. Pamela Roberts – Zoning Officer, Building Code Official, and Codes Compliance Official
- f. Greg Gobrecht – Assistant Zoning Officer, Building Code Official, Codes Compliance Official
- g. Jay Jenkins – Codes Compliance Official
- h. Eckert, Seamans, Cherin & Mellott, – Solicitor
- i. Morgan, Hallgren, Crosswell & Kane – Solicitor
- j. Trout, Ebersole & Groff – Auditor
- k. Pennsylvania Local Government Investment Trust (PLGIT) – Main Depository of Funds
- l. County of Lancaster Treasurer – Tax Collector
- m. Hanover Engineering – Civil Engineer
- n. Herbert, Rowland & Grubic, Inc. – Sanitary Sewer Engineer
- o. Herbert, Rowland & Grubic, Inc. – Sewage Enforcement Officer
- p. Commonwealth Code Inspection Service, Inc. – UCC Third-Party Administrator

Motion carried unanimously.

Appointments to Boards and Committees for Calendar Years 2020-2021

President Hershey sought volunteers for the noted Board and Committees. For 2020-2021 the following appointments were made:

- a. It was motioned by Ketchum, seconded by McCloud, for Phil Clark to be the PSAB Voting Delegate. Motion carried unanimously.
- b. It was motioned by Shaud, seconded by Clark, for Mayor Chuck Mummert to be the PSAB Alternate. Motion carried unanimously.
- c. It was motioned by Clark, seconded by McCloud, for Neil Ketchum to be appointed to the Chamber of Commerce Board of Directors. Motion carried unanimously.
- d. Appointment for the Vacancy Board Chair was tabled to a future meeting. Motion carried unanimously.

Appointments to Borough Boards and Committees

- a. It was motioned by Ketchum, seconded by McCloud, to appoint Everal McDonald to the Planning Commission for a four-year term expiring December 31, 2023. Motion carried unanimously.
- b. It was motioned by McCloud, seconded by Clark, to appoint Rebecca Hostetler to the Zoning Hearing Board for a three-year term expiring December 31, 2022. Motion carried unanimously.
- c. It was motioned by Shaud, seconded by McCloud, to appoint Jamie Rowley to the Civil Service Commission for a five-year term expiring December 31, 2025. Motion carried unanimously.
- d. Appointment to fill the five-year term vacancy on the Elizabethtown Industrial Development Authority was tabled to a future meeting.
- e. It was motioned by Ketchum, seconded by McCloud, to appoint Rebecca Denlinger to the Elizabethtown Industrial Development Authority, effective January 23, 2020, to fill an unexpired term to December 31, 2021. Motion carried unanimously.
- f. It was motioned by Shaud, seconded by Ketchum, to appoint Phil Clark to GEARS for a three-year term expiring December 31, 2022. Motion carried unanimously.
- g. It was motioned by Clark, seconded by McCloud, to appoint Dr. C. Dale Treese to the Elizabethtown Area Water Authority for a five-year term expiring December 31, 2024. Motion carried unanimously with Shaud abstaining.

Meeting Schedule for Calendar Year 2020

It was motioned by Clark, seconded by Shaud, to retain the meeting schedule of Council meetings beginning at 7:00 p.m. on the first and third Thursday of the month for the 2020-2021 calendar year. Motion carried unanimously.

Other Business

- a. Brian Cooley, with DC Gohn Associates, provided an introduction to the Conoy Crossing Final Subdivision and Lot Add On Plan for Phases 4 & 5. This introduction included the type and number of units planned. It was noted that a number of revisions have been completed, compliance issues with the zoning ordinance have been resolved and on December 9, 2019, the Elizabethtown Borough Zoning Hearing Board granted four variances in relation to Conoy Crossing Phase 4 & 5. The variances were in relation to impervious coverage limits, the 100 foot clear sight triangle, driveways within 40 feet of

an intersection, and acquiring permits within one year from the time of the Zoning Hearing Board decision. Cooley ended with introducing Conoy Crossing representatives, Jake Oweiler and Jack Smith, and stated that Smith would provide an overview of the deferral waivers being requested.

Smith explained that there are two waivers for access drives and sidewalks being sought and they are proposing that these be addressed through a deferral agreement. It was added that in this phase of development two access drives would be shown on the plans for the Espenshade farm but the access drives would not be constructed just shown visually. The drives would be shown to meet an agreement between Conoy Crossing and the owners of the Espenshade property in which Conoy Crossing would provide two access drives granting entrance to the property from Masonic Drive if the property is developed at a future date. The waiver for the sidewalks along the Espenshade property, was previously granted would be extended because there is no construction proposed on the Espenshade property and the waiver approval should be continued until a future date when the property is developed.

Smith added that a traffic study cannot be conducted at this time because there is no actual plan in relation to the development of the Espenshade property. If the waivers are granted, Smith said that a deferral agreement would be prepared between Conoy Crossing and Elizabethtown Borough. The agreement would specify that if the Espenshade property is developed, a traffic study would be completed and sidewalks would be installed.

Hershey and Ketchum each stated concerns with the deferral agreement because there is more to consider with access to Maytown Road such as density of potential development, flow impacts other filters out of the development. The development would also take place in West Donegal Township. Any potential deferral agreement should be signed by all parties.

Pam Roberts stated that there is concern from staff and the engineer that items such as access roads are not typically put on plans unless they are to be constructed. There is also concern that should a development occur years from now that such an agreement would not be found through a title search. Ketchum asked if it could be codified in a restricted covenant that would be on the deed.

Roni Ryan asked Conoy Crossing representatives where is it noted who has the responsibility for the sidewalks if/when the development would occur. Smith responded that responsibility would be the owner and developer of the farm and would be part of the deferral agreement.

President Hershey asked Roberts to obtain a legal opinion regarding the deferral agreement, if it can be prescriptive in when items are completed. Legal advice should also be sought in how the deferral items would be referenced on plans and how best to capture the notes.

- b. It was motioned by Shaud, seconded by Ketchum, to approve a 90-day time extension for the review of the Conoy Crossing Final Subdivision and Lot Add-On Plan Phases 4 & 5 for a new expiration date of April 5, 2020. Motion carried unanimously.
- c. Chief Cunningham presented the monthly report for the month of December and noted nothing significant to highlight. He also noted that the new officer started the week of December 30, 2019 and working through the identified training plan.

Adjourn

President Hershey noted that following the meeting council would hold an executive session to discuss a personnel matter.

Following a motion by Shaud, second by McCloud, the meeting unanimously adjourned at 8:14 p.m.

Respectfully Submitted,

Roni Ryan
Borough Manager