

ELIZABETHTOWN BOROUGH COUNCIL
REGULAR MEETING
January 21, 2010
Minutes

The regular meeting of the Elizabethtown Borough Council was held on January 21, 2010 at 7:00 p.m. at the Borough Office. Present were Councilmembers Meade Bierly, Phil Clark, Neil Ketchum, Jeff McCloud, Tom Shaud and Dr. Dale Treese. Also present were Manager Roni Ryan, Assistant Manager Cindy Foster and Chief of Police Jack Mentzer. Mayor Chuck Mummert was absent.

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

1. Regular Meeting—December 17, 2009
2. Reorganization Meeting—January 4, 2010
3. Work Session—January 7, 2010
4. Special Meeting—January 14, 2010

Special Presentation

Chief Mentzer and President Clark presented the *Police Officer of the Year* award for 2009 to Detective John Emrick, recognizing and thanking Detective Emrick's family who was in attendance.

Public Comment

Neil Miller, 605 E. Hummelstown Street, expressed his opinion that it was good to see new faces on Council noting he looks forward to a great year ahead. He then proposed construction of a skate park for the community's youth and building a parking garage in conjunction with the train station project. Mr. Miller expressed concerns with traffic congestion throughout the Borough, problems with left-turn lanes at High Street and ADA ramps installed on High Street as part of the Penn DOT paving project, progress of the West College Avenue project, and parking problems throughout the Borough.

Reports

1. The Financial Report was unanimously approved after a motion by Bierly, second by McCloud.
2. The Code Enforcement Report was provided as an informational item.
3. The Fire Company reported it responded to a total of 225 calls in the Borough in 2009, nine of which occurred in December. The average response time was 4.22 seconds.
4. Northwest EMS reported a total of 1,258 calls in the Borough in 2009, 89 of which occurred in December.

Old Business

1. Motion by McCloud, second by Bierly, to adopt Ordinance No. 910 authorizing Elizabethtown Borough to join with other local government units as a member of the Pennsylvania Intergovernmental Risk Management Association (PIRMA). Motion unanimously approved by roll call vote.
2. Motion by McCloud, second by Shaud, to adopt Ordinance No. 911 instituting two-hour parking restrictions in both directions on Masonic Drive from West Bainbridge Street, northbound on Masonic Drive. Motion unanimously approved by roll call vote.
3. Motion by Treese, second by Bierly, to adopt Ordinance No. 912 amending the non-uniform employees' pension plan to revise the contribution percentage allocated to the Borough Manager effective January 1, 2010. Motion unanimously approved by roll call vote.
4. Motion by Shaud, second by Treese, to adopt Ordinance No. 913 amending the Police Pension Plan to comply with Act 600 of 1956, as amended by Act 51 of 2009, eliminating the killed-in-service benefit as this benefit is now provided by the Commonwealth. Motion unanimously approved by roll call vote.
5. Motion by Treese, second by McCloud, to adopt Ordinance No. 914 amending the Code of Ordinances of the Borough of Elizabethtown, Chapter 10, Health and Safety, Part 1, Section 101, abolishing the Board of Health and the position of Health Officer. It was noted that taking this action will have no detrimental effect on the community as the Commonwealth will take responsibility for inspections moving forward. Motion unanimously approved by roll call vote.

New Business

1. Motion by Shaud, second by Bierly, to approve a major land disturbance plan for Elizabethtown Area School District's pedestrian pathway with the following waivers and conditions:
 - a. Waiver to Section 303 and 304—Preliminary and Final Land Development
 - b. Waiver to Section 309—Financial Security
 - c. The plan must be reviewed and receive final approval from Mt. Joy Township.
 - d. Comments outlined in a letter from Hanover Engineering dated December 22, 2009 concerning storm water management must be addressed.
 - e. Once Bear Creek Intermediate School is fully operational and functioning as intended, the Borough must be provided with a traffic study for the drop-off facility on East High Street.

School Superintendent Amy Slamp was present and explained that the project involves a walking path connecting the new school to East High Street. Motion carried by a 5-1 margin with Councilmember Treese voting nay.

2. Motion by Bierly, second by Treese, to adopt Resolution 2010-1 authorizing the disposal of certain records in the Police Department and certain Borough records in accordance with the Municipal Records Manual. Motion carried unanimously.
3. Motion by Shaud, second by McCloud, to approve Change Order 2010-1 for the Elizabethtown Train Station Rehabilitation Project in the amount of \$42,650.36. Motion carried unanimously.
4. Motion by Bierly, second by Treese, to approve Requisition 2010-1 dated January 9, 2010 for the Elizabethtown Train Station Rehabilitation Project in the amount of \$425,967.75 payable to Lobar, Inc. Motion carried unanimously.
5. Motion by Treese, second by Bierly, to approve the recommendation of the Design/Review Committee to enter into an agreement with C.S. Davidson, Inc. of Lancaster, Pennsylvania for design of the satellite train station parking lot contingent upon acquisition of property. Motion carried unanimously.

Bills Payable

Motion by McCloud, second by Shaud, to pay the bills as presented:

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| General Fund..... | \$180,167.65 |
| Sewer Fund | \$61,652.34 |
| Sewer Capital Projects Fund..... | \$219,125.00 |
| Capital Reserve Fund..... | \$354,957.52 |
| General Vehicle Sinking Fund..... | \$74,009.00 |
| Subdivision Escrow Fund | \$2,868.44 |

Motion carried unanimously.

Borough Manager Remarks

Council Remarks