

MINUTES
LEGISLATIVE MEETING – APRIL 15, 2020

The April 15, 2020 Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt via Zoom.

The following officials were in attendance:

- Jon G. Wilt, President
- Todd F. Truntz, Vice President
- Ronald J. Paul, Assistant Secretary
- Michael J. Davies, Commissioner
- Christopher DeHart, Commissioner
- Betsy McBride, Township Manager
- Jean R. Arroyo, Township Secretary
- Peter R. Henninger, Solicitor
- Shawn Fabian, HRG
- Ann Hursh, Planning & Zoning Coordinator
- Don Fure, Director of Codes & Planning
- Lester Lanman, Public Works Director
- Daniel Tingle, Acting Chief

Residents and visitors in attendance through Zoom or by phone:

*(**Access links/phone numbers were listed on the Township's website prior to this meeting, and the names listed below are as they appeared on the conferencing service)*

Laura Hayes (Press & Journal), Dale Messick, Ashley, Joanne Hickey

President Wilt welcomed everyone to the meeting, and opened the floor for public comment.

PUBLIC COMMENTS: None

APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the Minutes of the April 1, 2020 Workshop Meeting. The motion was unanimously approved.

APPROVAL OF BILLS:

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve the payment of bills as presented on Warrant No. 2020-3. The motion was unanimously approved.

APPROVAL OF TREASURER'S REPORT:

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the Treasurer's Report for March 2020. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Acting Chief Tingle provided the summary of statistics for the Police Department for the month of March. There were 582 calls for service and 40 investigations which lead to 39 arrests. There were 31 total victims. He noted that Covid-19 did have an impact on the operations of the Police Department, especially during the first half of the month when there was a strong call volume.

Fire Department

Ms. McBride presented the monthly statistics. There were 31 calls in March (118 total so far this year) and 29 responders, with the average of 8 personnel per response. Time in service for the month was 11:27:18. For the month of March, there were 5 fire incidents, 5 rescue and EMS incidents, 3 hazardous condition incidents, 1 service call, 13 good intent calls, and 4 false alarms. Mutual aid was as follows: Highspire – 3, Middletown – 4, PA Turnpike – 1, Steelton – 5, and Swatara – 4.

ENGINEER'S REPORT

Shawn Fabian, HRG, referenced his report and provided project updates.

Paving for the Highland Street and Lumber Street/Greenwood Drive projects is on hold until PennDOT allows it, which is expected to happen soon.

The Greenfield Park Basin Retrofit and Riparian Buffer project is also on hold, since the contractor for this work is considered a non-essential business. There will most likely be a schedule adjustment after the order is lifted. The Riparian Buffer planting sub is a landscaper and

still falls under the classification of an essential business. They would like to mobilize to site and perform the tree planting while the weather is ideal for that work.

The contractor for the Rosedale Manor Stormwater project and the contractor for the Bradford Avenue Home Demolition Project are both considered non-essential business, so there is no movement on these projects.

The final report of the Township Comprehensive Recreation, Park and Open Space Plan was provided for staff review yesterday. Ms. McBride noted the document is very large, but she will provide copies to the Board. Mr. Fabian explained that after Board and staff review it and provide input, the document will be submitted to DCNR for its final review and approval. Mr. Fabian added he is hoping the Board and staff review can be done by the next workshop meeting so this document can be forwarded to DCNR within the next month.

Mr. Fabian updated the Board on the Spring Garden Drive Culvert Replacement. The Board had previously expressed interest in moving forward with advertisement and bid of the project, so a new tentative schedule was drafted. Authorization will appear later on this evening's agenda.

Commissioner Paul observed additional stone was being placed on the culvert at Lumber Street. Mr. Fabian explained this was the last remaining stage before the work was shut down. Commissioner Paul asked if Mr. Fabian is aware of any "go-ahead" on that project. Mr. Fabian stated they did actually submit their waiver information to the Township, so they are cleared as soon as the paving is able to occur. Mr. Lanman added that Suez is also looking to do some work there, so there is also some coordination with Suez and Crilon. This work must be done prior to the paving.

SOLICITOR'S REPORT:

Solicitor Henninger reported that the PennVest assumption of the loan to the Municipal Authority is set to occur on Friday. Officials from both the Township and Municipal Authority will need to sign some documents in the next day or so in order to move this forward.

Easements are needed from four property owners for the Spring Garden Culvert project, one of which the Township had for the Lumber Street side. Solicitor Henninger added he has the easements prepared but is waiting for the legals from the HRG team so they can be signed and notarized. There is currently a bill pending that addresses notarization during this pandemic.

While temporary easements do not necessarily require notarization to do the work, permanent easements will eventually need to be notarized, since they do get recorded. Solicitor Henninger will work with Ms. Arroyo on getting these notarizations completed.

Solicitor Henninger reported he has been monitoring the Covid-19 directives, which change every day. Clarification is always an issue. He referenced an email that the Board should have received regarding the requirement to wear masks, and added that he and Attorney Mike Miller are still not sure whether this is applicable to the Township. Efforts will continue to make operations as safe and easy as possible.

MANAGER'S REPORT:

TRACS (Police Dept.)

Ms. McBride reminded the Board that several months ago, former police chief Jeff Vargo had mentioned TRACS, which is a software package. She explained the Township is not told when it can choose TRACS, but is told if it wants to use it, it can do so now. The time has come, and it does involve computer purchases on the Township's part. Ms. McBride asked Acting Chief Tingle to elaborate on this item.

Acting Chief Tingle provided a brief background of the TRACS software, which was developed to move electronic data such as traffic citations and other court documents from law enforcement agencies seamlessly to the court system. PA State Police have been involved in the TRACS program for years now; advantages they have seen is a significant reduction in the amount of time necessary to issue traffic citations and also to prepare crash reports. They are looking at about a 50% reduction in time which allows officers to utilize their time in other ways. In 2012, the PSP issued a program to roll out the TRACS software to local municipalities. They offer it to about 50 municipalities a year. The Township has been on the list since last year and its time has now come up. There are about 500 local agencies in Pennsylvania involved in it.

Acting Chief Tingle added that earlier this week, he had sent Solicitor Henninger some agreements to review with regards to being a sub-licensee of the software. The software itself is provided to the Township at no cost through the state program. However, equipment will be needed to print paper copies of receipt of the citations that are being issued. Four different vendors were approached for quotes, and the current low bid was K&C Communications in the amount of \$7,782.60 to purchase the printers and to install the items in the police vehicles. Their quote last

year was \$10,002.60. There would be some ongoing costs to the program, including thermal paper and the cartridges for the printers in the vehicles. Other than that, there would be no reoccurring costs.

Commissioner DeHart asked how many units are being requested. Acting Chief Tingle stated they are looking to outfit the eight marked patrol units. Included in the quote is the purchase of four scanners which would scan the barcodes on the drivers' license, registration cards, etc. There is also a patch to be able to transfer that information directly into the report software. There is the possibility of a matching grant through the Pennsylvania Highway Safety for the scanners themselves. In response to a question from Commissioner DeHart, Acting Chief Tingle stated he does not know the warranty information off the top of his head.

Commissioner Davies asked if this is a budgeted item. Ms. McBride responded that it is a budgeted item under minor equipment in the police budget. It is about \$2,500 less than what was quoted last year.

Commissioner DeHart asked the name of the vendor for the special thermal paper required. Acting Chief Tingle explained the Pennsylvania State Police acts as the vendor for the entire Commonwealth, providing discounted pricing through bulk purchasing. Commissioner DeHart added this is probably done through the state's Costars Program.

Solicitor Henninger stated he did review the TRACS license users' agreement and had minor comments. He also reviewed the Agency Consent Form Crash Reporting System that needs signed, and is good with that. He noted that he has not seen the quote from the vendor, but \$7,700 is under the bidding requirement. Solicitor Henninger asked if this vendor is used by other departments. Acting Chief Tingle agreed that K&C Communications is the vendor for the state police, and outfits their patrol units. Solicitor Henninger noted the Board could act on approval, subject to his review of the actual quote.

A motion was made by Commissioner Paul, seconded by Commissioner Davies, to approve the purchase of the TRACS equipment for the police department, subject to review of the quote by the solicitor. The motion was unanimously approved. A motion was then made by Vice President Truntz, seconded by Commissioner DeHart, to authorize the appropriate officials to enter into the Pennsylvania TRACS sub-license users' agreement and the Pennsylvania Department of Transportation Agency Consent Form Crash Reporting System. The motion was unanimously approved.

Future Meetings/Events:

April 22	7 PM	Zoning Hearing Board – CANCELLED
April 23	7 PM	Planning Commission Meeting
May 6	6 PM	Recreation Board Meeting
May 6	7 PM	Board of Commissioners Workshop Meeting
May 20	7 PM	Board of Commissioners Legislative Meeting

Solicitor Henninger noted that one meeting missing from the list is the April 27 meeting of the Municipal Authority, which starts at 7:00 P.M. Ms. Hursh added the April 23 Planning Commission Meeting is now cancelled.

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul commented that Covid-19 will also have a financial impact on the Township, and an eye will need to be kept on the numbers.

Budget and Finance Committee: Commissioner Davies referenced the finance packet provided by staff and called attention to the revenues compared to the budget. The Real Estate Transfer Tax is running at 351%. Year to date actual is \$613,482. This is very good news. In addition, under inspection expenditures for Review & Consulting Fees, that figures is way up, although the volume of work is way up as well. Commissioner Davies stated he was surprised to see the 2006% increase but acknowledged there are some very big projects going on in the Township right now. Contracted services are also higher than expected.

Public Works Committee: Vice President Truntz requested an executive session immediately upon conclusion of this evening's meeting in order to discuss some personnel issues. He asked if Mr. Lanman wanted to provide an update on activity. Mr. Lanman reported that the crew is doing a lot of work in the playgrounds. It is hoped that repairs in preparation for the paving work can be done soon. Right of way mowing will start up within the next week. Mr. Lanman stated there is one item he would like to discuss with the Board tonight. Kinsley Construction is asking for direction on how the Township wants them to proceed when they get the go ahead to start stormwater work for the UPS project on North Union Street. Basically, this is from the stream where the new pump station is going to be, north on North Union Street up to the entrance way to the UPS site. They will be doing a lot of stormwater work there, and expect to be dealing with a significant amount of rock. Kinsley has come up with four scenarios for this work. Again, they are very concerned with running these rock removal operations. Mr. Lanman stated that he agrees with these concerns, particularly due to the width of that road and the

powerlines in that area. The first scenario they are proposing is to perform their work between 7:00 P.M. and 5:00 A.M. They would completely close the road and use Longview Drive out to either Ebenezer Road or Oberlin Road as a detour. The road would then be fully reopened at 5:00 A.M. Mr. Lanman stated he feels this scenario would be the quickest and the safest for motorists and work crews. Scenario 2 would be 6:00 P.M. to 6:00 A.M., and they would maintain one lane open pretty much the whole time. This is not their preferred option. Scenario 3 would be to perform the roadwork between 7:00 P.M. and 5:00 A.M., shutting down the road in full; at 5:00 A.M., the road would open again, but be a single-lane opening. They would work pretty much 24/7, but overnight (7:00 P.M. to 5:00 A.M.) it would be a full closure. Mr. Lanman noted they do not prefer this option, due to the danger to the crew and the passing traffic with the one-lane opening. The fourth scenario would be day-time work only, with a single lane closure. This is their least desirable scenario, since it will take the longest and be difficult to work around. Mr. Lanman stated his recommendation would be scenario 1, which he feels would be the fastest and safest. However, there could be noise issues with working overnight.

President Wilt agreed that he feels the first option may be the best. Commissioner DeHart asked when this work will start. Mr. Lanman explained they want to start as soon as they get the necessary plan approvals. Commissioner DeHart commented the paving of Route 283 goes all night long, and blacktops up and down North Union. Mr. Lanman explained that they are in direct contact with the quarry right there, and Pennsy gave an approval. He noted he is waiting for Kinsley to give him a verification regarding access by Kreider Farms. Ms. Hursh added that Ron Secary reached out to her today and requested contact information for Kreider Farms as well as for the engineer of the Hershey Creamery project.

Commissioner DeHart asked the time frame for scenario 1. Mr. Lanman responded they are anticipating 30 days for either scenario 1 or 3. Commissioner DeHart remarked that there is a lot of traffic on North Union Street during the day, and it would be good to keep it open during the day if possible. Mr. Lanman agreed that is why he favors scenario 1. Commissioner DeHart added there are five homeowners in that area, and this should be run by them too.

Commissioner Paul added this should also be run by the Police Department which may have some insight. Acting Chief Tingle suggested it would be best to have the least amount of contact between the construction operations and motorists. He agreed it will have an impact on the

Kreider operations, which has deliveries 24-hours a day. The FedEx facilities will also be impacted, as they have staggered starting and quitting times. Acting Chief Tingle also commented that the crash volume in this area has been significantly reduced since the overlay was done on the 2100 block of North Union Street. Commissioner Davies added it might also be good to get feedback from the Fire Department.

Mr. Lanman stated he will contact Kinsley and tell them that scenarios 1 and 3 are both possibilities, and that they need to contact Kreider Farms. He added that he will attempt to make contact with the homeowners out there.

Community Development: Commissioner DeHart -- no report

Personnel Committee: President Wilt – no report

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolutions for traffic signal approval

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve Resolution No. 2020-R-5, authorizing the Township Manager to submit the Application for Traffic Signal Approval (location North Union Street and PA-283 Westbound Ramps) to the Pennsylvania Department of Transportation and to sign this Application on behalf of Lower Swatara Township. The motion was unanimously approved.

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve Resolution No. 2020-R-6, authorizing the Township Manager to submit the Application for Traffic Signal Approval (location North Union Street and PA-283 Eastbound Ramps) to the Pennsylvania Department of Transportation and to sign this Application on behalf of Lower Swatara Township. The motion was unanimously approved.

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve Resolution No. 2020-R-7, authorizing the Township Manager to submit the Application for Traffic Signal Approval (location North Union Street and Fulling Mill Road) to the Pennsylvania Department of Transportation and to sign this Application on behalf of Lower Swatara Township. The motion was unanimously approved.

AvFlight Improvement Guarantee Reduction

Ms. Hursh referenced Improvement Guarantee Reduction #1 for AvFlight, File PC #2016-05, in the amount of \$73,307.50 from the current amount of \$88,715.00 leaving a balance of \$15,407.50. She noted that most of the project is done. Mr. Fabian agreed, and stated that he is just waiting for some documentation for the amended soil installation. There are also some E&S controls that need to be removed yet. He agreed with the amount of the reduction being recommended tonight. Commissioner DeHart suggested tabling this if the documentation has not been received. Mr. Fabian explained that what has yet to be completed is actually what is being held back in the balance of \$15,407.50. A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve Improvement Guarantee Reduction #1 for AvFlight, File PC #2016-05, in the amount of \$73,307.50 from the current amount of \$88,715.00 leaving a balance of \$15,407.50. The motion was unanimously approved.

Advertisement of Bids for Spring Garden Culvert Replacement Project

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve authorization to advertise for bids for the Spring Garden Culvert Replacement Project. Mr. Fabian added the advertisement will appear in the April 29 and May 6 editions of the Press and Journal. The plan is to publish it in PennBid and make it available for bidding on May 4, with plans to open bids on June 4. The motion was unanimously approved.

Requests for Funding

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve Request for Funding No. 29 (DCIB 2017 loan) in the amount of \$1,250.35 to the Dauphin County Infrastructure Bank for the Highland St. Culvert Replacement Project. The motion was unanimously approved.

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve Request for Funding No. 30 (DCIB 2017 loan) in the amount of \$881.95 to the Dauphin County Infrastructure Bank for the Lumber Street Culvert Replacement Project. The motion was unanimously approved.

Resignation of Kelly Thompson from the Civil Service Commission

The Board unanimously accepted the resignation of Kelly Thompson from the Civil Service Commission, effective February 29, 2020. Ms. Thompson's term was due to expire on December 31, 2022.

Resolution 2020-R-8 to waiver penalty for 2020 Real Estate Taxes

Ms. McBride explained that before the Board tonight is Resolution No. 2020-R-8, which waives the penalty for 2020 Real Estate Taxes as a result of Covid-19. She noted that Dauphin County has passed a similar resolution for the County taxes. What this means is that in April and May, anyone that pays their tax bill will pay the flat rate, with no discount. Beginning June 1, there would normally be a penalty attached. This resolution states that any payments made between April 1 and December 31 will be accepted at the flat rate – no penalties will be imposed. A motion was made by Commissioner Davies, seconded by Vice President Truntz, to approve Resolution No. 2020-R-8, which waives the penalty for 2020 Real Estate Taxes. The motion was unanimously approved.

GOOD AND WELFARE:

Commissioner DeHart asked Solicitor Henninger about the signage along the roadways that people put up themselves, for example selling tanbark. He observed there are smaller white signs all over the Township, particularly along Route 441, Fulling Mill Road, and Vine Street. He asked if this type of business advertisement is legal. Solicitor Henninger responded it is not. Commissioner DeHart asked if the Public Works Department can remove them when they come across them. Solicitor Henninger agreed that if they are in the public right of way, they need to come down. If they are in the Township right of way, the Township can remove them. If they are in the PennDot right of way or on private property, the property owner must be told to remove them or grant permission for the Township to remove them. Ms. McBride stated that she will meet with Mr. Lanman and Mr. Fure to discuss this.

Commissioner DeHart expressed hope that by the next meeting, everyone will be together again. He asked that everyone stay safe, and thanked those who joined the meeting tonight.

Commissioner Davies expressed concern about the new requirement for employees to wear masks. He added that he knows there is a question about whether townships have to comply with this, but asked if there is access to an adequate supply for employees. Ms. McBride stated that she just received a text from Attorney Miller that this does not apply to local governments. However, she added there is a supply to last several weeks, and additional masks

are on order. Ms. McBride explained that she had ordered masks early on. According to EMA Director Bob Furlong, Lower Swatara has more than most other townships.

Vice President Truntz thanked the Township staff for its dedication in keeping things running under this stressful time. He also thanked everyone for participating in tonight's meeting.

President Wilt also thanked the staff for its dedication.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Vice President Truntz, seconded by Commissioner DeHart, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:55 P.M.

ATTEST:

Jean R. Arroyo
Township Secretary