

MINUTES

LEGISLATIVE MEETING – APRIL 20, 2022

The April 20, 2022 Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt.

Roll call was taken, with the following officials in attendance:

- Jon G. Wilt, President
- Todd F. Truntz, Vice President
- Ronald J. Paul, Assistant Secretary
- Michael J. Davies, Commissioner
- Christopher DeHart, Commissioner
- Elizabeth McBride, Manager
- Jean R. Arroyo, Secretary
- Michael McAuliffe Miller, Eckert Seamans, Solicitor
- Shawn Fabian, HRG (via Zoom)
- Kaylee Justice, Planning and Zoning Coordinator (via Zoom)
- Scott Washinger, Public Works Manager
- Dominic Visconti, Chief of Police
- Rebecca McClain, Accounting Manager (via Zoom)

Residents and visitors in attendance: (see attached sign in sheet)

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

PUBLIC COMMENT:

Dale Messick, Greenfield Drive, referenced agenda items 14F and 14G pertinent to funds for the Shireman tract and asked what that money will get the Township. He also inquired if the interim funding would be paid back to the General Fund. Ms. McBride explained that the Township has received American Recovery Act money which has not yet been earmarked. The interim money could be reimbursed to the General Fund through that. Ms. McBride added that the \$300,000 grant mentioned in 14E must go towards a project that is at least 1 million dollars. This portion of the project will cost approximately 1.3 million dollars and will mainly consist of earthmoving on the Shireman tract. There will also be some parking lots put in, perhaps a meadow set up, and the beginnings of a softball field. However, the majority of the 1.3 million will be for earthwork. Vice President Truntz recalled there was some recreation money that was

in the General Fund and needed to come out of there. He asked if there is some shifting of funds to be done. Ms. McBride responded that she believes Ms. McClain has already done this but will confirm. Commissioner Davies inquired if the earthwork would include a large amount of drainage projects. Ms. McBride agreed that there will be a lot of stormwater efforts involved, including retaining basins.

Raymond Burkett, 1898 Lakeside Drive, explained that his home is on the corner of Lakeside Drive and Hanover Street. His property is experiencing major erosion from the bank coming toward his house as a result of the storm basins that were put in at the bottom of the hill. Mr. Burkett stated his bank is eroding and there are sinkholes in his yard; his front yard is still horrible and there is no reason that cannot be fixed now. Although someone did come out and fix some of it, there are still ruts, mounds, and stones everywhere. Mr. Burkett explained that he will need to hire a landscaper and does not feel he should have to pay for this work.

Commissioner Paul asked Mr. Fabian when the project will be completed. Mr. Fabian explained that comments from Highspire Borough's engineers were addressed for that connection point and resubmitted for final review. Once they are satisfied with that, it is a matter of the solicitors coming to an easement agreement for that to be built. Ms. McBride asked Mr. Fabian if he could discuss separately the issues with Mr. Burkett's front yard and his back yard. Mr. Fabian explained that for the front yard, the contractor is mobilized back to site to address punch list items before they can get completion and final closeout. The front of the yard around the curb and driveway area will be handled under that work. Mr. Burkett stated his backyard where it sunk before still needs fixed. They did put dirt on it, but it is still not right. He suggested someone meet him there so he can show them the situation. He also asked the size of the retaining wall being put on that back bank.

Ms. McBride asked Mr. Fabian if Mr. Burkett will get most or all of his backyard back. Mr. Fabian explained that when they installed that pipe, part of the installation included putting in a new end wall at the discharge point. This allows the building back of what has been eroded in Mr. Burkett's backyard and stabilizes it with a permanent turf reinforcement and matting to prevent further erosion in that area. Commissioner Paul suggested it might be wise to share the design of the backyard scenario with Mr. Burkett. Solicitor Miller agreed, and suggested Mr. Fabian meet with Mr. Burkett at the property and bring along the plan. Ms. McBride stated

that she will coordinate this meeting. President Wilt added he had spoken to other neighbors in that area who had expressed similar concerns with property erosion.

APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the Minutes of the April 6, 2022, Workshop Meeting. The motion was unanimously approved.

PAYMENT OF BILLS:

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the Payment of Bills – Warrant No. 2022-03. The motion was unanimously approved.

TREASURER'S REPORT:

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the Treasurer's Report for March 2022. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Chief Visconti provided a summary of the monthly statistics for March. There were 8 Part I crimes, 29 Part II crimes, 357 calls for service, 1 DUI arrest, 17 traffic citations, 1 non-traffic citation, and 14 warnings. There were 11 motor vehicle accidents, 6,468 patrol miles driven, and 2,802 foot patrol minutes. There were 337 total overtime hours, and 24 total training hours. Vice President Truntz stated there is obviously a lot of overtime hours and asked how many officers the Department is short right now. Chief Visconti explained that one officer is still out on a work-related injury, and another was on military deployment. Vice President Truntz noted the Department is already down three officers. In response to a comment from Ms. McBride, Chief Visconti confirmed there was a domestic violence incident just this week that resulted in an officer suffering a back sprain; the officer will be out for a short period of time.

Fire Department

Chief Phillips presented the monthly statistics' report. During the month of March, there were 39 total calls with 28 responders, for an average of 7 personnel per response. There were approximately 21 hours of time in service. Mutual aid was provided to Harrisburg City (1), HIA (1), Highspire Borough (5), Hummelstown Borough (2), Londonderry Township (3), Middletown Borough (2), PA Turnpike (2), Steelton Borough (3), Swatara Township (3), and West Hanover Township (1).

Public Works Department

Mr. Washinger updated the Board on the fuel system. As previously reported, DEP permitted him to purchase some fuel for the winter period. The tank of regular gasoline is now getting low. Diesel fuel will last another two months. In the meantime, all vehicles will have fuel cards issued to them. Ms. McBride asked who the vendor will be. Mr. Washinger explained that cards can be used at Sheetz, Turkey Hill, Exxon, Souders, etc. President Wilt asked if the vendors will all have the same pricing. Mr. Washinger stated they should since this is all through the Costars program.

Commissioner DeHart asked if the vehicles will have fuel logs where users will need to sign and record what they purchase. Mr. Washinger explained that computerized reports will be automatically generated from the fuel cards. Commissioner DeHart stated that gas is becoming more and more expensive. He suggested fuel logs in each Township vehicle as a double check.

Commissioner Davies expressed concern about sludge at the bottom of the fuel tanks and asked if there is any way to determine when the tanks get to that low point. Mr. Washinger stated the tanks will be shut down before that, since there is probably a few feet of sludge in them – they have not been cleaned out in over thirty year. He added that he has been having difficulty obtaining a second bid on a new system. Keystone Petroleum, which is the firm most municipalities use, is the only vendor that has provided a bid. Commissioner DeHart stated he will check with UPS to see who they are utilizing. In response to a question from Vice President Truntz, Mr. Washinger stated that above-ground tanks will cost about \$1.3 million. Underground tanks would be a lot more expensive. Decommissioning would be much easier, and cost about \$35,000 - \$40,000.

ENGINEER'S REPORT:

Mr. Fabian updated the Board on the 2021 Drainage Improvement Project and noted another two easements were signed for Greenwood Circle. At this point, the only outstanding easement is from First Industrial for the 217 Delmont Avenue work. Most of the waterline issues that have necessitated project mobilization changes have been worked through.

As discussed earlier, the contractor for the Rosedale Manor stormwater project is back in the area addressing the punch list items. The project manual and bid documents for the 2022 Paving Plan are being pulled together, and all exhibits have been finalized to perform the field work to begin finalizing recommendations for the pavement of the roads that are part of the pavement plan package.

Notification was received today that the scoping application for the Fulling Mill Road Boat Launch was accepted by PennDOT, and they have given clearance for the Township to submit the HOP for review. This will be prepared and submitted as quickly as possible to get the project moving.

Commissioner Davies referenced the Doli change order in the Board packets. He asked if the Hanover Street outfall work will be part of Doli's responsibility or will be included in a separate contract. Mr. Fabian explained that since that contract is still open, the Board can decide which company it wants to do the job. Bids can be solicited from both the drainage improvement contractor and this Rosedale contractor since it is within both of their scopes as a stormwater improvement. He added, however, that it is not currently part of Doli's contract.

Vice President Truntz stated there is a cut on Scarlett Lane; he asked if there is a timeline for when it will be paved. Mr. Fabian responded that he had just talked to the contractor today about that since he observed the curb was framed to pour but was not yet done. They are supposed to circle back in the next week to get that poured. Once the concrete cures, they are planning to restore the pavement in that area. Vice President Truntz asked if the contractor can at least come out and grade it. With traffic going over it, it is getting rough and should be graded and smoothed out a bit. Mr. Fabian agreed to make the contact.

MANAGER'S REPORT:

Old firehouse

Ms. McBride updated the Board on the discussions about the old firehouse property. Staff met with Baker Engineering on-site and walked the ground together. Commissioner DeHart has been a big help in identifying what could possibly be underground, although nothing is certain because of the time frame which goes back decades. The Board will be kept updated on this.

Discussion on seeking foundation support for recreation

Ms. McBride noted the Township has sought funds for Shireman and other playgrounds. It appears there are also foundations that could possibly provide funding for things like disability playground equipment. She asked if the Board is agreeable to her investigating this further. The Board expressed no objections.

Asset management component to current integrated accounting system

Ms. McClain referenced information she had provided the Board regarding an asset management module that is part of the Cassel software that the Township currently uses. This would allow the Township to have all its assets in one place. Ms. McClain explained that at present time, she tracks the Capital assets, Mr. Washinger tracks the Public Works equipment, Chief Visconti tracks the Police equipment, Pointsolve tracks the computer equipment, etc. This module would put all assets into one data base for everyone to use. Ms. McBride added that she may be able to get this half-funded by the former EIP/current STMP. In response to a question from Commissioner DeHart, Ms. McBride stated there is a \$2,970 one-time cost to buy the module and a \$990 yearly fee for support of the module. This item will appear on the next agenda for formal action.

Outsource payroll

Ms. McClain reported that she and Ms. McBride recently met with Paytime. Swatara Township uses this payroll company to outsource its payroll. The cost proposal was included in the Board packets; cost comes out to be about \$4,600/year. Presently, the Township pays about \$4,000 a year for the annual support to Caselle for the payroll timekeeping system. Ms. McClain explained that the controls would still be in house; she would still calculate hours, provide employee information for new hires, etc. Paytime would submit the payroll information to the bank, do the W2's and quarterly reporting, take care of all the taxes including Heart and Lung

benefits, etc. She noted this will be a big timesaver for her. Ms. McBride agreed this is very important, since she has put more and more on Ms. McClain's desk, including the grant accounting. Ms. McClain is also involved with more permitting now. Vice President Truntz asked if the \$4,000 Caselle subscription could then be alleviated. Ms. McBride agreed it could be. Commissioner DeHart asked about the transfer of the data from Caselle to Paytime. Ms. McClain explained that the current data the Township has will not leave; it will be housed in Caselle. Commissioner DeHart asked if staff had looked at other payroll companies. Ms. McBride explained that while Paytime comes highly recommended by other municipalities, she does intend to approach other firms.

Future Meeting Dates

President Wilt read aloud the list of future meeting dates:

April 23	Opening Day for Baseball – Memorial Field
April 25	7:00 P.M. Municipal Authority Meeting
April 27	7:00 P.M. Zoning Hearing Board
April 28	CANCELLED: Planning Commission Meeting
May 4	7:00 P.M. Board of Commissioners Workshop Meeting

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul reported that there was a Recreation Board meeting held last week which focused on development and financing for the Shireman tract. This will be an ongoing process, and things are anticipated to move quite rapidly.

Budget and Finance Committee: Commissioner Davies – no report

Public Works Committee – Vice President Truntz reported that the crew has been busy getting Memorial Park ready for opening day, working on baseball fields, mowing, patching potholes, and supervising various Township projects.

Community Development: Commissioner DeHart reported that he will be attending a meeting of MARA tomorrow and will report back to the Board at the next meeting.

Personnel Committee: President Wilt – no report

UNFINISHED BUSINESS:

Solicitor Miller referenced a proposal from Chief Visconti to sell 18 model X26 Tasers that are no longer in service to Accredited Security in Naples, Florida. The price is not

anticipated to exceed \$2,000; if the price exceeds \$2,000, the Township will not proceed with this sale. Solicitor Miller noted this is acceptable, and he would recommend approval as stated. In response to a question from Vice President Truntz, Solicitor Miller explained that \$2,000 is the limit; anything higher would require going to auction. A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the proposal from Chief Visconti to sell 18 model X26 Tasers that are no longer in service to Accredited Security in Naples, Florida. If the price exceeds \$2,000, the Township will not proceed with this sale. The motion was unanimously approved.

NEW BUSINESS:

Preliminary/Final Land Development Plan of Penn Preserve

Matt Fisher, RJ Fisher and Associates, presented the Preliminary/Final Land Development Plan of Penn Preserve (PC # 2022-03). He explained that a very similar plan was approved with very minimal conditions back in 2017. The plan was never recorded. It was listed for sale, and Berks Homes is in the process of purchasing the project. The NPDES permit is set to expire this summer, so the permit is being revised to meet the current regulations. Two lots near the entrance will be lost due to increased size of the basins necessary to meet these current NPDES requirements. There are several other small revisions, such as shifting a swale back a bit to give more buildable area, and some other minor lot adjustments.

Commissioner DeHart referenced the larger basins and asked who will be responsible to maintain those. Mr. Fisher responded there will be a Homeowners Association that will be responsible for that; this will need to be noted on the plan. He added that they have provided a letter to Mr. Fabian regarding how they plan to address the various outstanding comments on the plan. Commissioner Paul referenced the comment letter and asked how much time it will take for these comments to be addressed. He noted that there are many comments listed, and although they are acknowledging agreement with them, there is still a lot of work to do on the plan. Mr. Fisher explained that they are still waiting on comments from the Conservation District; Ms. Justice had suggested not submitting revised plans. He stated his feeling that it would be more efficient to address all those comments at one time after they also receive the Conservation District comments. Most of the other comments are adding a detail, tweaking a number, etc. and are relatively minor. He anticipated they could probably be addressed in a

week. However, they will still be waiting for comments and approval from the Conservation District.

President Wilt asked if the Board is interested in tabling this due to the number of comments. Commissioner Paul agreed that since tabling will not really change the timeline of the plan, he would prefer to wait until the plan is in a cleaner format. He asked Mr. Fisher if the original planning module that was submitted is still being used. Mr. Fisher agreed it is since the original planning module was approved for more units. He added that DEP is in concurrence with this.

A motion was made by Commissioner Paul to table the Preliminary/Final Land Development Plan of Penn Preserve (PC # 2022-03). The motion was unanimously approved.

Financial Security Adjustment #3 for D&H Proposed Warehouse

Mr. Fabian addressed Financial Security Adjustment #3 for D&H Proposed Warehouse (LST Plan 2019-03) in the amount of \$377,197.00 from the current amount of \$377,197.00, leaving a zero balance and releasing it in full. HRG is comfortable with the release in full. He noted that there is a separate financial security for all the roadway improvements. This one is for the on-site work itself. A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Financial Security Adjustment #3 for D&H Proposed Warehouse (LST Plan 2019-03) in the amount of \$377,197.00 from the current amount of \$377,197.00, leaving a zero balance and releasing it in full. The motion was unanimously approved.

Payment #1 for JVI Group

Mr. Fabian referenced Application for Payment No. 1, in the amount of \$123,987.24, to JVI Group, Inc. for the Cockley Road Culvert Replacement/LST 2021 Drainage Improvement and Swatara Drive Sanitary/Storm Improvements. This was thoroughly reviewed, and HRG does concur with the requested amount. The application for payment covers the work that was done on Spring Garden Drive and a small amount on Swatara Drive. Mr. Fabian added that this will be partially funded by liquid fuels, and he is working with PennDOT on the eligible and ineligible line cost items. A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve Application for Payment No. 1, in the amount of \$123,987.24, to JVI Group, Inc. for the Cockley Road Culvert Replacement/LST 2021 Drainage Improvement and Swatara Drive Sanitary/Storm Improvements. The motion was unanimously approved.

Change Order#3 to Doli Construction Corp.

Mr. Fabian commented on Change Order 3, in the amount of \$744,794.03 to Doli Construction Corporation for the Rosedale Manor Stormwater Improvements Project. This is the final change order for the project. It covers out-of-scope items including utility conflicts as well as additional pavement work on Market St. Extended and Hanover Street to connect the new pavement and this project to existing paved areas. A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the recommendation to the Lower Swatara Township Municipal Authority of Change Order 3, in the amount of \$744,794.03 to Doli Construction Corporation for the Rosedale Manor Stormwater Improvements Project. The motion was unanimously approved.

Resolutions for Shireman Project

Mr. Fabian noted the next three resolutions pertain to a RACP grant for the Shireman tract. These resolutions are required as part of the grant process. The first resolution is for the grant itself for on-site improvements at the Shireman Tract. Solicitor Miller asked if his understanding is correct that the Board would be approving the filing of the Application and Business Plan for the grant, and then identifying three sources of potential funding which would not be spent unless the RACP grant is received. Ms. McBride explained that the RACP Grant was awarded to the Township about 2 ½ years ago. The Township has continued to extend it. The final extension is coming due, so the Township is now ready to move forward with the Plan and provisions for funding.

Dale Messick referenced the \$700,000 and asked if this requires a matching \$700,000 or if it is the total. Ms. McBride explained that when the \$300,000 grant was awarded to the Township, it was based on a project of at least \$1,000,000. That would mean \$300,000 from the grant, and \$700,000 from the Township. Phase 1 is \$1.35 million.

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve Resolution No. 2022-R-10 authorizing the filing of the RACP formal Application & Business Plan for a \$300,000 RACP Grant to be used to complete on-site improvements for the Shireman Tract – Lower Swatara Township Project. The motion was unanimously approved.

Commissioner Paul noted that the resolutions listed on the agenda should be renumbered; Resolution No. 2022-R-11 as listed on the agenda is actually 2022-R-12 and Resolution No. 2022-12 as listed on the agenda is actually 2022-R-11. Solicitor Miller agreed and asked that

the vote reflect the correct wording. Commissioner DeHart referenced Resolution No. 2022-R-11 and asked if the \$300,000 of interim funding in account 288 and match dollars in account 288 are all from the same account. Ms. McBride stated she is confident that this is correct.

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve Resolution No. 2022-R-11 resolving to utilize the following source to provide \$300,000 of interim funding for the Shireman project: Lower Swatara Township General Funds will provide \$300,000 of interim dollars in which the funds are held at Mid Penn Bank in Account No. XXXXX288. There are no restrictions or assignments pertaining to the interim funds that are immediately available for the project. The motion was unanimously approved.

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve Resolution No. 2022-R-12 resolving to utilize two sources to provide the match funding for the Shireman project: (1) the Lower Swatara Township Recreation Fund will provide \$700,000 of match dollars in which the funds are held at Mid Penn Bank in Account No. XXXXX239. There are no restrictions or assignments pertaining to the matching funds that are immediately available for the project.; and (2) the Lower Swatara Township General Fund will provide \$350,000 of match dollars in which the funds are held at Mid Penn Bank in Account No. XXXXX288. There are no restrictions or assignments pertaining to the matching funds that are immediately available for the project. The motion was unanimously approved.

EXECUTIVE SESSION REQUESTED:

Solicitor Miller stated that the Manager has requested a short executive session immediately upon conclusion of this evening's meeting for personnel reasons. He added that the Board had also convened in a short executive session this past Monday, May 18, for personnel reasons.

FINAL COMMENTS:

Commissioner Davies stated is it nice to see the Rosedale project moving towards completion; it was a lengthy and challenging project. He thanked Mr. Fabian for the engineering efforts put into this. Commissioner Davies thanked everyone who attending this evening's meeting.

Commissioner Paul, Commissioner DeHart, Vice President Truntz, and President Wilt also thanked everyone who came out tonight. President Wilt noted he will not be able to attend the Opening Day ceremonies on Saturday; he wished the Athletic Association a successful day.

ADJOURN INTO EXECUTIVE SESSION:

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

ATTEST:

A handwritten signature in dark ink, appearing to read "Jean R. Arroyo", written in a cursive style.

Jean R. Arroyo, Secretary

PLEASE PRINT NAME CLEARLY

APRIL 20, 2022 LEGISLATIVE MEETING – 7:00 P.M.

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