

MINUTES

LEGISLATIVE MEETING – AUGUST 17, 2022

The August 17, 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 (via Zoom)
- Christopher DeHart, Commissioner
- Jean R. Arroyo, Secretary
- Michael McAuliffe Miller, Eckert Seamans, Solicitor
- Shawn Fabian, HRG
- Dominic Visconti, Chief of Police

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

President Wilt welcomed everyone to the meeting and announced that the Board had met in executive session on August 16 for personnel reasons. The floor was then opened for public comment.

PUBLIC COMMENT: None

APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the Minutes of the August 3, 2022 Workshop Meeting. The motion was unanimously approved.

PAYMENT OF BILLS:

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the Payment of Bills – Warrant No. 2022-07. The motion was unanimously approved.

TREASURER'S REPORT:

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the Treasurer's Report for July 2022. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Activity Report

Chief Visconti provided a summary of the monthly statistics for July. There were 24 Part I crimes, 27 Part II crimes, 441 calls for service, 2 DUI arrests, 45 traffic citations, 2 non-traffic citations, and 83 warnings. There were 8 motor vehicle accidents, 6,649 patrol miles driven, and 74-foot patrol minutes. There were 518 total overtime hours, and 87 total training hours most of which were for controlled tactics training.

Co-responder stats included 10 new contacts and 2 follow-up contacts, 3 of which involved mental health commits. Chief Visconti reported that the program is working out quite well. The co-responder assigned to the Township is a good fit and has been a great resource. He added that he is currently preparing the 2023 budget and will include the figures he obtained from the County for inclusion in the department's budget proposal

Update on sale of tasers

Chief Visconti updated the Board on the sale of the old Police Department tasers to Accredited Security in Naples, Florida. The Board had authorized the resale at the April 20, 2022 legislative meeting. Accredited Security found that 9 of the 17 submitted were operational or repairable and issued a check in the amount of \$790.00 for these. In response to a question from Commissioner DeHart, Chief Visconti confirmed that these taser were not being used prior to sale. Vice President Truntz asked what will be done with the ones that were not acceptable. Chief Visconti anticipated they will be trashed or used for parts; they will not be returned to the Township.

Chief Visconti welcomed Officer Jason Heckendorn back to duty, after being out on a work-related injury.

Amendment to agenda re: Hero Grant

Solicitor Miller stated his understand that Chief Visconti would like permission from the Board to apply for the Hero Grant that is being administered by the PCCD. It has many different uses. If the Board is so inclined, the agenda can be amended to act on this approval. A motion

was made by Vice President Truntz, seconded by Commissioner Paul, to amend the agenda to include approval for Chief Visconti to apply for a Hero Grant. The motion was unanimously approved. A motion was then made by Commissioner Paul, seconded by Commissioner DeHart, to approve Chief Visconti applying for a Hero Grant. The motion was unanimously approved. Chief Visconti expressed his gratitude on behalf of the members of the Police Department for this approval.

Fire Department

Deputy Chief Shawn Taylor presented the monthly statistics' report. During the month of July, there were 44 total calls with 28 responders, for an average of 6 personnel per response and approximately 27 hours of time in service. There were 10 fire incidents, 12 rescue and EMS incidents, 3 hazardous condition incidents, 1 service call, 8 good intent calls and 10 false alarms. Mutual aid was provided to Harrisburg City (2), Highspire Borough (8), Hummelstown Borough (2), Middletown Borough (4), Steelton Borough (5), and Swatara Township (4).

On behalf of the Fire Department, Chief Taylor extended congratulations to the Police Department for a very successful National Night Out. Chief Visconti and administrative assistant Donna Leiss did an excellent job organizing this well-attended event. He added that the annual Fire Prevention event will be held in October. Invitations will be forthcoming. Vice President Truntz thanked the Fire Department for its huge role in National Night Out. Chief Visconti agreed that the Police Department is extremely grateful to the Fire Department for allowing use of its facilities and looks forward to this partnership again next year.

Commissioner DeHart asked Chief Taylor if he could provide a breakdown of trends in EMS calls, including class 1 medical assists. Chief Taylor responded that he does not have statistics available tonight but can provide them. He noted, however, that from his experience he is not seeing a lot of these. The majority of what he has seen in the past several months are lift assists. Commissioner DeHart asked that this be monitored. He suggested it might be time to have a meeting once again with the Hershey EMS. Chief Taylor agreed that routine transports and taking a unit out of service is always an area of contention.

ENGINEER'S REPORT:

Mr. Fabian referenced his written report and provided updates. Additional subsurface utility engineering data is being awaited in order to advance resolution of some of the waterline

conflicts for the Nissley and Spring Garden site. There was notice this past week that an alleged violation report was submitted to the 1-call system for the 217 Delmont Avenue site. Evidently a Xfinity line was disturbed during their excavation. Anytime there is an alleged violation report, the design engineer and the Township are required to provide information. A response was provided in a rapid timeframe after this notification.

All the data is now back for Bryn Gweled and is being processed into the final design. Three waterline clashes were identified that could not be resolved through engineering adjustments. These will be discussed further with Veolia. Mr. Fabian added that the permit submission will be done after final design is reviewed with Township staff.

One of the final requirements in order for PennVest to sign-off on the Rosedale Manor project is a walk-through of the entire site. This will occur next Wednesday. Commissioner DeHart remarked that the playground down there looks pretty good. Mr. Fabian agreed the contractor has completed most of the punch list items except the lining which still needs to be completed.

The Fulling Mill Road boat launch project will appear on tonight's agenda; no additional updates or paperwork has been received yet regarding the additional funding. Commissioner Paul asked if these grants are 50/50 grants. Mr. Fabian agreed they usually are.

A kickoff meeting was held today to schedule the wetlands survey, design timeline, bid schedule, etc. for the Fiddlers Elbow Box Culvert Replacement. Due to the timing, it may not be advantageous to bid it out this year. It might make more sense to do a fall 2023 bid for construction in 2024. Commissioner DeHart commented that this is provided there is no issue with the rock falling. Mr. Fabian agreed that if anything changes, there would be the option to pursue this sooner.

Commissioner Paul asked Mr. Fabian if he had heard anything from UGI on the intersection. Mr. Fabian responded he had not. Commissioner DeHart added that it looks like UGI may be putting gas lines in the older section; he expressed hopes that this does not interfere with the paving. Commissioner Paul added that he hopes the paving contract includes notification to the utility companies so there are no surprises. Mr. Fabian agreed.

Commissioner Paul asked how the issue with the streetlight on Mountainview Road will be handled. Solicitor Miller recalled that the Township will bill Doi for it by holding it from the retention. Mr. Fabian agreed this was his understanding and was how it was handled on a previous project.

MANAGER'S REPORT: No report

Future Meeting Dates

President Wilt read aloud the list of future meeting dates:

August 22	7 PM	Municipal Authority Meeting
August 24	7 PM	Zoning Hearing Board
August 25	CANCELLED:	Planning Commission Meeting
September 5	Labor Day Holiday –	Township offices closed for business
September 7	6 PM	Recreation Board Meeting
September 7	7 PM	Board of Commissioners' Workshop Meeting

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul asked Mr. Fabian to provide an update on the status of the Jednota Flats potential buyouts. Mr. Fabian reported that with the departure of Ms. McBride, paperwork was submitted reassigning he and Ms. McClain as the new contacts. He was told the Township should receive notice back this fall regarding the status of this review.

Budget and Finance Committee: Commissioner Davies reported that a preliminary budget meeting was held with the Public Works Manager Scott Washinger, MS4 Coordinator Brian Davis, along with Ms. McClain and Mr. Fabian to discuss upcoming projects including how to best appropriate funds from liquid fuels monies, MS4 monies, and other revenue sources. Staff will need to determine how to pay for the Bryn Gweled project, which will be a significant cost. There was a brief discussion about the salt shed at that meeting, but nothing was finalized.

Public Works Committee – Vice President Truntz reported the crew replaced several stormwater inlets in Old Reliance, performed a curb and inlet replacement at the corner of Brentwood and Wellington, and replaced a storm sewer pipe at Hamilton and Hartford. Other tasks included cleaning and power washing budlings, mowing, and park maintenance.

Community Development: Commissioner DeHart reported that MARA meets next Thursday; he will provide the Board with an update on what transpires.

Personnel Committee: President Wilt – no report

UNFINISHED BUSINESS:

Financial Security Adjustment #5 for FedEx Ground East

Mr. Fabian updated the Board on Financial Security Adjustment #5 for FedEx Ground East. This had been tabled by the Board due to the ongoing issue with the channel off of Fulling

Mill Road. Mr. Fure has since confirmed that this financial security is relative only to those basins in the back and not related to the channel; Mr. Fure is recommending approval. Commissioner DeHart suggested Mr. Davis follow-up on the channel in the front which needs repaired. Mr. Fabian agreed. A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve Financial Security Adjustment #5 for FedEx Ground East (PC File #2017-02) in the amount of \$347,767.80 as a full release, leaving a balance of \$0. The motion was unanimously approved.

Yard Waste Agreement w/Swatara Township

Solicitor Miller updated the Board on the proposed yard waste agreement with Swatara Township and stated he had sent the Commissioners a red-line and a clean version of the changes to this intergovernmental cooperation agreement. The agreement from Republic needed a fair amount of work. In order to keep things moving, he recommended the Board approve the agreement conditioned on their acceptance of the Township's terms. If they do not agree, it will be brought back to the Board. A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve an Agreement with Swatara Township to accept yard waste collected in Lower Swatara Township by Republic Services, conditioned on their acceptance of the Township's terms. The motion was unanimously approved.

NEW BUSINESS:

825 Oberlin Road

Commissioner Paul referenced a letter from Hoover Engineering requiring formal action. This pertains to a septic system repair at 825 Oberlin Road that would encroach on the required 100-foot isolation distance to their existing well on the property. Two options were presented in the letter: Option 1 is to allow a new drain field to encroach within 100 feet of an existing well located on the same property at 825 Oberlin Rd with conditions. Option 2 is to drill another well on the property if it can be located within the proper isolation distances. Commissioner Paul reminded the Board that this is a result of the plan (Pulgar Plan) that was recently tabled and then approved after a lot-line adjustment. A replacement system was designed but the problem is that older systems in substandard lots often create a lot of discrepancies with DEP's regulations. He noted this is not uncommon. It is an acceptable practice to grant this relief, which DEP accepts upon Board endorsement. Hoover Engineering, the Township's Sewage Enforcement Officer, is

recommending Option 1. A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve Option 1 to allow a new drain field to encroach within 100 feet of an existing well located on the same property at 825 Oberlin Road with conditions. The motion was unanimously approved.

Ordinance No. 602 Maximum Speed Limits on N. Union St.

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve Ordinance No. 602, an ordinance amending the Code of Ordinances of Lower Swatara, No. 1982-3, as amended, Chapter 15, Motor Vehicles and Traffic, Part 2, Traffic Regulations, Section 201, Maximum Speed Limits Established on certain street (North Union Street). A roll call vote was taken with the following ballot tabulation: Commissioner DeHart – aye, Commissioner Paul – aye, Commissioner Davies – aye, Vice President Truntz – aye, President Wilt – aye. Ordinance No. 602 was approved by a 5 – 0 margin.

Award of bid for Fulling Mill Road boat launch facility project

Mr. Fabian recommended approval of the low bid for the Fulling Mill Road boat launch facility project to Flyway Excavating, Inc. He commented that he is working with Flyway on other stream-related projects. A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve award of the low bid for the Fulling Mill Road boat launch facility project to Flyway Excavating, Inc. in the amount of \$244,386. The motion was unanimously approved. Commissioner Davies asked for the completion date of the project. Mr. Fabian noted the intent is to get it done this year in order to have all the grant funds spent before the end of 2022. Substantial completion is anticipated by November 30 and final completion by December 30. Vice President Truntz asked when the project will begin. Mr. Fabian anticipated an October mobilization.

Contract Authorization and Noticed to Proceed for 2022 Paving Project

Solicitor Miller addressed Contract Authorization and Notice to Proceed to New Enterprise Stone & Lime Co., Inc. for the 2022 Lower Swatara Township Paving Project contract. He stated there are some anomalies in the insurance portion of the add-on (including the fact that the insurance is less than the value of the project) that he would like to discuss with the company. In order to prevent holding up the contract, he suggested approval be subject to the Solicitor's approval of the final terms. A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve Contract Authorization and Notice to Proceed to New Enterprise Stone & Lime Co., Inc. for the 2022 Lower Swatara Township Paving Project contract in the

amount of \$1,384,395.95, subject to Solicitor approval of the final terms. The motion was unanimously approved.

Commissioner Paul asked for the timeline of this project. Mr. Fabian explained that as soon as the conditions can be worked out, the preconstruction meeting can be scheduled. Commissioner Paul stated his understanding that this project will be done this year. Mr. Fabian confirmed this is correct. Substantial completion is anticipated by October 28, 2022 and final completion by November 30, 2022. Commissioner Paul added that for the information of the residents, the roads included in this paving project are as follows: Briarcreek Lane (Farmhouse Lane to Old Reliance Road), Burd Road (Heatherwood Road to Nissley Drive), Heatherland Road (Greenwood Drive to Heathglen Road), Heathglen Road (Greenwood Drive to Burd Road), Huckleberry Court (Spring House Road to end), Old Reliance Road (Blacklatch Lane to Powderhorn Road), and Spring House Road (Powderhorn Road to Candlewycke Drive), and one of the two options presented for Longview Drive.

Agreement for Traffic Signal Maintenance

Solicitor Miller addressed the traffic signal maintenance agreement in front of the Board, and noted the name is actually Signal Service Inc. He stated that he had reviewed the quote, and it is lower than fees being paid by some of the neighboring municipalities. A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve a contract agreement with Signal Service Inc. as the Township's new traffic signal preventative maintenance and emergency maintenance contractor for a period of two years. The motion was unanimously approved.

Letter of Support for Penn State Harrisburg Local Share Grant

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve support for a Local Share Grant for Penn State Harrisburg in the amount of \$75,000. The motion was unanimously approved.

Commitment Letter to Veolia for Penn Preserve hydrants

A motion was made by Commissioner DeHart to approve providing a commitment letter to Veolia for Penn Preserve hydrants. He asked Chief Taylor if the Fire Department had reviewed this. Chief Taylor responded that he does not recall ever seeing plans for this site. Mr. Fabian noted his letter states their review is still required. Commissioner DeHart withdrew his motion to approve and made a motion to table a commitment letter to Veolia for Penn Preserve hydrants. The motion was unanimously approved.

Letter of support to PennDOT for two access points for the Union Knoll development

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve submission of a letter to PennDOT indicating the Township's support of having two access points for the Union Knoll development on SR 441 (Oberlin Road), in Lower Swatara Township. The motion was unanimously approved.

Letter to DC Industrial Development Authority to accept DBIC Financing

Solicitor Miller updated the Board on the proposed submission of a letter to the Dauphin County Industrial Development Authority confirming acceptance of the County's offer to participate in the DCIB Financing for the Conewago Creek Stream Restoration Project, and further indicating the Township's willingness to complete all necessary paperwork, in cooperation with the County, the DCIB Advisory Board and their financing team. He explained this was contingent on the WREP (Water Resources Enhancement Program) agreement, which was finalized as of this morning, working cooperatively with the County and HRG. There were initial concerns about the duration of the agreement, risk of some additional liability and the scope of the projects. It now operates in two segments, the first being a kind of broad program membership and the second being participation in stormwater construction projects by which the Township gets cheaper MS4 credits. The program fees will have minimal costs and the Township will have the right to leave the program every five years consistent with when the permit expires. Access to projects, such as the Conewago project, will allow the Township to purchase sediment credits at a discounted rate for its use on MS4 permits. Each program will now be separately proposed and agreed to by the Township which limits the Township's liability. Solicitor Miller stated he has looked at the final version and expects to have it to the Board for the next meeting. However, it is final with the County, and he is comfortable with the agreement. He added that the Board had previously approved the WREP agreement contingent on approval of the Solicitor; he is comfortable with final approval. He added he is also comfortable with the Township entering into DCIB funding for the Conewago Creek Stream Restoration Project which will provide cheaper MS4 credits.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve submission of a letter to the Dauphin County Industrial Development Authority confirming acceptance of the County's offer to participate in the DCIB Financing for the Conewago Creek Stream Restoration Project, and further indicating the Township's willingness to complete all necessary paperwork, in cooperation with the County, the DCIB Advisory Board and their financing

team. The motion was unanimously approved. Commissioner Paul commented that the letter gives a deadline of August 22, and the Municipal Authority does not meet until August 22. Solicitor Miller anticipated the Authority will provide its approval at their August 22 meeting. He noted that he will complete the remainder of the information needed for the approval letter.

Advertisement of Parameters Ordinance for DCIB Financing

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve advertisement of a proposed Parameters Ordinance authorizing the guarantee of the Participant Note for the DCIB Financing for the Conewago Creek Restoration Project. The motion was unanimously approved.

FINAL COMMENTS:

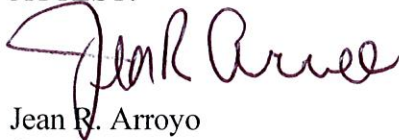
Commissioner DeHart thanked those who came out to the meeting tonight and wished everyone a safe holiday.

Vice President Truntz welcomed Officer Heckendorn back to duty.

ADJOURN:

Hearing no other comments, a motion was made by Commissioner DeHart, seconded by Commissioner Paul, to adjourn the meeting. The meeting adjourned at 7:45 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
AUGUST 17, 2022 LEGISLATIVE MEETING - 7:00 P.M.

Name/Organization	Address/Contact Information
Dale Messink	Des. Dent
NORMAN R Foye	
Sean Taylor / FDLs	
Chris D. Smith / Triple Crown Corp.	