

MINUTES

LEGISLATIVE MEETING – AUGUST 18, 2021

The August 18, 2021 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 (not present at roll call, arrived at 7:12 PM via Zoom)
- Christopher DeHart, Commissioner
- Elizabeth McBride, Manager
- Peter R. Henninger, Solicitor
- Don Fure, Director of Codes and Planning
- Dominic Visconti, Chief of Police
- Shawn Fabian, HRG

Absent: Jean R. Arroyo, Secretary

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

POTENTIAL REFINANCING OF 2016 BOND

Jay Wenger of Susquehanna Municipal Trust and Lou Verdelli of RBC provided a brief presentation on the possibility of refinancing the 2016 bonds. Mr. Wenger explained that rates are very close to all time lows, but not exactly there yet. There is the potential to refinance the 2016 bonds, which are currently outstanding at about 3.6 million dollars. This is a relatively small amount with a short duration so the ability to generate significantly higher savings than somewhere between \$75,000 and \$100,000 would be very challenging. The proposition as a stand-alone refunding would be to issue approximately 3.3 million of bank qualified bonds; the 2016 bonds are currently callable so the Township could do a current refunding to make it as efficient as possible. This would result in present day's savings of about \$56,000 for this fiscal year. If the Township is contemplating any new-money projects in the next three to twelve months, it would probably make more sense to wait to combine the refunding. Mr. Wenger

explained they felt it was worthwhile to at least present this to the Board tonight. If the Board wants to set a target – perhaps a 2% savings threshold – it could do so. Mr. Verdelli agreed this is a small refinancing but would be good financing housekeeping to generate this savings if possible.

In response to a question from Vice President Truntz, Mr. Wenger stated there is no deadline for this action, unless the intent is to close this year to include the savings in the 2021 budget.

PUBLIC COMMENTS:

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

Nick DiFrancesco, 21 Conway Drive, shared the concerns of the residents in the Bryn Gweled neighborhood. The roads here are deteriorating and were last addressed in 2001 when the nova chip process was utilized and was expected to last up to five years. Many of the roads have some deep ruts and rivets, and do not appear to be repairable with cold patch. In other areas, the road surface is getting pretty close to the top of the curb line. He asked if there is a schedule for these to be addressed. Commissioner DeHart stated that he and Commissioner Paul were out there this summer to look at these roads, and agreed they are wearing down. Mr. Fabian explained there was a municipal wide road evaluation done a few years ago and a targeted list compiled. The Township is now in the process of evaluating any underground work that may be necessary prior to resurfacing. He agreed that the eastern side of the Bryn Gweled development appears to be worse. Mr. DiFrancesco asked how the residents can help move this road project ahead. Commissioner Paul explained that resurfacing the road is less difficult than addressing the underground work, including the storm sewer. The investigation of this work has not yet been completed. Mr. DiFrancesco asked if the laterals going to the houses are a part of this evaluation. Mr. Fabian stated the laterals themselves are not televised. Commissioner Paul stated the laterals to the main are the homeowner's responsibility. Commissioner Paul asked if there are potholes on the roads. Mr. DiFrancesco stated what he observes are ruts and surface failures. Mr. DiFrancesco asked what the residents can expect as far as a plan. Commissioner Paul suggested they continue to check in with the Township. When emergency projects pop up, they must be handled first. As everyone is aware, there are project delays everywhere. While

hopes are to get the project done next year, things could change. He noted that if there is something that can be done in the interim, it will be done. Mr. Fabian added that staff is attempting to keep residents updated on projects through its website and Facebook page. Vice President Truntz asked that staff look at this road situation sooner rather than later, especially if there are safety concerns. The snowplows could also make this situation worse this winter. Mr. DiFrancesco also requested that when the road work is looked at, the Township ask UGI to consider running gas lines through this area.

Ben Hall, 525 Constitution Drive, added this development was built in the 60's, so a lot of residents had their water lines and sewer lines redone. The street may not have been compacted good enough, and there doesn't appear to be any concrete underneath. Mr. Hall asked if milling the top of the street and putting cold patch in the low spots may be a good and inexpensive temporary fix. Commissioner DeHart asked Mr. Fabian if this development came in as a "red" high priority area on the roadway management plan. Mr. Fabian confirmed the red area follows Bryn Gweled into Conway around a portion of Bangor and then the rest of the way up to Lumber. Commissioner Paul asked if consideration was given to milling only around the curb. Mr. Fabian agreed this was done in some other locations.

Laddie Springer, 1630 North Union Street, referenced Greenfield Park and the drainage work that was done at the soccer field last year. He asked if this is being maintained, as it is now an eyesore. Mr. Fabian explained that it does take several years for the landscaping to take hold and fully establish. There is actually a lot more water held back in the basin than was anticipated, so additional plantings are being considered to help with this. Mr. Springer also thanked Solicitor Henninger for his many years of loyalty to the Township and for his assistance when he served on the Board. He wished him well on his retirement.

Bill Leonard, 1401 Heritage Square, stated that in May of 2020, there was a group of residents who came up with the idea of having an antique car drive through the Township. There were about 72 cars involved, and it was well received. The event was held again this year, and the police department, Chief Visconti and Sergeant Young, assisted with traffic control which was very much appreciated by all. About 45 cars were involved this year, and hopes are to have the event again next year.

Charlie Klinger, 7 Anglesey Circle, reiterated concerns about the terrible road conditions in the Bryn Gweled development. He stated the material and process used was not a good choice and is rapidly deteriorating. If a child riding a bike goes down on that asphalt, it could be very bad. He added that even walking around the neighborhood is dangerous, as his wife can confirm. Mr. Klinger noted another concern is the storm drains and water not going in them due to open voids. This water is impacting the integrity of the road and sidewalks. He asked the Board to consider moving this project ahead.

Dale Messick, Greenfield Drive, stated that he helped build the Bryn Gweled development as a young man. He stated that his son and family live in this development, and his young grandson recently had a fall from his bicycle after hitting a rut. Fortunately, he was wearing a helmet. Mr. Messick also wished Solicitor Henninger well on his retirement.

APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve the Minutes of the August 4, 2021 Workshop Meeting. The motion was unanimously approved.

PAYMENT OF BILLS:

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve the Payment of Bills – Warrant No. 2021-07. 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 2021. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Activity Report for July 2021

Chief Visconti provided a summary of the monthly statistics for July. There were 9 Part I crimes, 27 Part II crimes, 424 calls for service, 2 DUI arrest, 37 traffic citations,

7 non-traffic citations, and 16 warnings. There were 9 motor vehicle accidents, 8,497 patrol miles driven, and 8 foot patrol minutes.

Fire Department

Chief Weikle presented the monthly statistics' report. During the month of July, there were 49 calls (274 for the year) and 31 responders with an average of 7 personnel per response. There were approximately 20 hours of time in service. There were 6 fire incidents, 10 Rescue and EMS incidents, 3 hazardous condition incidents, 1 service call, 20 good intent calls, and 9 false alarms. Mutual aid was provided to Highspire Borough (6), Hummelstown Borough (1), Middletown Borough (8), PA Turnpike (1), Steelton Borough (6), and Swatara Twp. (3). Chief Weikle added the Fire Department was honored to be the host location for the National Night and hopes to continue this in the future.

As the Board is aware, last week was a rough one for the Fire Department with the loss of two life members, Dave Floyd and Eric Breon. Chief Weikle also wished Solicitor Henninger well on his retirement and thanked him for the service he provided to the Fire Department.

ENGINEER'S REPORT:

Mr. Fabian referenced discussion about the paving review for Bryn Gweled. He added that the list he has been reviewing with staff also includes roads in Old Reliance, Shopes Garden, and Greenwood Hills. Condition of the infrastructure, both sanitary and storm sewer, is being evaluated in order to formulate a recommended paving plan. These roads are all in need of attention. Updates will be provided.

An update was provided on the Rosedale Manor Stormwater Project. A field meeting was held earlier this week with the contractor to discuss a punch list of outstanding issues prior to proceeding with wearing course, pavement and the final restoration of the site. The contractor continues to complete concrete repairs, flow channel pours, flowable fill to seal up left in place old storm lines, mailbox resetting, topsoil restoration and concrete driveway aprons at this same time. The contractor anticipates starting the final wearing course pavement right after Labor Day. This will extend the project timeline beyond what was initially planned for. Commissioner Paul observed that there does not appear to be much being done right now. Mr. Fabian explained that the contractor is doing a lot of bouncing around as far as the inlet work; there were a number of

locations where cars were parked over an inlet, so they skipped it and came back. He agreed there appears to be a single punch list crew.

The bid for the 2021 Storm Sewer Replacement Project (217 Delmont Ave., Scarlett Ln., Spring Garden Dr. by the Caterer, Cockley Rd. Culvert Replacement, Swatara Dr. & Penna Ave, Nissley Dr. & Spring Garden Dr.) is live on PennBID. There does seem to be a lot of interest in this from contractors. Bid opening is set for August 25 at 10:00 A.M.

There are several items on tonight's agenda regarding the Spring Garden Drive Culvert Replacements Project. Flood restoration and resiliency improvements have been made to the project, and final completion site review has been completed. A recommendation for final payment and contract release appears later on this evening's agenda.

The annual Municipal Separate Storm Sewer System (MS4) Program report is due at the end of next month and Township is in a good position for completion by the deadline.

Sunoco Pipeline has indicated that it is currently reviewing through the Township's evaluations of the roads damaged during construction of the pipeline work. Sunoco's typical process is to reach out to two contractors that pave in the general location and get bids so dollar values can be determined. He anticipated hearing back from them within a month.

Mr. Fabian updated the Board on the RACP Grant for Richard L. Shireman Park Development. The Office of the Budget did approve the second six-month extension for this project, extending the new deadline to February 7, 2022. This is sufficient time to develop the business plan for the park development.

Vice President Truntz stated that he had driven down Rosedale Avenue by the new D&H Warehouse and saw the big sign and truck turnaround there. One of the big concerns of the residents was trucks going down Rosedale and needing a place to turn around to direct them in other direction. Vice President Truntz questioned the radius, which looks very tight. Mr. Fabian explained that they actually have that middle section as mountable curbing for the trailers. On the truck turn analysis provided, they were utilizing that mountable curbing for the full swing of the trailer. Vice President Truntz expressed concern that when truckers see this tight radius, they may feel they cannot make it and just continue down Rosedale. Mr. Fabian explained that if they continue to travel down Rosedale, they will hit a mast arm which will be installed with the signage. Commissioner Paul asked who will be responsible for the maintenance of this turn-around. Mr. Fabian stated he is not aware of any dedicated right of way here. Solicitor Henninger agreed

that he does not recall that being set forth on the plan as being proposed for dedication but suggested this be confirmed.

Commissioner DeHart questioned the guardrail right before the Airport Connector Bridge and asked if it can be raised to permit plowing this winter. Otherwise, there will be nowhere to put the snow. Mr. Fabian explained this is evidently the new standard for guiderail. There is very little curb reveal. Commissioner DeHart stated this will be a problem. He suggested this be looked into.

President Wilt referenced discussions last meeting about the water issues on Delmont Avenue. He asked if anyone had reached out to the owners of the Industrial Park to have them address their responsibility. Mr. Fabian responded that Mr. Davis and Mr. Washinger were in communication with them and discussed the possibility of having them tie into the new structure. Discussion focused on the logistics and who would own and be responsible for which portions. Mr. Fabian stated he did not hear the outcome. Ms. McBride added they have been very cooperative so far.

Commissioner DeHart stated he had sent Mr. Fabian pictures of Farmhouse Lane from 2011 and suggested these be used for background to see how the water is flowing. It definitely comes down like a river off the Shireman Tract. Mr. Fabian agreed this is useful information, and added the Public Works also showed him some additional concerns they had with drainage coming down Longview.

SOLICITOR'S REPORT: None

MANAGER'S REPORT:

2022 Budget Discussion

Ms. McBride explained that this year, she would like to hold a public meeting, not on a Wednesday night, where the department heads would discuss early-on their needs for the upcoming budget. She agreed to contact the Board to look at some tentative dates.

Job Descriptions

Between now and the next meeting, job descriptions will be emailed to the Board. Requested changes were made, such as whether college degrees for particular positions are preferred or required. She anticipated these will be in a position for approval.

Local Share Grant

Ms. McBride noted that in past years, the Township had organizations within the Township ask for its support as they applied for a Local Share Grant. She asked the Board to provide its support for the Fire Department for its request for \$124,800 and the Lions Club for its request for \$25,000. In the past several days, a request was also received from Penn State Harrisburg for \$35,000. A motion was made by made by Vice President Truntz, seconded by Commissioner DeHart, to approve support for Local Share Grants for the Lower Swatara Fire Department (\$124,800), the Lower Swatara Lions Club (\$25,000), and Penn State Harrisburg (\$35,000). The motion was unanimously approved.

Future Meeting Dates

President Wilt read aloud the list of future meeting dates:

August 23	7 PM	Municipal Authority Legislative Meeting
August 25	7 PM	Zoning Hearing Board Meeting
August 26	7 PM	Planning Commission Meeting
September 1	6 PM	Recreation Board Meeting
September 1	7 PM	Board of Commissioners' Workshop Meeting
September 6		Labor Day Holiday – Township Offices closed for business

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul reminded everyone that the Blue Raider Sports Complex will be officially dedicated on August 25 around 7:00 P.M. Festivities will run from 5:00 P.M. to 9:00 P.M.

Budget and Finance Committee: Commissioner Davies reported that he is looking forward to the budget process and receiving public input as well as input from the Recreation Board regarding recreation facilities.

Public Works Committee – Vice President Truntz reported that the Department has been busy repairing potholes with cold patch, painting curbs, right of way mowing, and storm clean up.

Community Development: Commissioner DeHart reported that he will be attending a MARA meeting on August 26 at 6:00 PM. MARA has two bus trips scheduled and hopes to get back to offering recreation activities again.

Personnel Committee: President Wilt – no report

UNFINISHED BUSINESS:

Resolution No. 2021-R-4 accepting Morgan Drive

The Board tabled Resolution No. 2021-R-4 accepting Morgan Drive from Craig Morgan and Brian Morgan for dedication to the Township.

Preliminary Plan for Kinsley Residential Development

The Board tabled the Preliminary Plan for Kinsley Residential Development, PC#2021-02, 72.2 acres for 103 single-family lots located in the Residential Urban District, submitted by Snyder, Secary & Associates for DHK Residential, LLC. Project is located north of the turnpike and east of Stoner Drive. Commissioner Paul asked Ms. McBride if the prior practice of having the expiration dates of the plans on the agenda could be re-instated. He noted his understanding that an extension was granted on this plan last month. Ms. McBride agreed to speak to Ms. Justice about this.

Request by Middletown & Hummelstown Railroad for use of Twp. Property

Ms. McBride reported that she had asked the Middletown & Hummelstown Railroad to attend tonight's meeting to discuss its request to use Township property. Since there was no representation in attendance, the Board agreed to table a request by Middletown & Hummelstown Railroad request to use Township property during October 6 thru 29 and November 22 thru December 25.

NEW BUSINESS:

Resolution No. 2021-R-8 re: renewal of PennDOT Winter Maintenance Agreement

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve Resolution No. 2021-R-8. This resolution authorizes and directs the President of the Board of Commissioners to sign the renewal of the PennDOT Winter Municipal Snow Removal Contract for the winter season 2021 – 2022. The motion was unanimously approved.

Consent to Deemed Assignment for Pension Funds

The Board discussed the Consent to Deemed Assignment of Investment Advisory Agreement(s) with PFM Asset Management LLC for both of the Township's pension funds. PFM Asset Management LLC is being sold to U.S. Bancorp Asset Management Inc. Vice President Truntz noted he is a little concerned with about 20 million dollars of assets being moved. Solicitor Henninger stated he had reviewed the agreements and is comfortable with them. The Township has

to agree to the assignment; U.S. Bankcorp is taking over all of the duties and responsibilities under the agreement, as permitted under the agreement.

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve the Consent to Deemed Assignment of Investment Advisory Agreement(s) with PFM Asset Management LLC for the Lower Swatara Township Police Pension. PFM Asset Management LLC is being sold to U.S. Bancorp Asset Management Inc. The motion was unanimously approved.

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve the Consent to Deemed Assignment of Investment Advisory Agreement(s) with PFM Asset Management LLC for the Lower Swatara Township Non-Uniformed Pension. PFM Asset Management LLC is being sold to U.S. Bancorp Asset Management Inc. The motion was unanimously approved.

Change Orders/Payment/Notice of Acceptability for Spring Garden Culvert Project

A motion was made by Commissioner Paul, seconded by Vice President Truntz, to approve Change Order #3 for the Spring Garden Culvert Replacements Project for a refund in the amount of \$6,938.00 of unused budget in the contract. The motion was unanimously approved.

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve Change Order #4 for the Spring Garden Culvert Replacements Project for additional flood resiliency improvements and flood damage repair in the amount of \$10,183.65, adding a final additional cost of \$3,245.25 to this Liquid Fuels funded project. Commissioner Paul stated he is puzzled as to how this culvert can be replaced and enlarged in an area known to flood, and then have an expenditure of \$10,000 because either the design or construction techniques could not handle a little bit of water running over the roadway. Mr. Fabian stated he was also concerned, so he and Mr. Washinger did some investigation. It looks like the flooding came from the flooding of the existing culvert on Lumber Street. It was not the infrastructure that was replaced on Spring Garden, but rather overflow over the top of the road. Commissioner Paul stated he realizes this, but this happens often. He stated it should have been designed with this in mind; more attention needs to be paid to some of these details. Commissioner DeHart added that there are also flooding issues on Greenwood Circle, which was designed not too long ago. He agreed there are concerns whether these are being designed correctly, since this is costing the Township money. Mr. Fabian agreed these are fair comments but stated that 2" in a half hour is

an extraordinarily high storm event. The motion to approve Change Order #4 for the Spring Garden Culvert Replacements Project for additional flood resiliency improvements and flood damage repair in the amount of \$10,183.65, adding a final additional cost of \$3,245.25 to this Liquid Fuels funded project, was approved by a 4 – 1 margin, with Commissioner Paul dissenting.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Application for Payment #4 in the amount of \$35,132.57 which will be the final payment, to H&K Group, Inc., for the Spring Garden Culvert Replacements Project. The motion was unanimously approved.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the Notice of Acceptability of Work for the Spring Garden Culvert Replacements Project. The motion was unanimously approved.

Payment #6 to DOLI Construction, Inc. for Rosedale Manor Drainage Improvement Project

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Application for Payment #6 in the amount of \$330,497.40 to DOLI Construction, Inc for the Rosedale Manor Drainage Improvement Project. The motion was unanimously approved.

FINAL COMMENTS:

Vice President Truntz presented a plaque/paperweight and a token of appreciation to retiring solicitor Peter Henninger who has served the Township for 36 years. Thanks were given for his years of dedication and support to the boards and residents from 1986 thru 2021.

State Representative Tom Mehaffie also presented Solicitor Henninger with a token of appreciation for his assistance and support, as well as an American Flag that was flown over the Capitol. He thanked him for the things he has done for the entire community and stated he will be greatly missed. Representative Mehaffie wished Solicitor Henninger a relaxing retirement.

Commissioner DeHart reported that last Friday, he attended the funeral of David Floyd, a life member of the Fire Department member who was instrumental in bringing in new members. Dave will be missed. Tomorrow are the services for life member Eric Breon who was also a Planning Commission member for many years. Eric will also be missed and will be hard to replace. Commissioner DeHart offered his condolences to the family of Dave Floyd and Eric Breon.

Commissioner DeHart added that he worked closely with Solicitor Henninger during his time as Fire Chief, and as Commissioner here. He expressed his appreciation for all his assistance.

Commissioner Davies expressed his sympathy to the Fire Department on the loss of their two members. He noted he was glad to see residents in attendance tonight to voice their concerns. Commissioner Davies wished departing Solicitor Peter Henninger the best and stated no one has the depth of institutional knowledge of the Township that he has. Commissioner Davies thanked him for all his service and wished him a happy retirement.

Commissioner Paul agreed that the loss of Planning Commission member Eric Breon is a major one to this Township. Dave Floyd is also a great loss to the community. Commissioner Paul stated that he worked with Solicitor Henninger for many years, beginning with the sanitary sewer project in the Township which was a challenging one. His leadership with the Board, Municipal Authority, Planning Commission, and his advisory capacity with the Zoning Hearing Board and staff cannot be replaced. He wished him well and agreed he will be missed.

Vice President Truntz expressed his condolences to the Floyd and Breon families. He stated that the appointment of Solicitor Henninger was always routine; he was part of the team and his depth of knowledge unquestionable. He added he was also a personal mentor to him. He thanked Solicitor Henninger for everything.

President Wilt echoed the condolences expressed to the Dave Floyd and Eric Breon families. He then addressed Solicitor Henninger, and stated he knew him for years, beginning when he waited on Peter at the post office. He stated that Peter Henninger is also well respected at the state level and is irreplaceable.

Solicitor Henninger reminisced about his history with the Township, under the supervision of Attorney Jim Pannebaker. He noted that his municipal mentor was Frank Linn, who was instrumental in making him attend state conventions and getting him involved at the state level. Solicitor Henninger added that next weeks' Planning Commission meeting will probably be the last thing he does as a practicing lawyer. He added that he worked with Eric Breon on the Planning Commission many years, and noted his contributions will be missed greatly, as he always had the best interest of the Township and the safety of its residents in mind. Solicitor Henninger thanked everyone for the nice comments. He stated he will miss everyone and expressed appreciation for all the Township did for him over the years.

ADJOURN:

Hearing no other comments, a motion was made by Commissioner DeHart, seconded by Vice President Truntz, to adjourn the meeting. The motion was unanimously approved, and the meeting adjourned at 8:40 P.M.

ATTEST:

Ronald J. Paul, Asst. Secretary

PLEASE PRINT NAME CLEARLY

Board of Commissioners Legislative Meeting – August 18, 2021, 7:00 P.M.

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