

MINUTES
LEGISLATIVE MEETING – MAY 15, 2019

The May 15, 2019 Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt.

The following officials were in attendance:

- Jon G. Wilt, President
- Todd F. Truntz, Vice President
- Michael J. Davies, Commissioner
- Ronald J. Paul, Assistant Secretary
- Christopher DeHart, Commissioner
- Elizabeth McBride, Manager
- Jean R. Arroyo, Secretary
- Peter R. Henninge, Solicitor
- Jeff Vargo, Chief of Police
- Andrew Kenworthy, HRG

Residents and visitors in attendance: (PLEASE SEE ATTACHED SIGN-IN SHEET)

PUBLIC COMMENTS:

Ed Halpern, 804 Nissley Drive, asked if anyone had heard from the potential buyer of the Williams' farm in regards to having a public meeting. Ms. McBride responded that she can confirm that as of a couple of days ago, no further word was received. Mr. Halpern also referenced the property off Route 441 near the old Kitchen Castle and stated it is his understanding that the Zoning Hearing Board approved the changes for a distributor (Wilsbach) to build there. He asked the next step, and also questioned whether the Zoning Hearing Board members are picked or elected. President Wilt explained that Zoning Hearing Board members are appointed by the Board of Commissioners. He noted, however, that this particular property was already zoned for that use; nothing was changed. Solicitor Henninger explained that there were two boards involved in this project: the Zoning Hearing Board and the Planning Commission. The Zoning Hearing Board heard a matter in regards to a request for a reduced amount of parking there, because of the smaller number of employees. The Zoning Hearing Board did approve the request for this reduction in parking. The Planning Commission, a board also appointed by the Board of Commissioners, reviewed the plan itself and recommended

approval, subject to outstanding comments from the engineer, staff, County Planning Commission, etc. As President Wilt stated, the proposed use is already consistent with the zoning on this tract. Mr. Halpern stated he is concerned about more trucks on this road from UPS and now this project. He asked if all this is being taken into consideration. Mr. Kenworthy explained that part of the land development application requires traffic information that identifies the existing counts and the proposed traffic, and that is evaluated against industry standards. Commissioner Davies added that PennDOT has to approve the highway access permit. Mr. Kenworthy confirmed that is correct; there is a PennDOT component as well since it is a state highway. Mr. Halpern asked that the Board consider the impacts of more truck traffic: safety, pollution, noise, condition of the road, and the value on homes here. Commissioner Paul agreed that the Board has the same concerns, but there are some regulations that the Township does not control. He asked if Mr. Halpern had noticed any decrease in truck traffic on Route 441; another resident here this evening has noticed this. Mr. Halpern stated he has not seen a decrease.

APPROVAL OF MINUTES:

A motion was made by Commissioner Davies, seconded by Vice President Truntz, to approve the Minutes of the May 1, 2019 Public Hearing. The motion was unanimously approved.

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the Minutes of the May 1, 2019 Workshop Meeting. The motion was unanimously approved.

APPROVAL OF BILLS:

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the payment of bills as presented on Warrant No. 2019-04. The motion was unanimously approved.

APPROVAL OF TREASURER'S REPORT:

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve the Treasurer's Report for April 2019. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Chief Vargo provided the summary of statistics for the Police Department for the month of April, which was a very busy and productive month. There were 746 calls for service, which included 39 cases investigated. There was a total of 19 arrests, which included 2 DUI arrests. There were 101 traffic citations issued, 3 non-traffic citations, and 118 written warnings. In addition, officers investigated 10 total traffic accidents that occurred in the Township. Crash data is being monitored to make sure officers show a presence during the peak times that these crashes are occurring. The Township's motor carrier enforcement officer conducted a total of 19 motor carrier enforcement details.

Last month, the Department had participated in the Aggressive Driver Campaign. It was very successful, with a total of 92 traffic stops during that campaign that resulted in 55 traffic citations. This campaign included over 35 hours of additional aggressive driving patrol. The current "Click It or Ticket" campaign runs May 3 to June 2. Yesterday, 20 traffic stops were conducted as part of this campaign; the good news is that all motorists were found to be wearing their seatbelts.

Officers recently attended Advanced Law Enforcement Rapid Response training. This is an active shooter training that Swatara Township Police Department hosted.

On May 1, officers responded to a heroin overdose where CPR was being administered. Officers immediately administered Narcan, and the individual was revived and taken to the hospital for further treatment. Chief Vargo noted this is an example of the importance of officers carrying Narcan.

National Night Out

Chief Vargo explained that National Night Out is an annual community-building campaign that promotes strong community police partnerships and neighborhood unity to make neighborhoods safer and more caring places to live and work. It enhances the relationship between neighbors and law enforcement and provides the opportunity to bring police and neighbors together under positive circumstances. It also sends the message to criminals that the neighborhoods are organized and watching out for each other. This year, National Night Out will be held on August 6. Chief Vargo explained his goal will be to help establish neighborhood

watch programs, something he feels is lacking here in Lower Swatara Township. He will be suggesting residents organize neighborhood block parties, cookouts, flashlight walks, or simply sit on a lawn chair and get to know their neighbors that evening. He added that as many officers as possible will participate, and will they will be on bike, car, and on foot. The Police Advisory Committee will also be asked to participate. Vice President Truntz noted that in recent years, Lower Swatara Township coordinated with Middletown and participated in a type of carnival event at Hoffer Park. Chief Vargo explained that after some discussion, Lower Swatara Township decided to go in a different direction, since the idea is to establish neighborhood crime watch programs and get citizens to know each other. The true intent of National Night Out is for citizens to turn on their lights and get to know their neighbors, not necessarily to attend a carnival. Commissioner Davies stated he sees real value in this type of thing.

Chief Vargo stated that he would be remiss if he didn't mention that today is Peace Officer Memorial Day, as designated in 1962 by President John F. Kennedy. Chief Vargo shared some statistics regarding officers killed in duty. He asked that tonight, everyone honor their service and remember that 24 hours a day, 7 days a week, 365 days a year, there are officers out patrolling the neighborhoods and sacrificing much to ensure the public remains safe.

Fire Department

Fire Chief John Weikle presented statistics for the month of April and year-to-date. There were 40 calls (180 YTD) with 31 responders (31 YTD). The average personnel per response was 7 (8 YTD). Time in service was 20 hours, 20 minutes and 43 seconds (79:58:57 YTD). There were 8 fire incidents (25 YTD), 11 Rescue and EMS incidents (38 YTD), 3 hazardous conditions (12 YTD) 1 service call (7 YTD), 9 good intent calls (60 YTD), and 8 false alarms (37 YTD). Mutual aid calls were as follows: Derry - 2 (5 YTD), Highspire - 4 (24 YTD), Londonderry - 1 (4 YTD), Middletown - 2 (26 YTD), PA Turnpike - 1 (3 YTD), Royalton - 0 (1 YTD), Steelton - 4 (9 YTD), and Swatara - 3 (15 YTD).

Chief Weikle reported that he has been working closely with Mr. Fure and Chief Vargo on an issue with false alarms at the old Sears warehouse on 2040 North Union Street.

ENGINEER'S REPORT:

Andrew Kenworthy, HGR, referenced his written report and provided updates to the

items listed.

The Township is still waiting for DEP to review paperwork for the Mariner East II grant, which was awarded. Mr. Kenworthy noted HRG will put in a call to attempt to keep this moving.

An update was provided on the Rosedale Manor Stormwater Project. The intent is to get that project advertised with award of bids in the July timeframe, with a September start, and hopefully close that up in June of 2020. Solicitor Henninger added that there is a conference call with PennVest tomorrow, and later on tonight's agenda is the ordinance authorizing the borrowing with PennVest. In response to a question by Commissioner DeHart, Ms. McBride stated there are about forty outstanding easements, and she and Commissioner Paul will be going door to door tomorrow evening to attempt to get more of these returned. Solicitor Henninger added that of these 40 easements, about 36 are temporary easements with very minimal impact, such as tire tracks on the sidewalk. Commissioner DeHart asked if non-receipt of these would delay the project. Solicitor Henninger explained that it would require the Township to go to the condemnation route, which would be more costly.

Advertisement for bids for the Highland Street and Lumber Street/Greenwood Drive culvert project will be pushed back just a bit, as there are issues regarding identifying some subsurface utilities. It is anticipated that the construction schedule will be December 2019 through May 2020.

Temporary repairs have been completed, and Spring Garden Drive is now open to traffic.

Mr. Kenworthy reported that there are active discussions about a potential basketball court in Woodridge. No decision has been made as of yet.

The Old Reliance and Shope Gardens playground stormwater BMP work is nearing completion. Both parks are hoped to be completed by this Friday if the weather cooperates.

Commissioner Davies asked if the Rosedale Manor stormwater project is going out to bid as one contract. Mr. Kenworthy confirmed that it is.

SOLICITOR'S REPORT: None

MANAGER'S REPORT:

Retiree Health Benefits

Ms. McBride explained that the Township has two bank accounts that it works with for retiree health benefits. Until now, the Township has been only using one, and that is getting depleted. Therefore, money that has been set aside in the second account with Waddell & Reed Investment will now have to be tapped into. Ms. McBride added that she believes this has been budgeted -- \$48,000 will be drawn once per year. She noted that in the event she finds it was not budgeted, a request for approval will appear on the June agenda.

Termination of contract with Muni-Link

Ms. McBride reported that Muni-Link is the company that the Township presently uses for sewer billing. Due to the software system change-over to Caselle (also known as Dallas Data), there is the need to write a letter to Muni-Link this month advising them that the Township will be ending its association with them June 30; a minimum 30-day notice is required. A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to authorize Ms. McBride to send a termination of contract letter to Muni-Link. The motion was unanimously approved.

Sports' fields

Requests are now coming in from various organizations who wish to utilize the Township's sports' fields (Greenfield Park) for events such as soccer, lacrosse, etc. Ms. McBride stated that if there is no objection, she along with Ms. Arroyo and Mr. Lanman will serve as a review committee to make sure things are in compliance and that the Township's own community organizations are not being short-changed as far as use of the fields. There were no objections expressed by the Board. Commissioner DeHart asked that the Board be kept abreast of these rentals as approved. In response to a question from Commissioner Davies, President Wilt confirmed these groups will be responsible for re-lining the fields to suit their particular use, as well as putting up cages, etc. Commissioner Davies stated his concern is that the Olmsted Regional Soccer Association (ORSA) has a very specific schedule, and that the re-lining by other groups could overlap with their usage. Ms. McBride stated she will make arrangements so this does not occur. She added that one of the requests is from a lacrosse group, and they were thrilled to find out that ORSA runs a concession stand. This could also benefit ORSA through fundraisers. President Wilt reported this lacrosse event is a national tournament.

Commissioner Paul stated the Township will need to be cautious about potential overuse of the fields. The committee will need to keep this in mind. Commissioner DeHart suggested that the Township be consistent and fair with these field approvals.

Ms. McBride reported that the voting machines will be delivered to the Township Building on Friday morning.

Future Meetings/Events:

May 20	7 PM	Municipal Authority Mtg.
May 21		Primary Election Day – Twp. Offices closed for business
May 22		CANCELLED – Zoning Hearing Board
May 23	7 PM	CANCELLED -- Planning Commission Mtg.
May 27		Memorial Day Holiday – Twp. Offices closed for business
June 5	7 PM	Board of Commissioners' Workshop Mtg.

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul – no report

Budget and Finance Committee: Commissioner Davies – no report

Public Works Committee: Vice President Truntz reported that Mr. Lanman is out for two weeks serving the country with the Coast Guard. The Department is busy with mowing, street sweeping, park work, and other fair-weather jobs.

Community Development: Commissioner DeHart reported that next Monday, the Recreation Board will be inspecting playgrounds, with the intention of assisting as “extra eyes” to make sure things are in good shape.

Personnel Committee: President Wilt – no report

UNFINISHED BUSINESS:

Preliminary/Final Subdivision/Land Development Plan for Star Barn Duplex Units

The Board tabled the Preliminary/Final Subdivision/Land Development Plan for Star Barn Duplex Units, Planning Commission File #PC2018-03, with a time deadline of July 17, 2019. Plan is located on Nissley Drive, south of I-283, one lot, 3.67 acres, 12 duplex units, zoned Residential Urban, owned by Star Barn Townhomes, LP, submitted by Navarro & Wright Consulting Engineers, Inc. The Planning Commission took action on February 28, 2019 to recommend approval of the plan with conditions and with two waiver. Waiver requested: (1) Section 22-404: Preliminary Plan and (2) Section 22-606: Curbing.

NEW BUSINESS:

Preliminary/Final Subdivision/Land Development Plan for Wilsbach Distribution Facility

The Board tabled the Preliminary/Final Subdivision/Land Development Plan for Wilsbach Distribution Facility, Planning Commission File #PC2019-02, with a time deadline of June 26, 2019. Located at the SW corner of Oberlin Road and Longview Drive, 62.75 acre, zoned Industrial Park, equitable owner Wilsbach Distributors, Inc., submitted by Evans Engineering, Inc. The Planning Commission took action on April 25, 2019 to recommend approval of the plan with conditions and with the waivers and deferrals.

Improvement Guarantee Release:

A motion was made by Commissioner Davies, seconded by Vice President Truntz, to approve the Improvement Guarantee release for Sheetz, File #2012-06 in the amount of \$108,916.48 from the remaining amount of \$108,916.48 leaving a balance of \$0, thus closing out the project. The motion was unanimously approved. Commissioner Paul referenced the Municipal Authority meeting on Monday, and stated it would be good to have an update on the sewage flows that Sheetz is using. He stated this is really not part of this particular agenda item, but it is something that needs to be resolved. Solicitor Henninger noted he will make sure this is addressed. Commissioner Davies asked if their flow goes into the Township's system rather than the Airport's system. Commissioner Paul confirmed this is correct.

Ordinance No. 588 – PennVest

Tim Horstmann from McNees Wallace, bond counsel, presented Ordinance No. 588 pertinent to a proposal from the Pennsylvania Infrastructure Investment Authority ("PennVest") for the purchase of the Township's general obligation note in the principal amount of \$5,471,515 (the "Note"), and the incurring of non-electoral debt through the issuance of the Note. Mr. Horstmann explained that the ordinance was drafted with the Solicitor's input and authorizes the issuance of the Township's 2019 General Obligation Note which would then be sold to PennVest in connection with the PennVest application which was previously submitted. This is the note to effectuate the borrowing of those monies from PennVest to finance the Rosedale Manor stormwater upgrades. The note is secured by the Township's pledge of its full-faith and credit taxing power, meaning that if the Township needed to come up with money to pay the debt service on the note, it would be required to raise taxes to pay that debt service. If the Board approves the ordinance tonight, Township officials would be authorized to proceed

with the necessary steps with PennVest to close within the next few months. Mr. Horstmann noted it is his understanding the closing will occur in the August timeframe, pending the resolution of the issues with the easements. Solicitor Henninger reminded the Board that the interest rate for the first five years would be fixed at 1.52% and for the remaining fifteen years would be 2.063%. Annual debt service would be around \$317,000 over the life of the project. He noted this is a much-needed project in this area, and also goes hand-in-hand with the Township's MS4 requirements. He recommended approval of the ordinance this evening.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Ordinance No. 588 authorizing and directing the incurring of non-electoral debt through the issuance of a General Obligation Note Series of 2019 in the principal amount of \$5,471,515. 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. 588 was approved by a 5 – 0 margin.

Valley Baptist Church request for use of playgrounds

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve a request by Valley Baptist Church to use the Rosedale and Georgetown Playgrounds on July 7 – 11 (6:30 P.M. – 8:00 P.M.) for its children's program, with the condition that a certificate of insurance naming Lower Swatara Township as an additional insured be provided. The motion was unanimously approved.

Elevation of Probationary Police Officers

Vice President Truntz made a motion to approve the elevation of Antonio Gonzalez Jr., probationary police officer, to permanent status effective May 14, 2019, the first year anniversary date of his employment, with the comment that Officer Gonzalez has been a great addition to the department and is doing a great job for the Township. The motion was seconded by President Wilt, who commented that Officer Gonzalez is very professional and does his job well. The motion was unanimously approved. Officer Gonzales, who was in attendance, was congratulated.

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the elevation of Spencer Rios, probationary police officer, to permanent status effective May 14, 2019, the first year anniversary date of his employment. The motion was unanimously approved. Officer Rios was congratulated.

Agreement for PlanIt Schedule

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve an agreement for PlanIt Schedule, a personnel scheduling software for public safety services. The motion was unanimously approved. Commissioner Paul asked Chief Vargo to explain this service, for the benefit of the audience. Chief Vargo explained the Police Department does not currently have an on-line system for scheduling. PlanIt will give the ability to schedule officers, monitor leave usage, insure adequate manpower and shift coverage, etc. It will also allow officers to request time off via an application. Solicitor Henninger added the cost will be \$1,350, including the set-up, for the first year. Estimated cost for the second year would be the same. This is a one-year contract with a 30-day "out" after the first year. Commissioner DeHart added that original discussion was for 50 users, but this has been reduced to 25 users, bringing the cost down from \$1,800 to \$1,350. This is a good savings. In response to a question from Commissioner Davies, Chief Vargo confirmed that this will not be software that is purchased, but rather an ongoing expense. Commissioner DeHart added that another benefit of this is that information will be real-time.

GOOD AND WELFARE:

Commissioner DeHart reported that he and Commissioner Paul attended the TMI drill here last Tuesday. He thanked EMA Director Rob Furlong and Assistant Director Dan Tingle for the good job they did. Even with some new staff members, things went smoothly. He and Commissioner Paul also attended the National Weather Service Hurricane Awareness Program at the Airport last Tuesday. The National Weather Service always stresses "Turn Around -- Don't Drown" due to the amount of people that lose their lives trying to drive through flooded areas.

Commissioner Davies stated he is glad to see the Township moving ahead with the Rosedale Manor stormwater project, which has been a long-time coming. He also welcomed the two new officers to permanent status.

Commissioner Paul noted that for those not aware, Election Day is next Tuesday.

Vice President Truntz thanked Chief Vargo for bringing Peace Officer Memorial Day to the attention of the Board and public. He agreed that the services of officers are taken for granted far too often. Vice President Truntz also congratulated Officers Rios and Gonzalez on their permanent status, and thanked the public for coming out tonight.

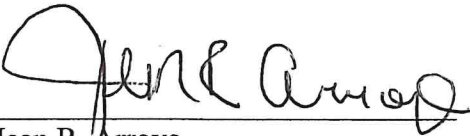
Ms. McBride requested the Board convene into executive session immediately upon conclusion of this evening's meeting in order to discuss personnel and legal matters.

President Wilt again congratulated the two new officers, and congratulated Ms. McBride who also completed her first year of employment on May 14. He also thanked the public for their comments this evening.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Vice President Truntz, seconded by Commissioner Davies, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:46 P.M.

ATTEST:

A handwritten signature in black ink, appearing to read "Jean R. Arroyo", written over a horizontal line.

Jean R. Arroyo
Township Secretary

PLEASE PRINT NAME CLEARLY

MAY 15, 2019 LEGISLATIVE MEETING (7 PM)

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