

MINUTES

LEGISLATIVE MEETING –NOVEMBER 15, 2017

The November 15, 2017 Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt.

President Wilt called for the pledge of allegiance and a moment of silence.

Roll call was taken with the following officials in attendance:

- Jon G. Wilt, President
- Laddie J. Springer, Vice President
- Michael J. Davies, Assistant Secretary
- Todd F. Truntz, Commissioner
- Benjamin C. Hall, Commissioner
- Frank Lynch, Interim Manager
- Jean R. Arroyo, Secretary
- Ann Hursh, Planning and Zoning Coordinator
- Peter R. Henninger, Solicitor
- Erin G. Letavic, HRG, Engineer

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

President Wilt welcomed everyone to the meeting.

SWEARING-IN OF JAKE DOHMEN AS A SPECIAL FIRE POLICE:

President Wilt presented the Oath of Office for Fire Police to Jake Dohmen of the Lower Swatara Fire Department. Mr. Dohmen was congratulated by the Board and audience.

PUBLIC COMMENTS:

Ruth Shireman, Longview Drive, stated that there are a few misconceptions that she would like to clear up tonight regarding her offer of land to the Township. She stated that her late husband Richard Shireman had lived all his life here, and served as Township Engineer, a position which he gave his all too. He had also sponsored quite a few t-ball and softball teams over the years. In early 2015, Mrs. Shireman had personally contacted and hired an appraisal group from the West Shore for the 32-acres of land she wished to sell. After she received the appraisal, she approached some developers. There were a few interested, but as she and her late

husband had suspected, they wanted to develop it and put homes on it. This made her back up, because she really didn't want to see the land developed. Mrs. Shireman recalled reading that Lower Swatara was in the need for more baseball and softball fields. She personally initiated contact with the Township and asked if it would be interested in this land for use as a park for all age groups; she asked that this park be dedicated to Richard L. Shireman. She stressed that there was no agent, real estate or otherwise, involved in this. She also asked that it be known that she did offer the land to the Wagners, Foxs, and Browns.

Kane High, 2096 Powderhorn Road, referenced the draft budget document and questioned the line item for legal services, which doubled from \$35,000 to \$70,000. Mr. Lynch explained that this is an anticipatory increase due to the Police Department's current collective bargaining agreement coming to an end. Typically, legal expenses increase during contract negotiation periods. Mr. High also questioned the General Expense increase from \$650 to \$36,000. Mr. Lynch explained these are funds put aside in reserve for unforeseen expenses. Mr. High added that he believes there was a report pending on the need for recreational facilities in the Township. He asked the status of that report. Ms. Letavic explained there is a DCNR application under that would look at the Township from a comprehensive perspective with respect to needs for recreational services and facilities. There is money in hand now to purchase the 32-acre Richard L. Shireman park property, but the application into DCNR is for planning for that piece of land, as well as a comprehensive review of all the Township services and facilities. Mr. High asked when this report is due. Ms. Letavic explained that there is no report started yet, since the Township is still seeking funding for that report. In response to a comment from Commissioner Truntz, Ms. Letavic explained that the Peer-to-Peer Grant is just for the athletic side and encompasses all three municipalities in the School District. The DCNR grant is for all uses and recreational facilities in Lower Swatara Township only. Mr. Kane stated that while he respects the comments of Mrs. Shireman, it would seem wise to see what the report has to say before moving ahead with any major land purchases.

APPROVAL OF MINUTES:

A motion was made by Vice President Springer, seconded by Commissioner Truntz, to approve the Minutes of the October 16, 2017 Public Hearing. The motion was unanimously approved.

A motion was made by Commissioner Hall, seconded by Commissioner Davies, to approve the Minutes of the October 18, 2017 Legislative Meeting. The motion was unanimously approved.

A motion was made by Commissioner Truntz, seconded by Vice President Springer, to approve the Minutes of the November 1, 2017 Special Budget Meeting. The motion was unanimously approved.

A motion was made by Commissioner Hall, seconded by Commissioner Davies, to approve the Minutes of the November 1, 2017 Workshop Meeting. The motion was unanimously approved.

APPROVAL OF BILLS:

A motion was made by Commissioner Davies, seconded by Commissioner Truntz, to approve the payment of bills as presented on Warrant No. 2017-10. The motion was unanimously approved.

APPROVAL OF TREASURER'S REPORT:

A motion was made by Vice President Springer, seconded by Commissioner Hall, to approve the Treasurer's Report for October 2017. The motion was unanimously approved.

PUBLIC SAFETY REPORT:

Mr. Lynch reported that Officer in Charge Young is on vacation, but will be providing a report at a future meeting.

ENGINEER'S REPORT:

Ms. Letavic reported that she had attended a meeting today at the Dauphin County Conservation District with DCNR personnel relative to grant funding opportunities for riparian buffers. The purpose of the meeting, which was attended by other watershed groups and conservation district staff, was to start looking at cooperative efforts to get these buffers built with funding. She will keep the Board updated if opportunities arise for the Township.

At the Board's last meeting, there was a request by the developer of "The Pond" on Fulling Mill Road for the Township to consider accepting dedication of roads that were, during

the planning process, proposed to be private. The Board had directed staff to meet with the developer to discuss the concerns with this. As a result of that meeting, the developer will be providing staff with something to review regarding this request.

SOLICITOR'S REPORT:

Solicitor Henninger referenced an addendum to the agenda for consideration of approval of a proposed agreement of sale with Ruth A. Shireman for the purchase of the Richard L. Shireman farm property in the amount of \$325,000. As reported back in September and authorized, the request for 90% of the funding was submitted to DCNR. DCNR has subsequently approved the format of the agreement of sale, and Mrs. Shireman's attorney has also approved the form of the proposed agreement of sale. This is the next step in the process of moving forward with the acquisition. Solicitor Henninger added that last week, he did provide the Board with copies of the final version; it is ready for consideration. Commissioner Hall stated that the need for securing open space in the Township is one that he has heard loud and clear, and the chance to buy property at this kind of price and do the right thing for the future of the Township may never come again. A motion was made by Commissioner Hall to approve the proposed agreement of sale with Ruth A. Shireman on the form provided. Vice President Springer asked for verification of the amount of the grant match, which he believes to be \$187,600. After researching her paperwork, Ms. Letavic stated that it is a \$374,000 project with a 50% grant, which equates to an \$187,000 grant. The motion to approve the proposed agreement of sale was then seconded by Vice President Springer, and unanimously approved.

Solicitor Henninger requested an executive session immediately upon conclusion of this evening's meeting in order to discuss a real estate matter and an inter-municipal agreement matter.

MANAGER'S REPORT:

Mr. Lynch reported that it has come to light that the Township currently does not have a contract for maintenance and repair of its traffic signals. It is heavily recommended by PennDOT to have inspections twice a year. The Township did have an agreement with Telco for these services, but it was converted by a previous Public Works employee to a time and material handshake deal. Staff is seeking Board authorization to prepare a request for proposals and to solicit bids for traffic

signal maintenance and repairs. It is anticipated that a proposed contract will be before the Board for consideration at it December 20 meeting in hopes of having a contract in place by January 1, 2018. A motion was made by Commissioner Davies, seconded by Commissioner Truntz, to approve preparation and advertisement of a request for proposals for a traffic signal maintenance contract. The motion was unanimously approved.

Mr. Lynch asked the Board to ratify promotions/title changes that occurred in the past year for three employees: Jean Arroyo, Director of Administration (effective 1/1/17), Don Fure, Director of Codes and Planning (10/16/17), and Lester Lanman, Director of Public Works (10/16/17). A motion was made by Commissioner Hall, seconded by Commissioner Davies, to ratify the three promotions/title changes. The motion was unanimously approved.

Mr. Lynch referenced an agreement before the Board between the Township and the Police Officers' Association that would allow officers who are so inclined to contribute their own accumulated sick leave towards the benefit of an officer that needs it right now. A motion was made by Commissioner Truntz, seconded by Commissioner Hall, to ratify this Side Letter agreement. The motion was unanimously approved.

Mr. Lynch read aloud the list of future meetings/events:

November 16	7 PM	Planning Commission Mtg.
November 20	7 PM	Municipal Authority Mtg. (change of date)
November 21	6 PM	Greenwood Hills Homeowners' Association Mtg.
November 23 & 24 Thanksgiving Holiday – Township Offices Closed for Business		
November 29	7 PM	Zoning Hearing Board Mtg.
December 6	7 PM	Board of Commissioners Workshop Mtg.
December 18	7 PM	Municipal Authority Mtg. (change of date)
December 20	7 PM	Board of Commissioners Legislative Mtg.
December 25 Christmas Holiday – Township Offices Closed for Business		
December 28	7 PM	Planning Commission Mtg.

COMMITTEE REPORTS:

Public Safety Committee – Vice President Springer – asked Sergeant Tingle for verification that interviews are scheduled for hiring of police officers. Sergeant Tingle confirmed that they are scheduled for the week before Christmas.

Budget and Finance Committee --- Commissioner Davies – reported that the Board will be taking action on the proposed budget ordinances at the December workshop meeting. He noted

that the cost for contracted services for the traffic signals just referenced falls under category 443.540, which has \$21,000 in it, the same amount as last year.

Public Works Committee – Commissioner Truntz – reported that the Public Works Department has been busy with leaf collection, street sweeping, training on the street sweeper, and preparing for winter maintenance. The Township is also experiencing a glitch with where leaves are being deposited. That is being worked out.

Community Development --- Commissioner Hall – no report

Personnel Committee – President Wilt -- no report

UNFINISHED BUSINESS:

President Wilt reported that a request has been submitted by the Middletown Home to withdraw the Final Land Development Plan for Middletown Home Access Driveway/Parking Revisions, File # 2013-01 prepared by Schlouch, Inc. and submitted by Middletown Home. The initial Plan submitted was due to expire on May 29, 2013. Time extensions were granted by the Board of Commissioners on May 15, 2013, August 21, 2013, November 20, 2013, February 19, 2014, May 21, 2014, October 15, 2014, January 21, 2015, May 18, 2015, August 19, 2015, November 18, 2015, February 17, 2016, May 18, 2016, August 17, 2016, November 16, 2016, February 15, 2017, May 17, 2017 and August 16, 2017. The Plan is due to expire on November 16, 2017. A motion was made by Commissioner Hall, seconded by Commissioner Davies, to acknowledge withdraw of the Final Land Development Plan for Middletown Home Access Driveway/Parking Revisions. The motion was unanimously approved.

NEW BUSINESS:

A motion was made by Commissioner Truntz, seconded by Commissioner Davies, to approve a schedule change with Stewart & Tate Construction for completion of the contracted microsurfacing work. The project, which was originally scheduled for 2017, will be completed no later than May 31, 2018, at the 2017 contract price. The motion was unanimously approved.

The Board discussed a request by Stevens and Lee on behalf of Campus Heights Associates 3, LLC to set a public hearing date to consider an ordinance to amend the Lower Swatara Zoning Map. The proposed ordinance would amend the Zoning Map for the remaining Residential Urban area to Commercial Neighborhood in the area northwest of West High Street.

The Planning Commission took action on October 26, 2017 to recommend approval of the Zoning Map Amendment to the Board of Commissioners. Matt Genesio, Campus Heights Associates 3, noted that both the Township and the Dauphin County Planning Commission reviewed and submitted letters of recommendations for this rezoning. Solicitor Henninger explained that sufficient time will be needed to advertise and provide public notices. After a brief discussion, the Board agreed to schedule the hearing for the January legislative meeting. A motion was made by Commissioner Truntz, seconded by Commissioner Davies, to set and advertise the public hearing date for the Campus Heights Associates 3 rezoning request for January 17 at 6:45 P.M. The motion was unanimously approved.

Solicitor Henninger explained that during the planning process review for the Enterprise Holdings land development plan, staff noticed that a portion of Rosedale Avenue actually sat on SARAA property. A resolution is before the Board that will basically straighten up that small, pie-shaped area so that the road is on Township property as opposed to SARAA property. A motion was made by Vice President Springer, seconded by Commissioner Hall, to approve Resolution No. 2017-R-23. This Resolution accepts a Deed of Dedication from SARAA for a portion of Rosedale Avenue. The motion was unanimously approved.

A motion was made by Commissioner Hall, seconded by Commissioner Truntz, to approve an Agreement with Middle Department Inspection Agency (MDIA). The current contract with MDIA is for electrical review and inspections only. This contract will permit MDIA to perform all phases of building code review and inspections on an as needed basis. In response to a question from Commissioner Truntz, President Wilt confirmed that these fees are passed on to the applicant. The motion was unanimously approved.

FINAL COMMENTS:

The Commissioners congratulated Ron Paul and Chris DeHart on their election wins, and wished everyone a Happy Thanksgiving.

Vice President Springer requested an executive session upon conclusion of the meeting to discuss personnel matters.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

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

ATTEST:

Jean R. Arroyo, Township Secretary

PLEASE PRINT NAME CLEARLY

November 15, 2017 Legislative Meeting

Name/Organization	Address/Contact Information
Ron Paul	2 Richard Ave
RUTH SHIREMAN	LONGVIEW DR.
David Shuman	Longview Dr
David Rhine	LSFD
Jacob Dohmen	LSFD
Stephen V. Polinski	Zimmerman-Auer Funeral Home, INC.
Nancy Avokse	North Union
Tim & Sherry Santoro	N. UNION
Maya Hart	W. Union
Lauren CLARK	Longview
KANE HIGH	2096 Powderhorn
DAN MAGARO	1315 PHEASANT RUN RD
K GOTTSHALL	HEARTHSTONE
N. PENDERGRASS	BRIAR CREEK
MATT GENESIO	CTC
TIM SIFE	CTC