

**MINUTES**  
**LEGISLATIVE MEETING – MAY 16, 2018**

The May 16, 2018 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
- Ronald J. Paul, Assistant Secretary
- Michael J. Davies, Commissioner
- Christopher DeHart, Commissioner
- M. Elizabeth McBride, Manager
- Frank Lynch, Interim Manager
- Jean R. Arroyo, Secretary
- Peter R. Henninger, Solicitor
- Erin Letavic, Engineer
- Ann Hursh, Planning & Zoning Coordinator
- Daniel Tingle, Sergeant

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

President Wilt opened the floor for public comments.

**PUBLIC COMMENTS:**

Nancy Avolese, 1451 North Union Street, and Ruth Shireman, 790 Longview Drive, announced that with previous Board recognition, they have now launched the Lower Swatara Township Historic Preservation Society. The group, which is a tax-exempt nonprofit organization, has its website and Facebook page up and running. Business cards were provided to the Board and audience.

**APPROVAL OF MINUTES:**

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the Minutes of the May 2, 2018 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. 2018-04. The motion was unanimously approved.

#### APPROVAL OF TREASURER'S REPORT:

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the Treasurer's Report for April 2018. The motion was unanimously approved.

#### PUBLIC SAFETY REPORT:

In the absence of Acting Chief Young, Sergeant Daniel Tingle read aloud the statistics for the Police, Fire, and EMS for the month and year-to-date, and compared them to stats from last year.

Sergeant Tingle pointed out that the Police Department's overtime expenditures are slightly out of accordance with the budgeted amount. As of May 1, there was \$61,924 remaining in the line item, which has a total amount of \$110,000 budgeted. This is approximately 43.71% of what was budgeted for the year.

The two newly hired officers, Spencer Rios and Antonio Gonzalez, began their employment with the Township this past Monday.

Commissioner Paul referenced the overtime expenses, and stated that hopefully come the first meeting in July, the Board will have some budgetary adjustments to review. He suggested the Finance Department take a close look at three of the budgeted categories to assure that there is money in there to cover the unexpected overtime.

Vice President Truntz observed another repair, this time in the amount of \$1,500, to the 2011 Charger which is utilized by Acting Chief Young. He asked Sergeant Tingle the condition of that vehicle. Sergeant Tingle stated that the Charger is on the road, but he is not sure what the issue was. Acting Chief Young should be able to provide this information.

#### ENGINEER'S REPORT:

Ms. Letavic updated the Board on the Long-term Capital Improvement Funding Options – Stormwater Authority Implementation. The next step will be for HRG to meet with the

Commissioners to set up a kick-off meeting during the last week of May or June 12 or 14. She asked the Board to provide some feedback in the next several days about a selected date.

The Dauphin County Infrastructure Bank (DCIB) Loan – Construction – Highland Street and Summit Ridge [and Lumber Street/Greenwood Drive] will be addressed under the Solicitor's Report. She noted that the Highland Street survey and design is underway.

Preliminary roadway plans for the BT-NEWYO LLC/UPS Land Development Plan were reviewed by Township staff, and feedback was provided to the design engineer at a meeting on May 9.

Ms. Letavic reported that an announcement was made last week regarding grant funding that could help the Township with its MS4 Chesapeake Bay Pollution Reduction Plan. This is funding from DEP that ties back to environmental issues that have been caused by the Mariner East 2 pipeline project. \$12,000,000 will be available to municipalities with no match requirement. To be eligible for the funding, the municipalities must have the pipeline come through it. Ms. Letavic asked for approval tonight to work with Township staff on the application, specifically tying it to the Township's Chesapeake Bay Pollution Reduction Plan. Commissioner Davies asked if the grant money must be spent on a specific project category. Ms. Letavic confirmed that it does, although it is broad. It must tie back to water quality somehow. She agreed to send the particulars to the Zoning Coordinator so she can make some suggestions. Commissioner Paul asked that this information also be sent to Ms. McBride. Commissioner Davies asked if there is a limit as to the amount applied for. Ms. Letavic stated there is not. The only issue is that the application window is only about thirty days long; it closes June 20. Commissioner Paul suggested the Board also discuss this when it meets to kick-off the stormwater management program. A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to direct the engineer to move forward with investigating this grant opportunity and also move forward with discussions with staff regarding applicable projects for the grant. The motion was unanimously approved.

#### SOLICITOR'S REPORT:

Solicitor Henninger requested a brief executive session immediately upon conclusion of this evening's meeting in order to discuss a personnel issue.



After discussions over the past several Board meetings, as well as with Dauphin County economic development officials, the Township has received verbal approval to modify terms of its December 19, 2017 Infrastructure Bank loan ordinance to allow flexibility to meet evolving stormwater project needs. Specifically, the Township has requested the ability to adjust its initial request to fund projects at Summit and Highland to now also include the Lumber/Greenwood intersection. There is a draft ordinance prepared for advertisement which will enable the desired project funding flexibility in accordance with DCIB and PA Debt Act guidance. This ordinance will appear on the June 6 agenda for formal consideration. A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve authorization to finalize and advertise an ordinance to enable the desired project funding flexibility in accordance with DCIB guidance. The motion was unanimously approved. Solicitor Henninger added that this does include use of the leftover \$50,000+ funding from the first bridge project.

#### MANAGER'S REPORT:

Ms. McBride referenced an engagement letter from Cohen Law Group regarding cable franchise renewal negotiations with Comcast. She pointed out the cost has been reduced a bit since there are now 18 participants as opposed to the 11 or 12 when the letter was written. The more participants, the lower the cost. Solicitor Henninger added that he did review the letter. At the direction of the Board, Cohen Law Group was contacted and reminded that the Township had already done an audit, so the revised engagement letter does not include fees for a franchise fee audit. A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve engagement of the services of the Cohen Law Group to assist in the franchise renewal negotiations with Comcast of Southeast Pennsylvania, LLC. The motion was unanimously approved.

President Wilt read aloud the future meetings/events:

May 21	7 PM	Municipal Authority Mtg.
May 23	7 PM	Zoning Hearing Board
May 24	7 PM	Planning Commission Mtg.
May 28		Memorial Day Holiday – Twp. Offices closed for business
June 6	7 PM	Board of Commissioners' Workshop Mtg.

## COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul – stated that he would like to receive drafts of the Planning Commission and Municipal Authority meeting minutes when they are prepared and prior to approval. Since it is a month before the minutes are approved, this would help the Board keep up with what is going on.

Budget and Finance Committee: Commissioner Davies – no report

Public Works Committee: Vice President Truntz reported the Public Works Department has been busy with mowing. He added that Public Works Director Lester Lanman is on military service for the next two weeks; he thanked him for his service. With the forecast for significant rainfall, Vice President Truntz urged the public to report all hazardous conditions to the staff.

Community Development: Commissioner DeHart reported that he had provided Solicitor Henninger with the final version of the MARA agreement. Solicitor Henninger stated that since it is an inter-municipal agreement, an ordinance will be required for adoption. It is anticipated that a motion to prepare and advertise this ordinance will appear on the June 6 agenda, and formal adoption can be considered at the June 20 meeting. Commissioner DeHart referenced Commissioner Paul's comments about minutes, and stated he would like to see meeting minutes emailed to the various Township committees, such as the Planning Commission and Recreation Board, since many of the members of these boards are not aware of what is going on in the Township. Solicitor Henninger referenced Commissioner Paul's comment about providing draft minutes, and explained this may be okay to do with Planning Commission minutes, since it is a committee appointed by this Board. However, the Municipal Authority is an independent board, so he will need to check into this. The issue is that "draft minutes" are not actually minutes until they are approved. Although it is rare here, in other municipalities there are constant edits at the time of adoption. Providing draft minutes could result in copies floating around that aren't actually approved minutes. In response to a question from Commissioner Paul, Solicitor Henninger explained that Commissioners are welcome to show up at any of the meetings of the appointed boards, but there must not be discussion among a majority of the Commissioners which would be a violation of the Sunshine Act.

Personnel Committee: President Wilt reported that Ms. McBride started her employment as Township Manager on Monday, as did the two new police officers.

UNFINISHED BUSINESS: None

NEW BUSINESS:

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve recommendation that the Governor appoint Robert Furlong as Emergency Management Coordinator for Lower Swatara Township, with an annual stipend of \$3,000 (pro-rated for the balance of 2018). The motion was unanimously approved.

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve confirmation of the appointment of Sgt. Daniel Tingle as Deputy Emergency Management Coordinator for Lower Swatara Township, with an annual stipend of \$1,000. The motion was unanimously approved.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the Improvement Guarantee reduction request from Ronald A. Burkholder for Old Reliance Farms, Section 17, Lot #301 for sidewalk installation and concrete monuments in the amount of \$2,137.44, therefore closing out the project. The motion was unanimously approved.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Improvement Guarantee Reduction #1 for Uncle Bob's Self Storage. The improvement guarantee will be reduced by \$43,035.00 from the current amount of \$61,500.00, leaving a balance of \$18,465.00. The motion was unanimously approved.

FINAL COMMENTS:

Commissioner DeHart referenced the rainy forecast, and agreed with Vice President Truntz that it would be helpful for the public to keep an eye on the flooding, and inform the Township when they come across flooded areas.

Commissioner Paul informed the public that as the Board works diligently to begin the MS4 process, it will do its best to keep everyone abreast of what is going on.

Commissioner Davies asked the status of the Early Intervention Program (EIP) report. Mr. Lynch responded that it is almost complete; they are finishing the Public Works Department section. It will then be distributed to the Board to review the findings. The Pennsylvania Economy League hopes to present this plan publicly at the Board's June 20 meeting. That night, the Board will be asked to accept the report. One accepted, gates will open for funding opportunities.



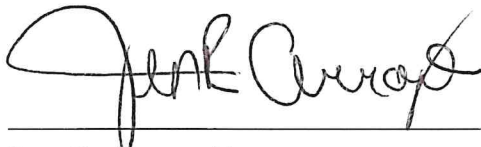
Vice President Truntz acknowledged Frank Lynch for all he has done during his time as Interim Manager. He added that Mr. Lynch was a calm and steady force for everyone, and he thanked him for his dedication. He also welcomed Ms. McBride to her new role as Township Manager.

President Wilt thanked everyone for their attendance this evening, and also welcomed Ms. McBride on board.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner Davies, seconded by Vice President Truntz, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:35 P.M.

ATTEST:

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

Jean R. Arroyo, Secretary

**PLEASE PRINT NAME CLEARLY**

**MAY 16, 2018 LEGISLATIVE MEETING**

**7:00 P.M.**

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