

MINUTES

LEGISLATIVE MEETING –SEPTEMBER 20, 2017

The September 20, 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
- Ann Hursh, Planning and Zoning Coordinator
- Scott Young, Officer-in-Charge
- Peter R. Henninger, Solicitor
- Erin G. Letavic, HRG, Engineer
- Tracey Bechtel, Recording Secretary

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

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

PUBLIC COMMENTS:

Duane Black, 2051 Mountain View Road, observed that there has been some surveying done for stormwater runoff in his development. He explained that there is a problem with water running off of Rosedale Avenue, down to the properties on Mountain View Road. Township minutes reflect that HRG will be looking at more work in the Rosedale Manor Development. He asked if this will include the addition of more storm drains on Rosedale Avenue. Ms. Letavic responded that the scope of work on the agenda tonight is intended to add a section of storm pipe at Hanover and Lakeside, which would be east of Mr. Black's property. There has been some analyses to-date on the feasibility of installing some storm sewers in Rosedale. Mr. Black noted

he is below Rosedale and the water is running downhill. It appears that there will be building occurring at 2069 Rosedale Avenue, which will just add to the water issues. Ms. Letavic inquired if that section of Rosedale has curbing. Mr. Black stated that it does not, and perhaps that would help. He noted that he is not sure what the answer is to the problem. Ms. Letavic added that this section is now being looked at, since staff did express concerns. Mr. Black agreed to show

Ms. Letavic a video he had taken of the water runoff.

APPROVAL OF MINUTES:

A motion was made by Vice President Springer, seconded by Commissioner Truntz, to approve the Minutes of the August 16, 2017 Legislative Meeting. The motion was unanimously approved.

A motion was made by Commissioner Truntz, seconded by Commissioner Hall, to approve the Minutes of the September 6, 2017 Workshop Meeting. The motion was unanimously approved.

APPROVAL OF BILLS:

A motion was made by Commissioner Davies, seconded by Vice President Springer, to approve the payment of bills as presented on Warrant No. 2017-08. The motion was unanimously approved.

APPROVAL OF TREASURER'S REPORT:

A motion was made by Commissioner Hall, seconded by Commissioner Davies, to approve the Treasurer's Report for August 2017. The motion was unanimously approved.

PUBLIC SAFETY REPORT:

Officer in Charge (OIC) Scott Young referenced the statistics for the month of August for the Police Department, Fire Department and MICU 4-1 (Life Lion EMS). He noted that crime was down again last month.

Vice President Springer inquired about the hiring process for officers and asked the number of applications received. OIC Young explained that applications have not yet been

received. Emails of interest were sent out to about 44 individuals, and about 20 have been received back so far. The deadline is September 25. Applications will then be sent out, and the interview process will start.

Commissioner Truntz remarked that OIC Young is wearing a lot of hats right now, and thanked him for his leadership.

ENGINEER'S REPORT:

Ms. Letavic reported that she has three items that require Board action tonight. In front of the Board is a revised quote from Bitting Recreation. This is an adjustment downward in the contract, since the Public Works Department will be installing some of the benches. A motion was made by Vice President Springer, seconded by Commissioner Hall, to approve an updated quote from Bitting Recreation Inc. for installation of three Leaf benches at the Shope Gardens Park (Quote #54312, \$1,950.00). The motion was unanimously approved.

Also on the agenda is a scope of work to provide engineering services in response to the Township's emergency permit filing and subsequent request. A motion was made by Commissioner Hall, seconded by Commissioner Davies, to approve a scope of work that authorizes HRG to complete environmental permitting for all five locations that need repair as a result of the July 23, 2017 storm. The motion was unanimously approved.

Ms. Letavic added that HRG is submitting a supplement to the scope of work for professional engineering services including survey, design, and permitting for stormwater projects targeted to be included in a PENNVEST application that was authorized on June 15, 2016, as discussed with staff. The revised project areas would include Rosedale Manor. A motion was made by Commissioner Hall, seconded by Commissioner Truntz, to approve a scope of work update that authorizes HRG to complete stormwater infrastructure design in an expanded area of Rosedale Manor. The motion was unanimously approved.

Commissioner Davies asked who is performing the traffic study on so many of the local roads. Ms. Letavic stated that she had also heard there were traffic counters on some of the Township roads, but has no idea who put them there. Commissioner Davies added that he would think this would require permission from the Township. Solicitor Henninger agreed. The Board directed Mr. Lynch to look into this.

SOLICITOR'S REPORT:

Solicitor Henninger reported that as directed by the Board last meeting, he had advertised in the Press & Journal the Public Hearing for the UPS zoning change application. The Hearing will be held on October 16 at 7:00 P.M. at the Lower Swatara Fire Department. The advertisement also states that the Board will have the opportunity to take action on the request at its next scheduled meeting, which is October 18. Ms. Hursh has sent out notices to the appropriate property owners.

MANAGER'S REPORT:

Mr. Lynch reported that the search for a new IT vendor continues. The process is nearing completion, and it is anticipated that the agenda of the next meeting will include selection of the vendor.

At a past meeting, the Board had authorized the sale of a 2006 Crown Victoria through Municibid at a price of \$1,178. The high bidder had not shown up after repeated attempts to contact him, but finally promised to come in on Tuesday. In the event that he does not come in on Tuesday, Mr. Lanman would like authorization to go to the next highest bidder in the amount of \$1,128. The Board expressed no objection to this request.

Mr. Lynch introduced Jay Wenger of Susquehanna Group Advisors, who presented a refunding analysis for current refunding of the 2012 bonds. Mr. Wenger explained that these bonds in fact originally refinanced sewer and water improvements, so the refinancing would be allocated back to the utility systems rather than the General Fund. This refunding could potentially result in a net savings of approximately \$150,000, with savings either amortized over the life of the loan (approximately \$10,000 a year) or realized in fiscal years 2017 and 2018. Mr. Wenger explained that he could come back at the Board workshop meeting with a parameter's ordinance which basically authorizes the work to be done. Solicitor Henninger added that he will bring this up to the Municipal Authority at its meeting next week, but is confident they will be in agreement. The Board provided Mr. Wenger with consent to move forward with the parameters ordinance. Nancy Avolesse, 1451 North Union Street, stated that last time he was here, Mr. Wenger was able to save the Township \$389,000. She stated this is fabulous, and asked for a round of applause for Mr. Wenger.

President Wilt read aloud the list of future meetings/events:

September 27	7 PM	Municipal Authority Meeting
CANCELLED		September 28 Planning Commission Meeting
October 4	7 PM	Board of Commissioners Workshop Meeting
October 16	7 PM	Public Hearing on UPS request (at Fire Dept.)
October 18	7 PM	Board of Commissioners Legislative Meeting
October 25	7 PM	Municipal Authority Meeting
October 26	7 PM	Planning Commission Meeting
October 26	6 PM – 8 PM	“Trick-or-Treat”

COMMITTEE REPORTS:

Public Safety Committee – Vice President Springer – no report

Budget and Finance Committee --- Commissioner Davies – reported that there will be a budget committee meeting on Tuesday, September 26 at 8:00 A.M.

Public Works Committee – Commissioner Truntz – referenced the resignation of Public Works Director, Dan Wagner. Later on the agenda will be a motion to accept his resignation on October 2, although today was his last day. Lester Lanman has stepped up in a substitute capacity. Commissioner Truntz wished Mr. Wagner well and thanked him for his service to the Township. The Public Works Department is busy with mowing, general maintenance, and preparation for leaf season.

Community Development --- Commissioner Hall – reported that he had attended the Pumpkin Fest at the Middletown Home on Sunday. He thanked OIC Young and the Fire Department for their participation in this very nice event.

Personnel Committee – President Wilt – reported that interviews were held over the past few weeks for candidates for the laborers’ position in the Public Works Department; three new employees will be starting over a six week period. All positions will then be filled in that Department.

Solicitor Henninger added that the Board had met in executive session on September 11 at 7:00 P.M. to discuss personnel issues.

UNFINISHED BUSINESS:

The Board tabled 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.

The Board discussed the Final Subdivision Plan for William's Manor, File #2016-01, a 26 lot subdivision located along Lumber Street for Rhodes Development Group, Inc., submitted by R.J. Fisher Engineering & Assoc., Inc. Time extensions were granted by the Board of Commissioners on July 20, 2016, October 19, 2016, January 18, 2017, April 5, 2017, and July 19, 2017. The plan is due to expire on October 18, 2017. The plan was recommended for approval by the Planning Commission with the following conditions:

1. HRG Comments.
2. Township Comments:
 - Subdivision & Land Development
 1. §22-406.4.A & §26-139 – The required financial security agreements in the amounts determined by the Township Engineer between the Developer and LST shall be posted prior to plan recording.
 2. §22-406.4.C & §26-146.1 – The financial security shall be posted by a Bonding Company or a Lending Institution with an Irrevocable Letter of Credit (LOC) and submitted to the township prior to plan recording.
 3. § 22-407.A.5 – The owner certification statement of ownership shall be signed and notarized prior to plan approval.
 4. §22-407.A.6 – The dedicatory statement shall be executed by the designated party prior to plan approval.
 5. § 22-407.A.19.d – Submit current certificates of agreement or letters to provide services from the utility companies prior to plan approval.
 6. §22-510.6.B – Fee in Lieu of Dedication for Recreational Area in the amount of \$1,500.00 per lot, as referenced on the plan, total amount \$39,000.00 shall be paid prior to plan approval.

Stormwater Management

1. §26-132.2.C (1) – A signed and executed O&M Agreement shall be submitted for review/approval and executed prior to plan approval.

Alex Kinzey of R.J. Fisher Engineering gave a brief overview of the plan and explained they are waiting for the sewer extension to be completed. He added that the plan will have public sewer and water. Ms. Letavic and Ms. Hursh commented that the outstanding comments are

administrative in nature. Ms. Hursh did note that the plan shows that a few lot owners will have detention basins on their lots, and some will have raingardens. There is a note on the plan that these will be shown on the deeds. A motion was made by Commissioner Truntz, seconded by Commissioner Hall, to approve the Final Subdivision Plan for William's Manor, subject to the outstanding comments from staff and HRG. The motion was unanimously approved.

Cole Boyer, representing Phoenix Contact, presented a request for Board approval for an Application for Alteration of Requirements for Phoenix Contact, File #2017-4, 586 Fulling Mill Road. In order to address the need to obtain an easement on the neighboring property for the emergency spillway, the intent is to relocate the emergency spillway to the western side of the basin within an inlet box for the outfall. For proper construction, the outfall pipe will need to be placed flatter than the required 0.5% fall. In addition, the applicant requested approval to move the location of the water tank. The Board of Commissioners previously approved the plan with conditions at the July 19, 2017 meeting. The Planning Commission, recommended approval of the alternate design of the emergency spillway, the waiver of §26-126.3.B and the relocation of the water tower. A motion was made by Vice President Springer, seconded by Commissioner Davies, to approve the Application for Alteration of Requirements for Phoenix Contact, File #2017-4, 586 Fulling Mill Road. The motion was unanimously approved.

NEW BUSINESS:

A motion was made by Commissioner Davies, seconded by Commissioner Truntz, to renew a contract with Zelenkofske Axelrod LLC for financial consulting services for 2018. Commissioner Truntz observed that this appears to be more cost effective than the past use of a Finance Director's position. Rebecca McClain, the Township's Accountant, is doing a great job with the day-to-day operations. President Wilt agreed this is working out quite well. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Commissioner Truntz, to accept the Minimum Municipal Obligation for the Police and Non-Uniform Pension Plans for 2018. The motion was unanimously approved.

A motion was made by Vice President Springer, seconded by Commissioner Hall, to accept the resignation of Jact Dela Cruz, Construction Code Official, effective August 21, 2017. The motion was unanimously approved.

A motion was made by Commissioner Hall, seconded by Vice President Springer, to accept the resignation of Daniel L. Wagner, Public Works Superintendent, effective October 2, 2017, contingent upon verification of his allocated remaining leave. The motion was unanimously approved.

OIC Young reported that as a result of his recent Right to Know Training, he would like to have the Board appoint an alternate Right to Know Officer for the Police Department. Kendra Riley, the Police Department's secretary, has agreed to serve in that role. Solicitor Henninger stated that this will need to be done by resolution. The Board agreed to look into this.

FINAL COMMENTS:

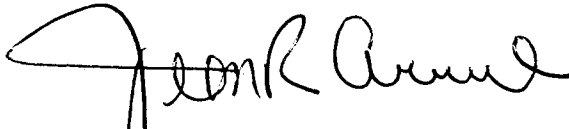
The Board thanked the public for its input. Vice President Springer thanked Daniel Wagner for his years of service, and wished him well in his future endeavors.

Commissioner Truntz requested a brief executive session immediately upon conclusion of tonight's meeting for personnel reasons.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Vice President Springer, seconded by Commissioner Hall, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 8:18 P.M.

ATTEST:



Jean R. Arroyo, Township Secretary

SEPTEMBER 20, 2017 (7 PM) BOARD OF COMMISSIONERS LEGISLATIVE MTG.

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