

MINUTES

LEGISLATIVE MEETING – JULY 19, 2017

The July 19, 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. Solicitor Henninger announced that Commissioner Davies will be participating by telephone this evening. He phoned Commissioner Davies, who identified himself by confirming the required password, pursuant to Township resolution.

President Wilt then 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 (via phone)
- Todd F. Truntz, Commissioner
- Benjamin C. Hall, Commissioner
- Frank E. Williamson, Township Manager/Public Safety Director
- Jean R. Arroyo, Secretary
- Robert S. Greene, Planning and Zoning Coordinator
- 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 and turned the floor over to Mr. Williamson for the Police Department Awards' Presentation.

PRESENTATION OF AWARDS:

Mr. Williamson reported that on July 6, 2017, the Lower Swatara Township Police Department began an investigation for a missing/endangered teenager. The missing teen had a four hour window before he was noticed missing. Officers immediately began a search and put out a notice to all surrounding police agencies.

Barbara Jones White, after seeing the press release in the news and observing the missing teen, contacted the police right away. Her information helped police locate the missing teen and recover him safely. Mr. Williamson presented Ms. White with a Civilian Support Award.

Also acknowledged were the members of the Lower Swatara Police Department. The thoroughness of the investigation and dedication of the officers allowed for a quick and safe recovery of the missing teen. A Unit Citation Award was presented to the following for their work as a unit: Sgt. Scott Young, Sgt. Daniel Tingle, Detective Robert Appleby, Detective Ryan Gartland, Officer Joshua Malott, Officer Jon Miller and Officer Patrick Ribec.

Mr. Williamson remarked that this incident is a great example of the positive things that the Police, the community and the media can accomplish when they work together.

PUBLIC COMMENTS:

Ed Halpern, 804 Nissley Drive, stated that his neighbor's home, which he believes to be 808 Nissley Drive, has been hit at least six times over the last ten years, and in fact twice in one week. He asked if someone has to be injured or killed before railings are installed. Mr. Halpern also expressed concern with the potential UPS project, and stated that trucks will end up going down Nissley Drive. Mr. Williamson explained that as far as the resident that lives near the intersection of Oberlin Road (441) and Nissley Drive, the issue is that Route 441 is a state highway and therefore PennDOT regulates what is permitted there. The Public Works Director has been in contact with the PennDOT District 8, and they will be taking an initial look at it to see if guiderails, signage, etc. can be installed. In addition, the crash data is being compiled for them. Mr. Williamson added that the two incidents that happened the other week involved a driver that was under the influence of drugs and another that had just gotten off work and fell asleep. Speed or wet road conditions were not involved in these two instances. Mr. Halpern expressed concern that someone is going to get hurt in the meantime, and asked about the possibility of the resident placing boulders in the yard. Mr. Williamson explained that putting things in the right of way can create a liability issue. Mr. Halpern stated that since Nissley Drive is not a state road, it seems that railing could be put at the corner of Nissley Drive. Ms. Letavic explained that unfortunately, due to the right of way, not much can be done without involving PennDOT, and this is a slow process.

Marjie Hartz, 2142 North Union Street, stated that in a short time, the Board will be presented with a text application to amend the Mineral Recovery District as well as alter the Conservation buffer on the proposed UPS site. She distributed copies to the Board of a print out of the purpose of a Mineral Recovery District and the permitted uses. There is nothing even remotely close to allowing construction of a warehouse or truck terminal, much less a retail store. She asked the Board to take time to read through the purpose of the Mineral Recovery District and its uses. Ms. Hartz stated that the proposal is not fair. If the Board approves this text amendment to proceed, it will be in complete disagreement with the Township comprehensive plan which was designed for smart growth. This is not smart growth.

Ms. Hartz also addressed the proposal to alter the conservation buffer around the proposed site, and stated that the buffer protects soil, improves air and water quality, enhances fish and wildlife habitats, and beautifies the landscape. Buffers were designed to slow water runoff, remove pollutants, remove 75% of sediment runoff and most importantly, in this proposed site, reduce downstream flooding. This buffer serves a sound environmental resource and should not be altered. Ms. Hartz stated that she is also requesting that Dennis Fausey, member of the Township Planning Commission, be recused from any votes on decision making on the UPS proposal, including the text amendment and altering of the conservation buffer. Mr. Fausey stood and applauded the UPS 15-minute presentation at the June 21 legislative meeting of this Board, and also made a verbal approval of the UPS program. Ms. Hartz agreed that this is personal to her on many different levels, but the magnitude of this project on the Township will have far reaching effects. She stated that an individual serving in that capacity cannot, and should not, make a public display of approval. Ms. Hartz also asked that the Board be aware that a recent hydrology study which was required by DEP and performed by their business partner Penny Supply revealed major concerns with any proposed large building on this site.

Commissioner Truntz recalled that Ms. Hartz had stated the Board would be receiving a letter from her attorney and asked if this was submitted yet. Ms. Hartz responded that it will be submitted after the meeting tomorrow evening.

Victoria Maxwell, 870 Evergreen Drive, explained that she has been experiencing a storm drain issue in her backyard; her backyard has been unusable since last year except for the “critters” that are using it as a water source. It is pretty much a holding pond/marshland. Ms. Maxwell added that she has been dealing with Mr. Greene and Mr. Messick, but nothing has

been resolved. She asked the Board's assistance in getting this issue rectified. Mr. Greene explained that the staff has been doing extensive research on this issue, and is in the process of scheduling a meeting with all the homeowners in that immediate area.

Kane High, 2096 Powderhorn Road, stated that he is opposed to the UPS project, which will increase traffic on North Union. He noted his understanding that UPS did a traffic study, and suggested it would be nice to share it. Mr. High added that he is concerned about truck traffic on Route 441, as he is already seeing this issue with FedEx trucks. He explained to the Board that he is also a bit confused. A year ago, this Board acknowledged that the residents were against warehouses. He argued that this is a warehouse, and is actually a warehouse on steroids which will result in more traffic in and out than a standard warehouse. He asked why the Board is no longer acknowledging the concerns of the residents. Commissioner Truntz explained that the Board has to look at each situation differently and evaluate each as they come in. The Board cannot prejudge something any more than Mr. Fausey was accused of prejudging. The Board must take the application and consider the pros and cons. Mr. High stated that he would at least ask the Board to be aware that a substantial number of residents are against this project. Mr. Kane also stated that he is against the purchase of land for a new park at Ebenezer and Longview. While he realizes the Township can acquire the property for little or no expense to the Township using the Sunoco money, he would argue that these funds could be used more effectively for other infrastructure needs in the Township as well as MS4 needs. Commissioner Truntz asked Solicitor Henninger if the Sunoco money could indeed be used for infrastructure and MS4. Solicitor Henninger explained that the money specifically related to the Greenfield Park probably cannot be, as it is a park and the Township has to work through the National Park Service. The other land, which is PEMA/FEMA recreational land and open space, may be, but open space land is probably along the same lines as far as restrictions for use. There may be a little more leeway here, but the direction from the Board was to place the \$100,000 Sunoco money into the Parks and Recreation Fund for use for parks since the pipeline work is effecting park land and open space land.

Stephen Artman, 1012 Clearview Court, agreed with the previous comments opposing the UPS project. The Township just did a ten-year comprehensive plan and was unanimous in the desire to keep that land in Mineral Recovery. Everyone agreed on this, and also expressed opposition to any more warehouses. Now that TMI is pulling out, the Township is going to be

held hostage by the School District to keep taxes the same. Mr. Artman stated that this is not a good enough excuse to be held hostage by bringing in more warehouses.

Mark Allshouse, 201 Fiddlers Elbow Road, agreed that he is also opposed to the UPS project. "Warehouse on steroids" pretty much describes it, and the traffic generated will be ridiculous. He stated that he can barely get out of his driveway right now, and it is hard to hear himself think in his home at times. This will only make things worse. Mr. Allshouse explained that what really brings him up here tonight is the statement that the Board should review these things and be open minded. However, when he sees in the news media that someone on this Board has called it a "win win" to the press and more or less stated his personal approval of the project, that does not sound like representation of the public.

APPROVAL OF MINUTES:

A motion was made by Vice President Springer, seconded by Commissioner Hall, to approve the Minutes of the June 21, 2017 Legislative Meeting. The motion was unanimously approved.

APPROVAL OF BILLS:

A motion was made by Commissioner Truntz, seconded by Vice President Springer, to approve the payment of bills as presented on Warrant No. 2017-06. The motion was unanimously approved.

APPROVAL OF TREASURER'S REPORT:

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

PUBLIC SAFETY DIRECTOR'S REPORT:

Frank Williamson, Public Safety Director, provided the Board with the monthly report. For the month of June, the Police Department responded to 579 calls for service with a year-to-date total of 3,367 (a decrease of 95 from last year). There were 48 total cases, with 253 for the year (an increase of 68). There were 23 arrests with 140 for the year (an increase of 39). There were 29 traffic citations, with 294 for the year (an increase of 27). There were 5 non-traffic

citations, with 39 for the year (a decrease of 8). There were 47 warnings, with 329 for the year (an increase of 36). For the month of June, the Police Department responded to 9 Part 1 crimes, with a total to-date of 56 (an increase of 16). The Department responded to 25 Part II crimes in June, with a total of 141 for the year (an increase of 27). Total Part 1 and 2 crimes for June were 34, with 197 year to date (an increase of 43).

In June, the Fire Department responded to 46 calls for service, (258 year to date) with 325 personnel responding, which is an average of 7 per call. Incidents for the month were as follows: 0 fire incidents, 12 rescues, 5 hazardous conditions, 4 service calls, 16 good intent calls, and 9 false alarms.

Life Lion EMS responded to 135 calls in June (79 in Lower Swatara Township), with a total of 752 year to date (519 in Lower Swatara Township). Average total 911 response time companywide is 7 minutes, with average class 1 response time in Lower Swatara Township of 5 minutes.

ENGINEER'S REPORT:

Ms. Letavic reported that the Pavement Management Plan data collection continues.

The Township is waiting for the contractor to come back to do the poured in place rubber that will be installed around the playset areas of the Old Reliance and Shope Gardens parks. Unfortunately, the swing sets and play sets continue to be off limits until that is complete.

The stormwater fee report is underway for July staff review. There will be a meeting with Public Works and Municipal Authority staff next week to move the PennVest stormwater designs ahead.

Ms. Letavic requested an executive session immediately upon conclusion of tonight's meeting to discuss a real estate matter.

Vice President Springer asked if a more firm date could be provided for the completion of the rubber matting. Ms. Letavic explained that the updates she is getting are week to week. She explained that it is her understanding that this is a specialized service, and the contractor has a handful of crews that actually perform this work, and they service the entire eastern seaboard.

SOLICITOR'S REPORT:

Solicitor Henninger reported that the Board had met in executive session this past Monday at 6:00 P.M. in order to discuss personnel issues, specifically in regards to the manager's resignation and the Public Safety Director's position. The Board also met in executive session at 6:30 P.M. this evening to discuss a similar personnel matter in regards to Mr. Williamson's resignation.

Solicitor Henninger noted that while it is on the list of future meetings, he would like to remind everyone of the Public Hearing scheduled for August 2, at 6:45 P.M., to hear public comment on the proposed wireless facilities ordinance.

MANAGER'S REPORT:

Mr. Williamson referenced a memo he had provided the Board regarding delinquent Per Capita and Occupational taxes. From 1998-2010, the law firm of Powell, Roger and Speaks collected delinquent Per Capita and Occupational taxes. In 2011, Berkheimer Tax Administrator, Inc. was appointed for the collection of Per Capita and Occupational taxes. According to Solicitor Henninger, by law the Township can only attempt to collect delinquent taxes from the past five years. From this period, the Township has about \$112,000 outstanding between Per Capita and Occupational and will need to get the list of the delinquent account holders' employers from Keystone Collections Group to begin the process. There would be no additional cost to the Township for this. A motion was made by Commissioner Davies, seconded by Commissioner Hall, to authorize the Township to work with Keystone Collections Group to obtain the employer information in order to garnish wages and collect the approximately \$112,000 of outstanding taxes. The motion was unanimously approved.

Under New Business tonight is approval of DCIB Loan payment request #17 in the amount of \$6,949.00. After checking with DCIB and then with Dan Long at HRG concerning Liquid Fuels compliance concerns, the Township has the go-ahead to submit Solicitor Henninger's fees to DCIB. Mr. Williamson explained that what is different with this request is that the Township will be requesting DCIB to reimburse the Township, as it has already paid these legal fees. A motion was made by Commissioner Truntz, seconded by Commissioner Davies, to approve the DCIB request for payment #17 in the amount of \$6,949.00 for legal fees. The motion was unanimously approved.

An update was provided on the other post-employment benefits (OPEB) Investment Account. The Township has had an investment account managed by Willow Branch Financial Group (part of Waddell and Reed) for the employees post-retirement benefits. This account appears to have been started in 1999. By doing this, the Township was way ahead of many other municipalities. This account is not restricted to exclusively pay for post-retirement benefits. The Township has not drawn from this account; the annual OPEB costs to the Township have been budgeted and paid for from the General Fund. There has been no need to transfer money from the OPEB account to cover the costs. Police Department personnel hired after January 2015 and non-uniformed employees hired after January 1, 2016 are no longer eligible for post-retirement benefits. Mr. Williamson explained that the Board may want to take action to restrict the funds. The auditors are revising their financial statements to show this account as unrestricted funds, as it will no longer be viewed as a trust fund. By restricting these funds, the Township is limiting its use to pay the post-retirement benefit costs of the employees. There is a liability that is calculated annually, similar to what is done for pensions, which determines the liability for the post-retirement benefit. By not restricting the account, the Township shows a large liability, with no assets to cover them. Currently, the OPEB liability is only listed at \$290,000. However, with changes to government accounting in 2018, the Township's liability will go up to around \$1.5 million (as of 1/1/2013). Without restricting the funds in the Willow Branch Financial Group Account, the Township will have a significant unfunded liability, when in actuality there is \$1.4 million in the OPEB account. If the Board wants to restrict these funds, the Solicitor will need to draft an irrevocable trust agreement with Willow Branch as the trustee. Withdrawals from this account would still be able to be made to pay future OPEB payments. Commissioner Davies stated this he was under the distinct impression that during last year's budget, the Board provided for retirement benefits to be drawn from this account. He asked if this was not followed through on. Mr. Williamson agreed this was discussed, but the amounts needed were able to be covered by the General Fund. The Township has not needed to touch the money from the OPEB account at this point. Commissioner Truntz agreed that he likes the fact that money for post employee benefits is safe and sound and cannot be used for anything else. A motion was made by Commissioner Davies, seconded by Commissioner Truntz, to direct Solicitor Henninger to draft an irrevocable trust agreement with Willow Branch as the trustee. The motion was unanimously approved.

Also on tonight's agenda are two proposed resolutions. Resolution No. 2017-R-13 approves the sale of a 2006 Ford Crown Victoria on the Municibid auction site. With the retirement of Mr. Greene, the Township will need to appoint a new Sewage Enforcement Officer (SEO) and an alternate. Resolution No. 2017-R-14 appoints a Sewage Enforcement Officer (Tim Wargo of Hoover Engineering) and an Alternate Sewage Enforcement Officer (William J. Madden III or Leonard O. Sizer of Frederick Seibert and Associates, Inc.). Mr. Williamson added that these appointments are required under Act 537.

Mr. Williamson reported that he had received an email from Delta Development Group requesting a letter of support from the Township for a grant application they are submitting on behalf of the Susquehanna Area Regional Airport Authority (SARAA) for a Multimodal Transportation Grant through the Department of Community and Economic Development to rehabilitate Airport Drive. A motion was made by Commissioner Hall, seconded by Vice President Springer, to authorize the Township Manager to send a letter of support as drafted for the proposed Airport Drive rehabilitation. The motion was unanimously approved.

Vice President Springer read aloud the list of future meetings/events:

July 20	6:00 PM	Public Presentation by UPS to be held at the Lower
	to 8:00 PM	Swatara Fire Dept. (1350 Fulling Mill Rd.)
July 26	7:00 PM	Municipal Authority Meeting
July 27	7:00 PM	Planning Commission Meeting
August 2	6:45 PM	Public Hearing on Wireless Facilities Ordinance
	7:00 PM	Board of Commissioners Workshop Meeting
August 5	10:00 AM	Woodridge Homeowners' Association Meeting
August 16	7:00 PM	Board of Commissioners Legislative Meeting
August 23	7:00 P.M.	Municipal Authority Meeting
August 24	7:00 P.M.	Planning Commission Meeting

COMMITTEE REPORTS:

Public Safety Committee – Vice President Springer – no report

Budget and Finance Committee --- Commissioner Davies – no report

Public Works Committee – Commissioner Truntz – reported the Department has been busy with mowing and park maintenance, including addressing some graffiti that was found on playground equipment at the Market Street playground. He referenced the park upgrades, and assured everyone that the Township is keeping pressure on the contractor to get the work completed.

Community Development --- Commissioner Hall – referenced a letter of thanks from the Valley Baptist Church for allowing them to use two of the Township parks for their children’s program. Commissioner Hall also reported that he and Vice President Springer had attended a meeting regarding the Peer-to-Peer Grant; they are awaiting minutes from the meeting.

Personnel Committee – President Wilt – reported that Board action is needed on several resignations. A motion was made by Commissioner Truntz, seconded by Commissioner Hall, to approve with regret the resignation of Seth Myers, Public Works laborer, effective 7/28/17. The motion was unanimously approved. A motion was made by Commissioner Hall, seconded by Vice President Springer, to approve with regret the resignation of Robert Greene, Planning and Zoning Director, effective 7/31/17. The motion was unanimously approved. A motion was made by Vice President Springer, seconded by Commissioner Hall, to accept with regret the resignation of Frank Williamson, Township Manager, effective 7/28/17. President Wilt acknowledged Mr. Williamson, who stated that he is leaving to pursue other opportunities and spend more time with his family. The motion was unanimously approved. President Wilt wished him best luck in his endeavors.

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 and May 17, 2017. The plan is due to expire on August 16, 2017.

A motion was made by Commissioner Truntz, seconded by Commissioner Davies, to grant a time extension to expire on October 18, 2017, as requested by the developer, on the Final Subdivision Plan for William’s Manor, File #2016-01, 26 lot subdivision located along Lumber Street for Rhodes Development Group, Inc., submitted by R.J. Fisher Engineering & Assoc., Inc. The plan was recommended for approval by the Planning Commission on April 28, 2016 with conditions. Time extensions were granted by the Board of Commissioners on July 20, 2016,

October 19, 2016, January 18, 2017, and April 5, 2017. The plan is due to expire on July 19, 2017. The motion was unanimously approved.

NEW BUSINESS:

A motion was made by Commissioner Truntz, seconded by Vice President Springer, to approve a proposal from Moore Engineering Company, in the amount of \$3,950, for the engineering services associated with the review of the HVAC systems and building efficiency. Solicitor Henninger noted he had reviewed their contractor agreement, and they did make acceptable changes to the terms and conditions. The motion was unanimously approved.

A motion was made by Commissioner Hall, seconded by Commissioner Truntz, to approve the purchase of a Henderson Expressway Reversible Snow Plow (plow cost is \$10,472 and shipping is estimated at \$600 - \$800) from Truck Mounts Unlimited. The motion was unanimously approved.

The Board discussed a quote from Stewart and Tate Construction, in the amount of \$12,967.50, for the resurfacing of a portion of North Union Street. Mr. Williamson added that the Township did get approval for Liquid Fuels Funds for this project. Commissioner Truntz stated his understanding that there was a question about whether this was the right thing to do. Ms. Letavic agreed there were some concerns about the project, and options were discussed, including rumble strips to start with, but ultimately the road is too slick in this area. She added there may be police records of accidents there that can be used as backup for this need. Microsurfacing is not an inappropriate application; the question was how serious this issue is. Mr. Williamson added that after the July 5 meeting, there was an accident with injuries in this area. Commissioner Hall stated that he had asked Mr. Williamson to provide the accident records; he does feel something needs to be done there. He stressed, however, that the drainage must also be addressed properly. A motion was made by Commissioner Hall, seconded by Commissioner Davies, to approve the quote from Stewart and Tate Construction, in the amount of \$12,967.50, for the resurfacing of a portion of North Union Street. The motion was unanimously approved.

A motion was made by Vice President Springer, seconded by Commissioner Davies, to approve Resolution No. 2017-R-13 which authorizes the sale through Municibid auction of a 2006 Ford Crown Victoria 2FAHP71W76X143439. The motion was unanimously approved.

A motion was made by Commissioner Truntz, seconded by Commissioner Hall, to approve Resolution No. 2017-R-14. This resolution appoints a Sewage Enforcement Officer (SEO) and an Alternate Sewage Enforcement Officer. The motion was unanimously approved.

Mr. Williamson addressed the Final Land Development Plan for Phoenix Contact, File No. 2017-04, located at 586 Fulling Mill Road. A variance for required parking was granted by the ZHB on July 6, 2017, and the Planning Commission took action on June 22, 2017 to recommend approval of the plan with conditions and one waiver request as follows:

Waiver Requests:

1. §22-404 & 22-405 – Preliminary Plat Application - The applicant is requesting that the requirements to submit a separate Preliminary Plan be waived and all the requirements are shown on the Final Plan.

Subdivision & Land Development

1. §22-406.4.A – The required Financial Security Agreements, in the amounts determined by the Township Engineer, shall be submitted prior to plan recording.
2. §22-406.5 & §26-146.1 – The Financial Security for Site Improvements shall be posted in the form of a Bonding, Irrevocable Letter of Credit (LOC) or Escrow Account and submitted to the township prior to plan recording.
3. §22-204.11 – The Financial Security for Sanitary Sewer Improvements, in the amount determined by the LSTMA Engineer, shall be posted with the township prior to recording of the plan.
4. § 22-407.A.5 – The owner certification statement of ownership shall be signed and notarized prior to plan recording.
5. §22-407.A.7 – Include any proposed protective covenants running with the tract, if any.
6. § 22-407.A.17 – A Soil Erosion and Sedimentation Control Plan and NPDES Permit approval letter from the DCCD shall be provided prior to plan recording.
7. §22-407.A.19.(d) – Provide certification of agreement letter from applicable utility companies for provided services.
8. §22-407.A.19. (f) – The PA DEP Sewage Planning Module approval letter shall be provided prior to plan recording.

9. §22-801 – The applicant shall pay to the Township all fees associated with this plan prior to approval and recording of the plan.

Stormwater Management

- a. §26-132.2.C (1) – An O&M Agreement shall be submitted for review & approval prior to plan recording.

The engineer for the project, Cole Boyer, P.E., Stahl Sheaffer Engineering, stated this project will expand the existing distribution facility by almost 70,000 square feet. In the process, they will need to relocate the existing access drive on site and relocate several utilities. Solicitor Henninger explained that a variance for the required parking was granted by the Zoning Hearing Board; there is already adequate parking there. Ms. Letavic stated that after review, there is only one outstanding item that needs Board direction. They are proposing a new stormwater detention pond to the very eastern border of the property and the emergency spillway as configured would be directed to discharge on the neighboring property. This is not a typical situation for most projects, but the emergency spillway is only intended to be used for a 100 year storm event, so it is not going to routinely flow there. Technically, the adjoining property owner would have the right to be involved in this project, probably through coordination of an easement. This would be the next logical step unless the applicant desires to reengineer it.

A motion was made by Commissioner Truntz, seconded by Vice President Springer, to grant the waiver request as stated above. The motion was unanimously approved.

With the waiver request granted, a motion was then made by Commissioner Hall, seconded by Commissioner Truntz, to conditionally approve the Final Land Development Plan for Phoenix Contact, subject to all outstanding comments as stated above including the comments this evening regarding the spillway easement issue. The motion was unanimously approved.

A motion was made by Commissioner Truntz, seconded by Vice President Springer, to approve the Improvement Guarantee Reduction Request #1 for the New Middletown Area High School Land Development Plan, File No. 2013-05K, for site improvements. It is the recommendation by HRG that the improvement guarantee be reduced by \$960,307.53 from the current amount of \$1,297,023.78, leaving a balance of \$336,716.25. The motion was unanimously approved.

A motion was made by Vice President Springer, seconded by Commissioner Hall, to approve the Improvement Guarantee Reduction Request #1 for Fulling Mill Retirement Community – Phase I, File No. 2007-14, for modification to the retaining wall associated with stormwater detention basin. Based on the report from HRG, it is recommended that the improvement guarantee be reduced by \$300,000.00 from the current amount of \$1,799,281.00, leaving a balance of \$1,499,281.00. The motion was unanimously approved.

Mr. Williamson referenced an agenda item for Improvement Guarantee Reduction Request #4, Letter of Credit No. 572, for Old Reliance Farms, Section 18-B, File No. 2010-01, Longview Drive sanitary sewer improvements. Ms. Letavic explained that the numbers on the agenda have been revised, since word was received today from the Municipal Authority staff that it is appropriate to release the maintenance guarantee for the Municipal Authority. She provided the Board with the revised letter and figures. A motion was made by Commissioner Hall, seconded by Commissioner Truntz, to approve the Improvement Guarantee Reduction Request #4, Letter of Credit No. 572, for Old Reliance Farms, Section 18-B, File No. 2010-01, Longview Drive sanitary sewer improvements. At the developer's request and upon site inspection, it is the recommendation by HRG a reduction of \$19,908.69 from the current amount of \$77,802.46 for site improvements and Municipal Authority maintenance guarantee, leaving a balance of \$57,893.77. The motion was unanimously approved.

A motion was made by Vice President Springer, seconded by Commissioner Truntz, to approve the Improvement Guarantee Reduction Request #1 for PSU, SEC Building, Land Development Plan, File No. 2014-03 for site improvements. It is the recommendation from HRG a reduction of \$627,897.05 from the current amount of \$627,897.05 leaving a balance of \$0.00. Furthermore, it is recommended that a Maintenance Guarantee in the amount of \$67,604.70 for 15% of the total value of the permanent improvements be provided. The motion was unanimously approved.

The Board acknowledged the availability of the MS4 Annual Report for inspection at the Lower Swatara Township Municipal Building.

Solicitor Henninger reported that last Thursday, BY-NEWYO, LLC submitted an application for a zoning text amendment and a zoning map amendment for a proposed regional hub facility (UPS) to be located in Lower Swatara Township. Specifically, it is a petition to amend the zoning ordinance, Mineral Recovery District, to allow their use and also amend the

Conservation zone around there to make it be basically 50' additional over and above the 100 year floodplain. The Municipalities Planning code process is to submit the application to the Board of Commissioners for action to refer it to the Township Planning Commission and the County Planning Commission for review. A motion was made by Commissioner Truntz, seconded by President Wilt, to refer the text amendment to the Lower Swatara Township Planning Commission and the Dauphin County Planning Commission for review. Commissioner Truntz added that this is a procedural motion. The motion was unanimously approved. Solicitor Henninger explained that this will be on the agenda of the Township Planning Commission next Thursday. He stated that he is uncertain of the County Planning Commission's schedule. After review of both planning commissions and recommendations to the Board, the Board will be required to hold at least one public hearing. The meeting tomorrow night is an informational meeting by UPS, and is not required by the Municipalities Planning Code. UPS agreed to do this upon recommendation of this Board.

Commissioner Truntz noted there have been questions from the public about the status of the comprehensive plan, and assured everyone that action on the plan will occur soon.

FINAL COMMENTS:

Commissioner Truntz thanked Ms. White and the Police Department for their action in locating the missing teenager. He implored the public to attend the UPS informational meeting tomorrow evening. Commissioner Truntz thanked Mr. Greene for his service. He also thanked Mr. Williamson and stated that it was a real pleasure working for him. He learned a lot from him, but understands what it is like to have two teenagers and the desire to be there for them if he has the opportunity. He stated he is sorry to see him go, appreciates the friendship, and wishes him the best of luck.

Commissioner Hall wished Mr. Greene an enjoyable retirement and thanked him for his assistance. He wished Mr. Williamson good luck. He stated that he understands it is hard to be away from teenagers, and stated he hopes he finds peace. Commissioner Hall also thanked the community and police for working together to find the missing teenagers. He stated, for the record, that he has a personal family issue to deal with tomorrow, so he will not be at the UPS meeting.

Vice President Springer thanked the public for coming out, and encouraged everyone to attend the UPS presentation tomorrow evening. He thanked Mr. Greene and Mr. Myers for their

service to the Township. Vice President Springer also thanked Mr. Williamson and stated he is a first-class act who came with a great reputation that was lived up to. He wished him the best.

Commissioner Davies wished the best to Mr. Myers. He thanked Mr. Greene for his service and his calm and even vision. He also noted that he will miss Mr. Williamson, but knows what it is like to have teenagers that require a lot of attention, especially if they want to live their dreams. Commissioner Davies added that he will also be unable to attend the UPS meeting due to his recent knee surgery.

President Wilt thanked the three employees who are resigning. He acknowledged Mr. Williamson, and noted he will be missed. He also thanked the public for coming out and expressing their opinions.

Mr. Williamson stated that the easy part of his decision to resign was his family. The hard part of the decision was the employees and the residents who have embraced him. He noted that he has met a lot of nice folks who have taken him in, including the Lower Swatara Fire Department. A lot of strides were made in the short amount of time. Mr. Williamson explained that teenagers require a lot of care and grooming, and that is most important to him right now -- to have time with them. He thanked the Board for its trust and noted he is sorry it was such a short tenure.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner Hall, seconded by Commissioner Truntz, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 8:35 P.M.

ATTEST:

Jean R. Arroyo, Township Secretary

PLEASE PRINT NAME CLEARLY

JULY 19, 2017 (7 PM) BOARD OF COMMISSIONERS LEGISLATIVE MTG.

Name/Organization	Address/Contact Information
Larry Shope	1251 Longview Dr
Kathy Gottschall	1824 Hearthstone
Robt Byer	1825 Byer @SSE-ILC.com
Stephen Notman	1012 Clearview Ct
Joanne Atman	1012 Clearview Ct.
DENNY FAUSEY	1781 MOUNTAIN VIEW RD.
FOR BURKHOLDER	
BILL LEONARD / SARAH	1401 HERITAGE SQUARE
Ron Paul	Richard Ave
Orin R. Evans	Orin R
Ruth Shreeman	Longview Dr.
Carolyn Lutz	Woodridge Dr.
Brianna Clark	504 Longview Drive
KURT SMITH	LST... Former home of Historic Star Barn, soon to be home to more warehouses.
NORM FRYE	PHOENIX CONTACT
Ed Halpern	804 Nissley Drive
John Weikle	FOLS
White family	(717) 580-8413
BRUCE HARTER	STRITES RD.
Sherry/Tim Santoro	Union St.
Nancy Avolase	1451 N. Union St.
Maureen Hurd	1412 N. Union St.

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