

**MINUTES**  
**LEGISLATIVE MEETING – JULY 17, 2019**

The July 17, 2019 Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:16 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. Henninger, Solicitor
- Ann Hursh, Planning & Zoning Coordinator
- Lester Lanman, Public Works Director
- Jeff Vargo, Chief of Police
- Andrew Kenworthy, HRG

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

**SWEARING-IN OF FIRE POLICE OFFICER:**

President Wilt presented the Oath of Office to Tyler Ross, who recently met qualifications necessary to become a Fire Police Officer. The Board and public congratulated Mr. Ross.

**PUBLIC COMMENTS:**

Donald Wagner, 915 Oberlin Road, expressed his appreciation to whoever is responsible for cutting the weeds along Spring Garden Drive and Route 441 by the old firehouse. He also observed that other municipalities, such as Mount Holly Springs Borough, have nice signs welcoming visitors as they enter the municipality. Lower Swatara has small blue signs. He suggested looking into some larger signs, perhaps including a picture of something historic, and placed at appropriate spots. He suggested four signs would probably suffice. Mr. Wagner stated this would dress-up the Township, and show we are proud to live here and want to take care of the Township. He added this has been his point all along.

Tammy Horn, 708 Nissley Drive, stated she has heard that McNaughton Homes may be interested in the Williams' farm. She asked if the Board has any information on this.

Ms. McBride responded that she had also received a call about this, and had asked Ms. Hursh who indicated that she had not heard anything regarding this.

Steven Smith, 1010 S. 80<sup>th</sup> Street, stated that he owns property along Fiddlers Elbow Road. The Township is now requiring him to maintain this. Mr. Smith stated this area is pretty tight, and the Township is asking him to go out and trim that bank in this township. He questioned if the road can be closed or flagged while he's doing this, since he is risking his life by going out there with his equipment. Mr. Smith also referenced snow removal, and asked if the Township would be moving the snow in the winter so he can do this maintenance that he is required to do. He added that the Township vehicles have historically turned around in his driveway on 80<sup>th</sup> Street. Mr. Smith stated this is now ending, and he has informed staff that next time this happens, he will call the police to file a trespassing complaint.

#### APPROVAL OF MINUTES:

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the Minutes of the June 19, 2019 Legislative Meeting. The motion was unanimously approved.

#### APPROVAL OF BILLS:

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the payment of bills as presented on Warrant No. 2019-06. The motion was unanimously approved.

#### APPROVAL OF TREASURER'S REPORT:

A motion was made by Commissioner DeHart, seconded by Commissioner Davies to approve the Treasurer's Report for June 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 June. There were 654 calls for service, which included 28 cases investigated. There was a total of 18 arrests, which included 3 DUI arrests. There were 65 traffic citations issued, 5 non-traffic citations, and 110 written warnings. In addition, officers investigated 17 total traffic accidents that occurred in the Township. Thursdays, between the hours of 9:00 A.M. and 10:00 A.M., resulted in the highest number of crashes for the month. The Township's motor carrier enforcement officer conducted a total of 12 motor carrier enforcement details.

Chief Vargo noted he had attended a meeting today of the Dauphin County Chiefs of Police Association, at which time they voted to recognize Thursday, October 24, between the hours of 6:00 P.M. and 8:00 P.M., as the official Halloween/Trick-or-Treat date for the County.

National Night Out is scheduled for August 6, between 6:00 P.M. and 8:00 P.M. Citizens are asked to sit out on their front lawns and introduce themselves to their neighbors. The Police Department will be out in full force -- in vehicles and on foot and bike. The citizens' advisory group that works with the Police Department will also be out walking the neighborhoods with the police to introduce themselves. The Fire Department will be out as well.

The Police Department is currently in one of the phases of the Aggressive Driving campaign, and Chief Vargo noted that citizens will see a lot of police presence tomorrow. He cautioned everyone to drive safely. On July 24, as part of the aggressive driving campaign, there will be a joint motor carrier enforcement detail conducted with Swatara Township. Areas that will be hit include Route 441 and Eisenhower Boulevard.

Vice President Truntz asked if there is anything needed from the Board for National Night Out. Chief Vargo stated that the Commissioners' support and getting the word out would be much appreciated. They are also welcome to walk around with the officers.

### Fire Department

Fire Chief John Weikle remarked that the Commissioners and staff are also invited to drive around with the Fire Department on National Night Out.



June statistics were reviewed. There were 44 calls with 32 responders. The average personnel per response was 8. Time in service was 15 hours, 08 minutes and 43 seconds. There were 4 fire incidents, 6 Rescue and EMS incidents, 1 hazardous condition, 5 service calls, 16 good intent calls and 12 false alarms. Mutual aid calls were as follows: Highspire – 7; Hummelstown – 1; Londonderry – 3; Middletown – 6 ; PA Turnpike – 1; Steelton – 2; and Swatara – 1. Chief Weikle noted that he ran another report to see how they are doing with response times. Dispatch to arrival is averaging about eight minutes. Time from dispatch to enroute, which is the time from the call to when they are on route to the call, is averaging about 6 minutes for EMS incidents. This is a bit longer, since some calls require waiting on an EMT to be on the rig before it goes out. The average for Lower Swatara Fire Department for fires is 2 minutes and 57 seconds, for an average of 3 minutes and 33 seconds. This is the advantage of having live-ins and having people at the station.

#### ENGINEER'S REPORT:

Andrew Kenworthy, HGR, referenced his written report and noted that he will defer the first three items since they are on the agenda.

The design and permitting for the Spring Garden Drive Arch Culvert Replacement is underway.

An update was provided on the Highland Street and Lumber Street/Greenwood Drive projects. There was some discussion on advancing the Highland Street project. However, this may not be prudent since there are still some easements being acquired for this project. There is a risk of incurring additional costs if easements and utility resolution are not finalized in a timely fashion. Additionally, it is anticipated that the Township will receive more competitive bids when the projects are bid together. Mr. Kenworthy recommended maintaining the current schedule, as outlined. In response to a question from Vice President Truntz, Mr. Kenworthy explained that bidding both projects together could result in significant cost savings.

The next steps in the Stormwater Utility Implementation were highlighted. This includes a joint meeting of the Municipal Authority and Board of Commissioners on July 22 to review the credit policy.



Commissioner DeHart referenced the item on the engineer's report regarding the CNR C2P2 Planning Grant – Township Comprehensive Recreation, Park and Open Space Plan (\$15,000 grant/\$15,000 match). The report indicates that a committee will need to be pulled together for the project. He asked the timing of this. Mr. Kenworthy explained that as the process starts, HRG will work with staff to identify and develop this committee. This should occur in the very near future. Commissioner DeHart asked how long the process will take. Mr. Kenworthy estimated a six-month range.

Commissioner Paul referenced the report about the Highland Street project, and observed the report states it will be bid-out in August. He asked how much time could be saved anyway. Mr. Kenworthy agreed it would be very difficult to advance the project at this point.

Commissioner Davies referenced the statement about acquisition of easements for Highland Street and Lumber Street, and asked if any are expected to be problematic. Solicitor Henninger stated that he doesn't know, since the easement process has just started. The Township will soon know whether it will get cooperation or not. Mr. Lanman agreed that everyone has been contacted, and the paperwork is either in the hands of the owners or in their mailbox.

#### SOLICITOR'S REPORT:

Solicitor Henninger reported that Ms. McBride had distributed copies of an engagement letter from McNees Wallace and Nurick, Township's bond counsel for the PennVest loan. Yesterday, during the PennVest conference call, PennVest reminded McNees Wallace and Nurick and Solicitor Henninger that they needed formal engagement letters as far as the fees for the loan process. Solicitor Henninger stated his is being typed, and he will email this to the Board shortly. The one from McNees is before the Board tonight. He explained that they would serve as bond counsel on this PennVest matter, which is a loan not to exceed \$5,471,000, for a fixed fee of \$15,000. If the Board so desires, it can take action on this tonight or wait until the August workshop meeting. A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the engagement letter from McNees Wallace and Nurick for a fixed fee of \$15,000. The motion was unanimously approved.

Solicitor Henninger requested an executive session immediately upon conclusion of tonight's meeting in order to discuss easement matters with regards to real estate.

## MANAGER'S REPORT:

### Local Share Grant

Ms. McBride reported that it is time to apply for the local share grant. Two suggestions she received were to request money for a salt shed and for radios. No decision is required tonight, but she asked the Commissioners let her know their thoughts as next week unfolds. The local share grant comes from the gaming commission. The Township has applied for these grants in the past, and they have always given the Township two amounts of money to pay bond issues. Last year she was told that the one bond issue would probably not be approved this year because at the outset, it was made clear that they would only pay for the first five years, and the Township has now passed its fifth year. Ms. McBride suggested it wouldn't hurt to apply anyway. She added that Penn State Harrisburg also wants to apply for local share grant funds, which will require support from the Township. Commissioner DeHart recalled this was done before, when the Township co-sponsored their application for security cameras. Commissioner Davies stated it would be helpful to know what the request is for. Ms. McBride agreed that they will provide this information to her.

Ms. McBride stated that sometimes when grant funds become available, previous studies have to be done and ready in order to apply. The Township does not have a land use study right now for parks. As Mr. Kenworthy reported, there will be one in six months or so. It may be possible to get one in five or six week. She explained that there may be money available now. Ms. McBride questioned if the Board wants to pursue this. President Wilt stated there is no guarantee that this grant money will be available next year. Ms. McBride stated the problem is the Township is not prepared now, since it doesn't have a land use study. She stated that the information the Township already has on the parks may suffice, but she wouldn't be surprised if the reviewer says it is not detailed enough. President Wilt suggested Ms. McBride submit any information she has, and at least try for the grant. Commissioner DeHart asked the match if the Township should be approved. President Wilt responded it is a 50/50 grant. Ms. McBride stated it would not have to come out of this year's budget, so it would need to be budgeted for 2020. She estimated it would be \$300,000 from the grant and \$300,000 from the Township. Commissioner DeHart stated that it appears this grant was actually applied for in 2017, as he found information on-line about the application. He read aloud the description, which includes the creation of two softball fields and continued open space areas, but not full development of



the Shireman tract. The amount requested was \$613,500. Commissioner Paul also questioned the “historical” use referenced in the grant description read aloud by Commissioner DeHart. Commissioner Davies asked the cost of putting together a land use study. Mr. Kenworthy estimated a bare-bones study would be in the neighborhood of \$5,000 - \$8,000. Solicitor Henninger reminded the Board that in the UPS Community Benefits’ Agreement, although not yet finalized until the sewer is straightened out and the plan recorded, there is an offer of \$50,000 towards the plan with regards to the Shireman Park. He stated that when he found out about this yesterday, he put a call into their counsel to see if those funds would be available sooner rather than later if necessary. Solicitor Henninger added there is \$282,000 in the Recreation Fund right now for capital improvements. Commissioner Davies stated this has been a good year for the state in terms of funding, and this doesn’t happen often. Solicitor Henninger agreed there are a certain amount of funds available in this district, and if Lower Swatara doesn’t try to get some of them, someone else will. President Wilt stated his concern is the Friday deadline. Commissioner DeHart added that the Township did apply last year for the same grant, so why not apply it to this and submit it this week. Ms. McBride noted she will review last year’s submission and scale it down to include two softball fields. Vice President Truntz agreed the Athletic Association had come to the Board with its need for these two fields, so even the development of some ballfields and parking lots would be a good start. Commissioner Paul added his concern is there are often strings attached to these grants, and the Township may not be able to phase these things in. Solicitor Henninger stated that the Township can always pull back and not accept the grant is awarded. However, if there is money out there, it’s good to go after it. Ms. McBride agreed to look into this, and get back to the Board.

#### Insurance Reviews

Ms. McBride asked Board authorization to shop around for insurance coverage. She stated this does not mean the Township is leaving the current carrier, but would simply compare coverage and prices. The Board agreed this is a good idea.

#### New website

At a recent meeting, Sal Urbano from Civic Plus was here to discuss his company’s proposal for a new Township website. Ms. McBride referenced an email from Mr. Urbano detailing the proposal. Years 1, 2 and 3 would be \$5,834. After that, there would be the annual maintenance fee of \$2,500. She asked if the Board is comfortable with accepting this proposal. The Board



agreed that it was. In response to a question from Commissioner Davies, Ms. McBride confirmed that the three year payment option will be used, since there is no interest charged. She stated this new website is important to her, because she hopes more people will use electronic payments for sewer, and the new website should make this easy to do. In addition, the current website requires Ms. Arroyo to make any changes to it from the computer in her office. This new website will allow changes and emergency notification to be posted from any location. A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve a proposal with Civic Plus at a cost of \$5,834 per year for three years for development and design of a new website, including three years of maintenance costs, pending Solicitor Henninger's review of the contract. The motion was unanimously approved.

#### Woodridge basketball ½ court

Ms. McBride referenced previous discussion about a basketball court in Woodridge, and reported that the people she has been hearing from are becoming more and more vocal that they do not want the basketball court behind their homes. Commissioner Paul had suggested it be put where it was originally. She asked the Board how it wishes to proceed with this. Commissioner Davies recommended tabling it until taking a look at it for next year's budget. President Wilt stated this expense can be taken out of recreation funds. Commissioner Davies again recommended this be tabled until the Board can determine where the money will come from in next year's budget. In response to a question from Vice President Truntz, Ms. McBride noted the homeowner's association does want the court. Commissioner Paul added another issue is that the parking should be expanded on the opposite side. If the Board plans to do the basketball court, it should also address the need for additional parking. Mr. Lanman added that using porous pavement would help with noise and stormwater. He agreed there is more to this than just throwing down some pavement. The Board agreed to revisit this during the budget process. A motion was made by Commissioner Davies, seconded by Vice President Truntz, to table action on installing a basketball court in Woodridge. The motion was unanimously approved.

#### Newsletter

Ms. McBride reported that homeowners should have received the summer newsletter in their mail. She anticipated the next one will go out in January, and expressed hopes that the first newsletter of each year can include something from the Board.

#### Future Meetings/Events:

President Wilt noted that there will be a Special Joint Meeting of the Municipal Authority and Board of Commissioners regarding MS4 on July 22, at 6:00 P.M. Solicitor Henninger reminded the Board that last month, he had provided them with a copy of the draft credit policy for review. He stressed the importance of the Commissioners reviewing this information prior to the meeting. A proposed management agreement will also be provided before next Monday. In order to enact an MS4 fee, the Authority must own the system for which the fee is being charged. Presently, only authorities in first class township have the ability to charge the MS4 fee. Part of the process is to transfer the facility to the Authority by a simple quick-claim deed and then the Authority would enter into a management agreement for the Township to manage those facilities on its behalf.

President Wilt reviewed the list of other upcoming meetings:

July 22	7 PM	Municipal Authority Meeting
July 24	CANCELLED --	Zoning Hearing Board
July 25	CANCELLED --	Planning Commission Mtg.
August 7	7 PM	Board of Commissioners Workshop Meeting

#### COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul recalled discussion last year about completion of Morgan's Drive, and encouraging them to finish it. He asked if there is movement on this or any timeline provided by the developer, if the intent is to wait until Buddy's Run is completed. Commissioner Davies stated he is also curious about Hartford and Windsor in Greenwood Hills. Ms. Hursh stated that she received a phone call about Greenwood Hills, and she plans to talk to Mr. Lanman since there is a question about televising lines here. She added that construction has actually started on Buddy's Run. Commissioner Paul stated he is still concerned about when Morgan's Drive will be completed. Solicitor Henninger asked if the bond had ever been adjusted. Ms. Hursh responded that it has not. He noted the Township may want to require the bonding to be increased. This may encourage the completion. Commissioner Paul explained that he doesn't want to see the same issues experienced with Woodridge, and asked that this be looked into. Commissioner Paul also referenced a report provided to the Board from Ms. McBride that referenced the anticipated revenues from the anticipated building permits that

will not take place this year, but rather in 2020. He commented that this is exactly why the Board must be conservative on the revenue end when preparing the budget. While there is money in other categories that can be moved around to account for this shortage, the Board should be very certain these revues will occur before including them. Commissioner Paul added this is certainly not a knock on the code department.

Budget and Finance Committee: Commissioner Davies agreed that Commissioner Paul's concerns are well noted, and this will be kept in mind during the next budget process. A meeting will be held this month with staff to take a look at how the first half of the year went financially. Ms. McBride added that Ms. McClain has been doing a six month comparison of January to June last year to January to June this year.

Public Works Committee: Vice President Truntz reported that the Public Works Department is busy mowing right of ways, fixing potholes, etc. Mr. Lanman added that a contractor came in to spray some of the parks and playgrounds, and will be back this week to spray along guardrails. Storm issue repairs are being addressed and street sign repairs and realignments have been done. A one-call is due tomorrow for putting in some curb warning signs along Longview by the horse farm. The budget process has also been started. The August 8 Board agenda may include an item pertinent to UPS upgrades on North Union Street between Route 283 and Fulling Mill Road. This is reference to a traffic signal at Fulling Mill Road and whether it is a three light signal or four light signal heading southbound on North Union to turn left on Fulling Mill heading towards the creek. Mr. Lanman stated his position is to keep it three signals right now. There is also discussion about the detour and the possibility of it being a complete shut-down detour on weekends only so they can do full width paving between Fulling Mill Road and the Route 283 interchange. In response to a question from Commissioner DeHart, Mr. Lanman explained that the study shows the fourth signal is not warranted, but if the Township desires, it can force the fourth signal. On the sewer side of the project, design parameters for the sewer pump station on North Union Street are pretty much complete. The Authority agenda will include a sign-off on the sewer module for that. Commissioner DeHart asked if the easement had been obtained yet for that land. Mr. Lanman responded it had not. Commissioner DeHart asked if anyone had talked to Mr. Kreider yet about the sewer pumping station. Mr. Lanman responded that he is not sure.



Community Development: Commissioner DeHart – no report

Personnel Committee: President Wilt reported that Penn State Harrisburg will be having a Community Day in September.

#### 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 Plan for Star Barn Duplex Units, Planning Commission File #PC2018-03, with a time deadline of October 15, 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 waivers. Waivers requested: (1) Section 22-404: Preliminary Plan and (2) Section 22-606: Curbing. The Board of Commissioners, at its June 19, 2019 Legislative Meeting, granted a time extension through October 15, 2019 on this plan.

#### PLANNING & ZONING UPDATE

Ann Hursh, Planning and Zoning Coordinator, reported that the UPS bond for the early work agreement was delivered to her today.

The CVS bill for their mowing down the vegetation in the swale was resubmitted, and they paid the outstanding balance from 2016, which was close to \$3,000. HRG's monitoring for this year was added, so there will be more due.

#### NEW BUSINESS:

##### Release of Escrow Funds Request for Colonel Burd Estates

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the request from Donald Shope for the release of escrow funds for sidewalk installation in Colonel Burd Estates: sidewalk completed for Lot #9 in the amount of \$1,400.00 and the release of the remaining \$1,122.26 because all sidewalks have now been completed. This reduces the escrow from \$2,522.26 to \$0 closing out the project. The motion was unanimously approved.

### Ordinance revision review

Ms. Hursh referenced the Editorial and Legal Analysis from General Code for the recodification. This is basically their check list of changes they recommended, such as duplications, and then Township staff added its own changes. Mr. Fure had also sent the Board all the detailed changes last week.

Ms. Hursh highlighted some of the bigger changes including a fee schedule resolution which will allow the Township to change fees without having to redo the ordinance. Part 9, Shade Tree Commission, will be removed. Commissioner Paul observed that under the Recreation Board, it states that there can be as many as seven members. There are only five at present time. He asked if there is the need for seven. The Board agreed to keep the option of having a maximum of seven. Part 7, Construction Code, had a few references that were outdated. Under Conduct, there was some duplication in another section.

Commissioner DeHart referenced Part 6, which establishes Trick or Treat as the last Thursday in October, and yet Chief Vargo just reported the County Chiefs of Police set it for the third Thursday this year. Commissioner Davies questioned Chapter 7 on Fire Prevention and Fire Protection, as it pertains to fireworks. Mr. Fure explained this just recently changed, but it boils down to what can and cannot be legally sold. Commissioner Davies stated that it seems that since the state made changes, it's rather like the "wild west" now. While he isn't opposed to fireworks, he stated he is concerned about the safety of some of these fireworks and the timing. He stated that he would like to see an ordinance that would prevent people from setting them off at unreasonable times, such as 1:00 A.M.

Commissioner Paul referenced the storage of motor vehicles, and the statement "Part 3 requires a permit from the Code Enforcement Officer to store a motor vehicle that is not used for transportation, not inspected and not registered." He suggested that "and" should probably be "or." Mr. Fure agreed, but noted this section will be deleted anyway since it is addressed in the property maintenance code.

Ms. Hursh referenced Chapter 14, Mobile Homes and Mobile Home Parks, and explained that outdated information will be revised so that it mirrors the current building code. Chapter 19, Signs and Billboards, will be deleted since it is already in the Zoning Ordinance. Solicitor Henninger referenced a recent Supreme Court decision that may require changes to this section. He suggested it be left in for the time being, and have the Planning Commission take a look at

updating these regulations. Ms. Hursh referenced Chapter 1, Streets and Sidewalks, and noted Parts 1 and 2 were deleted since they are already in the Property Maintenance Code. A new Part 2 was added addressing damage to streets. Chapter 22, Subdivision and Land Development, changes the submission date to the Planning Commission, adds escrow to the fee resolutions, and revises reference to the “Zoning Officer” to “Zoning Coordinator”. Commissioner Paul stated that he assumes as things move forward, the Subdivision and Land Development Ordinance will be looked at thoroughly. Ms. Hursh agreed it will. Part 4, Earned Income and Net Profits Tax, was referenced and Solicitor Henninger advised deletion of 24-411 regarding tax exempt entities. Chapter 26, Stormwater, Part 1, Stormwater Management, revises the minimum penalty to \$300. Chapter 27, Zoning, changes some land development and public meeting definitions, and removes the reference to Chapter 75, to leave it as Solid Waste Management. Solicitor Henninger noted that there will also need to be a provision added for no-impact home business to this section and the addition of language relative to electronic notice and mailed notice.

Solicitor Henninger explained that this document needs to be submitted by July 22. The Board will eventually get a proposed recodification which will then be reviewed by staff and the Board, and then advertised for a public hearing and eventual vote.

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to authorize the submission of the Editorial and Legal Analysis to General Code for preparation of the new codification. The motion was unanimously approved.

#### Resolution No. 2019-R-5 for Sewage Planning Module of UPS

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve Resolution No. 2019-R-5 for Plan Revision for New Land Development for the Sewage Facilities Planning Module of the UPS Northeast Regional Hub. The motion was unanimously approved.

#### Modification to temporary easement

Solicitor Henninger referenced an easement for the George Ulsh property. Mr. Ulsh has requested a revision to reduce the temporary easement from three years to two years and also a revision to the compensation provision. Solicitor Henninger stated this easement is necessary for the Rosedale Manor project, and the cost of not agreeing to the changes would be more than the cost of these revisions. A motion was made by Commissioner Paul, seconded by Commissioner



DeHart, to approve modification to the temporary easement for parcel 36-012-295. The motion was unanimously approved.

Resolution No. 2019-R-6 authorizing condemnation

Solicitor Henninger reported that based on a phone call today, there will be five outstanding easements. One of these will probably be obtained tomorrow. Out of 73 easements, this is a good return. The resolution in front of the Board authorizes the acquisition of these temporary construction easements by use of the eminent domain code, for stormwater drainage purposes. Solicitor Henninger explained that in order to move forward on the Rosedale Manor project and have settlement on the PennVest loan, the Township needs these easements. Commissioner Paul asked if this resolution will be amended if any of these parties do sign. Solicitor Henninger explained that the resolution would not be amended; he would just not file for these easements. He explained that he has prepared the declarations of taking and the notices that need to be filed in the Recorder of Deeds' office. If the resolution is approved, these will be filed tomorrow. Official notice will be served either by the Sheriff or through registered mail. Vice President Truntz noted that this is something the Township did not want to do, and every conceivable effort was made to obtain these. Solicitor Henninger agreed these are all temporary easements, and will not involve any digging on the properties, but literally only wheels of construction equipment in their paved parking spaces. A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve Resolution No. 2019-R-6 authorizing condemnation of certain temporary construction easements for Rosedale Stormwater Project. The motion was unanimously approved.

Copiers

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve a 60-month lease agreement with Doceo for copiers through the state's COSTARS program. The motion was unanimously approved.

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve termination of a copier lease with Marco. The motion was unanimously approved.

Ms. McBride noted that part of Doceo's offer is that they will pack-up the current copiers and return them to Marco. Commissioner Paul stated there is no reference in this latest paperwork from Doceo about the payout check. Ms. McBride agreed there should be, as this is

part of the deal. A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to amend the motion to approve a 60-month lease agreement with Doceo for copiers to include the payoff amount to Marco in the amount of \$12,209.50. The motion was unanimously approved.

#### Requests for Funding

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve Request for Funding No.14 (DCIB 2017 loan) in the amount of \$2,500.69 to the Dauphin County Infrastructure Bank for the Highland Street Bridge Replacement. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve Request for Funding No.15 (DCIB 2017 loan) in the amount of \$1,763.90 to the Dauphin County Infrastructure Bank for the Lumber Street Culvert Replacement. The motion was unanimously approved.

#### Payments to Mid-State Paving for Park Stormwater BMPs

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve Change Order #1 in an amount of \$12,600 to Mid-State Paving, LLC for the Park Stormwater BMPs – Shope Gardens/Old Reliance project. The motion was unanimously approved.

Mr. Kenworthy reference the next two agenda items: Application for Payment No. 2-REV in the amount of \$16,891.25 to Mid-State Paving, LLC for the Park Stormwater BMPs – Shope Gardens / Old Reliance project and Pay Application #3 in an amount of \$9,500 to Mid-State Paving, LLC for the Park Stormwater BMPs – Shope Gardens/Old Reliance project. This was the total contract that Mid-State was originally under. The Change Order #1, just approved by the Board, is for the items to fix the drainage issues out there. Commissioner Paul asked the game plan to correct the issues at the park. Mr. Kenworthy stated that HRG will address the \$12,600. He referenced agenda item M, which is another contract proposal before the Board for the Greenfield basin work. HRG is proposing to provide a credit on this project equivalent to the \$12,600 for Change Order #1. Commissioner DeHart asked how this change order will fix the drainage problem. Mr. Kenworthy explained a better drainage swale and slope will be provided from the outlet portion of that basin as it goes down further to the east. This has



been reviewed with staff. Commissioner DeHart noted his concern is the water just lying in there. Mr. Kenworthy explained that is why they want to adjust the grates inside the basin to drain better. Mr. Lanman added that there will be amended soils that will go back in to help with the plantings. The general base elevation of that will be shallower than it is now. The whole thing will be sloped to direct everything down towards that spillway. In response to a question from Vice President Truntz, Mr. Lanman explained the depth of the water could only be six inches. Commissioner DeHart asked if perhaps a fence or wall should be installed to keep the basketballs from going in there. Mr. Lanman stated his thought is to put a second court in and change the direction of the court. Commissioner Paul agreed with this concept. Mr. Kenworthy added that these BMPS and raingardens are still in the early stages of development, and will continue to develop and progress in their design.

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve Application for Payment No. 2-REV in the amount of \$16,891.25 to Mid-State Paving, LLC for the Park Stormwater BMPs – Shope Gardens/Old Reliance project. The original Payment Application No. 2, in the amount of \$26,391.25, was approved by the Board on June 19, 2019. The motion was unanimously approved.

A motion was made by President Wilt, seconded by Commissioner Davies, to approve Pay Application #3 in an amount of \$9,500 to Mid-State Paving, LLC for the Park Stormwater BMPs – Shope Gardens/Old Reliance project. The motion was unanimously approved.

#### Scope of work for engineering services for MEII Water Quality Improvements Project

A motion was made by Commissioner Paul, seconded by President Wilt, to approve a scope of work for professional engineering services for the LST MEII Water Quality Improvements Project, including the construction of a riparian forest buffer and detention basin conversion, to benefit Greenfield Park. The motion was unanimously approved.

#### Bid for Rosedale Drainage Improvements Project

Ms. McBride reported that the low bid for the Rosedale Drainage Improvements project was received on July 11, 2019 from Doli Construction Corporation in the amount of \$3,346,716. Commissioner Paul asked if the lineal footage was delineated in the bid documents, so all bidders were aware and on the same page. Mr. Kenworthy agreed all the limits were identified on the plan. He noted that the recommended number here does include the full width paving.



Solicitor Henninger stated that he did not review the full bid package yet, so any approval would need to be subject to his review. A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the low bid received on July 11, 2019 from Doli Construction Corporation in the amount of \$3,346,716 for the Rosedale Drainage Improvements project, to be funded by a PENNVEST loan, subject to final review by the Solicitor. The motion was unanimously approved.

#### PennDot Winter Maintenance Agreement

A motion was made by President Wilt, seconded by Commissioner DeHart, to approve a Municipal Winter Maintenance Agreement with PennDot. This is year five of a five-year agreement. The motion was unanimously approved.

#### Resignations

A motion was made by Commissioner Paul, seconded by President Wilt, to accept the resignation of Jennifer Mott, Administrative Assistant for the Police Department, effective July 12, 2019. The motion was unanimously approved.

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to accept the resignation of Randall Breon from the Community Policing Advisory Board. The motion was unanimously approved.

A motion was made by President Wilt to accept the resignation of Rita Nagy from the Community Policing Advisory Board. The motion was seconded by Commissioner Davies, with regret and recognition for her decades of service to the Township. The motion was unanimously approved.

#### GOOD AND WELFARE:

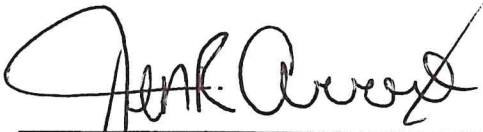
Commissioner Davies thanked the code department for its work on the recodification, and Mr. Lanman for his presentation on the road plan. He also thanked Randy Breon and Rita Nagy for their many years of service to the Township.

Vice President Truntz also expressed appreciation for these updates tonight, and thanked Solicitor Henninger for his work with the recodification. He also thanked Tracey Bechtel and Rebecca McClain for the nice job with the new sewer billing.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Vice President Truntz, seconded by Commissioner Paul, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 9:37 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

JULY 17, 2019

**SPECIAL MEETING – 6 PM**

LEGISLATIVE MEETING – 7 PM

[illegible]