

MINUTES
LEGISLATIVE MEETING – AUGUST 15, 2018

The August 15, 2018 Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt.

The following officials were in attendance:

- Jon G. Wilt, President
- Todd F. Truntz, Vice President
- Ronald J. Paul, Assistant Secretary
- Christopher DeHart, Commissioner
- M. Elizabeth McBride, Manager
- Jean R. Arroyo, Secretary
- Peter R. Henninger, Solicitor
- Andrew Kenworthy, HRG
- Scott Young, Officer in Charge
- Ann Hursh, Planning & Zoning Coordinator

Absent: Commissioner Michael J. Davies

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

President Wilt opened the floor for public comments.

PUBLIC COMMENTS: None

APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the Minutes of the August 1, 2018 Workshop Meeting. The motion was unanimously approved.

APPROVAL OF BILLS:

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the payment of bills as presented on Warrant No. 2018-07. The motion was unanimously approved.

APPROVAL OF TREASURER'S REPORT:

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

PUBLIC SAFETY REPORT:

Officer in Charge (OIC) Young presented the statistics for the Police, Fire, and EMS for the month of July and year-to-date and compared them to figures from last year. He noted that National Night Out was a big success, despite the wet weather. He thanked the Lower Swatara Fire Department, Middletown Fire Department, and all the businesses and volunteers who assisted with the event. OIC Young added that it looks like National Night Out may be held here in the Township next year, at the Middletown Area High School.

An update was provided on the hiring process. Letters were sent to potential candidates, with a September 6 deadline to submit applications. The new hires, officers Rios and Gonzalez, are both doing well and expected to go out on their own next month. OIC Young has scheduled Active Shooter Training at several Township businesses.

Commissioner DeHart reported that he had recently attended a staff meeting of the Police Department, and thanked OIC Young and the officers for the chance to meet everyone. He commended the Department for being very professional and well-trained.

ENGINEER'S REPORT:

Andrew Kenworthy, HRG, stated an Engineer's Report was not provided in the Board packets, but noted that submission of reports will resume at the next meeting. He added that he has been meeting with staff to assure that all projects are on schedule and moving forward.

SOLICITOR'S REPORT: None

MANAGER'S REPORT:

Ms. McBride requested ratification from the Board on two items which she had previously granted permission for. The first is to pay a \$35.00 fee for Planning Commission member Dennis Fausey to attend a planning training course. The second is to provide the Middletown Home police coverage for its Pumpkin Fest on September 16, with the Middletown Home reimbursing the Township for this expense. Ms. McBride noted that both expenditures have been approved historically, but should be presented to the Board. A motion was made by

Vice President Truntz, seconded by President Wilt, to ratify approval of a \$35.00 training fee expenditure for Planning Commission member Dennis Fausey, and to ratify approval for the Township to provide police coverage for the Middletown Home's Pumpkin Fest, with reimbursement to be made by the Middletown Home. The motion was unanimously approved.

President Wilt read aloud the future meetings/events:

August 23	7 PM	Planning Commission Mtg.
August 27	7 PM	Municipal Authority Mtg.
August 29	7 PM	Zoning Hearing Board
September 3	LABOR DAY HOLIDAY – TWP. OFFICES CLOSED	
September 5	6 PM	LST Recreation Board
September 5	7 PM	Board of Commissioners Workshop Mtg.

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul thanked Ms. Arroyo for researching some of the old correspondence the Township had written to the state regarding safety concerns with trucks on Route 441, and requested that the entire Board be provided this information. He also asked that the Board move forward with OIC Young's endorsement for the Police Department's participation in the PA Department of Education, Divisions of Veterans Education on the job-training/apprenticeship. In the past, the Police Department did have an Apprenticeship/On-the-Job Training Agreement with the state, which allows veterans to access their benefits while earning money. OIC Young explained that Officer Rios may be eligible for this benefit, but the Agreement needs updated. He added that there would be no cost to the Township. Solicitor Henninger suggested the Board move forward with pursuing update of the Agreement. Once it is updated, it can then be presented to the Board. A motion was made by Vice President Truntz, seconded by Commissioner Paul, to move forward with pursuit of an Apprenticeship/On-the-Job Training Agreement for the Lower Swatara Police Department through the PA Division of Veterans/Military Education. The motion was unanimously approved.

Public Works Committee: Vice President Truntz reported that the Department has been busy cutting grass, dealing with runoff issues from the rains, screening street sweepings, and preparing the ballfields for fall ball. He added that the Powderhorn Road dam is cleared and is being inspected.

Community Development: Commissioner DeHart reported that he and Commissioner Paul will be attending a meeting of the Olmsted Recreation Board which is working to get things ready for the transfer to MARA. They are still waiting on the grant. He noted that it will probably be early fall until MARA is officially up and running. Commissioner DeHart added that there have been concerns expressed from the public about the pothole on Lumber Street near the Turnpike bridge; this is a Suez issue, and they have been notified several times.

Personnel Committee: President Wilt stated that there is one vacancy in the Public Works Department, and another position will be open after this week. The Township will be advertising for two laborer positions.

UNFINISHED BUSINESS:

Ms. McBride presented a list of mid-year 2018 budgetary adjustments, and referenced a summary sheet of the transfers. Funds have been moved from employee benefits into insurances because staff feels the amount budgeted for employee benefits will not be reached this year. Funds have been moved from general expense/education in the executive area to the Financial Administration and Administration salary positions. Funds have been moved from the salary account for the Police Chief into the overtime/holiday/court costs accounts due to quite a bit of overtime being used, some due to illnesses and some due to being short staffed. Funds have been moved out of repairs and maintenance and into the MS4 expenses to more accurately reflect where it should be. The net amount of these transfers is zero – what was moved in was moved out. A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve the list of mid-year 2018 budgetary adjustments as presented.

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to accept the Lower Swatara Township Early Intervention Program (EIP) Report. The motion was unanimously approved.

NEW BUSINESS:

The Board discussed the Final Land Development Plan for Stoneridge Lot 1, Planning Commission File #PC2017-06, with a time deadline of December 28, 2018. Property is located at 1300 AIP Drive and zoned Industrial Park Limited, and the plan is to construct a 24,000 sf warehouse/office and associated site facilities on a 3.25 acre lot, owned by Conewago

Contractors, Inc., submitted by DC Gohn Associates. The Planning Commission recommended approval of the six waiver requests, the sidewalk deferral and with all conditions being addressed. Brian Coy, representing DC Gohn Associates, presented the plan and stated that there is not a specific user for the building at this time. He anticipated that site work will begin early spring of next year. Commissioner DeHart reference the fill that was previously put on the lot. Mr. Coy explained that a geotechnical report was done and based on that, some soil will be removed and compacted on other portions of the site. Commissioner DeHart asked if there were comments from the Fire Department. Mr. Coy agreed there were, and stated these comments were addressed and incorporated into the plan.

A motion was made by Commissioner Paul, seconded by Vice President Truntz, to grant the following waiver requests: (1) §22-404 – Preliminary Plan – Applicant is requesting that the Preliminary Plan requirement be waived and the plan be presented as a Preliminary/Final Subdivision and Land Development Plan; (2) §22-502.7.C – Street Intersections - The applicant is requesting that the Township waive the requirement that streets intersect with another street and be separated by at least 150'. The proposed access drive is separated by 123' from Kreider Drive and 77' from the entrance to UGI; (3) §22-508.A.1 – Existing Trees - Applicant requests that the Township waive the requirement that trees with a caliper of six (6) inches or more not be removed within 15' of a proposed foundation. Request is for area of parking lot and stormwater areas, (4) §22-606 - Curbs – Applicant is requesting that the curb requirement be waived for the north and east side of the truck court to allow sheetflow to the stormwater area; (5) §26-118.2.A.1- Volume Control –Applicant requests that the Township waive the requirement that the post development two year, twenty-four hour storm event not be increased; (6) §26-126.4.B – Swale Side Slopes – Applicant is requesting a waiver of the requirement of swale side slopes having slopes no steeper than 3:1. Applicant is proposing the right side of swale B having 2:1 side slopes. The motion was unanimously approved.

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve a deferral of §22-607 – Sidewalks – The applicant requests that the sidewalk requirement be deferred along AIP Drive. Note has been added to the cover sheet stating that sidewalks requirement has been deferred. The motion was unanimously approved.

With the waiver requests and deferral granted, a motion was then made by Commissioner DeHart, seconded by Vice President Truntz, to approve the Final Land Development Plan for

Stoneridge Lot 1, subject to the outstanding stipulations being met. The motion was unanimously approved. Commissioner Paul asked if the building will aesthetically match what is already out there. Mr. Coy confirmed that it will.

Ms. Hursh addressed the Stormwater Management Permit Application for FedEx Parking Lot Expansion, Stormwater File #SW2018-02, 111 Fulling Mill Road, zoned Industrial, owned by Ganci Middletown PA Inc., submitted by First Capital Engineering. The original SW Plan for the FedEx site included a waiver of the volume control requirement. A new waiver request is required for a change to the original plan. The Planning Commission recommended approval of the waiver. A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to grant the waiver of §26-118.A.1 Volume Control. The motion was unanimously approved.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve a time extension for Preliminary/Final Subdivision/Land Development Plan for Star Barn Duplex Units, Planning Commission File #PC2018-03, with a time deadline of August 22, 2018. The time extension, dated August 1, 2018, grants a time extension until December 20, 2018. The motion was unanimously approved.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Improvement Guarantee reduction #2 for Uncle Bob's Self Storage (Life Storage) File #2016-04 in the amount of \$5,975.00 from the current amount of \$18,465.00 leaving a balance of \$12,490.00. The motion was unanimously approved.

A motion was made by Commissioner Paul, seconded by Vice President Truntz, to approve Letter of Credit reduction #4 for The Pond on Fulling Mill Phase 1, File #2007-14 in the amount of \$278,300.00 from the amount of \$1,005,042.00 leaving a balance of \$726,742.00. The motion was unanimously approved.

Ms. Hursh suggested the Board table action on Stoneridge Lot #3, File #2013-03 release of 18 month Maintenance Guarantee in the amount of \$3,671.90 leaving a balance of 0 and closing out the project. She explained that when she went out to do the inspection on this, she observed that it is overgrown. The owner confirmed that he has never maintained it. She asked that this be addressed prior to the release. The Board agreed to table this item.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the Letter of Credit reduction #2 for Middletown High School File #2013-05 in the

amount of \$159,595.00 from the amount of \$336,716.25 leaving a balance of \$177,121.25. The motion was unanimously approved.

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve Resolution No. 2018-R-9, authorizing the sale, through Municibid Auction, of a 2003 Chevy 2500 with utility bed. The motion was unanimously approved.

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve Resolution No. 2018-R-10, authoring the filing of an application for a Local Share Municipal Grant request of \$301,276.89 to be used for Dauphin County Infrastructure Bank debt service payment and financial support for an update of the Township's Act 537 Sewer Facilities Plan Update. The motion was unanimously approved.

A motion was made by Commissioner Paul, seconded by Vice President Truntz, to approve Resolution No. 2018-R-11, a resolution with respect to the application of Wilsbach Distributors, Inc., for the intermunicipal transfer of a distributorship liquor license to premises located at Oberlin Road and Longview Drive, Lower Swatara Township, Dauphin County, PA from Susquehanna Township, Dauphin County, PA. Vice President Truntz stated this is a rhetorical question, but asked for confirmation that this is just to approve the transfer of the liquor license, and the first step of many in the process of land development. Solicitor Henninger confirmed this is correct, and future steps will include approval by the LCB and going through the entire planning process. The motion was unanimously approved.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Payment #3 in the amount of \$3,751.04 to the Dauphin County Infrastructure Bank for the Highland Street Bridge Replacement project. The motion was unanimously approved.

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the application form for rental of the Greenfield Park Soccer Complex. The motion was unanimously approved.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve an Assignment of Agreement, as revised on August 15, 2018, between Lower Swatara Township, Lebanon Farms Disposal Inc., and Waste Industries of Pennsylvania, for the transfer of the Township's contract for Solid Waste and Recycling Collection. Solicitor Henninger noted that Lebanon Farms is selling out to this firm, but the name will not change. What is before the Board tonight is a revised assignment and assumption agreement. Solicitor Henninger added that

Waste Industries had also provided a packet of other required paperwork, including bonding, insurance, questionnaires, and references. Vice President Truntz explained that the Board really had no choice in the transfer, but will make sure the new hauler will step into the shoes of Lebanon Farms and perform its contracted obligations. He added that it is a bigger company, and therefore he is cautiously optimistic that service will be even better. In response to a question from Commissioner Paul, Solicitor Henninger explained this is year two of a five-year contract. The motion was unanimously approved.

Solicitor Henninger referenced correspondence from the PA Liquor Control Board about a transfer application for Sheetz, Inc., 1401 West Harrisburg Pike, for the liquor license of the old Pizza Hut property. This would allow Sheetz to sell beer. He noted there is not much the Township can do about this request, but he did forward this on to the new chancellor at Penn State Harrisburg also to Tim Edwards at the Airport, since they lease that property to Sheetz.

FINAL COMMENTS:

Commissioner DeHart requested an executive session immediately upon conclusion of this evening's meeting to discuss personnel issues. He also reminded staff that the EMS contract is up for renewal this year.

Commissioner Paul noted the budget process is underway.

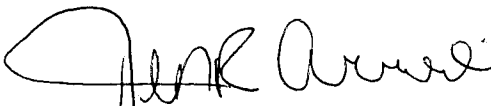
Vice President Truntz thanked OIC Young and Fire Chief John Weikle for all they did to help make National Night Out a success.

The Board thanked the public for coming out this evening and for their comments

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner DeHart, seconded by Vice President Truntz, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:52 P.M.

ATTEST:



Jean R. Arroyo, Secretary

PLEASE PRINT NAME CLEARLY

AUGUST 15, 2018

PUBLIC HEARING - 6:30 P.M.

LEGISLATIVE MEETING - 7:00 P.M.

Name/Organization	Address/Contact Information
Jim Rogers	181 Highland St.
Mary M. Golab	804 Nissley Drive
Ed Halpern	804 Nissley Drive
Frank Soubear	Wilsbach
Frank Soubear Jr.	" "
Charles Soubear	Wilsbach
Stephen Dzukaris	Wix, Wenger & Weidner
Laura Hays	Press & Journal
Nancy Avolese	N. Union St.
BILL LEONARD	1401 HERITAGE SQ.
Donna High	Powderhorn
KANE HIGH	" "
John Weikle	LSFD
Lawrence A. Drinker III	New Thing Community Inc
Candlyn Lutz	Wardridge Dr
ALLEN SMITH - CONEWAGO	610 EDGEGROVE RD. HANOVER