

MINUTES

NON-LEGISLATIVE MEETING – JUNE 7, 2017

The June 7, 2017 Non-Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt. Roll call was taken with the following officials in attendance:

- Jon G. Wilt, President
- Laddie J. Springer, Vice President
- Michael J. Davies, Assistant Secretary
- Todd F. Truntz, Commissioner
- Benjamin C. Hall, Commissioner
- Frank E. Williamson, Township Manager/Public Safety Director
- Jean R. Arroyo, Secretary
- Peter R. Henninger, Solicitor
- Erin G. Letavic, HRG, Engineer
- Don Fure, Building Code Official
- Ann Hursh, Planning and Zoning Coordinator
- Daniel L. Wagner, Public Works Director

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

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

PUBLIC COMMENTS:

Bill Bosnyak, 1054 Westerly Court, stated he is a 65-year resident. He and his family have frequented every park here. While Greenfield and Little Hollywood are the premiere jewels, the other parks could use some work. Mr. Bosnyak stated that he feels the land acquisition is not in the best interest of the Township, and certainly not in the best interest of those on fixed incomes. He noted that he is one of these individuals, and last year he was given a 4 cents per day raise through social security. Mr. Bosnyak suggested the Township polish and utilize its existing jewels rather than buy a new diamond. He recalled comments about the need for two more baseball fields, and stated that Greenfield could perhaps accommodate that. Investing in electronic scoreboards for the existing fields would also help make them premiere sport fields. Mr. Bosnyak informed the Board that he has dealt with high voltage issues during

his career, and observed that there are high voltage lines on the Shireman tract. He questioned if anyone had done a study on ENF contamination and what problems that may entail since part of the park would be under those lines. Mr. Bosnyak stated that he is one of many that do not approve of this land acquisition.

Bruce Harter, Strites Road, noted budget season is arriving, and the federal government is already talking about cutting the EPA and Education budgets. The President is proposing cutting the breakfast program for schools. Most of the grant programs the Board has been discussing are actually federal dollars given to the state for administration, so the Board needs to consider that. The state is facing a billion dollar budget deficit for the current fiscal year. At the local level, this Township had to borrow money for a bridge and will be looking at borrowing again for two more structures. These expenditures are much needed, but the Board needs to think about its monthly debt payments moving forward and look at where it is going as far as budgeting dollars and what can actually be counted on. There are "FOR SALE" signs everywhere in this municipality. In addition, Pennsylvania ranks #4 in senior population. Where will the tax dollars come from? Mr. Harter stated that all these things should make the Board step back and take a good look. This is not the time to consider purchase of this land. He added that he realizes that half of the purchase will be through a grant, but he still has not heard anyone discuss what the construction costs will be for this project.

Lee Dickerson, 1880 North Union Street, stated that for the last 50 years, there have been no improvements on North Union Street. There is no sewage, bad septic systems, no water, no fire hydrants, etc. The Township's Act 537 plan is well over 20 years out of date. Mr. Dickerson added that he had offered a project that would help bring sewer to North Union Street, but there appears to be opposition from a hand full of people. This project would be an answer to getting these utilities to North Union Street. This Board, however, is making some people who desire rezoning struggle. Mr. Dickerson added that at least 20 acres on his tract could be donated or usable for a park. There is another tract on Fulling Mill Road owned by the Township which has roughly 25 acres for a park. He questioned why the Board would want to buy land when every other park in the Township has been donated by a developer or builder. He suggested the Township take advantage of what is already available.

Dennis Fausey, 1781 Mountainview Road, stated that he realizes there are a lot of those opposed to the park and a lot in favor of it. He is in favor of it, and one of the reasons is because the Township does not have a real park right now. The parks here are ballfields and playgrounds. He and his wife recently walked the trail at Bullfrog Valley Park and wished there was something similar here. He explained his vision of having walking trails, modern pavilions, and a basketball court which could be turned into a skating rink in the winter. This would be a park that the whole community can use, not just a few. Mr. Fausey added that he is willing to give some of his money to the Township and is willing to give it today to get the park going. He stated that he realizes that there are a lot of people for it, and a lot against it, but feels that is why the residents elected these Commissioners – because they are for it. Mr. Fausey added that he is also here to present a request from the Athletic Association to install a 12' x 16' concession stand at Shope Gardens' ballfield. A shed would be converted into a concession stand, but would require electricity. Also being proposed are dugouts on existing pads and a small raised deck behind home plate which would serve as a type of public address system area. Lastly, the Athletic Association would like to bring in electricity from PPL; the meters could even be in the name of the Athletic Association. Mr. Fausey stressed that all of these projects would be done at absolutely no expense to the Township taxpayers. He expressed hopes that the Board can accommodate these requests, and grant approval at the June legislative meeting, if not tonight.

Patty Buggy, 129 Shirley Drive, stated that she is not for or against the park, but would like the Board to provide an update on the land acquisition rather than having the public hear it second hand. Solicitor Henninger explained that the property has not yet been purchased. A grant was awarded to reimburse ½ the costs of the acquisition of the park. The other ½ of the acquisition of the park would come out of Recreation Funds, which are funds received from developers plus funds recently received from Sunoco for the additional line rights to go through the Greenfield Park. Acquisition would not cost any tax dollars. Solicitor Henninger stressed that funds in the Recreation Fund are restricted for use of acquisition of facilities and equipment for recreation facilities, and are donated by developers as fees in lieu of land dedication. He referenced Mr. Dickerson's comments about all parks being dedicated by developers, and noted that Greenfield Park was not given to the Township but rather purchased. He summarized the process so far: there was an appraisal done, the grant was approved, and a second appraisal was done. There is also an environmental study in the process. As far as an acquisition timeline, the

grant is a 3-year grant, so there are about 2 ½ years to run on the time frame on which to exercise all those rights under that grant. The purchase price of the land is \$325,000, but with the appraisals, surveys, title work, attorney fees, engineering, etc., costs are at about \$375,000.

Ms. Buggy asked the next step. Solicitor Henninger explained the Board will need to make the final determination on whether to pull the trigger to go forward with the acquisition. Ms. Letavic added that the Township also applied for another DCNR grant for planning purposes. There is no expense related to any additional steps on the property and no plans to spend any additional money on the property, certainly not until DCNR gets back to the Township on that grant application filed in April. She anticipated that notification of that grant award will not happen until the end of the year.

David Klingaman, 241 Keystone Drive, asked the Board how long it will have to build on the property after the purchase, and what will it cost the taxpayers. Ms. Letavic explained there is no long term plan as of yet. The reason this proposed project came to be is that the property owner came to the Township with an offer to consider this type of grant application and process. Other large parcel owners were offered a similar concept, but did not express interest. There is no long term plan or expenses, with the exception of very low key maintenance. There will not be any development for some time, and any planning will be done in a public forum. Solicitor Henninger added that the DCNR grant referenced by Ms. Letavic was applied for in April, and will include planning for the entire park system in the Township, including this parcel. In response to a question from Commissioner Davies, Ms. Letavic explained that the Peer-to-Peer study with the School District pertains to needs with regards to athletic facilities for the entire School District, and this study can be utilized for long term planning too. Commissioner Hall stated that he understands this study is almost complete, and a meeting will be held this month to discuss it.

Melinda Logan, North Union Street, asked the impact if the Township does not end up using the approved DCNR grant for the purchase. She asked if it would have a negative impact on future grants. Commissioner Truntz stated his understanding that it will most likely have a negative impact on the Township's application for future grants.

Vice President Springer stated that he is all for improving the existing parks prior to development of the Shireman acquisition, and has stated his opinion on record several times. There is no reason that bathroom facilities should not be provided at Greenfield Park and Memorial Park. He added that while he agrees with some of Mr. Bosnyak's comments, he does not feel baseball fields are feasible at Greenfield Park due to the wear and tear on the soccer fields

Commissioner Truntz agreed that he does not want to rush into developing the site. He explained that the Board is looking to the future by considering the purchase of this 32 acre tract. Long term planning will need to be done, with the idea of seeing if grants are available to further develop the site without spending tax dollars. He added that prior to the purchase of Greenfield Park, the Township had used the soccer fields at Jednota. When Jednota took those fields back, the Township had to scramble and spend 1.5 million dollars on the purchase of Greenfield Park. While it ended up being a great expenditure, the Board is trying to plan ahead and prevent a crisis from happening again. Commissioner Truntz stressed that the Recreation Fund can only be used for recreation, and not a nickel can be used to fix roads.

Vice President Springer added that the Board has been very proactive and aggressive about going after grant money, and will continue to do so.

Ms. Buggy thanked the Board for their comments this evening, and stated that people may not be as opposed to what is being planned as they are opposed to the information they are not receiving. President Wilt remarked that the Board meetings are always open for discussion, and Board minutes are posted on the Township website. Ms. Buggy stated that the website does not provide enough information on the topic. She recalled someone suggesting at the last meeting the possibility of a Commissioners' Facebook page, where residents could post questions and have them directly answered by a Commissioner. She stated this would be a good idea.

Kathy Gotshall, Hearthstone Lane, stated she is here in defense of the Comprehensive Plan draft, and asked if there is any movement on the plan. Will it be approved or changed? Solicitor Henninger responded that the document is now under review by the Board of Commissioners after going through a lengthy planning process, including a Public Hearing. There is no specific time frame required for action on the plan. The Board is spending time reviewing it in detail. Ms. Gotshall added that she was a member of the Steering Committee for

the Comprehensive Plan, and asked that the Board take into account the Committee's recommendations. There was no recommendation to purchase another park. She noted that residents expressed their wishes to see things like trails along the Swatara Creek. She suggested the Sunoco money could be better utilized for things like that. Ms. Gotshall also recalled that there has been talk for years about an over-55 community on Fulling Mill Road. She questioned if there would be land put aside in that community for a park. Commissioner Davies stated that he served on the Zoning Hearing Board back at that time the plan was discussed, but cannot remember if a park was provided in the approved plan. Solicitor Henninger added that the site is not a large one, and there may be a minimal private area provided for recreation, if any at all.

John Weikle, 1264 Overlook Road, asked if the Township would be able to sublet the Shireman tract back to farmers if the purchase is made. Solicitor Henninger stated that this would not be permitted since that would not be recreation.

Ms. Buggy reiterated Ms. Gotshall's question about a timetable for adoption of the Comprehensive Plan. Commissioner Truntz suggested it be put on the front burner. Commissioner Hall stated that as the newest member of the Board, he has been taking time to review and study the document.

Scott Lampry, Farmhouse Lane, stated that he had asked once before if purchase of the Shireman tract would take place prior to the results of the feasibility study. He observed that the Commissioners seem a bit more engaging this evening, and asked if anyone would go on record with an answer to that question. Ms. Letavic explained that there was some high level feasibility done and reviewed by DCNR, which agreed that the piece of land was worth buying. However, there will be no planning done in advance of the purchase unless the Board has another opinion later on, closer to settlement. President Wilt explained it has been stated before that this is an ongoing process and the Board is not rushing or locking into a particular project. Mr. Fausey asked Mr. Lampry how this park would affect him personally. Mr. Lampry responded the issue is how it will affect him from a taxpayer point of view. President Wilt noted that tax money will not be used for the purchase – only Recreation funds. Mr. Lampry stressed that the Board cannot just talk about right now. It needs to look at future expenses associated with the purchase. The Township is facing millions of dollars in infrastructure repairs and has the opportunity to polish some of the existing parks. The Sunoco money could be used for that. Mr. Lampry reminded the Board that both he and Mr. Harter had suggested this decision not be left to the five

Commissioners. The Board could wash its hands of the decision by surveying the residents and letting them decide what they want. Mr. Fausey stated he is curious as to how Mr. Lampry feels about a park being in his backyard. Mr. Lampry responded that he would probably prefer a park over a development. Mr. Lampry observed Mr. Fausey's shirt, and asked if he umpires games at these parks and whether he is compensated for this. Mr. Fausey agreed that he does umpire with the Hershey Area Umpires Association, and that is only because the Township could not find volunteers to have their own umpires. Because of this, the Lower Swatara Township Athletic Association spends \$8,000 a year for these services.

Ms. Bosnyak stated that being in the construction business his whole life, he looks at that plot of land and does not see much level land except under high voltage transmission lines. This is not the best piece of property for development and will have hidden costs associated with it that grants will not cover.

PUBLIC WORKS REPORT:

Mr. Wagner reported that current projects of the Department include mowing and trimming at the parks, monthly vehicle inspections, storm water pipe repair at Market Street/Hanover Street, repair of a right of way in the Market Street area, pavilion repairs at Old Reliance park, working on the installation of the new basketball pole at Old Reliance park, and repairs and fabrications of a dump truck bed. The Department will also be installing the drainage panels at Old Reliance and Shopes park areas when the sites are prepared.

Jobs recently completed include crack sealing, clearing a stormwater and sewer right of way off James and Sarah Streets, finishing sweeping of all Township roads, repairing all the lights at Memorial Field with the assistance of the Middletown Fire Department, installing the new motor in car 1803, line painting, addressing several red light issues, cleaning up of two trees that fell at the Old Reliance Park, , spouting and building maintenance items for the Public Works garages, pothole repairs, and equipment training for two of the Department employees.

On Monday, Schneider Electric is sending volunteers to the parks as part of their "Community Clean-up Day".

Mr. Wagner noted that the Department marked 160 one-calls for the month of April. This has been frustrating at times, and a big strain on both the Public Works and Municipal Authority.

There was an extensive accident on Saturday at Wendy's which resulted in damage to the traffic signal. The signal was up and running by Monday afternoon.

Penn State Harrisburg has once again requested the Township's assistance with street sweeping. An agreement will be drafted for this.

The snow plow on one of the trucks needs replaced; there is money left in the maintenance budget for this, and a quote will be brought to the Board in the near future.

Mr. Wagner noted that research continues on options for repairing storm pipes without having to dig them up. He added that he will be meeting with Suez tomorrow to go over the plan for paving the ditches on Strites Road and Powderhorn Road.

Mr. Wagner referenced a memo requesting consideration of an expenditure for an exhaust fan for the main Public Works garage. This is a budgeted item (account 430-760). The fan installation was budgeted at \$10,000, and all three quotes came in under budget. Mr. Wagner recommended the hiring of RJSMITH Enterprises to do the installation, at a price not to exceed \$7,810.00. This exhaust fan is necessary for the proper ventilation in the garage for such projects as welding, plasma cutting, painting, etc. In response to a question from Commissioner Hall, Mr. Wagner confirmed that the painting being done inside is minor in nature, and this fan would meet the needs. Mr. Williamson noted formal action on the expenditure will appear on the June legislative meeting agenda.

Mr. Wagner reviewed the list of priority items and the "to do" list for the Department, and noted that a lot will depend on the schedule of the installers at the parks.

Commissioner Davies referenced the recent line painting, and stated that last month, he was contacted by someone that ran over the wet lines which were not protected by signage or cones or even an indication of wet paint. Mr. Wagner explained the contractors did the work just last Friday and yesterday. After further discussion, it was agreed that this was probably a PennDOT contractor. Commissioner Davies also asked if Mr. Wagner had prepared the paving project list. Mr. Wagner explained that he is awaiting the results of the road scan to get a better idea of the needs. He stated that while he does have a list in his head, about half of the projects will be on roads that Sunoco is working on, so they should not be addressed until that work is complete.

The dumpster was open on Saturday, June 3 from 8:00 A.M. to noon for all residents. It will be open again on July 1.

PLANNING AND ZONING REPORT:

Don Fure, Building Code Official, explained that Mr. Greene will not be here this evening as he is attending a graduation. Mr. Fure introduced Ann Hursh, who was recently hired to take Mr. Greene's place when he retires next month. Mr. Fure then referenced the reports provided by Mr. Greene, and noted that this is the busiest time permit-wise that he has seen since he began his employment here in 2011. There are quite a few big projects, some property maintenance complaints, and a few citations issued. Mr. Fure added that there are also two Zoning Hearings scheduled for the end of the month.

Solicitor Henninger referenced Mr. Greene's report, and called attention to his update on the Linden Centre Phase II proposed Hotel project, which has been sitting for a while. A meeting was held on May 24 with staff, Solicitor Henninger and HRG representatives. Mr. Fure and Mr. Greene then met with Mr. Nardo the following day to discuss this project. Due to a number of significant changes from the recorded Land Development Plan ten or so years ago, Mr. Nardo was informed that it may be necessary to submit a revised Land Development Plan. Some of the issues include condominium ownership which may affect required/adequate parking in certain areas, change in location of proposed buildings and uses, added property and verification of easements and right-of-ways. Solicitor Henninger noted that after his review, his determination is that alone does not trigger the need for Land Development, although there may be other issues with regards to adequacy of parking and changes to the proposed layout that will need to be worked out with Mr. Greene and Mr. Fure. However, there is an issue with regards to improvement guarantees, which is why representatives from this project are here tonight.

Frank Nardo, representing the Linden Center, 1500 W. Harrisburg Pike, explained that he is here at the request of Mr. Greene. When turning in his permit application for construction of the hotel, he was told that there is a requirement for improvement guarantees for private site improvements. Mr. Nardo stated that when the Land Development Plan was approved, there were guarantees required for certain public improvements, and these were done. He simply came in for his building permit and was told he had to address the Board to work out this new issue.

Solicitor Henninger stated that there is nothing in the Municipalities Planning Code (MPC) or the Subdivision and Land Development Ordinance that says improvement guarantees only pertain to public improvements. It simply states improvements, and there is no delineation

between public and private. Both Mr. Greene and Solicitor Henninger agreed that there are things that are proposed to be done as part of this plan which are improvement and construction requirements, despite the fact that they will be maintained under private ownership and not be offered to the Township. Therefore, improvement guarantees will need to be posted. What was required to be bonded in 2007 by the staff that was in charge back then did not address this, since there were no details as far as this facility or other facilities shown on the Land Development Plan. Again, Mr. Greene's opinion is that based on the MPC and the Township's Subdivision and Land Development Ordinance, improvement guarantees need to be posted for the certain improvements that are shown on the plan before the building permit can be issued. The Nardos are here tonight because the ordinance also states that the Board of Commissioners can grant relief from the requirement to provide improvement guarantees through an Alteration of Requirements.

Jim Nardo, also representing the Linden Center, stated that he is offended with the inference that the plan has been "sitting there" for 11 years. This was strictly due to the recession and economic reasons. Mr. Nardo continued that all underground improvements have been done and inspected. What is left are surface improvements that are private. He questioned why the Township should care what he does with his interior improvements such as parking and interior curbing and sidewalks. He added that originally, he had posted \$50,000 which was supposed to be for a maintenance guarantee on the sewer line and the sidewalk on Rosedale. Mr. Nardo commented that he is being held to a different standard now then he was when the plan was approved, and he feels there is a deficiency in the Township ordinance. Solicitor Henninger stated that he takes issue with this statement, since the Township's Subdivision and Land Development Ordinance mirrors the MPC regarding improvements. Mr. Nardo explained that if he has to put money aside for the bonding, he will not have money to get the work done. He referenced a list of 19 items that he did for the Township – million dollars' worth – and explained that he is just looking for a little reciprocation here. He implored the Board not to require the \$250,000 bonding, but to work with him on this.

Vice President Springer asked what options are available in terms of relief. Solicitor Henninger stated that the Board could grant relief or partial relief through an Alteration of Requirements. It could perhaps withhold the Certificate of Occupancy, but that would also carry a risk to the Township. The Board could also chose to follow the ordinance and require the

improvement guarantees, or take the request under advisement and think about it. Commissioner Davies stated this is a fresh issue to the Board, and to take action tonight might not be wise. The Board needs to be fair and legal, and not set a precedent that creates issues in the future.

Solicitor Henninger suggested staff research old records to determine the reason that on-site private improvements were not bonded at the time of plan approval. Commissioner Davies made a motion to direct staff to thoroughly review this, obtain legal counsel regarding the circumstances, and then take action in an expedited manner. Mr. Nardo explained that time is of the essence and he needs the permit to start the work in order to be able to open the hotel on March 1, 2018. Otherwise, the summer season will be lost.

After a brief discussion on other options, Mr. Nardo asked how quickly letters of credit are reduced after the work is done. Solicitor Henninger explained it is routine procedure to grant partial releases along the way as the work gets done. This Board meets the first and third Wednesdays and can act on releases as per recommendation of the staff and engineer. Mr. Nardo stated that he feels his bank would be agreeable to this, as the improvements should be done very quickly. Commissioner Davies withdrew his motion, and Mr. Nardo agreed to work with the Township on getting the improvements bonded.

MANAGER'S REPORT:

Mr. Williamson reported that the Board had been discussing a PPL Right of Way Agreement for Greenfield Park. He noted that this will no longer be necessary, since Sunoco has since decided to work around the pole.

Londonderry Township has sent a letter requesting the assistance of the Lower Swatara Township Fire Department's Fire Police for its 9th annual Stars and Stripes Salute on Saturday, July 1 at Sunset Park. The Special Fire Police are needed to assist with traffic control and the general safety of those attending. A motion was made by Commissioner Davies, seconded by Commissioner Truntz, to grant permission for the Lower Swatara Township Fire Department Fire Police to provide services for the event. The motion was unanimously approved.

Mr. Williamson noted that the Township is coming to the end of its contract with Constellation Energy for electric generation; it expires December 20, 2017. Constellation and other providers have provided some great rates that can be locked in for 36 – 48 months.

Mr. Williamson noted that he met with the Finance Department today, and Constellation is the vendor being recommended. A motion was made by Vice President Springer, seconded by Commissioner Hall, to approve a 48-month contract with Constellation Energy at a locked-in price of 5.618 cents per kilowatt hour, effective December 21. The motion was unanimously approved.

The Valley Baptist Church has sent the Township a request for use of the Rosedale and Georgetown Playgrounds on July 9 – 13 (6:30 P.M. to 8:00 P.M.) for its children's program which is open to age 4 through 5th grade children. The Board has approved the use of the playgrounds for this free program in the past. Last year, the program hosted about 50 children from 30 families. A motion was made by Commissioner Hall, seconded by Commissioner Truntz, to approve the request by Valley Baptist Church. The motion was unanimously approved.

The Township is in receipt of a letter from Manager John McHale from Highspire Borough. The Borough is applying for a Department of Community and Economic Development (DCED) grant for a Flood Mitigation Feasibility Study. Mr. McHale indicated that a letter of support from Lower Swatara Township would be helpful. Mr. Williamson asked the Board's authorization for President Wilt to sign the letter in support of Highspire's Flood Mitigation Feasibility Study. A motion was made by Commissioner Truntz, seconded by Commissioner Hall, to approve a letter of support for Highspire Borough's DCED grant. The motion was unanimously approved.

Mr. Williamson reported that there will be two resolutions for the Board to act on at the June 21 legislative meeting regarding disposal of excess property via bid. Some of the items will be sold at the annual Council of Governments auction on July 19, 2017 and some will be sold through the online auction, Municibid.

At the May 17 Board meeting, Clyde Rabuck spoke to the Board about the possibility of the Township taking over control and maintenance of the Ebenezer Cemetery. Mr. Williamson noted that he had met with Mr. Rabuck at the cemetery. The cemetery has significant Township history in it, and it would be a shame to see it become an orphan cemetery. However, a search of Dauphin County Tax Map website shows the cemetery is part of the Ebenezer United Methodist Church parcel. In addition to the ownership issue, Mr. Williamson questioned whether the Township staff would want to be responsible for the sale of burial lots and scheduling the opening and closing of graves for funerals. Solicitor Henninger explained that after his review, he found there is no authority in the First Class Township Code for first class townships to own and operate cemeteries.

Mr. Williamson agreed to contact Mr. Rabuck and let him know that the cemetery appears to be the responsibility of the Ebenezer United Methodist Church.

Mr. Williamson reported on the Early Intervention Plan proposal review. A total of seven proposals were received, and Commissioner Davies and he met with Marita Kelley from the Department of Community and Economic Development to review the proposals. Independent of each other, all three reviewers narrowed the field to the same three companies for final consideration: Steven & Lee Consultants, PFM Group Consulting LLC, and Pennsylvania Economy League. Each of the three finalists were discussed further, analyzing the strengths of each company in areas of financial analysis and planning, administration and management, and labor and contract negotiations planning. Pennsylvania Economy League (\$69,400) was determined to have the best and most concise proposal covering these three areas. Mr. Williamson noted that formal action on the selection will appear on the June 21 agenda. He noted that he also has packets available containing copies of all seven proposals for any Commissioner wishing to do a secondary review. Commissioner Davies added that he found the proposal of the PA Economy League to be head and shoulders above the others in regards to laying out procedures and what the Township could expect from them. This firm also appears to be a little more down to earth and more hands on, and a little less software oriented. He asked that his fellow Commissioners take a look at the proposals, certainly the top three.

ENGINEER'S REPORT:

Ms. Letavic updated the Board on the Richardson Road Bridge. There was some confusion on the one punch list item. The contractor will make the correction, and then verification will be made that the work is correct. All other closeout documents have been received, with the exception of the final completion certificate which will be completed when all work is finished. Once all work is complete, HRG will provide the closeout documents to the Township along with final payment application.

The Township's MS4 annual report, a summary of activities that occurred during the permit year, is due at the end of June for the activities that occurred between March 2016 and March 2017. HRG continues to make progress on Chesapeake Bay Pollutant Reduction Planning, which is required to be submitted and open for public comment prior to a September submittal deadline. HRG is identifying the pollutant load (sediment) associated with the urbanized area and locating

projects to be built over the next five years. Implementation of the plan is required and annual progress will be reported along with the Township's Minimum Control Measure (MCM) work. Ms. Letavic noted that HRG looks forward to training Ms. Hursh, the new zoning officer, on MS4 items upon request by the Township. She added that HRG met with Township staff, PSU Harrisburg, and Lift Development on May 31 to discuss under-drainage needed at the soccer fields along Dauphin Street. Penn State will be providing a revised stormwater design in order to drain the fields and improve infiltration/storage capacity.

Ms. Letavic provided an update on the Old Reliance and Shope Gardens Parks improvements. HRG has put together stormwater BMPS designs (rain gardens and infiltration trenches), which have been reviewed by Township staff. This scope change will be proposed to DCNR for approval prior to bidding the construction for the work this summer. Playground installations continue, and it is possible that the contractor will be doing the poured-in-place rubber surfacing in a week or two. Ms. Letavic added that the public should understand that both parks will continue to look like construction sites and not be active for the remainder of the season due to the wet spring. HRG is performing routine oversight on the project.

A kickoff meeting for the Long-term Capital Improvement Funding Options regarding a Stormwater Feasibility Study will be held this Friday. A site visit for the Salt Storage Building Structural Assessment had been scheduled for June 2, and the assessment should be provided soon. A kickoff meeting for the Pavement Management Plan occurred with the Township Manager on May 24; the road scan is anticipated to occur in June.

Before the Board tonight is a quote from Bitting Recreation for installation of park benches for the Old Reliance and Shope Gardens parks. The installation is not particularly easy, and the Public Works staff has scheduling issues. Since there are grant funds to use, Ms. Letavic explained that she had asked for a quote from the vendor who is already out there doing work, Bitting Recreation. Having a contractor do the work would also provide the Township with a guarantee; she recommended this approach be taken. While the total quote is \$3,000, Ms. Letavic noted that it does not include the use of prevailing wages, which is a requirement of the project. She recommended that the Board approve the quote conditioned upon it being increased to include prevailing wages for an amount not to exceed \$5,000. Ms. Letavic also recommended the Board take action on this tonight, since it is better to install the benches prior to having the poured in place rubber matting installed and then having to cut into the matting. A motion was made by Vice

President Springer, seconded by Commissioner Truntz, to approve the quote from Bitting Recreation Inc. for the installation of park benches conditioned upon it being increased to include prevailing wages for an amount not to exceed \$5,000. The motion was unanimously approved.

SOLICITOR'S REPORT:

Solicitor Henninger announced that the Board had met in executive session on May 22, at 6:00 P.M., to discuss a personnel matter.

Solicitor Henninger reported that he had forwarded to the Board a copy of an article containing a blurb from Dan Cohen's office. He reminded the Board that several years ago, it had hired the Cohen Law Group to prepare an update to the Township's wireless facilities ordinance, also known as the cell tower ordinance, based on changes in the Federal Telecommunications Acts and rulings by various courts. In addition, the update would provide regulations with regards to mini cell towers, "Distributed Antenna Systems" (DAS). The draft that was worked on by Solicitor Henninger and staff, along with Cohen Law Group, was sitting, waiting on a ruling regarding DAS. The PUC had determined that they are not public utilities and thus can be regulated by local ordinance. The Consortium took an appeal to the Commonwealth Court, but the ruling of the PUC was upheld. With the court ruling, the ordinance is now ready for action. The procedure, because it is an amendment to the zoning ordinance, is to refer it to the Township Planning Commission and the Dauphin County Planning Commission for review and comment. It would then come back to this Board to schedule a Public Hearing, and subsequent adoption. A motion was made by Commissioner Truntz, seconded by Commissioner Hall, to refer the draft wireless facilities ordinance to the Lower Swatara Township Planning Commission and the Dauphin County Planning Commission for review and comment. The motion was unanimously approved.

FINAL COMMENTS:

The Board thanked the public for coming out and providing input this evening, and again welcomed Ann Hursh to her new position as Planning and Zoning Coordinator.

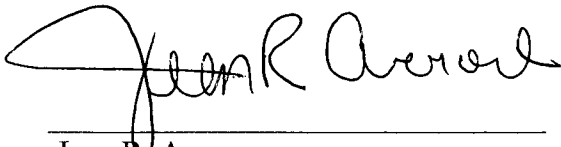
Commissioner Hall also conveyed his congratulations and best wishes to the Middletown Area High School Class of 2017, which is graduating this evening.

Commissioner Davies again encouraged the Commissioners to review the proposals submitted for the Early Intervention Plan (EIP).

ADJOURN:

Hearing no other business, a motion was made by Vice President Springer, seconded by Commissioner Truntz, to adjourn the meeting. The motion was unanimously approved, and the meeting adjourned at 9:15 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

June 7, 2017 Board of Commissioners Workshop Mtg.

Name/Organization	Address/Contact Information
DENNY FAUSEY LSTAA	1781 MOUNTAIN VIEW RD.
Tom & Sherry Smith	UNION ST
Linden Centre LLC	1520 W. HERRING PIKE
NORMAN R FRYE	P.O. Box 442 Hershey PA
Bonnie & Rod Kiner	N. Wood St
Jerome & Patty Buggy	129 Shirley dr
Melinda Logan	N. Union St
Lee Dickerson	N. Union St.
Wm Bosnyak	1054 Westerly Ct
Lynda Bosnyak	1054 Westerly Ct
Donna + Kane High	2096 Powder horn Rd
BRUCE HARTER	STRITES RD.
Carl Dupes	565 Conditon Drive
Bill Leonard	1401 HERITAGE SQ.
John R. White	L5FD
Nancy Anlesse	N Union St
Tom Lutzell	3514 Old Hershey Rd E-town
K. GOTTSALL	HEARTHSTONE
N PENDERGRASS	BRIARCREEK
S. Lamprey	Farmhouse
Carolyn Lutz	Woodbridge
Nick Malovsky	

PLEASE PRINT NAME CLEARLY

June 7, 2017 Board of Commissioners Workshop Mtg.

Name/Organization	Address/Contact Information
Michelle Wagner	Longview Dr.
Chris DEJAN	OLD IRKLEH RD