

MINUTES

NON-LEGISLATIVE MEETING – APRIL 5, 2017

The April 5, 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
- Terry L. Kauffman, Interim Manager
- Frank E. Williamson, Public Safety Director/Assistant Manager
- Jean R. Arroyo, Secretary
- Peter R. Henninger, Solicitor
- Erin G. Letavic, HRG
- Robert S. Greene, 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:

Dennis Fausey, 1781 Mountainview Road, reminded the Board and public that the Lower Swatara Township Athletic Association will be holding its Opening Day and 50th Anniversary festivities on April 22. He asked the Board's consideration to rent, for that day only, a 24' bathroom from Walters at a cost of \$1500. He asked if a decision could be made between now and the April legislative meeting.

Bruce Harter, 1134 Strites Road, observed that the agenda tonight includes discussion on a pavement management plan. He encouraged the Township to take a close look at its permitting process, if it has one, for utilities. He observed that Suez has been working on Strites Road, and he has seen very little inspections, if any. Mr. Harter asked if the Township has a permitting process for utilities working within its right of way. Ms. Letavic confirmed that there is one, and

this is handled between the Public Works Department and Code Enforcement Department. Mr. Harter also reminded the Board that there is a health and safety concern with the closure of the bridge off of Route 441 (Highland St. Bridge). The residents of Swatara Township would not have access in or out if something were to happen on Keckler Road. He suggested the possibility of having the Public Works Department look into removing the surface of that old structure and putting in a temporary pipe out there. Something needs to be done to maintain traffic on that road, at least for emergency services. Mr. Harter referenced the Shireman tract acquisition, and again encouraged the Board to take a long look before making the purchase. What parameters are put on that DCNR grant money? Is there a time frame to complete the park? There may not be enough in the recreation fund to meet the 50% match to the grant. What additional expenses will be put on the Township in the future as a result of this acquisition? Mr. Harter asked the Board how many parks are here now. He noted that the website shows six. As mentioned earlier, some of the existing Township parks would benefit from having bathroom facilities. Those recreation funds could be used for that purpose. He questioned if the Township really needs to purchase a 32-acre property for another park, and challenged the Board to put the purchase of the Shireman parcel on the upcoming election ballot to see how the residents feel about it.

Commissioner Truntz asked Mr. Williamson if his understanding is correct that the Rodgers' family is the only residential property on Highland Street, and that provisions for emergency services were addressed early on. Mr. Williamson confirmed that there is only one Township property there. Mr. Harter agreed this is correct, but the road closure also impacts the neighboring residents who live in Swatara Township. President Wilt commented that the Township is working to get this bridge fixed, but the process takes time.

Lorrie Patrick, 1236 Overlook Road, asked if Overlook Road is a dedicated, Township road. Solicitor Henninger explained that it is not a Township road because it has not yet been completed. At this point, it is the property of the developer. Ms. Patrick questioned, then, why she was woken up at 1:30 A.M. by a Township police officer during the last snow storm and asked to move her vehicle from the street. She added that the Township does not plow this street anyway. Mr. Williamson apologized for any inconvenience, and agreed to check into this.

Jason Wagner, President of the Lower Swatara Township Athletic Association, referenced the 50th anniversary celebration of the Athletic Association during Opening Day

ceremonies on April 22. He stated that he hopes to see the Commissioners and staff there. Mr. Wagner noted that the Association has more than 300 kids signed up this year, and 24 teams playing on the fields. The Association has been able to secure the use of the Kunkel Field and the High School field when not in use. Mr. Wagner stated that he had previously been before the Board to elaborate on the challenges faced due to the need for more fields. From April 22 through June 5, the Association has 102 games scheduled. Rain dates will mean trying to fit the games in at the Kunkel field or the High School field. Mr. Wagner remarked while he is not saying they need 32 acres, the Association really could use one or two more fields.

PRESENTATION OF FIRE DEPARTMENT AWARD TO SERGEANT DANIEL TINGLE:

Fire Chief John Weikle reported that the Fire Department would like to present a custom-made award to Sergeant Daniel Tingle for his heroic actions to save lives of the victims of an accident on Stoner Drive during the evening of November 25. Mr. Weikle added that Sergeant Tingle is a gem – an exemplary police officer. He is professional, and his interaction with the public and compassionate manner make him a real asset. The Township is blessed to have him. The Board and public gave Sergeant Tingle a standing ovation.

PLANNING AND ZONING REPORT:

Mr. Greene asked to first address public comment regarding the Overlook Road issue. Back in November, the Board had authorized him and Solicitor Henninger to follow up on this matter and attempt to resolve it. There is no bonding in place; the original bonding had expired in 2009. Commissioner Truntz stated this is not fair to the residents that live back there, and asked what recourse the Township has. Solicitor Henninger explained that he would rather not speak about the legality of the issue right now, but is hoping a proper resolution can be reached that will result in the completion of Overlook Road and another private road back there. Carolyn Lutz, Woodridge Drive, added that at the last meeting of the Woodridge Homeowners' Association, they were told by Mr. Messick's son that there is no more Messick Real Estate or Messick Construction Company and that all residents of Woodridge will be assessed a certain dollar amount to pay for the completion of Overlook Road. She stated that she is opposed to this and the precedent it sets.

Mr. Greene noted that a time request is on the agenda for a plan that would expire before the next Board meeting. A motion was made by Vice President Springer, seconded by Commissioner Hall, to approve the a request for a time extension until July 19, 2017, as requested by the developer, on the Final Subdivision Plan for William's Manor, File #2016-01, a 26 lot subdivision located along Lumber Street for Rhodes Development Group, Inc., submitted by R.J. Fisher Engineering and Assoc., Inc. The plan was recommended for approval by the Planning Commission on April 28, 2016 with conditions. Time extensions were granted by the Board of Commissioners on July 20, 2016, October 19, 2016 and January 18, 2017. The plan is due to expire on April 15, 2017. The motion was unanimously approved.

Mr. Greene referenced the monthly reports on inspections and permits. He noted there was no Planning Commission Meeting in March. The Zoning Hearing Board met on March 21 in regards to the Capital Valley Business Park, Docket # 2017-02, to hear a request for a variance to allow a four lot subdivision for property located on Kreider Drive in the Industrial Park Limited (IP-L) district. At the request of the applicant, the hearing was continued pending the interpretation by the zoning officer of the term "site area" versus "lot area". Mr. Greene reported that he, as zoning officer, did make a ruling that based on the language in the ordinance and the previous subdivision plans that had taken place in that same general area, lots less than 15 acres would be acceptable in the zoning district. Solicitor Henninger stated that after his review of the ordinance and Mr. Greene's determination, he concurs and would recommend that the Board accept the interpretation and not appeal it.

Mr. Greene reported that he, along with Mr. Fure and Mr. Dela Cruz, attended a preconstruction meeting at 140 Fulling Mill Road with Rich Snyder, DCCD, and representatives from the owner and contractors. The project includes an access drive and parking at the rear of the existing building which was part of the original Land Development Plan. Mr. Fure and he also attended a preconstruction meeting at HIA for the Select Medical project. In addition, he and Mr. Fure met last week with Bob Mumma regarding the possibility of a Land Development Plan for a large parking site for tractor trailers at 2090 North Union Street. This is just a concept at this point; nothing has been officially submitted. In response to a question from Commissioner Truntz, Mr. Green confirmed that the property is zoned for such a use. Solicitor Henninger added that Mr. Mumma was involved in a very lengthy litigation with a neighboring property owner there, and will discuss this situation with Mr. Greene.

PUBLIC WORKS REPORT:

Mr. Wagner reported that the Department has been busy preparing all the parks for spring time and for Opening Day. It has been working with the contractor and Bitting Recreation to make sure the playground sites are ready for the equipment install. The Department has been aerating soccer fields and baseball fields, grooming baseball fields, fertilizing the parks, mulching at the parks and around the administration building, and placing wood carpet at all the parks. A paver project was recently completed at Greenfield Park and turned out quite nice.

Other jobs included street sweeping, cleaning up from the big snow storm, doing building and spouting maintenance on the salt shed, repairing all sod and spots that were tore up from plowing, inspections of all the playground equipment at each park, cleaning and inspecting inlets, GIS signs on state roads, pot hole repairs, and putting the batting nets and tennis nets up at the parks. Mr. Wagner noted that the basketball pole and backboard will be replaced at the Old Reliance Park when the new playground equipment is installed.

The Department also took delivery of the new fertilizer spreader. All porta johns have been delivered to the parks. The sprinkler system has been inspected again for the start of the year. A lot of time is also being spent in preparation of the April 21 tree planting project at the Fulling Mill Road property near the Swatara Creek. Mr. Wagner thanked Commissioner Hall for suggesting some safety devices that could benefit the Department. He is ready to make the purchases and get them installed.

Tomorrow morning, a meeting will be held with Stewart and Tate, which has a process that could help on North Union Street. For the past several years, there has been an issue between Longview Drive and the Pennsy Quarry near the Township line. There is a series of “s” turns there at the quarry, and any type of rain or snow results in very slick roadway. Plans are to get some prices and explore options.

Mr. Wagner added that along with the stormwater plan, options are being looked into for short and long term fixes for the rotted storm pipe.

Mr. Wagner called the Board’s attention to several proposals/quotes he had provided for equipment that was approved for purchase in the 2017 budget. These include a tire machine, two radios, a cut-off saw, and a plate tamper. President Wilt questioned if the Department presently has a tire machine. Mr. Wagner confirmed that it does, but the machine is over 20 years old; replacement parts are no longer obtainable. Commissioner Hall added that changing tires is a

very dangerous job, and protection needs to be there for employees. He surmised a 20-year old machine would have a lot of wear and tear. Commissioner Truntz observed that the Snap-on company is usually top-of-the line, and questioned if he had shopped around. Mr. Wagner confirmed that three difference changers were looked at, and all were close in pricing. This one has all the features desired, and he feels comfortable with the longevity of it and the ability to obtain parts down the road. Mr. Wagner added that another thing he likes about Snap-on is that there are no costs for updates to the machine. In response to a question from Commissioner Davies, Mr. Wagner explained that changing tires on the big trucks is very dangerous and a liability, and the mechanic prefers to stay away from that job. This machine will allow the mechanic to service the medium and light duty trucks here in house. A motion was made by Commissioner Hall, seconded by Commissioner Davies, to approve the purchase of a tire machine, two radios, a cut-off saw and a plate tamper, as included in the 2017 budget. The motion was unanimously approved.

Mr. Wagner concluded his report by reminding residents that the dumpster will be available on May 6, from 8:00 A.M. to Noon.

Commissioner Truntz thanked the Public Works staff for going the extra mile to get the parks ready for Opening Day. The crew does a great job, and it is appreciated. Commissioner Davies added that the paver project at Greenfield Park looks great. Mr. Wagner agreed that Foreman Chuck Kline did an excellent job.

Dennis Fausey asked for an update on the new flagpole at Memorial Field. Mr. Wagner reported that the contractor hopes to start on Monday, with the goal of installation prior to Opening Day.

MANAGER'S REPORT:

Mr. Williamson referenced a memo he had provided the Board pertinent to capital vehicle purchases for the Police Department. As part of the approved 2017 budget, the police department had requested to replace two vehicles: a 2009 Dodge Charger with 125,000+ miles and a 2004 Chevrolet Tahoe with 105,000+ miles. The Charger has been out of service since earlier this year after it blew a water pump. The mechanic does not feel it is safe for police patrol. The request is to replace this with a 2017 Ford Utility Police Package Explorer from Hoffman Ford at a cost of \$31,396.28. An emergency lighting packaging is still being negotiated for the vehicle. Plans are to

recycle the Tahoe unit into the fleet. There are still miles left on the vehicle for mild driving for use as a chief or detective vehicle. A 2017 Ford F-150 pickup truck from Hoffman Ford was budgeted at a cost of \$32,210.44. The addition of a cap for the bed of the truck, and slide out tray to hold the enforcement equipment and the emergency lights siren brings the cost to \$51,181.55. This will be the commercial enforcement vehicle; \$50,000 was budgeted for this vehicle. Mr. Williamson added that the police utility will need to be ordered. The F-150 pickup is in stock and would only need some outfitting to make it road-ready for the Department. A motion was made by Commissioner Hall, seconded by Commissioner Davies, to approve the purchase of a 2017 Ford Police Utility from Hoffman Ford at a price not to exceed \$31,396.28 and a 2017 Ford F-150 from Hoffman Ford at a price not to exceed \$51,181.55. The motion was unanimously approved.

Mr. Williamson next referenced a memo regarding the potential purchase of a vehicle for the Detective unit. The unmarked 2008 Dodge Charger, which has 119,500+ miles on it, began experiencing problems this past winter when it would fail to go into gear. The mechanic has not been able to find the issue with it, but it may be electrical in nature, as there have been times when it failed to start as well. Mr. Williamson explained that he is proposing looking at the purchase of a used vehicle from a local car dealership. This is not a budgeted item. One suggestion is to find a used vehicle, in good condition, with a price under \$19,700 and get three phone quotes on similar vehicles from other dealerships. The second suggestion is to find a vehicle under \$10,700; there would be no need to obtain phone quotes, since it would be under the \$10,700 bid limit. The Board directed Mr. Williamson move forward with exploring these options, and to also look into where the funding for the vehicle would come from, and report back to the Board at the April 19 legislative meeting.

Mr. Williamson noted that the recent snow storm reinforced the need for the Township to have a means of mass communication with its residents and businesses – a type of community alert system. Dauphin County, as part of the South Central Task Force, offers the use of the South Central Alert. Through this system, residents can be alerted of flooding, storm warnings, TMI drills, and even receive notifications of street sweeping, leaf pick-up, etc. Annual cost is around \$760. Prorated, the system is expected to cost the Township \$433.52 to participate for the remainder of the year. Mr. Williamson noted that there is money in the EMA budget for this. A motion was made by Commissioner Davies, seconded by Vice President Springer, to approve an

expenditure of \$433.52 to participate in the South Central Alert for the remainder of the year. The motion was unanimously approved.

Mr. Williamson reported he had been approached by a resident who was looking for a prescription drug drop-off box here at the building. The Township does not have one. After investigating this, he found that the Township can get a grant for this through CVS. If the Board is in agreement with the idea, a letter of support needs to be signed by the entire Board. A motion was made by Commissioner Truntz, seconded by Commissioner Hall, to approve the grant application and letter of support for a prescription drug drop-off box. The motion was unanimously approved.

On Friday, probationary police officer Artemus Tuisl submitted his resignation with plans to pursue a career change. A motion as made by Commissioner Truntz, seconded by Commissioner Davies, to accept with regret the resignation of Artemus Tuisl. The motion was unanimously approved. With that, Mr. Williamson requested permission to go out to the County Consortium list that was compiled in September of 2016 to gather a list of candidates for interviews to get the Civil Service to develop a list of certified eligible candidates to fill that position. A motion was made by Vice President Springer, seconded by Commissioner Davies, to go to the County Consortium List for a list of candidates to interview for the police officer position. The motion was unanimously approved.

Commissioner Truntz asked Mr. Williamson, as Public Safety Director, if there is anything new going on with the Borough of Middletown in regards to police shared services, merger talks, etc. Mr. Williamson responded there is not. He does have some of the Borough's data and is trying to put that into a manpower formula.

ENGINEER'S REPORT:

Ms. Letavic updated the Board on the Richardson Road Bridge project. She noted her understanding that the contractor did experience some issues with vandalism. An application for payment will be on the Board's April 19 agenda for consideration.

The tree planting partners (Derry Township Municipal Authority, Lower Swatara Township, Manada Conservancy, Penn State Extension and HRG) continue to coordinate logistics for the tree planting on April 21 from noon to 3:00 P.M. The partners anticipating planting 350 trees with the approximately 30 individuals who have volunteered to assist.

Work on the Capital Improvement Plan – PENNVEST Funding for Stormwater Projects continues. HRG is working with the Township staff on utility conflicts.

The DCNR Planning Grant Development is underway for the Township Parks and Shireman Farm Parcel. The grant application requires a 50/50 match; the application deadline is April 12, 2017. A resolution to allow the Assistant Township Manager to be the signatory of the application is on the agenda this evening for approval. It is proposed in the application to draft a Comprehensive Recreation, Park, and Open Space Plan and deliver a master plan for the Shireman parcel. The plan will include a cost estimate for the master plan and funding options for the effort. Because the Township has not had a comprehensive park plan completed in a long time, the proposed budget intends for a full analysis. To deliver a complete comprehensive plan and master plan, it is recommended budgeting for \$80,000 in the application, which will require a \$40,000 cash match by the Township. If awarded, the expense would be incurred in 2018. For planning grants, awardees have three years to complete the project. A funding commitment letter from the Township will be requested once the budget is finalized for inclusion in the application. Kathy Gottshall, Hearthstone Lane, asked if this cost is in addition to the cost of the land. Ms. Letavic confirmed that it is. Ms. Gottshall asked the price of the land. Ms. Letavic stated the cost is \$375,000. Mr. Williamson added that \$187,500 would be the Township's match. Ms. Gottshall agreed with Mr. Harter's comment that this purchase should be something that the residents are polled on. A motion was made by Commissioner Davies, seconded by Vice President Springer, to approve Resolution No. 2017-R-8 authorizing the Assistant Township Manager to be the signatory on the Grant Agreement Signatory Page Application for the LST Comprehensive Plan and Shireman Parcel Master Site Development Plan. The motion was unanimously approved.

Ms. Letavic referenced a proposal provided for a Stormwater Authority Feasibility Study. The idea is to establish a funding mechanism with respect to stormwater needs. Cost of the study is \$18,750. In response to a question from Commissioner Davies, Mr. Kauffman stated that he feels what is being presented by HRG is a good, basic product that will show what the options are without spending excessive funds. The Board agreed that it would like to look at the study further, and consider it for action at the April 19 legislative meeting.

Also on the agenda is consideration of a Pavement Management Plan for the 43 miles of Township streets which have been identified. This plan is a long term agenda for the deterioration rate of these roads. It will help the Township budget for future expenditures, ensure that the paving

dollars are expended appropriately, and ensure that the Township's roadway system will be maintained at the highest level of serviceability within the fiscal constraints of the Township. Ms. Letavic explained that a mobile scanning company will be engaged for the data collection phase. The scanning company utilizes state of the art digital technologies and equipment to collect existing pavement and roadside conditions that far exceed the information that traditional manual field data collection can achieve. Cost is \$60,650. Mr. Williamson added that \$60,600 had been budgeted for this plan. The Board agreed it would also like to take a closer look at this, and asked that it be placed on the legislative agenda. Scott Lampry, 1513 Farmhouse Lane, asked how this cost was arrived at. Ms. Letavic explained that value includes the base data, which gets the PCI "pavement condition index". Beyond that, it also gives the average pavement cross-slope and all the survey data. She stated it is a very good value for the Township. Commissioner Davies asked if the data will be provided in some type of searchable data base. Ms. Letavic confirmed that it will be a new layer in the GIS which will be very helpful to the staff.

Mr. Williamson added that on April 12, management and Ms. Letavic will be attending a hearing with the Dauphin County Infrastructure Board for the Richardson Road bridge application. Any Board member interested in attending should let him know. Ms. Letavic added that the application is for two bridges: the Highland Street Bridge discussed earlier this evening, and the second Richardson Road Bridge.

SOLICITOR'S REPORT:

Solicitor Henninger announced that last Wednesday, beginning at 6:00 P.M., the Board had met in executive session to interview candidates for the Manager's position. The Board also discussed some other personnel matters and a real estate matter. He added that the Board had also convened in executive session at 6:30 P.M. this evening in order to discuss personnel matters and also a real estate matter.

Solicitor Henninger reported that the real estate matter the Board has been discussing pertains to Sunoco Pipeline, which approached the Township about two years ago because it needed additional land across two parcels of Township property. One of these is a property along the Swatara Creek that was acquired after flooding from Hurricane Lee. The other is at Greenfield Park, right along the property line with the School District, where Sunoco has existing pipeline. Negotiations were ongoing with regards to the easement agreements and fees, but issues resulted

due to restrictions associated with the Swatara Creek property, which was purchased with FEMA and PEMA funds. It took a while, but last month approval was gained from FEMA to allow that crossing. The property at Greenfield Park also had some limitations, since it was purchased with grant funding from DCNR. Approvals were needed from both DCNR and the National Park Service. This has also been resolved and negotiated. Solicitor Henninger added that he cannot thank Ms. Letavic, Representative Mehaffie, and Township staff enough for all their hard work during this process.

A motion was made by Commissioner Hall, seconded by Commissioner Davies, to approve the proposed easement agreement with Sunoco Pipeline, L.P., whereby the Township would grant Sunoco a fifty (50') foot wide permanent easement across tax parcel no. 36-030-026 in exchange for a payment of \$50,000 to be placed in the Township's recreation fund and other promises. The motion was unanimously approved.

A motion was made by Vice President Springer, seconded by Commissioner Truntz, to approve the additional line rights agreement with Sunoco Pipeline, L.P. whereby the Township acknowledges the right of Sunoco Pipeline L.P. to install two (2) additional pipelines immediately adjacent to an existing pipeline across the far back corner of Greenfield Park, tax parcel no. 36-013-019, pursuant to a 1936 easement agreement, in exchange for a payment of \$50,000 to be placed in the Township's recreation fund and other promises. The motion was unanimously approved.

President Wilt stated that he would like to acknowledge receipt of a letter from Sunoco acknowledging their pledge to coordinate construction activities with the Township in order to mitigate any effects on the use of the soccer fields and acknowledge their agreement to reimburse the Township for all legal and engineering expenses incurred to date relative to these matters, not to mention all future engineering and legal expenses to be incurred relative to the Greenfield Park submission to the National Park Service.

Solicitor Henninger stated that both Sunoco Pipeline and DCNR were great to work with during this two-year process. He thanked all the players who were involved.

Commissioner Davies stated that the unsung hero here is Solicitor Henninger, who had the fortitude to mash through some mind-boggling details to protect the Township while resolving this issue.

Commissioner Truntz asked if this \$100,000 can be used towards purchase and improvement of the Shireman property. Solicitor Henninger confirmed that it can.

FINAL COMMENTS:

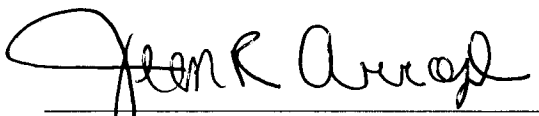
The Board congratulated Sergeant Tingle on his well-deserved award and also applauded the cooperation between the Fire Department and Police Department. Thanks were given to Solicitor Henninger for bringing the Sunoco pipe issue to fruition, and to the public for coming out tonight and providing input.

Commissioner Truntz requested an executive session immediately upon conclusion of this evening's meeting in order to discuss personnel matters.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other business, a motion was made by Vice President Springer, seconded by Commissioner Truntz, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 8:49 P.M.

ATTEST:



Jean R. Arroyo
Township Secretary

PLEASE PRINT NAME CLEARLY

April 5, 2017 Workshop Mtg. - 7:00 P.M.

Name/Organization	Address
Bruce & Joanne Harter	1134 Huter Rd
Nancy Avolese	1451 N. Union St.
NORM FRYE	
Dale Messick	101 Greenfield Dr.
Kevin Zimmerman	467 Brunswick Rd.
Chad Zimmerman	401 Edinburgh Rd.
Courtney & Scott McCall	2 Heatherwood Cir
Jason Wagner	521 Constitution Dr.
ROBERT HLEIN	5800 LUSHING PL.
Michelle Wagner	644 Longview Dr.
Edna Paul	2 RICHARD AVE.
Alma Fanny Citizen	1781 Mtn. View
Shaune Tinger LSPD	
Jackie Leonard LSPD	
Scott Lamprey	1513 Farmhouse Lane
Tim & SARA SANTARA	1890 N UNION
Alex Phillips LSPD	
Josh Burrows LSPD	
Colton Taylor FDLS	
Menny Martinez FDLS	
Elvis Zeides FDLS	
Sean Taylor FDLS	
Barry Burrows FOLS	

PLEASE PRINT NAME CLEARLY

April 5, 2017 Workshop Mtg. – 7:00 P.M.

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