

MINUTES

NON-LEGISLATIVE MEETING --- AUGUST 1, 2018

The August 1, 2018 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.

The following officials were in attendance:

- Jon G. Wilt, President
- Todd F. Truntz, Vice President
- Ronald J. Paul, Assistant Secretary
- Christopher DeHart, Commissioner
- Elizabeth McBride, Manager
- Jean R. Arroyo, Secretary
- Peter R. Henninger, Solicitor
- Andrew Kenworthy, HRG
- Lester Lanman, Public Works Director

Absent: Commissioner Michael J. Davies

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

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

PUBLIC COMMENTS:

Ed Halpern and Mary Golab, 804 Nissley Drive, questioned the sale of the Williams' farm. Mr. Halpern observed that on the realtor's website, it was stated that if the buyer will work with the Township, they could help with changing the code. Ms. Golab added that there is also an article in the Central Penn Business Journal encouraging the potential buyer to work with the Township to develop it, possibly into four parcels, some residential and some mixed use. She stated there is already problems with traffic here; their neighbor's property at the corner of Route 441 and Nissley Drive was hit twice in one week. There is no guardrail here and traffic continues to increase. Solicitor Henninger explained that the entire tract is presently zoned Agriculture. Anyone wishing to develop it would have to come before this Board and submit an application for a rezoning. There can be no commercial or industrial development there as it stands right now. Ms. Golab added that if this property is changed to an industrial zoning, she

would also be concerned about the impact to impervious surfaces, as the neighborhood already has problems with flooding. Solicitor Henninger explained that any type of development on that property would also have to comply with all stormwater management requirements.

Mr. Halpern stated that on another note, he is concerned about the large backhoes doing work off Fulling Mill Road; there are no flagmen on the job. While the work is off the road, the backhoe is traveling back and forth across the roadway. Officer-in-Charge Young stated that if the backhoe is not actually working on the roadway, flagmen may not be required. He agreed, however, to speak to the foreman on the job.

Roger Erickson, 235 Shady Lane, expressed concern with the many potholes on Stoner Drive. He stated that he was told the pipeline will pay to fix Stoner Drive, but they are now gone. He asked who is responsible for fixing this roadway. Solicitor Henninger explained that Sunoco pipeline did post a bond to cover any road damages. The Township inventoried the roads and took photos prior to Sunoco starting their work. Any damages from wear and tear of their trucks will be addressed at completion of the project. Mr. Erickson stated the chunk of roadway which is missing by the stop sign at Stoner Drive and Route 441 really needs fixed as soon as possible. Commissioner Paul agreed that the Township certainly has some responsibility to fix potholes in certain areas, and will look into this. Mr. Erickson also expressed his appreciation to whoever trimmed back the intersection of Route 441 and Stoner Drive, which helps visibility.

UPDATE FROM LST ATHLETIC ASSOCIATION ON SHED REPLACEMENT PROJECT:

Vice President Truntz referenced an email from Jason Wagner, President of the Athletic Association, regarding plans for a shed replacement project at the Little Hollywood Park. Basically, the Association has a large concession shed and a smaller storage-type shed. It would like to remove the small shed and prep the area for a larger 12' x 15' shed. The Athletic Association will pay for the entire project; there will be cost to the Township. A motion was made by Commissioner Paul, seconded by Vice President Truntz, to authorize the Athletic Association to proceed with its shed replacement project, and waive the associated permit fees. The motion was unanimously approved.

APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve the Minutes of the July 18, 2018 Legislative Meeting. The motion was unanimously approved.

PLANNING AND ZONING DEPARTMENT REPORT:

Ms. McBride noted that Ann Hursh, Planning & Zoning Director, is not in attendance tonight, but did want the Board to know that all the plans for UPS were received.

PUBLIC WORKS DEPARTMENT REPORT:

Mr. Lanman reported that the Township has received the PennDot Winter Traffic Services Agreement. This is year four of a five-year agreement; there are no changes, except for a minor increase of about \$400. A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to accept the 2018/2019 PennDot Winter Traffic Services Agreement in the amount of \$23,185.69. The motion was unanimously approved.

Mr. Lanman reported that Truck 410 was prepared for auction pending approval of a resolution by the Board at the August legislative meeting. This is a 2003 Chevy 2500 utility bed truck, and the current mileage of over 175,000 makes it not cost effective to repair for long term use. The clearing work on the dam in Old Reliance was completed and HRG was notified to conduct the inspection. Mr. Lanman is still waiting to meet on site with reps from Phoenix Contact to discuss moving the outfall for storm inlets on Messick Drive.

Exact measurements and a utility pole number has been provided to Stewart and Tate for the micro-surfacing work on North Union Street. The Township is still waiting on a date for the repairs and extending the micro-surfacing past the S- turn. Commissioner DeHart asked the cost for this work. Mr. Lanman explained the repair is under warranty, but there will be additional costs to extend the micro-surfacing. The price per linear foot will be the same as the contract price, and since the job was quite a bit under contract, it should still be within the contract amount. Commissioner DeHart asked if line painting is part of the contract, and reiterated his concern that the absence of lines out there is dangerous with the dump trucks that travel the area. Mr. Lanman explained it is not part of the contract, but line painting will be done after this work is complete. Commissioner DeHart suggested temporary lining be considered.

The Department has been cleaning up after the flooding events. There was only one long-term closure, which was the Fiddler's Elbow Bridge, and that reopened yesterday morning. Mr. Lanman reported that he was just advised by the Police Department that there is a sinkhole that reopened at Fulling Mill Road and North Union Street, resulting in the state shutting down a lane. The Department is doing some inlet repair work on Lumber Street, and will soon be addressing Old Reliance.

Commissioner DeHart suggested Mr. Lanman contact PennDOT about it plans for repairing Route 441, especially near Kreider Drive and Swatara Drive. There are areas of peeling asphalt and chunks out of the road. He estimated that it has been eight to ten years since it was last paved, and Route 441 is being used more heavily than ever, as drivers are avoiding Route 283.

Vice President Truntz asked about the status of the spraying of the ballfields, which was approved at the last meeting. Mr. Lanman responded that all fields have been sprayed; the individual who was giving the testing for the spraying helped the Township with this job.

MANAGER'S REPORT:

Ms. McBride referenced a request at a prior meeting to review the budget to see if any adjustments can be made. She referenced a proposed list of 2018 budgetary adjustments. President Wilt asked when the budgetary adjustments are normally done. Ms. McBride stated that from her experience, they are usually done at the end of the year, in December. If funds are moved based on the forecast in the summer, they may end up having to be moved back. The good part in doing this now is that it gives more accurate monthly reports. Commissioner Paul agreed that mid-year budgetary adjustments may not be necessary every year, but this year's budget is interesting due to MS4 items and police overtime. Ms. McBride explained that that budgetary adjustments before the Board tonight include moving money based on the police chief salary that was budgeted but hasn't been touched, employee raises, and benefits. She noted that she did not make any adjustments to MS4 yet; there is too much prediction right now. The Board agreed to table action on the budgetary adjustments until the August 15 legislative meeting. Vice President Truntz asked if the format can be revised to reflect what the original budget was, and what the adjustment is. Ms. McBride agreed to revise the document, and noted she will show on a summary sheet what has been reduced and what has been increased.

McBride referenced the Lower Swatara Township Early Intervention Program (EIP) Report, and proposed that the Board accept this report. She explained that acceptance of the report will qualify the Township for more county and state funding. Vice President Truntz noted that in the prior presentation of the report, there was some question about a million dollar surplus. After research, it was found that there was loan money in the revenues; the Township does not actually have a million dollar surplus. The Board agreed to defer action on the EIP Report until the August 15 legislative meeting.

The Township received the annual request for participation in the Dauphin County Gypsy Moth Suppression Program. Commissioner DeHart stated his understanding is that there is acreage criteria involved, and historically the Township did not meet that criteria. Solicitor Henninger agreed that this has been routinely rejected for many years because there has been no outcry from major property owners with forest land about a gypsy moth problem. A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to reject participation in the Dauphin County Gypsy Moth Suppression Program. The motion was unanimously approved.

Ms. McBride called the Board's attention to a draft reservation form for the rental of the Greenfield Park Soccer Complex. From time to time, the Township receives requests from soccer organizations wanting to hold soccer tournaments on Greenfield. A committee met to discuss this, and came up with the draft, which proposes a fee of \$500/day, and requirements including proof of insurance and clean-up. Commissioner DeHart asked if the Recreation Board had provided any feedback. Ms. McBride confirmed that they are okay with what is being proposed. She added that she will also be meeting with ORSA to discuss this. Commissioner Paul questioned if a notation should be included on the form that this is for requests from independent groups only, not those affiliated with ORSA or MARA. Solicitor Henninger agreed this is the intent, and adding a notation would help clarify that. President Truntz added that he has corrections/additions to the form. He noted that ORSA, not the Athletic Association, mans the concession stands. He also suggested Solicitor Henninger provide a more comprehensive release and indemnity clause. Vice President Truntz questioned where the \$500 rental fee would go. Commissioner DeHart suggested the Recreation Fund. Solicitor Henninger explained that it could go there, but that would co-mingle it with funds from developers who are providing fees in lieu of recreation, and would restrict its uses. Commissioner Paul stated his understanding is that the fee is for field maintenance. Solicitor Henninger agreed that it may be

better to place the fee in the General Fund where it could be used for things like costs associated with the maintenance of the fields. The Board agreed to consider the revised form at the August legislative meeting.

Ms. McBride reported that the Township has received notification from Governor Wolf that Robert Furlong has been formally appointed to the position of Lower Swatara Township EMA Director.

ENGINEER'S REPORT:

Andrew Kenworthy, HGR, referenced Ms. Letavic's report, and stated that he would try to answer any questions the Board may have about the items listed. The Board had no questions.

SOLICITOR'S REPORT:

Solicitor Henninger reminded the Board of the Public Hearing scheduled for August 15 at 6:30 P.M. to receive public comment on the proposed transfer of the distributorship liquor license of Wilsbach Distributors from Susquehanna Township to Lower Swatara Township.

The Board has been discussing the possibility of a basketball court in the Woodridge Development as part of the plans of Triple Crown Development. This is the only real outstanding issue in the Developer's Agreement. Solicitor Henninger suggested that in order to attempt to get the roads paved this season, the Board should make a decision on this as soon as possible. A motion was made by Commissioner Paul, seconded by Vice President Truntz, to have the developer pay the fee in lieu of land dedication. The motion was unanimously approved. Commissioner Paul stated the Township can then use this fee to have the court built. Vice President Truntz agreed that it would allow the Township to have the court built on its own schedule. He stressed the importance of having the neighbors on board first with having a court there. Commissioner DeHart remarked that it is very important that the Township make contact by letter with the affected residents to get their okay on a basketball court here, since it will result in some noise. President Wilt added that the Woodridge Homeowner's Association will be meeting here this month, and this could also be presented for discussion at that time.

Solicitor Henninger referenced a letter/assignment agreement from Lebanon Farms Disposal, which is selling out to Waste Industries, Inc. He stated that what was presented is inadequate to provide the protection he feels is necessary. He has since spoken to a

representative from Lebanon Farms and requested a more formal assignment of the agreement, including replacement bonding, proof of insurance, and other acknowledgements. Solicitor Henninger added that Lebanon Farms does not anticipate any staff changes or changes to the operations. The agreement is anticipated to be on the August legislative agenda.

FINAL COMMENTS:

Commissioner DeHart noted that he had originally planned to request an executive session to discuss personnel matters, but will wait until Commissioner Davies is in attendance. He thanked the EMA, Police, Fire Department, and Public Works for their efforts during the recent flooding. He also thanked the Fire Department for responding to the drowning in Lancaster County, and stated that all the services provided by the volunteers are much appreciated.

Commissioner Paul suggested a meeting be held soon with the Township Recreation Board in order to keep everyone in the loop. He also referenced the concerns about truck traffic on Route 441, and remarked that unfortunately, the Township cannot do much about it. Past Boards and staff have spent significant time trying to encourage PennDOT to remove Route 441 from the truck route map, but to no avail. What has changed, however, is the longer trailers that use that road. He stated these may have not been existence when the last study was done. Commissioner Paul asked that staff and OIC Young research past information and perhaps think about another letter-writing campaign. He added that if it is not taken off the truck route, it at least needs to be improved.

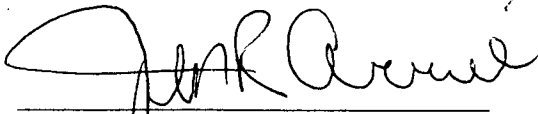
Vice President Truntz reminded the public of National Night Out scheduled for August 7 at Hoffer Park in Middletown. He commended OIC Young for all the hard work he put into this event, which will be held in conjunction with the Boroughs of Middletown and Royalton. Vice President Truntz also referenced Lebanon Farm Disposal's transfer of contract to Waste Industries. He stated the Board will assure that they meet their contract obligations, and expressed hope that Waste Industries, which is a bigger operation, will provide even better service.

President Wilt thanked the public for their attendance and comments this evening.

ADJOURN:

Hearing no other comments, a motion was made by Vice President Truntz, seconded by Commissioner DeHart, to adjourn the meeting. The motion was unanimously approved, and the meeting adjourned at 8:02 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

AUGUST 1, 2018

7:00 P.M.

[illegible]