

MINUTES

NON-LEGISLATIVE MEETING --- APRIL 4, 2018

The April 4, 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
- Michael J. Davies, Commissioner
- Christopher DeHart, Commissioner
- Frank Lynch, Interim Manager
- Jean R. Arroyo, Secretary
- Peter R. Henninger, Solicitor
- Erin Letavic, Engineer
- Ann Hursh, Planning & Zoning Coordinator
- Lester Lanman, Public Works Director
- Scott A. Young, Officer in Charge

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:

Randy Miller, 217 Delmont Avenue, stated that he had recently talked to Mr. Lynch about the ongoing problem which exists between his property and 215 Delmont Avenue. Years ago, the Township put in a large underground pipe that comes from a swale above his property. The culvert in front of his house is now collapsing into the street, and there is a sinkhole from his mailbox into the street. Mr. Miller remarked that the design of this system is ridiculous. The Township staff and engineer had been out in the past to look at it. He asked for a progress update, and added that any more heavy rains could be disastrous. Mr. Lynch remarked that he and Mr. Lanman had discussed this, and will get in touch with the engineer to go out and take another look at the property.

PRESENTATION BY JAY WENGER, SUSQUEHANNA GROUP ADVISORS, INC. ON
POTENTIAL FINANCING OF SEWER PROJECTS:

Jay Wenger, Susquehanna Group Advisors, Inc., discussed the potential financing of sewer projects. Before the Board is two sets of numbers and a parameters ordinance which would authorize moving forward with the project, which is to fund 2.8 million dollars of wastewater systems projects. Since the ordinance does require inclusion of a debt service schedule, the Board is being asked to decide whether it prefers a 20 year or 25 year financing. Mr. Wenger added the good news is that interest rates are still very attractive. In response to a question from Commissioner Paul, Mr. Wenger confirmed that the debt can be paid off early. The Board agreed it would prefer a 25-year scenario.

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve a 25-year debt service schedule for the financing. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve Ordinance No. 578, to authorize and direct the incurring of non-electoral debt through the issuance of general obligation bonds, series of 2018 in the maximum aggregate principal amount of \$3,500,000 of the Township of Lower Swatara, Dauphin County, Pennsylvania for the purpose of providing funds to (1) finance improvements and upgrades to the sanitary sewer system owned by the municipal authority of the Township of Lower Swatara, Dauphin County, Pennsylvania (the "authority") and leased to the township for operation and use, and (2) pay the cost of issuing the bonds; stating that realistic cost estimates have been made for the capital project and stating the estimated completion date for the capital project and the realistic estimated useful life of the capital project; directing the proper officers of the township to prepare, certify and file the required debt statement, borrowing base certificate, and other necessary proceedings; authorizing and directing the preparation of a self-liquidating debt report and the filing thereof and the preparation and filing of any other statements and reports required to qualify all or a portion of the debt incurred hereby for exclusion from the appropriate debt limit of the township as self-liquidating; covenanting that the township shall include the amount of annual debt service in its budget for each fiscal year; providing for fully registered bonds, date of the bonds, interest payment dates, provisions for redemption and stated principal maturity amounts and fixing the rates of interest on such bonds and providing for book-entry only bonds;

authorizing the proper officers of the township to contract with a bank or bank and trust company for its services as sinking fund depository, paying agent and registrar and stating a covenant as to payment of principal and interest without deduction for certain taxes; providing for the registration, transfer and exchange of bonds; providing for the execution, delivery and authentication of bonds and the disposition of the proceeds thereof; approving the form of the bonds, paying agent's authentication certificate and assignment and providing for CUSIP numbers to be printed on the bonds; awarding such bonds at a negotiated sale and stating that such sale is in the best financial interest of the township; creating a sinking fund and appropriating annual amounts for the payment of debt service on the bonds; making certain tax covenants with regard to the bonds; approving the content and form of a preliminary official statement and authorizing the distribution thereof and authorizing the preparation, execution and delivery of an official statement and the undertaking of certain continuing disclosure; authorizing and directing the execution and delivery of a supplement to an agreement of lease, dated November 1, 1986, between the authority and the township, as appropriate; authorizing and directing the proper officers of the township to do all things necessary to carry out the ordinance; authorizing and directing the proper officers of the township to pay issuance costs; authorizing incidental actions; rescinding inconsistent resolutions; and stating the effective date. A roll call vote was taken with the following ballot tabulation: Commissioner DeHart – aye, Commissioner Paul – aye, Commissioner Davies – aye, Vice President Truntz – aye, President Wilt – aye. Ordinance No. 578 was approved by a 5 – 0 vote. Solicitor Henninger added that he is still working with staff on finalizing numbers for the preliminary official statement.

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve the proposed agreement between Lower Swatara Township and Susquehanna Group Advisors, Inc., for the planning and execution of the issuance of a series of tax-exempt fixed rate bonds (the “2018 Bonds”) to finance improvements to the Authority’s waste water system and to pay the costs of issuance. This will be a fixed rate of \$15,000 for their services and is due and payable assuming completion. The motion was unanimously approved.

Solicitor Henninger added that there is also an agreement with RBC Capital Markets which will be handling the marketing of the Bonds. This is an update from the agreement that was signed last fall, and Mr. Lynch has already signed it in order for them to move forward. A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the

RBC Capital Markets letter dated April 2, 2018 regarding disclosures by RBC Capital Markets, LLC a Sole Underwriter Pursuant to MSRB Rule G-17 for the financing of sewer system upgrades with proceeds of general obligation bonds, Series of 2018. The motion was unanimously approved.

Solicitor Henninger reported, for the public's benefit, that the Township borrows money for the Municipal Authority because it can get a better rate.

APPROVAL OF MINUTES:

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve the Minutes of the March 21, 2018 Legislative Meeting. The motion was unanimously approved.

PLANNING AND ZONING DEPARTMENT REPORT:

Ms. Hursh referenced the reports provided for permit activity during the month. Due to the weather, the building department has been a little slow, so it has been working on updating its forms, applications and checklists.

The Planning Commission met on March 22, 2018 and reviewed the application for Zoning Docket #2018-04 Special Exception for 1878 O'Hara Lane. The Commission reviewed and discussed for recommendation the request to allow an accessory apartment on this property located in the Residential Suburban (R-S) zone. The applicant had been asking for permission to convert a garage into a separate living space for the owner's parent. The Planning Commission felt this might not be a good idea, and the applicant has since withdrawn the application.

The Zoning Hearing Board met on March 28, 2018 to review Variance 2018-03 for the Comfort Inn Property located at 1589 W. Harrisburg Pike, Middletown, at the Linden Center. Applicant is requesting a Variance to §27-2304.G.1 to allow a second building sign in the Commercial Highway (C-H) Zone. The request was approved.

An update was provide for the Buddy's Run plan. The developer has been working to get sewer comments addressed and will then resubmit revised plans. There is movement on resolution of the Overlook Drive issue in the Woodridge development.

Ms. Hursh updated the Board on MS4. She and Mr. Lanman recently met with Dillsburg Excavating on site at the Greenwood Pond; there is a sinkhole there and the pipes are totally

rotted. Dillsburg is preparing a quote for the Homeowners' Association. She also reminded the Board and public of the tree planting on April 20 at 130 Fulling Mill Road in conjunction with Manada Conservancy and Londonderry Township.

Commissioner DeHart asked if the Township had a current, up-to-date letter of credit for Morgan's Run. Ms. Hursh confirmed that it does.

Commissioner Davies asked if the contractor will commence work at the Greenwood Pond anytime soon. Ms. Hursh responded that she is not sure; the contractor was just asked to prepare the quote to determine what the work would be and the costs. She agreed the Township will need to keep an eye on that area.

Ms. Hursh reported on the resubmission of the DCNR C2P2 Planning Grant application for the Township parks and the Richard L. Shireman Park. The deadline is April 11. Ms. Hursh explained that computer issues kept her from completing it, but she did give Mr. Lynch her information to work on it while she is out of the office. She will be back on Tuesday and will finish up what still needs to be done. Mr. Lynch added this is an \$80,000 project for overall recreation and a close look at potential uses for the Shireman tract. It is a 50/50 matching grant. He also thanked Ms. Letavic and HRG for its help during this process.

Ms. Hursh referenced a discussion late this afternoon with a person who put money down for a home at The Pond at Fulling Mill. The individual had been told that the Township had stopped the project, which is not true. Vice President Truntz referenced construction signs for this project which blew over from the high winds and are now lying all over the place. He suggested the contractor either set them back up or take them down if they are not doing work. Ms. Hursh agreed to make contact with the developer.

PUBLIC WORKS DEPARTMENT REPORT:

Mr. Lanman reported on department activities, which include snow removal, working at the Little Hollywood park, completion and submission of the Chapter 94 report, and televising work. He added that there has been an odd amount of PA-1 Calls, the majority from Verizon which appears to be running conduits, mostly likely for FIOS. Street cut permits are issued for this work. Mr. Lanman added that the department will also be doing some temporary repair work for the washout at the edge of the road at Greenwood Drive and Lumber Street.

Ms. Hursh suggested the Township raise its fees for street cut permit, since the fees do not cover the costs, especially if the engineer also has to look at the plans. Commissioner Paul asked Ms. Hursh to look into this and provide a recommendation.

Commissioner DeHart suggested another “No Outlet” sign be placed on the pole near the dead end of Oberlin Road near the old Township shed. He explained there should also be a sign on the right hand side going down too to prevent trucks from going back there and having to turn around.

MANAGER’S REPORT:

Mr. Lynch reported on two recent requests to utilize Township fields for soccer tournaments (one a Hershey soccer league and the other request from leagues in State College and Philadelphia). Both asked how much would it cost to rent the fields, and currently the Township has no fee set in its fee schedule. He recommended that the Recreation Committee – Commissioner DeHart and Commissioner Paul -- work with staff and the Recreation Board to suggest appropriate fees and terms for field usage. President Wilt directed Mr. Lynch to pursue this, and added that Recreation Board member Tim Yeich may be helpful during these discussions, as he had some suggestions. In response to a question from Commissioner Paul, Mr. Lynch explained that these fees would be utilized for cleaning and maintenance. Commissioner Davies noted that any agreement for use should also provide for possible damages to the field, since he has seen this happen before. Vice President Truntz suggested that the fields only be available for rent when not being used by Township-related teams and that part of the fee received goes back to the respective Township athletic organization.

Mr. Lynch referenced a request by Londonderry Township to use the services of the Lower Swatara Township Fire Police for its 10th Annual Stars and Stripes Salute on Saturday, June 30. Chief Weikle and Acting Chief Young are both in agreement with this request. A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to authorize the services of the Lower Swatara Township Fire Police for Londonderry Township’s 10th Annual Stars and Stripes Salute. The motion was unanimously approved.

As Ms. Hursh reported, the tree planting at the end of Fulling Mill Road is scheduled for April 20. Project partners met last week, and came up with the final plan. Rather than planting

trees along the perimeter, trees will be planted starting at Route 283 and working northward in order to alleviate concerns about encroachment on existing open space.

ENGINEER'S REPORT:

Ms. Letavic reported that a stormwater feasibility study was drafted last year, and her colleagues from HRG, Tim Staub and Adrienne Vicari, are here tonight to provide a brief presentation on the findings of this study and request finalization and approval of that study.

PRESENTATION ON STORMWATER FEASIBILITY STUDY:

Mr. Staub and Ms. Vicari reviewed the goals and findings of the study and discussed the existing stormwater infrastructure, the feasibility of a Stormwater Management Authority, and the defining of a scope, scale and funding source of the Authority. Also discussed was the suggestion to implement a stormwater fee versus a tax. It was estimated that a stormwater fee would cost the average residential property owner between \$8.50 and \$10.50 per month/ERU. This figure will be more accurate once the information from the fly-over is received. Stormwater fees are more equitable than a tax, since they fairly appropriate costs to the burden that each property contributes to the system. Fees are based upon impervious area, and users pay based upon the level of service received. Fees can be collected from tax exempt users, and credits are provided based on level of service received. Incentives are also provided for businesses to reduce impervious surface. The Township would need to enact a stormwater fee under the current Municipal Authority. Public outreach and education is essential, and establishing a Stakeholder Advisory Committee (SAC) is also highly recommended.

Ms. Vicari noted that if interested, the Township should be able to get a stormwater fee in place by January 2019, but would need to get started soon, June at the latest. President Wilt asked that those making these recommendations do so from a perspective that they live here and also have to pay this fee. Ms. Vicari remarked that most communities in Pennsylvania are seeing fees between \$6.50 and \$8.50 per month. However, the majority of these do not include the new costs of the current MS4 cycle, starting in 2018. Therefore, many of these fees will need to be increased, and she anticipated they will increase to \$8.50 -- \$10.50 a month.

Solicitor Henninger strongly encouraged forming a SAC and providing adequate public education. Mr. Lynch asked him the next step in this process. Solicitor Henninger stated the

question is how to proceed once the report from the fly-over is received, and suggested it might be wise to move forward with establishing the committee. He explained that every stormwater issue that has to be paid for prior to having the fee in place is a burden to the taxpayers, as opposed to all contributors. Again, 1/3 of the Township's tax base is tax exempt, and therefore contributes nothing to the general fund. Commissioner Paul agreed that in the interim, before the fly-over information is finalized, the Township should move forward with public education and establishment of the committee. Ms. Vicari stated that most communities have 15-member committees, and these members are from a cross section of the community. Committees usually meet about once a month.

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve the preparation by HRG of a scope of work for implementation of a stormwater fee. The motion was unanimously approved. Ms. Letavic added that with this, the report will also be finalized, as it is technically just a draft.

Ms. Letavic referenced the Capital Improvement Plan – PENNVEST Funding for Stormwater Projects. The PENNVEST application is due on May 2. A resolution and letter of commitment will be on Board's April legislative meeting agenda which will finalize the project budget for inclusion in the May 2 application.

As just discussed, the scope of work for implementation of a stormwater fee should be ready for action at the April legislative agenda.

An update was provided on the Greenways, Trails, and Recreation Park Grant and DCNR Grant Execution – Old Reliance and Shope Gardens Parks. The Township received authorization from DCNR to proceed with advertising the construction of stormwater BMPs and pervious pavement walkways. At the April legislative meeting, authorization will be sought to advertise the project. Ms. Letavic explained that in order for the public to use the playgrounds over the summer, the notice to proceed for construction will be the first day of school for Middletown Area School District.

A UPS status update meeting was held on Monday. The submittal of a land development plan is anticipated to occur this summer.

Ms. Letavic reported on the Dauphin County Infrastructure Bank (DCIB) Loan – Construction – Highland Street and Summit Ridge (and Lumber Street/Greenwood Drive). HRG did put together a funding analysis for Dauphin County review for these three projects to build

justification to fund the Lumber/Street Greenwood Drive construction project with the DCIB loan. Ms. Letavic noted she had put together a memo outlining the current status of those three locations, taking one more look on how to utilize the funds that exist from the first DCIB loan proceeds and the latest one, the work that had already been authorized on Summit Ridge, and the best combination of the three needs. While Summit Ridge has already been authorized, only survey work has been done so far. The culvert does have debris issue, but the roadway around it is not yet failing. That development does have duo access. The Highland Street bridge has been closed for two years now, and was previously committed to be done through the second DCIB loan. Highland Street is a community issue, since it only has one access point to Route 441. The third location, Lumber Street/Greenwood Drive, became a high priority last July. This area also has the most traffic. Ms. Letavic stated that after looking at this again, she feels the Township, with a manageable shortfall, should be able to afford to construct the Highland Street bridge, the Greenwood and Lumber culvert, and do only a debris removal permit for Summit Ridge. While this is a change from the discussion two weeks ago, it is an important one. The recommendation is to look again at addressing the Highland Street bridge, because the Township should be able to afford to do so, and it is an access issue for the community. President Wilt asked the estimated shortfall. Ms. Letavic estimated about \$40,000, which gives time to budget for it in 2019. A motion was made by Commissioner Davies seconded by Commissioner DeHart, to approve a scope of work to replace the Highland Street bridge, funded through the Dauphin County Infrastructure Bank. The motion was unanimously approved.

SOLICITOR'S REPORT:

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve a repository property offer of \$500.00 by Trina R. Hardison for property at 70 Kathy Drive, parcel 36-004-071-070-0150. The motion was unanimously approved.

FINAL COMMENTS:

Commissioner Paul asked the Commissioners to look at their calendars and schedule a date to interview the two police candidates.

Commissioner DeHart referenced the 283 construction which is changing local traffic patterns and will increase traffic, including truck traffic. He reminded the public to be safe and use caution.

President Wilt requested an executive session immediately upon conclusion of this evening's meeting for personnel reasons.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Vice President Truntz, seconded by Commissioner Davies, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 8:58.

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

APRIL 4, 2018 WORKSHOP MEETING

7:00 P.M.

[illegible]