

## MINUTES

### NON-LEGISLATIVE MEETING – MAY 1, 2019

The May 1, 2019 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
- Elizabeth McBride, Manager
- Jean R. Arroyo, Secretary
- Peter R. Henninger, Solicitor
- Andrew Kenworthy, HRG
- Lester Lanman, Public Works Director
- Ann Hursh, Planning & Zoning Officer
- Jeff Vargo, Chief of Police

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:

Melody Wilson, 1335 Overlook Road, stated she has concerns with mail delivery, which will become more of an issue as future development occurs in this area. The residents in her neighborhood have stand-alone boxes along the curb, and there is just enough room between her and her neighbor's mailbox to park a car. This often happens, which means they don't get their mail, since the mail drivers are not allowed to get out of their trucks to put the mail in the boxes. She added that the mail on Overlook Road does not come out of Middletown but actually comes out of the main post office in Harrisburg. Mail delivery times are never consistent: 11:00 A.M. to 6:00 P.M. is the range, and occasionally even later. Ms. Wilson stated there is a federal ordinance which deals with obstruction of the delivery of mail; it is a federal offense and comes with fines and/or imprisonment. She asked that the Township and Police Department make people aware they could be penalized for this. This could be accomplished through the

newsletter, Facebook, etc. Ms. Wilson also made everyone aware of a new free service that the post office has, called “Informed Delivery.” You can sign-up on line, and the Post Office will scan the mail and send it to your email address so you know what’s coming. Ms. Wilson distributed an instructional handout she made on how to use this program.

Riley Cagle, 4204 North Progress Avenue, stated that he represents a large constituency within the Township – he is the student president of Penn State Harrisburg. He explained that he had read a very concerning article about student housing complaints in Lower Swatara. He noted he has been dealing with this same issue in Middletown Borough for many months. It concerns him because Penn State Harrisburg has a very big problem with housing insecurity. The average freshman at Penn State Harrisburg pays about \$1,500 a month for on-campus housing. There is also a problem with food insecurity because of the large costs to live on campus. These students look for housing outside the campus because it is much cheaper. One landlord in Middletown reported to him that he is charging \$825 for rent with utilities included, and that can be split among three people. Mr. Cagle explained that he is concerned with the comments from those who are asking Lower Swatara Township to implement an ordinance similar to the one passed in Middletown, which limits the number of students that can live together. This ordinance is limiting students from achieving affordable housing and is creating a huge issue with growth at Penn State Harrisburg. He stated that he does understand residents being upset that they were lied to by a development agency about not planning to rent to students. However, it’s not right to punish students because of what the development agency said. Mr. Cagle explained college students bring a lot to the area. Many businesses in Middletown are supported almost solely by the college students. He stated that he realizes the campus is located in Lower Swatara Township and is tax exempt; however, the economy benefits from the students spending money in this area. The students at Penn State Harrisburg also contribute hundreds, if not thousands, of hours of community service to this area every year. Mr. Cagle stressed that the students are Americans too, and have the right to life free and live together if they choose to. That right should be protected by this Township. Mr. Cagle added that he is working with Middletown Borough right now to hopefully change the ordinance that limits this right. He stated that it feels like it’s a bad thing to be a student now, which is a scary feeling. In Middletown, students claim there are threatening notes being left on their cars about parking. Parking is understandably an impossible issue to fix. He agreed with the comment made by one of the

commissioners at a previous meeting that “the cure is almost bad as the disease” when it comes to parking. Permit parking is not ideal. There are parking issues abundant everywhere in the state, but it is not a good enough reason to push students out when they contribute so much. He urged the Board not to consider an ordinance that would limit student housing here and put the students in an impossible situation. He asked the Board not to make students chose between eating and paying their rent. Mr. Cagle thanked the Board for its time, and stated he will exchange contact information after the meeting.

Don Wagner, 915 Oberlin Road, stated he recently attended a Planning Commission meeting here in this room. It is already hard to get people to come to the meetings, and those that do are being neglected when developers, such as Wilsbach Distributors at the last meeting, are not utilizing the presentation system. When developers come in to make a presentation, he suggested they be asked to use the presentation system in order that the residents attending can see the plans and be part of the process. It shows respect to those that take the time to attend these meetings. President Wilt stated that the developers are always welcome to use the system, but are not forced to do so. Solicitor Henninger confirmed this is not a requirement under the ordinance, but will be addressed during the codification. Vice President Truntz added that the Board does offer the public an opportunity to come up and view any plan before it.

Ed Halpern, 804 Nissley Drive, asked the status of the sale of the Williams’ farm and whether there will be a public meeting at the fire house. Ms. Hursh stated it has been about a month now since she was contacted about the possibility of a public meeting at the fire house. She had provided them the contact information, but has heard nothing since. In response to a question from Commissioner Davies, Ms. Hursh stated that no plans have been submitted.

Nancy Avolese, 1450 North Union Street, invited everyone to a free presentation on genealogy held by the Lower Swatara Historical Society on May 9 at 6:00 P.M. at the fire department.

#### APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve the Minutes of the April 17, 2019 Legislative Meeting. The motion was unanimously approved.



## PLANNING AND ZONING DEPARTMENT REPORT:

Ms. Hursh reported the warm weather has resulted in complaints about grass, weeds, trash, pets, etc. The Code Department is addressing these issues. A final inspection was done today on the first building in Woodridge. The Township has been told the building is rented, and will be occupied May 10 or thereabouts. Hershey Creamery submitted land development plans, and these still need to be recorded. The Penn State Lot Add on plan for the soccer fields is signed and will be recorded this week.

The Planning Commission met on April 25 to review the Preliminary/Final Subdivision/Land Development Plan for Wilsbach Distribution Facility. The Planning Commission did recommend approval. The plan is expected to be before this Board at its May 15 meeting. There was a lot of discussion about the traffic improvements to Oberlin Road, so hopefully they will come prepared with an exhibit of the roadway improvements.

The Zoning Hearing Board did not meet in April, since there were no new submissions.

The North Union Street sinkhole on the UPS property has been fenced off, and work to start filling it is anticipated to begin May 3. They will need to shut down part of North Union Street to get some of the equipment in; the Township will be notified when this occurs.

Ms. Hursh stated that she has no updates on the Campus Heights demo. Commissioner DeHart asked Fire Chief Weikle if he contacted Campus Heights about using this for training purposes. Chief Weikle stated he had not, but would like to do so. Ms. Hursh agreed to mention this to them.

Various permits are coming in for pools, fences, sheds, etc. There are also stormwater complaints and concerns being reported. Ms. Hursh stated that Madison Smith, MS4 Supervisor, started her employment with the Township today; Mr. Lanman will introduce her during his report. The Codes and Planning Departments are also still working on the ordinance recodification.

Chief Weikle reference the new townhouses on Overlook, and added he didn't realize the final was done on those. Today, he notified Mr. Fure about a code issue with the fire hydrant on Overlook. Chief Weikle stated that before the Township starts approving anymore of those, he would really like that hydrant to be up to where they can connect to it.

## PUBLIC WORKS DEPARTMENT REPORT:

### Introduction of Madison Smith

Mr. Lanman introduced Madison Smith, who started her new position as MS4 Supervisor today. He stated he is happy to have her here to take off some of the workload from him, as well as from Ms. Hursh and Mr. Fure.

### Spring Garden Drive closure update

Mr. Lanman reported that Redrock appeared to have everything formed and ready for concrete this afternoon. He noted he has been in contact with their foreman, and working with them thus far has been good. Mr. Kenworthy added that apparently a two-week time frame – May 15, 16 – is when that should be complete, as per the current schedule. Mr. Lanman added that this is obviously weather dependent.

Mr. Lanman provided the Board with a packet of information including sanitary sewer right of ways that the Township maintains, as well as the photos that were part of the original PowerPoint presentation given a few months ago regarding right of way maintenance. A list of traffic signals is also included. Mr. Lanman noted the last picture is one labeled Whitehouse Lane, and was not included in the original presentation. It is a bank that was mowed in the past. Over the winter, that bank sloughed off quite a bit and the photo shows the erosion of the bank where it is falling down onto the white line of the road. He added that he and Ms. Smith had talked today about the pollutant reduction ability and where the Township can gain some pollution reduction out of that if the bank can be maintained in a manner with some vegetation. Mr. Lanman cautioned that the Township must keep in mind, however, that the bank is part of private property. The Township must be very careful on how it deals with mowing on private property as opposed to doing so within right of ways. In response to a question from Commissioner DeHart, Mr. Lanman confirmed this is not pipe-line related.

Mr. Lanman noted that obviously, the Township has to maintain areas where it has guardrail. He stated that after the last discussion on this, his impression was that the Board felt that if there was danger involved to the homeowner, the Township may want to take that maintenance work on, using flagging and the right equipment. He asked if the Board could provide him with direction as far as setting a precedent and also establishing an operating procedure going forward. Commissioner Paul agreed he is all for cutting the right of way in certain spots, and feels the Township has to maintain intersections and site clearances. There are



probably other situations where it might be pertinent. He stated that in no way is he in favor of cutting banks back to where there are erosion problems. He suggested a happy medium can be worked through. Commissioner Paul added that as part of the planning process, the Township needs to make sure there is a note on the plan reminding the owners that this maintenance is their responsibility. This should be part of standard operating procedures, so property owners know upfront. Commissioner Paul added he also feels there are some property owners that would be willing to do some of this maintenance if it's simply pointed out to them. Mr. Lanman agreed much of it is an education thing, and some of this falls back to a property maintenance issue.

Commissioner Paul referenced comments about PennDot and inlet cleaning. He asked if this can be expanded to incorporate right of way maintenance. Mr. Lanman agreed he has asked about this and is awaiting an answer. The question will come down to how much they want the Township to do. If it is all-inclusive for the Township to do every state right of way, it is probably not a good idea. However, if they allow the Township to pick and choose, it may work. Mr. Lanman explained he is awaiting a proposal from PennDot to include inlet cleaning and sign replacement. This would be the same agility agreement the Township has with PennDot for winter maintenance; it would be a matter of amending it to include these additional items.

Commissioner DeHart questioned the Township's equipment and asked if having a smaller tractor with a boom can cut smaller areas. He suggested this could help with getting the work done faster and more efficiently. Commissioner Paul questioned if this smaller tractor could be used jointly with the Municipal Authority to get into sewer right of ways. Commissioner Davies recommended that this be kept in mind for the next budget. Commissioner DeHart stated that he has no problem with purchasing equipment to get the job done more efficiently and safely. Vice President Truntz agreed that if this equipment is not extremely expensive, the Township may want to purchase it sooner rather than later. Mr. Lanman was directed to look into the cost of purchasing an off-set mower and report back to the Board. He will also follow up with PennDot about the agility agreement. Mr. Lanman asked if the Board is okay with doing intersections and sight distance type maintenance. The Board agreed, and recommended one pass be made on banks that grow over the white lines and pose an issue. It was also recommended that staff work with the property owners to resolve right of way maintenance issues.

Commissioner Davies noted that on Spring Garden when approaching Lumber Street, there is a steep bank on the south side, and sometimes trees and branches fall down there. Mr. Lanman explained the church across the street actually owns that property, and sometimes the Township does have to deal with what comes down onto the road. This will be part of the education process.

Mr. Wagner asked if this maintenance plan includes the corner near the old fire house. If it doesn't, it should due to safety. In order to make a left turn, a driver has to pull out almost onto oncoming traffic to see. Someone is going to get hurt here as it grows over with vegetation. Commissioner DeHart added that the problem is on the north side too. Since this is a site distance issue, he agreed this should be included in the maintenance plan.

#### MANAGER'S REPORT:

##### Newsletter

Ms. McBride noted that there will be a newsletter coming out towards the end of the month; it will be mailed to residents and placed on the website.

##### Grants' Review

EIP Phase 1 has a remaining balance of \$11,400. Ms. McBride explained that she needs to submit a letter asking that they hold this for the Township; the Township will then need to come up with ideas on what to use the money for. She asked Board authorization to write the letter. Commissioner Paul asked the deadline to do so. Ms. McBride responded the deadline is sometime next week. The Board agreed to have Ms. McBride follow through with a written request.

EIP Phase 2 is for software and installation. Ms. McBride explain that she wants to move some money around within the grant as far as categories. She would like to purchase some new laptops, and then reduce what was originally proposed for consulting. She asked Board permission to write a letter to DCED requesting this. The Board expressed no objection to this request. Ms. McBride added that in the near future, she will also be asking authorization from the Board to bring in PlanIt, which is a time keeping system that many PA police departments utilize. In response to a question from Commissioner Davies, she explained that this will probably be used solely by the Police Department.

#### Software installation update

Update of the software is moving along, beginning with the Municipal Authority and sewer billing information. Hopes are to have the first bill go out July 1. A letter will soon be sent to the customers informing them of the new format, which will be invoice-style as opposed to a postcard. Ms. McBride added that the use of automated payments will also be strongly encouraged. More information on this will be forthcoming.

#### MS4 new hire – Madison Smith

A motion was made by Commissioner Paul, seconded by Commissioner Davies, to approve the hiring of Madison Smith as Lower Swatara Township MS4 Supervisor. Ms. Smith will also assist the Public Works Director and the Planning and Zoning Coordinator. The motion was unanimously approved, and the Board welcomed Ms. Smith aboard.

#### Local Share Grant

Ms. McBride reported that the Township received official notice that the local share grant for \$181,276 has been approved and is ready for execution. She asked that the Board accept the grant. A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to accept Grant Agreement No. 2019-20, with the correction that the reference to second-class township be revised to first-class township. The motion was unanimously approved.

#### ENGINEER'S REPORT:

Andrew Kenworthy, HRG, referenced his written report, and stated there are no significant updates. The repair on Spring Garden Drive is moving along, as well as work at the Old Reliance and Shope Gardens parks. Advertisement for work associated with the Highland Street and Lumber Street bridges will move forward.

#### SOLICITOR'S REPORT:

Solicitor Henninger requested the Board convene into executive session immediately upon conclusion of this evening's meeting to discuss an inter-municipal issue.

#### GOOD AND WELFARE:

Commissioner DeHart reported that the Rec Board met earlier this evening. In the last month, they inspected two playgrounds, Old Reliance and Woodridge. Plans are to meet on



May 20 to go through Greenwood and Shopes, and possibly do a third playground if time permits. The goal of the Rec Board over the next two months is to visit and inspect all parks. They will serve as “extra eyes” to help out. Commissioner DeHart also thanked the Fire Department for its appreciation dinner, and the volunteers for all the time they give to keep everyone safe.

Commissioner Davies welcomed Ms. Smith on board. He thanked the citizens for their input tonight, and referenced Ms. Wilson’s comments about parking in front of mailboxes. He agreed that he has experienced this in his neighborhood. The Board will need to look into what can be done to address this.

Commissioner Paul commented that residents having on-lot septic systems received correspondence from the engineer asking for cooperation to fill out a questionnaire. He explained this is part of the update of the Act 537 Plan which pertains to sanitary sewer related facilities.

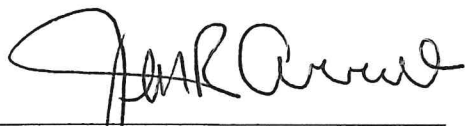
Vice President Truntz also welcomed Ms. Smith on board, and thanked the Fire Department for its nice appreciation diner last Saturday night. This was a reminder of what a great group of volunteers the Township has; a group that volunteers significant time between training and calls. He also thanked everyone for coming out tonight.

President Wilt welcomed Ms. Smith and thanked the public for coming out tonight. He agreed that the Fire Department appreciation dinner is always a very nice event. He added that it is quite impressive to see how much time these members volunteer to keep the public safe.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner Davies, seconded by Vice President Truntz, to adjourn and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:56 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

MAY 1, 2019 PUBLIC HEARING (6:45 P.M.) FOLLOWED BY WORKSHOP (7 PM)

Name/Organization	Address/Contact Information
Melody Wilson	1335 OVERLOOK RD MTN
John Weikle	LSFD
Lynn Hays	Press & Journal
Dale Messick	101 Greenfield Dr
Riley Carr	4204 N Progress Dr
Zandy Miller	217 Delmont Ave
Marcy Avolese	N Union St.
Tracey Bechtel	2 Berliey Dr
Jeff Asst	
Dan Wagner	915 Dublin Rd
Steve Seiden	465 Brunswick
Ed Halpern	804 Nisky Dr.
Laurie Castagna	1901 Scarlett
Carolyn Letz	Woodridge Dr.
BRUCE HARTER	STRITES RD.