

MINUTES

NON-LEGISLATIVE MEETING --- MAY 2, 2018

The May 2, 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:

John Weikle, 1264 Overlook Road, explained he is here representing his wife Kori, who is President of the Woodridge Homeowner's Association, but could not be here tonight. Last year, she had requested that a basketball hoop be put up in the Woodridge community park to try to eliminate the use of portable hoops in the street or in the driveways along the townhouses, where the balls are being bounced off cars. This is just a reminder that the hoop would still be very much appreciated. Also, the Homeowners Association will be meeting this Saturday, and Ms. Weikle is requesting an update on the paving issue. Solicitor Henninger explained that he has no further updates other than what was reported last meeting. Ms. Letavic reported that she had spoken to the developer's engineer today, and he anticipates submitting a Land Development Plan for the May Planning Commission Meeting. If the plan goes through the process with

relatively few hurdles, there could be plan approval this summer. Should they get into construction phase, paving is part of the scope. Mr. Weikle added that on a personal note as Fire Chief, he would like to thank all the Commissioners for attending the Fire Department's banquet last Saturday night. The attendance of the Board was very much appreciated by the members, and gave them a feeling of a better connection with the Commissioners. The Board thanked the Fire Department for the nice evening, and thanked Chief Weikle and the volunteers for their service.

APPROVAL OF MINUTES:

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the Minutes of the April 18, 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. Final inspections coming up include the Comfort Inn, which hopes to have its temporary certificate of occupancy by Friday. A final inspection was done on the Rehab Addition at the Middletown Home. Both the Middletown Home Canopy and Comfort Inn projects are nearing completion. Complaints addressed including the issuance of two citations for property maintenance. The Phoenix Contact Warehouse project has started, and a preconstruction meeting was held this week for the 300 Capital Lane warehouse project.

The Department went through a successful Access Audit with Labor and Industry on April 24, 2018.

The Planning Commission met on April 26, 2018 and was to review File #PC2018-01 Campus Heights Village III, LP for a sketch plan to combine 32 parcels into one new parcel, vacate select existing streets and construct 14 student housing buildings (84 units for a total of 336 bedrooms). The properties are generally located north of High Street, south of Dauphin Street, west of N. Lawrence Street and east of the Borough of Middletown line. Ms. Hursh explained that due to some miscommunication, the applicant did not attend the meeting, so the plan was not discussed. It will be on the upcoming agenda of the Planning Commission.

The Zoning Hearing Board will meet on May 23, 2018 to review Variance 2018-05. Applicant is requesting a Variance to §27-704.1.A.3 to expand an existing rear patio into the rear yard setback.

A pre-application meeting was held for the Star Barn Duplexes project.

Recent MS4 projects include the April 20 tree planting project at 130 Fulling Mill Road in conjunction with Manada Conservancy and Londonderry Township.

Ms. Hursh referenced the erosion problem at FedEx at the end of Fulling Mill Road. She had written a letter in January asking them who is responsible for this, since the plans says it is PennDOT. A reminder letter was sent last week, and FedEx has indicated that it is being looked into.

Mr. Jenakovich attended a two day energy class in order to obtain his energy certification. Ms. Hursh added that next Monday and Tuesday, she will attend certified stormwater inspector training.

In response to a question from Commissioner Paul, Ms. Hursh reported that the Star Barn Duplexes proposes six buildings with a total of twelve units. Commissioner Davies asked its location in regards to Route 283. Ms. Hursh explained that the units will be right up against Route 283. Commissioner Davies also asked what an Access Audit involves. Ms. Hursh explained that Labor and Industry does these to make sure that those who sign the plans in the Code Department have their certifications to do so. Mr. Lynch added that it also ensures that people that come in with plans have the accessibility they need, such as parking, brail if necessary, etc. Since the Township did so well on this audit, it may not be audited for another five years.

Vice President Truntz referenced the construction signs for The Pond which are lying all over the place, and asked if they could be moved back onto their own property. Ms. Hursh stated that since there still doesn't appear to be work being done there, she will make contact with the developer about this.

President Wilt stated he has heard jackhammering late at night at the TE Connectivity property on 2800 Fulling Mill and heard the noise again when he was leaving his home this evening. Ms. Hursh stated she is not aware of any work being done at this location, but will look into it.

PUBLIC WORKS DEPARTMENT REPORT:

Mr. Lanman reported on recently completed jobs, which include temporary repair to a culvert washout at Greenwood and Lumber Street, the tree planting project at 130 Fulling Mill Road, and fabrication by Township mechanic Rodger Mason of a custom grate to fit an inlet near the Airport connector bridge on Stoner Drive. GIS inlet inspections and data entry into the GIS system is complete; there are a lot of inlets to clean. This storm system work is part of the creation of a stormwater capital improvement plan (CIP).

There are quite a few projects in the works. The closure of Cockley Road is due to a pipe that failed near a resident's home, very close to the road. The pipe was replaced and a new inlet was also put in. Paving will be done tomorrow to complete the project. Road patch work will be done on Strites Road and on Rosedale Avenue near Stoner Drive; these areas will also need to be milled out. Both areas are shaded by trees and see a more severe freeze thaw than most of the roadways. The Department is also working at the pothole at 217 Delmont Avenue to find the pipe location. The staff has been working with the property owners on the dam project on Powderhorn Road. The Public Works Department will get that cleared out in the next few weeks, and HRG will then be brought in to perform the inspection.

Mr. Lanman reported that he and Ms. Hursh went out last week to take a look at the property on Greenwood Drive that has a storm "raceway" -- a 6" wide sidewalk with curbing on both sides that goes down into the stream. There is a power pole back here, and water is somehow washing out around this power pole. Mr. Lanman met with PPL on site and will meet with them again to see how they can stabilize that pole which has underground feeds. Work will then be done to keep that bank stable and to repair the curbing. He and Ms. Hursh are also working on another repair at the end of Turnpike Industrial, where there is a pipe set with cinder blocks on top of it. This is the private part of the system, so attempts will be made to get ahold of the property owner, who is not local. Mr. Lanman stated this needs to get fixed before it causes any more damage.

Mr. Lanman reported that live stakes had again been planted off Meade Avenue as part of the Meade Avenue/CVS stream monitoring project. The Township has an obligation to ensure that the stream restoration remains in place, but unfortunately in the past years, there was a problem with landscapers from CVS cutting the stakes down. He and Ms. Hursh are attempting to contact CVS to make sure this does not happen again. There will probably need to be about 120 more live

stakes, at a total cost of \$120, planted in order for DEP to sign off on the project, hopefully this time next year. President Wilt recalled that last year, the Board decided CVS would be given final notice that it would be financially responsible for any further problems created by cutting down these stakes. Mr. Lanman explained that unfortunately, the problem now is not from mowing the stakes down, but from the heavy rains experienced this year. Solicitor Henninger added, however, that there would be no issue now if CVS had not cut the stakes down a few years ago.

Mr. Lanman reported that the Department will be conducting maintenance on ditches throughout the Township over the next few weeks. The crew is finishing the infiltration trench at Little Hollywood to handle the water that is washing out around the outfield fence and along the new pathway. Street sweeping continues.

Commissioner Paul asked if Mr. Lanman had an opportunity to look at the hole on Georgetown Road. Mr. Lanman explained this was from the contractor that was here last year doing the subsurface utility exploration work to make sure there are no issues for the PennVest project that was going in there. It was filled in, and the contractor was contacted and did come back to address anything that was their responsibility. He added that he believes the maintenance term of that contract has expired, so the Township will now be responsible for any issues.

Mr. Lanman noted that at this morning's manager's meeting, there was discussion on the need to strengthen the Township's street cut permit ordinance. This is being looked into.

Commissioner DeHart asked if the paving of the area of 2142/2143 North Union, which was supposed to be done last year after the microsurfacing, is scheduled. Mr. Lanman responded that it will be done this month, and he did email Stewart & Tate today to ask them to come out ahead of time to make sure they are happy with the repairs prior to the paving. Commissioner DeHart also observed that North Union Street, south of Longview Drive, appears to be sinking. Mr. Lanman stated that it is probably due to all the truck traffic. However, not much will be done to North Union Street until the Township knows what is happening there. Commissioner DeHart also asked that an eye be kept on Fiddlers Elbow Road, which seems to be drifting more towards the creek.

Commissioner Davies referenced the work on Strites Road, and asked if this is where the Swatara Township line begins; it seems this section of roadway is blowing up. Mr. Lanman explained the work is being done south of the orchard and not on this section. He agreed to take a look at it, and stated this may need to be an add-on when other paving is done in the Township.

MANAGER'S REPORT:

Mr. Lynch called the Board's attention to a proposal from Cohen Law Group to lead joint municipal cable franchise renewal discussions with Comcast. The federal Cable Act gives municipalities and cable operators a three-year window to negotiate renewal; the Township's agreement expires in 2020. Discounts kick in with more municipal-participants. Solicitor Henninger noted that he had contacted Mr. Cohen to remind him that the Township recently did an audit of Comcast services. Mr. Cohen will get back with a revised figure, since the proposal submitted includes cost for an audit. Consideration of the proposal will be placed on the agenda of the Board's May legislative meeting. Mr. Lynch added that telecommunications law is very complex, and hiring a professional in this field is money well spent.

Mr. Lynch updated the Board on the interviewing for two police officers. The selected candidates are Spencer Rios and Antonio Gonzalez, Jr. Conditional employment letters have been drafted for both candidates and are in front of the Board this evening. A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve the conditional hiring of Spencer Rios and Antonio Gonzalez Jr. as Lower Swatara Township Police Officers, subject to terms of conditional employment letters, with a start date for both of May 14, 2018. The motion was unanimously approved.

After several rounds of interviews in conjunction with the search for a new Township Manager, a conditional employment letter for the selected candidate is also before the Board this evening. A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the appointment of M. Elizabeth McBride as the new Township Manager, subject to terms and approval of a conditional employment offer letter, with a start date of May 14, 2018. The motion was unanimously approved. Ms. McBride introduced herself to the audience, and noted she looks forward to serving the Township, as well as becoming a resident here in the next several months.

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, that contingent upon the acceptance of the manager's position by Elizabeth McBride and honoring a negotiated agreement that the Lower Swatara Township non-uniformed pension plan allow for an 8-year vesting schedule for this position and this individual, an ordinance be prepared and advertised modifying the non-uniformed pension plan as described. The motion was unanimously approved.

Mr. Lynch reported that prior to this meeting, he along with Commissioner Paul and Commissioner DeHart met with the Township Recreation Board. Two key matters were discussed. One was the request of the Hershey Soccer Club to use the Greenfield soccer fields on May 26 and May 27 for a tournament. Since the Township has no real fee schedule for use of fields, the amount proposed was \$500 per day, with the requirement that proof of insurance be provided to the Township. Mr. Lynch added that the Hershey Soccer Club will stripe/restripe the fields and bring everything needed, including their own concession stands. Vice President Truntz asked if the staff had spoken to the Township soccer organization about providing concessions, as these visiting events are often money makers for the Township's athletic organizations. Mr. Lynch stated he doesn't believe this has been done, although ORSA is aware of the request to use the fields. Commissioner Paul agreed it might be worth following through with this. A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to permit Hershey Soccer Club use of the Greenfield Park soccer fields on May 26 and May 27, at a fee of \$500/day and with a certificate of insurance naming the Township as additional insured. The motion was unanimously approved. The Recreation Board also discussed the desire to put together a field use policy/program. Mr. Lynch stated that he has obtained a sample policy from a neighboring township which can be used as a model during this process.

ENGINEER'S REPORT:

Ms. Letavic referenced the Capital Improvement Plan – PENNVEST Funding for Stormwater Projects – Rosedale Manor. The Township is officially in the queue for a PennVest review for the project. The next step may be a public meeting to discuss the need for easements, as there will be a significant amount of private property impacted by the project. Ms. Letavic added that she anticipates coming up with an exhibit this month for the public to view and learn more about the project. HRG will wait for Board/staff direction on proceeding with the easements.

The Greenways, Trails, and Recreation Park Grant and DCNR Grant Execution – Old Reliance and Shope Gardens Parks project – is out for bid. Project drawings were posted in the Board room but were used for the Recreation Board meeting earlier this evening. They will be put back up for the public to see the locations of the stormwater BMPs and pervious pavement walkways. Notice to proceed for construction is the first day of school for the 2019 MASD

school year. The bid opening is June 7, so it is anticipated an award can be made at the June legislative meeting.

An update was provided on the Dauphin County Infrastructure Bank (DCIB) Loan – Construction – Highland Street and Summit Ridge [and Lumber Street/Greenwood Drive]. The Highland Street survey and design is underway, and the Summit Ridge design is on hold pending the DCIB loan scope change review by the County. 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 was submitted to the County. It is anticipated they will request a meeting to further discuss this.

Preliminary roadway plans for the UPS Land Development Plan have been submitted to HRG and are under review by Township staff. These are very preliminary, but the intent is to honor the desire to have pedestrian and/or bike path accessibility from the interchange to the property. Commissioner Paul asked to make certain that the intersection of Longview Drive is widened, since the turning radius is horrendous there. Ms. Letavic explained that they are not yet at the geometry phase, but she will make a note of this.

The DCNR C2P2 Planning Grant – Township Comprehensive Park and Recreation Plan and Richard L. Shireman Park is under review. The anticipated notice of award is last quarter 2018/first quarter 2019.

Ms. Letavic reported that tonight's agenda includes possible action on a scope of work to complete implementation of a stormwater utility through the Township's existing Authority. A feasibility study was done and presented earlier this year, and an aerial flight was conducted to collect impervious coverage data. At the Board's last meeting, the Commissioners discussed consideration of a scope of work for the implementation of a stormwater fee, but delayed action on the scope in order to review it a bit further. Commissioner Davies asked if the pricing of the scope is the same as was presented at the last meeting. Ms. Letavic confirmed that it is since it is a time and materials basis. For budgeting purposes, \$64,000 is a good estimate. Vice President Truntz observed that almost \$33,000 is budgeted for the Stakeholders' Advisory Committee (SAC) facilitation and public outreach, which seems very high. Ms. Letavic explained that typically, there are a total of six meetings, each about two hours in length and staffed by one or two people. There is a considerable amount of work and research required after the first several meetings. Ms. Letavic explained that this is a significant educational campaign to help the

public understand the need for this new expense. Costs can be scaled down as needed, and if the staff and Board pick up some of the load, HRG will gladly hand it off to reduce costs.

Commissioner DeHart stated that he now has eight names to submit to Mr. Lynch for potential committee members, and suggested stakeholders from Penn State, SARAA, T.E. Connectivity, Phoenix Contact, etc. Ms. Letavic explained that a typical committee has about fifteen members, and this number usually includes the elected officials. Solicitor Henninger added that he had emailed the Board a list of Hampden Township's SAC members as an example. In response to a question from Commissioner DeHart, Ms. Letavic confirmed that this expense was included in the Penn Vest application budget. If approved, 50% will be reimbursed through the state. Solicitor Henninger added that if necessary, the balance can also be reimbursed through the stormwater fee if implemented. A motion was made by Commissioner Paul, seconded by Vice President Truntz, to recommend a proposal for engineering, financial, and related services to implement a stormwater utility in Lower Swatara Township. The motion was unanimously approved. Ms. Letavic asked the Board to submit to her some tentative evening meeting dates to begin the process, and to think about the end-point deadline. Initial discussion was to have the fee in place by January of 2019, but this can be floated. However, once the date is set, it should be adhered to.

SOLICITOR'S REPORT:

Solicitor Henninger reported that before the Board tonight is an ordinance which would amend Ordinance No. 578 to include a statement regarding the realistic useful life for the Capital Project. Tim Horstmann, McNees Wallace & Nurick, which serves as bound counsel, explained that DCED came back and asked that the ordinance be amended to add a statement to include specific reference to the capital project and useful life. It is a small amendment; there are no other changes to the ordinance. A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve Ordinance No. 579, which amends Ordinance No. 578 to include a statement regarding the realistic useful life for the Capital Project in accordance with Sections 8103(a)(1)(i) and 8142(a)(2)(i) of the Debt Act. 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. 579 was approved by a 5 – 0 margin.

Solicitor Henninger reported that a quorum of the Board of Commissioners had met in executive session on April 26 at 6:00 P.M. to discuss the final negotiations of the manager's contract, which was approved earlier tonight.

Mr. Lynch referenced an Addendum to the Bond Purchase, and asked if any action needs taken on this item. Solicitor Henninger explained that the President will need to sign it in order for the bond sale to go through on Friday. No other action is necessary.

FINAL COMMENTS:

The Commissioners thanked the Fire Department for a wonderful banquet, and expressed their congratulations and welcome to the two new police officers and the new manager.

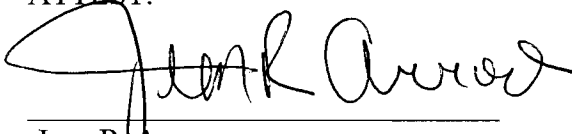
Commissioner DeHart reported that he had attended a meeting of the Olmsted Recreation Board last week, at which time discussion focused on the switch over to MARA and the hiring of a Director.

Commissioner Paul requested an executive session for personnel matters.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Vice President Truntz, seconded by Commissioner Paul, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned 8:01 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 2, 2018 WORKSHOP MEETING

7:00 P.M.

[illegible]