

## MINUTES

### NON-LEGISLATIVE MEETING – NOVEMBER 1, 2023

The November 1, 2023 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
- Michael J. Davies, Commissioner
- Ronald J. Paul, Secretary
- Christopher DeHart, Commissioner
- Zachary Border, Manager
- Jean R. Arroyo, Secretary
- Mike McAuliffe Miller, Solicitor
- Shawn Fabian, HRG
- Don Fure, Director of Codes and Planning
- Richard Snyder, Planning and Zoning Coordinator
- Scott Washinger, Public Works Director
- Brian Davis, MS4 Coordinator

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 COMMENT: None

### APPROVAL OF MINUTES

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the Minutes of the October 18, 2023 Legislative Meeting. The motion was unanimously approved.

### ADVERTISEMENT OF PROPOSED BUDGET ORDINANCE AND TAX ORDINANCE

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve intent to advertise the 2024 budget ordinance and tax ordinance, and to make the preliminary budget available for public inspection as required by law. The motion was unanimously approved.

## RESOLUTION NO. 2023-R-18, INTERMUNICIPAL AGREEMENT

The Board discussed proposed Resolution No. 2023-R-18, an intermunicipal agreement between Lower Swatara Township and Swatara Township allowing Swatara Township to provide sewer services to residents of Lower Swatara Township in the sewer infrastructure project area and to manage certain gravity conveyance facilities; a pumpstation; and certain force main conveyance facilities from the pumpstation to the municipal boundary between Lower Swatara Township and Swatara Township. Mr. Fabian noted this was previously reviewed through by the Municipal Authority. Joel McNaughton, representing the McNaughton Company, explained that this is a long-term project to provide public sanitary sewer to a large portion of Swatara Township. A portion of this infrastructure project extends into Lower Swatara Township, including along properties located on Fiddlers Elbow Road in Lower Swatara Township. The resolution is the Township's concurrence that those certain facilities would be within Lower Swatara but owned and maintained ultimately by Swatara Township. In response to a question from President Wilt, Mr. McNaughton confirmed that there will be no cost to Lower Swatara Township. There are a few Lower Swatara properties that could be served by these gravity lines and the developer would pay those costs. Commissioner DeHart asked Mr. Fure if these residents were approached to see if they were interested in this possibility. Mr. Fure confirmed that letters were sent out. Two property owners expressed interest in hooking in but were hesitant to commit since they did not know what the costs would be. They should probably be contacted again to advise them that McNaughton has agreed to pay the costs. In response to a question from Commissioner Paul, Mr. McNaughton stated that the resolution at this stage permits the location of the facilities. The hard design has not even begun yet. Design, surveying and permitting will probably take several years. During the design stage, McNaughton would identify those properties and how they would connect. To the extent that the Township is seeking a commitment from McNaughton to cover costs for those four or five properties in Lower Swatara, Mr. McNaughton confirmed that they are committed to do so.

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve Resolution No. 2023-R-18, an intermunicipal agreement between Lower Swatara Township and Swatara Township allowing Swatara Township to provide sewer services to residents of Lower Swatara Township in the sewer infrastructure project area and to manage certain gravity conveyance facilities; a pumpstation; and certain force main conveyance facilities from the



pumpstation to the municipal boundary between Lower Swatara Township and Swatara Township. The motion was unanimously approved.

#### PUBLIC WORKS LABORER HIRES

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve the hiring of Tammy Carter for the position of Public Works Laborer starting November 6, 2023. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the hiring of Matt Stoner for the position of Public Works Laborer starting November 6, 2023. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the hiring of Barry Urich Jr. for the position of Public Works Laborer starting November 6, 2023. The motion was unanimously approved.

Ms. Carter and Mr. Urich were in attendance and were welcomed by the Board.

#### DEPARTMENT REPORTS:

##### *Planning and Zoning/Codes Department:*

Mr. Fure presented the monthly report. Active projects include Wawa, 900 Rosedale, Capital Valley Business Park, Lot 3 & Lot 4 and Illuminated Integration.

The Zoning Hearing Board will meet on November 21 to hear a request by Allied Properties at 2751 Spring Garden Drive for an extension/enlargement of an existing Special Exception to §27-1004.3. Outdoor Storage of Material or Equipment and for variances for side-yard relief and coverage. The Zoning Hearing Board will also consider a variance for property at 699 Fulling Mill Road for height of an accessory structure over 14'. Commissioner DeHart commented that similar requests were received in other areas of the Township and were frowned upon.

The Planning Commission will meet on November 16 and will review plans for the MASD New K-3 Elementary, the North Union & Oberlin Watermain Extension, and Cramer Auto LDP.

The Pond, Building A remains prepared for permit issuance, pending plan recordation. A building permit was issued for Building 1, and building permit applications are under review for both Building B and Building 12. A building/zoning permit application is under review for the Catherine Hershey School.

*Public Works Department*

Mr. Washinger referenced the Cramer Auto project on Route 230 and stated one of the laterals on 230, right across from Avis, is encased in a section of concrete and may need to be looked at if there are ever any problems down there. Mr. Washinger also referenced the upcoming water line work on North Union Street, from Fulling Mill Road down to the High School. With the Board's permission, he would like to coordinate some paving work with Veolia's contractor. Because Veolia is paving the one full half section, it would be nice to get the other half section done at the same time. Veolia has agreed to do this through its contractor. Mr. Washinger added he is exploring funding possibilities, including use of liquid fuels tax, but is unsure if this contractor can be used without separating it out. This is all very preliminary and will need further investigation.

Leaf collection has started, and parks are being mowed as needed. Due to cold temperatures, the parking lot sealing has been delayed until spring. Some crack sealing of problems areas has been done in the meantime. Lumber Street is being paved in the area slightly above Spring Garden up to Conway. Milling, base, and top will be completed by Friday according to the contractor. Another water main break was detected in Woodridge, and it was flooding out the areas in the park.

Vice President Truntz asked if anyone was able to look at the Fire Department's driveway. Mr. Washinger stated his recommendation is that the entire driveway needs to be replaced; it was repaired once and is deteriorating. Vice President Truntz stated a cost analysis should probably be performed.

*MS4/Stormwater Department:*

Mr. Davis reported that a memo regarding the proposed price scheme for WREP was sent out a few weeks ago. While this model was to be voted on by members at the October 25 meeting, that meeting had to be canceled due to scheduling conflicts. Mr. Davis explained that in the meantime, he has provided a cost breakdown to the Board. He commented that in its current form, it is a well-thought-out model, with a fee that seems accessible to all municipalities. In response to a question from Commissioner DeHart, Mr. Davis explained the choice of which level of service to be provided will be up to the Board. However, his recommendation is tier-level C since the benefits would be very helpful and enhance the program. The Township could then reassess this in 2026. For two years, the cost would be around \$32,000 - \$33,000.



The Township has planted several trees around the Mead Avenue stream culvert. The Public Works crew has cleared away some blocking debris and invasive vegetation. This should satisfy the Township's requirements for its DEP permit.

#### MANAGER'S REPORT:

##### *Strategic Management Planning Program*

During the budget process, the idea of participating in the Strategic Management Planning Program was discussed. The Township had participated in this plan about five years ago. It involves the hiring of an independent consultant to come in and review finances and management practices for the Township and then provides a 3-to-5-year plan. There are also grants for what is implanted as part of the recommendations of the plan. Last time the cost was \$69,000, and \$38,000 was reimbursed from the state. State funding for this would probably not be available until the summer of 2024.

##### *IT*

Mr. Border reported that the IT Committee has concluded that the Township should move its IT services from PointSolve to Intermix. The Solicitor is reviewing the draft contract for possible approval at the next meeting. Solicitor Miller stated there are some indemnity issues and cancellation terms in the contract that he is uncomfortable with. Hopefully, they can be worked out. Mr. Border added that Intermix is waiving the getting-started charges and the Datto (digital backup) fee.

##### *EIT and LST Collection*

Mr. Border referenced the collection of Per Capita and Occupation taxes. Keystone, which currently collects the EIT and LST, would like to collect all the taxes including the Per Capita and Occupation taxes. They will have a draft contract to the Board soon for review. Commissioner DeHart recalled that at one time, the Township had one collector but there were some problems with them not updating their list. Commissioner Davies stated he recalls that every municipality in the County was forced by state legislation to adopt one collector or other and the Lancaster company, who did the EIT at that time, was not on that list. Commissioner Davies stated he wants to ensure the selected vendor has the lowest rate of delinquencies.

### *Logo*

The graphic artist that staff has been working with has provided a few more sample options. Commissioner DeHart suggested removing the “Middleown, PA” from the center and replacing it with a picture of the monument out front or the Township building. Commissioner Davies questioned the founding date listed. Commissioner DeHart suggested that the Historical Society be contacted to make sure the dates are correct.

### *Hazard Mitigation Program*

Mr. Border also updated the Board on the hazard mitigation program. The Township’s submission is moving to the award stage. Hopefully, the award will be announced this month for the buy-out of several flood—prone properties in Jednota Flats.

### ENGINEER’S REPORT:

Mr. Fabian reported that the Gweled Infrastructure Replacement project schedule is moving ahead, with milling to start on Friday and then paving next week. There were notices placed in front of residences to not park along those streets. Mr. Fabian noted that the paving is just for the binder course. With the cold weather, it looks advantageous to push the final wearing course paving to the spring. In response to a question from Commissioner Paul, Mr. Fabian confirmed that the manholes will be protected in the meantime by binder course with wedges.

Survey and design for the Rosedale Avenue Culvert Replacement Emergency Project (just east of Stoner Dr) was completed and preliminary design was provided to staff and provided to Veolia water to finalize their waterline replacement project. Mr. Fabian anticipated this repair should be able to be completed within the next couple weeks.

Bid specifications, project manual and final construction drawings are being prepared for the Richard L. Shireman Park Design and Permitting. A meeting was held with the Recreation Board earlier tonight to review some of these documents. No revisions were suggested.

Survey and geotechnical field work are both complete for the new salt shed.

Vice President Truntz referenced Greenfield Drive at Route 441 for the new school project and recalled a traffic study was to be done. He asked if this was completed. Mr. Fabian explained that there was a preliminary review from HRG with comments. There was a full submission for land development so HRG is going through stormwater, subdivision and land development, etc. on this right now. Vice President Truntz stated he is mainly referring to visibility. Commissioner



DeHart asked if PennDOT had answered their questions yet. Mr. Fure stated that he had talked to Bill Meiser of the School District today, and they do not have word yet from PennDOT regarding what upgrades are going to be required on Oberlin Road.

GOOD AND WELFARE:

Commissioner DeHart reported that there is a request to use the park in Old Reliance on June 22, 2024 (10 AM – 2 PM) for Cars in the Park.

Commissioner Davies thanked Mr. Border, Ms. McClain, and the department heads who participated in the budget process.

Commissioner Paul referenced Mr. Border's report about the Strategic Planning and added it might be a good idea to look at the benefits received last time since participation is at a significant cost. He also referenced the budgeted presentation tonight and the significant dollars mentioned for development of the Shireman Park. Commissioner Paul stressed that none of those dollars came from budgeted tax-payer dollars. The money that was transferred into the Recreation Fund was dollars from real estate transfers that took place over the course of many years.

Vice President Truntz requested an executive session immediately upon conclusion of this evening's meeting for personnel matters and intermunicipal agreements. He also welcomed the new employees on board and expressed his thanks to the Budget Committee and staff for all their efforts in putting the budget together.

President Wilt also welcomed the new employees and thanked everyone who worked on the draft budget document.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

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

ATTEST:



Jean R. Arroyo  
Township Secretary

PLEASE **PRINT** NAME CLEARLY  
BOARD OF COMMISSIONERS

**NOVEMBER 1, 2023 SPECIAL BUDGET MTG. (6:30 PM) &  
WORKSHOP MEETING (7:00 PM)**

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