

## MINUTES

### NON-LEGISLATIVE MEETING – OCTOBER 4, 2023

The October 4, 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
- Christopher DeHart, Commissioner
- Zachary Border, Manager
- Jean R. Arroyo, Secretary
- Brett Flower, 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
- Dominic Visconti, Chief of Police

Absent: Ronald J. Paul, Assistant Secretary

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:

Laurie Castagna, 1901 Scarlett Lane, referenced comments made at the last meeting regarding a Township code or ordinance that states that more than 24 houses in a development requires two entrances/exits into the development. She observed that Morgan's Run has over 30 houses but only one entrance/exit. Ms. Castagna asked how this was permitted. Mr. Fure explained this development came in during the early 2000's. The problem was the second entrance would have gone over several gas lines. It also has a steep slope. He added that he believes the developer did get a variance at that time for one entrance only. Mr. Fabian stated it is also important to note that there are two different subdivisions back there: Morgan's Run and

Buddy's Run. The original Morgan's Run was under the 25 limit. When Buddy's Run came in, they were looking at two entrances/exits but there were too many environmental and utility issues to overcome. Ms. Castagna stated it appears the Township is worried about environmental issues. The Twelve Oaks issue is more a residential issue, which should also be taken into consideration. She expressed hopes that when this comes up for vote, not only is the Fire Department going to be considered but also the residents of Twelve Oaks, many of whom have invested a lot of years here.

Louis Wald, Lakeside Drive, asked for an update on the parking restriction on her street. President Wilt stated that last meeting, the Board voted in favor of the ordinance which restricts parking on the interior curve of Lakeside Drive. Ms. Wald expressed concern that she had not heard anything about this decision. Commissioner DeHart stated a lot of her neighbors were present at that meeting. Mr. Border added that the action to restrict parking was on the posted agenda and referenced in posted minutes. Everything is on the website, and citizens can also sign up there to be emailed specific documents including agendas and minutes. Ms. Wald stated that since she had reached out to the Board personally, she had expected personal contact. Chief Visconti added that signage for this restricted parking will be installed within the next week or so. Ms. Wald also thanked Brian Davis for stopping by her home to update her on the upcoming MS4 projects. She and her neighbors are very grateful that their area is to be included in the 2024 projects. Ms. Wald referenced the speed detection sign that was placed in her neighborhood and asked the results. Chief Visconti stated he would need to review the report from the data collected from the sign but recalls there were no excessive speeds to indicate that there is traffic going through at 40 – 50 mph on a regular basis. He added that there are limited places on that street for officers to conduct speed enforcement, but they are doing their best to have a presence out there. The speed sign does seem to slow drivers down; presently there is only one sign which is being rotated to different areas. The possibility of purchasing another sign is being explored. Ms. Wald again thanked the Board for listening to her concerns.

#### APPROVAL OF MINUTES

Commissioner DeHart requested an addition be made to the draft of the September 20 Legislative Meeting Minutes. On page 14, after Vice President Truntz' statement about fire/hydrant water pressure not being changed by the new development, Commissioner DeHart had commented



that “hydrant pressure and volume would be increased in the area”. He asked that this be inserted into the Minutes. A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the Minutes of the September 20, 2023 Legislative Meeting with the aforesaid addition. The motion was unanimously approved.

#### DEPARTMENT REPORTS:

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

Mr. Snyder presented the monthly report. Active projects include 900 Rosedale Avenue where site work, building construction, and Rosedale Avenue improvements are progressing. The Rosedale Avenue culvert/stream crossing repair is pending. Site work for Illuminated Integration is in progress. Dwelling construction is progressing for Penn Preserve; there was a sinkhole issue in one of the basins and repairs are pending. The off-site sanitary sewer extension for TCC (Union Knoll) across both School District property and SR 441 has been completed. A pre-construction meeting was held last week for Wawa.

There is nothing pending before the Zoning Hearing Board. The MASD K-3 Elementary (sanitary sewer plan) will have its initial submission to the Planning Commissioner on October 26. Mr. Snyder advised the Board that there will be a vacancy on the Planning Commission at the end of this year; the current member is not seeking reappointment.

Permit activity is as follows: commercial – 2, residential – 2, sign – 2, demolition – 3, sewer – 3, street cut – 3, and zoning – 7.

The Pond, Building A remains prepared for permit issuance, pending plan recordation. Building permit applications have been received for Building B, Building 1, and Building 12. The building/zoning permit application was received for the Catherine Hershey School and is undergoing review.

##### *Proposed truck restrictions on Highspire Road*

Mr. Snyder referenced proposed truck turning restrictions from Fulling Mill Road onto Highspire Road. A portion of Highspire Road lies within Lower Swatara Township. Swatara Township is in the process of reviewing a large land development plan for a commercial warehouse on Highspire Road directly across from Schmidt’s Sausage on Eisenhower Boulevard. To accommodate it, they need to impose truck restrictions on Highspire Road and propose to install signage for trucks exiting the site to turn left only coming out and proceed out to Eisenhower and

Highland Street. They have plan notes to restrict the traffic to come in via Highland Street. However, there is the open option without any signage that they could come in through Highspire Road off Fulling Mill Road. They have applied for a permit from PennDOT to restrict traffic and place signage along Fulling Mill Road, which is a state road. That application does not need Lower Swatara's approval. The concern with this is that if they end up putting the signage on Fulling Mill Road for truck restrictions on Highland Street and a truck creates an accident of any type, Lower Swatara would not have any enforcement powers. What is being looked at is for Lower Swatara to concur with their restrictions of traffic coming off of Fulling Mill to go up Highspire and limit it to 40' trucks, local deliveries only. If the Board concurs with this, there will need to be an ordinance proposed to enforce those truck restrictions on Highland Street, followed up with a developer's agreement. The developer would be required to produce an ordinance to the Township's liking that would be reviewed by the Township Solicitor and then produce a developer's agreement that would indicate the cost, installation, and maintenance of the signage.

Commissioner DeHart remarked that south of Angie's Diner on Highspire Road, there is a huge, corrugated pipe under the road. He asked if there should be a weight restriction there. He suggested this be looked into before any concurrence is given.

Vice President Truntz added that 40' trucks are still a lot of weight. He asked what constitutes a local delivery. If there is a warehouse back there getting supplies, it would be a local delivery. He stated he is in favor of this truck restriction; the road is fragile and there is a large crown on parts of it. There are also a lot of residents back there, including the campground. Commissioner DeHart agreed that he is in favor of this too but would like to see what the engineers find out about the corrugated pipe. Mr. Snyder noted that any costs associated with this project will be the responsibility of the developer. If the Board concurs tonight, contact can be made with Swatara Township's engineer to begin drafting the proposed ordinance for the truck restrictions and the developer's agreement for review. Vice President Truntz asked if the concerns about the culvert and the additional weight restrictions could be addressed. Mr. Snyder agreed that the Township can put whatever it wishes to see in the agreement. Mr. Fabian agreed to follow up on the pipe issue.

#### *Public Works Department*

Mr. Washinger reported that several areas of Stoner Drive are now completed. The next section will be milled and replaced, barring issues with weather conditions and manpower. The street sweeper will be out more often to pick up the small debris. Mowing in parks is more



frequent due to the extensive amount of rain over these past few weeks. Leaf pick up is scheduled to begin October 23 and end on December 20, unless the first snowfall is prior to that date.

Commissioner Davies remarked that leaves are falling earlier this year due to the draught.

Mr. Washinger agreed but explained that once the equipment is put on the trucks to do leaf pick-up, the Department is down two trucks.

Vice President Truntz reported that he and Commissioner DeHart attended the Fire Department meeting this week and were alerted to the fact that their mower is broken and is being repaired. Discussions were held with Mr. Washinger and Mr. Border about the possibility of the Township cutting the grass; the Fire Department is concerned that it may not be cut in time for Open House next week. Mr. Washinger agreed that this will be taken care of. Vice President Truntz also commented that the concrete driveway at the Fire Department apparently has some areas that need to be re-caulked and has issues that need to be addressed to preserve the concrete pad. One of the estimates for the repair/repatching was \$30,000. He asked if the Public Works crew would be capable of handling this job. Mr. Washinger responded that he could look at it to assess what needs to be done. Commissioner DeHart suggested he contact Bob Schortemeyer of the Fire Department to get more details.

On the agenda tonight is a quote from Daniel B. Krieg, Inc. for crack sealing and painting of the parking lots. A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve a quote from Daniel B. Krieg, Inc., in the amount of \$9,410.00, to seal the Township parking lot. The motion was unanimously approved.

*MS4/Stormwater Department:*

Mr. Davis reported that the Stormwater Department recently submitted the annual MS4 program report to DEP. Once DEP indicates it is administratively complete, it will be posted on the Township website.

The WREP had a very productive meeting on September 27, at which time the general price model and tiers of service were finalized. Although the vote to officially accept the price model was scheduled for that meeting, the vote was delayed until October 25 to give HRG and Tri-County Planning time to incorporate suggestions from the municipalities. Cost sheets for these various tiers of service will be provided to the Board as soon as they are made available.

Mr. Davis referenced the next round of permit requirements for the next MS4 permit cycle. While the original goal was to have those permit requirements this year, it sounds like

they will not be coming until next year; rumor has it that they will not come until late summer/early fall of 2024.

### *Police Department*

Chief Visconti stated he has two items for formal Board approval tonight and has provided the Board with memos on both.

The first item regards the computer tablets in the police cars which are old and in constant need of service. Chief Visconti referenced a proposal in the amount of \$30,798.40 for this upgrade. \$22,003.00 of reimbursable grant funding is available for this expense and was awarded by the Pennsylvania Commission on Crime and Delinquency in April of 2023. The remaining amount of \$8,795.40 will be at the Townships expense. This expenditure includes purchase of the computer tablets, a three-year warranty, docking stations compatible with the vehicles, and installation. A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the Police Department purchasing and installing eight new computer tablets in the marked patrol vehicles in the amount of \$30,798.40. The motion was unanimously approved.

The second item pertains to a draft MOU (Memo of Understanding) provided by the County for participation in the co-responder program in 2023 and 2024. There is approved grant funding available for this service in the amount of \$22,000 for 2023 and \$22,000 for 2024. Vice President Truntz observed that the MOU needs to be reviewed/revised a bit, since it references the Hummelstown Police on the signature page. Chief Visconti agreed that it does need to be revised. Conditional approval is being sought tonight. That way, once the signature page is revised, payment can be made. The grant funding needs to be spent by the end of the year. Vice President Truntz asked Chief Visconti if he finds this to be an effective program. Chief Visconti stated that he finds the co-responders great to work with and a real asset. He recommended the Township continue participation in this program. A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the draft fiscal MOU agreement provided by Dauphin County for the Townships participation in the Co-Responder program in 2023 and 2024, subject to the finalization of the agreement. The motion was unanimously approved.

Chief Visconti requested an executive session for personnel reasons immediately upon conclusion of tonight's meeting.



## MANAGER'S REPORT:

### *Parks and Recreation*

Mr. Border referenced the update of rules and fees for parks and recreation. The Board is in agreement with the updated rules but is still finalizing the fees. Commissioner DeHart reported that there were discussions about the soccer field complex and the ballfield at Memorial. Fees were set for the ballfield earlier this year when the Board approved a use by an over-40 group. The pavilion at Memorial Park that has electricity currently requires a deposit rather than a fee. The suggestion is to charge a small fee to use it. There was also discussion about setting a partial-use rate for the soccer complex, although this type of use is rare. The current fee for the entire complex is \$500/day and thoughts are to increase it to \$750/day. Vice President Truntz added that he can see a fee for a non-resident using the pavilion at Memorial but is not particularly in favor of a fee for a resident. Mr. Washinger stated the Public Works crew does have to empty trash at the park after these events. Commissioner DeHart added that if a resident is not charged a fee and a non-resident wants to reserve the pavilion, they will probably just ask a resident to make the reservation in their name. President Wilt stated he feels a small fee is appropriate to cover the costs to the Township. Mr. Washinger added that trash is also a big issue at the boat launch facility. Commissioner Davies asked if there is posted "no overnight parking" at the boat launch area. Mr. Washinger stated he believes the posting states "temporary parking only".

Commissioner Davies suggested it would be helpful to see these proposed fees on paper. Commissioner DeHart summarized that what he proposes is \$750/day for rental of the soccer complex, a charge for use of the baseball field at Memorial for private groups or groups having tournaments, and a small fee versus a deposit for the large pavilion at Memorial Park. Vice President Truntz agreed with Commissioner Davies that in order to have a productive discussion, the Board needs to have a proposed fee schedule in front of them. Mr. Border agreed to draft a schedule for Board review.

### *Procurement Cards*

As discussed at the last meeting, there are some issues with the p-cards. Mr. Border stated that when he drafted the resolution, he did not include the Municipal Authority. A card should be provided for that department's use. He added that he would like to increase the total credit limit on the procurement cards; only he or Ms. McClain would be able to distribute this to an individual

card. The individual cards would still maintain their current limit, but there could be funds available in a “pot” that could be distributed when more expensive purchases need to be made.

Mr. Border explained that the last credit card had a \$20,000/month limit. The current limit on all p-cards is \$8,000/month. Commissioner DeHart remarked that when this was referenced at the last meeting, he had suggested waiting a few months since this was only the first month using these p-cards. Mr. Border explained that there are already issues; the Police Department has been using their card to order supplies and has already gone over their limit. The purchase of programs like Adobe, or fees to attend conferences, could also send an individual card over the limit. Mr. Border again explained he is not asking for an increase on individual cards, just an increase in the total credit limit. Vice President Truntz commented that when this was first approved, he had expressed concern about the low limit, especially during emergency situations. He stated he is in favor of increasing the total limit to \$20,000. Commissioner Davies agreed that he would also support this. Mr. Border stated he will put this on the legislative meeting for formal action.

#### *Employee Personnel Policy Manual*

Mr. Border reported that Solicitor Flower has addressed staff comments made to the draft Employee Personnel Policy Manual. Solicitor Flower stated she believes the only outstanding item pertains to bereavement leave. Mr. Border noted that he will have the draft copy to the Board next meeting for review, with final adoption anticipated in November.

#### *Township logo*

Mr. Border reported that he had met with the original designer of the sample Township logos, and she is working on revisions of the preferred design for Board review.

#### *Commissioners' compensation*

The compensation of the Commissioners was changed by legislation. Township ordinance allows for automatic adjustment to this compensation. Commissioner DeHart added that this was done by state legislation, not the Township. Mr. Border confirmed that is correct.

#### ENGINEER'S REPORT:

Mr. Fabian referenced the Bryn Gweled project and reported that there was a site meeting last week to review through the progress of construction onsite, the revised schedule for production of sanitary structures, remaining work items and timeline for paving. As discussed previously, there were significant delays due to delays in Veolia's waterline replacement project that will cause a



need to revise the substantial and final completion dates. Right now, it appears everything is on schedule to have binder pavement this season with the final wearing course in the spring of 2024. In response to a question from Commissioner DeHart, Mr. Fabian explained the manholes will need to be ramped up to so there are not issues with plowing this winter.

The contractor for the Hanover St./Meade Ave. Stormsewer outfall repairs experienced several weather delays on the project they are mobilizing from due to recent rains. They are delayed but still hope to wrap up all their work by the end of November. Commissioner DeHart asked if there is a clause in the contract for failing to meet the deadlines. Mr. Fabian agreed there is. This is something that will need to be discussed and can be used as leverage to have them come in and complete this project.

Design has been finalized for the Drainage Improvements Project (Nissley & Spring Garden, Woodridge Basin Tie-in Off of Spring Garden). An easement document has been issued for Woodridge and one will also be produced for the Nissley & Spring Garden project. After these are finalized, the project manual and bid materials will be prepared to advance this project to bid. As part of the waterline infrastructure that is being replaced there, there was digging on Spring Garden which resulted in them springing some leaks at the top of Donald. This caused a lot of mud. Veolia informed the Township that they are having some issues with that line and will probably replace it. Mr. Fabian anticipated they will be coming to the Township for a road cut permit.

The survey for the new salt shed is complete, and the geotechnical subconsultant was onsite today.

Vice President Truntz referenced the Bryn Gweled project and observed a lot of comments about neighbors not being informed. He asked if the contractor could be asked to be more communicative. Mr. Fabian explained there has been a lot of confusion about what is Veolia's work and what is the Township's work. He agreed to make contact with them, and to also provide Ms. Arroyo with some updates to place on the Township website. Commissioner DeHart referenced the curbing on Bryn Gweled and asked if it is correct that not all the curbing was replaced – just replaced where it was taken out. Mr. Fabian confirmed this is correct, and explained the standard policy is to replace only what was impacted. The usual longevity for curb is 100 years, so unless broken or having issues, additional replacement is not done. Mr. Fabian explained that there has been an investment to the tune of millions of dollars for infrastructure replacement. To replace absolutely everything in the Township that needs to be replaced is a substantial cost. To go

over and above and replace things that still have significant serviceable life left does not make a lot of sense.

Mr. Fabian addressed the Richard L. Shireman Park Design and Permitting. There have been meetings with staff several times over the past two weeks to arrive at a final project cost estimate to be able to advance the RACP (Redevelopment Assistance Capital Program) business plan. The Office of the Budget consultant does need this project to move forward into grant writing and they will need a final answer on what is being built. They have suggested that the Township can state that it plans to build one baseball field with the option for a second baseball field if bids come back favorably. He explained that the RACP provides \$300,000 for the construction. It was approved in 2019 and a grant has not been written for this yet and really needs to be. Mr. Fabian added that he feels things are in good shape to advance the RACP business plan. Vice President Truntz commented that he and Commissioner Paul had recently met with representatives of the baseball/softball association and were assured that the enrollments justify the need for two fields. Also, with some new developments coming into the Township over the next ten years, there will probably be even more need for two fields. The association did, however, indicate that they are interested in very basic fields with a backstop, dugout, shed, etc. but no bleachers. Commissioner DeHart stated there is a well at the soccer fields to water the fields. There is nothing at this location to do so. He asked if the waterline on Ebenezer can be brought just inside the field where the bend is. He had asked Mr. Fabian to see if a hydrant could be put back there. Down the road, if the Township needs to tap off that line for something else, it can. There will be some costs involved, but the proposed fields have now been scaled down to about \$200,000/field. Commissioner DeHart added that there is government money out there that can be used, as well as money in the Recreation Fund. Although not in the calculations provided, there will also be recreation fees coming in from The Pond and the Aberdeen projects. General Fund dollars should not be necessary. Commissioner Davies commented that the funds available now are enough to cover Phase 1 of the project. Mr. Fabian agreed. Mr. Border added that the full build-out includes playgrounds, which can be done later, and grants can be pursued for those. Mr. Fabian explained the difference between Phase 1 and the full build-out are the two play structures and a concrete pad for the pavilion. Phase 1 does provide for full construction of the walking trails. Commissioner Davies commented that it might be good to put the water line access high on the list if the budget allows.



Commissioner DeHart asked if the numbers provided in the memo to the Board includes HRG's fees. Mr. Fabian explained that HRG has a separate scope of work that was already executed. Mr. Fabian stated he would like to move into the grant writing if the Board concurs with what was discussed this evening. No objections were noted.

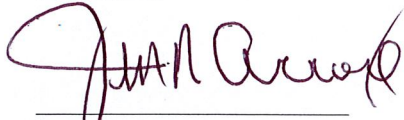
GOOD AND WELFARE:

The Board thanked those who attended and participated this evening.

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 for personnel reasons. The motion was unanimously approved, and the meeting adjourned at 8:23 P.M.

ATTEST:



Jean R. Arroyo  
Township Secretary

**PLEASE PRINT NAME CLEARLY**  
**BOARD OF COMMISSIONERS**  
**OCTOBER 4, 2023**

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