

MINUTES

NON-LEGISLATIVE MEETING – DECEMBER 1, 2021

The December 1, 2021 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
- Betsy McBride, Township Manager
- Jean R. Arroyo, Township Secretary
- Michael McAuliffe Miller, Eckert Seamans, Solicitor
- Shawn Fabian, HRG
- Scott Washinger, Public Works Manager
- Kaylee Justice, Planning and Zoning Coordinator (via Zoom)
- Brian Davis, MS4 Coordinator (via Zoom)
- Dominic Visconti, Chief of Police

Absent: Ronald J. Paul, Assistant Secretary

Residents and visitors in attendance (sign-in sheet attached)

Residents and visitors participating through Zoom:
Donna and Todd Leiss (3 Shirley Drive)

President Wilt welcomed everyone to the meeting and opened the floor for public comments.

PUBLIC COMMENTS:

Laurie Castagna, 1901 Scarlett Lane, inquired if there has been any communication with a potential buyer of the Williams' farm. The residents of Twelve Oaks continue to be concerned about what may be proposed for this tract. It appears the sale of the lot is still pending, so obviously someone has some plans for it. Ms. Castagna also asked if there has been any inquiries to the Township regarding zoning variances, which seem very likely in order to develop this property. President Wilt stated that at this time, nothing has been submitted. Vice President

Truntz added the word on the street is McNaughton Homes is interested. President Wilt agreed he has heard this too, but there are no proposals to the Board. Ms. McBride confirmed that nothing has been submitted yet.

Ms. Castagna also addressed the sale of The Pond. Commissioner DeHart clarified that only Lot 5 in the back was sold. Ms. Castagna asked if there has been any further communication about this development since their last presentation before the Board. Commissioner DeHart explained they have not submitted anything official yet. Ms. Castagna questioned if the neighbors of Twelve Oaks will all be notified if the developer does apply for any type of zoning variance. She explained the neighbors are interested in attending all these meetings. Solicitor Miller confirmed that there would be notification should they appear before the Zoning Hearing Board. Anyone from the neighborhood desiring to provide relevant testimony would be permitted to do so. As the Commissioners indicated tonight, there have been no plans submitted yet, only the dialogue and presentation at a past public meeting. Ms. Castagna again questioned if the developer or the Township would be required to put the neighbors on notice about this. Solicitor Miller confirmed that the neighbors would be notified. In response to a question from Ms. Castagna, Ms. McBride explained the entire Twelve Oaks development would probably not be notified. However, she added that Ms. Castagna would probably be personally notified due to her home's proximity to the property. Vice President Truntz added that notice of the hearing would be published in the Patriot News and posted on the Township website. He added that she and the neighbors are also welcome to call or email Ms. McBride anytime for updates. Commissioner Davies asked how much advance notice must be provided. Solicitor Miller explained the agenda must be posted 24 hours in advance of the hearing. In addition to publication in the newspaper, the notice would be posted on the website and the property itself will be posted. Solicitor Miller again stressed that the neighbors should be aware, however, that there is no plan before the Board at this time.

APPROVAL OF MINUTES

Vice President Truntz stated he has a correction to the November 17 draft minutes relative to the original solid waste/recycling bid. Page 13 indicates that the original bid that was received prior to the rebid process was \$105/quarter. He stated he believes this is incorrect, and recalls the original bid was \$141/quarter. He asked that this figure be verified. A motion was made by

Vice President Truntz, seconded by Commissioner DeHart, to approve the Minutes of the November 17, 2021 Legislative Meeting subject to verification of that number. The motion was unanimously approved. (NOTE: The minutes were correct: \$105/quarter was the original bid amount).

RESOLUTION NO. 2021-R-4 ACCEPTING MORGAN DRIVE FOR DEDICATION

Ms. Justice suggested that the resolution dedicating Morgan Drive be tabled until the December 15 meeting. A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to table Resolution No. 2021-R-4 accepting Morgan Drive from Craig Morgan and Brian Morgan for dedication to the Township. The motion was unanimously approved.

2022 AGREEMENT W/HARRISBURG AREA HUMANE SOCIETY

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the 2022 Municipal Domestic Animal Protective Service Agreement with the Harrisburg Area Humane Society. Solicitor Miller confirmed that he had reviewed the agreement. The motion was unanimously approved.

APPOINTMENT OF SACS FOR ACCOUNTING AND AUDITING SERVICES

Ms. McBride addressed an agreement with Susquehanna Accounting & Consulting Solutions, Inc. (SACS) for accounting and auditing services. She explained that for quite a few years now, the Township has contracted with Zelenkofske Axelrod to come in and reconcile bank statements. While the staff does have the ability to do this, proper accounting procedures require separation of duties: the one that issues the checks should not be the same one reconciling the bank statements. There will be no change in personnel for Lower Swatara Township, since the consultant works for SACS. Zelenkofske Axelrod still exists, and the Township hopes to use them in the future for things such as grants. Commissioner DeHart asked if the cost is the same. Ms. McBride confirmed that it is. The cost proposed each year is never reached. She estimated that not even 60% of the proposed cost has been hit since she's been here. A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the appointment of Susquehanna Accounting & Consulting Solutions, Inc. (SACS) for accounting and auditing services. The motion was unanimously approved.

BACKUS SETTLEMENT AGREEMENT & GENERAL RELEASE

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the Settlement Agreement & General Release resulting from the resignation of Lisa Backus from the position of Administrative Assistant for a gross amount of \$1,172.62. The motion was unanimously approved.

DEPARTMENT REPORTS:

Planning & Zoning/Codes Department:

Ms. Justice reported that active projects include the following: UPS, Hershey Creamery, Wilsbach Distribution Facility, Fiddler's Elbow Warehouse at 2070 N. Union, and Stoneridge Lot #1.

The Zoning Hearing Board and the Planning Commission will not meet in December, as there was no business received.

Statistics from the Code Department are as follows: 3 commercial building permits, 5 residential permits, 3 sewer permits, 2 street cut permits, and 2 zoning permits. Bruce Henry, Construction Code Official, resigned effective immediately November 12, 2021.

MS4/Stormwater

Ms. Davis updated the Board on the recent inspection of the Rosedale project by the Conservation District. The general consensus of the inspection was positive; most of the comments that the inspector had from the previous inspection had been addressed by the contractor, and no new violations were observed.

Ms. Davis also provided an update on the Delmont Avenue project. Last month a survey crew from HRG did some additional survey work. The Township is exploring the possibility of connecting the basin from a neighboring property to its proposed stormwater system. He asked if Mr. Fabian could expand on this. Mr. Fabian reported the fieldwork has been completed, so post-processing of the data is underway. This generally takes about two weeks. Once this is received, the design for the connection can be completed and plans provided to the Board.

Commissioner DeHart referenced the roadway at 2090 North Union Street, near the quarries. There are trucks going in and out of there all the time now, bringing sediment out onto the roadway. Eventually that will run down North Union Street and into the stream. He asked what can be done about this, perhaps a wash for their tires. Mr. Davis stated he has contact information for

both of those quarries and will make contact and monitor the situation. He agreed that this is not only a violation with the Township, but also an NPDES issue with DEP. Mr. Davis anticipated they will cooperate in fixing this issue if it continues. Commissioner Davies added that he also observed this debris on the road, especially in the afternoons. He recalled that at one time, the property owner actually cleaned/washed down the roadway. Commissioner DeHart agreed that Handwerk used to clean the roadway, but they are gone now and these quarries are owned by Pennsy and Byler.

Public Works

Mr. Washinger reported that focus last month was primarily picking up leaves daily with two trucks. Trash was also picked up in all areas, and the crew put down approximately 4 ton of cold patch to bring some of the storm catch basins up to level prior to plowing. Walters Services was contacted to remove some of the portable toilets at the ball fields for the winter months.

Mr. Washinger reported that there was an inspection on the fuel pumps yesterday. The Township has violations from 2018 moving forward, because it never imposed the new rules required in 2018. This is a DEP issue, and they will be notifying the Township of the next steps. Mr. Washinger added there is also condensation inside, which means there was air getting through there, perhaps a leak through the ground. This will also need to be addressed. Mr. Washinger stated he did not get the cost for the new tanks yet. He stated he did look into the possibility of above ground tanks. In the meantime, the Township should pursue setting up something with Sheetz in the event the pumps are shut down. Vice President Truntz agreed the Township needs to be proactive and be prepared. Ms. McBride confirmed that all the paperwork is ready to go for this. Commissioner DeHart reminded staff that the Fire Department and EMS will also need to be included in any fuel cards. He suggested all the costs be put on the table for review, since it is important to make sure all options are explored. In addition, the next thing to think about is where to put future charging stations. President Wilt suggested that in addition to Sheetz, other suppliers such as Souders be contacted when these contingency plans are explored. Commissioner Davies added that when cost estimates are prepared, any costs for decommissioning should be included.

Mr. Washinger reported that he has a meeting scheduled tomorrow with GR Sponogle to review the air conditioning system. They are a CoStars member. A meeting was held with Kinsley yesterday regarding the paving of Lakeside Drive and the two parking areas. An estimated cost for the project will be provided. Mr. Washinger added he also had them look at the areas damaged by

Sunoco during the pipeline project in order to get an estimate of repair costs. These costs will be paid by Sunoco. In response to a question from Commissioner DeHart, Mr. Fabian agreed this work was bonded and the Township has not released the bond yet. The Township did contact Sunoco with an estimate of costs, and they asked Mr. Washinger to reach out to a contractor to validate the Township's cost estimates before they issue compensation. Kinsley was asked to do this estimate, since they were already out on Lakeside. Mr. Washinger reported that yesterday, he did receive a check from \$46,000 from Suez for the drainage improvements at Rosedale. Mr. Fabian explained this was the compensation the Township has been awaiting for the pavement over the trench.

An order was received for 1,500 disposable masks. Covid supplies will be regularly monitored to ensure the Township has adequate supplies.

Vice President Truntz asked with leaves falling later than usual this year, will the crew continue collection? Mr. Washinger confirmed collection will continue this month, provided there is no snow. Vice President Truntz stated he understands that the same trucks that collect leaves are used to plow snow. This requires re-outfitting and cleaning of the leaf dust from the trucks. He also asked that the crew work on replacing the hydraulic struts on the board chairs when there is time available.

Ms. McBride gave kudos to Mr. Washinger for personally visiting residents who call or email with questions regarding leaf collection. She stated it is very much appreciated by the public. President Wilt added he also received a phone call from a resident expressing her thanks to Mr. Washinger for helping her safely walk to her car on her way to get medical treatment.

MANAGER'S REPORT:

Ms. McBride requested an executive session immediately upon conclusion of this evening's meeting for a legal issue and a personnel issue.

ENGINEER'S REPORT:

Mr. Fabian stated there was previous discussion tonight regarding the 2021 Drainage Improvement Project and work at 217 Delmont Avenue. One of the other projects in there is Greenwood Circle. HRG prepared the designs and reviewed them with Mr. Washinger and feels comfortable with preparing the permit package. Since there is a discharge to the stream at the

bottom of the hill, a GP-11 must be submitted for the replacement. A wetland delineation was performed and cleared. Commissioner DeHart asked if this is a different design or the same design. Mr. Fabian explained that it is roughly the same location, but the end wall is shifted to comply with current standards. It is basically going down the same corridor. Commissioner DeHart asked if the size of the pipe will be increased. Mr. Fabian stated he believes all the sizing is the same, but the inlet that failed is shifted back further into the existing slope and anchoring structures put on each of the segments to keep that from failing again. Commissioner DeHart stated the bank was eroded. He expressed concern that this is pretty much setting things up for failure again if the size of the pipe is not increased. He anticipated it will overflow and erode again. Mr. Fabian noted the water flow was calculated; the only reason it had a severe flash through was due to the amount of rain received in 45 minutes. It was a very intense rainfall. Commissioner DeHart stated this is not unusual, and it seems unwise to spend money to repair it only to have it fail again. Mr. Fabian agreed that he and Ms. McBride had discussed this concern. A lot of the models used have not been updated to accommodate some of the increase in intense rainfall. Commissioner DeHart again stated this sounds like the Township is setting itself up for failure. Ms. McBride agreed she is also concerned about this. Commissioner Davies asked if anything is being done to mediate the erosion issue just upstream of this inlet in terms of putting in an apron or channel. Mr. Fabian explained there will be armoring in that section to stabilize things. Vice President Truntz stated he is aware that costs have to be kept in perspective, but situations like what happened on Lumber Street, where improvements were made and a big rain came along and washed it out resulting in the need to spend another \$10,000, must be avoided. Mr. Fabian agreed but explained that greatly increasing the size of pipe results in other issues. He agreed to reevaluate this, but stated he feels steps were taken far above what the initial design provided in order to put some resiliency in there.

Mr. Fabian updated the Board on some of the proposals HRG is preparing for the 2022 Capital Improvement stormwater improvement project, the Richard L Shireman Park design and permitting and the Bryn Gweled infrastructure replacement. All three of those have gone through the initial production and are being finalized. In response to a question from Commissioner DeHart, Mr. Fabian agreed that several designs for the Shireman Park will be presented to get input from the Recreation Board and this Board. Commissioner DeHart noted that this Board definitely wants to provide input on what goes into that park.

Ms. McBride stated that at the beginning of the meeting, Vice President Truntz had questioned the accuracy of the November 17 minutes as far as the statement of the initial trash/recycling bid amount before the contract was re-bid. The minutes are correct – the original bid received was \$105/quarter on the five-year contract. When this bidder came back and responded to the rebidding of the contract, the price was even higher. Commissioner DeHart added that regardless, the low bid received from the re-bid came in at \$99/quarter and was submitted by Republic Services. Vice President Truntz thanked Ms. McBride for verifying this.

GOOD AND WELFARE:

Commissioner DeHart thanked the public for attending tonight and thanked the Public Works crew for their work on leaf collection. He also expressed thanks to Chief Visconti and the officers for their response to a situation in Old Reliance last night.

President Wilt referenced a situation with a theft of an electrical meter for the traffic signal on Route 230 by the Turkey Hill, shutting the entire signal down. Mr. Washinger explained it was not found yet; he is working with PPL on the issue.

Commissioner Davies expressed thanks to the Public Works crew for keeping up with the leaves and to Mr. Fabian for keeping on top of the Rosedale stormwater project.

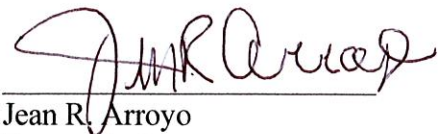
Vice President Truntz thanked Ms. Castagna for her attendance and input tonight, since it is important for this Board to know how the residents feel. He agreed that the Public Works crew should be commended for their back-breaking work on leaf collection.

President Wilt thanked everyone for their participation tonight.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner Davies, seconded by Vice President Truntz, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:45 P.M.

ATTEST:



Jean R. Arroyo
Township Secretary

PLEASE PRINT NAME CLEARLY

DECEMBER 1, 2021 WORKSHOP MEETING – 7:00 P.M.

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