

MINUTES

NON-LEGISLATIVE MEETING – DECEMBER 6, 2023

The December 6, 2023 Non-Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by Vice President Todd F. Truntz.

The following officials were in attendance:

- Todd F. Truntz, Vice President
- Ronald J. Paul, Assistant Secretary
- Michael J. Davies, Commissioner
- Christopher DeHart, Commissioner
- Zachary Border, Manager
- Jean R. Arroyo, Secretary
- Brett Flower, Solicitor
- Shawn Fabian, HRG
- Richard Snyder, Planning and Zoning Coordinator
- Scott Washinger, Public Works Director
- Brian Davis, MS4 Coordinator
- Dominic Visconti, Chief of Police

Absent: Jon G. Wilt, President

Residents and visitors in attendance: Please see attached sign-in sheet.

Vice President Truntz welcomed everyone to the meeting and opened the floor for public comment.

PUBLIC COMMENT: None

Wilsbach Solar Project discussion

Troy Okum, Project Manager with GMS Funding Solutions, stated that they are assisting Wilsbach Distributors with grant writing for a potential solar panel array project. Frank Sourbeer Jr., representing Wilsbach, explained that they hope to convert a lot of their fleet into electric vehicles. In conjunction with this is a solar panel array project. Due to the proximity to Little Hollywood Park, located adjacent to the south of the proposed project, the Township's permission is requested. Wilsbach is seeking federal grant funds for the installation of two ground mount solar arrays located in the existing stormwater basins on the western side of

its property at 1977 Oberlin Road, elevated above the spillway. The purpose of the project is to provide Wilsbach with a 1.4 megawatts systems which, when combined with the existing solar array on the Wilsbach building roof, is anticipated to provide enough power for their office, warehouse, planned EV fleet, and potentially enough to provide back to the grid. Installation of the arrays will be performed via underground directional boring and the installation of 30 solar racking posts in 1 x 1 foot areas within the basins. The associated underground connection lines will be installed via 2 ft. wide trenching to a depth of 18 inches along approximately 1,900 feet connecting the trenches to the southern side of the building. Mr. Sourbeer added that visual impacts to Little Hollywood Park are anticipated to be minimal, as the basins are not visible from the northern property line facing north. Mr. Sourbeer again explained that they are here tonight asking for a letter of support to the USDA for federal grants for this second phase of their solar project. Discussions have been held with Township staff, DEP, and the County Conservation District about this proposed project.

Commissioner DeHart asked the life expectancy of the current panels and noted there are often problems, such as leaks, as they age. Mr. Sourbeer responded 20 – 30 years is the expectancy. However, technology improves quickly, and the panels lose their ability over time to create as much energy. He anticipated the cost of these will most likely also decrease. Therefore, before the end of their useful life, it makes sense finically to replace them.

Vice President Truntz asked if there are any zoning or code concerns. Mr. Snyder explained that earlier this year, an amendment to the zoning ordinance was adopted relative to solar panels. This use would fall under the classification of accessory solar energy systems, which requires proof to the Township that 51% or more of the energy generated by the solar panels is used by that user who is installing them. The remainder can be sold back. This accessory solar energy system use can be permitted in any zoning district.

Commissioner DeHart added that on a side note, Wilsbach has been here about two years now, and he has not received one complaint about truck traffic.

Commissioner Paul stated he would be interested in seeing a rendering of how the finished project will look. Mr. Sourbeer agreed to provide this but explained it will look like a ground-mounted array that just happens to have a pond underneath it. There will be no adverse effect on the pond itself. In response to a question from Commissioner Paul, Mr. Fabian stated his notes indicate that there will be 2,400 solar panels involved. Commissioner Paul stated his

main concern is setting a precedent, particularly with the possibility of solar panels in a detention facility in a front yard. Mr. Snyder explained that the ordinance states that ground-mounted accessory solar energy systems are not permitted in front yards as defined by the Township's zoning ordinance.

Solicitor Flower stated it would help her personally if she could view a rendering of the actual arrays since she was not envisioning the 2,400 mentioned. Vice President Truntz asked the timeline for the Board to submit the letter of support. Mr. Okum stated as soon as possible. The next week or two would be ideal so this can be submitted to the USDA as part of the grant application process. Commissioner DeHart suggested formal action be placed on the December 20 legislative meeting agenda. Vice President Truntz agreed, and stated that while he supports this project, he would like staff to review the letter of support prior to Board approval. Vice President Truntz also expressed the Township's appreciation to Wilsbach for its contribution to the lights at Memorial Field. Mr. Sourbeer stated that Wilsbach always wants to be a good neighbor to Lower Swatara Township.

APPROVAL OF MINUTES

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the Minutes of the November 15, 2023 Legislative Meeting. The motion was unanimously approved.

HUMANE SOCIETY AGREEMENT

Mr. Border explained that the Humane Society Agreement before the Board tonight has a slight revision from last year's. It eliminates the upfront fee, and instead provides for a pay-per-animal charge. A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the 2024 Municipal Domestic Animal Protective Services Agreement with the Humane Society of Harrisburg Area., Inc. The motion was unanimously approved.

FINANCIAL SECURITY ADJUSTMENTS AND LETTER OF CREDIT/BOND RELEASES

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve Financial Security Adjustment #2 for Stoneridge Lot #5 in the amount of \$38,435,

leaving a balance of \$0 and releasing it in full, subject to the developer posting a post-dedication security in the amount of \$2,188. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve Financial Security Adjustment #4 for Buddy's Run PC#2017-05 in the amount of \$67,174.25, leaving a balance of \$5,651.25. The motion was unanimously approved.

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve release of Letter of Credit 983 in the full amount of \$21,885.34 for the release of the maintenance obligation for Buddy's Run Road. The motion was unanimously approved.

A motion was made by Commissioner Paul, seconded by Commissioner Davies, to approve release of Bond SB0384664 in the full amount of \$33,370.69 for the maintenance of Morgan's Run Road. The motion was unanimously approved.

ADVERTISEMENT FOR BIDS FOR FIDDLER'S ELBOW CULVERT REPLACEMENT

The Board discussed authorizing advertisement of bids for the Fiddler's Elbow Culvert Replacement. Mr. Fabian noted this is the box culvert with a rock in its wall which has been a concern for some time now. HRG has prepared the final construction plans and the project manual is ready to go to bid. Commissioner DeHart asked how the pumping station going in this area will impact the project. Mr. Fabian explained that will be on the other side of the culvert – the west side. Commissioner DeHart asked if anyone had talked to the developer of the pumping station, because they will likely run into the same problem as the Township with the gas line there. He added that the developer may be agreeable to donating to some of the costs to move the gas line. Commissioner DeHart stated that it is worthwhile having this discussion with the other developer. Mr. Fabian noted that the pumping station project design is very preliminary. Commissioner DeHart commented that they may have looked at it engineering-wise. He expressed concern that the two projects may be interfering with each other, yet neither party is aware of it. He stated he would hate to see everything completed only to have it ripped up again. The Board agreed. A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to table authorization to advertise for bids for the Fiddler's Elbow Culvert Replacement Project. The motion was unanimously approved.

DEPARTMENT REPORTS:

Planning and Zoning/Codes Department:

Mr. Snyder presented the monthly report. Active projects include 900 Rosedale, the Rosedale Avenue Culvert/Stream Crossing Repair, Capital Valley Business Park Lot 3 & Lot 4, Illuminated Integration, and Catherine Hershey School.

There are no pending Zoning Hearings.

Plans before the Planning Commission include the MASD New K-3 Elementary, which was tabled on November 16 and will be on the December Planning Commission agenda, Cramer Auto Land Development Plan which was also tabled on November 16 (resubmission pending), Colony at Old Reliance, Phase 1 which will have its initial submission on December 21, Union Knoll Final Land Development Plan which will have its initial submission on December 21, and TOC Oberlin Subdivision which will have its initial submission on December 21.

Statistics for the month of November were as follows: 4 Commercial, 1 Residential, 1 Sewer, 2 Street Cut, and 7 zoning.

In accordance with PA Act 114 requirements, the Township received notification that Byler Quarry on Fiddlers Elbow Road is applying for a permit to change their emissions from their new hot mix asphalt plant; this is going through the DEP Air Quality Program. The Township also received a notification for Chapter 105 on behalf of PennDOT District 8 for improvements for traffic signage and message boards along Route 283 in Lower Swatara Township.

Commissioner DeHart stated that he is being questioned about Dunkin Doughnuts going in on Route 230. Mr. Snyder confirmed that it will be located across from Cramers. Commissioner DeHart also stated he is receiving questions about the status of Wawa. Mr. Snyder explained that the plan has been sitting idle for resubmission of their building permit. Mr. Snyder also reported that a commitment has just been received regarding who will be the tenant for the QSR (Quick Service Restaurant), although the public announcement has not been made yet.

Public Works Department

Mr. Washinger reported that leaf pick up had fallen behind due to a broken axle on the leaf trailer. Hummelstown Borough graciously allowed use of its equipment and operator to help the Township get caught up. Mr. Washinger explained that about a year ago, the Township received about 32 plates from UGI. Not all of these were needed, so three were given to Hummelstown in exchange for their assistance. Commissioner DeHart commented that this is great intermunicipal

cooperation. Mr. Washinger agreed and added that Hummelstown's equipment is more efficient; the Township is looking into applying for a DEP Section 902 Recycling Grant for new equipment.

Shiloh was back in the Bryn Gweled development to address the slopes on the manholes and the storm grates in order to make things more suitable for plowing this winter. The Hanover project is coming to an end, but there are some issues with the tenant on the corner that will have to be addressed. A meeting will be held soon, and the Board will be updated on this. Commissioner Paul asked if the contract for Hanover is closed yet. Mr. Washinger responded it is not; there is restoration and driveway paving yet to be done. Mr. Fabian added that they are looking at the weather and trying to determine if they can get decent material. Commissioner Paul recommended staff meet there and make sure things are buttoned up.

MS4/Stormwater Department:

Mr. Davis advised the Board that WREP has a meeting scheduled for December 12, presumably related to the members voting to approve a cost schedule for the program. The County will likely require follow-up votes from each municipality's board of commissioners to officially join the program. Mr. Davis stated he anticipates this happening in January or February of next year. Tri-County Planning has offered to send a representative to those follow-up board meetings to handle any questions that may arise.

The County Conservation District has reached out to Lower Swatara to gauge its interest in partnering on another Rain Barrel Workshop. The last one the Township partnered on was in 2020, and it proved to be well-received by its participants. The Township has responded that it is interested and is planning on reserving a minimum of 15 slots for residents, based on previous attendance records. Commissioner DeHart asked how many of these rain barrels are being used in the Township. Mr. Davis explained they are not being tracked, as there are no credit received for them. He stated, however, that feedback seems to indicate those who picked them up are using them.

MANAGER'S REPORT:

Authority, Boards, and Commissions

Mr. Border reported that the Township had advertised for some upcoming vacancies: three residents expressed interest in serving on the Planning Commission. There was one applicant for the upcoming vacancy on the Recreation Board. Commissioner DeHart added that perhaps

applicants not chosen for the Planning Commission would be interested in filling a spot on one of the other committees. The Board agreed to set up a committee to interview the interested candidates for formal appointment at the January 2 Reorganization Meeting.

Township Logo

Three revised sample logos were provided to the Board. Mr. Border added that the year on the logo will also need to be changed. Commissioner Paul stated he likes sample logo "A" but suggested the shrubbery in the background be removed and the shadowed area on the other side be cleaned up a bit. Mr. Border stated that formal approval of the logo will be on the December legislative agenda.

Bidding for upgrade of access control system

Mr. Border referenced previous discussion about the access control system and the fact that the desired vendor is not Costars' vendor. Therefore, tonight's agenda includes opening this to public bidding. He added that another company, Hilton, which is Costars, is also coming tomorrow to look at the current system. Solicitor Flower asked if the Board prefers to table this bidding process until pricing is obtained from Hilton. The Board agreed to table. A motion was made by Commissioner Paul, seconded by Commissioner Davies, to table the issuance for public bidding of a contract for the upgrade and replacement of the existing Sonitrol access control system on Township buildings, the cost of which is estimated to exceed the required public bidding threshold. The motion was unanimously approved.

Fire Fighter Tax Credit

Mr. Border reported that after meeting with the Fire Department, it appears there are about 20 members that qualify for the firefighter tax credit. He noted he will get more details and will work with the Solicitor to come up with an ordinance or resolution to put this credit in place.

Penn Dot Municipal Snow Removal Agreement

Mr. Border called the Board's attention to the PennDOT Municipal Snow Removal Agreement which provides the Township with \$31,000 for snow removal on the 26 miles of state roads in Lower Swatara. This is almost half the roads in the Township. Mr. Border expressed concern that this amount is not larger. Commissioner DeHart stated that PennDOT basically says take it or leave it. The Board agreed that it is necessary for the safety of the residents and public. Vice President Truntz added that is also an advantage during years when snowfall is light and PennDOT still pays the same fee.

Mr. Border referenced Mr. Washinger's comments about Hummelstown's assistance with leaf pick-up and stated that he had approached CAP COG in an email about this need. The request was circulated to its members, and Hummelstown came forth to assist. Mr. Border stated that CAP COG is a very good resource and a great group to belong to.

ENGINEER'S REPORT:

Mr. Fabian addressed the Rosedale Avenue Culvert Replacement Emergency Project, just east of Stoner Drive. Veolia's contractor was to come in to replace the waterline prior to the replacement of that culvert pipe. The contractor opened up that waterline trench this week, and removing the material above the stone arch caused that stone arch to collapse in. In order for them to replace the waterline, they had to put a steel plate overtop the hole in the stone arch pipe. There has been coordination with York Excavating, who will be replacing the culvert pipe. It appears that the procurement on the concrete structure continues to be delayed, and they do not expect to have that until mid-to-end January. Mr. Fabian explained that there is now a situation where the waterline has been replaced and they will be looking to restore the site within the next couple days and leave. This will leave a buried metal plate over a hole in the stone arch, which is not very supportive. Staff was on site and discussed options, and the recommendation is to close the road to prevent any risks. Commissioner Paul agreed that it should be closed both ways, and suggested the placement of additional signs be well ahead of the closure and that they clearly indicate which sections are closed. Commissioner Davies asked if a temporary weight limit could be established. Mr. Washinger stated he does not trust that trucks would adhere to this. The Board concurred with the recommended closure.

GOOD AND WELFARE:

Commissioner Paul stated he realizes the road work is inconvenient to the residents, but there are a lot of projects going on right now. He asked for patience from the public, as these temporary inconveniences are for permanent improvements.

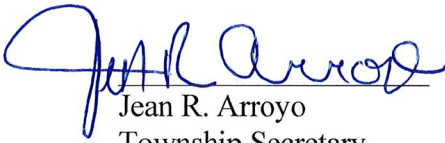
Commissioner DeHart stated that the MARA meeting was rescheduled to tomorrow night. He asked staff to keep citizens notified via the website and social media as updates are provided on these road projects and closures.

Vice President thanked those who came out tonight, and again thanked Hummelstown for its assistance with leaf collection.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner DeHart, seconded by Commissioner Davies, to adjourn the meeting and convene into executive session for personnel reasons. The motion was unanimously approved, and the meeting adjourned at 8:07 P.M.

ATTEST:

A handwritten signature in blue ink, appearing to read "Jean R. Arroyo", is written over a horizontal line.

Jean R. Arroyo
Township Secretary

PLEASE PRINT NAME CLEARLY
BOARD OF COMMISSIONERS
DECEMBER 6, 2023 WORKSHOP MEETING (7:00 PM)

Name/Organization	Address/Contact Information
Dale Messeri	Res. Dist.
Norman R Faye	
Frank Soubear Sr.	WILSBACH DISTRIBUTORS
Troy Okun	GMS Energy
Claudia Sesti	