

## MINUTES

### NON-LEGISLATIVE MEETING – DECEMBER 7, 2022

The December 7, 2022 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, Assistant Secretary
- Christopher DeHart, Commissioner
- Jean R. Arroyo, Township Secretary
- Brett Flower, Eckert Seamans, Solicitor
- Shawn Fabian, HRG
- Scott Washinger, Director of Public Works
- Rich Snyder, Planning and Zoning Coordinator
- Brian Davis, MS4 Coordinator
- Dominic Visconti, Chief of Police

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

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

PUBLIC COMMENT: None

### ANNOUNCEMENT OF EXECUTIVE SESSIONS:

President Wilt announced that the Board had met in executive session on November 17, December 1, and December 6 for personnel matters

### APPROVAL OF MINUTES

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the Minutes of the November 16, 2022 Legislative Meeting. The motion was unanimously approved.

#### APPLICATION FOR PAYMENT #2 TO NEW ENTERPRISE STONE & LIME CO.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Application for Payment No. 2 to New Enterprise Stone & Lime Co., Inc. in the amount of \$847,257.84 for the 2022 Lower Swatara Township Paving Project. Commissioner Davies asked if the crosswalks have been completed. Mr. Fabian stated they have not. There is still over \$200,000 in outstanding work; \$273,578.96 is being retained from this payment. The motion to approve was unanimously approved.

#### CHANGE ORDER #3 to 2021 DRAINAGE IMPROVEMENTS PROJECT

The Board discussed Change Order No. 3 to the 2021 Drainage Improvements Project contract with JVI Group, Inc. in the amount of \$3,996.21. Commissioner DeHart asked the location of this work. Mr. Fabian explained this is for the repairs on Cockley Road and patching of the area that sunk in. Commissioner DeHart asked if this is the water company's responsibility. Mr. Fabian stated it appears there was an issue with how everything was backfilled with the water line pipe that was abandoned. Commissioner DeHart suggested the bill be sent to the water company. Mr. Fabian stated the Township can pursue this with them. He added that a substantial completion walk was performed and there is a punch list of open items, some of which will carry over into the spring. Commissioner Paul asked if money is still being retained on this project. Mr. Fabian confirmed that right now, with the pay out of the next agenda item, \$98,131 is being held back. Once the substantial completion certificate is processed, there will be an amount withheld for the punch list items. A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve Change Order No. 3 to the 2021 Drainage Improvements Project contract with JVI Group, Inc. in the amount of \$3,996.21. The motion was unanimously approved.

#### APPLICATION FOR PAYMENT #5 TO JVI GROUP

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve Application for Payment No. 5 to JVI Group, Inc., in the amount of \$68,744.65 for the 2021 Drainage Improvements Project. Mr. Fabian noted this ties-in to the change order just approved and is payment for work performed by JVI including that change order. The motion was unanimously approved.

### IMPROVEMENT GUARANTEE REDUCTION FOR 301 FULLING MILL ROAD

A motion was made by Commissioner Paul, seconded by Commissioner Davies, to approve the Improvement Guarantee Reduction for 301 Fulling Mill Rd. in the amount of \$25,368.00 or 100% of the original amount. The motion was unanimously approved.

### DEPARTMENT REPORTS:

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

Rich Snyder, Planning and Zoning Coordinator, reported that the Planning Commission will meet on Dember 15 and will be discussing five large projects: the Final Land Development Plan for The Pond on Fulling Mill, the Revised Plan for the Colony at Old Reliance TND, the Final Subdivision/Land Development Plan for the Capital Valley Business Park Lots 3 and 4, the Revised Plan for Illuminated Integration Office and Trade Shop, and a minor Subdivision Plan for Rosedale Avenue.

The Zoning Hearing Board met last month on Docket #2022-06 and denied the request. The Township is waiting for the formal decision to come in and will forward that to the applicant. There is the potential for the decision to be appealed. Commissioner DeHart observed that the land is up for sale.

The Township has received a TIS (Transportation Impact Study) determination and scoping application for Oberlin Road for the Aberdeen Development. A meeting was held with the Police Department, Public Works Department, Codes/Planning Department and Administrative staff about this, as there are four different projects in that area, all at varying stages of development. These include the Old Reliance Farms project, which is substantially complete, the Capital Valley Business Park which is under planning consideration right now, the proposed Aberdeen Development and word of the proposed Catherine Hershey School. Mr. Snyder explained this TIS determination looks collectively at highway roadway improvements within the quarter of Route 441. Items brought up among the staff include safety and crossing for pedestrians, safe access/egress/ingress onto 441, and fracturing which is sidewalks that stop at certain locations and do not pick up and continue. The proposed development will have that same type of feel, so staff is looking for safety for pedestrians and traffic by having a consistent roadway plan for that area. Work on this continues and staff and HRG will be issuing comments to traffic planning and design



to be submitted to PennDOT for their scoping meeting and the proposed improvements at this location.

Mr. Snyder reported that a letter was received from Veolia regarding Notification of a Chapter 105 General Permit (GP-5) Registration for a Watermain Relocation Along Conway Drive. A letter was also received from PA DEP regarding Notification of an Emergency Permit Authorization for a sinkhole repair within the regulated area immediately adjacent to a stream for the Fiddlers Elbow Quarry Operation. Copies of both letters were provided in the Board packets.

Commissioner Davies inquired about the Aberdeen Development. Mr. Snyder explained this is the location of the old Messick Farm on Route 441. Bonnie Blue in Twelve Oaks will be continued. There will be a loop street inside there and a street coming out to an even intersection with Powderhorn and Route 441. The Catherine Hershey School will be where the Messick Farm is, closer to the Lottery Building. Commissioner Davies remarked that the land really slopes a lot. He asked if this is being allotted for in the plans. Mr. Snyder confirmed that it is, which is also a reason for the scoping meeting. There are sidewalks at different locations, and the desire is to make sure there are consistent sidewalks for ingress and egress as well as acceleration and deceleration lanes that are equivalent to what is across the street at Old Reliance.

*Public Works Department:*

Mr. Washinger reported that leaf season is concluding this week. Residents will still be able to call to have small quantities picked up. Next week the street sweeper will be out to clean everything up. Mr. Washinger added he was able to use the woody waste site for a short period of time this year to get rid of the leaves. There was a great volume of leaves this year, and Zeager Brothers is the location where the leaves are usually dropped-off. In response to a question from Commissioner Paul, Mr. Washinger agreed the current leaf equipment is very old, and the problem is that everything is on the opposite side, which is a safety issue pulling across traffic all the time. Commissioner Paul stated there is nothing in the upcoming budget for new equipment, but it should be kept in mind for the following year. Vice President Truntz recalled that Mr. Lanman had looked into a modular truck system where the operator can control everything inside the truck, precluding the need for someone to walk alongside the truck. Mr. Washinger explained that someone still needs to rake the leaves out to the road. He added there have been complaints about leaves in the parks. Residents must understand that the leaves on the roadways are priority. Commissioner Paul agreed that the Township simply cannot be responsible for all leaves that fall.

Commissioner DeHart commented that the primary purpose of leaf collection is to keep the leaves out of the storm drains.

At a previous meeting there was some discussion about placing a guard rail along Longview. Mr. Washinger explained that he had received one quote for a 275' guardrail. The quote was for \$19,075. This includes installation costs. Mr. Washinger noted he can pursue other quotes but anticipated this will probably be the cheapest based on his experience. Commissioner Davies asked if Mr. Washinger had looked into any type of alternative design railing, such as the cable mounted system. Mr. Fabian noted his understanding is that the cable railing is used on straightaways and would probably not be appropriate for this location. Commissioner Paul asked that everyone keep in mind that Longview is scheduled to be reconstructed on the curve which means the guardrail put in there now can be reused later. President Wilt stated he would still like to see more quotes. Commissioner DeHart commented that something needs to be done out there. Vice President Truntz and Commissioner Davies both commented that they anticipated the costs to be much higher. Mr. Washinger agreed to pursue additional quotes.

Acer Paving, the contractor for the overlay of the basketball court at Shopes, has indicated that some of their equipment broke down and parts are in short supply. This work will have to wait until spring of next year.

The thermal plastic pavement markings required as a result of the North Union Street Speed have been installed.

As Mr. Fabian reported earlier, the paving project is wrapping up; there are some issues being addressed. Mr. Fabian noted that the final walk through with HRG was held on December 2. Commissioner DeHart inquired if staff is happy with the contractor. Mr. Washinger stated he is happy with New Enterprise, although there are some situations where they need to come back to correct a few things including an issue with one driveway and two ADA ramps. In response to a concern expressed by Commissioner DeHart, Mr. Fabian stated it might behoove the Township, when planning future roadway improvements, to separate out some of the ADA upgrades. He explained that any time the Township is resurfacing in front of a crosswalk, the ADA ramp must be replaced. He added that there are some technical insufficiency issues that must be documented to cover the Township. Commissioner DeHart suggested for future projects such as this, the area be flagged so the residents are aware of what is being torn up and what is not. Mr. Fabian agreed that some additional survey mark-out prior to the work might be helpful.



*MS4/Stormwater Department:*

Mr. Davis reported that there were no major stormwater complaints during the past month. However, there were notifications from residents regarding a few basins whose outlet structures had become partially blocked by leaves. None of the blockages were severe, but the Township did contact the owners to have the leaves cleared. Commissioner Paul stated this probably needs done on a yearly basis.

The Township has been monitoring the rock dust and gravel being left by trucks leaving the Byler quarry. Mr. Davis reported that he and Mr. Burkholder from the Codes Department did meet with management from Byler onsite today to discuss their general maintenance schedule and ways to improve things. They basically removed a bucket off a front loader and have a sweeper attached to that and sweep their exit throughout the day. They have also contracted to have a street sweeper come out five time a week to clean the road. Ideas were exchanged on how to resolve this problem. One thought is to determine the peak traffic at the quarry and ensure the sweeper comes after that peak activity, not before. Another suggestion is to make sure the sweeper also grabs all the debris in the gutter and the shoulders. The quarry is also working to make sure that the cement trucks that are leaving the property are all washed off before they leave the site. Mr. Davis commented that management at the quarry has been very cooperative and is attempting to do whatever they can to remedy these issues. Unfortunately, the topography of the ground is conducive to collecting a lot of this dust. Commissioner DeHart added that the management at 2090 N. Union St. had approached him and asked if he is with the Township. He was then told that they are taking these concerns seriously and want to be proactive with resolving things. Commissioner DeHart stated he gave this individual several suggestions. Commissioner Paul asked that Commissioner DeHart also share these suggestions with staff, so everyone is on the same page.

In response to a question from Commissioner Davies about the MS4 Report, Mr. Davis explained that the Township received a letter from DEP accepting its annual MS4 Stormwater Report without comments. The Board thanked Mr. Davis for the hard work he put into this report.

MANAGER'S REPORT:

Commissioner Paul reported that a meeting needs to be coordinated with SARAA in reference to MS4 if Vice President Truntz and Commissioner Davies can be available on this tentative date, which is December 15.

There have been some major glitches with the new payroll company. The Board will be kept updated on this, but it may be necessary for payroll to go back to being done in-house.

#### ENGINEER'S REPORT:

Mr. Fabian updated the Board on the Hanover St. and Meade Ave. stormsewer repairs. With permitting complete, HRG is now preparing the project manual and bidding materials for these two sites.

The Fulling Mill Road boat launch facility is progressing nicely. All the concrete was poured on the new ramp and the trench box for drainage on the parking area last Thursday. The entire driveway and parking area is to-grade and ready to stone.

As reported earlier by Mr. Snyder, the Township has received Notification of a Chapter 105 General Permit (GP-5) Registration for a Watermain Relocation Along Conway Drive from Veolia. This is for their portion of the waterline replacement for the Township's Bryn Gweled project. They have put this out to bid, and the Township can pull together its schedule for construction after that waterline replacement is done. A meeting was also held with Veolia today to talk about some replacement they had planned on Lumber Street and to also make sure there are no scheduling conflicts with the Township's projects to upgrade storm sewer and sanitary for that street.

Survey is back for the Shireman Park, and the layout and design work will now kick-off.

The preliminary design has started for the Fiddler's Elbow box culvert replacement, and it was discovered that there is another utility, a gas line, that HRG should perform SUE evaluation of in the field. A supplement is being prepared for this additional work and will require Board approval at a future meeting.

Commissioner DeHart asked the timeline for the Shireman Park. Mr. Fabian stated he will need to prepare a revised schedule. Commissioner DeHart remarked that last year, it was thought dirt would be moved by this fall. It would also be nice, budget-wise, to know what can or cannot be done out there.

Comments were provided today from FEMA pertinent to the grant support for the Greenwood, Hanover, and Meade stormsewer repairs. FEMA had another internal meeting to review the initial information that was sent to them and needed some information verified. Mr. Fabian noted he did respond to this. There is still no word on their turnaround time. Commissioner Paul asked if there is anything stabilized on Greenwood Circle. Mr. Fabian



confirmed that there is now. The walk through was performed yesterday for substantial completion. Mr. Fabian stated he does have some concern at the top of the hill; they didn't seed and straw that but there is mat down in the center part where it flows.

Mr. Washinger added the North Union St. pump station is now operational and operating smoothly. The flow from UPS is not there yet, because their force main broke. The only flow right now is the flow from the original pump station.

GOOD AND WELFARE:

Commissioner DeHart thanked those who came out tonight and wished everyone a nice holiday in the event that he cannot make the next meeting.

Commissioner Davies thanked the Public Works for their hard work on leaf collection and thanked Mr. Davis for his fine efforts in compiling the MS4 report.

Vice President Truntz requested a brief executive session for personnel matters.

President Wilt expressed his appreciation to the staff for all their efforts.

Mr. Snyder announced that a member of the local Legion dropped off a banner representing those members of the Township that may be in the armed forces and serving overseas on deployment. He stated he is aware that one of the Township's police officers is deployed; he presented the banner to the Police Department to honor the officer who is overseas.

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. The motion was unanimously approved, and the meeting adjourned at 7:40 P.M.

ATTEST:

A handwritten signature in dark 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 7, 2022 WORKSHOP MEETING – 7 PM**

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