

MINUTES

NON-LEGISLATIVE MEETING – FEBRUARY 2, 2022

The February 2, 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
- Betsy McBride, Township Manager
- Jean R. Arroyo, Township Secretary
- Michael McAuliffe Miller, Eckert Seamans, Solicitor
- Shawn Fabian, HRG
- Don Fure, Director of Codes and Planning
- Scott Washinger, Public Works Manager
- Brian Davis, MS4 Coordinator
- Dominic Visconti, Chief of Police

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

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

PUBLIC COMMENTS: None

POTENTIAL PROJECT OF LOWER SWATARA ATHLETIC ASSOCIATION

Jason Wagner and John Ponnett of the Lower Swatara Township Athletic Association (LSTAA) presented the LSTAA Field Upgrades/Capital Campaign. Mr. Ponnett explained the mission of the Athletic Association is to help the kids thrive and become responsible members of the community.

Mr. Ponnett explained that LSTAA field upgrade aspirations include both short-term and long-term goals, and they aspire to raise most of the money themselves. The goal is to work on this funding project without the need to come to the Board and ask that more money be added to

the recreation budget. Obviously, the Athletic Association would be happy to have money allocated to it from the recreation budget when possible. Money and human capital are always an issue. The intent is to conduct a capital campaign to raise the money needed for all the projects. The goal is to raise \$100,00 to do all the projects, using the muscle of LSTAA. Many of the members have business connections and feel confident they will partner with the Association to do the heavy lifting without asking the Board to allocate resources. The Athletic Association will also need a partnership with the engineer on some of these projects. The Middletown School District does have an exceptional field manager who can lend a tremendous amount of experience to LSTAA to help with these tasks.

Mr. Ponnett highlighted the planned projects. One of the short-term goals is to regrade Cross Field, which is continually unplayable after rain. This results in organizational loss of concession income and a loss of investment back into the kids. It is also a significant cost to the organization in the form of "field drying" agent. Another short-term goal is realignment of the pitcher's mound at Shopes field; the mound does not line up with home plate. There is also the desire to install bullpens at Woodridge, Memorial and Shopes fields. These fields were chosen due to the age groups where kids in LSTAA play, and the age where mechanics and fundamentals become much more critical. Bullpens would reduce stress on the pitcher's arm by providing a place for proper stretching and warm up prior to entering a game. Another goal is to install dugouts at Cross field. These would protect kids from direct sun, keep them out of the mud pit that impacts this location, keep kids organized and focused on the game, create a more efficient storage of equipment, and eliminate trip hazards from a safety perspective.

While the previous projects are short-term aspirations, the next project is a long-term one. There is a dream to construct an indoor hitting and pitching facility which would allow the kids to grow their skills year-round. Room does exist at Memorial Field on a parcel between the large storage garage and the concession stand. This will not be a huge facility. Who owns it, pays taxes on it, etc. will be questions that must be resolved. This project could be years away, but if the Board is open to it, LSTAA plans to start work on the capital campaign. Mr. Ponnett noted there are quite a few businesses that are keenly interested in supporting the Athletic Association on these projects.

Mr. Ponnett remarked that some of the short-term projects mentioned should be started soon so they can possibly be complete by mid-April. He asked if any of these projects could be

undertaken by the Township team, when this work could be done, and what financial support the Township could provide, if any. LSTAA will then take it from there. Mr. Ponnett noted that no matter what is decided, this Township's support to get the fields ready and maintained is top notch, and LSTAA appreciates the continued support.

Mr. Wagner underscored the indoor facility would require working with the Township closely, but stressed this will be a simple building, perhaps pole barn style. Commissioner DeHart asked the location that is envisioned. Mr. Wagner noted there is a flat piece of land near the batting cages that would be an adequate size. Commissioner DeHart referenced the regrading and pitcher's mound work and deferred to Mr. Washinger. Mr. Washinger noted the Public Works crew did similar work in Woodridge and can do this project. It is just a matter of getting the time to do the work. Commissioner DeHart also inquired if the projects as presented are in the order of priority. Mr. Wagner agreed that the absolute priority would be regrading the Cross field and realigning the mound at Shopes. He anticipated these would be doable by April 15. Commissioner DeHart asked if LSTAA has cost estimates for the dugouts. Mr. Wagner stated that dugouts in Shopes were around \$5,000 - \$7,000. However, with the Cross field, somebody from the engineering team would need to look at it and provide guidance because of the hill/bank there. Commissioner DeHart stated he appreciates the effort put into this list and noted there are still efforts being made to get a softball field on the Shireman tract, hopefully by the end of the year. He thanked LSTAA for its time and effort.

Vice President Truntz stated he feels the next step could be the Shopes pitcher's mound, since it is probably the easiest and can be done by the Public Works crew with the Township absorbing those costs. The next project could then be the regrading of the Cross Field after evaluation of the bank issue. He suggested it might be good for staff and the engineer to go down there and eyeball it to see if this is feasible and estimate costs. The bullpens and dugouts can also be discussed, and locations identified. Vic President Truntz added that lack of bullpens is a safety issue.

Commissioner Davies stated what is envisioned is refreshing, but suggested in the future, these requests be presented earlier. A September timeframe would be easier to work into the recreation budget. He also commented that using private resources for the indoor batting facility is sometimes practical for public property, and sometimes can be problematic. This will need to be worked through.

Commissioner Paul stated that Cross Field is very tight. He asked what distance is being looked at from the home plate to the fence, and what level is playing there. Mr. Wagner explained that right now, there is a 180' distance there. That level is usually what is referred to as the "rookie" level (7- and 8-year old's) and shared right now with some softball. There is no mound at Cross, but there is portable mound that can be used. Commissioner Paul stated his concern is shifting that field around. Mr. Wagner agreed that engineering would be needed to provide guidance. Commissioner Paul asked if they are adamant on 180'. Mr. Wagner responded they can probably go down a bit on that number. The real issue with the regrading is that the third base side of that field holds water anytime it rains. Commissioner Paul commented that he assumes both girls and boys will be treated equally as far as sharing the batting cages. Mr. Wagner agreed the facility will be open to both.

President Wilt stated he enjoyed the very well-thought-out presentation, and agreed he feels there is assistance the Township can provide.

APPROVAL OF MINUTES

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the Minutes of the January 19, 2022 Legislative Meeting. The motion was unanimously approved.

HIRING OF CONSTRUCTION CODE OFFICIAL

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the hiring of Ronald Burkholder Jr. to the position of Construction Code Official with a starting date of February 14, 2022. Commissioner Paul stated that Mr. Burkholder had used him as a reference on his job application, and asked Solicitor Miller if he should abstain from the vote. Solicitor Miller explained he is not required to abstain. The motion was unanimously approved.

HRG RETAINER AGREEMENT FOR NORTH UNION ST. SPEED STUDY

The Board discussed a proposed Retainer Agreement for HRG to conduct a speed study along North Union Street between Fulling Mill Road and the Township Line for a lump sum fee of \$4,500. Commissioner DeHart asked how long it will take to get this done. Mr. Fabian

responded he was not given much of a timing expectation but agreed with Commissioner DeHart's comments that things should be up and running before June. Commissioner Davies asked if this includes a methodology to categorize the traffic by size of vehicles. Mr. Fabian stated this does not appear to be included. Commissioner Paul asked if this is considered part of the original contract with the UPS project. Mr. Fabian responded it is not.

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve a Retainer Agreement for HRG to conduct a speed study along North Union Street between Fulling Mill Road and the Township Line for a lump sum fee of \$4,500. The motion was unanimously approved.

DEPARTMENT REPORTS:

Planning & Zoning/Codes Department:

Mr. Fure reported on active projects. 250 Fulling Mill Road, which is a vacant tenant space, broke ground. Hershey Creamery sewer plant is at a standstill due to product delays and will be pushed back to June/July. Final occupancy for the Creamery is expected to be issued tomorrow. Wilsbach Distribution Facility is near completion. Within the next two weeks they plan to open just the warehouse portion for storage. Final for the whole building is expected by the end of the month. Steel and the roof are being set now for the Fiddler's Elbow Warehouse (2070 N. Union). Stoneridge Lot #1 is underway.

Statistics for the Codes Department are as follows: 7 commercial building permits one of which is a new warehouse at 1431 Stoneridge, 6 residential building permits including homes in Morgan's Run, and several street cut permits.

The UPS Holding Tank Agreement was approved by their solicitors and signed by the Board. This holding tank may not be necessary since the sewer plant is expected to be completed by February 14.

As approved earlier tonight, Ronald Burkholder Jr. was hired for the construction code official position.

The Zoning Hearing Board is scheduled to meet on February 23 for UGI public CNG station. Originally, approval for the CNG station was for it to be private only. Now they are interested in making it public. Mr. Fure noted there are many questions that will need to be addressed, including access since everything is presently behind a gate. Location is directly across

from the firehouse and along Route 283. Commissioner Davies noted this would be very convenient for commercial vehicles. He asked if estimated traffic numbers will be provided. Mr. Fure responded that this will be one of the questions that will be asked.

The Planning Commission will meet on February 24 and will discuss the Pulgar Final Land Development.

MS4/Stormwater

Mr. Davis reported an easement agreement for the project at Spring Garden Dr. at the Caterer has been finalized with C&J Catering. Pending contractor availability and favorable weather, this project should be ready to proceed.

Some progress has been made on obtaining easements for the 217 Delmont Avenue project. Both the residential property owner at 215 Delmont, as well as the commercial property, First Industrial, have reviewed the plans and are comfortable with the easement and are working with Solicitor Diamond to work out an agreement. There will be some negotiation necessary with First Industrial since the Township will have to modify their basin.

Mr. Davis referenced previous concerns expressed by the Board regarding the excessive stone/dust/mud left on North Union Street from trucks leaving the Byler Quarry. This is also washing into the stormwater inlet. Michael Swank, facilities manager, did give a verbal commitment to reduce this pollution. However, the problem persists. Mr. Davis anticipated a meeting with Mr. Swank and the plant manager will be held soon to discuss options such as placing additional stone at their entrances to try to bounce some of the mud off the tires, or a more rigorous washing of the trucks before they leave the plant. Commissioner DeHart recalled Byler was supposed to have its trucks go in one way and exit the other. They are not doing this. Mr. Davis agreed that there are tracks coming from both entrances. He stated he was not aware of this understanding but can address it with the quarry. Commissioner Paul added they can rent a street sweeper and clean the road. Mr. Davis agreed this is a viable option.

Public Works

Mr. Washinger reported that approximately six hundred ton of salt was utilized in January. Two hundred ton of salt was ordered and delivered, and another four hundred ton was ordered but not yet delivered. After every snow or salt event, the trucks are washed and waxed, taking a few days for all the vehicles to be completed.

The Public Works crew added the new stop sign and street sign in the Morgan's Run development. The signage, as well as the labor to set the signs, was paid in full by Brian Morgan.

The Township was approved through the Commonwealth COSTARS program for the WEX fuel card for each vehicle it owns. Forty-eight credit cards were ordered. Each vehicle will be equipped with a card, and everyone will have a separate pin number tied to their name. Reports can be generated by individual, vehicle number, department, etc. Participating fuel locations include Souder's, Sheetz, Turkey Hill, and Sunoco. All locations are easily accessible for the Township. Mr. Washinger asked Board permission to implement this program due to the possibility of DEP shutting the Township's fuel system down. He explained he would like to begin training everyone on the system.

Commissioner DeHart asked how much is in the tanks at present time. Mr. Washinger explained there is probably only one-month left of unleaded fuel. There is adequate diesel fuel. Commissioner DeHart stated the fuel should probably be run down before the system is decommissioned. Mr. Washinger explained he doesn't want to run it down too far due to the possibility of sludge. He noted he is working with DEP on this. The proposal before the Board this evening is just for discussion. Cost to decommission that whole system would be about \$35,000. Cost to put in two 10,000 gallon above-ground tanks with all the new equipment necessary for DEP regulations would be about \$434,000. A dual tank for the police with a 5/5 product would be an additional \$113,000. There is also the question of whether the Township wants to leave the old tanks in the ground and put new tanks in the ground which would be another \$434,000. Mr. Washinger suggested the Board think about this. He noted the convenience of the WEX program is that staff can go just about anywhere in the Township and be close to a gas station.

President Wilt asked if there are different prices at different gas station. Mr. Washington explained this is all one contract price under the state COSTARS program. Vice President Truntz asked if the WEX program costs the Township anything. Mr. Washinger responded it does not. Vice President Truntz stated he feels it is prudent to move forward tonight with approval of the WEX program as it gives the Township a "plan B". He noted he would also like Solicitor Miller to review the WEX agreement. Solicitor Miller agreed that the Board can approve it, conditioned on his review and approval of the agreement. Since this is a DEP issue, he noted this is a matter of immediacy. However, it should be clear that approval is subject to his review.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the agreement to participate in the WEX program, subject to review and concurrence by the Solicitor. The motion was unanimously approved.

Mr. Washinger added that the crew has started to clean floors that were cleaned and sealed last year at this time. The restroom lobby area of the Police Department is being done now. Covid supplies are more than adequate and are ordered as needed.

Commissioner DeHart recalled that last fall, he had reported an issue on Oberlin Road north of Powderhorn, where the water is running down the street. He asked if Mr. Washinger had contacted PennDOT. There was an accident there last week due to a driver hitting a patch of ice. Mr. Washinger stated he had attempted to make contact several times but has not received any return calls. Commissioner DeHart remarked that in the past, he had made a citizen complaint on the PennDot website. He suggested this may get more action.

Commissioner DeHart also referenced the intersection of North Union and 441, down by the High School, where he almost witnessed a head-on crash. There need to be a sign placed before the stop sign sound bound to show which is the dominant lane, meaning 441 and Oberlin Road, not North Union. Drivers seem to think everyone is going north, and they are not. Commissioner Paul suggested the state be contacted about any signage installed since Oberlin Road is a state road.

MANAGER'S REPORT

Ms. McBride reported that it was a busy month. Ms. McClain, Accounting Manager, has done a good job in getting out the end-of-year filings, including W2-s. A new trash collector was contracted, and the initial start was a bumpy one. Calls are declining but there are still some issues with bulk pick-up.

The formal grant application for the eight or nine homes in Jednota Flats that have reoccurring flooding issues is being completed. This is a 1.3-million-dollar project, 75% coming from the feds and 25% from the state.

ENGINEER'S REPORT

Mr. Fabian updated the Board on the 2021 Drainage Improvements Project. The subsurface utility exploration on Nissley and Spring Garden has been completed. After the results of the work are in hand, design can be finalized and the change order formalized to add the revisions to the

overall contract. The contractor hopes to start construction in March of 2022, weather pending. Commissioner Paul asked if the contractor had given any idea on what the sequence of projects will be. Mr. Fabian responded that they are relying on him for that due to the situation with easements,. They do realize there is more of a priority on Spring Garden in front of the caterer and on Greenwood due to the road failures. Commissioner Paul asked how soon this information will be available, so the public can be made aware. Mr. Fabian anticipated this should be available after this change order package is finalized. Commissioner Paul stressed the importance of getting these projects moving, as they are already a year late.

Commissioner Paul questioned the roadway plan. Obviously, the priority is probably the Bryn Gweled area. He asked when the bids should be out for this project, knowing that everyone is busy this year. He also inquired if the Bryn Gweled project will be held up by DEP permits. Mr. Fabian stated the permit needed if the Township must replace the line underneath the stream would be a simple review (60 to 90 days) and probably not cause a huge delay. Commissioner Paul asked if there is sanitary sewer work involved with that project. Mr. Fabian confirmed there is. Commissioner Paul asked if the same contractor will do all this work. Mr. Fabian agreed this is correct. Commissioner Paul asked if it is conceivable that this will not even be paved this season. Mr. Fabian responded his goal is to have that proposal finalized for the Municipal Authority's meeting this month. Commissioner Paul remarked that there are still numerous other minor roads that need to be paved. Mr. Fabian agreed and noted Mr. Washinger had updated him on Commissioner Paul's ride along with him. He and Mr. Washinger then went out and reviewed those roads. Mr. Fabian stated he can now prepare a list of roads that should be included in the 2022 package. Commissioner Paul stated that the Township must get to the finish line on some of these projects. Ms. McBride commented that she would like to publish something that lets the residents know what roads are proposed to be done each year.

Commissioner Davies referenced the statement in Mr. Fabian's written report that a final recommendation for the 2022 paving plan would be offered on January 27. Mr. Fabian agreed that he had pulled together the initial recommendation but was hoping to have ride-arounds which were delayed and ended up occurring just last week. His next step is to sit down and revise the plan. Commissioner Davies agreed with Commissioner Paul that things need to start moving.

Mr. Fabian referenced the Rosedale Manor Stormwater project and reported that PennVest disbursement request #11 is presently in the signature process.

Mr. Fabian reported that the six-month extension request for the RACP Grant for Richard L. Shireman Park Development was approved. Ms. McBride asked for a copy of the approval letter. Commissioner DeHart stated it is now February, and the business plan for the Shireman Park was supposed to be done. He asked the status of this plan. Mr. Fabian explained that is the purpose of the extension, which will give the Township until August 8, 2022 to finalize the plan. Commissioner DeHart asked if anything was done on this plan. Mr. Fabian responded nothing was done; the Township did make the submission for additional funds on that plan. Mr. Fabian asked if anyone had heard an indication of the timing on the response for the request for additional funds so they can be incorporated into the business plan. Ms. McBride stated she had not. Commissioner DeHart suggested the state rep may be able to help with this. Commissioner Paul recalled conversations about using American Recovery funds for recreation. Ms. McBride agreed and stated she hopes the bulk will be used for the Shireman project. Commissioner Paul asked if it is just a commitment of telling them what the Township will be using these funds for or does the money have to be spent. Ms. McBride explained that she does not believe the recovery money needs to be spent until the end of 2024. Solicitor Miller confirmed that is correct; the Township just has to obligate it. Commissioner Paul stated this means the Shireman tract should be in the dirt by that time. Solicitor Miller agreed. Mr. Fabian stated he will arrange a meeting to discuss timing and progression of the business plan.

Scope of Work for HOP for Fulling Mill Road Boat Launch Facility

Mr. Fabian reported that HRG has submitted a Retainer Agreement for the Fulling Mill Road Boat Launch Facility to prepare the site for bid and oversee the contract administration and construction observation. This will be on the February legislative agenda for formal approval. Commissioner DeHart asked how quickly bids can be out upon approval of this agreement. Mr. Fabian responded that a lot of this depends on how quickly PennDOT gets out there. A scoping meeting will need to be held, and Mr. Fabian expressed hopes that PennDOT will not require the HOP since this has been an existing access point. Commissioner DeHart noted the PennDOT portion is a small portion of the project. He asked about the design of the ramp. Mr. Fabian explained that is already designed, approved, and permitted. Besides the HOP portion, it is ready to go to bid now. Commissioner DeHart stated he wants to see this project done soon due to the heavy use in this area. Commissioner Davies asked if approving this agreement tonight would advance

the project. Solicitor Miller stated it would probably not. The Board agreed to act on this at the February 16 legislative meeting.

GOOD AND WELFARE:

Commissioner Davies thanked the Athletic Association for sharing its vision and noted he looks forward to working with them, particularly in the next budget process, to make some of these aspirations come to completion. He added that he is also pleased that the boat launch facility is moving forward.

Commissioner DeHart stated that he had previously asked Solicitor Miller about color coding the fire hydrants. He asked the status of this. Solicitor Miller explained that staff is looking into finding a previous agreement with the water company which could possibly be amended to include this. It may, however, be necessary to draft an ordinance requiring this.

EXECUTIVE SESSION REQUESTED:

President Wilt requested the Board convene into executive session immediately upon conclusion of this evening's meeting to discuss personnel and legal issues.

Ms. McBride also announced that the Board had met in executive session on Sunday, January 30 for personnel and legal reasons.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner Paul, seconded by Commissioner Davies, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 8:21 P.M.

ATTEST:



Jean R. Arroyo
Township Secretary

PLEASE PRINT NAME CLEARLY

FEBRUARY 2, 2022 WORKSHOP MTG. – 7 PM[illegible]