

MINUTES

LEGISLATIVE MEETING – FEBRUARY 21, 2024

The February 21, 2024 Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt.

Roll call was taken, with the following officials in attendance:

- Jon G. Wilt, President
- Todd F. Truntz, Vice President
- Michael J. Davies, Commissioner
- Ronald J. Paul, Assistant Secretary
- Christopher DeHart, Commissioner (attending by phone)
- Zachary Border, Manager
- Jean R. Arroyo, Secretary
- Brett Flower, Eckert Seamans, Solicitor
- Shawn Fabian, HRG
- Don Fure, Director of Codes and Planning
- Richard Snyder, Planning and Zoning Coordinator
- Daniel Tingle, Acting 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 comment.

PUBLIC COMMENT: None

APPROVAL OF MINUTES:

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the Minutes of the February 7, 2024 Workshop Meeting. The motion was unanimously approved.

PAYMENT OF BILLS:

A motion was made by Commissioner Paul, seconded by Commissioner Davies, to approve the Payment of Bills – Warrant No. 2024-1. The motion was unanimously approved.

TREASURER'S REPORT:

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve the Treasurer's Report for January 2024. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Activity Report

Acting Chief Tingle presented the summary of the monthly statistics for January. There were 17 total vehicle accidents, 5,250 patrol miles driven, and no foot patrol minutes. There was 416.50 total overtime hours and no training hours. Co-responder stats included 3 new contacts, 0 repeat contacts, 0 follow-up contacts, and 2 mental health commits. There were 12 Part I crimes, 18 Part II crimes, 396 calls for service, 1 DUI arrest, 39 traffic citations, 2 non-traffic citations, and 56 warnings.

The new firearms have been received, along with most of the accessories for them. Middletown Anglers and Hunters has graciously allowed their facilities for the transition and for the annual firearms' qualifications. Vice President Truntz suggested a thank-you letter be sent to them.

Fire Department

Chief Phillips presented the Fire Department's monthly statistics. During the month of January there were 67 total calls, 24 of which were in Lower Swatara Township. Mutual aid was provided to Conewago Twp. (1), Conoy Township (1), Highspire Borough (3), Lower Paxton Township (1), Middletown Borough (3), Monroe Twp. (1), PA Turnpike (2), Steelton Borough (5), and Swatara Twp. (27).

ENGINEER'S REPORT:

Mr. Fabian stated that once the weather breaks, the punch list items for the Bryn Gweled Infrastructure Replacement Project and the Hanover St./Meade Ave. Stormsewer Outfall Repairs Project can be completed and both projects can be closed out.

The contractor for the Rosedale Avenue Culvert Replacement Emergency Project started construction this week. Construction is expected to take 2-3 weeks, pending any weather delays.

The contractor is also coordinating the schedule to have the necessary guard rails in place in order to avoid any delays in getting the road reopened.

Bidding for the Richard L. Shireman Park went live on PennBID on February 1, with bid opening scheduled for March 7. There was an addendum put out for today for the play structures which will be an alternate.

The Municipal Authority awarded the bid for the 2023 Drainage Improvements Project (Nissley & Spring Garden, Woodridge Basin Tie-In Off of Spring Garden) last month, and the contractor has submitted the contract and bond documents for review. Minor comments were made on the certificate of insurance and are being addressed now. Once everything is in order, a pre-construction meeting can be scheduled.

Bidding for the Fiddler's Elbow Box Culvert Replacement went live on PennBID last month, with bid opening scheduled for March 6.

The initial design layout review for the 2024 CIP Stormwater Improvement Project (Burd, Richard & Nissley Storm Sewer Replacement, Lumber St. Storm Sewer Replacement, Richardson Rd. Stream Restoration & Lakeside Dr. Storm Sewer Replacement) has started, and the design challenges to each site are being worked through.

The award for the Hazard Mitigation Grant Program (home buyout through FEMA) is still in process. It appears their approval is about a month out. In the meantime, work is being done on the scoping for the permitting and the demolition components. Hopefully things can be finalized for formal action at the March legislative meeting.

Vice President Truntz referenced an item on Mr. Fabian's report regarding a review of alternative locations for the new salt shed, including the site behind the garage at the Township building. He asked if a revised cost estimate would be provided to the Board. Mr. Fabian explained that staff had looked at some of the old plans when the building was constructed. Mr. Border added that next Tuesday, staff will be meeting with the concrete people to see if that area will work with what is envisioned back there.

MANAGER'S REPORT:

Mr. Border reported that staff is still looking at vendors for the access control system for both the Township Building and Public Works Building. Four bids have been received, and all are Costars vendors.

A meeting was held today with HRG, Mr. Fure, Mr. Washinger, and Mr. Border to discuss the Act 537 Plan. This has been a lengthy process, and this document will be presented to both the Municipal Authority and the Board of Commissioners within the next month or two.

Future Meetings/Events:

February 22	7 PM	Planning Commission Mtg.
February 26	7 PM	Municipal Authority Mtg.
February 28	7 PM	Zoning Hearing Board
March 6	6 PM	Recreation Board Mtg.
	7 PM	Board of Commissioners' Workshop Mtg.

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul – no report

Budget and Finance: Commissioner Davies – no report

Public Works Committee: Vice President Truntz reported that the crew responded to two minor snow events, requiring the use of 200 ton of salt. He gave kudos to the crew for working with three trucks down. The Public Works Department also did some washing/waxing of the trucks after the snow, as well as some housekeeping work in the Township Building.

Community Development: Commissioner DeHart – reported that MARA is scheduled to meet next Thursday, and Commissioner Paul will be attending on his behalf.

Personnel Committee: President Wilt – no report

UNFINISHED BUSINESS: None

NEW BUSINESS:

Final Subdivision & Land Development Plan for Colony at Old Reliance, P-1

Ben Heisey, RJ Fisher & Associates, presented the Final Subdivision & Land Development Plan for the Colony at Old Reliance, Phase 1. The plan proposes a 58.321-acre Traditional Neighborhood Development (TND) to be constructed in three phases. Mr. Heisey stated that Phase-1 is the northern half of the project and has a portion of the single-family homes and duplex units and establishes both site entrances and the proposed sewer extension. Mr. Snyder added that on December 21, 2023, the Lower Swatara Township Planning Commission recommended Conditional Approval of the Final Subdivision & Land Development

Plan contingent upon four conditions: (1) recordation of the mutually acceptable Developer's Agreement, (2) adequately addressing any outstanding comments raised by Lower Swatara Township (or a representative(s) thereof), (3) recordation of the easement for the off-site gravity sanitary sewer main, and (4) recordation of easement instruments for any public infrastructure or stormwater management which may be on private lots.

Commissioner Paul recalled a note on the plan about the sidewalk and curbing on Longview Drive. Mr. Snyder confirmed that is correct. Commissioner Paul also asked how the tot lot shown on the plan will be handled. Mr. Heisy responded that this is proposed to be installed by the developer at his expense. In response to a question from Commissioner DeHart, Mr. Snyder confirmed that the homeowners' association would be responsible for maintaining that recreation area.

Commissioner Davies questioned the two waivers associated with the plan. Mr. Snyder explained staff and Solicitor Diamond felt that the two waivers that were requested as part of this plan did not need to be reapproved, since they were already approved with the Preliminary Plan and did not change. Mr. Fabian added the waivers are (1) waiver from the curbing requirement along Longview Drive and (2) proposing to pay a fee in lieu of installing both curb and sidewalk along the entire frontage of the plan. Commissioner Davies observed the plan shows a small lot for commercial use. He asked if there is a tenant for this. Mr. Heisey responded there is no specific use at the moment, but he envisions something like a travel agent, small bakery, photographer, etc.

Commissioner DeHart asked the square footage for the duplexes. Bill Briegel, Keystone Custom Homes, stated they vary and range from 1,800 -- 2600 sq. feet.

A motion was made by Commissioner DeHart to approve the Final Subdivision & Land Development Plan for PC#2023-07 Colony at Old Reliance, P-1 subject to the four aforesaid conditions set forth by the Planning Commission. Mr. Heisey addressed condition number 4 regarding of the easements on private lots. He explained they intend to have those easements recorded with the Final Plan so they can be located off this plan for each lot they are located on. The motion to approve was seconded by Commissioner Davies, and unanimously approved.

Dale Messick, a member of the Planning Commission, stated the plan before the Planning Commission did not show details on the curb and road widening and improvements to Longview. He asked if the plan is now here with all the details, and if the driveways have all

been worked out. Mr. Fabian explained that the details were on three different sheets, so it was asked that they pull all the layers together into one exhibit showing everything; this is what is on the screen tonight.

Commissioner Davies questioned how the road realignment will impact the driveways on the north side of Longview Drive. Mr. Snyder explained that with the proposed plan, three out of the four driveway extensions will be within the legal Township right of way. Commissioner Davies stated his concern is ongoing maintenance considerations for the part of the extended driveways that are within the right of way, including who will move the snow on that part of the extended driveway. Commissioner Paul added there will be additional right of way on the south side of the curve and will impact the property owners there in Old Reliance. Mr. Heisey explained that the right of way within the Old Reliance property was established with that plan.

Waiver Requests for Cramer Auto Land Development Plan

Adam Davis, Highland Engineering, presented the Cramer Auto Land Development Plan. With the plan are several waiver requests and two deferrals. On January 25, 2024, the Planning Commission recommended approval of five waiver requests relative to: Section 22-404 – Preliminary Plats; Procedure; Section 22-606 – Curbing Along White House Lane; Section 26-126.3.B – Full Flow of Pipes Less than 2.5 FPS, Minimum Slope Less than 0.5%; Section 26-126.2.A – Emergency Spillway; and Section 22-502.8 – Intersection Sight Distance and Clear Sight Triangles. The Planning Commission recommended deferral of two waiver requests relative to: Section 22-607 – Sidewalks and Section 22-502.11.C.1 – Curbing Along Nonresidential Access Drives.

Commissioner Paul asked if the old Highspire Mobile Homes property is part of this plan. Mr. Snyder responded it is not. Commissioner Davies questioned the waiver request for curbing along Whitehouse Lane and mention of a gas pipeline. Mr. Davis explained that putting curbing along Whitehouse Lane would involve construction over the gas line. It would also create a drainage problem in this location. In response to a question from Commissioner Davies about retention areas, Mr. Davis confirmed that they are proposing stormwater basins as a part of the project. Commissioner Paul commented that there is partial curbing on Whitehouse Lane at the old Pizza Hut property. Mr. Davis explained that the gas line comes parallel and then crosses Whitehouse onto the property on the west side of Whitehouse.

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the aforesaid five waiver requests and two waiver deferrals associated with PC#2023-06 Cramer Auto LDP. The motion was unanimously approved.

Preliminary/Final Subdivision & Land Development Plan for Cramer Auto

With the waivers/deferrals approved, the Board then acted on the Preliminary/Final Subdivision & Land Development Plan which proposes to consolidate four existing parcels into one new parcel, measuring 19.74 acres and to demolish seven existing structures. The plan also proposes to construct an expansion of the existing parking lot, a 9,000 square foot building, associated parking and access drives, associated utilities, and associated stormwater/PCSM facilities. A motion was made by Vice President Truntz, seconded by Commissioner Davies to approve the Preliminary/Final Subdivision & Land Development Plan for PC#2023-06 Cramer Auto. The motion was unanimously approved.

Bill of Sale for transfer of Stoneridge Dr. ROW pavement and curbing

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve a Bill of Sale accepting the transfer of the Stoneridge Drive Right-Of-Way pavement and curbing associated with the Preliminary/Final Land Development Plan for Proposed Development – Lot 5 (Instrument Number 20220010799). The motion was unanimously approved.

Ordinance No. 613 amending Codified Fee Schedule

Solicitor Flower explained that proposed Ordinance No. 613 will repeal the fee schedule to pull it out of the ordinance and into a resolution, thereby making it easier to revise when necessary. A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve Ordinance No. 613, amending Section 1-17 of the Codified Fee Schedule.

A roll call vote was taken with the following ballot tabulation: Commissioner DeHart – aye, Commissioner Paul – aye, Commissioner Davies – aye, Vice President Truntz – aye, President Wilt – aye. Ordinance No. 613 was approved by a 5 – 0 margin.

Resolution No. 2024-R-4 setting fees

Mr. Fure explained that Resolution No. 2024-R-4 sets and updates certain fees. For example, residential fees were revised since Ron Burkholder Jr. will now be doing the residential electrical inspections, which were previously done by a third party. A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve Resolution No. 2024-R-4,

setting the fees of the Township as they pertain to returned check charges, appeals Board provisions, building construction permits, third party electrical fees, zoning permit fees, subdivision and land development fees, and other permits. The motion was unanimously approved.

Ordinance No. 614 prohibiting trucks 40'+ from turning onto Highspire Rd. from Fulling Mill

A motion was made by Commissioner Davies, seconded by Vice President Truntz, to approve Ordinance No. 614 prohibiting trucks exceeding forty (40) feet from turning on to Highspire Road from Fulling Mill Road. A roll call vote was taken with the following ballot tabulation: Commissioner DeHart – aye, Commissioner Paul – aye, Commissioner Davies – aye, Vice President Truntz – aye, President Wilt – aye. Ordinance No. 614 was approved by a 5 – 0 margin.

Retainer Agreement w/HRG for weight restriction evaluation project

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve a Retainer Agreement with HRG, in the amount of \$3,000, for Professional Engineering Services for the Whitehouse Lane Weight Restriction Evaluation Project. The motion was unanimously approved.

Lower Swatara Township Non-Uniform Employees Personnel Policy Manual

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the Lower Swatara Township Non-Uniform Employees Personnel Policy Manual. The motion was unanimously approved.

Recess into Executive Session

President Wilt requested the Board recess into a short executive session in order to discuss a litigation matter. The Board recessed at 7:52 P.M. and reconvened the meeting at 8:05 P.M.

Settlement Agreement re: 2021-CV-4251-LU.

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve a Settlement Agreement pertinent to Docket 2021-CV-4251-LU, as modified, to allow a maximum height of 17 feet, 6 inches and to require the removal of outside trailer storage units up to a maximum of two months following completion of construction. The motion was unanimously approved.


EXECUTIVE SESSION REQUESTED:

Vice President Truntz requested an additional executive session immediately upon conclusion of the meeting for personnel matters.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

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

ATTEST:



Jean R. Arroyo
Secretary

PLEASE PRINT NAME CLEARLY
BOARD OF COMMISSIONERS

FEBRUARY 21, 2024 LEGISLATIVE MEETING (7:00 PM)

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