

MINUTES

NON-LEGISLATIVE MEETING – FEBRUARY 5, 2020

The February 5, 2020 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
- Ronald J. Paul, Assistant Secretary
- Christopher DeHart, Commissioner (participating by phone)
- Betsy McBride, Township Manager
- Jean R. Arroyo, Township Secretary
- Peter R. Henninger, Solicitor
- Shawn Fabian, HRG
- Lester Lanman, Public Works Director
- Jeff Vargo, Chief of Police

Absent: Michael J. Davies, Commissioner

Residents and visitors in attendance: (PLEASE SEE ATTACHED SIGN-IN SHEET)

Solicitor Henninger explained that Commissioner DeHart will be participating in the meeting by phone, as authorized by Township resolution. Commissioner DeHart had previously created a password with Solicitor Henninger to verify his identify. Solicitor Henninger confirmed that Commissioner DeHart has just verified that password and is now legally authorized to participate in the meeting.

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

PUBLIC COMMENTS:

Beth Malpass, 2047 Market St. Ext., asked if the Township had heard from its insurance company yet in regards to the estimate she had submitted. Ms. McBride responded that the insurance company has acknowledged submission of the claim. She anticipated that she will hear back from them by the end of this week.

Bruce Harter, Strites Road, stated that he passed on information about the LTAP (PennDOT Local Technical Assistance Program) training sessions. He noted that he did bring this up in the past, but was told it was not necessary. Mr. Harter stated he feels this is more of a situation where "you don't know what you don't know". While every one of those sessions may not apply to this municipality, there is something to be learned at each one. He suggested the Township step back and think in terms of efficiency. Funds are limited everywhere, and how they are spent could be looked at a bit more closely. Mr. Harter observed that the budget does show a minimal amount for temporary part-time summer help; this was not done last year. Hopefully if Mother Nature cooperates, winter overtime will be minimal, freeing up additional funds. There is a lot of staff out there mowing parks, and the Township is buying more property and is tearing down homes in flood areas which means more lots to maintain. The Township will need to think how best to deal with this, because it is seriously lacking in its roadway maintenance. The Township is depending on builders to upgrade its infrastructure, which is a good idea, but there are other areas where infrastructure needs some attention. Last year, \$10,000 was spent to have a computerized inventory of the roadway system in order to prioritize which roads need to be repaired first. Mr. Harter stated that the Township's own staff should have been able to do this through a visual inspection, although he acknowledged there has been a lot of turn-over. Mr. Harter also noted that while the Township did not need to use a lot of salt so far this winter, its contract requires it purchase 75% of the amount requested by the end of the season. Therefore, if winter continues to be mild, the Township will still need to buy the salt and find a place to put it. There are a lot of things for the Township to look at. With all the time spent cutting grass in parks, it may be worthwhile to contract with a lawn care service for the smaller parks. This would free up some of the crew to do work on highway maintenance. Mr. Harter observed that the Township hires contractors to crack seal. This is not a very technical operation, and is something that could be done in-house. If the Township doesn't have the equipment for this, it could be rented. He added if some of the other equipment purchases are cut back on, the Township can probably afford equipment to do crack sealing and skin patching. If there is a wet spring, a lot of patching will be necessary. The Township needs to come up with a maintenance plan. Crack sealing should be done every three to five years; probably 25% of the roadways should be looked at and sealed every year as just routine maintenance. Drainage is also a major issue. There are pipes that need replaced, and three

bridge projects are in the works now and being financed. Mr. Harter suggested the Township think about how to put the savings from the mild winter to good use.

APPROVAL OF MINUTES:

A motion was made by Commissioner Paul, seconded by Vice President Truntz, to approve the Minutes of the January 15, 2020 Legislative Meeting. The motion was unanimously approved.

PLANNING AND ZONING DEPARTMENT REPORT:

On behalf of Ms. Hursh, Ms. McBride reported on current projects and tasks.

Review and revision of the final copy for the recodification of ordinances continues. The next step will be for Solicitor Henninger to review the proposed ordinance changes and then set a date for the Board to enact the recodification.

Mr. Fure has been spending a significant amount of time each day on daily inspections at Campus Heights and Hershey Creamery.

The Zoning Hearing Board met on January 22 to hear a Special Exception for Wilsbach Proposed Distribution Warehouse to exceed the building height of 40 feet to 50 feet. The Zoning Hearing Board approved the request. Ms. McBride added the Board may be seeing this plan at its next meeting.

The Planning Commission met on January 23 and discussed the Preliminary/Final Land Development Plan for D&H Proposed Warehouse. The property is located north of Rosedale Avenue, east of Stoner Drive, and is for a 745,200 sf warehouse/distribution facility in the Industrial Park (IP) zone. The Planning Commission recommended approval with conditions. The Board will also be seeing this plan at its next meeting.

Ms. Hursh has been working on the review/revision of the Zoning Ordinance to clear up building setback issues. UPS site work continues. Ms. Hursh did receive a complaint from a resident concerning work at night. She spoke with the contractor; the contractor made some changes, and the resident indicated that things have improved tremendously. Commissioner DeHart asked if the resident is from Lower Swatara Township or from another municipality. Ms. McBride stated the resident was from Derry Township. Commissioner DeHart requested this be put on the record.

Ms. McBride reported that Penn State needs to get a permit for its soccer field; they had actually started work on the soccer field without it, as they were not aware of the need for one. They are now in the process of obtaining the permit. Commissioner DeHart asked if they are continuing the work. Ms. McBride explained that they have stopped work until the permit is issued.

Vice President Truntz stated he believes that some of the Commissioners have been approached by the School District regarding its plans for a new stadium and a reduction in the permit fees. He asked if this had been resolved. Ms. McBride stated that it has not been resolved, and the Board may get a visit from one of the School Board members asking for this reduction. Ms. McBride explained the details of this situation, and noted that Mr. Fure was contacted by the School Board about the fee. He calculated the fee, and they felt it was too high and asked if it could be reduced. The first time he had based the fee on the square footage of the buildings. The second time he did it based on the overall construction minus the land work costs. The lower of the two fees at that point was \$11,500. Last week Mr. Fure calculated the square footage again, since they had made one building smaller. This time he also excluded the 100 sq. ft. ticket booth. The fee is now at just under \$10,400, which is about as low as the Township can go and justify it. President Wilt stated he discussed this with one of the School Board members, and believe they have accepted this amount. Vice President Truntz added his understanding that the fees are the costs to the Township; the Township is not making money off them. Solicitor Henninger agreed that under the law, the fees have to be directly proportional to the expense to the Township. It is not an income producer. Commissioner Paul added that historically, the Township has not waived fees for churches, schools, etc. Ms. McBride noted that she does not believe fees were waived for the construction of the campus itself. Commissioner DeHart asked if this will set a precedent to allow others to come in and request a fee reduction. President Wilt confirmed this is exactly why the Township does not want to further reduce the fee. Commissioner DeHart added there is only one occasion he can recall when fees were waived, and that was for the Township itself. President Wilt agreed that the fees for the Fire Department station were waived. Commissioner DeHart explained that is due to the fact that the Township owns the station. Ms. McBride stated that she does not mind a request for a reduction when the size of a building is reduced, as in this case.

PUBLIC WORKS DEPARTMENT REPORT:

Mr. Lanman reported that Sunoco has mobilized again and is back down where they were previously on the south side of Route 230. He presented a map of the area where the drilling unit is and explained that this is really the only work that Sunoco has going in Lower Swatara Township.

The Suez water main project is ongoing in the Rosedale Manor area. Work on the PA One Call Mapping has been completed and should help reduce the number of One Calls the Township receives and also provide a cost savings.

Mr. Lanman reported that he is working to set up the Liquid Fuels projects for the 2020 paving. He will be setting the parameters for the bidding to be done for this work with bids planned to be sent out in March.

An update was provided on the UGI "Get Gas" Project. Approval has been received from UGI to push this project back a year on their end to allow the Township time to repair storm sewers in the project area (Twelve Oaks) prior to the gas line installation. A full investigation of that development shows all the problem areas are on the northern side, basically in one area. There are about nine pipes that need fixed. Most of these pipes are too deep for staff to do the work. Mr. Lanman stated he plans to talk to some contractors and lump all those pipes into one contract and have all the work done at one time. He will keep the Board updated on this item.

At the last Board meeting, Mr. Lanman was asked to get another quote for replacement of the firm alarm system. Stanley Security provided that quote this morning, but did not itemize the costs. The quote provided was substantially higher, as well as their monthly fee. Mr. Lanman will request that they itemize their quote in order to compare apples to apples. He noted he will email this information to the Board, with hopes of the Commissioners making a decision on this item at the February 19 legislative meeting.

The Township was informed that Michael Baker International had received comments from PennDot in regards to the UPS improvements to North Union Street and the on and off ramps from Rte. 283 onto North Union St. PennDot has concerns about some early warning detectors. Basically, if traffic is stopped way back on the ramp, it will keep the light green to clear that ramp and keep the traffic flowing. Mr. Lanman and Mr. Fabian discussed this, and forwarded it to PA PERCS, which is the Township's traffic signal company. PERCS has been in contact with the traffic division staff of HRG. PERCS was not aware of any known issues with the setup the way it

is now; there have not been calls about traffic stacked up back onto Rte. 283 from the off ramps. Again, more details will follow, but there may be the need to add additional sensors to the traffic signals at the off ramp at Rte. 283 onto North Union St.

Vice President Truntz stated that he did see the LTAP information in his Board packet, and is hoping this is something Mr. Lanman can take a look at and possibly consider sending somebody to. He also addressed discussion on road patching, and asked if the Township has a machine to patch and seal roads. Mr. Lanman explained the Township does not have a full-blown crack seal machine. This is usually rented. The Township does have a seal machine that is only suitable for small patches. Vice President Truntz asked if crack sealing is done on a regular basis. Mr. Lanman explained it is, but it was contracted out this year since it takes a lot of workers to do it, which it turn takes them from other jobs, like the inlet repair work that were done in Old Reliance. In response to a question from Commissioner Paul, Mr. Lanman estimated it takes at least five workers to do the crack sealing. Commissioner Paul stated the good thing is there are now two more Public Works employees to assist with these jobs. Mr. Lanman agreed, and noted it will be a busy spring with base repairs to be done prior to paving. Ebenezer and Cockley will definitely have some major base repairs. Park work will also need to be done, as well as inlet repairs at Twelve Oaks before the "Get Gas" program begins. Commissioner Paul reference comments about a pipe on Cockley Rd. needing repair. Mr. Lanman confirmed that this is the culvert near the mobile home park. Ms. Smith and the crew were just out to look at it, and it appears there is a pipe with concrete poured around it and the pipe is starting to fail. At this point, the paving plan for Cockley Rd. will remain unchanged. This small section could be skipped until the pipe is replaced, and the paving could then be extended to match up. Commissioner Paul asked if the paving on Greenwood Dr. has been put on the back burner. Mr. Lanman agreed it is still an option, but he is waiting to see what the budget comes back at.

MANAGER'S REPORT:

Amendment of the Health Plan

Ms. McBride stated that for the first time, the Township is asking some employees to contribute to their health care. The contribution is \$40/pay for employees who have family coverage and \$20/pay for employees who have single coverage. The health insurer has asked the Township to sign an amendment to the plan stating this. A motion was made by Vice President

Truntz, seconded by Commissioner Paul, to amend the health care plan to reflect the employee contributions. The motion was unanimously approved.

2021 Emergency Exercise

Ms. McBride and Robert Furlong, the Township's EMA Director, have discussed the possibility of participating in an emergency exercise in 2021. Even though TMI is closing, the County would still like to have occasional emergency exercises. There are plans for one in April of 2021 which will fabricate a crisis such as a flood, hurricane, etc. Ms. McBride stated it would be good for the Township to participate, and hopes the Board will agree. She added that if this exercise is done after hours or on the weekend, it will require overtime payment to those employees who are asked to participate. President Wilt asked if employees were asked to participate and then paid overtime in the past. Commissioner Paul stated he believes many of the employees, such as Public Works employees, did participate but were not paid overtime. However, they are union employees now which will require that they be paid. Vice President Truntz asked if Chief Vargo and Chief Weikle had been contacted to provide their recommendation on participation. Commissioner DeHart stated he would highly recommend participation, as it is important for the Township to maintain its skills. He suggested the Township plan on participating. President Wilt agreed this could be discussed further, closer to the time of the exercise.

Local Share

Ms. McBride reported that several months ago, she had presented the Township's local share request to the Gaming Board. At that time, just in conversation during the presentation, she had mentioned that this year, the Township was asking for, among other things, help with paying one of its loans. She had mentioned that in the past, the Township had asked for help in paying two of its loans. However, there was a previous agreement with the first loan that said they would help with the first five years but not after that. The Township is now in the sixth year of that loan. The members of the Gaming Board did not recall this agreement, and indicated that they would continue to help the Township pay on this loan. Therefore, Ms. McBride had told the Gaming Board that she would be asking for more than what was written in the request. She noted her intent is to send a letter to the Gaming Board indicating the original request and then adding the approximate \$25,000 to that as a result of the discussion during the presentation. She asked if the Board had any objection to this. No objections were expressed.

Payment Service Network

As the Board is aware, staff is using the new Casella program, and the sewer billing is part of this. It is likely that MS4 fees will be added to this in the immediate future. The service that is used now to allow customers to pay with credit cards and on-line does not seem to be doing it as well as it did with the old system. Therefore, there has been discussion about switching to Payment Service Network. There is no decisions to be made tonight. Solicitor Henninger will review the proposed agreement, and at the next meeting more information will be provided. Solicitor Henninger explained that the proposal is a three-year contract with automatic one-year extensions if 60-day notice is not given. There is a 90-day out for \$550 which is a nice provision. There are no termination fees if they were to up their rates. Solicitor Henninger stated he does have some issues with their proposed waiver of all warranties and some other questions. He anticipated these questions can be wrapped up within the next two weeks. Commissioner DeHart asked if the current company, MuniciPAY, has a penalty clause for termination. Ms. McBride stated she does not know, but will need to look into this. Commissioner Paul asked if staff endorses this change. Ms. McBride stated they do, but the benefit will probably come to the users, who should incur less of a credit card pass-through fee than they are incurring now.

Ms. McBride also reported that the 2020 Municipal Road Maintenance and Safety Symposium mentioned by Mr. Harter is this May, in case anyone on the Board is interested in attending. Ms. McBride added that she will talk to Mr. Lanman about having someone from the staff attend.

ENGINEER'S REPORT:

Shawn Fabian, HRG, referenced his written report and provided updates.

The Highland Street and Lumber Street/Greenwood Drive bridge projects are progressing. Highland Street has footing excavations complete and the stone is being placed. The footings are expected to be constructed this week, with the precast arch installation to follow. Lumber Street is currently going through scheduling and coordination work with utilities to begin construction and to work out the details for detours.

The bid opening for the Bradford Avenue Residential Home Demolition Assistance project will occur on February 7, with notice of intent to award on February 19.

The signed contract, performance bond and payment bond were returned from the contractor for the Greenfield Park Basin Retrofit and Riparian Buffer project and are now ready for Board signature. A preconstruction meeting is scheduled for February 27 at 10:00 A.M. here at the Township Building.

Full construction on the Rosedale Manor Stormwater project is anticipated to occur in the spring this year. An additional inlet and storm sewer run were identified by Township staff near 1999 Market St. Ext. This will require a formal change order, and Board approval for the change order will be on the February 19 legislative agenda. There is a contingency in the PennVest program for these type of occurrences, and this change order is well within the parameters.

The PA DEP technical review of the Spring Garden Drive Arch Culvert Replacement project is still on ongoing, and is anticipated to be complete by April at the latest.

Municipal Separate Storm Sewer System (MS4) Program GIS support has been provided to Madison Smith. Outfall inspection work is also being scheduled with Ms. Smith.

A public meeting was held on January 30 to receive public input on the DCNR C2P2 Planning Grant – Township Comprehensive Recreation, Park and Open Space Plan. Mr. Fabian noted that the Press & Journal had a very nice and detailed article on what was discussed at the meeting. The meeting was well-attended, and there was some diverse feedback on what to do at the various parks. The next stage is to conduct some of the key staff interviews and start to prepare the final report for DCNR's review and approval. Mr. Fabian added that the report should be finalized over the next two to three months.

The grant close-out paperwork for the Old Reliance and Shope Gardens Parks Stormwater BMPs is near completion. It is anticipated that the grant will be closed and reimbursements processed by early March.

Mr. Fabian noted that the Township had agreed some time ago to do a riparian buffer planting on the Shireman Tract with the Dauphin County Conservation District. This was a grant through DCNR to provide some 35' of additional tree plantings on the northern end of that property. Mr. Fabian stated he was in contact with Rob Frank at the Conservation District to talk through the specifics and get DCNR's recommendation for the plant species. Work will be done with Township staff to finalize the plan to move forward; this project will be done in the spring. Coordination will also be necessary with the farmer that is actively farming that property right now. In response to a question from Vice President Truntz, Mr. Fabian confirmed this will provide an MS4 credit, but a

very minor one. Commissioner Paul asked how this will benefit the Township. Mr. Fabian explained that right now, it takes a little bit of that steeper slope and puts it into a forest which is all against that stream right now. The trees are free, and the planting would be a volunteer activity which could coincide with Earth Day. This project would be a low-cost, low-liability project which would also provide some publicity. Ms. McBride noted she had been approached by a prospective Eagle Scout looking for a project, and asked if this one would be suitable. Mr. Fabian estimated this project would require eight hours of overall work on two days. Commissioner Paul asked if there will be maintenance of these trees, such as cutting the grass and weeds between them. Mr. Lanman explained this will be very similar to the trees that were planted at the end of Fulling Mill Road. There will be a minimal amount of maintenance for a few years, but eventually the area will be turned back to nature.

Vice President Truntz referenced the change order for the Rosedale project, and asked the cost. Mr. Fabian recalled the figure was about \$46,000. There is about \$161,000 set aside from PennVest for change orders. These figures and details of the change order will be provided in the next Board packets. Mr. Lanman added that this work is something that definitely needs to be addressed. Vice President Truntz also asked if the report for the park study will be available to the public. Mr. Fabian agreed that it will be once it is completed and approved by DCNR.

SOLICITOR'S REPORT:

Solicitor Henninger updated the Board on the easements for Highland Street. Two condemnations were filed, but last week one of the property owners did come in and sign. Now the only outstanding signature is from McNaughton Group. Solicitor Henninger expressed hopes that this can be resolved before it goes deeper in the condemnation process, which is very costly. He noted this only impacts about 1,100 square feet of property all within the floodplain.

Solicitor Henninger reminded the Board that there is a joint meeting of the Board and Municipal Authority on February 19 at 6:20 P.M. with regards to MS4. Hopes are to work out final details of the management agreement and the credit policy. That way, when PennVest is ready for settlement, everything can move ahead as far as any approvals necessary on the Township's end. The goal is to have the billing go out May 1.

GOOD AND WELFARE:

Commissioner DeHart thanked everyone for coming out this evening.

Commissioner Paul referenced the draft of the newsletter provided in the Board packets, and noted it was very lengthy. Ms. McBride agreed to condense some of the articles. Commissioner Paul stressed the importance of using this newsletter to provide for MS4 education.

Vice President Truntz requested a brief executive immediately upon conclusion of this evening's meeting in order to discuss a personnel matter. He thanked everyone for coming out.

President Wilt also thanked the public for coming out. He added that on January 14, there was a Special Election for the 48th Senatorial District, which Lower Swatara is a part of. Last Wednesday he attended the swearing-in of newly elected Senator David Arnold.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Vice President Truntz, seconded by Commissioner Paul, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:53 P.M.

ATTEST:

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

Jean R. Arroyo
Township Secretary

PLEASE PRINT NAME CLEARLY
FEBRUARY 5, 2020 WORKSHOP MEETING – 7 PM

[illegible]