

MINUTES

NON-LEGISLATIVE MEETING – JANUARY 3, 2022

The January 3, 2022 Non-Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:15 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
- Kaylee Justice, Planning and Zoning Coordinator (via Zoom)
- 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

APPROVAL OF MINUTES

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the Minutes of the December 15, 2021 Legislative Meeting. The motion was unanimously approved.

NOTICE TO PROCEED FOR PROJECTS:

Mr. Fabian explained the Award and Notice to Proceed before the Board tonight is an agreement between both Lower Swatara Township and the Lower Swatara Township Municipal Authority for the 2021 Drainage Improvements package. Therefore, both entities should act on it.

A motion was made by Commissioner Davies, seconded by Vice President Truntz, to approve the Award and Notice to Proceed for the Cockley Road Culvert Replacement, 2021 Drainage Improvement and Swatara Drive Sanitary/Storm Improvement to JVI Group, Inc. in the amount of \$545,627.00. The motion was unanimously approved.

NEW HIRES:

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve the hiring of Dennis Ragland to the position of Laborer with a starting date of January 3, 2022. The motion was unanimously approved.

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve the hiring of Donna Leiss to the position of Administrative Assistant for the Police Department with a starting date of January 3, 2022. The motion was unanimously approved.

DEPARTMENT REPORTS:

Planning & Zoning/Codes Department:

Ms. Justice reported that active projects include UPS, Hershey Creamery, Wilsbach Distribution Facility, Fiddler's Elbow Warehouse at 2070 N. Union, and Stoneridge Lot 1. The Zoning Hearing Board will not meet this month, since no business was received. The Planning Commission is scheduled to meet on January 27 and will review the Colony of Old Reliance sketch plan submission and Harrisburg CNG Facility Final Land Development.

Statistics for the Codes Department are as follows: 2 commercial building permits, 2 sewer permits, 8 street cut permits, and 2 zoning permits

MS4/Stormwater

Mr. Davis reported on active stormwater projects, beginning with 217 Delmont Avenue. HRG has created a plan to connect the existing upstream drainage basin directly to the proposed stormwater system. They were able to confirm that the additional flow from the basin will not negatively impact the system's capacity. They were also able to come up with a plan on re-grading the back of 215 Delmont to prevent any possibility of flooding that might occur there. The next step is for staff to reach out to the owner of 215 Delmont as well as the owner of the basin, First Industrial. Initials talks with First Industrial went well, and they seem amiable to all this work. Once they give conceptual approval, the solicitor can draw up an easement agreement for signature.

Commissioner Paul asked if there is a timeline for this work. Mr. Fabian explained ideally, this can be added as a change order to the existing 2021 Drainage Improvement Project package. The contractor for this work hopes to mobilize in the spring, which gives the Township a month or two to get the easements squared away. Commissioner Paul stated it is important to get these easements drawn and executed as soon as possible. Solicitor Miller added that the easement for the work near the caterer and Spring Garden Drive also appears to be on the cusp of being signed.

Mr. Davis stated an easement is also necessary for the Hanover Street Outlet Structure project. A general concept plan has been developed to modify the existing drainage outlet structure. The new design will provide more positive drainage while minimizing damage to the Reservoir Park Trail. Highspire Borough has given a general okay to the design. Mr. Washinger will be taking this to Highspire's meeting this month for formal approval.

Commissioner DeHart referenced 2090 North Union Street, Byler Quarries, and noted he had previously expressed concern about their vehicles dragging sediment onto the roadway. It was particularly bad today. Commissioner DeHart added that Pennsy Supply at 2152 North Union runs the same type of business but does not have that issue. Mr. Davis explained he did attempt to contact Byler but did not receive any response. Since there has been no response, there is the option of reporting this to DEP since they are violating their NPDES permit. Commissioner Davies stated he shares these concerns, but suggested a personal visit may be a more neighborly option prior to contacting DEP. Ms. McBride agreed that she would be glad to accompany Mr. Davis to the business. Vice President Truntz added that a violation letter may also be useful.

Public Works

Ms. McBride referenced the agenda item regarding revision of the schedule for the Township's monthly dumpster program. Over the past two years, there have been concerns that it is not worth the Township's cost to have it open monthly due to low use during certain month, specifically January and February. The heavy-volume months appear to be March, June, September and November. With that in mind, Mr. Washinger is suggesting revision to the schedule to have the dumpsters open on a quarterly basis using those months as collection dates.

Ms. McBride asked that the Board give this some thought for formal action at the January legislative meeting. Commissioner Paul suggested that if it will be a quarterly program, perhaps a better option would be to have it open every other month starting in March --March, May, July, September, and November. Commissioner DeHart cautioned that the staff should also monitor the

Township to ensure there is no illegal dumping, especially at problem areas like the end of Fulling Mill Road and by Swatara Shores which is becoming problematic again. Commissioner Davies asked if these areas can be posted with signage indicating that dumping is illegal.

Ms. McBride stated she believes that this has already been done, but she will verify. A motion was made by Vice President Truntz to table revising the 2022 Dumpster Program schedule to a quarterly opening.

Police Department

Chief Visconti reported on statistics for the year 2021. There were 191 Part I crimes, 352 Part II crimes, 4,891 calls for service, 27 DUI arrests, 440 traffic citations, 50 non-traffic citations, and 439 warnings. There were 173 accidents. Mutual aid for incidents in surrounding jurisdictions totaled 322.

Chief Visconti stated 2021 started out as a rough year, with a COVID breakout in the Police Department which resulted in assistance from the PA State Police to provide coverage for a few weeks. The Township was also still recovering from a cyber-attack which happened in December of 2020. Two new officers were hired in February. Staffing challenges continued with two officers and an administrative assistant separating from service. Selection processes were held for these vacancies. A qualified replacement for the administrative assistant position – Donna Leiss – was hired and started this morning. Measures are being taken and applications are currently being accepted for the interim selection process previously approved by the Board. Applications will be accepted until January 28 at which time a new selection process will commence. The body worn camera equipment was acquired from the vendor and is operational. Solicitor Miller has indicated that he has now approved the draft policy for this equipment, and the department is in the final stages of going live with the bodycams. National Night Out was hosted by the Fire Department. Chief Visconti stated he hopes to make this an annual event. Operationally, the Police Department had several incidents: two pedestrian/vehicle accidents, one of which was a fatal and the other which led to a prosecution for aggravated assault while DUI. There was a water rescue of individuals from the Swatara Creek whose craft had capsized due to high water conditions and the recovery of another who drowned as a result of the incident. There was a rescue of an elderly woman who was locked in her basement by her daughter who was later prosecuted for elder abuse related charges. The Criminal Investigation Unit received and investigated 28 child abuse cases in addition to property crimes and an overdose

investigation that led to the prosecution of two individuals for Drug Delivery Resulting in Death. Training initiatives for officers during 2021 included: Duty to Intervene (use of force related), Criminal Intelligence Liaison Officer, Statement Analysis, Lifesaving Medical Tactics for Law Enforcement, Traffic/Patrol Drug Interdiction, Vehicle Inspection Regulations, Cyber Crimes Investigation, Social Media and Open Sources Investigation, Civil Disorder/Basic Tactics training for the officers approved to participate in the County Rapid Response Team, and training for an additional Department Firearms Instructor/Weapons Armorer.

Vice President Truntz thanked Chief Visconti for all his efforts during 2021, which was undoubtedly a tough year.

MANAGER'S REPORT:

Ms. McBride referenced Chief Visconti's report. At some point this year, the Board was accused of not providing training for the police officers. As Chief Visconti reported, the Board did indeed provide training to the police, at cost to the Township, and it wasn't all done during the last three months of the year. The accusation of no training was not true at that time and remains untrue to this day.

Tonight's agenda includes acceptance of the IRS 2022 Mileage Rate. A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the establishment of the 2022 IRS Mileage Rate of 58.5 cents per mile for use of personal vehicles for Township business. The motion was unanimously approved.

Ms. McBride explained that the Township's current electric service agreement with Constellation Energy will be expiring. She had asked them for bids and also asked the broker to provide bids. The Constellation bids were much lower, by almost a full penny, and they have given the choice of several terms: 2 years, 3 years, 4 years, and 59 months. Ms. McBride suggested a 3-year agreement, which is .06969 cents per kilowatt hour. Five years would be .06922. Commissioner DeHart asked what the current rate is. Ms. McBride stated she does not have that information with her but confirmed that it did increase. Commissioner DeHart stated he feels rates might continue to go up, so a longer agreement may be beneficial. Commissioner Davies agreed that he finds it attractive to save more money but has concerns about a significantly long-term lock-in lest something dramatically changes that would then lock the Township into a rate that may turn out to be higher than the market rate. He stated he is comfortable with the 36-month term.

Ms. McBride added another option is the four-year rate, which is .06952. Commissioner Paul stated he would defer to Ms. McBride, who obviously did some research into this. Ms. McBride stated her choice would be a four-year term or five-year term. President Wilt stated his choice would be the four-year term. Ms. McBride suggested the motion authorize her to proceed with Constellation Energy for a 48-month agreement, not to exceed .0696. A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve entrance into a 48-month agreement with Constellation Energy at a rate not to exceed .0696. The motion was unanimously approved.

ENGINEER'S REPORT:

Mr. Fabian reported that the preliminary punch list field visit and documents' review has been completed for the Rosedale Manor Stormwater Project. It is being finalized to accompany the substantial completion certificate.

Commissioner DeHart referenced the Shireman Park and asked if things are still on track for input from the Board in February. Mr. Fabian stated he is working to get the finalized proposal to the Board and hopes to have it on the agenda of the January legislative meeting.

Commissioner DeHart questioned the state deadlines. Mr. Fabian explained that for the RACP grant, there was another submission just made for the business plan which gives a bit of leeway. An additional scope request was finalized and sent to the Office of the Budget for a second six-month extension on the project. Additional money was also requested. Commissioner DeHart stated that timetable wise, he has concerns about what will happen since it can no longer be farmed.

Mr. Fabian explained it will have to go fallow since the area can no longer be farmed. As far as permitting, there is no wetland or stream encroachment permits. The only permit required is the NPDES permit through the Dauphin County Conservation District, which is not a lengthy review and usually is complete in about three months or so. Mr. Fabian stated it is plausible that construction can occur by the end of the summer. Commissioner DeHart asked how the fields will be maintained this summer. Mr. Fabian explained that seasonal cutting will be required.

Commissioner DeHart stated this will be a lot of cutting. Ms. McBride agreed that it will require a lot of manpower.

Commissioner DeHart also questioned the status of the Fulling Mill Road boat launch. Mr. Fabian explained the Township must submit for the highway occupancy permit for that to happen, and he hopes this launch can be built very soon.

Commissioner DeHart asked if the paving plan in the Board packets is simply a guide. Mr. Fabian explained that he and Mr. Washinger had met to discuss potential paving plans from the roadway management plan and discuss options and availability of liquid fuels money. A number of roads were looked at in the Bryn Gweled development, and the recommendation was to pull those out of the 2022 plan and tackle those as infrastructure improvements and pave them under that package. The large portion of the roadway that Mr. Washinger is interested in tackling is Turnpike Industrial Road which is in fairly bad shape.

Commissioner Paul stated the way the list is itemized is confusing. Mr. Fabian agreed the segment numbers are confusing. He has asked the transportation group of HRG to provide a map showing where the segment identifications are located. Commissioner DeHart asked if Turnpike Industrial Road could perhaps be tarred and chipped, allowing the Township to concentrate more on residential roads where not much has been done. Mr. Fabian stated his understanding is that Turnpike Industrial Road was crack sealed about two years ago, with the anticipation of overlay. Commissioner Paul agreed some of that road is bad, but he is struggling to figure out from the list provided which segments are bad and which are not. He suggested that more clarification be provided, as well as the associated costs. Commissioner Paul added he would be happy to sit down with Mr. Fabian and Mr. Washinger to review this. Commissioner DeHart agreed that the Board needs to know what the plans are before anything is done. He added that Briarcreek is listed, and most of that road was crack sealed two years ago and is not too bad. On the other hand, sections of Spring House are falling apart. Mr. Fabian added he would like to do recommendations by year, since some of the recommendations are now aged. A game plan for the next five years would be very useful. Commissioner DeHart agreed that more homework needs to be done. Vice President Truntz asked if the plan is to pay for most of this work with liquid fuels money. Ms. McBride confirmed that is correct.

Commissioner Davies referenced the Turnpike Industrial Park segments and stated the chart indicates there is quite a bit of traffic in terms of average daily trips, which likely contributes to the road condition. Mr. Fabian stated that interestingly enough, it appears the roads with the higher trips have the better surface ratings, so it may be a heavy-duty pavement. Commissioner DeHart stated that if Chief Visconti were to put the speed sign out there, it would probably show that these numbers have dropped, since the Industrial Park is not as full as it was at one time. Ms. McBride asked if Mr. Fabian could have this updated mapping information for inclusion in the January 19

Board packets. Mr. Fabian stated he can, and he is also available to meet anytime to further discuss this. Commissioner DeHart asked Mr. Fabian to keep in mind that it may be necessary to do sections of Longview Drive which are getting rough. Commissioner Davies agreed that he observed some sections are falling apart, while others are in pretty good shape. Mr. Fabian reported that he is working on keeping a better record of what year what treatments are done in order to provide a better history. Long term, there would be a benefit to transitioning this information into a GIS system which can be kept updated.

Commissioner Paul referenced Mr. Fabian's written report pertaining to the Sunoco Pipeline project and the statement that Mr. Washinger had Kinsley Construction, at Sunoco's request, review the repairs to validate the Township's cost estimate. He asked who is paying for this. Mr. Fabian explained that Sunoco will be absorbing the cost of that evaluation.

Commissioner DeHart stated that as referenced by Mr. Krauter of HRG in a report to the Municipal Authority, some of the manholes on North Union Street are too low and will need to be addressed before bond money is released. Mr. Fabian agreed that this will be done.

GOOD AND WELFARE:

Commissioner DeHart asked Solicitor Miller if Suez could be asked to do the NFPA color coding marking system for the fire hydrants. They have been doing it for Middletown Borough and had previously done it in Lower Swatara Township. The Fire Department used to volunteer the manpower to paint, and Suez would supply the pressures and flows. This is no longer done, and it seems to be a safety issue. This color coding also improves the ISO rating, which helps the fire ratings for the residents. Solicitor Miller agreed to look into this and report back to the Board at the January legislative meeting. Commissioner DeHart congratulated Tax Collector Wilt and Commissioner Paul on their re-elections, and stated he looks forward to serving over the next four years.

Commissioner Davies also welcomed Commissioner DeHart, Commissioner Paul, and Tax Collector Wilt back on board. He stated he is glad to see Ms. Wilt had the fortitude to come back as Tax Collector. He expressed hopes that it will be a good year for everyone.

Commissioner Paul asked for an update on the operations and administrative assessment of the Fire Department. Vice President Truntz reported that a meeting is scheduled with Rob Brady on January 11 to review a preliminary presentation of the report. After that, a presentation will also be

provided to the Board of Commissioners. Commissioner Paul explained that the Fire Department is on record requesting an improved lease agreement with the EMS. He stated that he believes the agreement comes up for renewal in February, so it should be an opportune time to address this.

Ms. McBride stated she had not been approached by the Fire Department about this.

Commissioner Paul stated he believes they presently charge the EMS \$1.00. Vice President Truntz explained he believes this lease amount stems from Life Lion's contract with Lower Swatara Township and the provision that housing for the ambulance be provided by the Township. This housing is at the Fire Department; if they increase the rent, Life Lion will likely come back and increase the Township's rates. This needs to be considered but can certainly be looked into.

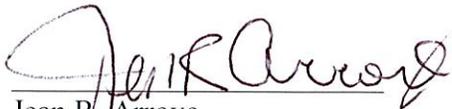
Vice President Truntz asked if the Public Works can replace the struts on the Board chairs, as some of them have gone bad. He thanked Solicitor Miller for his kind words about elected officials and agreed these are often time consuming and thankless jobs. Vice President Truntz congratulated Tax Collector Wilt on her reelection. He also congratulated Commissioner Paul and Commissioner DeHart on their reelections and added they both bring a tremendous amount of knowledge to the Board, and he looks forward to serving with them.

President Wilt requested an executive session immediately upon conclusion of this evening's meeting to discuss personnel issues. He also thanked Solicitor Miller for his kind comments earlier this evening, and congratulated Tax Collector Wilt, Commissioner Paul, and Commissioner DeHart on their reelections.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

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

ATTEST:


Jean R. Arroyo
Township Secretary

