

## MINUTES

### LEGISLATIVE MEETING – JULY 19, 2023

The July 19, 2023 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
- Ronald J. Paul, Assistant Secretary
- Michael J. Davies, Commissioner
- Christopher DeHart, Commissioner
- Zachary Border, Manager
- Jean R. Arroyo, Secretary
- Michael McAuliffe Miller, Solicitor
- Shawn Fabian, HRG
- 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 comment.

#### PUBLIC COMMENT:

Linda Rapheal, 62 Wayne Avenue, asked the status of the potential buy-out of homes in her neighborhood. Mr. Border explained that it is still in the historical and environmental review phase with FEMA. Ms. Raphael stated her understanding that this is the last process prior to grant announcement, which is expected to happen mid to late August. She asked if there is anything the homeowners should be doing to prepare for this. Mr. Fabian stated he is not aware of anything. Ms. Raphael also asked if the homes will be assessed. Solicitor Miller confirmed that the properties will be assessed after the grant is approved. Mr. Border agreed to follow up on the status of the grant and keep Ms. Raphael updated.

Dale Messick, Greenfield Drive, referenced agenda item 14C regarding a retainer agreement with HRG for a new salt shed. He asked if this will be a pre-engineered building and why Township staff, which does inspect commercial buildings, cannot perform inspections on this shed rather than paying HRG \$84,000 to do so. Mr. Messick stated he hopes there is discussion on this item when it appears for formal vote tonight.

### APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the Minutes of the July 5, 2023 Workshop Meeting. The motion was unanimously approved.

### PAYMENT OF BILLS:

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve the Payment of Bills – Warrant No. 2023-06. The motion was unanimously approved.

### TREASURER’S REPORT:

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the Treasurer’s Report for June 2023. The motion was unanimously approved.

### PUBLIC SAFETY REPORTS:

#### Police Department

##### *Activity Report*

Chief Visconti provided a summary of the monthly statistics for June. There were 13 Part I crimes, 22 Part II crimes, 400 calls for service, 1 DUI arrest, 51 traffic citations, 10 non-traffic citations, and 19 warnings. There were 16 motor vehicle accidents, 4,997 patrol miles driven, and 245 foot patrol minutes. There were 489.50 total overtime hours, and 56 total training hours. Co-responder stats included 3 new contacts, 4 repeat contacts, 2 follow-up contacts, and 1 mental health commit. Commissioner Paul commented that it appears the Department has been busy. Chief Visconti agreed and added that despite the 400 calls for service, traffic enforcement was still up to par.

#### Fire Department

Chief Phillips presented the Fire Department’s monthly statistics for the month. During the month of June there were 70 total calls. Mutual aid was provided to Conoy Twp. (1), Highspire Borough (6), Londonderry Twp. (3), PA Turnpike (1), and Swatara Twp. (22) for a total of 33 mutual aid calls and 37 inside Lower Swatara Township. Commissioner Davies asked the reason there were so many mutual aids calls to Swatara Township. Chief Phillips explained that their rescue is still out of service.

### ENGINEER'S REPORT:

Mr. Fabian reported that there has been a lot of coordination with Veolia's construction schedule and how it may impact the Bryn Gweled project. Mr. Border did speak to a resident in this area who was concerned about placement of the structures for this project. Mr. Fabian explained they were stored as close to the job site as possible, while staying out of the area that the new water line is being installed in. Hopes are that Veolia is now turning from Lumber onto Conway, which will provide the opportunity for some manhole replacements.

The contractor for the Hanover St./Meade Ave. stormsewer outfall repairs provided a procurement timeline and is proposing an amended schedule. They are asking that another 45 days be added to the contract, which still puts things in a good position for all the work to be completed this year. The Municipal Authority will be asked to consider a zero-dollar change order to adjust the schedule.

All infiltration testing for Shireman Park was completed, and the stormwater management design is being finalized as well as the NPDES permitting submission. As mentioned previously, there was a meeting to review Phase I and full build-out cost estimates. Mr. Fabian reported that he had revised those cost estimates and provided them to Mr. Border for future discussion.

The contractor for the 2022 Paving Project has addressed the remaining punch-list items. Close-out paperwork is being prepared and is anticipated to be on the Board's August legislative agenda.

The 2023 Drainage Improvements Project is moving ahead, with all survey work completed for the Woodridge connection. This should be a relatively easy design to pull together. After that is completed, the package should be ready to prepare for bid.

Mr. Fabian referenced the 2024 Capital Improvement Stormwater Project, and reminded the Board that he had recommended delaying the Fiddlers Elbow Road Improvements until there is a better understanding of the potential sanitary sewer project that may occur in that area. One of the proposed alternatives after discussion with staff is to look at some of the drainage concerns on Lakeside Drive. There is a DCIB-G application on tonight's agenda which is attached to this 2024 Capital Improvement Project.

Commissioner Paul asked if Veolia is finished with their work on Lumber. Mr. Fabian responded that it appears they are done on Lumber and have turned onto Conway. Commissioner Paul asked if they will be doing a full-lane restoration on Lumber, and how soon this will occur.



Mr. Fabian confirmed they will, but pressure testing of the line must be done first. This should be done soon, since Lumber is a heavily traveled road. Commissioner Paul agreed, and added stone in a trench does not hold up well. If this drags out too long, Veolia may need to do some temporary paving. In response to a question from Vice President Truntz, Mr. Fabian explained that Veolia plans to be completely wrapped up that they can close out of Bryn Gweled and move over to Nissley and Spring Garden by the end of August. Shiloh hopes to mobilize the third week of August and could possibly start manhole replacement.

#### MANAGER'S REPORT:

Mr. Border reported that the contract with Hershey EMS expires at the end of this year; discussion on any proposed changes to the renewal will occur at the August workshop meeting. On tonight's agenda is action to apply for individual procurement cards. A draft policy for use of these cards was included in the Board packets and will appear on the August agenda for formal action.

Mr. Border noted that in the next several weeks, he plans to join Mr. Washinger and Mr. Fabian to look at the condition of the roads in order to establish a list and a capital plan for the next several years. He invited the commissioners to ride along if they desire.

An email was received yesterday from PennDOT regarding its pursuit of a federal grant to fund the replacement of the John Harris Memorial (South) Bridge. Area municipalities are being asked for a letter of support given its impact on the region. PennDOT is asking for confirmation of intent to provide this letter of support by July 21. The deadline to submit the letter is July 28. Mr. Border explained that since this was received yesterday, it is not on this evening's agenda. The next Board meeting is August 2. Solicitor Miller suggested the Board discuss some of the legal aspects of this in executive session. If the Board decides to support it, it can vote to approve it retroactively at the next meeting.

Mr. Border called attention to the bench in front of the Township Building, and stated this was graciously donated by the Lions Club.

#### Future Meetings/Events:

July 24	7 PM	Municipal Authority Meeting
July 26	CANCELLED: Zoning Hearing Board	
July 27	7 PM	Planning Commission Meeting
August 2	7 PM	Board of Commissioners' Workshop Meeting

### COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul – no report

Budget and Finance Committee: Commissioner Davies – no report

Public Works Committee: Vice President Truntz reported that the crew has been busy with mowing and power-washing. Reports are being received about a lot of trash at the boat ramp; this will need to be discussed further. The fuel tanks are now filled with cement and core testing is being done to identify if there is any leakage. If everything comes back clear, there will be no further liability associated with the tanks.

Community Development: Commissioner DeHart – no report

Personnel Committee: President Wilt – no report

### UNFINISHED BUSINESS:

#### Resolution No. 2023-R-7 re: procurement cards

The Board discussed proposed Resolution No. 2023-R-7 authorizing the issuance of individual procurement cards with a credit limit of \$50,000. Solicitor Miller clarified that this will not be individual procurement cards with a \$50,000 limit each. Mr. Border added the \$50,000 limit was made part of the agenda motion, since the bank needed an overall number. Solicitor Miller explained that the resolution itself lists staff members who will have these cards and sets limits for each: Township Manager -- \$1,000, Chief of Police -- \$2,000, Accounting Manager --\$1,000, Director of Public Works -- \$2,000, Director of Codes and Planning -- \$1,000, MS4 Coordinator -- \$500, and Director of Administration -- \$500. This is a total limit of \$8,000. These transactions will be audited and the staff members will have to execute a user agreement. Solicitor Miller stated he does recommend the use of these cards. Vice President Truntz expressed concern with the low limit of the Township Manager, as a higher limit may be needed in an emergency situation. Solicitor Miller explained that should there be a declared emergency in the Township, these procurement provisions do not apply. However, this amount can certainly be increased if the Board desires. Commissioner Paul stated he understands one of the driving forces behind these cards is the fact that the gas pumps were eliminated. Mr. Border clarified that the WEX cards are actually separate. He explained that presently, there is one credit card maintained by Ms. Arroyo. Staff members who need to make purchases with it must go to her and have the card signed out. These p-cards will allow staff to purchase necessary items on their own. Reports of these purchases will be



provided to the Board. These cards should also cut down on the need for paper checks. Commissioner Paul asked if these can be used at the County for plan filing and recording fees. Mr. Border stated they cannot, as the County does not accept credit cards for these transactions. Commissioner Paul commented that the Township has never really had any problems without having these p-cards. In response to a question from Commissioner Davies, Solicitor Miller recommended leaving the individual limits listed in the resolution as is. If after using the cards the limits need adjusted, a new resolution can be passed.

A motion was then made by Commissioner Davies, seconded by Vice President Truntz, to approve Resolution No. 2023-R-7 authorizing the issuance of individual procurement cards with a credit limit of a total of \$8,000. The motion was approved by a 4 – 1 margin, with Commissioner Paul dissenting.

Resolution No. 2023-R-9 & Ordinance No. 608 re: parks and recreation

Solicitor Miller stated his understanding that the Board is still reviewing drafts of Resolution No. 2023-R-9 and Ordinance No. 608 pertinent to parks and recreation. Vice President Truntz agreed, and suggested they be tabled and that the draft that was circulated be forwarded to Ms. Arroyo for her review and comment. These documents can be discussed further at the next workshop meeting. A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to table Resolution No. 2023-R-9 adopting rules and regulations governing conduct in Township parks and setting rental fees, and to table draft Ordinance No. 608 amending Chapter 16 (Parks and Recreation), Part 1 (Conduct in Parks and Playgrounds), Section 16-102 (Rules and Regulations) to repeal the codified rules and regulations and provide for the promulgation of rules and regulations by the Board of Commissioners. The motion was unanimously approved.

NEW BUSINESS:

Preliminary/Final LD Plan for Illuminated Integration Office and Trade Shop

Solicitor Miller referenced the first item under New Business, which is to act on the Preliminary/Final Land Development Plan for PC#2022-08 - Illuminated Integration Office and Trade Shop. The Board of Commissioners conditionally approved the plan on 04/19/2023; however, the required ninety (90) day period to record the plan expired on 07/18/2023. He explained it is the responsibility of the developer to record the plan. They did not do so in

90-days, so it timed out automatically. Approval tonight will simply reapprove it and reset the clock so this can be done. A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve the Preliminary/Final Land Development Plan for PC#2022-08 - Illuminated Integration Office and Trade Shop. The motion was unanimously approved.

Financial Security Agreement #3 for Fiddlers Elbow Warehouse

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve Financial Security Agreement #3 for Fiddlers Elbow Warehouse PC#2020-02 in the amount of \$51,836, leaving a balance of \$0 and releasing in full. A Post-Dedication Security amount of \$488 is recommended for dedicated items associated with the site. The motion was unanimously approved. Commissioner DeHart added the address of this project is 2070 N. Union.

Retainer Agreement with HRG for Professional Engineering Services for new salt shed

The Board discussed a proposed Retainer Agreement with HRG in the amount of \$84,000 for professional services for a new salt shed. Commissioner DeHart asked what these services entail. Mr. Fabian responded they include survey base mapping/existing conditions, geophysical and geotechnical analysis, design phase services, bidding and contract award phase services, construction phase services, and project management/grant administration and QA/QC services. The building itself will be a prefab building. Mr. Fabian reported that this Friday, he and Mr. Washinger will be looking at a different style of building that Camp Hill Borough built and will get their feedback on any issues they experienced. Commissioner DeHart asked the size and height of the building that is planned. Mr. Fabian stated that originally, the building was proposed to be 56 x 90 with an arched fabric roof. He anticipated the final version will be within the 50 x 100 size, and probably similar in size to the current one. Mr. Border added there is some grant money to be used for this project. Commissioner Davies asked for more details on why this location needs geological exploration. Mr. Fabian explained that a good bit of fill has been placed in this area over time, which is allowable. However, more information is needed about what is there. While a geotechnical evaluation costs \$18,700, it is highly recommended. Vice President Truntz asked if the material for the new salt shed will be adequate to withstand corrosive material. Mr. Fabian stated his understanding that these sheds are built to withstand a highly caustic environment. He explained the current salt shed is mostly made of wood and has really taken a toll over the years. It is near the end of its serviceable life. He added that he personally feels better about moving the shed to the cut size of the slope. It also gives the opportunity to improve the traffic flow through the



area and correct some issues in that location. Vice President Truntz recalled the number mentioned a year ago for this was \$250,000 to construct it. He asked if that number includes the engineering costs. Mr. Fabian responded it does not; that is just for the building that was submitted for the local share grant. In response to a question from President Wilt, Mr. Fabian anticipated that if authorization is granted tonight, the project will probably be a 2024 construction window. Mr. Border added the timeline for the \$225,000 local share grant awarded for this project has a June 2026 deadline. Commissioner Paul asked if a land development plan will be required for this project. Mr. Fabian stated a formal E&S will be needed, but it will not trigger the full-acre NPDES.

The Board agreed it would be worthwhile to table this until hearing the feedback from the visit to Camp Hill Borough on Friday. A motion was made by Vice President Truntz, seconded by Commissioner Paul, to table the Retainer Agreement for Professional Engineering Services with HRG for the New Salt Shed in the amount of \$84,000. The motion was unanimously approved.

Retainer Agreement with HRG for consulting services for to prepare DCIB loan application

The Board discussed a Retainer Agreement with HRG, in the amount of \$5,100, to provide Consulting Services to prepare a Dauphin County Infrastructure Bank - General Program Loan Application. In response to a question from Vice President Truntz, Mr. Fabian confirmed this is more complicated than just applying for a loan. It pertains to the 2024 Capital Improvement Project which involves four sites. A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve a Retainer Agreement with HRG, in the amount of \$5,100, to provide Consulting Services to prepare a Dauphin County Infrastructure Bank - General Program Loan Application. The motion was unanimously approved.

Resolution No. 2023-R-11 authorizing sale of 2011 Kubota through Municibid Auction

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve Resolution No. 2023-R-11 authorizing the sale, through Municibid Auction, of a 2011 Kubota Zero Turn 72-inch deck mower. The motion was unanimously approved.

Resolution No. 2023-R-12 authorizing filing of app. for Local Share Municipal Grant

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve Resolution No. 2023-R-12 authorizing the filing of an application for a Local Share Municipal Grant request of \$156,170.74 to be used for annual Dauphin County Infrastructure Bank loan payments. The motion was unanimously approved.



Resolution No. 2023-R-13 --smoothing method re: actual valuation of LST Police Pension Fund

Solicitor Miller referenced a proposed resolution adopting a five-year smoothing method to determine the actuarial value of assets as part of the actuarial valuation for Lower Swatara Township Police Pension Plan. He stated this is a permitted and allowable actuarial method of smoothing out assets and liabilities so that the percentage of funding stays where it needs to be. A five-year smoothing method will be used to balance out costs and payments and is advantageous to the Township and its borrowing capacity. In response to a question from Commissioner DeHart, Mr. Border confirmed this is being recommended by the auditors. A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Resolution No. 2023-R-13 adopting a five-year smoothing method to determine the actuarial value of assets as part of the actuarial valuation for Lower Swatara Township Police Pension Plan. The motion was unanimously approved.

Advertisement of ordinance prohibiting parking along interior curve of Lakeside Drive

The Board discussed advertisement of a proposed ordinance prohibiting parking along the interior curve of Lakeside Drive. Chief Visconti explained this resulted from residents concerned about how tight it is for cars to pass by each other at this curve. He agreed with the recommendation. Vice President Truntz asked if anyone had discussed this restriction with the neighbors in this area. There may be an issue with them not having a place to park once this restriction is approved. Mr. Border stated staff can certainly go out and speak to the residents in this area about the upcoming parking restriction. A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve advertising an ordinance amending Part 4 (General Parking Regulations) of Chapter 15 (Motor Vehicles and Traffic), Section 15-402 (Parking Prohibited At All Times) of the Lower Swatara Township Code of Ordinances to prohibit parking along the interior curve of Lakeside Drive. The motion was unanimously approved.

Monthly transfers from General Fund

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the \$83,333.33 monthly transfer from the General Fund to the Capital Reserve Fund. The motion was unanimously approved.

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the \$41,666.67 monthly transfer from the General Fund to the Recreation Development Fund. The motion was unanimously approved.

Hiring of Nichole Henry as public works laborer

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the hiring of Nicole Henry to the position of public works laborer with a starting date of July 31, 2023 at the rate of \$19.40/hour. The motion was unanimously approved.

Hiring of Heather Rogers as probationary police officer

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve the hiring of Heather Rogers to the position of probationary police officer with a starting date of July 31, 2023 at the rate of \$24.78/hour. The motion was unanimously approved.

EXECUTIVE SESSION REQUESTED:

Solicitor Miller requested an executive session immediately upon conclusion of this meeting in order to discuss a personnel matter and a litigation issue pertinent to the Highspire Authority.

FINAL COMMENTS:

Chief Visconti announced that National Night Out will be held on Tuesday, August 1 at the Lower Swatara Fire Department.

The Commissioners thanked those who attended tonight. Vice President Truntz welcomed Ms. Henry and Ms. Rogers to the staff.

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 meeting adjourned at 7:58 P.M.

ATTEST:

  
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Jean R. Arroyo  
Township Secretary



PLEASE **PRINT** NAME CLEARLY  
BOARD OF COMMISSIONERS

**JULY 19, 2023 LEGISLATIVE MEETING**

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