

MINUTES

NON-LEGISLATIVE MEETING – JULY 6, 2022

The July 6, 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
- Jean R. Arroyo, Township Secretary
- Michael McAuliffe Miller, Eckert Seamans, Solicitor
- Shawn Fabian, HRG
- Scott Washinger, Public Works Manager
- Kaylee Justice, Planning and Zoning Coordinator
- Dominic Visconti, Chief of Police

Residents and visitors in attendance: see attached sign-in sheet

PUBLIC COMMENT:

John Ponnett, representing the Lower Swatara Township Athletic Association, reminded the commissioners that he was before them in February to see if there was interest in the Association putting up an indoor hitting facility on the Little Hollywood campus. With the Board's guidance, he had met with the Township engineer and staff members to look at the property. Mr. Ponnett explained that he has been working with the business community, and there is a keen interest in funding this without much, or any, assistance from the Township's recreation budget. He is also starting work on a grant narrative to obtain funding. Mr. Ponnett explained that he is here tonight to get the Board's appetite on this, prior to spending money on drawings and energy on writing grants. Mr. Ponnett added that on a separate matter, he would like to thank Chief Visconti for sponsoring a baseball team, which keeps program costs down.

Commissioner Paul remarked that this park was not built entirely with Township funds. He questioned how the Association will deal with outside entities asking to use the hitting facility. Mr. Ponnett explained that this facility would be available to everyone. A reservation system would be implemented, and someone from the Athletic Association would unlock and

staff the facility. Commissioner Paul questioned the other amenities that would go with the building: heating, electric, etc. Mr. Ponnett explained that the idea is to build it as close to free as possible in order for the Athletic Association to earmark its other funds for these utilities. He added that he is quite aware that the Township does not have the manpower to deal with things like broken heaters; the Athletic Association would be the ones dealing with this. Commissioner Paul stated there is a concern with the legality of revenues generated from others renting the facility. It may not be permitted. This whole concept will need to be thoroughly researched first. Mr. Ponnett agreed there is a lot to be buttoned up, but there is significant work that goes into financing and grant writing, so the Athletic Association feels it is important to get the Board's appetite for this project now.

Commissioner DeHart agreed that the Solicitor would need to be involved in researching the rules and regulations for this type of use. He asked Mr. Fabian where the facility is planned to be located. Mr. Fabian responded the Association is thinking about the area where the net is now -- the northeastern part which looks to be outside of the offsets that are needed for the building.

Commissioner Davies asked if there was any thought about the support and utilities that go along with an indoor athletic facility in a park. He asked if there are plans to put in anything besides portable toilets. Mr. Ponnett agreed that if the Board is interested in this project, the intent of the Athletic Association is to sit down with Kayle Justice and start the plan process to discuss things like ADA and restroom requirements. By going through the process, it may be determined that this project is cost prohibitive or may take longer to raise larger funds. Commissioner Davies added that years ago, the School District had a similar facility constructed next to its high school, and much of it was done with donated money and labor. There may be some issues with the type of procurement that has to be done on public property and the rates that have to be paid for construction. Solicitor Miller agreed there are prevailing wage law issues and bidding issues. While a project like this can certainly be done, there are proper steps that must be taken once more specific information is known. Commissioner DeHart agreed this will be a lengthy process.

Commissioner Paul added that the long-term maintenance of the building also needs to be considered. Mr. Ponnett agreed there is a lot that needs to be worked through, and the Association may end up deciding that it would be better to put their resource in another direction.

Commissioner DeHart remarked that he would recommend the Athletic Association meet with Township staff to discuss what the requirements would be for things such as ADA restrooms. This could be eye-opening in itself. Mr. Ponnett agreed to do so and thanked the Board for their time. Vice President Truntz asked for the Athletic Association's patience in getting a response right now, since the Township is without a manager at the time and the staff is quite busy.

FIRE DEPARTMENT ROOF REPAIR ESTIMATES:

President Wilt noted that discussion on estimates for roof repairs to the Fire Department appears later on the agenda. However, he asked that this be addressed now, as representatives from the Fire Department are in attendance. Bill Leonard, President of the Fire Department, and Bob Schortemeyer, Trustee, discussed repairs necessary to the roof. The Fire Department had contacted Ron Burkholder, Jr., the Township's building code official, to look at the damaged area. Input was also provided by several roofing companies. Two bids were received, one of which came recommended by a Township employee who used this firm in the past. The Department would like to move on getting this repaired as quickly as possible.

Vice President Truntz stated this obviously needs to be done and should be paid for by the Township, since it is a Township building. He asked Solicitor Miller if there is any special procurement process that must be followed since it is a Township building. Solicitor Miller explained that if the Township is going to do the work, it must follow the procurement regulations set forth in the First-Class Township Code. If it is going to be paid for through the allocation made to the Fire Department and the Fire Department has the funds available, then the Township does not have to do this. Vice President Truntz asked if the Township could reimburse the Fire Department. Solicitor Miller agreed this could probably be done, perhaps by increasing their allotment from Township funds provided they have the work done and pay the bill first. President Leonard stated the Fire Department would certainly be agreeable to this, as they are looking for any type of assistance that can get.

Commissioner DeHart added that after the roof gets repaired, there will also be drywall work that will need done.

Commissioner Davies asked Solicitor Miller the appropriate time to act on this. Solicitor Miller explained that if the Board chooses this route, it will not tell the Fire Department which vendor to select. It will be the responsibility of the Fire Department to engage the vendor, have

the work completed, and then come back to the Board with the final price. The Board would then decide if it desire to increase the Township's allocation to the Fire Department.

In response to a question from President Wilt, Mr. Schortemeyer explained that only two proposals were received from the four contractors that came out. President Wilt asked exactly what these repairs will entail and the final cost. Mr. Schortemeyer explained that there are three roofs coming into one area, but there are four different angles. Apparently when it was originally built, there was no support from where there is a transition from one angle to another. Heat and sun caused sagging and leaking in one area. Commissioner DeHart agreed it is amazing the amount of water that lies there after a heavy rain. Mr. Schortemeyer added that no one seems to know why there were two roofs put over the one area. There is no water damage in the attic, so there is a question of how it is getting from point A into the living area of the station. Mr. Schortemeyer added that the roof has been previously repaired and is to the point where the repairs are being repaired. Every contractor, with the exception of one, wants to tear out what has been repaired and start fresh. This is the only way they will guarantee their work.

In response to a question from Commissioner Paul, Mr. Schortemeyer stated that the quote from GRS Construction is the one the Fire Department voted to accept. The price quoted was \$5,959, or \$9,000 using the metal valleys which the Fire Department does not want to use. However, the quotes do note that due to volatility of prices on materials, prices could be higher. President Leonard stated this company was selected and approved by the Fire Department, with the payout not to exceed \$9,000. He added the Fire Department was pleased that the quote was not as high as \$15,000 - \$20,000. Mr. Schortemeyer added it was a construction defect from the start; the Fire Department also had an insurance adjuster come out, and that adjuster indicated they would not touch it anymore due to the problems in that one area.

Vice President Truntz again stressed that it is the Township's building so he would be inclined to support an in-kind increase to the Department's funding. President Leonard stated the Fire Department will pursue the repair work, and then will come back to the Board. Commissioner Paul added the Board does need to have some discussion in the immediate future about the Fire Department in order to get some issues and questions squared away.

President Leonard also informed the Board that the gaming commission grant is coming up soon. The Fire Department has an application in and has given the application to Commissioner Paul.

TRANSFER OF EAP SERVICES AND PEER SUPPORT SERVICES:

Chief Visconti noted that as previously discussed, the Gaudenzia Foundation will no longer be providing EAP services for employees or peer support services for the Police Department. Steps have been taken to have Mazzitti & Sullivan assume that role and provide these services. A proposal was submitted to the Board to provide EAP services to all Township employees. In addition, two proposals were submitted to provide peer support services for the Police Department: one for the remainder of 2022 and one which would become effective January 2023. Chief Visconti asked if the Board had any questions. Commissioner DeHart asked Chief Visconti for his recommendation. Chief Visconti stated he recommends the firm of Mazzitti & Sullivan. A quote was also received from Quest Behavioral Service, but that firm does not provide a peer support program for the police officers for critical incidents, stress debriefing, etc. Commissioner DeHart inquired if other area police departments use this type of program for their officers. Chief Visconti confirmed that they do. He explained that there is one peer in the Township's department, Sergeant Young. Other departments also have peers, and these are shared by the departments that participate in the program.

Commissioner Davies asked the total cost of the proposal that would be effective for the remainder of the year. Chief Visconti explained that it is pretty much pay as you go. He noted there are dollar amounts listed on the quotes for the peer support officer training. This will not apply to the Township since it already has one peer support officer. The only exception is the \$300 annual training which will be required for Sergeant Young to maintain that position. Commissioner Davies observed there is a number at the bottom of the quote for 2023 listed as a total figure -- \$2,160. Chief Visconti agreed that these are the EAP Administration and Program Coordination fees. Beginning 2023, the quote does not show critical incident stress debriefing or stress management schedules for the peer support program, because that will be part of the EAP Program. Chief Visconti added that for the EAP for all employees, a flat rate is shown as opposed to pay as you go that was used by the Gaudenzia Foundation. Two plans are shown: one for about \$3,700 and another for \$4,300. There is not much of a difference between the two.

Solicitor Miller suggested the Board place formal action of this item on the July legislative meeting. Vice President Truntz asked if the employees are covered in the interim. Chief Visconti responded that he was assured by Mazzitti & Sullivan that services will be available for a period of time while approvals are given and agreements are signed. Chief

Visconti noted that if the Board has any further questions, he can arrange for a representative of Mazzitti & Sullivan to attend the legislative meeting. The Board agreed this is probably not necessary, since Mazzitti & Sullivan is a reputable firm, and there are not a lot of options for this type of service.

APPROVAL OF MINUTES

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the Minutes of the June 15, 2022 Legislative Meeting. The motion was unanimously approved.

ORDINANCE NO. 600 RE: TRUCK RESTRICTIONS

A motion was made by Commissioner Paul to table Ordinance No. 600, amending the Code of Ordinances as amended and supplemented, Chapter 15, Motor Vehicles and Traffic, Part 3, §15-302, Truck Traffic Restricted on Certain Streets, to declare Whitehouse Lane and a portion of Rosedale Avenue as restricted. Formal action will be taken at the July 20 legislative meeting. The motion was unanimously approved.

UPGRADE TO SERVER:

In response to a question from Solicitor Miller, Commissioner Paul noted that the proposal from Pointsolve for the increase of capacity on the server was moved to the July legislative agenda for formal action.

ADVERTISE BIDS FOR FULLING MILL RD. BOAT LAUNCH FACILITY

Mr. Fabian reported that everything is in order to move forward with advertising bids for the Fulling Mill Road boat launch facility. If the Board authorizes this tonight, the plan is to open bids on August 10 at 10:00 A.M. Commissioner DeHart asked Mr. Fabian if he had a chance to speak to the Fish and Boat Commission to request more grant funds due to increased costs of the project. Mr. Fabian confirmed that he had and was asked for justification of costs to take back to their management.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve authorization to advertise for bids for the Fulling Mill Road boat launch facility. The motion was unanimously approved.

DEPARTMENT REPORTS:

Planning & Zoning/Codes Department:

Kaylee Justice referenced the monthly report delineating active projects. She noted the Zoning Hearing Board is scheduled to meet on July 27 for Kreider Drive, Lot 1 and Lot 2. The Planning Commission will meet on July 28 to discuss land development plans submitted by Triple Crown. The department processed various commercial, residential, zoning, street-cut, and sewer permits this past month. Ron Burkholder, Jr. passed the Residential Mechanical Plans Examiner/Inspector test and Tonya Condran took four educational classes for credit hours to maintain her building code official certification.

Commissioner Davies asked if the Triple Crown plan is for the property on Oberlin Road/441. Ms. Justice confirmed that it is. This is the property across from the High School, and it is coming in under the name of Union Knoll.

Commissioner Paul referenced the Zoning Hearing Board meeting relative to Kreider Drive and asked what this pertains to. Ms. Justice explained they are asking for the same relief they had requested for the two lots across the street for the front yard landscape buffer. Commissioner DeHart questioned sidewalk. Ms. Justice stated that there will be no sidewalk. Commissioner DeHart suggested staff look back at previous meeting minutes. When the south side of Kreider Drive was built, they were informed that sidewalk would be required on the north side.

Public Works Department:

Mr. Washinger reported that the current bids on Municibid for the three vehicles listed are as follows: 2007 Ford Expedition -- \$3,300; 2011 Dodge Charger -- \$2,550; 2014 Dodge Charger -- \$4,600. Bidding expires July 13.

An estimate was received from Elk Environmental Services to either upgrade the fuel tanks or dispose of them. Mr. Washinger noted he is still waiting on an estimate from S&W Petroleum Services. In response to a question from Commissioner DeHart, Mr. Washinger confirmed the Township is still using what it has left of its diesel fuel, but that is almost gone too.

The crew is in the process of cleaning-out inlets and has completed Shopes Garden and some points on Farmhouse Road. Some potholes were addressed on Nissley and Spring Garden today as well as on AIP Drive. Commissioner DeHart observed there is also another sinkhole on Fulling Mill Road. In response to a question from Commissioner Paul, Mr. Washinger confirmed that within the next week or two, Longview and other areas will be televised.

The Department had hoped to start painting the remaining speed enforcement lines for the Police Department on Tuesday, but this was delayed due to the weather conditions. Guardrails were cleared with weed whackers in preparation for spraying. Covid supplies are adequate and are ordered as necessary.

Mr. Washinger referenced an issue with a traffic signal on Ann Street/Route 230. The signal is the Township's. It is on a radar which became dysfunctional due to the brush off the side of Ann Street, which is on Middletown Brough's property. Mr. Washinger explained he is working with the Borough to clean that out. In the meantime, PERCS came out and took the signal off radar and put it back on a timer.

Vice President Truntz questioned the front-end loader behind the firehouse. Mr. Washinger explained the loader belongs to the JV Group, one of the contractors working in the Township.

MS4/Stormwater Department:

Commissioner Paul reported that Mr. Davis is not in attendance tonight but has provided a written report. The revised stormwater ordinance will be on the July legislative meeting agenda. In addition, since the Board approved participation in PennDOT's Rosedale Stream Restoration, Mr. Davis is working with them on the official agreement that needs to be signed. Once this is completed, it will be forwarded to the solicitor for review.

MANAGER'S REPORT:

Use of soccer fields at Greenfield Park by private entities

Commissioner Paul stated there will need to be some future discussion on use of Township's facilities, especially pertaining to organizations that make money from these uses. He suggested that he and Commissioner DeHart, as members of MARA, meet and look at the current agreements the Township has in place. Presently, soccer organizations are charged a daily fee for use of the soccer fields. There may be a need to determine fees for private individuals who charge to train athletes at these fields. Commissioner Paul noted that it does need to be clarified with Olmsted Regional Soccer Association (ORSA) that these are Township-owned fields and as such the use is regulated solely by the Board. He suggested it might also be beneficial to meet with ORSA to explain this. Commissioner DeHart agreed. Solicitor Miller added that he has a use agreement from another municipality that he can provide to Commissioner Paul as an example.

Agreement w/Swatara Twp. for yard waste collected by Republic Services

Solicitor Miller reported that one of his associates did have a conversation with Republic Services about yard waste collection. They will get a weight at the Harrisburg Incinerator on the yard waste they collect from Lower Swatara Township and will cover the cost to dispose of it at the Swatara Township facility. Swatara Township is drafting some agreements to effectuate this, and these should be ready for Board action at the July 20 legislative meeting. Commissioner Davies asked if this agreement would change the content of what is included in yard waste. Solicitor Miller responded he does not expect any changes in terms of service or items for collection. Commissioner Davies remarked that some other communities accept grass clippings as part of their yard waste collection. He asked if grass clippings would possibly be accepted under this new agreement. Solicitor Miller agreed to investigate this.

ENGINEER'S REPORT:

Mr. Fabian reported that documentation was received for Change Order #2 for the 2022 Drainage Improvement Project for the time associated with all the additional work for coordination with the water company. Documentation was also received for Application #3 for Payment. Both of these items will appear on the July legislative meeting. Bid opening for the paving project is scheduled for next Thursday at 10:00 A.M.; a recommendation to accept the bid will also appear on the July legislative agenda. HRG has prepared the final MEII Closeout Report for the Greenfield Park retrofit in order to close-out this grant with PADEP. This is currently under staff review.

Vice President Truntz referenced the field lights at Memorial Field. He noted his understanding that some estimates were done when Ms. McBride was here; he asked the status of this. Apparently one of the polls is not working due to an electrical issue. Vice President Truntz suggested this should probably be a priority item. Mr. Fabian explained that HRG's electrical engineer did come out to evaluate this issue and apparently received some preliminary pricing. He agreed to make contact with the engineer to get a status report. Mr. Washinger explained that he is working with Jason Wagner of the Athletic Association on getting this fixed. Attempts are being made to rent a lift to be able to further look into the issue. The circuitry down below was already tested and seems to be working fine, so the problem is felt to be at the top.

Vice President Truntz also inquired if there has been any more discussion about doing something about Longview Drive, where it is deteriorating. Mr. Fabian responded that it was

evaluated, and options are included in the paving bid as two different alternatives. Commissioner DeHart agreed that this can be discussed further when the bid pricing comes back.

GOOD AND WELFARE:

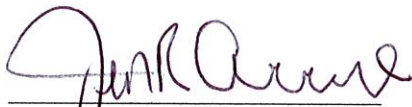
Solicitor Miller requested an executive session immediately upon conclusion of this evening's meeting for legal and personnel matters.

The Commissioners thanked the public for their participation this evening. Commissioner Davies thanked Mr. Ponnett for coming out tonight to discuss the indoor batting facility. He stated it always good to look before you leap.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner DeHart, seconded by Vice President Truntz, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 8:02 P.M.

ATTEST:



Jean R. Arroyo
Township Secretary

PLEASE **PRINT** NAME CLEARLY
JULY 6, 2022 WORKSHOP MEETING -- 7:00 P.M.

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