

MINUTES
LEGISLATIVE MEETING – JUNE 17, 2020

The June 17, 2020 Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt via Zoom.

The following officials were in attendance:

- Jon G. Wilt, President
- Todd F. Truntz, Vice President
- Ronald J. Paul, Assistant Secretary
- Michael J. Davies, Commissioner
- Christopher DeHart, Commissioner
- Betsy McBride, Township Manager
- Jean R. Arroyo, Township Secretary
- Peter R. Henninger, Solicitor
- Shawn Fabian, HRG

Residents and visitors in attendance through Zoom or by phone:

*(**Access links/phone numbers were listed on the Township's website prior to this meeting, and the names listed below are as they appeared on the conferencing service)*

Laura Hayes (Press & Journal), Dale Messick, Will Foster (MARA)

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

PUBLIC COMMENTS: None

APPROVAL OF MINUTES:

A motion was made by Commissioner Davies, seconded by Vice President Truntz, to approve the Minutes of the June 3, 2020 Workshop Meeting. The motion was unanimously approved.

APPROVAL OF BILLS:

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the payment of bills as presented on Warrant No. 2020-5. The motion was unanimously approved.

APPROVAL OF TREASURER'S REPORT:

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the Treasurer's Report for May 2020. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Ms. McBride provided the summary of statistics for the Police Department for the month of May. There were 10 part I crimes, 23 part II crimes, 392 calls for service, 29 cases, 16 arrestees, 5 suspects, 17 victims, 1 DUI arrest, 42 traffic citations, 1 non-traffic citation, and 13 warnings.

Fire Department

Ms. McBride reported that she had not received the Fire Department's monthly report.

ENGINEER'S REPORT

Mr. Fabian referenced his written report, and provided updates. The contractor for the Bradford Avenue Residential Home Demolition project started demolition this week. The contractor for the Greenfield Park Basin Retrofit and Riparian Buffer project is now onsite and has started construction on the riparian forest buffer.

There has been some coordination with DCNR pertinent to the timeline for submission of the final report draft of the Township Comprehensive Recreation, Park and Open Space (PROS) Plan. Approval to submit this document will appear later on this evening's agenda.

MS4 (Municipal Separate Storm Sewer System) Program meetings have taken place over the past two weeks to ensure a smooth transition to operations in light of Ms. Smith's resignation this past Friday. Review of the MS4 documentation shows that the Township is in good shape for the annual report, due on September 30, 2020.

Commissioner Paul asked what can be done to resolve the issue with the standing water in the rain garden at the Shope Gardens Park. Mr. Fabian explained he had looked at this several weeks ago to see how many of the plantings had sprouted. There is very little mortality there, so his hope is that as the plants grow, additional vegetation will improve this situation. Mr. Fabian agreed that he does share Commissioner Paul's concerns, however. If that vegetation does not help, there may be the need to make additional modification or change how the vegetation is

planted to prevent this from being a mosquito bed. In response to a question from Vice President Truntz, Mr. Fabian explained that that there was about three inches of water when he was out there, and about 1/3 of the raingarden was inundated with water. The rest of it was pretty soft and wet, so anyone trying to walk down in there would sink to their ankles. While not deep, it is enough to be a nuisance and is stagnant, drawing insects. Concerns have also been expressed by the residents.

SOLICITOR'S REPORT:

Solicitor Henninger reported he has been assisting with coordination of all the documentation needed for recording the UPS and D&H plans. McNees has the \$50,000 contribution for the Shireman Park study in their escrow account. As soon as the plans are recorded, they will write a check which will go into the Township's Recreation Fund. Solicitor Henninger reported that he had notified Chief Weikle that the Community Benefits' Agreement was signed, so the Fire Department can move forward with their smoke trailer training vehicle.

MANAGER'S REPORT:

Executive Sessions announced

Ms. McBride announced that the Board had executive sessions on June 4, 8, and 9 for personnel reasons. She also requested one this evening for personnel reasons.

COVID-19

Ms. McBride reported that a month ago, on May 16, there were 938 cases in Dauphin County. Yesterday, there were 1,693 cases reported. Dauphin County is anticipated to move to green status on Friday. If this happens, the Board will need to decide how to open the parks. Ms. McBride stated she relies on the CDC guidelines. If the Township follows these guidelines, there should be daily sanitation of porta johns, pavilions, and playground equipment. Signs would also need to be placed indicating that they were sanitized once a day. The CDC does not recommend sanitizing a park, but rather sanitizing things that get touched: picnic tables, pavilions, porta johns, playsets, etc. The soccer association has asked to use the soccer fields, and has assured the Township that they have strict guidelines on how they will conduct their business.

Ms. McBride noted her question is if the County goes green, does the Board desire to open up the playground equipment, and begin the daily sanitation process which includes weekends, or does it wish to wait another month. Solicitor Henninger stated the Township can allow pavilion rentals, but they would be limited to 25 people. As Ms. McBride mentioned, if the Township opens the parks it will need to sanitize once a day, which includes weekends. Opening the parks without doing so would be against the guidelines, and could jeopardize the Township's insurance coverage. He added that he believes field use is limited to practices and no more than 25 per field.

President Wilt noted it may not be a bad idea to wait another month to open the parks, since this is uncharted territory and comes with liability. Schools are not even sure what they are doing this fall. He added he is not sure how the surrounding municipalities are handling this. Ms. McBride stated her understanding is that many of the surrounding areas opened their playgrounds when the County moved from red to yellow. Vice President Truntz stated he realizes reopening the parks will come with additional expenses, but the public is anxious to use them and they do pay taxes for use of the parks. His opinion is the parks should be reopened. Commissioner Paul agreed that he is in favor of reopening the parks, although it will probably take an additional week to get the sanitation procedures and signage in place. Commissioner Davies stated he is in favor of the reopening, provided the daily sanitation is in place as recommended by the CDC. Solicitor Henninger added that just because the County is going green Friday does not mean the parks have to be open on Friday. The Board can direct the opening as soon as all the procedures are in place, including how weekend work will impact the union employees. Commissioner DeHart agreed that he is in favor of the reopening, and suggested maybe the weekend sanitation can be contracted out. President Wilt stated that will probably be more expensive. Commissioner DeHart stated that it is worth looking into. Vice President Truntz agreed that the union contract would need to be reviewed to see if contracting out the work is permitted.

Ms. McBride agreed to get more information and coordinate with Public Works, with the intent to reopen sometime next week or thereafter.

Request by MARA to set up temporary pickle ball courts at Little Hollywood

Will Foster, Director of MARA, requested to set up four pickleball courts on the tennis courts at Little Hollywood. He explained his hope is that the lines can stay down for the entire

season. The nets would be provided, and put up and taken down after each use. It is anticipated the use would be a few hours about three times a week. Commissioner DeHart asked if this is an outside group or residents. Mr. Foster explained that it will be a league with multiple park and recreation departments involved, with the hopes of setting up a Central Pennsylvania Pickleball League. Because there are only four courts, there would probably be 20 people or less at one time. Commissioner Davies asked if this would involve disabling the tennis court nets.

Mr. Foster responded it will not; the tennis nets actually provide a natural border between courts. The only thing that would alter the look of the tennis courts would be the extra lines.

Commissioner Davies asked if there is a feel for how much use the tennis courts get for their primary use, which is playing tennis. Mr. Foster responded that most tennis players will make the drive to the High School to use those courts, which are very nice. He observed that when he has been out at Little Hollywood, he has not seen anyone on those courts. Commissioner Davies asked if there will be concerns with disinfecting this area. Mr. Foster explained there is minimal contact with equipment, as everyone brings their own paddles.

Ms. McBride stated that if the Board approves this use, she would request Mr. Foster provide her a list of the specific evenings and times so it can be placed on the website.

Mr. Foster reported he has a meeting tomorrow with the other park and recreation departments to ascertain everyone is still on board. Vice President Truntz stated that although he is uncertain of the plans for baseball this season, he is concerned about parking down there, especially if this continues next year. Parking is always at a premium during the height of the baseball season. Mr. Foster added he does not anticipate more than 20 people, so parking should not be a big issue. However, he agree to work with Jason Wagner of the Athletic Association to mitigate any problems. Commissioner Paul suggested the Board also get Mr. Lanman's input, as it will be important that the league clean up and empty their trash after games. Commissioner DeHart agreed that he is in favor of the use, provided clean-up be coordinated with the Public Works Department. Ms. McBride agreed to discuss clean-up procedures with Mr. Lanman and Mr. Foster.

Eagle Scout project

Ms. McBride reminded the Board that several months ago, she had mentioned an Eagle Scout project. The scout will be coming to the Board's July 15 meeting to discuss a project he hopes to do at Memorial field. Presently there is an American flag there. This scout would like

to put up five more flag poles, representing each of the branches of the armed services of the United States.

Future Meetings/Events:

June 22	7 PM	Municipal Authority Meeting
June 25	7 PM	Planning Commission Meeting
July 1	7 PM	Board of Commissioners Workshop Meeting
July 2	7 PM	Zoning Hearing Board
July 3	INDEPENDENCE DAY HOLIDAY – Twp. Offices closed for business	

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 fire alarm system has been installed and is in operation. The crew is working on patching and preparation for the paving projects, and is mowing and performing park maintenance.

Community Development: Commissioner DeHart – no report

Personnel Committee: President Wilt reported there were a few interviews recently held, and they are ongoing.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Award of Contracts

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve award of the contract for the Lower Swatara Paving Project, and issuance of a Notice of Intent to Award, to Stewart & Tate, Inc. in the amount of \$299,609.72, subject to conditions. The motion was unanimously approved. Commissioner Paul stated that he had looked through the bid documents, which involve several streets. The contract bid is just a lump sum for a lot of different types of paving. He suggested it would make more sense in the future to somehow itemize the streets, the lengths, and the widths in order to make sure nothing is being missed in the document. Mr. Fabian agreed that in the future this could be itemized and prepared as an attachment to the official PennDOT form in order to make it easier to follow.

Spring Garden Drive Pipes Replacement Project

Ms. McBride asked that the approval of the contract for the Spring Garden Drive Pipes Replacement Project, and issuance of a Notice of Intent to Award, be tabled since there are still easements needed for this project. The Board tabled action on this item.

Revised Change Order #1 for Doli Construction

The Board discussed Change Order #1 for Doli Construction for the Rosedale Manor Stormwater Project. The original Change Order #1 amount was approved by the Board for \$44,754.00 and was issued to Doli Construction for their approval. Subsequent field review and discussions with Doli have increased the amount of Change Order #1 to \$67,944 to allow adequate budget to coordinate all the anticipated utility conflict resolutions for the installation, as well as the extended construction time that working around these utilities is expected to take. Mr. Fabian noted this request is valid, and is still within the contingency for the PennVest project which has a value right now of \$167,335.80. Both he and Mr. Lanman have reviewed the change order in length, and Doli has provided a pricing commitment guaranteeing this price for the additional work. Solicitor Henninger added this is very similar to the Malpass situation, as it is a mess in those raceways down there. Commissioner Davies asked if this amount is outside the scope of the initial finance, and would be taken out of the General Fund. Mr. Fabian explained there is a contingency set up within PennVest itself when they establish a budget for the project. It would come up of that \$167,335.80. A motion was made by Commissioner Paul, seconded by Commissioner Davies, to approve revised Change Order #1 for Doli Construction for the Rosedale Manor Stormwater Project. The motion was unanimously approved.

Requests for Funding

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Request for Funding No. 35 (DCIB 2017 loan) in the amount of \$48,790.99 to the Dauphin County Infrastructure Bank for the Highland Street Culvert Replacement and Lumber Street Culvert Replacement Project (Payment Application No. 5 & final from Crilon Corp.). The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve Request for Funding No. 36 (DCIB 2017 loan) in the amount of \$10,282.05 to the Dauphin County Infrastructure Bank for the Highland Street Culvert Replacement and Lumber Street Culvert Replacement Project. The motion was unanimously approved.

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve Request for Funding No. 37 (DCIB 2017 loan) in the amount of \$11,895.14 to the Dauphin County Infrastructure Bank for the Highland Street Culvert Replacement and Lumber Street Culvert Replacement Project. The motion was unanimously approved. Commissioner Paul asked Mr. Fabian how close the Township is to having the final bill on those projects. Mr. Fabian agreed to discuss this with Dan Long from HRG, who has been coordinating the aspects of this project.

Agreement No. 20-06 with the PA Fish and Boat Commission for Boating Facility Grant

The Board discussed Agreement No. 20-06 with the Pennsylvania Fish and Boat Commission for a Boating Facility Grant Program project. Mr. Fabian reported that he and Solicitor Henninger had provided comments to the draft agreement which have been incorporated into this final version. Commissioner DeHart noted this was the first time he actually saw the layout for the project. He asked how many parking spaces are proposed. Mr. Fabian explained that 24 over-sized (10 x 20) spaces are shown, to allow for loading/unloading of the kayaks. Commissioner DeHart reported that Sunday a week ago, there were over 75 vehicles. This past Saturday, there were over 120 vehicles parked all the way up to Woolf Steel. He stated it is getting busier out there, and he has photos to prove this. Commissioner DeHart suggested this plan may be a start, but it will somehow need to be expanded. Commissioner Paul stated it is important to make sure the grading allows for expansion or provides access to just the open field, if possible. Mr. Fabian agreed that this should be possible on the eastern or southern side, although it would be more difficult to the north.

A motion was made by Commissioner Davies, seconded by Vice President Truntz, to approve the acceptance and execution of Agreement No. 20-06 with the Pennsylvania Fish and Boat Commission for a Boating Facility Grant Program project. The motion was unanimously approved.

Submission to DCNR of Township Comprehensive Recreation, Park and Open Space Plan

Commissioner DeHart asked if the Commissioners all had a chance to review the Lower Swatara Township Comprehensive Recreation, Park and Open Space (PROS) Plan. The Commissioners responded that they had not. Commissioner Davies suggested it be tabled until the next meeting, if possible. Ms. McBride asked Mr. Fabian if this conflicts with the deadline.

Mr. Fabian explained there is a deadline, but DCNR has been working with staff and is understanding of the impact of Covid-19. He added that he anticipated the Board may not have had ample time to review the entire document thoroughly since a paper copy was just provided. While many of the revisions are grammatical in nature, it is important that the Board feels comfortable with this plan since it will probably stay in place for ten years. The Board agreed to table the submission of the Lower Swatara Township Comprehensive Recreation, Park and Open Space (PROS) Plan to DCNR. Mr. Fabian noted he will contact DCNR to advise them of the delay.

Closure of O'Hara Lane for block party

The Board discussed a request to close O'Hara Lane from approximately 330 O'Hara Lane to 350 O'Hara Lane for a block party on June 20, 2020 from 12:00 P.M. to 3:00 P.M. There will be approximately seven food trucks, and it will be possible for emergency vehicles to access this area if necessary. The request gave assurance that social distancing and masks and other protective measures due to Coronavirus will be respected. Approval is subject to the confines of the permit issued by the Police Department.

Vice President Truntz explained that he had been approached by some of his neighbors about this. They had a food truck event a few weeks ago which was a great success, so they decided to do it again but also close-off part of the street for safety reasons. Emergency responders will be able to get in, if necessary, and all the neighbors in this area are okay with the event. Commissioner DeHart stated he is confused what block is being proposed for closure, since the numbers 330 O'Hara Lane to 350 O'Hara Lane do not exist. Ms. McBride explained she took a ride with Acting Chief Tingle to look at this area, and there are about six homes in this stretch. Commissioner DeHart clarified that the numbers for O'Hara Lane start at 1900 and go to 1800. Vice President Truntz stated he believes the proposed closure is from Melanie Lane back to the bend where it goes over to Scarlett Lane. Ms. McBride agreed this is the correct area. A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the street closure. The motion was unanimously approved.

Stipulations and Joint Motions for Agreed upon Orders in the matters of CRS Realty LLC

Solicitor Henninger reported that Board action is being requested on Stipulations and Joint Motions for Agreed Upon Orders in the matters of CRS Realty, LLC v. Dauphin County Board of Assessment Appeals, filed to Nos. 2019-CV-4350-TX and 2019-CV-4352-TX. These

are two warehouses: one is at 517 Airport Drive and the other at 3 Terminal Drive. The Township receives these types of requests every few years on warehouse units. There is an appeal, appraisers are hired, and there is an agreement reached on a reduced value. Both the County solicitor and the School District solicitor are in agreement with the amounts and have already signed off on the orders. Solicitor Henninger added that when these tax assessment appeals come in, Township Accountant Ms. McClain sets aside the amount of the dispute. That way, if a refund has to be made, those monies are available. A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve the Stipulations and Joint Motions for Agreed Upon Orders in the matters of CRS Realty, LLC v. Dauphin County Board of Assessment Appeals, filed to Nos. 2019-CV-4350-TX and 2019-CV-4352-TX. The motion was unanimously approved.

Lease Agreement with Pitney Bowes

A motion was made by Commissioner Davies, seconded by Vice President Truntz, to approve a lease agreement with Pitney Bowes. Term of agreement is 60 months, at a total cost of \$3,939.60. The motion was unanimously approved.

Any other New Business:

Mr. Fabian stated that he does have a response to Commissioner Paul's earlier question regarding remaining costs for the Highland Street Culvert Replacement and Lumber Street Culvert Replacement Project. He stated it appears Crilon has submitted the final invoice for DCIB reimbursement. Commissioner Paul asked if there would be any additional HRG invoices for the project. Mr. Fabian agreed to discuss this with Dan Long.

Addendum

President Wilt noted no action will be taken on the addendum regarding approval to use Liquid Fuels to partially fund the Spring Garden Drive Pipes Replacement Project (related to New Business Item #15B of agenda) since award of the contract was tabled by the Board earlier this evening.

GOOD AND WELFARE:

Commissioner DeHart thanked everyone for their attendance, and expressed hopes that the next meeting will be at the building instead of through Zoom.

Commissioner Davies agreed he looks forward to conducting business as normal rather than through a computer. He added that he is glad to see progress on putting in a boat ramp at the end of Fulling Mill Road. As Commissioner DeHart mentioned, it is already heavily used and the Township may need to upgrade the parking before the plan is even done. Mr. Fabian clarified that the design provided for the grant is conceptual. Part of the grant is a final design. If there is a greater need, adjustment of the site can be looked at to accommodate that need. Commissioner Davies agreed that evaluation and research might be a worthy undertaking.

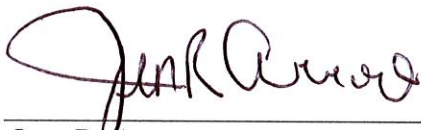
Vice President Truntz apologized for missing the last two meetings due to an anniversary celebration and then his son's high school graduation. He added that he would like to recognize Madison Smith for the great job she did as MS4 Supervisor, and wished her well. Vice President Truntz also recognized the passing of the Township's Fire Department President, Mike McKillip, who was a wonderful community servant. He wished the McKillip family peace and comfort.

President Wilt also thanked everyone for attending the meeting, and agreed that he is anxious to get back to in-person meetings.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Vice President Truntz, seconded by Commissioner DeHart, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:55 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