

MINUTES

NON-LEGISLATIVE MEETING – JUNE 2, 2021

The June 2, 2021 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.

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
- Betsy McBride, Township Manager
- Jean R. Arroyo, Township Secretary
- Peter R. Henninger, Solicitor
- Shawn Fabian, HRG
- Dominic Visconti, Police Chief
- Scott Washinger, Public Works Superintendent
- Brian Davis, MS4 Coordinator

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:

Don Wagner, 915 Oberlin Road, first expressed thanks for the improvements he is observing to the Township's maintenance of its right of ways. He also reminded the Board that he had approached the commissioners last year about the possibility of purchasing nicer "Welcome to Lower Swatara Township" signs. What the Township has now are very small and plain metal signs. Other municipalities – Boiling Springs, Silver Springs, Mechanicsburg, Lemoyne – have some very attractive welcome signs that are a nice touch to their communities. Mr. Wagner suggested signs be installed at a minimum of four locations, perhaps the state routes and one by the High School. He added that the Township will be 250 years old in 2024, and asked how he could help to get these signs in place.

Commissioner DeHart asked if he had approached anyone else to help with this idea. Mr. Wagner responded he had not. Commissioner DeHart stated the Board has also been

discussing the need for a new logo, since the current one is very outdated. He suggested it might be a good idea to get a citizens' group together to discuss the signage and the logo. Mr. Wagner agreed he would be willing to take photos of some of the signs and email them to Ms. McBride. Vice President Truntz added it would be good to get some idea of the cost of this project. Mr. Wagner added that he would not be opposed to contributing to this project, and other residents may also be willing to contribute. Commissioner DeHart suggested the possibility of the Township placing something on its website seeking citizens interested in discussing this project. Ms. McBride noted the Recreation Board may be interested in assisting with this. Commissioner Davies added that the Historic Society would also be a good group to involve in these discussions. Ms. McBride agreed to work with Mr. Wagner in pursuing this project for future presentation to the Board.

APPROVAL OF MINUTES:

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the Minutes of the May 19, 2021 Legislative Meeting. The motion was unanimously approved.

VALLEY BAPTIST REQUEST TO USE GEORGETOWN PLAYGROUND

The Board discussed a request from Valley Baptist Church to use the Georgetown playground for a children's program. President Wilt added this is an annual request by the church. Ms. McBride noted that Valley Baptist does welcome participation by any public that may be interested; citizens will not be excluded from using the park during this period. Solicitor Henninger added that as in the past, they will be required to provide a certificate of insurance naming the Township as an additional insured. A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve a request from Valley Baptist Church to use the Georgetown playground for a children's program on July 5 thru July 9, 6:30 P.M. to 8:00 P.M, with the caveat that a certificate of insurance naming the Township as additional insured be provided. The motion was unanimously approved.

APPOINTMENT OF ALTERNATE TO THE COG

Ms. McBride suggested the Board table action on an appointment of an alternate to the COG, as she would like to approach staff members about this vacancy. A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to table appointment of an alternate to the Capital Region Council of Government (COG). The motion was unanimously approved.

ADDENDUM:

President Wilt referenced an addendum to the agenda regarding action on a memo of Understanding between the Lower Swatara Township Police Department and the Middletown Area School District. Vice President Truntz asked Solicitor Henninger if he had reviewed the document. Solicitor Henninger agreed that both he and Chief Visconti had reviewed this two-year agreement. Chief Visconti noted he did not detect any changes. Dr. Suski had indicated the only changes to be made will be the dates and signatures. He stated he is satisfied with what is being presented from a law enforcement perspective. A motion was made by Commissioner Davies, seconded by Vice President Truntz, to approve the Memo of Understanding between the Lower Swatara Township Police Department and the Middletown Area School District. The motion was unanimously approved.

DEPARMENT REPORTS:

Planning & Zoning/Codes Department

Ms. McBride referenced Ms. Hursh's written report, and highlighted several items. The Planning Commission met on May 27 and reviewed several plans, including the Preliminary Plan for Kinsley Residential Development for DHK Residential, LLC. This consists of 72.2 acres for 103 single-family lots located in the Residential Urban District. The project is located north of the turnpike and east of Stoner Drive. Also reviewed was the Preliminary/Final Subdivision Plan for Thomas & Susan Coble, Parcel # 36-013-104, at the corner of N. Union Street and Grandview Avenue. The purpose of this plan is to subdivide an existing tract into two separate lots. The Planning Commission reviewed a Special Exception request for DHK Lot 2 – located on the south side of Rosedale Ave, east of White House Lane and west of the Airport Connector. The Special Exception to §27-1005.7 would allow an increase of the building height of 40 feet to 50 feet. The Planning Commission also reviewed the Wireless Facilities Ordinance. The

purpose of this ordinance is to establish uniform standards for the siting, design, permitting, maintenance, and use of wireless communications facilities in Lower Swatara Township. Solicitor Henninger added that the Planning Commission did recommend approval of the first two plans, subject to outstanding comments. The Special Exception requested for building heights and parking is a pretty standard one. These regulations are somewhat outdated in the zoning ordinance and should be addressed in the near future in order to prevent the need for these special exceptions. The Wireless Facilities ordinance was also recommended for approval. At the last meeting, the Board had set the Public Hearing date for this ordinance for June 16. Unfortunately, that date does not meet the legal timeframe, so the Public Hearing has been moved to July 7, at 6:45 P.M. Solicitor Henninger referenced an article on PennLive today about uptown Harrisburg where Verizon put 50 of these 5G poles up; residents there are not happy. The purpose of this ordinance is not to necessarily prevent this, but to make sure they meet the guidelines. In response to a question from President Wilt, Solicitor Henninger explained these wireless facilities can be put up even if there is an ordinance in place, but they must prove there is a need to put them in the location they are requesting. Under the Federal Telecommunications Act, public right of ways can be used for this purpose unless there are controls put in place. Vice President Truntz agreed this is why there is an urgency to adopt the ordinance.

Commissioner Paul referenced the Kinsley Residential Development, and asked if the Planning Commission had much discussion about improvements to Stoner Drive. Mr. Fabian explained there was not much discussion, since they do not own much of the frontage there. Solicitor Henninger noted they did add a second entrance. Commissioner DeHart asked the location of the second entrance. Mr. Fabian explained it will be just below the first entrance, right at the edge of what they own. Commissioner Paul asked if the two entrances are an adequate distance apart from each other. Solicitor Henninger explained they meet the zoning ordinance. Commissioner Paul stated he is concerned that they are not 600' apart. He added that he was unaware that they did not own that frontage up the hill; this is very unfortunate for the Township.

Commissioner Paul also addressed the Coble subdivision regarding sidewalk and curbing on North Union Street. He stated there was a note on the original subdivision plan regarding installation of sidewalk on the corner lot along North Union Street. Now there will be two lots.

He questioned how the Township will make sure that the curbing, and sidewalk if needed, is applied to that second lot if there is no escrow. Solicitor Henninger recalled the motion at the Planning Commission meeting was to defer sidewalk until the time of building permit issuance. Commissioner Paul asked how curbing will be dealt with then. There is curbing on the other side of North Union Street. Ordinance requires curbing. If Lot 2 is built first, there will be Lot 1 sitting in its natural state. This does not make sense. Solicitor Henninger agreed, but added the plan will have to come before this Board. However, the recommendation was to defer it until the time of construction.

Solicitor Henninger also noted that DHK wants slant curbs as opposed to vertical curbs. Mr. Fabian agreed they were told this would have to go before the Planning Commission and Board of Commissioners for approval.

Ms. McBride advised the Board that maintenance complaints have been increasing with grass growing and residents being outdoors. Multiple friendly reminders were sent out as reminders to keep grass cut and maintained. Vice President Truntz observed that The Pond property looks to be very overgrown. Ms. McBride agreed to check on this with the Code Department.

Commissioner Paul referenced a request from the Zoning Hearing Board to meet with the Planning Commission and Board of Commissioners to discuss Zoning Ordinance revisions. He stated this needs to be orchestrated with the members. Ms. McBride agreed to pursue this.

MS4/Stormwater

Mr. Davis reported part of the MS4 program requires yearly staff training to stress the importance of stormwater management and the need for employees to spot red-flag items while out and bring these concerns back to him. Mr. Davis explained that he and Mr. Fabian hope to do a joint training with Public Works this month, and will coordinate this with Mr. Washinger.

Commissioner DeHart asked how the tree plantings are going. Mr. Davis explained that he is trying to find donations of trees and also wants to ensure there is a system in place to maintain them before they are planted. Commissioner Davies suggested the County Conservation District may be a resource for tree seedlings. Mr. Fabian agreed that they do have trees for a discounted price. The next round of the Keystone Ten Million Tree Program should be taking orders soon and is also an option. He agreed to work with Mr. Davis on this.

Public Works Department

Mr. Washinger reported that all playgrounds, with the exception of the one in Rosedale, have been resurfaced with new wood carpet. Basketball hoops and poles for the Shope Gardens playground were ordered and should be here at the end of this week or beginning of next week. Mr. Washinger added that he is still waiting on a COSTARS bid from Miller Sports to resurface the court.

Work continues on painting of the pedestrian walks. Once that is completed, curb painting will begin. The sweeper continues to run periodically to make sure roads are clean. The sweeper debris from this year was hauled out due to complaints by the neighbors about the smell. Republic was called to haul out the 30 yard dumpsters since they were filled within two months. Seasonal mowing continues along with trimming where necessary, and areas along the banks of the roads were cut back with the tiger mower. The surface area at Penn State was repaved last week, and new blacktop was put in. Unfortunately, there was a back-up in the line again yesterday. PERCS will be in this Friday, weather permitting, to repair the loop on state road 230.

A fair amount of trees continue to fall during storms; there were multiple call-outs for removal. All ballfields were sprayed with pre-emergent, and guardrails were sprayed for weeds and weed-wacked. The guide rail that was damaged on Spring Garden and Lumber Street was replaced for \$1,078.00. This is a savings from the previous bid received which totaled \$3,700.00.

Commissioner Paul asked when PERCS will perform their annual inspection on traffic lights. Mr. Washinger stated he does not know, but will need to check into this. Commissioner Paul recalled that they are also responsible for any sign damage in traffic control areas, such as at Route 230 and Meade Avenue where they get hit. Mr. Washinger explained that this is actually the Township's responsibility under the agreement; PERCS just handles the lights.

Vice President Truntz stated he has a concern he would like to put on record. He added that he has talked to Mr. Washinger, Mr. Lanman and Mr. Fure about it, but assumes no one has had any success with PPL or the property owner. The area is on Route 441 headed towards Target, down the hill and before getting to the Day Care center, where the old barn sits back on the left. There is a tree that has been leaning on a high tension line for a number of months now. That stretch of road is very busy, and his concern is that when it falls down, it could hit a car or cause an accident. Commissioner DeHart stated he did look at this, and it is actually cable lines. Unless they come down, nothing seems to be done. Vice President Truntz asked if the property owner can be

contacted to address this. Solicitor Henninger stated it is unlikely that the property owner will do anything about it.

MANAGER'S REPORT:

Proposal from Kathy McCool for Policy Manual

Ms. McBride reported that in front of the Board tonight is a proposal from Kathy McCool for a Policy Manual. This was also emailed to the Board last month. She asked for approval to move forward with the proposal. Ms. McBride explained that an Employee Handbook is for employees to use. A Policy and Procedures Manual is primarily for supervisors and managers to use. Ms. McCool would come in and determine the work flow and what forms need to be used, process timelines, etc. Commissioner DeHart asked if the intent is to use EIP money for this. Ms. McBride agreed it is. A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the Human Resource Consultant Work Statement from Kathy McCool for a Policy and Procedures Manual at an hourly consulting rate of \$75/per hour billed monthly at a total cost not to exceed \$21,900. The motion was unanimously approved.

Ms. McBride reported that today she received a flurry of emails regarding the American Recovery Plan with notice that the Township needs to apply in five days for half of its money. The pot has grown to about \$880,000. Ms. McBride noted she has directed Ms. McClain, with the assistance of Zelenkofsy Axelrod, to apply tomorrow.

Ms. McBride reminded the Board that it had approved an upgrade to the audio/visual system in the Boardroom. This should be done sometime this month.

Upon conclusion of the Board's June 16, an executive session for legal purposes will be requested with the Municipal Authority.

Update on police position vacancy

Ms. McBride turned the floor over to Chief Visconti. Chief Visconti reported that with the resignation of officer Derek Weinholdt, the Department will be pursuing filling that vacant position. The Dauphin County Police Consortium Testing begins this Saturday. Chief Visconti briefly explained the testing process, and noted he hopes to have a draft uncertified list of potential candidates by the end of the summer and then take the selection process from there, pending approval from the Board of Commissioners and Civil Service Commission. He noted there is a lot of moving parts, so the timeline is uncertain. Commissioner DeHart referenced a

comment from Chief Visconti regarding a minimum 30-day application period. Chief Visconti agreed this is standard, and gives the applicants time to fill out the lengthy application which is very comprehensive. Commissioner DeHart asked if the Township can still recruit them to apply. Chief Visconti explained that once the consortium list comes out, the Township can indeed make some phone calls if it wants to recruit someone. Vice President Truntz stated it is important to fill the vacant officer's position as soon as possible. Chief Visconti agreed to keep the Board updated on this.

Commissioner DeHart stated the Township still needs to appoint two alternates to the Civil Service Commission. President Wilt stated that one or two alternates need appointed. Chief Visconti reported that the Civil Service Commission meets on July 20 and will review the Civil Service Regulations. President Wilt asked how the two recent hires are doing. Chief Visconti explained they are both doing quite well.

ENGINEER'S REPORT:

Mr. Fabian referenced his written report and provided updates. The Rosedale Manor Stormwater project is a few weeks out from completion of all the on-site concrete work. Everything is continuing to progress for paving at the end of June. Mr. Fabian added the paving work will probably take about three to four weeks, and he is working with the contractor to make sure there is ample notification to residents as well as the least impact to them. Dauphin County Conservation District did come out several weeks and issued their report. There was nothing major, only routine maintenance items.

There is some advancement on the 2021 Storm Sewer Replacement Project (217 Delmont Ave., Scarlett Ave., and Spring Garden Dr.). Mr. Fabian noted there was evaluation of the Spring Garden/Nissley intersection. Surveyors took a look at that location to possibly replace a pipe going underneath Nissley that appears to be sinking into the pavement. Hopes are to get this work done as part of the overall bid package for the other three projects.

Approval was finally received from DEP for the GP-11 permit for the Cockley Road Culvert Replacement project. The bid for this project is also being bundled with the 2021 Storm Sewer Replacement Project. Mr. Fabian added that he and Mr. Washinger will need to review the detour plan. The detour plan was also submitted to Swatara Township for their review since the detour will come up Chambers Hill Road.

President Wilt asked the status of the Spring Garden/Lumber Street intersection area, near Commerce Drive, where the road is in rough shape due to UGI work. Mr. Fabian stated that several contacts were made with UGI, with no response. He noted he will continue to pursue this with them. Mr. Fabian added that he did have a conversation with H&K, the contractor for the work on Spring Garden Drive. A final inspection was performed for that work, and a punch list made. An application for payment will be on the Board's next agenda.

Commissioner Paul asked the Board its feeling on moving ahead with design for the Shireman Tract. He referenced an item on Mr. Fabian's report about the possibility of getting yet another extension. He asked if this is necessary. Mr. Fabian explained the Township will need another extension whether it proceeds or not, because it still needs time to pull together the business plan. He added that he feels the Township is in a position, with some of the recovery money, to potentially move forward with things. He suggested it would be good to get the extension and then work towards completion of the business plan by that extension date. Ms. McBride added that she needs to make sure any recovery money used for this does not have a short time line to spend.

Vice President Truntz referenced comments made at the last meeting from Ms. Strauss regarding an abandoned lateral in front of her property. Apparently it did collapse a few days later. He asked if it had been stabilized. Mr. Fabian confirmed that it had been. He explained that the references made to "sinkhole" is actually not a topographical sinkhole but a void from a collapsing pipe. That whole pipe will be filled with flowable fill. In response to a question from Commissioner Davies, Mr. Fabian explain that flowable fill is a concrete that is flowed in to fill the pipe.

Vice President Truntz also asked if there is an update on UGI's previous plans to bring natural gas into the Twelve Oaks area. Mr. Fabian noted he has not heard any recent updates. Commissioner DeHart added the pipe in that area still needs replaced. Mr. Fabian confirmed that the plan has always been to replace that pipe ahead of the UGI work. Commissioner DeHart recalled the gas line work was to happen this fall.

SOLICITOR'S REPORT:

Solicitor Henninger reported that as mentioned earlier, the Public Hearing on the mini cell tower ordinance has been moved to July 7 at 6:45 P.M. He also informed the Board that the Brink

land use appeal was filed on the variance granting. The transcript was received today. Procedurally, the Zoning Hearing Board, through its solicitor, must submit the record to the court. Then it will be assigned to a judge for a briefing schedule. At this point the Brink's have not intervened in the matter, because the Board is appealing the Zoning Hearing Board's decision. However, the Brink's were served and noticed with the appeal.

Solicitor Henninger reported he will be meeting with Mr. Fure and Ms. Hursh on Friday to go over some procedures moving forward until Ms. Hursh's replacement is on board. Ms. McBride added that Mr. Fabian will be meeting with them tomorrow.

GOOD AND WELFARE:

Commissioner DeHart requested a brief executive session for personnel matters. He added that it is very nice to see everyone back.

Commissioner Davies thanked Ms. McClain for taking a look at the revenues for the year and providing a comparison document. He urged the Board to review this information. He agreed it is nice to see everyone in the room tonight, and appreciates getting back to doing business as normal.

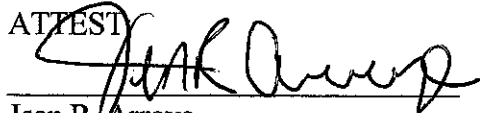
Vice President Truntz referenced noise issues from the air conditioner unit at a previous meeting. Ms. McBride confirmed this is being looked into. Vice President Truntz agreed with Commissioner Davies that it was nice to see everyone back tonight. He also thanked Mr. Wagner for presenting his idea about welcome signs.

President Wilt thanked everyone for their participation tonight and agreed it was nice not to have to use Zoom to communicate.

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 7:57 P.M.

ATTEST


Jean R. Arroyo
Township Secretary

PLEASE PRINT NAME CLEARLY
JUNE 2, 2021 WORKSHOP MEETING -- 7:00 P.M.

[illegible]