

MINUTES

LEGISLATIVE MEETING – JUNE 21, 2023

The June 21, 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
- Brett Flower, Eckert Seamans, 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: None

ANNOUNCEMENT OF EXECUTIVE SESSION:

President Wilt announced that the Board had met in executive session on June 16 for personnel reasons.

AMENDMENT TO AGENDA:

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to amend the agenda by adding an emergency action item under “Any Other New Business” to consider a proposal from Acer Paving Inc., in the amount of \$10,200, for overlay and paving of Sylvia Street. The motion was unanimously approved.

APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the Minutes of the June 7, 2023 Workshop Meeting. The motion was unanimously approved.

PAYMENT OF BILLS:

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve the Payment of Bills – Warrant No. 2023-05. The motion was unanimously approved.

TREASURER’S REPORT:

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

PUBLIC SAFETY REPORTS:

Police Department

Activity Report

Chief Visconti provided a summary of the monthly statistics for May. There were 17 Part I crimes, 34 Part II crimes, 433 calls for service, 2 DUI arrests, 35 traffic citations, 13 non-traffic citations, and 25 warnings. There were 4 motor vehicle accidents, 5,141 patrol miles driven, 110 foot patrol minutes in the community and 240 foot patrol minutes on School District properties. There were 362.25 total overtime hours, and 52 total training hours. Co-responder stats included 2 new contacts, 5 follow-up contacts, and 2 mental health commits.

In response to a question from Commissioner DeHart, Chief Visconti confirmed that the new police vehicle is now in service. Commissioner DeHart also referenced concerns expressed at the last meeting from residents on Lakeside Drive pertinent to speeding around the bend. Chief Visconti stated he has directed patrol in that area, although it is difficult to set up an enforcement effort due to the layout. The speed sign will also be placed in this area. Chief Visconti agreed with the concerns expressed, and stated it is very difficult for two cars to pass in opposite directions at the bend. It is very tight. He suggested it might be beneficial to put “no parking signs” in the bend/curve. However, this may cause resistance from residents who park

there. Commissioner Paul suggested the Township pursue an ordinance change to restrict parking in the bend. While there may be complaints from residents about the parking, the safety element is more important. Solicitor Flower agreed to draft an ordinance for the Board's review and approval.

Fire Department

Deputy Chief Taylor presented the Fire Department's monthly statistics for the month. During the month of May there were 48 total calls. Number of responders for the month was 28, with an average of 5 personnel per response. Time in service was approximately 24 hours. There were 5 fire incidents, 1 overpressure/rupture/explosion/overheat/no fire, 6 rescue and EMS incidents, 4 hazardous condition incidents, 1 service call, 19 good intent calls and 12 false alarms. Mutual aid was provided to Conewago Twp. (1), Conoy Twp. (1), Derry Twp. (1), Harrisburg City (3), Highspire Borough (3), Hummelstown Borough (1), Middletown Borough (2), PA Turnpike (1), Steelton Borough (2), and Swatara Twp. (17). In response to a comment from Commissioner DeHart, Chief Taylor agreed that they are seeing a lot of calls to Swatara Twp. since their rescue was in an accident. Chief Taylor also reminded everyone that the Township is still under a burn ban.

ENGINEER'S REPORT:

Mr. Fabian reported that a ribbon cutting ceremony was held on June 15 for the Fulling Mill Road Boat Launch Facility. Final close out paperwork for this project appears on this evening's agenda. Work continues to prepare and finalize the NPDES permit submission for the Richard L. Shireman Park site. A review was done today of the punch list work performed for the 2022 Paving Project (Briarcreek, Burd, Heatherland, Heathglen, Huckleberry, Old Reliance, Spring House, Longview, and Spring Garden). There are still some outstanding items that need to be resolved, including a manhole on Spring Garden Dr. that still needs raised. A follow-up will be made.

The design of the Fiddler's Elbow Box Culvert Replacement is moving ahead. There will be right-of-way negotiations with affected landowners to widen that culvert. The suggested construction window is summer of 2024.

An update was provided on the 2023 Drainage Improvements Project (Nissley & Spring Garden, Woodridge Basin Tie-In Off of Spring Garden). Nissley and Spring Garden can be bid for construction when the design for the Woodridge connection is finalized. Mr. Fabian reported that he has finalized the scope of work for this, and he hopes to have this on the Municipal Authority's meeting agenda this coming Monday. He reported that he has also finalized the scope of work for the new salt shed. In response to a question from Commissioner Paul, Mr. Fabian explained that he does have a hand sketch of the location, but there has been no survey work done yet.

MANAGER'S REPORT:

Mr. Border reported that the asphalt zipper demonstration is scheduled for tomorrow at 9 AM, weather permitting. This pertains to the previously added amendment to the agenda, which is a proposal for overlay and paving of Sylvia Street which will be done after the asphalt zipper work.

Mr. Border referenced the gaming grant application, and asked the Board's direction on what it would like to pursue with this grant. This information will be needed when the pre-application meeting is held with the County. In the past few years, this grant was used to pay back existing loans from the County. Mr. Border stated that both he and Ms. McClain are recommending this use again. The maximum amount is \$150,000. If the Township decides to sponsor other groups, this will impact the overall amount that the Township will get back. Solicitor Flower clarified that in situations where the Township is acting as co-applicant for another entity, this will not affect the Township's pot of money.

A request was received from a group wishing to use the baseball field at Little Hollywood for a two-day baseball tournament in August. All proceeds are to go to charity. Mr. Border asked the Board's authorization for this use. Vice President Truntz stated he is okay with the use, provided it is confirmed that this is a legitimate charity with all proceeds going to the charity and with the stipulation that proof of insurance is provided. The Board expressed no objection to this event.

The Township did receive approval for the FEMA grant support for the Greenwood Circle, Hanover Street, Meade Avenue Stormsewer Repairs. There are no new updates regarding the FEMA grant for potential home buyouts.

Future Meetings/Events:

June 22	CANCELLED:	Planning Commission Meeting
June 26	7 PM	Municipal Authority Meeting
June 28	7 PM	Zoning Hearing Board
June 29	6 PM	MS4 Public Workshop at the Lower Swatara Fire Dept.
July 4	Independence Day Holiday –	Township Offices closed
July 5	7 PM	Board of Commissioners' Workshop Meeting

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul reminded the Board that the antique car show is scheduled for this Saturday from 10:00 A.M. – 2:00 P.M. on Powderhorn Rd. by the park. He also expressed concern about the number of bulk items he has observed sitting in yards for weeks. He had provided Ms. Arroyo with a list of properties, and she made contact with the hauler who agreed to schedule these for pickup. Commissioner Paul stressed to residents the importance of reading the mailers provided by Republic Services. They provide important information, such as the fact that residents must call ahead to schedule bulk-item pickup.

Budget and Finance Committee: Commissioner Davies asked the status of the previously approved transfer of funds from one bank to another. Mr. Border confirmed this has been completed.

Public Works Committee: Vice President Truntz stated he has received word that PennDOT will commence paving on Route 441 the end of next week. He asked that this be confirmed with Mr. Washinger and placed on the website. At the last meeting, Mr. Washinger had reported that LED lights would be placed at Memorial Field, compliments of Wilsbach Distributors and PPL with no cost to the Township. Vice President Truntz asked that thank you letters be sent to both organizations for their generosity. He added that the lighting contractor is apparently coming back out Friday night to adjust poles; it would be good to have something on record authorizing Hornung's to come back in and make these adjustments. The Board expressed no objections to this work. The Public Works Department has been busy mowing right of ways and making a bleacher repair. Vice President Truntz referenced Commissioner Paul's comments about trash, and suggested residents be reminded to set their trash and recycling carts a distance apart since the truck has automated arms that need space to pick up the containers. Otherwise, the driver must get out of the truck and dump the containers manually, which will most likely be factored into the pricing during the next bid process.

Community Development: Commissioner DeHart reported that MARA meets again on July 6.

Personnel Committee: President Wilt – no report

UNFINISHED BUSINESS:

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

The Board discussed previously tabled Resolution No. 2023-R-7 authorizing the issuance of individual procurement cards. Mr. Border stated the Board had requested he look into other issuing banks. Members First does issue a p-card which offers a cash-back option. He stated he would recommend Members First. Solicitor Flower added that she would be drafting a policy and agreement for use of the cards. A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Resolution No. 2023-R-7 authorizing the issuance of individual procurement cards. Commissioner Paul stated he is not in favor of approval tonight since the Board has not yet seen the revised resolution and documentation. Vice President Truntz rescinded his motion to approve, and Commissioner DeHart rescinded his second. A motion was then made by Vice President Truntz, seconded by Commissioner Davies, to table Resolution No. 2023-R-7 authorizing the issuance of individual procurement cards. The motion was unanimously approved.

Resolution No. 2023-R-9 Adopting Rules and Regs in Parks and Setting Rental Fees

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. The motion was unanimously approved.

NEW BUSINESS:

Proposed emergency access drive across a portion of Greenfield Park

Jeff Shyk, K&W Engineers, discussed a request from the Middletown Area School District to construct a proposed emergency access drive with an access gate across a portion of Greenfield Park, subject to Middletown Area School District's forthcoming Land Development Plan, and respective specifications/details thereof. This will be for emergency use only, and it will be gated on both ends. However, there is a potential benefit for the park itself to provide overflow parking, using the parking lots of the School District. The access drive will be 24' wide and suitable for two-way traffic. There is a small cul-de-sac, and the plan would be to connect into that. There is also a small shed there that will need to be relocated. In response to

a question from Commissioner DeHart, Mr. Shyk estimated the length is just shy of 800' and only a small piece of the access road – not even 75' – will be on Township property.

Commissioner DeHart asked who will maintain/plow it. Bill Meiser, Director of Operations for the School District, stated they will be glad to work with the Township on this, and an agreement can certainly be worked out. Commissioner DeHart asked if the gate will be placed at the beginning of the Township portion. Mr. Meiser stated his suggestion would be to place it up at the roundabout, so nobody comes down through. Obviously, the Township will be provided with keys to operate it and can open these gates for special events if so desired.

Commissioner Paul stated he was involved in the meetings regarding the proposed access road. He agreed the proposed location is the only logical one. He noted that due to some of the special event uses, such as the Hershey Soccer Association tournaments, the entrance off the road should probably be widened since it is very tight. He suggested it might be wise for staff to go back to the archives to look at the design of the Township's access road. Mr. Fabian noted there appears to be room to make this adjustment. He agreed with Commissioner Paul's suggestion to re-adjust the radius when exiting out of the connector into the Greenfield area. In response to a question from Mr. Fabian, Mr. Shyk explained that a radius evaluation has not yet been done, since this is just conceptual at this point. Mr. Fabian added that the only other issue from his end is ensuring drainage to that basin when the grading is complete. He added that he is in favor of the alignment being presented tonight.

Commissioner Davies questioned if water service could be extended from the School District property to the Township's park. Mr. Meiser explained there was some confusion with Veolia Middletown which services all of campus right now. It was discovered that there is a line between the trees that is Veolia PA. A meeting was held with Veolia, and the School District discovered that the service line is illegally crossing boundaries. Veolia PA was not amicable to potentially rezoning this area, so the School District will have to dead-end that and tie it into this project. This is being worked out right now. Mr. Meiser responded that the Township will have to pursue its request for water directly with Veolia PA. Dale Messick remarked that he and some of his neighbors did receive a letter from the water company stating that public water was coming and asking if they were interested in hooking up. However, the letter states the water line is running down North Union Street. He added this is the first time he heard that water is coming any distance out Route 441 or Oberlin Road.

A motion was made by Commissioner Paul, seconded by Commissioner Davies, to approve a conceptual plan to construct a proposed emergency access drive with an access gate across a portion of Greenfield Park, subject to Middletown Area School District's forthcoming Land Development Plan, and respective specifications/details thereof and conditioned on looking at improving the alignment and confirming maintenance responsibilities. The motion was unanimously approved.

Ordinance No. 608 amending Chapter 15, Parks and Recreation

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to table 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.

Resolution No. 2023-R-10 accepting dedication of row area of both Highland and Longview

A motion was made by Commissioner Paul, seconded by Commissioner Davies, to approve Resolution No. 2023-R-10, accepting dedication of the right-of-way area as a portion of both Highland Street and Longview Drive, including all respective stormwater management improvements. The form of the Deed of Dedication shall be approved and attached as an exhibit to said Resolution. Acceptance shall be conditioned upon the developer recording and providing proof of recording within 60 days of approval. The motion was unanimously approved. Commissioner DeHart asked if they will maintain this right of way. Commissioner Paul stated there is a note on the plan that this is their responsibility.

Change Order #5 for the 2021 Drainage Improvements Project

A motion was made by Commissioner Davies, seconded by Vice President Truntz, to approve Change Order #5 for the 2021 Drainage Improvements Project in the amount of \$47,924.39 for the rectification of installed quantities on the project. The increased amount is largely for additional stone and paving quantities that were used throughout the project. This is the final change order for the project. The motion was unanimously approved.

Application for Payment #8F to JVI and final close out of 2021 Drainage Improvements Project

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve Application for Payment #8F in the amount of \$33,275.00, to JVI Group, Inc. for the 2021 Drainage Improvements Project and approval of final project close out documentation. The motion was unanimously approved.

Application for Payment #4F to Flyway and final closeout of Fulling Mill Rd. Boat Launch Project

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve Application for Payment #4F in the amount of \$4,500.00, to Flyway Excavating, Inc. for the Fulling Mill Road Boat Launch Project and approval of final project close out documentation. The motion was unanimously approved.

Ratification of expenditure for repair of pickup truck

A motion was made by Commissioner Paul, seconded by President Wilt, to approve ratification of an expenditure not to exceed \$7,000 for purchase of a remanufactured motor and related parts from Maguire's Ford for the repair of the Police Department's marked Ford F-150 pickup truck. Chief Visconti confirmed that he is recommending this expenditure. The motion was unanimously approved.

Letter of Support for Middletown Swim Club's Dauphin County Gaming Grant

Patty Gillingham, 1330 Woodridge Drive, explained that she is on the Executive Board of the Middletown Swim Club which is submitting a grant application through the Dauphin County Gaming Advisory Board and is requesting a letter of support from Lower Swatara Township. This year, the pool had to be sandblasted due to chipping paint. So far about \$44,000 has been spent. All labor after sandblasting was done by board and pool members volunteering their time. Many Township residents are members of this pool, so Lower Swatara Township is being asked to provide a letter of support. Royaltown Borough is also being asked to provide a letter of support. Middletown Borough has agreed to be co-applicant for this grant. Ms. Gillingham added that the Middletown Swim Club has been an important part of the community for many years and does provide a service to the community.

Commissioner DeHart asked the amount that is being requested. Ms. Gillingham responded that they are asking for \$35,000. Additional projects are coming up, and this support is needed to continue to keep the pool operational. The pool operates on a slim budget that consists of membership dues and fund raisers. A \$20.00 pool improvement fee for each membership was

implemented to help with offsetting this huge expense. Vice President Truntz stated it sounds like it might be worth seeking a higher grant award. He also questioned if stock is still required to be purchased when memberships are bought and if these funds can be utilized for the maintenance and needs of the pool. Ms. Gillingham explained that in order to encourage new memberships, there are now non-stock memberships. When some of the stock members left, they did have to be paid back for their stock. Some of the older members were asked to donate their stock, and it was used for various projects. Commissioner DeHart suggested the Swim Club also reach out to the state representative and state senator. Ms. Gillingham agreed that she is working with both.

A motion was made by President Wilt, seconded by Commissioner Paul, to provide a letter of support for Middletown Swim Club's pursuit of a Dauphin County Gaming Grant for repairs to its pool. The motion was unanimously approved. The Commissioners wished Ms. Gillingham the best of luck in the grant process.

Monthly transfers from General Fund

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

Resignation of police officer Spencer Rios

A motion was made by President Wilt, seconded by Commissioner Davies, to accept the resignation of police officer Spencer Rios effective June 27, 2023. The motion was unanimously approved.

Resignation of public works laborer Scott Carlson

A motion was made by Commissioner DeHart, seconded by President Wilt, to accept the resignation of public works laborer Scott Carlson effective June 30, 2023. The motion was unanimously approved.

Proposal from Acer Paving

A motion was made by Commissioner DeHart, seconded by President Wilt, to approve a proposal from Acer Paving Inc., in the amount of \$10,200.00, for overlay paving of Sylvia Street. The motion was unanimously approved.

FINAL COMMENTS:

Commissioner DeHart thanked Mr. Fabian, Mr. Border, and his fellow commissioners for their attendance at the ribbon cutting for the Fuling Mill Road boat launch. He added that quite a few people were using it during the dedication. He commented, however, that he is concerned about people parking on the railroad tracks. Some kind of pavement markings may be necessary to prevent this.

Commissioner Davies recognized the Fish and Boat Commission, Representative Mehaffie, and the County Commissioners for their participation in the project. He also thanked Wilsbach Distributors and PPL for their generous donation of lighting at Memorial Field. Commissioner Davies wished the Middletown Swim Club good luck in their grant request.

Commissioner Paul requested an executive session for personnel reasons.

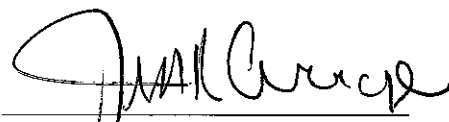
Vice President Truntz echoed his thanks to those involved in the new boat launch and to Wilsbach and PPL for the LED lighting. He also thanked Scott Washinger and John Ponnett for their effort in making this happen. He wished the Middletown Swim Club continued success.

President Wilt also wished the Middletown Swim Club good luck, and again reminded everyone of the antique car show this Saturday.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Vice President Truntz, seconded by Commissioner Paul, to adjourn the meeting and convene into executive session. The meeting adjourned at 8:22 P.M.

ATTEST:



Jean R. Arroyo
Township Secretary

PLEASE PRINT NAME CLEARLY
BOARD OF COMMISSIONERS

JUNE 21, 2023 LEGISLATIVE MEETING

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