

MINUTES

LEGISLATIVE MEETING – MARCH 16, 2022

The March 16, 2022 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
- Elizabeth McBride, Manager
- Jean R. Arroyo, Secretary
- Michael McAuliffe Miller, Eckert Seamans, Solicitor
- Shawn Fabian, HRG
- Kaylee Justice, Planning and Zoning Coordinator (via Zoom)
- Dominic Visconti, Chief of Police

Residents and visitors in attendance: (see attached sign in sheet)

Visitors in attendance through Zoom:

Amanda Daily and Jeffrey Ott, representing UGI

PUBLIC COMMENT:

Linda Raphael, 62 Wayne Avenue, asked for an update on the potential buy-out of her home. Ms. McBride explained that she did submit the grant application last week and was requested by PEMA to modify few things, which she has since done. She explained that at this point, she is unsure when she will hear back from them. Ms. Raphael thanked Ms. McBride for the information.

Nathaniel Matter, 600 Nissley Drive, reported on a problem he is having with the trash hauler. He explained that he takes care of a family member with medical conditions, causing his household to generate more trash than one container. Republic is not taking this trash, causing it to build up and be even more of a problem. Last week, the hauler took the bags out of the container and threw them in the yard. Mr. Matter stated he did call Republic about this, and they agreed to come back to take the bags, but never did. He then called the previous hauler to see if

they would take care of the trash, but he was told they could be fined for doing so. Mr. Matter asked if the Board could look into this, and perhaps come up with additional options. President Wilt asked if Mr. Matter has the largest size cart, since there were different size options when they were originally distributed. Vice President Truntz responded that he lives near Mr. Matter, and confirmed the cart is the larger one. Ms. McBride agreed to look into this situation.

APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the Minutes of the March 2, 2022 Workshop Meeting. The motion was unanimously approved.

PAYMENT OF BILLS:

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve the Payment of Bills – Warrant No. 2022-02. The motion was unanimously approved.

TREASURER'S REPORT:

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve the Treasurer's Report for February 2022. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Chief Visconti provided a summary of the monthly statistics for February. There were 9 Part I crimes, 15 Part II crimes, 388 calls for service, 38 traffic citations, 1 non-traffic citation, and 52 warnings. There were 10 motor vehicle accidents, 6,518 patrol miles driven, and 600 foot patrol minutes. There was 1 death investigation which was deemed a suicide by the Dauphin County Coroner's office. There were 261.5 total overtime hours, and 24 total training hours which does not include hours for online de-escalation training.

In response to a question from Vice President Truntz regarding the recruiting of new officers, Chief Visconti explained that there are two candidates still in the selection process.

Fire Department

Ms. McBride presented the monthly statistics' report. During the month of February, there were 31 total calls with 23 responders, for an average of 6 personnel per response. There were approximately 14 hours of time in service. There was 1 fire incident, 1 overpressure rupture/explosion/overheat/no fire, 12 Rescue & EMS incidents, 1 service call, 14 good intent calls, and 2 false alarms. Mutual aid was provided to Derry Township (1), Highspire Borough (3), Hummelstown Borough (2), Middletown Borough (3), Steelton Borough (1), and Swatara Township (4).

ENGINEER'S REPORT:

Mr. Fabian updated the Board on the 2021 Storm Sewer Replacement Project. The contractor mobilized on site March 7 and began construction on Spring Garden Drive in front of the caterer. Construction began at the outfall behind the building and is working up from there. Road closure is scheduled to happen between March 21 through March 25, pending weather and/or construction issues. There was a pre-construction meeting recently held with Suez for the lowering of the water line on Cockley Rd. This will also require a detour starting Monday, March 21. A three-week closure is anticipated to complete the entire project. Commissioner Paul referenced the lowering of the water line and asked if there was assurance given that Cockley will be restored to its present condition. Mr. Fabian agreed this was discussed at the preconstruction meeting.

Mr. Fabian stated he has finalized his review of the revisions for the Highspire exhibit for the easement necessary for revisions to the outlet at Hanover Street. The final version of the easement exhibit will be presented to the Borough for its consideration.

An update was provided on the Bryn Gweled Infrastructure Replacement. Mr. Fabian explained that things are moving very well on the project. Surveying and wetland delineation work was done this week, so design should be able to start in about three weeks. Since that survey work was able to be wrapped up this week, survey work was shifted to Burd and Richard which is part of the 2022 Capital Improvements Stormwater Project.

Commissioner DeHart asked if PennDOT approval had been received yet for the Fulling Mill boat launch facility. Mr. Fabian responded it had not. He suggested it might be beneficial to reach out to Representative Mehaffie's office to see if they can assist in moving this along.

MANAGER'S REPORT:

2021 – 2022 Local Share Award of \$122,000

Ms. McBride reported on official notice that the Township will be receiving a Local Share Award of \$122,000 which will cover the DCIB loans and a portion of the PennVest loans.

Also submitted was another award for the State Local Share. The state has casino dollars that they are sharing with local townships and boroughs. The Township put in for two separate requests: one for \$225,000 for the salt shed and the other for \$500,000 for development of the Shireman park. Ms. McBride added that she found out through the Dauphin County DCID that there is about \$30,000 left over in a grant that was related to DEP. She asked if they could take a look at the property at the old fire house since no one knows what is in there or how stable the ground is. They agreed to do that with no match required from the Township. Once that is complete, consideration can be given to the salt shed. Ms. McBride explained that she has high hopes for the Shireman award, but moderate hopes for the \$225,000 request for the salt shed since there is not much information yet to provide them.

Ms. McBride referenced the new trash hauler and stated that there will always be complaints no matter who the hauler is. The complaints with Republic often focus on the quantity accepted. She noted it is hard to re-open a contract, but she does want to address the concerns of residents about the quantity. She asked the Board to think about this. Commissioner DeHart noted the present agreement allows for one cart. Residents having more trash than can fit in that one cart must purchase additional tags for the extra bags. Solicitor Miller confirmed this is correct. Ms. McBride recalled that GFL allowed one cart and one bag. She noted the wife of the resident who spoke earlier tonight had presented a good question. She said that she could potentially put out one cart and one washing machine each week, and they would take it. She asked why she could not just put out an extra bag instead. Ms. McBride noted there are separate trucks for trash versus bulk items, but she does feel the question is a valid one. Solicitor Miller suggested this be discussed in executive session tonight.

President Wilt referenced the additional gaming grant from the state and explained that is not the local share gaming grant from Penn National, but rather a state-wide program that came about due to on-line gaming. Ms. McBride agreed that is correct and added that both Representative Mehaffie and Senator Gebhard sent letter of support which she included in the request. She added this was much appreciated. Commissioner DeHart stated that for the

public's understanding, the first grant the Township was awarded was the Dauphin County Gaming Share Grant, which will be used to help pave roads and fund other projects in the Township.

Future Meeting Dates

President Wilt read aloud the list of future meeting dates:

March 23	CANCELLED: Zoning Hearing Board Meeting
March 24	7 PM Planning Commission Meeting
March 28	7 PM Municipal Authority Meeting
April 6	7 PM Board of Commissioners' Workshop Meeting

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul noted the Township is receiving a lot of input on recreational activities in reference to the Shireman Park, the Fulling Mill boat launch, etc. He remarked that it has been some time since the Township established the fee in lieu of for new development plans. The current fee of \$1,500 per unit in lieu of land dedication should be looked into. Commissioner Paul stated he is not sure what the fee is for other municipalities, but the Township's fee has been the same for many years. Solicitor Miller suggested staff survey other local municipalities to find out their fees. Commissioner Paul agreed this would be very helpful and expressed hopes that this could be compiled by the next meeting.

Budget and Finance Committee: Commissioner Davies reported both the Uniformed and Non-Uniformed Pension Boards met yesterday. The presentation was interesting, and funds are doing relatively well but are suffering as all plans are. This is something to keep an eye on.

Public Works Committee – Vice President Truntz reported that the crew did a nice job handling the recent snow and wind conditions which resulted in drifting. They are now finishing inside projects and getting ready for spring.

Community Development: Commissioner DeHart reported that MARA will meet this month and is gearing up for summer and cleaning out the old gym in Middletown where all the supplies were stored. Commissioner DeHart noted that he and Vice President Truntz will be meeting with the Fire Department next week to begin the process recommended in the study. He asked that Ms. McBride and Ms. Arroyo post the study on the Township website in the next several days.

Personnel Committee: President Wilt – no report

UNFINISHED BUSINESS: None

NEW BUSINESS:

Proposal to sell tasers

Solicitor Miller referenced the proposal to sell tasers and asked that the Board table this item. He explained that under the First-Class Township Code, there may be a slightly different process required to get to this point. A motion was made by Vice President Truntz to table the proposal from Chief Visconti to sell 18 model X26 Tasers that are no longer in service to Accredited Security in Naples, Florida. The motion was unanimously approved. Commissioner Paul asked if this could be placed on the April workshop agenda. Solicitor Miller agreed it could. He stated he does not think there is a policy on items that are less than \$2,000 and the disposal of same, so it may have to be taken through the auction process first. When no bids are received, it can then go through this process. Because the Code provides for a sanction from the auditors, this must be done correctly.

Harrisburg CNG Facility Preliminary/Final Land Development Plan

The Board discussed the Harrisburg CNG Facility (PC# 2021-08) Preliminary/Final Land Development plan with waiver requests for relief of the preliminary plan and landscaping requirements. Eli Cekovic, UGI Utilities, explained he is responsible for the fleet operations and warehouse operations. Also in attendance is Brian Morris who is in charge of the operations center in Middletown off of AIP Drive. Participating through Zoom is legal counsel Amanda Daily and Jeffrey Ott from Ott Consulting. This is a three-acre lot off of Harrisport Court on which they plan to build an approximately 10,000 square foot warehouse and also install a compressed natural gas fueling station. This fueling station would be very similar to a commercial gasoline pump as far as appearance goes, but instead provide compressed natural gas to vehicles as an alternate fuel. With this, they intend to convert vehicles they have operating off of AIP Drive to actually burn compressed natural gas. They do have three of these fueling stations on properties throughout their service territory.

Commissioner DeHart asked if this would be open to the public or only for UGI vehicles. Mr. Cekovic explained it will be open to the public, as they worked through the Zoning Hearing Board and Planning Commission to get approval for public use. Vice President Truntz questioned what they plan to store in the warehouse. Mr. Cekovic responded it will be materials for the

pipeline construction: elbows, pipe, etc. In response to a question from Commissioner DeHart regarding the CNG, Mr. Cekovic explained that there will be no tanks. There is a gas line which runs back Harrisport Court that they will tap into. In the back corner will be the station equipment that compresses the gas. Commissioner DeHart noted this is basically what UPS has. Mr. Cekovic agreed. He added that one of the reasons they sought public use is to be able to provide UPS with a backup if their station should go down.

Commissioner Davies anticipated there will be a fair amount of traffic generated and asked if there is an estimated traffic count. Mr. Cekovic stated he does not anticipate much traffic in and out of the facility, as this is not a big industry. Waste Management has some vehicles that use compressed natural gas, as do the city buses. On a daily basis, there may be forty vehicles at the most, and not all of them will be fueling.

Vice President Truntz stated people will be connecting to an open gas line and asked if there is any extra fire suppression or emergency equipment there. Mr. Cekovic responded that there is a shut down within that back unit if something goes wrong with over or under pressurization. He noted he does not have the complete details. In addition, as part of the deal with Airgas, there is a commitment that they are willing to train the Lower Swatara Fire Department on the safety features and fire suppression as part of the contract. Commissioner Paul asked if the Fire Department has looked at this plan. Mr. Cekovic responded they were provided the designs for the station itself but he cannot confirm they have reviewed it.

Commissioner Paul asked if the proper planning module waivers have been submitted with the plan. Ms. Justice confirmed they were. He asked how many EDUS are associated with this plan. She stated there are 0.26 EDUS (1 EDU) and three employees.

Commissioner DeHart asked how long it takes to fill a vehicle. Mr. Cekovic explained about the same time it takes to fill an unleaded tank.

Commissioner Paul questioned the waiver request for landscaping requirements. Mr. Fabian explained there is a landscape setback on the eastern side that the driveway and a bit of the parking area goes through. It is already pretty well screened from the neighboring property, which is in the same zoning district. Commissioner Paul asked if there are any trees involved. Mr. Cekovic responded that there is one tree on the sight right now, but there are not landscaping features drawn into the plan.

Mr. Fabian and Ms. Justice both confirmed they are agreeable to moving forward with approval tonight.

Solicitor Miller suggested the Board first address the waiver requests. A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the waiver requests for relief of the preliminary plan and landscaping requirements. The motion was unanimously approved.

A motion was made by then made by Commissioner Davies, seconded by Commissioner DeHart, to approve Harrisburg CNG Facility (PC# 2021-08) Preliminary/Final Land Development Plan. The motion was unanimously approved.

2022 Paving Plan

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the 2022 Paving Plan. The motion was unanimously approved.

The Board discussed a proposed Retainer Agreement with HRG for the 2022 paving project. Vice President Truntz asked if there is a reference to HRG's General Terms and Conditions in this agreement. Mr. Fabian explained that the reference he has on top references back to the original retainer agreement that was most recently revised on January 12, 2022. It would be the same terms and conditions. A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve a Retainer Agreement with HRG for an amount not to exceed \$95,000 for the 2022 Lower Swatara Township Paving Project, which is to include portions of Briarcreek Lane, Burd Road, Heatherland Road, Heathglen Road, Huckleberry Court, Old Reliance Road, and Spring House Road. The motion was unanimously approved.

Certificate of Substantial Completion for Rosedale Manor Drainage Improvement Project

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve the recommendation of approval of the certificate of substantial completion for the Rosedale Manor Drainage Improvement Project to Lower Swatara Township Municipal Authority, in reliance of the March 9, 2022 letter from Jason Heinz at HRG. Commissioner Davies asked how this impacts the inclusion of the Hanover Street outlet work. Mr. Fabian stated it does not include that portion of work, as the revision has not been made a part of the contract yet. Commissioner Davies asked if this means that work will need to be bid by a separate contract. Mr. Fabian explained that would be an option if the easements are not in place by the time the contract with Doli is closed. The motion was unanimously approved.

Separation of employment between LST and Dennis Ragland

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the separation of employment between Lower Swatara Township and Dennis Ragland effective February 25, 2022. The motion was unanimously approved.

Other New Business

Commissioner DeHart referenced the invitation from the Athletic Association to its Opening Day ceremony. He asked how Mr. Washinger is doing with getting the fields ready, especially with the weather. Ms. McBride stated they will be ready for Opening Day. Commissioner Paul referenced an email regarding a site visit to look into one of the fields potentially being altered. Mr. Fabian agreed he offered options of feasibility if this is something they want to pursue. Commissioner Paul stated he wishes he would have been along to discuss this. Tiring a field around is a bigger project than one might think. Mr. Fabian explained the meeting was impromptu. He agreed there would be a lot of grading required. The more that field gets rotated, the more the grading extends to the parking area which is a large earthmoving activity and a large construction activity.

Commissioner DeHart remarked that the Athletic Association was recently at a meeting and presented a list of desired projects. He suggested some of these should probably be presented to the Recreation Board, such as the batting cage building, to see what can be done legally and what can fit where. Vice President Truntz noted several of the projects presented are fairly simple and doable, such as the bullpens. Hopefully they can be given the green light on these projects. Commissioner Paul recalled that the Board had already agreed with projects including the Shoppes Garden's pitching mound and the enhancement of the first base line of the field that there is now talk about rotating. As Vice President Truntz pointed out, the Athletic Association should also be given authorization to go ahead with the bullpens for the three fields. Vice President Truntz suggested this permission be granted, with the understanding that there should be guidance from the Public Works and perhaps the engineer as far as the layout. Ms. McBride agreed to make contact.

EXECUTIVE SESSION REQUESTED:

Ms. McBride requested an executive session immediately upon conclusion of this evening's meeting for personnel and legal issues.

FINAL COMMENTS:

Commissioner DeHart referenced the letter of invitation from the Athletic Association to Opening Day next month and noted he plans to attend.

Commissioner Davies thanked Mr. Washinger and Mr. Fabian for pulling together the Paving Plan.

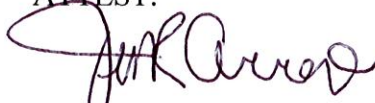
Vice President Truntz agreed that he is pleased to see some of the projects progressing, such as the road work on Spring Garden Drive, surveying in Bryn Gweled, and tonight's approval of the paving plan. He thanked everyone for their attendance tonight.

President Wilt also thanked everyone for coming out tonight.

ADJOURN INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner Davies, seconded by Commissioner DeHart, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:58 P.M.

ATTEST:

A handwritten signature in dark ink, appearing to read "Jean R. Arroyo", written over the printed name.

Jean R. Arroyo, Secretary

PLEASE PRINT NAME CLEARLY
MARCH 16, 2022 LEGISLATIVE MEETING – 7:00 P.M.

[illegible]