

MINUTES
LEGISLATIVE MEETING – MARCH 17, 2021

The March 17, 2021 Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt.

The following officials were in attendance:

- Jon G. Wilt, President
- Todd F. Truntz, Vice President
- Michael J. Davies, Commissioner
- Ronald J. Paul, Assistant Secretary
- Christopher DeHart, Commissioner (Zoom)
- Elizabeth McBride, Manager
- Jean R. Arroyo, Secretary (Zoom)
- Peter R. Henninger, Solicitor (Zoom)
- Ann Hursh, Planning & Zoning Coordinator
- Dominic Visconti, Chief of Police
- Brian Davis, MS4 Coordinator (Zoom)
- Shawn Fabian, HRG (Zoom)

Residents and visitors in attendance:

Dale Messick (resident)
Michael Lusaitis (SESI)
Chris DiSanto, Nic DiSanto (Triple Crown)

Residents and visitors in attendance through ZOOM:

Zach Yarick (Triple Crown)
David Erlbaum
Wayne Koveleskie (WatchGuard)

President Wilt announced that the Board had met in executive session on March 9 for personnel reasons. The Board will also be convening into executive session upon conclusion of this evening's meeting to discuss real estate matters and personnel issues.

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

PUBLIC COMMENTS: None

APPROVAL OF MINUTES:

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve the Minutes of the March 3, 2021 Workshop Meeting. The motion was unanimously approved.

PAYMENT OF BILLS:

A motion was made by Commissioner Paul, seconded by Vice President Truntz, to approve the Payment of Bills – Warrant No. 2021-02. 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 February 2021. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Activity Report for February 2021

Chief Visconti provided a summary of the monthly statistics for February. There were 8 Part I crimes, 26 Part II crimes, 352 calls for service, 3 DUI arrests, 34 traffic citations, 3 non-traffic citations, and 26 warnings. There were 17 motor vehicle accidents, 7,818 patrol miles driven, and 420 foot patrol minutes.

Recognition of officers

Chief Visconti recognized Officer Jason Heckendorn and Officer Joshua Malott for their assistance in a multi-agency effort on January 31 which led to the recovery of a child. The officers had also been recognized by Swatara Township.

Proposal for body cameras

Chief Visconti discussed two proposals that were prepared by WatchGuard for body-worn cameras. The first was initially presented last year and involves the purchase of a server to store the data. The second plan offered, known as a “Video-as-a-Service Package”, does not involve the purchase of a server and will instead be cloud-based. This option provides for the body cameras to be issued on a five-year plan and carries a five-year no-fault warranty. The

first quote does not include the purchase of warranties for the cameras, which comes to approximately \$450/unit (total of \$3,600 for 8 units).

The total price for the Video-as-a-Service Package for the eight units would amount to \$35,500. The five year breakdown for this plan would be as follows: year 1 would be \$8,300 (the annual fee of \$6,800 plus the one time set up charge of \$1,500) and years 2 – 5 would each be \$6,800. Chief Visconti stated this is the plan he is recommending. He requested the Board grant approval to use the \$10,000 donation from Phillips to pay the initial \$8,300. Chief Visconti added that he also submitted an additional quote for 10 cameras rather than 8. He noted he had received, and is reviewing, several draft policies for body-worn cameras, since a detailed policy must be adopted prior to their use.

In response to a question from President Wilt, Chief Visconti explained that WatchGuard is the same company that the Department uses for the mobile video recorders for the dash-cams in the cars, which are still important tools.

Commissioner Davies asked if the number of units requested is based on the number of vehicles. Chief Visconti confirmed there would be one for each patrol vehicle. The optional quote for ten would also include one for each detective. President Wilt stated he would favor the two extra cameras. Chief Visconti agreed that two more cameras would be beneficial. Vice President Truntz asked the cost for the ten cameras. Chief Visconti stated the total price would come to \$43,180, although he does not have the yearly breakdown.

President Wilt asked if the body cameras will still work at the end of the five year period. Wayne Koveleskie, WatchGuard, explained that at the end of the five years the Township would own the equipment. Five years was chosen because historically at year three, WatchGuard replaces all the body cameras. At the end of that five years, the Township could renew the program and would already own the cameras. This would give the option for the Township to move away from a cloud hosting if it decided to move in a different direction.

Commissioner DeHart asked what happens to these cameras after the five years – will they be disposed of or will there be a trade-in? Mr. Koveleskie explained there would not be much of a trade-in value, as the cameras typically depreciate \$30 a month and is a \$900 device if bought outright. He added that WatchGuard would certainly provide some type of incentive to have the Township renew with them. The truth of the matter is that technology changes quickly; the body cameras would still function but not have the features or technology that the newer

cameras would. Commissioner DeHart asked how the information is uploaded.

Mr. Koveleskie explained the body cameras themselves dock into a docking station that has an Ethernet connection directly to the Township's network. Commissioner DeHart inquired about the storage time for the body cameras. Mr. Koveleskie explained that the on-board battery allows the camera to run continuously in record mode for twelve hours. Twenty-two hours of video can be stored before the camera has to be docked. Commissioner DeHart referenced Chief Visconti's request to use the donation from Phillips for this purchase, and asked if there is any other money in the budget for this. Ms. McBride explained this is an unbudgeted item. Commissioner DeHart observed the next agenda item relates to the modems issue, and asked if this was budgeted for. Chief Visconti confirmed that the modems were budgeted for.

The Commissioners agreed this is an important purchase which needs to be acted on as soon as possible. Solicitor Henninger stated that he had reviewed the proposal, and confirmed that the Board may take action tonight. A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve the purchase of the ten body cameras through the Watch Guard Video-as-a-Service Program in the amount of \$43,180, with the understanding that a breakdown is provided for the incremental payments for five years. The motion was unanimously approved.

New modems for vehicle

Chief Visconti stated that it was brought to his attention that the modems in the police cars are old and really need to be replaced. A letter from James Fry, CAD System Administrator for Dauphin County, explains this in more detail and includes a proposal. Again, this pertains to keeping up with technology for safety reasons. The modems in the police cars are pretty much the lifeline to dispatch the County. Commissioner DeHart asked if any other vendors had been asked to provide quotes for the Sierra Wireless AirLink. Chief Visconti responded that no other vendors were approached, but added that this proposal is being recommended by the County CAD Administrator. Solicitor Henninger explained the proposal is well under the threshold to quote, and Global Public Safety is also a local supplier. Chief Visconti noted that one vehicle already had a modem replaced, so the quote is for seven modems.

A motion was made by Commissioner Davies, seconded by Vice President Truntz, to approve the expenditure of \$7,604 for the purchase of seven new modems, plus installation, for patrol cars for the Police Department. The motion was unanimously approved.

Fire Department

Ms. McBride referenced Fire Chief Weikle's monthly report. During the month of February, there were 36 total calls and 22 responders with an average of 7 personnel per response. There was approximately 19 hours of time in service. There were 5 fire incidents, 8 Rescue and EMS incidents, 2 hazardous condition incident, 14 service calls, 6 good intent calls, and 1 false alarm. Mutual aid was provided to Highspire Borough (2), Londonderry Twp. (2), Middletown Borough (1), Royalton Borough (1), Steelton Borough (2), and Swatara Twp. (5).

ENGINEER'S REPORT:

Mr. Fabian referenced his monthly report and provided updates, beginning with the Rosedale Manor Stormwater project. Doli has completed all of the mainline trunk installation except for two sections that are held up with PPL service relocations. They are now working on a lot of the cross-drain connections and preparing to set inlet tops and curbing. A resubmission was received today for the revised and returned shop drawings for ADA ramps and designs for any non-conforming ramps on the site. The project continues to track fairly well on schedule; Mr. Fabian anticipated a May/June substantial and final completion, and that by August/September everything will be completed within this paving season.

The 2021 Stormsewer Replacement Project (217 Delmont Ave., Scarlett Ln., Spring Garden Drive by the caterer) is progressing. All designs have been completed, and results have been obtained of the subterranean utility exploration. Minor revisions were incorporated into the plans to accommodate the existing utilities on site. All of Mr. Lanman's comments have also been incorporated, and the bid package is being finalized. Board approval to go out to bid will likely be sought at the next meeting. Commissioner Paul asked if the survey was able to determine if there is a pipe going into that yard inlet at Delmont Avenue. Mr. Fabian responded they actually found two pipes going into that inlet in the back, so design had to be slightly revised to incorporate that. He noted he will be happy to review the concept plan with Commissioner Paul and will be at the Township building most of the day tomorrow.

Commissioner Paul referenced the Rosedale stormwater project, and questioned the repaving of parking spaces that are adjacent to those roads. Mr. Fabian explained it is a bit tricky through there, because a lot of those parking spaces are on private property. There are some

areas that were used for laydown that have construction impact, so they will also be restored. However, there are a good deal of them that are about 1/5 on the right of way and 4/5 on private property. Mr. Fabian explained that he and Mr. Lanman walked with Doli to go through all of the sections in order to provide recommendations on the best way to handle this. There are a lot of those private, pull-off parking areas that are in need of repair that are on private property.

Mr. Fabian added another question asked was whether the lines would be repainted in those individual lots during the pavement restoration. The general contract terms states that whatever is there and disturbed gets put back the way it was. If there is impact to the lines that were there, they will have to be restored. However, it is not part of the contract to redo lines for every single lot. Commissioner DeHart asked if the property owners realize this. Mr. Fabian responded that there were select conversations with residents who approached them while walking the site. There appears to be some confusion between who signed a temporary easement, who signed a permanent easement, and who has a right of way that would not require a signed easement for the work performed. A lot of residents do not realize that their parking area off the road is part of their property. Again, anything disturbed will be restored to how it was before. Commissioner DeHart asked if there is any way the residents in the area can be notified of this. Mr. Fabian stated it should be possible to pull addresses from the GIS database if the Township desires to do a mailer closer to the project completion date.

An update was provided on the PFBC Boating Facility Grant for the Fulling Mill Road boat launch. The plan was shared with the Fish and Boat Commission for their sign-off as part of the grant. Based on a request at the last Board of Commissioners' meeting, contact was made with the Middletown-Hummelstown Railroad. A field meeting is scheduled for next Tuesday to review the boat launch project with the future expansion plans of the Railroad.

The Spring Garden Drive culvert replacement had been delayed until final wearing course paving could be completed this spring. As soon as the weather is good, they should be remobilizing to the site. Mr. Fabian anticipated this to occur in the next month or so.

Commissioner Davies addressed the drainage project on Spring Garden Drive, across from the caterers. The sign around the road collapse has been there for quite a long time. He asked if a steel plate could be put over that hole. Mr. Fabian stated the recommendation is to keep the sign in place, but added that there is a finalized design that will allow the project to be put out to bid to make the permanent fix. Commissioner Davies stated that he appreciates that,

but knows that means it will be there for another year. Mr. Fabian stated that it should only be a few more months. If bids go out in April or May, they should be able to mobilize by the end of June or July and the repairs should be completed this year. Ms. McBride suggested she and Mr. Fabian meet later this week to see if there is any way to get rid of that flashing light and cones. Mr. Fabian agreed he could pull together some information regarding the possibility of a temporary fix. A steel plate is jarring, and would probably not be the best option. Commissioner Davies stated he would appreciate that, as residents continue to express concern about this.

SOLICITOR'S REPORT:

Solicitor Henninger reported that the Township has received the draft mini cell-tower ordinance from Attorney Cohen's office. He has replied with a significant amount of comments, and Mr. Fure and Ms. Hursh are also working on their reviews.

Solicitor Henninger noted that President Wilt had announced an executive session later tonight for real estate matters. The session will also involve a litigation matter specific to SARAA litigation.

MANAGER'S REPORT:

Solid Waste and Recycling Contract

Ms. McBride reported that the Township's contract with GFL expires at the end of this year, so now would be the time to seek bids if the Board desires to do so. There is an option to automatically renew with GFL with four months' notice. Ms. McBride suggested the Township seek bids, although this is not to criticize the performance of GFL. She asked Board approval to seek bids, with responses received sometime in May. GFL has expressed interest in submitting a bid, if that is the route the Board takes. The Board expressed no objection to this.

Contract with Zelenkofsky Axelrod

Ms. McBride explained that Zelenkofsy Axelrod has contracted with the Township several years now to provide support to the Township's accounting department. One of the principles in accounting is separation of duties. Therefore, the Township's one accountant should not enter the invoices, print out the checks, and then reconcile the bank statements. Zelenkofsky Axelrod also worked closely with Ms. McClain this past year learning the new accounting system, since it is vital to have backup if needed. Unfortunately, their renewal

contract was sent to the Township during the period when the Township was having email issues. Ms. McBride asked for Board approval to retain the services of Zelenkofsky Axelrod for 2021. She noted that each year, they quote a fee that is much higher than the Township ever hits. This year, the financial and accounting system fee is quoted as up to \$72,000 and the audit preparation up to \$18,000. She noted that on average, over the past few years, the Township probably paid them between \$40,000 - \$45,000/year. A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve a contract with Zelenkofsy Axelrod for 2021 at a fee not to exceed \$72,000 for accounting and finance and not to exceed \$18,000 for audit. The motion was unanimously approved.

Vice President Truntz referenced discussions about a policy and procedures manual, and asked if this could be put back on the radar. He noted that when this was presented last year, there was some sticker shock at the quote of \$40,000. He asked if perhaps this could be pursued, as well as other options. Ms. McBride agreed this is a great idea, and suggested this be discussed further at the April workshop meeting.

Future Meeting Dates:

President Wilt read aloud the list of future meeting dates:

March 22	7 PM	Municipal Authority Mtg.
March 24	7 PM	Zoning Hearing Board
March 25	7 PM	Planning Commission Mtg.
April 2	Twp. Offices closed – Good Friday Holiday	
April 7	7PM	Board of Commissioners Workshop Mtg.

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul referenced an email from Chief Visconti about recent legislation to take away funding from the UJS resource. Chief Visconti explained that this is a valuable resource used by law enforcement to keep track of things such as warrants.

Commissioner Davies clarified that he does not think this is recent legislation, but rather a suggestion by the Governor under his proposed budget. President Wilt stressed that this Board will certainly seek support from its representatives if this comes to light. Commissioner Davies added that this will also be mentioned to the PA State Association of Township Commissioners so they can put this on their radar.

Budget and Finance Committee: Commissioner Davies – no report

Public Works Committee: Vice President Truntz reported that the crew is starting work outside. Big projects include refurbishing the baseball fields in Woodridge and making repairs to the steps at the press box at Memorial Park.

Community Development: Commissioner DeHart reported that MARA reached out to the state to see what programs they recommend it do as far as recreation. There is a Zoom meeting scheduled next week, and discussion will include a timeline for hiring a new Director.

Ms. McBride added that Commissioner DeHart had asked her about the terms of the grant. This year, the Township is in a 75% reimbursement, and there are three or four months left for that. She noted she has a feeling this may be forfeited. Next year, it will be 50%. Commissioner DeHart stated that when the Director was laid off, the grant was put on hold. The grant is still there, and is being pushed out due to the covid situation. Ms. McBride remarked that she had recently spoken to David Franklin and received different information. Commissioner DeHart agreed to get more information on this at next week's meeting.

Personnel Committee: President Wilt reported that there will be several personnel related items later on tonight's agenda.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Revised Fiddlers Elbow Warehouse Plan

Ms. Hursh stated that before the Board this evening is the Revised Preliminary/Final Subdivision and Land Development Plan for Fiddler's Elbow Warehouse, PC File #2020-02 (2070 N. Union St.). The plan was conditionally approved by the Board of Commissioners on August 19, 2020. The plan has been recorded. Ms. Hursh explained that there is now a buyer for it, so they wanted to make some revisions. The plan shows minor revisions to the building area, reducing some impervious area and adding additional parking. HRG also reviewed the plan and is satisfied.

Michael Lusaitis, SESI Engineering, stated he would be happy to answer any questions. Commissioner DeHart asked what type of business will be moving there, as this could impact traffic flow. Mr. Lusaitis responded he does not believe there is a tenant at this time.

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve the Revised Fiddlers Elbow Warehouse Plan (2070 N. Union St.). The motion was unanimously approved.

Text Amendment to Commercial Neighborhood District submitted

The Board discussed referral of a proposed Text Amendment to the Commercial Neighborhood district, submitted by Triple Crown Corporation, to the March 25 Planning Commission meeting. Request is to amend S27-1403 by adding a subsection (3) to allow for townhouse development. Ms. Hursh explained this referral is the first step of the process.

Nic DiSanto, Triple Crown, stated that he had been before the Board about a month ago to discuss a potential text amendment to allow townhouses by special exception to the Commercial Neighborhood district. The request tonight is for the Board to refer the proposed text amendment to the Planning Commission in order for Triple Crown to begin the process.

Commissioner Paul agreed that the proposal obviously does need to go before the Planning Commission, but expressed concern that the language as presented is not detailed enough. There is no semblance of consistency with some of the other special exceptions. He called attention to the way the student housing section is worded as an example. Mr. DiSanto agreed to address this.

Commissioner Davies asked Solicitor Henninger if referring this to the Planning Commission will result in them approving/disapproving it, and then sending it back to this Board for final action. Solicitor Henninger explained this would be an amendment to the zoning ordinance that is being proposed by someone other than the Township. Therefore, it must first come to this Board, who will refer it for review by both the Township Planning Commission and the County Planning Commission. This referral must be done at least 30 days before a public hearing. A public hearing is required to be held pursuant to public notice, which consists of advertising twice in newspaper of general circulation. Historically, the Township places wording in the same advertisement that adoption may be considered later that same evening. Solicitor Henninger echoed Commissioner Paul's comments that the wording for the other two special exceptions that are permitted in the Commercial-Neighborhood district (Student Housing and Residential Retirement Community) is a lot more detailed and structured. The idea is the Township does not want the entire Commercial Neighborhood district to end up being townhouses. Again, after it is reviewed by both Planning Commissions, there will be

recommendations made and then a public hearing held. Solicitor Henninger added that the applicant does have a timeline in mind, and would like the Board to schedule the Public Hearing for April 21.

Mr. DiSanto agreed that they are requesting a Public Hearing be scheduled for April 21, before the Board meeting that same evening, as they would like to begin the public notice period. Solicitor Henninger explained that if the Board schedules this hearing and the Planning Commission(s) comes back with significant proposed changes, the Public Hearing could be opened and then simply continued.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to refer the Text Amendment to the Commercial Neighborhood district submitted by Triple Crown Corporation to the Township and the County Planning Commissions, and to also schedule a Public Hearing on the Text Amendment for April 21 at 6:30 P.M. The motion was unanimously approved.

Improvement Guarantee Reduction #2 for Buddy's Run

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve Improvement Guarantee Reduction #2 for Buddy's Run Subdivision in the amount of \$28,622.38, leaving a balance of \$159,399.87. The motion was unanimously approved.

Recommendation to Municipal Authority of Application for Payment No. 3 to Doli Construction

A motion was made by Commissioner Paul, seconded by Commissioner Davies, to approve recommendation to the Municipal Authority of Application for Payment No. 3, in the amount of \$514,001.70, to Doli Construction Corporation for the Rosedale Manor Stormwater Improvements Project. The motion was unanimously approved.

Acceptance of Planting Sites

The Board discussed approval of planting sites in conjunction with the Community Roots Program. Commissioner Davies asked if planting seedlings on these lots that were buy-backs from residential owners would get in the way of the Township's requirement to maintain these lots. Ms. McBride explained that the hope is that the trees will help with the need to cut grass. Brian Davis, MS4 Coordinator, agreed that the trees should not detract or prevent the maintenance of these lands. Mr. Fabian added that they will be planted in a manner that will allow the Township to mow and maintain in between them until the trees reach a height where

mowing is not necessary. This will eventually reduce the mowing commitment from the Public Works.

Commissioner DeHart asked Mr. Davis if he had a chance to look at the additional site he had mentioned last meeting. Mr. Davis confirmed that he had, and stated he believes this could be a viable site for inclusion in the next set of proposed planting sites.

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve acceptance of Planting Site #1 (The Flats), Planting Site #2 (Fulling Mill Road Park) and Planting Site #3 (Swatara Shores) in conjunction with the Community Roots Program. The motion was unanimously approved.

Resolutions re: disposition of records

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve Resolution No. 2021-R-1, declaring intent to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 6, 2008, as amended and supplemented. The motion was unanimously approved.

Also before the Board is Resolution No. 2021-R-2, authorizing the disposition of certain enumerated records. Commissioner Davies noted the resolution refers to specific cubic footage, and asked what that means. Ms. McBride explain the standard storage boxes have a cubic footage assigned to them, so the measurement is based on that. Solicitor Henninger added that these disposition of records' resolutions must say what is being destroyed and the approximate bulk of what is being destroyed. A motion was made by Commissioner Davies, seconded by Vice President Truntz, to approve Resolution No. 2021-R-2, authorizing the disposition of certain enumerated records. The motion was unanimously approved.

Polling Place Lease Agreement w/Dauphin County

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve a Polling Place Lease Agreement with Dauphin County. The motion was unanimously approved.

Resignations

A motion was made by Commissioner Davies, seconded by Vice President Truntz, to accept, with regret, the resignation of Lester Lanman, Director of Public Works, effective March 26, 2021. The motion was unanimously approved.

A motion was made by Vice President Truntz, seconded by President Wilt, to accept, with regret, the resignation of Ann Hursh, Planning & Zoning Coordinator, effective June 11, 2021. The motion was unanimously approved.

FINAL COMMENTS:

Commissioner DeHart again acknowledged Officer Josh Malott and Officer Jason Heckendorn for the parts they played in the assist and recovery of a child. He thanked Mr. Lanman for his time and service at the Township, and noted he made the Township a lot better. He thanked Ms. Hursh for her time in planning and zoning. It has been very busy here lately and will probably continue to be.

Commissioner Davies also gave a hats-off to Officers Heckendorn and Malott for their heroic actions. He added that he will miss both Lester Lanman and Ann Hursh. He wished them all the best.

Commissioner Paul agreed with the previous comments, and added he liked the way Ms. Hursh phrased her resignation letter, stating that she may be available to provide assistance. He added that Mr. Lanman has been an asset here, and expressed hopes that he has more free time to do the things he likes to do.

Vice President Truntz agreed that he is very proud of Officers Heckendorn and Malott. He noted he is sorry to see Ms. Hursh go; she will be missed. He added that Mr. Lanman was a great Public Works Director. Vice President Truntz thanked both for their service.

President Wilt expressed his appreciation to Officer Heckendorn and Malott, and wished well to both Ms. Hursh and Mr. Lanman.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Vice President Truntz, seconded by Commissioner Davies, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 8:33 P.M.

ATTEST:

Jean R. Arroyo, Secretary