

MINUTES

NON-LEGISLATIVE MEETING – MAY 5, 2021

The May 5, 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 (Zoom)
- Peter R. Henninger, Solicitor (Zoom)
- Shawn Fabian, HRG (Zoom)
- Ann Hursh, Planning & Zoning Coordinator (Zoom)
- 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:

Dale Messick, Greenfield Drive, referenced comments made at the last meeting by Commissioner Davies regarding use of liquid fuels' money to resurface some roads. Conway and Bangor were among those mentioned. Mr. Messick stated he agrees with these recommendations, as those two roads are extremely rough and need to be addressed.

APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve the Minutes of the April 21, 2021 Public Hearing. The motion was approved by a 4 – 0 vote, with Vice President Truntz abstaining since he was not in attendance of the meeting.

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve the Minutes of the April 21, 2021 Legislative Meeting. The motion was approved by a 4 – 0 vote, with Vice President Truntz abstaining since he was not in attendance of the meeting.

DEPARTMENT REPORTS:

Planning & Zoning/Codes Department

Ms. Hursh referenced her written report and provided updates. Work continues on some of the major projects. A final inspection was done at Campus Heights for the last three buildings and the pool. Homes in Buddy's Run are under construction, and the developer would like to place final wearing course on the street late summer 2021. Three more home sites are under contract. Morgan Drive in the Morgan's Run development is expected to be ready for dedication at the Board's May 19 meeting. Solicitor Henninger added that there will be a resolution on the agenda for this acceptance and deed of dedication.

The Zoning Hearing Board had approved a variance for 35 Davis Drive and one for 2702 Fulling Mill Road at its March 24 meeting. The Planning Commission will be meeting this month to discuss a simple subdivision plan for the Coble property at the corner of North Union Street and Grandview Avenue. Also planned for discussion is the Preliminary Plan for Kinsley Residential Development; the applicant had requested that the plan be tabled at the last Planning Commission meeting.

Mr. Fure and Mr. Henry continue performing inspections on the major projects, including UPS, D&H and Wilsbach. Ms. Condran passed the PA Notary Public training and has been sworn in.

MS4/Stormwater

Mr. Davis reported that quite a few of the trees planted on the southern end of the Fulling Mill Road area have died. He and Mr. Washinger are reviewing the maintenance plans to prevent further losses. Commissioner Paul asked if these trees will be replaced. Mr. Davis explained that this is the intention, but only after maintenance is ensured. President Wilt noted that trees were donated in the past, and he would prefer to see this done again. Mr. Davis agreed. He also explained he is reaching out to neighboring municipalities to see how they run maintenance, but this may become a future budget item.

Commissioner Davies asked if it is a problem to have heavy tree growth in a detention basin. He noted several property owners have allowed their basins to become forested. Mr. Davis stated that DEP has not released clear guidance on this. More trees will reduce storage capacity, but they also absorb greater amounts of water. Experience has shown no negative effects. However, trees should not be allowed to grow within 15 feet of inlet/outlet structures as their roots can damage the concrete and pipes.

Public Works Department

Ms. Washinger reported that he is in the process of obtaining bids on the 30 yard dumpsters at the old shed area. About a month and a half after Republic hauled away and replaced two of the dumpsters, another pickup for removal was required due to them being at capacity. The mowing season has begun, and Public Works is mowing baseball and soccer fields as weather permits. Opening day for baseball and soccer was successful. Public Works was given a list to begin the curb painting and line painting in pedestrian walkways. Grout cleaning of the front lobby women's bathroom has been completed, and tile sealing will be performed. The department began changing out all current light fixtures in the administration building with the new LED light fixtures. The paving project on Lumber and Spring Garden Drive has been pushed back until May 10. The damaged guardrail was removed prior to replacement of the new guardrail. Mr. Washinger added that he is still waiting on a second price to replace the guardrail. Commissioner Paul asked if this was submitted to the Township's insurance carrier. Ms. McBride responded that a claim will be filed. The area for the Police Department to house vehicles to perform and gather forensic evidence is 90% completed. Mr. Washinger noted that Covid supplies are adequate, and sanitizing of equipment and vehicles continues.

Commissioner Paul stated he feels new backboards for the Shopes Garden basketball hoops are a priority. Mr. Washinger agreed to pursue this.

Mr. Washinger stated he had discussed with Solicitor Henninger a request from PPL for a Municipal Grant of Right-of-Way at Longview near the Little Hollywood area. At that time, Solicitor Henninger suggested the possibility of requesting compensation for this. Solicitor Henninger explained that PPL is adding additional facilities in the Township right of way with no compensation or benefit to the Township. He stated that while it has been a few years now,

he does recall them putting a new pole off of Whitehouse Lane, near the Highspire park. They needed additional space, and he recalled compensation was given for use of the Township's right of way. This new pole at Longview Drive will be beneficial to Wilsbach and beneficial to PPL, since they will make more money. Asking for compensation is reasonable, since they are adding additional facilities and are encumbering the Township's right of way. Solicitor Henninger stated that he will further discuss this with Mr. Washinger.

LED option for street lights

Mr. Washinger also discussed the conversion of about 25 above-ground lights to LED. PPL will pay for the lights and do the work. Solicitor Henninger added that it looks like the Township will save about 40% by doing so. A motion was made by Commissioner Davies, seconded by Vice President Truntz, to authorize Mr. Washinger to work with PPL on the conversion of the above-ground lights to LED. The motion was unanimously approved.

Frontier RC2060 Lift-Type Rotary Cutter

Mr. Washinger reported that the crew is interested in getting a pull-behind rotary cutter for the John Deere tractor. Apparently there was previous discussion about purchasing a walk-behind cutter to clean out storm areas, sanitary sewer line areas, etc. After discussion with employees, this pull-behind was felt to be the better option. It is also less expensive. Vice President Truntz remarked that he thought there had been a decision made to purchase a smaller tractor, such as a Ventrac, that would have a small profile to get down narrow right of ways. In addition, these types of tractors can have different attachments such as snow plows, snow blowers, etc. He explained that he does not want to spend \$3,000 for this pull-behind cutter, and then have to come back and still purchase the smaller tractor. Commissioner DeHart agreed there was discussion about two years ago regarding the need for something like a Ventrac. Mr. Washinger explained the crew does not seem to support the purchase of a Ventrac. There are also concerns about the Ventrac not being very user friendly. Commissioner Paul stated he feels it is good that Mr. Washinger is involving the individuals that will actually use the equipment, as well as the mechanic who will maintain it.

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the purchase of a Frontier RC2060 Lift-Type Rotary Cutter at a cost not to exceed \$2,500. The motion was unanimously approved. Mr. Washinger asked if this purchase should also be approved by the Municipal Authority, since 70% of its use will be by the Authority. Solicitor Henninger agreed it should be.

MANAGER'S REPORT:

Ratification of cyber insurance

Ms. McBride reported that Travelers, who was the Township's previous provider for cyber insurance, had some renewal requirements that she was not comfortable with. The Township's insurance agent looked for new coverage, and found Cowbell Cyber. Cost is \$7,335.84/yearly. This is \$3,000 - \$4,000 more than the previous company, but all cyber insurance is increasing. Ms. McBride asked the Board to ratify the decision to move to this new carrier. A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to ratify the decision to use Cowell Cyber for the Township's cyber insurance at the annual cost of \$7,335.84. The motion was unanimously approved.

Resolution No. 2021-R-3 extending filing & payment deadlines for the Local EIT

Ms. McBride noted there was discussion at the last meeting about a resolution to extend the filing and payment deadlines for the Local Earned Income Tax. The resolution in front of the Board tonight will extend the filing deadline of 2020 taxes from April 15 to May 17. A motion was made by Commissioner Paul, seconded by Vice President Truntz, to approve Resolution No. 2021-R-3 approving an extension of filing and payment deadlines for the Local Earned Income Tax. The motion was unanimously approved.

Covid

Ms. McBride reported on two separate incidents which recently occurred, where two Public Works employees had children who were sent home from school due to a direct Covid exposure. She had sent these employees home and told them to get tested, and then return if the tests were negative or talk to their doctor about a return date if the tests were positive. Ms. McBride noted she received word back from the Board that this was not necessary, since Township employees are already vaccinated or did have vaccines made available to them. She asked how she should handle this in the future. Should those employees with a possible exposure be told to continue to come to work? President Wilt stated he feels this is only right. Vice President Truntz suggested this be run by the Solicitor. Ms. McBride agreed to get more information from Attorney Miller. Commissioner Davies added it might be good to see what is the common practice of other government entities. Ms. McBride added one concern she has is this: if an employee on the administrative floor is exposed, it is simple enough to send them home with regular pay, tell

them to get tested and have them continue to work from home. Public Works employee cannot do this. But if they are not given that option and they are claiming sick until the test results are in, there is no reason for them to work from home. She agreed there are pros and cons of both, and will discuss this with the labor attorney to see what is the best direction to take.

ENGINEER'S REPORT:

Mr. Fabian referenced his written report and provided updates. The Rosedale Manor Stormwater project continues to move forward. PPL has confirmed that they have completed the bore and reroute on the eastern part of Market St. Ext., and that the line that is in the way for the installation and the rest of the stormsewer on that portion road is now de-energized. The other obstacle is on Mountain View. Talks with PP&L to finalize their relocation design for the Mountain View conflict were anticipating six weeks to just come out and take a look at a subsurface utility excavation. Fortunately, a modification was able to be made to the pipe's slope and sizing to run a dual pipe instead of a single to get underneath their power line. This resolved that conflict. The only two remaining sections of stormsewer that have not been installed yet can now be completed. Over the next week, Doli will be installing those runs. The remaining work will be done most of May, and paving should occur in June. Doli is working on about a two-month delay from the original substantial and final completion dates.

An update was provided on the Sunoco Pipeline Bonded Roads Review. HRG has now completed the review of the bonded roads and evaluation of pre-construction road videos. The report will be presented to staff for its opinion. This information will need to be supplied to Sunoco for their review for potential repairs, or compensation for repairs.

Mr. Fabian updated the Board on the 2022 CIP Stormwater Improvement Project (MASD Stream Restoration Projects PRP BMP's 5 and 6, Hershey Creamery Stream Restoration Project PRP BMP 7, Burd & Richard Storm Sewer Replacement, N. Union St. Storm Sewer Replacement south of Route 283, Lumber & Bryn Gweled Storm Sewer Replacement, Richardson & 80th Street Bank Erosion Repair). HRG is preparing a proposal to move forward with the design of the Stormwater Improvement Project #2 approved in the 2019 Stormwater Capital Improvement Plan that was used to build the stormwater fee. A meeting will need to be held with PennVest to get an idea of their timeline for loan closure for that process. Updated figures will be provided to the Board as they are compiled. Mr. Fabian added that some of the

projects that were part of the original list have been excluded, such as the Fulling Mill Road Culvert Replacement. This was felt to be no longer beneficial since this is in the area of the riparian buffer planting south of the proposed boat launch facility.

Commissioner DeHart questioned the status of the waterline on 80th Street, and the rock in the culvert. Mr. Fabian stated that the installation timeline for bringing the waterline down 80th Street is moving well. They expect to be in the location over the next two to three weeks to do the bore that will require road closure for five days. Once they set up for the conventional bore and the road is closed, they will pull the rock out of there. Commissioner DeHart asked what the Township's responsibility will be at that point. Mr. Fabian responded that the Township's role will be to continue to provide updates on Facebook and the Township website to help spread the word to the community about detours. Commissioner DeHart explained his question is who will repair the wing along the creek after the rock is removed. Mr. Fabian explained there are no current plans to repair that; they are just pulling the rock out so it does not continue to put pressure on it. When the Township does replace that culvert, which was initially presented to be 2 – 3 years out, it will be replaced at the same time. Commissioner DeHart asked how it will be backfilled. Mr. Fabian stated it will probably be backfilled with stone so there is flow-through of water coming back through there. He stated he can talk to Dan Long, HRG's structural engineer, to see what the recommendation is. Commissioner Paul stated he assumes after the rock is removed, the wing wall will be pushed back up the slope. Mr. Fabian agreed that this is also his assumption. He added that he hopes to meet with Kinsley's foreman when they set up the bore to discuss the specifics. He agreed to keep the Board apprised of the meeting date.

SOLICITOR'S REPORT:

Solicitor Henninger stated he had received back the revised proposed wireless facilities ordinance. Ms. Hursh and Mr. Fure will also need to give their okay. The idea, procedurally, is to send the ordinance to the Board, along with the proposed design manual and fee schedule. The May 19 agenda would then include referral of the ordinance for official review to the Planning Commission. Solicitor Henninger explained this is a zoning ordinance amendment, which must be reviewed by both planning commissions at least 30 days prior to a public hearing. The Board can also set the public hearing on it at that time.

As Ms. Hursh reported earlier, also appearing on the May 19 agenda will be Resolution 2021-R-4 to accept Morgan Drive and to authorize the filing of the deed of dedication and petition for acceptance of the road.

Solicitor Henninger requested an executive session immediately upon conclusion of this evening's meeting in order to discuss litigation matters.

GOOD AND WELFARE:

Commissioner Davies thanked Mr. Washinger for staying on top of the equipment as well as some traffic signal issues.

Commissioner Paul reminded the public of the 2nd "Neighborhood Cruise" scheduled for Saturday, May 8 at 2:00 P.M. This will consist of a parade of antique cars, and will begin at the Powderhorn Road Park and meander through various other residential developments in the Township including Old Reliance, Longview Acres, Twelve Oaks, Bryn Gweled, Rosedale, and Shopes Gardens. It will culminate at the Fire Department where there will be food trucks on site.

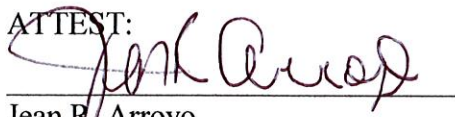
Vice President Truntz stated he is sorry to have missed the last meeting, but needed to attend services for a close family friend. He noted his understanding that there was discussion about general fund expenditures, and observed in the minutes that Ms. McBride will be doing a cash flow analysis. He stated that he hopes part of the study will be to determine an appropriate amount of funds that a municipality of Lower Swatara's size customarily retains for things like emergencies. Vice President Truntz added that in addition to Solicitor Henninger's request for an executive session, he and Ms. McBride both have a personnel issue to discuss.

President Wilt thanked everyone for their participation tonight.

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 motion was unanimously approved, and the meeting adjourned at 7:55 P.M.

ATTEST:



Jean R. Arroyo
Township Secretary

PLEASE PRINT NAME CLEARLY
MAY 5, 2021 WORKSHOP MEETING -- 7:00 P.M.

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