

MINUTES

LEGISLATIVE MEETING – NOVEMBER 16, 2022

The November 16, 2022 Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by Vice President Todd F. Truntz.

Roll call was taken, with the following officials in attendance:

- Todd F. Truntz, Vice President
- Ronald J. Paul, Assistant Secretary
- Michael J. Davies, Commissioner
- Christopher DeHart, Commissioner
- Jean R. Arroyo, Secretary
- Michael McAuliffe Miller, Eckert Seamans, Solicitor
- Shawn Fabian, HRG
- Dominic Visconti, Chief of Police
- Rich Snyder, Planning & Zoning Coordinator

Absent: Jon G. Wilt, President

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

Vice President Truntz welcomed everyone to the meeting and opened the floor for public comment.

PUBLIC COMMENT:

Eric McClune, 780 Fulling Mill Road, stated that he and his wife have lived at this address for about six years. Since that time, an extra quarry and several warehouses opened, some vacant warehouses were occupied, and new neighborhoods continue to come in. This has resulted in substantially increased traffic on Fulling Mill Road. Drivers speed through this stretch of roadway as well as quarry trucks which then put on their jake brakes at the last minute. Mr. McClune explained that in addition to the safety concerns, the noise impacts his quality of life. He suggested the possibility of lowering the speed limit to 25 mph, perhaps expanding that speed limit down further towards Oberlin Road, maybe even past the gas station. This would get drivers into the mindset that this is a slower speed area. He also offered his driveway as a place for the officers to monitor speed. A brake retarder prohibition on this road would take care of a lot of the noise problem. Ms. McClune stated he would really appreciate any consideration the Board can give to long-term solutions for these issues.

Commissioner DeHart agreed this has always been a problem area, and Mr. McClune's neighbor, Gary Weidner, has also expressed similar concerns. However, this is a state highway, so the Township may not be able to install signs up for a break retarder. Commissioner Paul asked if there is any time of day that seems worse. Mr. McClune responded that it starts about 5 AM and picks up through 7 AM. It gets bad again at lunch time, and then in the evening.

Vice President Truntz stated there are similar complaints in other areas of the Township, such as North Union Street, that the police are focusing attention on. He asked Chief Visconti to also look at this location and perhaps place the speed sign there. He also suggested the Township take advantage of Mr. McClune's offer to use his driveway. Chief Visconti agreed to pursue this.

APPROVAL OF MINUTES:

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

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

PAYMENT OF BILLS:

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the Payment of Bills – Warrant No. 2022-10. 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 October 2022. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Activity Report

Chief Visconti provided a summary of the monthly statistics for October. There were 9 Part I crimes, 23 Part II crimes, 405 calls for service, 1 DUI arrest, 14 traffic citations,

5 non-traffic citations, and 28 warnings. There were 27 motor vehicle accidents, 4,713 patrol miles driven, 105 foot patrol minutes in the community, and 333 foot patrol minutes in the School District properties. There were 489.25 total overtime hours, and 64 total training hours. Co-responder stats included 10 new contacts, 11 follow-up contacts, and 8 mental health commits.

Discussion re: traffic enforcement efforts on N. Union St., north of Fulling Mill Road

Chief Visconti explained that there were previous discussions regarding traffic enforcement on North Union Street since the addition of the UPS terminal. The Board had authorized a traffic study, which resulted in a speed limit change from 25 mph to 35 mph. The speed sign was placed there during the past month, and statistics obtained. Data collected and compiled for the report is somewhat skewed because the speed limit was not adjusted. However, to summarize, most of the traffic occurs in the morning, at lunch time, and at rush hour. The average speed during those times ranged anywhere from 25 mph to 40 mph. Obviously, there were some speeds recorded that was significantly higher than this but not overly excessive. Enforcement efforts will be taking place as soon as the speed timing equipment is calibrated and ready to go. After some special details are done in that area, the speed sign will be put back out there to collect more data and do a comparison of speeds before and after enforcement efforts. Chief Visconti added that traffic detail is also focused on Rosedale, Longview, and Stoner. Truck detail is also being done on Rosedale near the D&H facility.

Commissioner DeHart stated these enforcement efforts are appreciated. He also commented that he finds this report very useful. He stated it is interesting to see that in a week's time, just southbound there were 20,000 vehicles on North Union Street. The heaviest day was 4,200 vehicles and that was taken before the next phase of the terminal. He asked that when Chief Visconti has time, he obtain figures going northbound. This will tie into the traffic study for the new warehouse which is starting to go in now and will allow the signals to be adjusted, if necessary.

Commissioner Davies asked if the stretch of Fulling Mill Road just discussed could be added to the list of roads for the speed signal and data collection. Chief Visconti confirmed that it can be.

The Board agreed the statistics report was quite interesting, and they would like to see this more often.

Fire Department

Vice President Truntz, liaison to the Fire Department, presented the monthly statistics' report. During the month of October, there was approximately 17 hours of time in service. There were 3 fire incidents, 14 rescue and EMS incidents, 4 hazardous condition incidents, 12 good intent calls and 7 false alarms. Mutual aid was provided to East Hanover (1), Highspire Borough (8), Londonderry Twp. (1), Middletown Borough (3), Steelton Borough (3), and Swatara Twp. (3).

ENGINEER'S REPORT:

Mr. Fabian updated the Board on the 2021 drainage improvements. The curbs are now poured and all structure set. As soon as that curb can cure, backfilling will be done. This will complete all the active sites. It is anticipated there will be additional work next week to prepare the project for a substantial completion walkthrough, where a punch list of remaining work corrections can be established prior to contract close out.

There was significant coordination with the ADA ramps for the 2022 paving project, as well as some issues in the field. Mr. Washinger discussed with PennDOT the values and timing of liquid fuels reimbursement, as there was some confusion over what was originally agreed upon. Details will be worked through with PennDOT. All paving was completed before the October 31 deadline. Commissioner DeHart stated that the contractor still needs to backfill around the curbing, and there is a manhole that needs addressed. Mr. Fabian agreed and added there is still some repair work needed on Spring House relative to the issue with several driveways. A remediation plan is being worked on to address those.

The contractor for the Fulling Mill Road boat launch project was able to mobilize to the site yesterday and contact was made with the railroad to let them know construction is beginning. The first priority will be to get the boat launch in and then to build the gravel lot.

The permit package for the Meade Avenue stormsewer repair project was submitted today. The permit for Hanover Street was already received, so the next step is preparing the project manual and bid documents for these two sites. There have been no updates from FEMA on reimbursement for those projects.

The GP-11 permit submission for the Bryn Gweled project was submitted to DEP. Minor comments were received and were subsequently addressed; the permit should be forthcoming.

There was quite a bit of coordination for the Rosedale Manor Stormwater project. The Township is still waiting on the revised 4401 reports from the contractor. This is the last item needed to close out the contract and the PennVEST loan.

The survey field work for the Shireman Park is complete for this site and design can begin after that survey data is postprocessed. There is also some progress on the Fiddler's Elbow box culvert replacement, as it has now moved from the survey phase into the design phase.

Work continues on the 2024 Capital Improvement Project. The finalized survey information is being worked through to pull together the design and permitting scopes. Mr. Fabian added he would like to move this forward in the next months.

There is no update on the Hazard Mitigation Grant Program for the potential buyout of flood prone properties. PEMA had requested more documentation for the five participating properties. This was completed and submitted.

MANAGER'S REPORT:

Commissioner Paul reported that there has been concern about delays in the leaf collection schedule. The schedule is impacted by weather and the fast-falling leaves. Residents are asked to be patient as the crew continues to do its best to keep up.

The Zoning Hearing Board had a hearing last evening on a request for a solar energy farm scenario on 1500 Fulling Mill Road. That request was denied by the Zoning Hearing Board, which felt it did not meet the needs of the zoning ordinance.

As the Board will recall, the Penn Preserve Subdivision Plan was conditionally approved on May 18, 2022. Part of the conditional approval included Penn Preserve development agreements. Commissioner Paul asked that the record reflect that as of this date, the Township has received from the Penn Preserve developer acceptable versions, as reviewed by the Solicitor and Engineers, of the development documents that were conditions of the approval of the plan. The plan is approved for execution and delivery for recording by the Township contingent upon the Authority, at its upcoming meeting, also approving and executing for recording the Stormwater Easement. This will confirm the final terms of the development agreements and establish a new date for the deadline under the MPC for recording of the Plan. There is expected to be an Authority execution of the Stormwater Easement document at its upcoming meeting on Monday, November 28 which should button-up this project.

Future Meetings/Events:

Vice President Truntz read aloud the list of future meetings and events:

November 17	CANCELLED	Planning Commission Meeting
November 24 & 25		Thanksgiving Holiday – Township offices closed
November 28	7 PM	Municipal Authority Meeting
December 7	7 PM	Board of Commissioners' Workshop Meeting

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul – no report

Budget and Finance Committee: Commissioner Davies reported that a preliminary budget was presented at a Special Meeting two weeks ago. It looks like some very small tweaks may be made to this as the Board moves toward approval of the final document.

Public Works Committee: Vice President Truntz reiterated Commissioner Paul's comments about leaf collection, and noted the crew is moving between seven to eight ton of leaves per day. He gave kudos to the crew for their work. Vice President Truntz also reported that porta-johns have been removed from the parks for the winter season.

Community Development: Commissioner DeHart reported that MARA will be having a meeting tomorrow night; he will report back to the Board.

Personnel Committee: no report

UNFINISHED BUSINESS:

Resolution authorizing participation in Statewide Contract for Chesapeake Bay Watershed

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to table a resolution authorizing the participation in the Statewide Contract for the Chesapeake Bay Watershed. The motion was unanimously approved.

Authorization to advertise ordinance amending Zoning Ordinance

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to table authorization to advertise an ordinance amending the Township Zoning Ordinance to adopt standards for large scale solar facilities in the Township. The motion was unanimously approved. In response to a question from Commissioner Davies, Solicitor Miller explained this is being tabled in order to make sure everything in the proposed ordinance is buttoned-up.

NEW BUSINESS:

Resolution No. 2022-R-20 accepting Buddy's Run as a public street

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve Resolution No. 2022-R-20 accepting the dedication of Buddy's Run as a public street. The motion was unanimously approved.

Resolution No. 2022-R-21 accepting roadway right of way along Stoner Drive at Lot 12

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve Resolution No. 2022-R-21 accepting the roadway right-of-way along Stoner Drive at Lot 12 as required by Subdivision Plan for the Buddy's Run Development. The motion was unanimously approved.

Resolution No. 2022-R-22 accepting roadway right of way along Stoner Dr. at Lot 11

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve Resolution No. 2022-R-22 accepting the roadway right-of-way along Stoner Drive at Lot 11 as required by Subdivision Plan for the Buddy's Run Development. The motion was unanimously approved.

Advertisement of proposed ordinance to add stop intersection

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve authorization to advertise a proposed ordinance that would amend the Code of Ordinances, Chapter 15, Motor Vehicles and Traffic, Part 2, Traffic Regulations, Section 15-210, Stop Intersections, to add a stop intersection Westbound on Buddy's Run at the intersection of Morgan Drive. The motion was unanimously approved.

Financial Security Adjustment #1 for 250 Fulling Mill Road Site Improvements

A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve Financial Security Adjustment #1 for 250 Fulling Mill Road Site Improvements, LST Plan 2020-03, in the amount of \$1,035,907.00 from \$1,050,612.00, leaving a balance of \$14,705.00. The motion was unanimously approved.

EXECUTIVE SESSION REQUESTED:

Solicitor Miller requested a short executive session, with no action afterwards, immediately upon conclusion of the meeting, in order to discuss personnel and litigation issues.

FINAL COMMENTS:

Commissioner DeHart thanked everyone for coming out tonight and wished them a Happy Thanksgiving next week.

Commissioner Paul stated the Board does hear the concerns about Fulling Mill Road, as it has been an issue for some time. He asked that residents keep in mind that this is a state road, and the state has criteria that the Township must follow.

Commissioner Davies thanked those who came out to express concerns tonight, since this is the only way the Board is aware of problems. He expressed hopes that a remedy can be found to deal with the issues on Fulling Mill Road, and this will also be acceptable to the state. Commissioner Davies wished everyone a Happy Thanksgiving.

Vice President Truntz agreed with Commissioner Davies that it is important for residents to come out and express their concerns. He wished everyone a Happy Thanksgiving.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner DeHart, seconded by Commissioner Paul, to adjourn the meeting and convene into executive session. The meeting adjourned at 7:36 P.M.

ATTEST:

A handwritten signature in dark ink, appearing to read "Jean R. Arroyo", written over a horizontal line.

Jean R. Arroyo
Township Secretary

PLEASE **PRINT** NAME CLEARLY
BOARD OF COMMISSIONERS'
NOVEMBER 16, 2022 LEGISLATIVE MTG. – 7 PM

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