

**MINUTES**  
**LEGISLATIVE MEETING – NOVEMBER 18, 2020**

The November 18, 2020 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
- Ronald J. Paul, Assistant Secretary
- Michael J. Davies, Commissioner (via Zoom)
- Christopher DeHart, Commissioner (via Zoom)
- Betsy McBride, Township Manager
- Jean R. Arroyo, Township Secretary (via Zoom)
- Peter R. Henninger, Solicitor (via Zoom)
- Shawn Fabian, HRG (via Zoom)
- Lester Lanman, Public Works Director (via Zoom)
- Dominic Visconti, Police Chief

Residents and visitors in attendance: Dale Messick

Participants through Zoom: Catherine Kilgore, Ashley Yinger

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

PUBLIC COMMENTS:      None

APPROVAL OF MINUTES:

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve the Minutes of the November 4, 2020 Special Budget Meeting. The motion was unanimously approved.

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the Minutes of the November 4, 2020 Workshop Meeting. The motion was unanimously approved.

### APPROVAL OF BILLS:

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the payment of bills as presented on Warrant No. 2020-10. The motion was unanimously approved.

### APPROVAL OF TREASURER'S REPORT:

A motion was made by Commissioner Paul, seconded by Vice President Truntz, to approve the Treasurer's Report for October 2020. The motion was unanimously approved.

### PUBLIC SAFETY REPORTS:

#### Police Department

##### *Activity Report*

Chief Visconti provided the summary of statistics for the Police Department for the month of October. There were 17 total Part I Crimes and 45 Part II Crimes. There were 455 total calls for services, 52 criminal cases, 22 arrestees, 4 DUI arrests, and 32 traffic citations. There were 8 accidents. Patrol miles driven totaled 8,455 and foot patrol minutes totaled 1,223. Chief Visconti stated the report shows one murder; the death of a four-month old child is being investigated as a homicide.

##### *Presentation: Dauphin County Co Responder Program*

Chief Visconti introduced Ashley Yinger (Criminal Justice Programming Administrator) and Catherine Kilgore (Criminal Justice AB Administrator) from the Dauphin County District Attorney's Office. As previously requested by the Board, they are here to provide a presentation on the Dauphin County Co Responder Program.

A PowerPoint -- "Stepping Up Initiatives/Police Co-Responders" -- was presented. Ms. Yinger explained that the co-responder team model is one of the recommendations in Dauphin County's Stepping-Up initiative, the goal of which is to reduce the number of people with mental illness in the criminal justice system. Through its Criminal Justice Advisory Board, the County has developed a co-responder team model for law enforcement to help officers respond to calls involving individuals with a mental health and/or substance abuse disorder. As part of the Stepping Up initiative, Dauphin County has provided extensive training on de-escalation techniques, mental health and cultural awareness to co-responders, local police



officers and corrections' staff. The 40-hour Crisis Intervention Training (CIT), funded by a grant from the Pennsylvania Commission on Crime and Delinquency, is available to police officers. Ms. Yinger added she sees the CIT as Step A. Step B is to have a co-responder on board, which is basically a mental health professional embedded with law enforcement.

The co-responder model was started in March of 2020 with the hiring of the first co-responder, who is primarily embedded with Harrisburg City Police. The second one was hired in May, and she is primarily a floater between Lower Paxton, Swatara and Susquehanna townships. These co-responders have actually helped other municipalities too when requested. Now the program is looking to be expanded. This program does result in the officers involved feeling more confident in their knowledge in dealing with mental health or behavioral issues. These co-responders primarily work during the day, but offer assistance in the evening if necessary. The goal of this program is to preclude incarceration if possible and reduce constant contact with law enforcement. A chart of co-responder success was provided in various counties, showing this program does work. Dauphin County's program is still in a pilot stage. However, data from March through September of this year shows that of the 328 referrals, .07% resulted in charges and 12% repeats. After contact with the co-responder, 45% were transported to the hospital for inpatient care and 44% were linked to services rather than incarceration. Nothing but positive feedback has been received from the departments who participate in this program. Ms. Yinger asked if the Board had any questions.

Commissioner DeHart noted his question is cost. He added that he knows there are grants involved, but asked if they will eventually go away, leaving the municipalities to pay the full cost of the program. Ms. Kilgore explained that there has been a recent demand from departments for additional assistance, probably due to Covid. This is part of the reason for the expansion of the program. Therefore, the intent is to get a good idea of what the municipalities' needs are and whether they plan to participate in the program in order to determine costs. The District Attorney's office will pay for all necessary training for the co-responder as well as supplies (computer, vest, radio, etc.) for this individual. This equates to about \$5,000 - \$10,000 that the DA's office would fund. The co-responder position is a County position, and salary would be around \$45,000 with roughly \$30,000 in benefit costs. Total cost for one position is about \$80,000. The County, to this point, is able to put forward \$120,000 for all co-responders being looked at. Taking about ½ the costs of all those positions, the jurisdictions are being asked



what they are able to provide to support the position. A tiered approach is being looked at. If a jurisdiction wants its own co-responder, they have been asked to put up 50% of the cost of the position, or \$40,000/year. Jurisdictions that agree to share a co-responder, say between two agencies, would pay around \$20,000. Three jurisdictions sharing one would each pay \$10,000 - \$15,000. Ms. Kilgore added that she is aware that the timing of this is not particularly good, due to municipal budgets already being drafted and concerns with the financial impacts of Covid.

Commissioner DeHart stated that mention was made about co-responders potentially covering other territories if necessary. He asked how this would impact municipalities such as Londonderry Township that use PSP. Would the co-responder possibly be sent there? Ms. Kilgore explained that the issue of how this pertains to areas covered by PSP has not been resolved yet. Commissioner DeHart also referenced the incident in Lancaster City, and stated he does have concerns about the safety of the co-responder. Ms. Yinger explained the co-responder should never go out on an initial call where information is not known, although it could happen if the co-responder is already in the police vehicle. The co-responder is simply another tool in the toolbox, but the police officer needs to take the lead to make sure everyone is safe. Ms. Yinger added the co-responders have just now started going out by themselves on a few, select number of calls, when an officer is not really necessary since the person poses no danger. The co-responders will have some level of protection (vests, radios, etc.). So far, none have been in a position where their safety was in jeopardy.

President Wilt remarked that he has stated from the beginning that he feels the co-responder program is dangerous. This person would be better placed at the booking site. Crisis Intervention is a county program, so it should be handled there. President Wilt added that while there have been no instances so far, there is always a first time. Ms. Yinger noted there are occasions when the co-responder goes to the booking centers. President Wilt stated this is the appropriate place, and it gets the municipalities out of the equation.

Vice President Truntz stated his fear is that if the Board turns away this opportunity and something bad happens, it might be questioned why the Township did not take advantage of the program. Ms. Kilgore stressed this is definitely a tool in the toolbox. Things happen quickly, and it is hard to say any solution is foolproof. Again, it is encouraged that interested municipalities send their officers to the Crisis Intervention Training as a first step to see what is involved. Chief Visconti requested that he be emailed any future dates for the CIT.

Vice President Truntz agreed that the Township should definitely take advantage of the training. Ms. Yinger stated that although it depends on the department, ideally about 20% of the officers in a department should be trained.

The Board thanked Ms. Yinger and Ms. Kilgore for the presentation. President Wilt also asked if the Board could be provided a copy of the PowerPoint presentation, as it was difficult for them to see it on the shared screen. Ms. Yinger agreed to do so.

#### Fire Department

Chief Weikle was not in attendance, but had provided a written report of statistics for the month of October.

#### ENGINEER'S REPORT

Mr. Fabian referenced his written report and provided updates.

At a previous meeting, there was discussion about the curve on Longview Drive. HRG sent some exhibits of suggested signage to Mr. Lanman. Options for potential guard rail was also reviewed, but HRG's recommendation is to go with additional signage. Mr. Lanman is preparing pricing for both options for review by the Board.

Meetings were held with both PPL and UGI in regards to the Rosedale Manor Stormwater project. There is a revised concept that avoids relocation needs on both of those utilities, which avoids a lengthy schedule delay. A 2021 construction completion time is anticipated for this project. The contractor has been mobilizing equipment to the site and will start the work on the triple inlet on Hanover Street. They did respond to the Defective Work Notice, and have provided the requested schedule, as well as all outstanding shop drawings except for the ADA curb ramp designs, which they are conducting field work to prepare now.

An update was provided on the Spring Garden Drive Culvert Replacements. There have been several setback on this project. An additional twelve hours was spent in the Lumber Street intersection. There was apparently an abandoned water line that was filled with water, and also a concrete encasement that was around a lot of the sanitary sewer that had to be chiseled through to tie-in the new manhole. There was also an additional water line strike for an unmarked water service line that was not caught during the design or the construction one-calls. The contractor is preparing their paperwork for violation of one-call which both HRG and Lower Swatara



Township will have to take action on after the contractor's notice is processed. There has also been some conversation about paving the intersection with Lumber Street. There is quite a lot of utility work through the water service line, UGI, and what is going on now, and it makes sense to consider doing a broader pavement to tie-in the transition. Mr. Fabian added that with the water line delays for this project, it is probably in the Township's best interest to allow base pavement now and follow up with the wearing coat in the spring. Details of this plan are currently being worked out.

As requested by DCNR, a five year budget was completed for inclusion with the Township Park, Recreation and Open Space (PROS) Plan. A final copy of the completed document should be ready for distribution to the Board tomorrow.

Mr. Fabian stated that he has been working with Ms. McClain on the MEII grant reimbursement for the Greenfield Park Basin Retrofit and Riparian Buffer Project. There now appears to be about \$19,000 left after all requests are processed. An expanded scope is being drafted to direct these funds to PRP BMP-6 fieldwork for the stream restoration near this site.

An update was provided on the Municipal Separate Storm Sewer System (MS4) Program. Mr. Fabian reported that he has been assisting Mr. Davis with the Middletown Area School District's stormwater credit options.

Mr. Fabian reported that the Township received 175 trees and shrubs which were donated to Nancy Avolesse through a PPL Program. Through a partnership with the Chesapeake Bay Foundation 10 Million Trees Program, the Township was able to receive an additional donation of 175 tree/shrub shelters and stakes to protect these bare root trees as they grow. The Township is also working with the Master Watershed Steward coordinator to receive volunteer support to plant these trees this Saturday from 9 A.M. to about 2:00 P.M. at the Fulling Mill Road site near the other plantings that were done. In response to a question from Vice President Truntz, Mr. Fabian explained these will be planted on the very southern end beyond the gravel area and temporary parking for the boat launch. Vice President Truntz remarked that the Board did not authorize this. He stated there are already a lot of trees down there, and expressed concern with foresting that clear lot. Commissioner DeHart asked if there is a sketch plan for this. Ms. McBride responded there is a plan that Madison Smith, the former MS4 Coordinator, had started working on before she left. Ms. McBride apologized for not speaking to the Board about the intent. Mr. Fabian showed the Board the small area proposed

for the planting. He added other potential locations were considered, including the Shireman tract. However, there is a DCNR riparian buffer already planned there for the spring. Commissioner DeHart asked if an alternate location could be looked at, such as the Vine Street or Jednota Flats flood properties. Mr. Fabian agreed these could be potential areas and were discussed with Mr. Lanman as far as maintenance. Commissioner DeHart stated he would prefer one of these locations as opposed to that flat area on Fulling Mill Road which could possibly be used for recreation someday. Vice President Truntz agreed. Commissioner Paul explained the Board would like to preserve as much of the level land there as possible. The problem is the Board has not seen this plan in order to perhaps walk down there and see what is there and what is not. Ms. McBride suggested she and Mr. Fabian discuss this further before any plantings are done. The Board agreed.

Commissioner Paul asked when Mr. Fabian anticipates having an estimated cost for the boat launch facility at the end of Fulling Mill Road. He recalled a number of \$175,000 being discussed. Mr. Fabian agreed that is the current estimate for the conceptual plan, engineering, design, permitting and construction. He explained that he is pulling together a detailed site work plan with full scope. Mr. Fabian estimated a spring/summer 2021 build.

#### SOLICITOR'S REPORT:

Solicitor Henninger reported that the Township recently received from Cohen Law Group a proposed new 10-year franchise agreement with Verizon. He will review this prior to sending it to the Board, with hopes of action at the December legislative meeting. Solicitor Henninger also requested an executive session immediately upon conclusion of this evening's meeting to discuss a pending litigation matter. Vice President Truntz asked the status of the mini cell tower ordinance. Solicitor Henninger responded that the Board had given authorization to Cohen's office to pursue this. He has not received any updates, although Ms. Hursh may have more information. Solicitor Henninger and Ms. McBride agreed one of them will follow up on this.

#### MANAGER'S REPORT:

##### *Trees donated by Historical Society*

Ms. McBride reported this item was previously discussed under the engineer's report.



### *Open Enrollment for Health Benefits*

Ms. McBride reported that this is the open enrollment period for health benefits at the Township, so employees can make changes during this time. President Wilt asked if there is something in place as far as requirements for employees to have coverage for their family members, such as a requirement for spouses to use their own coverage first. Ms. McBride explained that this is a caveat for those employees who were hired since the non-uniform agreement was signed. President Wilt remarked that the intent was that this also apply to all the current employees. Ms. McBride agreed to review the agreement.

### Future Meetings/Events:

November 19	7:00 P.M.	Planning Commission Mtg.
November 23	7:00 P.M.	Municipal Authority Mtg.
November 26, 27	Thanksgiving Day & Friday after --- Twp. offices closed	
December 2	7:00 P.M.	Board of Commissioners Workshop Mtg.
December 7	7:00 P.M.	Zoning Hearing Board

### COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul -- no report

Budget and Finance Committee: Commissioner Davies urged any Commissioner having thoughts to improvements on the proposed budget to come forward soon in order to discuss them and avoid any last minute surprises.

Public Works Committee: Vice President Truntz reported the Public Works crew is busy with leaf collection. There is a new HVAC unit on the roof. Commissioner Davies noted he was in Fairfax County and observed that they were doing leaf collection with the type of modular equipment that Mr. Lanman was interested in putting in this year's budget. He noted it was impressive to see in action.

Community Development: Commissioner DeHart -- no report

Personnel Committee: President Wilt -- no report

UNFINISHED BUSINESS: None



NEW BUSINESS:

H&K Group Application for Payment #1 for Spring Garden Pipe Replacement Project

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve Application for Payment #1 in the amount of \$79,595.94 to H&K Group, Inc. for work associated with the Spring Garden Pipe Replacement Project. Of this amount, \$31,715.94 will be paid by the Township, and \$47,880.00 will be reimbursed by the Municipal Authority for the sanitary sewer portion of the work. The motion was unanimously approved. Mr. Fabian noted that as he stated earlier tonight, this will not be the final payment. In addition, he would like to discuss later tonight in more detail the additional paving overlay that he referenced earlier.

Agreement with Municipal Authority re: split of payments

The Board discussed an Agreement between Lower Swatara Township and Lower Swatara Township Municipal Authority regarding a split of payments between the Municipal Authority account and the Township's liquid fuels account for the Spring Garden Pipe Replacement Project. Mr. Fabian reported that both he and Caleb Krauter had reviewed the document. Mr. Krauter suggested a few revisions which have now been incorporated after review by Solicitor Henninger. Solicitor Henninger explained that the original contract price to the Municipal Authority was \$53,200 but because of the concrete encasements discovered there will be a change order. Therefore, the revision to the language in the original draft agreement was to add "as well as any changes to the contract price, as approved by the Authority and Township". This agreement will also be on the Municipal Authority's agenda Monday evening. A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve an Agreement between Lower Swatara Township and Lower Swatara Township Municipal Authority regarding a split of payments between the Municipal Authority account and the Township's liquid fuels account for the Spring Garden Pipe Replacement Project. A roll call vote was taken with the following ballot tabulation: Commissioner DeHart – aye, Commissioner Davies – aye, Commissioner Paul – aye, Vice President Truntz – aye, President Wilt – aye. The motion was approved by a 5 – 0 margin.

Improvement Guarantee Reduction #1 for Penn State Harrisburg Soccer Field

Mr. Fabian addressed Improvement Guarantee Reduction #1 for Penn State Harrisburg Soccer Competition and Practice Field SWMP (2019-01) in the amount of \$933,784 from \$1,052,938, leaving a balance of \$119,154. He noted this project is complete, the punch list of

items has been addressed, and next month there will probably be a request for the remaining balance to be released. He recommended approval of this reduction. Commissioner Paul recalled there was some problem with runoff from that soccer field. He asked that if this had been resolved. Mr. Fabian stated he understands that these issues were resolved to the satisfaction of the Conservation District. In response to a question from Commissioner DeHart, Mr. Fabian stated they are keeping the other field behind Campus Heights. Commissioner DeHart noted that field was supposed to be temporary. Mr. Fabian agreed to look into this. A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Improvement Guarantee Reduction #1 for Penn State Harrisburg Soccer Competition and Practice Field SWMP (2019-01) in the amount of \$933,784 from \$1,052,938, leaving a balance of \$119,154. The motion was unanimously approved.

#### Paving on Lumber Street

Mr. Fabian asked to discuss in more detail the concept of paving on Lumber Street. He showed a map of the area for potential overlay to try to smooth that whole intersection out, since there has been a lot of other utility work through the area. Mr. Lanman had asked HRG's transportation group what this additional square footage would relate to if the Board is interested in pursuing it. Estimated cost would be around \$4,671, and it would smooth out a lot of the transitions through this intersection. Mr. Fabian stated he will need to know relatively soon if this is something the Board would like done. President Wilt stated that he travels this area a lot, and agreed it definitely needs done. Vice President Truntz agreed, and added it would be more expensive to bring equipment out later. Mr. Lanman asked if the motion should include adding the other \$5,976 that was in the change order relative to milling in the spring. Mr. Lanman explained the contractor would overlay the whole area with basecoat at this point in time, and then in the spring mill around the edges so there is a smooth transition. Commissioner DeHart asked if this would be eligible for liquid fuels money. Mr. Lanman stated it should be. A motion was made by Commissioner Paul, seconded by Commissioner Davies, to approve a change order not to exceed \$11,000 for overlay to the additional area in the intersection of Lumber Street and Spring Garden Drive, adding 270 square yards to the original paving contract with H&K. This also includes the milling of the pavement notches of the basecoat when the wearing course is done in the spring. The motion was unanimously approved.



Commissioner Paul added that he had left a message on Mr. Lanman's phone regarding the culvert that was completed on Lumber Street and Greenwood Drive. He observed that the fill area is kind of settling down, and there appears to be a dip before the culvert. Mr. Lanman stated he did not notice this, but agreed to take a look at it.

GOOD AND WELFARE:

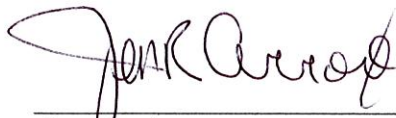
Commissioner Paul stated his assumption that the December meeting will include action on the Recreation Fund transfer that has been in the budget for a long time. Ms. McBride confirmed that is correct. He also asked if it was ever concluded exactly how many security cameras are being purchased. Ms. McBride explained there is one still being discussed, but this will be resolved very soon.

The Board members thanked everyone for attending 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 8:40 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