

## MINUTES

### LEGISLATIVE MEETING – OCTOBER 19, 2022

The October 19, 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
- Jean R. Arroyo, Secretary
- Michael McAuliffe Miller, Eckert Seamans, Solicitor
- Shawn Fabian, HRG
- Dominic Visconti, Chief of Police

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

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

PUBLIC COMMENT: None

#### APPROVAL OF MINUTES:

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the Minutes of the October 5, 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. 2022-09. The motion was unanimously approved.

#### TREASURER'S REPORT:

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

## PUBLIC SAFETY REPORTS:

### Police Department

#### *Activity Report*

Chief Visconti provided a summary of the monthly statistics for September. There were 18 Part I crimes, 13 Part II crimes, 390 calls for service, 1 DUI arrest, 17 traffic citations, 2 non-traffic citations, and 39 warnings. There were 13 motor vehicle accidents, 6,351 patrol miles driven, 86 foot patrol minutes in the community, and 1,203 foot patrol minutes in the School District. There were 436.75 total overtime hours, and 124 total training hours which consisted of firearms' qualification as well as Detective Lesko's attendance at a criminal homicide investigation school at the state police academy.

Co-responder stats included 4 new contacts, 3 follow-up contacts, and 2 mental health commits.

Chief Visconti reported that the Board had previously approved the Police Department applying for a grant through the Pennsylvania Commission on Crime and Delinquency. The grant application was submitted on time and not has come back to him for any corrections, to-date. Hopefully the Township will hear good news when the award announcement is made on December 14. Commissioner Paul thanked Chief Visconti for the time and effort he put into submitting this grant.

Commissioner DeHart thanked Chief Visconti for placing the speed sign out on North Union Street. He asked if any counts were taken yet. Chief Visconti responded that he has not yet collected any of the data. Commissioner DeHart observed that traffic has definitely increased in that area. Chief Visconti noted that he has directed the officers to run speed enforcement in the area. He added that the location of the lines that are used to time vehicles may also need to be evaluated.

Commissioner Davies asked if there is still one applicant in the running for police officer. Chief Visconti explained that there were three applicants that made it to the uncertified civil service list. One was disqualified due to lack of Act 120 credentials, one was disqualified because of failure to achieve a minimum score on the oral examination, and one withdrew from the process after accepting employment with Middletown Borough.

### Fire Department

In the absence of Chief Philips, Fire Department liaison Vice President Truntz presented the monthly statistics' report. During the month of September, there were 50 total calls with 30 responders, for an average of 7 personnel per response. There was approximately 21 hours of time in service. There were 2 fire incidents, 12 rescue and EMS incidents, 13 good intent calls and 13 false alarms. Mutual aid was provided to various areas. The two major ones were Highspire Borough (7) and Swatara Township (6), with the rest under 3 calls each.

### ENGINEER'S REPORT:

Mr. Fabian updated the Board on the 2021 drainage improvement project and explained the delay for the Greenwood Circle construction is a result of the anchors not being shipped. They were received this week, so plans are to remobilize to the site on Monday.

Significant progress has been made on the 2022 paving project. Spring Garden was finished today and the batch of overlays for all the remaining roads will begin tomorrow. The contractor is aware of the Lion's Club Halloween Parade schedule, so Burd and the other affected streets will be addressed tomorrow morning.

Word has been received that there continues to be delays on the UGI work. Unfortunately, the Township is not yet aware of when their timeline is for Old Reliance and Blacklatch.

HRG and staff have reviewed the manholes within the Fulling Mill Road boat launch facility project. There are two in the main access drive and one that is in the boat launch itself. It is recommended to replace the lids and make some adjustments to those, so a field order was prepared to get pricing back from the contractor for review and recommendation. Mr. Fabian reported he just found out today that there may be some potential issues with paving in the timeline preferred for the HOP. This is being worked through with PennDOT right now.

As the Board will recall, there was the desire to have the Hanover Street and Meade Avenue work partnered together into a single bid. Mr. Fabian reported that he does have design specs and bid materials to prepare for that and the process is moving along at this point.

The Rosedale Manor Stormwater Project is nearing completion. Doli has submitted the final as-built plan set and 4401 reports for the ADA ramps for HRG review. There are no comments on the as-built plan but several on the 4401 reports, including missing pictures and exhibits. After these are received, the contract and PennVEST loan can be closed out.



Final reimbursement was requested and submitted to DEP to close out the MEII Grant for the Greenfield Park Basin Retrofit and Riparian Buffer Project.

Commissioner Paul referenced the PPL issue associated with the Rosedale project, and noted the letter is prepared and ready for signature. He asked the process to submit this letter to Doli. Mr. Fabian suggested the letter be mailed directly to Doli. Solicitor Miller agreed the signed letter should be mailed directly to Doli, with a copy scanned and sent to him in the event Doli does not respond.

#### MANAGER'S REPORT:

Commissioner Paul requested an executive session immediately upon conclusion of this evening's meeting in order to discuss legal and personnel issues.

As the Board will recall, there was some discussion at the last meeting about solar panels. The Township needs to move forward with preparing regulations to amend the zoning ordinance. Right now, these solar farms are not permitted in any of the zoning districts. Commissioner Paul stated that unless he hears any objections from the Board, he will direct Solicitor Diamond to begin the process. Solicitor Miller noted he will assign Solicitor Flower to this project; both she and Solicitor Diamond can be copied on anything regarding this item. The Board expressed no objections to beginning this process.

Commissioner Paul added there is another potential legal issue pertaining to planning and zoning that he will discuss this with the Board tonight in executive session.

Commissioner DeHart suggested Commissioner Paul and Ms. Arroyo work together to schedule a meeting with the Hershey EMS to address some concerns regarding response time in the Township. It is probably a good time to sit down and have a discussion anyway, since they have not submitted reports for some time now. Vice President Truntz asked when this contract expires. Ms. Arroyo responded that it expires in 2023. President Wilt and Commissioner DeHart agreed to be the Board representatives who will attend this meeting.

Future Meetings/Events:

President Wilt read aloud the list of future meetings and events:

October 24	7 PM	Municipal Authority Meeting
October 26	7 PM	Zoning Hearing Board Meeting
October 27	7 PM	Planning Commission Meeting
October 27	6 PM – 8 PM	“Trick-or-Treat” in Lower Swatara Township
November 2	7 PM	Board of Commissioners’ Workshop Mtg.

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul – no report

Budget and Finance Committee: Commissioner Davies reported that preliminary meetings were held this week with Ms. McClain, Accounting Manager, to review the budget. One issue that did come up pertained to the IT services’ contractor and whether the Township is getting enough hours of attention to issues arising, particularly IT problems being experienced by the Police Department. There is a meeting scheduled next week to talk to a management representative of the company to discuss these concerns. The Board will be kept updated on this.

Public Works Committee – Vice President Truntz reported that Mr. Washinger indicates the problem with the alarm system was resolved. The crew is currently busy with mowing and leaf pickup. Apparently one of the leaf trailers needs repairs; the mechanic is working on that. Vice President Truntz reminded the Board that since one of the preferred applicants for the laborers’ position found another job, the Department is still short one employee. He suggested the Board think about hiring another laborer, especially with snow plowing season right around the corner.

Community Development: Commissioner DeHart no report

Personnel Committee: President Wilt – noted an item regarding personnel will appear later this evening’s agenda.

UNFINISHED BUSINESS:

Resolution authorizing participation in Statewide Contract for Chesapeake Bay Watershed

Solicitor Miller suggested the Board table a resolution authorizing participation in Statewide Contract for Chesapeake Bay Watershed. As the Board is aware, PennDOT has agreed to all the suggested red-line changes. This contract is attached to the Rosedale project

and will provide the Township with a sediment reduction credit ability of \$1.95 per pound which will be credited to the 2023 cycle. Solicitor Miller noted that Commissioner Paul has requested confirmation that these credits can be carried forward to the 2023 cycle and would like assurance from PennDOT that this is correct. The Township also needs to interact with the Municipal Authority to make sure that payment structure is in place. Commissioner Davies asked if there is a hard deadline on this approval. Solicitor Miller responded that PennDOT has been working well with the Township on this and has not indicated a deadline.

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

NEW BUSINESS:

Special Meeting advertised to present 2023 budget

A motion was made by Commissioner Paul, seconded by Commissioner Davies, to approve the scheduling and advertisement of a Special Meeting on November 2 at 6:30 P.M. to present the 2023 spending plan (budget). The motion was unanimously approved.

Resolution No. 2022-R-18

Solicitor Miller addressed the proposed resolution in front of the Board which would authorize the Tax Collector acting on behalf of Lower Swatara Township to accept and approve waiver requests pursuant to Act 57 of 2022. He explained this is a new amendment to the law which allows, if authorized, the tax collector to waive penalties on delinquent bills when the homeowner is within their first year of owning the property, providing they show sufficient proof that they have not received the bill. This addresses the occasions when property changes hands and tax bills are not received. This was never a defense prior to this amendment.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Resolution No. 2022-R-18 authorizing the Tax Collector acting on behalf of Lower Swatara Township to accept and approve waiver requests pursuant to Act 57 of 2022. The motion was un unanimously approved.



### PennDOT Winter Maintenance Traffic Services Supplemental Agreement

Commissioner Paul referenced the PennDOT Winter Maintenance Traffic Services Supplemental Agreement and Resolution that is in front of the Board. This will provide the Township with additional funds of about \$6,500 due to remeasuring and recalculation of some of the roads. A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve PennDOT Winter Traffic Services Supplemental Agreement No. 3900039232, and Resolution No. 2022-R-19 which authorizes Jon G. Wilt, as President, to sign said Agreement. The motion was unanimously approved.

### Hiring of Planning and Zoning Coordinator

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the hiring of Richard Snyder as Planning and Zoning Coordinator effective October 24, 2022. The motion was unanimously approved.

### FINAL COMMENTS:

Commissioner DeHart thanked those who attended tonight's meeting.

Commissioner Davies also thanked those who attended tonight. He also thanked staff for their efforts in putting together the preliminary budget.

Commissioner Paul asked that Chief Visconti also attend tonight's executive session.

Vice President Truntz thanked the Fire Department for its nice open house last week and thanked Chief Visconti and Sergeant Tingle for attending the event. He wished everyone a happy and safe Halloween.

President Wilt agreed the Fire Department open house was a very nice event. He also asked that everyone be safe this Halloween, especially with the children out trick-or-treating.

Commissioner Davies referenced an email in the Board packets regarding a community service program at the Middletown Area High School. The email questions whether the Township has possible opportunities for students to earn service hours. He noted his understanding that there are background checks required for those who work around underage individuals and asked if the Township employees would need to have clearance under these circumstances. Solicitor Miller confirmed they absolutely would. While these programs are helpful, there are clearances, restrictions, and protocols to keep in mind. He asked that the email be forwarded to him, and he will work with the staff on this. Vice President Truntz commented that obtaining these clearances

will be a cost to the Township. Solicitor Miller stated that from his experience, the school districts subsidize those clearances as part of that program. More questions need to be asked, but clearances are definitely necessary.

ADJOURN AND CONVENE 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 meeting adjourned at 7:31 P.M.

ATTEST:

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Jean R. Arroyo, Secretary



OCTOBER 19, 2022

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