

MINUTES

LEGISLATIVE MEETING – JANUARY 19, 2022

The January 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
- Elizabeth McBride, Manager
- Michael McAuliffe Miller, Eckert Seamans, Solicitor
- Jim Diamond, Eckert Seamans, Solicitor
- Shawn Fabian, HRG (via Zoom)
- Dominic Visconti, Chief of Police
- Don Fure, Director of Codes and Planning (via Zoom)
- Kaylee Justice, Planning and Zoning Coordinator (via Zoom)

Absent: Jean R. Arroyo, Secretary

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

President Wilt welcomed everyone to the meeting and stated that he would like to reverse the next two agenda items in order to have the presentation of the sketch plan for The Pond prior to Public Comment.

PRESENTATION OF SKETCH PLAN: THE POND:

Tim Nehilla from the law firm of Barley Snyder explained he is accompanied this evening by Brent Good from ELA and Brandon Conrad from Vistablock. Mr. Nehilla first provided some background on the project. The developer is the owner of 16.992 gross acres which is known as Lot 5 of The Pond on Fulling Mill Road. The developer also has an equitable interest in an additional 8.15 acres which is known as Lots 1 thru 4 of The Pond. This provides the developer with a total acreage of about 25.143 gross acres. All the property is in the Commercial-Neighborhood (C-N) District. A prior owner had gained a special exception under the Township ordinance for a residential retirement facility within the C-N zone on Lot 5. The

new developer is here tonight to discuss some proposed changes to this special exception. The developer previously submitted a sketch plan for Lot 5, but that also included the further development of Lots 1 thru 4. Also submitted with the sketch plan is a proposed text amendment which outlines a few items that the developer would need some relief on if developed as now proposed. At the time it was submitted, there were three primary areas of relief being sought: density, parking, and height. The relief for parking and height is no longer necessary due to modification of the plan. Relief on density is still being sought.

Brent Good, ELA Group, showed the location of The Pond on the sketch, and noted there are three existing townhomes on what was considered Phase 1 of the project as proposed by the original developer. The proposed three-story apartment units will need to meet the building height requirement of a maximum 40' height. The two apartments, which are along the Nissley Drive area, will have 117 units. The remainder of this area is proposed to be 75 townhomes, some of which have two-car garages and some one-car garages. Driveways in front of the garages will also provide parking. There is also additional parking in some areas along the roadway in the interior of the development. Along the front is what was originally called Lot 1 thru 4. That is proposed to have mixed use buildings, with commercial on the lower levels and residential above, again meeting the 40' height requirement. The first building on the far-left corner is proposed to have 15 apartment units, the middle building 18 apartment units, and the larger building east of those 44 apartment units. This is all 55+ retirement living. The far eastern building is proposed to be storage units. Overall, the number of units proposed is 269 which would be within the 12 units an acre density. The overall parking requirement per ordinance is 2 parking spaces per unit and another one space per every five units for visitors, or 2.3 spaces per unit. There is adequate parking per the sketch plan. The commercial lots are required to have 664 parking spaces for the full project, and the plan provided for 705 spaces. Lot 5 in the back would require 422 parking spaces and the plan provides for 463. In the front, Lot 1 thru 4 would require 242 and that is exactly what is being provided at this time.

Vice President Truntz asked if this number includes garages. Mr. Good confirmed that is correct. Commissioner DeHart asked if they own Lot 1 thru 4 yet. Mr. Nehilla responded they do not but do have an agreement of sale to purchase them.

Mr. Nehilla again explained that they will no longer need relief on the height requirements or relief on parking. However, this plan still needs relief on the density. Under

Township ordinance, C-N allows for two types of special exceptions: a residential retirement facility or a townhome development. The special exception requirement for a residential retirement facility is that the development shall not exceed 8 dwelling/living units per acre for independent retirement living units. The ordinance does not, however, address the other types of housing units that are allowed under the ordinance as a residential retirement facility. The ordinance allows for four different types of housing units within a residential retirement facility: independent retirement living units, single family detached, semi-detached, and detached townhouse. While the ordinance allows for four different types of units, the density requirement only applies to one of those types. This creates a bit of a discrepancy on how this would apply to this mixed-use plan. Mr. Nehilla explained that they would need 12 units per acre on a combined basis as to the entire residential retirement facility. Commissioner Paul asked if this includes the front lots or just Lot 5. Mr. Nehilla stated it would include the front lots also.

Mr. Nehilla again stated that the Township's C-N zone allows by special exception residential retirement facilities or townhome communities. The ordinance was recently amended to allow for townhouse communities under special exceptions. That section of the ordinance allows for 12 units per acre. Under the residential retirement facility, the use would be restricted to 55 and over, a less intense use than a standard townhome community. However, the ordinance allows for the higher density of 12/1 for townhouses, and where restricted to age allows only 8/1. Even multi-family zonings in the ordinance allows for about 11 units per acre. Mr. Nehilla explained they are proposing a combined 12 units per acre with the restriction, and they feel the request makes sense.

Attorney Miller asked if it is correct that they are developing this as a retirement community which is already limited to 8 units per acre but is asking the Board for relief to expand that to 12 units per acre because of the other uses that could be used there. Mr. Nehilla confirmed that is correct. He again noted they can meet the parking requirements and height requirements. President Wilt stated that as far as parking requirements, they are counting every garage as a parking space which is not realistic since a lot of people use garages for storage. Mr. Nehilla explained that the Township ordinance defines a parking space, and a garage does fit the definition.

Solicitor Diamond referenced the mention of two car garages, and asked if four spaces are being included in the total. Mr. Nehilla stated that is correct; included are two spaces and

two on the driveway. He again noted that the area of the townhouses in Lot 5 has 40 extra spaces in this scenario. It would probably still meet the required threshold if the garages were not included in the calculation.

Vice President Truntz asked if the Board has any jurisdiction on anything that is being presented at this stage. Attorney Miller stated that all that is being presented is a sketch plan. There can be discussion in executive session about legal issues presented. Mr. Nehilla commented that they are simply looking for feedback and would then move forward with a formal petition with regards to a text amendment.

Commissioner DeHart referenced Lots 1 thru 4 and asked if they are Commercial-Neighborhood also. Mr. Nehilla confirmed they are. Commissioner Paul suggested the special exception chapter be re-read, as it relates to commercial use only. Mr. Nehilla explained the entire acreage is in the C-N zone. The prior special exception was just for the back of the property, so the prior developer only submitted their special exception with regards to Lot 5.

PUBLIC COMMENTS:

Andy Wertz, Republic Services, apologized to residents who had service interruptions over the last few weeks. There are always hiccups during transfer of service, but Republic did drop the ball when residents called about missed calls and they were not addressed. Mr. Wertz stated this is not how Republic does business. There have been challenges with the weather and drivers being off with covid. The bulk item pick-up seems to be the biggest challenge right now. Republic's call center document was not clear, so residents were not given correct information and bulk item collection. Mr. Wertz again apologized and stated this has been corrected. He assured everyone that service will get to be where it should, and references from Highspire and Royalton will confirm that. He noted another challenge is that the address list provided by the previous hauler was not very good and did not contain the names of the residents who were on tag service. Therefore, the first bill that comes out will also lead to some concerns with residents who will need to call Republic and let them know they are on the tag service option. Credits will be given, and tags issued to these customers.

Commissioner DeHart asked if they are using automated trucks. Mr. Wertz confirmed they are. Commissioner DeHart suggested Republic advise residents that the metal bar of the carts should be facing the street. Mr. Wertz explained that Republic will be doing another mailer

to explain how to use the carts, probably in February. The benefit of the automated trucks is that the carts will be put back where they were placed. The mailer will probably also explain that they use a separate truck to pick up the bulk items.

Commissioner Paul referenced Christmas trees and the delay in collection. He suggested it might be better to delay the tree collection next year. Mr. Wertz explained this date was based on the previous hauler's collection date, but this can certainly be revised. Vice President Truntz agreed that it appeared there were issues with pick-up in some of the outlying areas.

President Wilt noted Rosedale seemed to be a big challenge. He added that the day change was also an issue with residents. Mr. Wertz agreed these changes made things a bit difficult but assured the Board that collection should be running smoothly very soon.

Patricia Pronick stated she is here tonight with her husband William. Their property is at 604 Wilkes Drive, and The Pond goes back up to it. She stated they are not in favor of any ordinance changes and were not in favor before when the developer tried to change the 55+ age requirement. Most of the residents near the property are still not interested in changes that will bring detriment to their properties. Ms. Pronick added that it is not the residents' fault that the previous developer went bankrupt. She also questioned the statement of 75 garages and 40 spaces over. She stated that if they don't count the garages toward that 75 figure, they will not meet the requirement. Mr. Good explained there are both one car garage units and two car garage units. Ms. Pronick asked if there are only 43 of the two car garages. Mr. Good responded that there are 33.

Laurie Castagna, 1901 Scarlett Lane, expressed concern about the apartment buildings. She asked what has changed to preclude the need for an exception on the height. Mr. Nehilla explained that they basically flattened the roofs as opposed to a peak roof design. Ms. Castagna stated they will be less attractive by basically cutting the peaks off. She asked if they were made longer. Mr. Nehilla responded they were not. Ms. Castagna asked if drivers traveling up Scarlett will see any cars in underground parking areas. Mr. Nehilla explained this will be blocked from the road. Drivers won't see cars but will see what looks like an apartment building. Ms. Castagna asked the distance of the first building from Nissley Drive. Mr. Nehilla explained that from the road edge, there is approximately 45' or 35' from the right of way. Ms. Castagna asked how wide the roads will be in the interior. Mr. Nehilla responded about 32' feet. Ms. Castagna asked if parking will be permitted on those streets. Mr. Nehilla explained

there are a few pocket areas where there is on-street parallel parking. Ms. Castagna asked what will become of the townhouses that sit there now. Mr. Nehilla explained the design will be revised but they will not be torn down entirely. Ms. Castagna recalled that during their last presentation, there was discussion about this not being a retirement village but open to almost anyone. Mr. Nehilla explained that it gets confusing the way the ordinance is written. It is still 55+. The way the ordinance is written, 80% of the units must be occupied by at least one person who is 55+. 20% can be any age. Ms. Castagna asked who will manage compliance. Mr. Nehilla explained they will be supplying a spreadsheet that shows this. Ms. Castagna asked how many units can be less than the 55+ age requirement. Mr. Nehilla responded 54. He explained that they feel the front will appeal more to younger families. Ms. Castagna referenced mention of storage units. Mr. Nehilla explained these will look like carriage houses and be quite attractive. The thought is these will be for residents here who need another parking space for their cars. Vice President Truntz asked how many living floors are on these apartments. Mr. Nehilla explained there will be three, 11' per story.

Dave Miller stated he and his wife Loretta live at 1846 Bonnie Blue Lane. He commented that he isn't sure the Board should be entertaining advice that was given tonight because what is being asked for involves that entire 25-acre tract of land, which they do not own right now. What is being asked for pertains to all of that area. A sales agreement may or may not be exercised. Mr. Miller stated it doesn't seem appropriate at this point to make consideration for an entire plot of land when it is not entirely owned. Some of the commissioners were on this Board when the original project was approved. What was approved were 89 units. This sketch plan is 269 units and asks for density exceptions. That is too dense of an area for that small space. Mr. Miller stated this is putting too much into the space. He asked if this will go back to the Planning Commission first for consideration. Solicitor Miller explained that no decisions will be made tonight. The Board will discuss this in executive session tonight and then decide how to proceed. Mr. Miller asked if the notes from the executive session which references the decision on the next steps in the process will be reflected in the notes of the meeting tonight. Solicitor Miller explained the notes from the executive session are not reflected in the minutes. The Board must be in public session if any vote is taken, and there is nothing before the Board to vote on yet. Mr. Miller clarified that he wants to know what the next step of this process is and can only know that if the Board tells him. Solicitor Diamond

explained that if the commissioners decide they are open to amending the zoning ordinance, that would start a multi-step public process which includes review by the County Planning Commission and the Township Planning Commission. It would also come back for an advertised Public Hearing before the Board. It would be a lengthy process – at least two months -- before the Board can vote on it. Mr. Miller noted he just wants to be assured the residents who are concerned about this can provide public input. He asked what will happen if the Board decides it is not open to a zoning change. Solicitor Diamond explained this is another process, and they can still move forward with the special exception which goes to the County and Township planning commissions, Zoning Hearing Board, etc. This will be advertised and lots of public input sought.

Mr. Miller also addressed trash collection and agreed Republic is off to a rocky start. He stated he is unsure what the contract states but would ask that they not start collection until after 5:00 AM. Ms. McBride stated she believes the new contract does state 5:00. Mr. Miller explained the previous hauler had sometimes started as early as 3:00 AM. President Wilt agreed that he had expressed concern about this too, as it was against the contract specifications.

Linda Raphael, 92 Wayne Avenue, asked Ms. McBride if she had heard anything new from FEMA regarding the buyout of her home. Ms. McBride stated she had gotten a spreadsheet from PEMA, who had gotten it from FEMA, asking her to provide more information on the properties, which she did. Ms. Raphael also asked Mr. Wertz if large item pick up requires a phone call to Republic. Mr. Wertz stated it is not required to call, but residents are welcome to if they like.

COMMISSION/COMMITTEE APPOINTMENTS:

Solicitor Miller noted there are fourteen commission/committee appointments that need filled. He read aloud the list of proposed appointments:

COMMISSION/COMMITTEE	TERM OF APPOINTMENT (YEARS)
Don Fure, Non-Uniform Pension Advisory Board	2
Jeffrey Fultz, Non-Uniform Pension Advisory Board	2
Jon Wilt, Non-Uniform Pension Advisory Board	2
Todd Truntz, Non-Uniform Pension Advisory Board	2
Timothy Noll, Non-Uniform Pension Advisory Board	2

Daniel Tingle, Police Pension Advisory Board	2
Ryan Lesko, Police Pension Advisory Board	2
Michael Davies, Police Pension Advisory Board	2
Chris DeHart, Police Pension Advisory Board	2
Timothy Noll, Police Pension Advisory Board	2
Don Bailes, Community Policing Advisory Committee	3
James Young, Planning Commission	4
Dale Messick, Planning Commission	4
Don Bailes, Municipal Authority	5

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the appointments as read by Solicitor Miller. The motion was unanimously approved.

A motion was made by President Wilt, seconded by Commissioner Davies, to approve Resolution No. 2022-R-3 which appoints Jason Wagner to a five-year term on the Zoning Hearing Board. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the appointment of Elizabeth McBride as delegate to the Dauphin County Tax Collection Committee and the appointment of Rebecca McClain as alternate. The motion was unanimously approved.

PRESIDENT’S APPOINTMENTS:

President Wilt made the following appointments:

Public Works Committee (Chair and Vice Chair)	Truntz/Paul
Budget & Finance Committee (Chair and Vice Chair)	Davies/Paul
Public Safety Committee (Chair and Vice Chair)	Paul/Wilt
Community Development Committee (Chair and Vice Chair)	DeHart/Paul
Personnel Committee (Chair and Vice Chair)	Wilt/Davis
Building Committee (Chair and Vice Chair)	Truntz/Paul
Commissioner-liaison to EMS	Wilt
Commissioner-liaison to EMA	Davies
Commissioner-liaison to Fire Department	Truntz/DeHart
Commissioner-delegate to MARA	DeHart
Commissioner-alternate to MARA	Paul
Commissioner-liaisons to Middletown School Board	Davies/Truntz
Commissioner-liaisons to Municipal Authority	Truntz/Paul
Commissioner-liaison to MS4/water quality	DeHart
Commissioner-liaison to Dauphin Co. Area Agency on Aging	DeHart
Commissioner-liaison to PSU Harrisburg Advisory Board	Wilt

Delegate to Capital Region Council of Governments (COG)
Alternate to Capital Region Council of Governments (COG)

Betsy McBride
Don Fure

APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the Minutes of the January 3, 2022 Reorganization Meeting. The motion was unanimously approved.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the Minutes of the January 3, 2022 Workshop Meeting. The motion was unanimously approved.

PAYMENT OF BILLS:

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the Payment of Bills – Warrant No. 2021-12. The motion was unanimously approved.

TREASURER’S REPORT:

A motion was made by Commissioner Paul, seconded by Commissioner Davies, to approve the Treasurer’s Report for December 2021. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Chief Visconti provided a summary of the monthly statistics for December. There were 25 Part I crimes, 36 Part II crimes, 372 calls for service, 2 DUI arrests, 37 traffic citations, 2 non-traffic citations, and 36 warnings. There were 14 motor vehicle accidents, 6,337 patrol miles driven, and 1,762 foot patrol minutes. There were 411.25 total overtime hours, and 8 total training hours. Chief Visconti reported the body-cameras are operational, and additional hands-on training scheduled tomorrow by Officer Heckendorn on their use and uploading files. The entire department should be operational with the body-cameras by early next week, notwithstanding any technical difficulties. Vice President Truntz referenced the 411 overtime hours and asked if this is due to being short on officers. Chief Visconti stated it is a combination of being short on officers, December vacations, and an officer being on military duty.

Fire Department

Dan Phillips introduced himself as the new Fire Chief and presented the monthly statistics' report. During the month of December, there were 35 calls and 29 responders with an average of 7 personnel per response. There were approximately 20 hours of time in service. There were 5 fire incidents, 5 Rescue and EMS incidents, 2 hazardous condition incidents, 2 service calls, 15 good intent calls, and 6 false alarms. Mutual aid was provided to various neighboring municipalities, including Derry Township (1), Harrisburg City (2), Highspire Borough (2), Middletown Borough (3), PA Turnpike (1), South Hanover Township (1), Steelton Borough (4), and Swatara Township (3).

Commissioner DeHart asked Chief Phillips to explain to the Board why there is more aid being provided to Harrisburg City. Chief Phillips explained that the Harrisburg City Bureau of Fire has elected to redo their box cards. When they did their mutual aid agreement, they decided that for any department, they are only pulling one piece of fire apparatus from that department. For example, before they may have taken two engines and the truck from Progress; now they are only taking a truck. With that being said, they have to go further out to pull the resources that they need. The reason they did this is that unfortunately, volunteer services are getting smaller every day. It is already at crisis stage in the state of Pennsylvania. President Wilt asked why Harrisburg City is having issues, as they are a paid department. Chief Phillips explained that career departments can only be so big because the budget only affords so much. When they go to a second alarm, they also must call in mutual aid. Commissioner DeHart referenced the recent incident of a car in the river, and noted the Township's boat was called there, as well as the Township rescue. Chief Phillips explained that for anything south of the Dock Street Dam, Harrisburg City will have Lower Swatara run up because if there is an incident, that person is going to be coming down the river towards the Township. It just makes more sense.

Commissioner Davies asked if Harrisburg River Rescue is now defunct. Chief Phillips responded not totally. They were at the incident the other night, approximately 30 minutes into the incident and with two personnel. The reason Lower Swatara was there was because Harrisburg River Rescue failed. President Wilt asked if the body of the individual was ever recovered. Chief Phillips explained it was not, and there will be no recovery attempted at this time due to the ice on the river.

Vice President Truntz congratulated Chief Phillips on his new position.

ENGINEER'S REPORT:

Mr. Fabian reported that the deadline for the six-month extension for the RACP grant for the Shireman Tract is coming up, and the next letter for an additional extension is due on January 26. A letter was drafted for Ms. McBride to review and sign for submission to the Office of the Budget. The Board authorized Ms. McBride to sign and submit the letter for request of an extension.

Mr. Fabian updated the Board on the 2021 drainage improvement project. The Hanover Street work involving Highspire Borough necessitates an easement. This is on Highspire's agenda tomorrow night, and Mr. Washinger plans to be there in person to answer any questions. The Board will be updated on this at the next meeting. Subsurface utility exploration is scheduled within the next week on Nissley and Spring Garden in order to get that design finalized. As soon as this is complete, the last section of the change order can be finalized to add to the contract documents the revisions to 217 Delmont, Nissley and Spring Garden, and Greenwood Circle.

Mr. Fabian noted the Board had expressed the need for a speed study on North Union Street in order to evaluate speed limits. HRG has finalized what the requirements will be to perform that speed study. This has been provided to Chief Visconti for review. After his review, it can be presented to the Board for review and approval to move forward. This should be on one of the February agendas.

Commissioner DeHart asked the status of the Fulling Mill boat launch, as the desire is to have it complete before the end of summer. Mr. Fabian explained he owes the Board the scope for the HOP permit to prepare the bid for that. He agreed to have this ready for the next Board meeting.

Commissioner Davies asked if there are any updates on the paving plan. Mr. Fabian responded that he had discussed this with Mr. Washinger, and it sounded like Mr. Washinger was in direct communication with several of the commissioners in order to make a decision on what roads will be part of that paving plan. Ms. McBride stated Commissioner Paul and Mr. Washinger had planned to drive around the Township last Friday to look at roads, but this was cancelled due to the weather. Commissioner Paul stated he does have some comments that he feels Mr. Fabian and HRG will need to answer as far as the level of restoration and repaving. Some of the roads on the plan may not need a full restoration. Commissioner Paul suggested Mr. Fabian coordinate a meeting with Mr. Washinger, and he will also attempt to be there. Ms. McBride suggested they aim to meet next Monday or Tuesday.

MANAGER’S REPORT:

Ms. McBride requested an executive session immediately upon conclusion of this evening’s meeting for both legal and personnel issues.

Residents have been calling about runoff issues in the Lakeside area, especially with the recent snow on the ground. Mr. Washinger looked at this and commented that a lot of the residents there do not shovel their driveways, resulting in the melting snow running into the roadway. If they had put the snow on their front lawns, some of it may have absorbed there. Ms. McBride added she does feel there is one road has some issue. This will be looked into further, and the Board will be kept updated.

Future Meeting Dates

President Wilt read aloud the list of future meeting dates:

January 24	7:00 PM	Municipal Authority Meeting
January 26	CANCELLED	Zoning Hearing Board
January 27	7:00 PM	Planning Commission Meeting
February 2	7:00 PM	Board of Commissioners’ Workshop Meeting

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul stated the Public Works did a decent job on snow removal the last several weeks.

Budget and Finance Committee: Commissioner Davies – no report

Public Works Committee – Vice President Truntz reported that the crew received a lot of appreciation from the residents on the snow clean-up. The Township has plenty of salt and is ready for the next snow event.

Community Development: Commissioner DeHart reported that MARA is scheduled to meet on January 24. He will attend and bring a report back to the Board.

Personnel Committee: President Wilt – no report

UNFINISHED BUSINESS:

Revision to 2022 Dumpster Program schedule

Ms. McBride reported that as discussed at the last meeting, the monthly Saturday dumpster detail has not been particularly busy during certain months. Two employees work the

dumpster detail, and some months there are no customers. Mr. Washinger has suggested the schedule be revised to five Saturdays a year. A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve revision of the 2022 Dumpster Program schedule to be open on the following dates only: March 19, May 21, July 16, September 17, November 19. The motion was unanimously approved. Commissioner DeHart suggested the residents be advised of this change prior to February.

NEW BUSINESS:

Final Land Development Plan for Stoneridge Lot 5

The Board discussed the Final Land Development Plan for Stoneridge Lot 5, PC#2021-09, 3.86 acres in zoning district IP-L (Industrial Park – Limited) including a warehouse and associated site improvements located at 1431 Stoneridge Drive Middletown, PA 17057. The applicant is requesting the following waivers: (1) §22-404 – Preliminary Plan Requirement; and (2) §22-607 – Sidewalks (PC recommended approval as deferral). Greg Holtzman, BL Companies, explained they are looking for approval of the two waiver requests and then a conditional approval of the plan.

Mr. Fabian stated HRG was able to complete its second plan review of the submission on both waivers and is recommending approval. The Planning Commission is also recommending approval of both waivers. Mr. Fabian added that HRG's comments on the plan are minor, and a conditional approval makes sense if the Board is so inclined.

Commissioner DeHart asked Mr. Holtzman who will be moving into this 32,000' warehouse. Mr. Holtzman stated he knows there is discussion with a company that will be supporting the airport. Commissioner DeHart explained his concern is adequate parking. Mr. Holtzman added this is not a spec building but was designed specifically for that tenant. Commissioner DeHart commented that it is too late now, but he still wishes there were sidewalks here as people walk this area all the time. Commissioner Davies stated that at least the request is for sidewalks to be deferred, not totally waived. Commissioner DeHart asked the height of the building. Mr. Holtzman stated he would have to check that but noted that it does meet the requirements. They are not seeking any relief on the height requirements.

Commissioner Paul asked what kind of sewage flows are coming out of there. Mr. Holtzman stated they just submitted their sewage module, and he would need to check into this. Don Fure stated there are 2 EDUs.

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to grant the waiver of (1) §22-404 – Preliminary Plan Requirement; and (2) §22-607 – Sidewalks (PC recommended approval as deferral). The motion was unanimously approved.

With the waivers granted, a motion was then made by Vice President Truntz, seconded by Commissioner Davies, to approve the Final Land Development Plan for Stoneridge Lot 5, PC#2021-09. The motion was unanimously approved.

Financial Security Adjustments

The Board discussed the proposed Financial Security Adjustment #1 for UPS Northeast Regional Hub – N. Union Street Access Improvements (LST Plan 2018-05) in the amount of \$3,780,977.00 from the current amount of \$4,388,470.00, leaving a balance of \$607,493.00. Commissioner DeHart stated he has concern about some of the manholes out there. He asked if these are on the punch list for repairs. Mr. Fabian stated that to his knowledge, they are. Commissioner Paul remarked that he doesn't think that is covered under this financial security. Mr. Fabian agreed this is for erosion and sedimental controls, stormwater, paving and concrete. It does not include any of the sanitary items. This is just for the North Union Street improvements. A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve Financial Security Adjustment #1 for UPS Northeast Regional Hub – N. Union Street Access Improvements (LST Plan 2018-05) in the amount of \$3,780,977.00 from the current amount of \$4,388,470.00, leaving a balance of \$607,493.00. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve Financial Security Adjustment #1 for UPS Northeast Regional Hub (LST Plan 2018-05) in the amount of \$43,802,096.00 from the current amount of \$48,898,053.00, leaving a balance of \$5,095,957.00. Mr. Fabian added this is a sizeable reduction, as they had not made any previous requests for adjustments. The motion was unanimously approved.

The Board discussed the request for Financial Security Adjustment #1 for Wilsbach Distribution Facility (LST Plan 2019-02) in the amount of \$1,103,341.00 from the current amount of \$1,293,820.00, leaving a balance of \$190,479.00. Commissioner DeHart asked

Mr. Fabian about the paving on Route 441. The contractor had to do a section late in the season in December and it is not a good quality. He asked if this is temporary. Mr. Fabian confirmed that it is, and 30% was held back to address this final section of wearing course. A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve Financial Security Adjustment #1 for Wilsbach Distribution Facility (LST Plan 2019-02) in the amount of \$1,103,341.00 from the current amount of \$1,293,820.00, leaving a balance of \$190,479.00. The motion was unanimously approved. Commissioner Paul asked Mr. Fabian why the Township is holding improvement guarantees on 441, since it is a state road. Mr. Fabian explained the Township has the paving and concrete for what portion of that is on-site. There was a 30% hold for the remaining wearing course that must be complete for the site yet. The Township is not involved with the work within the PennDOT HOP.

Resolution No. 2022-R-4 for sale of vehicle through Municibid

Mr. Fure referenced the proposed sale of a 2003 Dodge Durango through Municibid Auction. He explained that a vehicle was purchased from the Fire Department last year for \$1.00. The Township mechanic then evaluated what Township vehicles were in the worst shape, and the Durango was felt to be in the poorest condition. It probably needs more work than it is worth, so the thought is to sell that vehicle. The Codes Department would take over the vehicle purchased from the Fire Department. A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve Resolution No. 2022-R-4 authorizing the sale, through Municibid Auction, of a 2003 Dodge Durango, VIN 1D4HS38N03F595032. The motion was unanimously approved.

Revisions to Civil Service Rules and Regulations

Chief Visconti addressed proposed revisions to the Civil Service Rules and Regulations. On October 20, 2021, the Board approved new rules and regulations for the Township Civil Service Commission. At that time, the current minimum passing grade for both the written and oral examinations was 85%. There was discussion with Solicitor Miller that this was higher than the requirement for most agencies. Lowering the score would provide a broader spectrum of more qualified candidates. On December 28, 2021, the Civil Service Commission met to discuss this, and then voted to approve lowering the minimum passing test grade for both examinations from 85% to 75%. Also approved was the elimination of the requirement that candidates be in the top 15 scores to be considered for employment.

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the aforesaid revisions to the Civil Service Rules and Regulations. The motion was unanimously approved.

Resignation of Jonathan Miller

The Board acknowledged the resignation of officer Jonathan Miller effective January 5, 2022.

Agreement between Township and Elizabeth McBride

The Board addressed the proposed Agreement between Lower Swatara Township and Elizabeth McBride, the current Township Manager. Vice President Truntz noted there was a typo in the agreement provided in the Board packets. The salary should be \$106,940 not \$206,940. Ms. McBride agreed that the revised version is in front of the Board for approval and signature. A motion was made by Commissioner DeHart, seconded by Commissioner Davies, to approve an employment agreement between Lower Swatara Township and Elizabeth McBride, the current Township Manager. This agreement begins immediately and extends through December 31, 2023. The motion was unanimously approved. Ms. McBride expressed her appreciation to the Board.

FINAL COMMENTS:

Commissioner DeHart thanked those who attended tonight and welcomed Chief Phillips to his new role as Fire Chief.

Commissioner Davies gave a hats-off to the Public Works crew for handling the first snow of the season so well. He also welcomed Chief Phillips on board, and noted it was good to see so many residents in attendance this evening.

Vice President Truntz publicly thanked Officer Miller for all his service to the Township, and stated he served the Township well. Vice President Truntz remarked that he is sorry to see him go.

President Wilt thanked everyone for this attendance tonight, and noted it is important that residents can hear these presentations. He also thanked Officer Miller for his service.

ADJOURN 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 motion was unanimously approved, and the meeting adjourned at 8:46 P.M.

ATTEST:


Ronald J. Paul, Assistant Secretary

PLEASE **PRINT** NAME CLEARLY

JANUARY 19, 2022 LEGISLATIVE MEETING – 7:00 P.M.

Name/Organization	Address/Contact Information
GREG HOLTZMAN / PL COMPANIES	GHOLTZMAN@PLCOMPANIES.COM
Andy Wartz	Republic Service
Laurie Castagna	1901 Scarlett
Tom Nehilla	One South Market St, Harrisburg
Brent Croop	EBC Group Lutz
Brandon Conrad	Vistablock
LORETTA MILLER	1846 BONNIE BLUE LN Middletown
DAVID MILLER	" " "
Linda Raphael	62 Wayne Ave, Middletown
Patty + Wm Prucke	604 Wilkes Dr.