

MINUTES

LEGISLATIVE MEETING – JANUARY 15, 2020

The January 15, 2020 Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 by President Jon G. Wilt.

The following officials were in attendance:

- Jon G. Wilt, President
- Todd F. Truntz, Vice President
- Michael J. Davies, Commissioner
- Ronald J. Paul, Assistant Secretary
- Christopher DeHart, Commissioner
- Elizabeth McBride, Manager
- Jean R. Arroyo, Secretary
- Peter R. Henninger, Solicitor
- Jeff Vargo, Chief of Police
- Shawn Fabian, HRG

Residents and visitors in attendance: (PLEASE SEE ATTACHED SIGN-IN SHEET)

REAPPOINTMENT OF TOWNSHIP ENGINEER:

President Wilt stated the first item on the agenda is reappointment of the Township Engineer. A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the reappointment of HRG as Township Engineer. The motion was unanimously approved.

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

PUBLIC COMMENTS:

Beth Malpass, 2047 Market St. Ext., asked if the Board had an opportunity to review and discuss the estimate she had submitted at the last meeting to repair her home from flood damages due to the storm drain. Solicitor Henninger noted the direction was to submit it to the Township's insurance company for review. Ms. McBride added that she had spoken to Matt Ashford, the Township's insurance broker, but had not submitted anything to him yet. He will probably be here Thursday or Friday, and it can be submitted at that time. Ms. Malpass requested she be contacted by phone with any questions or updates on this request.

Nancy Avolese, 1451 N. Union St., invited everyone to the Historic Preservation Society's presentation tomorrow evening on the Middletown and Hummelstown Railroad. The event will be held at the Fire Department at 6:00 P.M., and the presenter will be Charlie High.

INSURANCE PROGRAM UPDATE:

Ms. McBride noted that the Township's insurance broker, Matt Ashcroft, could not be here tonight but will attend one of the meetings next month. In the meantime, he has provided a short written update. Ms. McBride explained that this past fall, the Township switched brokers. The new broker, EHD, then shopped many of the Township's insurance plans. Based on last year's budgeted amount of \$155,000, Mr. Ashcroft expects to spend \$147,000. This includes all insurance lines except for health insurance. There was also a cyber liability policy added. One thing he did, at no extra cost, was to separate the police professional insurance from the general liability insurance. Prior to that the Township had limits, as all insurance policies have, and there was one limit for those combined. Now there are two separate limits. The workers compensation is remaining with Susquehanna Municipal Trust. The commercial package was switched to Selective. Ms. McBride noted that Mr. Ashcroft will provide more details, but she feels the Township can be quite happy with this move.

APPROVAL OF MINUTES:

A motion was made by Commissioner Davies, seconded by Vice President Truntz, to approve the Minutes of the January 6, 2020 Reorganization Meeting. The motion was unanimously approved.

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve the Minutes of the January 6, 2020 Workshop Meeting. The motion was unanimously approved.

APPROVAL OF BILLS:

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve the payment of bills as presented on Warrant No. 2019-12. The motion was unanimously approved.

APPROVAL OF TREASURER'S REPORT:

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve the Treasurer's Report for December 2019. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Chief Vargo stated that he is honored to introduce State Representative Tom Mehaffie and District Attorney Fran Chardo this evening.

Representative Mehaffie stated that he is here to recognize two officers whose heroic actions saved a young lady's life. In honor of this, he would like to present Officer Shea and Officer Malott with certificates. Since this recognition was not able to be done at the Capital, he would also like to present them with a flag that was flown over the Capital.

District Attorney Chardo noted that each year, he presents awards in May. On special occasions, the District Attorney's Medal of Valor is presented. This is the highest award that the District Attorney bestows on a law enforcement officer. Before giving this award, there is consultation with a committee of distinguished law enforcement officers. It was unanimous in their judgment that these two officers deserved the Medal of Valor for their conduct on October 14, 2019, at which time they put their own lives on the line to save a woman's life. It was true heroism for them to enter the gunfire, including Officer Malott's putting his own body in front of Officer Shea as they moved out of that house, and Officer Shea getting the woman to safety. They both deserve this honor.

District Attorney Chardo then presented Officer Shea and Officer Malott with plaques and Medals of Valor. Representative Mehaffie then presented Officer Shea and Officer Malott with certificates of appreciation and a flag that was flown over the Capital.

Officer Shea thanked everyone for the awards, and stated there are no words to show their gratitude for the support of them just doing their jobs. Officer Malott agreed that they appreciate all the support they have received from the community. It has been a huge help through everything. He added that he is just glad everything worked out as it did. Both officers received a standing ovation from the Board and audience.

Chief Vargo then provided the summary of statistics for the Police Department for the month of December. There were 543 calls for service. There were 22 criminal arrests, which

included 2 DUI arrests, 36 traffic citations issued, 2 non-traffic citations, and 29 written warnings. There were 15 accidents investigated. The Township's motor carrier enforcement officer conducted a total of 6 motor carrier enforcement details with 1 Level I Inspection, 2 Level III Inspections, 1 citation issued, and 2 warnings for violations.

Chief Vargo thanked the Board for its continued support for Officer Shea and Officer Malott and for allowing this recognition to take place tonight.

Fire Department

Fire Chief John Weikle noted the Lower Swatara Fire Department is in attendance tonight to show its support for its members in blue, Officer Shea and Officer Malott. He then provided statistics. There were 45 calls in December, bringing the total for the year to 554. There were 36 responders, with the average personnel per response at 7. Time in service was 26 hours, 42 minutes, and 26 seconds.

For the month of December, there were 6 fire incidents, 9 Rescue and EMS incidents, 2 hazardous condition incidents, 1 service call, 14 good intent calls and 13 false alarms.

Total for mutual aid in 2019 was as follows: Conoy – 1, Derry – 11, Elizabethville – 1, Harrisburg City – 1, HIA – 5, Highspire – 65, Hummelstown – 7, Londonderry – 18, Lower Paxton – 2, Middletown – 60, Newberry – 1, PA Turnpike – 8, Royalton – 1, South Hanover – 2, Steelton – 30, and Swatara – 41.

ENGINEER'S REPORT

Shawn Fabian, HRG, referenced his report and provided project updates. The bid opening for the Bradford Avenue Residential Home Demolition Assistance Project is scheduled for February 7. The intent to award the bid for the Greenfield Park Basin Retrofit and Riparian Buffer – Mariner East II (MEII) Pipeline Project appears on tonight's agenda. The recommendation is to award the bid to Custer Excavating in the amount of \$119,416.40.

The Rosedale Manor Stormwater project remains on schedule. Doli has submitted Approval for Payment (AFP)-01 for review. A letter of recommendation for payment in the amount of \$84,294 is on the agenda tonight for formal approval. Mr. Fabian reported that an additional inlet and storm sewer run were identified by Township staff near 1999 Market Street Extended. HRG evaluated the line in a field meeting with Township staff and is preparing a formal change order to include this into the project.

Work on the Highland and Lumber Street culvert projects is progressing as expected.

Progress continues on the DCNR C2P2 Planning Grant – Township Comprehensive Recreation, Park and Open Space Plan. Key person interviews will be conducted before preparing a draft report for Township review. A public meeting will be held on January 30 to present the plan for public input prior to being submitted for DCNR’s review.

There is no update yet on a site meeting for the PFBC Boating Facility Grant Application.

SOLICITOR’S REPORT:

Solicitor Henninger reported a letter was received on Monday from Penn Vest authorizing the transfer of the loan to the Authority. However, they are still working on their documents. Hopefully the Municipal Authority will be in a position to pass a resolution at its next meeting in line with one of the requirements set forth in that letter. It is anticipated that within the next 30 days, this transfer can be completed and be in a position to get the management agreement in front of the Board for consideration along with the potential fee schedule and credit policy.

As the Board is aware, the Township had to condemn two properties on Highland Street as part of the easement acquisition process for the Highland Street bridge project. Contact was recently received from both parties involved, and it appears one may just be a matter of coordinating signatures. The other is uncertain at this time; Solicitor Henninger stated he is still hopeful that this can be resolved without having to go to the expense of hiring an appraiser. However, more than 30 days has passed since the condemnations have been served and there have been no preliminary objections filed. Therefore, the contractor can move forward. All parties are aware of that. In response to a question from Vice President Truntz, Solicitor Henninger confirmed the Rodgers’ easement has been finalized, signed and filed.

MANAGER’S REPORT:

Fire alarms in township buildings

Ms. McBride noted staff had gathered some proposals to update the fire alarm system in the Township Building. Commissioner DeHart had asked her to get another bid tied in with the security system in the building. That company will be visiting here on Friday. Ms. McBride noted that she will have more information on the upgrade of the fire alarms at the next meeting.

Verizon provides the Township with free cell phones. As a result, the Township has an accumulation of old cell phones that are no longer used. Verizon will buy these phones back; the price will depend on the age and condition of the phone. She asked Board authorization to pursue this. Commissioner DeHart asked if these old phones are on lines which are being paid for. Ms. McBride explained they are not. The Board expressed no objection to this request.

Ms. McBride reported that staff recently discovered a culvert that it was unaware of at Strites and Longview. It was collapsing and was capped with concrete. Staff will keep an eye on it. She added her suspicions that there are quite a few of these unknown culverts, and noted she will keep the Board updated on their locations and what was done to correct the problem. Commissioner DeHart noted that the one on Cockley near the mobile home park is also getting bad.

Mr. Lanman recently met with UGI on its “Get Gas” project to coordinate with them so when the Township does work in Twelve Oak, it doesn’t dig up the roads only to have UGI dig up the same roads a few months later. UGI expects to do its work late summer or fall of 2021, so towards the end of this year and next year, the Township will be doing its work.

Future Meetings/Events:

January 22	7 PM	Zoning Hearing Board
January 23	7 PM	Planning Commission Mtg.
January 27	7 PM	Municipal Authority Mtg.
January 30	7 PM	Public Meeting on Recreation Board findings
February 5	7 PM	Board of Commissioners Workshop

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COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul – no report

Budget and Finance Committee: Commissioner Davies – no report

Public Works Committee: Vice President Truntz reported that salt has been replenished, and the crew is prepared for any bad weather this weekend.

Community Development: Commissioner DeHart reported that he will be attending the MARA meeting on January 23 and will report back.

Personnel Committee: President Wilt – no report

UNFINISHED BUSINESS: None

NEW BUSINESS:

Probationary police officers elevated to permanent status

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve the elevation of Timothy Shea, probationary police officer, to permanent status effective January 7, 2020, the first year anniversary date of his employment. The motion was unanimously approved.

A motion was made by Commissioner Paul, seconded by Vice President Truntz, to approve the elevation of Derek Weinoldt, probationary police officer, to permanent status effective January 7, 2020, the first year anniversary date of his employment. The motion was unanimously approved.

Application for Payment No. 1

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve Application for Payment No. 1 in the amount of \$84,294.00 to DOLI Construction Corporation for the Rosedale Drainage Improvements project. The motion was unanimously approved.

Award of contract for 2019 LST MEII Water Quality Improvements Project

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the award of the contract for the 2019 LST MEII Water Quality Improvements Project to Custer Excavating in the amount of \$119,416.40, subject to conditions. The motion was unanimously approved.

Electronic debit of PPL and UGI invoices

A motion was made by Commissioner Paul, seconded by Commissioner DeHart, to approve the electronic debit of PPL and UGI invoices with a limit of \$1,200. The motion was unanimously approved.

Appointment to the Non-Uniform Pension Advisory Board

A motion was made by Commissioner Paul, seconded by Vice President Truntz, to approve the appointment of Jeffrey Fultz to a two-year term on the Non-Uniform Pension Advisory Board (term expires 12/31/2021). The motion was unanimously approved.

Purchase of new rifles

Chief Vargo addressed a request to purchase new rifles for the Police Department. There are 16 police officers, and currently 11 patrol rifles. The current rifles date back to 2001; they

are almost 20 years old. Officer Heckendorn and Officer Miller are the Department's firearm rifle instructors and are experiencing a high number of malfunctions while the officers are on the range. This is due to the normal wear and tear on the internal parts of these old rifles. Also, with 16 officers and only 11 rifles, officers are required to share rifles which in turn requires changing the sites for the individual officers. Chief Vargo stated he feels this purchase is necessary in the world we live in today, and with the potential risks of having a School District and many large businesses in this Township. It is important that the officers are properly equipped. He added that the current rifles will be turned in to offset some of the costs. Commissioner DeHart asked how much this trade-in value will be. Chief Vargo explained it will cost about \$10,000 to purchase the 16 rifles. He was told there would be about \$200/per rifle given as a trade-in depending on the age and condition of the rifle. Commissioner DeHart asked if the ammunition will be the same. Chief Vargo confirmed it will be. Commissioner Paul asked if this \$10,000 was budgeted. Ms. McBride explained that while rifles were not specifically mentioned in the budget, there are funds in the equipment category that can be used. President Wilt stated this is a safety issue. Vice President Truntz agreed that he gets concerned when he hears malfunctions. He expressed his support for this purchase. A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve the purchase of replacement rifles for the Police Department, at a cost not to exceed \$11,000. The motion was unanimously approved.

Purchase of new uniforms with updated design

The Board tabled action on this item, pending further committee discussion.

Executive Session announced

Solicitor Henninger announced the Board will be going into executive session immediately upon conclusion of this meeting in order to discuss personnel matters and also the ongoing litigation matter with Highspire.

GOOD AND WELFARE:

Commissioner DeHart thanked everyone for coming out, and reported he will not be at the next meeting but can participate by phone.

Commissioner Davies added that he will also be unable to attend the February 5 workshop, but would be willing to participate by phone if necessary. He thanked Representative Mehaffie and District Attorney Chardo for their presentation to the officers, and

again thanked Officer Shea and Officer Malott for their actions. He also thanked everyone for coming out.

Commissioner Paul offered an observation. As the Commissioners move forward and try to bridge the communication gap that sometimes exists between them, committee meetings may be very helpful to discuss items beforehand. An example is the police items discussed tonight. The committee members appointed by the President, along with the Manager and department head, could sit down prior to these meetings so all the answers and knowledge could be shared to help the flow of information. These meetings would not necessarily be on a monthly basis, but when items come up. Ms. McBride agreed she would like to implement this, and would suggest meeting at least three times a year, and more if necessary.

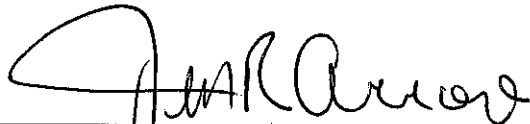
Vice President Truntz also thanked Representative Mehaffie and District Attorney Chardo for their presentations tonight, and congratulated Officer Shea and Officer Malott for their heroism and service to the community. He also congratulated Officer Shea and Officer Weinoldt for their elevation to permanent officers. Vice President Truntz thanked everyone for coming out tonight.

President Wilt also commended Officer Shea and Officer Malott for their acts of heroism. He noted that the awards received tonight, as well as those received over the past few months, are well deserved. He also congratulated Officer Shea and Officer Weinoldt on reaching permanent status. President Wilt thanked everyone for coming out and participating tonight.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Vice President Truntz, seconded by Commissioner DeHart, to adjourn the meeting. The motion was unanimously approved, and the meeting adjourned at 7:40 P.M.

ATTEST:



Jean R. Arroyo
Township Secretary

PLEASE PRINT NAME CLEARLY
JANUARY 15, 2020 LEGISLATIVE MTG. - 7 PM

Name/Organization	Address/Contact Information
Lynn Hays	Pd J
Shawn Fabiano / HRG	
Madison Smith	LST
Dm Wagner	915 charlin Rd
Jeff Kowich	Hummelstown
John Weikle	LSFD
Rich & DEBBIE DRUM	MT IDY
Nancy Abolese	1451 N. Union St.
Bruce Joanne Hays	1134 1st Rd
Dale Messick	Greenfield Dr.
Beth Malpas	2047 Market St. Ext 717-805-9086
Fran Charlo	Dauphin Co.
Tom Meluffie	106th Dist Rep