

## MINUTES

### NON-LEGISLATIVE MEETING: APRIL 3, 2024

The April 3, 2024 Non-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
- Christopher DeHart, Commissioner
- Zachary Border, Township Manager
- Jean R. Arroyo, Township Secretary
- Michael McAuliffe Miller, Eckert Seamans, Solicitor
- Shawn Fabian, HRG, Engineer
- Scott Washinger, Public Works Director
- Richard Snyder, Planning and Zoning Coordinator
- Brian Davis, MS4 Coordinator
- Daniel Tingle, Acting Chief of Police

Residents and visitors in attendance: Please see attached sign-in sheet.

PUBLIC COMMENT: None

#### *Bond discussion*

Lou Verdelli, Raymond James Public Finance, introduced Ryan Brockman from his firm as well as Zach Willard, from PFM Financial Advisors. He explained they had met several times with staff to discuss potential projects that the Township and HRG have been looking at and borrowing scenarios to provide funds to address some of these projects.

Mr. Verdelli reviewed the handout he had provided the Board. Interest rates have dropped significantly from the fall of 2023 making it an attractive time to borrow in this municipal market. A chart of all existing debt of the Township was highlighted. Money has been borrowed over the last 5 – 6 years to fund stormwater projects, general municipal projects, and sewer projects. The bulk of the projects that need addressed right now are sewer projects, so these are segregated to come out of the sewer revenue funds.

Mr. Willard explained that since the Township would be borrowing tax exempt money with lower interest rates, there are federal borrowing rules and guidelines which must be followed: spend 5% of the bond proceeds within 6 months, spend 85% of bond proceeds within 3 years, and proceed with due diligence. When possible, it is beneficial for the issuer – the Township in this case – to issue \$10,000,000 or less per calendar year because it provides special treatment on the debt. This includes lower interest rates and a five-year call feature which would allow refinancing the debt in five years. In summary, this would be a \$10,000,000 Bank Qualified Issue, with an estimated settlement date in early September. \$8,000,000 would be from the sewer project fund, and \$1,883,849 for stormwater projects. The average interest rate is about 4.461%. Mr. Willard also called attention to a chart illustrating debt service payments.

Mr. Verdelli explained that a preliminary timeline is included but can certainly be adjusted. The Board could provide authorization at its May 15 meeting for the financing team to proceed with the process, with a possible bond sale/interest rate lock in August and settlement in September. Mr. Verdelli stated that if the Board is ready to commit, the sooner the bond proceeds come in, the sooner they can be invested at a rate of about 5%, which is higher than what the borrowing would be.

Commissioner DeHart asked the budget committee how it feels the debt load can be handled for the sewer and MS4. Commissioner Davies explained the committee had not discussed this yet, so he is not prepared to give an answer. Commissioner DeHart asked the Township's current credit rating. Mr. Verdelli responded he believes it is an A-/A3. Mr. Verdelli added that in a previous meeting with Mr. Border and Ms. McClain, there were discussions about the sewer fund's ability to manage that payment, the timing of the borrowing, and the fact that there would be a payment in the calendar year 2024. It was felt that the sewer fund could absorb the payment on the \$8,000,000. Mr. Border agreed that he and Ms. McClain discussed this again today and feel it is manageable. Commissioner DeHart asked if borrowing this additional \$10,000,000 will negatively impact the Township's credit rating. Mr. Verdelli explained that this rating is based on a lot of factors. This borrowing should not lower the rating. Commissioner DeHart asked Mr. Border to specify, for the record, what projects are to be included in this borrowing. Mr. Border stated that these projects include upgrade to the Highspire Plant, Capital Campus Interceptor Project, Lumber Street Interceptor Improvements Project, and 2025 Sewer Improvements Project (Jefferson from Georgetown to Rosedale). On



the stormwater side, projects include Longview Drive Storm Sewer Replacement, Greenplains Development Storm Sewer Replacement, Turnpike Industrial Road, and Greenwood Circle Storm Sewer Replacement.

Vice President Truntz asked how much time this \$10,000,000 will buy the Township. Mr. Border stated on the sewer side, the first three projects are priority and will be a big chunk. Mr. Fabian addressed stormwater projects, and explained these are in areas that the Township knows there are stormwater issues. Commissioner DeHart asked if the Township is also addressing the fee structure, including MS4 fees, to pay for these projects. Mr. Border agreed there have been internal discussions regarding this.

Commissioner Paul asked Mr. Fabian how far along HRG is with the design of these stormwater projects. He questioned whether the whole storm sewer system on some of these roads, such as Turnpike Industrial Road, will be replaced. Mr. Fabian explained that it was felt it would be advantageous to evaluate them and see what needs to be replaced. Commissioner Paul asked, then, if they had not yet been evaluated. Mr. Fabian responded that he did evaluate some of Longview, and he and Mr. Washinger looked at some of the storm sewers in Greenplains. However, nothing has been fully evaluated or designed. There are additional projects in reserve that could be recommended to still meet the bond amount if these projects are less than this value once design occurs. Commissioner DeHart asked if this is a wish list, since listed projects have not yet been evaluated. Mr. Fabian explained that many locations, such as Turnpike Industrial, have known issues. Commissioner DeHart stated there is some time yet, so HRG should verify these things to make sure the \$10,000,000 borrowing is needed.

Mr. Border asked Mr. Verdelli if it is still worthwhile pursuing the borrowing if the Township only does the sewer project borrowing for \$8,000,000. Mr. Verdelli stated it would be. Again, tonight is just an information presentation. He stated that it appears there are still discussions to occur regarding the project list. Again, if the Township wants to stay on the discussed timeline, it should probably authorize the team to start the process at the May meeting.

The Board thanked Mr. Verdelli and his team for the presentation this evening.

*Presentation by MASD design team on layout of Greenfield Drive*

Marc Kuroski, K&W, site designers and engineers for the new Middletown Area School District project, introduced the team present tonight to discuss the Greenfield Drive extension: Dr. Hunter and Mr. Meiser from the School District, Grace Heiland from Crabtree Rohrbaugh

(architects for the project) and Jeff Shyk with K&W Engineering. Mr. Kuroski explained to the public that this project proposes to construct a new K-3 Elementary School, District Administration Office, and Operations Building on the existing High School/Middle School Campus. The facility will be located on the far east end of the Campus, almost due south of the park area. There have been multiple reviews of the land development plan, and a conditional approval plan recommendation was secured from the Planning Commission at its last meeting. All technical issues have been addressed at this point. The two primary issues that have been discussed in length are the sewer issue and the connection to Greenfield Drive. The sewer issue is being addressed and should come to conclusion soon. Tonight's focus will be on the extension.

Mr. Kuroski presented the plan drawings. During discussions, there were concerns about being able to access the campus with the additional buildings and only the driveway that currently exists, especially with the location of the new school and how it sits quite far back on the campus. Discussion was whether to utilize the existing Greenfield/441 intersection which is not site distance compliant and has been a safety concern for some time. It was agreed that efforts should be taken to avoid adding traffic to that intersection. This led to the idea of a new location, based on site distance analysis, which is essentially right where the Twin Dell curve comes in when traveling south on 441. The intent would be to connect with the new full-service driveway which would come in and extend to the existing Greenfield Drive and then have a separate connection -- essentially an intersection -- to where this road comes down into the school campus. The intent behind the configuration is to avoid directing traffic to the Greenfield/441 intersection. There may be some type of concrete median or barrier installed or attempts will be made to be tight with the geometry to prohibit that movement. There will be a provision to allow vehicle access to continue into the park. Mr. Kuroski added that plans are to occupy the facilities in the fall of 2026.

Mr. Kuroski added that 441 is a PennDOT road so there will be a traffic study and HOP required. Although what was just presented is the intent, it is subject to some revision as the School District works with PennDOT. Coordination is also being done with Mr. Messick, the affected property owner, to make sure he is comfortable with the connection. As this evolves through PennDOT, any adjustments or changes will continue to be discussed with the Township



and residents. Mr. Kuroski again stressed that this configuration may be adjusted, but the intent will always be the same: keep traffic from coming to or from that 441 intersection.

Commissioner DeHart stated he does not like the concept presented, as it is too busy and will probably create more problems. He suggested that where it bends coming from Greenfield, cut that off and change the park entrance to come in lower and come up. Another idea would be to make the bend coming out of the park come out straight to the curb to make it flatter. Greenfield could also be made one-way in. He anticipated problems when the soccer complex is busy with tournaments; it will be a mess with parking and confused drivers. Perhaps signage on 441 stating "park entrance ahead" may help to keep drivers off Greenfield. He suggested it is important to be proactive to direct drivers to the park, as a lot of people come from out of state to attend these tournaments. Commissioner DeHart noted he has a marked-up sketch that can be shared with the School District.

Commissioner Paul asked if most of the people accessing the park for the soccer tournaments come in through the School District property. Mr. Meiser explained that the groups hosting these tournaments typically also rent some of the School District property, the District does provide overspill areas for this parking. Commissioner Paul stated his point is that this is something that would be lost with this design. The entrance into the park, at the very throat, because it will be used as an emergency access, should be wider and meet Township standards for width. In an emergency, school buses will be using it. He suggested the access go out into that curve into the new access which is the School District's. It may even be a point where it is the Townships property or needs dedicated. If that is the case, access to the park will be addressed if PennDOT is on board; access to the park would be by the new Greenfield Drive.

Commissioner DeHart added the elephant in the room is that PennDOT may say no to this concept. He asked what "Plan B" is. He added his assumption that there will be a deceleration lane coming southbound on 441. Mr. Kuroski stated that he is not sure this will be warranted by PennDOT. If it is not warranted by PennDOT and the Township has a concern, this will certainly be discussed. Mr. Kuroski stated they are not pushing into Plan B yet, because they do not want to walk away from Plan A. There are not a lot of other options, and rebuilding Greenfield and 441 is far too expensive and may be physically impossible without being too impactful to the neighbors in that location.

Vice President Truntz asked what will be done to keep drivers off the upper Greenfield Drive – the existing intersection. Mr. Kuroski stated that unless PennDOT requires some sort of signage in that location, this will be managed thorough configuration of the intersection to physically prohibit that traffic, including school traffic, from coming up and taking a left. A concrete median is one way to do this. Vice President Truntz stated there was some talk about a gate early on. Mr. Kuroski agreed there were discussions about this, but there are challenges in terms of who holds the keys. PennDOT may not go for the option either. Bottom line is that it would not serve what the School District is trying to achieve, including a second point of ingress/egress on that side of the campus, which is critical. Vice President Truntz asked if the Greenfield Drive neighbors had seen this concept and provided feedback. Mr. Kuroski confirmed they had attended Planning Commission meetings and seemed to support it.

Commissioner DeHart asked if this project and the construction of the schools/buildings are two separate projects, and if the School District wants the Board to approve the school plan before this project is approved. Mr. Kuroski agreed that is correct. Commissioner DeHart stated that personally, he would want to hear what Plan B and Plan C is before he approves the plan for the school. Hopefully by then the district will have a better idea of what PennDOT thinks of this concept.

Mr. Kuroski thanked the Board for its time and stated they will be back again to update the Board.

#### ANNOUNCEMENT OF EXECUTIVE SESSION:

President Wilt announced that the Board had met in executive session on March 27 for personnel matters.

#### APPROVAL OF MINUTES

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the Minutes of the March 20, 2024 Legislative Meeting. The motion was unanimously approved.



### SUBMISSION OF PENNDOT HOP APPLICATION FOR UNION KNOLL FINAL LDP

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the submission of a PennDOT Highway Occupancy Permit Application for PC#2023-08 Union Knoll, Final LDP, and authorizing the President to sign the respective PennDOT Form (M-950AA). The motion was unanimously approved.

### PUBLIC HEARING ON LIQUOR LICENSE TRANSFER REQUEST OF WAWA

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve scheduling a Public Hearing on April 17, 2024 at 6:30 P.M. on the liquor license transfer request of Wawa, Inc. The motion was unanimously approved.

### DEPARTMENT REPORTS:

#### *Planning and Zoning/Codes:*

Mr. Snyder referenced the monthly report provided to the Board. The Planning Commission discussed the MASD New K-3 Elementary and recommended approval of their Land Development Plan. Approval will be on the April 17 agenda and will be contingent on them filing a separate Subdivision and Land Development Plan for the portions of the roadway discussed tonight. There will be specific plan notes and requirements. Solicitor Diamond feels this plan can be moved forward as long as they have these respective plan notes. The Union Knoll Final Land Development Plan (PennDOT HOP Plan) will be on the April 25 agenda of the Planning Commission. The Revised Final Subdivision & Land Development Plan for the Capital Valley Business Park Lot 3 & Lot 4 (Revised) was recommended for approval by the Planning Commission and will be on the Board's April 17 agenda. The Application for Amendment to the Zoning Ordinance for Fulling Mills was referred to both the Township Planning Commission and the County Planning Commission. The County Planning Commission has provided a letter stating they have no objection to this request for the zoning map amendment. Mr. Snyder stated there is the possibility that the Public Hearing on this amendment could occur in May.

The Code Department had a busy month, issuing 32 new permits. Notices of Intent received (Act 14 notifications) include Hershey's Ice Cream, Kinsley for their new residential development (Stone Creek Meadows), and UGI Utilities.

Commissioner Paul observed there a lot of topics addressed in the written report that are not very detailed as far as locations. He questioned the Zoning Hearing Board variance scheduled to be heard for 504 Longview Drive. Mr. Snyder explained this is Tom Clark's farm. Commissioner Paul also referenced the Zoning Hearing variance held last month for 1810 Oberlin Road. Mr. Snyder explained this was for the horse property across from the Twelve Oaks Center. Mr. Snyder explained that rather than specify the hearings as last names, residential hearings are specified as street addresses. Hearings for commercial or non-residential properties are specified with the business name and address. Commissioner Davies questioned the application for Fulling Mills and asked where this is located. Mr. Snyder explained this is the Williams Farm; the project is known as Fulling Mills. Commissioner Paul also questioned the status of the Kinsley project on Stoner and Riverview. Mr. Snyder explained that they are getting their paperwork together to resubmit to the Township. The Township just received notification that their sewage planning module has been accepted by DEP. The GP7, the minor road crossing permit over the streams and wetlands, has been submitted to DEP. They also resubmitted their NPDES package for erosion and sediment control and post-construction stormwater back to the County Conservation District as well as DEP.

#### *Public Works*

Mr. Washinger reported with baseball season almost here, all the fields have been groomed, cored, slit seeded and cleared of weeds. The soccer fields have also been cored and slit seeded. Mr. Washinger added that he is in the process of getting two of the fields Vertiquaked since they are very lumpy and uneven. Several potholes were filled to hold things off until warmer weather.

Staff is exploring potential DEP 902 Grant funding to purchase a combined truck unit for leaf picking and snow plowing. The air conditioning system in the administrative building is still on hold until warmer weather approaches. During the carpet installation in the police department, it was discovered that the new hot water heater had a leak on the pressure relief valve. This was repaired and completed under the warranty. It was also discovered that the thermostat in the Police Department was not functioning properly; this was also replaced.

#### *MS4/Stormwater*

Mr. Davis reported that WREP had its first reorganization meeting last week. Rich Wilkinson, Chairman of the Township's Municipal Authority, also attend the WREP meeting and shared a lot of interesting insights. Efforts to work towards a unified GIS mapping



is slightly delayed as HRG and Tri-County are reaching out to the Army Corp of Engineers to assist with the mapping and subsidizing of some of the costs. Beginning this month, Tri-County will be contacting some of the other municipalities in the area who were not initially involved in WREP but may be interested in joining in the future. They have developed a flyer explaining what WREP is; this will also be posted on the Township's website. The next meeting of WREP is April 24 and will include a separate section for participants in Tier C.

The Solicitor has completed a draft of updates to the ordinance relating to O&M Agreements for all constructed BMPs in the Township. It is anticipated that authorization to advertise will be on the April legislative meeting.

#### MANAGER'S REPORT:

##### *Humane Society*

Mr. Border reported that the Humane Society recently redid their contract, which the Township had previously approved early this year. They will now accept feral cats and will no longer limit the number of pit bulls they are accepting. Fees are also being adjusted. Previously, they charged \$345 per pit bull; the new fee would be \$250 for any dog. The Solicitor has indicated that the Township is under no obligation to sign this revised contract. Commissioner DeHart suggested the previous costs incurred be provided to the Board for review and formal action at the April legislative meeting.

##### *Veolia detour request*

As part of the water company's project on N. Union Street, once they complete N. Union Street they will work on Oberlin Road. Veolia is asking the Township to allow a detour onto N. Union from Oberlin Road. Mr. Washinger explained that when they close 441 on that ramp on the corner (Twin Dell) there will need to be an alternate route, and the only route would be N. Union St. In response to a question from Commissioner DeHart, Mr. Washinger explained the timeframe is unknown as this point. Vice President Truntz asked that the public be notified in advance of this work.

##### *Vehicle replacement*

At the Board's last workshop meeting, there was discussion about a vehicle leasing option with Enterprise, and Commissioner Davies requested an inventory of vehicles. Mr. Washinger and Acting Chief Tingle have provided this information for Board review. Mr. Border added that

Mr. Washinger had just referenced application for a 902 Grant for \$200,000 for purchase of a leaf picker and new truck. In response to a question from Commissioner DeHart, Mr. Washinger stated the truck with all accessories including leaf accessories will cost about \$450,000. Commissioner DeHart asked Mr. Washinger to let him know what the CFM is, as he wants to know the flow. Commissioner Paul stated there is already one new truck ordered and approved in the budget. Mr. Border explained this truck will be for next year's budget. He added the intent is to follow some type of replacement schedule. Commissioner Paul stated he would like to see more details on which vehicles are planned for replacement. Acting Chief Tingle referenced his memo and inventory chart, and stated that historically, the Police Department followed a vehicle replacement schedule. This was gotten way from during the recession and never started back up, causing the retention of some older vehicles requiring significant expense to keep them on the road.

#### *Salt shed*

Mr. Fabian referenced a sketch and sample photos of the proposed new salt shed, which will be three bays and located behind the current public works building. The building itself will run around \$370,000. With the 20% contingency, it is estimated the total project will cost around \$640,000 with all the pavement, stone, grading; this amount does include the building. Mr. Fabian stated a grant will cover a portion of this --- about \$225,000. President Wilt asked if there is any way to obtain additional grant money. Mr. Border responded he believes Representative Mehaffie helped with this grant and agreed to reach out to him. Commissioner DeHart asked if the Township received permission to change the design, since the grant was approved based on another design. Mr. Fabian stated a request can be made to see if they respond favorably. Vice President Truntz commented that this is a lot of money for a shed. Mr. Border explained that due to this alternate location, there are significant stormwater and paving improvements required. Commissioner DeHart remarked that this would have been an issue at the original site too. He asked if this new salt shed is the same size as the current one. Mr. Washinger explained that it will have the same storage capacity – 600 tons. Commissioner Paul suggested the Township let the adjacent property owners know of these plans as a courtesy. He also asked if the Township is saving any money by moving the shed to this alternate location, realizing there is a savings on the earthwork. Commissioner DeHart estimated a savings of around \$400,000. Mr. Border responded that at one point, the project was projected at 1.2 million, so there is savings.



### *HIA Letter of Support*

A request was received from the SARAA for a support letter for a grant they are applying for. Commissioner Paul observed this property is in Middletown --- the Crawford Station. Mr. Border agreed, but stated they are asking for a letter of support from the Township. This will be on the agenda for consideration.

### *ADA Asphalt Pathway*

As part of the spinner project at Memorial Park, there are plans to install an ADA asphalt pathway from the parking lot to the pavilion. A quote was received for \$10,700. Commissioner Paul stated the quote provided to the Board had no description of where the pathway was to be installed. Commissioner DeHart agreed that he had the same question. He also asked if this work could be done in-house. Mr. Washinger responded the Township does not have the equipment or manpower to do this project. Commissioner DeHart added that the parking lot at Memorial by the courts is in very poor shape. Mr. Washinger stated there are plans to take care of it this year.

### ENGINEER'S REPORT:

Mr. Fabian reported that the Rosedale Avenue Culvert emergency repair work is finally finished, and the road is open to the public. The final payment request is being reviewed for formal action at the April legislative meeting. There is a maintenance issue at one of the inlets on Hanover St. associated with the Hanover St./Meade Ave. Stormsewer Outfall Repair Project. The contractor will need to take care of this prior to recommendation of final payment and punch list release on that site. A pre-pavement site walk was originally scheduled yesterday for the Bryn Gweled Infrastructure Replacement Design and Permitting Project but did not occur due to the rain. Hopefully this will occur Monday, and then paving can be scheduled. Mr. Fabian stated that he will provide an update to Ms. Arroyo to post on the website when this schedule is provided.

The contract documents for the Richard L. Shireman Park Design and Permitting have been returned and are being reviewed for completeness. Shop drawings are being reviewed for the 2023 Drainage Improvements Project (Nissley & Spring Garden, Woodridge Basin Tie-in Off of Spring Garden) in order to get things into procurement. Right now, they are looking at an early June start date for the work. Designs continue to advance for the 2024 CIP Stormwater Improvement Project (Burd, Richard & Nissley Storm Sewer Replacement, Lumber St. Storm Sewer Replacement, Richardson Road Stream Restoration & Lakeside Dr. Storm Sewer Replacement). Final grant

agreements were received for the Hazard Mitigation Grant Program (home buyout through FEMA). Next steps will include discussion on the acquisition and demolition of the homes. The rains have delayed some of the fieldwork for the Whitehouse Lane Weight Restriction Study. Evaluations will begin when the weather breaks.

Commissioner DeHart reiterated his concerns that a fire hydrant was not included in the bid for Shireman Park. He asked if this was addressed yet through an add-on. Commissioner Paul asked where the nearest one is located. Commissioner DeHart responded that the closest one is at Ebenezer and Clearview. Commissioner DeHart stated there was discussion about putting one where the bend goes into the parking area. The hydrant would be for fire control purposes and irrigation. Commissioner DeHart stated he feels this is essential, and now is the time to do it.

EXECUTIVE SESSION REQUESTED:

President Wilt requested an executive session immediately upon conclusion of tonight's meeting for personnel and litigation reasons.

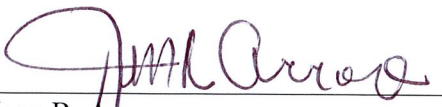
GOOD AND WELFARE:

Vice President Truntz referenced an email from John Ponnett, President of the Athletic Association, regarding Opening Day on April 20 at 11:00 AM. This is one of the biggest events in the Township; he encouraged his fellow Commissioners to attend.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner DeHart, seconded by Commissioner Davies, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 8:39 P.M.

ATTEST:

  
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Jean R. Arroyo  
Township Secretary



**PLEASE PRINT NAME CLEARLY**  
**BOARD OF COMMISSIONERS**

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