

MINUTES
SPECIAL MEETING

JULY 7, 2010

The Special Meeting of the Lower Swatara Township Board of Commissioners, held at the Lower Swatara Township Municipal Building, was called to order at 7:00 P.M. by President Frank Linn, Sr.

Roll call was taken with the following officials in attendance:

- Frank Linn, Sr., President
- William L. Leonard, Vice President
- Thomas R. Clark, Commissioner
- Robert L. Loych, Commissioner
- Thomas L. Mehaffie III, Commissioner
- Ronald J. Paul, Manager
- Peter R. Henninger, Township Solicitor
- Chris Bauer, HRG, Township Engineer
- Jean R. Arroyo, Recording Secretary

Residents and visitors in attendance:

- Ron Burkholder (ORP)
- Mike Shelly
- Mike Williams (Bryn Gweled Subdivision)
- Fred Sembach (SARAA)
- Jon Wilt
- Steven Hickoff (102 Bradford Ave.)
- Chris DeHart (LST Fire Dept.)

President Linn welcomed the residents and visitors to the Special Meeting.

A motion was made by Commissioner Clark, seconded by Commissioner Loych, to approve Resolution No. 2010-R-9. This resolution adopts guidelines for Lower Swatara Township Police Officers when making authorized warrantless arrests. The motion was approved by a 4 – 0 margin, with Commissioner Mehaffie abstaining due to the nature of his business and some language in the resolution pertinent to malt brew beverages.

Mr. Paul stated that the next agenda item is to take action on Resolution No. 2010-R-10. This resolution adopts qualifications-base selection criteria for the construction inspection of the Meade Avenue Project. Mr. Paul turned the floor over to Chris Bauer, HRG, Township Engineer, who provided an update on the project and an explanation of this resolution. Mr. Bauer reported that bids for this project were opened on June 24, and the apparent low bidder was Wintermeyer, with a bid of approximately 4.1 million dollars. However, on June 25, an email was received from Penn DOT's consultant agreement section which rejected the selection criteria and process for the Meade Avenue construction inspection, based on two issues: (1) there was no stated DBE (Disadvantaged Business Enterprise) percentage and (2) it was not advertised in a local paper, only on the ACEC website. Mr. Bauer explained the process had not been done in a vacuum; the Engineer did work with Penn DOT's district office and received input from the consultant agreement section prior to advertising this project. Subsequently, there has been a change in some of the staff in that section and a difference of opinion. Therefore, the project was advertised in a local paper, The Patriot News, on July 1, 2010. In addition, the consultant agreement section is requiring the Township to reestablish the guidelines and the resolution for adopting the construction inspection engineer. Again, the only two changes to the selection criteria process are inclusion of the DBE requirement and the advertisement of the project in a local newspaper.

President Linn inquired who would absorb the cost of the readvertisement. He stated the Township should not have to, since it was not at fault. Mr. Bauer explained that this is a project cost, which is reimbursable under the federal grant.

Vice President Leonard asked if this will jeopardize any funding, and if the project is still on a timeline. Mr. Bauer explained that the project is still on a timeline, but there is a fallback plan that Penn DOT is considering if all the agreements are not in place before the notice to proceed. This plan would include having its own forces out there for a short time. It is hoped for a July 22 Notice to Proceed. Mr. Bauer added that the selection process will need to happen again, with the review committee once again looking over proposals and recommending a consulting engineer. Mr. Paul suggested the Board consider scheduling a Special Meeting next Wednesday to officially take action on the selection of the recommended consultant.

President Linn then called for the motion on the resolution. A motion was made by Commissioner Clark, seconded by Commissioner Mehaffie, to approve Resolution No. 2010-R-10.

This resolution adopts qualifications-base selection criteria for the construction inspection of the Meade Avenue Project. The motion was unanimously approved.

President Linn stated that the Township had received a request from Rev. Zibolski of the Rosedale Church of the Nazarene to barricade the Brunswick Avenue and Delmont Avenue entrances on August 14 for a community block party. He stated that if there are no objections from the Board, he will direct the Manager to make contact and grant this permission. There were no objections stated from the Board.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other business, a motion was made by Commissioner Loych, seconded by Commissioner Mehaffie, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:10 P.M.

ATTEST:

Ronald J. Paul,
Manager/Secretary