

MINUTES

NON-LEGISLATIVE MEETING

JUNE 2, 2010

The Non-Legislative 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
- Richard T. Wiley, Police Chief
- Robert S. Grauel, Public Works Director
- Jean R. Arroyo, Recording Secretary

Excused:

- Chris Bauer, HRG, Township Engineer

Residents and visitors in attendance:

- Ron Burkholder (ORP)
- Eric Brinser (Rettew – Petroleum Products)
- Ed Ward (Penn Waste)
- Darwin and Diane LeHew (29 Edinburgh Road)
- Tony Guerrieri
- Chris DeHart (LST Fire Dept.)
- Steve Hickoff (102 Bradford Ave.)
- John Gaiski (107 Bradford Ave.)
- Mike Williams (Bryn Gweled Subdivision)
- Jim Lewis (Press & Journal)
- Tina Manski (Lumber St.)

President Linn welcomed the residents and visitors to the meeting, and opened the floor for public comments.

PUBLIC COMMENTS:

Darwin LeHew, 29 Edinburgh Road, referenced the water pressure problems being experienced by the residents in the Colonel Burd development. He informed the Board that the water pressure at his home is still not adequate. He explained that, as promised, United Water did come out and remove the pressure reducing valve at his home. However, this didn't seem to make a change. There are still fluctuations in the water pressure, and the timing of the fluctuations vary -- there is no specific time or pattern as to when they occur. Mr. LeHew added that United Water Company did come to the house and take pressure readings. He referenced a report indicating that the average system pressure in the homes tested is 58 pounds. Mr. LeHew said this is not true in his case. After removing the pressure reducing valve, the pressure is still at 46 pounds. When the toilet was flushed with the kitchen sink running, the pressure dropped down to 32 (not the average 39 pounds indicated in the report). Mr. LeHew added that at the very first meeting with United Water, the residents were told that there were no changes to the system which would justify these changes in water pressure. It was later admitted that the water supply is now also coming from the Airport as a result of a crushed line during the construction at the Jamesway Plaza, which resulted in a bypass and rerouting of the water. The timing of this coincides with when the residents starting experiencing pressure problems. Mr. LeHew stated that the PUC considers anything greater than 25 pounds adequate pressure, but he challenged anyone to try living with that type of water pressure. He asked the Board for assistance in finally getting this situation resolved.

John Hollenbach, General Manager at United Water, reported his company did meet with residents last June to discuss the issue. It was felt that removing the pressure reducing valves might help the homes which were experiencing problems, so United Water offered to remove the valves at its cost. Subsequently, United Water visited twelve homes whose owners requested they come out and take a look. Five home owners agreed to have their pressure reducing valves removed. Mr. Hollenbach added that United Water also did some adjustments to the system to try to increase the pressure. Subsequently, United Water officials came back out in September and tested those five homes. Mr. Hollenbach confirmed that by these adjustments, the water pressure in these homes increased, on average, by eight to ten pounds. It was found that the average system, after having the

pressure reducing valve removed, was 58 pounds. Glenn Snavely, Township Code Administrator and Fire Marshal, was also in attendance of the testing and can confirm that this data is accurate. Mr. Hollenbach stressed that there will always be pressure fluctuations in the system.

Mr. Hollenbach further explained that the water in this area comes from two different locations: from the Airport, and from United Water's system in Hummelstown. United Water is presently looking into engineering a larger pressure reducing valve bypass. This could perhaps minimize some of these fluctuations. There is engineering work involved in this study however, and it is not complete to date. Commissioner Loych asked when this engineering study would be complete. Mr. Hollenbach stated it should be done by this summer. Mr. Paul expressed hope that it would be completed sooner rather than later. Mr. Hollenbach agreed to speak to the engineer in attempts to have it completed by the end of June. Commissioner Loych noted that it has been a year now, and stressed that this situation needs a resolution as soon as possible. Mr. Hollenbach stated that he doesn't want to make any false promises that this bypass will result in pressure increasing from 50 pounds to 80 pounds. What it should do is address the fluctuations in the pressure. The pressure itself, however, is what it is. He reminded the Board and residents that the PUC regulation for water pressure is 25 lbs. The homes in this area tested at an average of 50 – 60 lbs.

Diane LeHew, 429 Edinburgh Road, explained that it does impact the quality of her life when she turns on her garden hose and the water doesn't have enough pressure to adequately spray out. It impacts her life when it takes two minutes or more to fill up her coffee pot with water in the morning. She stated that the water pressure used to be 80 – 90 pounds, which was the reason for the pressure reducing valves. At that time, all the water was supplied from the Hummelstown source. Now the majority of the water comes from the Airport. Mrs. LeHew stated it is common sense that if the pressure was 80 – 90 pounds from the Hummelstown source, and it is now 39 pounds, consideration should be given to getting the water from Hummelstown again.

Mr. Hollenbach stated he is not repeating what is happening at the LeHew's home, but even at 40 pounds of pressure, water comes out of a faucet and hose faster than what Mrs. LeHew is describing. Mr. LeHew added that it is not a plumbing problem, because United Water did inspect the plumbing, and found everything to be plumbed correctly.

Commissioner Loych stated that the Board would like to have a follow-up meeting with United Water to discuss this issue in more depth. Mr. Hollenbach was agreeable to this idea. President Linn also suggested that residents continue to phone United Water with their complaints,

as it is important to have these on record. Mrs. LeHew agreed that they have done this and their next step, prior to tonight's meeting, was to file a formal complaint with the PUC. President Linn suggested that United Water be given until the end of June to resolve this problem. If there is no resolution, the residents and the Board should contact the PUC, since utilities are responsible to provide services to the community. Mr. Paul agreed to coordinate a meeting date between United Water and the Board. President Linn thanked Mr. Hollenbach and the residents for their attendance this evening.

PENN WASTE DISPOSAL REQUESTS RATE INCREASE:

Mr. Paul referenced correspondence from Ed Ward at Penn Waste, and noted that Mr. Ward is in attendance this evening to discuss a request for a rate increase. Mr. Ward explained that effective June 1, 2010, disposal rates at the Harrisburg Incinerator are increasing \$1.72/ton for an annual CPI increase. As a result, Penn Waste will need to increase its quarterly rate per home by \$ 0.43 per quarter. The new quarterly rate for Township residents would be \$54.81 per quarter, effective July 1, 2010. Vice President Leonard stated that this Board has gone on record opposing any unusual financial aid to the Harrisburg Incinerator. He agreed that this increase is one that Penn Waste can't control. He asked, however, if Mr. Ward would be willing to state his opinion on whether or not this increase is reasonable and in line. Mr. Ward responded that in his opinion, this CPI increase is a reasonable and customary increase. Mr. Ward explained that in another matter, the Township's contract with Penn Waste allows for a final one-year extension year to the contract. Penn Waste would like to propose the same base rate from the original contract, with the disposal increases (price is roughly \$54.00/quarter range). He agreed to formalize this proposal and submit it to Mr. Paul for Board consideration.

Justine Manski, Lumber Street, asking about the possibility of signs being posted along residential areas on the Turnpike prohibiting the use of jake breaks. She explained that she resides in the Shopes Gardens development and must endure the noise from truckers using these brakes unnecessarily. Mike Williams stated that it is his understanding that one of the regulations for jake brakes is that trucks must have muffled systems. However, the fines for loud jake brakes are so light that the truckers just pay them and go on their way. He stated that common opinion is that this is a money-maker for Penn DOT and suggested stricter enforcement or larger fines. President Linn

noted these fines are set by the legislators. Ms. Manski again suggested signage prohibiting the use of jake brakes. Solicitor Henninger explained that Penn DOT has criteria for prohibiting jake brakes on state roads (the Turnpike also falls under this criteria). Six criteria must be met before Penn DOT would approve prohibition of jake breaks on a state road. One of these criteria is that the roadway must not be a limited access facility. Unfortunately, Route 283 is a limited access facility, so it would not qualify. Another criteria is that the posted speed limit must be less than 55 mph. The posted speed on the Turnpike is 65 mph. Solicitor Henninger stated that this is an exercise in futility unless these regulations/criteria are changed.

Ms. Manski also stated that if someone doesn't soon do something about the "junkyard" down by the Turnpike Bridge on Lumber Street, she is going to ask for a reassessment of her own property, since she lives a few doors down. President Linn agreed that the Board and Code Enforcement Officer are aware of this property and are working on getting the problem resolved.

FIRE DEPARTMENT REPORT:

Chief DeHart reported that calls for the month of May totaled 30, with a year-to-date total of 202. Two large fires experienced during the month of May resulted in the use of over fifty gallons of Class A foam. A safety conference was recently held with 186 attendees. The recent Biker Breakfast served 116 individuals.

Chief DeHart provided updates on the Dauphin County Chiefs Association Firehouse software web project and its plans to replace the Rescue and Engine. The Dauphin County Chiefs Association hopes to acquire a gaming grant for the web project, and is requesting a letter of support from the Board. He also reminded the Board that the Department had thrown out the bids for the Rescue truck, since they were all too high. Again, the Department hopes to be approved for a casino grant to purchase a new Rescue. Chief DeHart noted that the Board is being asked to sponsor this grant. There would be no cost to the Township; it would simply be sponsoring it. Vice President Leonard stated that he and Chief DeHart had talked about this grant applications, and agreed that putting more work into the submission (including details on the services the Fire Department provides, the area it encompasses, the type of facilities in the Township, etc.) may give the Fire Department a better chance for approval. President Linn asked the Department to get the request letter together and forward it to the Board for formal action.

Chief DeHart also reported on upcoming events, which include a Ham Dinner on June 20, beginning at 11:00 A.M., and a Biker Breakfast on June 27, from 7:00 A.M. until 11:00 A.M. A report showing incidents by unit by district was distributed to the Board.

Vice President Leonard asked to update the Board on the situation with response at the Turnpike. He reported that he had an extremely good conversation with Alan Baldwin, the individual in charge of emergency response planning for the PA Turnpike. In short, emergency response onto the right-of-way /hard surface is dictated by closest distance to an access gate (either an interchange or an emergency access gate). This protocol is in force throughout the entire length of the turnpike. As Highspire is closest to the toll booths and Middletown is closest to the Highspire Plaza gate (off N. Union St.), those stations get the contract. It is up to contract organizations to ensure proper response for fire and rescue purposes. For buildings such as the Turnpike Administration Building and the PA Lottery Building, default is the County Box Alarm / dispatching environment in which the facilities physically exist (in this case, Dauphin County). Any dispatching of departments beyond this scenario is unintentional on behalf of the Turnpike Commission, hopefully on a once-in-a-while, exception basis. Vice President Leonard stated the phone call was very productive, and he doesn't feel any additional meetings are necessary. In addition, the Turnpike Commission would like the Township to come see its emergency operations center. It also expressed interest in visiting the Township's fire department facilities. President Linn thanked Vice President Leonard for an excellent job in helping to clarify these questions.

POLICE DEPARTMENT REPORT:

Chief Wiley reported that the grant application available through the PCCD (Pennsylvania Commission on Crime and Delinquency) has been completed and submitted. If approved, this will aid in the cost of the new records management system for Dauphin County. Chief Wiley noted that this is an important initiative, since it would vastly improve the communication between the various police departments in the county.

The situation with student bullying was referenced. Although the Department does have a School Resource Officer stationed primarily at the High School, Chief Wiley remarked that a lot of these situations don't occur at school. The Department is being pro-active and doing as much as it can to address bullying problems.

The new central booking area is almost complete. The last piece of the puzzle is the installation of a line from the state police which will allow the transmission of photos. Chief Wiley

updated the Board on the list of police applicants, and stated the remaining oral examinations are being completed.

PUBLIC WORKS DEPARTMENT REPORT:

Mr. Grauel reported that the department has finished replacing the water line at the Township office and also completed constructing a garage over the pump station at the Middle School. The department is currently working at the Greenfield Park area, and will begin its road construction projects next week. The roads scheduled for work include Stoner Drive, Fiddlers Elbow Road, Longview Drive (from Route 441 to Cockley Road) and Market Street Extended. Mr. Grauel reminded the Board and residents that the dumpster will be open this Saturday, June 5, from 8:00 A.M. to Noon.

Commissioner Mehaffie remarked that several residents had approached him and expressed their appreciation for the nice overlay work on a section of Lumber Street.

PLANNING AND ZONING/MANAGER'S REPORT:

Mr. Paul referenced correspondence from the COG on the concept of municipalities sharing certified code officials. More information on this will be forthcoming.

Two new plans will appear on the June agenda. They include Section 18B of Old Reliance Farms (the connecting and final piece of the Old Reliance Farms development), and a minor Land Development Plan for Eldorado Properties, located on Eisenhower Boulevard. Eric Brinser, Rettew Associates, briefly explained this plan to the Board. He reminded the Board that the developer came in for rezoning of the hotel property awhile back. As part of the plan, the existing garage with the pointed roof that extended out towards Eisenhower Boulevard was discussed. It was agreed that improvements would be made to that building, as well as along the corridor of the property along Eisenhower Boulevard, in order to make the area a little more aesthetically pleasing. Mr. Brinser reported renovations of the existing garage have begun. However, it was decided to add an addition for a meeting room. This is basically why he is here this evening: because of that addition, a land development plan is necessary. Mr. Brinser presented the plan, which shows the expansion, parking, and landscaping. This is a 2,386 square foot addition, and includes interior renovations. Mr. Brinser explained that three waiver requests were originally submitted with the plan: the second waiver request, for a waiver of the existing contours, is going to be officially withdrawn. The other two waiver requests are to allow the plan to proceed as a minor plan and the second

waiver is for stormwater management criteria. These waiver requests were recommended by the Planning Commission. President Linn commended the developer for working to make this eye sore a more attractive area.

FINAL COMMENTS:

President Linn referenced a petition from residents in the Eagle Heights area regarding the streets being too narrow for busses. He noted that these streets are just as wide as the ones in Shopes Gardens. He added that buses have traveled these streets as far back as he can remember. President Linn stated that he and Mr. Paul will work on a response to this petition. He asked that any Commissioner having comments for inclusion in this letter forward them to him.

Commissioner Loych reported that he and Commissioner Clark, along with Mr. Paul and Mr. Grauel, will be reviewing the applications for the Public Works Superintendent position within the next week or so.

Vice President Leonard referenced the new housing development going in along Highspire Road, which is located in Swatara Township. He stated that the developer had indicated that intentions are for the traffic to flow north, up towards the signal. He stated he will be very surprised if they are able to funnel all of this traffic out of that development without getting a significant spillover onto Fulling Mill Road. The ease of access using Fulling Mill Road is just too enticing. He stated that while he knows this is in Swatara Township, it is worth keeping an eye on. Vice President Leonard anticipated that this additional traffic will end up necessitating a traffic signal at Highspire Road and Fulling Mill Road within the next ten years. Mr. Paul interjected that traffic studies were done prior to the project approval, and the traffic counts didn't warrant a signal. Vice President Leonard stated he is not debating this, but again suggested the Township keep an eye on this area.

Chief Wiley asked the Board for an executive session upon conclusion of this evening's meeting in order to discuss a personnel matter.

Ms. Manski asked about the possibility of implementing a noise ordinance in the Township, particularly as it relates to loud music coming from vehicles. President Linn informed her that the Township does already have a noise ordinance.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other business, a motion was made by Commissioner Clark, seconded by Vice President Leonard, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 8:15 P.M.

ATTEST:

Ronald J. Paul,
Manager/Secretary