

## MINUTES

### OCTOBER 20, 2010 LEGISLATIVE MEETING

#### LOWER SWATARA TOWNSHIP BOARD OF COMMISSIONERS

The regular monthly 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
- Ronald J. Paul, Manager/Secretary
- Peter R. Henninger, Township Solicitor
- Jean R. Arroyo, Recording Secretary

Excused:

- Thomas L. Mehaffie III, Commissioner
- Christopher K. Bauer, P.E., HRG, Township Engineer

Residents and visitors in attendance:

- Phyllis Zimmerman (Patriot-News)
- Jim Lewis (Press & Journal)

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

PUBLIC COMMENTS: None

APPROVAL OF MINUTES:

A motion was made by Commissioner Loych, seconded by Commissioner Clark, to approve the Minutes of the September 15, 2010 Legislative Meeting. The motion was unanimously approved.

A motion was made by Commissioner Loych, seconded by Vice President Leonard, to approve the Minutes of the October 6, 2010 Workshop Meeting. The motion was unanimously approved.

APPROVAL OF BILLS:

A motion was made by Vice President Leonard, seconded by Commissioner Loych, to approve the Payment of Bills as presented on Warrant No. 2010-9. The motion was unanimously approved.

APPROVAL OF TREASURER'S REPORT:

A motion was made by Vice President Leonard, seconded by Commissioner Loych, to approve the Treasurer's Report for September 2010. The motion was unanimously approved.

ENGINEER'S REPORT:

Mr. Paul referenced Change Order Request #1, which is associated with the inspection process for the Meade Avenue project. The change order, in the amount of \$3,100.00, is for the purchase of an equipment package (desktop computer, printer, fax, copier, software, setup and maintenance) that is necessary for the project. In the past, when the project was a Penn DOT lead project, Penn DOT would provide this equipment. However, since the Township is the lead agency on this project, it is responsible for the purchase. Mr. Paul noted that HRG, the Township's administrative consultant on this project, did acknowledge and sign off on this change order; he requested the Board also acknowledge it. Change Order Request #1, in the amount of \$3,100, was acknowledge by the Board. Vice President Leonard questioned if the Township would be able to take possession of this equipment when the project is completed. Mr. Paul agreed to bring this question to the engineer's attention.

SOLICITOR'S REPORT:

Solicitor Henninger requested a brief executive session upon conclusion of this evening's meeting in order to discuss a personnel matter.

MANAGER'S REPORT:

Mr. Paul referenced the list of future meetings/events. He reported that the Planning Commission is still working with the developer on the request for student housing in the Eagle Heights Area. Other plans before the Planning Commission include a Land Development Plan for additional parking at the Penn State Campus, and a Subdivision and Land Development Plan for a medical facility on Route 230.

COMMITTEE REPORTS:

Police Committee – Commissioner Clark – no report

Public Works – Commissioner Loych – reported that the Public Works Department is currently working on the emergency access ramp between the on and off ramps on the Airport Connector. This project will be completed by Friday. The department is also sweeping and/or vacuuming leaves on selected streets throughout the Township. The dumpster will be available to Township residents on Saturday, November 6, from 8 AM – Noon.

Budget and Finance – Vice President Leonard – reported that the Finance Committee will meet early tomorrow morning to review the proposed 2011 Budget. He also thanked Representative Payne for presenting the Township with a check in the amount of \$15,000 during the recent Fire Department open house. The Fire Department was also presented a \$10,000 check by Representative Payne during this event. Vice President Leonard then reported that cash receipts for the month of September totaled \$570,373.59. Major sources of revenues were from the transfer from the bank for the residual funds left from the recreation/fire project; Act 511 taxes—including per capita, occupation and real estate transfer taxes; and other miscellaneous receipts. Cash expenditures totaled \$454,399.89 and were comprised of the two transfers to the payroll account, a \$100,000.00 transfer to PLGIT, various invoices related to the ongoing road work projects, and all invoices due and payable. Investments totaled \$788,858.45 with an average annual yield of 0.5%. Vice President Leonard informed the Board that the Fire Department is still going through the bid process for a new engine. In addition, with the blessing of the County and the Township, the Fire

Department is pursuing monies from gaming income and hopes to secure funds to purchase a new rescue truck. Both of the present vehicles are 1970 models, and need replaced.

Community and Economic Development – President Linn --- reported that he and Commissioner Loych had attended a very informative meeting with the Middletown Area School District and the Boroughs of Middletown and Royalton. Topics discussed included a county wide earned income tax collector and the future of the School District. Commissioner Loych, who was also in attendance, made copies of some of the information for the other Commissioners to review. Commissioner Loych stated that it was interesting to see what a mill equates to for other school districts. He added that the School District is really behind the eight-ball. Significant thought and planning is going on regarding future projects and how they will play out with the unfunded state and federal mandates that are being passed down to school districts. President Linn reminded the Board and public that the Lions Club Halloween Parade will be held this Thursday. The Lions Club will also be holding a spaghetti dinner this Saturday evening.

UNFINISHED BUSINESS:

A motion was made by Commissioner Clark, seconded by Vice President Leonard, to table the Final Subdivision Plan for Bryn Gweled East (26 lots), located along Lumber Street, immediately south of PA 283, prepared by Dauphin Engineering Co. and submitted by B W Partnership. The plan was recommended for approval by the Planning Commission on May 24, 2007. 90-day time extensions were granted by the Board on July 18, 2007, November 21, 2007, February 20, 2008, May 21, 2008, August 20, 2008, November 19, 2008, February 18, 2009, May 20, 2009, August 19, 2009, November 18, 2009, February 17, 2010, May 19, 2010, and July 21, 2010. The plan is due to expire on November 17, 2010. The motion was unanimously approved.

A motion was made by Commissioner Clark, seconded by Vice President Leonard, to table the Final Land Development Plan of Residential Retirement Community, Phase 1, located along Fulling Mill Road at the intersection of Nissley Drive, prepared by Navarro & Wright, Inc. and submitted by Fulling Road LLC. The plan was recommended for approval by the Planning Commission on November 15, 2007 with stipulations. The plan was due to expire on February 20, 2008. 90-day time extensions were granted by the Board on February 20, 2008, May 21, 2008, August 20, 2008, November 19, 2008, February 18, 2009, May 20, 2009, August 19, 2009,

November 18, 2009, February 17, 2010, May 19, 2010, and August 18, 2010. The plan is due to expire on November 17, 2010. The motion was unanimously approved.

A motion was made by Commissioner Clark, seconded by Vice President Leonard, to table the Final Subdivision Plan of Old Reliance Farms, Section 18-B (9 lots), prepared by Dauphin Engineering, Inc. and submitted by Old Reliance Partnership. The plan was recommended for approval by the Planning Commission on May 27, 2010. A 90-day time extension was granted by the Board on April 21, 2010. A one-year time extension was granted by the Board on July 21, 2010. The plan is due to expire on August 25, 2011. The motion was unanimously approved.

#### NEW BUSINESS:

A motion was made by Commissioner Loych, seconded by Vice President Leonard, to approve Ordinance No. 523. This ordinance authorizes execution of a Cable Franchise Agreement between the Township of Lower Swatara and Comcast of Southeast Pennsylvania, LLC. A roll call vote was taken with the following ballot tabulation: Commissioner Loych – aye, Commissioner Clark – aye, Vice President Leonard – aye, President Linn – aye. Ordinance No. 523 was approved by a 4 – 0 margin.

A motion was made by Commissioner Clark, seconded by Commissioner Loych, to approve authorization of payment for the Highspire Waste Water Treatment Plant BNR construction upgrades, Requisition No. 13, in the amount of \$317,575.06 to Highspire Borough Authority. The motion was unanimously approved.

A motion was made by Vice President Leonard, seconded by Commissioner Loych, to approve authorization of payment for the Middletown Waste Water Treatment Plant BNR construction upgrades, Requisition No. 7-A, in the amount of \$98,452.54 to Middletown Borough Authority. The motion was unanimously approved.

A motion was made by Vice President Leonard, seconded by Commissioner Loych, to approve authorization of payment for the Middletown Waste Water Treatment Plant BNR construction upgrades, Requisition No. 8-A, in the amount of \$177,615.96 to Middletown Borough Authority. The motion was unanimously approved.

A motion was made by Commissioner Loych, seconded by Vice President Leonard, to approve receipt of the 2010 Foreign Casualty Insurance allocation in the amount of \$177,916.33 to

be allocated to the pension plans as follows: Police Pension Fund -- \$75,868.00 and Non-uniform Pension Fund -- \$102,048.33. The motion was unanimously approved.

A motion was made by Vice President Leonard, seconded by Commissioner Loych, to approve the hiring of Daniel H. Nolte, effective November 1, 2010, as an Accountant in the Finance Department. The motion was unanimously approved.

A motion was made by Vice President Leonard, seconded by Commissioner Loych, to approve the list of budgetary adjustments for 2010, as submitted (please see attached list). The motion was unanimously approved.

FINAL COMMENTS:

Vice President Leonard referenced a letter from the Borough of Middletown recognizing the Lower Swatara Township Fire Department for providing excellent fire prevention programs to the Middletown Area School District.

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 7:18 P.M.

ATTEST:

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Ronald J. Paul  
Township Secretary

Lower Swatara  
Budget Adjustments to be Approved  
2010

G/L item	Item Description	Increase/de- crease original	Reason
<b>Revenues</b>			
301.400	Real estate taxes Delinquent	\$ 35,000.00	Change anticipated revenue from delinquent real estate taxes due to recent economic conditions
301.550	Real Estate taxes Delinquent for Fd	\$ 10,000.00	Add new general ledger number to separate the portion of delinquent taxes collected on behalf of the fire department
357.150	Grant	\$ 200,000.00	Increase due to receipt of the County Grant for the recreation project
362.410	Building permits	\$ (21,075.00)	Decrease anticipated revenues from building permits due to postponement of projects
362.450	Occupancy permits	\$ (200.00)	Decrease in occupancy permits issued due to fewer building permits
363.510	Contracted snow reim	\$ 35,100.00	Increase in state aid for snow due to harsh winter conditions
392.500	Transfer from 2006 Construction fund	\$ 257,462.00	Increase the transfer from the construction fund due to the project having been completed & to be in compliance with IRS directives
<b>Revenue Subtotal</b>		<b>\$ 516,287.00</b>	
<b>Expenditures</b>			
402.140	Salary Asst Acct	\$ 10,000.00	Prorated annual salary for asst accountant
402.156	Benefits	\$ 4,592.00	Prorated annual benefit for new position
402.161	Payroll taxes	\$ 765.00	Prorated annual taxes for new position
402.210	Supplies	\$ 500.00	Additional start up supplies for new position
402.260	Minor equipment	\$ 2,225.00	Start up equipment for new position (computer, etc)

Lower Swatara  
Budget Adjustments to be Approved  
2010

410.120 Wages, Chief	\$ 336.00	Adjust wages to be compliant with Chief's Parity Act 204
410.141 Officers wages	\$ 14,000.00	Prorated annual salary for new officer
410.156 Benefits	\$ 84,123.00	Addl benefits for new officers/transfer to PRHCF
410.161 Payroll taxes	\$ 1,500.00	Addl payroll taxes for new employee
410.354 Workers Comp	\$ 13,710.00	Addl workers comp due to history/claims
410.374 Auto repairs	\$ 7,000.00	Addl expenses for unforeseen repairs to squad cars
411.550 Tax for FD prior year(s)	\$ 10,000.00	Transfer of taxes collected as delinquent
414.313 Engineering	\$ 3,000.00	Costs to upgrade storm water mgmt Act 167
430.120 Salary, Superintendent	\$ 24,036.00	Prorated salary for new superintendent
430.156 Benefits	\$ 6,500.00	Addl benefits for new employee
430.161 Payroll taxes	\$ 2,000.00	Addl payroll taxes for new employee
432.740 Equipment Major	\$ 4,000.00	Adjust for purchase of PW spreader
432.750 Equipment Minor	\$ 8,000.00	Adjust for purchases/repairs due to severe winter storms
438.244 Materials & supplies	\$ 5,000.00	Expenses related to Fire Department crossover
492.300 Transfer to capital res	\$ 315,000.00	Transfer to capital reserve fund for future staffing and capital acquisitions
<b>Expenditures</b>	<b>Subtotal \$ 516,287.00</b>	