

MINUTES

NON-LEGISLATIVE MEETING

SEPTEMBER 1, 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
- Richard T. Wiley, Police Chief
- Robert S. Grauel, Public Works Director
- Jean R. Arroyo, Recording Secretary

Absent:

- Peter R. Henninger, Township Solicitor
- HRG, Township Engineer

Residents and visitors in attendance:

- Matt Genesio & Tim Sipe (KGH Properties)
- John Wilt
- Jim Lewis (Press & Journal)

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

PUBLIC COMMENTS: None

UPDATE BY KGH PROPERTIES ON PROPOSED STUDENT HOUSING PROJECT:

Matthew Genesio, KGH Properties, provided an update to the Board on what is happening with the proposed student housing project in the Eagle Heights area. He explained that they had met with the Planning Commission last week, and have also been in communication with many of the surrounding neighbors regarding concerns, criticisms, comments, etc. Right now, they are redoing the sketch plan and site plan layout and will bring these back to the Planning Commission at the end of this month. Mr. Genesio explained the revisions will take into consideration the vehicular access in attempts to keep the traffic out of the neighborhood. They will also take a look at density as it relates to the number of units on the site, and try to bring that more in line with the parking to fully accommodate the students. All of this will be redesigned with drainage in mind as well, so a lot of the buildings will be shifted around, especially on the lower end of the site. Mr. Genesio added that they are working as best as they can with the other developer of the two adjacent properties to try to come to some type of coordinated effort in development and construction of a pedestrian lighted foot path from the project to the University. They hope to be back to the Board soon with a revised plan.

Commissioner Loych asked how set KGH Properties is on this particular site. Mr. Genesio responded they are indeed set on this location. They like the location as it relates to the Campus and also like how it relates to the Borough and Main Street, as a kind of gateway entrance to the west of the potential businesses as well as the downtown Borough area. Commissioner Loych asked if there was ground abutting the Campus that would be more conducive to that type of setting. Mr. Genesio stated that they did explore a lot of the land, especially the buildings for sale that do abut the Campus. Frankly, the price tag is very high, so high that Penn State cannot even afford to purchase them.

Tim Sipe, also with KGH Properties, explained that they had previous dealings in their last project with the Borough of Middletown. During that time, they worked with the Borough's Economic Growth Development division. That is what turned them on to this particular property. It was for sale and it coordinated with some of the efforts they were trying to do down in the Borough. Mr. Sipe added that KGH Properties also meets regularly with the University, and is getting feedback from the families of the people currently in the existing projects that they would like to be as close to the Campus as possible, but would prefer being walking distance from such amenities as grocery stores, pizza shops, etc., rather than close to a commercial area. Mr. Sipe also

stated that the growth plan of the University projects a lot of its future education buildings to be designed to come down the hill towards Main Street, as opposed to out back near the large parking lot area.

Commissioner Loych asked if they had looked into whether this housing can actually be legally restricted to the students at Penn State. Mr. Genesisio said they are definitely gearing towards student housing, and are presently in discussions with their attorney, as they don't want to violate any discrimination or housing laws. Commissioner Loych said he would be interested in hearing the response from the attorney. Mr. Sipe added that they are also looking to word the zoning change or special exception to address this issue. They have worked in other municipalities where the zoning codes were worded to have student separation zones where property owners would be legally forced to either solely rent to students or prohibit renting to students.

President Linn reiterated that he is happy that the concept is being presented to the Board again, and stressed that the Board has faith in its Planning Commission to go over the plans thoroughly before they eventually are presented to the Board of Commissioners.

FIRE DEPARTMENT REPORT:

Chief DeHart reported that calls for the month of August totaled 44, for a total of 351 thus far into the year. Average personnel for fire calls this year is nine.

The Fire Department has submitted the Casino Grant to the County for a new Rescue. The amount being requested is \$583,000. Bids for the engine are still being reviewed; prices range from \$298,000 - \$389,000.

Dale Rider is anticipated to be the new Treasurer for the Department. The Department is looking into using the same accounting system as the Township uses because of the audit trail. Chief DeHart asked that everyone bear with the Department as it makes these changes.

The August Biker Breakfast had approximately 140 people in attendance, despite the pouring rain. The next breakfast is scheduled for September 26, and the Department is looking for someone to perform a "sunshine dance" for this event.

Other future activities of the Fire Department include the Auxiliary's Pork dinner on September 19 and the Open House on October 7, from 6 PM – 8 PM.

Chief DeHart reported that the Fire Department had a tour of the new freshmen dorms at Penn State – Harrisburg. He added that the Fire Department has its student live-ins back at the station. There are presently four live-ins, and a fifth individual has submitted an application.

PUBLIC WORKS DEPARTMENT:

Mr. Grauel introduced Steve Anderson to the Board and public. Mr. Anderson will be replacing Mr. Grauel as Public Works Director when he retires at the end of this year.

Mr. Grauel reported that the Department has started the Longview Drive construction project. The shoulders have been pulled to widen the road, all storm drains and pipes have been flushed and repairs made as needed. All sections of the road needing repair were marked and are currently being cut and repaired. The Department will start base repair next week with binder and a leveling course. The wearing course will be applied the week of September 16; this project should be completed by September 20.

Opening Day for Soccer was held on August 28. Mr. Stokes, President of ORSA, was very pleased with all the fields. The Department aerated and slit-seeded the four main fields; Paul Wagner graciously allowed use of his aerator and tractor. Mr. Grauel also conveyed thanks to Tom Williams for use of his slit-seeder. President Linn noted that these two individuals saved the Township a great deal of money by volunteering use of this equipment; he suggested a thank-you note be sent. Mr. Grauel added that the Department has also prepared all the ball fields for the fall season, although it appears only one of the fields will be used for fall ball.

Mr. Grauel concluded his report by noting that the dumpster will be available to Township residents on Saturday, September 11 from 8 AM – Noon. This is the second Saturday of the month due to the holiday weekend.

President Linn welcomed Mr. Anderson on board. Mr. Anderson stated that he appreciates the opportunity given him. President Linn added that he had also attended Opening Day of soccer, and was very pleased with the fields and the turnout. Even though there were a tremendous amount of people in attendance, parking was not a problem. He thanked the fire police for its assistance with the parking control.

POLICE DEPARTMENT REPORT:

Chief Wiley reported that the PCCD (Pennsylvania Commission on Crime and Delinquency) grant for interoperability of all agencies has been approved, although the amount has been reduced. This will tie the other records management systems together in order to allow distraction of information and communication. However, this still doesn't meet the goal to have all agencies using the same records management system.

Thefts from autos are still being experienced. There was an arrest of two juveniles and one adult pertinent to thefts from vehicles in the Market Street Extended area. Chief Wiley explained the Department is targeting other areas where thefts from vehicles are occurring. He explained that there appears to be multiple offenders, but the common factor is that every single one of these thefts has been from unlocked vehicles, with valuables clearly in sight. President Linn agreed that it is important for people to lock their vehicles, as well as their homes, to discourage this type of crime.

Chief Wiley also reported that there appears to be a slight increase in domestic violence in the community.

PLANNING AND ZONING/MANAGER'S REPORT:

Mr. Paul updated the Board on the Meade Avenue construction project. The revised construction schedule from the contractor should be in hand shortly. Also pending is the agreement that needs to be entered into with SARAA for the staging (job trailers, etc.). They are also in the process of scheduling the utility meeting with the various utilities. A site meeting with the Conservation District is scheduled for September 8, at 9:00 A.M. Mr. Paul added that the Township is trying to expedite the contractor to move as quickly as possible on this project.

Mr. Paul noted that he had emailed the Board members copies of the Comcast Franchise Agreement and accompanying ordinance; this will appear on the September agenda for action. Solicitor Henninger will be asked to review this document when he returns from vacation.

Another item for the September agenda is approval of a Scope of Work from HRG, in the amount of \$3,000, to upgrade the Township's Stormwater Management Ordinance.

Mr. Paul also advised the Board that the Public Works Department has submitted its contract negotiation requests. He added that salary is the only negotiable item for year 2011. President Linn asked Commissioner Loych to get with the Public Works Department regarding the upcoming budget.

Mr. Paul informed the Board that Daryl Peck, the Board's financial advisor on the 2006 Bond Issue, has been in contact with him regarding the potential for a refinance of the bonds since interest rates have fallen dramatically over the past months. Based on current market conditions, the Township could save approximately \$120,000 by refinancing its 2006 Bonds. This amount represents 2.68% of refunded principal which is just under the 3% threshold often used by municipalities in determining the appropriateness of proceeding with a refinance. Another .05% reduction in interest rates would get the Township to that 3%, which would equate to about \$135,000 in savings. Mr. Peck will continue to watch conditions and advise the Board accordingly.

FINAL COMMENTS:

Commissioner Clark asked who the contractor is for the Meade Avenue project. Mr. Paul responded that it is Leon Wintermeyer.

Commissioner Mehaffie reported that on September 18, an Airport Disaster Exercise will be held. This will be a full-scale disaster exercise – the Fire Department, Police Department, and EMA will all be involved. He also reported that this past Saturday, he had the pleasure of presenting a commendation to William Patrick Simms, Boy Scout Troop 205, during his Eagle Scout Award presentation. Commissioner Mehaffie stated that he never realized only a small percentage of scouts get this honor. Commissioner Mehaffie also reported that he had recently accompanied Mr. Paul and Mr. Cinchy (HRG) on a tour of the Highspire Wastewater Treatment Plant. He stated that the plant is quite impressive; the entire Board will be offered a tour of the plant when it has been completed.

Vice President Leonard stated that as the Board is well aware, budget time is around the corner. He asked the department heads to begin looking at their needs for the new year. Vice President Leonard also reported that the Recreation Board met last week, and discussion ensued on the public pool. Concerns were expressed that the Department of Conservation and Natural Resources (DCNR) had not yet approved the pool design. After a few phone calls were made, Clark Designs, the pool designer, submitted everything to DCNR for the approval process. This should allow bids to go out, and the Borough of Middletown to proceed. Vice President Leonard reported that he would also like to see a sunshine dance for the next biker breakfast; six out of the nine breakfasts were held during rainy Sundays. He added that the Fire Department's Breast Cancer Ride did go off, despite heavy rains. This event will be held again next year.

ADJOURN:

Hearing no other business, a motion was made by Commissioner Loych, seconded by Vice President Leonard, to adjourn. The motion was unanimously approved, and the meeting adjourned at 7:31 P.M.

ATTEST:

Ronald J. Paul,
Manager/Secretary