

MINUTES

MARCH 5, 2014 WORKSHOP MEETING

LOWER SWATARA TOWNSHIP BOARD OF COMMISSIONERS

The March 5, 2014 Workshop Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Thomas L. Mehaffie III. President Mehaffie called for the pledge of allegiance followed by a moment of silence.

Roll call was taken with the following officials in attendance:

- Thomas L. Mehaffie III, President
- Jon G. Wilt, Vice President
- Laddie J. Springer, Secretary
- Michael J. Davies, Commissioner
- Samuel Monticello, Township Manager
- Peter R. Henninger, Solicitor
- Erin Letavic, HRG, Township Engineer
- Richard D. Brandt, Police Chief
- Steven W. Anderson, Public Works Director
- Tracey L. Bechtel, Recording Secretary

Absent:

- Dominic D. DiFrancesco II, Commissioner

Residents and visitors in attendance:

PLEASE SEE ATTACHED SIGN-IN SHEET

President Mehaffie welcomed the visitors to the meeting and opened the floor for public comment.

PUBLIC COMMENTS: None

PRESENTATION OF SKETCH PLAN, 140 FULLING MILL RD.

Jim Clymer, Key Development Group, explained that he is acting as the development manager for MRP Industrial, the project owner and the developer. Reid Townsend, MRP, is the owner's principal managing this project, but was unable to be here this evening. Other

representatives in attendance include Attorney Charles Suhr of Stevens and Lee and Brian Evans, President and owner of Evans Engineering Inc. Mr. Clymer noted that they have filed an application for several dimensional variances with the Zoning Hearing Board and plan to appear at its March 26 meeting. They also plan to file the Land Development Plan and Stormwater Management Plan by March 13, and will appear at the March 27 Planning Commission meeting. After the plans are prepared, they hope to meet with Police Chief Brandt, the EMS Coordinator, and the Fire Marshal to review plans and get input. Evans Engineering is proceeding with the NPDES filings and the HOP applications. The engineers have also had working meetings with both DEP and PennDOT; all parties agree upon the approach and process. An aggressive schedule is anticipated with construction planned to begin mid-summer of this year.

Brian Evans presented the Sketch Plan for MRP Industrial. This will be a 250,000 square foot warehouse distribution facility located along Fulling Mill Road, directly across what is under construction for Federal Express, on a cul-de-sac type dead-end road coming down to the Swatara Creek. There will be an access coming onto Fulling Mill Road which will serve as the primary entrance for both cars and trucks, and an exiting lane further to the east. The design does show the ability to provide all automotive parking spaces required by ordinance. One of the variances requested, however, is relief from the requirement to install all these parking spaces immediately. It was noted that all stormwater management and devices will be designed to accommodate the full construction of the parking area. All truck loading and storage will be to the rear of the facility, along Route 238. Another variance requested will be to allow a building height of 46', which is in excess of what is permitted. The building will be fully sprinklered. There will be a full circulation loop and stormwater facilities in the front and rear. This plan will abide by the Township's floodplain ordinance. As part of the project, the lot will be subdivided. The property is located at 140 Fulling Mill Road, and is split zoned within the Industrial (I) District and the Conservation (C) District. A variance will be requested to permit an Extension Area to 75 feet into the adjoining zone.

President Mehaffie referenced the proposed subdivision, and inquired as to the size of Lot B. Mr. Evans stated that the size of Lot B is currently shown at about 11.6 acres. Ms. Letavic added that this also includes the southern portion. Solicitor Henninger asked if Mr. Church will maintain the ownership of the Conservation land. Mr. Evans explained that MRP Industrial is purchasing the overall tract; Mr. Church is not intended to retain Lot B.

Details regarding the ability for Mr. Church to access his property on the other side of Route 283 are still being refined.

In response to a question from Commissioner Davies, it was estimated that the facility will generate about 419 daily trips, with about 27 new peak hour trips during the a.m. peak hour and about 30 new peak hour trips in the p.m. peak hour. This will not be a high volume site.

Ms. Letavic added that she has been working with the developer during the sketch plan phase, and feels what is being proposed appears to be a use that would complement the rest of the development in this area, which is zoned Industrial.

President Mehaffie asked for more details on the parking variance requested. Mr. Evans explained that the Township's ordinance for warehousing requires one parking space for every 1,000 square feet of warehouses. Therefore, 250 spaces would be required just for the warehouse sitting there. In addition, it requires one space for every two employees on the maximum shift. Adding the 250 to the employee requirements would equate to about 295 spaces required by ordinance. Mr. Evans explained that they do not envision this facility requiring that many spaces. The site will be designed to make room for the 300 spaces in order to meet the requirements. In lieu of actually installing these future spaces, however, they will ask the Zoning Hearing Board for relief from putting in the hard asphalt paving now. If the spaces are needed in the future, there will be the ability to install them. Basically, what is being requested from the Zoning Hearing Board is a variance to defer installation of the actual parking spaces. President Mehaffie asked what would trigger the requirement to install the additional spaces. Mr. Clymer explained that the market actually turns out to be the trigger. Plans are to grade it to sub grade, put back a few inches of topsoil and plant some seed so that it is attractive, yet allows the additional parking to be put in quickly if necessary. At present time, there are about 135 parking spaces. Vice President Wilt asked how many will be employed at the site. Mr. Evans estimated about 85 employees. President Mehaffie inquired if the 135 parking spaces include the truck parking in the back. Mr. Evans stated that it does not. There are 58 trailer spaces in the rear that are used strictly as storage spaces, not including dock spaces. There will be about 50 dock spaces maximum.

Hearing no other questions or comments, President Mehaffie thanked the representatives for presenting this sketch plan to the Board.

DEPARTMENT REPORTS:

Fire Department – Fire Chief Chris DeHart -- referenced the 2013 report that was provided to each Commissioner. He asked that the Commissioners take some time to review it, since it is full of useful information such as calls statistics, apparatus, projects and events the Department has been involved with this past year, etc. Chief DeHart also referenced a letter from the ISO (Insurance Services Office); the Department met with them back in November to go over the requirements. The rating stayed the same – a 5 – so Township insurance rates should not go up. Chief DeHart added that this rating is very good, and thanked Alan Knoche and Don Fure for their assistance in obtaining the information submitted to the ISO. Chief DeHart also discussed the letter of approval from Dauphin County for a grant to purchase a boat and utility truck. He will work with Mr. Monticello and Solicitor Henninger on the actual grant application when it arrives from the County. Chief DeHart informed the Board that he was in Louisiana last month for the final inspection on the new rescue. The punch list of items that needed correcting has been addressed, and the rescue should be here within three weeks. After equipment is installed and training is completed, the rescue will be put in service. This should be sometime in May. Calls for the month of February totaled 49, with 98 total calls so far in 2014. President Mehaffie congratulated Chief DeHart and the Fire Department for the grant award. He also inquired what the plans are for the old rescue. Chief DeHart responded that it will be put out for sale. In response to a question from President Mehaffie, Chief DeHart stated that the old engine is still for sale, with an asking price of \$20,000. President Mehaffie suggested that the COG may be able to help through its auction process. Mr. Monticello remarked that he is very impressed with what he has heard about the Lower Swatara Fire Department and hopes to be given a tour of the facility. Chief DeHart stated that he will be glad to arrange this.

Police Department – Chief Brandt – referenced the monthly report, and stated that it was a good month, with low crime. There were 874 calls for service, which is a pretty typical number as of late. There were 28 total arrests, 121 traffic citations, 119 warnings, and 13 non-traffic citations. Chief Brandt referenced a sample invoice relative to the Crimewatch initiative started by the District Attorney's office at the end of 2012. This sample invoice shows the actual costs involved with setting up a website for the police department. There would be no charge for the licensing fee (ordinarily \$2,500) since this would be picked up by the County. The regular fee for maintenance would be \$200/month for 36 months (\$7,200). However, the County has

worked out a deal where the first three years of service would be a total of \$2,700. At the end of those three years, however, the fees would revert back to \$2,400 a year. A discount would be available for multi-year purchases, but would not be as good as this initial rate. Chief Brandt stated that this is not a pressing matter, but something for the Board to consider in the future. He added that he would first like to meet with Mr. Monticello to explain and discuss this program with him. President Mehaffie thanked Chief Brandt for the allowing the opportunity for the Personnel Committee (President Mehaffie and Vice President Wilt) to meet with him, the five new officers, and Sergeant Young, to exchange feedback. Chief Brandt noted that the officers also appreciated this meeting.

Public Works Department -- Steve Anderson -- reported that the Department has been busy with snow events. Cindering and plowing operations have been ongoing, and the Township's salt supply was depleted for the fourth time this season. There are 300 tons of salt on back order, and a shortage of salt in the region. All trucks are being looked over and prepared for future winter events. They have been emptied, washed and inspected, and the fleet is fully operational. The Police Department was extremely helpful in keeping the cars off the street during all the snow emergencies. This saved the road crew substantial time. Mr. Anderson reported that recent road work includes repair of Wood Street and other areas with potholes. PennDOT has also been notified of potholes on state roads. The Department has picked up a lot of tree debris with the chipper and most of the wood is off the roadway. Cold patching will be done next week, weather permitting. The Department was also involved in flagger training. Mr. Anderson informed the Board that PennDOT plans to repave Route 230 from Tioga Avenue to Colebrook Road. While this is a PennDOT project, the Township is being asked for its input. Mr. Anderson noted that he plans to speak to them about fixing Wood Street. PennDOT will also be realigning the Route 283/Eisenhower Boulevard interchange. There will be a resolution required to approve a new traffic signal at this location. Details will be forthcoming. In addition, PennDOT will be closing Route 283 eastbound from Eisenhower Boulevard to the Route 441 exit in order to repair a sinkhole. PennDOT anticipates that this will be a three-day project, and it will be working out details regarding the closing and re-routing of traffic. Mr. Anderson concluded his report by reminding the Board and residents that the dumpster will be on Saturday, April 5, from 8:00 A.M. to noon. Mr. Monticello added that he and Mr. Anderson met this week

and had preliminary discussions on the paving schedule for the upcoming spring/summer season. This will be discussed with the Board.

Planning and Zoning Report/Engineer's Report – Ms. Letavic – reported that the Planning Commission's February meeting was cancelled due to a lack of projects. The Zoning Hearing Board did meet last week relative to the Middletown Area School District's new high school project, which was recently conditionally approved by the Board of Commissioners. The Zoning Hearing was relative to signs, and the sign variances were approved with restrictions. The restrictions were on the size of non-informational signs and electronic signs proposed. The formal decision will be forthcoming and will be distributed to all parties at that time.

Ms. Letavic distributed hand-outs from HRG related to the new Transportation Bill for 2013 (Act 89). She also provided the Board with some follow-up information and available resources as discussed at Senator Folmer's Municipal Grant Workshop. Ms. Letavic referenced the Harrisburg Area Transportation Study 2040 Regional Transportation Plan. Last meeting, the Board had authorized HRG to complete the paperwork to continue to keep the Oberlin Road project included in the study. This was done, and the Oberlin Road Project Description was forwarded to the Tri-County Regional Planning Commission for its consideration.

Ms. Letavic reminded the Board that a Stormwater Ordinance Revision – Act 167 – is proposed. This ordinance language will be revised by the Engineer and Solicitor, and presented to the Planning Commission for comment at its March meeting. The Greenfield Well yield test is on hold until the weather cooperates. The Hazard Mitigation Grant Program Property Demolition grant close out is anticipated to be completed by the second quarter of 2014. Ms. Letavic stated that there is no further update regarding the Hazard Mitigation Grant Program property tree plantings.

Ms. Letavic reviewed a draft of the PADEP MS4 Chesapeake Bay Pollutant Reduction Plan, which should be formally approved at the March 19 legislative meeting, in advance of submission to PA DEP by April 1. This is part of the new MS4 program requirements. There have been MS4 violations issued to local municipalities, and the penalties for these violations were steep. HRG is doing its best to keep its clients in compliance. The Board was encouraged to read the document and call Ms. Letavic with any questions or suggested revisions by next week. The Board was also provided with a document related to the six minimum control measures, which are procedures that DEP wants the Township to have in place. Again, the

Board was encouraged to review this document and submit any suggested changes to Ms. Letavic. Commissioner Davies stated that the review just provided had already answered his question on whether the hazard mitigation tree planting can somehow be woven into this. Ms. Letavic agreed that it definitely can. This would be good floodplain management, and there are free trees available if desired. Commissioner Davies asked if stream beds are the property of the Commonwealth. Ms. Letavic confirmed that they are. President Mehaffie asked if this plan also needs to be run by the Municipal Authority. Solicitor Henninger agreed that it does, since there are stormwater implications involved. Ms. Letavic explained that if the Board grants approval in two weeks, it can then be forwarded to the Municipal Authority for its approval and still meet the April 1 deadline

MANAGER'S REPORT:

President Mehaffie introduced the new Township Manager, Sam Monticello. He welcomed Mr. Monticello and thanked him for the work he's put in already. Mr. Monticello stated that he would like to publicly thank the Board for affording him this opportunity to serve as Manager. He stated that he is pleased to be here, and intends to continue to move the Township forward. Mr. Monticello noted that he has met all the employees. The Township has a good work force, and he is looking forward to being part of it.

Mr. Monticello reported that he was served with the police department's list of wants, as its contract expires at the end of this year. This will be discussed with the Board in further detail. The Township is in the processing of accepting applications for two positions: a Planning & Zoning Coordinator and an Administrative Assistant for the Code Department.

Mr. Monticello provided the Board with a copy of a letter addressing concerns of the residents in the vicinity of the new Campus Heights student housing project relative to conditions during the construction. Mr. Monticello noted that after visiting the site to hand-deliver the letters, he does understand their frustration. There are things that should turn around in the next several weeks, as the weather breaks. Mr. Monticello extended an invitation to residents to call him with any concerns, and he will serve as a conduit to the Board to help resolve any issues.

SOLICITOR'S REPORT:

Solicitor Henninger welcomed Mr. Monticello on board, and stated that he is looking forward to working together. He noted that the Board was provided with a draft of a standard resolution which would adopt procedures to govern the procurement of professional services contracts regarding the Uniformed and Non-Uniformed Employees Pension Plans. This was suggested for adoption as a result of the recent audit of the pension plans. This resolution will appear on the March 19 legislative agenda for formal action.

Solicitor Henninger also referenced correspondence he had provided the Board regarding two separate assessment appeals. He suggested the Board take action on these two items this evening. A motion was made by Vice President Wilt, seconded by Commissioner Davies, to authorize an expenditure not to exceed \$891.00 to cover expert witness appraisal fees and possibly testimony in connection with the assessment appeal of Shri Sai Middletown, LLC (815 Eisenhower Blvd., Best Western Harrisburg Airport). The motion was unanimously approved. A motion was made by Commissioner Davies, seconded by Commissioner Springer, to authorize an expenditure not to exceed \$891.00 to cover expert witness appraisal fees and possibly testimony in connection with the assessment appeal of Capitol Business Center (400 and 401 First Street; 400 First Street Expansion; 500 Industrial Lane). The motion was unanimously approved.

Solicitor Henninger requested a brief executive session immediately upon conclusion of this meeting in order to update the Board on several pending litigation matters, including the issue with Middletown Borough Authority Waste Water Treatment Plant and an ongoing issue with Double M Development.

President Mehaffie added that he would also like to request an executive session in order to discuss personnel matters.

President Mehaffie noted that he had one additional item for formal approval tonight. He asked for a motion to hire Mike Miller from Eckert Seamans to serve as the Township's labor attorney for 2014. A motion was made by Vice President Wilt, seconded by Commissioner Springer, to hire Mike Miller from Eckert Seamans to serve as the Township's labor attorney for year 2014. The motion was unanimously approved.

FINAL COMMENTS:

Ms. Letavic and the Board members welcomed Mr. Monticello to his new position as Township Manager.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

With no further business to discuss, a motion was made by Vice President Wilt, seconded by Commissioner Davies, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 8:12 P.M.

ATTEST:



PLEASE **PRINT** NAME CLEARLY

Board of Commissioners Workshop Meeting – March 5, 2014

NAME	ORGANIZATION (IF APPLICABLE) OR ADDRESS
Charles Sulw	MRPE.
Chad Gradfelter	hrs
BRIAN T. Ewos	Ewos Engineering Inc. /MRP
Mike William	
Lin Clyner	Ken Dev. /MRPT.
Muelle Barrett	P+J
Chris DEWai	LSPU
Phyllis Zimmerman	Patriot-News/PennLive