

AGENDA

LEGISLATIVE MEETING.....NOVEMBER 19, 2014.....7:00 P.M.

1. Call to order.
2. Pledge of allegiance.
3. Roll call.
4. Welcome to visitors/public comment.
5. Approve Minutes of the October 15, 2014 Legislative Meeting.
6. Approve Minutes of the November 5, 2014 Special Budget Meeting.
7. Approve Minutes of the November 5, 2014 Workshop Meeting.
8. Approve Payment of Bills – Warrant No. 2014-10.
9. Approve Treasurer’s Report for October 2014.
10. Monthly financial statements.
11. Engineer’s Report.
 - Approve/reject, in whole or in part, a proposal for engineering services with respect to truck restriction studies on select roads in the Township.
12. Solicitor’s Report.
13. Manager’s Report
 - Approve/reject execution of the Greenways, Trails and Recreation Program commitment letter and grant agreement in the amount of \$190,000.

Future Meetings/Events:

Nov. 20	2 PM – 7 PM	PA Dept. of Health Potassium Iodine Distribution
Nov. 24	7 PM	Municipal Authority Meeting
November 27 – 28		Thanksgiving Holiday – Township Offices Closed
December 2	7 PM	Zoning Hearing Board
December 3	7 PM	Board of Commissioners Workshop

14. COMMITTEE REPORTS:

- a. Police Committee – Vice President Wilt (Community Development, Personnel, liaison to EMS, liaison to PSU Advisory Board, member of Non-Uniform Pension Advisory Board).
- b. Public Safety – Commissioner Springer (Police Committee, Public Safety Committee, Building Committee, liaison to EMA, liaison to Olmsted Recreation Board, liaison to Middletown School Board, liaison to PSU Advisory Board, member of Police Pension Advisory Board) .
- c. Budget and Finance – Commissioner Davies (Public Safety, liaison to Olmsted Recreation Board, liaison to Dauphin County Agency on Aging, Alternate to COG, member of Police Pension Advisory Board).
- d. Community and Economic Development Committee – Commissioner DiFrancesco (Public Works, Building Committee, liaison to Fire Department, Delegate to COG, Non-Uniform Pension Advisory Board).
- e. Public Works – President Mehaffie (Public Safety Committee, Budget & Finance, Personnel, liaison to Olmsted Regional Recreation Board, liaison to Municipal Authority).

15. UNFINISHED BUSINESS:

- A. Approve/reject the Final Land Development Plan of Residential Retirement Community, Phase 1, File #2007-14, 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, August 18, 2010, November 17, 2010, February 16, 2011, May 18, 2011, August 17, 2011, October 19, 2011, January 18, 2012, April 18, 2012, July 18, 2012, October 17, 2012, January 16, 2013, April 17, 2013, July 17, 2013, October 16, 2013, December 18, 2013, March 19, 2014, June 18, 2014, and October 1, 2014. The plan is due to expire on January 8, 2015.
- B. Approve/reject the Final Land Development Plan for Middletown Home Access Driveway/Parking Revisions, prepared by Schlouch, Inc. and submitted by the Middletown Home. The initial Plan submitted was due to expire on May 29, 2013. 90-day time extensions were granted by the Board of Commissioners on May 15, 2013, August 21, 2013, November 20, 2013, February 19, 2014, May 21, 2014, and October 15, 2015. The plan will expire on February 16, 2015.

- C. Approve/reject the Susquehanna Area Regional Airport Authority (SARAA) sewage planning module for the North 29 Area (land where Sheetz and other commercial properties are planned to be built) requesting that the sewage be sent to SARAA's treatment plant instead of Middletown Borough Authority as would be required according to their location within the sewage area. Lower Swatara Township Authority's agreement with the Middletown Borough Authority reads that sewage in the designated area shall be exclusively treated at Middletown Borough's treatment plan. The Planning Commission approved the planning module, conditioned upon SARAA getting Middletown Borough to agree that the exclusivity can be waived in this instance or upon proof that the exclusivity portion of the agreement does not apply to SARAA because of established Authority statuses. The burden of proof is on SARAA at this point. The planning module was due to expire on January 23, 2014. The Board of Commissioners granted a 90-day time extension on January 15, 2014, April 16, 2014 and July 2, 2014. The Board granted a 120-day time extension on October 1, 2014. The plan is due to expire on February 17, 2015.
- D. Any other Unfinished Business.

16. NEW BUSINESS:

- A. Approve/reject advertisement of the 2015 General Fund Budget.
- B. Approve/reject Ordinance No. 554. This ordinance amends the Code of Ordinances, No. 448, as amended, and supplemented, Chapter 1, Administration and Government, Part 7, Police Pension Plan Fund, in order to comply with the overturning of the Defense of Marriage Act, and response to the subsequent ruling that 23 PA. C. S. Sections 1102 and 1704 are unconstitutional with regards to the definition of "spouse".
- C. Approve/reject Ordinance No.555. This ordinance amends the Code of Ordinances, No. 448, as amended, and supplemented, Chapter 1, Administration and Government, Part 6, Non-Uniform Pension Plan Fund, in order to comply with the overturning of the Defense of Marriage Act, and response to the subsequent ruling that 23 PA. C. S. Sections 1102 and 1704 are unconstitutional with regards to the definition of "spouse".
- D. Approve/reject a two-year contract extension (1/1/15 – 12/31/15 and 1/1/16 – 12/31/16) with Penn Waste, Inc. for residential municipal waste and recycling services.

- E. Derry Township has submitted an invitation for comments on a proposed amendment to the Township's Comprehensive Plan in accordance with Section 302.(a) of the PA Municipalities Planning Code. The proposed amendment is to modify the Comprehensive Plan Future Land Use Plan by changing multiple parcels of land located along the west side of Middletown Road from Agricultural/Conservation (A/C) and Village Residential (VR) classifications to an Attached Residential (AR) classification. Comments are requested within 45 days from October 24, 2014. See attached supporting information.
 - F. Any other New Business.
- 17. Good and welfare.
 - 18. Adjourn.