

## AGENDA

### **LEGISLATIVE MEETING.....APRIL 16, 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 March 19, 2014 Legislative Meeting.
6. Approve Minutes of the April 2, 2014 Public Hearing.
7. Approve Minutes of the April 2, 2014 Workshop Meeting.
8. Approve Payment of Bills – Warrant No. 2014-3.
9. Approve Treasurer’s Report for March 2014.
10. Monthly financial statements.
11. Planning & Zoning/Engineer’s Report.
12. Solicitor’s Report.
13. Manager’s Report

#### Future Meetings/Events:

April 18		Good Friday – Township Offices Closed
April 19	10 AM	Lions Club Easter Egg Hunt
April 24	7 PM	Planning Commission Mtg.
April 26		Opening Day of Baseball (Memorial Field)
April 28	7 PM	Municipal Authority Mtg.
April 30	7 PM	Zoning Hearing Board Mtg.
May 7	6 PM	Recreation Board Mtg.
	7 PM	Board of Commissioners Workshop Mtg.

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, 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, and March 19, 2014. The plan is due to expire on July 12, 2014.
- B. Approve/reject the Revised Land Development Plan for KGH Properties – Campus Heights Village Wood Street Access, prepared by Forino, Inc. and submitted by Campus Heights Associates I, LP. The initial Plan submittal was due to expire on December 26, 2012. A 90-day extension was approved by the Township on December 19, 2012. Additional 90-day time extensions were approved by the Township on March 20, 2013, June 19, 2013, September 18, 2013, December 18, 2013 and March 19, 2014. The plan will expire on June 19, 2014. This plan remains tabled by the Planning Commission.

- C. 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 and February 19, 2014. The plan is due to expire on May 24, 2014. The plan remains tabled by the Planning Commission.
- D. 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 plant. 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 statutes. 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. The plan will expire on April 23, 2014.
- E. Any other Unfinished Business.

16. NEW BUSINESS:

- A. Approve/reject the Preliminary/Final Subdivision and Land Development Plan for 140 Fulling Mill Road, prepared by Evans Engineering, Inc. (EEI) Consulting Engineers and submitted by MRPI Fulling Mill, L.P. The plan was recommended for approval by the Planning Commission on March 27, 2014 with stipulations. The plan is due to expire on June 25, 2014.
  - a. Grant/deny a request for an "Alteration of Requirements" for a waiver of the following requirements of the Code of Ordinances, Chapter 22, Subdivision and Land Development and Chapter 26, Water:
    1. Separate preliminary plan (§22-404)
    2. Township's minimum site distance (§22-502.8)
    3. Curbs along Fulling Mill Road (§22-606)
    4. Sidewalk along Fulling Mill Road (§22-607)
    5. Proposed grade of driveway greater than one-foot below the 100-year floodplain elevation (§22-509.4)
    6. Stormwater facilities' bottom elevations below 100-year floodplain elevation (§26-126.2.J)
    7. Stormwater basin dewatering in less time period less than 24-hours (§26-126.2.H)

- B. Approve/reject the Preliminary/Final Land Development Plan for Capital Valley Business Park – Building ‘C’, prepared by LSC Design submitted by Capital Valley, L.P. The plan has been tabled by the Planning Commission. The plan is due to expire on June 9, 2014.
- C. Approve/reject Ordinance No. 553. This ordinance amends the Code of Ordinances of Lower Swatara Township, Ordinance No. 448, as amended, Chapter 26, Water, Part 1, Stormwater Management, Part C, Stormwater Management Standards. Section 26-117. Exemptions/Modifications. Subsections 4, 5, and 10, to provide new minimum separation distance standards, multiple impervious area standards, discharge standards, separation area standards, setting forth requirements for additional stormwater management controls, the obligation to meet other requirements, setting forth municipal decision criteria and adopting a new appendix showing an example of a residential use exemption and appendix setting forth an example of an agricultural use exemption.
- D. Approve/reject, in conjunction with the Turnpike Bridge Replacement Project, the renaming of a portion of Nissley Drive between Rosedale Avenue and Donald Avenue to “Baker Avenue”.
- E. Approve/reject Herbert, Rowland & Grubic’s scope of work, dated April 10, 2014 to provide funding assistance for the design and construction of the Richardson Road Bridge.
- F. Approve/reject authorization of payment for the Middletown Borough Authority Wastewater Treatment Plant Blatt & Myers, Inc. claim for: litigation fees from Wix, Wenger & Wiedner, in the amount of \$1,861.74; mediator fees from Venzie, Phillips & Warshawer, in the amount of \$1,530.00; and professional fees from The Rhodes Group, in the amount of \$9,403.23 to Middletown Borough Authority.
- G. Acknowledge the hiring of the following individuals:
- Tonya Bibb-Sakr as Administrative Assistant for the Code Department, effective April 3, 2014.
  - Barbara A. Richards as Receptionist, effective April 7, 2014.
  - Robert S. Greene as Planning and Zoning Coordinator, effective April 14, 2014.
  - Rodger L. Mason, Jr. as Mechanic, effective May 5, 2014.
- H. Approve/reject the appointment of Robert S. Greene as Sewage Enforcement Officer effective immediately.
- I. Any other new business.
17. Good and welfare.
18. Adjourn.