

MINUTES

LEGISLATIVE MEETING – DECEMBER 16, 2015

The December 16, 2015 Legislative 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 and 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 , Assistant Secretary
- Dominic D. DiFrancesco, Commissioner
- Anne Shambaugh, Interim Manager
- Peter R. Henninger, Solicitor
- Erin G. Letavic, HRG, Engineer
- Robert S. Greene, Planning and Zoning Coordinator
- Jean R. Arroyo, Recording Secretary

Residents and visitors in attendance: (PLEASE SEE ATTACHED SIGN-IN SHEET)

PUBLIC COMMENTS: None

APPROVAL OF MINUTES:

A motion was made by Commissioner DiFrancesco, seconded by Vice President Wilt, to approve the Minutes of the November 18, 2015 Legislative Meeting. The motion was unanimously approved.

A motion was made by Commissioner Springer, seconded by Commissioner DiFrancesco, to approve the Minutes of the December 2, 2015 Workshop Meeting. The motion was unanimously approved.

APPROVAL OF BILLS:

A motion was made by Commissioner Davies, seconded by Vice President Wilt, to approve the payment of bills as presented on Warrant No. 2015-11. The motion was unanimously approved.

APPROVAL OF TREASURER'S REPORT:

A motion was made by Commissioner Springer, seconded by Commissioner Davies, to approve the Treasurer's Report for November 2015. The motion was unanimously approved.

ENGINEER'S REPORT:

Erin Letavic, HRG, reported that the DEP grant application for a bioswale was submitted on October 9; a response is expected in early 2016. Project design is underway including electric utility coordination and water line coordination. A meeting was held with Jon Strite to discuss the agricultural BMP proposed on his site near the grapes. The project will be revisited with him in the spring of 2016, before he prepares the fields for planting.

Final contract documents are still needed from Rogele to close out the Greenfield Well & Irrigation project and recommend final payment. They have been requested, including warranty information and operation and maintenance manuals. Ms. Letavic anticipated that this should be in a position for formal action at the January legislative meeting.

HRG is scheduled to present an MS4 presentation to the Capital Region Council of Governments members here at the Township Building on January 12 from 8:00 A.M. to 9:30 A.M. The topic will include anticipated permit changes to be in effect in 2018 and how municipalities can start planning now for these changes.

The PA DEP permit application for the Richardson Road Bridge culvert replacement and sewer line stream crossing was submitted on December 4. The detour plan for the summer of 2016 has been sent to PennDOT for approval. The anticipated project schedule is as follows: advertise the end of February 2016, open bids the end of March 2016, Township to award at April 2016 legislative meeting, notice to proceed beginning of May 2016, and substantial completion beginning of August 2016 (complete construction while school is out of session).

Ms. Letavic updated the Board on the truck restriction study. Preliminary data has been received. Final data from the road coring that was done in October should be received next

week. Traffic counts will be completed on North Union Street in January. A report on the truck restriction study for North Union Street is expected to be before the Board in February. Stoner Drive will not necessitate traffic counts, so that report will be before the Board in January, as soon as the final pavement analysis is received.

SOLICITOR'S REPORT: No report

MANAGER'S REPORT: No report

President Mehaffie reviewed the list of future meetings and events, and noted that the Planning Commission meets on December 17. The Municipal Authority meets on December 21. The Township Office will be closed on December 25 and January 1. President Mehaffie reported that the Board's Reorganization Meeting will be held on January 4, and will begin at 6:45 P.M. The Board will hold its legislative meeting on January 20, at the normal time (7:00 P.M.)

COMMITTEE REPORTS:

Police Committee – Vice President Wilt— no report

Public Safety – Commissioner Springer – no report

Budget and Finance – Commissioner Davies – reported that the budget ordinances and some budgetary adjustments from 2015 will appear later on tonight's agenda.

Community and Economic Development --- Commissioner DiFrancesco – no report

Public Works – President Mehaffie – reported that leaf collection has been completed, and thanked the Public Works Department for another fine job.

UNFINISHED BUSINESS:

The Board tabled 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, October 1, 2014, December 17, 2014, March 18, 2015 and July 1, 2015. The Board, at its October 7, 2015 meeting, granted a time extension to January 20, 2016.

The Board tabled 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. Time extensions were granted by the Board of Commissioners on May 15, 2013, August 21, 2013, November 20, 2013, February 19, 2014, May 21, 2015, October 15, 2015, January 21, 2015, May 18, 2015, August 19, 2015 and November 18, 2015. The plan is due to expire on February 17, 2016.

The Board tabled 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 status. 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 Board granted a 93-day time extension on January 21, 2015 to May 20, 2015. The Board granted a 91-day time extension on May 20, 2015 and again on August 19, 2015. The Board granted a 99-day time extension on November 18, 2015. The plan is due to expire on February 25, 2016.

NEW BUSINESS:

A motion was made by Commissioner Davies, seconded by Vice President Wilt, to approve Ordinance No. 560. This ordinance appropriates specific sums to be estimated to be required for the specific purposes of the municipal government, hereinafter set forth, during fiscal year 2016. Commissioner Davies added that the 2016 budget is in the amount of \$6,028,870. A roll call vote was taken with the following ballot tabulation: Commissioner DiFrancesco – aye, Commissioner Davies – aye, Commissioner Springer – aye, Vice President Wilt – aye, President Mehaffie – aye. Ordinance No. 560 was approved by a 5 – 0 margin.

A motion was made by Commissioner Davies, seconded by Commissioner Springer, to approve Ordinance No. 561. This ordinance fixes applicable tax rates for the year 2016. Commissioner Davies added that this represents no tax increase for the coming year. A roll call vote was taken with the following ballot tabulation: Commissioner DiFrancesco – aye, Commissioner Davies – aye, Commissioner Springer – aye, Vice President Wilt – aye, President Mehaffie – aye. Ordinance No. 561 was approved by a 5 – 0 margin.

A motion was made by Commissioner DiFrancesco, seconded by Vice President Wilt, to approve Ordinance No. 562. This ordinance amends the Code of Ordinances of the Township of Lower Swatara, No. 448, as amended and supplemented, Chapter 1, Administration and Government, Part 2, Appointed Officials, Section A. Township Manager. Section 1-202. Appointment; Resignation; Removal to provide that the Manager shall be appointed for an indefinite term by a majority of all members of the Board of Commissioners and that the Manager shall serve at the pleasure of the Board and that he/she may be removed at any time by majority vote of all its members. A roll call vote was taken with the following ballot tabulation: Commissioner DiFrancesco – aye, Commissioner Davies – aye, Commissioner Springer – aye, Vice President Wilt – aye, President Mehaffie – aye. Ordinance No. 562 was approved by a 5 – 0 margin.

A motion was made by Commissioner Springer, seconded by Commissioner Davies, to approve Resolution No. 2015-R-5. This resolution adopts the Dauphin County Hazard Vulnerability Assessment and Mitigation Plan as the Township Hazard Mitigation Plan. The motion was unanimously approved.

A motion was made by Commissioner Springer, seconded by Commissioner Davies, to approve the Improvement Guarantee Reduction Request No. 2, Irrevocable Letter of Credit

No. 572, from Ronald Burkholder for Old Reliance Farms, Section 18B, File No. 2010-01, in the amount of \$80,563.91 from the current amount of \$154,574.94, designated for site improvements only. This reduction will leave a remaining balance in the amount of \$74,011.03. The motion was unanimously approved.

A motion was made by Vice President Wilt, seconded by Commissioner DiFrancesco, to approve Resolution No. 2015-R-6. This resolution offers for dedication for use as a public road a portion of Powderhorn Road, Section 18B, Old Reliance Farms. The motion was unanimously approved.

A motion was made by Vice President Wilt, seconded by Commissioner DiFrancesco, to approve Resolution No. 2015-R-7. This resolution offers for dedication for use as a public road a portion of Butter Churn Road, Section 18B, Old Reliance Farms. The motion was unanimously approved.

Mr. Greene recommended that Resolution No. 2015-R-8, offering for dedication for use as a public road a portion of Longview Drive, Section 18B, Old Reliance Farms, be tabled until a later date. The developer had requested that it not be placed on the agenda at this point in time. A motion was made by Vice President Wilt, seconded by Commissioner Davies, to table Resolution No. 2015-R-8. The motion to table was unanimously approved.

A motion was made by Vice President Wilt, seconded by Commissioner Davies, to approve the Repository Bid for property at 136 Eby Lane, Tax Parcel Number 36-020-009-009-0074. Solicitor Henninger explained that this property went to tax sale multiple times but did not sell. The process referred to as a repository bid allows for the purchase without paying the outstanding taxes. The idea is to get in a new owner who will pay taxes in the future. The Township would basically be writing off \$399.50 of taxes for years 2010 through 2015. The motion was unanimously approved.

A motion was made by Commissioner Springer, seconded by Vice President Wilt, to approve authorization to prepare and advertise for the receipt of bids for sale of the Township's 1983 Chevy 3500 Custom Deluxe Dump Truck. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Commissioner DiFrancesco, to approve the list of 2015 budgetary adjustments (see attached list):

1 Adjust for Health Insurance Refund to reflect decrease in expenditures in the following line items:

		Debit	Credit	EE DEPT	PER EE
					\$2,818.39
380.000	Miscellaneous Revenue	\$101,462.00			
401.156	EE Benefits		\$2,818.39	1	
402.156	EE Benefits		\$2,818.39	1	
405.156	EE Benefits		\$2,818.39	1	
408.156	EE Benefits		\$36,639.06	13	
410.156	EE Benefits		\$8,455.17	3	
413.156	EE Benefits		\$19,728.72	7	
430.156	EE Benefits		\$14,091.94	5	
130.080	EE Benefits - Sewer		\$14,091.94	5	
			\$101,462.00	36	

2 Transfer Gaming Grant to Capital Improvement to offset DCIB Loan Debt:

		Debit	Credit
357.160	Fed/State/Other Grants	\$51,000.00	
492.290	Transfer to Capital Impr.		\$51,000.00

3 Transfer funds between Public Works accounts to assist with mower purchase:

		Debit	Credit
430.740		\$14,704.76	
430.374			\$14,704.76

4 Transfer funds from Highway Aid Fund to Public Works for PA Ave storm water pipe replacement:

		Debit	Credit
438.244		\$10,000.00	
392.350			\$10,000.00

5 Transfer funds from Highway Aid Fund to Public Works for Wood & Hwy230 inlet replacement:

		Debit	Credit
438.244		\$5,000.00	
392.350			\$5,000.00

6 Transfer funds from Highway Aid Fund to Public Works for various paving projects:

	Debit	Credit
438.244	\$50,000.00	
392.350		\$50,000.00

The motion was unanimously approved.

Solicitor Henninger noted that he had one additional item for Board action tonight. The property of George and Pamela Price, 1315 Carriage House Road, was incorrectly assessed a few years back. They went to the Tax Assessment Appeal Board for a reduction, and their request was granted. The reduction goes back to 2009. Basically, there is a refund due them for those seven years of being over assessed. The refund is in the amount of \$933.64. Solicitor Henninger reported that the County and School District have already approved the request. A motion was made by Vice President Wilt, seconded by Commissioner Springer, to approve the refund on tax parcel 36-005-319, 1315 Carriage House1 Road, for 2009 – 2015 in the total amount of \$933.64. The motion was unanimously approved.

FINAL COMMENTS:

Ms. Letavic congratulated Commissioner DiFrancesco for his good run on the Board, and commented that she has learned a lot from him.

Commissioner Springer agreed that it has been a pleasure working with Commissioner DiFrancesco over the past two years. He commented that he was an invaluable resource of information and wished him good luck in his future endeavors.

Vice President Wilt stated that Commissioner DiFrancesco was a great addition to this Board, and thanked him for his service. Vic President Wilt also wished everyone a happy holiday.

Commissioner Davies commented that he is glad the budget process is over for the year. He thanked Commissioner DiFrancesco for his service, and stated that it was a pleasure working with him. The depth of his insight was greatly appreciated.

President Mehaffie reminded the Board and public that the January 4 Reorganization/Workshop Meeting will start at 6:45 P.M.

Solicitor Henninger thanked Commissioner DiFrancesco for his service and stated that he appreciates the fine job he did.

Ms. Arroyo stated that it was nice having Commissioner DiFrancesco back on the Board again, and added that she will miss him.

President Mehaffie stated that Commissioner DiFrancesco's insight will be hard to replace. He will be missed. The friendship that has grown between all the Board members is great. The Board has seen a vision of what the Township needs to keep it headed in the right direction and make sure good things are ahead. Much of this vision was Commissioner DiFrancesco's. He added that he is glad that Commissioner DiFrancesco will only be a phone call away. President Mehaffie asked Commissioner DiFrancesco if he would be willing to serve as the liaison to the Police Regionalization, which is a county effort. Commissioner DiFrancesco agreed that he would be. A motion was made by President Mehaffie, seconded by Vice President Wilt, to appoint Nick DiFrancesco as Lower Swatara Township's liaison to the Police Regionalization. The motion was approved by a 4 – 0 margin with Commissioner DiFrancesco abstaining. President Mehaffie wished everyone a happy holiday, and commended the Township staff for the wonderful job it did this year.

Commissioner DiFrancesco noted that he had stepped in when Frank Linn had stepped down. Those were some very big shoes to fill as Frank Linn had committed himself to the Township for over 35 years and had his heart and soul in Lower Swatara Township. During the eight year break in his serving on the Board, Commissioner DiFrancesco stated that he has seen a lot of changes. After serving the last two years, he has the deepest respect for each Commissioner. He added that it has truly been a pleasure to serve with them. He agreed with President Mehaffie that this community is one of the best places to live in the region and he knows that each Commissioner is committed to keeping the community nature going strong. He also commended the top-notch professionals who serve the Board, and commented that Commissioner-elect Todd Truntz will make a great addition to the team. In terms of the police, Commissioner DiFrancesco commented that everyone knows that he is a huge supporter of regionalization and believes to his core that it is the best thing for this township and the surrounding community. He stressed that he will let the numbers and studies lead the call and guide the direction of where to go and what to recommend. He added that the process has not yet begun; there has only been an initial consultation and number sharing at this point. He expressed hopes that the process will take place in the public eye, since this would be a major policy shift and the public needs to be aware of what is happening. Commissioner DiFrancesco congratulated Todd Truntz, and added that he is looking

forward to him being his Commissioner. Commissioner DiFrancesco stated that if he can share any wisdom with Mr. Truntz, he would tell him that people will, from time to time, fill up this Boardroom. Just because they are loud does not mean they are right, and just because Commissioners sit up front do not mean they are right. The most important thing is to listen to people's view and step forward but never, ever be intimidated. He noted that a major problem right now in other branches of government is the absolute lack of respect that some people have during honest disagreements. That is not the way this Board works. They may not always agree, but they always have respect for each other and talk through issues. Commissioner DiFrancesco again thanked the Board for its service. He stated that while he will not be back as a Commissioner, he will always be available to assist when asked.

ADJOURN:

With no further business to discuss, a motion was made by Commissioner DiFrancesco, seconded by Vice President Wilt, to adjourn the meeting. The motion was unanimously approved, and the meeting adjourned at 7:29 P.M.

ATTEST:



Jean R. Arroyo, Recording Secretary

