

MINUTES

FEBRUARY 6, 2013 WORKSHOP MEETING

LOWER SWATARA TOWNSHIP BOARD OF COMMISSIONERS

The February 6, 2013 Workshop Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by Vice President William L. Leonard, Jr. Vice President Leonard called for the pledge of allegiance followed by a moment of silence.

Roll call was then taken with the following officials in attendance:

- William L. Leonard, Jr., Vice President
- Michael J. Davies, Secretary
- Thomas L. Mehaffie III, Commissioner
- Jon G. Wilt, Commissioner
- Harry N. Krot, Township Manager
- Peter R. Henninger, Solicitor
- Richard D. Brandt, Police Chief
- Steven W. Anderson, Public Works Director
- Jean R. Arroyo, Recording Secretary

Excused:

- Frank Linn, Sr., President

Residents and visitors in attendance:

- (see attached Sign-In Sheet)

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

PUBLIC COMMENT:

Ruth Helwig, 341 W. High Street, stated that with Penn State Harrisburg approving a 19.5 million dollar expansion, added to the fact that enrollment is up about 75% and expected to continue, the need for student housing will increase. Student housing has already taken over her once quiet neighborhood, with more to come when GreenWorks develops the cemetery property. Student housing will eventually completely surround the remaining residents in the Eagle Heights area. Ms. Helwig stated that the students cause noise problems, run stop signs, speed,

and do doughnuts in the snow. Now the residents have a chance to get out of there; another developer has offered to buy eleven of the properties. She added that GreenWorks bought one property on Lawrence Street to stop the other developer, KGH, from buying additional properties, yet KGH is still willing to buy two properties that it might not even have a use for, because they sit in the middle of GreenWorks property. Ms. Helwig explained that the residents had contacted KGH about the possibility of purchasing their homes, and they came up with a plan that would work. This is the residents' way out, and it is up to the Commissioners to let them get out. The residents were already taken advantage of by the other developer. There are also rumors that in five years, GreenWorks will be giving the student housing to Penn State. What will that do to the Township's taxes? Right now, the fate of eleven families is in the hands of the Board.

Peggy Guinivan, 535 N. Lawrence Street, stated that the only complaint she has had lately regarding the college students is that they are jumping the two fences in her yard to get onto the Campus property. She stated that while this is probably a shortcut, her concern is potential liability if someone falls and gets hurt. During the recent snow, the footprints were able to be tracked to the townhouses, so it is likely one of the GreenWorks students. She added that she did address this with GreenWorks, but nothing has been done. Ms. Guinivan reiterated Ms. Helwig's statements that the campus expansion and student growth will result in the need for more student housing. She has been told that all of Eagle Heights will eventually be student housing. Now, after the let down in December of no buy-out, there is another developer willing to provide a way out for the eleven homeowners who are stuck here. Ms. Guinivan stated that she is one of these eleven, and would never have dreamt that she would want to give up the home she has lived in for 44 years. However, with the possibility of more student housing at the cemetery, she does not want to be surrounded by students. She has also heard the rumor that GreenWorks will eventually donate all the housing to Penn State. If this happens, Eagle Heights will no longer exist, and Township will lose tax dollars. She added that 515 N. Lawrence Street was supposedly purchased by GreenWorks to house three students, but she feels the real reason that it was purchased was to keep Campus Heights (KGH) from building more student housing. She stated that GreenWorks is greedy. She asked that the Commissioners give Campus Heights the same consideration it was willing to give Lawrence Street Partners. She asked the Board members if they would want to stay if they lived here.

Ken Stover, 402 Young Avenue, stated that he had purchased his home ten years ago, and is now stuck in the middle of all this. He would like to get out if he has the chance, and would like the Board to make it happen.

Lin Coble, 400 Young Avenue, stated that she has lived here seventeen years, but also wants out. If the developer can make this happen, she expressed hope that the Board agrees with the plan.

Josh Otzel, 520 N. Lawrence Street, stated that he moved here over two years ago. He has a young son and hoped to raise him in a nice, quiet neighborhood. Mr. Walton stated that he understand college kids do what they do, but he does not want to start his young family out in this type of atmosphere. He added that KGH seems to be a lot more honest than GreenWorks in their desire to help the residents, even going so far as to purchase two homes that they probably will not need.

PRESENTATION BY LIFE LION EMERGENCY MEDICAL SERVICES:

Mr. Krot stated that the Township's contract for EMS services will be up this year. During the budget process, there was interest in discussing this item. Scott Buchle and Dr. Jeffrey Lubin, from Life Lion EMS, are here tonight to explain the current services it offers the Township and to answer any questions.

Mr. Buchle noted that the EMS contract will be up for renewal in October of this year. Foremost, the good news for the upcoming contract period is that Life Lion EMS is not seeking any increases as far as financial contributions to the contract it has been working under for the last five years. He then provided a history and background of the organization, which started out as the Hershey Fire Department EMS in 1981. When Lower Swatara EMS went out of business, the Township put its EMS contract out for bid, and University EMS was the winning bid. It has been providing service ever since, with 10 years of service. Mr. Buchle added that they have handled an estimated 10,000 patients for Lower Swatara Township alone during that time. He explained that the EMS service it provides is a 24/7, 365 day mobile intensive care staffed unit housed in back of the municipal building. When this unit responds to a call, another unit is moved to provide coverage. Mr. Buchle reported that the missed call rate last year was under 100 calls, which is a missed call rate of less than 1%. This is something to be proud of, since the normal range is a 6% - 8% rate. He added that they are the only EMS in all of Central

PA to also have a physician's response unit. While this is not 24/7, it is a very nice tool in its arsenal that can be deployed when available.

In Dauphin County, the Life Lion EMS provides services to Lower Swatara Township, Hummelstown Borough, Derry Township, Conewago Township, and a portion of South Hanover Township. It also provides service to some of Lebanon County. They are not looking to go out and build an EMS empire, but rather to strengthen the services they have. He noted that the biggest blessing they have is their association with the Hershey Medical Center.

As mentioned earlier, there is no increase to the current contract being sought. The Life Lion EMS feels that they are in a position to give a little. They are actually just below a break-even point, with a \$25,000 - \$30,000 loss in any given year. Mr. Buchle explained that they are able to make up this loss in other areas, such as non-emergency transports in and out of the hospital. The bottom line is that the Life Lion EMS is not going anywhere – its service is strong.

Commissioner Davies referenced the 24/7 staffed mobile care unit here in the Township, and asked if this is the standard level of service or if there are other tiers of services offered. Mr. Buchle explained that for 911 response, ALS (Advanced Life Support) service is pretty much the highest care level available. Commissioner Davies asked if there is a menu of services offered – perhaps a lesser amount of services at a different cost. Mr. Buchle stated that there is not.

Commissioner Mehaffie asked if, when the EMS responds to a call, it charges the patient for the service yet also charges the Township to have this service here. Mr. Buchle confirmed that this is correct. The Township provides a subsidy to the EMS, and this helps spread the loss for patients who are not insured, or for bills that cannot be balanced, such as Medicare bills.

Commissioner Davies asked if they are responsible for providing EMS services to HIA as part of the Township arrangement. Mr. Buchle confirmed that they are the primary EMS service for HIA. Commissioner Davies inquired if HIA pays them for that coverage. Mr. Buchle stated that they do not. Commissioner Davies also questioned if the EMS provides services to Penn State Harrisburg and if so, does the University providing funding. Mr. Buchle confirmed that they do provide services to Penn State. Penn State does not directly reimburse the EMS. However, Penn State University is one of its parent organizations, so it does have ties.

Vice President Leonard thanked Mr. Buchle and Dr. Lubin, and suggested that Mr. Krot and two Commissioners pursue discussions regarding the EMS contract.

MS4 EDUCATION PRESENTATION:

Brandon Meyers from HRG provided the annual update and public presentation portion of the MS4 (Municipal Separate Storm Sewer Systems) Program, which is mandated by DEP. Mr. Meyers explained that this is year ten of the ten year permit. However, the permit has been reinstated, so there will be another five years to go (new permit will run from March 15, 2013 to March 15, 2018). There are six minimum control measures that must be met in order to be in compliance: (1) Public Education and Outreach, (2) Public Participation/Involvement, (3) Illicit Discharge Detection and Elimination, (4) Construction Site Runoff Control, (5) Post-Construction Runoff Control and (6) Pollution Prevention/Good Housekeeping. Mr. Meyers explained the manner in which the Township is complying with these measures and meeting all the goals. He explained that this year, a NOI (Notice of Intent) was submitted to DEP to let them know the Township will participate in the next permit. One of the new parts of this permit process is the establishment of a Chesapeake Bay Pollutant Discharge Reduction Plan, which must be submitted within the first year of the new permit. By the end of year four, the Township will have had to map its entire stormwater system. This will probably be the biggest challenge of the new permit. Mr. Krot reminded the Board that HRG had attended a previous Board meeting to discuss the work this entailed. Action required for this permit will be placed on the February legislative meeting.

President Leonard thanked Mr. Meyers for providing the update.

KGH UPDATE FOR ADDITIONAL STUDENT HOUSING:

Matt Genesio, Campus Heights Apartments (KGH), stated that he is here tonight to introduce a proposal of a very preliminary sketch plan for expansion to Campus Heights Apartments. He explained that he was contacted over the past month or so by the residents and asked if there was interest in purchasing their homes. KGH has tried to put together a project that would make sense for both them and these residents. Mr. Genesio presented a sketch plan for Campus Heights II which showed eleven homes as well as the intersection of Dauphin Street with Lawrence Street being converted to a student housing development adjacent to the Penn

State campus. He explained that due to the phenomenal success at Campus Heights, he feels this expansion is warranted. What is being proposed is a 144 bed expansion. He also clarified that the two blue areas are stormwater management areas. Mr. Genesio explained that this idea will be introduced to the Planning Commission. It will also need to go before the Zoning Hearing Board for rezoning, since it is not presently zoned C-N (Commercial-Neighborhood) like Campus Heights and Nittany Village. A Special Exception will also be required for this use.

Commissioner Davies asked about the areas near the stormwater detention area that are seemingly not part of this project. Mr. Genesio explained that one is an “L” shaped configuration between the two stormwater facilities that is an extension of Lawrence Street and will need to be kept in order to have access to the parcel that GreenWorks purchased on N. Lawrence Street. Everything else in the colored area is under contract.

Commissioner Mehaffie referenced the walkway going into Penn State, and asked if they had approval already. Mr. Genesio explained that they did meet with the administrators at Penn State Harrisburg, who liked the idea. However, it will have to go through the proper channels at Penn State to get full approval. Commissioner Mehaffie questioned the bed count at Campus Heights. Mr. Genesio stated there are 264 beds at Campus Heights. Commissioner Mehaffie observed that at 144 beds, this new expansion will be smaller.

Commissioner Wilt asked if the 264 beds at Campus Heights are occupied. Mr. Genesio confirmed that they are. Commissioner Wilt questioned one of the colored blocks on the plan. Mr. Genesio explained that they would like to place a recreation facility on the site. He noted that they generally try to minimize community space to avoid loitering and other issues, but they do like focused community space. What they have in mind is a study lounge or meeting room for group projects. This would be very beneficial to the students.

Commissioner Mehaffie asked if the thru-way will be open to the public in order to drive through there from Lawrence Street to Dauphin Street. Mr. Genesio again stressed that this is a very preliminary sketch, but they do like this option from a design standpoint. It is more modeled from a pedestrian standpoint as opposed to a Township road and public vehicular access standpoint. KGH feels that if it has close to 700 students in that area, it should facilitate pedestrian needs as opposed to vehicular needs. The option presented is a safer environment and is more aesthetically pleasing. It is, however, designed to be a second means of emergency access for cars.

Commissioner Mehaffie asked about High Street, which is private, and whether the plan is to eliminate the southern section. Mr. Genesio stated that it will probably be milled.

Commissioner Wilt questioned if this proposal is the same area that GreenWorks had previously considered for a zoning change, and then withdrew the request. Mr. Genesio responded that a portion of it is.

Commissioner Mehaffie asked Mr. Genesio to update the Board on the work at the bottom of Lawrence Street, where they encountered some problems. Mr. Genesio noted that the lights are now on. The temporary drainage was attempted to be put in. However, when Horst Construction was excavating across Route 230, it ran into a gas line and water line where this permanent cross pipe was supposed to go. There was no problem with the temporary portion, but this temporary portion was supposed to dump into the permanent position, and this could not be put in. Therefore, the water would have no place to go. Mr. Genesio explained that it is good that it was discovered now instead of in April. They are working with UGI and Middletown Water Authority to get the pricing on dropping the inlets.

Vice President Leonard reminded Mr. Genesio that last time he was here, there was discussion on five items that needed to be done. This included the lighting and the drainage, and the potential target date for these items was the end of January. As just reported, the temporary drainage will not meet this deadline due to the hurdle. He asked if the longer term project target of May to June is still good. Mr. Genesio confirmed that they are still on target for that deadline.

Commissioner Davies asked if the relocation of these pipes is something insurmountable. Mr. Genesio explained that when it comes to construction, almost anything can be handled with the right amount of money. Fortunately, these pipes are not pressurized so they do not anticipate a big issue.

Vice President Leonard requested KGH attend the monthly workshop meetings to provide updates on this critical project. He stated that the Board had never dealt with student housing before, and has learned something in the process. Hopefully, the developers have too. As future development occurs, these lessons should be applied. He suggested that projects like this be looked at as holistically as possible, and noted that he had made this same suggestion when the student housing was initially discussed. Regardless of the issues between the two developers, it is important to ensure the infrastructure that best benefits the Township. He asked that they look into running the new Lawrence Street straight back. Right now, it looks like it

will go into a parking lot. While he is pleased to hear that there will be egress for the students, he is concerned about the challenges of driving a fire truck back there in the middle of the night during a snowstorm. Depending on how the campus grows, Lawrence Street and Wood Street could become just as important here as Spring Street and Union Street are in the Borough of Middletown. Running those streets straight back instead of snaking them through parking lots is something that should be considered.

Mr. Genesio explained that KGH had already met with police, fire and public works and took their input into account in this design. While they do like this design the best, they are looking at other scenarios too. This is what they have under agreement and what they control. If Lawrence Street is extended straight up, it will encroach onto GreenWorks property. He agreed that a straight extension would be superior from a vehicular and public transportation standpoint. The thought, however, is that the most important consideration should be pedestrian flow and emergency vehicle access to those units. Police, fire, and public works were okay with this design. Mr. Genesio explained that KGH tried to be proactive and put forth a good sketch plan, although it is very preliminary at this time.

Commissioner Davies noted that there may be some time in the future when public transportation access to this area becomes an issue. This is another reason for the developers to work together and offer a straight shot back, especially with the possibility of larger buses needing to get back there. Mr. Genesio added that whatever design is ultimately chosen, it will be a huge improvement over what is currently there.

Commissioner Wilt stated that he feels this is a good proposal that will help the residents who wish to get out of their homes.

Mr. Krot referenced the next agenda items pertinent to the Sheetz Plan, and called the Board's attention to a memo received from the engineer for this project, K&W Engineers and Consultants. They are asking that discussion on the plan be tabled tonight in order to give them additional time to address some engineering comments.

Mr. Krot acknowledged Ron Burkholder, Old Reliance Farms, and asked if he would like to address his plan. Mr. Burkholder responded that he would not at this particular time.

Mr. Krot stated that prior to going into department reports, he would like to present to the Board an additional item for action. Chief DeHart had notified him that the documents necessary to proceed with the Rescue Truck had been obtained. The Board now needs to authorize the manager to request funds from the Dauphin County Local Share grant program in the amount of \$395,000 to support the purchase of a heavy rescue for the Lower Swatara Township Fire Company. Chief DeHart stated that this is the last step on the County side of the process. Solicitor Henninger added that the performance bond is now in place, with is very important in a pre-pay. Commissioner Wilt asked if this amount will cover the entire cost. Chief DeHart explained that it will cover the cost of the vehicle, but not the mounting of equipment which will be necessary when the truck arrives. A motion was made by Commissioner Mehaffie, seconded by Commissioner Davies, to authorize the manager to request funds from Dauphin County Local Share grant program in the amount of \$395,000 to support the purchase of a heavy rescue for the Lower Swatara Township Fire Company. The motion was unanimously approved.

DEPARTMENT REPORTS:

Fire Department Report – Chief DeHart – stated that there were 61 calls in January. He apologized for not providing a written report, but explained that there was an accident at the fire station on January 25. There was an air leak in the dry sprinkler system which knocked off some sprinkler heads, resulting in \$50,000 worth of damage. Thanks to the quick response and use of tarps, the damage was able to be minimized. The appropriate insurance companies have been notified and repair work is underway. There was no lapse in service. Chief DeHart noted that he had provided Mr. Krot with a copy of the Auditor’s Review. He also reminded the Board that it is time for the annual review of the Fire Department’s 2013 budget. Vice President Leonard suggested that Commissioners Mehaffie and Davies be selected as the Board’s representatives on this review committee. Commissioner Mehaffie requested that he and Commissioner Davies be emailed copies of this document prior to the meeting. Commissioner DeHart noted that on the Firemen’s Relief side, the Department will be buying up to fifteen sets of turnout gear. He stated that it costs almost \$3,000 to equip a firefighter today, and these costs continue to rise. He also informed the Board and public that February 17 is the roast beef dinner. Chief DeHart requested that when the Township addresses its new EMS contract, it

might want to look into what type of firefighter rehab policy is in effect. When a firefighter is responding to a fire, there should be a policy for rehabbing that firefighter before sending them back in. When the Fire Department contacted Life Lion EMS about this a few years ago, it indicated that it did not have one. Vice President Leonard asked Chief DeHart to send these requirements to Mr. Krot.

Police Department – Chief Brandt -- referenced the monthly crime stats. There were 666 total calls, which is very high and unusual for this time of year. Chief Brandt reported that two weeks ago, Officer Jeffrey Webb had submitted his letter of resignation. Tonight's shift will actually be his last. This was anticipated, as Officer Webb had been offered a lucrative job in the private sector. Officer Webb worked for the Township twelve years in the part-time capacity, and became full time in 2009. During that time, he took over the Wise Choices Program at the elementary school and was an active member of the Dauphin County Drug Task Force. He did a fine job and will be missed. Chief Brandt updated the Board on the hiring process. About a week ago, he and Sergeant Young interviewed 24 candidates for the police position. The top ten are now in the process of having background checks conducted on them. This is an intensive job, and will take a month or so. Chief Brandt also reported that one of the police vehicles had to have a transmission replaced, which was an unanticipated expense. Commissioner Davies referenced the 16 assaults this month, and inquired if this is unusual. Chief Brandt reported that most of these were domestic violence situations, which is unfortunately common for all police departments in today's world.

Public Works Department – Mr. Anderson – reported that the winter maintenance program is in progress. The Department responded to six weather-related events. During downtime, vehicles were washed, waxed, and serviced for winter. Truck 406 had a broken frame. It was repaired and is working well. Truck 404's Transmission failed, and it was discovered that its bed had also rusted through. The transmission was replaced and a new bed insert was installed at a cost of \$2,896.16 (the original estimate was \$4,000). Building maintenance was also undertaken. The Department stripped and waxed the Police Department floor, cleaned the Administrative offices' hall carpets, repaired toilets, and repotted plants. The North Union Street pump station's interior has been repainted. General maintenance projects include maintaining the right of ways and mowing and marking manholes ahead of the GIS program. Two employees attended a vegetation control spraying class to maintain their licenses. The Department is

continuously picking up litter along the right of ways. Unfortunately, this problem is getting worse. It is uncertain whether this is due to littering or items falling out of the recycling trucks. The dumpster will be open for residents the first Saturday in March from 8:00 A.M. to noon. Mr. Anderson updated the Board on the Route 230/Ann Street traffic signal, which has been re-timed and is fully functional. He noted that he has been working on the purchase of the freightliner truck that was budgeted. Quotes were reviewed, and the company for the body was selected from three candidates, which were all Costars approved vendors. The amount did come in under budget. Mr. Anderson asked the Board's approval to order the truck. This will be placed on the agenda of the February legislative meeting. He added that the Township will most likely use Real Lease, the company it financed its other equipment through. He and Mr. Krot can coordinate the selection of the lease, and it can then be sent to Solicitor Henninger for review. Vice President Leonard reported that while he was out shoveling snow, he was approached by neighbors complimenting how quickly the Highway Department got out and took care of the roads. Commissioner Mehaffie reminded Mr. Anderson that they had been looking at the purchase of a Little Rascal ballfield groomer in order to save money on maintenance of the fields. He asked if quotes had been obtained. Mr. Anderson responded that he will need to get updated quotes. The purchase will probably be made during the March time frame.

SOLICITOR'S REPORT: No report

MANAGER'S REPORT:

Mr. Krot reported that the February legislative agenda will include an agreement for a third party inspection agency, Approved Code Services, Inc. This is essentially a contract for as-needed inspections in the event that the Township's building code officials are unavailable. He added that Derry Township has a similar process in place, and also uses this same service.

Mr. Krot reported that the staff had been asked to provide articles for a spring newsletter, with a target delivery date of late February/early March. He noted that he had hoped to include information regarding the new sewer billing, but the contract is not yet ready. Commissioner Mehaffie stated that the new sewer billing software is a big item of interest for the residents. He suggested that if the newsletter does not contain anything time sensitive, it be delayed to include this information.

Mr. Krot added that at the Authority's last meeting, it approved this new billing software. This will be a nice service for the residents, as it will allow them to view and pay bills on-line. It will also improve efficiency. Commissioner Mehaffie noted that he and Commissioner Wilt had attended the meeting and sat through the presentation. It is an impressive system, and is more or less a pay by month contract. There are no upfront fees, and the Township can get out of the contract if it decides it does not like it. Since it is an iCloud system, there will never be a server issue. Residents will also have the option of paying by Visa, although there will be a surcharge assessed to residents using this option. Commissioner Mehaffie asked Mr. Krot if the entire Board would also be provided the opportunity to see this presentation. Vice President Leonard stated that with the positive input from the staff and Commissioner Mehaffie, and the fact that the Authority approved the software, he would like to see things move forward.

Mr. Krot reported that the Municipal Authority is also looking at GIS (Geographical Information Systems) to get its sanitary sewer lines mapped; this is one of the requirements that must be met in the next four to five years. HGR is working with the Authority on this, and will be at the Authority's February 25 meeting to provide a presentation. The Municipal Authority has extended the invitation to any Commissioner wishing to attend this presentation. Commissioner Davies asked if the GIS mapping development will be handled by HRG in terms of actual mapping functions or is something that the Authority will do in house. Mr. Krot explained that there are different levels of services provided depending on needs. Commissioner Davies questioned if a hardware investment would be involved. Mr. Krot explained that this again depends on how the program is pursued. In order for employees to use the feature while out in the fields, they will be looking into the purchase of smartphones. Mr. Krot added that many municipalities are already doing this. Commissioner Mehaffie noted that the most important thing is keeping this information up to date. Solicitor Henninger agreed, and suggested that the Township may want to consider amending its ordinance to put the burden on new facilities with the developer. The developer could perhaps be required to provide the information in an electronic format that could be plugged into the Township's system.

Mr. Krot reported that Ms. Arroyo has been compiling recycling tonnage figures from calendar year 2012. Last year, the Public Works Department, under the direction of Mr. Anderson, revamped its recycling efforts to increase efficiency. This proved to be quite

successful, as recycling tonnage at the Township Building doubled from 2011 to 2012. Mr. Krot thanked Mr. Anderson for heading up this effort.

FINAL COMMENTS:

Commissioner Mehaffie stated that while he appreciates Mr. Krot inviting Life Lion EMS to tonight's meeting, he feels it would be worthwhile to put out RFPs (Request For Proposals) in order to see what is available. He noted that he does appreciate the service that Life Lion EMS has provided over the past ten years, but feels the time has come to explore options. With a deadline of October, this item needs to be moved on immediately.

Commissioner Wilt referenced Chief Brandt's report and the significant increase in crime stats. He noted that the Board needs to be aware of any potential problems or patterns.

Commissioner Davies agreed with Commissioner Mehaffie that RFPs should be put out for emergency medical services. He noted that it does appear that the Township is buying the top level of service. It will be interesting to compare and see what else is available.

Commissioner Mehaffie added that it would be beneficial to reach out to other municipalities to see what they have. Vice President Leonard agreed.

ADJOURN:

With no further business to discuss, a motion was made by Commissioner Wilt, seconded by Commissioner Mehaffie, to adjourn the meeting. The motion was unanimously approved, and the meeting adjourned at 8:50 P.M.

ATTEST:

Harry N. Krot
Township Manager