

MINUTES

AUGUST 6, 2014 WORKSHOP MEETING

LOWER SWATARA TOWNSHIP BOARD OF COMMISSIONERS

The August 6, 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 G. Letavic, HRG, Engineer
- Richard D. Brandt, Police Chief
- Robert S. Greene, Planning and Zoning Coordinator
- Daniel L. Wagner, Public Works Superintendent
- Jean R. Arroyo, Recording Secretary

Excused:

- Dominic D. DiFrancesco II, Commissioner

Residents and visitors in attendance:

PLEASE SEE ATTACHED SIGN-IN SHEET

President Mehaffie opened the floor for public comment.

PUBLIC COMMENTS:

Tina Rinehart-Wiestling, 300 Gina Lane, stated that she is here tonight to discuss safety concerns. First of all, she noted that there is a need for a street light on Gina Lane. President Mehaffie explained that this is a private road, but perhaps GreenWorks can be approached with this request. Ms. Rinehart-Wiestling then reported on several unsettling instances in her

neighborhood. Last summer, her duplex was surrounded by Township Police, FBI, and the ATF who were looking for a drug dealer. Earlier this year, she had to make a call to the Lower Swatara Police after finding a street pole in the back of her husband's pick-up truck. The latest incident happened just a few weeks ago, at 4:00 A.M. on a Saturday. It involved a young girl, who was obviously under the influence, ringing her doorway and then stumbling into her recliner. The EMS was called, but this girl could have died right there in the living room. Ms. Rinehart-Wiestling explained that she just feels unsafe in her own home now. Chief Brandt stated that this individual was underage and under the influence, and was cited. The Campus was advised. President Mehaffie noted that whenever a situation like this occurs, he would suggest a letter be sent to both the Campus and the owner of the rental property at which the offender is a tenant. Ms. Rinehart-Wiestling added that the Lower Swatara Police Department has been absolutely wonderful throughout all these situations. GreenWorks, however, has been anything but cooperative.

Bonnie Kiner, 544 N. Wood Street, informed the Board that her home is one of the eleven homes left in her neighborhood which is now surrounded by college students. The remaining residents need out. She urged the Board to approve any future development of this neighborhood if it is approached with such a request. Ms. Kiner also noted that there are several code violations at the neighboring property at 520 N. Wood Street. She added that it is her understanding that the Township has cited the property owner. Mr. Monticello assured Ms. Kiner that the Township's code official will pay another visit to this property. Vice President Wilt suggested that the remaining neighbors may want to organize and approach the developer about the possibility of a buy-out. Ms. Kiner stated that she was previously under contract with GreenWorks for a buy-out, but they pulled out just days before settlement. She also noted that KGH has planned to do some road repairs to Wood Street, but that is pretty much impossible now due to the nonstop construction activity on Wood Street.

PRESENTATION OF CITATION TO OFFICER JOSHUA MALOTT:

Lieutenant Tom Stauffer from the Swatara Township Police Department explained that he is here to present a citation to Lower Swatara Township Office from the Swatara Township Police Department. He noted that Chief Jason Umberger could not be in attendance tonight, since this is also the meeting night for Swatara Township. Lieutenant Stauffer read aloud the

citation, which expresses its gratitude to Officer Malott for his assistance in helping Swatara Police Department apprehend a juvenile gang member. The Board and audience congratulated Officer Malott on his citation of recognition.

DEPARTMENT REPORTS:

Fire Department – Chief DeHart – reported that the Department responded to 48 calls in July, with a total of 329 calls for the year thus far. Chief DeHart noted that Lower Swatara Fireman’s relief is requesting that the radios turned over to the Township from Dauphin County be forwarded over to the relief association so that repairs costs can be made out of that fund. Mr. Monticello noted that he has prepared the Bill of Sale for the transfer; this item will appear on the August 20 legislative agenda for formal action. Chief DeHart reported that upcoming fundraisers include a Turkey Dinner on August 17 (11 A.M. until sold out), and a Breakfast on August 24 (7 AM until 11 AM). The casino grant boat specs will be completed this week. The Department has received a COSTAR price for the special unit chase; the price for the box should be obtained in about two weeks. The new rescue went out Monday for equipment mounting. Chief DeHart referenced the two charts provided to the Board, and reviewed the alarm data charts. President Mehaffie asked that Chief DeHart forward to Mr. Monticello a copy of the financial reports that were discussed at the recent meeting between the Fire Department and Commissioners Davis and DiFrancesco.

Police Department – Chief Brandt –referenced the monthly report, and noted that the call volume was 881 which appears to be the average lately. He briefed the Board on recent criminal activity, including the assault of a six-month old that resulted in a fractured skull. Chief Brandt reported that two of the officers will be attending a training class for the Weights and Measures of commercial vehicles. He referenced the ongoing problems with truck traffic on North Union Street, and stated that the Board may want to consider putting a weight restriction on North Union Street, perhaps a limit of less than 80,000 pounds. At present time there is a “No Truck” restriction, which has more lenient fines and penalties. A weight restriction would require an engineering study, but the fines imposed for overweight vehicles would be significant. Commissioner Davies thanked Chief Brandt and the Department for thinking about the possibility of putting a weight restriction on North Union Street. After a brief discussion, the Board directed Ms. Letavic to submit a proposal for performing the necessary studies for this

weight restriction. Chief Brandt also suggested the possibility of placing a “NO Truck” sign on Wood Street. He stated that there is no reason for the trucks to use Wood Street, since North Spring Street is available. Ms. Letavic stated that her understanding is that there are overhead utilities on North Spring Street, which may necessitate taller trucks to travel on Wood Street instead. Ms. Kiner stated that her home literally shakes from the construction. She also expressed concern that the construction trailer will likely be placed next to her home. Mr. Greene explained that Wood Street is to be used for the workers, and only as a secondary entrance. President Mehaffie stated that Ms. Kiner may also want to speak to the Borough of Middletown about this situation. He urged her to keep in contact with the Township about any problems she observes.

Public Works Department – Daniel Wagner –reported that projects currently being worked on include repairing inlets, crack sealing, repairing roads where needed, pouring a sidewalk for the Fire Department, removing the lips around the baseball fields, and looking over equipment that will be used for the fall/winter season. Jobs recently completed include the process of inspection station approvals, repair of inlets, repair of several sinkholes, painting curbs in the Old Reliance Farms development, painting speed lines for the Police Department, repairing several leaks on the garage roof, leak detection service to the fuel pumps, servicing the fuel pumps, street sweeping around the Township, repairing and bracing the salt shed, installing a sliding door on the old firehouse social hall, exterior painting around the administrative building, hand digging the dugouts at Memorial Field and put stone around them, replaced and updated several development with new signs and poles. Mr. Wagner also informed the Board that the red light at Fulling Mill and Eisenhower Boulevard was hit by lightening on Sunday, July 27. The lighting knocked out the main controller and a loop amp, among other things. By mid-morning Monday, it was completed fixed. President Mehaffie asked if this can be covered under the Township’s insurance. Mr. Wagner stated this can be looked into further when the invoice is received. A sinkhole on Pennsylvania Avenue was fixed. Apparently one of the utilities bored through the stormwater pipe. Mr. Wagner noted that the dumpster will be open on September 6, from 8:00 A.M. to Noon for Township residents. President Mehaffie asked the status of the new “School Zone Ahead” sign on Lumber Street near the Kunkel elementary school. He reminded the Board that the one installed last year is actually very small and only says “School”. Mr. Wagner stated that the new sign has been ordered.

Planning and Zoning Report – Robert Greene – referenced the report of recent plan reviews and job site visits/inspections, and the report of monthly permits issued. He noted that as far as plans go, there is nothing pending at this time. The July Planning Commission meeting was cancelled, and the deadline for submissions for the August meeting is August 14. The Township has received an application to the Zoning Hearing Board from Raudenbush Engineering for the PSU Student Enrichment Center seeking a variance from the provisions of Section 27-1706, Zoning Ordinance of the required 75' Front Yard Setback to allow a 53.3' setback adjacent to First Street and College Avenue. The project is located in the Educational Institutional (E-I) zoning district. The Zoning Hearing Board is scheduled to hold a hearing for this application on August 27. Ms. Greene referenced the Colony of Old Reliance, Preliminary Subdivision & Land Development Plan. A letter of Verification of Expiration Date was sent to Ron Burkholder upon his request for new expiration date for this plan as it relates to Act 87 of 2012. With the amended definition of "Extension Period" the new expiration date for the plan is January 14, 2021. Mr. Greene reported that he had received a written request for reduction of the Security Agreement Letter of Credit for PSU Harrisburg – EAB Land Development Plan in the full amount of \$116,662.56 which is due to expire July 31, 2014. A letter was sent to the applicant notifying him that the Letter of Credit cannot expire and should be extended a minimum of 90 days. Mr. Greene explained that he is currently working with HRG to schedule a field inspection to verify completion of improvements so that he may present the request for a reduction to the Board of Commissioners at a later time. A written request was received on July 30 from Doug Wenger, project manager, for a 90 day time extension to allow time to conduct the inspection and complete any issues. The request will be presented to the Board of Commissioners after approval of the improvements is given; it could possibly appear on the August 20 legislative agenda. The Township is currently working with HRG to act on the request for a reduction in the Site Improvement Performance Bond for the FedEx Ground Land Development Plan at 111 Fulling Mill Road. Once the reduced amount is determined, it will be brought before the Board for action. Again, this is scheduled to appear on the August 20 legislative agenda for action. Mr. Greene and Mr. Fure recently met with business representatives with the Twelve Oaks Center property at 1801 Oberlin Road regarding a proposed plan for a new Agricultural Center. Currently, detailed information is being requested to give direction for building code issues and planning submission. Mr. Greene also updated the Board on several plans. The Lower Swatara

Township Municipal Authority took action at its July 28 meeting to approve the Operation and Maintenance Agreement for storm water improvements for the Capital Valley Business Park Building (C) Land Development Plan. In addition, the Municipal Authority also took action at the July 28 meeting to approve the O&M Agreement and Security Agreement for sanitary and storm sewer improvements for the MRPI Fulling Mill, L.P., 140 Fulling Mill Road, Subdivision & Land Development Plan. Mr. Greene reported that he had attended the preconstruction site improvement/earth disturbance meeting held July 21 on site at 140 Fulling Mill Road to review and discuss the progression of site work and stormwater management facilities. As requested by Angela Clough of HRG, Mr. Greene has forward a letter of support and statement of consistency with the comprehensive plan from the local planning & zoning office for the Local Share Municipal Grant Application for the Richardson Road Bridge Replacement Project. Mr. Greene also advised the Board that he will be attending a Stormwater Management seminar at the Hampden Township office later this month.

Mr. Greene referenced a handout relative to Derry Township's proposed zoning amendment. As required by the PA Municipality Planning Code, Derry Township has submitted a notification letter for the Board's review regarding its plans to rezone an area from Multi-Family Residential (MR) to Attached Residential (AR) zoning classification. In response to a question from President Mehaffie, Mr. Greene stated that he does not see anything in the plans that would be detrimental to Lower Swatara Township.

Mr. Greene also called the Board's attention to the written request from the Dauphin County Planning Commission regarding a support letter for its proposed County Comprehensive Plan update. The County is requesting this letter for its application for a Local Share Municipal Grant. A motion was made by Vice President Wilt, seconded by Commissioner Davies, to authorize the President to sign a letter of support on behalf of Lower Swatara Township for Dauphin County Planning Commission's application for a Local Share Municipal Grant to update the county plan. The motion was unanimously approved.

MANAGER'S REPORT:

Mr. Monticello referenced a draft resolution that had been provided to the Board opposing the request of Sunoco Pipeline to be designated a utility by the Public Utility Commission. He stated that he does endorse this resolution. Solicitor Henninger agreed that

should Sunoco Pipeline be designated a public utility, it would have the power of eminent domain, and would not be subject to the Township's building codes, zoning regulations, etc. A motion was made by Commissioner Davies, seconded by Vice President Wilt, to approve Resolution No. 2014-R-10 opposing the request of Sunoco Pipeline to be designated a utility by the Public Utility Commission. The motion was unanimously approved. Commissioner Davies added that he would like to state for the record that he has safety concerns about the location of Sunoco pipeline on residential and school district properties.

The Board acknowledged the elevation of Daniel L. Wagner to the position of Public Works Superintendent. Mr. Monticello noted that Mr. Wagner served in the position of Acting Foreman for four months prior to this elevation and did an excellent job. The Board congratulated Mr. Wagner.

The Board acknowledged the elevation of Tammy S. Blymire to the position of Financial Administrator. Mr. Monticello stated that Ms. Blymire, who had previously served as the Township's Accountant, will fill the vacancy created by the resignation of Marylou Rittner. The Board also conveyed its congratulations to Ms. Blymire.

Mr. Monticello reported that the Township submitted an application for a Community Development Block Grant (CDBG) with a request to cover \$100,000 of the construction cost related to the Dauphin County Infrastructure Bank loan debt service for the Richardson Road Bridge Project. An income survey was required to be completed by the end of August in order to determine eligibility. This income survey was conducted in the Brookside Mobile Home Park, and is now complete. Commissioner Davies congratulated Mr. Monticello on getting this survey completed so quickly.

Mr. Monticello announced that Kreider Farms will be holding a public meeting regarding its proposed plans for a warehouse/distribution center. This meeting will be held on August 26, 7:00 P.M., at Harmony Hall, 1400 Fulling Mill Road, Middletown, PA.

ENGINEER'S REPORT:

Erin Letavic, HRG, reported on the Greenfield Park Well Irrigation Project. Staff-level review of the project is scheduled for August 8. In order to advance bidding of the project, Ms. Letavic requested Board authorization to advertise the project, starting on August 14, 2014, with the intent to award to occur on October 1, 2014. A motion was made by Commissioner

Springer, seconded by Commissioner Davies, to approve authorization to advertise the Greenfield Park Well Irrigation Project. The motion was unanimously approved.

Ms. Letavic updated the Board on the Richardson Road Bridge Funding. The Dauphin County Infrastructure Bank (DCIB) loan application was recommended for approval by the Gaming Advisory Board on July 28, 2014. A Community Development Block Grant (CDBG) application was submitted with a request to cover \$100,000 of the construction cost related to the Dauphin County Infrastructure Bank loan debt service. As Mr. Monticello reported, an income survey is required to determine eligibility. A Local Share Municipal Grant (Gaming Grant) application will be sent to Dauphin County by September 2, 2014. A requirement of the submission is to approve a resolution and provide a non-contingency certification. This resolution and certification will appear on the August 20 agenda for Board action.

The Stoner /Post Run Flood Mitigation – SARAA Airport Drainage, Phase 2, HIA, which was discussed in length at the July 16 legislative meeting, was referenced. Ms. Letavic noted that an updated resolution has been provided by SARAA for consideration by the Township which was approved by the SARAA board at the end of July. A meeting was held on August 6 to discuss the next steps with local partners including Lower Swatara Township, Highspire Borough, and SARAA. Other governmental officials will be solicited for support in the coming months regarding the Airport Connector drainage system maintenance.

The schedule for the Riverview Drive Drainage Project was presented. The proposed schedule is as follows:

Survey/design (underway)	August 22
LST/LSTMA staff review	August 26
Advertise	August 28
Advertise	September 2
Open Bids	October 13
Award	October 15
Pre-construction Meeting	October 20
Notice to Proceed	Immediately upon executed contract, insurance, and bonds
Substantial Completion	December 15
Final Completion	December 31

In order to move things ahead, Ms. Letavic asked for Board authorization to advertise the construction project, contingent on staff approval. A motion was made by Commissioner Davies, seconded by Commissioner Springer, to approve the advertisement of the Riverview Drive

construction project, contingent upon staff approval. The motion was unanimously approved. Solicitor Henninger noted that this project will be jointly bid by the Township and Municipal Authority, with funding from both entities. Commissioner Davies referenced the undermining on Riverview Drive at Stoner Drive, and asked if that would be addressed in this project. Ms. Letavic responded that this is not in the scope of work.

An update was provided on the Stormwater GIS Mapping. Township staff and HRG have reviewed the mapping completed to date and are finalizing the data set for upload to GIS. Sanitary sewer data have been uploaded and are “live” for staff use. Ms. Letavic noted that this map will be a big asset to the Township’s MS4 program. The Board also discussed the need to update the Zoning Map. A motion was made by Vice President Wilt, seconded by Commissioner Davies, to authorize HRG to update the Township’s Zoning Map, at a cost not to exceed \$500. The motion was unanimously approved.

Ms. Letavic addressed the Route 230 HOP (Highway Occupancy Permit), related to Campus Heights I/Nittany Village. The contractor is slated to make improvements to inlets installed in addition to pavement work to be completed at the intersection of Wood Street and Route 230. Intersection pavement work is unrelated to the HOP but was discussed in the field with PennDOT. The HOP expires August 10, 2014. Authorization is being requested to extend the permit, if necessary. A motion was made by Commissioner Davies, seconded by Vice President Wilt, to grant a 90-day extension of the Route 230 HOP. The motion was unanimously approved.

SOLICITOR’S REPORT:

Solicitor Henninger stated that he has nothing new to report, other than the fact that he has been working with Mr. Greene on various items.

In response to a question from Commissioner Davies, Solicitor Henninger explained that the SARAA resolution in front of the Board tonight is not the final draft. President Mehaffie agreed that the Township will be putting together its own resolution for approval.

FINAL COMMENTS:

President Mehaffie asked Mr. Wagner to update the Board on the work to be done on Longview Drive. Mr. Wagner explained that storm water pipe will be replaced at Longview Drive and Strites Road. While the contractor's initial plans were to close the road entirely, it appears that one lane will now be open during the construction period.

Mr. Monticello requested a brief executive session immediately upon conclusion of tonight's meeting in order to discuss contractual matters.

The Board members again congratulated Mr. Wagner and Ms. Blymire on their new positions here at Lower Swatara Township.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

With no further business to discuss, a motion was made by Vice President Wilt, seconded by Commissioner Springer, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 8:30 P.M.

ATTEST:

Jean R. Arroyo, Recording Secretary