MINUTES

DECEMBER 2, 2015 WORKSHOP MEETING

LOWER SWATARA TOWNSHIP BOARD OF COMMISSIONERS

The December 2, 2015 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.

The following officials were in attendance:

- Thomas L. Mehaffie III, President
- Jon G. Wilt, Vice President
- Laddie J. Springer, Secretary
- Michael J. Davies, Assistant Secretary
- Dominic D. DiFrancesco II, Commissioner
- Peter R. Henninger, Solicitor
- Erin G. Letavic, HRG, Engineer
- Christopher K. Bauer, HRG, Engineer
- Robert S. Greene, Planning and Zoning Coordinator
- Richard D. Brandt, Police Chief
- Daniel L. Wagner, Public Works Superintendent
- Jean R. Arroyo, Recording Secretary

Residents and visitors in attendance:

PLEASE SEE ATTACHED SIGN-IN SHEET

President Mehaffie asked that the Board act on two motions prior to going into public comment.

A motion was made by Vice President Wilt, seconded by Commissioner DiFrancesco, to appoint Anne Shambaugh as Interim Manager of Lower Swatara Township. The motion was unanimously approved.

A motion was made by Commissioner Springer, seconded by Commissioner DiFrancesco, to appoint Anne Shambaugh as Lower Swatara Township's Right-to-Know Officer. The motion was unanimously approved.

PUBLIC COMMENTS: None

DEPARTMENT REPORTS:

Police Department – Chief Brandt – reviewed the monthly statistics. It was another good month, with serious crime down and 522 total calls for service. There were 11 total arrests, 4 DUI arrests, 36 traffic citations, 2 non-traffic citations, and 39 warnings. Chief Brandt noted that of the 36 traffic citations written, exactly half were from North Union Street. He added that 2 were also written from the Nissley Drive/O'Hara Lane area. One was a stop sign violation, and the other was a speeding violation. There were also numerous warnings written here. Chief Brandt addressed the truck traffic issues on North Union Street, and reported that the Truck Enforcement Officer is seeing far less trucks there. It appears that the department's enforcement efforts on North Union Street are having an impact. Chief Brandt reported that the department is also monitoring the Nissley Drive/O'Hara Lane stop sign, as requested by the Board. The night shift has not observed anyone going through the stop sign, although the other two shifts have. The officers, however, feel that the problem here is not any more serious than at other areas, such as Hanover Street, where complaints are received about running the stop sign. Commissioner DiFrancesco stated that he notices most of the issues at the sign occur in the morning hours. Chief Brandt agreed that they appear to be in the morning/early afternoon. Commissioner DiFrancesco questioned the site distance comments made in the study for the stop sign. Chief Brandt explained that he could not really answer this since he did not perform the study. He noted that it had been forwarded to HRG for review. Ms. Letavic confirmed that they did review the study. It makes a reference that she has a question about. Rather than provide a comment either way, she asked to work with staff to dig into the background of the study. It appears to have been written before or around 2006, and certainly does not meet today's standard. Chief Brandt added that whatever the Board decides is fine with him. If it desires to keep the sign, the department will enforce it. In response to a question from Commissioner DiFrancesco, Chief Brandt reported that this stop sign has never been legally challenged.

Planning and Zoning/Codes Department – referenced the list of new plan reviews, complaints addressed, and reports on monthly inspections and permits issued. The Planning Commission will consider and continue to discuss the amended zoning map change request submission by F. Lee Dickerson which would change an area currently zoned Residential-Suburban to Commercial-Highway. This area is located along North Union Street near SR 283. The request will be discussed at the Planning Commission's December 17 meeting. Mr. Greene noted that the

Chairman of the Planning Commission wants to be certain that all five members will be in attendance of this meeting before it continues the discussion. The Zoning Hearing Board took action at its meeting on November 17 to approve the variance request from Shaner Corporation, SARAA/HIA requesting a variance to construct a four-story Courtyard by Marriott Hotel with a maximum building height of 55 feet, which exceeds the allowable height of 35 feet. The project is located at One Terminal Drive in the A-I district. Mr. Greene updated the Board on the Spring Street Properties/Nittany Place, PSU Soccer Field and Campus Heights projects. He explained that the screen fence along Dauphin Street was damaged by a contractor who was aerating the soccer field; it was repaired. Matt Tunnell also reported that the pedestrian opening in that fence has been completed, and a fence was added behind the Fisher property. The committee for the Comprehensive Plan Update will hold its next meeting on Tuesday, December 8, at 6:00 P.M. Michelle Brummer has completed her interviews with Township Officials, staff, Highspire Borough Manager and Middletown Borough Manager, HIA/SARAA and PSU representatives. She has also met with property owners with large open tracts of land, mainly in the Longview Drive area. She is scheduled to report to the committee with her findings concerning their general intent for their land for the next ten years and to obtain their perspective on current use/zoning policies. As the Board will recall, Duane and Paula Rhodes were at the last legislative meeting. Mr. Greene explained that he just received a permit application today from them; they have now decided to hook up both their home and their business to public sewer. President Mehaffie asked how construction of the new high school is progressing. Mr. Green reported that it is moving along. They are reportedly on schedule to open the school next fall.

Public Works Department – Daniel Wagner – reported that the Department is wrapping up leaf collection. The crew worked overtime on several days and plan to finish Friday. The Department is getting the trucks and equipment ready for the winter season. The salt and plows have been ready since last year. Mr. Wagner reported that the Department did work with HRG to winterize the Greenfield Well irrigation system. The water cannon was brought to the heated garage for the winter. The Township's responsibilities on Blacklatch Lane and Pennsylvania Avenue are pretty much complete. E K Services has more work to do on both roads. A walk-thru on Pennsylvania Avenue was held today, and the only thing remaining is some sealing along the curbs and joints at the ends of the road. After a few things are completed on the sewer end, the project will be done. E K Services does plan to come in tomorrow and pave Blacklatch Lane and address a few minor

details. Mr. Wagner reported that the screening of the street sweepings was finished on Monday. He thanked the Borough of Middletown for allowing the Township to use its screener. Everything is now screened and off-site, and there were enough residents who wanted the sweepings. Mr. Wagner updated the Board on the gas octane issue. The state contract for gas expires at the end of this month, and it is the Township's understanding that only 87 octane will be bid. Unless the Township desires to go out of the state contract, which he does not recommend, the decision is pretty much made. Mr. Wagner noted that he and Mr. Mason will continue to look at other options for fueling the newer vehicles. Mr. Wagner also informed the Board that the current budget includes the purchase of trash cans for the parks. This is a large purchase, and will be done before the end of the year. These cans are identical to the ones at the Greenfield Park. They look nice, last long, and are easier to maneuver. Mr. Wagner reported that today, he had contacted the company that did the road core testing and expressed concern that the results had not yet been provided. He was told that the test results came back and did not look right, so they were sent back to the lab to be redone. Hopefully they will be back soon. Mr. Wagner informed the Board that the Township has been told for years that the interstate lighting on Route 283, in particular by the cloverleaf at Wendy's up to Spring Garden Drive past the PA Turnpike, is the Township's responsibility. Since there are so many lights out in this area, he asked if PPL could help figure out how to change the lights. PPL responded that the lights do not belong to them either. Mr. Wagner explained that he is working with PennDOT on this issue. He feels fairly certain that this is either the responsibility of PennDOT or the Turnpike. The Township does not appear to be paying for any of the electric bills at these locations. Mr. Wagner also reported that HRG came out and looked at the Highland Street Bridge and the Richardson Road Bridge. This was done prior to winter, when plows will be running over the bridges. HRG felt comfortable with the Richardson Road Bridge. However, there was concern about the Highland Street Bridge. A close eye will be kept on it, since some spots on the road are defective, and it may need to be shut down. Mr. Webb, Public Works Superintendent at Swatara Township, was also contacted and advised of this possibility.

Mr. Wagner informed the Board that there was a problem with the school zone sign coming eastbound from the Longview Drive area headed towards Lumber Street. The timing was finally straightened out with assistance from Telco. In response to a question from Commissioner DiFrancesco, Mr. Wagner explained that the internal clock was losing time, but is now operating correctly. The dumpster will be open this Saturday, from 8:00 to noon, for residents.

MANAGER'S REPORT: No report

ENGINEER'S REPORT:

Erin Letavic, HRG, updated the Board on the Municipal Separate Storm Sewer System (MS4). MS4 plans will be updated with staff input. It is recommended to consider an elected official liaison for water quality so at least one board member is well-versed on the MS4 front. Updated plans will be provided to the Board of Commissioners to review for adoption in early 2016.

Chris Bauer from HRG will provide the update on the Richardson Road Bridge project.

Ms. Letavic updated the Board on the Strites Road drainage project. The DEP Grant application for a bioswale was submitted on October 9 (response expected in early 2016). The project design is underway including electric utility coordination, water line coordination, and wetland absence/presence determination.

The final payment recommendation for the Greenfield Well & Irrigation Project is anticipated to be provided for the Board to consider at the December legislative meeting. Commissioner Springer asked about the reseeding scheduled for this area. Ms. Letavic confirmed that this is the last remaining item. She had spoken to Mr. Wagner, who feels comfortable with issuing the payment now, knowing that the Township does have an extended warranty period and the ability to have the contractor come back and reseed again in the spring. Ms. Letavic explained that the contractor does know there may be a need to come back in the spring to reseed. Commissioner Springer stated it is not a question of whether they may need to come back. They will come back and reseed. President Mehaffie asked Ms. Letavic to get this in writing.

As Mr. Wagner mentioned in his report, the Township is still waiting on core testing results for the truck restriction study.

Chris Bauer, HRG, provided an update on the Richardson Road Bridge Replacement Project. As Mr. Wagner reported, the Richardson Road Bridge was looked at just before Thanksgiving. There has been no change in the condition, so it will remain open but be monitored regularly. Mr. Bauer reviewed the project schedule: final plans and documents 1/8/2016; advertise project 2/18/16; second advertisement 2/23/2016; bid opening 3/23/2016; Township award 4/20/2016 and construction completed the summer of 2016. Mr. Bauer added

that the project is on budget, and has a healthy contingency. Right now, there is enough from the DCIB (Dauphin County Infrastructure Bank) loan to cover the cost of the entire project. Mr. Bauer then showed a sketch of the plan, and stated that the bridge will be put in the same place as it is now. There will be no geometric changes to the roadway. Both approaches will be paved, and a new precast concrete culvert will be installed. There will be a sewer relocation to get it out of the way. Mr. Bauer added that the paperwork will be started to obtain the necessary easements. President Mehaffie asked about the gas line. Mr. Bauer explained that the gas line is fine; they will be moving that on its own and is out of the way.

SOLICITOR'S REPORT:

Solicitor Henninger reminded the Board that it had contracted with Cohen Law Group to develop a utility right of way ordinance. A draft had been submitted to him and staff and should be before the Board shortly.

The Board had received information regarding a repository sale of a lot on Tioga Avenue. This is a .16 acre tract. It is undeveloped, and its taxes have not been paid since 2011. It cannot be built on without correcting significant issues. Since it went to tax sale, and nobody purchased it, it then went to a proposed repository sale. The responsive bid, which was received from Greenview LLC, is in exchange for the various taxing entities writing off their back taxes. The School District has already approved the sale, and the County is willing to accept it if the Township does. Solicitor Henninger explained that the Township would be giving up about $257 in the accumulated taxes, penalties, and interest over the last four years. Moving forward, the parcel will go back on the tax rolls. A motion was made by Commissioner Davies, seconded by Vice President Wilt, to approve the repository sale of the tract on Tioga Avenue known as tax parcel 36-022-100 and forgive the approximately $257 in accumulated taxes, interest and penalties over the last four years. The motion was unanimously approved.

Solicitor Henninger noted that at the beginning of the meeting, the Board had appointed an interim manager. He stated for the record that Samuel Monticello has been placed on unpaid leave at this point. This is a personnel issue, and there will be no further comment by the Board at this time.

Vice President Wilt reported that he had a motion to make this evening. A motion was made by Vice President Wilt, seconded by Commissioner DiFrancesco, to authorize the solicitor to advertise by way of the appropriate public notice that at the next duly advertised public meeting, this Board will entertain the following amendments to Section 1-202 of the Township ordinance: (1) eliminate the requirement for public notice prior to removal of the Township Manager and (2) eliminate the requirement that the Board provide 30 days written notice to the Township Manager prior to his or her removal. The motion was unanimously approved.

FINAL COMMENTS:

Vice President Wilt stated that he would like to welcome Ms. Shambaugh on board as interim manager.

President Mehaffie requested the Board convene into executive session immediately upon conclusion of the meeting in order to address a personnel issue and a contractual issue.

ADJOURN AND CONVENE INTO EXECUTIVBE SESSION:

With no further business to discuss, a motion was made by Vice President Wilt, seconded by Commissioner Davies, to adjourn the meeting and convene into executive session. The meeting adjourned at 7:37 P.M.

ATTEST:

Jean R. Arroyo, Recording Secretary

PLEASE PRINT NAME CLEARLY

Board of Commissioners Workshop Mtg. – December 2, 2015

NAME	ORGANIZATION (IF APPLICABLE) OR ADDRESS
DALE RIDER	1867 OHARA LN
Todd Trunk	1813 Scarlett Lane
Eric Wise	