

MINUTES

DECEMBER 3, 2014 WORKSHOP MEETING

LOWER SWATARA TOWNSHIP BOARD OF COMMISSIONERS

The December 3, 2014 Workshop Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:10 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
- Dominic D. DiFrancesco II, Commissioner
- Samuel D. Monticello, Township Manager
- Peter R. Henninger, Solicitor
- Matt Cichy, 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

Residents and visitors in attendance:

PLEASE SEE ATTACHED SIGN-IN SHEET

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

PUBLIC COMMENTS: None

DEPARTMENT REPORTS:

Police Department – Chief Brandt –referenced the monthly report and reviewed call and crime statistics for the month. There were 609 total calls for the month, which is normal. An update was provided on the recent thefts of guns from vehicles. There is a suspect for some of these

thefts, if not all. An arrest is expected to be made in the near future. There were recently two arsons, one of which involved a trash can at the Lion's Club. Chief Brandt reported that last Monday, he and Mr. Monticello met with PennDOT engineers, Mr. Barbush from Avis Rental, and state representatives to discuss the situation with the merge at Route 230 in front of Avis. It was determined that the traffic light at that particular merge needs to be studied before any further action can be taken. The Board will need to get with HRG to determine costs and see if it wishes to pursue the study. Chief Brandt added that at the conclusion of the meeting, he did inquire about the truck restrictions on North Union Street. The Township's standard procedure of passing an ordinance and putting up "No Truck" signs is correct. However, any type of weight restriction would require a study. President Mehaffie addressed the issue at Avis, and asked if the latest accident that occurred there was due to the driver falling asleep rather than a matter of road rage. Chief Brandt explained that the accident was most likely a result of the driver being distracted by a cell phone. President Mehaffie expressed concern with the steep embankment there, and asked why there is not guardrail installed to protect that area. Chief Brandt agreed to contact PennDOT to ask this question.

Public Works Department – Daniel Wagner – reported that as previously discussed with the Board, the tree in the right-of-way on Stoner Drive was removed. He noted that the backhoe will be down at least a week for repairs. Scheduled leaf collection ends Friday, although the crew plans to be out one or two days next week. After that, the truck will need to be outfitted for the winter season. Mr. Wagner updated the Board on Longview Drive. Ebersole Excavating hopes to be out there next week, weather permitting. The long-range forecast for next week, however, does not look favorable. The work cannot be done if the temperatures are too low. Matt Cichy, HRG, confirmed his understanding that PennDOT requires the temperature to be 40 degrees and rising. Mr. Wagner also reported that the Public Works Department handled its first snow of the season. It was a relatively light snow, which resulted in a good learning experience for the four newest department employees. President Mehaffie asked Mr. Wagner to explain why the push is on to have Longview Drive completed. Mr. Wagner explained that there are several new water caps at that intersection of Strites Road and Longview Drive. One of the plow drivers, who was thankfully going slow, did catch and crack the casing of one of the water caps. There was no damage to the vehicle or plow, but the roadway needs fixed to prevent any further issues.

Planning and Zoning Report – Robert Greene – referenced the printouts of inspections and permits. The staff continues to work with the change of use at Harmony Hall, as well as renovations at the Holiday Inn. The Planning Commission took action at the November 20 meeting to recommend to the Zoning Hearing Board approval for a Special Exception to allow outdoor storage of steel products and equipment for Allied Products, Inc. located at 2751 Spring Garden Drive. The recommendation included a time restriction for outdoor activity between the hours of 10:00 P.M. and 6 A.M. The Planning Commission agenda this month will include the Penn State Student Enrichment Center Plan, with revisions. The Zoning Hearing Board met last evening to hear the request for a Special Exception from Allied Products, Inc. located at 2751 Spring Garden Drive to allow for outdoor storage of material and equipment in the Industrial Park (IP) zoning district. Unfortunately, one of the owners of the property had to travel a considerable distance to the meeting, and weather conditions prevented him from attending. Therefore, a continuance was scheduled for December 16. Mr. Monticello, Mr. Fure, and Mr. Greene met again with David Sizer from 3rd Element Consulting Group for the Document Management System to layout goals, establish the scope of services, and review proposals from three vendors for off-site scanning of current files. Another meeting will be held next week to review specific details and interview File X, which is the company being looked at to perform the scanning services. Mr. Greene and Ms. Letavic met with Rich Jones, Blue Rock Construction, on site at 181 Fulling Mill Road, Pratt/ Whitney, to inspect the modified storm water management facilities. Several issues at pond #2 and the adjusted fill area along the northern portion of the site needs corrected. An inspection report was issued listing the needed corrections. An early 2015 date is expected for completion. Mr. Greene noted that four RPF's were received on the Comprehensive Plan update. They will be reviewed for consideration and recommendation to the Board at the December legislative meeting. President Mehaffie added that he and Mr. Monticello had spoken about the possibility of a DCED grant for this project. Mr. Monticello reported that it appears that DCED is over subscribed for these grants. The Township may be able to apply in 2016, but the intent is to move on the comprehensive plan in early 2015. President Mehaffie stated that while he understands the Township would like to move on this project, a 50% grant is considerable. Mr. Monticello noted that he is awaiting a return phone call about this, but will follow up on it. Mr. Greene reported that he will be attending the one day code training seminar for the International Fuel Gas Code Essentials on

December 4 at the Clarion Hotel & Conference Center in New Cumberland. This course will provide 6 CEU's. In addition, he and Mr. Fure will be attending the code training seminars for Relocated Manufactured Housing (Habitability and Installation) and Proper Handling of Factory Built Housing and Buildings on December 9 at the Lancaster Host Resort & Convention Center. This is mandatory training every three years as per the UCC and will give a total of 6 CEU's. The Sheetz Store, Final LD Plan File #2012-06, was recorded on November 20. Construction is scheduled to begin sometime in February 2015. Mr. Greene and Mr. Fure met with Jim Cieri, P.E. and Jim Turner, Attorney for Karin's Catering/Harmony Hall business to discuss the building code issues as the result of the current plan review issues. He and Mr. Fure also met with Jeff Bertollette and conducted a walkthrough inspection of the existing building for Plouse Precision Manufacturing located at 401 Aviation Way. They are planning to conduct minor interior alterations and begin operation early next year with approximately 70 employees. Mr. Greene noted that he had also met with Andrea Blosser of PA DEP Waterways & Wetlands Program and Rich Snyder of Dauphin County Conservation District concerning the earth disturbance activity on the Lehman Shope farm at 465 Oberlin Road. Mr. Shope was notified of Chapter 102 Erosion Control violations and instructed to take immediate corrective measures. Mr. Greene noted that the Board had requested some tweaks to the sign ordinance, and stated that he should have a rough draft by Friday. President Mehaffie stated that he had attended the recent Planning Commission Meeting; he referenced plans by Allied Steel to move into the former American Aluminum facilities. They plan to seal off the break between the two buildings and make it one building. The concern of the Planning Commission is that the company will be working outside at night, and there may be noise from the operations and the tractor trailers coming in and out. Allied Steel loads and moves steel outside, and also wishes to have an outside crane. Storage would be in the rear of the building. Outside storage is permitted only by a Special Exception from the Zoning Hearing Board. President Mehaffie noted that American Aluminum was also working three shifts when it was in operation. Also, the activity of Allied Steel would be below and behind the building. He had suggested that Mr. Greene speak to some of the residents in this area to see if they have concerns with it. President Mehaffie stated that he would hate to lose a potential business in that area due to a time restriction on shifts, when the three shifts are necessary. He added that the building should act as a sound wall barrier to keep the noise from going over. Solicitor Henninger explained that with Allied Steel, steel would be

shipped in there almost like an operation. Steel comes in and gets loaded similar to a transfer station. American Aluminum, on the other hand, did fabrication inside. There is no fabrication involved with this outfit, which is a good solid company out of Canada. Vice President Wilt stated that his home is not far from the facility, and he never heard any noise when American Steel was in there. Mr. Greene added that the residents across the street were notified of the hearing, and were represented. They do plan to come back to the continued hearing.

Commissioner Davies asked why a Special Exception is needed for this use in an Industrial Park area. Mr. Greene explained that this zoning district specifies that any outdoor storage of equipment or material can only be permitted by a Special Exception. Commissioner Davies asked if the ordinance prohibits certain hours of operation. Mr. Greene responded that it does not. Solicitor Henninger explained that the Zoning Hearing Board can place reasonable conditions on the granting of a Special Exception – hours of operation can be deemed to be a reasonable condition.

Emergency Management /Fire Marshal – Alan Knoche – referenced the draft Lower Swatara Township Emergency Plan. He explained that State Statutes, Title 35 requires all municipalities to have a current Emergency Plan. The Township Emergency Plan has been reviewed for compliance and is readopted on a recurring basis. This has been done every two years. Mr. Knoche asked that the Board place a resolution on the December 17 legislative agenda readopting this plan. Commissioner DiFrancesco asked if copies of the full plan and what officers are in what positions has been provided to the Board. Mr. Knoche explained that this information is located in the EOC (Emergency Operation Center). President Mehaffie directed that the resolution be placed on the December 17 agenda for action. Mr. Knoche, in his position as Fire Marshal, also asked the Board to consider a revision to the Lower Swatara Township Fire Prevention and Fire Protection Ordinance last updated in 2006. If acceptable to the Board of Commissioners, Mr. Knoche asked for authorization to advertise the Ordinance revision for adoption at the December 17 legislative meeting. He explained that Chapter 7 was revised to incorporate features to better control open burning, fireworks, and maintenance of fire protection equipment. The Board discussed the section on false alarms. Mr. Knoche explained that volunteer firefighters cannot be expected to continually respond to false alarms. For the first false alarm in a period, there is no fine. For the second false alarm in a period, the fine is \$25. The third false alarm carries a fine of \$50. Each additional false alarm fine in a period is \$100.

President Mehaffie stated that as a business owner, he can confirm that it is extremely difficult to stop the occasional false alarm. In Swatara Township, where his business is located, the first three false alarms are forgiven. Mr. Knoche stated that the fines are not always enforced diligently, but it does give the Township that flexibility. Some businesses find paying the fines easier than fixing the system. The Police Department actually files the paperwork for the fines. He added that the fine schedule has not changed; this was taken from the existing ordinance. In response to a question from Commissioner DiFrancesco, Mr. Knoche explained that a period is a calendar year. President Mehaffie suggested that one option would be to increase the grace period and then make the penalty after that grace period higher. For example, the first three false alarms would not carry a charge, but the fourth one would be substantial. Mr. Knoche stated that there are two sides to this issue: the side of a business owner and the side of a volunteer firefighter. He stated that as a former volunteer firefighter, he can confirm that getting up in the wee hours to respond to a false alarm is discouraging. Mr. Knoche also informed the Board that the proposed amendment includes the addition of a section on fire hydrants to require a clear area of a minimum of three feet around any public or private fire hydrant. The section on Fireworks specifies use of fireworks and which type are prohibited, except by a competent operator who has secured the necessary permits and insurance coverage. The penalty in this section was also changed to a maximum of \$1,000. President Mehaffie noted that Mr. Greene will be asking for authorization next meeting to advertise the tweak to the sign ordinance. He suggested the Board can further discuss the penalties associated with the false alarms, and then also act on authorization to advertise this ordinance at the legislative meeting.

Mr. Knoche also expressed kudos to the Fire Department for responding to a kitchen fire at Campus Heights. Volunteers were down there at 1:00 A.M. and eliminated a lot of damage. In addition, he commended the volunteers who were out all day Monday in the freezing rain as part of the search team for the 17 year old hunter who is missing. He stated that these volunteer firefighters do not earn a dime; the Township is very fortunate to have them. President Mehaffie agreed, and noted that the last two years, Campus Heights has also recognized this and has presented generous donations to both the Fire Department and the Police Department.

Mr. Knoche reminded the public that tomorrow at 12:15 P.M., a test will be conducted of all TMI sirens within the ten mile radius.

MANAGER’S REPORT:

Mr. Monticello reported that the Lower Swatara Township Accident and Illness Prevention Program Safety Manual has been completed and is ready for Board’s approval. He explained that this is required to be approved by the Board prior to the end of the year. This was a consolidated effort by the Safety Committee over the last several months. In response to a question from Commissioner DiFrancesco, Mr. Monticello confirmed that there will be staff training on this manual. A motion was made by Vice President Wilt, seconded by Commissioner DiFrancesco, to approve the adoption of the Lower Swatara Township Accident and Illness Prevention Program/Safety Manual. The motion was unanimously approved.

Mr. Monticello requested a brief executive session immediately upon conclusion of this evening’s meeting for personnel reasons.

SOLICITOR’S REPORT:

Solicitor Henninger referenced copies of the proposed budget ordinance and tax rate ordinance, both of which have been advertised for formal action on December 17.

In the absence of Chief DeHart, Solicitor Henninger reported that the rescue boat for the Fire Department was placed out for bid. Two bids were received, but the apparent low bidder did not submit a conforming bid. There are deficiencies that are significant to the point that he cannot recommend approval to the Board. The second bid was almost double the original estimate, and Chief DeHart did not feel that it would meet the requirements of what the boat is needed for anyway. The recommendation of the Fire Department is that the Board rejects both bids and goes back to the drawing board. A motion was made by Commissioner DiFrancesco, seconded by Vice President Wilt, to reject both bids received for the rescue boat. The motion was unanimously approved.

ENGINEER’S REPORT:

Matt Cichy, HRG, referenced Ms. Letavic’s engineer’s report. He updated the Board on the Greenfield Park Well Irrigation Project. The project is under construction by Rogele Inc., which is presently working on installation of the irrigation piping. Mr. Cichy explained that during construction, two improvements were recognized that could help with future operation of the maintenance of the system. The first one pertains to the water reel to irrigate the fields. To irrigate

the large fields, a gas engine booster pump will be used to boost the pressure. In working with the manufacturer, the initial plan was to use a 5 ½ horsepower booster pump. Now that construction is moving forward, the manufacturer is recommending increasing the engine to a 9 horsepower pump. This will allow the engine to run at a slower speed which will increase the service life of the engine and reduce gas consumption. The cost would be an additional \$584.01. The second item pertains to the shed which will serve as the location for the flow meter and other controls and equipment for the irrigation project. The recommendation is to install a “T” with two valves and then a pipe that would daylight into the embankment to allow for drainage of these lines when the system is shut down for the winter. The cost would be \$4,702.18. Mr. Cichy stated that both these two recommendations would increase the contract by \$5,286.19. Staff is also recommending these changes. A motion was made by Commissioner Davies, seconded by Commissioner Springer, to accept Change Order #1 in the amount of \$5,286.19 for the Greenfield Park Well Irrigation Project. The motion was unanimously approved.

Mr. Cichy also reported that staff has asked for assistance in the inspection of the electrical items once installed. A motion was made by Vice President Wilt, seconded by Commissioner Davies, to approve an expenditure not to exceed \$1200 for additional electrical inspections when requested. The motion was unanimously approved.

The Board was updated on the GIS system for sewer and stormwater facilities. Mr. Cichy explained that information is input by the staff to this cloud-based system which is dedicated to the Township facilities. He showed the Board some of the facilities mapped, and explained the specifics of the system. President Mehaffie stated that the Township is moving in the right direction with this project, and thanked Mr. Cichy for the work and for the update.

FINAL COMMENTS:

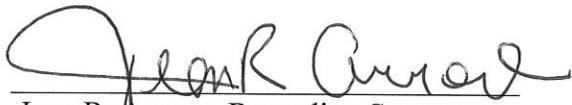
President Mehaffie reported that he, Mr. Monticello, Mr. Wagner, and Ms. Arroyo attended an MS4 meeting this morning, presented by the COG. Two different municipalities explained the horrors of their EPA inspections. This is a very serious issue, and all staff members, including the Fire Department, will need to brush up on the requirements of this program. One of the major components is that everything must be documented.

Commissioner DiFrancesco asked the status of Whitehouse Lane, which has been torn up for some time now. Mr. Wagner explained that there is the need for major replacement of storm pipe here due to an erosion issue.

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 8:35P.M.

ATTEST:



Jean R. Arroyo, Recording Secretary

