MINUTES

LEGISLATIVE MEETING – FEBRUARY 17, 2016

The February 17, 2016 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, Assistant Secretary
- Michael J. Davies, Commissioner
- Todd F. Truntz, Commissioner
- Anne Shambaugh, Manager
- Jean R. Arroyo, Secretary
- Peter R. Henninger, Solicitor
- Erin G. Letavic, HRG, Engineer
- Robert S. Greene, Planning and Zoning Coordinator
- Richard D. Brandt, Police Chief

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

PUBLIC COMMENTS:

Nancy Pendergrass, Briarcreek Lane, asked why the Township hired an Assistant Public Works Superintendent. President Mehaffie explained that this position is actually Municipal Authority Manager/Assistant Superintendent of Public Works. When Jeff Sipe had retired from the Municipal Authority, the Township was looking for a replacement. It did have someone fill the position for a short period of time, but that individual chose not to take it. Ms. Pendergrass stated that she did not see mention of looking to fill this position in any of the prior meeting minutes. President Mehaffie responded that it has been an ongoing search for over a year. Ms. Pendergrass asked if the position had been advertised. President Mehaffie explained that it had not been, and confirmed that it was not required to be advertised. Vice President Wilt stated that if the Township has a candidate in mind, it does not have to advertise. President Mehaffie added that the Township has a large file of completed applications of those interested in employment with the Township. This particular position is being paid out of the Municipal

Authority budget, so the Authority made the recommendation to the Board of Commissioners to hire this individual. Ms. Pendergrass stated that this was to be her next question – she did not see this position included in the 2016 budget. President Mehaffie explained that this position is Manager of the Municipal Authority, but will also serve as Assistant Public Works Superintendent.

Ms. Pendergrass stated that she did not see an advertisement in the Sunday paper for the hiring of a police officer. She asked if it was in the newspaper. President Mehaffie responded that it was not. This position would not be advertised in the newspaper anyway, since it must go through the civil service commission. Chief Brandt confirmed that there is a lengthy process to establish the list of potential candidates for police officer, and this list is before the Board right now. Ms. Pendergrass asked if the Board is actively looking for someone. President Mehaffie confirmed that the Manager, Police Chief and Police Committee have been working on this during the last several weeks.

Commissioner Truntz stated that he would like to comment about the hiring of Lester Lanman as Municipal Authority Manager/Assistant Superintendent of Public Works. He explained that this position, as it relates to the Municipal Authority, is a specialized one. There are special operators' licenses that this position requires, and when the opportunity came to hire Mr. Lanman, it was fortuitous for the Township.

APPROVAL OF MINUTES:

A motion was made by Vice President Wilt, seconded by Commissioner Springer, to approve the Minutes of the January 20, 2016 Legislative Meeting. The motion was unanimously approved.

A motion was made by Commissioner Springer, seconded by Commissioner Truntz, to approve the Minutes of the February 3, 2016 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. 2016-01. 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 January 2016. The motion was unanimously approved.

ENGINEER'S REPORT:

Erin Letavic, HRG, reported that HRG is meeting weekly with staff this month to prepare for the PA DEP inspection of the Township's MS4 program, which is scheduled for March 22. Ms. Letavic added that she does plan to provide a MS4 public education session at the March workshop.

The property appraisal for the Shireman Farm Parcel (DCNR Grant) is slated to be completed in the next two weeks. A pre-application meeting will be held on February 18. HRG has started the application.

Ms. Letavic updated the Board on the Strites Road drainage. The DEP grant application for a bioswale was submitted on October 9, 2015. PADEP has indicated that it needs no additional information for the project and that its leadership has not yet made a decision on project awards. Suez has indicated that the waterline project is on hold due to funding.

The detour plan for the Richardson Road Bridge project (funded by DCIB Loan and Gaming Grant) has been sent to PennDOT for approval. The project schedule has been delayed about a month. The anticipated project schedule is as follows: advertise end of March 2016, open bids end of April 2016, Township to award at May 2016 legislative meeting, notice to proceed beginning of June 2016, and substantial completion beginning of September 2016 (complete construction while school is out of session).

SOLICITOR'S REPORT:

Solicitor Henninger noted that at the February workshop meeting, the Board had authorized preparation of an ordinance to enact a weight restriction on a section of North Union Street and on Stoner Drive. He had prepared that draft and sent it to Chief Brandt and Mr. Wagner for review. The language was tweaked a bit. Also, a question had been posed about the fact that Swatara Township had conducted a study on Strites Road, Fiddlers Elbow Road which becomes 80th St, and on Cockley Drive which have areas in the Township that were also studied for weight restrictions. It was suggested that these also be incorporated into this same

ordnance. Specifically, it would add Strites Road from Longview Drive to the Township line, Fiddlers Elbow Road from North Union Street to the Township line, and Cockley Road from Longview Drive to the Township line, based upon that study. Solicitor Henninger added that Mr. Wagner had informed him that the signs are already in place out there. The Township had done this to help Swatara Township with enforcement. Therefore, there would be no additional signage expense to add these areas to the ordinance. Solicitor Henninger requested Board authorization to add these three sections of roadway to the ordinance. A motion was made by Commissioner Springer, seconded by Vice President Wilt, to add Strites Road from Longview Drive to the Township line, Fiddlers Elbow Road from North Union Street to the Township Line, and Cockley Drive from Longview Drive to the Township line, to the proposed ordinance which would impose weight restrictions on North Union Street from Route 441 to the 283 Interchange and Stoner Drive from Route 441 to Rosedale Avenue. The motion was unanimously approved.

Solicitor Henninger requested a brief executive session immediately upon conclusion of tonight's meeting in order to discuss the proposed intermunicipal agreement with SARAA in regards to the North 29 area sewage. He noted that several members of the Municipal Authority will be here later to join the discussion.

MANAGER'S REPORT:

Ms. Shambaugh requested Board approval of the Township's revised Personnel Manual for all non-uniformed employees. This was reviewed last month, and several changes were discussed and added into the manual. She inquired if the Board had any other changes or items for inclusion. Commissioner Davies asked if wording had been incorporated regarding an appropriate use policy for internet usage. Ms. Shambaugh noted that it was added, but observed that only copies of the odd pages of the manual were included in the Board packets. The Board agreed to defer action on this until the March workshop agenda.

President Mehaffie reported that the Municipal Authority meets on February 22 at 7:00 P.M. The February 25 Planning Commission Meeting has been cancelled. The Recreation Board meets on March 2 at 6:00 P.M. The Board of Commissioners Workshop is also on March 2, and begins at 7:00 P.M. President Mehaffie asked Ms. Letavic to attend the Recreation Board Meeting in order to assist in finalizing plans for the Shopes Garden and Old Reliance parks.

COMMITTEE REPORTS:

Police Committee – Vice President Wilt – no report

Public Safety Committee – Commissioner Springer – no report

Budget and Finance – Commissioner Davies – no report

Public Works – Commissioner Truntz --- reported that the crew has been working hard to keep the roads clear. He asked Ms. Shambaugh the status of the salt supply, which he understands is low. Ms. Shambaugh confirmed that the Township is waiting on a 220 ton delivery of salt. It has not been received yet, but the Township has reached out to surrounding municipalities for reciprocity if it should need salt. Commissioner Truntz also commented that he was out last week during the drifting snow. A car in front of him had run off the road, so he had pulled over to help. At the same time, a Public Works truck came by. The driver did not recognize Commissioner Truntz, but jumped out without hesitation to assist in pulling the car out. Commissioner Truntz stated he was quite impressed with the willingness to help.

Community and Economic Development – President Mehaffie – reported that Mr. Shambaugh has some upcoming meetings with large parcel owners regarding recreational land. He asked her to update the Board on this. Ms. Shambaugh explained that the Board had requested that she send letters to large parcel owners to see if they had any interest in meeting with her to discuss the possibility of recreational facilities on their properties. She recently met with Gary Stewart, who owns Stewart Building Properties. He is the developer for what used to be York Building. His company actually own several parcels within the Township, and they are willing to sit down and discuss some future recreational use. Mr. Stewart had mentioned that he had worked in the past with the Kreider family, which has a parcel very close to one of theirs. He mentioned that there may also be some willingness from the Kreiders to partner with them. Ms. Shambaugh reported that she will be meeting with Ron Kreider on Monday, February 22. She added that she has spoken to four individuals out of the six letters she had sent.

President Mehaffie reported that he had a meeting with the Fire Department at the beginning of the month. He encouraged everyone to take a look at the new vehicle and boat which were purchased through a gaming grant. He thanked the County for making this possible.

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, at its January 20, 2016 meeting, granted a time extension to April 20, 2016.

A motion was made by Vice President Wilt, seconded by Commissioner Davies, to grant a time extension to May 18, 2016, as requested by the developer, on the 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 motion was unanimously approved.

A motion was made by Commissioner Springer, seconded by Commissioner Truntz, to grant a 83 day time extension until May 18, 2016, as requested by the developer, on 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 statues. 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. The motion was unanimously approved.

NEW BUSINESS:

A motion was made by Vice President Wilt, seconded by Commissioner Truntz, to approve Ordinance No. 563. This ordinance amends the Code of Ordinances of Lower Swatara, 448 as amended and supplemented, Chapter 18, Sewage and Sewage Disposal, Part 5, User Charges, Section 18-503. Applicability. Subsections 1.A. (2) and (4) and Subsection 2.B. to revise the denominator used in calculating equivalent dwelling units for billing purposes from 228 gallons per day to 217 gallons per day. In response to a question from President Mehaffie, Solicitor Henninger noted that this will not impact the residential users, only commercial and industrial users. A roll call vote was taken with the following ballot tabulation: President Mehaffie – aye, Vice President Wilt -- aye, Commissioner Davies – aye, Commissioner Springer – aye, Commissioner Truntz – aye. Ordinance No. 563 was approved by a 5 – 0 margin.

A motion was made by Commissioner Davies, seconded by Vice President Wilt, to approve the Improvement Guarantee Reduction #2/release, Irrevocable Letter of Credit # 10013106009 in the amount of $3,850.00 from the current balance of $3,850.00 for Sanitary Sewer Improvements for Campus Heights Village II, Final Land Development Plan, File #2013-06. Following the required 18 month maintenance period for these improvements, this reduction will leave a balance of $0.00. The motion was unanimously approved.

A motion was made by Commissioner Springer, seconded by Vice President Wilt, to approve the Improvement Guarantee Reduction/release, Irrevocable Letter of Credit

#10013089171 in the amount of $91,295.99 from the current balance of $91,295.99 for Site Improvements for Campus Heights Village II, Final Land Development Plan, File #2013-06. Following the required 18 month maintenance period for these improvements, this reduction will leave a balance of $0.00. The motion was unanimously approved.

FINAL COMMENTS:

President Mehaffie requested an executive session with Chief Brandt immediately upon conclusion of this evening's meeting for personnel reasons.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other business, 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 7:30 P.M.

ATTEST:

Jean R. Arroyo, Township Secretary

PLEASE PRINT NAME CLEARLY

Board of Commissioners Legislative Mtg. – February 17, 2016

NAME	ORGANIZATION (IF APPLICABLE) OR ADDRESS
T. Pendergrass	Breakneck Ln
Eric Wise	Pres And Journal
BRUCE HARTER	1134 STRITES RD.
Nancy Avolese	1451 N. Union St.
JIM GINGRICH	1822 O'HARA LN LSTMA
Julie Witt	LST Tax Treasurer