

## MINUTES

### REORGANIZATION AND WORKSHOP MEETING -- JANUARY 4, 2016

#### LOWER SWATARA TOWNSHIP BOARD OF COMMISSIONERS

The Reorganization Meeting of the Lower Swatara Township Board of Commissioners was called to order at 6:45 P.M. by Solicitor Peter R. Henninger. Solicitor Henninger then turned the floor over to The Honorable Judge Mike Smith, who presented the oath of office to Commissioners-elect Michael J. Davies, Todd F. Truntz, and Jon G. Wilt.

Commissioner Mehaffie asked that the Board and public rise for the pledge of allegiance and a moment of silence.

Roll call was then taken by Anne Shambaugh, Interim Manager. The following officials were in attendance:

- Thomas L. Mehaffie III, Commissioner
- Jon G. Wilt, Commissioner
- Michael J. Davies, Commissioner
- Laddie J. Springer, Commissioner
- Todd F. Truntz, Commissioner
- Anne Shambaugh, Interim Manager
- Peter R. Henninger, Henninger & Jones
- Erin G. Letavic, HRG
- Jean R. Arroyo, Recording Secretary
- Richard D. Brandt, Police Chief
- Robert S. Greene, Planning & Zoning Officer
- Daniel L. Wagner, Public Works Director

Residents and visitors in attendance:

(Please see attached sign-in sheet)

Solicitor Henninger called for nominations for President of the Board. A motion was made by Commissioner Truntz, seconded by Commissioner Springer, to nominate Thomas L. Mehaffie III as President. Hearing no other nominations, the nominations were closed and the motion to appoint Thomas L. Mehaffie III as President was unanimously approved. Solicitor Henninger congratulated President Mehaffie. The gavel was then turned over to President Mehaffie.

President Mehaffie called for nominations for Vice President of the Board. A motion was made by Commissioner Davies, seconded by Commissioner Springer, to nominate Jon G. Wilt as

Vice President. Hearing no other nominations, nominations were closed and the motion to appoint Jon G. Wilt as Vice President was unanimously approved.

President Mehaffie called for nominations for Township Secretary. A motion was made by Commissioner Springer, seconded by Vice President Wilt, to elect Jean R. Arroyo as Township Secretary. Hearing no other nominations, nominations were closed and the motion to elect Jean R. Arroyo as Township Secretary was unanimously approved.

President Mehaffie called for nominations for Assistant Township Secretary. Solicitor Henninger explained that under township code, the Assistant Secretary must be appointed by resolution. In front of the Board this evening is Resolution No. 2016-R-1, which appoints Laddie J. Springer to the position of Assistant Secretary. Solicitor Henninger explained that the resolution also elects Jean R. Arroyo to the position of Township Secretary; both positions were included in the resolution. A motion was made by Commissioner Davies, seconded by Commissioner Truntz, to approve Resolution No. 2016-R-1. The motion was unanimously approved.

A motion was made by Vice President Wilt, seconded by Commissioner Springer, to reappoint Peter R. Henninger, Jones & Henninger, P.C., as Township Solicitor. The motion was unanimously approved.

A motion was made by Commissioner Truntz, seconded by Vice President Wilt, to reappoint Waggoner, Frutiger and Daub, Certified Public Accountants, as Township Auditor. The motion was unanimously approved.

A motion was made by Vice President Wilt, seconded by Commissioner Davies, to reappoint Herbert, Rowland & Grubic as Township Engineer. The motion was unanimously approved.

The Board acknowledged the reappointment of the Keystone Collections Groups as Earned Income Tax Collector.

A motion was made by Commissioner Springer, seconded by Commissioner Davies, to approve the reappointment of Mid Penn Bank as Township Depository. The motion was unanimously approved.

A motion was made by Vice President Wilt, seconded by Commissioner Springer, to approve the reappointment of Powell, Rogers & Speaks as Lower Swatara Township delinquent tax collector for Act 511 taxes for the year 2010 and prior. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Vice President Wilt, to approve the reappointment of Berkheimer Tax Administrator as delinquent tax collector for Act 511 taxes for the year 2011 – 2015. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Vice President Wilt, to approve the appointment of the Special Fire Police for the year 2016, as submitted by the Lower Swatara Volunteer Fire Department: FP-1 Captain Henry Pickel, FP-2 Lieutenant Dave Rhine, FP-3 Dave Sheaffer, FP-4 Jackie Leonard, FP-5 Jodie Frazier, FP-6 Gary Bressler, and FP-7 Ed Craig. The motion was unanimously approved.

The Board tabled agenda items 17 and 18, the list of Commission/Committee appointments and the list of President's Appointments. President Mehaffie explained that the Board will be taking action on these items at the January 20, 2016 legislative meeting since it is still awaiting confirmation of some of the appointees.

A motion was made by Vice President Wilt, seconded by Commissioner Springer, to accept the resignation, as well as the terms of the Separation Agreement, between Samuel Monticello and Lower Swatara Township. A roll call vote was taken with the following tabulation: Commissioner Davies – aye, Commissioner Springer – aye, Commissioner Truntz – aye, Vice President Wilt – aye, President Mehaffie – aye. The motion was approved by a 5 – 0 margin.

A motion was made by Commissioner Truntz, seconded by Vice President Wilt, to approve the appointment of Anne Shambaugh as Township Manager. The motion was unanimously approved.

#### PUBLIC COMMENTS:

Linda Raphael, 62 Wayne Avenue, stated that she has been reading a lot about the National Disaster Resilience Program grant, and asked if Lower Swatara Township had been approved for this grant yet. According to HUD, they were to let the recipients know by the end of December, and those who were accepted for the grant were to be signing paperwork this month. Ms. Letavic, who is part of the Dauphin County team, agreed that this was the timetable they were told. While the process does take time, it is hoped that the paperwork portion will move quickly once approved. Ms. Raphael asked if there will be an additional meeting for this specific topic if the grant is approved. Ms. Letavic explained that it is hard for her to make a commitment right now since there

are so many unknowns. However, should there be a significant amount of funding granted for the project, she would expect a separate meeting since it would impact such a large neighborhood. Ms. Raphael added that according to the information she read, there are seven houses that are included in this grant, from Jednota Flats from the Airport Extension to Whitehouse Lane. She asked if this is correct, and the grant would include seven houses and two trailer parks. Ms. Letavic stated that it would basically include the entire residential area. The intent would be to maintain the commercial properties along Route 230. President Mehaffie added that Dauphin County's website does have information on this. The question is if Dauphin County is lucky enough to receive the funds, will the Lower Swatara Township projects be accepted for the funding. Ms. Letavic suggested that Ms. Raphael continue to look at the Township's meeting agendas, as it will be included should good news be received.

Theresa Fink, 99 Bradford Avenue, asked what seven houses are to be included and stated that she would love to have her home on that list. Ms. Letavic explained that this information was from the Round 1 application. The Round 2 application is currently being reviewed, and includes the entire neighborhood – both trailer courts and all the residential properties. Ms. Fink asked where she would find this second draft. Ms. Letavic explained that it has not been made public yet. It is under review by HUD, and information should be forthcoming soon.

#### DEPARTMENT REPORTS:

Fire Department – former Fire Chief Chris DeHart reported that the newly elected fire chief, Jason Brown, could not be in attendance as he is also being sworn-in tonight. Ken Fultz was elected to the position of 1<sup>st</sup> Assistant, and Don Waple to the position of 2<sup>nd</sup> Assistant. Mr. DeHart reported that there were a total of 629 calls in 2015, and approximately  $\frac{3}{4}$  of these were in Lower Swatara Township. He then thanked the Board for the last eleven years that he has served as Fire Chief. President Mehaffie thanked Mr. DeHart for all he has done for the Fire Department and the Township. The position of Fire Chief is time consuming, takes much effort, and is unpaid. President Mehaffie also commended him for his work with the building and the apparatus, including the new boat, which is a very impressive piece of equipment.

Police Department – Chief Brandt -- reported that it was another good month, with serious crime down. Surprisingly for the month of December, fraud was also down. There were 537 calls for service, which is normal. There were 7 DUI arrests, 21 traffic citations, 2 non-traffic citations, and

36 warnings. The North Union Street area accounted for about 20% of those citations/warnings. Chief Brandt reported that last month, the detectives had received some information while off-duty about a possible child predator on the internet. They immediately followed up on that. Detective Appleby, posing as a 14-year old girl, contacted the individual over the internet. Arrangements were made to meet up, which ultimately led to the predator's arrest. Chief Brandt commended the detectives for their great work. Chief Brandt also referenced the heroic actions of another department officer, Patrick Ribec. On New Year's Eve/New Year's Day, Officer Ribec and a Middletown officer responded to an automobile accident on North Union Street, just past Longview Drive. The vehicle was on its side and on fire. Trapped inside was an adult and baby. Another child had been able to escape the vehicle prior to the arrival of the officers. Officer Ribec broke out the back window, crawled inside, and cut the baby out and handed her to the Middletown officer. He was then able to pull the driver out. The Fire Department also responded and extinguished the fire. Vice President Wilt commended Officer Ribec on his heroic efforts, and stated that the Board is very proud of him. Chief Brandt noted that he plans to present Officer Ribec with an award for his outstanding actions. President Mehaffie stated that the Board would be glad to have the award presented at a future Board meeting. He also gave kudos to the Fire Department volunteers for their involvement in this rescue, especially since it was New Year's Eve.

Planning & Zoning – Robert Greene – referenced the permit and inspection reports for the month of December. He noted that the Planning Commission took action at its meeting on December 17, by a vote of 3-1, to recommend approval to the Board of Commissioners the request submission by F. Lee Dickerson for the zoning map change from Residential Suburban (R-S) Zoning to Commercial Highway (C-H). Subject properties are located along N. Union Street south of SR 283. The zoning map change proposal now goes to the Board of Commissioners for consideration. A letter from the Chairman of the Planning Commission will be presented to the Board this month. President Mehaffie asked Solicitor Henninger how the Board would proceed with this. Solicitor Henninger explained that the Township is required by the MPC (municipal planning code) to hold a public hearing pursuant to public notice. That public notice requires advertisement twice in the newspaper, the first advertisement no more than 30 days out, and the second no less than 14 days out. The property must also be posted and 30-days written notice provided to all the property owners. While not required under the MPC, the Township also has historically provided written notice to all adjoining property owners as a courtesy. Looking at the Board's meeting schedule, it

seems the earliest that the public hearing could be held would be March 2. Solicitor Henninger noted that in the past, zoning change requests were usually advertised so that the public hearing and consideration of the ordinance could be held the same evening. This was done to save advertising costs. He stated that the Board will have the letter from the Planning Commission at its next meeting, and can then proceed to schedule the public hearing for either March 2 or 16, whichever best suits the Board. He suggested a minimum of an hour be allotted to allow the presentation by the applicant and then time for public comment. He noted that the Board does not have to conclude the public hearing that night if discussion goes longer than anticipated. In response to a question from Commissioner Truntz, Solicitor Henninger explained that the decision to rezone is at the Board's discretion. Commissioner Truntz asked if the Board's decision can be appealed. Solicitor Henninger confirmed that it can be, and would go before the Dauphin County Court of Common Pleas. President Mehaffie asked how long the Board has to make the decision on the request after the Public Hearing is held. Solicitor Henninger explained that the MPC does not contain a time frame. President Mehaffie stated that the Board definitely does not want to rush through the public hearing, since the public should be afforded ample time to express their concerns and opinions. Solicitor Henninger added that the Board can also schedule the public hearing on a separate night all together, not necessarily a regularly scheduled Board meeting. Commissioner Truntz also suggested the Board consider having the decision supported by findings of fact and conclusions of law. Even if it costs more to advertise it twice, it would be good to have a solid written opinion as to why the Board made the decision it did. Mr. Greene continued on with his report. He noted that there were no Zoning Hearing Board submittals last month. The Comprehensive Plan Steering Committee met on December 8 to review and give comments on previous work that the consultant had performed including public participation reports, findings in the background studies and direction for Township issues and opportunities. The next meeting is scheduled for Tuesday, January 19, beginning at 6:30 P.M., at which time the committee will discuss final interviews for issues and opportunities, completed update of background studies, and preparation of additional draft goals and objectives. Mr. Greene added that the general public is very welcome to attend any of these comp plan committee meetings. Mr. Greene reported that the planning and zoning/code department is a good team that works well together and looks forward to serving the Board and community in the coming year. President Mehaffie stated that he has received numerous compliments about the professionalism and friendliness of the department.

Public Works Department – Daniel Wagner – reported that due to December vacations, the smaller crew focused on cleaning and painting the shop and installing carpeting. Some failing inlets were also repaired. Mr. Wagner reported that a sinkhole opened up at Hanover Drive and Lakeside Drive; this is in a Township right-of-way, in a resident’s backyard so to speak. He and Mr. Greene looked at it, and found that the pipe was rotted away and the ground had caved in. The crew did its best to repair it in hopes that it will hold for a while. This is on the Capital Improvement Plan, if implemented. Mr. Wagner reported that the mechanic will be doing some fairly extensive repairs to the street sweeper. The leaf vacuums have ben serviced for next year. Mr. Wagner noted that at a Municipal Authority meeting, he and Ms. Shambaugh had both commented to Matt Cichy of HRG that they did not care for the plan that was laid out for the sewer relocation on Richardson Road. He asked Ms. Letavic if other options were being looked into. Ms. Letavic explained that she had not spoken to Mr. Cichy, but would check with him tomorrow. Ms. Shambaugh offered to discuss this with Mr. Cichy when they meet next week. Mr. Wagner reminded the Board and residents that he dumpster will be open again on January 9, from 8:00 to noon.

MANAGER’S REPORT: No report

ENGINEER’S REPORT:

Erin Letavic, HRG, referenced the Capital Improvement Plan – Penn Vest funding. A pre-application meeting was held with Penn Vest to discuss eligibility of the projects included on the five year plan. HRG is coordinating with a PA DEP engineer on the eligibility of pavement for the application. The goal will be to apply for a 50% grant and 50% loan for drainage improvements.

Ms. Letavic referenced a memo she had provided on the Shireman Parcel and the Department of Conservation and National Resources Community Conservation Partnership Program Grant. This is being looked into since the Township is interested in the possibility of additional athletic fields. The eligibility of the purchase of the Shireman parcel, located in the northern section of the Township at the intersection of Longview Drive and Ebenezer Road, is being explored. Grant requirements include the land being acquired for use as a park or recreation area and that the project funding include a 50% match. If the Board is interested, Ms. Letavic agreed to put together a scope of work for the January meeting to proceed with scheduling a meeting with Lori Yeich, the Township’s local DCNR representative. President Mehaffie suggested that it would

be beneficial to get in touch with the County Commissioners to see what opportunities are out there and what they would like to see. He asked Ms. Letavic if there is a cost factor for the proposal. Ms. Letavic explained that there would be no cost for her to put together a proposal. Commissioner Springer asked if the Board could table this item for two weeks until the legislative meeting. He noted that there are power lines that run through this particular property, and it might behoove the Township to reach out to other large property owners to see if anyone else is interested in selling. President Mehaffie agreed that the Township could explore other properties but still recommended that the Board move ahead with having HRG put the cost proposal together, since there is no cost to do so. A motion was made by President Mehaffie, seconded by Commissioner Davies, to authorize HRG to put together a cost proposal for the Shireman parcel. The motion was unanimously approved. Commissioner Springer asked Ms. Shambaugh to provide him with a list of owners of large properties. Mr. Greene added that Gannett Fleming, who has been working on the update of the Township's comprehensive plan, was previously provided with a list of the property owners of larger tracts, and has already met with many of these individuals. He noted that this list can be provided to Ms. Shambaugh and Commissioner Springer.

Ms. Letavic updated the Board on the truck restriction study. Road cores were performed in October 2015. HRG has started preparing the restriction analyses for North Union Street from PA 283 to PA 441 and Stoner Drive from PA 441 to Rosedale Avenue.

Ms. Letavic informed the Board that the recommendation for the final payment for the Greenfield Well & Irrigation project should appear on the January legislative agenda.

#### SOLICITOR'S REPORT:

Solicitor Henninger stated that he had nothing to report, but would like to thank the Board for his reappointment.

#### FINAL COMMENTS:

Ms. Letavic thanked the Board for trusting her to work for the Township in 2016.

Commissioner Truntz stated that it is an honor and pleasure to be elected to this position, and he looks forward to serving the Township. He added that he had stopped at the Township office this morning to introduce himself to the staff, and received a very warm and friendly reception. Commissioner Truntz stated that he looks forwarding to working with everyone.

Commissioner Springer stated that he is looking forward to working with Commissioner Truntz.

Vice President Wilt also welcomed Commissioner Truntz on board, and again congratulated Officer Ribec on his heroic actions.

Commissioner Davies stated that he is pleased to be back on the Board and looks forward to serving the residents for an additional term. He added that he also looks forward to serving with Commissioner Truntz. Commissioner Davies recognized the efforts of the Police Department, and commented that the department's commitment to public safety is appreciated.

Solicitor Henninger stated that he has had the pleasure of working with Commissioner Truntz during his time on the Municipal Authority. Commissioner Truntz was an educated and active member of the Authority; the Authority's loss is the Board's gain.

President Mehaffie also congratulated Commissioner Truntz, and stated that he looks forward to working with him on the Board, as he had previously worked with him on the Municipal Authority. He also congratulated Vice President Wilt and Commissioner Davies on their much deserved re-elections.

President Mehaffie stated that he would now like to publicly address some rumors with the situation regarding the police regionalization. The County had reached forward about the opportunity for the communities to work together in looking at police regionalization. The Board will be taking all aspects of this into consideration, and will do what is best for the Township. The rumor that Lower Swatara Township's decision to go with Swatara Township is almost final is not true. The Township simply obtained some very preliminary numbers to see if it was interested in proceeding forward. The Board will not do anything without public input, including having public meetings, to receive input on this important issue.

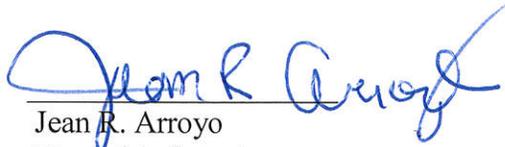
Also referenced in a news article was the statement that the Township will be using \$500,000 for equipment purchases. President Mehaffie noted that the budget was strong this year, and the Board did not have to use carry over to balance the general budget. However, a decision was made to pay off the building early in order to clear the debt ceiling and make room for other needs, including infrastructure. The payoff is approximately \$405,000 but only \$265,000 will be taken out of the capital reserve to complete the payment. Equipment purchases budgeted include a Tiger mower, a police vehicle, and some smaller expenses. President Mehaffie again stated that the budget is an excellent one, and thanked the Board and the Township employees for their part in this.

President Mehaffie requested the Board convene into a short executive session for personnel reasons immediately upon conclusion of this evening's meeting.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

With no further business to discuss, a motion was made by Vice President Wilt, seconded by Commissioner Truntz, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:55 P.M.

ATTEST:

A handwritten signature in blue ink, appearing to read "Jean R. Arroyo", written over a horizontal line.

Jean R. Arroyo  
Township Secretary

PLEASE **PRINT** NAME CLEARLY

Board of Commissioners Reorganization & Workshop Mtg. - Jan. 4, 2016

NAME	ORGANIZATION (IF APPLICABLE) OR ADDRESS
Julia Wilt	LST Treasurer
Pat (Cavie)	525 Constitution Dr
Linda White	921 Eberinger
MIKE SMITH	510 COLONY DR
Theresa Ruid	99 Bradford Ave
Linda Raphael	62 Wayne Ave.
Michelle Wagner	644 Longview Dr.
Nancy Cedese	1451 N. Union St.
Chas DEKOR	LSP/1)
ERIC BEAN	LSP/D