

MINUTES

NON-LEGISLATIVE MEETING – JULY 6, 2016

The July 6, 2016 Non-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
- 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
- Scott A. Young, Officer-in-Charge
- Daniel L. Wagner, Public Works Director

Absent: Laddie J. Springer, Commissioner

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

PUBLIC COMMENTS:

Jim Rodgers, 181 Highland Street, updated the Board on the continuing issues with the Highland Street bridge closure. He thanked the Township staff for being helpful and supportive during the closure. However, there are still issues with vehicles ignoring the road closure signs. In the last month, a tractor trailer came down the road and swiped out his mailbox. He noted that he does have video evidence of at least one car a day coming down there and having to turn around. Mr. Rodgers stated that he understands the staff is working with Swatara Township on these issues, since that is where the traffic appears to be coming from. He added that he knows the Township is doing all it can during this long term closure, but he wanted to make the Board aware of these issues.

Mike Williams, 2697 Fulling Mill Road, explained that he owns property at 2699 Fulling Mill Road. He reported that accidents are occurring at the intersection of Fulling Mill Road, Longview Drive, and Turnpike Industrial Park Road. Twice over the past six months, accidents there have resulted in vehicles running into the side of his tenant's truck, which is 100' or so across the yard. Two years ago, a tractor trailer came through the intersection and ended up in the trees there. Mr. Williams asked that the Township get its experts to work on this. If it is a Township right of way, perhaps guard rail can be put up. If it is a PennDOT right of way, perhaps PennDOT will agree to put guard rail up, although he has been told that it will not do so for the purpose of protecting property. Mr. Williams added that this last incident resulted in his tenant's truck being totaled. He noted that the Police Department likely has reports to back up these accidents. Again, he urged the Board to do whatever it can to protect property and perhaps even life. President Mehaffie asked Solicitor Henninger what the right of way is there. Solicitor Henninger stated that Fulling Mill Road is a state road. Mr. Williams agreed, but noted that the other two are Township roads. Mr. Williams reported that Mr. Wagner is looking to see how far PennDOT's right of way goes. According to the print when Turnpike Industrial Park Drive was built, PennDOT has a 33' cartway – 16 ½' on each side. Whether this is still that way he cannot say. Solicitor Henninger suggested that Mr. Wagner and Ms. Letavic research this to confirm the location of the right of way. He agreed that PennDOT will probably not protect real estate with guard rails unless there is a history of injuries. Mr. Williams added that he considered putting rocks there, but is afraid someone will hit them and sue him. Solicitor Henninger stated that as long as they are on his property and out of the right of way, it should not be an issue. Ms. Letavic questioned how these vehicles are ending up in the driveway. Officer-in-Charge (OIC) Young explained that they are traveling too fast and cannot see what is over the hill and on the other side. Vice President Wilt stated that he lives close to the intersection. He agreed that it is a rather blind intersection, and he has seen accidents there himself.

Commissioner Davies acknowledged Bill Leonard, the Township's representative to SARAA (Susquehanna Area Regional Airport Authority) Board. Mr. Leonard explained that he has been in this position since December, and hopes to come in every six months to provide an update. SARAA consists of the airports of Chambersburg Regional, Gettysburg, Capital City, and Harrisburg International. Major projects at Chambersburg include redoing the taxiways.

The same thing is happening at Gettysburg – the entire landing strip is being redone. There is nothing major happening right now at Capital City. A long range plan is being developed and will be finalized this year. The long range plan for HIA was finalized and adopted at the beginning of 2016. Mr. Leonard noted that there is always a lot going on down there. From a project standpoint, runways will be rehabbed. Also, the area between Route 230 and Twin Kiss, which used to be Bethlehem Steel property, was just sold and will most likely be used for airport distribution warehousing. Plans exist to redo the entire main thoroughfare in the airport. The property that used to be the long term parking area, across from where the old terminal was located, is planned to have a Marriott type facility. Mr. Leonard noted that Frontier, which was one of the well-liked airlines at HIA because it is a low cost carrier, has left. There are no low cost carriers at the Airport now. Up until May of this year, passenger enplanements out of HIA were down because Frontier had left. The good news is that since that twelve month period, passenger enplanements are up slightly. Cargo is also up. Things are going in the right direction. Mr. Leonard added that he is always questioned about airfare. Philadelphia and Baltimore are HIA's biggest competitors. Airport competition in Philadelphia is pulling passengers away from HIA and Baltimore. Commissioner Davies referenced the properties sold behind Twin Kiss, and asked if they are still in the Keystone Opportunity Zone, and if this program is even still functional. Mr. Leonard stated that he believes it is. President Mehaffie noted that these properties are located in Highspire Borough. Solicitor Henninger agreed, but added that the Township does have some stormwater involvement there. In response to a question from President Mehaffie, Mr. Leonard confirmed that the new snow plow/bad weather vehicle storage building is complete. Vice President Wilt asked if prices at HIA will remain high as Philadelphia and Baltimore compete. Mr. Leonard agreed that they will. It comes down to volume and air carrier willingness to bring planes into HIA. The Board thanked Mr. Leonard for the informative update.

Nancy Pendergrass, Briarcreek Lane, asked if the Board is still planning to purchase the \$6,000 piece of speed equipment in light of the fact that the question about speeding on Powderhorn Road had been resolved. Vice President Wilt responded that it is. Ms. Pendergrass stated until there is a full complement of police, she would question the need and value of this purchase. Vice President Wilt explained that it had not been planned for use exclusively in that

area. As the former police chief had pointed out, it will be used for a message board, to show drivers how fast they are traveling, for traffic counts, etc.

FIRE DEPARTMENT REPORT:

Chief Brown referenced the monthly report, and noted that there were 64 total calls for service in June. The Department has received a grant from Dauphin County Gaming Advisory Board and it has been applied to the 2012 Ferrara Engine lien. The Department is also requesting that the Board of Commissioners consider sponsoring the department for a similar grant (apparatus debt reduction) for 2017.

To date, the Fire Department has not received word on the 2016 FEMA AFG Grant that was submitted. There are still several rounds of distribution that will occur.

Gulf Oil representatives will be present prior to the department's August 1 business meeting (6:30 P.M.) to conduct an official handoff of the donated truck and foam trailer assets. The Commissioners are invited to attend.

Upcoming fundraisers include the July 17 roast beef dinner.

Chief Brown thanked the Public Works/Municipal Authority for its excellent work on the cleanup of a green material which entered the stormwater system on June 15. He stated that he was very impressed with the knowledge that the employees had on the underground tunnels through the Township.

Solicitor Henninger suggested that the Board take action on the grant for the debt reduction for 2017. A motion was made by Commissioner Davies, seconded by Vice President Wilt, to sponsor the Fire Department for a Dauphin County Gaming Advisory Board grant application for the lien on its engine and rescue. The motion was unanimously approved.

POLICE DEPARTMENT REPORT:

OIC Young reported on statistics from June. There were 19 Part 1 crimes (increase of five since last month) and 22 Part 2 crimes (increase of two since last month). There were 720 calls for service, which is an increase of 122, basically due to summer starting. There were 32 cases, 20 arrests, 4 suspects, 28 victims, 4 DUI arrests, 56 traffic citations, 6 non-traffic citations, and 49 warnings. Due to increased efforts with truck traffic enforcement on North Union Street, since May the Department has written almost \$150,000 in citations. In response to a question

from President Mehaffie, OIC Young noted that most of these citations are from North Union Street and the weight restrictions which have been levied there. He added that the citations resulted from regular shift work, not special detail.

President Mehaffie asked about possibility of setting up speed enforcement on Fulling Mill Road at the location referenced by Mr. Williams. OIC Young agreed that this can be done. Commissioner Davies asked if this situation can be improved with enhanced signage. OIC Young suggested that due to the blind hill, perhaps signs with blinking amber lights to warn of that blind hill might be helpful. The speed machine discussed earlier would also be a great use for this area. In response to a question from President Mehaffie, Ms. Shambaugh confirmed that the machine has not yet been ordered; the Township is looking at four separate grants to fund the purchase. OIC Young also reviewed the criminal investigative reports including abuse of an infant, physical abuse of a four-year old, possession and transportation of child pornography, and a 2012 rape case going to trial. He noted that there is also a steady stream of fraud cases.

OIC Young noted that he has been an instructor at the police academy for over twelve years, and is an instructor for active shooter response. This program had normally been geared towards training officers. However, he had approached the Chief this year and was given authorization to take the program to the Township businesses. To date, 350 individuals from about ten Township businesses have been trained. Three dates have been set up for TE Connectivity later this month, and several other business have just jumped on board. Training will be offered for the Middletown Area School District at its new high school on July 24, and at Penn State on September 30. This program will be also offered to the Township's non-uniformed employees on July 25; the Board is also invited to attend. OIC Young added that he would also like to offer this to the public in an open education session. Vice President Wilt agreed that this would be quite beneficial to the public.

PLANNING AND ZONING REPORT:

Mr. Greene referenced the monthly reports on inspections and permits. The Planning Commission met on June 23 to review and discuss the proposed ordinance for Medical Marijuana. Discussion will continue at the next meeting on enactment of an ordinance for the newly passed bill as it pertains to the Township. Also to be discussed will be a new topic,

“Family Farm Support Business Ordinance” that was brought to the attention of the Planning Commission by Solicitor Henninger. Solicitor Henninger explained that this would allow resident farmers to have additional options for family related businesses. The Zoning Hearing Board met on June 9 to conduct a hearing for a zoning variance request from David Tshudy on behalf of Fritz Lee Dickerson, IV, Ashton C. Dickerson, Thomas Steele, Fritz Lee Dickerson, III, Ann M. Korb, Timothy S. Santoro, and Sherry L. Santoro. The applicants are requesting relief from Section 27-502 (permitted uses in the R-S District) to allow for commercial use and Section 27-508 (lot coverage regulations in the R-S District) to increase impervious area, of the Zoning Ordinance. The hearing was continued at the request of the applicant’s attorney until July 14, starting at 7:00 P.M. The Final Draft version of the Comprehensive Plan dated June 20, 2016 is completed and ready for review, including the proposed Future Land Use Map. A meeting date will be set for the Planning Commission to hold a public meeting with its recommendations forwarded to the Board of Commissioners for a Public Hearing prior to adoption of the plan. The tentative date for this public meeting is August 25. The Township has received an official notice from Derry Township for the mandatory 45-day Public Review period of the Township’s Draft Official Map and Ordinance revisions. The changes include Flood Plain Map, Open Space Map, Transportation Map, and Final Draft Ordinance Official Map. The 45-day public review period ends July 25, 2016.

PUBLIC WORKS REPORT:

Mr. Wagner referenced the comments from Mike Williams, and reported that during a brief discussion with PennDOT, it was made clear that if he puts rocks on his property, they must be set back far enough from the right of way. He also advised the Board that the red blinking lights at the signage placed on North Union Street restricting overweight trucks were removed since PennDOT indicated that the lights were against policy.

The Department has been busy working on road repairs, mowing parks, cleaning and fixing inlets, cleaning up from the June 28 storm, entering data into the GIS system for street signs, weekly mowing of the Public Pool, line painting, and storm replacement on Nissley Drive. During the storm, the storm pipe on Blacklatch Lane, due to some inferior replacement work,

developed a sinkhole. Mr. Wagner will be meeting with that contractor, EK Services, tomorrow morning to discuss this.

The department has ordered a replacement pole and backboard for the basketball court at Old Reliance Park, replaced the cracked sidewalk on Market Street that was damaged a few months ago, and removed the fencing around the basketball courts at Shope Gardens Park. Mr. Wagner added that he and one of the foremen, Chuck Kline, recently attended training at Derry Township through the KAFMO association. He also attended a meeting with HRG and staff to discuss with the landscapers hired by CVS the situation with trees being mowed off, and the methods used to maintain the stream lines on the SARAA waterway. Also discussed was the need to get the vegetation established so that DEP and the Army Corp of Engineers will sign off on the Township's portion of the restoration.

Mr. Wagner noted that he would like to briefly touch on the time spent on One Calls. It may seem trivial, but the Public Works and Municipal Authority have been hit hard the last two months. He noted that responding to as many as 15 – 20 calls some days takes considerable time and is very frustrating. He stated that he would just like the Board to be aware of this situation.

Work is being done on the 2017 budget. Mr. Wagner added that the recent storm wiped out a big portion of the fuel system. This required some extensive repair work. The system still has some issues that are being worked through.

Mr. Wagner noted that he and Mr. Lanman did a walk thru on Lawrence Street for the final checklist of items that need attention. He also reported that he had ordered a ton of salt today in order to fulfill the Township's previous purchase commitment.

The dumpster will be open for residents on July 9 from 8:00 A.M. to noon, and then again on August 6 during the same hours.

An update was provided on the Nissley Drive repair work. Rogele started work yesterday. The road portion of that job is done. However, the contractor did identify that the 18" storm pipe coming from Spring Garden Drive to the 36" pipe that is being replaced is bad and needs fixed. Ms. Shambaugh agreed that it cannot be tied in if it is not fixed. Approximately 130' of stormwater pipe needs replaced. Two possible solutions were discussed. The Board had approved the roadway part of this project at a cost of \$13,000. There was a \$4,000 contingency built into that \$13,000. Therefore, the estimated cost for the solutions to fix the pipe will be an additional \$8,000 to \$10,000 over the contingency. One of the solutions is to

leave the existing pipe which has failed in the ground. It is currently under the sidewalk. The pipe that has failed would be filled with a flowable fill, and then new stormwater pipe would be placed. The estimated cost of this is \$12,000 and includes a \$2,000 contingency. The second option is to dig up the existing pipe and replace it, along with the sidewalk. The cost for this option is approximately \$16,000 and includes a \$2,000 contingency. Mr. Wagner stated that while he will do whatever the Board directs, he would prefer not to have to replace the sidewalk, which would be additional work and expense. President Mehaffie asked if the work for these options would be done in-house. Mr. Wagner explained that the digging portion would be done by Rogele. The Township would then do the flowable fill and any necessary restoration work. Commissioner Truntz asked whose property will be impacted if the Township does the by-pass. Mr. Wagner responded that the impacted party would be DaySpring Ministries. Ms. Shambaugh added that the Township does have a 10' construction maintenance which allows just enough room to replace the pipe without garnering additional right of way. Solicitor Henninger added that it would still be a courtesy to notify the church and advise them of the work. He also inquired how much of the proposed estimated cost will be paid to Rogele. Mr. Wagner estimated that it will be \$5,000, which is under the bidding requirements. President Mehaffie also observed that from the manhole cover down, there are areas along the sidewalk that are deteriorating as far as sinking. He asked if this can be fixed. Mr. Wagner agreed that this can be incorporated into the restoration work. A motion was made by Vice President Wilt, seconded by Commissioner Davies, to approve the first option to fix the failing pipe on Nissley Drive at a cost not to exceed \$12,000 (including a \$2,000 contingency), with the understanding that \$5,000 of this work will be done in-house. This expenditure will be taken from the liquid fuels account. The motion was unanimously approved.

President Mehaffie asked when the curb on Wilkes Drive will be fixed. Mr. Wagner anticipated that it will be addressed this fall.

Commissioner Davies asked if the Middletown Woody Waste facility will be open to Township residents as a result of the recent storm. President Mehaffie asked that Mr. Wagner contact the Borough's Public Works Director to see if there are dates when the facility can be opened for the residents for this purpose.

MANAGER'S REPORT:

Ms. Shambaugh referenced the Confined Space Entry Policy and Protocol which had been drafted by Mr. Lanman last month. The Board had requested that she get sign off on approval of the policy. Susquehanna Municipal Trust, which is the Township's workers compensation insurer, did review and sign off on it. A motion was made by Commissioner Truntz, seconded by Commissioner Davies, to approve the Confined Space Entry Policy and Protocol. The motion was unanimously approved.

Ms. Shambaugh discussed with the Board a possible Bay Alliance partnership. She and Ms. Letavic had met with Londonderry Township, Conewago Township, CapCOG, and the Alliance for the Chesapeake Bay about this possibility. Londonderry Township had actually approached Lower Swatara about being a partner with all those entities to look at developing community projects that support MS4. This would help when the Township goes for grant/financing opportunities. It was noted that Middletown and Royalton had later been approached, since they also share borders. Since that time, Londonderry Township, Middletown Borough, and Royalton Borough have all approved the partnership. Ms. Shambaugh explained that the partnership is one in name, and most of the work would be done by her and Ms. Letavic. It would consist of attending meetings and providing the Alliance for the Bay and the COG with some of its current MS4 data. Data from all the partners would then be combined to come up with financing opportunities for the group as a whole, as well as separately. Again, there would be no cost to the Township except her and Ms. Letavic's time. Ms. Letavic added that the outcome will be an inventory report which will cross-reference everything that the Township has in common with the other partners including ordinances and permits, as well as similar issues such as insufficient staff to cover MS4, aging infrastructure, etc. The other big benefit would be utilizing the Environmental Finance Center (EFC) as a resource. Ms. Letavic added that a number of training workshops for staff will come out of this. She noted that she cannot champion this enough. President Mehaffie agreed that this is a great opportunity, and thanked Londonderry Township for taking this initiative. A motion was made by Vice President Wilt, seconded by Commissioner Davies, to approve entering into a partnership with the aforesaid municipalities for the Alliance for the Bay. The motion was unanimously approved.

Ms. Shambaugh reported that bids for the paving project have been advertised twice and will be opened on July 18 at 3:00 P.M. Five entities have picked up the proposal thus far.

In response to a question from Commissioner Truntz, Ms. Shambaugh reported that interviews for police officers are scheduled for July 11 at 5:00 P.M., 5:45 P.M., 6:30 P.M., and 7:15 P.M.

ENGINEER'S REPORT:

Erin Letavic, HRG, reported that the Manada Conservancy is available to come to the August workshop meeting to reintroduce its organization and discuss future projects in the Swatara Creek watershed. The Board agreed to have Ms. Letavic set this up.

An update was provided on the Greenways, Trails, and Recreation Park Grant (CFA 2016) – Little Hollywood Park/Memorial Field. Grant application for the \$150,000 project (\$119,000 grant, \$21,000 local cash match) was submitted June 30, 2016. It is under review by the funding organization.

An update was also provided on the Capital Improvements Plan – PENNVEST Funding for Stormwater Projects. HRG is 50% through the survey phase of the project. A preliminary design will be determined next, followed by a site visit with staff to confirm that it is addressing fundable drainage concerns.

Ms. Letavic reported that the Richardson Road Bridge (funded by DCIB Loan and Gaming Grant) bids were opened on June 28 at the Township Building. Handwerk, also known as Blooming Glen Contractors, was the low bidder. At the Board's request, the bid documents had been adjusted to also determine the cost of a cast-in-place option. This was found to be a \$70,000 difference and would not really save time. It is not recommended. HRG recommends that the Township accept the bid of \$325,819 submitted by Blooming Glen Contractors, and authorize HRG to proceed with issuing contract documents to Blooming Glen. In response to a question from Solicitor Henninger, Ms. Letavic stated that construction is likely to commence late fall/early winter. President Mehaffie asked the cost of a change order to have the work finished this winter to a point where the bridge could at least be used. Ms. Letavic estimated it might buy two months' of open bridge, but she would need to confirm that with the contractor. A motion was made by Commissioner Davies, seconded by Commissioner Truntz, to accept the bid from Blooming Glen

Contractors for the Richardson Road culvert replacement project in the amount of \$325,819 and to authorize HRG to proceed with contract documents. The motion was unanimously approved.

HRG is finalizing a scope for work to complete the Dauphin County Infrastructure Bank (DCIB) Loan Application – 2016 to fund the design and construction of the Highland Street bridge and Summit Ridge culvert at Richardson Road. This will most likely appear on the legislative agenda.

The Middletown Borough has reformed its planning commission and an update of the Borough zoning map is on the first agenda. The necessary changes to update the Lower Swatara Township zoning map will occur thereafter through the County, correcting misinterpretations that occurred during the digital transfer of the last official map to GIS.

SOLICITORS REPORT:

Solicitor Henninger referenced the park grants, and noted that he had prepared revised deeds for the Old Reliance and Shope Gardens Parks. DCNR had required language be added to these deeds as part of the grant requirements. It had also requested inclusion of the same language to the Greenfield Park deed even though it is not part of the project. In addition, it had required a long term lease with the Lions Club due to the fact that the proposed improvements will slightly be on Lions' Club owned property. The Township already has an easement for access and parking, but DCNR had requested a formal lease agreement which expands the use.

Solicitor Henninger confirmed that he received the annual audit letter from Ms. Shambaugh to the Township auditors. It indicates that to the best of his knowledge, there is no pending or threatened litigation, claims, or assessments and no other unasserted claims or assessments that could affect the audit from a legal standpoint. Solicitor Henninger added that he did submit his response to the auditors.

Solicitor Henninger noted that the recent annual conference of the PA State Association of Township Commissioners was an excellent one, and those who attended picked up some excellent information including good MS4 information.

FINAL COMMENTS:

Chris DeHart, Old Reliance Road, referenced PennDOT's detour coming up September 1 for the North Union Street Bridge. He expressed concern that when that bridge is shut down, traffic flow will be tremendous in the afternoon heading westbound on Fulling Mill Road to Eisenhower Boulevard to Route 283. Gridlock on Fulling Mill Road and Eisenhower Boulevard will be a problem as well as timing at Fulling Mill Road and Route 441. Ms. Letavic stated that she had not reviewed the detour plan. Ms. Shambaugh noted that the closure is slated to be from September 1 through November 22. Mr. DeHart expressed hopes that PennDOT is aware of these pending problems.

Mr. DeHart also informed the Board that FedEx Freight, 2030 North Union Street, has been using Fulling Mill Road to Route 441 and then going through Target's parking lot to Chambers Hill Road to Penhar Road in order to gain access to the rail terminal in Swatara Township. He suggested the Township may want to send letters annually to the businesses to remind them to keep truck traffic off Route 441. The rail center has expanded and will continue to get more and more traffic. President Mehaffie recommended that Ms. Shambaugh contact Swatara Township and send letters to the truck terminals. He also suggested a joint letter from Swatara Township and Lower Swatara Township to the railyard would be helpful. Mr. DeHart agreed, and noted that one of the problems is that trucks are legally permitted on Route 441.

Vice President Wilt congratulated Sergeant Young for being named to the Officer-in-Charge role. He also agreed with Solicitor Henninger that the recent state convention was very worthwhile, especially as it pertained to MS4.

OIC Young thanked the Board for its confidence in him.

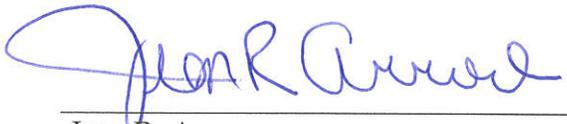
Solicitor Henninger stated that unfortunately, in today's world, the active shooter presentation is a good thing. Commissioner Davies agreed, and also thanked Mr. Leonard for updating the Board on what is happening at the Airport.

President Mehaffie requested an executive session immediately upon conclusion of this evening's meeting.

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 motion was unanimously approved, and the meeting adjourned at 8:35 P.M.

ATTEST:



Jean R. Arroyo
Township Secretary

PLEASE **PRINT** NAME CLEARLY

Board of Commissioners Workshop Mtg. - July 6, 2016 - 7:00 P.M.

NAME	ORGANIZATION (IF APPLICABLE) OR ADDRESS
Laura Ribec	2143 N. Union St.
Mike William	
ROLAND J. PAUL	
Norm Freye	
BILL LEONARD	1401 HERITAGE SQ. / SARAA
BRUCE HARTER	
Chris, D ELSM	OLD BELLEVUE AVE
Jason Brown	FDLS
Michelle Wagner	644 Longview Dr., Middletown
Eric Wis	Press And Journal
Nancy Quilese	1451 N. Union St.
Jim Rodgers	181 Highland St.
N PENDERGRASS	BRIARCREEK LN