

## MINUTES

### LEGISLATIVE MEETING – MAY 20, 2015

The May 20, 2015 Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:07 P.M. by President Thomas L. Mehaffie III.

The following officials were in attendance:

- Thomas L. Mehaffie III, President
- Jon G. Wilt, Vice President (via telephone)
- Laddie J. Springer, Secretary
- Michael J. Davies , Commissioner
- Dominic D. DiFrancesco, Commissioner
- Samuel D. Monticello, Manager
- Erin G. Letavic, HRG, Engineer
- Richard Brandt, Police Chief
- Robert S. Greene, Planning and Zoning Coordinator
- Jean R. Arroyo, Recording Secretary

Absent:

- Peter R. Henninger, Solicitor

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

President Mehaffie stated that for the record, Vice President Wilt is participating by telephone this evening. Mr. Monticello added that he had phoned Vice President Wilt just prior to the opening of the meeting, and had confirmed the required password with him, as pursuant to Township resolution. President Mehaffie then opened the floor for public comment.

#### PUBLIC COMMENTS:

Steve Waller, 1448 Old Reliance Road, asked the Board's assistance in finding out when Verizon FIOS will be coming into his area for internet and television service. He stated that he had made contact with Verizon numerous times over the past three years, and keeps hearing it could be anytime. One Verizon representative had recently told him that it is up to the Township to allow them to come in, since Lower Swatara Township has a contract with Comcast. Mr. Monticello stated that he receives periodic emails regarding rate changes to FIOS,

so he was under the impression that it was indeed in the Township. Commissioner DiFrancesco agreed that it is in the Township, but not all areas. He noted that it was just put in his neighborhood, Twelve Oaks, within the last six months. He explained that this is system that has to be build out, so he surmised that Verizon probably has to build the infrastructure in those areas. Dan Magaro added that he lives on Pheasant Run Road in the Old Reliance Farms development, and he does have FIOS. President Mehaffie asked Mr. Monticello to make contact with Verizon to check into this question, and then get back to Mr. Waller.

PRESENTATION BY PENN STATE HARRISBURG:

Don Holtzman, Penn State Harrisburg, stated that Penn State is here tonight to present a slideshow to the Board regarding plans for a soccer field. He showed a presentation of the campus master plan and noted that Penn State has an agreement to purchase a portion of the Middletown Home property. Unfortunately, this has not been able to happen yet. The campus currently has a soccer field but was told that it does not meet NCAA standards. The NCAA is getting complaints about this field, and Penn State was directed to do something about this situation. Plans were to build the new field on the property purchased from the Middletown Home. However, Penn State does not yet have possession of it, and the field needs to be built by fall in order for them to be able to play this season. Thankfully, the neighbors to the east have offered use of its land on a temporary basis for a new field. This new field would only be used two months for actual games. The field will not have lights, so games will be during the day. Almost all practices will be held on the old field.

Tim Przybylowski, Century Engineering, summarized specifics of the plan, including what has been approved already, what is proposed, and consistency checks that have been performed on this meadow area. The entire field would remain a BMP, and will in fact be improved since it will be flatter. It will be a NCAA compliant field. He stated that recreation use is a permitted use within the E-I zoning district. A buffer screen is proposed to be on the southern property line with Dauphin Street. A 6' high chain link fence with slats would be placed along the property line to discourage any type of shoulder parking along Dauphin Street and provide a visual screen. The campus population will be informed that when a game occurs, parking will be designated along Olmsted Drive. There will be no need for additional parking.

Ms. Letavic stated that staff felt it would be beneficial for the public to be aware of this project. From a storm water perspective, Mr. Przybylowski is correct that the gentler slope of the field as compared to the originally planned meadow is intended to be a better condition. This will be monitored to make sure that Dauphin Street does not have any issues. There is also a sub-soiling process that will happen to make sure the soil is as non-compact as possible. HRG will observe that to make sure it is done properly.

In response to a question from Commissioner Davies, Mr. Przybylowski explained that BMP stands for Best Management Practice. Commissioner Davies suggested that it might be good to have signage on the north side of Dauphin Street for parking restrictions. Ms. Letavic stated that it would have to be attached to the fencing. The grass strip will be narrow, so this should not happen. Commissioner Davies stated that he is often amazed to see people try to squeeze cars into small spaces.

Commissioner Springer asked how long this soccer field will be used. Mr. Holtzman explained that plans are to use it for one to two years. It is a temporary solution until the permanent field can be built. Commissioner Springer asked where other organizations that might use this soccer field after the two years are over would park. Matt Tunnell, Lawrence Street Partners, explained that his firm owns this land and plans to develop the property; it will not remain a soccer field once Penn State has built its new permanent field.

The Board thanked Penn State for keeping it updated on this future project.

#### APPROVAL OF MINUTES:

A motion was made by Commissioner Davies, seconded by Commissioner Springer, to approve the Minutes of the April 8, 2015 Workshop Meeting. The motion was unanimously approved.

A motion was made by Commissioner Springer, seconded by Commissioner DiFrancesco, to approve the Minutes of the April 15, 2015 Legislative Meeting. The motion was unanimously approved.

A motion was made by Vice President Wilt, seconded by Commissioner Davies, to approve the Minutes of the May 6, 2015 Workshop Meeting. The motion was unanimously approved.

APPROVAL OF BILLS:

A motion was made by Commissioner Davies, seconded by Commissioner DiFrancesco, to approve the payment of bills as presented on Warrant No. 2015-04. The motion was unanimously approved.

APPROVAL OF TREASURER'S REPORT:

A motion was made by Vice President Wilt, seconded by Commissioner Davies, to approve the Treasurer's Report for April 2015. The motion was unanimously approved.

ENGINEER'S REPORT: No report

SOLICITOR'S REPORT: No report

MANAGER'S REPORT:

Mr. Monticello reported that later on the agenda, the Board will be asked to act on approval of the firm to update the comprehensive plan. The Township had advertised for proposals, and through many reviews and meetings, the committee of Mr. Greene, Mr. Fure, and Mr. Monticello came to the agreement to recommend the firm of Gannett Fleming. In conjunction with this, the Township was approved for a Regional Connections Grant through Tri County; the agreement is ready for signature. The Board will also need to act on approving this Letter Agreement in order for it to be signed and submitted. This can be addressed after action on the comprehensive plan tonight.

Mr. Monticello reported that approval has been received from the labor attorney to move ahead with approving the police contract for the years 2015-2018. President Mehaffie asked if this contract should be approved tonight. Mr. Monticello asked if the Board would like to review the final copy prior to acting on it. Commissioner DiFrancesco agreed that he would like to do so. President Mehaffie suggested approval be placed on the agenda of the June 6 workshop meeting.

President Mehaffie referenced the list of future meeting dates, and noted that the May 28 Planning Commission meeting has been cancelled. He also reminded the public of the Special Meeting on June 3, at 6:00 P.M., to discuss and exchange ideas with the public on future

development of the Township parks. He added that someone had approached him at the polls about the idea of a bocce ball court.

COMMITTEE REPORTS:

Police Committee -- Vice President Wilt – (Commissioner DiFrancesco temporarily filling in) –  
no report

Public Safety – Commissioner Springer -- no report

Budget and Finance – Commissioner Davies – stated that he has nothing to report, but would like to express his pleasure at having an accounting team of two employees in place now. He noted that this will be particularly advantageous during budget time.

Community and Economic Development --- Commissioner DiFrancesco – no report

Public Works – President Mehaffie – reported that the Public Works Department has been busy with the parks and mowing.

UNFINISHED BUSINESS:

The Board tabled the Final Land Development Plan of Residential Retirement Community, Phase 1, 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 and June 18, 2014, October 1, 2014, and December 17, 2014, and March 18, 2015. The plan is due to expire on July 8, 2015.

A motion was made by Commissioner Springer, seconded by Commissioner Davies, to grant a time extension until August 19, 2015 on the Final 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. 90-day time extensions were granted by the Board of Commissioners on May 15, 2013, August 21, 2013, November 20, 2013, February 19, 2014, May 21, 201, October 15, 2015, January 21, 2015 and May 18, 2015. Mr. Greene noted that the Township had received a letter of authorization from Rik Longacre, Schlouch Inc, to extend the time limit until August 19, 2015. The motion was unanimously approved.

A motion was made by Commissioner Springer, seconded by Commissioner Davies, to grant a 91-day time extension 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 statutes. 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. Mr. Greene noted that the Township had received a letter of authorization from Timothy Edwards, of HIA for a 91 day extension until August 19, 2015. The motion was approved by a 4 – 0 margin, with Commissioner DiFrancesco abstaining, since he is a Board member of SARAA.

#### NEW BUSINESS

A motion was made by Vice President Wilt, seconded by Commissioner Davies, to approve the Local Share Municipal Grant Agreement for the Richardson Road Bridge Project. Ms. Letavic added that she had spoke to Solicitor Henninger today, and he had confirmed that he had reviewed the agreement and feels that it is ready for action. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Commissioner Springer, to approve a proposal from HRG for the Richardson Road Bridge Project. Mr. Monticello added

that he had spoken to Solicitor Henninger about the proposal and had confirmed that it is in a position for approval. Ms. Letavic noted that her understanding is that the bridge is not in great shape, so time will be of the essence. The motion was unanimously approved.

Mr. Greene reported that the next agenda item is to act on a proposal by Gannett Fleming to prepare a new Comprehensive Plan for Lower Swatara Township at a proposed cost of \$61,977. The six RFPs submitted were evaluated and reviewed in depth by a committee of Mr. Fure, Mr. Monticello, and Mr. Greene through a detailed rating process. The final ratings for several of these proposals were very close, but the committee agreed with the selection of Gannett Fleming. Mr. Greene added that this firm prepared the Township's last Comprehensive Plan in 2004. A motion was made by Commissioner Davies, seconded by Commissioner Springer, to approve a proposal by Gannett Fleming to prepare a new Comprehensive Plan for Lower Swatara Township at a proposed cost of \$61,977. President Mehaffie noted that as part of this process, committees comprised of citizens will be formed to contribute ideas. He asked how many committee members need to be selected. Mr. Greene explained that this will be discussed at the first meeting with Gannett Fleming and then brought back to the Board. The Planning Commission will also be heavily involved in this process.

President Mehaffie stated that as mentioned earlier by Mr. Monticello, the Township will be receiving \$49,000 from a Regional Connections Grant to be used for the comprehensive plan update. A motion was made by Vice President Wilt, seconded by Commissioner Davies, to accept the Regional Connections Agreement Letter. The motion was unanimously approved.

#### FINAL COMMENTS:

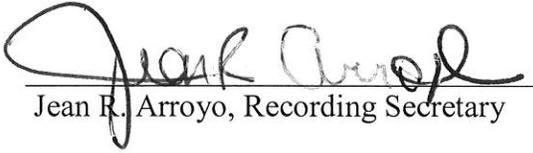
Commissioner Davies stated that he is glad the Township is moving ahead with update of the comprehensive plan. President Mehaffie asked the timeline for completion. Mr. Greene estimated 12 – 15 months. President Mehaffie noted that when the committee is formed to discuss the plan, he would suggest that both Penn State and SARAA be represented.

Mr. Greene referenced the previous presentation by Penn State on the proposed temporary soccer field, and suggested it may be prudent for the Township to place a time limitation on the zoning permit. He added that Mr. Holtzman was agreeable to this.

ADJOURN:

With no further business to discuss, a motion was made by Commissioner Springer, seconded by Commissioner Davies, to adjourn the meeting. The motion was unanimously approved, and the meeting adjourned at 7:55 P.M.

ATTEST:

  
Jean R. Arroyo, Recording Secretary

