

MINUTES

SEPTEMBER 2, 2015 WORKSHOP MEETING

LOWER SWATARA TOWNSHIP BOARD OF COMMISSIONERS

The September 2, 2015 Workshop 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 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 (via telephone)
- Laddie J. Springer, Secretary
- Michael J. Davies, Assistant Secretary
- Dominic D. DiFrancesco, Commissioner
- Samuel D. Monticello, Township Manager
- Peter R. Henninger, Solicitor
- Erin G. Letavic, HRG, Engineer
- Robert S. Greene, Planning and Zoning Coordinator
- Richard D. Brandt, Police Chief
- Daniel L. Wagner, Public Works Superintendent
- Jean R. Arroyo, Recording Secretary

Residents and visitors in attendance:

PLEASE SEE ATTACHED SIGN-IN SHEET

Solicitor Henninger noted that for the record, Vice President Wilt is participating by telephone this evening. He was phoned just prior to the opening of the meeting and confirmed the required password with Solicitor Henninger, as pursuant to Township resolution.

President Mehaffie opened the floor for public comments.

PUBLIC COMMENTS:

Jeannie Dunaway, 279 Selma Avenue, expressed concern with the noise in her neighborhood from the student housing. She reported that on August 22, she was awakened at 2:30 A.M. by noise from students sitting on the deck of the mansion having a party. She did approach them and ask them to keep the noise down. They apologized, but continued to make

noise. Ms. Dunaway stated that she did not call the police this time, since she had been hearing sirens all day and assumed they were tied up. She questioned why the students would even be having a party on the deck of the mansion, since it serves as a leasing office for the student housing. The partying continued the next week. Ms. Dunaway also expressed concern with speeding and with the students walking in the middle of the road. She added that she realizes many of them are from larger urban areas and not used to this type of environment, but she cautioned that someone is going to get hit. Trash is another issue. There is garbage all over North Wood Street, and the dumpsters are often overflowing. Ms. Dunaway suggested a letter be sent to the owners of both student housing projects, asking them to curtail the noise. President Mehaffie stated that Chief Brandt will be alerted about these issues. He agreed that contact should be made with the owners, but stated that he prefers a telephone call to discuss these concerns. He added that as far as the speeding problem, this is usually only calmed down by the issuance of citations.

DEPARTMENT REPORTS:

Fire Department – Chief DeHart – reported that the calls for the month of August totaled 65. It was the second busiest month of the year so far. Calls to date are at 421. The tanker did recently respond to a large fire in Lancaster County. September 20 is the pork dinner (11:00 A.M. to sold out). The sprinkler damage repair work will be done next week, and will be a 3-day job. The boat has not arrived yet; they are waiting on a radio part. President Mehaffie noted that the boat and a truck were acquired through a grant process. He suggested that with a change of employees in the finance department, he would ask that Chief DeHart communicate with Ms. Mundis, Mr. Monticello and Solicitor Henninger to ensure that all paperwork is finalized. Chief DeHart confirmed that he is doing so.

Police Department – Chief Brandt – President Mehaffie noted that Chief Brandt is not in attendance tonight, but has provided a written report.

Planning and Zoning/Codes Department – referenced the inspection reports and permit reports. The Preliminary/Final Land Development plan for UPS, SARAA Property, File #2015-02 was acted on by the Planning Commission at its August 27 meeting. The Planning Commission recommended approval for seven waivers and also conditional approval of the plan. The application should be presented to the Board at its September 16 legislative meeting. Ms. Letavic

asked if Mr. Greene had received a resubmission for that plan. Mr. Greene responded that he had not. The Planning Commission received a presentation by the applicant, applicant's attorney and other representatives and heard comments from several local residents on consideration of the proposed Zoning Map Change for a request by F. Lee Dickerson to change the current Residential Suburban Zoning to Commercial Highway. The Planning Commission tabled the request and will continue discussion at the September 24 meeting. There were no Zoning Hearings scheduled for August. An update was provided on the PSU Soccer Field –Spring Street Properties LLC Stormwater Management Plan. Final grading was completed with placing of grass sod, seeding and additional Erosion Control measures put in place. The Township is currently working with the site contractor to improve the temporary construction entrance on Dauphin Street in an effort to reduce the stormwater runoff. With regards to that site, Mr. Greene added that he is putting together a list of the property owners. He made contact with Matt Tunnell to attempt to address some of the issues presented at the last meeting regarding student pedestrian traffic. The Comprehensive Plan Steering Committee is scheduled to hold its next meeting on Tuesday, September 22 at 6:00 P.M. This meeting is open to the public for those wishing to attend and participate in the discussion.

Mr. Greene, Mr. Monticello, Mr. Fure, and Mr. Knoche recently met with Gil Hirschel from DCCD to review and discuss the Lower Swatara Township Community Assistance Visit evaluation and discuss the agenda items relevant to our community participation in the National Flood Insurance Program. A copy of the report was forwarded to DCED and is available for those who wish to receive a copy. On August 25, Mr. Greene attended a building code webinar presented by the PA Construction Code Academy on "Uncertified Building". A short mandatory exam was presented at the completion of the webinar which provided 1.5 hours of earned credit units. Mr. Greene noted that he has also registered to attend the Pennsylvania Building Officials Conference annual conference scheduled for September 16, 17, and 18, which will provide three days of code training being held at the Ramada Inn State College. He will also be attending a Land Use Seminar on September 24 at the Red Lion Hotel Harrisburg East sponsored by Stevens & Lee Group. This will be a two hour session on the latest developments in land use law and open discussion on related matters. President Mehaffie referenced a memo from Chief Brandt about concerns expressed by resident Ron Fisher, 220 Dauphin Street. Mr. Fisher had attended a previous Board meeting to inform the Board that Penn State students were using his yard as a short cut. Mr. Fisher is reporting that over 120 students walked through his property over the last weekend. It appears that his

concerns are very valid, and the Township needs to follow through with its promise to meet with Matt Tunnell to see what can be done to resolve this. Mr. Greene added that Mr. Fisher has now posted his property with a no trespassing sign. President Mehaffie stated that when construction is done, maybe there is something that can be done there to alleviate some of the traffic, such as an entrance. Mr. Greene agreed that this can be looked into.

Public Works Department – Daniel Wagner – reminded the Board that the 1988 truck is parked out front. Mechanic Rodger Mason spent many hours totally redoing the truck bed, and Seth Myers, who will drive the truck the majority of the time, did the painting. Mr. Wagner stated that they are justifiably proud of it. He reported that current projects include mowing parks, and repairs to the storm sewer system on Candlewycke Drive and Blacklatch Lane. Both these roads, along with Riverview Drive, will then be ready for next year’s paving. With upcoming paving anticipated for this fall, contact has been made with Lester Lanman, Middletown Borough’s Public Works Superintendent. Mr. Lanman indicated that the Borough is agreeable to the idea of helping with its portion of North Union Street. Once the fall paving is finished, the roads will be line painted. Mr. Wagner updated the Board on the Pennsylvania Avenue project. The contractor started the water line project there this week. It is estimated that within two weeks, the sewer portion of the work will begin. The Department was also busy prepping the soccer fields and park for Opening Day last weekend. The Department has been keeping after the parks and ballfields. There seems to be quite a good turnout for fall ball. Mr. Wagner referenced a memo he had provided to the Board regarding paving plans and use of liquid fuels monies. He explained that he is coming to the Board with a request for \$43,000 to be put towards these projects. This is due to the money not being transferred over from last year, and the fact that the Riverview Drive project was over budget. Commissioner DiFrancesco asked if the overage on Riverview Drive was due to water problems. Mr. Wagner confirmed that this is correct. Commissioner Davies questioned the category on the memo referenced as “Fund 35 Balance”. Mr. Wagner stated that Rebecca McClain, Accountant, had explained to him that at the end of December of each year, whatever has not been transferred into the liquid fuels account remains in Fund 35. President Mehaffie reviewed the list of paving projects as outlined in the memo:

Monday, September 14 -- Longview Drive from Ebenezer Road to Strites Road (with the addition of 300 feet towards the Kreider Farm chicken complex)

Tuesday, September 15 -- various spots on Longview Drive between SR 441 and Fulling Mill Road, the entrance of Conway Drive off Lumber Street, and a portion of Spring Garden Drive between Lumber Street and Nissley Drive

Wednesday, September 16 -- a section on Rosedale Avenue between SR 230 and Meade Avenue, several spots on Whitehouse Lane, and a short section on Eshelman Street between Sylvia and Florentine

Thursday, September 17 -- with the possibility of help from Middletown Borough, a section of North Union Street between SR 441 and Horseshoe Drive; also hope to top a sinkhole from 2014 on Kreider Drive

Friday, September 18 -- If time, weather, funds, and manpower permit, top the base repair areas on Richardson Road between the Penn Harris Gun Club and Wendy's.

Mr. Wagner reiterated that the paving planned for this fall is more or less a band-aid to try to buy two or three years until the roads can be redone correctly. The past two winters have been hard on all the roads, and these in particular. Solicitor Henninger asked if Mr. Wagner is requesting that \$43,000 be transferred to get this work done. Mr. Wagner agreed that this is his request. A motion was made by Commissioner DiFrancesco to approve the transfer of \$43,000 from the Fund 35 Balance to cover the cost of the paving projects. Commissioner Davies stated that prior to seconding that motion, he would suggest making the cap just a bit higher than \$43,000 in the event that there are some unforeseen problems. Mr. Wagner stated that he did estimate on the high side and has no desire to go over that amount, but the "what if?" is always there. Commissioner Davies stated that there is an adequate balance in that fund to make it \$50,000. Commissioner DiFrancesco amended his motion to approve the transfer of \$50,000 from the Fund 35 Balance to cover the cost of the paving projects. Commissioner Davies seconded the motion, and the motion was unanimously approved. Commissioner DiFrancesco stated that the roads are in bad condition throughout the Township, and it is now time to get them back in shape. President Mehaffie agreed, and stated that the underground work will make a huge difference in the longevity of these roads. He also thanked Mr. Wagner and his crew for the work on the parks. He stated that he had received nothing but praise at the soccer event. President Mehaffie added that the crew even came out to clean up the trash Saturday and to irrigate the fields afterwards. Mr. Wagner also reported that due to the holiday weekend, the

dumpster will be available to Township residents on September 12, from 8:00 A.M. to noon. In response to a question from Mr. Wagner, Ms. Letavic stated that she will update the Board on the disposal of street sweepings when she gives her engineer's report.

Commissioner DiFrancesco stated that he has a question to bring up under Mr. Greene's report. He asked if when the student housing properties were put in, the Township had retained the right to ask that sidewalks be installed at a future time. Solicitor Henninger stated his recollection is that it did not. However, the Township does have the right under the First Class Township Code to install the sidewalk and assess the property owners. President Mehaffie recalled the discussion on this issue. There was talk about installing sidewalk on Wood Street, but it was waived. Since there is not an entrance there and it is now a thruway, maybe the owner could put in some type of sidewalk or pedestrian walkway. President Mehaffie suggested that the Township talk to the owner of Campus Heights about this. The sidewalk can probably only run from Wood Street up as far as High Street. President Mehaffie suggested it would be a good idea to bring in the two developers at one time to discuss this, perhaps at a Board meeting. Commissioner DiFrancesco agreed that this would be a good idea, but would prefer a meeting with the developers and the staff outside the Board meeting.

President Mehaffie thanked Don Kreiser, 2055 North Union Street, for providing photos of the water problems on North Union Street down from FedEx towards Fiddler's Elbow Road. It may be necessary to put a drain across the street. He asked Ms. Letavic to assist in looking at this.

MANAGER'S REPORT:

Mr. Monticello referenced his written report, and noted that there are a few items that require formal action tonight.

A motion was made by Vice President Wilt, seconded by Commissioner Davies, to adopt the Administration's recommendation that the probationary employment of Thomas D. Etzle, Jr. not be made permanent and, therefore, that his probationary employment with Lower Swatara Township concluded on August 7, 2015. The motion was unanimously approved.

Mr. Monticello confirmed that that Dauphin County Local Share Municipal Grant Application was mailed to the appropriate contact on August 24, well ahead of the due date on September 1.

Mr. Monticello reported that he has completed a revision of the non-uniform employee job descriptions and prepared a packet for each of the Commissioners for their review. Also, an employee of the Public Works Department has recently fulfilled his probationary period; this will be addressed at the next meeting.

A motion was made by Commissioner Davies, seconded by Vice President Wilt, to accept the resignation of Justin Dinger, Patrolman, effective September 4, 2015. The motion was unanimously approved.

ENGINEER'S REPORT:

Erin Letavic, HRG, updated the Board on the Municipal Separate Storm Sewer System (MS4). A new grant has been announced by DEP for MS4-related BMPs for up to \$200,000 for all MS4 municipalities in the Chesapeake Bay. Staff is exploring an application for some BMPs to be installed along the Strites Road project. In addition, there is a new street sweeping disposal rule that was just distributed today by the CAP COG. The new policy document basically says that because street sweepings consist of roadway maintenance materials and garbage, they are basically clean fill once the garbage is removed from the material. The material is supposed to be screened and upon visual examination and identification that there is no staining, odor, or evidence of contaminants, that material can then be managed as clean fill and used in an unrestricted manner. This includes being reused as anti-skid, remixed with salt mixture for winter maintenance, and used for subgrade beneath roads and parking lots, for filling potholes, for shoulder repairs, etc. This new rule basically puts the responsibility back on the staff as far as using good judgement when reusing street sweepings. This is a big win for the municipalities. President Mehaffie stated that he is glad the state came to this conclusion. If this would not have happened, the Township would have been spending nearly \$200,000 a year to dispose of the sweepings. Ms. Letavic agreed, and congratulated the state agencies that worked towards this new policy.

Ms. Letavic update the Board on the design of the Richardson Road Bridge (funded by DCIB Loan and Gaming Grant), which is underway. The anticipated project schedule is as

follows: advertise end of February 2016, open bids end of March 2016, Township to award at April 2016 legislative meeting, notice to proceed beginning of May 2016, substantial completion beginning of April 2015 (complete construction while school is out of session).

President Mehaffie asked if the well is functioning correctly. Mr. Wagner reported that there was an issue a few weeks ago. It was discovered that some wires had popped off the back of the panel. This was fixed, and it has been working flawlessly since. However, it is felt that the heat in the shed is probably an issue that needs to be addressed. President Mehaffie suggested the possibility of a roof fan to draw the heat in and out. Mr. Wagner agreed that this will be looked into. Commissioner Davies asked when the staff foresees the vegetation to be stabilized. Ms. Letavic reported that they had committed to the fall. Mr. Wagner added that he had recently spoken to Rogele. When the Township reseeds the soccer fields, it hopes to work with them. If they furnish the seed, the Township can go in there and seed those areas correctly and make it look much better.

Mr. Wagner also referenced the screening of the street sweepings. Middletown Borough will be trying to run its sweepings through the mulching screener. If that goes well, they will allow the Township to try it out.

SOLICITOR'S REPORT: No report

FINAL COMMENTS:

Ms. Dunaway asked when the pothole at the bottom of Wood Street and Route 230 will be fixed. President Mehaffie stated that it is his understanding that this will be resolved when Penn DOT repaves Route 230. Mr. Wagner stated that unfortunately, during his discussions with Penn DOT District 8, he was told that this will probably not occur this year. He agreed that it can be patched in the meantime.

Commissioner Springer reported that he has had several discussions with Bill Meiser of the Middletown Area School District regarding the creation of a new bus stop on the hill of North Union Street and Floyd Drive. This is a very dangerous spot, and Mr. Meiser asked for increased police patrol here during the bus times. Mr. Meiser also requested that the Township look into more updated, modern signage for the bus stops. Commissioner Springer agreed to address these requests with Chief Brandt.

Vice President Wilt wished everyone a safe and happy Labor Day holiday.

President Mehaffie also wished the Board and visitors a happy holiday, and requested that the Board convene into executive session immediately upon conclusion of the meeting in order to discuss personnel issues.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

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

ATTEST:


Jean R. Arroyo, Recording Secretary

