

## MINUTES

### LEGISLATIVE MEETING – MAY 21, 2014

The May 21, 2014 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 followed by a moment of silence. Roll call was then taken.

The following officials were in attendance:

- Thomas L. Mehaffie III, President
- Jon G. Wilt, Vice President
- Laddie J. Springer, Secretary
- Michael J. Davies, Commissioner
- Dominic D. DiFrancesco, Commissioner
- Samuel D. Monticello, Manager
- Robert S. Greene, Planning and Zoning Coordinator
- Peter R. Henninger, Solicitor
- Erin J. Letavic, Engineer
- Jean R. Arroyo, Recording Secretary

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

President Mehaffie opened the floor for public comment.

PUBLIC COMMENTS: None

#### APPROVAL OF MINUTES:

A motion was made by Commissioner Davies, seconded by Vice President Wilt, to approve the Minutes of the April 16, 2014 Legislative Meeting. The motion was unanimously approved.

A motion was made by Commissioner DiFrancesco, seconded by Commissioner Davies, to approve the Minutes of the May 7, 2014 Workshop Meeting. The motion was unanimously approved.

APPROVAL OF BILLS:

A motion was made by Vice President Wilt, seconded by Commissioner Davies, to approve the payment of bills as presented on Warrant No. 2014-4. 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 2014. The motion was unanimously approved.

ENGINEER'S REPORT:

Ms. Letavic updated the Board on the MS4 program and noted that the annual report is due by the end of June. There is the potential for a tree planting project this fall with Penn State. The Greenfield Well yield test gave an acceptable rate in which to utilize it for soccer field irrigation. HRG will contact the staff to discuss the water distribution design, and a schedule will be provided to the Board at the June meeting.

The Internal Gaming Grant kickoff for the Richard Road Bridge funding was held on May 15 to discuss the draft application. A pre-application meeting will be scheduled with the County by mid-June. Ms. Letavic stated that she should have an update for the Board at the June legislative meeting. HRG and the Township Manager are also working on park improvement planning and grant funding opportunities. The specific projects for consideration will be forthcoming.

Lastly, documents relative to Campus Heights Village II are under review pertinent to construction modification of the approved plan and easement agreements for the Gina Lane connection.

SOLICITOR'S REPORT:

Solicitor Henninger stated that he will address items as they appear on the agenda.

MANAGER'S REPORT:

Mr. Monticello reported that he will be seeking Board approval to transfer some account balances from five special funds from the established PLGIT account to Mid Penn Bank effective immediately upon Board approval. These funds total \$892,296.03. He explained that the justification for this move is higher gains. Presently, these funds are earning .01% annual interest, which amounts to approximately \$89. At Mid Penn Bank, these funds would earn a 3% rate, which would amount to approximately \$2,676. This would result in an annual gain of about \$2,587.66.

Mr. Monticello reported that he had met this morning with Ms. Letavic and Dan Wagner, Public Works Foreman, to review and fine-tune the preliminary plans for funding application and grant assistance for park improvements. This could involve one or multiple parks. The parks targeted for improvement include Shopes Gardens, Woodridge, and Old Reliance Farms. Mr. Monticello will keep the Board updated as these applications are finalized in order to meet the June submission deadlines.

President Mehaffie questioned the proposal to move funds to Mid Penn Bank, and asked if this rate would be a fixed one. Mr. Monticello noted his understanding is that the rate will not change, unless it would be moved upward. President Mehaffie asked if Board had any objection to proceeding with the motion to move the funds. Commissioner Davies stated that he does not object, but would like to know if putting this amount of funds into one account would have FDIC protection should there be a solvency issue with that particular bank. Commissioner DiFrancesco explained that there are different rules for municipal money, as well as requirements to have adequate collateral on all municipal deposits. He suggested, however, that this should be verified with Mid Penn Bank. Mr. Monticello agreed to follow up on this. In response to a question from President Mehaffie, Mr. Monticello stated that the five funds involved include the Hydrant Account, General Fund Account, State Fund Account, Capital Improvements Account, and Capital Reserve Account. A motion was made by Vice President Wilt, seconded by Commissioner Springer, to authorize the transfer of PLGIT funds to Mid Penn Bank, subject on receipt of proof of collateral. The motion was unanimously approved.

President Mehaffie reviewed the list of upcoming meetings, and noted that the Planning Commission meeting originally scheduled for May 22 has been cancelled.

COMMITTEE REPORTS:

Police Committee – Vice President Wilt – reported that the issue with supporting the use of radar will appear later on tonight’s agenda. He noted that this would give the Township police the same abilities as the state police, as well as police in 49 other states. The reconditioned radar units would cost about \$700 each. Brand new ones would cost \$1,000 - \$1,500 each, depending on options. There would be a one-time training charge of \$100 per officer. Calibration would be done yearly, at a cost of about \$75.00 per unit. Vice President Wilt also informed the public that Dauphin County has set the date for Trick-or-Treat in most areas for October 30

Public Safety – Commissioner Springer – no report

Budget and Finance – Commissioner Davies – no report

Community Development – Commissioner DiFrancesco – no report

Public Works – President Mehaffie – reported that the Public Works Department has been very busy with street sweeping, repairs, mowing, and work in the parks. The sinkhole in Kreider Lane opened up again and was repaired. The Township dumpster will be available to residents on June 7, from 8:00 A.M. to noon.

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 and March 19, 2014. The plan is due to expire on July 12, 2014.

The Board tabled the Revised Land Development Plan for KGH Properties – Campus Heights Village Wood Street Access, prepared by Forino, Inc. and submitted by Campus Heights Associates I, LP. The initial Plan submittal was due to expire on December 26, 2012. A 90-day extension was approved by the Township on December 19, 2012. Additional 90-day time extensions were approved by the Township on March 20, 2013, June 19, 2013, September 18, 2013, December 18, 2013 and March 19, 2014. The plan is due to expire on June 19, 2014. This plan remains tabled by the Planning Commission

A motion was made by Commissioner DiFrancesco, seconded by Commissioner Davies, to grant a 90-day time extension, as requested by the developer, 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, and February 19, 2014. The plan is due to expire on May 24, 2014. The plan remains tabled by the Planning Commission. Upon acceptance of the 90-day time extension, the plan will expire on August 22, 2014. The motion was unanimously approved.

The Board tabled 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 and April 16, 2014. The plan is due to expire on July 23, 2014.

NEW BUSINESS:

A motion was made by Commissioner DiFrancesco, seconded by Vice President Wilt, to grant a 90-day time extension, as requested by the developer, on the Preliminary/Final Land Development Plan for Capital Valley Business Park – Building ‘C’, prepared by LSC Design submitted by Capital Valley, L.P. The plan has been tabled by the Planning Commission, and is due to expire on June 9, 2014. Upon approval of the 90-day time extension, the plan will expire on September 7, 2014. Ms. Letavic explained that this project has been on hold, since there are approvals being requested from the Zoning Hearing Board. The motion was unanimously approved.

A motion was made by Vice President Wilt, seconded by Commissioner Davies, to approve authorization for Samuel Monticello, Township Manager, to sign the Bill of Sale between Dauphin County and Lower Swatara Township to transfer the ownership of public safety communications equipment. The motion was unanimously approved.

A motion was made by Commissioner Davies, seconded by Commissioner DiFrancesco, to approve Resolution No. 2014-R-3. This resolution amends Resolution No. 2008-R-9, the Township’s Right-to-Know Policy, Section 1. Open Records Officer, to appoint Samuel Monticello, Township Manager, as a Township Open Records Officer and Robert Greene, Planning and Zoning Coordinator, as an Alternate Township Open Records Officer. The motion was unanimously approved.

A motion was made by Vice President Wilt, seconded by Commissioner Springer, to approve Resolution No. 2014-R-4, which authorizes and directs the Township Manager to submit an Application for Traffic Signal Approval to the Pennsylvania Department of Transportation and to sign the Application on behalf of the municipality (existing signal at Eisenhower Boulevard and PA Route 283) and Resolution No. 2014-R-6, which authorizes and directs the Township Manager to submit an Application for Traffic Signal Approval to the Pennsylvania Department of Transportation and to sign the Application on behalf of the municipality (existing signal at SR 0203 and Wood Street). In response to a question from Commissioner Davies, Ms. Letavic confirmed that the Township is responsible for the maintenance of these signals. Fortunately, these are not new signals, but simply upgrades to current ones. The motion was unanimously approved.

A motion was made by Vice President Wilt, seconded by Commissioner Springer, to approve Resolution No. 2014-R-5. This resolution supports Senate Bill 1340 and House Bill 1272 enabling all municipal police to use the same motor vehicle speed-timing equipment as the Pennsylvania State Police. Chief Brandt added that both bills are identical, and he would support the Board's approval of the resolution. The motion was unanimously approved.

Vice President Wilt reported that several months back, he and President Mehaffie had participated in performance evaluations of the five new police officers. Sergeant Young and Chief Brandt had given all five high marks and commendations. Chief Brandt added that the final review of these officers was similar, with all five being recommended for this elevation to permanent status. A motion was made by Commissioner Springer, seconded by Vice President Wilt, to approve the elevation of the following probationary police officers to permanent status effective June 1, 2014, the first year anniversary date of employment:

Jordan Thomas  
Jonathan Miller  
Joseph Smith  
Justin Dinger  
Patrick Ribec

The motion was unanimously approved.

A motion was made by Commissioner DiFrancesco, seconded by Commissioner Davies, to accept the resignation of Tony Guerrieri from the Lower Swatara Township Recreation Board, effective May 8, 2014 (Mr. Guerrieri's term of office was due to expire on 12/31/14). The motion was unanimously approved. Commissioner DiFrancesco suggested that Mr. Guerrieri be provided a thank-you for his tenure and service to the Township. President Mehaffie agreed that a citation should be presented to Mr. Guerrieri as a token of appreciation for the many years of fine service he gave to the Township.

A motion was made by Commissioner Davies, seconded by Commissioner DiFrancesco, to approve Improvement Guarantee Reduction #1, in the amount of \$6,549.05, for Morgan's Run. This will reduce the current amount of \$70,455.98 to a balance of \$63,906.93. In response to a question from Commissioner Davies, Mr. Greene explained that the developer is requesting this due to the completion of sidewalks and the handicap ramp. The motion was unanimously approved.

President Mehaffie stated that he had one additional item for action this evening. Fred Wahl, a member of the Community Policing Advisory Committee, has asked to resign from his position due to health reasons. A motion was made by Commissioner DiFrancesco, seconded by Vice President Wilt, to accept the resignation of Fred Wahl from the Community Policing Advisory Committee. The motion was unanimously approved. Again, Commissioner DiFrancesco suggested a thank you or citation be given to Mr. Wahl for his many years of service. President Mehaffie agreed, and stated that Mr. Wahl has served the Township faithfully for many years. He added that the Board will work on replacing these two vacancies.

FINAL COMMENTS:

Vice President Wilt requested an executive session upon conclusion of tonight's meeting for personnel issues.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

With no further business to discuss, a motion was made by Commissioner DiFrancesco, seconded by Vice President Wilt, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:30 P.M.

ATTEST:

  
Jean R. Arroyo, Recording Secretary

