

## MINUTES

### OCTOBER 2, 2013 WORKSHOP MEETING

#### LOWER SWATARA TOWNSHIP BOARD OF COMMISSIONERS

The October 2, 2013 Workshop Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by Vice President William L. Leonard, Jr. Vice President Leonard called for the pledge of allegiance followed by a moment of silence.

Roll call was then taken with the following officials in attendance:

- William L. Leonard, Jr., Vice President
- Thomas L. Mehaffie III, Commissioner
- Michael J. Davies, Secretary
- Jon G. Wilt, Commissioner
- Peter R. Henninger, Solicitor
- Brenda K. Wick, Planning and Zoning Director
- Richard D. Brandt, Police Chief
- Steven W. Anderson, Public Works Director
- Jean R. Arroyo, Recording Secretary

Residents and visitors in attendance:

PLEASE SEE ATTACHED SIGN-IN SHEET

Vice President Leonard welcomed the visitors to the meeting and opened the floor for public comment.

#### PUBLIC COMMENTS:

Steve Acker, 1800 Brentwood Drive, requested the Township place stop signs on Hanover Street at the intersection of Brentwood Drive. He explained that he would like to see this become a four-way stop intersection. There are a lot of children in the area, and the traffic coming up the hill is a bit blinded. This, coupled with the speeding, creates a dangerous situation. Mr. Acker added that he has a young granddaughter who lives across the street, and eventually she will be visiting. He wants this to be a safe crossing. Commissioner Mehaffie asked Chief Brandt the procedure for this. Chief Brandt stated that he will turn this over to Sergeant Tingle, who has received PennDOT training for these types of requests. Solicitor Henninger added in accordance with state road laws, legal placement of a four-way stop is based

on a traffic count driven calculation. If the traffic counts are not there, the stop signs cannot be legally enforced.

#### ROUTE 230 UPDATE:

Matt Genesio updated the Board and public on the Route 230 road work. He reported that he had met with Horst, the subcontractor, today. They have finished both cross pipes, the majority of the stormwater work on the Campus Heights side and the majority of the stormwater work on the GreenWorks side of Lawrence Street on the north side of Route 230. Some other pipe work needs to be done when the curb goes in, which is scheduled to happen Monday. Mr. Genesio added that he believes the weather might bump them back a few days, but the curb is scheduled to go in next week and the paving is scheduled for the week of October 14. They did receive an extension this afternoon from PennDOT because PennDOT saw the impending weather forecast and extended the paving deadline to October 31. Mr. Genesio stated that while they do not expect to need all the time and believe the paving will be done by October 18, they do have until October 31. He added that the priority is to clean up everything within the curb lines. Work will then be done on the sidewalks, grading, etc., after everything is opened up to vehicular traffic on Route 230. Things are moving ahead and looking good.

#### DEPARTMENT REPORTS:

Fire Department Report – Chief DeHart –reported that there were 30 calls for September, with a total of 339 calls this far into the year. The annual Open House will be held on October 10, from 6:00 P.M. to 8:00 P.M and fire prevention education at the schools is scheduled for next Tuesday and Wednesday. Chief DeHart reported that he had met with the Fire Marshal and the Codes Department to go over the ISO questions. He explained that the ISO rating is what ultimately determines the fire insurance rates for the residents. The Fire Department responded to a call last month at the FedEx construction site on Fulling Mill Rd, to assist the EMS on a construction accident which involved a worker rolled over and entrapped in a bulldozer. The dinner for October is stuffed chicken and will be held the third Sunday of the month from 11:00 A.M. until sold out. This will be the last dinner of the year. Chief DeHart referenced a call volume graph, and noted that 53% of the calls last month were in Lower Swatara Township. PennDOT has widened Fulling Mill Road in front of the fire station. In addition, it has paved a

portion of the emergency turn-around. Chief DeHart thanked Vice President Leonard, Representative John Payne, and PennDOT for making this happen.

Police Department – Chief Brandt – distributed the monthly report and reviewed the statistics. He reminded residents that “Trick-or-Treat” is scheduled for Thursday, October 31 from 6:00 P.M. to 8:00 P.M. The Lions Club will hold its annual Halloween Parade on October 17, beginning at 6:00 P.M. Commissioner Mehaffie asked for an update on the complaints voiced by residents of Eagle Heights at the last meeting regarding the students. Chief Brandt stated that everything has been relatively quiet in that area since that meeting. Commissioner Mehaffie asked if it is possible to send a letter to the property owner/landlord whenever there is a complaint about a tenant living in a rental property. Chief Brandt agreed this could be done. Vice President Leonard stated that he favors a phone call to the property owner first, followed up by a letter if necessary. The Board expressed no objection to this.

Public Works Department – Mr. Anderson – reported on maintenance issues with the department’s equipment. He noted that the new pressure washer is here and operational. Ongoing maintenance in the parks continues, and includes mowing, trimming, and repairs. All soccer fields have been seeded, fertilized, and the main fields have been watered. The ball fields were sprayed for weeds. Road work projects are complete. The paving of Scarlett Lane, Melanie Lane, O’Hara Lane, and Nissley Drive is finished. Scheduled road repairs were completed as of September 23 (milling, paving and sealing) and include Wyoming Avenue, Eshelman Street, Kreider Lane, Whitehouse Lane (5 locations), Florentine Street, Stoner Drive, Sara Street & James Street, Longview Drive (6 locations), and Strites Road (3 locations). A-1 Concrete has repaired the concrete on the side of the municipal building. The heating unit for the outer office hallway was repaired. Stream issues along Route 230 near Meade Avenue are being resolved with the help of HRG. The flood demo properties are all down and all, except for three, have been seeded. One is due to the issue with the concrete slabs on it. The other two are down by Swatara Park Drive; they are not being addressed right now since Kinsley Construction is constantly driving over them while they are working on the Vine Street Bridge project. When the work here is done, they will also be seeded. These properties are also candidates for trees, which will turn them back to natural grounds. Commissioner Davies suggested it might be beneficial to ask Kinsley Construction if it would be willing to reseed this area after it is done with its construction project. Mr. Anderson explained that these properties are completely dirt.

They are not seeded now, so there is really nothing for Kinsley to repair. He agreed, however, that he can certainly ask. The Public Works Department has also trimmed all the trees along the properties that the Township acquired. Two new employees were recently hired. Brandt Coyne was hired as a systems operator with the Municipal Authority, and Brett Shope was hired as a laborer for the Public Works Department. The dumpsters will be available for Township residents on Saturday, October 5, from 8:00 A.M. to noon.

Planning and Zoning Report – Ms. Wick – referenced the Codes, Planning, & Zoning Report for the month. The Planning Commission, at its meeting on September 26, recommended approval of the ordinance change regarding side yards in corner lots. A Public Hearing on this proposed ordinance is scheduled for October 16 at 7:00 P.M. The Planning Commission also recommended approval to the Zoning Hearing Board for a Special Exception submitted for the second phase of the Campus Heights student housing. The Zoning Hearing Board met on September 25 and granted a request for additional signage for Wendy’s on Eisenhower Boulevard, which is being renovated. Two Zoning Hearings are scheduled for October 23. The first is to consider the Special Exception for the use of Student Housing in a Commercial Neighborhood Zoning District submitted by Campus Heights. The second is to hear a request pertinent to the New Middletown High School Plan for a reduction to the required parking that the ordinance requires.

Ms. Wick stated there are two items that require formal action this evening. A motion was made by Commissioner Mehaffie, seconded by Commissioner Wilt, to approve acceptance and authorization to begin work associated with the Stream Monitoring Services Scope of Work Report No. 2 – Meade Avenue Project, as submitted by HRG in the amount of \$1,400. The motion was unanimously approved. The Board also acknowledged a letter of withdrawal by BW Partnership for the Final Subdivision Plan of Bryn Gweled East.

Ms. Wick reported on a suggestion to give a completely new street name to the portion of Nissley Road between Rosedale and Donald Avenue as part of the Turnpike Bridge Replacement project. This may be helpful for the first responders, and renaming the road segment would also provide a solution for the oddly numbered address at the Corradi residence, which is currently 2 South Nissley. Without a road name change, the address may become 2 South Donald. First responders will be better able to find the address if it is on an easy to find segment on the GIS mapping they use. Mrs. Corradi, the impacted property owner, has offered the names of “Baker”

or “Emerson”, which are family names. Commissioner Wilt stated that he favors Baker, since it is a simple name and there is no other street with that name in the Middletown delivery code. Vice President Leonard asked how soon a decision should be made on this. Solicitor Henninger recommended that the name change not be made until the actual traffic movement patterns change; the project is scheduled for 2015. He suggested a six month notice should be sufficient to the impacted property owners. Ms. Wick agreed. Chief DeHart stated that renaming a street is not a big deal, but suggested the new address not begin with the number “1” in case something goes else should go in on the Rosedale Avenue side.

Ms. Wick also reported that the Board had been provided with a copy of the well drilling contract. She anticipated that it will be in a position for consideration at the Board’s October 16 legislative meeting. Commissioner Mehaffie asked how much of the soccer fields will be able to be covered by the well. Mr. Anderson noted that it will not reach out to the upper fields. Ms. Wick added that the scope of work requested, and submitted by HRG, allows for the watering of the two main fields. If an adjustment to this design is requested, she can discuss this with HRG. She added, however, that this will not impact this particular part of the well contract, which is for a test well to see if there is a location that will serve the two main fields and provide enough water. Commissioner Mehaffie stated that he feels it is important to explore ways to hit the majority of the fields, if at all possible. Commissioner Davies inquired about doing this through a secondary outlet that is hooked to the well system. Mr. Anderson explained that one of the issues with doing this is the existence of a gas pipe line that runs in the middle of the park. After further discussion, the Board directed Ms. Wick to check into a modification of the distribution system of the contract in order to address as many of the fields as possible.

**MANAGER’S REPORT:**

Commissioner Mehaffie stated that he had met with Alan Knoche and Erin Letavic this morning regarding the flood demolition properties. During demolition work in Jednota Flats, two large pads of concrete were uncovered. There will be a change order of \$3,700 to the scope of work for removal of these concrete pads. A motion was made by Commissioner Mehaffie, seconded by Commissioner Davies, to approve the proposal for a change order of \$3,700 to remove the two pads of concrete. The motion was unanimously approved.

Commissioner Mehaffie stated that there are two items associated with the Hazard Mitigation Grant Program that require formal action tonight. A motion was made by Commissioner Mehaffie, seconded by Commissioner Davies, to approve the payment of Application of Payment #1 and #2, in the amount of \$110,305.45, to SDL Construction, LLC, for demolition services related to the Hazard Mitigation Grant Program – Project #1. The motion was unanimously approved. A motion was made by Commissioner Mehaffie, seconded by Commissioner Wilt, to approve the payment of Application of Payment #1, in the amount of \$24,023.60, to SDL Construction, LLC, for demolition services related to the Hazard Mitigation Grant Program – Project #2. The motion was unanimously approved.

Commissioner Mehaffie apologized to anyone trying to phone the Township within the last week and a half, as there have been phone issues. The problem was finally resolved today. The audit review was conducted last week, and went well with some minor recommendations. Nick DiFrancesco will be sworn-in as Commissioner at the Board's October 16 legislative meeting. Since the Board has a Public Hearing that same evening at 7:00 P.M., it was agreed that Mr. DiFrancesco will be sworn in prior to the hearing, in order that he may officially participate. Don Fure, Building Code Official, is getting together a formal proposal for the purchase of some much-needed code software. There will be a small cost savings if the contract for this purchase is signed before the end of the year. As mentioned by Mr. Anderson, Brett Shope began his employment with the Township this week. The Board acknowledged the hiring of Brett Shope as Public Works laborer effective September 30, 2013.

Commissioner Mehaffie requested an executive session upon conclusion of this evening's meeting in order to discuss a personnel matter.

#### SOLICITOR'S REPORT:

Solicitor Henninger reported that he also has one item for formal action tonight, which is the resolution which will give the Municipal Authority powers/responsibilities associated with stormwater management. The Municipal Authority approved its resolution Monday night. A motion was made by Commissioner Mehaffie, seconded by Commissioner Wilt, to approve Resolution No. 2013-R-14. This resolution adopts and approves an amendment to the articles of incorporation of the Municipal Authority of the Township of Lower Swatara, Dauphin County, PA to add additional powers or purposes of said Authority, as proposed by a resolution of the

Board of said Authority; setting forth such proposed amendment; authorizing said Authority and proper officers thereof to execute, verify, and file appropriate articles of amendment; and repealing all resolutions or parts of resolutions inconsistent herewith. The motion was unanimously approved. Commissioner Mehaffie added that the GIS meetings are going extremely well; the Authority staff will be very busy with this job, and hope to do 60 inlets a day.

Solicitor Henninger stated that he would also like to request an executive session upon conclusion of this evening's meeting in order to discuss possible litigation matters.

Solicitor Henninger reported that representatives of Campus Heights are here to discuss the vacation of public Streets associated with the Campus Heights Phase II project. Its Subdivision and Land Development Plan has been filed and will be on the agenda of the Planning Commission on October 24. As part of this project, Campus Heights will be proposing to vacate portions of Dauphin Street and Lawrence Street. There is a specific procedure, since these are Township roads, that must be followed. He has discussed this with Attorney Ron Lucas and Attorney Ambrose Heinz, who represent the developer. Attorney Heinz is here tonight to explain the process and how they would prefer to proceed.

Attorney Heinz reported that Mr. Genesio has a revised plan to present to the Board this evening, since the plan has undergone some changes. There are several phases to the project that will be moving at the same time, and they would like to be aggressive with the timeline. A petition to vacate is included as part of this overall process, as well as the Special Exception that Ms. Wick referenced earlier. Attorney Heinz highlighted the current plan, which now proposes to extend Lawrence Street straight up with a slight jog to Dauphin Street. This would require a vacation of part of Dauphin Street where it currently connects with Lawrence Street, and then relocation of Lawrence Street to the new location. He explained that Campus Heights now has the additional parcel under control through an agreement of sale with Lawrence Street Partners, so it is now part of this project. What was submitted with the Land Development Plan was a petition signed by the lot owners affected by this vacation and relocation. This petition will be reviewed by the Dauphin County Planning Commission and the Township Planning Commission. Attorney Heinz explained that they are trying to make sure the time periods set forth in the municipal planning code are sufficient for each of these Commissions to review and make recommendations before it goes to a hearing. There will need to be a formal public

hearing on the vacation, with the understanding that the ordinance will not be approved until after the land development plan is approved. He stated that they may shoot for a November 6 public hearing date.

Solicitor Henninger asked if the Township has any engineering or staff review at this point. Ms. Wick stated it did not. This is usually done prior to the Planning Commission meeting, which is October 24. He asked if the actual road vacation petition is part of this. Ms. Wick explained that it was submitted to Dauphin County Planning Commission. Attorney Heinz explained that this is really a separate process for that review. Solicitor Henninger expressed his concern is getting the cart before the horse. Attorney Heinz stated that the Board could hold a public hearing but not take any immediate action. It could table action until after the plan is actually approved. Solicitor Henninger agreed that plan approval would be contingent upon adoption of an ordinance vacating the roads, so he can understand the reasoning for the request. After further discussion, it was agreed to wait until the Board's legislative meeting on October 16 to discuss scheduling the hearing, as there may be a better idea of where things stand in two weeks.

Vice President Leonard added that he would like to thank Mr. Genesio for his efforts in getting Lawrence Street to extend straight up through the development. In response to a question from Commissioner Mehaffie, Mr. Genesio explained that the southern entrance to the second phase of his plan will be eliminated with the acquisition of that new property. Coming up Lawrence Street from Route 230, the first two entrances on the right will be the current Campus Heights. The first two entrances on the left will be Nittany Village. The northern part of Lawrence Street, the top part of the "L", will remain private and not be dedicated back to the Township. It will be a private entrance owned solely by Nittany Village. Continuing up Lawrence Street will be the new proposed phase of Campus Heights, with two entrances off to the left. Gina Lane will be realigned, and West High Street will be eliminated, as well as the spur that comes out to the corner of it now. Mr. Genesio stated that will be a vast improvement.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

With no further business to discuss, a motion was made by Commissioner Wilt, seconded by Commissioner Mehaffie, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 8:01 P.M.

ATTEST:

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Jean R. Arroyo, Recording Secretary