

## MINUTES

### NON-LEGISLATIVE MEETING – NOVEMBER 2, 2016

The November 2, 2016 Non-Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:11 P.M. by President Thomas L. Mehaffie III.

The following officials were in attendance:

- Thomas L. Mehaffie III, President
- Jon G. Wilt, Vice President
- Michael J. Davies, Commissioner
- Laddie J. Springer, Assistant Secretary
- Todd F. Truntz, Commissioner
- Frank E. Williamson, Jr., Public Safety Director/Assistant Manager
- Terry L. Kauffman, Interim Manager
- Jean R. Arroyo, Secretary
- Peter R. Henninger, Solicitor
- Erin G. Letavic, HRG, Engineer
- Robert S. Greene, Planning and Zoning Coordinator
- Daniel L. Wagner, Public Works Director

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

Solicitor Henninger reported that the Board had

#### PUBLIC COMMENTS:

Ben Hall, 520 Constitution Drive, distributed to the Board members his letter of interest to fill an opening on the Board when President Mehaffie resigns to assume his new position as State Representative. He congratulated President Mehaffie on his upcoming election. Mr. Hall noted that he has lived in the Township for 22 years and has raised his family here. He has always been an active citizen in the community. He was a member and past President of the Lower Swatara Lions Club, and a member of the Lower Swatara Township Athletic Association's Baseball and Softball Association for 13 years. He was Vice President of the Girls Softball for six years, and during that time raised the count to 150 girls playing softball in the this area. He served as Vice President of the Suburban Girls Softball League for six years and assisted in turning the program around financially and into a three-county league. He was also active as a coach for the Olmsted Recreation Board. Mr. Hall stressed that he wants to see the

kids succeed, because they are tomorrow's community. Mr. Hall noted that he has also served as a member of the Lower Swatara Township Code Hearing Board since 1997. He has been employed with NRG Energy Services for over 25 years. He works with budgets, and knows the importance of working within them. Mr. Hall explained that he would like to be considered for the Commissioner seat and feels his knowledge and experience of Lower Swatara Township, as well as his ability to work with all parties involved, would help provide the community with the integrity it deserves. The Board thanked Mr. Hall for his letter of interest.

#### PLANNING AND ZONING REPORT:

Mr. Greene referenced the monthly reports on inspections and permits. There was no Planning Commission meeting in October. The Planning Commission had taken action at its meeting on September 22 to recommend approval of the Comprehensive Plan with conditions, as stated in a letter dated October 5, 2016 from Chauncey Knopp, Chairman. The comment period will end on November 18, and the Board of Commissioners will then be required to set a date for a Public Hearing. The Zoning Hearing Board met on Monday, October 31 at 6:30 P.M. to continue the 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 are, of the Zoning Ordinance. While the hearing was basically concluded, the attorneys had requested copies of the transcript be presented to them. Following that, they will give their closing statements in writing. Solicitor Henninger explained that the Zoning Hearing Board had requested that the attorneys for the applicant and he, as the attorney representing the Township, provide proposed findings of fact and conclusions of law as opposed to just making oral arguments at the conclusion. In order to do that, transcripts need to be prepared. These will be prepared over the next few weeks. After they are made available, he and the applicant's attorney will have 30 days to provide proposed findings and conclusions. Once those are submitted, the Zoning Hearing Board will have 45 days to render a decision. He anticipated a meeting to render the decision will probably be held in January.

As mentioned earlier, on November 29 at 7:00 P.M., the Zoning Hearing Board will hear a request for four variances by SYB Property Group, which represents Soccer Shots at property located at 1000 Eisenhower Boulevard (the location of the Harrisburg Christian Performing Arts Center).

The Township continues to focus on MS4 training. A meeting was held on October 24 for Township staff with Jamie Eberl, HRG, presenting an overview on streamlining the process of receiving phone calls and review of Township forms. Staff reviewed and discussed the typical type of issues that are reported by the public that would trigger the need for investigating and beginning a plan of corrective action. Other topics of discussion included meeting with the Municipal Authority to explain the MS4 program, a contact and awareness program with local concrete, paving and pesticide businesses, possible fire department training regarding submission of reports to the MS4 coordinator, and consideration of contracting with a local laboratory for taking samples involving illicit discharge material. Ms. Eberl also explained some of the new guidelines that will become part of the Township's new permit in 2018. These include DEP regulations for swimming pool water discharge and restrictions on car washing. Gil Hirschel from the Dauphin County Conservation District is scheduled to give a presentation entitled "Understanding Stormwater Management" at the Board's January 4, 2017 workshop meeting. This will be open to the public.

Mr. Greene noted that he will be on vacation next week. Jact Dela Cruz will be out on building code training in preparation for his code certifications and necessary exams.

Vice President Wilt questioned the new guidelines for car washing. Mr. Greene explained that EPA is setting the manner in which citizens wash cars on private property. Guidelines are dependent on the product used and where the vehicle is washed. The Township will be receiving guidelines on how to comply and will be educating the public. The intent is to try to keep the water from getting into the storm drainage system.

#### PUBLIC WORKS REPORT:

Mr. Wagner reported the Department is busy mowing at the parks, replacing signs, and collecting leaves. Removal of the playground equipment at Old Reliance Park was not yet done but will be completed this month or next. The Department also completed winterization of both Little Hollywood and Greenfield Park, and mowed roadsides one last time for the year. Jobs recently

completed included repairing inlets, removing the playground equipment and sandbox at Shopes Garden park, liming all the baseball and soccer fields according to the needs from the soil tests, installing “PreMark” around the problem manholes for the snowplowing season, completing several large road repairs, aerating all baseball and soccer fields, and inventorying the Public Works garage. Mr. Wagner noted that a Winter Storm Policy was also created and will be reviewed by Mr. Williamson and Mr. Kauffman. He noted that he had attended a Winter Maintenance Meeting in Harrisburg with Penn Dot and surrounding municipalities to discuss Penn Dot’s winter plan and the Township’s involvement. Both the Public Works personnel and the Municipal Authority personnel attended annual MS4 department training the past week. Two bridge inspections were conducted with HRG’s assistance, and no closures are anticipated at this time. Tomorrow morning, he will be meeting with Kline’s Services on Richardson Road to receive a quote to clear the Summit Ridge culvert, which is blocked up. Mr. Wagner reported that PennDOT has indicated that the North Union Street/283 Bridge will be reopening next week. On November 10, Walters Septic will remove all the porta-johns from the parks. The dumpster will be available to residents on Saturday, November 5, from 8:00 to Noon. President Mehaffie questioned if the porta-john at the soccer field will also be removed, as he thought it was kept there year-round. Mr. Wagner clarified that one will remain at that location.

Commissioner Davies questioned the status of the repairs for the manhole on Hamilton Drive. Mr. Wagner responded that the work will start this Wednesday. Flyers were handed out to the impacted residents today. Middletown Borough is willing to let the Township use its paver to pave this afterwards.

Dave Zavoda remarked that the truck signs on North Union Street near the High School did have flashing red lights, which he understands had to be removed. He asked if the signs could perhaps be lit up with some white lights instead. Mr. Wagner explained that according to PennDOT regulations, lights are not permissible on a regulatory sign.

#### MANAGER’S REPORT:

Mr. Williamson reported that he had received his official letter from the Governor appointing him Emergency Management Coordinator for Lower Swatara Township.

As referenced during tonight's budget meeting, the Township is looking into participating in the DCED Early Intervention Program. DCED has requested to provide a short presentation on this during the November 16 meeting.

Mr. Williamson stated that the Township had its first Naloxone save during the two months that it has been using it. Officer Jordan Thomas successfully revived an opioid overdose patient.

Mr. Williamson reported that he is in the process of getting bonded, and has some paperwork that will require signature.

In July, the Board approved moving the pension plans from BNY Mellon to U.S. Banks and now needs to appoint a trustee. The decision is whether the trustee should be U.S. Banks or the Board. A resolution for this will be drafted for action at the November 16 meeting. Solicitor Henninger explained that different municipalities handle this different ways. The Board can be trustee for its pension plans. It is not currently; BNY Mellon serves as trustee. The additional cost for U.S. Bank to take on trustee is \$1,000 year per plan. Solicitor Henninger explained that the trustee has a fiduciary responsibility to the beneficiaries of the plan. For \$1,000, the Township would have a professional trustee. He, along with Mr. Williamson and Mr. Kauffman, are recommending to continue using a corporate trustee for the pension plans in order to provide additional protection to both the Board and the employees. The Board concurred with this recommendation.

An invitation was received for the Commissioners to attend the Dauphin County Commissioners' "Eggs and Issues" Breakfast on November 10 at the Sunset Gulf Course. The rsvp is tomorrow. Any Commissioner planning to attend was asked to let Ms. Arroyo know.

Mr. Kauffman noted that he is working on the personnel policy, employee evaluations, and job descriptions. The goal is to have the policy that was adopted provided to the employees within the next ten days. Samples of self-evaluations were shared by other local municipalities, and these will be utilized to match the existing job descriptions. Some of the job descriptions are current, some are not, and some may need to be revised. Mr. Kauffman added that he has also been working on the Municipal Authority budget, which is 90% done.

#### ENGINEER'S REPORT:

Ms. Letavic updated the Board on the Greenways, Trails and Recreation Grant Execution for the Old Reliance and Shope Gardens Parks. Playground equipment and sand boxes have not yet

been removed from the Old Reliance Park. Equipment deliveries are being scheduled. Bitting has not yet confirmed an installation date in November/December, if weather allows.

Shop drawing submittals for the Richardson Road Bridge, funded by a 2015 DCIB Loan and Gaming Grant, are under review. A more detailed schedule has not been provided to date by the contractor. Actual anticipated project start is January 2017, with substantial completion May 1, 2017.

MS4 efforts continue, and outfall inspections are to be scheduled with staff in order to check for illicit discharges. A scope of work for MS4 permitting needed in 2017 will be provided for action at the November 16 legislative meeting.

The Township Solicitor and HRG will meet on November 3 to identify the quickest path to an updated municipal boundary in regards to the Zoning Map.

HRG plans to meet with Township staff on November 15 to present design and cost estimates for the Capital Improvement Plan – PENNVEST Funding for Stormwater Projects.

During the budget process, it was determined that there is value in doing a roadway management study to result in an objective approach to roadway maintenance and long-term paving schedules. HRG is considering sub consultants to utilize for data collection in 2017, should the Commissioners choose to proceed with the project. More information on this will be forthcoming.

The grant application for the Greenways, Trails and Recreation Park Grant for Little Hollywood Park/Memorial Field for the \$140,000 project (\$119,000 grant and \$21,000 local cash match) was submitted on June 30, 2016. The project was not awarded in this round. The application will be kept for a future funding opportunity in accordance with Township priorities. In response to a question from Commissioner Truntz, Ms. Letavic confirmed that this grant is for lighting and bleachers.

The Dauphin County Infrastructure Bank (DCIB) Loan Application (2016) for the Highland Street and Summit Ridge Culverts is under review by the County. The Shireman Farm Parcel grant application is under review by DCNR.

#### SOLICITORS REPORT:

Solicitor Henninger announced that the Board had met in executive session yesterday morning at 8:00 A.M. at the Township Building to discuss personnel matters.

The Board held a Public Hearing on a proposed zoning ordinance amendment earlier this evening. This ordinance is ready for action. A motion was made by Commissioner Truntz, seconded by Vice President Wilt, to approve Ordinance No. 566. This ordinance amends the Lower Swatara Township Code of Ordinances No. 448, as amended and supplemented, Chapter 27, Zoning, Part 27, Administration and Enforcement, Section 27-2712. Zoning Hearing Board, to amend the number of members on the Township Zoning Hearing Board from three members to five members. A roll call vote was taken with the following ballot tabulation: Commissioner Truntz – aye, Commissioner Springer – aye, Commissioner Davies – aye, Vice President Wilt – aye, President Mehaffie – aye. Ordinance No. 566 was approved by a 5 – 0 margin.

Solicitor Henninger requested the Board meet in executive session immediately after this evening's meeting to discuss a pending real estate matter involving the Sunoco Pipeline, and also to discuss contract matters regarding questions from a pre-bid meeting with potential bidders on the solid waste disposal and recycling contract.

Mr. Zavoda asked if the Sunoco pipeline referenced is an existing line. Solicitor Henninger explained that there is an existing line, but what is being proposed is to put in a parallel line. Mr. Zavoda asked if that is the one through Union Street. Solicitor Henninger agreed that it will eventually cross Union Street.

#### FINAL COMMENTS:

Commissioner Truntz thanked everyone for coming tonight, and reminded citizens to set their clocks back this weekend and get out to vote next week.

Commissioner Davies stated that he was pleased to hear of the life saved though Naloxone, and that the officers are confident enough to use it. He complimented Officer Thomas for his quick action to save a life. Vice President Wilt agreed, and stated that he hopes the individual takes advantage of this opportunity for a second chance.

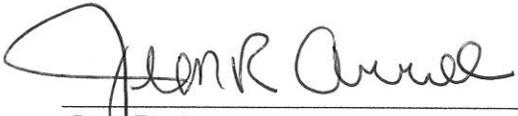
President Mehaffie thanked the Commissioners for all attending the dedication of the new Middletown Area High School. He stated that it is a fabulous facility, very much like a college campus. President Mehaffie noted that he is very proud of it, but stressed that work needs to be done with other communities to make this a successful school district. The future of America is in the hands of the students. The better they are trained and educated, the better everyone will be. He also thanked Dauphin County for its assistance with the Naloxone program, and for providing it free

of charge. The Dauphin County Commissioners were able to get every police department in the County to participate in this effort, which is an impressive accomplishment.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other business, a motion was made by Commissioner Truntz, seconded by Commissioner Davies, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:50 P.M.

ATTEST:

A handwritten signature in black ink, appearing to read "Jean R. Arroyo", written over a horizontal line.

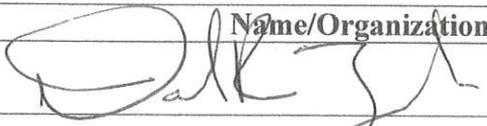
Jean R. Arroyo  
Township Secretary

PLEASE **PRINT** NAME CLEARLY

November 2, 2016

Special Budget Mtg. at 6:00 P.M. &

Public Hearing at 7:00 P.M. immediately followed by Workshop Mtg.

| Name/Organization  | Address                     |
|--|-----------------------------|
|  | 25 Davis Drive              |
| Eric Wise  | Press And Journal           |
| John Weikle  | 1264 Overlook Rd Middletown |
| Theresa Kuntz  | 99 BRADFORD Ave             |
| Linda Raphael  | 62 Wayne Ave. M-town.       |
| Sheryl Cyphert   | 1435 Andlewycke Dr          |
| Ben & Melissa Hall   | 520 Constitution PR         |
| T PENDERGRASS  | BRIARCREEK LN               |
| BRUCE HARTER   | STRITES RD.                 |
| Linda Mehaffey   | 921 Ebenezer Rd.            |
| ROY PALL   | 2 RICHARD AVE.              |
| DAVID Klingeman  | 241 Keystone Dr.            |
| NORM FREY  |                             |
| Michelle Wagner  | 644 Longview Dr.            |
| Chris DeLeon   | LST                         |
| Dan Nagano   | LST - Pheasant Run Rd       |
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