

## MINUTES

### NOVEMBER 4, 2015 WORKSHOP MEETING

#### LOWER SWATARA TOWNSHIP BOARD OF COMMISSIONERS

The November 4, 2015 Workshop Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:23 P.M. by President Thomas L. Mehaffie III.

The following officials were in attendance:

- Thomas L. Mehaffie III, President
- Jon G. Wilt, Vice President
- Laddie J. Springer, Secretary
- Michael J. Davies, Assistant Secretary
- Dominic D. DiFrancesco II, 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

PUBLIC COMMENTS: None

#### DEPARTMENT REPORTS:

Fire Department – Chief DeHart – reported that the calls for the month of October totaled 56, with calls to date at 525. The Fire Department has submitted for a \$15,000 PA state grant for rescue tools and water rescue equipment. The tanker responded to a large fire in Paxtang this past Monday night. Chief DeHart noted that he will be having a meeting with the Highspire Borough Manager and Fire Chief to go over some issues on response to a fire in Lower Swatara Township (North Union Street and Henry Lane). The public was invited to come out for the December 5 Breakfast with Santa. Chief DeHart noted he had ran all the calls from 2000 to today, which is over 8000 calls. He distributed charts including a summary of the type of

alarms, incidents by district, incidents by day of the week, and incidents by alarm hour. Most of the calls are during the day, which is the most difficult time for volunteers to respond. This is a challenge now and will be a challenge in the future; a lack of volunteers is something the whole county is facing. Commissioner DiFrancesco remarked that he is really impressed with the truck and boat setup of the Fire Department, which was obtained through a county grant. Considering how much of the river the Fire Department is responsible for, this is a good piece of equipment to have. He added that he is also glad to see that there are some well-trained volunteers committed to this program. Chief DeHart agreed that the boat has already been an instrumental part of a recent rescue. President Mehaffie thanked the county for this gaming grant and commended the Fire Department for making the application. Commissioner DiFrancesco agreed that the concept was to look for projects that benefit the region on a county resource level. This is a great resource for local fire departments, as it is no longer possible to fund equipment with bingo and chicken dinners.

Police Department – Chief Brandt – reviewed the statistics for last month, and noted that it was a good month overall, with 617 calls for service and low criminal activity. The fraud category continues to be a concern, and the Department is doing the best it can to handle these concerns. 52 citations were written last month, and exactly half of these were from the North Union Street area. Chief Brandt reported that focus is still on speeding and truck traffic on North Union Street. Recently, the Township’s truck officer, Officer Richards, found a tractor trailer on North Union Street that had an oversized load. It was carrying a heavy piece of equipment. This requires a permit and traveling on a designated route; obviously, North Union Street is not one of those routes. Total fines for this violation were approximately \$10,050. Chief Brandt noted that this is the kind of fine the Township can expect to see if the road is able to be weight restricted. He added that he can guarantee that this particular truck will never travel that route again, and word does get around. Chief Brandt also advised the Board that if it intends to hire a new officer next year, he already has everything in place. The Board will just need to interview the three potential candidates and select one. Commissioner DiFrancesco asked if the police had any luck with a strategy for the area of North Union Street near the Fred Wahl property. Chief Brandt confirmed that they did sit there and observe traffic, but have not run the machine yet. Commissioner DiFrancesco stated that he has serious concerns about enforcement of the stop sign at Nissley Drive and O’Hara Lane. Many vehicles do not even slow down for it, but go

right through it. This creates a very dangerous situation. He suggested this stop sign either be enforced or removed. He noted that he personally would favor removal of the sign, since he questions whether this is even an enforceable sign. Solicitor Henninger explained that it would take an ordinance change to remove the sign. The Board would need to vote to authorize the preparation of an ordinance to remove the sign from the ordinance book. Solicitor Henninger agreed that Commissioner DiFrancesco has a good point. Drivers who are not familiar with O'Hara Lane and are sitting at the stop would assume that the vehicles will in indeed stop at the stop sign on Nissley Drive. Todd Truntz explained that he also lives in this neighborhood, and feels that removal of the sign would result in this street becoming a drag strip. There would be absolutely no control of speeding then. Commissioner DiFrancesco stated that the Township cannot legally place stop signs to control speed, and there are other ways to enforce the speed limit. Mr. Wagner stated that if the Board is considering removing this sign, it may also want to consider removing the one at Ebenezer Road. President Mehaffie noted that he lives near this intersection, which is a 3-way stop. With children in this area and no sidewalks, removal of the sign would create safety problems. He stated that he would not be in favor of removing this sign. Solicitor Henninger agreed that placement of both of these stop signs would have required a study, and he is not sure that there is a study to back up placement of these signs. In order to save money, he suggested the staff take a look at any suspect signs before advertising an ordinance change. After further discussion, the Board directed Chief Brandt to take a look at the sign on Nissley Drive. Commissioner DiFrancesco also stated that the new sign that just went up near the new Nissley Drive Bridge at Baker Avenue seems to create a bizarre intersection. Chief Brandt explained that the new design of the road made it more of a t-intersection, which necessitated that stop sign. Ms. Letavic agreed that one of the stop signs is to be removed. She will look at the plan and check into this. Commissioner Davies stated that the Spring Garden Drive/Nissley Drive intersection also seems unusual. It is a 3-way stop, but would perhaps be safer as a 4-way stop. Chief Brandt explained that stopping on the hill would be an issue in the bad weather. Solicitor Henninger agreed that there is a safety exception due to the slope and configuration. President Mehaffie added that once the sign overlay is done, it will be a valuable tool for these types of questions.

Planning and Zoning/Codes Department – noted that there is one item that requires formal action this evening. A motion was made by Commissioner DiFrancesco, seconded by Vice President Wilt,

to approve the submission of an amended application for rezoning by Lee Dickerson to include the property of Thomas N. Steele, requesting that the Board of Commissioners accept the amended application and that the Board refer the amended application to the Planning Commission for consideration at its meeting on November 19, 2015. The motion was unanimously approved. Mr. Greene then referenced the inspection reports and permit reports. One of the completed job is the Holiday Inn, at 815 Eisenhower Blvd., which was issued a temporary occupancy permit. Mr. Greene noted that this job involved many, many hours of inspections. He commended Don Fure, Building Code Inspector, and the entire department for their outstanding job through this lengthy process. In response to a question from Vice President Wilt, Mr. Greene confirmed that the Township was able to bill the Holiday Inn on a number of occasions for additional inspections and permits that were necessary. Under the Planning category, the PADEP Component 3 Planning Module for UPS, SARAA Property, was approved October 19, 2015. The plan is ready for signature and recording. A Zoning Hearing is scheduled for November 17 at 7:00 P.M. for Shaner Corporation, SARAA/HIA which is requesting a variance to construct a four-story Courtyard by Marriott Hotel with a maximum building height of 55 feet which exceeds the allowable height of 35 feet. The project is located at One Terminal Drive in the A-I district. Mr. Greene updated the Board on the Spring Street Properties/Nittany Place, PSU Soccer Field and Campus Heights projects. The contractor has completed the grading and seeding along the fenced area and has permanently closed off the temporary construction access from Dauphin/Wood Street. The Comprehensive Plan continues to move along. Michelle Brummer of Gannett Fleming has completed her interviews with Township officials, staff, Highspire and Middletown Borough Managers and is working to schedule interviews with PSU representatives. She is also in the process of scheduling meetings with property owners with large open tracts of land, mainly in the Longview Drive areas, in an effort to hear about their general intent for their land for the next 10 years and to obtain their perspective on current use/zoning policies. The next committee meeting date has not yet been set, but is anticipated to be held in November. An application has been submitted for a Stormwater Management Site Plan for PSU to construct approximately 1,250 foot length of porous pavement walkway and associated grading along First Street/College Ave. and Olmstead Dr. The plan is currently being reviewed by staff and HRG for compliance. The applicant will be presenting a request for a Waiver from the requirements of the Stormwater Management Ordinance at the Board's November 18 Legislative meeting. Commissioner Davies questioned this walkway, and

observed that there were flags and layout markers near the Campus down on Route 230. Mr. Greene stated that this may have been for a PA One-Call for excavation work. Ms. Letavic noted that it could also be for the work proposed on Ann Street or the work proposed on Route 230 for installation of ADA ramps. Commissioner Davies asked if there has been any thought to installing walkways parallel to Route 230 to keep foot traffic off the side of the road. Ms. Letavic confirmed that it was discussed in concept. Commissioner DiFrancesco noted that these footpaths are definitely being talked about, and he has seen multiple concepts although he is not sure what that means in terms of moving ahead. Solicitor Henninger referenced the upcoming zoning hearing for the Marriott, and asked if they had submitted anything from the FAA saying the request for a variance will not interfere with its flight cone. Mr. Greene confirmed that this was discussed with their engineer, and it should be presented at the hearing.

Public Works Department – Daniel Wagner—referenced Commissioner Davies’ question about the flags and markings and stated that Pennsy Supply did replace a stormpipe down on Route 230 today. Also, as Ms. Letavic mentioned, there will be 52 ADA ramps being installed on Route 230 between the square and Tioga Avenue. Mr. Wagner noted that the Department has been busy with stormpipe replacement projects. Pipe was installed today on Blacklatch Lane. The binder will be put in tomorrow, and the resident’s yard that was tore up will be top soiled and seeded. Candlewycke Drive and Blacklatch Lane should then be ready for paving next year. The Department worked both Monday and the Tuesday holiday on Pennsylvania Avenue. When the last piece of pipe was put in, a storm inlet fell apart. That inlet was rebuilt today. EK Services is planning to come in Thursday and binder that whole section of road. He thanked the residents in this area, who have been very patient. The Department continues to work with PennDOT and HRG on the permits necessary for the installation of the inlet at Wood Street and Route 230. This past month, the Athletic Association installed clay bricks both in the batters boxes and the pitcher’s mound at Woodridge Park. This will also be done at Shope Gardens if funding and time allows. The Department installed manhole protection rings/water caps for plowing time. Mr. Wagner reported that the core sampling spots were sealed up on the five roads that were sampled. These core testing results have not yet been received. Other completed jobs include finished aerating, fertilizing and seeding the soccer fields and the waterline areas, finishing the line painting, and painting the gas line on the administrative building roof. The street sign for Henry Drive will be installed tomorrow. The dumpster will be open on November 7, from 8:00 A.M. to noon, for all

residents. Mr. Wagner requested a brief executive session with the Board upon conclusion of this evening's meeting for personnel matters. In response to a question from Commissioner DiFrancesco, Mr. Wagner reported that the life expectancy of the plastic pipe that is being put in now is 80 years.

MANAGER'S REPORT:

Mr. Monticello referenced a memo in front of the Board. He reported that Act 205 1984 requires that the Chief Administrative Officer of the pension plan inform the governing body of the municipality of the MINIMUM MUNICIPAL OBLIGATION, or MMO for the forthcoming year. This information must be acknowledged so as to be made part of the official minutes of a public meeting. Therefore, he asked that it be known and acknowledged that the MMO for the Police and Non-Uniform Pension Plans for calendar year 2016 is \$494,113 and requested that the official minutes of this meeting reflect that fact. Commissioner Davies asked if he could get the figures from the previous year's MMO. Mr. Monticello agreed to forward this information to him.

ENGINEER'S REPORT:

Erin Letavic, HRG, updated the Board on the truck restriction study. Road core samplings were performed last month. Upon receipt of the core testing results, HRG will prepare the restriction analysis for North Union Street from PA 283 to PA 441 and Stoner Drive from PA 441 to Rosedale Avenue. Work on Municipal Separate Storm Sewer Systems (MS4) continues. The next staff meeting, scheduled for November 16, will consist of making plans for 2016 MS4 initiatives and identifying areas for improvement, partnerships to target, and grant funding opportunities for projects. Ms. Letavic noted that HRG has been provided the opportunity to present CAP COG training for MS4 and is looking for a municipal location to hold this during the day, sometime in January. She asked if the Board had any objections to holding it here. The Board expressed no objections, and President Mehaffie asked that this event be coordinated with Ms. Arroyo.

An update was also provided on the Richardson Road Bridge. The detour plan for the summer of 2016 has been sent to PennDOT for approval. HRG will have a project design presentation prepared for the December workshop. Permit preparation is now underway.

Ms. Letavic requested an executive session, immediately upon conclusion of this evening's meeting, for contractual reasons.

SOLICITOR'S REPORT:

A motion was made by Vice President Wilt, seconded by Commissioner Springer, to approve a Stormwater Right of Access Agreement with SARAA with regards to the UPS property. A roll call vote was taken with the following ballot tabulation: Commissioner DiFrancesco – abstain, since he is a member of the SARAA Board, Commissioner Springer – aye, Commissioner Davies – aye, Vice President Wilt – aye, President Mehaffie – aye. The motion was approved by a 4 – 0 margin, with Commissioner DiFrancesco abstaining.

Solicitor Henninger stated that he has an additional item for Board action tonight. The Township has a proposal with McNees Wallace & Nurick LLC with regards to a Non-Uniform Personnel Manual. This firm also works with Verizon Wireless and Rhodes Development Group here in the Township, which presents a possible conflict. While it does not appear to be a conflict, they are requesting that the Township agree to waive any conflict as a result of their representation of Verizon Wireless and Rhodes Development Group so that they can move forward with the manual. A motion was made by Commissioner DiFrancesco, seconded by Vice President Wilt, to waive any conflict of interest in order to allow McNees Wallace & Nurick LLC to work on the Township's Non-Uniform Personnel Manual. The motion was unanimously approved.

FINAL COMMENTS:

Commissioner DiFrancesco stated that on Election Day, he was approached by a resident in Bryn Gweled about the ongoing issue with noise generated from the jake brakes of trucks on Route 283. He asked about the possibility of requesting signs be placed prohibiting this, and perhaps passing an ordinance prohibiting the engaging of jake brakes in the Township.

Solicitor Henninger recalled that this issue was brought before PennDOT at least two times. Because it is a limited access highway, PennDOT will not restrict jake brakes on Route 283. Solicitor Henninger stated the Township could write PennDOT and ask for a written response to this question. Commissioner DiFrancesco agreed this might be worthwhile, since changes in personnel can mean changes in philosophy. President Mehaffie suggested the staff first look to

see if there is a written response on record. If not, he agreed that the Manager should write to PennDOT and request one. Ms. Arroyo will research past minutes to see when this issue was last addressed.

Mr. Wagner informed the Board that the timing of the North Union Street signal was updated, and the traffic flow does seem to be improved.

Commissioner DiFrancesco publicly commended the individuals who work at the election polls. They certainly have a long day. He thanked them for their time, which is what allows the public the opportunity to vote. President Mehaffie agreed that the Township has great people working at all four precincts.

Vice President Wilt stated that it is good to be back here in person. He and Julie will be flying to Florida for a follow-up medical appointment on the day of the next meeting, so he will not be in attendance. The Board and staff welcomed Vice President Wilt back.

Solicitor Henninger congratulated Vice President Wilt, Commissioner Davies, and Todd Truntz on their election wins. He noted that he has had the pleasure of working with Mr. Truntz, who serves on the Municipal Authority Board, over the past several years and stated that he will be a great addition to the Board.

President Mehaffie noted that anyone desiring an electronic copy of the preliminary budget document discussed earlier this evening can email Ms. Arroyo. He thanked the public for attending tonight, and stated they are always invited to ask questions. The Board is here to serve.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

With no further business to discuss, a motion was made by Vice President Wilt, seconded by Commissioner Davies, to adjourn the meeting and convene into executive session. The meeting adjourned at 8:22 P.M.

ATTEST:

  
Jean R. Arroyo, Recording Secretary

