

MINUTES

LEGISLATIVE MEETING: DECEMBER 18, 2024

The December 18, 2024, Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt. President Wilt called for the pledge of allegiance followed by a moment of silence.

Roll call was taken with the following officials in attendance:

- Jon G. Wilt, President
- Todd F. Truntz, Vice President
- Ronald J. Paul, Assistant Secretary
- Michael J. Davies, Commissioner
- Christopher DeHart, Commissioner
- Zachary Border, Manager
- Tracey Bechtel, Township Secretary
- Michael McAuliffe Miller, Eckert Seamans, Solicitor
- Shawn Fabian, HRG
- Rich Snyder, Planning and Zoning Coordinator
- Thomas Bell Jr., Police Chief

Residents and visitors in attendance: (see attached sign-in sheet)

PUBLIC COMMENTS: None

APPROVAL OF MINUTES:

A motion was made by Commissioner DeHart seconded by Vice President Truntz to approve the Minutes of the December 4, 2024, Workshop Meeting. The motion was unanimously approved.

PAYMENT OF BILLS:

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the Payment of Bills – Warrant No. 2024-11. The motion was unanimously approved.

TREASURER'S REPORT:

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the Treasurer's Report for November 2024. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Chief Bell presented the summary of the monthly statistics for November. There were 918 total calls, 42 total cases, 12 arrests, 17 total vehicle accidents, 102 citations, 60 traffic warnings, 5652 patrol miles driven, 380-foot patrol minutes, 609.25 total overtime hours and 38 training hours. Co-responder stats included 4 new contacts, 1 repeat contact, 4 follow-up contacts, and 0 mental health commitments.

Commissioner DeHart asked for an update on the vehicles. Chief Bell reported he just dropped 1805 and both vehicles should be done by the end of the year.

Fire Department

Chief Phillips presented the Fire Department's monthly statistics for November. There were 59 total calls. 31 number of responders, 5 average personnel per response, 44:51:40 time in service. 6 fire incidents, 2 Over pressure rupture, explosion-no fire; 13 rescue & EMS incidents, 5 hazardous conditions incident, 3 service calls, 17 good intent calls; 4 false alarms. Mutual aid was provided to Conewago Township (1), Derry Township (2), Harrisburg International Airport (1) Highspire Borough (4), Londonderry Twp (1), Lower Paxton Twp (1), Middletown Borough (4), PA Turnpike (1), Steelton Borough (8), and Swatara Twp (16).

Chief Phillips informed The Board that they currently have the Fire Police inactive and out of service. There were some safety and procedure things that were brought to his attention. Deputy Chief Taylor and himself thought the best thing to do was to have them stay home till they get things figured out and fixed. A new policy and procedure and SOG draft has been done along with qualifications, they're hoping to have them back into effect before January 1st. Commissioner DeHart asked if the policy was looked over to make sure it is in compliance with the State Laws. Chief Phillips replied that it has been. Vice President Truntz asked if there are training programs. Chief Phillips indicated there are.

ENGINEER'S REPORT:

Mr. Fabian updated the Board on the following in addition to his monthly report: **Hazard Mitigation Grant Program:** HRG prepared a quarterly report which they will be sending to the Township Manager to be submitted by the January 10th deadline. They are also preparing the bid package, so it is ready to go by mid-January. HRG checked with PA DEP because they did not receive the Chapter 106 permit that is needed to be able to demo the two properties since they are located in the flood plain. They have not heard back from them yet. **2024 CIP Stormwater Improvement Project:** HRG has received the final subsurface utility engineering report. They have compared that to their drawings and are starting to make the revisions for the design finalization for all the sites.

Commissioner DeHart asked if there are any updates on Shireman Park. Mr. Fabian indicated nothing more than what is written in the report. The placement of the structures, dug outs, and pitching tunnels are all under construction.

MANAGER’S REPORT:

2025 Verizon Cable Franchise Renewal

Mr. Border noted that in the Board’s packet was a copy of the Verizon Cable Franchise Renewal. He indicated that in the past the Board has engaged Dan Cohen from Cohen Law Group through Capital Region COG. This proposal will be on the Agenda for the January 15th meeting. Vice President Truntz inquired if our Solicitor has reviewed the proposal. Solicitor Miller stated he has reviewed it. He added that Mr. Cohen does a very nice job and gets a good return on investment for the municipalities and the Cap COG deal is the most effective way of delivering the service. He added that he is comfortable with both the engagement and the retention of Mr. Cohen. He explained that Cap COG is regional, the last time this was done there were between 12 and 18 municipalities involved this gives each municipality a price by volume.

STMP update.

Mr. Border reported that the timeline for the release of the money keeps getting pushed back. He was notified that it will be early January now till we get the grant monies. He did reach out to Representative Mehaffie’s Office to see if they could provide more information for us. He is waiting to hear back. Commissioner Davies asked if other municipalities are experiencing this delay as well. Mr. Border indicated Yes, he explained that there were to be two rounds of award for the monies, some municipalities have gotten theirs but others, like us, are still waiting.

Website

Mr. Border advised the Board that this next year he is going to take a look at options for the website as far as pricing and functionality.

FUTURE MEETINGS/EVENTS:

December 19	7 PM	Planning Commission Meeting
December 23	6 PM	Special Meeting Board of Commissioners
December 23	7 PM	Municipal Authority Meeting
December 24-25		Christmas Holiday-Twp. Offices Closed
January 1		New Years Day-Twp. Offices Closed
January 14	2 PM	Civil Service Commission
January 15	7 PM	Board of Commissioners Legislative Meeting
January 22	7 PM	Zoning Hearing Board
January 23	7 PM	Planning Commission Meeting
January 27	7 PM	Municipal Authority Meeting

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul – No Report.

Budget and Finance: Commissioner Davies noted that the Board of Commissioners will be holding a special meeting on the evening of the 23rd at 6:00 PM to pass the budget. He offers his apologies to

everyone for the late date of this meeting, it had to do with the public notice issue that came up and we had to delay it this long to meet the qualifications of the state statute for public notice.

Public Works Committee: Vice President Truntz added to Commissioner Davies' point, unfortunately the sunshine law has not kept up modern forms of notice, so we have to wait for advertising deadlines. Vice President Truntz reported public works were out this past weekend salting due to the weather event. They are finishing up leaf cleanup and converting the trucks over to snow plowing; repaired the water leak in the pit over at the fire house.

Community Development: Commissioner DeHart announced MARA is having their open house tomorrow night for their new daycare. He also wanted to give the Board something to think about. With the advertising issue, he asked how the Board would feel if the manager reached out to the Sun in Hummelstown to see if they would cover our Township for news, etc. Solicitor Miller indicated that the rules just state that public notices must be in a newspaper of general circulation. The Sun is used for advertisement by other municipalities without complaint and could be used by Lower Swatara Township. Solicitor Miller added that it has been a long complaint of municipal managers and solicitors that people get their information from the website and the web and not from the newspaper, but our friends in the newspaper lobby continue to tell the legislators they should keep the newspapers in business and since ours only publish three days a week, makes it even tougher. He joins with the Commissioners saying it's time to update the sunshine act to allow to provide notice by publishing by website. Commissioner Davies commented that if he thought it would make any difference he would be in favor to send a letter to our legislators.

Personnel Committee: President Wilt – No comment.

UNFINISHED BUSINESS:

Ordinance No. 617 amending the Zoning Map

Vice President Truntz moved to table Ordinance No. 617 amending the Township of Lower Swatara Zoning Ordinance, specifically the Zoning Map. There was no opposition to table.

Proposal from Siemens for access control

Mr. Border indicated that this proposal is just for the administrative building, which would help fix the scheduling issues that we keep facing. He added that they are able to use the current pads, so it is just a switch in software.

Commissioner Davies pointed out on page 5 it mentions existing card reader replacement, then it says the existing card readers are not capable. Mr. Border explained that they did test our fobs with their software, and it did work. They included it in this proposal just in case something happens when they do the installation. They are ninety percent confident that everything should work.

Vice President Truntz commented that he would like the Solicitor to review this contract, the price escalator on page 10 is too open ended for his comfort level, he would like to see a cap or exit for us if it is above a certain amount. Solicitor Miller stated it would be appropriate to approve this subject to final review, we can sign off on it then hold it then he will talk with the representative.

A motion was made by Vice President Truntz seconded by Commissioner DeHart to approve the Proposal from Siemens for access control for the Township Administration building subject to review negotiation by the Solicitor for final satisfactory agreement. The motion was unanimously approved.

NEW BUSINESS:

Commission and committee appointments which expire 12/31/2024.

A motion was made by Vice President Truntz, seconded by President Wilt to approve the following commission and committee appointments:

- Don Bailes-three-year term on the Community Policing Advisory Committee.
- Howard Crawford – four-year term on the Planning Commission.
- Roseanne Placey Sunajko – one-year term on the Vacancy Board.
- James Kazakavage – six-year term on the Civil Service Commission.
- James Kazakavage – five-year term on the Township Recreation Board.
- Timothy Yeich – five-year term on the Township Recreation Board.
- Richard Wilkinson – five-year term on the Municipal Authority Board.

The motion was unanimously approved.

Resolution No. 2024-R-16 – reappointing Jon Strite to a five-year term on the Zoning Hearing Board.

President Wilt called for a roll call vote. A roll call vote was taken with the following ballot tabulation: Commissioner DeHart – aye, Commissioner Paul – aye, Commissioner Davies – aye, Vice President Truntz – aye, President Wilt – aye. Resolution No. 2024-R-16 was approved by a 5-0 margin.

Resolution No. 2024-R-17 Adopting the Dauphin County Emergency Operations Plan as the Emergency Operations Plan for the Township of Lower Swatara.

Commissioner Davies commented that he would appreciate seeing these documents in advance in the future. In the past we had a deeper familiarity with the executive direction from the County, he stated he would be more comfortable seeing it on paper in advance of approving.

A motion was made by Vice President Truntz seconded by President Wilt to approve adopting the Dauphin County Emergency Operations Plan as the Emergency Operations Plan for the Township of Lower Swatara. The motion was unanimously approved.

Commissioner DeHart noted for the Township Manager to forward a copy of the Dauphin County

Emergency Operations Plan to all the Commissioners.

3 Year Municipal Domestic Animal Protective Service Agreement with Harrisburg Area Humane Society.

Solicitor Miller stated that many of the municipalities that they serve have objected to the steep cost increases that are reflected in the proposal. The former proposals have been for one year, instead of a three-year agreement, secondly the contracting fee has gone from \$200 to \$1,200, in addition the cost is \$300/dog and \$200/cat and then the fees themselves have an escalator of seven percent per year for the three years. The problem is, one, there is no other real alternative that would provide the service that we need, two, the prices have gone up because there isn't another entity that provides this service and three, we can't control the situation, dogs and cats get out along with feral cats, so we have to do something to contain them and get them off the streets. He noted that several municipalities have talked about having kennels and having volunteers take care of the dogs for twenty-four to forty-eight hours, in order to allow owners to claim their dog. Not only does the Township pay the \$300/dog to drop them off, when the owner goes to pick up their dog, they also pay a fee, essentially, they are charging twice.

Solicitor Miller noted in the Humane Society's defense, they have lifted their ban on pit bulls, which is one of their justifications for the cost increase. Solicitor Miller added that he thinks CapCOG should take this service on behalf of the municipalities in this three-county area because it is a significant cost. He pointed out it is a fact of life that the Township must take care of these animals and with our density we are going to have stray animals, and we don't want our police officers, public works department employees and employees in general taking care of animals that they don't know and/or may be dangerous. Unfortunately, he feels we need to approve the agreement but if there is any other way of contracting with somebody else or finding a better solution within the three years it is something to think about. President Wilt remarked that he did not think we took cats to the humane society anymore. Mr. Border noted that for cats the Township uses Steelton Community Cats, which is a cheaper cost to the Township. Mr. Border added that they did talk about putting two cages at the old Public Works building, Vice President Truntz noted he did not want the Township to start doing that. Chief Bell responded to the question on how many dogs per month do we usually take to the Humane Society, he indicated on average it is usually at least two.

Vice President Truntz asked what the termination provision is and if we are locked into this contract for the three years or can we get out with a certain period of notice. Solicitor Miller stated that we are locked in for the three years, there is not a termination provision, but the township does not have to use the service if we come up with a better solution.

A motion was made by Vice President Truntz seconded by Commissioner Davies to approve the 3-year Municipal Domestic animal Protective Service Agreement with the Harrisburg Area Humane Society, starting January 1, 2025. The motion was approved 4-1 with Commissioner DeHart opposing.

Release of the 18-month Maintenance Security (#2019-02) for Wilbach Distribution Facility.

A motion was made by Commissioner Davies seconded by Commissioner Paul to approve the release of the 18-month Maintenance Security for Wilbach Distribution Facility in the amount of \$36,932.00 leaving a balance of \$0.00. The motion was unanimously approved.

FSA#1 for (PC #2023-06) Cramer Auto.

A motion was made by Commissioner DeHart seconded by Vice President Truntz to approve FSA#1 for (PC #2023-06) Cramer Auto in the amount of \$964,402.00 leaving a balance of \$51,707.00. The motion was unanimously approved.

Beginning the process to formally vacate the 50.00' wide by 125.00' long unopened Florentine Street Right of Way.

A motion was made by Commissioner Paul seconded by Vice President Truntz to begin the process to formally vacate the 50.00' wide by 125.00' long unopened Florentine Street Right of Way segment in the area abutting the properties of REMARC Properties, LLC (Tax parcels 36-022-047 and 36-022-048), southwest of the Harrisburg Pike (Route 230), between the Harrisburg Pike and the property now or formerly owned by REMARC Properties, LLC (Tax Parcel 36-024-006), conditioned upon REMARC Properties, LLC entering into an agreement with Lower Swatara Township to reimburse the Township for all costs incurred with respect to the said potential vacation procedure. The motion was unanimously approved.

GOOD AND WELFARE:

Commissioner DeHart noted to the Engineer that when the time comes for the demolition of the houses that are part of the Hazard Mitigation Grant Program to contact the fire department, they could possibly do some controlled burns. Mr. Border indicated that they have already looked into that, and they will not allow it. Commissioner DeHart wished everyone a Merry Christmas.

Commissioner Davies thanked the public for coming out this evening and he looks forward to joining all on December 23rd for our third meeting of the month. He wished everyone a Merry Christmas and Happy Holidays.

Commissioner Paul wished a Merry Christmas to all sports fans.


Vice President Truntz called for an executive session immediately following the meeting to discuss potential litigation. He also thanked all the committee members who serve on the various boards throughout the years, they are the unsung heroes in our Township that do a lot of work that is not necessarily glamorous and at times controversial, it is much appreciated for your public service. He also noted he will not be able to attend on December 23rd and apologizes for that. He wished everyone a Merry Christmas, Happy New Year, Happy Hanukkah, and Happy Holidays.

President Wilt thanked everyone who participated this evening and wished everyone a Merry Christmas and Happy New Year. He hopes to see everyone here on Monday night for the budget meeting then we can go home and enjoy our holidays.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner DeHart, seconded by Commissioner Paul to adjourn the meeting and convene into executive session. The meeting was adjourned at 7:46 P.M.

ATTEST:



Tracey Bechtel
Township Secretary

