MINUTES

NON-LEGISLATIVE MEETING: SEPTEMBER 4, 2024

The September 4, 2024, Non-Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt.

The following officials were in attendance:

- Jon G. Wilt, President
- Todd F. Truntz, Vice President
- Michael J. Davies, Commissioner
- Christopher DeHart, Commissioner
- Zachary Border, Township Manager
- Tracey Bechtel, Township Secretary
- Brett Flower, Eckert Seamans, Solicitor
- Scott Washinger, Public Works Director
- Don Fure, Director of Codes & Planning
- Brian Davis, MS4 Coordinator
- Thomas Bell Jr., Police Chief

Absent: Ronald J. Paul, Assistant Secretary

Residents and visitors in attendance: Please see attached sign-in sheet.

PUBLIC COMMENT:

Jack Still, 37 W Emaus St Middletown commented that in 2016 House Bill 1440 was proposed to amend the Pennsylvania Municipalities Planning Code (MPC) by providing for an educational impact fee and assessment in certain school districts. This proposed legislation provides a board of school directors with the authority to levy and educational impact fee on each subdivision plan and building permit "issued for the construction of new residential units located within its boundaries". This House Bill never made it out of committee prior to the end of that legislative Session and has not since been reintroduced. Mr. Still asked the Board to consider contacting the PA Township Association to promote this once again. Mr. Still left the Board with information regarding the 2016 House Bill 1440.

APPROVAL OF MINUTES:

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the Minutes of the August 21, 2024, Legislative Meeting. The motion was unanimously approved.

ACCESS EASEMENT AGREEMENT WITH MIDDLETOWN AREA SCHOOL DISTRICT:

Solicitor Flower noted that the Exhibit references the Municipal Authority instead of the Township, so she asked for a conditional approval subject to final Solicitor review.

A motion was made by Vice President Truntz, seconded by Commissioner Davies to approve the Access Easement Agreement with Middletown Area School District (MASD) relative to PC#2023-01 MASD K-3 Elementary conditional to the final Solicitor review. The motion was unanimously approved.

FINANCIAL SECURITY ADJUSTMENT #1 FOR PC#2018-05 UPS:

A motion was made by Commissioner Davies, seconded by Vice President Truntz to approve Financial Security Adjustment #1 for PC#2018-05 UPS in the amount of $364,892.00 leaving a balance of $0.00 (Bond #107066272). The motion was unanimously approved.

DEPARTMENT REPORTS:

Planning and Zoning/Codes:

Mr. Fure reported on the following: **Dunkin Donuts**: Is now opened to the Public. **Cramer Auto:** Site work is progressing. **Wawa:** Final inspection was completed. **MASD:** Site work is progressing. **North Union & Oberlin Water line Extension:** Installation/construction is nearing completion along North Union Street, Oberlin Road (SR 441), and Greenfield Drive. **Phillips Office Solutions:** Both site work and building construction are progressing. **CVBP Lot 3 & Lot 4:** Both site work and building construction on Lot 3 are nearing completion. A final inspection is anticipated to occur in early September 2024. **Catherine Hershey School:** Both site work and building construction continue to progress. **Illuminated Integration:** Site work is progressing; and construction activities are progressing on the first building addition and are nearing completion on

the monument sign. **Penn Preserve:** Dwelling construction is progressing. **Wendy's:** Restoration/reconstruction activities are progressing.

Mr. Fure noted for the Zoning Hearing Board this month: **McDonald's USA, LLC (1611 W Harrisburg Pike)**, requesting four (4) Variances. Zoning Hearing is scheduled for 9/25/2024. Also, a resident is applying to put a carport in their front yard.

The Planning Commission for this month: **The Ponds on Fulling Mill:** The Planning Commission recommended approval of the proposed Phasing Plan on 8/22/2024; and said Plan will be on the BOC Legislative Meeting Agenda for 9/18/2024. **TOC Oberlin Subdivision:** Withdrawn. **Brook Meadow Farms (Preliminary/Final Plan):** Tabled by the Planning Commission on 8/22/2024; and said Plan will reappear on the Planning Commission Agenda for 9/25/2024. **Fulling Mills:** All action remains tabled by the BOC. **PSU Harrisburg ALC & Chiller Building (Preliminary/Final LDP):** Tabled by the Planning Commission on 8/22/2024; and said Plan will reappear on the Planning Commission Agenda for 9/25/2024. **Fulling Mill Road:** On the Planning Commission Agenda for 9/25/2024. **Proposed Zoning Ordinance Amendment (TND Repealer):** The Planning Commission recommended approval of such on 7/25/2024; and the Dauphin County Planning Commission reviewed such on 8/5/2024. A Public Hearing was rescheduled for 9/18/2024.

Permit activity for the month of July is as follows: commercial – 2, residential – 9, sewer – 2, zoning – 8, and street cut – 4.

Vice President Truntz inquired what Phillips Office Solutions is doing, Mr. Fure indicated they are doing a 7,000 sq ft addition.

Commissioner Davies questioned under the Zoning that McDonald's is listed as USA, LLC, and wondered if that was McDonald's corporate filing the paperwork. Mr. Fure indicated that is Corporate out of New Jersey.

Public Works:

Mr. Washinger reported on the following: **Speed Line Painting:** Public Works has been out almost a full week setting up and painting the white lines used for the speed enforcement by the police department. **Walkways:** After the conclusion of the speed enforcement line painting Public Works will be painting the walkways. **Parks:** Mowing and weed whacking is ongoing. The Parks were sprayed for weeds as well. **Right of ways:** All right of ways are being mowed with the new tractor and accessories. **Police Building Entrance:** The entrance way at the police building is

being pressure washed and repainted around the framework. **Police Department Air Conditioning system:** GR Sponaugle was here today to begin the replacement of the air system that went down a few weeks ago.

Commissioner Dehart reported that the Fire Department is getting rid of their forklift, Mr. Washinger is going over to look at it and possibly take it for the Public Works Department to use to move equipment as needed. Commissioner Dehart also noted to Mr. Washinger that one of the ceiling lights is out in the small conference room.

MS4/Stormwater:

Mr. Davis noted that tomorrow is the Stormwater rain barrel workshop seminar at the fire house and the current tally is 47 households participating. Mr Davis reported on the following: **WREP Program:** An in-person meeting was held on August 29th to discuss their work on the Regional Priority Project(s) for the coming year. **Stormwater Ordinance Updates:** HRG provided some comments to the Township's draft ordinance changes. Once these comments have been reviewed and incorporated, the draft will be passed on to the Solicitor. **Rain Barrel Workshop:** The stormwater seminar will help fulfill our MCM#1 and 2 requirements. **MS4 Annual Report:** We entered a new permit year at the start of August, and he is steadily working towards completing our annual report for DEP. **MS4 Newspaper Ad:** Each year, the Township participated in an MS4 educational newspaper ad with other municipalities in the region. This participation is part of our MCM#1 public education requirement. This year, we have elected to participate in cap cog's newspaper ad. The cost for this contribution is $45. **MS4 Permit Extension:** No new updates on the permit extension at this time.

MANAGER'S REPORT:

Authority Board and Commission Term Expirations

Mr. Border reported that he is asking all department heads to reach out to their respective member(s) that terms are expiring at the end of the year to see if they are interested in reappointment.

Middletown and Hummelstown Railroad

Mr. Border noted that the Middletown and Hummelstown Railroad is requesting use of Township property in November and December for their Pumpkin Patch trains and Polar Bear trains. This will be on the September 18th agenda.

Shireman Park Irrigation

Mr. Border indicated he included in their packet a proposal for an Irrigation System Installation at Shireman Park. The quote came in for $82,480.00. Commissioner DeHart inquired about the winterization of the irrigation system the first winter, if that means they will be showing our Public Works Department how to do this. Mr. Washinger indicated they would be, but the fire hydrant needs to go in first. He would like to have it installed before winter and before the field is put in. Vice President Truntz commented that we don't have any type of irrigation at our other fields, except the soccer fields and that's on well. Mr. Washinger noted that this area is more out in the open and it will get dryer up there than our other locations. Commissioner Davies asked if the heads on the irrigation system are designed to be flushed so there would be no problem with players tripping. Mr. Washinger indicated that is correct, they are pressure heads. Commissioner DeHart and Mr. Fabian both noted that there are contingencies fees in the budget that we could use for this since it was not used for the other items. Vice President Truntz commented that we should get together with the Athletic Association to make sure everyone is on the same page in regards to the field. Mr. Washinger indicated they have been involved and will continue to be. Commissioner Davies noted that we should make sure we have spare heads on hand for replacement purposes.

Mr. Border reported to the Board that the Bond did close today, and the money was put into our account.

ENGINEER'S REPORT: Mr. Fabian reported on the following: **Richard L. Shireman Park:** The playground equipment is ordered and is anticipated to arrive sometime around the middle of October. Most of the structures on site, wearing course pavement and plantings will happen over the next two to three months. HRG did get notice that the MPDES permit program for the general permit for this site is expiring in December, so they got the details on how to renew that permit. Commissioner DeHart asked when the pickle ball courts will be done and useable. Mr. Fabian indicated they are currently working on the fencing around the courts, his construction lead has the full schedule, and he will look into that and let the Board know. Mr. Border noted that he had heard back from one of the vendors regarding the sound barrier and they will be talking tomorrow. Vice President Truntz added that we should not open the courts till the sound barriers are in place. Commissioner Davies suggested we measure the sound before and after the barriers. **Fiddler's**

Elbow Box Culvert Replacement: There was some coordination with the precast structure and HRGs design team for questions from our contractor making sure everything is ordered and available for installation after UGI does their relocation work. UGI should be starting within the next couple of weeks and their work is anticipated to be three to four weeks long. **Hazard Mitigation Grant Program:** HRG did prepare the construction drawings and bid specs so we are ready whenever any closings look eminent, that way we have a timeline to be able to prepare, go to bid, close the bid and demo before the 90 day clock is triggered. **Salt Shed:** A visit to Etown's shed was made to review some options and address some code comments that came up during the building review. HRG is finalizing the hydro design, final grading and the final plan. Mr. Fabian indicated the timeframe for the salt shed is spring of 2025. Commissioner Davies asked if we have a tree buffer between the residential properties and the site. Mr. Fabian indicated that we don't have one designed yet but we have talked about it.

Vice President Truntz asked if there was an estimate on when 441 will be back open. Mr. Washinger indicated he had planned on going this week and getting an update. Mr. Messick commented that he believes within the week they should be pretty much done.

Vice President Truntz reminded Staff that when we have contractors doing work around the Township to put notice on facebook and do the mass email informing residents of the work that will be taking place.

GOOD AND WELFARE:

Commissioner DeHart thanked everyone for coming out.

Commissioner Davies commented that it was good to hear that all our projects are moving along including the Fiddler's Elbow Box Culvert Replacement actually happening.

Vice President Truntz requested an executive session following this evening meeting to discuss personnel matters and hoped everyone had a nice Labor Day weekend and thanked everyone for coming out.

President Wilt hoped everyone had a good weekend as well.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Commissioner Davies seconded by Vice President Truntz, to adjourn the meeting and convene into executive session. The motion was unanimously approved, and the meeting adjourned at 7:36 P.M.

ATTEST:

Tracey Beehtel
Township Secretary

PLEASE PRINT NAME CLEARLY
BOARD OF COMMISSIONERS
SEPTEMBER 4, 2024 WORKSHOP MEETING (7:00 PM)

Name/Organization	Address/Contact Information
Dale Massiuk	Resident
Jack St. 11	37 W. Emmus St 9443425