

The Swatara Township Board of Commissioners held a Special Meeting for public input on Reapportionment at 7 PM on Tuesday, December 16, 2014, at the Swatara Township Administration Building, 599 Eisenhower Boulevard, Swatara, PA 17111.

Members of the Board present were: Commissioners Connolly, Spandler, Chiavetta, Troxell, Milakovic, Weikle, Moyer, and Boudier. Commissioner Varner was absent. Also present: Administrator Cornell, Solicitor Wion, Treasurer Fosselman, Tax Collector Donato, and Secretary Rubinic.

1. Consideration of Minutes: President Moyer asked for approval of the minutes of the Regular Meeting II - December 10, 2014:
Commissioner Boudier moved to approve the above minutes as presented.
Commissioner Troxell seconded the motion and the motion carried unanimously.
Commissioner Connolly had comments about clarifying the sentence about "lengthy discussion" in the minutes. He would like to see a more detailed record.
Solicitor Wion pointed out that in this instance a record of the lengthy discussion did follow on the next two pages.
2. Presentation on Reapportionment: President Moyer reviewed a power point presentation on reapportionment including the following topics:
Why are we required to reapportion or rebalance our wards
Current ward system based on neighborhoods
Past attempts to reapportion have failed
Current process began after 2010 census figures became available
A Reapportionment Committee of public citizens was appointed in October 2012
Recommendations were received in September 2013--
 - 9 wards without boundary changes
 - 9 wards realigned to even the population in each ward
 - 7 wards created to balance out the population
 - Remove all ward boundaries and elect 5 Commissioners at-largeReview of the pros and cons of the ward system and the at-large system.
Review of the four options presented by the Committee
Review of the maps with the numbers determined by the Committee
A copy of the presentation is attached to these minutes.
3. Reapportionment Committee Comments:
Dave Milletics, 533 Sweetbriar - The Chairman of the Reapportionment Committee spoke about the Committee's work to come up with their recommendations. They looked strictly at census population, not where voting districts were or even neighborhoods.
Commissioner Connolly had questions about the 10% +/- goal. Mr. Milletics said they were working toward a figure of 2596, which was the total population of the

township divided by 9 wards. They tried to use natural boundaries wherever possible and avoid gerrymandering or cutting up neighborhoods. Commissioner Connolly kept going back to the 10% differential and the Committee's failure to meet that which even he as a private citizen knew was the goal. He thinks the whole process was flawed. And he pointed out several areas where the difference was greater than 10% or even 20%. Is this what a Committee tasked with getting these numbers within the 10% did for a year and a half? Commissioner Connolly said he's not blaming the Committee if they weren't given the 10% safe harbor, and he thinks it's great that volunteers put in time.... President Moyer said they were not tasked to meet the 10% but were given hard numbers and a goal of evenly dividing the Township population into wards.

Mr. Milletics said the Committee has not been tasked to go back and relook at the numbers and that has always been a possibility. They have been waiting for the Board to make a decision.

Commissioner Troxell felt this was a procedural defect and his goal in moving to hold these meetings is to understand the process as the law lays it out.

Commissioner Spandler said he did ask the Committee to go back and look at other numbers, and they came back and said this is as close as we can get them at this time. Mr. Milletics replied that the census is wrong and pointed out several areas where the numbers are wrong, including Paxton Street and the quarry. The map they started with is the current ward breakdown and the population difference is more than 1,000 between the high and low.

Commissioner Connolly asked to see all the changes that were made after input from the Board between 2013 and now. Mr. Milletics said the Board was not involved in this decision; it was the Committee's decision, the Board had no part in it.

Commissioner Milakovic said the final numbers would be tweaked by engineering and legal meets and bounds; the lines the Committee drew aren't legal. The Engineer has better programs to bring the numbers into alignment.

President Moyer said this Committee was used as all Committees are used to provide information to the Board to guide and shape decisions. At the end of the day it is the nine Board members that need to make a decision.

Commissioner Spandler said in February he requested to see the numbers of registered voters in each ward, but was told those numbers did not come into play in this process. The numbers used were total population from the census--every man, woman, and child.

Mr. Milletics said as a resident he is for the five at-large option. Right now he has one representative; with at-large he would have five representatives. And if they don't do what they're supposed to do, next time they're voted out.

Tony Spagnolo, 291 N. 50th Street - Mr. Spagnolo admits he's been a thorn under the saddle on this issue. He was on the Board for 36 years and they had an opportunity to do it; and no we didn't do it--just for the reasons shown on the map tonight. In 2006 it was tabled because of dividing up neighborhoods right up the middle of the street. In fairness to the Committee, he said, we studied the numbers with a magnifying glass and said this is as close as we can get it. The Committee had no voting power; they were just a recommending body. They presented the three options and put the ball in the Board's court. He said he has no preference, but to do something. It's not an easy process, but he hopes the Board would take some action tonight. The primary election deadline is coming up in February. He feels the Committee did its job to the best of its ability and the Board has the power to refine it.

Sam Marsico - Mr. Marsico had no comment other than to urge the Board to do the right thing.

Tony May - had no comment at this time.

Mike Musser - said he agreed with Dave Milletics comments.

4. Commissioners Comments:

Commissioner Connolly showed a brief presentation with dates and copies of the minutes where Reapportionment was referenced and no action was taken beginning with September 4, 2013 through October, November, and December, 2013.

He pointed out that he and Commissioner Troxell were not on the Board in 2013 and never saw the presentation by the Reapportionment Committee.

This year there has been pressure to vote on this and he sees the only thing that has changed is the fact there has been an election and that seven out of nine wards in Swatara Township voted for a Democratic governor. He feels this is about self-preservation. This came about in a hurry after an election. The previous 2012-13 Board did not make a move, but now the 2014-15 Board is being pressured to make a move on old and inaccurate information. He does not have a clear preference yet, but he will not vote on something for self-preservation or politics.

Commissioner Chiavetta - asked for a show of hands of who saw the notice of this meeting in the newspaper. He himself found the tiny ad buried in the public notices and strongly suggested better advertisement of the next meeting.

He asked the audience if they know what at-large means and offered an explanation. If action is taken to approve an at-large system before the February deadline, this would affect the May and November, 2015 elections in Wards 1, 3, 5, 7, and 9. Those ballots would read--Swatara Township Commissioner - Vote for not more than 3. The three highest candidates would win and in January 2016 the Board would reduce to 7 members. In 2017 Wards 2, 4, 6, and 8 would follow the same

matter as he lost the election to President Moyer by only 21 votes. He thinks the Board should concentrate on their wards and the people they serve. He is not opposed to going down to 7; he is opposed to going to 5 at-large. Who's to say all 5 are not going to be from one area and have them making decisions for the entire Township. He wants to know what's the hidden agenda, what's the urgency to move this along so quickly.

President Moyer said there continues to be a misrepresentation of the urgency. What does this Board do starting in October and November--the budget. The December 18 meeting Commissioner Connolly showed was a Special Meeting to vote the budget in. Now our plates were cleared to talk about reapportionment. It has been on the agenda three times and has been discussed in Committee. It is this Board's responsibility to make those decisions; it is this Board's job to look at the numbers and see they're out of skew and try to make it work. And what has come out of people looking at those numbers and working with those numbers, is the fact that we break up the neighborhoods. Also Mr. Spagnolo has been twisting on us, and we made it clear we would work towards an agreement. We did stall a little bit from the first year, 2011, when we got the numbers, until the Committee was appointed.

Mr. Farling said he is hearing some Commissioners are moving from their wards.

President Moyer said that is not true as far as he is concerned; he is not moving out of his house, and if he does he would give up his seat.

Commissioner Weikle said his house is currently up for sale and that he is not running for another term so it doesn't matter to him if the Board goes at-large or not. Commissioner Weikle said on one hand we're being accused of stalling and on the other we're accused of rushing. Mr. Farling said to explore the 9- and 7-wards and explore the at-large, but don't rush it for this election.

Terry May, 765 Felty Drive - said he was on the Reapportionment Committee. He said it's been two years, that's not rushing things--that's government at waste. Our tax dollars are being squandered each day. This is pretty sad--you bickering with him, you bickering with him, he's pointing fingers--it's pretty embarrassing. I'm ashamed and I don't get it. It's not rushed it's ****-poor performance from everyone.

Commissioner Connolly said he finds it ironic that someone on the Committee that came with numbers that were way off is upset about the process. It may not be the Committee's fault because you were not given instructions on how to get the numbers right. He has not stated which option he favors yet, because he wants to look at this with the right numbers. He was not at the meetings in 2013. He didn't take this seat until January 2014 and from that time I've done nothing but say those numbers are inaccurate. He is willing to work on this to get the numbers right and give all the options a fair shake.

Joe Donato, 701 S. Harrisburg Street - said he is not saying he is for or against any option. He said he has heard over and over from Commissioner Connolly that he was not on the Board when the presentation was made; but in the last 11 months what has he done to promote any action? All I hear is that he had nothing to do with it. He can respond to this later if he wants. Mr. Farling earlier commented about running and losing by just 21 votes. That was just in Ward 8. If you had been running Township-wide, maybe you would have had more votes. That's one of the plus sides I see in going to 5 Commissioners. He doesn't think we have been rushing; he is disturbed it has taken almost 2 years to get to this point and even if action is taken now, nothing will take place until primary elections of 2016. It's to the point that this is no sooner done and the 2020 census will be out and we'll start this all over again. The Board is in charge; they need to get their heads together and do what is right for the Township--whether it's 5 at-large or 7 wards, or redistricting and gerrymandering the 9 wards. Public hearings are great, but it still comes down to the 9 members sitting here, whether they run for office again or not, to make this decision in the very near future.

Commissioner Troxell added that it must be done by law, and right now it looks like there are procedural defects.

Commissioner Weikle said that it's been said this is going on for two years, but it's only the second time in 30 years that a Board has tried to address it.

Shane Steele, #206 600 Yale - said that even though the Board has the power to do this, it's good that you hold public hearings. He feels the ward system promotes accountability. He feels to go at-large you are controlled by a party and by who has the deeper pockets. He said we need diversity of ideals and ethnicity. He would like to see a woman Commissioner, an African-American Commissioner, a Chinese Commissioner.... Don't stop the progress by breaking up the wards. He commends the Board for the public meetings, because that is progress.

President Moyer noted that there have been women on this Board in the past

Commissioner Chiavetta - asked when the next meeting will be. There was discussion over whether this was the first or second public meeting. Commissioner Troxell re-read his motion to have a series of at least three public meetings.

James Bruno, 5638 Blakeslee Ave - said he is favor of 7 wards. He is a Judge of Elections and wonders what that would do to the voting precincts.

President Moyer said that staying the same guarantees no change of polling places; and going at-large would have no change of polling places. However redistricting or going to 7 opens that back up to the County to pick new areas; it's a great unknown with a great cost.

Mr. Bruno wondered if there has been any feedback from elderly citizens concerned about getting to changed polling places. President Moyer said that has been a great

concern; that's one of the pros of at-large that we don't disrupt that. Going to 7 we definitely change; staying with 9, some wards will feel an impact.

Paul Johnson, 693 Keckler Road - served on this Board for a time and empathizes with the Commissioners. He thinks the ward system keeps better contact with the residents. The possibility of power concentrating in one area is certainly there in an at-large setting. He would recommend the 9 or 7 wards over the at-large as a good way to stay close with everyone and maintain better relations.

Brian Faleshock, 966 Lark Drive - thinks the at-large system does work because we have three terrific County Commissioners who run our County. He has not heard anyone say from one end of the County to the other that they're not represented properly. He said the wards have spread out and changed; we cannot draw boundaries that are going to make sense no matter how hard we try because of the way our Township is cut up. This is a battle that these Commissioners and Commissioners before them have had to deal with, with no solution to this point. Community involvement is very important and having all these people here is wonderful. He thinks we should look at the positives of the at-large system. Wouldn't it be a shame if because we had a Commissioner from say Rutherford, we couldn't have a second smart person from Rutherford on the Board to represent all of us. Diversity is coming. No matter how this Board reacts tonight. There are changes coming. This Board has a lot more important things to worry about than these boundaries. There's the financial crises that makes funds limited--the Commissioners need to spend time on the things that truly matter. Let's embrace them, let's give them ideas, let's help them, let's not fight them and as a community we can come together and come up with a solution and we'll be a better community.

Phyllis Bennett, 902 Hamilton Circle - is opposed to an at-large system. Right now we have 9 white men up there, 8 Republican and 1 Democrat. If we go to at-large we may not have 1 Democrat. She feels there is a lot of gerrymandering going on in Pennsylvania and she is concerned that we will get into that process. She lived in Lower Paxton for a while and did not know who her representatives were because they were unavailable. Now she knows John Weikle and where he lives. It's important to her that this issue is not pushed through. Let's be clear about this--this is the first meeting for public comment. Also the reason there are no women up there and the reason the one we had was voted out was because the Republican party put money behind the one that ran against her. She said that "we the people" are the ones you're supposed to be representing, the ones who should have a say in how this goes. She would like the people to be notified of meetings in a timely manner and not with an obscure ad the size of a postage stamp. We don't want to be insulted any more.

President Moyer said the Board holds two meetings a month and important items are discussed that affect residents, some greater than this. That is our legal meeting advertisement. It's also advertised on our website and facebook.

James Carter, 2097 Raleigh Rd, Derry Township - said one of the "cons" of the at-large system--potential for reduction of citizen participation--is a crucial issue to him. He noted that while each Commissioner is voted in his particular district, it is their responsibility to represent Swatara Township as the whole. He feels this can be done with 9 or 7 representatives, but the at-large is lent towards political elements and money. The system can work and it is up to the residents to put the fire under the Board to make it work. He said we live in a democratic republic where the needs of the minority are met; under a democracy, majority rules.

Chris Fries, 3800 Brisban Street - won't reiterate what he said at the public meeting last week. He shows up at the meetings twice a month so that he knows what is going on; and he speaks. He said you all have that opportunity too, but he doesn't see any of you.

John Desanto, 5614 Blakeslee - asked about updating the meeting agenda on-line in a more timely manner so that people with access to computers could see what is to be discussed.

Mary Klaus, 447 Pritchard Court - was not able to attend but submitted a letter voicing her support of the ward system with either 7 or 9 wards. In her years of experience attending municipal meetings she has concluded that at-large officials may have a broad view and a good grasp of issues, yet they do not seem to have a good connection with their citizens.

Bill Roberts, 1084 Highland Street - came tonight to ask the Board not to take action tonight, but to let the people know about these different options. In his positions on the School Board and the Sewer Authority he represents Swatara Township to the hilt; he votes on what will be best for the people of the Township. And he hopes the Board member will do the same--vote for what is best for the people.

6. Commissioners' Closing Comments:

Commissioner Connolly - said he would be willing to oversee or help redo the numbers before the next meeting. He said what he did regarding Mr. Donato's comments was see that this didn't get pushed through in an Executive Session. He's glad to see the turnout tonight, no matter what side of the issue you're on. He thanked every single person who came.

Commissioner Chiavetta - asked when the next meeting will be. President Moyer said the next public meeting is January 7.

Commissioner Milakovic - said we are getting stuck on those numbers. He knows the numbers aren't in the 10%, but for the Committee to think they can put them in within 10% is not even valid because you can't do it with the numbers on the map; you have to do it with the census and a valid program. The solution now is to pick one option and then the evening out of numbers can be taken care of.

Commissioner Spandler - said we need to really look at the numbers, and he is willing to be on the Committee to do that. He also commented on the good turn-out. This fall there were 11 public meetings held on the Budget, with big ads, and only about half-dozen people attended, other than the firefighters. He hopes that people come to future meetings also; the Board does a lot of work.

Commissioner Boudier - thanked the members of the Reapportionment Committee for their service on this matter and offered a big round of applause. He also noted Commissioner Connolly is turning 50 today and offered birthday wishes.

Commissioner Weikle - thanked everyone for turning out. He said he can't agree with all, because you don't agree with each other. He said the Board will take the input and everyone is open to suggestions. He thinks this Board is genuine and tries to do what is in the best interest of the Township whether we agree or not. We worked very diligently on the budget this year. We cut to the bare bones; we did not raise taxes, but next year the budget process will be horrendous. We welcome your input and hope you take time to come to the budget meetings. He thanked all for coming out tonight.

Commissioner Troxell - said he wants to make sure everything is done by the law and that nothing is rushed through. He wants the next public meeting to be held on January 13. He does not feel these meetings are effective if rolled into our regular meetings. Commissioner Troxell moved to hold the next public meeting on January 13 at 7 PM. Commissioner Chiavetta seconded the motion; carried with Commissioner Weikle and Commissioner Milakovic voting no.

President Moyer - asked Mr. Milletics if the Committee would be willing to reconvene and work on the numbers with the assistance of Commissioner Spandler and Commissioner Connolly. He said it would be a little tight to get done by the 13th; he will contact the members and see what can be done.

7. Adjournment: Commissioner Weikle moved to adjourn, seconded by Commissioner Spandler and carried unanimously. The Special Meeting was adjourned at 9:15 PM.

Dolores M. Rubinic, Township Secretary

SWATARA TOWNSHIP

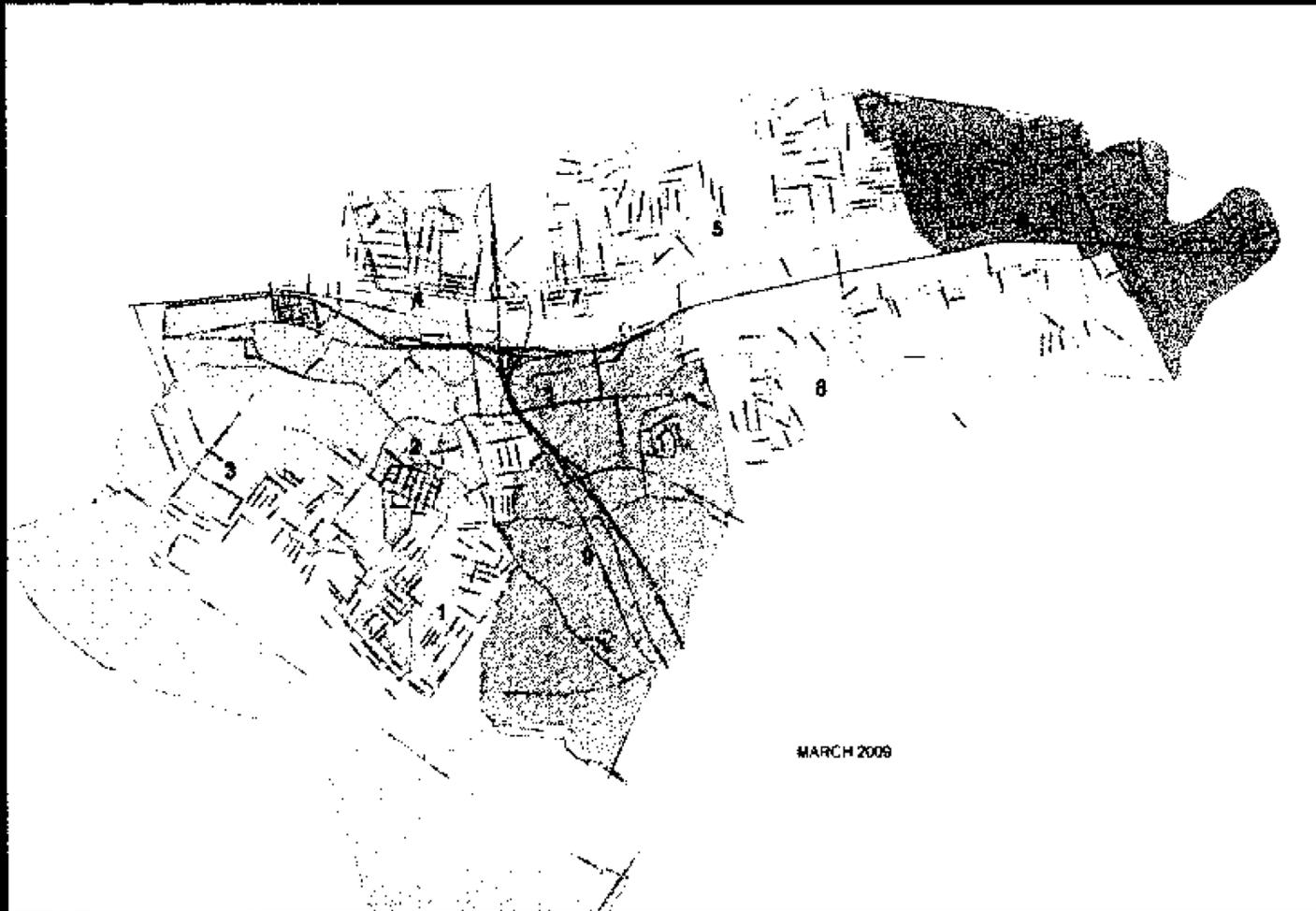
Reapportionment

Why?

- ▣ Under the legislature, it is required that;
“Within the year following that in which the Federal census, decennial or special, is officially and finally reported and at such other times as the governing body deems necessary, each entity having a governing body not entirely elected at large shall be reapportioned into districts by its governing body. “

Municipal Reapportionment Act (53 Pa. C.S. 901 et seq.) (Act)

9 Neighborhood Wards



What did we do?

- ▣ Strong commentary from a former Board member who felt that Swatara has not done its duty in the past 34 years to properly address.
- ▣ Waited for the final 2010 census information, arrived late 2011.
- ▣ Appointed a 5 person committee made from the public in October 2012.
- ▣ Received recommendations from committee on Sept. 24, 2013.
- ▣ Various discussions on the process in committee and in public

Committee Recommendations

1. Nine wards without any boundary changes.
2. Nine wards realigned to present a more even population among each ward.
3. Seven wards realigned, increased in optimum population goal 2,596 to 3,338, an increase of 36% per each ward.
4. Remove all ward boundaries and elect five commissioners at large.

Ward System

PROS

- ❑ Lower cost for comm. to run election
- ❑ Less doors to knock on
- ❑ Smaller, shallower candidate pool
- ❑ Closer representation
- ❑ Neighborhood appearance
- ❑ Improves local participation
- ❑ Prioritization of ward over others

CONS

- ❑ Impact on 1 representative out of 9
- ❑ Creation very biased,
- ❑ More in fighting
- ❑ More prioritization of ward over the good of the whole
- ❑ Potential to change boundaries every 10 years
- ❑ Clout leads to ward priority
- ❑ Increased governance cost

At Large

PROS

- ▣ More impartial with creation
- ▣ More impartial with operation
- ▣ Representation by and voter impact to 5 seats
- ▣ Larger and deeper qualified candidate pool
- ▣ Less vote trading
- ▣ Collective vote power of distributed specialty and minority groups
- ▣ Reduced governance cost

CONS

- ▣ Expense for commissioner in time and money
- ▣ Communication
- ▣ Potential for reduction in citizen participation.

#1 No Change

- ▣ Not really an option as it is and has been a requirement for the BOC to reapportion for the past 34 years.

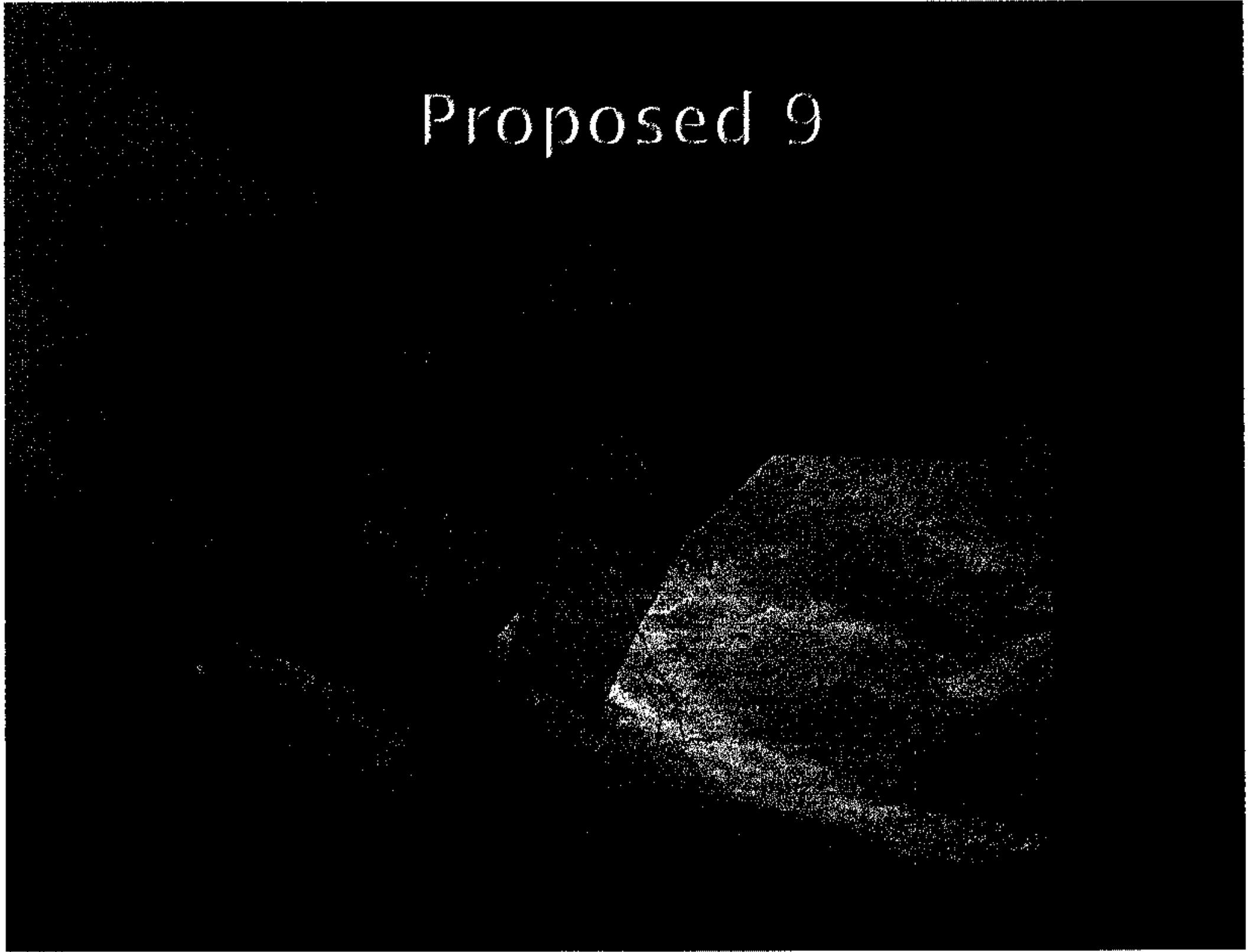
Section 903(b) "Districts must be in composed of compact and contiguous territory is nearly in population as practicable..."

- ▣ Subject to a challenge by the public which will return us to this point which is the BOC job to act upon.
- ▣ Reapportionment Plan has a maximum deviation of less than 10% there is a safe harbor from challenges that assert a violation of equal protection.

#2 Realign 9 wards

- ▣ To properly align by a form of census count will cause;
 - Loss of traditional boundaries such as neighborhoods
 - Loss of natural boundaries; Rt. 322, Rt. 83, etc.
- ▣ Impact to polling places and other elections
- ▣ Higher cost to Township and County for survey and court costs.
- ▣ Continue smaller representation impact
- ▣ Potential for change every 10 years

Proposed 9



#3 Create 7 wards

- ▣ Still requires a form of census count to be equal and will cause;
 - Loss of traditional boundaries such as neighborhoods
 - Loss of natural boundaries, Rt. 322, Rt. 83, etc.
- ▣ Impact to polling places and other elections
- ▣ Higher cost to Township and County for survey and court costs.
- ▣ Less representation impact
- ▣ Potential for change every 10 years

Proposed 7

#4 At Large

- ▣ Provides the greatest representation impact
- ▣ Stronger collaboration for greater good
- ▣ Removes every 10 year redistricting need
- ▣ Does not impact neighborhood polling places or other elections
- ▣ Minimal cost to enact for Township/County
- ▣ Enfranchises distributed groups
- ▣ Common and evolved governance method, used in 77 of 91 similar Townships in PA.
- ▣ Most common method in mid state for Townships and Boroughs.

Minutes Highlight

- ▣ September 5, 2012 – Call for citizens to serve
- ▣ September 12, 2012 – Reminder for names for committee
- ▣ October 18, 2012 – Budget meeting missing appointments
- ▣ December 12, 2012 – Tony Spagnolo commented, Mr. Connolly present
- ▣ September 4th, 2013 – Agenda, Presentation by committee. Mr. Troxell discussed it.
- ▣ September 11th, 2013 – Comm Chiavetta in contact with County
- ▣ February 12, 2014 – Comm. Spandler asked Committee to reconvene
- ▣ March 12, 2014 – Missing, Reapportionment chair advising that his committee would not rework district numbers
- ▣ May 7th, 2014 – Tony Spagnolo asked for Board to take action
- ▣ June 4th, 2014 – Comm. Chiavetta discussed with County
- ▣ November 5th, 2014 – Tony Spagnolo asked for status
- ▣ November 12th, 2014 – Comm Chiavetta to discuss with County. Comm Varner discussed need for action for next meeting
- ▣ December 3, 2014 – Agenda, Comm. Chiavetta discussed
- ▣ December 10, 2014 – Agenda, Comm. Chiavetta discussed, public meeting