

## SWATARA TOWNSHIP

REGULAR MEETING I

BOARD OF COMMISSIONERS

JANUARY 7, 2015

The Swatara Township Board of Commissioners held the Regular Meeting I on Wednesday January 7, 2015, at the Swatara Township Administration Building, 599 Eisenhower Boulevard, Swatara, PA 17111. President Moyer called the Meeting to order at 7 PM.

Members of the Board present were: Commissioners Varner, Connolly, Spandler, Chiavetta, Milakovic, Weikle, Moyer, Troxell and Boudier. Also present: Administrator Cornell, Assistant Administrator Zimmerman, Solicitor Wion, Chief Umberger, Fire Marshall Ibberson, Tax Collector Donato, and Secretary Echterling.

1. Motion to Approve Agenda:

Commissioner Weikle moved to approve tonight's agenda as presented. The motion was seconded by Commissioner Spandler. The motion carried unanimously.

2. Consideration of Minutes:

A. Special Meeting I - December 16, 2014:

Commissioner Troxell asked that the spelling of his wife's name be changed to Jena. Commissioner Spandler moved to approve the amended minutes. Commissioner Milakovic seconded the motion. The motion carried unanimously.

3. Visitors Requests and Comments Regarding Agenda Items:

There were no visitor comments at this time.

4. Consideration of Resolution: Post Issuance Compliance Policies:

Solicitor Wion stated the purpose of this resolution was for post issuance compliance with federal tax rules, securities law disclosure requirements and miscellaneous state law and document requirements. He stated this resolution was necessary for the \$10.4 million dollar bond issuance scheduled for January 15, 2015. He discussed the following items as outlined in the proposed resolution:

- He stated that the Post-Issuance Compliance Coordinator would be the Township's Administrator.
- Identifying required monitoring activity and schedule review.
- Record retention program.
- Tax requirements associated with sale and issuance of bonds.
- Expenditure of proceeds.
- Arbitrage yield restriction and rebate requirements.
- Use and ownership of bond-financed property.
- Investments and refunding.
- Corrections of violations and continuing disclosure activity.

Commissioner Troxell asked if this would be required for every bond issuance. Solicitor Wion stated that this resolution should take care of each bond issuance unless there are new requirements or changes that need to be made. Commissioner Troxell asked when the CAFRs would be ready as the Finance Committee meets at the end of the month. Administrator Cornell stated the numbers come from the auditors and they normally see a draft in May and the report is due in June. Discussion ensued.

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Commissioner Weikle made a motion to approve Resolution 2015-1 authorizing and adopting post-issuance compliance policies in the form hereto as to bonds and notes issued and to be issued by the Township of Swatara, Dauphin County, Pennsylvania. Commissioner Milakovic seconded the motion. Motion carried unanimously.

5. Reapportionment:

Commissioner Spandler stated he hasn't been able to setup a meeting with Commissioner Connelly to discuss this issue. He hopes to get that scheduled this or next week.

Commissioner Varner stated there had been have a wealth of information and we have heard from the public numerous times and he thinks there needs to be progress on it, the last few years, and he would like to see that progress continue. Commissioner Varner made a motion to allow Solicitor Wion to draw up a resolution to notify the County to go to a reapportion to a one board with five member Board at large. Solicitor Wion stated the motion should be to authorize the Solicitor to draft an ordinance for the Township to be a one board with five at large. Commissioner Spandler seconded the motion. The motion carried 5-4. Commissioner Connelly, Chiavetta, Boudier, and Troxell voted no.

6. Consideration of Police Ride Alongs:

Commissioner Spandler discussed the three ride along requests. He stated Patrick O'Rourke Jr. and David Boudier have both passed a criminal background check. He stated that Kathleen Smith has requested a ride along and is currently attending the John Jay Criminal Justice College and that she had previously participated in this program.

Commissioner Spandler made a motion to approve the ride alongs for Mr. O'Rourke and Boudier and Ms. Smith with the required paperwork being completed. Commissioner Milakovic seconded the motion. Motion carried unanimously.

7. Appointments to Board and Commissions:

Commissioner Boudier made a motion to reappoint James L. Spare to the Swatara Township Authority. Commissioner Chiavetta seconded the motion. Motion carried unanimously.

Commissioner Milakovic made a motion to reappoint Gary W. Potteinger, Jr. to the Recreation Advisory Board. Commissioner Troxell seconded the motion. Motion carried unanimously.

8. Any Possible Stormwater Violations We Need to Investigate?

There were no comments from those present at the meeting.

9. Visitors Requests and Comments:

There were no comments from those present at the meeting.

10. Commissioners Requests and Comments, Additional Business and Correspondence:

Commissioner Boudier - Nothing at this time.

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Commissioner Troxell - Nothing at this time

Commissioner Milakovic - Nothing at this time.

Commissioner Chiavetta - Nothing at this time

Commissioner Spandler - Spoke about working on a policy that is cut and dry for vehicles on public roads that are out of inspection and/or unlicensed. Solicitor Wion stated that an uninspected and or unlicensed vehicle is covered by the Highway Code and there is a Township ordinance that deals with this nuisance. Commissioner Spandler asked to have a policy that outlines the course of action attached to the ticket and maybe put it in the Newsletter. He spoke about one car that is on blocks for three years. Chief Umberger stated if it is parked on the street they can give them parking tickets or warnings. Discussion ensued.

Commissioner Connolly - stated there was a meeting December 16<sup>th</sup> with a good turnout, and was the first of three public meetings to discuss reapportionment and thought it went well. He stated that obviously something changed from that meeting to tonight. He thinks we are setting a bad precedent when we engage the public, put out information that we are going to involve the public and allow them to have a say in something and then turn around and before the second meeting and make a decision on the same topic. He stated he has only been a Commissioner for one year but in the past we have a Recreation survey and gave them time to return and then considered their recommendations/proposals. We recently send out a survey for the Police Department to the residents and he is assuming there is an information gathering period and at some point their input will be considered in any type of decision/recommendations by the Chief. For the budget we advertised and had public meeting and he went into these considering what the public had to say. However, after tonight's action it almost seems like some things were scripted behind the scenes and maybe not as forthcoming as a body as we needed to be. But saying that, the vote was 5-4 and definitely came before the 3 public meetings were held. He came in to talk with Administrator Cornell and was planning on meeting with Spandler and was trying to get the numbers in within the rage for both Ward 7 and 9, before he made a decision. He thinks we cut the public out of something that is really important to the future of this Township by taking this vote in the backroom tonight.

Commissioner Troxell asked Solicitor Wion about the previous motion and the change tonight. Solicitor Wion said there is nothing that prevents the Board members changing their position on a motion but if it was an enacted ordinance that would be different. Commissioner Boudier agrees with Commissioner Connelly and believes it was a behind the scene movement from a few people that was pre-arranged for tonight even though there is a meeting schedule for next Tuesday with the public. Commissioner Troxell stated that this make it very difficult when it comes to the Committee meets on Monday for endorsements and then go out and address the public on Tuesday's meeting. He felt it was foolish.

Commissioner Varner - stated they can sit there and say what they want but it was in the paper months ago. Months ago he said in his Commissioner's comments that he hoped everyone comes ready to discuss reapportionment at the next meeting and that was months ago. He stated the maps have been on the wall for a year.

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Commissioner Weikle - Nothing at this time.

President Bouder - asked Mr. Spare, Sewer Authority for an update. Mr. Spare spoke about the finances of the Authority, the lawsuit to try and recoup monies for some bad construction, prioritizing of leaks and fixing, and the rate delays.

11. Announcement Executive Session:

President Moyer announced the Board will recess to Executive Session for the following:

A. Two legal issues.

12. Recess: The meeting was recessed at 7:25 PM.

13. Executive Session: was held from 7:26-7:32 PM.

14. Adjournment:

Commissioner Chiavetta moved to adjourn the meeting. Commissioner Milakovic seconded the motion and carried unanimously. The Regular Meeting I adjourned at 7:32 PM.

15. Correspondence:

A. Dauphin County Bureau of Registration and Elections: Use of Rooms 1/05/15

B. Dauphin County Bureau of Registration and Elections: 2015 Election Dates 1/06/15

*Julie A. Echterling*

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Julie Echterling, Recording Secretary