

SWATARA TOWNSHIP

REGULAR MEETING I

BOARD OF COMMISSIONERS

MARCH 4, 2015

The Swatara Township Board of Commissioners held the Regular Meeting I on Wednesday March 4, 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, Tax Collector Donato, and Assistant Secretary Echterling.

1. Motion to Approve Agenda:

Commissioner Chiavetta asked that item 6 be postponed to the next meeting. Commissioner Troxell asked to add an item to the agenda entitled At Large Discussion as item 4A. Commissioner Troxell moved to approve tonight's agenda as amended. The motion was seconded by Commissioner Spandler. The motion carried 8-1 as Commissioner Weikle voted no.

2. Consideration of Minutes:

A. Regular Meeting II - February 11, 2015:

Commissioner Troxell asked to change the wording on page 3 item 7 from reapportionment process to At Large. President Moyer stated it should stay reapportionment as that is what the act is called. Assistant Administrator Zimmerman asked for a correction on page 1 under Call to Order, the date of the meeting should be changed from September 10, 2015 to February 11, 2015. He also asked to change the date under 5A from December 3, 2015 to December 3, 2014. Commissioner Boudier moved to approve the amended minutes. Commissioner Milakovic seconded the motion. The motion carried unanimously.

B. Public Hearing: 1301 Highland Street - February 11, 2015:

Commissioner Milakovic moved to approve the public hearing as presented. Commissioner Varner seconded the motion. The motion carried unanimously.

C. Public Hearing: Monuments and Markers - February 11, 2015:

Commissioner Spandler made a motion to approve the public hearing as presented. Commissioner Chiavetta seconded the motion. The motion carried unanimously.

3. Visitors Requests and Comments Regarding Agenda Items:

Mr. Alan Kennedy-Shaffer, 252 Verbeke Street, handed out documents to the Board and visitors. He discussed the history and timing of the nine ward versus at large Board and the current litigation. He discussed Judge Evans actions including appointing three Commissioners to review the reapportionment. He stated that on February 26th Judge Evans denied the emergency action to reverse the order which he feels is a victory for the nine ward system. He stated the Dauphin County Bureau of Elections stated they are obligated to put on the ballot what the municipality directs them to do. He discussed the official notice from Swatara on November 3, 2014 requesting to keep the ward system and on January 8th they failed to respond to a letter asking if there were any changes. He stated on February 17th they requested a change after petitioning had started.

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Mr. Bob Radosevic, 44 N 46th Street, asked Mr. Kennedy what his point was. Mr. Kennedy stated his point is that the 2015 election needs to move forward as a nine ward system. President Moyer stated that his questions should be directed at the Board and stated the Board can't comment on open litigation.

Mr. Bryan Beistline, 545 Yale Street, asked if the Township would be moving forward with the at large or nine ward system. President Moyer stated he should refer to the article and to the director of the Election Bureau.

Ms. Phyllis Bennett, 902 Hamilton Circle, asked if the Township was moving forward with at large or the ward system. President Moyer stated she should ask the Director of the Election Bureau at Dauphin County. She asked how those Commissioners that are running for re-election are circulating petitions for signature. Commissioner Varner and Boudier stated they are running this year. Commissioner Troxell stated he filed for both systems because of the confusion.

4. Consideration of Resolution: PA Ethics Act :

Solicitor Wion stated the purpose of this resolution is to identify individuals that meet the definition of "public official" or "public employee" that are required to file a statement of Financial Interests for the calendar year 2014. Discussion ensued.

Commissioner Milakovic made a motion to approve Resolution R-2015-08 listing the individuals who are required to file a statement of Financial Interests. Commissioner Troxell seconded the motion. Motion carried unanimously.

A: At Large Discussion:

Commissioner Connolly asked about the filing on February 17th and if this was the first time that Dauphin County was notified. He stated it would appear that the safest thing to do is to file both ways (at large and nine ward) because a decision may not be reached before the deadline.

Commissioner Troxell stated the County has not received proper documentation that the Township was changing the system. Solicitor Wion stated the latest one submitted evidenced by the action of the Board is a one ward electing three at large Commissioners for four years which is in effect at this moment.

Commissioner Chiavetta stated everyone knows where he stands however, the bottom line is what the county has on the website and until they change it that is what is in effect. Until a judge/attorney tells them differently, it will not change.

5. Consideration of Resolution: Elimination for Special Purpose Parking, 65 Brighton Street:

Commissioner Spandler stated that Mr. Miller has moved from 65 Brighton Street and the new owners do not need the special parking space in front of their residence. This resolution would eliminate the designation of this special purpose parking space.

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Commissioner Spandler made a motion to approve Resolution R-2015-09 eliminating the special parking zone at 65 Brighton Street. Commissioner Milakovic seconded the motion. The motion carried unanimously.

6. Consideration of Agreement for Dauphin County Infrastructure Bank Loan:

This item is postponed for discussion until next meeting.

7. Consideration of Participation in Local Bridges Inspection Program:

Commissioner Weikle discussed the benefits of participating in the Dauphin County bridge inspection program through PennDOT. Discussion ensued.

Commissioner Weikle made a motion to waive the 60 day notice requirement in the Act of March 30, 1998, P.L. 329, No. 44, and authorize Dauphin County to proceed with the inspection of the bridge(s). This action will fulfill all National Bridge Inspection Standards Federal requirements for biennial bridge inspection. This consent to participate is in effect until expressly revoked by the Township. Commissioner Chiavetta seconded the motion. Motion carried with Commissioner Milakovic abstaining due to a potential conflict of interest.

8. Consideration of 2015 Paving Project:

Commissioner Weikle discussed the Township's paving project for 2015. He discussed the memo outlining the three streets that need to be paved in 2015. He stated the following streets are suggested for repair:

- Rupp Hill Road/Grayson Road - from Rupp Hill Road at Old Paxton Street to 63rd Street Bridge.
- Derry Street - from 61st Street to Old Derry Street.
- Highland Street - from Francis Street to Township Line/Steelton Borough.

He stated there is currently \$300,000 in the liquid fuels budget to help with this project. Commissioner Troxell asked if the Finance Committee could receive a copy of the paving schedule for the Township. Commissioner Weikle stated he could provide copies and suggested posting it on the website for all residents to have access. Discussion ensued.

Commissioner Weikle made a motion to authorize HRG to prepare the necessary bid documentation and road core samples to identify proper rehabilitation for the three roads identified for paving in 2015 and go to bid with the projects. Commissioner Boudier seconded the motion. Motion carried with Commissioner Milakovic abstaining due to a potential conflict of interest.

9. Request to Use Building: Dauphin County Republican Women:

Commissioner Milakovic made a motion to allow the Dauphin County Council of Republican Women to use the Community Room at the Township Building for their event for author Karen Watson to discuss her book on April 28, 2015 from 7-9pm. Commissioner Weikle seconded the motion. Motion carried unanimously.

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10. Request to Use Vanatta Park for Easter Egg Hunt

Commissioner Boudier made a motion to approve the request from the Knights of Columbus Council 869 to conduct an Easter Egg Hunt in Vanatta Park on March 28, 2015 with a rain date of April 4, 2015. Commissioner Weikle seconded the motion. Motion carried unanimously.

11. Consideration of Request and Agreement to Display Banners at Baseball Fields:

Commissioner Boudier made a motion to approve the request from All Points Media to display two banners about the State's Children's Health Insurance Program (CHIP) at two of the Township's baseball fields from March 30, 2015 through June 21, 2015. Commissioner Weikle seconded the motion. Motion carried unanimously.

12. Appointment to Boards and Commissions:

Commissioner Chiavetta made a motion to reappoint Melissa Castellano to the Swatara Township Authority for a five year term. Commissioner Troxell seconded the motion. Motion carried unanimously.

13. Any Possible Stormwater Violations We Need to Investigate?

Administrator Cornell provided an update that all municipalities that provide MS4 permits will be audited by the DEP in the next year. He discussed the education and public outreach that will be taking place.

14. Visitor Requests and Comments:

Ms. Phyllis Bennett asked if there would be paving on Lancaster Street with the sink holes. Commissioner Weikle stated the street is on the list but not for this year. She spoke about her concern with standing water in the rail yard and concern about West Nile Virus. Administrator Cornell discussed the procedure with Dauphin County and how they take care of potential issues. Discussion ensued. She asked if the lines could be painted back on Derry Street or even reflectors. Commissioner Weikle stated part of Derry Street is state roads and is up to PennDOT. Administrator Cornell stated he would make a call about her concerns.

Mr. Alan Kennedy-Shaffer discussed the documents he provided during the at large discussion. He stated there is some confusion and stated the judge extended his deadline for a decision until March 16th. He would ask the Township to clarify to the Bureau of Elections what their intent was realizing the Judge took over the process and the ward system should be in place until a decision is made.

Ms. Elizabeth Jones, 3878 DawnMar Street, commended the Highway department for the great job they have done on the streets with plowing this year.

Mr. Joe Donato, 701 South Harrisburg Street, asked for an update on the Bishop Park Water Project. Administrator Cornell stated there is a meeting coming up with the water company on the 20th. He spoke about the installation of the water line, water kiosk and the easement

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agreement. He stated the water company needs to sign the agreement once they are ready to put the line in. Discussion ensued.

Mr. Radosevic asked what item MOPAC was on the correspondence items on the agenda. Commissioner Spandler stated it was a thank you and a donation for the fire company for assisting in the cleanup of a grease spill at the entrance of Sam's Club.

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

Commissioner Weikle - Thanked the Board for approving the radio system that allows the highway department to be able to communicate with the fire and police department. He stated this is helping keep the residents and our employees safe. Ms. Bennett thanked the Board for purchasing this communication system. Discussion ensued.

Commissioner Varner - Nothing at this time.

Commissioner Connelly - Spoke about the February 28th event where 139 kids were able to see the movie Selma as several groups donated money for the event. He thanked the Swatara Fire Company for the free movie event they had that was well attended. He spoke about attempting to go to the Chamber's Hill Fire Company fish fry that seemed to be very successful because by 6:05 p.m. they were sold out.

Commissioner Spandler - Discussed the quarterly police pension meeting and stated the benchmark was 7.22% and the pension fund was 7.46%. He invited anyone to attend the pension meetings. Administrator Cornell spoke about the required funding requirements of the State for these funds. He is working with the actuary and accountants and is hoping to have a funding policy before the Board for approval in the next few weeks to be in compliance of GASB 67. Commissioner Spandler spoke about creating business cards to provide at accident scenes with local towing company's phone numbers. He spoke about the COG meeting and how the Township needs to look at the right of way ordinances as they are being challenged by cell phone companies. He spoke how 12 foot antennas are being added to poles with repeater boxes on the ground to help with cell coverage. Administrator Cornell stated they are working on this issue.

Commissioner Chiavetta - Asked about the dip on the 63rd Street Bridge. Commissioner Milakovic stated the dip is there for drainage and discussed the issues with that area.

Commissioner Milakovic - Spoke about the storm coming tonight and the 150 tons of salt the Township was able to secure as there is a shortage statewide. He stated the plan for this storm is to plow and salt after the snow ends.

Commissioner Troxell - Would like to see the paving plan put on the website.

Commissioner Boudier - Nothing at this time.

President Boudier - Nothing at this time.

16. Announcement Executive Session:

Solicitor Wion asked for an Executive Session to discuss the litigation for the Zoning Hearing Board decision on the Wicks outdoor sign matter.

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17. Recess: The meeting was recessed to Executive Session at 8:10 PM.

18. Executive Session: was held from 8:11-8:22 PM.

19. Adjournment:

Commissioner Weikle moved to adjourn the meeting. Commissioner Milakovic seconded the motion and carried unanimously. The Regular Meeting I adjourned at 8:23 PM.

20. Correspondence:

- A. MOPAC: Thank you to Fire Company 2/10/15
- B. Dauphin County Council of Republican Woman: Request to Use Building 2/16/15
- C. PA Department of Environmental Protection: Review of MS4 TMDL Strategy 2/26/15

Julie A. Echterling

Julie Echterling, Recording Secretary

ABSTENTION MEMO

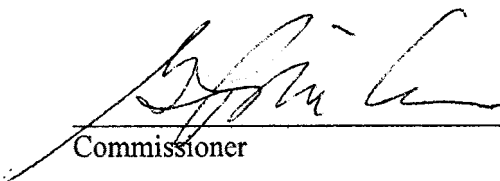
I, the undersigned, as a member of the Board of Commissioners of Swatara Township,
Dauphin County, Pennsylvania do hereby abstain from voting on the following matter:

*Participation in the 2015-2019 Local Bridge Inspection Program
by Hobart, Rowland & Gubie as County Bridge Engineer*

for the reason that I have a conflict of interest because:

*As an employee of Hobart, Rowland & Gubie, I have
a direct pecuniary interest in this matter*

Date: 3/4/15


Commissioner

ABSTENTION MEMO

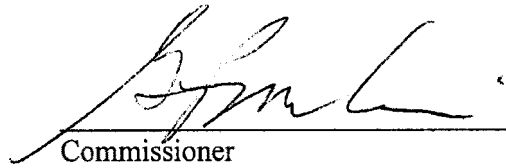
I, the undersigned, as a member of the Board of Commissioners of Swatara Township,
Dauphin County, Pennsylvania do hereby abstain from voting on the following matter:

Preparation of bids for Swatara Township for the 2015
sewer projects.

for the reason that I have a conflict of interest because:

As an employee of Herbert, Reed and Gruber, I
have a direct pecuniary interest in this matter.

Date: 3/4/15


Commissioner