

1. Call to Order: The Regular Meeting I of the Swatara Township Board of Commissioners was called to order by President Troxell at 7:00 PM on Wednesday, December 2, 2015, at the Township Administration Building, 599 Eisenhower Blvd., Swatara, PA 17111.
2. Pledge of Allegiance: President Troxell led the audience in the Pledge of Allegiance.
3. Invocation: Pastor Layman Kennedy of Faith Evangelical Congregational Church gave the invocation.
4. Roll Call: Commissioners Connolly, Varner, Spandler, Chiavetta, Troxell, Milakovic, Murphy, Moyer, and Boudier were present. Also present: Administrator Cornell, Assistant Administrator Zimmerman, Solicitor Wion, Secretary Rubinic, and Police Chief and Sgt.-at-Arms Umberger.
5. Motion to Approve Agenda: Commissioner Spandler moved to approve tonight's agenda, seconded by Commissioner Chiavetta.
6. Consideration of Minutes:
  - A. Regular Meeting II - November 11, 2015
  - B. Budget Meeting - November 11, 2015
  - C. Budget Meeting - November 18, 2015Commissioner Murphy moved to approve the above listed minutes as presented. Commissioner Boudier seconded the motion; carried unanimously.
7. Visitors' Requests & Comments: There were no comments from those visitors present.
8. Presentation of 2016 Proposed Budget: Commissioner Chiavetta asked for any questions on the 2016 Proposed Budget. There were none. Commissioner Chiavetta moved to place the 2016 Proposed Budget on the table for public inspection and advertisement as required by law. Commissioner Connolly seconded the motion. Discussion followed--Commissioner Moyer is concerned about taking \$500,000 out of Capital Reserve to prop up the Budget, especially knowing we now carry \$2.1 million in employee liabilities. This will affect bond rating and borrowing power which are based on Capital Reserve. He said he is all for spending the Reserve for funding large scale Capital Projects or borrowing at a better rate; but this is equivalent to paying your monthly bills by tapping into your savings account. It's just not good fiscal management. The Debt Fund needs to be adjusted as it will be depleted next year. We cannot just blindly say "I will not raise taxes"; unfortunately sometimes we have to do that or we will be further behind each year. This year our Revenue number is 1% less while Expenses are 3% more.

Commissioner Chiavetta said that this Board inherited a lot of these problems; but we can stand here tonight and tell the residents there is no tax increase for next year. Commissioner Boudier asked about dipping into the Reserve last year to avoid a tax increase. Finance Director Fosselman said that \$80,000 was budgeted but has not had to be used out of the Reserve in the past year. Commissioner Moyer said that an increase of \$25-\$30 per home would be the cost this year versus next year having to make an increase of \$60, \$80, \$100.

Commissioner Milakovic said that these problems were inherited from the 2008 crash in the stock market and we have been trying to come back since. There were over 20 years of no tax increases and dipping into the Capital Reserve. He agrees with Commissioner Moyer that a small increase now would prevent having a larger increase in the near future.

Commissioner Connolly had questions about the Capital Reserve in 2014. He said it has increased five times in a four-year span and how this has a negative impact on bonding. Jim explained how the accounting works and the effect of fully funded liabilities on the Reserve.

Commissioner Spandler said he also agrees with Commissioner Moyer, saying there is no money in this budget toward highway paving. We are looking at 3 roads that need paving as a cost of \$2.5 million; there are probably 30 roads that need paving. He is also worried that we are going backwards.

A roll call vote was taken on the budget motion and the motion carried 5-4 with Commissioners Varner, Spandler, Milakovic, and Moyer voting no.

There will be a Special Meeting on December 22 to adopt the final Budget.

9. Consideration of Ordinance-Amending Administrative Legislation: Solicitor Wion explained the change in the Ordinance regarding "Administrator, Township" from a 2/3 vote to a simple majority vote. Commissioner Connolly moved to adopt Ordinance 2015-12 (full text available in Township Ordinance Book) amending the Zoning Ordinance regarding Signs. Commissioner Chiavetta seconded the motion. Commissioner Varner asked what is the purpose of this Amendment; why do we need to change it? President Troxell said the purpose is to bring continuity and uniformity to our hiring and termination practices. Commissioner Moyer said there should be a super majority vote to agree to remove a super majority vote. He feels this is a witch hunt to be able to remove someone from office. He thinks the preceding Board's incorporated this to try to keep some sensibility and order--not allow a rogue reaction to a manager who has a very tough job. Taking a super majority vote out by just a majority seems like a bad practice. A roll call vote was taken on the Ordinance 2015-12 motion and the motion carried 5-4 with Commissioners Varner, Spandler, Milakovic, and Moyer voting no.

10. Consideration of Ordinance-Vehicles and Traffic: Solicitor Wion presented the semi-annual Ordinance to incorporate recently passed motor vehicle resolutions into the Code of Ordinances. It deals with establishing special purpose parking zones; elimination of special purpose parking zones; prohibition of parking on certain streets; and designating a tow-away zone. Commissioner Spandler moved to adopt Ordinance 2015-13 (full text available in Township Ordinance Book) so amending the Code relating to Motor Vehicles and Traffic Restrictions. Commissioner Milakovic seconded the motion, carried unanimously.
11. Consideration of Ordinance-Addition of Ivy Ridge Park to Recreation Areas: Commissioner Moyer moved to adopt Ordinance 2015-11 (full text available in Township Ordinance Book) amending "Designated Parks and Recreation Facilities" by the addition of Ivy Ridge Park. Commissioner Boudier seconded the motion and the motion carried unanimously.
12. Consideration of Resolution-Police Pension Contribution Rate: Commissioner Boudier moved to adopt Resolution R-2015-36 (full text available in Township Resolution Book) setting the annual member contribution by the Swatara Township Police Force to the Swatara Township Police Pension for 2016 at 5.5% of the participant's monthly compensation. Commissioner Murphy seconded the motion and the motion carried unanimously.
13. Consideration of Resolution-Dauphin County 2015 Hazard Mitigation Plan: Commissioner Murphy moved to adopt Resolution R-2015-37 (full text available in Township Resolution Book) adopting the Dauphin County 2015 Hazard Mitigation Plan as the official Hazard Mitigation Plan of Swatara Township. Commissioner Moyer seconded the motion and the motion carried unanimously.
14. Consideration of Resolution-Elimination of Special Purpose Parking -54 Francis Street: Commissioner Spandler moved to approve Resolution R-2015-38 (full text available in Township Resolution Book) removing the special purpose parking zone for Esther Michtic at 54 Francis Street. Commissioner Connolly seconded the motion and the motion carried unanimously.
15. Restoration of Wards – Reapportionment Proposal: President Troxell said a proposal for realignment of the wards has been received from BonData in the amount of \$4,150. Commissioner Boudier moved to approve the consulting services pertaining to realignment of the wards in Swatara Township as proposed by BonData in the amount of \$4,150. Commissioner Chiavetta seconded the motion and discussion followed.  
Commissioner Moyer is not in favor of this; the Township went 34 years without making a change when we should have been looking at it. He thinks it's still better

to have five people representing you than one. He asked about additional prices for GIS mapping; President Troxell said there won't be any additional bills.

Commissioner Milakovic asked about funding for this proposal. President Troxell said it is included in the budget approved tonight.

Commissioner Varner asked if any other proposal were received. President Troxell said at this price, this is the only one needed. He said it was so much cheaper because it's not difficult to do and has been done by this service for many other areas.

Commissioner Chiavetta strongly reiterated that the voters have overwhelmingly told this Board they want their ward Commissioners.

A roll call vote was taken on the ward realignment motion and the motion carried 5-4 with Commissioners Varner, Spandler, Milakovic, and Moyer voting no.

16. Municipal Advisor - Recommendation: President Troxell would like to initiate discussion on the need for a municipal advisor; they would be looking at future needs, infrastructure investments, etc. Finance Director Fosselman said he does not have the expertise to determine the best way to fund these types of projects. He feels the Board does need these services. President Troxell said there is no action on this item now; it's being put out to the Board and discussions with several firms. Commissioner Moyer asked if the previous financial advisors were involved or engaged during this budget process. President Troxell said he did not hear a word from them and he was disappointed in that.
17. Consideration of Final Payment- Francis Cadden Parkway: Commissioner Milakovic moved to authorize final payment of \$6,050.00 to Construction Masters Services, LLC for the Francis Cadden Parkway guiderail replacement project. Commissioner Connolly seconded the motion; carried unanimously.
18. Consideration of Police Ride Along-Maurice Patterson: Commissioner Spandler moved to approve the request of Maurice Patterson for a one day ride-along with the Police Department subject to completion of the necessary waivers. Commissioner Milakovic seconded the motion and the motion carried unanimously.
19. Appointments to Boards and Commissions: Commissioner Murphy moved to appoint Richard J. Murphy III to the unexpired term of Charles Weand on the Swatara Township Authority. Commissioner Boudier seconded the motion; carried unanimously.
20. Investigation of Any Possible Stormwater Violations: No comments from those present.

21. Visitors Requests & Comments Regarding General Matters:

Tony Spagnolo, 291 N. 50<sup>th</sup> Street--thanked the Board for no tax increase. People on fixed incomes appreciate it.

He had questions about the procedure for reorganization if the ward system is restored. President Troxell said the goal is to restore back to 9 wards by 2017.

Commissioner Chiavetta explained the logistics of term lengths, but it will be worked on over the next two years.

Mr. Spagnolo continues to have concerns about traffic stacking on Derry Street back past the Post Office. The ramp off Eisenhower to Derry and the ramp at St. Catherine's seem to be out of sync. Administrator Cornell said the three lights are looped together; he will contact PERCs to look at them. President Troxell commented about a reactive-type technology that judges the traffic volume and adjusts the timing; this is something to look into.

James Bruno, 5638 Blakeslee Avenue--congratulated the five Commissioners who voted to restore the wards; he appreciates it. He feels it was overwhelming and is shocked that people sit on this Board and have zero concern for what the voters said. He would not want four individuals sitting here representing him long-term. He thanked those who did the right thing and listened to the voters.

22. Commissioners Requests & Comments:

Commissioner Moyer - said he finds it disconcerting that President Troxell has made notification to two staff members that their services will no longer be needed before any of the actions were taken tonight and before the Board had any knowledge or discussion on it. The one individual had an above-average evaluation in March, so where has this fallen apart. The actions taken tonight help to prove that it doesn't matter; it's a witch hunt; there's going to be a lot of huge changes. You're changing Ordinances that most of those on the current Board did not make; these are Ordinances or Resolutions that were made years ago to prevent Commissioners from grinding an ax and getting rid of people. He finds it disconcerting that this is the direction taken.

Commissioner Varner - had no comments at this time.

Commissioner Murphy - commented on the close votes. He is in favor of majority rules. On restoring the wards, what he heard from the voters at the polls is that they wanted the ward system, that is why he voted to realign the wards.

Commissioner Boudier - had no comments at this time

Commissioner Spandler - had comments about the request from UPS for a crosswalk on Gibson Street. He recommends against spending money to put a crosswalk from one private parcel to another private parcel. This is an employee crosswalk, not a public crosswalk, and UPS should be able to fund it.

Commissioner Spandler made a recommendation to allow Chief Umberger to start the process to hire a replacement officer. Commissioner Spandler moved that Chief Umberger be allowed to make an offer of hire. Commissioner Moyer seconded the motion; carried unanimously.

Commissioner Chiavetta – said it really puzzles him why the vote was still 5-4 when the voters overwhelmingly said they wanted ward Commissioners.

Commissioner Milakovic – had no comments at this time.

Commissioner Connolly – thanked Finance Director Fosselman and Finance Chair Chiavetta for the work on the Budget along with President Troxell and the other Board members. He would have liked to see some things go another way, but feels it is a solid budget. He is listening to the arguments about bigger tax increases down the road, but feels comfortable that there were some good indications not to do it now.

Commissioner Connolly thanked the group of volunteers who showed up on Thanksgiving for the Community Clean-up Day. The next community service day will be on January 18, Martin Luther King Day; more information at future date.

President Troxell– said he appreciates the Board’s patience. He feels it is moving forward on some exciting ideas and there are some changes coming--the voters have given a mandate to restore their wards and this is a sacred trust we hold. President Troxell wished all a happy holiday season and blessings in the upcoming year.

23. Adjournment: Commissioner Murphy moved to adjourn, seconded by Commissioner Boudier and carried unanimously. The Regular Meeting I adjourned at 8:05 PM.

  
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Dolores M. Rubinic, Township Secretary