

MINUTES

SWATARA TOWNSHIP

REGULAR MEETING II

JULY 13, 2022

BOARD OF COMMISSIONERS

1. **Call to Order:** President Zubeck called the Regular Meeting II of the Swatara Township Board of Commissioners to order at 7:18 p.m. Wednesday, July 13, 2022. The meeting was held at the Swatara Township Municipal Building, 599 Eisenhower Boulevard, Harrisburg, PA.
2. **Pledge of Allegiance:** President Zubeck led the audience in the Pledge of Allegiance.
3. **Moment of Silence**
4. **Roll Call:** Commissioners Christine Zubeck, Shaela Ellis, Michael Tuckey, and Jeff Varner were present. Commissioner Richard Boudier was absent. Also present: Manager Jim Fosselman, Assistant Manager Kim Kaufman, Solicitor Kevin Hall, Director of Public Safety and Sergeant-at-Arms Darrell Reider, Director of Public Works Todd Webb, Director of Planning and Zoning Robert Ihlein, Fire Chief Mike Ibberson, and Secretary Karen Alleman.
5. **Announce Executive Session:** An executive session was held to review a presentation followed by discussion regarding litigation and personnel matters.
6. **Capital Project Review:** Mr. Jesse Suders of Dawood Engineering presented a review of capital projects within the Township. Paxton Street Corridor improvements at 28<sup>th</sup> Street (completed 2021), Paxton Street corridor improvement at Sycamore and Paxton (in progress), Repaving in Rutherford in coordination with utility repaving (completed 2020), Derry Street roadway reconstruction and repair and stormwater improvements from 63<sup>rd</sup> to 72<sup>nd</sup> and 72<sup>nd</sup> to Milroy (completed 2021), Derry Street roadway reconstruction and repair and stormwater improvements on Derry Street from 63<sup>rd</sup> Street to Old Nyes Road, Francis Cadden Parkway roadway reconstruction and repair and stormwater improvements (on hold), Rupp Hill roadway reconstruction and repair and stormwater improvements (in progress), 63<sup>rd</sup> Street Bridge roadway reconstruction and repair and stormwater improvements (on hold), Dewey Street project safety and roadway improvement roadway reconstruction and repair and stormwater improvements (on hold), Harrisburg Street/Orchard Drive/Chambers Hill Road signal upgrade project (in progress), Proposed sidewalk construction along Paxton Street (in progress), West, Spruce and Ridge neighborhood roadway reconstruction and repair and stormwater improvements (on hold).

The following are PennDOT investments in the Township: US 322 and Chambers Hill Road intersection improvement project (in progress), I-83 East Shore Section 2 improvements (in progress), Chambers Hill Road improvements (complete).

There is one pedestrian connectivity project – Highland Street project and Eisenhower Boulevard (in progress).

The following are public parks projects: Bishop Park (in progress), Enhaut Park wall reconstruction and a dog park for McNaughton Park.

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The municipal complex and police facilities are also in progress.

Commissioner Ellis asked what the determination was for Rupp Hill Road. Engineer Steve Cordaro said Norfolk Southern is being uncooperative and the Township is restricted by the right-of-way of the existing roadway. An additional pipe will be placed to convey stormwater collected on Grayson Road and take it to the west if an agreement can be reached with Norfolk Southern or another property owner to the west. The project will be put out to bid once agreements are in place.

Commissioner Ellis asked how the Derry Street project of \$1.9 million was funded, were ARPA funds used? Manager Fosselman said it was paid with ARPA funds and prior bond monies.

Commissioner Ellis asked about the Dewey Street project, did the estimate include a waiver to not bring the slope up to code? Mr. Suders said the slope is extremely steep and collapsing. Several things were looked at including pervious sidewalks, living retainer walls, and the extension of stormwater pipe. The project came in at \$1.2 million. Evaluating the actual demand on the road is important before any money should be spent.

7. **Presentation of New Stormwater Ordinance to Commissioners:** Mr. Matthew Attig of Herbert Rowland and Grubic gave the Board a copy of the proposed revised stormwater ordinance. He would like to receive comments by August 3 so the ordinance can be passed at a meeting in September. President Zubeck asked that the requests from residents expressed at the Stormwater Authority meeting be taken into consideration when revising the ordinance.
8. **Visitors Requests and Comments:**
  - A. **Beth Sviben, 1371 Dayton Road:** Would like the school flashing signal at Swatara Middle School placed into service. Director Webb will contact PERCS to see where the project stands. She also asked about the Highland Street sidewalk project status. Mr. Suders of Dawood Engineering gave an update in his report.
  - B. **Tom Connolly, 345 North Harrisburg Street:** Let the Board know that TAPCO installed the school flashing signal and will get the information to Mr. Webb.
9. **Motion to Approve Agenda:** President Zubeck removed items 10D, Approval of agreement with Portnoff Law Associates for collection of delinquent accounts and 10G, Approval of Gaming Grant support letter for Fahnestock and Baer Brewing Company. Commissioner Varner made a motion to approve the agenda, as amended, Commissioner Tuckey seconded the motion. Motion carried unanimously.
10. **Motion to Approve Items on Consent Agenda:** Commissioner Tuckey made a motion to approve the consent agenda items, as amended previously, seconded by Commissioner Varner. Motion carried unanimously.

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- A. Monthly Departmental Reports
  - B. Committee Reports
  - C. Codes Report
  - D. Approval of Gaming Grant Support Letter for Graceful Acres
  - E. Approval of Gaming Grant Support Letter for Chambers Hill Fire Company
  - F. Approval of Police Ride Alongs for Brendan Christ and Pema Tamang
  - G. Permission for Rutherford Fire Company to Attend Schuylkill County Firemen's Convention on September 10
11. **Consideration of Minutes**: Regular Meeting I of July 6, 2022: Commissioner Tuckey made a motion to approve the minutes of the July 6, 2022, Regular Meeting I, as presented. Vice President Varner seconded the motion. The motion carried unanimously.
12. **Reports**: All reports are posted in the lobby of the municipal building.
- A. **Manager's Report**: Manager Fosselman said staff is still working on Stormwater receipts. He would like to meet with Finance Chair Zubeck by the end of July to begin working on the budget.
  - B. **Treasurer's Report**: Treasurer Fosselman did not have a report this evening due to staff working on Stormwater receipts.
  - C. **Solicitor's Report**: Solicitor Hall asked if the Board would like to revise the current Fireworks Ordinance to bring it up to date with recently passed legislation. The Board would like to revise the current ordinance.
  - D. **Swatara Rising Comp Plan**: Director Ihlein presented his report to the Board. He showed the Board members the new handheld device the code officers will carry in the field. He would like the Board to consider development compatibility standards for the area between 40<sup>th</sup> and 50<sup>th</sup> Street along Derry Street which would be an amendment to the zoning ordinance. He thanked Mr. Suders for his capital improvement plan presentation this evening.
  - E. **EMS Report/Fire Services**: Chief Ibberson presented his report to the Board. Four new Firefighter I Certifications were awarded last month. There will be three new live ins at the fire company this fall. Mr. Joel Hocking of Community Life Team presented his report to the Board. There were 321 calls in June, 293 Life Team calls, 28 mutual aid calls were given. The average response time for Class 1 calls was 9 minutes and 57 seconds.
  - F. **Director of Public Safety Report**: Director of Public Safety Reider thanked the Board for allowing employees to respond to emergency calls during the day, and applauded the employees who respond (Mike Ibberson, Brenden Orth, Chad Huggins, and Mark Bradnick). He then presented his report to the Board. A women's self-defense class was held in conjunction with Swatara Karate, it was well attended. National Night Out will be held on Tuesday, August 2 at Vanatta Park, vendors are welcome to attend and encouraged to sign up for a free table.

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13. **Consideration of Resolution: Intermunicipal Fire Protection Agreement with Paxtang Borough:** Vice President Varner made a motion to approve Resolution R-2022-28, authorizing and approving an intermunicipal fire services agreement with the Borough of Paxtang for fire services through December 31, 2028. Commissioner Tuckey seconded the motion. Motion carried unanimously
  14. **Consideration of Resoluton: Tri-County Infrastructure Loan:** Commissioner Tuckey made a motion to approve Resolution R-2022-29, borrowing \$764,544 from the Dauphin County Infrastructure Bank for stormwater purposes. Motion seconded by Vice President Varner. Motion carried unanimously.
  15. **Consideration of Resolution: Steel-High Traffic Survey:** Commissioner Tuckey made a motion to approve Resolution R-2022-30, installing traffic control devices in the area of Steelton Elementary School. Motion seconded by Commissioner Ellis. Motion carried unanimously.
  16. **Consideration of Resolution: Presidents Drive No Parking Zone:** Vice President Varner made a motion to approve Resolution R-2022-31, installing a no parking area on Presidents Drive. Motion seconded by Commissioner Tuckey. Motion carried unanimously.
  17. **Consideration of Resolution: Special Purpose Parking Area for 633 Highland Street:** Commissioner Tuckey made a motion to approve Resolution R-2022-32, a special purpose parking request for 633 Highland Street, seconded by Commissioner Ellis. Motion carried unanimously.
  18. **Subdivision/Land Development Plans:** Director of Building and Codes Robert Ihlein, Zoning Officer presented the following business:
    - A. **Request for Modification of Regulations of Chapter 257-Swimming Pools by Juan and Yarelis Perez-Soler:** Commissioner Tuckey made a motion to waive the property line set back requirements to allow an above ground 15-foot pool or inground pool of 10 feet by twelve feet. Commissioner Ellis seconded the motion. Motion carried unanimously.
    - B. **Approval of Land Development Plan No. 2022-03C for Capital Region Water:** Capital Region Water submitted a preliminary/final land development plan for the addition and modification of process treatment buildings and installation of new equipment. The applicant is asking for a waiver from the stormwater management ordinance and requirements of the floodplain management ordinance. The applicant is also asking for a waiver from the subdivision and land development ordinance requirement for the submission of a preliminary plat and a waiver of the design standards in floodplains requirements. The original plans have ben revised to reflect the comments from County Planning, the Zoning Officer, the Township Engineer, and the Township Stormwater Engineer. The Township Planning Commission has recommended approval of the waivers and the revised final plans. Engineering and zoning staff are satisfied with the revised plans. The applicant will have to comply with the standard conditions of final plan approval.

The following waivers are requested by the developer: approval of a waiver from section 253.10 of the township subdivision and land development ordinance that requires the submittal of a preliminary plat. Approval of a waiver from section 253.23 of the township subdivision and land development ordinance regarding design standards in floodplains. Approval of a waiver as provided for in section 156.35 of the township floodplain management ordinance that allows the Board of Commissioners to grant relief from the strict application of the chapter's requirements. Approval of waivers from Section 247.12 and 247.13 of the stormwater management ordinance regarding volume controls and rate controls.

Commissioner Tuckey made a motion to approve Resolution R-2022-33 subject to the waivers discussed. Vice President Varner seconded the motion. The motion carried unanimously.

- C. **Approval of Minor Subdivision Plan No. 2022-05R for Mario Rodriguez:** The applicant is the owner of a property located at 435 Penn Street. The proposed subdivision would leave the existing dwelling unit on a 7,000 square foot parcel and create a 6,750 square foot building lot. The original plans are being revised to reflect the comments from County Planning, the Zoning Officer, and the Township Engineer. Engineering and zoning staff are satisfied with the revised plans and endorses the recommendation to approve the plans. The following waivers are requested by the developer: approval of a waiver from section 253.11 of the township subdivision and land development ordinance that requires the submittal of a preliminary plat. Approval of a waiver from section 253.32 of the township subdivision and land development ordinance that requires the construction of sidewalks and accept the fee in lieu of.

Vice President Varner made a motion to approve Resolution R-2022-34 subject to the waivers discussed. Commissioner Tuckey seconded the motion. The motion carried unanimously.

- D. **Approval of Land Development Plan No. 2022-06C for HK Equipment Group:** The applicant and owner is HK Equipment Group, they have submitted a preliminary/final plat for 371 Milroy Road. They would like to adapt the property for their business which is the sales and service of jockey tractors use in the transportation industry. The original plans have been revised to reflect the comments from County Planning, the Zoning Officer, the Township Engineer and the Township Stormwater Engineer. The Township Planning Commission has approved the waivers and the revised final plans. Engineering and zoning staff are satisfied with the revised plans. The applicant will have to comply with the standard conditions of final plan approval.

The following waivers are requested by the developer: approval of a waiver from section 253.10 of the township subdivision and land development ordinance that requires the submittal of a preliminary plat. Approval of a waiver from section 353.32 of the township subdivision and land development ordinance that requires the construction of sidewalks and accept the fee in lieu of.

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Commissioner Ellis made a motion to approve Resolution R-2022-35 subject to the waivers discussed. Commissioner Tuckey seconded the motion. The motion carried unanimously.

19. **Visitors Requests and Comments:** None
20. **Possible Stormwater Violations:** None
21. **Commissioners Requests and Comments:**
  - A. **Commissioner Ellis:** National Night Out will take place on Tuesday, August 2 from 6 to 8 p.m., at Vanatta park.
  - B. **Commissioner Tuckey:** Chambers Hill Fire Company will hold a chicken BBQ on Saturday beginning at 10:30.
  - C. **Vice President Varner:** Coffee with a Cop will be held tomorrow at the municipal building at 9:00 a.m.
  - D. **President Zubeck:** Invited everyone to attend National Night Out, the chicken BBQ and Coffee with a Cop.
22. **Adjournment:** Commissioner Ellis made a motion to adjourn the meeting at 9:00 p.m., seconded by Commissioner Tuckey. Motion carried unanimously.

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Karen Alleman, Secretary