

MINUTES

SWATARA TOWNSHIP

REGULAR MEETING II

MAY 10, 2023

BOARD OF COMMISSIONERS

1. **Call to Order:** President Zubeck called the Regular Meeting II of the Swatara Township Board of Commissioners to order at 7:06 p.m. on Wednesday, May 10, 2023. 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, Solicitor Kevin Hall, Director of Public Safety and Sergeant-at-Arms Darrell Reider, Deputy Chief Tom Stauffer, Director of Planning and Zoning Robert Ihlein, Public Works Crew Leader Gregg Miller, and Secretary Karen Alleman.
5. **Announce Executive Session:** An executive session was not held this evening.
6. **Swearing In of Sergeant Shawn Moore:** Director Reider noted the accomplishments of Sgt. Moore thus far in his career. Magisterial District Justice Michael J. Smith swore Sgt. Moore in with his family in attendance, his children presented him with his badge.
7. **Awards Presentation:** Director Reider presented awards to the following officers:
 - A. Award of Heroism: Officer Rod Zwigart
 - B. Team Achievement Award: Cpl. Matt Corby, Officer Rod Zwigart, Officer Tyler Margeson and Officer Mick SnyderOfficer Zwigart was presented with the Team Achievement Award and prestigious Swatara Township Police Award of Heroism. The award was a result of his actions during the apprehension of a wanted individual on March 24th. The Team Achievement Award was also presented to Cpl. Matt Corby, Officer Tyler Margeson, and Officer Mick Snyder for their assistance during this incident.
8. **Presentation of Proclamation to Rutherford Fire Company:** President Zubeck presented the Rutherford Fire Company with a proclamation recognizing their 100th Anniversary.

The Regular Meeting II of the Board of Commissioners recessed at 7:25 p.m. for a public hearing for the Inter Municipal Liquor License Transfer of Swatara Diner LLC, 5610 Derry Street. The hearing concluded at 7:44 p.m. The Regular Meeting II of the Board of Commissioners reconvened at 7:44 p.m. Commissioner Tuckey made a motion to meet in executive session to discuss legal matters surrounding the liquor license transfer request. Motion seconded by

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Commissioner Varner. Motion carried unanimously. The executive session was held until 7:56 p.m. The Meeting II of the Board of Commissioners reconvened at 7:56 p.m.

9. **Consideration of Resolution: Liquor License Transfer for Swatara Diner:**
Commissioner Ellis made a motion to approve the Liquor License Transfer for Swatara Diner LLC, seconded by Commissioner Varner. Motion carried unanimously. This is Resolution R-2023-28.

10. **Visitors Requests and Comments: Mary Klaus, 447 Pritchard Court:** Would like to discuss personnel matters with the Board regarding Chambers Hill Fire Company. She asked for an executive session with the Board. The Chambers Hill Fire Company will have the first chicken BBQ of the season on May 13.

11. **Motion to Approve Agenda:** Commissioner Tuckey made a motion to approve the agenda, seconded by Commissioner Varner. Motion carried unanimously.

12. **Motion to Approve Items on Consent Agenda:** Commissioner Tuckey made a motion to approve the consent agenda, seconded by Commissioner Varner. The motion carried unanimously.
 - A. Monthly Departmental Reports
 - B. Committee Reports
 - C. Codes Report
 - D. Gaming Grant Co-Applicant Request – Swatara Karate
 - E. Gaming Grant Support Letter Request – Graceful Acres
 - F. Approval of Request for Stormwater Staff to Attend StormFest in Camp Hill Borough on July 26
 - G. Approval of Educational Incentive Request for Sgt. Baluh – PPA513
 - H. Approval of Educational Incentive Request for Sgt. Baluh – PPA503

13. **Consideration of Minutes: May 3, 2023:** Commissioner Ellis made a motion to approve the May 3, 2023, Regular Meeting I Minutes, as presented, seconded by Commissioner Varner. Motion carried unanimously.

14. **Reports:** Monthly reports were presented at the May 3 meeting.
 - A. **Treasurer’s Report:** There was no Treasurer’s Report this evening. The April and May reports will be presented at the June 14 meeting. Manager Fosselman noted that PennDOT has released construction dates for the I-83 project. They will be posted to the township website.

B. **Solicitor's Report:** Solicitor Hall said the stormwater litigation against Norfolk Southern is still in progress. The stormwater engineer has been asked to complete a study of stormwater flow.

The tax appeal matter regarding Norfolk Southern is scheduled for trial on July 17. He expects Norfolk Southern to ask for a continuance of that trial to move it to August or September. He expects the trial to move forward this year.

We are still waiting for a briefing schedule for the Smith Land Development land use.

Commissioner Ellis asked if the property owner of the Manor Drive parcel designated as a BMP, previously sold at a tax sale in December, could be informed that the property was not a buildable lot. Manager Fosselman said the property may be sold, but the purchaser should always investigate the lot before purchasing. President Zubeck suggested putting something on the website for potential land purchasers to investigate the feasibility of building on a lot.

15. **Approval of Left Turn Safety Improvement at Mushroom Hill Road and Route 322:**

The Police Department conducted a traffic survey on the left turn lane in the westbound lane of Route 322 to Mushroom Hill Road. Vehicles have been cutting the lane short by making a left turn lane into the recently constructed Dunkin Donuts and gas station.

Deputy Chief Stauffer said vehicles have also been making left turns out of the parking lot, crossing two eastbound lanes of traffic onto Route 322. Director Reider said the owner of Dunkin Donuts has agreed to place a "no left turn" sign at their driveway. The township would like to place delineators on the highway to prevent left turns. President Zubeck said this project is within the township budget because the Public Works Department will be conducting the work. The project cost should be around \$8,000. Commissioner Tuckey made a motion authorizing the expenditure for a left turn safety improvement at Mushroom Hill Road and Route 322 and to seek PennDOT approval for the project. Commissioner Varner seconded the motion. Motion carried unanimously.

16. **Approval of Cost Sharing Agreement for Rutherford Paving with Veolia Water:**

Commissioner Tuckey made a motion to enter into an agreement with Veolia Water, subject to legal review, for the paving of North 65th, North 66th, North 67th, North 69th, Jefferson, Somerset, Huntington, and Clearfield Streets where watermain were replaced. Commissioner Varner seconded the motion. Motion carried unanimously.

17. **Subdivision/Land Development Plans**

A. **Final Reduction of Letter of Credit for Sunpointe Townhomes IV, LP:**

Commissioner Tuckey made a motion to approve the final reduction of First National Bank Letter of Credit No. 2135 that is being held for Sunpointe Townhomes IV, LP by

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\$5,610.00. The remaining balance should be zero and the letter returned to the bank. Commissioner Varner seconded the motion. Motion carried unanimously.

B. Date for Public Hearing (June 14, 2023) to Consider Proposed Rezoning for Harrisburg Mall – General Commercial to Light Manufacturing and Industrial: A petition to amend the Zoning Ordinance has been filed by Harrisburg Mall LP.

Commissioner Tuckey made a motion to hold a public hearing on June 14, 2023, at 7:15 p.m. for consideration of rezoning 3501 Paxton Street, and three adjoining properties, 3695 Paxton Street, 421 Friendship Road and 441 Friendship Road from General Commercial to Limited Manufacturing. Commissioner Varner seconded the motion. Motion carried unanimously.

C. Announcement of Zoning-Hearing Board Hearing – Chick-Fil-A, 4651 Lindle Road: Chick-Fil-A Restaurants has applied for dimensional variances needed to construct new canopies in the side and rear yards and to widen an existing nonconforming driveway as part of proposed drive thru traffic circulation improvements. The hearing will be held on June 15, 2023, at 7:00 p.m.

18. **Visitors Requests and Comments: Beth Sviben, 1371 Dayton Road:** She is a member of the Central Dauphin School Board. She made a motion at the March school board meeting to change Student Government Day to Richard Boudier Student Government Day and it was approved unanimously.

19. **Possible Stormwater Violations for Investigation:** Nothing at this time.

20. **Commissioners Requests and Comments:**

A. **Commissioner Ellis:** Thanked everyone for participating in the 10th Annual Earth Day Cleanup on April 23. Thanked Commissioner Tuckey and everyone involved for organizing the Senior Fair on April 26. Thanked the students and parents from Swatara Middle School for participating in Richard Boudier Student Government Day. She received a request from David Boudier, Commissioner Boudier's son, to read an excerpt from the March 13, 2023 Central Dauphin School Board meeting where they approved the renaming of Student Government Day to Richard Boudier Student Government Day (copy of minutes attached). Wished all the women a Happy Mother's Day.

B. **Commissioner Tuckey:** Thanked everyone who attended the Senior Fair, and LCBC for allowing the event to be held at their venue. Thanked township staff for their help in putting the Senior Fair together. An informative senior program is being planned for every month.

C. **Commissioner Varner:** Thanked Commissioner Tuckey and everyone who worked on the Senior Fair. He received many positive comments regarding the Senior Fair.

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- D. **Commissioner Zubeck**: Thanked the Senior Committee for putting on a great event. She asked for David Boudier's comments to be added to the minutes. Wished all the moms a Happy Mother's Day.
19. **Adjournment**: Commissioner Tuckey made a motion to adjourn the meeting at 8:41 p.m., seconded by Commissioner Ellis. Motion carried unanimously.


Karen Alleman, Township Secretary

8.08 Tax Appeal Settlement

The Administration recommended approval of the Tax Appeal Settlement for Target Corporation tax parcel #63-027-305, as discussed in the February 27, 2023 Executive Session.

Motion of Mr. Ryan Gonder, Second of Mr. David Doernemann

Roll Call Vote:

Betz	Aye	Gonder	Aye	Silvers	Aye
Bingaman	Aye	Jacobs	Aye	Sviben	Aye
Doernemann	Aye	Roberts	Aye	Thompson	Aye

8.09 Designation of Student Government Day at Swatara Middle School

The Board recommended the designation of Student Government Day at Swatara Middle School be named the Richard Boudier Student Government Day.

Motion of Ms. Beth Sviben, Second of Mr. William Roberts

Roll Call Vote:

Betz	Aye	Gonder	Aye	Silvers	Aye
Bingaman	Aye	Jacobs	Aye	Sviben	Aye
Doernemann	Aye	Roberts	Aye	Thompson	Aye

8.10 Public Speakers for Non-Agenda Items

There were no public speakers.

8.11 Board Representative's Report

Mrs. Janelle Bingaman congratulated CDHS on their musical, 42nd Street.

Mrs. Janelle Bingaman reported that the district Facebook page has been updated and we are getting to see a lot more things that are taking place in the district. Mrs. Bingaman thanked Mrs. Leib for her efforts.

Ms. Beth Sviben thanked State Representative David Madsen for attending the Board Meeting.

Ms. Beth Sviben reported that she spoke with Swatara Township Director of Public Works and provided an update on the Highland Street Sidewalk project at Swatara Middle School.

8.12 Board Committee Reports

Mrs. Janelle Bingaman reported that a Technology Committee Meeting was held on March 2nd. A discussion was held regarding the collection of Chromebooks at the elementary schools. Principals will be sending out a link for the BriteBytes Survey. Mrs. Bingaman encouraged parents to participate in the survey.

Mrs. Lauren Silvers reported that a Policy Committee Meeting has been scheduled for Thursday, April 13th at 5:30 p.m. in the Administration Building Board Room.