

MINUTES

SWATARA TOWNSHIP

REGULAR MEETING II

JULY 12, 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 7:09 p.m. on Wednesday, July 12, 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, Assistant Manager Kim Kaufman, Solicitor Kevin Hall, Director of Public Safety and Sergeant-at-Arms Darrell Reider, Deputy Chief Tom Stauffer, Director of Planning and Zoning Robert Ihlein, Director of Public Works Todd Webb, Fire Chief Mike Ibberson, and Secretary Karen Alleman.
5. **Announce Executive Session**: An executive session was held to discuss real estate and litigation matters.
6. **Awards Presentation**: Director Reider honored Victim Witness Coordinator, Mrs. Jenna Wheale with a Civilian Support Award. Jenna was assigned to the Swatara Township Police Department in 2018 and has served in the Dauphin County Victim / Witness unit for 17 years. During her time with the Department, we have witnessed her empathy and compassion for crime victims and their families. Her calm and caring demeanor assisted victims in coping with the emotional trauma of being a crime victim and navigating the court system.
7. **Visitors Requests and Comments**: None at this time.
8. **Motion to Approve Agenda**: Commissioner Tuckey made a motion to approve the agenda, seconded by Commissioner Varner. Motion carried unanimously.
9. **Motion to Approve Items on Consent Agenda**: President Zubeck asked for clarification of Item D by the Solicitor. The Order resolves litigation with a property in Chambers Hill which will ultimately be signed by the Court. In regard to the Gaming Grant requests, every year the County Gaming Advisory Board distributes gaming revenue throughout the County by awarding grants. Commissioner Ellis asked what aspects of Bishop Park and the municipal complex would be requested in the gaming grant. President Zubeck said this approval is for the Board to pursue a Gaming Grant for an undetermined project, in an undetermined amount of money. The Board will be apprised of the project and the dollar

- Commissioner Ellis asked for the effective resignation date of Patrick Horner, former member of the Planning Commission. Mr. Ihlein said his resignation was effective immediately upon receipt of his email noting his resignation.
- D. **Swatara Rising Comp Plan:** PennDOT continues to demolish mitigated properties along Paxton Street. The Planning Commission is continuing to discuss chickens. Codes continues to inspect a hotel for violations. The plan for the new municipal complex has been submitted to the Planning Commission for approval, and then the Dauphin County Planning Commission. A new hotel is planned for Port View Drive.
- E. **Fire Services/EMS Report:** Chief Ibberson presented his report to the Board. There were 129 calls for service, mutual aid was given 20 times and received mutual aid 30 times. The average response time was 5 minutes. The average turnout per incident was 7.4. Another Red Cross Sound the Alarm event will be held in Paxtang Borough and Lenker Manor for smoke detector installations. A date will be announced. Life Team responded to 294 incidents in the Township and mutual aid responded to 31 EMS incidents.
- F. **Public Safety:** Director Reider presented his report to the Board. A graduation ceremony was held on June 23 for the Youth Police Program, twelve cadets graduated. This is the fourth year the academy has been held. National Night Out will be held on August 1 from 6:00 p.m. to 8:30 p.m. at Vanatta Park.

Commissioner Ellis asked for more information regarding the fireworks display posted on the Police Department website scheduled for Labor Day weekend. She asked who was responsible for deciding to hold the event, and if the event would need Board approval before the event could be held. Director Reider said the event was posted to get the word out to residents, so they knew about it in time. He received an idea for the event from the Community Service Corporal and someone else. He felt the event could be held if it did not cost the Township anything. The Department has received corporate sponsorship for the event. The event is being held to try to bring the Police Department closer to the public. Proper procedures will be followed to make sure the event is done correctly. Local food vendors have been invited.

Commissioner Ellis asked if the Board had to vote on permission to use the property. Solicitor Hall said the law has changed. The law has changed to significantly expand the scope of reasons, and entities that can hold commercial fireworks displays. The Township's current fireworks ordinance has to be changed to allow any municipally approved entity to come to the Township and ask permission to do it.

Commissioner Ellis asked if there was a safety plan for the event, and where are the fireworks going to be set off. Director Reider said he has tasked Lt. Krahling with a safety plan. Information will be released when it becomes available.

President Zubeck said there is a State Law regarding fireworks that the Township would have to be in compliance with. The current ordinance will be amended to bring the Township into compliance with the State Law.

12. **Consideration of Parking Restrictions on Chartwood Drive, Sloan Drive and Fordham Avenue:** Commissioner Tuckey made a motion to approve parking restrictions on Chartwood Drive, Sloan Drive and Fordham Avenue. Commissioner Varner seconded the motion. Motion carried unanimously. This is Resolution R-2023-32.
13. **Consideration of Motion to Have the Solicitor Draft an Ordinance Amending the Township Zoning Ordinance to Change the Zoning Designation of Three Parcels Abutting the Harrisburg Mall from C-G to M-L, and to Have the Draft Ordinance Reviewed by the Dauphin County Planning Commission and the Township Planning Commission:** Commissioner Tuckey made a motion to have the Solicitor draft an ordinance Amending the Township Zoning Ordinance to change the zoning designation of three parcels abutting the Harrisburg Mall from C-G to M-L, and to have the draft ordinance reviewed by the Dauphin County Planning Commission and the Township Planning Commission. Commissioner Varner seconded the motion.

Commissioner Ellis asked for an overview of the change. Solicitor Hall said the Board previously voted to rezone the mall property. There are three small parcels adjacent to the mall that are currently zoned C-G. The intent would be to rezone those parcels to M-L so they would be consistent in terms with the surrounding area. Commissioner Ellis asked the lot size requirement for a warehouse. Mr. Ihlein did not know the exact lot sizes of the parcels but felt they would be too small for a warehouse.

Motion carried unanimously.

14. **Visitors Requests and Comments:** None at this time.
15. **Possible Stormwater Violations for Investigation:** Nothing at this time.
16. **Commissioners Requests and Comments:**
 - A. **Commissioner Ellis:** She requested a public update to the Bishop Park project. She requested the possibility of a You Tube Channel be reviewed again. She requested the Fire Services Board, Zoning-Hearing Board and Planning Commission meetings be placed on the Facebook page. Numerous people have contacted her with concerns regarding warehouses near housing, and the proposed Harrisburg Mall project would be in a

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residential area. She would like to see provisions for conditional use rather than change the zoning. She believes the Board was in violation of The Sunshine Law at the June 14 meeting. The Board went into Executive Session but never announced the topic when the meeting reconvened. She congratulated the Police Youth Academy graduates. She invited everyone to National Night Out on August 1 at Vanatta Park.

B. **Commissioner Tuckey**: Thanked everyone for participating in the meeting.

C. **Commissioner Varner**: Asked Mr. Fosselman to address Commissioner Ellis's request for a You Tube Channel. Mr. Fosselman said the microphones in the room are moved around by other groups that meet in the room. They are numbered for ease of recording and sometimes other groups leave the microphones on, draining the batteries. The Township does have a You Tube Channel, technicalities have to be worked out. Better equipment may have to be purchased for clear audio and video.

D. **Commissioner Zubeck**: The You Tube Channel has been set up and tested a couple of months ago. Some things still have to be worked out. She referred to Solicitor Hall to address The Sunshine Law. Solicitor Hall said it was pretty clear from the context of what was going on at the meeting, what took place in the Executive Session. Executive Sessions are announced in other contexts because it is not necessarily clear coming out from a prior meeting. She thanked the Police Department for sponsoring the Youth Academy. She thanked the Department for sponsoring the Swatty Float and the community service provided by the Department.

17. **Adjournment**: Commissioner Tuckey made a motion to adjourn the meeting at 8:12 p.m., seconded by Commissioner Ellis. Motion carried unanimously.



Karen Alleman, Township Secretary