

MINUTES

SWATARA TOWNSHIP

REGULAR MEETING II

OCTOBER 11, 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 7:00 p.m. on Wednesday, October 11, 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, Richard Boudier and Jeff Varner were present. Also present: Manager Jim Fosselman, Assistant Manager Kim Kaufman, Solicitor Kevin Hall, 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 not held this evening.
6. **Visitors Requests and Comments: Tom Connolly, 345 North Harrisburg Street:** Commented on the condition of Dewey Street. He would like to see improvements made to the roadway.
7. **Motion to Approve Agenda:** Commissioner Tuckey made a motion to approve the agenda, seconded by Commissioner Boudier. Motion carried unanimously.
8. **Motion to Approve Items on Consent Agenda:** Commissioner Tuckey made a motion to approve the Consent Agenda, seconded by Commissioner Boudier.
 - A. Monthly Departmental Reports
 - B. Committee Reports
 - C. Codes Report
 - D. Approval of Grand Prix Harrisburg LLC Partial Real Estate Tax Refund

Public Hearing for Incurring Non-Electoral Debt: A public hearing was not necessary for incurring non-electoral debt to repair Rupp Hill Road. A presentation regarding the debt was made by Erica Wible of McNeese Wallace Nurick LLC and Garrett Moore of PFM. Dauphin County has made available an infrastructure bank loan program for a net rate of 3.11%. The loan will fund the Rupp Hill Road project. If Dauphin County deems it feasible, a prepayment of the loan may be made in five years.

9. **Consideration of Ordinance: Incurring Non-Electoral Debt:** Commissioner Varner made a motion to incur non-electoral debt through the issuance of a General Obligation Note, Series of 2023, in the maximum principal amount of \$1,800,000. Commissioner Tuckey seconded the motion. Commissioner Ellis had reservations due to the budget not being discussed yet, she was uncomfortable incurring further debt. President Zubeck said the roadway needs a total reconstruction and needs to be addressed. The funding will come from the Liquid Fuels Fund, the general fund will not be affected. The motion carried unanimously. This is Ordinance O-2023-04.

The Regular Meeting II of the Board of Commissioners recessed at 7:19 p.m. for a public hearing for an amendment to the Zoning Ordinance and Zoning Map. The Regular Meeting II of the Board of Commissioners reconvened at 7:41 p.m.

10. **Consideration of Ordinance: Amending the Zoning Ordinance and Zoning Map:** Commissioner Tuckey made a motion to amend the Code of the Township of Swatara, Chapter 295, "Zoning" by modifying Sections 295-25 and 295-26.E in order to rezone from the C-G General Commercial District to the M-L Light Manufacturing/Industrial District the parcels 63-027-093, 63-024-057 and 63-024-056. Commissioner Varner seconded the motion.
- Commissioner Ellis said there is a lack of consistency that does not line up with decisions made in the past. President Zubeck said the property off of 322 was zoned the way it is before she was a commissioner. In her opinion the Board has done a pretty good job taking the issues before them and making informed decisions. President Zubeck asked for a roll call vote of the Board.

Commissioner Ellis	No
Commissioner Boudier	No
President Zubeck	Yes
Commissioner Tuckey	Yes
Commissioner Varner	Yes

The motion carried with two no, and three yes votes. This is Ordinance O-2023-05.

11. **Consideration of Minutes: Regular Meeting I of October 4, 2023:** Commissioner Ellis made a motion to approve the October 4, 2023 Regular Meeting I Minutes, as presented, seconded by Commissioner Tuckey. Motion carried unanimously.

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12. **Reports:** Monthly reports are posted in the lobby of the municipal building.
- A. **Manager's Report:** Manager Fosselman said Dauphin County has been a huge supporter of the Rupp Hill Road project. The project should begin in 2025.
 - B. **Treasurer's Report:** Commissioner Tuckey made a motion to approve the September Treasurer's Report, seconded by Commissioner Varner. The motion carried unanimously.
 - C. **Solicitor's Report:** Solicitor Hall said he is monitoring three real estate tax appeals. The Norfolk Southern tax trial is scheduled to be tried in February of 2024. In regard to the Norfolk Southern stormwater litigation, they seem amenable to paying their back due payments with interest. The only outstanding issues would be related to the pipe and access to the property. There is no update regarding Smith Land Appeal.
 - D. **Swatara Rising Comp Plan:** Director Ihlein said there were three new single family building permits issued. PennDOT continues to demolish homes for the Route 83 project. The old quarry behind Paxton Street has been filled in and will be used by J.B. Hunt as a "drop lot." He has a positive outlook for 2024 in the building and land development area. Infrastructure improvements are important to the community.
 - E. **Fire Services/EMS Report:** Chief Ibberson presented his report to the Board. There were 95 calls for service, mutual aid was given 30 times and received mutual aid 16 times. The average response time was 4 minutes, 24 seconds. The average turnout per incident was 7.8 responders. There were zero calls for service in Paxtang Borough. Chief Steve Boyer of Community Life Team gave his report to the Board. They responded to 293 incidents in the Township and mutual aid responded to 42 EMS incidents. The average response time was 9 minutes and 57 seconds.
 - F. **Public Safety:** Deputy Chief Stauffer presented his report to the Board. The department responded to 1,568 calls for service. A very successful fireworks display was held on September 2 at Bishop Park. The K-9 chicken BBQ raised over \$3,400. A Halloween Walk Through event will occur on October 26 from 6:00 p.m. to 7:30 p.m. at Vanatta Park. Trick or Treat will occur on October 31 from 6:00 to 8:00 p.m. The 5K Hero Run will take place on November 5. Coffee With A Cop will be held tomorrow at 9:00 a.m.
13. **Authorization to Advertise an Open Burning Ordinance:** Commissioner Tuckey made a motion to advertise the open burning ordinance, seconded by Commissioner Varner. Public Works Director Webb said this is a requirement for a grant that the Township applies for through DEP. Motion carried unanimously.
14. **Subdivision and Land Development Plans:**
- A. **Request for Reduction of Financial Security for 2021-01C Preliminary/Final Land Development Plan of 401 Park View Drive:** Commissioner Boudier made a motion to approve the reduction of Centric Bank letter of credit number 427 that is being held for

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PDC Property Holdings Two LLC by \$372,398.39. The remaining balance should be \$76,503.66. Commissioner Varner seconded the motion. Motion carried unanimously.

- B. **Request for Reduction of Financial Security for Triple Crown Corporation at Eisenhower Business Center, Eisenhower Boulevard:** Commissioner Tuckey made a motion to approve the reduction of Philadelphia Insurance Bond number PB0015581992 that is being held for Triple Crown Corporation by \$83,476.82. The remaining balance should be \$899,183.18. Commissioner Varner seconded the motion. Motion carried unanimously.

15. **Visitors Requests and Comments:**

- A. **Shane Steele, 613 Barbara Drive:** Would like to see a playground for the Chambers Point development. He asked for a percentage of liquid fuels fund monies that will be allocated to the new infrastructure loan. Mr. Fosselman said the 63rd Street Bridge loan will be paid off and the new loan will be paid from the same account. Mr. Steele would like to see the Stormwater Authority budget posted to the website.
- B. **Tom Connolly, 345 North Harrisburg Street:** The capital project list is located on the website. Regarding warehouses, the previous Board voted unanimously to not go with warehouses.

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

17. **Commissioners Requests and Comments:**

- A. **Commissioner Ellis:** Halloween Walk Through will be held at Vanatta Park on October 26, vendor spaces are still available. Trick or Treat is October 31 from 6 to 8 p.m. The first budget meeting will be held tomorrow (fire, ambulance, liquid fuels, debt fund and OLDS), followed by October 16 (police, business privilege and administration) and October 23 (public works, codes and zoning, facilities and recreation). All meetings begin at 6:00 p.m. She asked when the Stormwater Authority budget will be presented. Mr. Fosselman said it will be presented at the November Stormwater Authority meeting. She asked for a public presentation regarding the capital projects list.
- B. **Commissioner Boudier:** Recognized Beth Sviben in the audience this evening. He asked Chambers Hill voters to pay attention to the vote tonight regarding the zoning change because it could come back to haunt them.
- C. **Commissioner Tuckey:** The zoning changes this evening dealt with three small parcels near the Harrisburg Mall. The lots are not large enough to place a warehouse on.
- D. **Commissioner Varner:** He hoped the public could see past and through the scare tactics and hysteria attempting to be created. Most of the Board are about finding solutions and using common sense to look at the different situations that come up.

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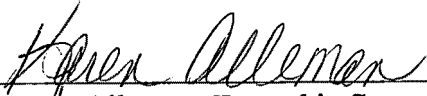
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- E. **Commissioner Zubeck**: As the Finance Chair, she invites residents to personally attend, or watch the October 12 (fire, ambulance, liquid fuels, debt and OLDS), October 16 (police, business privilege tax, administration) and October 23 (public works, codes and zoning, building facilities and recreation) budget meetings. These meetings are important to see firsthand how the budget works. Regarding previous comments, she never said projects would not be completed. She was the first Commissioner to initiate the first paving project in double digit years. The paving had been ignored for a long time. When the borrowing took place, she was encouraged to support it because the projects she wanted were part of the capital plan. The projects she wanted were never part of the capital plan. When she saw the plan, she saw a public safety building and public works building which did not include site work or administration. For \$20 million, something else should have been included. Not one road project was part of that plan. There is a lot of misinformation, but it is not coming from this Board. In addition, she recognized this month as Breast Cancer Awareness Month.
18. **Adjournment**: Commissioner Ellis made a motion to adjourn the meeting at 8:41 p.m., seconded by Commissioner Varner. Motion carried unanimously.



Karen Alleman, Township Secretary