

MINUTES

SWATARA TOWNSHIP

REGULAR MEETING II

MARCH 13, 2024

BOARD OF COMMISSIONERS

1. **Call to Order**: President Ellis called the Regular Meeting II of the Swatara Township Board of Commissioners to order at 7:03pm on Wednesday, March 6, 2024. The meeting was held at the Swatara Township Municipal Building, 599 Eisenhower Boulevard, Harrisburg, PA.
2. **Pledge of Allegiance**: President Ellis led the audience in the Pledge of Allegiance.
3. **Moment of Silence**
4. **Roll Call**: Commissioners Michael Tuckey, Christine Zubeck, Tom Connolly, Shane Steele and Shaela Ellis were present. Also present: Manager Jim Fosselman, Solicitor Scott Wyland, Director of Planning and Zoning Robert Ihlein, Fire Chief Mike Ibberson, Deputy Police Chief and Sergeant-At-Arms Thomas Stauffer, Treasurer Brittany Yarzinsky and Secretary Jen Yesavage.
5. **Announce Executive Session**: No executive session was held prior to this meeting.
6. **Awards Presentation**: Deputy Chief Thomas Stauffer presented Officer Patrick Walsh with the 2023 Officer of the Years Award for 2023 and Officer Mick Snyder with the Officer of the Quarter Award for the 4th quarter of 2023.
7. **Visitors Requests and Comments**:
 - A. **Debra Noles, 6080 Hocker Street**: she spoke about the hiring of two Overnight Shift Desk Clerks and questioned the need for that based on previous conversations about the dire financial situation of the Township
 - B. **Rudy Marmaro, 11 Nissley Drive**: he spoke of the benefits of raising chickens
 - C. **Jody Marmaro, 11 Nissley Drive**: she reiterated the benefits of raising chickens
 - D. **Tom Garlic, 6050 Hocker Drive**: he questioned the pay increases listed on the consent agenda for the evening and the conflict waiver and how he views the sitting commissioners being on multiple boards in the Township as a conflict of interest
 - E. **Debra Noles, 6080 Hocker Street**: she also spoke about the conflict of interest and how someone should not be in positions of power on multiple boards
8. **Motion to Approve Agenda**: President Ellis and Solicitor Wyland noted that resolution numbers moving forward would be blank and the numbers would be assigned as resolutions are passed to keep them sequential. President Ellis made a motion to approve the agenda, noting that items 9G and 9I on the Consent Agenda would be moving to items 13G and 13H respectively, seconded by Vice President Steele. The motion passed unanimously.

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9. **Motion to Approve Items on Consent Agenda:** Vice President Steele made a motion to approve the consent agenda, seconded by Commissioner Connolly.

Commissioner Tuckey	Yes, No on item 9H
Commissioner Zubeck	Yes, No on item 9H
Commissioner Connolly	Yes
Vice President Steele	Yes
President Ellis	Yes

The motion carried.

10. **Consideration of Minutes:**

- A. **Regular Meeting I of March 6, 2024:** President Ellis made a motion to approve the minutes, seconded by Vice President Steele.

Commissioner Tuckey	Yes
Commissioner Zubeck	Abstain
Commissioner Connolly	Yes
Vice President Steele	Yes
President Ellis	Yes

The motion carried.

11. **Presentation by PFM: Swatara Township Financial Overview:** Ben Kapenstein spoke about the proposal that PFM is presenting to the Township to review the financial situation of the Township as a whole and come back with a comprehensive plan regarding the current budget and whether the Township is on a path of success. They would assess where the Township is financially, assess what the future would look like on the current financial path and provide different options that could be considered to help with the financial situation in the future. The motion to accept this proposal was made by Vice President Steele and seconded by President Ellis. The motion passed unanimously.

12. **Presentation by Dawood Engineering: Dewey Street Wall Options:** Rainer Niederoest from Dawood Engineering, Inc. gave a presentation highlighting 3 proposed options for the Dewey Street Improvement Project. He showed various images from the start of project in 2019 to present day and showed how much the road has deteriorated and the urgency for getting this project completed. Mr. Niederoest mentioned that changing

Dewey Street to one way would be a good option for safety until the repairs can be completed. After speaking with the school district, the direction of the one way would be preferably going out from the school to the community. A shorter proposal will be provided and made available for review on the website. A motion to approve option number 3 was made by President Ellis and seconded by Commissioner Connolly. The motion passed unanimously.

13. **Subdivision/Land Development Plans:**

A. Plan No. 2023-10C: Preliminary/Final Land Development Plan for Proposed

Trailer Drop Lot: Greg Holtzman from BL Companies gave a presentation on behalf of JB Hunt. They are asking for conditional approval of the of the development at 2224 Paxton Street. The lot was a quarry until the flood of 1972 and the contents of the quarry are still settling. The proposed development is to put a concrete cap over the quarry and make this a parking lot for JB Hunt to use for the chassis and containers that it pulls from the Norfolk Southern yards. The requested modifications and waivers are:

- a) Modifications of Section 253.10A(1)(b)[5] requiring plans to be drawn at a scale of 1 inch = 100 feet
- b) Waiver of Section 253.11 and 12 of the Township Subdivision and Land Development ordinance that requires the submittal of a preliminary plat
- c) Waiver of Section 253-16M(3)(a) requiring the construction of curbs alongside of driveways.

Vice President Steele made a motion to approve modification a as well as waivers b and c collectively. Motion was seconded by President Ellis.

President Ellis made a motion to approve the resolution for conditional approval of the preliminary/final land development plan dated March 11, 2024. Motion was seconded by Commissioner Connolly. Motion carried unanimously.

Resolution R-2024-14

B. Consideration of Financial Security Reduction and Release for Mr. Cory

Messimer: approval and release of the site improvement escrow that is being held for Mr. Cory Messimer in the amount of \$3,273.75. Motion was made by Commissioner Connolly and seconded by President Ellis. The motion carried unanimously.

C. Consideration of Financial Security Reduction for PDC Property Holdings

Two LLC: approve the reduction of Centric Bank letter of credit number 427 that is being held for PDC Property Holdings Two LLC by \$71,181.98. The remaining balance should be \$4,684.68. Motion was made by Commissioner Connolly and seconded by President Ellis. The motion carried unanimously.

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- D. Consideration of Financial Security Reduction for Triple Crown Corporation:** approve the reduction of Philadelphia Insurance Bond number PB0015581992 that is being held for Triple Crown Corporation by \$793,439.08. The remaining balance should be \$105,744.10. Motion was made by Commissioner Connolly and seconded by President Ellis. The motion carried unanimously.
- E. Acceptance of Planning Commission Annual Report:** President Ellis made a motion to approve the Planning Commission's Annual Report, seconded by Vice President Steele. The motion carried unanimously.
- F. Notice of Zoning Hearing for Case No, 2024-01 – Crossroads Baptist Church:** There will be a meeting of the Zoning Hearing Board on March 21, 2024 for Crossroads Baptist Church. The Church is requesting an electronic sign larger than the allotted size for a residential area. The property is located at 350 N. Harrisburg Street.
- G. Approval of Appointment of Mary Jane Snyder to Right to Know Officer:** President Ellis made a motion to prepare a resolution to approve Mary Jane Snyder to the Right to Know Officer of the township. Motion was seconded by Commissioner Zubeck. The motion carried unanimously. Resolution R-2024-15
- H. Approval of Waiver of Conflict – Salzman Hughes:** Solicitor Wyland gave an overview of 3 legal matters between Swatara Township and Swatara Township Authority which are both represented by Saltzman Hughes. Solicitor Wyland represents the Township while Stephen Coccoresse serves as Counsel for the Authority. Solicitor Wyland and Mr. Coccoresse feel that they can represent each entity as the matters are directly between the Township and the Authority and the negotiations are not being done between the two attorneys. The motion to approve the waiver of conflict was made by President Ellis and seconded by Vice President Steele.

Commissioner Tuckey	No
Commissioner Zubeck	No
Commissioner Connolly	Yes
Vice President Steele	Yes
President Ellis	Yes

The motion carried.

14. Reports

- A. Manager's Report:** Manager Fossleman had no report at this time.
- B. Treasurer's Report:** Treasurer Yarzinsky gave the Treasurer's Report for the month of February. Motion to accept the report was made by President Ellis and seconded by Vice President Steele. Motion carried unanimously.
- C. Solicitor's Report:** Solicitor Wyland gave a brief update on 2 land use appeals with 2 developers who are willing to discuss potential conditions to the agreements but these discussions are ongoing and Solicitor Wyland will have more information at a later date.
- D. Swatara Rising Comp Plan:** Director Ilhein gave a report about some ongoing projects throughout the Township: the proposed Wawa at the Hoss's location on US322, the plan that was discussed earlier from JB Hunt, new plans accepted for review in February: Steelton Terminals, a plan to expand a building located on Witmer Road and the Swatara Exchange or Redevelopment of the Harrisburg Mall property.
- E. Fire Services/EMS Report:** Fire Chief Ibberson presented the Fire Rescue Report for February. Swatara Fire-Rescue responded to 127 calls for service including 12 fires, 26 medical incidents, 28 hazardous conditions, 12 service calls, 25 good intent calls and 22 false alarms. The 53 active members committed a total of 2,442 staffing hours and 300 trainings hours. There were an average of 7 responders per incident with an average response time of 6 minutes from dispatch to arrival. We provided mutual aid 17 times and received it 14 times. In Paxtang Borough, we responded to 7 calls for service. Eric Durham, new Deputy Chief with Life Team gave the EMS Report. For February, there were 380 EMS calls in the Township, 360 covered by Life Team with the remaining 20 being covered by mutual aid. The average response time was 9 minutes, 54 seconds. Life Team covered approximately 95% of the calls this month, an increase over last year and the highest percentage for this year. This is being attributed to the staffing of a second ambulance at the Swatara Station.
- F. Public Safety Report:** Deputy Chief Stauffer handed out the 2023 Annual Police Report before he presented the Public Safety Report for February. The Police Department handled a total of 1,351 calls for service which included 70 Part I Crimes and 126 Part II Crimes. Officers arrested a total of 76 people for Felony & Misdemeanor Crimes which included 8 for DUI. They issued 70 traffic citations and 151 traffic warnings to motorists. They issued 23 non-traffic citations and handled 25 parking violations. Officers conducted 20 foot patrols and 17 school foot patrols. A complete breakdown on calls for service and the Community Services report are posted at the Township Building and on the web portal. The Community Services Report highlighted a few items from the past month and mentioned a few upcoming items including the Easter Egg Hunt on March 23,

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2024, the Senior Fraud Forum on March 28th at PSECU's Corporate Headquarters and a bowling tournament supporting Bro2Go on April 6, 2024. He concluded by mentioning that the Coffee with a Cop program was not happening the following morning as Churros with the Chief took place the previous evening at Fiesta Mexico. More information about upcoming dinners will be provided once a location is determined.

15. **Approval of 2024 Municipal Domestic Animal Protective Services Agreement**

Amendment: the Harrisburg Humane Society has developed an amendment to the 2024 Municipal Domestic Animal Protective Services Agreement which is going to standardize the per animal fee for dogs to \$250 regardless of breed and \$176.40 per cat. The motion to approve the amendment was made by Commissioner Connolly and seconded by Vice President Steele. The motion carried unanimously.

16. **Approval of 2023-24 PADOT Municipal Winter Traffic Services Supplemental**

Agreement: Commissioner Zubeck made a motion to approve the 2023-2024 PADOT Municipal Winter Traffic Services Supplemental agreement, seconded by Vice President Steele. This supplemental agreement is due to a change in mileage that PennDOT included in the original agreement which resulted in the reimbursement to the Township being about \$4,000 higher. The motion carried unanimously.

Commissioner Zubeck made motion to approve the resolution for the Winter Services Agreement, seconded by Vice President Steele. The motion carried unanimously.
Resolution R-2024-16

17. **Consideration of Resolution: DCNR C2P2 Grant Application: Bishop Park-Phase 2:**

President Ellis made a motion to approve the resolution, seconded by Commissioner Connolly. One grant has already been received, this is a 2nd grant that would be put towards Phase 2 of Bishop Park. The motion carried unanimously.
Resolution R-2024-17.

18. **Engagement of Pace Analytical for DEP Required Water Testing of Leachate**

System: The motion was made by Vice President Steele and seconded by Commissioner Connolly. Kevin Trafka gave an overview of the leachate system at the compost facility. The facility was established in 1972 after Hurricane Agnes and has been in place ever since. The Township has reached out to DEP to see how to move forward and mitigate the leachate system as the water is running cleaner than it has in the past and we feel that this system is no longer necessary. The current vendor providing the water sampling was unable to perform the required testing for the DEP so additional vendors were contacted and Pace Analytical responded with the most cost-effective proposal. There will be

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multiple tests that need to be completed before the DEP would allow the Township to plug off that leachate system. The motion carried unanimously.

19. **Approval for Requests for Proposals – Engineering Services:** Vice President Steele made a motion to post publicly until April 10, 2024 by close of business so that a decision can be made at the April 10, 2024 meeting. The motion was seconded by Commissioner Connolly. This is a follow up from the RFP that was passed in January but no advertising had happened for that RFP, this is to post the advertising for the RFP's to be submitted for consideration. The motion carried unanimously.
20. **Proposed Zoning Ordinance Presentation: Keeping of Chickens:** Director Ilhein gave an overview of some of the proposed changes that are being considered around residents of the Township and the keeping of chickens on their property. The Planning Committee need to have more discussions additional details will be provided at a later date.
21. **Appointments to Boards and Commissions:** Commissioner Connolly made a motion to appoint Kim Coleman to the Sewer Authority, seconded by President Ellis. The motion carried unanimously.
22. **Visitors Requests and Comments:**
 - A. **Debra Noles, 6080 Hocker Street:** happy to see less bickering at the meeting and asked to keep meetings shorter moving forward.
23. **Possible Stormwater Violations for Investigation:** Nothing at this time.
24. **Commissioners Requests and Comments:**
 - A. **Commissioner Tuckey:** he thanked everyone for coming out to the meeting.
 - B. **Commissioner Zubeck:** she thanked everyone for coming out to the meeting.
 - C. **Commissioner Connolly:** he thanked Deputy Chief Stauffer for the busy week he had, thanked everyone who participated in the celebration for Chief Reider and ended by thanking everyone for coming out to the meeting.
 - D. **Commissioner Steele:** he thanked the Township staff for digging in to review the financials of the Township with the Finance Committee and thanked everyone for coming out to the meeting.
 - E. **Commissioner Ellis:** she reminded everyone about the Easter Egg Hunt on March 23rd as well as the coloring contest, thanked the presenters at the meeting as well as everyone who came out in attendance.

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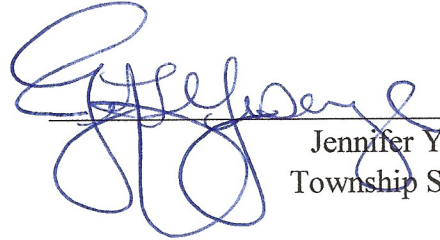
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25. **Adjournment**: Commissioner Zubeck made a motion to adjourn the meeting at 11:08pm, seconded by Commissioner Connolly. Motion carried unanimously.



Jennifer Yesavage
Township Secretary