

MINUTES

REGULAR MEETING II

SWATARA TOWNSHIP

APRIL 10, 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 7:15pm on Wednesday, April 10, 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: 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**: An Executive Session was held prior to this meeting to discuss personnel matters.
6. **Visitors Requests and Comments**:
 - A. **Debra Noles, 6080 Hocker Street**: she spoke about the situation regarding the Friendship Fire Company and their social club
 - B. **Tom Garlic, 6050 Hocker Drive**: he once again questioned the barrier situation at 322 and Mushroom Hill. Coordinator Kevin Trafka stated that the Township was ready to proceed with that project but no direct timeframe was given.
7. **Motion to Approve Agenda**: Commissioner Connolly made a motion to approve the agenda, seconded by Vice President Steele. The motion passed unanimously.
8. **Motion to Approve Items on Consent Agenda**: Vice President Steele made a motion to approve the consent agenda, seconded by Commissioner Connolly. President Ellis asked Vice President Steele to provide more information about the resignation of Township Manager Jim Fosselman. Jim has chosen to focus more on the technology upgrades for the Township and feels that he does not have the time to dedicate to being the Township Manager and handling the technology changes. Commissioner Zubeck once again asked that personnel matters be shared with all members of the board prior to the Board meetings. The motion passed unanimously.

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9. **Consideration of Minutes:**

- A. **Regular Meeting I of April 3, 2024:** Commissioner Connolly made a motion to approve the minutes as amended, seconded by Commissioner Zubeck. The motion carried unanimously.

10. **Presentation by Dawood Engineering: Swatara Township Capital Projects Plan:**

John Cherry of Dawood gave an overview of the Township's Capital Project Plans that have recently been completed, those that are being worked on right now and some projects that could be coming in the future.

- A. The completed projects included were:

- i. Repaving in Rutherford Neighborhood
- ii. Paxton Street Corridor Improvements
- iii. Derry Street Roadway Reconstruction & Repair and Stormwater Improvements
- iv. Public Works Development: Enhaut Park Wall Reconstruction and a Dog Park

- B. Some of the projects in progress are:

- i. Dewey Street Roadway Reconstruction & Repair
- ii. Oberlin Intersection Curb Cut Improvements
- iii. Spruce Ridge & West Road Reconstruction
- iv. Rupp Hill Road Reconstruction
- v. Signal Upgrade Project at Harrisburg Street/Orchard Drive / Chambers Hill Road
- vi. 63rd Street Bridge Repairs
- vii. Pedestrian Connectivity Projects – Highland Street, Eisenhower Boulevard
- viii. Bishop Park

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

- A. **Plan No. 2024-02C: "Final Land Development Plan for Stephen & Linda Lenkevich – 7841 & 7901 Witmer Road", dated 2/20/2024; revised 3/20/2024:**

Joe Burget from Burget & Associates, Inc. spoke on behalf of the applicant who owns 2 adjacent properties on Witmer Drive. They have removed a dilapidated residential structure and would like to build onto the existing office building and the original storage building. The original storage building is currently nonconforming to the minimum rear yard setback requirement. They are now requesting one waiver, one modification and one deferral as follows:

- i. The first is a common waiver request regarding the requirements to submit a preliminary plan
- ii. The second is a common modification request regarding the scale of the plan drawings

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- iii. The third has to do with sidewalks as there are no current sidewalks on Witmer Drive so they are asking for a deferral on this item

Commissioner Connolly made a motion to approve these waivers, modifications and deferrals, seconded by Commissioner Zubeck. The motion passed unanimously.

B. Approval of Final Development Plan for Stephen & Linda Lenkevich:

Commissioner Zubeck made a motion to approve the resolution, seconded by Vice President Steele. The motion passed unanimously. R-2024-19.

12. **Reports**

A. **Manager's Report:** Manager Fossleman was not at the meeting and therefore there was no report given

B. **Treasurer's Report:** Treasurer Yarzinsky gave the Treasurer's Report for the month of March. 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 had no report to present at this time

D. **Swatara Rising Comp Plan:** Director Ilhein gave a brief overview of the Subdivision & Land Development Plan currently in the process of being reviewed by the Planning Commission: the proposed Wawa convenience store on Bridge Road, the Steelton Terminals, the Final Land Development Plan for Stephen & Linda Lenkevich and the Swatara Exchange (Harrisburg Mall Project)

E. **Fire Services/EMS Report:** Fire Chief Ibberson presented the Fire Rescue Report for March. Fire-Rescue responded to 129 calls for service, including 14 fires, 38 medical incidents, 9 hazardous conditions, 8 service calls, 37 good intent calls and 23 false alarms. We had 53 active members and a total of 1,526 staffing hours and 300 training hours. We had an average of 8 responders per incident with an average response time of 5 minutes and 23 seconds. We provided mutual aid 21 times and received it 25 times. In Paxtang Borough, we responded to 1 call for service. Community Life Team responded to 401 incidents, mutual aid covered 35 instances with an average response time of 8 minutes and 19 seconds.

F. **Public Safety Report:** Deputy Chief Stauffer gave the Police Report for March. The Department handled 1,379 calls for service which included 85 Part I Crimes and 102 Part II Crimes. Our Officers arrested a total of 64 people for Felony & Misdemeanor Crimes which included 7 for DUI. Our officers conducted a total of 16 foot patrols and 9 school foot patrols. A complete breakdown on our calls for service and the Community Services report will be posted in the Township lobby and on our web portal for anyone who is interested.

13. **Authorization to Advertise Amendments to Ordinances to Permit Keeping of Chickens:** Director Ihlein gave an overview of the Draft Amendments to permit the

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- keeping of chickens in the Township. He asked the Commissioners for permission to work with Solicitor Wyland to ensure the ordinance changes were accurate in the legal terminology. He hopes to have a hearing in May which is required to make any changes to the zoning ordinances. Vice President Steele made the motion which was seconded by President Ellis. After further discussion about the potential amount of the permit, it was agreed upon to have a \$5 permit fee. Vice President Steele then withdrew his original motion with President Ellis also withdrawing her second. Vice President Steele made a motion to have an annual permit fee of \$5 which was seconded by Commissioner Tuckey. The motion carried unanimously.
14. **Approval of SR441 Harrisburg Street/Chambers Hill Road/Orchard Drive Green-Light-Go Traffic Signal Project Award to C.M. High Inc.:** President Ellis made a motion to award the project to C.M. High Inc, seconded by Commissioner Zubeck. The motion carried unanimously.
15. **Approval of Bid Advertisement for Oberlin Intersection Improvements Project:** Commissioner Zubeck made a motion for the bid advertisement, seconded by President Ellis. This would be to bring existing sidewalks and ramps into ADA compliance. Vice President Steele asked that while there may be several locations that come to mind quickly, if the public has other locations they would like to see improved to bring those to the Commissioners for consideration. The motion passed unanimously.
16. **Consideration of Resolution: Intergovernmental Cooperation Agreement for Regional Water Resource Enhancement Program:** The motion was made by Vice President Steele and seconded by President Ellis. Kevin Trafka gave an overview of the Water Resources Enhancement Program (WREP). This is an inter municipal agreement in Dauphin County started by the Tri-County Planning Commission. This is a program which can be cost effective for the Township by working with neighboring municipalities in reducing the costs for the upcoming Municipal Separate Storm Sewer System (MS4) permits issues by the PA Dept of Environmental Protection. There were 3 tiers to choose from and Director Trafka is proposing that we move forward with Service Level B at a cost of \$558 for 2024 and \$13,558 for 2025. The motion was amended to specifically state Service Level B. The motion carried unanimously. R-2024-20
17. **Conditional Offer of Employment Pending Background Checks and Medical Evaluation for Part-Time Fire Fighters:** Chief Ibberson stated that these firefighters are off the civil service list and are certified by the Civil Service Commission. President Ellis made a motion to offer part-time employment to the 9 eligible Fire Fighters, seconded by Commissioner Connolly. Commissioner Zubeck questioned the need to offer employment when the board recently increased the incentive program for volunteers

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and would like to have more time to see if those incentives bring in additional volunteers. Commissioner Zubeck read her statement into the minutes – see Attachment A. Commissioner Tuckey agreed that he would like more time to see if the new incentive program is successful. She moved to table the employment offers for a year allowing time to see if the incentive program is working with the increased funding, this was seconded by Commissioner Tuckey.

Commissioner Tuckey – yes
Commissioner Zubeck – yes
Commissioner Connolly – no
Vice President Steele – no
President Ellis – no

The motion was defeated.

Vice President Steele stated that part-time volunteers are needed to fill in the staffing gaps when volunteers are at work. Commissioner Zubeck asked if these part-time firefighters would be staffing the Bressler and Chambers Hill stations or if they would all be going to Swatara Fire Company. Chief Ibberson could not confirm the placement of all potential new part-time firefighters at this time.

On the original motion to offer part-time employment:

Commissioner Tuckey – no
Commissioner Zubeck – no
Commissioner Connolly – yes
Vice President Steele – yes
President Ellis – yes

The motion carried.

18. **Consideration of Resolution: Authorization to Set Fair Market Value Bid for 2017 Pierce Enforcer 107” Aerial Ladder Truck:** Motion was made by Vice President Steele and seconded by Commissioner Connolly. This was tabled last week but some of the language in the resolution has been corrected. Commissioner Zubeck has concerns about selling this piece as we have had another ladder truck out of commission for over a year and that the cost of equipment is going up and will continue to go up over the next several years. Vice President Steele noted that this piece of equipment is currently not being utilized but is still costing the Township thousands of dollars in upkeep and

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insurance. The recommendation to sell this came from the fire officers due to the high value of used fire equipment. Commissioner Connolly noted that this piece was purchased for the Chambers Hill Fire House before it was taken out of service in January 2022. Commissioner Tuckey believes that we should leave this piece of equipment at Chambers Hill and utilize the new part-time firefighters to staff that location and keep this equipment as backup for potential future needs.

Commissioner Tuckey – no
Commissioner Zubeck – no
Commissioner Connolly – yes
Vice President Steele – yes
President Ellis – yes

The motion carried. R-2024-21

19. **Consideration of Resolution: Monroe Street Traffic Study – No Stopping, Standing, or Parking:** President Ellis made a motion, seconded by Commissioner Connolly. Deputy Chief Stauffer gave an overview of the issue at Tri-Community Elementary as traffic becomes an issue with parents parking on Monroe Street to pick up students which prohibits the buses from turning off school property. A proposed 60 foot no parking zone be placed on Monroe Street to allow buses to safely turn and to prevent students from running down into the street to get into their parents' cars. The motion carried unanimously. R-2024-22
20. **Appointments to Boards and Commissions:** none at this time
21. **Visitors Requests and Comments:**
 - A. **Joann Siebert, Bressler:** she spoke about her disdain regarding the situation in Bressler with the Fire Company being suspended
 - B. **Deb Harvey, 105 S. 47th Street:** she spoke out regarding the Bressler Fire situation and the suspension of all firefighters prior to the completion of an investigation
 - C. **Gary Harvey, 105 S. 47th Street:** he spoke about Swatara taking over coverage in Paxtang Borough instead of Station 40, the Paxtang Fire Company and why this fire station is no longer in use
 - D. **Cyndi Zalek, Chambers Street, Bressler:** she gave some back story from her time on the Board of Commissioners regarding Bressler and the situation that happened with Lawnton
 - E. **Lisa Neiter, 6140 Hocker Drive:** she spoke about the situation with the Bressler Fire Company and the rumor that the affiliated social club was also involved, she

also spoke about the recommendations from the Attorney General's office after the investigation in 2022

- F. **Tom Garlic, 6050 Hocker Drive**: he questioned Vice President Steele regarding some of his previous comments about Paxtang and how the situation should be handled the same way with the Bressler Fire Company. President Ellis stated that the investigation is ongoing but that there are several firefighters who are eligible to return to active service
- G. **Joann Siebert, Bressler**: she asked how the commissioners could get the confidence of the residents back if the allegations are found to be untrue
- H. **Gary Harvey, 105 S. 47th Street**: he would like the township to look at putting firefighters back on the trucks in Paxtang if the source of the negative situation has since been removed
- I. **Deb Harvey, 105 S. 47th Street**: she commented that there is no room for racism in the department and hopes to have any and all persons removed who may be found guilty after the investigation concludes

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

23. **Commissioners Requests and Comments**:

- A. **Commissioner Tuckey**: he reminded everyone about the Senior Resource Fair on April 24th from 10am-1pm, he thanked those who came out to the meeting and spoke about their concerns, he spoke about his concerns with the direction of the fire services, he would like to reopen both Chambers Hill and Bressler
- B. **Commissioner Zubeck**: she thanked everyone for coming out to the meeting, she heard that someone came to the Township building and was told that there was no way to reach the Commissioner, she wants that cleared up and her information corrected in the township newsletter, she hopes that those cleared in the current investigation get to return to Bressler and not a different Fire Station while the investigation continues
- C. **Commissioner Connolly**: he gave the background about the Paxtang Fire closure and how they came to Swatara for fire coverage due to reduced manpower, he also spoke about members from Lawnton approaching Swatara Township about closing due to reduced manpower and racial allegations. He concluded by stating there will be Swatara Middle School students at a meeting in May for the Richard Bowder Swatara Middle School Student Government Day
- D. **Commissioner Steele**: he spoke about the decisions that need to be made for the Township and that not all decisions will be popular, he thanked those that came to the meeting, those that watched online and those that spoke at the podium
- E. **Commissioner Ellis**: she reminded everyone about the Earth Day clean up on Saturday, April 20th, she reiterated that once the investigation is complete, a report

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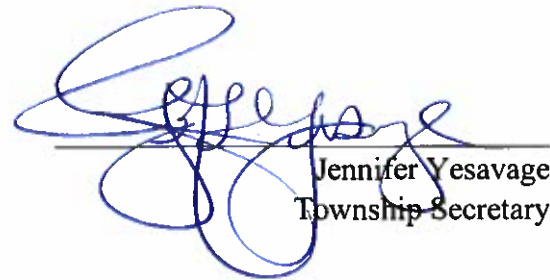
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will be available for the public to show what the investigation uncovered, she will also start to work on a report for the situation that happened at Lawnton. She thanked those who came out to the meeting as well as those who watched online.

24. **Adjournment:** Vice President Steele made a motion to adjourn the meeting at 11:30pm, seconded by Commissioner Connolly. Motion carried unanimously.



Jennifer Yesavage
Township Secretary

Attachment A:

Last year and the prior year, we budgeted for part-time firefighters to provide assistance to companies who were struggling with membership. However, in the meantime, the current Board of Commissioners passed an increase to the incentive program (something I wanted to do all along in place of paid part-time) to further incentivize volunteers. Since then, it is my understanding that the number of volunteers has increased. This was the reasoning Chief Ibberson gave most recently for the increased incentive; and I agree that it is a better alternative. It is concerning to me, that less than a month later, this Board now has on its agenda the approval of part-time paid firefighters (after passing a large increase in the firefighter incentive program). Why wouldn't the Board of Commissioners and the Fire Chief want to wait to see how the increased incentive impacts our current system? It is my deep concern that this will drive away volunteers; or maybe that's the plan of the current Administration and the Fire Chief. I also find this disturbing considering that the majority on the Board of Commissioners is looking to close yet another fire station. These actions are counterproductive to recruitment and retention of volunteers and will prove to be a tremendous burden on our taxpayers in the long-term. The amended budget removed \$150,000 from the General Fund for hydrant services, and consequently, added an additional \$150,000 into the Fire Budget. While I support increasing incentives for our rank-and-file volunteer firefighters, I think the direction the Board is going is reckless and detrimental to the volunteer fire service in this Township. If the majority on the Board has an ulterior motive, that is, to go to a fully paid fire department which will most certainly lead to significant tax increases, then you should be honest with people. Provide the public with accurate information and let the public decide.