

CapCOG Board of Delegates

Monday, February 21, 2022 - 7:00 PM

**DELEGATES IN ATTENDANCE:**

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| Camp Hill Borough, Bonnie Bentz  Conewago Township, Gary Painter  East Hanover Township, Bryan Ziegler  East Pennsboro Township, Joe Fidler  Hampden Township, Nate Silcox  Harrisburg City, Hilary Greene  Hummelstown Borough, Dee  Vangavree | Lemoyne Borough, Sue Yenchko  Londonderry Township, Anna Dale Lower Allen Township, Thomas Kutz  Lower Paxton Township, Robin  Lindsey and Norm Zoumas  Middle Paxton Township, Jim Fisher  Royalton Borough, Terry Watts  Silver Spring Township, David Lenker | South Hanover Township, Nora  Blair  South Middleton Township, Cory  Adams  Susquehanna Township, Tom Pyne  Swatara Township, Michael Tuckey  Upper Allen Township, Ken Martin  Wormleysburg Borough, Margie Stuski and Sue Stuart |

**MUNICIPALITIES NOT IN ATTENDANCE:**

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| Annville Township  Carlisle Borough  Carroll Township  Dauphin Borough  Derry Township  Dillsburg Borough  Fairview Township  Highspire Borough | Goldsboro Borough  Lower Swatara Township  Marysville Borough  Mechanicsburg Borough  Middletown Borough  Monaghan Township  Monroe Township  New Cumberland Borough | North Middleton Township  Paxtang Borough  Penbrook Borough  Shiremanstown Borough  Steelton Borough  West Hanover, Tom Stewart |

**NON-VOTING IN ATTENDANCE:**

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| Vince DiFilippo, Cumberland County  Doug Brown, Dauphin County  Lee Stinnet, Salzmann Hughes  Scott Ryno, SAFER | CapCOG STAFF  Gary Myers, Executive Director  Rhonda Campbell, Administrative Assistant |

The meeting was called to order at 7:02 p.m. by President Cory Adams.

Adams led the Pledge of Allegiance.

Roundtable introductions were made.

**Presenters**

Lee Stinnet, Salzmann Hughes.

* Solicitor for Camp Hill and Wormleysburg.
* In January, Camp Hill authorized litigation against PennDOT for I-83 tolling under P3 program. They asked him to build a coalition to fight PennDOT.
* The more municipalities interested the stronger the complaint.
* Salzmann Hughes has spoken with Wormleysburg, New Cumberland, Lemoyne, Lower Allen, and Cumberland County.
* The argument is that PennDOT didn't follow proper procedures.
* Three prongs:
  + Litigate to stop process before awarded.
  + Simultaneously, work with legislators. If successful with legislation, PennDOT may resubmit it to legislators for approval.
  + Grass roots efforts. Working with several municipalities to build public involvement.
* Talking with PennDOT and legislators to understand why they are doing the project.
* Appears the project is top-down driven.
* Goal of litigation is to have project done properly and PennDOT understands the impact of the property.
* 83 south bridge is largely used for local traffic; different than other bridges.
* Bridgeville is acting independently to get their bridge taken off the project lists.
* There is urgency because we don't want the RFP to be out because it is harder to challenge.
* Camp Hill has approved a cost-sharing agreement with litigation. Lemoyne approved. Wormleysburg will consider March 8. New Cumberland has approved with contingencies. Lower Allen is considering; presented last week.
* Salzmann Hughes has also met with county. Positive reaction from County but believe they are hopeful that the municipalities can formulate its plan and then talk to the County about their involvement.
* Difficult to determine the impact on the municipalities; it will beyond the immediate communities surrounding 83 bridge. It will trickle into more municipalities.
* The more we get involved, the cost will dramatically drop.
* Camp Hill is going forward regardless but are hopeful for regional support.
* Sue Yenchko - Everyone recognizes the south bridge needs work. But for those townships and boroughs farther out, if this bridge is tolled it will change how people get to work. It's largely a commuter bridge compared to the other eight bridges around the state. Everyone will be impacted. I dread the construction time - 4 to 8 years or maybe longer. People will change traffic patterns and it will affect 81, Carlisle Pike; people will seek a way around paying the toll.
* Dave Lenker - Would it be better to hit them on 81 bridge as well which needs work also?
  + Stinnet - it is something we are looking at. There is a question about the legality of the program. Non-delegation principal. There is an argument that by doing the P3 program, they have delegated their responsibilities to a private board with PennDOT Secretary as the chairperson. Do we want to focus on this project or the entire P3 program? We are leaning to just focusing on 83 right now.
* Lenker - RE: fuel tax increase. They used to hire more troopers rather than using funds on road repair. This needs to be noted that they raided the fuel tax funds the last few years.
  + Stinnet - One of the responses we got from PennDOT about why are they rushing since they have the infrastructure money from feds? They say that is just a drop in the bucket. PennDOT needs to find the funds to do the work they need. The south bridge alone is more than the money feds are going to give PA. Bridge is $8 billion 83 bridge. Yes, it is partly they delayed work for so long. But it is a huge funding issue. And the firms they've identified aren't local firms. A lot of political issues but it's a massive funding problem.
* Sue Stuart - We all get nervous when attorneys come because we can't afford it. I don't think we can afford *not* to get involved. The challenge is it is a bigger issue for the region but an even bigger issue because it is a slippery slope. If we allow them to start forcing fees on activities, it's only going to get worse.
* Stinnet - There were a lot of options PennDOT didn't consider. Local lanes, easy pass, etc. They didn't look at any other option.
* Lenker - A lot of people use GPS. Most of those take you on a route that is no toll. So it's going to impact local traffic that's rerouted.
* Margie Stuski - My ongoing concern started with PennDOT several years ago. They don't have answers to questions. They just decided they were going do what they wanted. There is no accountability for how the money is used. I'd like to see an audit. I think that should be part of the lawsuit. That may make PennDOT stand up and take notice. Fire and safety is at risk when increased traffic.
* Vince DiFilippo - Cumberland County will likely be included.
* Stinnet - Talks with Harrisburg, they have said they want to see what Dauphin County says. Dauphin County met recently with PennDOT. Working now to build support on the East Shore.
* Thomas Kurtz - LA Township - I think we are the first township out of the direct impact municipalities; I think we are likely to be involved in somehow. We are going to see extra congestion. But we are concerned that our local residents are going to have to pay tolls. Recommend you talk to your Board and see what they are comfortable contributing. I encourage you to have those conversations. For us, it would be great to see the names on the lawsuit grow to triple the current size. We are interested because of the impact on our 19,000 residents; many state workers commute on that bridge.
* Robin Lindsey - Doug Brown - do you have anything you can offer? Brown will follow up with Dauphin County tomorrow.
* Stinnet - $100,000 initial (60% by Camp Hill and Lemoyne). The more participants we get, I'd like to get a flat level participation number after this initial group. Then the number gets small enough so that it isn't as big an issue. Camp Hill will hold the escrow. We have a steering committee - other solicitors who work together; our bills will be sent to that group for review. Open to sharing our work product with solicitors; we are open to feedback.
* Gary Myers - Send us anything you want us to share we can email to us and we will share with our members.
* Yenchko - PennDOT is also proposing to do big-time renovations on Market Street bridge. They are talking about which bridge to start first but are talking about having both under construction at the same time. All bridges are going to be affected.

Mike Kessler, AT&T FirstNet

* Kessler discussed First Net and how it supports public safety.
* Dauphin, Cumberland, Lebanon, and Lancaster and all state agencies under the Governor use FirstNet.
* Nationwide First Responder network.
* 99% of the US population, connecting over 3 million first responders.
* Partnership with AT&T; overseen by public safety officials with decades of experience.
* Band 14 allocated to this project. Utilizes 700 MH spectrum.
* Provide mobile cellular connectivity for public safety.
* First Responder Network Authority - oversight of FirstNet/AT&T.
* 25 year contract; they are in year 5.
* What separates us from normal cell phone? Band 14 is allocated to better cover gaps and holes. Designed to propagate and extend better.
* We focus on geographic vs. population density.
* Priority access - takes you out of queue and puts you front and center in the call queue.
* Preemption - remove someone from network and put a public safety person on instead.
* Lenker - You have to be on AT&T network?
  + Kessler - You have to be a FirstNET subscriber. Independent cellular network for public safety.
  + Lenker - We have 100 employees who fall into that emergency services do they transfer their regular cell phone numbers?
    - Kessler: Two pieces: agency paid or subscriber paid. Anyone who is police, fire, EMS, can carry in personal capacity on their personal cell phone that is subscriber. Your officers realistically should have a work device.
* Primary (Fire, Police, EMS, etc.) and Extended Primary users (healthcare, utilities, education, public works, etc.)
* Lenker - If we have current phone numbers are they transferable? Kessler: Yes.

**Consent Agenda**

Consent Agenda: Jim Fisher made motion to approve. Stuski seconded. Unanimously approved.

**Executive Director’s Report**

* Western Cumberland COG Update - Met on 2/16/22 with Karen Heishman.
  + Manager of Lower Frankford Township and Director of Western Cumberland COG.
  + WCCOG now has 14 members
  + We proposed each member join as associate member @ $200.
  + If all agree, that would be $2800 vs. their previous $150.
  + Karen will present to her members at their March 14, 2022 meeting.
* Salt Bid Update
  + No issues noted to date.
  + Ordering information was sent to members October 27 and again on January 19.
* Newberry Township
  + Will be meeting with them on March 22, 2022.
  + Interested in membership. They reached out in 2020 and we responded but they did not reply.
  + A supervisor attended the Annual Dinner as a guest of Pennoni and expressed interest.

**Old Business**

* Annual Dinner
  + We had sizeable increases in attendance over last year which was expected due to Covid last year.
  + We had more elected officials attend (9) than in previous years.
  + We had our highest number of sponsors (18) and highest sponsorship amount ($15,775) in CapCOG history.
  + CapCOG netted $9865.85 (a 33% increase from 2021 and a 40% increase from 2020). This is our highest profit in CapCOG history.
* PSATS Training (12/8/21; 2/3/22; 3/16/22)
  + December 8, 2021 Training: Camp Hill Borough: 29 registered; 28 attended. CapCOG profit $325.00
  + February 3, 2022 Training: Swatara Township: 37 registered; 36 attended. CapCOG profit $370.00
  + March 16, 2022: Mechanicsburg Borough

**New Business**

* Joint Bids Ratification
  + Bids received in following categories:
    1. Chem WW Pool
    2. Construction Materials
    3. In Place
    4. Landscape Chem/Mat/Svc
    5. Line Painting
    6. Road Materials
    7. Street Sweeping
    8. Traffic Signs
  + Bids were not received in the following categories:

1. Office Supplies - No Bids
2. Fleet Materials - No Bids
3. WW/SW Products

Lenker - How aggressive is CapCOG in soliciting vendors to bid? Myers - We have a vendor list and it is advertised.

Motion to ratify the 2022-23 Joint Bids was made by Tom Pyne. Lenker seconded the motion. Unanimously approved.

**County and Planning Commission Reports**

**Cumberland County** – Vince DiFilippo

* County enacted 1st responder assistance program. Set aside money for EMS, FF, Law in the case they need counseling, therapy, support for stress, trauma.
* American Recovery Plan, started a survey 3 weeks ago. Tomorrow is last day. Official applications will be available in early March. 49 Million dollars
* County continue $5 vehicle registration fee. Next year we will replace all obsolete bridges. Going to continue to collect and hopefully help municipalities to replace their bridges.

**Dauphin County** – Doug Brown - Commissioner said thanks for dinner.

* Finalizing our allocation plan for the county.
* New programs: infrastructure bank program; not funded through liquid fuels. Stormwater infrastructure projects - help with funding. Applications open right now.
* Infrastructure bank programs - open enrollment for small bridge program.
* Gaming grant and local share grant - making recommendations to allocate $8 mill. Open May 1. Applies to non profits and for profits in county.
* Continuing to work on broad band, particularly in northern Dauphin County. Working with state and newly formed broad band authority. $100 million coming to the state from the Feds (minimum). That whole state planning process will help determine where money will go. We are very active with that.
* Passed resolution rolling out commercial property clean energy program; allows commercial property owners to finance energy upgrades and sustainable energy projects. Financing through volunteer assessment and runs with the property not owner.

**York County** – No update.

**Legislative Update**— Thomas Kutz, Lower Allen Township

Policy Director, PA State Senate.

* Budget month - House and Senate budget hearings. Phased in minimum wage proposal. Phased reduction of corporate net income tax (some bi-partisan support).
* Governor signed into law $225 million RHC facilities, nurses. $ 25M for EMS companies hit by pandemic.
* Maps - Congressional - Supreme Court hearing Friday 2/18. Hopefully will find out in the next few days. There is a chance you will be reverted to old legislative maps.

**PACOG** –Myers - No report.

**UCC, Appeals/Act 45** – Terry Watts reported. One appeal tomorrow evening. Old turkey barn the applicant wants to turn into a banquet hall. Requires a sprinkler but applicant doesn't believe that applies to him. Upper Allen Township.

**Public Safety Committee**—Nate Silcox

* SAFER Grant $2.2 million. Scott Ryno is our Program Manager.
* Our next step is hiring a marketing firm. This evening our advisory committee met and unanimously recommend Communication Solutions Group.
* Ken Martin - Three firms responded to RFP one firm bowed out before interview session. We interviewed two firms.
* Nate Silcox - Both excellent. We believe that CSG is more of a media firm and will do an excellent job.
* Silcox made a motion. Watts seconded. Unanimously approved.

**Adjourn**

Meeting adjourned 8:15 PM. Motion by Anna Dale, Watts seconded. Unanimously approved.