

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held January 19, 2010

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:34 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steven Stine, Township Solicitor; John DiSanto, Triple Crown Corporation; Gerald M. and Janel L. Miller; and Ted Robertson and Watson Fisher, SWAN.

**Pledge of Allegiance**

Mr. Crissman led in the recitation of the Pledge of Allegiance.

**Approval of Minutes**

Mr. Crissman made a motion to approve the minutes of the December 15, 2009 and January 4, 2010 business meetings as presented. Mr. Blain seconded the motion, and a unanimous vote followed.

**Public Comment**

John Trish, 600 Prince Street, questioned if any progress had been made in getting the meetings televised for the Verizon customers. He noted that he spoke to Mr. Perry from the Capital Region Council of Governments, and was told that it is up to the individual government entities to make the arrangements with Verizon. Mr. Hawk noted that the Township is working on the issue. Mr. Wolfe explained that the hard wire to provide Verizon's service to the Township building has been installed, and they are in the process of installing the internal wire in the building. He noted that Verizon has 120 days from mid November to make the television

channel live and operational. Mr. Wolfe noted that the service will be up and running before spring, and he noted, as a result of Mr. Trish's complaint, the process is moving along.

### **Chairman & Board Members' Comments**

No Board member comments were presented.

### **Recognition Ceremony for Ms. Gene Wallace**

Mr. Hawk noted that Gene Wallace has been a member of the Arts Advisory Council for the past 20 plus years and has provided the Township with much dedicated service. He requested Ms. Wallace to meet him at the podium where he would provide her with her proclamation. After the reading of the proclamation, the remaining Board members congratulated Ms. Wallace for her years of service.

### **Manager's Report**

Mr. Wolfe noted that the Friendship Center would be celebrating its 10<sup>th</sup> year anniversary on Sunday, January 24, 2010, from 1 p.m. until 3 p.m. He noted that there will be entertainment and refreshments, and he welcomed the community to attend. He noted the Friendship Center charter members would be recognized at 2:30 p.m., and be presented with a token gift of appreciation.

### **OLD BUSINESS**

#### Appointment to the Lower Paxton Township Authority

Mr. Hawk noted that Mr. Hornung's term on the Lower Paxton Authority expired on December 31, 2009. Mr. Hawk noted that with Mr. Hornung's chemical background, it would be his pleasure to recommend the reappointment of William Hornung to the Lower Paxton Township Sewer Authority. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

## NEW BUSINESS

### Resolution 10-05; Eliminating employee contributions to the police pension plan for the fiscal year 2010

Mr. Wolfe explained that this resolution is required in accordance with Pennsylvania Act 205, on an annual basis, and is part of the funding mechanism for pension plans, specifically, the police pension plan.

Mr. Seeds made a motion to approve Resolution 10-05, eliminating employee contributions to the police pension plan for the fiscal year 2010. Mr. Hawk seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, nay; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

### Request from Triple Crown Corporation for forgiveness of penalty and interest on delinquent 2007 and 2008 real estate taxes due from the Colonial Country Club property

Mr. Hawk noted that this item had been pulled from the agenda at the request of the property owner.

### Action on bids for the sale of the 1982 Pierce Arrow Engine

Mr. Wolfe noted that the Linglestown Fire Company opened bids, on behalf of the Township, on January 7, 2010, for the 1982 Pierce Arrow Engine. He noted that two bids were received, one in the amount of \$2,500, and the other in the amount of \$1,776. He noted that it is staff's recommendation not to accept the bids, and authorize the rebid of the engine.

Mr. Blain made a motion to reject the two bids provided on January 7, 2010 for the 1982 Pierce Arrow Engine. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Preliminary/final subdivision plan for Gerald M. & Janel L. Miller and  
Norman J. & Doris L. Kintzer

Mr. Wolfe noted that the purpose of this plan is to adjust a lot line between parcels 35-072-025 (Lot 7) and 35-072-010 (Lot 8). The properties are located at 6411 and 6405 Lyters Lane and are zoned R-1, Low Density Residential District. Lot 7 will consist of 11,374.241 square feet and Lot .8 will consist of 30,919.727 square feet. The properties are currently served by private wells and public sewer. There are no new public or private improvements proposed as part of this plan.

Mr. Wolfe noted on July 23, 2009 the Zoning Hearing Board granted a variance from minimum lot size requirements in connection with this proposed subdivision.

Mr. Wolfe noted on December 9, 2009 the Planning Commission recommended approval of the plan with the four waiver requests: 1) Waiver of the preliminary plan requirement; 2) Waiver of the requirement to provide a stormwater management plan; 3) Waiver of the requirement to provide an erosion and sedimentation control plan; and 4) Waiver of the requirement to provide elevation-contours for the project. In addition there are four general conditions: 1) Plan approval shall be subject to providing original seals and signatures; 2) Plan approval shall be subject to the payment of engineering review fees; 3) Plan approval shall be subject to the establishment of an improvement guarantee for the proposed site improvements; and 4) Plan approval shall be subject to addressing the four waiver comments and the one SLDO comment of HRG's memo dated January 6, 2010. He noted that staff supports the four waivers and the four general conditions.

Ms. Janel Miller questioned if the Board members had any questions of her. Mr. Hornung questioned what the total square footage was for lot seven before the requested change. Ms. Miller stated that she believed it to be one-third an acre. She noted that she currently owns a

section of the neighbors' driveway. Mr. Wolfe suggested that it is roughly a change of 300 to 500 square feet.

Mr. Crissman questioned Ms. Miller if she has any problems meeting the four general conditions that were listed in Ms. Moran memo dated January 7, 2010. Ms. Miller noted that Ms. Moran emailed her a copy of the memo and she would have no issues with meeting those conditions.

Mr. Crissman made a motion to approve the preliminary/final subdivision plan for Gerald M. and Janel L. Miller and Norman J. and Doris L. Kintzer with the following waivers and conditions: 1) Waiver of the preliminary plan requirement; 2) Waiver of the requirement to provide a stormwater management plan; 3) Waiver of the requirement to provide an erosion and sedimentation control plan; 4) Waiver of the requirement to provide elevation- contours for-the-project; 5) Plan approval shall be subject to providing original seals and signatures; 6) Plan approval shall be subject to the payment of engineering review fees; 7) Plan approval shall be subject to the establishment of an improvement guarantee for the proposed site improvements; and 8) Plan approval shall be subject to addressing the four waiver comments and the one subdivision and land development comment of HRG's memo dated January 6, 2010. Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolution 10-04; accepting Deaven and Yorkshire Roads as public streets

Mr. Wolfe noted that staff has been working to clean up an inventory of small sections of streets that never completed the street acceptance process within the Township. He noted that, occasionally, developers complete improvements but don't offer the streets for acceptance, and over time, the Township ends up maintaining streets that are not officially public. He noted that the Township does not receive Liquid Fuels Funds for those streets. He noted that a section of

Deaven Road and Yorkshire Road, as a part of phase six of the Windmere Subdivision plan, abuts Stradford Woods and the Hunters Run developments, have been complete for more than five years, however, the developer submitted the Deed of Dedication but never provided the Township with the necessary maintenance bond. He noted that the streets were never brought forward for acceptance by the Township. He noted that a maintenance bond is only good for 18 months and the Township has been maintaining these sections of streets for the past five years. He noted that staff has inspected the streets and found them to be in appropriate condition to be accepted as Townships Street.

Mr. Wolfe noted that the two streets under consideration for Township acceptance are; Deaven Road - a 60-foot dedicated right-of-way for the street extending approximately 375 feet from the dividing line between Phase III, Hunters Run of Springford traveling in a north westerly direction to the dividing line between Phase III of Windmere as shown on the Final Subdivision Plan for Windmere, Phase 6, recorded in Plan Book X Volume 6 Page 22 in the Office of the Recorder of Deeds of Dauphin County, Pennsylvania; and Yorkshire Drive - a 50-foot dedicated right-of-way for the street extending approximately 976 feet from the dividing line between Phase II, Stratford Woods traveling in a south westerly direction to the intersection with Deaven Road, Phase 6 of Windmere, as shown on the Final Subdivision Plan for Windmere, Phase 6, recorded in Plan Book X Volume 6 Page 22 in the Office of Recorder of Deeds of Dauphin County, Pennsylvania.

Mr. Crissman made a motion to accept Resolution 10-4, the acceptance of Deaven and Yorkshire Roads as public streets. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

#### **IMPROVEMENT GUARANTEES**

Mr. Hawk noted that there were four Improvement Guarantees.

Mountain Road Carwash

A reduction in a letter of credit with M&T Bank, in the amount of \$2,500.00, with an expiration date of August 4, 2010.

Candlewood Suites

A reduction in a letter of credit with Mid Penn Bank, in the amount of \$16,000.00, with an expiration date of May 12, 2010.

Bishop McDevitt High School

A new letter of credit with PNC Bank, in the amount of \$1,132,000.00, with an expiration date of January 19, 2011.

New Hope Brethren in Christ Church

A 10% increase and extension in a letter of credit, with Commerce Bank, in the amount of \$13,787.18, with an expiration date of January 19, 2011.

Mr. Seeds requested that the vote be taken separating for the Mountain Road Carwash. Mr. Crissman made a motion to approve the Mountain Road Carwash Improvement Guarantee. Mr. Blain seconded the motion. Mr. Seeds requested a roll call vote. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, nay, and Mr. Hawk, aye. Mr. Hornung questioned Mr. Seeds what his issue was with the Mountain Road Carwash. Mr. Seeds noted that the presentation for the Zoning Hearing Board for the special exception had indicated a photograph of something else, even though its current format meets the conditions of the special exception, he feels that it does not meet the requirements.

Mr. Crissman made a motion to approve the Candlewood Suites, Bishop McDevitt High School and the New Hope Brethren in Christ Church Improvement Guarantees as presented. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous voice vote followed.

### **Payment of Bills**

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Blain seconded the motion, and a unanimous vote followed.

### **Adjournment**

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 8:05 p.m.

Respectfully submitted,

Maureen Heberle

Approved by,

Gary A. Crissman  
Township Secretary