

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Workshop Meeting held June 8, 2010

An administrative workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 6:10 p.m. by Vice Chairman William C. Seeds, Sr., on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

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

Also in attendance were George Wolfe, Township Manager; Steven Stine, Township Solicitor; David Johnson, Public Safety Director; Brian Luetchford, Parks and Recreation Director; Robert McIntyre, Tom George, Linda Laub, James Searle, Parks and Recreation Board; Mark Levine; Tara Mead; Ron Lucas, Stephens and Lee; Rick Szeles; Dave Bratina; and Eric Epstein, Watson Fisher and Ted Robertson, SWAN.

Pledge of Allegiance

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

Public Comment

Mr. Mark Levine wanted to thank Mr. Wolfe and Sgt. Steven Paoletti and the members of the Public Works Department who installed the new chevrons on Crums Mill Road. He noted that it is a great improvement and they can be viewed from a distance and should help to prevent any further vehicle accidents.

Mr. Eric Epstein distributed pamphlets entitled "Where to Go", that are published by his business. He noted that the pamphlets are free and contain information on social services offered in the area. He noted if the Township is interested in securing some of the pamphlets it should place its order now as they sold out last year.

Mr. Epstein expressed his congratulations to Mr. Wolfe on winning the PSATS 21st Annual President's Leadership Award during their annual conference held in April. He noted that he is the best looking Township Manager as well.

Discussion with the Parks and Recreation Board regarding a
planning process for the Wolfersberger Tract

Mr. Luetchford explained that the Parks and Recreation Board (PRB) have been considering what to do with the Wolfersberger Tract for a number of years. He noted that as of January 2011, the tract will be paid off and the property will be deeded to the Township. He noted that the property consists of 93 acres, and that it is located close to Koons Park. He explained that he has applied to DCNR for a grant to create a plan for these two parcels as sister parks.

Mr. Robert McIntyre explained that the first thing that must be done quickly since the Township will take over possession of the property in January is to determine what should be done with the back portion of the property that is presently occupied by the Linglestown Paintball business. He noted if the business is to continue to function on that property the Township will have to take the necessary steps for the business to secure a license to operate. He noted that it would not be fair to wait to inform the business that they must exit the premises or negotiate an agreement in the last quarter of 2010. He noted that it is incumbent on the Township to take some action for that portion of the land.

Mr. McIntyre noted that it would be wonderful if the Township could develop the park into something fantastic right away but the PRB understands the current economic situation for the Township. He noted, at some point the tract will be developed and in order to assist the Board in its future decisions, it would be great to know what the needs of the residents are. He also noted that it would be good to determine what could be provided, now at a minimal cost to the Township. He noted that it is necessary to look at what can or cannot be done.

Mr. McIntyre explained that he is requesting the approval from the Board to start the planning process for the future park. He explained, when the PRB meets with the various groups they will explain that the Township is not looking to develop the park at this time, however, it is gathering information of what the various needs may be. He noted a factor for future planning is what Mr. Yingst's plans to do with his tract of land. He noted that it may greatly affect the use of the park land. He noted that the PRB wants to identify the needs of the residents and what it can do with the land it has. He noted that it may be best served as leaving it in its natural state and adding a greenway connecting it to other Township greenways.

Mr. Wolfe noted that the tract is made up of two parcels, one wooded and hilly consisting of 39 acres, and the second is relatively flat and cleared made up of 54 acres that fronts Wenrich Street. He noted that there is a dirt drive that connects from Wenrich Street to the second parcel's parking area where the Paintball business uses the rear 39 acres. He reminded the Board members that there was some discussion with CASA about developing the 54 acres into a soccer complex, but that has since fallen by the wayside. Mr. McIntyre noted that the 54 acre tract has 25 % wetlands located to the south of the property.

Mr. Seeds questioned if the Linglestown Paintball has a long-term lease with the Spangler's. Mr. McIntyre answered that he did not recall but he thought it was a month-to-month lease. Mr. Seeds noted that he would want a recommendation from the PRB on this issue.

Mr. Crissman thanked the PRB for understanding where the Township is financially. He stated that he appreciates that fact that they are looking at this as a long-range planning plan to secure the best product for the citizens of the Township. He noted that good planning is needed, and he suggested that it is a very good approach to collect data to come up with a recommendation. He noted that the PRB would be planning for future generations and this is a very good approach. Mr. McIntyre noted that that was the approach taken in planning the Friendship Center.

Mr. McIntyre explained that he has represented Don Heitzman who operates the Linglestown Paintball business and Mr. Spangler who currently owns the land, in the past and is aware of the terms of the agreement but is unable to divulge those terms. Mr. Luetchford noted that Mr. Heitzman was aware of the agreement between the Township and Mr. Spangler and he suggested that they would not have extended any lease beyond that buy out date. Mr. Seeds noted that the Township must be fair to Mr. Heitzman in regards to the future use of the land for his business. Mr. McIntyre noted that is one of the reasons why the PRB is meeting tonight.

Mr. Luetchford provided pictures of the Linglestown Paintball business. He noted that they use most of the 39 acres, to include a picnic area, food vending area, and several trails. He noted that many of the structures are army surplus materials. He noted that they have target ranges, and 13 courses, and some courses have trenches or have obstacles in open fields to hide behind. He suggested that it is a big complex. Mr. Seeds questioned how many acres they use. Mr. Luetchford noted that Mr. Heitzman indicated that he wanted to be able to use all 39 acres. Mr. Seeds noted that the terms for the current lease are unknown.

Mr. Crissman questioned if the PRB has a time line that they would use for the planning process or if they waiting for approval from the Board members to start the process. Mr. McIntyre answered that the PRB is looking for endorsement to start the planning process. Mr. Luetchford noted that the planning process could go in two directions depending on whether the DCNR grant is approved. He noted that the earliest that they will hear about the grant awards would be this fall.

Mr. Seeds noted that it would not be fair to Mr. Heitzman to wait until the fall to discuss his options. Mr. McIntyre noted that the arrangements made by the Board members with Mr. Heitzman, would impact how the PRB would plan for future park uses. He noted if the Township is considering leasing the land, it would have to be put out to bid, however, if the Township would license the existing enterprise, there would be no need for the bidding process. He noted if the Township licensed the operations for five years, then the PRB would focus on planning for the front portion of land.

Mr. Seeds questioned what would be involved with licensing the land. Mr. Stine answered that a license agreement is typically terminable at will by the person issuing the license. He noted that there is no term such as you would have with a lease, as it would be terminable at will. Mr. Crissman noted that it would provide the Township the maximum flexibility. Mr. Stine noted that the licensee would have no property rights; they would only have the right to use it until they are told otherwise. Mr. McIntyre noted that it would be particularly beneficial if the Township decided to install a greenway.

Mr. McIntyre noted that the slide shows the connection between Koons Park and Wolfersberger Tract to be a distance of 2,470 feet that runs through existing developments and would be perfect for a walkway or path to provide the ability to connect the two parks at no expense.

Mr. Seeds noted that there is no money to develop the park at this time or for the foreseeable future. He noted that he would like to know what the income would be from licensing the land until the PRB comes up with a park plan. Mr. Crissman noted that the PRB is looking for permission to move forward in the park planning process, but more importantly the Township must decide if it wants to move forward with the licensing. He noted that it could continue, and it would not impede the PRB's process of future planning. He noted that the PRB would collect the data and then come back to the Board with recommendations. Mr. Seeds noted

that the PRB would need to determine if it is beneficial to license the vendor for the back tract. Mr. McIntyre explained that it is the PRB's impression that the land would continue to sit vacant after the Township takes position of the land, and if the Township can earn funds from the vacant land it would be to their benefit to do it. Mr. Seeds noted that he would not want any permanent damage to the land. Mr. McIntyre noted that the paint is made out of soap and gelatin. Mr. Seeds noted that the land would eventually have to be cleaned up.

Mr. Eric Epstein noted in East Hanover Township residents get priority when requesting use of a ball park, and they even dedicated a ball field for women only. He noted that there is a lack of practice ball fields in Lower Paxton Township and he questioned if revenue could be gained from leasing ball fields. He noted that he did not know if paintball was a seasonal sport or if there was down time to provide for other uses during that downtime, noting that this was the first time he ever viewed a paintball operation. He noted that the dog park people are also looking to create a second park in the Township and this may be another source of revenue for the Township. Mr. Seeds noted that the PRB would have to look at these items. He questioned if the Capital Area Soccer Association (CASA) may come back to the Board to request land again. Mr. Crissman stated that he thought it was a dead issue. Mr. Epstein suggested that a private contractor could make some nice ball fields on the tract of land. Mr. Crissman noted that PRB needs to discuss these issues as part of their planning process.

Mr. Epstein noted that the Township has done a good job at receiving gaming grants and he encouraged the Board members to be creative in applying for more grant funding.

Mr. Seeds suggested that the PRB should move ahead in their planning process. Mr. Crissman and Mr. Crissman agreed.

Mr. McIntyre introduced Mr. Searle and Ms. Laub, the new members of the Parks and Recreation Board to the Board of Supervisors.

Review of a proposed noise ordinance

Public Safety Director (PSD) Johnson noted that he has been working on this draft ordinance for some time conferring with numerous people and modeling it on several ordinances. He explained that he is not a noise control expert.

Mr. Wolfe noted that the Township has a very basic noise ordinance as part of its zoning ordinances that states, based upon the type of land use, the decibel level of noise continually generated at one site cannot be as loud as a certain number of decibels when heard at an

adjoining site and its property line. He explained that the current ordinance is enforced by the codes enforcement officer and it is a very difficult ordinance to enforce. He noted that the new ordinance would change enforcement from a civil process to a criminal process. Mr. Stine explained that a violation would be a summary violation. PSD Johnson noted that police and codes enforcement officers would enforce this new ordinance by filing citations before a Magisterial Judge.

Mr. Wolfe noted that the ordinance makes special provisions for all types of noise that are generated by musical instruments, construction sites, domestic power tools, vehicle repairs, motor vehicles, and model airplanes. He noted that it is very specific on where the noise is coming from, the level of the noise, what is generating the noise, and the purpose for which it is being generated.

Mr. Seeds noted that model airplanes are included in the ordinance. PSD Johnson noted, on Saturday mornings, a neighbor watches as his child races a motorized car around the neighborhood that is very loud. He noted that the police receive complaints about motorized cars that children drive in cul-de-sacs. He noted that he tried to cover as much as he could in the ordinance.

Mr. Crissman questioned how this ordinance would effect a business such as Dales Drum Shop as the business is located in a residential section of the Township, and he was under the impression that provided drums lessons at that location. PSD Johnson answered that he has never received a complaint concerning Dales Drum Shop. He noted that there is a section in the ordinance that covers drums and bells, noting that it was meant to cover children playing drums in a townhome or apartment situation.

Mr. Seeds questioned if PSD Johnson has modeled the ordinance after another local township's ordinance. PSD Johnson answered that it is a combination of several ordinances and also based upon input from residents and Mr. Epstein. Mr. Seeds questioned PSD Johnson if he was going to review the proposed ordinance section by section. Mr. Wolfe suggested that it would be good to review each section since this is the first time the Board members have viewed the ordinance.

PSD Johnson noted that the definitions are self explanatory. He noted that nighttime is defined as 10 p.m. to 7 a.m. Mr. Seeds noted that some items listed 9 p.m. instead of 10 p.m. and he questioned if it would be better to have one set time. He noted that a homeowner would not be

permitted to run a snow blower after 9 p.m., and he suggested that it may be hard for some residents to follow this restriction. Mr. Crissman noted that he often goes out at 10 p.m. if there is a heavy snow to remove some of the snow. Mr. Epstein noted that the Board would not be creating a noise police, but rather a tool for staff to use when someone complains. He noted that he often runs his snow blower late at night too. He noted that from a police standpoint, this regulation would be hard and fast to enforce if someone complained. He noted that people would be warned, but if the police had to come back the second time, it would be different. Mr. Wolfe noted that this ordinance would establish criteria for enforcement and if the complaint did not meet that criterion it would not be a violation and there would be nothing the Township could do. He explained that this ordinance would set a standard and he noted Sections 505-4 and 505-5 cover this topic. He suggested that a general catch-all could be added to state that, "No person in Lower Paxton Township shall be deprived of or suffer unreasonable interference to peace, quiet, rest, or sleep. Any person violating this ordinance shall receive one warning and upon a second occurrence, shall be issued a non-traffic summary citation." He explained the other reference is when the Township receives a complaint from two or more people about noise that is disturbing them, noting that it would be prima facie to issue a citation. He noted that this could be adjusted as the Board see fit. He noted that the decibels limits are based upon other model policies. Mr. Crissman noted that those ordinances use a standard reading level for disturbances.

PSD Johnson explained that you have to use a lot of common sense when writing an ordinance like this.

PSD Johnson noted that the general sound levels are found in Section 505-5 for the maximum sound limits permitted by zoning district. He noted that this section is similar to what the Township currently uses. Mr. Wolfe explained that the sound decibel level has been reduced by ten points from 55 to 45 for the nighttime hours for residential areas. PSD Johnson noted that he based this upon the Environmental Protection Agency (EPA) levels for allowable sound for sleeping in the 35 decibel level.

Mr. Luetchford questioned how this would affect the concerts held in Brightbill Park with bands that use drums. PSD Johnson answered that there is a separate section for those types of events, and he noted that he has the ability to issue permits for special events. Mr. Crissman questioned if this would cover the 4th of July fireworks. PSD Johnson noted that there is a criterion for exemptions, and he noted that anyone should be able to put up with a certain amount

of noise for an hour or so, once or twice a year. He noted that this ordinance is especially addressed to people who have to put up with obnoxious noise that never seems to go away and affects their quality of life.

PSD Johnson explained that a violation occurs when the sound at any one point in time exceeds any of the established zone limits in Table 1 by a measured sound level of 15 decibels. Mr. Hornung questioned why the number 15 was chosen and not just five decibels. Mr. Wolfe answered that it is a forgiveness factor as you must make sure the decibel meter is properly calibrated, and ambient noise can have an effect also. He noted that an officer can not issue a citation for a speeding car using radar unless the vehicle is five miles per hour over the speed limit, allowing a grace period to ensure that an actual violation has occurred. Mr. Hornung noted that a decibel level is not linear but vertical, and he suggested that 15 decibels could almost double the allowable level of sound. He noted that 65 decibels is the sound for a lawn mower when you are standing next to it. PSD Johnson explained that this is for a one-time event, such as the setting off of firecrackers or a loud bang, as opposed to a sound that would drop if it was spread out over time. He noted, when a forgiveness factor is a given, then it provides a license for someone to go over the level up to the forgiveness factor. Mr. Wolfe noted that the forgiveness factor for a continuous noise is ten decibels and five decibels in an Industrial District for a five-minute time period.

Mr. Seeds questioned if the Township owns a decibel meter. PSD Johnson answered that the Township has one decibel meter. Mr. Seeds questioned if more would need to be purchased. PSD Johnson answered that they would have to purchase more meters. Mr. Wolfe explained that they cost under \$500, and take up the space of a small box.

Mr. Seeds questioned if officers need to be certified in the use of a decibel meter. PSD Johnson answered that officers must be trained, but at this time, they do not have to be certified. Mr. Epstein noted that his company could provide the training for officers, noting that he provided training on radiation monitoring in the past at no cost and also donated the monitors. He suggested that he may be able to donate up to five decibel meters. He noted that the technology is constantly changing, and he would go to his Board to determine if they would be willing to finance a certain amount instead of a certain number of units and provide the training. He noted at some point, there will be a legal challenge against the equipment and the police

officer. He noted that he would be willing to help purchase some of the equipment. Mr. Seeds thanked Mr. Epstein for the offer.

PSD Johnson noted the following exemptions to the rule: 1) Amplified announcements, athletics, or sporting events; 2) Blasting under permit by Codes Enforcement Officer or Fire Marshal; 3) Concerts such as band concerts, block parties, church carnivals, or other performances publicly or privately sponsored outdoor provided that such activities do not produce 15 decibels in excess of the sound levels set forth under Table 1 and they do not occur between the hours of 10 p.m. and 7 a.m.; 4) Emergency work; 5) Municipal and utility services; and 6) School and public activities. He explained that the number of complaints in neighborhoods regarding people playing loud music or late night pool parties has been increasing. Mr. Crissman noted that if he wanted to have a backyard party for his child on a Saturday night, the party would have to end at 10 p.m. PSD Johnson noted that the music needs to end at 10 p.m. Mr. Crissman suggested that this might be a problem. Mr. Epstein suggested that it would be an example of an isolated incident. PSD Johnson noted that the Director of Public Safety can issue temporary permits which would permit noncompliant activity to end at midnight.

PSD Johnson noted that sound amplifying equipment shall not be permit that exceeds 50 decibels or ten above the ambient noise level, whichever is higher. He noted that this would be measured at the property line of any residential property or within any adjoining apartment or cover any such activities between 10 p.m. and 7 a.m. He noted that this is also the same requirement for radios, televisions, stereo, etc for any apartment complexes.

PSD Johnson noted that the same rule holds true for drums and bells with the exception of a school band, parade, or anyone duly authorized to engage in such conduct.

PSD Johnson noted that there are regulations for fire, burglar and civil-defense alarm sirens, except for an emergency situation.

PSD Johnson noted that it shall be unlawful for a person in a residential zone, or within a 500 foot radius to operate equipment used in drilling, construction, repair, alteration, or demolition work on buildings, structures, streets, alleys or appurtenances thereto with sound control devices less effective than those provided on the original equipment or in violation of any regulations of the United States Environmental Protection Agency, between 10 p.m. and 7 a.m. except for an emergency condition. He noted that this also runs true for mechanically

powered compressors, saws, drills, sanders, grinders, lawn or garden tools, snow blowers or similar devices operated outdoors between the hours of 9 p.m. and 7 a.m. so as to cause a noise disturbance across a residential property line. Mr. Seeds noted that one restriction is for 9 p.m. and the other is for 10 p.m. PSD Johnson explained that it was intentional as he has received complaints about people cutting their grass after 9 p.m., especially from neighbors who are sitting outside and find it offensive. Mr. Crissman noted that it is still light in the summer at 9 p.m. Mr. Seeds questioned how you would enforce something like this when there is a difference between 9 p.m. and 10 p.m. He noted that most of this ordinance was generated by neighbors who have experienced on-going neighborhood disputes about noise complaints and conduct which is causing neighbors to endure extreme noise.

Mr. Seeds noted that both Sections 505-10 and 505-11 mention drills, but the end time is different for each one. He noted that he has already been working in his garage after 11 p.m. and not realized how late it was. PSD Johnson noted that drilling in the first section was more for street construction, whereas the domesticated drill included hand tools. Mr. Seeds suggested that it would be easier for the police to enforce this ordinance if the stop time was the same for both sections. PSD Johnson noted that he can make changes to the draft document.

PSD Johnson noted that Section 505-14 concerns motor vehicles. He explained that the Township is receiving more complaints regarding young drivers who are installing after market mufflers to their vehicles. He noted that this section covers operating vehicles within the speed limit or any condition of grade, load, acceleration, or deceleration, in such a manner as to exceed the following noise limits when measured 50 feet from the center of the vehicle path: Motor vehicles with a manufacturers GVW rating of 8,000 pounds or more and any combination of vehicles towed by such motor vehicle for 40 mph or less, the maximum allowable decibel level is 86 and 90 for vehicles over 40 mphs. He noted for a motorcycle, under 40 mph the level is 82 decibels and 86 decibels for over 40 mphs, and for any other motor vehicle or combination of motor vehicles it would be 76 decibels under 40 mphs and 82 decibels over 40 mph.

Mr. Mark Levine noted that his 2004 Ford Diesel Pickup truck noise would be measured 50 feet away from the vehicle as he is driving 40 mph. He noted if he drives a CJ Jeep, noting that it is less 6,000 pounds weight, that noise is measured 25 feet from the end of the exhaust pipe, and for his 1956 Chevy Pick-Up Street Rod, it would be measured 25 feet from the side of the vehicle. Mr. Levine noted that this was an issue in the middle 1950's with PA DOT where

you would floor the motor and then they would measure the decibels and write a ticket based upon the highest reading from the muffler. He noted that a person never drives full-throttle unless they are on a racetrack. PSD Johnson noted that he would meet with Mr. Wolfe to discuss this section.

Mrs. Tara Mead noted that she has had trouble with a neighbor who has continued to harass her with excessive noise for over two years. She explained that she has issues with subsection five and six related to Motor Vehicles, that she believes was taken from the Susquehanna Township Ordinance which referenced retrofitting vehicles to make them louder. She noted that she had to hire an attorney to fight this issue with the next door neighbor as his son would constantly rev and idle the engine to the point that it was very loud. She noted that the Police Department, prior to PSD Johnson taking over, was not helpful, and as a result she had to hire an attorney. She noted that PSD Johnson has been very helpful.

Mrs. Mead explained that she would like to see a section added under domestic animals to state that “no resident shall be deprived of, or suffer unreasonable interference with peace, quiet, rest or sleep,” should be a major part of the beginning of the ordinance. She noted that her husband goes to bed early as he gets up at 3 a.m. to go to work. She noted that this would give the Police Department power to enforce the noise violations. She noted that the boom from the cars will not go away, and the neighbor across the street recently bought a junk car and she feels that it will be a problem as well.

Mr. Mark Levine noted that he is in complete agreement with Ms. Mead, but there should be no requirement to measure the vehicles from the back of the car at full throttle. Mr. Seeds noted that PSD Johnson already stated that he would review that section.

Mr. Epstein noted that he wanted to give credit to PSD Johnson for all the work he did in writing this ordinance.

PSD Johnson noted that the Powered Model Vehicles and Domestic Animal sections were already covered. He noted that prima fascia would cover an incident if the noise disturbs two or more residents who are in general agreement as to the times and duration of the noise, and who reside in separate residences to include apartments or are located across a property line.

PSD Johnson noted that the Public Safety Director will have the right to grant temporary permits for specific events. He noted that the Police Department, in addition to the Codes Enforcement Officer will have the authority to enforce the chapter, and upon conviction thereof

in a summary proceeding, be sentenced to pay a fine of not more than \$600 for each and every offense and shall be imprisoned for not more than 90 days or both.

Mr. Wolfe questioned if the Board wanted to discuss the Ordinance further at another workshop meeting or bring it to the Board in the form of an Ordinance. The Board members stated that they were fine with bringing it for a public hearing and adoption.

Mr. Seeds noted under Section 505-19, if a permit is violated, then the permittee would not possess the permit. He suggested if the noise is occurring past the time of the allowed permit, then the permittee would not have a permit for that time period.

Mr. Epstein noted that he met with a member of the Commonwealth Court and he questioned how they approached this issue. He suggested that alternative dispute resolution could be a solution to the noise issue. He noted that it could not be mandated. Mr. Stine noted that the Township has tried to do this in the past, but no one ever wants to do it. Mr. Epstein noted that both parties would have to buy in to it, but it could still be an alternative for a penalty. He noted that many instances of noise are retaliatory in nature. PSD Johnson noted that Mr. Epstein is requesting that it be added to Section 505-21. He noted that in Ms. Mead's case the other party refused this option.

Mr. Hornung questioned if the ordinance could have a restriction of 11 p.m. for Fridays, Saturdays, and holidays. Mr. Crissman noted if you are having an adult party, you do not want to shut down the music at 10 p.m. A young gentleman suggested, during weekdays in the summer it should be at least 11 p.m. He stated that people don't go to be much before 11 p.m. and that it should be midnight on the weekends. He noted that he would not want to tell his friends that they have to go home at 10 p.m.

Presentation of the 2009 Annual Report for Lower Paxton Township

Mr. Wolfe explained, he, as the Township Manager, is required by ordinance, to complete a report of the Township's activity upon the completion of any calendar or fiscal year. He noted that this is done on a department-wide basis, and given that Mr. Luetchford and PSD Johnson were present for the meeting, he requested both to briefly summarize their annual reports for the Board members.

Parks and Recreation, including the Friendship Center

Mr. Luetchford noted that the Township has 285 acres of parkland. He noted that the Parks and Recreation Board, Friendship Operating Board, Arts Council and Greenway Committee are the various boards meeting monthly to provide recommendations to the Parks and Recreation Department. He noted that the total number of employees, to include contract personnel, is 455 with 11 full-time positions. He noted that this is the highest it has ever been and the demand continues to grow for recreation programs. He noted that 26 individuals volunteered over 1,008 hours of service saving the Township \$8,500 in additional personnel costs.

Mr. Luetchford noted that the most important savings for maintenance for the Friendship Center (FC) this past year was the installation of water restrictors on all showers, reducing water usage. He suggested that he saved 780,000 gallons of water this year in addition to the electricity to heat the water.

Mr. Luetchford noted that the lifeguards made a total of 33 rescues in the pool, noting that they were not life threatening events. He noted that there was a 13% decrease in revenues for the Personal Trainers in 2009, however, the massage therapy increased by 13 massages over the past year. He noted that over 5,252 visits were made for babysitting services. He noted that the total income for rentals was \$100,836, to include a church that is no longer using the facility. He stated that he is looking for another church to fill that void. He noted that marketing involves the Program Guide, The Township Newsletter, sewer bill inserts, Township website, and emails. He noted that member retention is a huge concern for marketing, noting that it is much easier to maintain a member than to solicit new memberships, so he continues to do various things to retain membership. He noted that there were 2,205 members as of December 31, 2009, noting that it is lower than the 2008 final count by a little, but it is higher than years 2006 and 2007. He explained that he is happy to see that the FC has retained as many members as it has during these difficult economic times. Mr. Seeds noted that the health programs helped to bolster the membership rates. Mr. Luetchford noted that those memberships are only paid if the person shows up at the FC in a given month.

Mr. Luetchford noted that the FC conducted 657 classes with 8,566 participants which is an increase of 17 programs over 2008 and the revenues from those programs were \$413,542.20. The expenses for the programs were \$228,493.41, resulting in net revenue of \$185,048.79, producing a net increase of \$23,415 from 2008. He noted that the hot items for the year were the

fitness programs and aquatics. He noted that the aquatics program was voted “Simply the Best” in the Central Pennsylvania Magazine.

Mr. Luetchford noted that the FC Senior Center information is explained on page 12.

Mr. Luetchford noted that the revenues for 2009 were \$1,990,271.35 with expenses totaling \$1,968,784.14, producing a net revenue over expenses of \$21,000 for the operating budget. He noted for 2008, the net expenses were \$54,904.

Mr. Luetchford explained that the Township has 285 acres of park facilities with 157 acres within Brightbill, Koons, Kohl/Lingle, and George/Ranger parks. He noted that another 32 acres are neighborhood parks, and 82 acres are made up of ravines and steep slopes which are largely unusable. Mr. Hornung questioned if it is worth keeping those properties. Mr. Luetchford answered that the value is only in natural area and preservation. He noted that the Buchanan Tract is located above Camp Sertoma and is made up of 40 acres. Mr. Hornung noted when the Township sold some mountain acreage a few years ago, it received a very good amount for that land. Mr. Luetchford noted that there is no access to the Buchanan Tract except through Camp Sertoma. Mr. Hornung questioned if the other tracts could be sold. Mr. Luetchford noted that Club Estates is an embankment; Forest Hills has a variety of acreage in different areas with ten acres along a stream by Forest Hills Park and some around Continental and Forest Hills Drives. Mr. Wolfe noted that the Township looked into selling some of the land but it is landlocked. Mr. Seeds questioned if any of the land is utilized. Mr. Luetchford noted that there is a nature trail in the area of one tract of land. Mr. Wolfe questioned why an adjoining property owner would purchase the land when they already have free use of the land. Mr. Hornung noted that the land would have to be auctioned off, and he suggested that someone should look into selling this land. Mr. Seeds noted that part of Hocker Park is in Middle Paxton Township, and he questioned if there is a great interest in keeping that land as well. Mr. Luetchford stated that he would investigate the possibility of selling some of these tracts. Mr. Hornung noted that the money could be used to develop the Wolfersberger Tract. Mr. Seeds suggested that Mr. Luetchford should put out some feelers to see if anyone would be interested in purchasing any of those tracts.

Mr. Luetchford noted that the Township leases properties from the Central Dauphin School District at Paxtonia Elementary and the Central Dauphin East Middle School, and those leases will expire in two years.

Mr. Luetchford noted in 2009, the Happy Tails Dog Park was constructed; the entrance to the Thomas B. George Jr. Park was completed; and work was done on the soccer fields in that park, with the assistance of the Capital Area Soccer Association (CASA).

Mr. Luetchford noted that the Parks and Recreation Department operated within budget limitations during 2009, generating \$344,436 in revenues, and incurring \$688,503 in expenses.

Mr. Luetchford noted that the 11 pavilions were rented for a total of 235 times generating \$11,895 and were used by 17,457 persons. He noted that sports organizations reserved over 8,300 dates with 45,981 hours of time at ball fields and courts in the Township. Mr. Hornung questioned if there is more availability for pavilion rentals. Mr. Luetchford noted that it is difficult to find the space for all the requests for the ball fields, and he could certainly rent more pavilions, especially over the weekends. Mr. Hornung questioned if there could be a tie-in with the pavilion rental and a reduced admission to the FC.

Mr. Luetchford noted in 2009, he started to charge a registration fee for the Summer Playground Program that resulted in added revenues of \$5,183. He noted that there are over 100 children attending the Day Camp Program. Mr. Hornung questioned if Mr. Luetchford received many complaints regarding the institution of the fee for the Summer Playground Program. Mr. Luetchford answered that he received only a few complaints; noting that he increased the fee to \$12 for the 2010 season. He noted that the operating budget surplus for 2009 was \$21,487. He noted that this does not include the Public Works expense to maintain the parks on a daily basis.

Mr. Luetchford noted that two new members were added to the Parks and Recreation Board in 2009, Ms. Linda Laub and Mr. James Searle.

Mr. Hornung noted that Mr. Luetchford did an impressive job. Mr. Blain concurred.

Police Department

Public Safety Director (PSD) David Johnson explained that the 2009 Annual Report was dedicated to the memory of Officer Joseph Allegrini who passed away in May at the age of 43.

PSD Johnson noted that he completed a comprehensive reorganization of the Police Department in 2009, as he took over as the PSD during this year. He noted that the major reorganization took place January 1, 2010 with the institution of the 12-hour shifts. He noted that the schedule seems to be working extremely well. He noted that each program was reviewed and staff studied the operating expenses in an effort to find a way to cut the budget while still

maintaining service to the public, and this resulted in a savings of \$560,000 from the 2009 approved budget.

PSD Johnson noted that the officers responded to 2,839 criminal offenses in 2009 with a clearance rate of 62%, noting that the average clearance rate for police agencies in the northeast United States is between 35% and 40%. Mr. Hornung questioned PSD Johnson what he contributed the success to. PSD Johnson answered that it was the result of hard work and good people. He noted that traffic enforcement is a primary focus for the Police Department with 19,582 traffic stops and 13,000 warnings notices. He noted that traffic citations dropped from previously years, noting that he initiated a change in philosophy within the Police Department. He noted that the Uniform Crime Report (UCR) report listed 1,206 Part 1 crimes as compared to 1,223 in 2008. He noted that 645 cases were cleared resulting in a clearance rate of 53.5%. He noted for Part II crimes, 1,633 cases were report in 2009 as compared to 1,768 in 2009. He noted that 1,127 cases were cleared to produce a clearance rate of 69% and an overall clearance rate of 62%.

PSD Johnson noted that the patrol officers responded to 22,870 calls for service with an average of 601 calls per officer. Of those calls, 1,772 criminal arrests were made, 843 traffic accidents were investigated, and 19,582 traffic contacts were made.

PSD Johnson noted that 563 criminal investigations were assigned to the eight police personnel who make up the Criminal Investigation Unit, and of the 217 cases closed by arrest, 119 investigations were closed by exception producing a clearance rate 60%, a 4% increase over 2009. He noted that each detective averaged 93.8 cases. He noted that the warrant officer served 442 warrants, 88 criminal warrants, and 354 summary warrants, collecting in excess of \$66,000 in fines and costs.

PSD Johnson noted that the Department has continued many of the programs they have conducted for years, such as the Citizen's Police Academy, Neighborhood Watch Program, Night Out for Public Safety, and the Youth Police Academy. He noted in 2009, the Department received a \$2,000 grant from Three Mile Island for Emergency Operations Center equipment; \$59,000 from the federal government to replace the evidence van, and \$7,100 from the Federal government to buy state-of-the-art traffic counters. He noted that the Department also received 50% reimbursement in the amount of \$3,000 from the Justice Department for ballistic body armor.

PSD Johnson noted that the Traffic Safety Unit conducted 960 selective traffic enforcement details as part of its endeavor to reduce speeding problems. He noted that the speed trailer was deployed 468 occasions during 2009. He noted that 843 traffic collisions were investigated in 2009 as compared to 571 in 2008. He explained that he made a change in how the accidents were recorded from 2008 to 2009 as many non-reportable accidents had been recorded as service calls. He noted that there were no fatal accidents in 2009; however, there were 313 reportable accidents in 2009 as compared to 313 in 2008. He stated that 508 non-reportable accidents were investigated in 2009 as compared to 258 in 2008. He noted that the top ten accident locations are basically the same from one year to the next with Union Deposit Road and I-83 as the highest accident locations and the Jonestown Road corridor continues to have numerous locations in the top ten accident locations.

Mr. Hornung noted that the Commonwealth will no longer permit the use of strobe lights for traffic signals. Mr. Wolfe noted that PENNDOT is questioning if strobe lights make a difference in the amount of accidents, and it is thought that they may be harmful to people who suffer from epilepsy. PSD Johnson noted that people who suffer from epilepsy may have a seizure if they look at the strobe lights. Mr. Hornung questioned if that has been documented. Mr. Wolfe answered that he did not know. He questioned if any of the top ten locations could use a strobe light to assist in the reduction of accidents. He noted that it has resulted in a huge drop in the amount of accidents that occur at Lockwillow Avenue and Mountain Road. Mr. Seeds questioned if there is evidence that it made a difference for that location. Mr. Wolfe noted that, initially, when the strobe light was installed, it made a difference in the amount of accidents. Mr. Hornung noted that most of the accidents that occur now are on the opposite side of the roadway that does not have the strobe lights. He suggested that you need to weigh the overall statistics of someone being killed in an accident against a possible side affect from someone who suffers from epilepsy, especially if there is no statistical evidence to prove that strobe lights can harm someone who suffers from epilepsy. Mr. Wolfe noted that the Township has not received anything in writing from the Commonwealth, as it is only second- handed information.

PSD Johnson noted that the goals that were accomplished in 2009 were the computer and cell phone safety educational programs conducted with students and parents on the danger of cyber bullying, sexual predators on the internet, and sexting. He noted that a new personnel evaluation form was created that is more job specific and streamlined. He noted that the

Department had a goal to reduce the incidence of repeat domestic violence assaults and it exceeded its goal by 10%. He noted that the Department had a goal to reduce the burglary arrest rate, noting that the national average clearance rate is 15% and the Department's rate was 33%. He noted that the Department conducted a citizen's survey in 2008, and the number one request was an increase in neighborhood patrols, and as result officers were required to spend at least 50% of their un-obligated patrol time in neighborhoods interacting with community members.

Mr. Crissman noted that the Nixle System is a great plus for the Department, noting that he has heard from numerous people that they appreciate that service. PSD Johnson noted that he is investigating other means to improve that service, and he is working with Mr. Weisinger on this issue.

PSD Johnson noted that since the Police Department started the 12-hour shifts in January 2010, the productivity has increased; noting that the written warnings have increased by 140% over last year, and citation are also up. He noted that 8,500 written warnings have been issued to date as compared to 2,800 citations. He noted that the officers are not heavy-handed and are choosing to do the right thing for the right event for the right reason. Mr. Hornung questioned if this has had an impact on the accident rate. PSD Johnson answered that accidents are holding about the same rate, however, traffic is increasing every year. He suggested that the accident rate would remain roughly the same, even though it was a harsh winter. He noted, in the past, many non-reportable accidents were documented as service calls and not accidents. He noted in the early 2000's, there was 1,500 accidents per year, and now it is roughly 850 to 900 accidents. He noted that he is doing more with fewer officers as the Department was reduced from 62 sworn officers to 57 sworn officers.

Fire Services

Mr. Wolfe suggested that the Board members could review this report on their own. Mr. Seeds commented that the fire volunteers do a very good job.

Presentation of concerns regarding the proposed solar farm at the Township's closed municipal landfill by Rick Szeles representing the Spring Hill development

Mr. Ron Lucas explained that he and Mr. Rick Szeles met with Mr. Wolfe a few weeks ago to discuss the proposed solar facility at the landfill. He noted that Mr. Szeles, and his father and brother have developed 20 lots in the Falcon Ridge portion of the Spring Hill Development

which is west of the current landfill on Creek Crossing Drive. He noted that 16 of the 20 lots are vacant and owned by the developer. He noted that another developer was developing the Spring Creek Development, but the Szeles family purchased the land back and Charter Homes is building the homes for the remainder of the development.

Mr. Lucas explained that Mr. Wolfe showed him and Mr. Szeles the proposed photovoltaic array for the landfill and consented to provide Mr. Staub the topography survey from the property to mirror it with the topography from the Falcon Ridge property to determine how they relate to each another. He noted that Mr. Wolfe provided information as to the location of another local solar farm. He noted that Mr. Szeles visited the site in Bucks County. Mr. Blain noted that Mr. Seeds and Mr. Wolfe both visited that site earlier in the year. Mr. Szeles provided photographs of that location to the Board members.

Mr. Lucas noted that the Board has not made a final determination for the project and the photovoltaic array has not been designed. He noted that Mr. Szeles had concerns after visiting the Bucks County site about his ability to sell his lots with the solar farm in their backyards. He noted that the lots along Creek Crossing Drive are lower than the area of the planned solar panels, and there is a small stream to the rear of the lots where the property drops off. He noted that there is not much grown cover from the trees from the rear of the lots overseeing the landfill area. He noted that Bill Kohl is present at the meeting and his home is located on Creek Crossing Drive, southwest of the landfill.

Mr. Lucas noted that Mr. Szeles will address what he found when he visited the solar farm site in Bucks County.

Mr. Szeles noted that this Waste Management Facility is located in Bucks County. He noted that the surrounding properties to the solar farm are a concrete plant, a chemical or asphalt plant, numerous warehouses and trucking terminals, a power plant, and a quarry. He noted that he managed to get into the area behind the gated fence where large mounds of trash was dumped and covered over. He noted that the solar panels can barely be seen through the thick foliage, allowing dense screening for seven months of the year. He noted page 24 of the photos, you can view the solar panels which are similar in size to what is proposed for the Township. He noted that he took the picture 15 feet above the elevation of the solar panels and the grade for the Bucks County site are relatively flat, whereas, the Township grade would be much higher. He noted that there would be a 20 to 30 foot amphitheater view of the solar panels, and from a

residential standpoint, it is imperative that the solar panels be screened properly from the homes. He noted that his lots would not look attractive to prospective home buyers when there may be other options available in other developments. He noted that he could view the glare coming off the solar panels in the pictures, and the solar panels to be located in the Township landfill would be facing the backyards or front yards of his homes in his development. He suggested that the glare from the Township's solar panels would be worse than what he was able to show in his photographs. He noted that the last picture shows the solar plant, and there are no homes located close to this facility in Bucks County. He noted that he feels that this would be a financial hardship to his company in that people would not want to build or buy a home located that close to the solar panels.

Mr. Lucas noted that before the Board makes a decision to select the landfill as the site for the solar farm, he would like the members to consider what they are doing and the impact it would have on Mr. Szeles' development. He noted that the lots drop off into the streambed and it would be impossible to create a berm to the rear of the properties. He noted that the screening would have to occur on the Township's property. He noted for him to install a berm and maintain a three to one slope, the berm would end up in the property owners' building area. Mr. Szeles noted that the panels as shown on the schematic are close to his property line which is located on the other side of the tree line.

Mr. Seeds noted that he was not aware that solar panels would be located on the east side of the compost facility. Mr. Wolfe explained that this was the schematic viewed at the last workshop meeting. He noted that the active compost facility requires a 300-foot buffer from any residential unit, and that is why there is land on the east side that cannot be used for composting. Mr. Seeds noted that when he and Mr. Wolfe visited the site, they were not permitted to take pictures. Mr. Wolfe noted that the pictures are outside the fence. Mr. Szeles noted that he found one gate open and was able to take pictures.

Mr. Lucas noted that the Bucks County site was level with mounds surrounding the solar panels. He noted that the aerial photograph shows that it is located in a low area along the river and the lake. He noted that the Township's solar panel array would appear like an amphitheater and it would impact all the lots along Creek Crossing Drive. He noted that the houses on the opposite side of the street would be impacted by what they view looking out their front door or windows. Mr. Seeds noted that there is a tree line in that area. Mr. Lucas noted that the tree line

is very sparse, and the trees are on lower ground. Mr. Szeles noted in the area where Mr. Kohl lives, in the fall and winter, you get a full view of the compost facility.

Mr. Szeles noted that he originally requested to put in a cul-de-sac for the lots on Creek Crossing Drive, but it would have been more than 600 feet. He noted that he was told that it would be better for him to connect the street through to the next development. He explained that he had to spend in excess of over \$1million to build a bridge to go over the creek to develop those lots. He noted that he would have never spent that much money to develop those lots if he knew he would have a solar farm in the development's back yard. Mr. Seeds questioned if the lots were in Swatara Township. Mr. Szeles noted that the land was located in Lower Paxton Township. Mr. Lucas noted that Charter Homes is building homes south of the creek, noting that there are 15 to 20 lots located in the Township. Mr. Seeds questioned who did not want the cul-de-sac. Mr. Szeles answered that it was Lower Paxton Township that did not want the extended cul-de-sac.

Mr. Lucas noted that before the Township designs the solar farm, and makes a decision on a bond issue, he would like to let the Township know what his concerns are. He noted that people will not want to build a house and then constantly look at something that would be right in their face. He noted that the Bucks County site is located in an industrial area. He noted that the Township is exempt from its zoning ordinances, however, if this was a public utility or private company doing this work, and selling the power to PPL, they would be subject to buffering, and screening requirements. He noted that he is asking the Township to consider all these factors before it embarks on its decision for the solar farm. He noted that the solar panels have a life expectancy of 25 years, and the Township is considering a 20-year bond issue. He noted that the Township has not received the results of the feasibility study for the solar farm.

Mr. Seeds suggested that it may be difficult to buffer the area. Mr. Lucas noted that Jeff Staub has started to look at some of these issues. Mr. Staub explained that he will take the CAD drawing of the landfill site for the compost facility, and the topography study from Mr. Szeles site and combine the two and then do a sight-line analysis. He noted that he would like to project sight lines from the lots that would be affected by the solar project and determine in a cross section what kind of buffering would be effective to screen the facility from those lots. He noted that he did not know if the buffer area height would be ten feet or 60 feet, and he would share this information with the Township when it is completed. He noted that any buffering would

have to be far enough from the panels so as not to interfere with the sun. Mr. Szeles noted to create a berm, with a fence, there would have to be some modification from what is shown in the schematic. Mr. Lucas noted that it would be more difficult as you move in the northern portion of the site. He noted that he wanted to insure that the Township was aware of the initial concerns that Mr. Szeles has. He noted that it is an expensive project that will need a \$10 million bond issue, with \$6 million in grants, generating \$300,000 a year, which is a 2% return on \$16 million of taxpayer's dollars. He noted that he would like the Board to think hard about the project, noting that Mr. Szeles wants to be part of the process for the design and the decision making. He noted that it would have a huge impact on the Falcon Ridge Development, and Mr. Szeles needs to sell the lots in order to realize the investment he made in building the bridge.

Mr. Seeds noted that the Board is looking out for the taxpayers in Lower Paxton Township. He noted that the land cannot be developed as a park. Mr. Lucas noted that old municipal landfills are difficult to find uses for. He noted that the State of Michigan made one into a ski slope. He suggested that it may not be the right use for this location due to its topography. He requested the Board members to drive Creek Crossing Drive and see for themselves, noting that the leaves are on the trees at this time. Mr. Bratina noted that he is a property owner of one of the lots near the top of the road and you can see clear over to the landfill.

Mr. Staub noted that the aerial photography shows that the bands of trees are located along the ravine adjacent to the stream. He noted that many of the trees are junk trees. Mr. Lucas noted that he wanted to make the Board aware of Mr. Szeles concerns before they make a decision for the project. He noted that Mr. Wolfe has kept both he and Mr. Szeles informed of what is occurring, and he will come back to a future meeting with Mr. Staub's drawings after they are completed. Mr. Hornung suggested that Mr. Lucas and Mr. Szeles are saying that buffering may not do much for the solar farm. Mr. Lucas suggested that it would be very difficult, and if you view it you will find that there is not enough room to buffer on the development side due to the ravine from the creek. Mr. Szeles noted that there is a place for a solar plant and the place in New Jersey is that place, but, unless the Township does a lot of berming at the landfill, noting the existing slope, he is not sure this is the place for the solar farm.

Review of and status report on the proposed Subdivision and
and Land Development Ordinance

Mr. Wolfe noted that he, Mr. Fleming, and Dianne Moran are attempting to put the Subdivision and Land Development Ordinance (SALDO) in its final form for adoption by the Board of Supervisors. He noted that it will go to the Planning Commission tomorrow night to review the final changes. He explained if no changes are made to the current document, then he plans to bring it to the Board of Supervisors at a public hearing in August. Mr. Stine noted that the Dauphin County Planning Commission must have a 45-day review period before the public hearing. He questioned who was responsible for starting the new SALDO because if it was prepared by the Planning Commission, the review period would only be 30-days as opposed to 45 days. Mr. Seeds noted that the Board has been working on this for more than a year. Mr. Wolfe noted that they have been working on it for two years.

Mr. Wolfe noted that Mr. Fleming is present to answer the Board questions regarding the new SALDO. He noted that he asked him to review the final revision to the SALDO from the past six months.

Mr. Fleming noted that the last time he was present before the Board to review the proposals, the discussion centered on traffic calming. He noted that those changes were approved and incorporated into the SALDO plan. He noted that the Planning Commission had a few more comments, and some changes were made, most of which were technical in nature. He noted that many had to do with the Greenway Plan. He noted that he added a requirement for developers to submit PDF documents with different plan submissions to aid in presentations and Township documentation for future reference. He noted that a requirement for landscaped islands was added for cul-de-sacs, and a revision to the last sentence regarding deviations from sidewalks width for special circumstances such as a school, allowing for a wider sidewalk to facilitate heavier pedestrian traffic.

Mr. Seeds noted that most of his comments have been corrected; noting that landscaped requirement for parking was changed from 12 parking spaces to 20 parking spaces. He noted that the dedication for recreation land would not be required if there were 50 lots or less, but he wanted something added that if there was an opportunity for adjacent land or future lands to be acquire it could be considered. He noted that he wanted it to be changed as it would provide the

Township more discretion. He noted that that sentence needs to be added. Mr. Luetchford noted that this occurred with the Lamp Light Park.

Mr. Seeds noted that he had a concern that the trees cannot be more than 25% of the same species and he stated that he would like to defer this decision to the Shade Tree Commission, noting that Colonial Road Extended is a perfect example of the same type of trees that line that road. Mr. Luetchford questioned if this was for street trees or park trees. Mr. Seeds answered that it would be for trees planted in a development. Mr. Fleming noted that he referenced this requirement for the protection of the Township and the Development noting when you go over the 50% rate, there is a likelihood that half of the trees could catch a disease and die and the Township or the property owners would be faced with the requirement to replace the trees and it would be very costly. He noted that the percentage could be changed but he thought that the 25% requirement would provide for a mixture of trees. He noted that having all one-type of street tree may be aesthetically pleasing, but it does provide for a chance that all the trees could die from a certain type of disease. Mr. Luetchford noted whether it is grass on athletics fields or trees, it is not a good idea to use all the same type, noting that you could plant a certain type of tree in one street, but for the entire development you would only have a 25% total for one type of tree. Mr. Seeds noted that he would like to be able to use the Shade Tree Commission's recommendation. Mr. Fleming noted that the requirement could still provide for Mr. Luetchford's suggestion.

Mr. Hornung noted that the Township provides for many waivers for slant curb and he noted that nothing was mentioned for slant curbs. Mr. Wolfe noted that this was discussed early in the process and the recommendation from Mr. Robbins was not to use slant curb. Mr. Fleming explained, for future maintenance, a slant curb does not provide for enough reveal to add additional layers of asphalt. Mr. Wolfe noted that slant curbs have not been approved for a long time, and you will not find a recommendation from staff to approve a slant curb for a public street.

Mr. Hornung noted that another popular request for a waiver is the distance for the length of a cul-de-sac. He noted that some were as long as 1,200 feet.

Mr. Seeds noted that the five-foot setback for parking in areas such as the Village of Linglestown may be difficult to follow due to the narrow lots. He noted that the developer could always ask for a waiver. Mr. Fleming noted that the ordinance was written for the entire Township, so that request would have to be a waiver.

Mr. Seeds noted in section 18806, Traffic Signal Construction, it lists specific types of traffic signals to be accepted. He questioned why that was put in the ordinance. Mr. Wolfe explained that if the Township is not specific, then the wrong equipment would be installed and it would not work with the Township's system. He suggested that it could be changed to state that it shall be set by Resolution of the Board of Supervisors, and when a change is made for a brand or type, then the Township would not have to amend the SALDO. He noted, in the past, developers have installed multi-sonic equipment, the lowest quality equipment permitted by PENNDOT, and staff has had problems with their traffic equipment and software.

Mr. Seeds noted that he wanted to discuss street widths. He noted that there is a proposal for a new 55-age community with very narrow streets. He suggested that 32 feet, 34 feet, and 36 feet may not be wide enough. Mr. Seeds questioned what is being proposed for the Pleasant Meadows development. Mr. Wolfe answered that they are proposing 28 feet in a high density development when the requirement should be 36 feet. Mr. Seeds questioned if a 32-foot roadway is wide enough for parking vehicles on both sides of the street. Mr. Fleming noted that the ordinance requires a 36-foot cartway for parking on both sides of the street. He explained when you reduce your street width, then you restrict your parking to one side of the road, or possibly prohibiting street parking. Mr. Seeds questioned what if a developer submits a plan for a 32-foot width. Mr. Fleming noted that he would recommend that the street be signed for no parking on one side. Mr. Seeds questioned if it was a recommendation or a requirement. Mr. Fleming noted that it is normally a waiver request, and he would make the recommendation to the Board that they grant the waiver only if they require the developer to sign the development appropriately. Mr. Seeds questioned if a 32-foot width street is approved in the new SALDO. Mr. Fleming answered that it would not require a waiver; however, it would indicate the different parking requirements for the different street widths. Mr. Seeds questioned if the Board approved a 32-foot street width, could the Board require the developer to prohibit parking on one side or both sides of the street. Mr. Fleming answered, if it is a multi-family development, he would want to ensure that they have adequate parking for guests. Mr. Wolfe noted that a good example of that would be the Amesbury development where they have a narrow cartway, around 30 feet, and satellite parking along the cul-de-sacs. He noted that Pleasant Meadows does not propose any satellite parking along the street although it does propose a parking lot at a community facility. He noted that it could be located two to three blocks from some of the homes. He noted that

these are smaller homes with smaller driveways, and although it is an age-restricted community, he may argue that there are fewer vehicles, but they still have cars and receive guests.

Mr. Seeds questioned if the Board approves a narrow street, does it have the right to require the developer to put additional parking that is somewhat convenient. He noted that it was done for the Amesbury Development next to the Friendship Center. Mr. Wolfe answered, if it is a waiver request, the Board could place requirements, however, if it is a use by right, then the Township would need to have the requirement as part of the regulation. Mr. Fleming noted that 36 feet is needed for a collector road, 34 feet for a minor, industrial or, commercial use, and 32 feet for residential uses. Mr. Wolfe questioned if there is any mention of parking. Mr. Fleming noted that provisions for additional street width for private streets may be required when determined to be necessary by the Board of Supervisors for specific cases for public safety, convenience, or parking in industrial or commercial areas, and areas of high density development. He noted that that situation is addressed. Mr. Fleming noted for a high density development the Board could require additional street width. Mr. Seeds questioned Mr. Wolfe if 32 feet was wide enough. Mr. Wolfe answered that 32 feet is wide enough, noting that the Abbey Lane and Victoria Way in the Estates of Forest Hills are 30-foot wide cartways with curbing, and they are more than sufficient. He noted that there is very little on-street parking in that area as the homes has three car garages and longer driveways with half acre lots. He noted that he has never had a problem with it and a 30 foot cartway works. Mr. Seeds noted that 30 foot would work if there is no parking. Mr. Fleming noted that the problem with high density developments is that there are many driveway penetrations, so the capacity for on-street parking is reduced.

Mr. Wolfe noted that the Township would like to adopt the SALDO and since it was a recommendation of the 2003 Comprehensive Plan he would like to get the SALDO adopted before the Township starts the next Comprehensive Plan. Mr. Crissman questioned when the Board would see the SALDO for a public hearing. Mr. Wolfe answered that it would probably be in August.

Mr. Blain noted that the 2003 Comprehensive Plan was very thorough and not much has changed, so he would hope that the Township would not have to go through the same arduous process that it did the last time. Mr. Wolfe noted that it is recommended that it be revisited every ten years. He noted that the Township passed a new zoning ordinance after the Comprehensive Plan. He suggested that all that would be necessary is a general review.

Proposal from K&W Engineers for bid and construction services for the
Page Road/Spring Creek Improvement Project

Mr. Wolfe noted that K & W Engineers had provided a proposal for bid and construction services for the Page and Spring Creek Roads Improvements. He noted that the Township received local gaming funds for improvements to the intersection of Page and Spring Creek Roads. He noted that the improvements have already been designed by K&W Engineers as part of the SALDO plan for the Bishop McDevitt High School Facility. He explained that he has met with K&W Engineers, and with representatives from the Catholic Diocese. He noted that this project needs to be put out to bid this fall or next spring and he will need an engineered packet. He explained that the K&W packet is sufficient for the private section, but it does not meet the bidding requirements for municipal bidding. He noted that they need to add the municipal bidding requirements and someone needs to manage the construction.

Mr. Wolfe noted that there are two options available; one to have HRG, Inc. take K&W's work and put together the municipal back-end, and manage the bit, but this would be crossing two engineers. He noted that the second option would be to have K&W provide a proposal, which they have done in the amount of \$9,600 to complete the bidding and construction documents and another \$3,300 to complete the construction observations. He suggested that the proposal is reasonable. He noted that K&W had done work in the Township; however, they have never worked for the Township. He noted that the Township is very comfortable with HRG, Inc.'s services, but he would feel better not switching engineers and giving one engineer another engineer's design to bid and administer as it could cause problems. He suggested that the Township would be better off utilizing K&W and if there are issues, then the Township could bring in HRG at that time. He noted that the costs for these services will be paid by the grant.

Mr. Seeds noted, originally, the Catholic Diocese was going to do the work, but now that the project was awarded a gaming grant, the Township would be the lead. Mr. Wolfe explained that it is the Township's project and the Township must bid the project. Mr. Seeds questioned how much the project would cost. Mr. Wolfe noted that the Township would be financially protected, either through County funds or the land development agreement with Improvement Guarantees proceeds. He noted that no municipal tax dollars would pay for this project. Mr. Seeds questioned how K&W became involved in the project. Mr. Wolfe answered that they were

the engineer for the Diocese, and he made contact with them in regards to the project construction. Mr. Blain noted that Mr. Kurowski is heavily involved in the community and is the Chairman of the Harrisburg Authority. Mr. Wolfe noted that they are a very capable firm.

Mr. Seeds questioned what the next step would be. Mr. Wolfe answered that he cannot move forward until the Diocese enters into the Land Development agreement. He noted that PENNDOT will not let the Township bid the project at this time since that route is being used as a detour for the Nyes Road project. Mr. Seeds questioned if the Diocese has bought the land. Mr. Wolfe answered that he did not know, and that it does not matter as long as the Diocese is responsible for what goes on. Mr. Seeds questioned what would happen if the school is never built. Mr. Wolfe answered that the Board has approved the land development plan and the grant covers the improvement. He noted if they never build the school and improve the road, so be it. He noted that the cost to improve the road is more expensive than the gaming funds received. He noted that total road improvements would cost \$650,000 to \$700,000, and to date the Township has received \$250,000 for the project and it may receive another \$250,000 next year. He noted that the costs to the Diocese for this project may only be \$150,000.

Mr. Wolfe questioned if the Board wants to transfer the project to HRG, Inc. or give it to K&W Engineers. He noted that this cannot be done at staff level, noting that CET does the bid packet, bid review and construction management for the Sewer Authority. Mr. Seeds questioned if HRG, Inc. would be upset with the Township if they chose to give the project to K&W Engineers. Mr. Wolfe answered that he did not think so for the amount of work involved. Mr. Crissman noted that he supported Mr. Wolfe's recommendation to use K&E Engineers. Mr. Blain agreed.

"Otta Know" Presentation: PA House Bill 2431,
eliminating local governments in Pennsylvania

Mr. Blain noted that there is no possible way that the legislature could pass this bill. Mr. Wolfe explained that he wanted to make the Board aware of the bill.

Mr. Hornung questioned who introduced the bill. Mr. Wolfe answered that Representative Caltagirone introduced the bill. Mr. Stine explained that it was his understanding that the co-sponsors have withdrawn their names.

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 9:07 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary