

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Workshop Meeting held July 12, 2011

A workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 6:08 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., Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steven Stine, Township Solicitor; Fred Lighty, Doug Grove, Dennis Guise, Roy Newsome, Robin Lindsey, Planning Commission; Public Safety Director David Johnson, David Hogentogler, Human Resource Manager; Chief William Payne, Linglestown Fire Company; Chief Tom Swank, Colonial Park Fire Company; Chief Michael Fife, Paxtonia Fire Company; Mark Romeo, Romeo Land Surveying, Inc.; and Ted Robertson and Watson Fisher, SWAN.

Pledge of Allegiance

Mr. Hawk suspended the recitation of the Pledge of Allegiance as it was recited during the Sewer Authority meeting.

Public Comment

Mr. Newsome questioned if the Sewer Authority will maintain the old flusher truck as a backup unit. Mr. Hawk answered no. Mr. Wolfe noted that the current plan is to sell the unit.

Presentation by the Planning Commission regarding its Preliminary Plan
for a Business Improvement District

Mr. Hawk explained that the Board had held discussions regarding the concept of a Business Improvement District (BID) for the Township for a designated area for the purpose of improving the safety and beautification of the area. He noted that the Planning Commission (PC)

has worked very hard to put together a BID concept. He noted that this is the opportunity to view their work on this topic.

Mr. Fred Lighty explained that the PC was asked to research the BID and identify areas in the Township that might be suitable for a BID and to identify what improvements a BID could make in developing that area.

Mr. Lighty noted that the PC reviewed three existing BID's located in the City of Harrisburg, Reading and State College. He noted that the BID's were created and governed by the "Neighborhood Improvement District Act" 73 P.S. §831 et. seq. He explained that a Neighborhood Improvement District is the general term and there are other types that fall under that umbrella. He noted that there is the Residential Improvement District (RID), Industrial Improvement District (IID), Institutional Improvement District, (INID) and Mixed-Use Improvement District (MID). He noted that the PC chose to focus on the BID since most of the businesses in the Township are mostly retail in nature.

Mr. Lighty noted that the PC looked at the Paxtonia, Linglestown, Colonial Park, Union Deposit Road (West) and Route 22 Corridor areas and after much discussion, it chose to recommend one area, the Route 22 Corridor. He noted that it was chosen since it is the Township's "Main Street" and has a sufficient size for minimal assessments to fund significant improvements. He noted that the area includes the three major malls, starting at Colonial Road and ends at the Harley Davidson store on Blue Ribbon Avenue.

Mr. Lighty noted that there are three goals for the BID: Traffic Management Improvements, Marketing and Beautification of the area. He noted that the PC wants people shopping in Lower Paxton Township's store as opposed to going to Swatara Township or across the Susquehanna River.

Mr. Lighty noted that everyone is familiar with the traffic issues and one item that could be done would be to save money in the budget until there are enough funds to do something about the traffic issues to use as leverage with PENNDOT to fund improvements. He noted an example would be to coordinate traffic lights to help improve the traffic flows. He noted that the PC was told that people don't want to shop in the Township during the Christmas season because of the traffic issues.

Mr. Lighty noted one proposal for marketing could be the use of welcome signs on each side of the Route 22 Corridor, as well as hanging plants and banners. He noted that Mr. Newsome counted the poles along Route 22 and found that there are roughly 74 poles. He noted that most of the poles are located on the north side of the highway with very few located on the south side. Mr. Lighty noted, when the baskets are hung, the Corporation will have to determine how to make it look symmetrical. He noted that he would like to thank Ms. Lindsey as she solicited prices for flags and planters and shot down the Corporation's idea of using plastic flowers.

Mr. Lighty noted that the next step in the process is in the hands of the Board of Supervisors. He explained that they would need to approve the Preliminary Plan or make changes and after that they would conduct a public hearing. He noted the purpose of the public meeting would be to provide for public input for the BID, and if there are no changes it would become a Final Plan. He noted that a second public hearing would need to be held, allowing for a 45-day objection period, noting that a minimum of 40% of the property owners must object to the BID to defeat it. He noted if that does not occur, then the Board would enact the BID thru an Ordinance, and then the required management association would need to be appointed.

Mr. Hawk questioned if the 40% requirement would be for all property owners within the red section shown on the map. Mr. Lighty answered that was correct.

Mr. Lighty explained that the PC held a meeting with the property owners and shared the idea with them. Mr. Newsome noted that there were several meetings held. He noted that some concerns were mentioned, but overall the atmosphere was cautiously positive. He noted that there were no groups that were adamantly against it.

Mr. Crissman questioned what the major objections were. Mr. Newsome answered that the manager for Applebee's was very much against it unless he was provided with a left turn into his business establishment. He noted that people can turn into Oak Park Road and access his business from that location. He explained that the manager stated if he was not afforded a left turn, then he didn't want anything to do with the BID.

Mr. Hawk questioned how the manager of the Colonial Park Mall felt about the BID. Mr. Lighty noted that the manager attended the meeting but she was concerned about the assessment and how much it would cost her. He noted that she did not object to what the PC was trying to

accomplish, noting that she was concerned that she would have one of the largest assessments for her property, and if she would have to raise the rent to pay for it. Mr. Crissman noted that she would have to stress with her tenants that it would help their business. Mr. Lighty noted that the PC made that point, but he got the feeling that the ownership of the Colonial Park Mall would prefer to run their own marketing as opposed to being a part of the team. He explained that if the manger is marketing the Colonial Park Mall, she doesn't want shoppers going to the other malls. Mr. Newsome noted for the State College BID, after the first couple of years, everyone eventually came to like the joint marketing effort.

Mr. Hawk questioned what would happen if the 40% objection level is not met, and what would happen to those who objected to the BID. He questioned if they would be mandated to pay the assessment. Mr. Lighty answered yes, noting all the parcels within the BID would be assessed.

Mr. Blain questioned how the assessment would be collected. Mr. Lighty noted that the preliminary plan envisions the Township becoming the incorporators of a not-for-profit corporation appointed by the Board of Supervisors. He noted that the Corporation runs the BID. He noted that entity would be in charge of sending out the assessment bills. He noted that there may be a better way to do it by coordinating with current tax bills that are sent out. He noted that it would be up to the Corporation to figure this out.

Mr. Hawk questioned if the assessment would be a percentage of the assessed value of the property. Mr. Grove answered that it would be 1.5 mills. Mr. Hawk noted that it would be higher than the Township's current millage tax rate.

Mr. Blain questioned how the success of the BID would be measured. He noted that the Corporation would assess the property owners based upon property value at 1.5 mills, and for example, the Colonial Park Mall would pay their assessment, but how would the performance be measured to determine the gain. Mr. Lighty answered that there is a built in measurement goal, noting that the improvements would be visible and the constituents would tell you if they like them or not. He noted that there is a built-in systemic matrix to check how the outcome is doing. He noted that there is a five-year sunset provision, noting, at the end of the five years, every member will decide if they want to continue the BID. He noted that for every BID they reviewed, they have voted to continue the BID.

Mr. Blain noted that the PC studied the BIDs for State College, Reading and Harrisburg. Mr. Lighty explained that the PC reviewed a presentation for a BID that was located outside of Atlanta, Georgia, that was more suburban in nature. He noted that they looked at Atlantic City as well. He noted that Professor Goktug Morcol, who wrote the textbook on BID's, addressed the PC and he directed his presentation to suburban BID's. He noted that in most instances, you tend to think of downtowns, and he was questioned if a BID can work in a suburb. He noted that the PC pursued this issue and received encouraging information from Professor Morcol that they can and have worked in suburbs. Mr. Guise noted that there has also been success with a BID outside of Lancaster City.

Mr. Blain questioned, of the BID's that were reviewed, were they already in an established business area, such as Route 22, where people come to shop, noting that the three main malls have been in that location for some time, but now, we are going to put a name to it by listing it as a BID, doing signage and working on traffic issues. He questioned for the BID's the PC studied, were they fledgling types of areas or were they already established areas. Mr. Newsome explained that you have to have a base before you can do a BID. He noted that all were established, but you would never have a BID in an area that may grow or may have some commercial development in the future. He noted that the one that they reviewed in Lancaster County already had several shopping centers. Mr. Guise noted that downtown State College was established as well as the City of Harrisburg.

Mr. Crissman noted if Professor Morcol discussed that Atlantic City was a place where they took a blighted area and built the mall strip downtown. He noted that it is a fantastic place to visit and to see what they did. He noted that he is interested in the Lancaster area BID. He questioned if it would be the closest parallel to what the Township is proposing. Mr. Lighty noted that Route 30 East looks a lot like Route 22. Mr. Newsome noted that the PC kept coming back to the ideas that Route 22 is the Township's main street. He noted that most of all BID's are located in the main street area. He noted that the BID would be a means to address some of the issues related to Route 22.

Mr. Crissman noted by identifying the three areas of concern: traffic, marketing, and beautification, would the funding be divided in thirds or would they be prioritized and addressed in order of the priority list for the financial spending. He questioned if that was the ranking order.

Mr. Lighty answered no. He noted that the PC tried to layout the parameters, noting that it would be a corporation and its board would make the decisions on how to implement the BID. He noted that the statute required the PC to come up with a budget and those three areas were funded in that budget. He noted that details for funding in those areas would be worked out by the BID Corporation. Mr. Crissman noted that the Corporation would need to address all three areas. Mr. Lighty agreed, and stated that it would be the decision of the BID Corporation as to how they make their goals and spend the money. He noted that having three categories would provide parameters of the three areas the PC would like them to address. He noted that setting the first year budget was required by the statute, and by putting numbers into the budget, the PC came up with the scheme where the traffic improvements are capitalized over the five year initial life of the BID in order that there would be enough money to do something. He suggested that the beautification and marketing items could occur almost immediately.

Mr. Hawk questioned what the budget would be. Mr. Lighty noted that the assessment would raise \$375,000 per year. Mr. Grove noted that the \$600,000 amount in the budget is the capitalization for over five years, but the actual amount per year received would be \$375,000, based upon the current property values. He noted that this is based upon the fact that the BID would be approved by the property owners, and that everyone would be required to pay the assessment except for the tax exempt properties. He noted that the tax exempt properties could voluntarily donate to the BID. He explained that some property owners may make late payments, and there will have to be means to collect those funds. He noted that it would depend on how the billing is structured and how it is distributed, such as including it within the current tax bills. He noted that it is based on the fact that every member will be a member of the BID and this is what the assessment total would be for the total properties.

Mr. Hawk questioned, if the BID received \$375,000 a year, would it reach a point where it would run out of items to do with the money. Mr. Grove suggested that you may think that you could get to a point like that; however, you can use the money towards traffic improvements. He noted that there will be ongoing expenses for the beautification and replacement of banners etc. He noted that advertising is a big part of the BID and it could be increased, not directing all the funds towards traffic control. He noted that the Corporation will have direct control over many things for the use of the money.

Mr. Hawk questioned if that Corporation must report to the Board of Supervisors on a yearly basis. Mr. Lighty answered yes. Mr. Guise noted that they must have an annual public meeting too.

Mr. Blain noted that the executive director is scheduled to be paid \$40,000 annually as a 1099 employee with no benefits, but he questioned if the administrative assistant whose salary at \$35,000 include benefits. Mr. Grove answered that payroll taxes were included for the administrative assistant only. Mr. Blain questioned if an audit is required. Mr. Guise answered yes. Mr. Blain noted that he did not see that included in the budget. Mr. Guise explained since this is a first year budget it was not included, however, it would have to be added in the second year budget under office expenses. Mr. Grove noted that you can look at this as a pro-forma budget. Mr. Guise noted that the Corporation's board would determine the budget and the Board of Supervisors makes all the appointments to the BID's Board for the initial year, and after that, the Board of Supervisor's would only appoint two members of the seven member board, and the rest would be elected by the property owners during their annual meeting. Mr. Hawk noted that the BID Corporation could be no less than five and no more than nine members. Mr. Lighty explained that the Corporation members would be the business owners and they would decide how to spend their own money. Mr. Newsome suggested that was the reason for the good response that they received. He noted that the 1.5 mills tax did not faze any of the people present when the rate was mentioned. Mr. Seeds noted when he read the documents the high rate concerned him, especially since the Township's rate is below a mill. He noted that he was concerned that it would more than double their taxes.

Mr. Seeds thanked the members of the PC for their hard work. He noted that the BID needs to occur, noting that there is a loss of businesses in the Township and we need to keep the Township a desirable place for the businesses to work in. He explained that the area that he felt that needs to be part of the BID is Paxtonia. He requested the PC to consider including Paxtonia in the BID, the area along Old Jonestown Road. He noted that we need to do something in that area to spice it up. He noted that is one of his personal goals.

Mr. Seeds noted that he was concerned about the millage rate. Mr. Newsome noted that the PC was surprised that there was no outcry over that 1.5 millage rate.

Mr. Seeds noted that the documents state that the Township would collect the funds if the BID Corporation desires. He questioned if the tax collector should collect the funds. Mr. Lighty noted that it is odd language in the document but it is taken verbatim out of the statute. Mr. Seeds noted that he found it in two locations, and in one instance it states, will be required to be collected by Lower Paxton Township and in another instance it says if the BID desires it. He suggested that it needs to be defined more clearly. Mr. Blain explained that this is only a preliminary document and that will be corrected. He noted that he is concerned with the budget, noting that \$375,000 would be collected annually. He noted that the PC only completed a budget for year one, and he would suggest that they should create a budget for the first couple of years because, moving forward, there will be other expenses such as the cost for office space. He questioned if the office would be housed in the Township building or housed at a different location. Mr. Lighty noted that it is addressed in the plan. He questioned what would happen if it was determined that the executive director should be a full time position and not a part time position. He questioned what the cost would be to have an audit completed and any other legal or accounting functions. He noted that these items will eat into the net income number providing for less money to be available for the BID projects and more funding for back office administration and for the financial aspect of the operation. He noted that it could become an issue that in future years; the BID would be reporting that more money is going into the administration of the operations and less is going into the BID. Mr. Newsome answered that it could be done as a form of a suggestion; however the budget will be the BID Corporation's budget. He noted that the budget provided is only to be used to set up the BID operations. Mr. Grove noted that a preliminary budget needs to be set up at the time the BID is implemented. He noted that is the reason for only doing the initial fiscal year budget. He stated that it is based on best estimates coming up with numbers for all the different expenses. He noted that the BID may find that the executive director could be hired for a lower salary. He noted that he took some numbers that seemed reasonable for the two positions, and some were knocked back, and rightly so. He noted that the budget is made from best-guess estimate as to what the costs would be. Mr. Guise noted that the BID does not have to rely only on the assessments for income and it can apply for grants. He noted that the Board of Supervisors within the Ordinance determines what the limits are for the assessment. He suggested that the Board would add the necessary maximum for the 1.5.

millage rate because he assumed that number would be needed to bring in enough money to operate the BID in the early days. He noted that Board could decide to do something differently if it wanted to. He noted that is the Boards discretion, not the BID Corporation's discretion.

Mr. Hawk questioned Mr. Guise how the 1.5 millage rated was chosen. Mr. Lighty answered that they took the maximum amount allowed by law.

Mr. Seeds questioned if the PC looked at the Paxtonia area. Mr. Grove answered that they reviewed Paxtonia, Linglestown, and other locations. Mr. Seeds questioned if the PC looked at including Paxtonia within the BID. Mr. Grove answered that the PC did not consider that; rather they looked for an area that would provide the best bang for the buck. Mr. Seeds noted that the area would be too small on its own, however, he questioned if Paxtonia could be included in this BID. Mr. Wolfe noted that it would be a decision made by the BOS and the PC; however, there are two churches, a school, and a post office, all of which are non-taxables and would not contribute to the improvements. He suggested that it could be a detriment to the overall formation of the district.

Mr. Hawk noted if you add all the assessments and multiple it by 1.5 mills, how much it would come out to. Mr. Blain noted that it would be the \$375,000 a year. Mr. Hawk noted that the 1.5 rate is the maximum amount that can be set. He noted that the economy is not the greatest at this time, and he questioned if that was considered when making the decision. Mr. Lighty answered that it was. He noted that there are two schools of thought on this. He noted that one is that the economy is so bad that the property owners can't afford to pay any more assessments for anything. He noted the other thought that was heard was, because the economy is bad, there is a need to better compete for the shoppers who have limited dollars to spend along Route 22 and not have them go to other places such as the Susquehanna Market Place. Mr. Hawk noted that they say that the worst thing you can do is to cut your advertising. He noted when you are not bringing it in the front door it is hard to spend it out the back door. Mr. Grove noted one idea is to do a group advertising for the entire corridor, noting that State College had a very nice booklet that had coupons in it for some of the different businesses, and it is done in a manner with all the businesses going together to fund it, and with all the businesses reaping the benefits. He noted that it would be an example of a non-traditional type of advertising.

Mr. Hawk noted Hershey has a business organization that different organizations can join. He noted they get referral business from others in the community. Mr. Grove noted that it can be a result of what would occur from this that was not thought of in the process but it is certainly something that the businesses can do together. He noted that they can make such referrals. He noted that there is no way that they all know each other, but with the BID, they can work together to get to know each other better. He suggested that the businesses will work together, to some extent, and making referrals to each other may be another idea as well.

Mr. Lighty noted, in inviting some business owners to the first meeting, he got the impression that they have never been together before. Mr. Hawk suggested that it would be a natural outgrowth to the process.

Mr. Newsome noted the City of Harrisburg's BID came up for renewal last year and it was renewed, and they even added new members. He noted that they wanted to extend the boundaries of the BID. Mr. Lighty noted that he did not think that people appreciated the heavy lifting that the BID does in Harrisburg. He noted that everything that you see in downtown Harrisburg is done by their BID, to include the variable message boards, street cleaning after Friday and Saturday nights, extra security using City police officers, and the plants and banners. He noted that the BID does the joint marketing, to include the "Downtown after Dark" advertising. Mr. Hawk noted that the Dauphin County Authority contributed funds to these projects. He noted that Harrisburg has done a phenomenal job in getting people to contribute to the BID through grants and donations. He noted that he was shocked when their executive director explained to the PC how many donations they received. He noted that it was a much higher number than he thought it would be.

Mr. Newsome noted for the first year there would not be many grants opportunities, but the BID would be able to go out and seek grants in the following years. He noted that there is a lot of grant money available; and with the right grant writer, funds could be secured. He suggested that you could generate several hundred thousand dollars income for the BID Corporation in addition to the assessment, and that would allow more to be done and more to be capitalized for future improvements. Mr. Newsome noted that the ideas included in the first year budget were the kinds of things that would be splashy and showy and appeal to the property owners. Mr. Lighty noted that the PC considered options for the BID but they were too specific

for a preliminary plan or it did not want to appear to micromanage the BID. He noted that the purpose was to set broad parameters and then the Corporation would make the nitty-gritty decisions. He noted that Mr. Newsome had a great idea of hiring a trolley that would run from business to business during the holiday season so that shoppers could park their car and get to all the malls and not have to deal with the parking issues.

Mr. Hawk noted that there were some concerns regarding the Colonial Park Mall, but there are other malls within the corridor. He questioned if the mall or the store owners are responsible for paying the assessment. Mr. Grove answered that it depends on how the property is structured. He noted for the Paxton Towne Centre, each store owns its property. Mr. Hawk noted, in that instance, the billings would go to each store. He questioned, for the Weis Market would the corporation have to approve the BID. Mr. Grove noted if fewer than 40% objected to the BID, then all property owners are included in the BID until it sunsets.

Mr. Lighty noted that all the parcels are identified within the BID plan and he wanted to thank Michelle Hiner who did a lot of work to put the spreadsheet together. Mr. Newsome agreed. Mr. Lighty noted that they were tweaking the list as late as Friday.

Mr. Crissman noted, in setting up the Corporation, that the Board has two appointments, and that the terms for the members are not for the same length of time, having staggered terms, to provide continuity. He questioned how the first members are elected or appointed; noting that one of the members would be a member from the PC. Mr. Guise noted that they are appointed in the Articles of Incorporation, noting that the Board of Supervisors authorizes the incorporation, and appoints the initial members. Mr. Hawk noted that the Board of Supervisors should not be on that Corporation Board at all. Mr. Crissman noted that the second appointment could be a Board member. Mr. Hawk noted that it would be like the fox watching the chicken yard. Mr. Lighty noted that the majority of the Corporation would be made up of business owners, and it was his thought that the Board of Supervisors would appoint a PC member and a Board member. Mr. Crissman noted that a PC member must be appointed to the BID and the other appointment could be whomever the Board chooses. He noted that he feels that it would be good to have someone from this Board on that Corporation. Mr. Lighty noted that they did not want to say that the Board must appoint one of its own members; however it provides the option for the Board to do so.

Mr. Crissman noted that the PC put a lot of time and energy into the project and it is excellent work. He noted that individually each member should be thanked for all the hard work they did.

Mr. Seeds questioned where do we go from here. Mr. Crissman noted that Mr. Lighty laid that out in screen two of his presentation. Mr. Lighty noted that it is now in the Board's hands and they can act on it now or later. Mr. Wolfe noted that the Board must take action on the preliminary plan during a Board business meeting. Mr. Seeds noted if the Board does this, it does not have to approve the 1.5 millage rate. Mr. Blain noted that the Board can set it at what it wants to. Mr. Seeds noted that Mr. Newsome stated that during the property owners meeting no one objected to the millage rate. Mr. Newsome answered that they did not and he was very surprised noting that they were stating that it was not much at all. He noted that one person mentioned that it was less than their advertising costs. Mr. Grove noted that the smaller property owners did not have a problem with the amount of the assessment. Mr. Guise noted that the actual Pennsylvania Statute states that the Board of Corporation, with the approval of the governing body, has the power to assess property owners within the BID. He noted that the Board could limit the power of the Corporation at the time you approve the BID.

Mr. Guise noted that the PC had to make assumptions about what the budget would be because it has to have a pro-forma first year budget. Mr. Hawk questioned if most of the people who showed up during the public hearing would be the property owners. Mr. Lighty noted that there is a notice requirement. Mr. Seeds questioned what the requirement for rejection was. Mr. Blain answered that it is 40%. Mr. Guise noted that they must send in a written objection to Mr. Crissman, the Township secretary. He noted that a form would be made up for this use.

Mr. Blain noted that the PC did a very good job and the BID is very detailed and impressive.

Mr. Hawk noted that the Board members should discuss this further among themselves before scheduling a public hearing. Mr. Lighty noted that there is no time frame. He noted that the PC took a long time in developing the BID and he was not expecting a vote or a decision this evening. Mr. Hawk noted that this is a lot of information, and he thinks the Board should further review the document and the public hearing could be scheduled in September or October. He

noted that the Board may have additional questions for the PC. Mr. Newsome noted that you may want to consider during what part of the retail cycle the public hearing should be held.

Mr. Crissman noted that he has heard the strengths of the plan, but he questioned when the public hearing is held, what would be the single negative that would come from the people attending the hearing. Mr. Guise noted that some people will complain about the costs. He noted that the BID is not as much a neighborhood location as it is a corridor. He noted that there was great support for marketing efforts and maps, and other things such as coupons and advertising and also for traffic improvements, but the property owners understood that it would be really expensive. Mr. Newsome noted that some people will state that all the funds should go into traffic improvements. Mr. Crissman noted that would be referred to the Corporation itself. He noted that the PC has met with the property owners, and he wants to know what the negatives will be. Mr. Lighty answered that the majority of their discussions centered on the details, and this wasn't the time for it for examples, for issues such as beautification. He noted that the only thing the Board may hear is that the economy is so bad that people can't afford anything at this time. Mr. Crissman noted that he would expect that. He noted that he likes the marketing, BID Main Street. Mr. Guise suggested that the slogan could be "We've got it all". Mr. Hawk noted that it was suggested that the Colonial Corridor Improvement District be the name for the BID.

Mr. Seeds noted that most of the business owners are not the property owners, therefore, someone who runs a shop would not be paying the tax bills, they would pay the rent to the property owner and they would have to buy into the concept. Mr. Lighty noted that they met with the property owners. Mr. Newsome noted that a few people mentioned that at the meeting. Mr. Seeds noted that PENNDOT would have to buy into it also. He noted that the business owners will want PENNDOT to make improvements, to provide easy access to their businesses. Mr. Newsome noted that the BID provides the process for the business owners to collectively go to PENNDOT. Mr. Seeds noted that they will not want the police to patrol the area. Mr. Lighty noted that one landowner stated that it would be nice if you could get the shoppers up and down the street faster, but if you can't, it would be a nicer experience to sit there looking at the banners.

Mr. Grove noted that the representative from Hoffman Fordland stated that he likes the fact that people have to stop at the light and look at his cars.

Mr. Blain thanked the members for coming. Mr. Seeds thanked the Board members for their hard work. Mr. Crissman noted that the Board will need the PC's help when the BID moves to the next step, the public hearing.

Discussion with representatives of the Township's
fire companies regarding issues of concern

Public Safety Johnson noted that Chiefs William Payne, Tom Swank and Mike Fife are present to meet with the Board members. Chief Swank distributed copies of the call volumes for the Colonial Park Fire Company.

Chief Payne noted that he met with the Board about five years ago when he took over as the fire chief for Linglestown to discuss the Fire Equipment Capital Plan (FECP). He noted that the fire chiefs have concerns because they are not sure where the FECP stands. He explained that he was told that the Township has to buy fire trucks for the fire companies so it doesn't really matter. He noted that did not sound proper to him and he wanted to discuss this with the Board. He suggested that Paxtonia is next in line to replace their engine and truck and Colonial Park needs to replace its truck. He noted that these units are approaching 14 years of service, however he can't find in his notes when the chiefs are to start looking to replace vehicles. He suggested that the planning was to be done at 15 years with the apparatus being replaced at 18 years. He noted that he wants to find out if this is something the fire chiefs are to do noting that times are tight. Mr. Wolfe explained that he could speak to the plan. He noted that the plan has no mandate on when you undertake a purchase; however, the plan does provide a useful life for the 9 primary pieces of apparatus of 18 years. He noted that the purchases have to fit into the 18-year window and have to cover nine pieces of equipment.

Chief Payne questioned if that meant in 18 years, new apparatus would be purchased, or should the fire chiefs look at alternate items, such as refurbishing Paxtonia's ladder truck. Mr. Wolfe noted that the plan, as it is structured, did not contemplate it, but it doesn't mean that it can't happen. He noted that no one has looked in that direction before. Chief Swank noted that his biggest concern is that it does not fall off the table. Mr. Hawk noted that he does not see it falling off the table, but he has a concern if \$250,000 is been allocated into the fund, and if all

three fire companies want a truck, there would not be enough money. Chief Swank noted that is why the purchases were staggered.

Mr. Wolfe noted that \$50,000 of the \$250,000 is deposited into the Length of Service Awards Program (LOSAP), and suggested that the fund balance is approximately \$500,000. He noted that the last three purchases cost between \$1.1 million to \$1.4 million, and they are all paid off. He noted they were purchased at a deficit to Fire Equipment Capital Fund, with a reimbursement made to the General Fund.

Chief Payne explained that he wanted direction from the Board as to how to move forward, noting that they are now offering long-term leases for a ten-year payment plan providing for a good value for the fire truck for the trade in. He noted that he wants to know what direction the Board would like the fire chiefs to move towards the next round of purchases. He questioned if they should start looking at options or should they run the fire trucks until they are beyond their life. Mr. Seeds noted that nothing is set in concrete, noting that he would depend on the fire chiefs to tell him what they think since they are the experts. He noted, if the chiefs feel they have a better plan, then they should take it to the Public Safety Committee for a recommendation. He noted that it is his job to spend the taxpayer's money wisely and to ensure that the Township provides fire protection. Mr. Hawk noted that he agrees that the fire chiefs are the experts, but it requires open dialogue between the fire chiefs and the Board members to know what their needs are going to be, how critical they are, and how it would fit into the capital plan. Mr. Crissman noted there are limited dollars available from the Township that have to be divided among the three fire companies. He noted when you discuss the equipment, there are three options. He noted that the first is total replacement, followed by refurbished goods, and thirdly, leasing, which more and more people are considering. He noted that most companies lease copiers rather than purchasing them. He suggested that leasing may be an option. He questioned which is the most cost effective, to run the apparatus until it can't run, and then replace it, or refurbish the equipment, or lease it. He noted that he does not know which option is the best way to go is but the three needs to be investigated.

Chief Payne noted that his rig that is five years old, the maintenance expense for the engine and tower truck was \$20,000. He noted, at the end of 2010, the cost rose to \$52,000, and

for 2011 he was already spent \$40,000 for the tower truck's lift cylinders. He noted that the maintenance costs for rising and he questioned where you draw the line.

Mr. Wolfe noted, at the beginning of the year the Fire Equipment Capital Fund was \$564,000 and it is now \$750,000. He noted that purchasing three pieces of equipment, depending upon what is bought, could easily cost \$1.4 million plus. He noted that it would be three to four years out before there would be enough money saved to make additional purchases without running debt against the General Fund for all three pieces of apparatus.

Chief Swank noted his vehicle maintenance from 2008 to 2011 was \$135,418.24. He noted that the National Fire Protection Association (NFPA) cites seven years for the useful life of the equipment, but we are not hitting the 15-year window, and starting to experience that the apparatus costs more in maintenance to keep the equipment running. He noted when this fund was originally started, a consultant came in and he threw a 15 year date, but it was bumped back to 18 years.

Chief Payne noted that his company does not run as many calls as the Colonial Park Fire Company, but the year the ladder truck was purchased for Colonial Park, it might have averaged 250 calls; now it average 500 calls a year. He noted that the fire services are putting miles on fire trucks for medical assists because South Central Emergency Medical Services (SCEMS) has decreased their coverage to the Township. He noted that the fire service is picking up the slack which requires more man-hours, fuel, and wear and tear on the equipment. He noted that SCEMS's lack of manpower is causing more of a strain for the fire services.

Mr. Blain questioned, if there is a medical call and SCEMS does not respond due to their reduction of service, do the fire services serve as the emergency responder. Chief Swank noted that he tries to be proactive and not reactive. He noted if the ambulance is on a call and the second ambulance is coming from one of the Hanover's for a class-one call, he has told his live-in's to respond to those calls. Chief Payne noted this Friday night Susquehanna Township was responding with their ambulance to a call on Wenrich Street, and they were ten minutes out for a breathing problem. Mr. Hawk questioned if the fire services does a lot of work with Susquehanna Township ambulances. Chief Payne answered that Susquehanna Township covers SCEMS as their second call for many calls. Mr. Blain noted that the fire companies have to spend more time on medical assists while SCEMS is going to spend hundred of thousands of

dollars on a new facility behind the Paxtonia Fire Company. PSD Johnson noted that Susquehanna Township was out today at a crash on Nyes Road. Chief Fife noted that SCEMS came to their crash at Devonshire Heights Road. Chief Payne noted that the University ambulance was coming in place of SCEMS for their crash. Mr. Crissman noted that there is something wrong with this picture.

Chief Swank noted that the Board provides SCEMS the biggest bulk of their contribution. Mr. Blain questioned if the fire chiefs could quantify their number of runs for the year. Chief Swank noted that his would not be a fair number since many of the calls they are taking on are because they are taking a proactive approach versus SCEMS asking for help. He noted that the numbers would be a little lopsided towards SCEMS's benefit. Chief Payne stated that many times his people just respond since they know how long it would take SCEMS to get to the scene. Chief Fife explained, if you are having a heart attack you may not have ten minutes to wait.

Chief Payne noted that he is upset that West Hanover Township is giving SCEMS money as well. He explained that the original deal was if the ambulance was tied up in Lower Paxton Township, the ambulance in West Hanover Township was to come in and cover the Township. He noted that they do not do that. Chief Swank noted that it might have something to do with Act 47, that they can't do that 100%, since they are supposed to be posting another unit closer to the Township. Mr. Fife noted that he cannot see how SCEMS can have only one ambulance in the Township when you have multiple nursing homes. He noted that a call for the Jewish Nursing Home is almost an every day event. He noted that you almost need one unit just to cover all the elderly patients in the various nursing homes. He noted that there are so many extended-care facilities in the Township. Mr. Hawk suggested that he is seeing less and less of SCEMS's vehicles on the road.

Chief Payne noted that he was given an email that SCEMS was cutting the EMS coverage. Mr. Wolfe requested Chief Payne to provide him with a copy of that memo. Mr. Blain noted that he would like to see that, and he questioned why they were cutting services. Chief Swank noted that they closed their substation off of Briarsdale Road. He noted they have been offered space in all the fire stations. Chief Fife noted that they moved a bunch of stuff in their firehouse so they could have locking doors. Chief Payne noted that they offered a meeting room

and three bays in the old building to them for their use. He noted that the building is located right on Linglestown Road and more than adequate. Chief Swank noted that it adds up the maintenance issues and the wears and tears on their vehicles. He noted that he has an engine that will cost him \$6,000 to repair for a design issue that he did not plan on spending.

Mr. Blain noted, speaking for himself, that the Township has a commitment to continue making contributions as best we can to the Fire Equipment Capital Fund, and he understands the value of the volunteers, and if there is something that the Township can do to continue to assist them in a volunteer level, such as the purchase of capital equipment over time, we will continue to do it. He noted if there was a concern over that fund, there is a commitment by the Board to make sure the funds are there. He noted that he would be flexible on how the funds could be used, and if there are issues with SCEMS that the Board can work out, they may be looking at other options. Mr. Hawk noted that he agreed with Mr. Blain, and he suggested that we need to keep the lines of communications open. He noted that the Board may be able to do some creative things.

Chief Payne noted that the economy has hurt his fire company more than the other two fire companies, due to his live-ins. He noted that many of the volunteers who used to have free time now have part time jobs. He noted that it is getting harder to ask the volunteers to spend 1,400 to 1,500 man-hours a year for fundraising. He noted that he is really worried how it will work out five years from now. He questioned if the Township is open to helping the fire companies with more financial assistance so they do not have to spend as much time fundraising. He noted that we can't continue to do what we do with the coverage that we have. He noted, that for the next three nights, between training and the meetings he will have 12 hours in meetings and divorce court on Friday night. Chief Swank noted that the chiefs probably put in 11,239 hours a year. He noted that he can't do anymore fundraising. He noted that fundraising for the volunteer fire companies is going by the wayside. He explained that he distributed the numbers to the Board and his pockets are dry. He explained that he did a way with the fire company banquet and other things. He stated that we need help. He suggested that Paxtonia is in a little bit better shape than Colonial Park since we purchased a new fire house.

Mr. Hawk questioned Chief Swank if the only fundraiser Colonial Park does is the Christmas tree sale. Chief Swank explained that the sales were down because there is a

Christmas tree stand on every block. He noted that his fire company is putting more time into the sale of trees than what they are making in a profit. Chief Fife noted that they stopped doing chicken barbeques, except for the few that are sponsored by the banks who pay for everything. He noted that the receipts are total profits in those instances. He explained that Paxtonia quit doing them years ago as they took 288 chicken dinners to the Bethesda Mission and it negated the nine hours of cooking, gaining only a profit of \$138. Chief Payne noted that this was the first time in history that Linglestown ever had any soup left over. He noted that it is very tough for him and his volunteers to work so hard, and in the meantime, SCEMS is having their banquet at Hollywood Casino. He explained that he had his banquet catered at the fire house in order to be able to afford it.

Mr. Blain noted that the Board shares the same irritation. Mr. Crissman noted that they share the same frustration more than we are able to say at this point.

Mr. Seeds noted that Scott Buchle left SCEMS to work at Hershey Medical Center.

Chief Swank noted that the primary focus of the fire volunteers should be towards emergency response, training and public education. He noted the fundraising is wearing the volunteers out and we have to think where we will be in five years from now. He noted if he keeps asking for more and more from his volunteers, the Township will have a problem in its hands.

Mr. Crissman questioned if the three fire companies could take on the ambulance service. Mr. Blain questioned what other options there are outside of SCEMS. Chief Swank questioned if the Township must contract with them. Chief Payne questioned if the service could be put out to bid. Chief Swank noted that Susquehanna Township has issues, but Life Team EMS and University EMS are other options. Chief Payne suggested that University EMS may be interested.

Mr. Blain questioned if the Township could bid out the service. Mr. Wolfe answered yes. He noted that it would not need to be bid, it could be negotiated. He noted that Mr. Stine has done some research on this topic. Chief Payne noted that SCEMS's equipment is ready to fall apart. He noted that they are one blown engine away from no service. Mr. Crissman noted that the Board is very frustrated as well. He questioned what other options are there. Mr. Wolfe noted that a full-time paid EMS Department is appropriate in volunteer houses, except for maybe as a

rental, which would have been a good idea. He noted that all three fire companies offered space to SCEMS. He noted that it is a service the Township could provide, like the police, or it could be negotiated or bided. He noted that Mr. Stine has reviewed the matter to provide options. Mr. Stine explained that it is clear that the Second Class Township Code requires, by way of an amendment enacted a few years ago, that the Township has the responsibility to provide funding for EMS for equipment, however, now the Township must ensure that EMS services are provided. Chief Swank stated that is true for fire protection as well. He noted that he would be willing to provide SCEMS space, but he questioned if they needed a new building. He didn't think so. Chief Fife explained that he offered to put three bays in their social hall and build it to suit them for offices etc. Chief Swank noted that they have always turned down any offers provided. Mr. Crissman noted that he appreciates the efforts that the fire services are making to help the situation.

Mr. Blain noted that the situation is different now. He noted that it is now impacting the fire companies directly in that they are running SCEMS calls because SCEMS can't respond. He noted that it is a little different situation now than it was a couple years ago when the Board could tolerate the fact that SCEMS wanted to do their own thing. He noted that we've talked to Paxtonia about trying to work them into their station. He noted if they can't make the calls and can't respond we are not only giving them a contribution, but then it is costing the Township more money since there are issues with the fire equipment that the Township purchased that is causing more maintenance and fuel costs.

Mr. Hawk noted that the Township has a responsibility to provide a service but yet SCEMS is not providing it. Chief Swank noted that Scott Buchle was a good asset for SCEMS, and it will be interesting to see how well it operates once he is gone. He noted that any medical supplies that his people used, SCEMS replaced, but he doesn't know if that will continue. Chief Fife noted that they have continued to do that up to today. He noted that SCEMS replaced all the supplies that he used on the call at Nyes Road. He noted that Susquehanna Township was dispatched but the ambulance that took the patient away was SCEMS. PSD Johnson noted that Susquehanna Township was there as he followed them to the scene. Chief Payne noted that the EMS is usually dispatched 30 seconds before the fire services are dispatched. PSD Johnson noted that there had to be an issue or otherwise Susquehanna Township would not have been

dispatched. He noted that it was five to seven minutes from the time the initial call went out and then he saw the Susquehanna Township ambulance go by and he questioned why they were coming out five to seven minutes later after the initial dispatch. He stated that he followed them and they went straight to the accident at Nyes Road. Chief Fife noted that SCEMS came from across Devonshire Heights Road, which he assumed was from their station behind his fire house. He noted that he had time to get up from his chair, roll the phone over, leave the office and drive to the scene and he was still the first on the scene by minutes. He noted for as many people who live in the Township, one ambulance is not enough. He noted that it would be different if both ambulances were on calls. He noted that someone can stub their toe at the mall, demand care and in the meantime, another person across the Township is having a medical condition and there is no truck to respond to the real medical call.

Mr. Blain questioned if any of the other municipalities are complaining about SCEMS services. Chief Payne noted that he hasn't asked because he does not want to enter into that state of affairs. PSD Johnson noted that it would not be an issue with Grantville. Mr. Hawk noted that things are going down hill with SCEMS, and at some point there is going to be an end to it. Chief Fife noted that they had a car roll over on the Interstate and the driver was ejected from the vehicle. He explained that he arrived and took care of the patient. He noted when SCEMS got the liter out of the back of the ambulance, he saw all kinds of fluids leaking out the bottom of it and he shut it off. He noted that he was told by the medic that left the vehicle running because it could have died on the spot. He stated that the medic laughed about it and that he left it running because he did not know if it would start. He noted that is not the kind of ambulance that he wants to come to get him for an emergency call.

Mr. Blain noted that we have discussed the five-year plan for funding, reviewed the capital plan and the purchase of new equipment, and discussed SCEMS. He noted that the last thing on the agenda is the level of discrepancy between the fire and the library taxes. Mr. Wolfe questioned if everyone understood the difference between the levels of funding from the Township for the library tax versus the fire tax. He noted that it is a point of confusion in the community. He explained that the Township levies a .24 mills tax, which is a quarter of a mill for fire services. He noted that it is more than 25% of the total real estate tax collected. He noted for the library tax it is .041 mills which is 1/5 of what is levied for fire purposes. He noted that

the Fire Equipment Capital Fund is a General Fund contribution separate from the fire tax. He noted that what the Township provides for the fire services is more than the fire tax levy.

Mr. Wolfe noted that there is a second library tax in Dauphin County assessed by Dauphin County for library services in the amount of .35 mills. He noted that it is a county-wide tax and the Township has nothing to do with it.

Mr. Seeds noted if you add the yearly contribution, the fire companies are getting more than a third of the total tax levy. He questioned how much money was given to SCEMS. Mr. Wolfe answered that it was \$212,000. Chief Swank requested more funding from the Township by adjusting the millage rate for the fire services. Mr. Wolfe noted that the Board is aware that the fire companies were looking for an adjustment to the tax rate, and the Township did respond in regard to that. He noted that everyone knows that the Township's finances are very tight, in fact, more than tight. He noted that staff is in the process of putting together the mid-year numbers and year-end estimate for 2011 and a draft budget for 2012. He noted that any consideration for additional funding for anything is premature until those numbers are available by the end of July or beginning of August. He noted that the fire companies would like the Board to increase their millage rate for fire tax, but he explained that he would be able to provide more information for budget numbers and projected numbers in a very short period of time. Mr. Crissman noted that the fire chiefs plea has been made aware to the Board members.

Chief Payne noted that the Public Safety Committee is a great concept but he had a concern for what is discussed in the public forum. He suggested, if he was a citizen sitting at a meeting and saw the three fire chiefs bashing SCEMS, or if he had concerns with other chiefs and how they handle their incidents, he thinks it would lead him to believe, as a private citizen that he wouldn't feel safe in the Township. He suggested that the Public Safety Committee membership should be changed to the Public Safety Director, the three fire chiefs, EMS coverage for whatever it may be, and maybe a member at large. He questioned the topics that they want to discuss, citing that no one is perfect. He suggested that something Chief Swank might say is wrong and he might want to have a discussion with him about it and it could get a little heated but when we walk out of the room, that discussion has no impact on what we do for the fire companies. He noted, in front of the public, it looks very unprofessional and he is concerned that the public may not feel safe or comfortable witnessing those types of discussions within the fire

services. He noted that those members may perceive that the fire services do not get along with each other.

Mr. Crissman had a comment that Chief Payne used the word bashing, but he did not think that was appropriate. He noted that facts were being discussed that everyone needs to be made aware of in order for the Board to make good decisions that would benefit everyone in a positive way in this community. He noted that we were discussing facts as they exist so we can move forward. He explained that he appreciates that the facts were presented to the Board.

Chief Payne noted that the three chiefs had a meeting with PSD Johnson and Human Resource Manager, David Hogentogler, and more was accomplished in that meeting in a half an hour than in numerous Public Safety Committee meetings. Mr. Blain questioned how many members are on the PSC. Chief Swank noted that they have the deer in the headlights syndrome when they start talking. Mr. Blain noted that the bigger a committee is the less you get done. Chief Swank noted that he wrote a note to PSD Johnson asking to get the PSC changed to what Chief Payne brought up. He noted that they could have their own staff meetings with PSD Johnson, Dave Hogentogler, and Mr. Wolfe and get more accomplished that way. Chief Payne noted if we talk about fire dispatch from boxes, and if he has a problem with Chief Fife's or Chief Swank's boxes, we may argue about it. He noted that it gives the wrong impression to the members on the Committee.

Mr. Wolfe noted that the PSC is at the discretion of the Board and the composition can be whatever the Board wants it to be. He stated that he can explain why the composition includes citizens. He noted, at the time of its formation, in 1994, it was an era in the community when the three fire companies wouldn't argue because they wouldn't talk to each other. He noted that part of the roll of citizen members on the PSC was to provide a means of softening problems and issues and to provide a more workable framework, having people on the Committee who were not biased to any one specific position but could offer their input. He suggested that we may have grown past that need. He noted that was the original purpose, but we now have a situation among the fire companies where they talk openly and often, and the need for a mediator at a meeting does not exist.

Mr. Crissman noted that there is obvious teamwork now.

Chief Swank noted that we may not agree all the time, but we can pick up the phone to talk to each other.

Mr. Crissman noted that it is important that the three chiefs recognize that we have limited number of dollars and all three companies have equipment that need to be replaced. He noted that priorities will have to be established. He noted that is why the three chiefs have to work together as a team. Chief Swank explained, since he, Chief Payne and Chief Fife have been in office, it has provided for the best working relationship seen for the last 15 years. Mr. Hawk noted that they appear to be perfect gentlemen.

Mr. Seeds noted if the three chiefs have a recommendation he would like to hear it. Mr. Wolfe noted that it would be appropriate to reduce it to writing. PSD Johnson noted that Chief Swank has sent him an email on this topic. Mr. Wolfe noted that he would get together with PSD Johnson to discuss this issue. Mr. Crissman questioned if the other two chiefs have reviewed the email from Chief Swank. Chief Payne noted that they have discussed it. Chief Fife noted that they have had conversations on this topic. PSD Johnson noted that this issue was discussed during a recent meeting held to discuss the LOSAP.

Mr. Hawk noted that the Board knows the concerns of the three fire chiefs. Chief Payne suggested that this meeting should be held every six months. Mr. Blain and the other Board members agreed. Mr. Hawk noted that it could be held on a quarterly basis if needed.

Chief Swank noted that the Board requested that the budgets all appear the same. He noted if the Township provides that information to the three chiefs, then they accommodate that request. Mr. Blain noted that he was to work with the three fire companies on this. Chief Fife noted that their accounting firm put their budget together for them. PSD Johnson noted that it was suggested to use the Township format for budgets. Mr. Crissman noted that it would be consistent with the rest of the Township

Mr. Hawk thanked the fire chiefs for coming to the meeting and sharing their thoughts on several issues.

Chief Fife noted that he has the numbers for the cost difference between replacing and refurbishing equipment if the Board is interested.

Presentation regarding the Susquehanna Municipal Trust
(Workers' Compensation) and its 2011 Public Works Safety Rodeo

Mr. Wolfe noted that the Susquehanna Municipal Trust (SMT) is where the Township obtains its Workers' Compensation (WC) insurance. He noted that the Township is one of 41 municipalities that participate in the SMT, and this is the Township's fourth year as a member. He noted that even though the Township has only been a member for a short period of time, he is on the Board of Directors and Dave Hogentogler is on the Safety and Loss Committee. He noted that the Township is the largest member of the Committee based upon payroll and number of employees.

Mr. Wolfe noted that the Township has been able to control its WC costs through participation in the SMT. He explained that Lower Paxton, Derry, and Susquehanna Townships are the only members from Dauphin County, and all the other municipalities are located east of the Township, primarily in the Lancaster area. He noted that the SMT was first formed by 11 members from Lancaster County. He displayed a chart showing all the members who participate in the SMT, and their loss history. He noted that he wanted the Board members to see that the Township's loss ratio is very low and has been since its participation in the SMT.

Mr. Wolfe explained that the Township will be eligible for full dividends in the SMT very soon, and in fall of 2010, the dividend for participation in the SMT, with a low loss ratio on a total bill for WC coverage for \$300,000, was \$56,749. He noted that 1/6th of the costs to the SMT to date, on an annual basis, are starting to come back to the Township as a result of a good loss history. He explained that he included the underwriting criteria for the SMT, noting that it only includes local government, to include townships and boroughs but not third class cities, counties, or school districts. He noted that the municipalities have to be under professional management, and have an experience modification for WC of 1.15 or less. He noted that the Township's experience modification is .78, and explained what raises the Township's experience modification is the volunteer fire services which is indicative of all the municipalities. Mr. Wolfe noted that the experience modification is based upon the State's formula and if you take out the volunteers, the Township would be much lower.

Mr. Wolfe noted that the budget shows the annual contribution for WC and how much is paid per period. He noted that the minimum modification is also shown on the last page. He

noted that the Township has been able to save money by participating in the SMT and by his sitting on the Board and Dave Hogentogler's sitting on the Safety and Loss Committee; it has provided benefits to the Township, including grant funds from the SMT. He noted that the Township is going a step further by controlling its losses by encouraging safety among its employees.

Mr. Seeds questioned what part Benecon plays in the SMT. Mr. Wolfe answered that they are the hired administrator for the plan. Mr. Seeds noted that they wanted a \$500 pledge from the Township to conduct a study on property and casualty insurance. Mr. Wolfe noted that the Township has already paid the \$500 pledge. He explained that it is a self-insured fund that uses underwriting criteria set forth by the State for Workers Compensation Trust Funds. He noted that SMT hired the Benecon Group as its administrator and they are also the administrator for the Pennsylvania Municipal Health Insurance Cooperative (PMHIC) which is the Township's health care insurance provider. He noted that both self-insured pools were the concept of the Benecon staff. He noted that a group of nine members from the SMT are researching the cost to purchase property and casualty insurance on an inter-municipal pool basis. He noted that they have done some underwriting on this issue; however, the coverage at this time is so cheap that they can't bring anything to market for municipalities for a self-insured basis that would be competitive. He noted for 2011, the Township's payments were at the 2005 rate level; however, the Committee is looking to be prepared in the event the market takes a turn and the rates increase.

Mr. Wolfe noted that Dave Hogentogler will discuss the Safety and Loss aspect and the Public Works Rodeo.

Mr. Hogentogler explained that he sits on the Safety Committee for SMT, and as a member of that Committee they were looking for new ideas for 2011. He explained that he presented the idea of hosting a safety work competition, and what the Board members will view is the coverage done by abc27 WHTM. He explained that Chuck Rhodes came out to cover the event. He noted that the purpose of the event was to promote safety among the municipal employees by competing in a skills competition. He noted that the participants were provided t-shirts and the winners received a plaque. He noted that the workers are to encourage safety in the workplace, and he wanted the community to see the level of skills that some of the

employees have. He noted that we rely on these individual to operate backhoes and drive large trucks and not in the best conditions. He proceeded to show the video clip from the news.

Mr. Crissman noted that it was a great news clip.

Mr. Hogentogler explained that Grant Garland from the Public Works Department won First Place for the Personal Protective Equipment Competition; Kay Ross won Second Place for the Written Examination; and Kris Reichert won First Place for the Equipment Operator Competition. He noted that they received individual plaques and a team one as well. He noted that the purpose was to recognize safety in the workplace and to recognize their skills. He explained that the entire project cost under \$500, and SMT received some donations from vendors. He noted that the SMT members were very pleased with how the event turned out

Mr. Hogentogler noted that the Township started its own Safety Committee, made up of members from each Department, in 2008. He noted the Committee applied for its first grant in 2009 for work at the Friendship Center for the roof access. He noted that they were awarded the grant to installed cargo nets, a safety harness, and a retractable line. He noted that now, employees access the harness, and walk up the steps with a fall prevention system in place. He noted that a catastrophic loss would have cost more than \$250,000 in medical bills if someone fell from the roof access and landed on the concrete floor. He noted that the cost of the safety equipment to the Township was \$563 with a matching grant from the SMT. Mr. Crissman noted that it could have resulted in a long-term disability.

Mr. Hogentogler noted in 2010, the Committee applied for a grant for AED machines. He explained, in February of 2010 the Township has what was perceived as a cardiac event at the Public Works Building during a severe snow event involving an employee. He noted that there were no AED machines for either the Public Works or Sewer Authority buildings. He reported that the grant was awarded for the purchase of an AED machine, and it was mounted at the Sewer Authority Building just inside the door for easy access.

Mr. Hogentogler noted in 2011, the Committee applied for four different grants and will received funding for all four applications. He noted that two Public Works employees suffered shoulder and hip injuries when they slipped on icy road conditions. He explained that he purchased 30 pairs of over-the-boot cleats, that have metal spikes that mounts on boots that go over the boots to include the heel and will help to prevent slipping on ice. He noted that they are

similar to a golf shoe. He noted that the other application was for chainsaw chaps and face shields. He noted that they will be used to protect a person's leg or head if a chainsaw would hit his head or legs. He noted that the treads will pulled out from the chaps and wrap around the chain to prevent injury.

Mr. Hogentogler noted that there have been issues with trench collapses and staff is currently using a disassembled loop ladder, but he found a telescoping ladder that could be purchased for \$135. He noted that the last item for the grant application was an additional harness and winch for staff working in a confined area and in trench boxes. Mr. Seeds noted that he was sure the Sewer Department already had some of those. Mr. Hogentogler replied that they did have some but the Public Works Department did not. He noted that the grant application was for \$1,000.

Mr. Hogentogler explained he is trying to be proactive. He noted that he is making sure that everyone has the correct forms and the Township has the correct information on employees. He noted that most claims for WC are filed within 24 hours of the incident. He explained that he is addressing where employees and volunteers should go for medical assistance. He noted, if someone steps on a nail, they should go to a First Care Place or Worknet, and not the hospital emergency room (ER). He noted that municipalities were paying for ER visits that were not necessary. He noted that SMT is working to address the costs of services. Mr. Seeds noted that employees need to keep their shots up to date. Mr. Crissman noted that the 24 hour reporting period helps to preclude any attempts at fraud.

Mr. Hogentogler noted that the Township has a very good working relationship with Worknet and they will transport the employee to their office for treatment. He noted that they are saving man-hours in that another employee does not have to stop work to transport an injured employee for treatment.

Mr. Crissman questioned if there is a five-physician panel rule for the Township. Mr. Wolfe answered no as he could never negotiated it. Mr. Wolfe noted that he was able to negotiate it with the Police Department but because he couldn't get the other bargaining units to agree, it was pointless to have two separate systems. Mr. Crissman noted that we need to get that in place as it helps to cut the costs. Mr. Hogentogler explained that he would like to see it, and he is often asked by SMT if the Township has that rule in place.

Mr. Hogentogler noted that the Pennsylvania Risk and Insurance Services, Inc. conducted an inspection for the Township and staff has already addressed the two issues that they found.

Mr. Crissman noted that he would push for the five-physician panel in negotiations.

Mr. Wolfe noted that the Public Works Safety Rodeo was totally Mr. Hogentogler's idea. He explained that he took it to the SMT Safety Committee and he was the prime mover among the other municipalities in putting it together along with Benecon, and he did a fantastic job with it. He suggested that SMT will continue to do this on an annual basis and he sees it growing as word gets out that it is a positive thing for their employees to participate in.

Mr. Seeds noted that it was great. Mr. Hawk noted that it was impressive.

Presentation regarding the Federal Automated Red Light Enforcement
Grant program and the potential for funding improvements
to the intersection of North Mountain Road and Blue Ridge Avenue

Mr. Wolfe noted explained that he was expecting Mr. Fleming to be at the meeting to show the Board members a grant application that HRG is putting together, on the Township's behalf, for improvements to North Mountain Road at Blue Ridge Avenue. He noted that there are funds available for signalization and intersection improvements outside of the Philadelphia and Pittsburgh areas where automated red-light enforcement occurs. He noted it is not permitted in Central Pennsylvania; however, this area is eligible to receive funds from the program.

Mr. Seeds questioned what automated red-light enforcement is. Mr. Wolfe explained, if a driver goes through a red light, a camera will take a picture and a ticket will be sent to the registered owner of the vehicle. Mr. Stine explained that it is a civil fine, not a criminal one. Mr. Seeds noted that the Township does not have to have a traffic signal at that intersection to get grant funds.

Mr. Wolfe noted that the application for that intersection would be for signalization. He noted, unfortunately, there is a limited amount of funds available in District 8 and the improvements at this intersection are approaching \$500,000, an amount that is feasible given the amount of money available. He noted that the funding allocated to this intersection would be for signalization and right of way acquisition for the intersection. He noted that the intersection also needs turning lanes, but there would be no funds available for turning lanes under this program.

Mr. Wolfe noted that the Township is going to submit an application and it is due by the end of July. He explained that Mr. Seeds already noted that this was a problematic intersection in previous discussions held a few weeks ago and there may be a source of funding available through the Harrisburg Area Transit Study that could provide PENNDOT funds to do the improvements.

Mr. Wolfe noted that HRG was to present a conceptual design of what they had worked on and what they plan to submit. He noted that they could do this at a future workshop meeting.

Request from Frederick and Linda Givens to review the Planning
Commission's recommendation to deny a waiver of sidewalks
for subdivision 11-05

Mr. Hawk noted that the Planning Commission (PC) recommended denial of the waiver for sidewalks for the Givens Plan. Mr. Wolfe noted that there is a subdivision and land development plan for the Givens property located on the south side of Valley Road at the I-83 underpass. He explained that the Givens presented a subdivision plan to the PC and they did not approve the request for a waiver of sidewalks.

Mr. Mark Romeo, Romeo Land Surveying, Inc., explained that he was hired by Steve Givens, the son of Linda Givens. Mr. Hawk questioned who Frederick Givens is. Mr. Romeo noted that Frederick and Linda Givens are the owners of the property. He explained that Frederick passed away but the title is still in his name. Mr. Crissman noted that the property is for sale at this time.

Mr. Romeo noted that both Ms. Moran and Mr. Fleming have been very helpful to him. He noted that the main cause for concern for Steve Givens is that the plan received conditional approval for all the waivers except for sidewalks. Mr. Seeds questioned what the other waivers were for. Mr. Romeo answered that they had to do with a traffic study.

Mr. Crissman noted that the property is for sale and asked what the purpose for the proposed subdivision is. Mr. Romeo answered that the plan proposes to subdivide the existing property to add two additional residential lots on the far eastern end of the property.

Mr. Hawk questioned if the sidewalk issue would be part of the land development plan. Mr. Wolfe noted that it could be part of the subdivision plan as well.

Mr. Romeo noted that Mr. Givens has no problem with putting sidewalks in front of proposed Lot 2 and Lot 3, however, he has an issue with installing sidewalks in front of Lot 1 which is where the house and remaining land are located. Mr. Crissman suggested that it is the area that is west of the driveway towards the I-83 bridge. Mr. Crissman noted that the entire property is up for sale. Mr. Romeo answered that was correct but it is with the knowledge that it would not.... Mr. Crissman noted that he talked to a realtor about that property as he actually looked at it. Mr. Romeo noted that it is a beautiful house.

Mr. Romeo noted that it is the Givens' position that the sidewalk would not service any useful purpose. He explained that it would be a sidewalk to nowhere, as the area beyond the driveway would dead-end at the guide rail. He noted that there is a ditch three feet deep at that location and it is drainage ditch from Interstate 83 He noted that the sidewalk would have to be installed where the ditch is located and it would be located on the other side of the guide rail. He explained that there is industrial development on the other side of the bridge but not a lot of pedestrian traffic in that location. He noted that Mr. Givens is requesting to build sidewalks only on Lots 2 and 3 and not on Lot 1 as it would be a sidewalk to nowhere and destroy the Copper Beech tree in front of the home.

Mr. Seeds suggested that you would not have to take the tree down; but the sidewalk would cut into the tree roots. Mr. Romeo noted that the tree roots are pretty well exposed. Mr. Seeds suggested that it would not kill the tree as the tree it is well established. Mr. Romeo noted that the amount of space between the tree and the road does not provide for much room for a sidewalk. He noted that a Cypress tree would have to be removed. Mr. Seeds suggested that the trees are 10 to 12 feet off the edge of the road. Mr. Romeo noted that there is ten feet to the center of the tree. He noted that the right of way goes beyond it. Mr. Seeds suggested that the Shade Tree Commission could take a look at the trees and make a recommendation.

Mr. Romeo noted that Mr. Givens has asked for a waiver for the sidewalk in front of Lot 1. Mr. Seeds noted that there is sidewalk east of the property. Mr. Romeo noted that the sidewalk would dead-end at the bridge at the ditch. Mr. Seeds noted that there is room to put a sidewalk in that location. Mr. Romeo noted that Mr. Givens could put a condition on the sale of the property that if the road is widened that a restriction be put on the deed for the future. He noted that Mr. Givens is asking for relief at this time for Lot 1. Mr. Seeds noted that he wants a

condition that when improvements are made for Lots 2 and 3, that sidewalks would be required. Mr. Romeo noted that the sidewalk that leads up to the property from the east comes in at such a slope, noting that the property owner installed a new driveway and he would have to tie into it and it would be a less than safe slope. He noted that it is almost a 4% slope.

Mr. Crissman questioned if this would all disappear if someone bought the entire property. Mr. Romeo answered that sidewalks would not be necessary. Mr. Wolfe noted that there would be no subdivision and no sidewalk. Mr. Romeo noted that Mr. Givens stated that it would kill the sale if he has to put in sidewalks. He explained, if the property was sold as three lots, the tree would have to be removed, and it would eliminate the privacy that the property enjoys at this time.

Mr. Seeds recommended that the Shade Tree Commission look at the trees and make a recommendation. Mr. Wolfe noted that he would make contact with the Shade Tree Commission and request them to do this. Mr. Crissman noted that the tree has nothing to do with selling off those lots based on exactly what is there, there is one deterrent to the entire piece of property and that is the I-83 highway. He noted that it borders the side and backyard.

Mr. Seeds noted that he looked at the property. Mr. Crissman noted that he looked at the property because he considered purchasing it. Mr. Romeo questioned, if the subdivision is approved and Lots 2 and 3 are never sold, and no building permit is executed for those two lots, would they still have to build the sidewalks. Mr. Wolfe answered that the owners would have to bond the improvements. Mr. Romeo explained that he spoke to Mr. Givens about the bond and he stated that he would be willing to post the bond for a certain term and when the term expires then the Township would install the sidewalks. Mr. Wolfe explained that is not how it works. Mr. Blain noted that only occurs when the developer does not do the work. Mr. Wolfe noted that the Township would make the developer carry the bond until the work is done. He noted that the Givens would have to carry the financing for however long he owns the lot. Mr. Romeo noted that Mr. Givens wants to protect the tree and make the house as sellable as possible. He noted that the sidewalk would lead to a ditch. Mr. Seeds noted that sidewalks have been installed over ditches before by installing more pipe and adding stone. He noted that it is doable. Mr. Romeo explained that the ditch is off of the Givens' property and the sidewalk would lead to the ditch.

Mr. Wolfe noted that he would bring the Shade Tree Commission recommendation back to the Board when they see the plan during a business meeting.

Mr. Hawk questioned if the home has been up for sale for a long time. Mr. Romeo answered that Mr. Givens had someone who was interested in purchasing the home and they convinced his mother to purchase another home, and then the deal fell through.

Mr. Romeo noted that he was looking for a precedent where sidewalks had been waived since he knows that the Board is adamant about having sidewalks. Mr. Seeds noted that is true. Mr. Romeo noted that he had no problem with installing sidewalk from the eastern property to the driveway, but Mr. Givens is asking for relief for beyond that area.

Mr. Blain noted the reason for installing sidewalk on Lot 1 is for future development to the west, noting that you have the Shoppes at Susquehanna and there is a large tract of land that will be commercially developed in the future. He noted that it would be great to have sidewalks that would lead you from the Colonial Park Mall, west along Valley Road, to that location. Mr. Romeo noted that the PC discussed that there was a possibility of road widening along Valley Road. Mr. Seeds noted that there is room for a sidewalk under the bridge but who would pay for it. Mr. Romeo noted that it would be PENNDOT's responsibility. He noted that the sidewalk would have to cross the guide rail since it comes to the edge of the curb. He noted that the guide rail would have to be removed, the ditch would have to be covered and the guide rail replaced. He stated that it would be a major improvement to the underpass, but beyond the bridge to the west, there is no sidewalk. He noted that it will be developed eventually. Mr. Wolfe noted that that parcel is being marketed now.

Mr. Romeo noted that this is a very unique situation. He noted if it were to be a bond issue conditioned upon any extension of a sidewalk to the west that might be more palatable. He noted if he is made to put it in now, he would truly have an island sidewalk. Mr. Wolfe noted that the Township never requires that a sidewalk be installed until the land is developed. He explained that you either install the sidewalk before you record the final plan or you post a bond guaranteeing the installation at some point in the future. Mr. Romeo questioned if it would be possible to have a bond that stated that it would be conditioned upon any road widening. Mr. Wolfed responded no, it would have to be an improvement guarantee. He noted that it provides surety to the municipality that the sidewalks will be installed when development occurs. Mr.

Seeds noted that there are some restrictions that the improvements must be installed within a year of development of a certain lot. Mr. Romeo noted that Mr. Givens' contention is that there is no development in front of his property. Mr. Seeds noted, if you did not improve Lot 1 and someone buys Lots 2 and 3 and builds on it, they would have sidewalks and there would be none on Lot 1. Mr. Romeo noted that the sidewalks for Lots 2 and 3 would not be landlocked as they would access the sidewalk to the east at Kimbers Drive. He noted that Lot 1 would be the only dead-end sidewalk.

Mr. Romeo noted that Lot 3 has a sidewalk that ends at the Walsh property. He noted that Mr. Givens has no problem installing the sidewalk once those lots are developed, but for Lot 1, it dead-ends at the I-83 Bridge in a ditch. Mr. Crissman noted that the sidewalk could connect to the property on the other side of the bridge when that land is developed. Mr. Romeo noted that Mr. Givens would like to see it in a form of a deed restriction and not a bond. Mr. Stine explained that the Township cannot enforce a deed restriction.

Mr. Romeo noted that it is a unique situation for a sidewalk waiver request. Mr. Crissman noted that the Township gets a lot of them. Mr. Wolfe noted that the Board will see this in a business session and will be asked to formally address the waiver at that point.

Mr. Romeo noted that the Shade Tree Commission will look at the two trees and provide a recommendation to the Board as to whether they are viable and if the installation of sidewalks could be to their detriment. He noted that it usually takes a week or so for them to do this. He noted that he will let Mr. Romeo what they recommend. He thanked the Board for their consideration.

Mr. Romeo noted in discussing the BID, the state relinquished the maintenance to the borough of Lemoyne when they did their improvements. Mr. Seeds noted that they installed bump outs into the roadway. He noted that PENNDOT did not want to bother with plowing and maintaining the roads with those additional items. He noted that they installed rain gardens and all kinds of stuff. Mr. Romeo noted that the roadway looked like the canyon river rapids during a heavy rain event

Review of proposal from Constellation Energy to extend the Township's contract for electricity and to provide service for street lights

Mr. Wolfe explained that he included a memorandum in regards to the continuation of electric purchase form Constellation Energy (CE). He noted that the Township participates in the Pennsylvania League of Cities and Municipalities Municipal Utility Alliance. He noted that the Township is the lead municipality in that alliance. He explained that two years ago the Township purchased electricity upon deregulation in Central Pennsylvania from CE who was the selected provider by the Alliance. He noted that the Alliance has work with CE to do two things. He noted that they have extended pricing with CE through to 2018, noting that the Township could execute a contract with CE who is now offering 12 month, 24 month and 36 months pricing. He noted CE is also offering pricing for street lighting. He noted that previously they did not offer this service. He stated that the alliance received very good prices for this service.

Mr. Wolfe noted that the pricing for electricity fluctuates daily, and the pricing that he received last Thursday is better than today's pricing.

He noted for the December aggregate pricing, the reduction is not as much, noting for a 12-month contract instead of 12.6% reduction, the current rate is 9.9%. He noted for a 24-month contract, the price changed from 8.9% to 5.6% and for a 36-month contract the price was 5.6% and changed to a 2% reduction. He noted that anytime you pay less for utilities, it is a good thing.

Mr. Wolfe explained that the last time the Board chose to go with a 24-month contract, and if the Board chooses another 24-month contract, the savings will be \$23,000 per year for a total of \$46,000 for the Township's 68 utility accounts. He noted for a one-year contract, the savings would be \$40,600 and for three-year contract, it would be \$23,000.

Mr. Wolfe noted that street lighting increased a little bit but it is a more constant number in that it is off-peak energy as opposed to on-peak energy. He noted that the current pricing from CE for street lighting for a 16-month period would be \$21,200; for 28-months, it would be \$21,800; and for a 40-month period, it would be \$22,600. He noted the reason for the extra four months is to start the contact now to line up the contract with the other contracts that use December as its start date. He noted that there is very little fluctuation in the pricing. He noted that it would be a significant savings on an annual basis.

Mr. Seeds noted if you look at the chart for 16 months, the rate is \$.062405/kWh; however the rate for 28 months is \$.063952/kWh, a higher rate but more of a savings. Mr. Stine noted that is the way it works, the more months, the higher the rate. Mr. Wolfe noted that he mistakenly stated that it was a savings when he should have stated that was the cost. He noted that currently the Township's pays approximately \$38,400 for electric service. He noted that the potential savings for street lighting on an annual basis is \$18,000 a year. He noted that a two-year contract would provide a savings of \$36,000 in addition to the \$46,000 from the other contract, for a total of \$82,000, based upon today's spot market pricing.

Mr. Wolfe questioned if the Board was interested in continuing with the Municipal Utility Alliance and if so, what term would you want to lock in at. Mr. Blain noted that he is interested in doing this as the Township saved money the last time, and it will save money again. He questioned if the Township locked into a two-year rate two years ago, and the current rates are lower than those rates, it might be prudent to lock into a one-year contract. He noted that it seems that competition in the electric industry is doing what it was supposed to do.

Mr. Seeds questioned if it is a lot of paperwork to only lock in for a one-year contract. Mr. Wolfe answered no. Mr. Blain noted if the Township uses the rates Mr. Wolfe quoted, it would provide for a very significant savings for one year. Mr. Wolfe noted that electric pricing is a strange thing, and it is based upon pricing for natural gas. He noted that he can't explain it but that is how it works, and he assumed that the price for generation is decreasing because natural gas prices are decreasing due to the Marcellus Shale pricing. He questioned if the Board wants to lock in prices now or wait. He explained that he is prepared to lock in a contract that he could sign tonight and have the Board approve at next Tuesday's business meeting. Mr. Blain noted if we choose to lock in for one year, we should do it now, but anything longer, we might want to wait to see what happens.

Mr. Seeds suggested that the Township should lock in prices for one year. Mr. Crissman agreed that the Board should lock in the contract for one year and also for 16 months for the street light contracts.

Mr. Wolfe questioned if he should do it now or wait until next week and provide new pricing at the business meeting. Mr. Hawk noted that Mr. Wolfe should lock in the price now. Mr. Wolfe noted that he would have it on the agenda for the July 19th meeting.

“Otta Know” Presentation: Manager’s participation in DEP/PSATS process to develop a stormwater off-site mitigation policy to address the Chesapeake Bay Total Maximum Daily Load

Mr. Wolfe explained that he has been invited by the Pennsylvania State Association of Township Supervisors (PSATS) to sit on a committee that will discuss with the Department of Environmental Protection the effect of stormwater off-site mitigation and the Chesapeake Bay Total Minimum Daily Load (TMDL). He noted that the group was to meet yesterday, but the meeting was cancelled. He stated that the meeting will be held in August and after he has attended the meeting, he will provide the Board with an update. Mr. Seeds noted that it is not a very exciting meeting to attend and he thanked Mr. Wolfe for doing this.

Adjournment

There being no further business, Mr. Blain made a motion to adjourn the meeting. Mr. Crissman seconded the motion, and the meeting adjourned at 9 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary