

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held August 16, 2011

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:33 p.m. by Chairman William B. Hawk, on the above date, in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

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

Also in attendance were Steven Stine, Township Solicitor; Sam Robbins, Public Works Director, David Johnson, Public Safety Director; Rich Bowra and Deborah Battisti, Dauphin County Library System; Tom Smida, Mette, Evans and Woodside; Brian Evans, Evans Engineering, Inc.; and Ted Robertson and Watson Fisher, SWAN.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the minutes of the August 2, 2011 business meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

Ms. Betty Golden, 6221 Nassau Road, noted that her house was flooded on Saturday a week ago. She noted that she does not have proper drainage out her way and it has been that way for 35 years, but this is the first time she was flooded. She noted that she has been in contact with the Board of Supervisors a few times and she needs its help. She explained that she does not have a basement, and the water came through her house, and she does not have flood insurance. She noted that she has no carpets and her drywall was damaged. She explained that seven houses

down from her home, the pipe stops in a culvert, and there is no room for the water to go and the entire development's water flows down by her house and goes down the pipe. She noted that the culvert needs to be cleaned out twice a year. She noted that it is 25% full now and it needs to be deepened for the water to have a place to go or the water needs to be diverted to somewhere else.

Mr. James Zimmerman, 4076 Roswell Court, Forest Hills, noted that he submitted a letter to the Board of Supervisors showing the damage to his property a week ago. He noted that the water seems to collect in Deer Run Court, runs down Forest Hills Drive, and comes into his yard. He explained that he had a river going through his yard. He noted that there is an infrastructure problem and he requested, in his letter, that an engineer from the Township meet with him to look at his property to determine the problem. He requested that the Township Manager and its insurance carrier arrange a meeting with him as he thinks the Township has some liability in this situation. He noted that he should not be getting water on his property from other streets. He noted that the culvert and drain pipe was blocked and that they only repaired part of the pipe but he did not know if that was part of the problem. He noted that he wanted a response on his two requests.

Mr. Hawk noted that staff is trying to meet with individuals but anytime you get seven inches of rain that lands on top of a mountain it has no where to go but downhill. Mr. Hawk noted that the insurance issue is between the homeowner and his or her insurance company. Mr. Zimmerman noted that he has already dealt with them and he does not have flood insurance and they will not cover anything. Mr. Hawk noted that insurance companies have exclusion clauses for water damage unless it is wind-driven or you have flood insurance. Mr. Zimmerman questioned if there is a liability issue for the Township. Mr. Hawk noted that he could not answer for the Township's insurance company. Mr. Zimmerman questioned who the insurance carrier is for the Township. Mr. Wolfe answered that the agent is Brown and Brown Insurance and that he received Mr. Zimmerman's letter yesterday and he will have staff process the claim.

Mr. Nick Barrelet, 4905 Harman Drive explained that a creek that runs through the Township flows in his backyard. He noted that Saturday night was an anomaly with a tremendous amount of rain. He explained that he wants to talk about the ongoing issue that seems to be occurring in the Township that hit a peak on Saturday night. He noted that the creek behinds him generally flows at about one to two inches in height, but on Saturday night it was estimated to be seven to eight feet deep. He noted that prior to Saturday, something is happening in the Township. He explained that he talked to neighbors that have lived in his development for 30 years, and something is different. He questioned if there are enough water basins in the area of Harman Drive were he lives. He questioned if the creek is expected to take the water flow from the Colonial Commons, Friendship Center (FC), and Brightbill Park, where the two creeks come together at a point in his backyard. He noted that several other neighbors are also in attendance.

Mr. Barrelet noted that the flow does not make sense and the only water basin that he can find is the one next to the FC which is too small to handle that water flow. Mr. Wolfe noted that the water from the Colonial Commons and the FC flows out to Devonshire Road. Mr. Barrelet noted that it goes down that creek and intersects with his creek. Mr. Wolfe answered that it goes under Colonial Road and heads westward at that point. Mr. Barrelet questioned the creek that is at the corner that crosses over Creek Drive and goes to Brightbill Park where does that come from. Mr. Wolfe answered that that creek comes from the pond at the Marina. Mr. Barrelet noted that is the wrong creek, at one point two creeks intersect at the back of his home, and his point is that there is a water flow issue and the water have been rising higher than normal. He noted in a good rain, the creek is up, and in the 12 years that he has lived there, it has not gone above the embankment. He noted, all of a sudden, in the last two years, noting that he does not know if it is related to all the work that is going on in the Township, it rises a horrendous amount. He noted that this is causing a secondary problem, erosion. He explained, if there are

more severe storms, the erosion will take his embankment and expose the sewer pipes that were just installed in his backyard, which will cause a Department of Environmental Protection (DEP) problem. He explained when the Authority did the sewer job they did not put back the lilac bushes and rebuild the embankment property to handle the storm for the water flow that is coming through. He noted that the easement that was developed for the creek for certain parts is not wider than two feet. He noted in other sections, it is wider, and when water does not have room, it will make its own channel and that is what happened. He noted that his neighbor from across the street lost all his lumber and it was pushed up against the guide rail, it is horrendous. He noted down along the creek, the easement has never been touched. He noted that he walked the creek over the weekend to take pictures and found storm drains full of dirt, dropped trees, and nothing has ever been done. He stated that he was convinced that if something was done to maintain the creek, some of the water flow problems would ease. He noted that it may not have alleviated the situation on Saturday night, but overall it is worthy for someone to come out and assess the problem.

Mr. Barrelet noted that he has called the Township on two occasions. He explained during a normal rain, where Harman Drive comes off of Earl Drive, at the high point, there are two inlets that the Sewer Department just installed, and at the lowest point, for the entire area of Harman Drive, there are two storm drains in front of his house. He noted in a normal rain those drains can build up. He explained that he unclogged the sediment that drains in that area, noting that it builds up a good quarter of a mile to the other side. He noted that water then flows into his front yard, and now, he always has fill in his yard. He noted that the water comes down the front of his house and around to the back of the house. He noted that he has called the Township and the Storm Director stated that he would come out to look at it, and he was told that grates may be able to alleviate it issue, but nothing has been done.

Mr. Barrelet noted that there is a 24 foot by 2 or 3 foot round pipe that is stuck in the creek and needs to be removed. He explained that it is an environmental hazard. He explained that he was told that someone called the Township to have it removed and was told if they pulled the pipe out themselves someone from the Township would come to pick it up. He explained that a person would need a front loader to get it out of the creek. He requested someone to look at his place, noting that he is not a water expert. He explained that the people have the ability to hire attorneys and experts but he would like to work with the Township. He explained that he would like to work with Township staff to bring in experts to ensure that the creeks can handle the normal flow of water.

Gary Rapp, 4911 Earl Drive, noted that he has lived in his home for over six years. He noted on August 6, 2011, a storm event occurred that cause severe damage to his finished basement. He noted that the damage could have and should have been prevented. He noted that prior to the Lower Paxton Township Authority performing any sanitary stormsewer improvements an inlet was located directly in front of his property along Earl Drive. He noted this inlet was located approximately 1 foot below grade with an asphalt curb and berm around all sides of this inlet directing the stormwater runoff into the inlet. He noted that Ronca, the main contractor for the Authority project removed the existing inlet and replaced it with a new inlet box, however, the asphalt curb that previously existed was not put back in place to direct the water into the inlet. He noted that the storm water now travels along the existing roll curb from the high point along Earl Drive, as well as runoff from Loop Drive, follows the remaining existing curb line and the runoff enters at the furthest downstream portion of this inlet. He noted that the bypass flows around this box into a one foot deep hole on the backside of the inlet which was left by the contractor. He noted that it fills up and spills into his yard following his sidewalk and infiltrates into the ground. He noted that it is understood that the event of August 6, 2011 produced significant precipitation. He noted that the damage sustained to his basement is due to

Township Authority oversight. He noted that the damage to his basement would have been negated if the contractor would have restored the asphalt curb. He noted with the missing asphalt curb, the storm runoff is discharged directly onto his property causing excess runoff to infiltrate into the ground and seep into his basement. He noted that he has lived in his home for six years and he never had any water intrude into his basement. He noted that he is looking for compensation for the damage as well as reimbursement for the expenses incurred to make the necessary repairs due to both contractor and Township Authority oversight. He noted that he spoke to a representative from the Authority and he has accepted, along with Ronca, responsibility for the damage. He noted that he wanted this on public record because this should have been prevented. He noted that he works for a consulting firm and he sees this all the time. He explained when you removed existing infrastructure, the guidelines are that you need to restore those infrastructures to prevent issues along the way. He noted if there is an existing curb, you need to replace the existing curb to prevent these issues. He noted in speaking with the contractor, they stated that they have not reinstalled any rolled curb in the Township. He noted if you drive down Bretney and Earl Drives, there was 10 inches of berm around that box. He explained on the western portion of Harman Drive, there is a new inlet and the existing curb was in place, and the contractor installed temporary curb at that location to prevent the flow of stormwater discharged into the property. He wanted to know why this was not done for his property especially since his property is at the lowest point. He noted that it caused \$11,500 worth of damage to his basement which very different from sanitary sewer problems that should have been prevented. He stated that he looks forward to a solution.

Mr. Edward Dehart, 6223 Nassau Road, noted that he has lived in his home for 37 years and has had the threat of flooding at that property for most of that time. He noted on August 7th at 1 a.m. he stood up to turn the radio off in his home and was standing in water in his house. He noted that prior to the installation of sewers; the Township would not permit building on the

properties located at 6221, 6223, 6225 and 6227 as they had been under water all the time. He noted as soon as the sewer came through, the Township allowed construction on those lots. He explained that he has talked to several people at the Township over the years and it seems to fall on deaf ears every time. He noted that the purchase of his home was not completed until the Township required that a storm water drain system off of Nassau Road through the back properties was installed. He noted that he told Mr. Tiddy, the builder, at that time that he would not purchase the property until those swales were piped and cut. He noted that he did not want to find his two little children face down in a pool of water. He noted that eight or ten years ago, the Township resurfaced Nassau Road. He noted that he told the inspector for that project that there was a stormsewer pipe that ran down the back of his property for the next four homes and he told him that they would like to have it cleaned out. He suggested that it had not been cleaned in over 25 years. He noted that the staff person told him that he did not know where the pipe was located. He suggested that staff should have known something about that pipe since the Township forced Mr. Tiddy to put it in. He explained that he would not purchase the house unless it was installed. He noted that he had water at his front door before, but it never entered the house. He noted that he is faced with a financial loss because the Township did not clean out the pipe. He noted that the pipe that was installed was not a round one as they force the pipe inside and called it a squash pipe. He noted that it was a large pipe that had been reduced in size to take the water away. He noted that he finds it intolerable. He noted if he was responsible for that street, the Township would be all over him, day and night, and sue him until it was fixed. He noted that he can't understand why, when the citizens come to the Board for help, the Board has deaf ears. He stated that he just can't understand. He noted that if the eight people who are sitting on the Board were living at the house that he lives in, the problem would have been rectified thirty-seven years ago. He noted that he did not understand the Board's "I don't care attitude".

Mr. Dehart noted that he was looking for something to be done on a regular basis, noting that he would provide access to the Township to allow it to dig up the pipe that is located on his property in order to install a larger pipe so that it does not occur again. He noted that he does not relish the fact that he and his wife would have to scurry around at 1 a.m. in the morning for four hours and bag every piece of furniture so that they didn't lose the furniture, otherwise they would have lost everything. He stated that the responsibility is in the Boards hands, noting that he does not own the streets and if he did own it, staff would be at his place fixing the problem. He stated he is looking for honesty from 8 people sitting on the Board, not asking for a million dollars, but for something to be corrected beyond what was required by Mr. Tiddy when he was forced by the Township to do something. He noted that he wanted to install a 10 or 12 inch pipe and the Township blew up. He noted that he is looking for an answer. He explained that he lost about 80% of his house because the house was built on a slab on grade with no basement. He noted behind his house is a small creek that takes the surface water away from the few streets that are located behind his house. He noted that during the rain event, it became a raging river behind his house. He explained that he had sewage backup along with the surface water in his house at the same time. He noted that is not acceptable. He noted that he would like a phone call or have someone stop by to come up with a solution.

Mr. Gerald Hopple, 1009 Topview Drive, noted he is present with Todd Schreffler, who resides at 1011 Topview Drive. He agreed that there was had a lot of rain and he lost everything in the basement that was exposed to the outside. He noted that he has pictures to prove it. He noted that he lost his paperwork and some of it was older correspondence from Mr. Wolfe. He noted that he had water come across the yard and it seeped in through the sliding glass doors. He explained that the water came up very fast and the culvert on Earl Drive did not take it away fast enough and it was up to the top of the hill. He noted that the engineer came out to check the creek, and he received a letter stating that the culvert was somewhat of a problem with an

explanation that there was no money at that time to take care of it. He noted that he built a patio wall at the back of his house, put in drainage and a pump system. He noted in April the water was up 18 inches against the wall, this past weekend it went over the wall, and he was two inches short of five feet of water in his basement. He noted that the pressure from the creek took the sliding glass doors and moved them off the frame and pushed them five feet or more into the house in the basement. He noted that it was a lot of rain but something needs to be done.

Mr. Hopple wanted to thank Mr. Wolfe for the work the Public Works Department did in cleaning up the debris from the creek, however there is no way he can get the large pipe out of the creek. He noted that there are tree stumps and roots and everything else in the creek. He noted that he is working to keep it clean, but he is in his 70's and has a heart condition. He noted that something needs to be done with the drain on Earl Drive, especially and the drainage on the north side of Earl Drive.

Susan Lawrence, 4436 Dunmore Drive, noted that she had a torrential amount of rain on August 6th. She noted that she has had trouble this year and something has changed in her area. She noted on April 16th she had seven inches of rain in her home and a week later she had three inches. She noted this past weekend she had over two feet, and it was a fully furnished basement. She explained that her brother brought two sump pumps in addition to her sump pump and even though he was pumping out the water she still had two feet of water in the basement. She noted that she could not imagine what it would have been like if she hadn't pumped the water out. She suggested that something above her house has changed. She noted that she has a storm drain ten feet from her house and she thought that it might have been blocked or broken since it runs from the neighbor past seven houses down the road.

Ms. Lawrence explained that she called the Township and Mr. Miller came out and he stated that he would check the storm drain, but he explained that the Township has no record of the storm drain. She noted that the storm drain bottom has deteriorated in the area of her house

and the neighbor below her has found stones and dirt coming out of the storm drain. She noted that it must be coming from her drain that has deteriorated. She noted that she cannot financially, mentally, and physically go through this anymore. She noted that she received no help from her insurance company, she can't get flood insurance, and she can't afford to keep spending thousands of dollars. She noted that she will put in another sump pump but if her storm drain is deteriorated, the water coming down will go into her house. She noted that she wants it fixed. She explained that she does not know if the plans showing the storm drain were not given to the Township by the builder, but she questioned if her builder needed to get approval for these storm drains. She noted that there are at least seven homes impacted by it. She stated that she spoke to Mr. Wolfe and she thinks that Mr. Miller is looking into the situation. Mr. Wolfe answered yes. She noted that the storm drain is 12 feet deep and she does not know how to fix it. She noted that it doesn't make sense that the Township does not have a record of the storm drain that runs behind her house to the neighbor's house, but across the street they have records of the drains in those neighbors' yards, especially since we are all in the same development. She questioned if the plan was misplaced, but she noted that the pipe needs fixed. She noted that she does not know how to go about and fix this, but she can't live.... Every time it rains, she doesn't sleep. She noted that she sits downstairs and has the pumps ready, the shop vacuum ready, and calls her brother and parents to come over and help. She noted that she has had the fire company come over two times. She stated that wants to know if the Township can look into it and questioned how she is supposed to fix a storm drain in her yard that is connected to her neighbor's yards. She questioned if the Board has any suggestions.

Mr. Wolfe explained that he had told Ms. Lawrence that the Township's records indicated that it is not a municipal facility and if it is not the Township's it had no authority to spend money on it. He noted that he told her that he would search the Township records to see if somehow a mistake has occurred, but so far staff has not found any indication of that. He noted

that the Township Public Works Department can only spend money on facilities that have been accepted by the Township as part of the municipal system. He noted at this point that is not the case for her pipe. Ms. Lawrence noted that she was the second owner of the home and she questioned if there were regulations and laws governing the builder and if there was a way to find out those regulations. Mr. Wolfe answered that he told her yes, that she could have a copy of those regulations and he would supply her with one. Ms. Lawrence questioned if there is a law governing it, would it be the builders' responsibility to fix. Mr. Wolfe noted that he told Ms. Lawrence that he cannot advise her in regard to what has legally occurred to her if a builder has done something as it would be a private or civil matter between her and her builder. He noted that he can provide her with a copy of the regulations.

Ms. Lawrence questioned if Mr. Wolfe is still looking into if the Township had a record of what occurred behind her on another street... Mr. Wolfe noted that staff is looking to determine if an amendment had been filed for the plan that would make it a public facility. He noted, at this point, staff has not found an amendment to the plan, however, they are still checking the records. Ms. Zimmerman noted that she will continue to wait for an answer and she does not know how to fix it or what to do.

Mr. Hornung questioned Mr. Robbins if he had been out to that site. Mr. Robbins answered no. Mr. Wolfe noted that it was Matt Miller that visited Ms. Lawrence's home. Mr. Hawk questioned Ms. Lawrence if she lived in Fairway Estates. Ms. Lawrence answered yes. She noted that she does not know if more water is coming down to her property but the storm drain is rotted out on the bottom and when the rain goes through it the water flows to the easiest place it can and she does not know how to fix it. She noted that she is afraid that that water will break down the walls in her home. She noted that insurance doesn't cover that either. She questioned how she can fix it without messing up her neighbor's property.

Mr. Hornung questioned Mr. Wolfe if he was familiar with the site. Mr. Wolfe noted that he is familiar with the situation and he has talked to Mr. Miller about it. He noted that there are two issues; the first is the carrying capacity of the pipe and the condition of the pipe. Mr. Hornung questioned if it could be solved using swales without getting into a lot of money. Mr. Wolfe noted that the plan was approved with a swale but it is not there, it was piped. He noted that staff is not sure if the developer or property owners installed the pipe. He noted that staff was unaware that any pipe was in the area until they were contacted after this past storm event. Ms. Lawrence noted that most of her neighbors are second-time owners, and only one is an original owner and she was told that she couldn't put anything around the storm drain in case the Township needed to go in and fix or repair it. She noted that someone put the pipe in and she does not know how to fix it. She noted that she can't eat, sleep or go away. She explained that she had rain two days after the Sunday rain, and she took off work and took the fans and dehumidifiers upstairs and got the other two pumps ready to pump water out. She noted that she called her dad and had him come over. She questioned what would happen if she was not home and the water goes above the electrical outlets. She noted that she would not want to come home to find out that she no longer has a home. She stated that she would appreciate if someone would look into this.

Mr. Wolfe explained that he told Ms. Lawrence that staff is looking into it and he will communicate the answer to her but he can't make things change if they are not there. He noted that he can only go with the records that he has and he will search the records in the land development files to make sure he is not missing something but he can't change the situation. Ms. Lawrence noted that it is very odd that the Township has records for the other side of the street but not for her side. She noted that everyone makes mistakes and whether it did not get submitted, the pipe is there and it had to be put in by someone. She noted that she needs to know how to fix it.

Mr. Hornung questioned if the records show no evidence of the pipe being there, is it possible to provide guidance as to how to solve the problem. Mr. Wolfe noted that this is a system that impacts many properties. Ms. Lawrence noted that it goes for a long distance for numerous homes. Mr. Hornung noted if we find an addendum, would it become the Township's responsibility to fix. Mr. Wolfe noted if it was dedicated to the Township as part of the development and was accepted as an improvement for that development, then the Township would be responsible to fix it. He noted that there is a drainage easement on the plan, and it looks to be a private drainage easement. He noted if it was dedicated to the Township, it would not have accepted it without a public easement. Mr. Hornung noted when a builder installs something, if it is a public improvement, they have to bond it, and when it is turned over to the Township, they have to provide an easement for a right-of-way for the Township to access it and make repairs. He noted that the land is private property; the Township is not allowed to go on someone's property with a piece of equipment. He stated that the Township can't fix something that does not belong to it and he questioned where does it stop, where do you draw the line. He noted that the pipe has to belong and be dedicated to the Township and then it would have to have a right-of-way with the ability to access the land. He noted that sometimes a homeowner will provide that access. Ms. Lawrence noted that the Township has her permission to do this. Mr. Hornung explained that the Township has been in the position where one property owner grants permission and another one does not. He noted that it becomes very difficult when the Township wants to solve the problem however the regulations for the use of taxpayer's money may prohibit it. He noted if the Board violates the rules, then they can be sued personally and the Township would not provide for their legal defense.

Mr. Seeds noted if it is found that the Township does not have an easement, then the homeowners could have a meeting with the developer and ask him to make the necessary repairs. Ms. Lawrence noted that she has a call in to the developer to see if he has any plans showing an

easement. She noted that she wants it fixed and she can't handle it anymore. She noted that if the pipe is rotted out, it needs to be fixed. Mr. Seeds noted that a good reputable developer would make the necessary corrections. Ms. Lawrence noted that Mr. Yingst built the development.

Mr. Ron Powell, 4903 Harman Drive, noted at 1:30 a.m. on Sunday morning, the creek behind his house started to rise from the rainfall and within minutes he had 26 inches of water in his finished basement and garage. He noted that the water rose to the top of the valve cover in his car in his driveway. He stated that he wanted answers to the following questions: why did it rise so quickly, noting that his neighbors have lived in their homes for over 40 years and have never seen the creek come up like that and was this sudden rise in water associated with a problem with the culvert where the creek flows under Earl Drive. He noted if that is part of the problem he wanted to know if there is anyway that this can be done to alleviate it. He noted that he would like to see the culvert replaced with something that can carry more water, have less debris that resulted in a damming effect. He noted that his backyard looked like a huge impound area for a dam.

John Trish, 600 Prince Street, requested the people who have complained to the Township for water issues more than 10, 12 or 20 times to please raise your hand. He noted that he was the only one present to report water issues 20 times. He noted that the Board members do not work for God. He noted if you are having issues with water in a culvert, he sympathizes with those people, noting that he has put up with water problems for 17 years. He noted that he replaced his basement twice, and at this point he will not replace it. He stated that he gets water in his basement because of where he lives. He noted that the topography changes, ground changes, and nature takes its course. He noted that sediment moves from point A to point B and eventually to your home, and the ground is changing and water is changing. He noted if it is something that the Township did to cause anyone's hardship; the insurance company will take care of it. He noted if a previous owner of your property put in a French drain illegally, and it is

not working property, you will have to pay to fix it. He noted if you have flood insurance, your insurance will pay to fix it, but the Board members cannot be using taxpayer's money to fix everyone's property because if they do, mine will be the first one. He noted that he has been at these meetings complaining the most, and it happens. He noted that the area had seven inches of rain in less than a 24 hour period. He noted that he got water on Saturday, and also the week before, and every time it rains the front of his house floods with water. He explained that he lives right around the corner. He noted if it is necessary for tax dollars to fix something, the Board members will do it, but it might take some time since there are a lot of people in this room. He noted that everyone who had a water problem did not show up. He noted that he has thrown away tons of good items that he has lost because he thought he had the problem taken care of. He explained that he has installed additional sump pumps, and Mr. Robbins came out to look at his property. He noted that the fact is that we got too much water at one time.

A woman from the audience told Mr. Trish that his problem was different from what most of the people present have and she would say to Mr. Trish, why don't you move. Mr. Trish noted that was not necessarily true. He noted that his water problem is no different than anyone else's and the Township can't fix them all. (At this time Mr. Hawk had to call the meeting to order as several people tried to talk at one time.)

Mr. Greg Ross, 6614 Norfolk Place, noted that he was not planning to talk but he explained that he has eight feet of water in his basement with no insurance coverage. He noted that there are hundreds and hundreds of homes that had damage, noting that his neighborhood alone had 20 homes that sustained damage, and Forest Hills had another 20. He noted that someone needs to get the numbers and we need the Board's help to put out the message to the newspaper to let the Township know what the actual numbers are. He noted that we don't need the dollar amounts. He noted that the citizens need the Board members to try to get those federal funds. He noted that the storm drainage is one matter and that is a lawsuit that the people don't

want to press against the Township, however, if the people get backed against the wall, it might come to that. He noted that people are mad and the Board doesn't want 500 people filing lawsuits against you guys. He noted that is more of a hassle. He noted that the Board needs to figure out how many homes were damage, and that the Board should send out a letter to everyone and ask that they respond back by Friday if they had damage. He questioned if anything is being done about that. Mr. Wolfe noted that the Township will have a submission to the Pennsylvania Emergency Management Agency (PEMA) this week in regards to damage. Mr. Ross questioned what Mr. Wolfe was going to supply them with. Mr. Wolfe answered that staff will supply to PEMA the information that is available to the Township at this time. He noted that it would not be a complete submission nor is it a final submission; it is just starting the process. He noted that PEMA will provide direction to the Township for how to proceed at that point. Mr. Ross questioned if the letter would state that people had issues in their neighborhood. Mr. Wolfe noted that staff would provide a complete list of what the Township knows to date. He noted that it would not be all inclusive or final and PEMA would then provide direction to the Township for how to proceed at that point. Mr. Ross questioned how the Township came up with the list. Mr. Wolfe answered that he has used lists that staff has obtained from at the Municipal Center, Dauphin County 911 calls, and fire company calls. Mr. Ross noted that there are 15 to 20 homes in his neighborhood that were damaged and the Township probably has not heard from many. He noted that he personally sent out an association letter, but people are not coming to the Township. He noted that the Township needs to go out and get those people to come to it. Mr. Wolfe stated that he is not saying that the Township's submission is final in any way. He noted that PEMA is asking for the initial information and for an Emergency Disaster Declaration, which is on the agenda for this evening. He noted that they will determine how the Township should proceed and it will proceed accordingly and it may entail making a community notification depending upon their assessment. He noted that PEMA will come to the community

if they deem necessary, they will open up offices to take claims from people and go from there. He noted that staff needs to get them the initial information and then PEMA will instruct the Township what the next step will be. Mr. Ross noted if you have information that you have 200 or 400 houses that were damaged, then multiply it times five and submit that information because he noted that people are not contacting the Township to make them aware of the widespread damage that occurred. He noted that people are in shock, they are trying to fix their places, and they are not contacting the Township to find out what it can do for them. He noted that there are a lot more people out there. He noted that anything the Township can put out as a public notice, by way of newspaper or radio, to have people contact the Township with information would be good. He noted that we don't need numbers, just that there are "x" number of damaged homes.

Ms. Emelindo Gonzalez, 4902 Creek Drive, noted that she has lived at her address for over 19 years and never had any major problems. She noted that she never saw the need for insurance. She noted that her issue is that there is a storm drain that was not properly taken care of. She noted in late April, the entire street was flooded, and the water receded before it got to her house. She noted that she called the Township and they kind of cleaned the drain but they push trash on the top and left some things lying around. She noted this time, the water was five feet from her front door and she called 911 and the police could not cross the street and no one on Creek Drive could get out because the entire street was flooded. She noted that the water was moving with such force that it would have flipped a car. She stated that she had time to move the cars out of the way, but the water went into her basement and pool and took out half of the support wall for the driveway. She noted that there is a 12-foot deep hole at the side of her house. She noted that she called the Township again around 11 a.m. the next day and they told her that they have seen worse situations, and they told her not to park cars in her driveway. She noted that a wall of dirt was supporting an electric pole. She explained if there is one more rainstorm,

the electric pole will fall down. She noted that her driveway is cracked and no one has contacted her from the Township and this is the tenth day. She noted that she put a sign on her door since they were away for three days, and no one has made contact with them from the Township. She noted what is bothering people is the attitude that we are getting from our leaders. She noted that she took pictures and she needs the Board member's help.

Mr. Les Barnes, 4504 Carrolton Drive, noted that his wife is cleaning six inches of sewer from their basement as he speaks and he noted that he is the only person from his area present at the meeting and he knows of 20 people in his neighborhood that had water, most of which never had water before. He noted that the sewer backed up in April and he called the Township and someone came to his house when his daughter was home. The Inspector went down to the basement and told his daughter that it was not sewage because it didn't smell. He noted that it came up through and got a little bit of the carpet. He stated when he lifted the carpet there was dried up toilet paper under it. He noted this time, the same gentleman showed up at his home and lied to him stating that he previously told his daughter that it definitely was sewage. He noted that his daughter would not know enough about sewer to make that story up, so that irritated him. He explained that he found that some of the people that he spoke to to be a bit condescending, noting that this is the citizens' problem. He noted that he wants help. He explained that he has lived in his home for 15 years, and he bought the house used, with a finished paneled basement. He noted that they never had water. He explained that he spent \$10,000 on his basement, and if he would have had someone do the cleanup work, it would have cost \$25,000 to \$30,000 to complete. He noted that the creek cannot handle the water. He noted that it has never got up to his yard, but it has slightly come out of his neighbor's yard, and he has gotten a little bit of water in his basement in the past, but it was water and not sewage. He noted that he had 12 inches of sewage in his basement. He noted that this stream only starts 1,000 yards above his house, so it is not draining anything but Carrolton Estates in that area. He noted that McNaughton is putting in

a development to the back of Patton Road on the mountain; townhomes have been built behind the Weis Markets, and there is the Forest Hills development and the water can't get away quickly enough from all these locations. He noted that one problem is that the tiny little bridge on Patton Road is not big enough to handle any major rain events. He stated that he was never concerned about that creek in his backyard before, and it didn't overflow in April. He noted that the water levels have gotten higher each time over the past two or three years with all these additional developments. He noted something needs to be done to increase the underpass for the bridge for the creek at Patton Road. He noted that McNaughton has one retention pond and it is all the way in the back of the development however the water will flow towards the front and not the back. He noted that they need ponds in the front, and he suggested that they probably have plans to put something out front, but they need it now. He noted that he wanted to represent the people on the mountain side of Linglestown Road.

Mr. Ron Green, 5709 Kenwood Avenue explained that he wanted to repeat what Mr. Ross said, as there are many people in his neighborhood that were also hit. He noted that he is aware of the Small Business Association loans that are available for disaster areas. He noted that the Township declared a disaster, but he questioned if the State needed numbers to do something for the people in the Township. Mr. Wolfe answered that he cannot speak for the State as to whether they will declare this an emergency situation, as they do their own assessment. Mr. Green questioned if they would go by what the Township says. Mr. Wolfe noted that the Township has done its own assessment and are ready to declare an emergency situation, but the State acts on its own. Mr. Hornung questioned who you would talk to at the State. Mr. Wolfe suggested that Representative Ron Marsico would be a good start.

Ms. Colleen Forrester, 305 Mollie Drive, noted that she is homeless; her foundation caved in from a sinkhole and another one occurred in front of a home five houses down. She noted that there is a drain pipe down by Nyes Road and she thinks that her sinkhole is connected

to that pipe. She noted that she is tired and it has been a long recovery for them, but it is a municipal system failure and her house is tied into that failure.

Mr. Hawk thanked those who made comments noting that the people are looking for help. He noted that is one of the challenges that the Board has before it.

Chairman & Board Members' Comments

No comments were provided.

Presentation by Dauphin County Library, Rich Bowra

Mr. Hawk noted that Rich Bowra, Executive Director, Dauphin County Library, and Deb Battisti, Administrator, East Shore Library, are present to make a presentation to the Board.

Mr. Bowra noted that he wanted to inform the public of what is occurring at the Dauphin County Library System. He noted that there are eight libraries throughout Dauphin County, with the main branch located in Lower Paxton Township. He noted, in addition there are three branches in the City of Harrisburg, Uptown, 29th Street, and the Downtown branch, a new facility in Hummelstown that opened a year ago, and three branches in Upper Dauphin County located in Millersburg, Elizabethville, and Lykens. He noted that the Library is governed by a 17-member Board of Trustees and the oversight Dauphin County Commissioner is Mike Pries. He noted that Sara Jane Cate, a resident and member of the Zoning Hearing Board is a member of the Board of Trustees.

Mr. Bowra noted that many people think of the library as an old musty place, but he is present to dispel that thought. He noted that despite all the technology, they continue to be a very busy place. He noted, in the past year, more people used the library than attended all the Penn State Home Football games. He noted that that the borrowing of items was up 30% this January as compared to last year. He noted for the year, usage is up 14% compared with the year before and that is just physical items and it does not include the electronic items. He noted that the web

presence is growing every day at the East Shore Library and the website is eastdcls.org. He noted that online books, etc are available for review on the website.

Mr. Bowra explained that staff is working on the State Certification to embraces the five literacies: Basic Literacy, Information Literacy, Civic and Social Literacy, Health Literacy, and Financial Literacy, the PA State Educational Standards for all programming. He noted that the library started at the Colonial Park Plaza in 1967 and he came to work at that location in 1975.

Ms. Deborah Battisti noted that she wanted to explain who uses the public library. She noted that the oldest user is 97-years old and the youngest is 10-months old. She noted that 43% of Township residents have library cards and they checked out over 300,000 items in the past year. She noted that they take advantage of being able to read best sellers and new books. She noted that they also read free electronic books on their portable readers or listen to free audio books on their I-pods. She noted that they save hundreds of dollars a day using the library. She noted that Township residents take part in story time for babies, preschoolers, and summer programs for school-aged children. She explained that the summer reading programs have been proven to assist with keeping children's reading skills sharp over the summer months. She noted that last summer, a grandparent brought her 16-year old grandson to the library and he read more than ever during that time, and raised his reading level by three grades.

Ms. Battisti noted that area clubs and organizations use the meeting rooms and in May they provided space for the Township's Art Council to exhibit local artist Jim Gownley's art. She noted that she hopes to be able to work with the Arts Council more in the future.

Ms. Battisti noted that Township residents use the computers. She noted that anyone can ask for help at the library for simple or complex research. She noted that Township staff working on municipal projects may need help with the research they need to do and staff would be glad to help. She explained that they have encyclopedias online, and reference USA which is a business and search database. She noted if someone emails the library with a question, they should

receive an answer within 24 hours. She noted that a request was made to purchase a marketing book that cost \$700 which is a lot for the library to pay for one book. She noted that staff suggested that the person try a trial version that was available online and he came to the library stating that he did not want a trial version as he wanted the library to purchase the book and staff stated that they could not do that but they suggested that he use Reference USA. She noted that he was looking for residents for the zip code 17112 who had income over \$100,000. She noted that the librarian was able to provide him with that information in a spreadsheet within five minutes. She noted that he signed up on the spot to get a library card. She explained that another patron need help understanding what her doctor had told her and she was looking for answers. She noted that staff researched a medical website and provided information to her that she could understand. She noted that people use the libraries in many different ways, and she would like to see more Township residents get library cards. She noted that they are increasing the number of new books and audio books and adding assistive devices for handicap readers and computer users. She noted that they have expanded their programs for children and they will now offer more programs for children and use State Learning Standards for early childhood programs.

Ms. Battisti noted that the Friends of the East Shore Library recently pledged \$53,000 over five years to pay for a children's programming space. She noted that children attending story time for years have used a room much like this one. She noted that they plan to take current space and make it attractive, bright and a dedicated programming space for children to come for story time.

Ms. Battisti noted that the renovated library was completed in May of 2010 and most people's reaction is that the area looks larger. She noted that they have made much better use of the space that is there. She noted that they added 20 more parking spaces, an automated check out system, new carpet, new paint, better service desk, and windows for a brighter look. She

noted that staff is always looking for ways to provide better service. She noted that anyone can visit the website at dcls.org or visit the library on Ethel Street.

Mr. Hawk questioned if the e-readers have had an impact on the library. Ms. Battisti answered that the use of e-books, both audio and readers are very popular. She noted that the library started buying those about two years ago and the circulation has increased dramatically. She noted that they are constantly purchasing more as they are very popular. She noted if you go to the website, on the right side, there is a big green arrow, and if you click on it, it will bring you to overdrive and you can get free e-books to read. Mr. Bowra noted that the electronic resources are growing, but 14% more physical items are going out the door. He noted that it is a parallel system that is well used. Mr. Hawk suggested that the best advertisers are your users.

Mr. Crissman wanted to thank the library for the service that it provides to the County and he noted that it is a jewel for the Township citizens as well.

Manager's Report

Mr. Wolfe had no report to provide.

OLD BUSINESS

Ratification of Emergency Declaration 11-01; as issued by the Township Manager on August 9, 2011

Mr. Wolfe explained that action by the Board is necessary to comply with the Township's Codified Ordinances as well as the Pennsylvania Emergency Management Services Code. He noted that the Board would be declaring an emergency condition in the Township and this is the first step in the process to make Lower Paxton Township eligible for potential State and Federal assistance. He noted that it is a very necessary step in allowing the Township to bypass the municipal procedures for procurement for addressing emergency conditions. He noted that this will allow the Township to procure necessary services to implement and fix immediate

problems in municipal infrastructure and do so outside of the public bidding process. He requested that the Board ratify this Declaration at this time.

Mr. Crissman made a motion to ratify the Emergency Declaration 11-01 as issued by the Township Manager on August 9, 2011. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous voted followed.

Ordinance 11-07; authorizing issuance of a general obligation note
through the Pennsylvania Infrastructure Bank

Mr. Wolfe explained that the Pennsylvania Infrastructure Bank (PIB) provides very low interest financing, roughly 1.6% for projects associated with municipal transportation systems. He noted that the loan is administered by PENNDOT and the Township is in receipt of a PIB loan in the amount of \$750,000 to be used for capital improvements and associated items for the Township's roadway system. He explained that Mr. Tom Smida prepared Ordinance 11-07 in order to be in compliance with the Local Government Debt Act requirements.

Mr. Tom Smida explained that amount of borrowing is over the amount that required the Township to go through all the procedures that the Township would if it were to issue a \$20 million bond. He noted that he advertised a summary of the ordinance and upon passage, a subsequent advertisement will appear to have the necessary applications and certifications for submission to PENNDOT. He noted that there will be a 20-day waiting period until the Township can close on the loan, and it is scheduled to close on September 20th. He noted that the first payment will be due in October and there will be semi-annual payments of roughly \$80,900 due in October and April of each year at an interest rate of 1.62%. He noted that the loan is repayable at any time without a penalty.

Mr. Crissman questioned if the adoption should be for both the ordinance and the agreement. Mr. Stine answered that is correct. Mr. Smida explained that the ordinance authorized the execution of the agreement. Mr. Crissman noted that he would be more comfortable

approving both the ordinance and the agreement so they will appear in the minutes as two specific documents.

Mr. Crissman made a motion to adopt both Ordinance 11-07 authorizing the issuance of a general obligation note in the amount of \$750,000 through the PIB, and the agreement. Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolutions 11-14, 15, 16, & 17; authorizing the submission of grant applications under the Dauphin County Local Share Municipal Grant Program

Mr. Wolfe explained that these four projects were discussed during the August 9th workshop session. He explained that the Dauphin County requires that the applications for Dauphin County Local Share Municipal Grant) funds be prioritized by importance for submission. He explained the four grant applications for each resolution. Resolution 11-17 for the Township's share for the replacement costs for the bridge over Beaver Creek on Jonestown Road in the amount of \$80,000. He noted that this is a joint project undertaken with West Hanover Township since it is jointly owned by both municipalities.

Mr. Wolfe noted that Resolution 11-15 is for the improvements to the intersection of Blue Ridge Avenue and North Mountain Road for signalization. He noted that the intersection is eligible for grant funds from PENNDOT from its Federal Automated Red Light Enforcement Grant program. The request is for \$90,000.

Mr. Wolfe noted that Resolution 11-14 is a grant application for the Linglestown Fire Company to apply for funds to retire its debt for renovations made to the fire house. He noted that the grant request is in the amount of \$180,000. He noted that the Board of Supervisors is required to join in this application as per the requirements of the program.

Mr. Wolfe noted that Resolution 11-16 is for the paving of Blackberry Alley (East) in the Village of Linglestown. He noted that alley was not included in the paving for alleys when the

Township received grant funds to pave Blackberry Alley west and Raspberry Alley. He noted part of the reason the alley was not paved was because sanitary sewer work needs to be completed before it can be paved. He noted that the Township is requesting funds in the amount of \$50,000 for the paving.

Mr. Wolfe noted that the four applications are due to be submitted by September 1st. He noted if the Board should choose to adopt the four resolutions, he would prepare and submit the required documentation to Dauphin County.

Mr. Crissman made a motion to approve Resolutions 11-14, 11-15, 11-16, and 11-17 authorizing the submission of four grant applications under the Dauphin county Local Share Municipal Grant Program. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

NEW BUSINESS

Action on a Stipulation between real estate taxing bodies and PPL Electric Utilities Corporation regarding the assessment of certain properties

Mr. Stine noted that this is a stipulation with the various real estate taxing bodies in regards to a property where PPL has erected certain towers that qualify from exclusion from real estate tax under the Public Utility Tax Act. He noted that this stipulation would memorialize it and settle the tax assessment deal with PPL.

Mr. Hawk questioned Mr. Stine if he reviewed and agrees with the stipulation. Mr. Stine answered yes. Mr. Seeds questioned the location of this PPL utility. Mr. Stine answered that he did not know. Mr. Wolfe noted that he is not aware of the location for the utility either. Mr. Seeds questioned if it is eligible for the exemption. Mr. Stine answered that it is.

Mr. Crissman questioned if the Central Dauphin School District has approved the stipulation. Mr. Stine answered that he did not know. He explained that the different bodies approve the stipulation whenever their boards meet. He noted that the Township is usually fairly fast in the process.

Mr. Seeds questioned if Dauphin County has recommended approval of the stipulation. Mr. Stine answered yes.

Mr. Crissman made a motion to approve action on a stipulation between real estate taxing bodies and PPL Electric Utilities Corporation regarding the assessment of certain properties. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Change Order #1 to the contract with John W. Gleim, Inc.
for improvements to Page and Spring Creek Roads

Mr. Wolfe explained that Change Order 1 is in the amount of \$55,235.60 for the total contract price of \$654,693.00. He noted that it involves additional pavement, demolition, paving, and reconstruction of 150 linear feet of Spring Creek Road for adjustments that were required by PENNDOT. He noted, even though the plan was prepared and the road was constructed in compliance with the PENNDOT Highway Occupancy Permit, PENNDOT has now stated that addition work is needed and it has to be done. He noted that the total liability for this project is \$500,000 and that liability is funded by Dauphin County Local Share Municipal Grant funds.

Mr. Seeds questioned if the developer would be responsible for any funds over and above the \$500,000. Mr. Wolfe answered that is correct.

Mr. Crissman made a motion to approve Change Order #1 to the contract with John W. Gleim, Inc. for improvements to Page and Spring Creek Roads in the amount of \$55,235.60. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Action on bids for the purchase of vehicle fuels

Mr. Wolfe noted that staff requests the Board to approve the award for vehicle fuels to the lowest responsible bidder which is Talley Petroleum Enterprise, Inc. based on the vendor margins that are listed in the bid document. He noted that the vendor margins between bidders were split with one bidder having a lower bid margin for diesel fuel and another having one for gasoline fuel. He explained that the bid document reads that the Township is to award to the total lowest responsible bidder. He noted in order to determine who that would be for this bid; staff had to compute the costs based upon estimated quantities of fuel. He noted that it turned out to be Talley Petroleum Inc. and the difference between Talley Petroleum and the next lowest responsible bidder for a \$300,000 project was less than \$1,000. Mr. Wolfe reminded the Board that the Township does not pay federal taxes on its vehicle fuels.

Mr. Crissman made a motion to approve the bid for the purchase of vehicle fuels to Talley Petroleum Inc. in the amount of \$323,000.00. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Action on bids for the sale of used vehicles and equipment

Mr. Wolfe noted that the Township recently advertised the sale of used cars and trucks and the total value of these items for the highest responsible bidders was \$23,189.00 He noted that the items for bid and the highest responsible bidder for each item are listed on a spreadsheet in the Board's packet. He noted that the highest bidder for the 2003, 2005, 2006 and 2009 Ford Crown Victoria's was Grace Quality Cars for the following amounts: 2003- \$658; 2005 - \$1,558; 2006 - \$1,858; and 2009 - \$5,258. He noted that Mountain Top Construction was the high bidder for the 2005 Chevy Tahoe in the amount of \$3,200 and a 1998 Chevy 3500 Dump Truck in the amount of \$3,700. He noted that Grace Quality Cars was the highest bidder for the 1998 Chevy Suburban in the amount of \$758, and C&Z Construction was the highest bidder for the

1992 International Dump Truck in the amount of \$6,199. He noted that staff recommends approval of the sale of these vehicles as presented.

Mr. Crissman made a motion for the sale of used vehicles and equipment as listed by Mr. Wolfe. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Action on bids for the purchase of sanitary sewer pipe for the Oakhurst Interceptor

Mr. Wolfe noted in accordance with an agreement that the Township has with the Susquehanna Township Authority and Donco Construction, Lower Paxton Township is required to purchase the pipe for the Oakhurst Interceptor Project. He noted that this project has been advertised for bid and the lowest responsible bidder is L/B Water Services Inc. in the amount of \$89,720.25. He noted that there were three bidders for this project and the total bid price difference between all three bids was less than \$1,000. He noted that staff recommends awarding the bid to the lowest responsible bidder.

Mr. Seeds noted that the Township is responsible for \$64,135 toward the project. Mr. Wolfe answered yes. Mr. Seeds questioned if Donco is responsible for the remainder of the project. Mr. Wolfe noted that he would have Mr. Stine explain the agreement.

Mr. Stine noted that the contract is with the Township Sewer Authority, therefore the Authority will pay the entire cost for the pipe under the agreement, and Donco will reimburse the Township for its portion of the project in the amount of \$25,585.25. Mr. Seeds questioned when this project will start. Mr. Stine suggested that it will start in September. Mr. Seeds questioned if when the project is completed, will the Township be able to close the Gale Drive pumping station. Mr. Wolfe answered that it the plan at this time. Mr. Seeds questioned if he had any idea for a time frame for the completion of this project. Mr. Wolfe answered that he did not have an answer, and he would not attempt to predict one. He suggested that Mr. Weaver would have

more information to share with the Board during the Sewer Authority meeting to be held next week.

Mr. Crissman made a motion to approve the bid for the purchase of the sanitary sewer pipe for the Oakhurst Interceptor to L/B Water Services, Inc. in the amount of \$89,720.25. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Preliminary/final subdivision and stormwater improvement plan for
Linglestown Fire Company

Mr. Wolfe noted that the Linglestown Fire Company as part of its own needs and as part of the Village of Linglestown project, is redefining existing parcels for right-of-way issues, property line issues, and the acceptance of vacation of alleys. He noted that the Linglestown Fire Company felt that it was necessary to create a new subdivision plat and update the stormwater management facilities at the same time. He noted that the Fire Company submitted a plan to the Township that requires the following seven waivers: 1) Waiver of the minimum pipe flow velocity; 2) Waiver of the requirement for drop across inlets; 3) Waiver of the requirement to show all natural existing features within 100' of the property; 4) Waiver of the requirement all existing and man-made structures within 100' of the property; 5) Wavier of the requirement to provide existing contours 100' from the property; 6) Waiver of the requirement to provide required sight distances; and 7) Waiver of the requirement to provide a wetland delineation report He noted that there are the typical staff comments and general conditions for the plan, none of which are unusual and there are no HRG comments.

Mr. Wolfe noted that Brian Evans of Evans Engineering, Inc. is present to represent the plan.

Mr. Seeds noted that he is not opposed to the plan, noting that there is some land to be vacated, some claimed by the Fire Company, some right-of-way giving to the Township. He

questioned if area is along Pennsylvania Avenue. Mr. Evans explained, with the construction of the new roundabout, there is a vacation of some of the road and some of the property that used to belong to the Fire Company on the eastern side of Pennsylvania Avenue. He noted that the primary reason for the subdivision is to take a little piece of land and adjoin it properly to the Fire Company property so there would be one defined lot which takes care of the vacation window for the Township, and offer for dedication a small portion of the land that the Township did not take as part of the road project to ensure a proper right-of-way to the alley.

Mr. Evans explained that the right-of-way along Linglestown Road has not changed; there are two pieces of the old unopened abandoned alley in the back that the fire company will file a quit claim for, and attached to their parcels on the plan. He noted that the right-of-way and easements for the Sewer Authority still remain, but since the alley was never opened, constructed, or improved, it will now become part of the Fire Company property.

Mr. Seeds questioned if this had anything to do with the remodeling that is going on for the fire house. Mr. Evans answered no; it has to do as a result of the newly constructed roundabout. He noted that the storm water improvements for this plan concern the time when the parking lot was first built, the basin was constructed to the north, and the free board area would pond; therefore, he plans to reshape the basin, add a storm water inlet and a piece of pipe, so the water that collects would be trapped and piped to the basin.

Mr. Seeds questioned if Leon Wintermyer would be paving the Fire Company lot as compensation for using it as a staging area. Mr. Evans stated that he does not know anything about that. He noted that his plan is for storm improvements for the front of the fire station. He noted that areas will be resurfaced once the improvements are completed.

Mr. Crissman questioned Mr. Evans if he was able to speak for the plan. Mr. Evans answered yes.

Mr. Crissman noted that Mr. Evans was in favor of the seven waiver requests.

Mr. Crissman questioned Mr. Evans if he was in favor of the three general conditions. Mr. Evans has a question regarding the first, noting that it has already been taken care of. He noted that he had no issue with the posting of the bond and the payment of the engineering review fees.

Mr. Crissman questioned if Mr. Evans was in agreement with the one staff comment. Mr. Evans answered yes.

Mr. Crissman noted that this is one of the few projects that had no comments from the staff engineer so Mr. Evans has done his homework well.

Mr. Crissman made a motion to approve the preliminary/final subdivision stormwater improvement plan for the Linglestown Fire Company with the following waivers and comments:

1) Waiver of the minimum pipe flow velocity; 2) Waiver of the requirement for drop across inlets; 3) Waiver of the requirement to show all natural existing features within 100' of the property; 4) Waiver of the requirement all existing and man-made structures within 100' of the property; 5) Waiver of the requirement to provide existing contours 100' from the property; 6) Waiver of the requirement to provide required sight distances; 7) Waiver of the requirement to provide a wetland delineation report; 8) Plan approval shall be subject to providing original seals and signatures; 9) Plan approval shall be subject to the payment of engineering review fees for stormwater review; 10) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; and 11) A street/storm sewer construction permit is required and is to be obtained prior to earthmoving activities. A pre-construction meeting is to be held prior to starting the project. Contact Matt Miller at 657-5615 to schedule the meeting. This may be held in conjunction with the Dauphin County Conservation District meeting. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 11-13; Planning Module for BA Properties

Mr. Wolfe noted that this Resolution is a planning module reserving sanitary sewer capacity in accordance with a land development plan for B.A. Properties.

Mr. Crissman made a motion to approve Resolution 11-13; Planning Module for B.A. Properties. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Improvement Guarantees

Mr. Seeds noted that there were two Improvement Guarantees.

Spring Creek Hollows, Phase 1B

An extension and 10% increase in a letter of credit with Orrstown Bank, in the amount of \$132,397.08, with an expiration date of August 16, 2012.

New One Story Office Building

An extension and 10% increase in a letter of credit with Fulton Bank, in the amount of \$25,636.26, with an expiration date of August 16, 2012.

Mr. Hawk noted that the New One Story Office Building has not started construction yet.

Mr. Crissman made a motion to approve the two improvement guarantees as presented. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township, Lower Paxton Township Authority, and the purchase cards. Mr. Crissman seconded the motion. Mr Hawk called for a voice vote, and a unanimous vote followed.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting, and the meeting adjourned at 9:30 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary