

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held March 4, 2014

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:35 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 Robin L. Lindsey.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; John DiSanto; and Watson Fisher, SWAN.

**Pledge of Allegiance**

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

**Approval of Minutes**

Mr. Crissman made a motion to approve the minutes from the January 14, 2014 workshop meeting and the February 4, 2014 business meeting. Mr. Hornung seconded the motion, and a unanimous vote followed.

**Public Comment**

Mr. John Trish, 600 Prince Street, questioned if his intersection could be designated as a critical intersection for snow removal noting that he cleaned the drains the best he could but they dump snow over all the drains. He noted at the last workshop that he attended; Mrs. Lindsey stated that Public Works was removing snow from the curb area but he drove around to see where they were doing this and he could not find it. He noted that his intersection has five stormwater inlets and he does the best he can to keep them clear but he doesn't have a backhoe to move the piles of snow. He noted that his intersection gets a ton of water, all the water from

the Municipal Building, the Middle School, and Virginia and Constitution Avenue. He noted that a police car and Township vehicle have become stuck in the water at his location and people had to be assisted to get out of their cars. He noted with all the snow that we had this year, it is unusual, and there is three foot of snow in front of the storm drain. He explained that he spoke to Mr. Robbins during a recent workshop session and asked him to look at it but nothing was done.

Mr. Seeds suggested that once the snow is over that staff would go around and clear the intersections. Mr. Wolfe noted when there is the belief that we would have wet weather following a snow event, staff will address drains. He noted that Mr. Trish is asking for something for that level of service. Mr. Trish noted that there are certain intersections in the Township that flood more than others and his is a main thoroughfare for police, ambulance and fire responders. He noted that PSD Johnson will tell you that they had to rescue one of their police officers from her vehicle as she became stuck in high water.

Mr. Seeds suggested that Public Works would have a list of locations that should be cleaned out after snow events for storm drains. He noted that Mr. Trish's intersection has a history of flooding. Mr. Wolfe noted that he would look to see where this intersection is on the list.

Mr. Crissman suggested that Mr. Robbins is aware of the situation. Mr. Wolfe agreed that he is.

Mrs. Lindsey questioned what intersection that is. Mr. Hawk answered that it is down the street from the Municipal Center on Prince Street.

### **Chairman and Board Member's Comments**

Mr. Hawk noted that many Board members attended the South Central Emergency Medical Services recent banquet and he stated that it was very well organized and well carried

out. He explained to Jason Campbell, who heads the organization, that they have a lot of camaraderie and are team workers.

### **Manager's Report**

Mr. Wolfe noted that the municipalities will be paying an increase in tapping fees from the previous Harrisburg Incinerator which was sold to the Lancaster Solid Waste Management Authority. He noted that the increase for the disposal fee is \$.69 a quarter. He explained that Waste Management is permitted to pass along that increase to its customers, and it will raise the rate from \$55.37 to \$56.01, effective with the April 1, 2014 billing. He noted that Waste Management will include a notice of the increase in the next billing.

Mr. Wolfe noted that the Leaf Waste Collection Program will start with Waste Management's collection starting the week of April 7<sup>th</sup>. He noted that the Compost Facility will reopen on Tuesday, April 1, 2014, and it will be open on Tuesdays, Thursdays, and Saturdays from 7:30 a.m. to 5 p.m. He noted that residents must purchase a permit to bring items to the Compost Facility; the rates are unchanged from last year. He explained that the rate for an annual pass is \$35; a day pass is \$10; a commercial annual rate is \$500; and a day pass is \$50. He noted the permits can be bought at the Municipal Center or Hornung's Hardware Store; however, permits are not available for purchase at the Compost Facility.

Mr. Wolfe noted that the Easter Egg–Stravaganza will be held on Saturday, April 12, starting at 1 p.m. at Brightbill Park. He explained that the egg hunt is for children ages two to ten and all are invited to come and watch.

### **NEW BUSINESS**

#### Action on a Memorandum of Understanding between the Township and the Dauphin County Conservation District

Mr. Wolfe explained that the Township currently has a Memorandum of Understanding (MOU) with the Dauphin County Conservation District for services that they provide to the

Community. He noted that they currently provide erosion and sedimentation services, agricultural security area services, West Nile Virus services, as well as general conservation and wise use of natural feature services.

Mr. Wolfe explained the new MOU is an expanded scope of services that municipalities can enter into at their option and it is strongly recommended that the Municipal Separate Storm Sewer Systems (MS4) component be selected. He noted that it is staff's recommendation to select all five components and once the Township adopts the new MOU, Dauphin County Conservation District will provide for its staff to enter into the Township to continue to provide Erosion and Sediment Pollution Control, Agricultural Security Areas Monitoring, MS4 services, General Conservation and Wise Use and Proper Management of our Natural Resources, and West Nile Virus Control Program. He noted that this would be an expansion of services that are currently provided.

Mr. Crissman made a motion to approve the Memorandum of Understanding between the Township and Dauphin County Conservation District to include all five components. Mr. Hornung seconded the motion. He questioned what would be required to change what we are presently doing. Mr. Wolfe answered that the short answer is nothing. He noted that this MOU will provide more assistance to staff. He explained that the Conservation District is a valuable resource to the Township and does all the Erosion and Sediment Pollution Control Enforcement. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on the escrow Release and Settlement Agreement between the City of Harrisburg and the Suburban Municipalities in regard to sanitary sewer overpayments

Mr. Wolfe noted that the Authority, during its recent meeting, approved the agreement and now the Board of Supervisors must approve the same agreement. He noted that it provides for funds to be paid to Lower Paxton Township, Susquehanna Township, Steelton, Paxtang and

Pennbrook Boroughs and Swatara Township. He noted that the amount to be paid to the Township under the first installment is a little more than \$1.4 million out of a total of \$4.5 million. He noted that subsequent installments will be paid over a period of several years with the total payment to all Municipalities in the amount of \$11.5 million.

Mr. Crissman made a motion to approve the Escrow Release and Settlement Agreement between the City of Harrisburg and the Suburban Municipalities in regard to sanitary sewer overpayments. He noted that all municipalities must sign the agreement for it to be ratified. Mrs. Lindsey seconded the motion. Mr. Hawk called for a roll call vote and a unanimous vote followed.

Action on bids for the replacement of Friendship Center  
HVAC units for the natatorium

Mr. Wolfe noted that the two alternatives included in the bid were not recommended for award by Barton and Associates, the Engineer for the project. He noted that they recommend an award of the base bid to Sheet Metal Specialties, the lowest responsible bidder, in the amount of \$504,850. He noted that five bids were received for this project with the highest bid being \$629,500. He noted that it has been determined that their bid has met the specifications as prepared by Barton Associates, and it is staff's recommendation to accept this bid. He explained that the project to replace the two HVAC units for the natatorium at the Friendship Center have been included in the 2014 budget and have been funded by 2012 bond funds.

Mr. Hornung questioned what the Engineer's estimate for the project was. Mr. Wolfe answered that it was \$600,000.

Mr. Crissman made a motion to approve the bid for the replacement of the Friendship Center HVAC units for the natatorium to Sheet Metal Specialties in the amount of \$504,850. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on an assignment of Funds for the Spring Creek Road

Improvement Project under the Redevelopment Assistance Capital Program

Mr. Wolfe explained that the Township serves as the conduit for the funds from the Redevelopment Assistance Capital Program to the Catholic Diocese of Harrisburg for Bishop McDevitt High School. He noted that the Program allows funds to be awarded to private sector projects and these funds were for infrastructure improvements for Spring Creek Road for the new high school. He explained that there were grant awards from the Commonwealth Financing Authority and they totaled \$1.5 million. He explained that the funds have been spent and the purpose of this action is for the assignment of funds for this project. He noted that the Board accepted the agreement in October of 2013 and this assignment allows the Township to authorize payment of project costs directly to Bishop McDevitt as opposed to running the funds through the Township account and then writing a check to the school. He noted that the Township had approved a previous assignment of funds but they did not accept the form submitted, and are asking for a re-submittal of forms.

Mr. Crissman made a motion to approve action on an assignment of funds for the Spring Creek Road Improvement Project under the Redevelopment Assistance Capital Program. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on proposals to performing land survey services in  
PC 4C/4E sanitary sewer mini-basin

Mr. Wolfe noted that the Township Authority received five proposals for land survey services in PC 4C/4E. He noted that the lowest proposal was submitted by R.J. Fisher and Associates in the amount of \$24,800. He explained that the proposals ranged as high as \$66,500. He explained that all five respondents have provided survey services to the Township in the past and are well qualified; however it is staff's recommendation to go with the lowest proposal. Mr. Crissman noted that the low proposal is \$10,600 lower than the next low bidder.

Mr. Crissman made a motion to approve a proposal to perform land survey services in

PC 4C/4E sanitary sewer mini-basin to R. J. Fisher in the amount of \$24,800. Mrs. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Mr. Crissman noted that the letter from GHD stated that terms of the survey should be reviewed by Township Solicitor and he questioned if the Mr. Stine has done so. Mr. Stine answered that he has not. Mr. Crissman made an amendment to his motion that the award to R.J. Fisher would be subject to the Township's review and approval of the terms and conditions of R.J. Fisher's proposal. Mr. Seeds seconded the amendment. Mr. Hawk called for a voice vote and a unanimous vote followed.

Mr. Crissman made a motion to accept the amendment and the main motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Change Order No. 1 to the contract with Progressive Services, Inc  
to replace the Municipal Center roof

Mr. Wolfe explained that the change order for the Municipal Center Roof project is in the amount of \$7,025.00 to provide for a safety railing, 24 feet in length, around one of the HVAC roof units that is closer to the end parapet wall. He noted that under the current code, a rail must be installed. He explained that the Board previously approved the bid for the roof project; however, it is staff's opinion that the Board should bring the facilities on the roof up to code as we would expect it from others. He noted that the code requires when a HVAC unit is within a certain number of feet to an endwall of the roof, a fixed safety railing must be installed. He noted that the change order price was submitted to the Township Engineer, HRG and they have provided documentation of their approval of this change order. He noted that staff recommends the approval of this change order

Mr. Crissman made a motion to approve a Change Order No. 1 to the contract with Progressive Services, Inc. to add a safety rail on the Municipal Center roof in the amount of \$7,025.00. Mr. Hornung seconded the motion.

Mr. Seeds questioned how the work is proceeding. Mr. Wolfe answered that the roof is done except for the railing. He noted that one HVAC unit needs to be replaced on the roof and after it is replaced, the roofers will come back to add the new roof around that unit. He noted that the project is substantially complete and the interior roofing tiles have been replaced.

Mr. Hawk called for a voice vote and a unanimous vote followed.

Preliminary/final subdivision and land development plan for lots 59, 60, & 61 for the Homeowners Association and Maria T. DiSanto

Mr. Wolfe noted that the purpose of this plan is for a lot line change only. He noted that the existing Lot 61 will gain a 0.196 acre addition from proposed Lot 61B, and proposed Lot 61 will contain 3.494 acres and the proposed Open Space J-1-A will contain 3.464 acres. He noted that the property is located north of Bennington Drive, east of Minglewood Road and west of Parkway East, and is served by public sewer and public water. He noted that the property is zoned RC, Residential Cluster; however the property was formerly R-1, Low Density Residential District. He noted that it is a simple lot line adjustment. He noted that the subject property is outside the confines of Blue Meadow Farms and this parcel of land gains access from a cul-de-sac in Blue Meadow Farms.

Mr. Wolfe noted that the Planning Commission recommended approval of the plan at its February 5, 2014 meeting subject to the solicitor's review of the zoning implication as it relates to the required open space. He noted at the time the plan was reviewed by the Planning Commission, the lot line was slightly different and at the solicitor's concurrence, the lot line has been adjusted so there would be no impact on the open space lot affecting the zoning regulations of Lower Paxton Township.

Mr. Wolfe noted that the applicant has requested two waivers: Waiver of the requirement to show the existing natural features 100' beyond the property boundary, and waiver of the requirement to show the existing utilities 100' beyond the property boundary. He noted that staff

supports both waivers. He explained that there are also four general conditions and one staff comment.

Mr. Wolfe noted that John DiSanto is present to represent the plan.

Mr. John DiSanto, 6130 Minglewood Drive noted that he was present to represent the plan for his wife, Maria, and that Mr. Wolfe explained the request well as it is only a simple lot line alignment. He explained that he and his brother, Mark DiSanto, are the Homeowners Association with Mark living in one house, and he living in the other, with an undeveloped lot in between.

Mr. Crissman questioned Mr. DiSanto if he could speak on behalf of the applicant. Mr. DiSanto answered yes.

Mr. Crissman noted that Mr. DiSanto is in agreement with the two waiver requests.

Mr. Crissman questioned if Mr. DiSanto would be in compliance with the four general conditions within a reasonable time especially number condition four that includes the four comments listed in the HRG's memo dated February 20, 2014. Mr. DiSanto answered yes.

Mr. Crissman questioned if Mr. DiSanto is in agreement to the one staff comment. Mr. DiSanto answered yes.

Mr. Crissman made a motion to approve the preliminary/final subdivision plan Lots 59, 60, and 61 Homeowners Association for Maria T. DiSanto with the following waivers and conditions: 1) Waiver of the requirement to show the existing natural features 100' beyond the property boundary; 2) Waiver of the requirement to show the existing utilities 100' beyond the property boundary; 3) Plan approval shall be subject to providing original seals and signatures; 4) Plan approval shall be subject to the payment of engineering review fees; 5) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for monuments; 6) Plan approval shall be subject to addressing the comments of HRG's

memorandum dated February 20, 2014; and 7) When submitting revised plans, please respond in writing to all individual comments including Township staff, HRG and County. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote for the motion, and a unanimous vote followed.

### **Improvement Guarantee**

Mr. Hawk noted that there were five Improvement Guarantees.

#### Kings Crossing, Phase C

A reduction in a letter of credit with Fulton Bank, in the amount of \$7,424.05, with an expiration date of November 19, 2014.

#### Kendale Oaks, Phase IV

A reduction in a letter of credit with M&T Bank, in the amount of \$1,369,506.55, with an expiration date of September 17, 2014.

#### Autumn Oaks, Phase II

A new letter of credit with Farmers and Merchants Truck Company, in the amount of \$396,943.25, with an expiration date of March 4, 2015

#### The Arlington Group

A new letter of credit with First National Bank, in the amount of \$710,471.52, with an expiration date of March 4, 2015.

#### Wilshire Estates, Phase I

A reduction in a letter of credit with Jonestown Bank and Trust Company, in the amount of \$302,484.88, with an expiration date of December 10, 2014.

Mr. Crissman made a motion to approve the five improvement guarantees. Mrs. Lindsey 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 and Lower Paxton Township Authority. 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 8:14 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

William L. Hornung  
Township Secretary