

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held June 3, 2014

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:32 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 and Watson Fisher, SWAN.

**Pledge of Allegiance**

Mrs. Lindsey led in the recitation of the Pledge of Allegiance.

**Approval of Minutes**

Mr. Crissman made a motion to approve the minutes from the April 8, 2014 and April 29, 2014 workshop meetings. Mrs. Lindsey seconded the motion, and a unanimous vote followed.

**Public Comment**

Mr. Richard Wonderlick, 517 Clermont Drive explained that he attended the meeting on April 29, 2014 to discuss the problem that he is having at his home. He noted that his yard continuously floods from the eight homes that are south of his property where all the water drains into his yard. He noted at that time, Mr. Crissman requested a copy of the letter that the Township sent to him on June 23, 2011. He questioned if Mr. Crissman received the letter. Mr. Crissman answered that he did not receive a copy of the letter.

Mr. Wonderlick noted that he has four enclosures for the Board this evening, the first is a copy of the letter dated June 23, 2011; and the second is a certified letter sent to Mr. Hawk on July 19, 2011 with no response. He noted that the third item was a request to meet with the Dauphin County Commissioners and at that meeting he was told that legally the Township

cannot do anything. He noted that his neighbor and he give permission for the Township to do something but he was told that the Township cannot do anything. He requests that the Township send an engineer as the last rain flooded him out badly and there is no reason for this to occur as the storm drain could handle it if the inlet was put in the correct place. He noted that he wants a response from the Township either saying that it can't do anything or it doesn't want to do anything or have the engineer come and look at it. He noted that the fourth enclosure is a letter to Mr. Aunkst from DEP asking for assistance. He noted that it is a serious problem and he attended many meetings and his last contact was with Senator Teplitz who contacted the Township and they sent him a letter dated June 11, 2011. He noted that Senator Teplitz contacted DEP, and he and Scott Williams from DEP looked at it and stated that it is the Township's responsibility. He noted that he wants to know why the Township will not assist him.

Mr. Wolfe explained that he was asked to research the status of the easement that runs through the property, reviewing a 1977 edition of the Clermont Plan, an old subdivision plan that he is researching but has not completed it at this point.

Mr. Wonderlick noted that there must be a Township Ordinance that does not allow other properties to send their water to his properties. He stated that there are eight homes above him and there is a storm drain to handle it. He noted in the front of his home in the street there is a storm drain and the street never floods. He noted across the street they have the same layout and no water issues. He noted that the inlet has to be moved but he is not an engineer and he knows this needs to be done. He noted that it is a simple fix and he hopes that the Township will do this.

Mr. Crissman noted that Mr. Wolfe indicated that he is reviewing the issue and when the investigation is completed the Board will respond to you in writing. Mr. Wonderlick noted that there has to be a Township Ordinance that controls run off water.

Ms. Bobby VanBuskirk, 2013 Covey Court explained that she lives in Quail Hollow and the last phase is being completed by Classic Communities. She explained that she complained to the Township Office and was told that Matt Miller would be getting back to her and she has not heard from him. She noted that she called the Dauphin County Conservation District in regards to the storm inlets not being maintained in the area of the development where there is construction. She noted that the inlets silt sacks are completely cemented closed as there are weeds growing out of them and every time it rains the intersection of Laurel and Brooks Lanes floods. She presented pictures to the Board of what it looked like for the last two weeks every time it rained. She noted that Classic Community continues to get permits but nothing is done to maintain the inlets as per the NPDES permit. She noted that she wanted to bring this to the Board's attention. She explained that she was told today that Steve Frey from Dauphin County Conservation was out of the office for the past two weeks and when she called the Municipal Center she was told to call Pubic Works Office but by that time their office was closed.

Ms. VanBuskirk noted that her concern is the lack of maintenance for when it rains as the road floods and the debris is in the roadway. She noted that it is a walkable neighborhood as the Township encourages this so that families can walk and it is a real concern as we have little children that live in the neighborhood.

Mr. Wolfe explained that it is the developer's responsibility and they are items that are required to be maintained by the NPDES Permit and he will see that it is taken care of.

Mrs. Lindsey questioned how many drains are there. Ms. VanBuskirk answered that there are nine inlets that have silt sacks in them and they are full of debris noting that they should have some type of filters and fence around the site for when the contractor disturbs the land.

Mr. Crissman questioned if you can identify the nine inlets. Mr. Wolfe answered that he has enough information from the pictures to determine the location. He noted that they are located in the unaccepted portion of streets in Quail Hollow development. He noted that he would easily be able to indentify them as they are a developer responsibility.

Ms. VanBuskirk explained when she spoke to the receptionist at Classic Community and was told that they looked at the inlets and they were in compliance. She noted that she called the developer five times and left messages and finally got someone when she called and was told that they checked it out and that they were in compliance with the permit.

Mr. Hawk suggested that your neighbor is not being a good neighbor.

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

Mrs. Lindsey wanted to note that she and Mr. Seeds joined in the parade accompanying the Friendship Center float on Memorial Day and they had a great time. She wanted to thank the Linglestown Legion for all the work that they did. She noted that it was a lot of fun.

### **Manager's Report**

Mr. Wolfe noted that TMI Emergency Siren Test will be conducted on Thursday, June 5<sup>th</sup> at 12:15 p.m. He noted that Exelon Energy will conduct the semi-annual volume test of the Three Mile Island Emergency Warning sirens sounding for three minutes. He noted that it consists of 96 sirens in parts of Cumberland, Dauphin, York, Lancaster, and Lebanon Counties. He noted that the ten mile radius of TMI includes the southern section of the Township.

Mr. Crissman noted that this should be put on the Township's TV Station and he directed the representative from The Patriot-News to make sure it is included in the newspaper and Penn Live. Mr. Wolfe answered that he will do that.

Mr. Wolfe noted that Heroes Grove will have its groundbreaking ceremony, festival and parade on Saturday, July 5, with the parade starting at North Side Elementary School to Brightbill Park at which time there will be ground breaking ceremony at 11:15 a.m. followed by a community festival. He noted that the planners for this event are expecting first responders, military personnel, scouts, and state and local leaders to participate in the event. He noted that the festival will include music, food and children's activities.

Mr. Wolfe noted that the Heroes Grove Project is a memorial and amphitheater being developed, on a County-wide basis, on land that Lower Paxton Township has agreed to this use at Brightbill Park. He noted as part of the workshop agenda next Tuesday night, the construction plans will be presented to the Board members.

Mr. Wolfe noted that the Lower Paxton Township Parks and Recreation Department in conjunction with various Boards and Commissions will conduct an Arts and Parks 5-K Run and one mile walk on Saturday July 19<sup>th</sup>. He noted that that the 5-K Run begins at 8 a.m. and the one mile walk begins at 8:30 a.m. He noted that the fee for the 5-K Run for preregistration is \$20 and \$25 the day of the event. He noted that the fee for the one mile walk is \$10. He explained that the sponsors for the event are PinnacleHealth, Drayer Physical Therapy Inst., Baptist Resource Network, Hornungs Ace Hardware, and Sedun Shaklee Independent Distributers.

Mr. Wolfe noted that National Night Out for Public Safety will be held on Tuesday, August 5<sup>th</sup> from 5 p.m. to 8 p.m. at George Park. He noted that this will be the 16<sup>th</sup> year the Township has sponsored this event.

Mr. Seeds noted that he and Mrs. Lindsey attended the Heroes Grove meeting today and they discussed moving the parade start to another location using a local church. Mrs. Lindsey noted that they want to move the staging area to the Cross Point Church located at Crums Mill and Colonial Roads. She noted that anyone interested in participating in the parade should go to the Heroes Grove website as they are looking for participants to march in the parade. Mr. Wolfe explained that crossing Colonial Road, a state road, would require a state parade permit. Mrs. Lindsey noted that we should get in contact with Representative Ron Marsico as they may not be aware of this requirement. She noted that they plan on using the business park in that area for parking as well.

Mr. Crissman noted that the Heroes Grove Committee would have to make the application for the parade permit. Mr. Seeds noted that Mr. Luetchford was working on the details with the Committee.

Mr. Seeds noted that the fireworks in Linglestown will take place on Saturday, July 5, 2014 at Koons Park.

### **OLD BUSINESS**

Mr. Hawk noted that there was no old business.

### **NEW BUSINESS**

#### Action on bids for the resurfacing of the lap pool at the Friendship Center

Mr. Wolfe noted on May 27<sup>th</sup>, two bids were received in accordance with specifications issued by the Township for replastering of the lap pool at the Township's Friendship Center. He noted that one bid was submitted by Mainline Commercial Pools for \$55,000 and the second bid was submitted from Poolside Plastering Incorporated in the amount of \$53,780. He noted that staff has reviewed the lowest responsible bid and determined it to be completed in accordance with the specification as advertised, and it is staff's recommendation that the Board award the

bid this evening. He noted that the bid is in excess of staff's original estimate for the project as it was found that they did not base the estimate on prevailing wages. He noted that the estimate was \$45,000. He noted when the prevailing wages were added to the cost of the project it brought the estimate up to \$54,000. He noted that the project is funded by the 2013 General Obligation Bonds having funds available to cover the overage from the estimate.

Mr. Seeds questioned if the prevailing wage was increased to \$100,000. Mr. Wolfe answered that it was only for road projects. He noted that anything over \$25,000 that is not a road project is still required to pay prevailing wages.

Mr. Crissman noted that staff did an investigation of the company who provided the low bid and it was found that they are reputable and have done reputable work elsewhere. He noted when you do this kind of work you do not want to have to go back and redo the work three or four years later.

Mr. Crissman made a motion to approve the bid for the replastering of the lap pool at the Friendship Center to Poolside Plastering Inc. in the amount of \$53,780. Mrs. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on an Interlocal Agreement to accept a Justice Assistance Grant

Mr. Wolfe explained that the Police Department, based upon its current Uniform Crime Report Statistics and Township's population and certain demographics within the population has been awarded a Justice Assistance Grant (JAG) in the amount of \$10,942. He noted that the Township has received these in the past but not on an annual basis. He explained that the funds are limited in their award and the attached list shows for the Commonwealth of Pennsylvania, only 54 awards were made to municipalities. He noted that primarily the awards are made to Third Class cities and Pittsburgh and Philadelphia. He noted these funds can be used to support ongoing activities in the Police Department which are not currently funded in accordance with

the budget allocation. He noted that it is staff's recommendation to approve this agreement and accept the grant funds.

Mr. Crissman made a motion to approve action on an Interlocal Agreement to accept Justice Assistance Grant in the amount of \$10,942 from Dauphin County. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

### **Improvement Guarantee**

Mr. Hawk noted that there were three Improvement Guarantees to approve.

#### New One Story Office Building

An extension and 10% increase in a letter of credit with Fulton Bank in the amount of \$34,121.86, with an expiration date of June 3, 2015.

#### Maiden Creek

An extension and 10% increase in a letter of credit with Fulton Bank in the amount of \$128,414.00, with an expiration date of June 3, 2015.

#### Deaven Woods

An extension and 10% increase in an escrow with Integrity Bank in the amount of \$267,190.00, with an expiration date of June 3, 2015.

Mr. Crissman made a motion to approve the three improvement guarantees as listed. 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 and the Purchase Cards with PNC Bank. 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.

Mrs. Lindsey seconded the motion, and the meeting adjourned at 7:55 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

William L. Hornung  
Township Secretary