

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held February 16, 2010

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:34 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 George Wolfe, Township Manager; Steven Stine, Township Solicitor; and Ted Robertson and Watson Fisher, SWAN.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the minutes of the February 2, 2010 business meeting as presented. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

No comments were provided.

Chairman & Board Members' Comments

Mr. Hawk noted that Brendan Latimore, from Boy Scout Troop 77, affiliated with the Life Center Church, was present at the meeting with his father, Mark, to work on his Communications badge.

Manager's Report

Mr. Wolfe noted that the Census Bureau is launching its "Take 10" Program. He explained, during the critical months of March and April, the Census Bureau will escalate its outreach to urge residents to mail back their census forms. He noted that each percentage point jump in mail response saves \$85 million in taxpayer dollars by reducing the number of census workers who must go door-to-door to collect the data. He noted that the Census Bureau urges local and state elected officials to encourage their citizens to return their census forms. He noted that the Census Bureau would also like elected officials to issue challenges to their community to improve their response to the 2010 Census over the 2000 Census rates. He noted that the current population estimate for the Township is roughly 47,500 and it is expected that once the data is received from the 2010 Census, the new numbers will be between 47,500 and 49,500. H noted that the 2010 numbers could make Lower Paxton Township the largest municipality in Dauphin County and the 18th largest municipality in the Commonwealth of Pennsylvania by population.

Mr. Wolfe explained that the Parks and Recreation Department will be taking reservations for the 2010 Summer Day Camp program on March 17 through 19, 2010. He noted that all children, from the ages of five through 14 are eligible. He noted that children ages five through eleven would attend the day camps located at Linglestown and Paxtonia Elementary Schools, with the Middle School students, ages 12 through 14 meeting at North Side Elementary School. He noted that the day camp runs Monday through Friday from 7:00 a.m. to 6:00 p.m. starting Tuesday, June 8th through Friday, August 13th. He explained that the cost per child is \$120 per week for Township residents and \$125 for non-residents, with a 10% discount for additional children. He noted that some of the tentative field trips that are planned are: Baltimore

Science Center, Harrisburg Senators, Bowling, Ice Skating, Dutch Apple Theatre, Lake Raystown, and Ozzy's Family Fun Center.

OLD BUSINESS

Resolution 10-09; accepting a Solar Energy Program grant from the Commonwealth Financing Authority

Mr. Hawk explained that the Commonwealth Financing Authority (CFA) awarded the Township a \$3 million grant for a solar energy project.

Mr. Wolfe noted that the Township is investigating the potential to develop a solar farm on its closed municipal landfill located on Conway Road. He noted that the solar farm would be between six and ten acres in area, and would generate 3 megawatts of power which is proposed to be sold to the Swatara Township Sewage Treatment Plant. He noted that the Township is, by far, the major contributor to the Swatara Township Sewage Treatment Plant.

Mr. Wolfe explained that the total costs for the project are estimated to be \$14 million, and the remaining \$11 million would be paid by a Township general obligation bond. He noted that he would be meeting in the near future with bond counsel and the Township Finance Investment Manager, to further discuss a bond program that is designed for solar energy projects. He noted that this obligation bond could come in at little or no interest rate for bond repayment.

Mr. Wolfe explained that this is the first step in the process for obtaining grant funds from the CFA for the program. He noted that the Township received the second largest grant award in Pennsylvania from the CFA.

Mr. Wolfe explained that Resolution 2010-09 and the accompanying grant forms are complete for Board action this evening.

Mr. Crissman made a motion to approve Resolution 2010-09, to accept the Solar Energy Program grant from the Commonwealth Financing Authority. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Action on a proposal from the Township Engineer, HRG, Inc., to design insulation and lighting improvements at certain municipal buildings

Mr. Wolfe explained that this proposal is part of the Township's Energy Efficiency and Conservation Grant Project (EECGP). He noted that it is a direct entitlement grant in the amount of \$185,200 from the United States Department of Energy to undertake certain qualifying expenditures. He noted that the Engineer's proposal includes energy and lighting improvements for the Public Works Building and energy improvements for the Friendship Center, in the gymnasium and fitness center.

Mr. Wolfe noted that HRG, Inc. provided a proposal to the Township in the amount of \$17,900 to perform the engineering work. He noted that this is an estimated fee, and during the Workshop Meeting held prior to this meeting, Mr. Steve Fleming, from HRG, Inc., discussed the fee with the Board of Supervisors. He explained that Mr. Fleming has agreed to change the wording in the agreement letter to "time and materials, not to exceed \$17,900." He noted that Mr. Fleming is on record saying that he could bring the project in under the \$17,900 estimate, with a goal of doing the work for \$4,000 less than the original estimate. Mr. Wolfe requested the Board members to accept the proposal presented by HRG, Inc.

Mr. Crissman made a motion to accept the proposal from HRG, Inc., to design insulation and lighting improvements for the Public Works Building and the Friendship Center with the change that the amount would not exceed \$17,900, and would be less, based upon Mr. Fleming's comments made at the previous Workshop Meeting. 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.

Action on engagement letters with Bond Counsel and the Township Solicitor for legal services provided to process a PENNVEST loan

Mr. Hawk noted that the fee from the Bond Counsel to process the PENNVEST loan is estimated at \$20,000, and for Mr. Stine, there is a straight fee of \$13,000 in addition to a fee of \$20,000 for acquisition work.

Mr. Wolfe noted that the Township is now managing the PENNVEST loan, whereas, originally it was managed by the Authority. He noted that the funding arrangement was changed from the Authority to the Township in order to maintain level debt service for the Township. He noted that the loan that the Township would enter into with PENNVEST is in the amount of \$14,000,330, and in order to close on this loan, Mr. Smida, Bond Counsel, and Mr. Stine, Township Solicitor, have provided engagement letters for their fees. He noted that it is staff's recommendation to approve both letters of engagement.

Mr. Stine explained that his fee is two parts since he would perform two roles. He noted that the fee for the financing is \$13,000, and in addition, he must also provide the legal work for the actual projects to include the right-of-way acquisitions. He noted that PENNVEST requested him to break out his fees knowing, at this time, it is unknown how much he would charge for the project work. He noted that the fee may be very little, but he was required by PENNVEST to provide a fee amount for the Township in order to program the fees into the budget for the loan. He noted that the Township would be able to use PENNVEST funds to pay the legal fees. Mr. Seeds questioned if the \$20,000 fee is an approximate fee. Mr. Stine answered yes, stating that the fee could be lower or it could be higher. Mr. Hawk noted that the Bond Counsel fee is \$20,000 which is a typical fee for that type of service.

Mr. Crissman made a motion to approve the Bond Counsel engagement letter noting a fee of \$20,000 and the Township Solicitor engagement letter including a flat fee of \$13,000 for financial work and a fee of \$20,000 for the project work for the legal services to process the PENNVEST loan. 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.

NEW BUSINESS

Ratification of Disaster Declaration 10-01 providing for a snow emergency on February 6, 2010
Ratification of Disaster Declaration 10-02 providing for a snow emergency on February 9, 2010

Mr. Crissman questioned if both Declarations could be combined and if there was any paperwork to sign. Mr. Hawk answered that both Declarations could be combined. Mr. Wolfe answered that there was no paperwork to sign; explaining that the ratification would be recorded in the minutes. He explained that the codified ordinance permits the Township Manager to declare an emergency as long as the declaration is ratified by the Board of Supervisors.

Mr. Crissman made a motion to ratify Disaster Declaration 10-01, providing for a snow emergency on February 6, 2010, and Disaster Declaration 10-02, providing for a snow emergency on February 9, 2010. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Action on offer of damages from PENNDOT for right-of-way from
Township property necessary for Nyes Road reconstruction

Mr. Wolfe noted that PENNDOT is reconstructing Nyes Road, a project that the Board of Supervisors has lobbied for several years, and as part of the project right-of-ways must be acquired from abutting property owners. He noted that the Township happens to be an abutting property owner with land that was donated to the Township by the Huntleigh Development. He noted that it is hoped that someday that land would become a greenway along Nyes Run.

Mr. Wolfe explained that PENNDOT has appraised the property and is offering damages in the amount of \$5,200.00 for the right-of-way. He noted that the offer has been transmitted to the Township from PENNDOT, and in addition, PENNDOT has provided plats to show the area of taking. He noted that it would be his recommendation to accept the offer of \$5,200 from PENNDOT, and allow PENNDOT to move ahead with roadway design and construction.

Mr. Crissman made a motion to approve the offer of damages from PENNDOT for right-of-way from Township property necessary for the Nyes Road reconstruction in the amount of \$5,200.00. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

IMPROVEMENT GUARANTEES

Mr. Hawk noted that there was one Improvement Guarantee.

Harrisburg Foot and Ankle

A reduction in a letter of credit, with Commerce Bank, in the amount of \$1,660.00, with an expiration date of February 2, 2011.

Mr. Crissman made a motion to approve the one listed Improvement Guarantee. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous voice 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, and a unanimous vote followed.

Announcement

Mr. Hornung wanted to express his gratitude to Mr. Ted Robertson and Mr. Watson Fisher, for their faithful attendance at Township meetings to serve as a watch dog for the Stray Winds Area Neighbors (SWAN), and the entire Township. He noted that it is commendable that these two men attend most meetings conducted by the Township.

Mr. Wolfe noted that immediately following the Sewer Authority meeting, the Board members would continue the Workshop Meeting in room 174.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting, and the meeting adjourned at 7:58 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary