

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held July 21, 2009

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:38 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 Acting Chief of Police, Lieutenant David Johnson.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the minutes of the June 9, 2009 workshop meeting, and the June 16, 2009 business meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

No comments presented

Chairman & Board Members' Comments

No comments presented.

Oath of Office to Police Officer

Mr. Hawk noted that Magisterial Judge William Wenner was present to administer the oath of office to the new police candidate, Keegan Wenner. (Mr. Wenner was officially sworn in

as a police officer by Chairman Hawk, as per Second Class Township Code, prior to the start of the meeting.)

Acting Police Chief, Lieutenant David Johnson explained that Keegan Wenner is a native of Harrisburg, and graduated from Susquehanna Township High School in 2005. He attended McDaniel College in Maryland, and graduated in 2009 with a B.A. in Sociology, with a specialization in criminal justice. He is the son of Dr. David Wenner and Audrey Wenner, and is currently enrolled in the Police Academy at Harrisburg Area Community College. Officer Wenner is scheduled to graduate from the Police Academy November 2009.

Magisterial Judge William Wenner administered the oath of office to Keegan Wenner. Mr. Hawk presented Officer Wenner with his badge.

Manager's Report

Mr. Wolfe noted that the Parks and Recreation Department would be sponsoring the Summer Concert Series at Brightbill Park. He explained that High Tops will be performing on Friday, July 24, 2009, starting at 7 p.m., and on Friday, July 31st Howard and the Islanders will be performing.

Mr. Wolfe explained, beginning August 1, 2009, there will be a charge for residents to utilize the Township's Compost Facility on a drop-off and pick-up basis. He noted that residents who wish to use the Compost Facility will be charged \$10 for the remainder of the calendar year, noting the annual fee for 2010 would be \$20. He noted that a one-day pass costs \$5, and can be purchased at the Township Municipal Center.

OLD BUSINESS

Resolution 09-31; Approving Supplement D to the agreement between the Township and Arora and Associates, P.C. for engineering services relative to the Linglestown Corridor Improvements

Mr. Wolfe noted that the Board previously took action by way of voice vote, on Supplement D at its December 16, 2008 business meeting. He noted that the Commonwealth requires the Board to take action on this agreement by way of resolution. He noted that the resolution approves a supplemental reimbursement agreement with PENNDOT which allows the Township to utilize the services of Arora and Associates, P.C., and other providers for the engineering, right-of-way and acquisition work. He noted that PENNDOT requires the Township to take action, by way of a resolution prior to reimbursing the Township for 80% of its costs for the project.

Mr. Wolfe noted that the resolution is complete for Board action at this time.

Mr. Crissman made a motion to approve Resolution 2009-31, Approving Supplement D to the agreement between the Township and Arora and Associates, P.C. for engineering services relative to the Linglestown Corridor Improvements. 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

Resolution 09-32; Approving a Contributory Agreement with PENNDOT to advertise, open bids, award a contract, and provide construction for the Linglestown Road project

Mr. Wolfe noted that the resolution provided previously to the Board members called this resolution a contributory agreement, however, PENNDOT has since amended it to a supplemental reimbursement agreement. He noted that the resolution permits PENNDOT, on

behalf of the Township, to advertise, open bids, award a contract, and provide for construction management and inspection services for the Linglestown Road project. He noted that all those activities were required to be conducted by the Township, under the original reimbursement agreement, however, it was determine that PENNDOT is far better equipped than the Township to perform those services. He noted that the resolution does not affect funding for the project in any way, noting, that it would remain 20% local funds, and 80% State and Federal funds.

Mr. Wolfe noted that the resolution is ready for Board adoption.

Mr. Wolfe explained that PENNDOT opened bids for the project and the low bid was received from Leon Wintermyer Inc. in the amount of \$4,060,000.00. He noted that PENNDOT plans to award a contract for services to Leon Wintermyer, subject to the Township approving the supplemental reimbursement agreement.

Mr. Crissman made a motion to adopt Resolution 09-32; approving a Supplemental Reimbursement Agreement with PENNDOT to advertise, open bids, award a contract, and provide construction and inspection services for the Linglestown Road project. 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.

Ordinance 09-06; Setting forth an allocation of building permits
in the Beaver Creek sanitary sewer basin

Mr. Wolfe explained that this is the 14th year the Board proposed an ordinance to allocate building permits in the Beaver Creek sanitary sewer drainage basin, in accordance with the settlement agreement, executed with the Department of Environmental Protection and developer litigants who do business in the Beaver Creek basin. He explained that the ordinance provides for 54 building permits that would be available from July 1, 2009 through December 31, 2009, and an additional 18 permits that would be available from January 1, 2010 until March 31, 2010.

Mr. Hornung questioned if the permits are not used this year, would the Township be permitted to carry them over until the next year. Mr. Wolfe answered that permits can be recycled during the year; however, if they are not used by one developer, then the permits would expire. He noted that a developer has 90 days to use the permit. Mr. Hornung questioned if the agreement could be renegotiated. Mr. Wolfe noted that the Township has not been able to do that in the past. He noted that the Township would have a hard time justifying it as there is a surplus of permits available.

Mr. Crissman questioned if a developer applies for a permit, and the year ends, would the developer be able to use it in the next year. Mr. Wolfe noted, if the permit is applied for, it is good for 90-days. He noted, if the developer does not begin construction within 90 days and the time period has expired, then the permit expires.

Mr. Seeds explained that the number of permits available has been consistent in that the same number of permits has been available to developers in the Beaver Creek basin for the entire period of time of the settlement agreement. He noted that there has never been a shortage in the number of requests. Mr. Hawk noted that the numbers have been consistent over the years.

Mr. Stine noted that it was the time and date set to conduct a public hearing on Ordinance 09-06, setting forth an allocation of building permits in the Beaver Creek sanitary sewer basin. He questioned if anyone in the audience wished to be heard on Ordinance 09-06. Mr. Stine noted that, seeing no response, it would be appropriate to close the public hearing on Ordinances 09-06 and the Board may take action if it so desires.

Mr. Crissman made a motion to approve Ordinance 09-06; setting forth an allocation of building permits in the Beaver Creek sanitary sewer basin. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Resolution 09-34; Applying for funding for
police officer training from the MPOETC

Mr. Hawk noted that Resolution 09-34 would allow the Township to apply for funding for police officer training with the Municipal Police Officers' Education and Training Commission.

Mr. Crissman made a motion to approve Resolution 09-34; applying for funding for police officer training with the Municipal Police Officers' Education and Training Commission. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Change Order No. 3 to the contract with Womex, Inc. for the
Linglestown Road sanitary sewer force main

Mr. Wolfe noted that the change order is an increase in the amount of \$3,776.53 to adjust the quantities utilized by the contractor, Womex, Inc., in the construction of the sanitary sewer force main. He noted that the contract was based on estimates for a large quantity, however, the Township pays on actual. He noted that this change order will close out the contract with Womex, Inc.

Mr. Crissman made a motion to approve Change Order No. 3 to the contract with Womex, Inc., for the Linglestown Road sanitary sewer force main in the amount of \$3,776.53. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed

Declaration of lot consolidation for Devonshire Memorial
Church of the United Brethren in Christ

Mr. Wolfe explained that this is a simple lot consolidation, taking two parcels of land and combining them to form one lot that contains a little more than one acre. He noted that the lot

consolidation has already been accomplished through a deed consolidation. He explained that the action on behalf of the Board is a formality to permit the consolidation in accordance with Township's subdivision and land development regulations. He noted, in combining the two lots, no non-conformities have been created in either the subdivision or zoning ordinances of the Township.

Mr. Gary Gardner explained that the purpose of the lot consolidation is to combine the church office with the church facility.

Mr. Blain made a motion to approve the declaration of consolidation of previously subdivided lots for Devonshire Memorial Church of the United Brethren in Christ. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Resolution 09-33; Planning Module for Dorothy Mumper

Mr. Wolfe noted that the planning module for Dorothy Mumper accompanies a two-lot subdivision with the extension of a sanitary sewer lateral of 480 feet. He noted that given the lateral extension and the estimated flow, a planning module is required. He noted that it is complete for Board action at this time.

Mr. Crissman made a motion to approve Resolution 09-33, the planning module for Dorothy Mumper. 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 and Lower Paxton Township Authority. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Announcements

Mr. Hawk noted that the Police Department would be sponsoring the annual Night Out event for Public Safety at Koons Park on August 4, 2009, from 6 p.m. to dusk.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 7:57 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary