

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held Tuesday, September 16, 2008

A 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, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steven Stine, Township Solicitor; Lori Wissler, Community Development Manager; Dianne Moran, Planning and Zoning Officer; Ruth Moraski, The Zigmund Co. LTD.; Tim DeWire, J. Michael Brill and Associates.

Pledge of Allegiance

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

Approval of Minutes

Mr. Blain made a motion to approve the minutes from the administrative business meeting held July 29, 2008, and the business meeting held August 26, 2008. Mr. Seeds seconded the motion, and the motion was unanimously approved.

Public Comment

None was provided.

Chairman and Board Member's Comments

None was presented.

Manager's Report

Mr. Wolfe noted that Dauphin County is again sponsoring a Community Clean-Up for recyclables on Saturday, October 4, 2008, at the Harrisburg Community College from 9 a.m. to 1

p.m. He explained that electronic recyclables are accepted. He noted that tires and large appliances will be accepted for a fee. He explained that these items may be recycled as part of the Township's weekly bulk curbside collection, to include items with Freon, noting that special arrangements must be made with Waste Management to pick up these items.

Mr. Wolfe noted that Dauphin County senior citizens are eligible to obtain flue shots and pneumonia shots, some for free. Flu shots will be available at multiple locations throughout Dauphin County, and in Lower Paxton Township, they will be available at the Colonial Park United Church of Christ, located at 5000 Devonshire Road on Monday, October 6, 2008. Persons seeking more information may call 780-6191.

Mr. Wolfe noted that Trick or Treat will be celebrated in Lower Paxton Township on Thursday, October 30, 2008 from 6 p.m. to 8 p.m.

Mr. Wolfe noted that the Parks and Recreation Department is offering Autumn Hayrides in Koons Park beginning October 10, 2008, from 6 p.m. to 8 p.m. He noted that there are various other dates for the hayrides, and the fee for the event is \$2 per person.

OLD BUSINESS

Ordinance 2008-13; Amending the zoning ordinance to permit cellular telephone towers in conjunction with Public Utility Sub-Stations, as Special Exceptions in the R-1 zoning district

Ms. Wissler noted that the Township received a request to allow free standing cell towers on a public utility substation. She noted as part of staff's review, it was recommended that a definition of "Public Utility Substation" be included within the ordinance, and it has been. She explained that Ordinance 08-13 would permit antennae/towers that do not meet Section 402.A.16.a (such as freestanding towers) on public utility substations as a special exception in the R-1 District.

Ms. Wissler noted that the Lower Paxton Township Planning Commission reviewed this matter on July 9, 2008 and recommended that "Antennae/towers that does not meet Section

402.A.16.a..." be a special exception use in the R-1 District and that the definition of "Public Utility Substation" be included in the proposed ordinance.

Ms. Wissler noted that the Dauphin County Planning Commission reviewed this matter on July 7, 2008 and recommended approval of the text amended but noted that if the substations are also located in other zoning districts, then those zoning districts should be included in the amendment. She explained that the Dauphin County Planning Commission reviewed the revised text amendment on August 4, 2008 and recommended approval of the text amendment. The County further recommended that the phrase "Public Utility Substations" be changed to "Public Utilities and Municipal Facilities." However, the Lower Paxton Township Planning Commission reviewed the revised text amended on August 13, 2008 and recommended to leave the definition as is as the definition is included as part of the ordinance that explains what a public utility substation is.

Ms. Wissler noted that Ms. Paula Leicht is present on behalf of the application, and the proper advertisements have been made.

Mr. Seeds questioned noted that Dauphin County has requested to include municipal facilities, but he questioned if they would be included. Ms. Wissler explained that the Township's definition defines a public utility substation, but the County wanted it changed to public utility and municipal facility, and it was discussed by the Planning Commission and they did not desire to change the name since the definition is included as part of the ordinance. She noted that the five different types are listed within the definition. Mr. Seeds noted that it would include a municipality as part of the definition. Ms. Wissler answered yes.

Mr. Seeds noted that Section 306 has to do with minimum setbacks, noting that the tower can't be closer to the lot line than the height of the tower, and it must be 300-foot to the nearest

resident, and he questioned if these setbacks would continue to be required if this ordinance is approved. Ms. Wissler noted that the plan would have to comply with those setbacks.

Mr. Seeds questioned if the Zoning Hearing Board would hear the Special Exceptions and grant approval. Ms. Wissler answered yes. Mr. Seeds noted if there was a need to grant an easement, then it would have to be granted by the Board members. Ms. Wissler noted that it was correct.

Mr. Stine noted that it was the time and date set for the public hearing on Ordinance 2008-13; amending the zoning ordinance to permit cellular telephone towers on a public utility substation as a special exception in the R-1 zoning district.

Ms. Paul Leicht noted that she was present on behalf of Wireless Carrier, T-Mobile. She explained that the reason for the request was due to the increase in the demand for coverage in areas where the permitted uses did not work for the company. She noted that this is a way to make use of a quasi-public property and meet the needs of the carrier. She explained that the public utility substation that her client would like to use is off of Spring Creek Road. She noted that Ms. Wissler summarized succinctly the proposal, and she noted that she would be open for any specific questions related to the project. She noted that the Planning Commission made a recommendation that it is a reasonable text amendment, noting that Ms. Wissler expanded the definition of a public utility substation and it would be inclusive of municipally owned facilities such as sewer, water or treatment plants. Mr. Seeds questioned if it included the municipal-owned land. Ms. Leicht noted that it did.

Mr. Stine questioned if anyone else in the audience wished to be heard on Ordinance 2008-13. Seeing no further response, he noted that it would be in order to close the public hearing on Ordinance 2008-13 and the Board may take action if it so desires.

Mr. Blain made a motion to approve 2008-13, amending the zoning ordinance to permit cellular telephone towers in conjunction with Public Utility Sub-Stations, as Special Exceptions in the R-1 zoning district. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote, and the motion was unanimously approved.

NEW BUSINESS

Action on an appointment to fill a vacancy on the Shade Tree Commission

Mr. Hawk noted that the Chairman of the Shade Tree Commission has recommended the appointment of Paul Sebasovich to fill the current vacancy on that Commission. Mr. Hawk noted he served previously on that Commission and was a valuable member.

Mr. Hawk made a motion to appoint Paul Sebasovich to the Shade Tree Commission. Mr. Blain seconded the motion.

Mr. Wolfe noted that Mr. Sebasovich was a founding member of the Shade Tree Commission along with two other members and served for many years and was unable to accept a reappointment several years ago. He noted that he is now able to be a member of the Commission and will be a valuable asset to the Commission.

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

Action on proposals to provide the Township with automobile, property, casualty, and liability insurance coverage

Mr. Wolfe explained that Ruth Moraski from The Zigmund Co., Ltd is present to discuss the memorandum presented to the Board members detailing her efforts to shop and procure insurance for Lower Paxton Township and the Lower Paxton Township Authority.

Ms. Moraski explained that it was a very positive insurance bid this year. She noted that the Township's loss experience has been excellent. She noted that she used three agents who contacted seven insurance companies and in response to the proposal request, two complete bids

were received on the due date. She noted that the insurance companies that did not reply stated that the pricing for the Township was too low to be competitive.

Ms. Moraski noted that she provided a comparison between the current carrier; Praetorian with it public official carrier, National Casualty and Houston Casualty versus St. Paul/Travelers. She noted that both companies are excellent and provided competitive pricing. She noted that she increased the building values by 16.6% since it was not automatically increased with last year's policy. In addition, the Friendship Center's building value was increased in 2007; therefore the rate of increase for this year was only 7.4%.

Ms. Moraski noted that the last time a complete bid was done was in 2003, and the contents are identical to what they were in 2003. She noted that since the Township saved some money on this year's bid, it might be wise to put it aside to complete an industrial appraisal. She noted that it has been some time since an appraisal for replacement costs was performed. She noted that the contractor's equipment was reviewed and updated. She noted that both policies were increased to the same \$250,000 limit for employee dishonestly, noting that the Township has no employees for the Authority, the coverage was extended to the Board members. She noted that she tried to add Aggregate Limits by Location and Project endorsements as a way to bump up the liability but neither carrier would provide this option. She noted that she also asked for flood and earthquake coverage for the Authority proposal as it is already covered for the Township's policy. She noted that it was only a couple hundred dollars more and recommended the expenditure.

Ms. Moraski noted that the two carriers approach the coverage a little differently, noting that St. Paul has retro dates for public officials and employment practices, whereas the Praetorian have no retro date limitations. She noted that Praetorian would add foundations and underground property for both entities were St. Paul would not. She noted that the Praetorian deductibles are

less than St. Paul's. She noted that there is no deductibles for the law enforcement endorsement, whereas for St. Paul's, it would be a \$5,000 deductible. She noted that the Terrorism Risk Insurance Program Reauthorization Act of 2007 (TRIA) has changed the definition of terrorism by removing the requirement that it has to be an individual on behalf of any foreign person or foreign interest. She noted if an incident of domestic terrorism occurred with a loss in excess of \$5,000,000 or be a violent or dangerous act against human life, property or infrastructure this could be covered for a relatively inexpensive amount. She noted that the Township has several buildings that would meet this criterion, and she strongly recommends the insurance. Mr. Hawk noted that it is more likely to have an instance of domestic terrorism now, and it would now be included in the requirement of the Act.

Ms. Moraski noted that the 2008 fee for the Township and Authority for Praetorian is \$160,602 and for St. Paul/Travelers is \$173,289. She recommend that the Township renew with Brown and Brown Agency to use Praetorian Insurance, and the Houston Casualty for the Township and Praetorian and National Casualty for the Authority packet.

Mr. Blain noted that the current premium is with Praetorian Houston Casualty and National Casualty for \$172,000. He noted that it is a \$12,000 savings by shopping it out.

Mr. Seeds noted that Ms. Moraski suggested that a current appraisal be performed, but he questioned as part of the GASB process would the appraisals have to performed yearly. Mr. Blain answered that Ms. Moraski is seeking a building and content appraisal. He noted that the cost of the building's depreciation would have to be taken in account. He noted that she is looking for an accurate replacement costs in the event of fire or damage to the Township property.

Mr. Seeds questioned what EH&D meant. Mr. Blain answered that it stands for Engle, Hambright and Davies, an insurance agency. Mr. Blain explained that Praetorian provided a better cost value than St. Paul/Travelers.

Mr. Blain made a motion to approve the retention of Praetorian Houston Casualty and Praetorian National Casualty for the automobile, property, casualty, and liability insurance for the Township and the Authority, for the period of October 1, 2008 through September 30, 2009 in the amount of \$138,749 for the Township and \$21,853 for the coverage of the Authority. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Action on bids to replace the roofs at a garage and salt dome in Koons Park

Mr. Wolfe explained that staff opened bids and received three bids for the roof replacement of the salt dome and the roof for the small garage located in Koons Park. He noted that the low bid was submitted by Bachman's Roofing in the amount of \$46,007.00. He noted that the other two bids were \$48,700.00 and \$62,716.00. He noted that Bachman's bid was reviewed by staff and determined to be complete and it is recommended by staff.

Mr. Seeds questioned if this is all the storage garages. Mr. Wolfe explained that it is only for the main maintenance garage and the salt dome. He noted that it did not include the concession stand or restroom roof areas. Mr. Seeds suggested that the price was very high for shingles for the roof. Mr. Wolfe noted that the jobs are rated.

Mr. Hornung questioned when the work would be completed. Mr. Wolfe answered that it would be completed this year.

Mr. Blain made a motion approve the bids for the roof replacement for the salt dome and Koons Park garage to Bachman's Roofing in the amount of \$46,007.00. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Action on bids to perform maintenance and repairs on certain Township bridges

Mr. Wolfe noted that the Township received three bids for bridge maintenance work. He noted that the Township has more than eight bridges that it maintains, and several are in need of significant maintenance. He noted that the bid specifications were prepared by HRG, Inc. and of the three bids, the low bid was received from Doug Lamb Construction in the amount of \$121,979.00. He noted that all bids have been reviewed and have been determined to be complete and it is staff's recommendation that the Board award the bid to Doug Lamb Construction.

Mr. Seeds questioned if Mr. Robbins was involved in the bid specifications process with HRG, Inc. Mr. Wolfe noted that Mr. Robbins was involved. He noted that bi-ennial bridge report is a service provided by Dauphin County who retains an engineer who inspects the bridges every two years, and it happened that they retained HRG, Inc. to perform the bridge inspections. He noted that HRG, Inc. put together bid specifications based upon those inspections under Mr. Robbins supervision.

Mr. Hawk questioned if HRG, Inc. was familiar with all three bidders. Mr. Wolfe answered that he knew of no issues with any of the three bidders.

Mr. Hornung questioned if this was done every year. Mr. Wolfe answered that the Township has not performed bridge maintenance for some time, and this is overdue. Mr. Hornung questioned if the funds were budgeted. Mr. Wolfe answered that the funds were included in the General Improvement Fund. He noted that the amount is over the budgeted amount, noting that \$100,000 was budgeted for this year. Mr. Hawk noted that this is a big item at this time, especially on the State level. Mr. Wolfe noted that this does not include the Old Jonestown Road bridge, the responsibility that is shared with West Hanover Township. He noted

that the Township is attempting to get that bridge to be included in the Transportation Improvement Program with PENNDOT for complete replacement. He noted that repairs and maintenance for that bridge alone could cost around \$200,000.00.

Mr. Hornung questioned if the maintenance work would require for any bridges to be shut down. Mr. Wolfe answered that there would be detours during construction, but he did not think that it would be for a significant period of time.

Mr. Blain made a motion to approve the bid for the bridge maintenance and repair to Doug Lamb Construction in the amount of \$121,979.00. . Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 2008-39; Accepting the 2008 Minimum Municipal Obligations for the police and non-uniformed employee pension plans

Mr. Wolfe noted that this action is required as the start of the budget process for the Township. He noted in accordance with State Act 205, this states the anticipated costs of the two pension plans will be in the upcoming fiscal year. He noted that the Minimum Municipal Obligation (MMO) is required to be certified by the Chief Administrative Officer of the Plan, and this work has been prepared by Ms. Speakman, who was the Township's Financial Director and served as the Chief Administrative Officer of the pension plans. He noted that since Ms. Speakman's retirement, the Township has not appointed someone to be the Chief Administrative Officer of the Pension plans. He noted that he would be presenting to the Board a resolution appointing a new staff person to serve as Chief Administrative Officer.

Mr. Wolfe explained that the MMO for the non-uniformed employee pension plan is \$391,295.00 and for the Police pension plan, it would be \$493,234.00. He noted that the costs for the pension plans are accommodated by State Act 205 Grant funds, which are estimated to be \$500,000, and the employee's contributions to the non-uniform employee pension plan and General Fund monies. He noted that both MMO's have been prepared by the Township's

Actuary, Mockenhaupt Benefits Group, and it is staff's recommendation for the Board to approve this resolution.

Mr. Blain noted that the MMO provides for both pension plan is \$880,000, and the Township receives grant funds in the amount of roughly \$500,000. He noted that the Township's responsibility is roughly \$380,000, but employee payroll contributions are deducted from this amount. He noted that the impact to the General Fund would be less than \$380,000. Mr. Wolfe noted that the employee contributions are only from the non-uniform pension plan members, roughly \$70,000. Mr. Wolfe noted that this is a reoccurring cost in the Township's annual operating budget.

Mr. Blain made a motion to approve Resolution 2008-39, accepting the 2008 Minimum Municipal Obligations for the police and non-uniform pension plans. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 08-40; Authorizing the acquisition of easements from property
on Old Farm Lane owned by Kevin Longchamp

Mr. Stine noted that this resolution authorized the acquisition of certain easements from property located along Old Farm Lane to facilitate replacement of storm water pipe to alleviate some flooding problems. He noted that the easements would be acquired amicably is possible, if not, the resolution would authorized the use of eminent domain code in order to acquire the necessary easements. He noted that one easement is a temporary construction easement, and the second is a permanent easement. Mr. Stine noted that the resolution is ready for action at this time.

Mr. Wolfe noted that the area of acquisition is detailed in the plan prepared by HRG, Inc. that is included in the Board packets.

Mr. Blain made a motion to approve Resolution 2008-40, authorizing the acquisition of easements from property located on Old Farm Lane owned by Kevin Hornung. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Preliminary/final subdivision plan for the Giant Food Store
Fuel Island at the Point Shopping Center

Ms. Moran explained that this plan proposes the construction of a six pump (12 vehicle fueling position) fuel island at the Point Shopping Center. The site is located along the southern side of Union Deposit Road just west of East Park Drive on the existing out parcel (previously occupied by Denny's). The property is zoned Commercial General District and is served by public sewer and public water. The area to be developed is 38,226 square feet.

Ms. Moran noted that on May 19, 2008 the Board of Supervisors granted conditional use approval to Giant Foods through application 08-02 in order to use the site as a fuel dispensing station.

Ms. Moran noted that on August 13, 2008 the Planning Commission recommended approval of the plan and five waiver requests. The Planning Commission further recommended that the applicant adjust the eastern driveway to add a curb radius where there is an existing right angle. She noted that the applicant has addressed this request.

Ms. Moran noted that the applicant has requested the following waivers: 1) Waiver of the requirement to provide sidewalks; 2) Waiver of the requirement to provide a preliminary plan; 3) Waiver of the requirement to provide a Stormwater management plan; 4) Waiver of the requirement to provide USGS datum elevations; and 5) Waiver of the requirement to provide concrete monuments.

Ms. Moran noted that Mr. Tim DeWire from J. Michael Brill and Associates is present to represent the plan.

Mr. Blain questioned if the waiver of the requirement to provide sidewalk, is that for the area along Union Deposit Road. Ms. Moran answered that it is correct. Mr. Blain questioned if it would be to provide a sidewalk internally along the entrance that comes off of Union Deposit Road. Mr. Wolfe noted that no sidewalks would be installed in that area.

Mr. Seeds noted that when the Rite Aid plan was approved a few years ago, there was some controversy regarding sidewalks. He questioned if there was a contingency regarding future sidewalk installation, but nothing was found. He noted that people who cross over Union Deposit Road from the north have no safe place to walk. He noted that if he would have known that Denny's Restaurant were to be torn down, he would have required Rite Aid to install sidewalks. He noted that it would be more difficult to require sidewalks now, as he does not see the area being redeveloped. Mr. Hawk noted that it is harder to cross Union Deposit Road, than to cross at East Park Drive. Mr. Blain noted that his concern is that there will be many vehicles coming and going for gasoline, and you see people crossing the street from the Hampton Inn to go to the Point Mall. He noted that if no walking access is provided in the front around the stalls, people will walk through there, and it would provide a potential for someone to be hit by a car. He noted that that was his reason for the request for sidewalks to direct pedestrian traffic in a safe manner. Mr. Hawk questioned if he wanted sidewalks from East Park Drive up to the I-83 interchange. Mr. Blain noted that he has a concern with the pedestrian traffic in that area. Mr. Seeds noted that pedestrians will stand on the center medium on Union Deposit Road to cross the roadway. Mr. Seeds questioned if there was a way to provide for safe pedestrian travel across Union Deposit Road.

Mr. Hawk noted that it is an extremely busy road, and the highest accident roadway in the Township. Mr. Blain noted that he is concerned with pedestrian traffic in the area of the gas pumps. Mr. Seeds questioned if there was a way to provide a pedestrian pathway in this area.

Mr. Seeds noted that there would be a note on the plan with regards to the right-turn only, changing the radius, once a PENNDOT Highway Occupancy Permit (HOP) is received. He noted that some type of agreement would be drawn up between Mr. Stine and Giant's attorney for this. Mr. Stine noted that a note would be put on the plan, and they have offered to post a letter of credit to secure the improvements, and there would be an agreement to establish what the improvement guarantee would be, and that they are obligated to do the improvement guarantee. He noted that it would be very similar to the current development agreements the Township engages in. He noted that this would cover the improvement that may not be permitted by PENNDOT prior to recording of the plan. Mr. Seeds noted that it must be done within a year of the recording. Mr. Stine noted that Giant would have to seek an HOP from PENNDOT to make the necessary changes. He noted that he has received an outline for the agreement from Giant's attorney. He noted that it looks fine, and he is awaiting the final document. He noted that the agreement must be in place prior to the recording of the plan. Mr. Seeds questioned if it would be a condition for the approval of the plan. Mr. Stine noting that entering into the agreement essentially guarantees the improvement. Mr. Seeds questioned if it should be added as a condition for approval for the plan. Mr. Stine noted that it could be that it would have to be done before the plan is recorded. Ms. Moran noted that there is a note on the plan, and they have already submitted financial security information for the cost of the improvement guarantee. She noted that it would be reviewed by the Township engineer and Mr. Stine. Mr. Stine noted that the agreement has not been prepared yet. Mr. Stine questioned if there was a general condition for the establishment of an improvement guarantee. Ms. Moran answered that there was. Mr. Stine noted that it is already covered.

Mr. Tim DeWire, J. Michael Brill Associates, noted that he was the project manager for the land development plan. He noted that he had two areas of concern regarding the sidewalk.

He noted that that the front has a PENNDOT right-of-way issue and there is a Township sanitary sewer easement that fronts along Union Deposit Road. He noted that both would preclude him from installing a sidewalk. He noted that if a sidewalk was installed at that frontage along Union Deposit Road, it would encourage people to cross Union Deposit Road at a location where you don't want pedestrian traffic. He noted that the pedestrians should be making their crossings at the intersection of East Park Drive. He noted that as soon as you install a sidewalk, it would encourage people to cross in areas that they should not cross. Mr. Stine requested Mr. DeWire to show the PENNDOT right-of-way on the map. Mr. DeWire noted that it is concurrent with the property line, but beyond that there is a 20-foot sanitary sewer system easement that runs in the property. Mr. Stine noted that PENNDOT does not allow sidewalks in their right-of-way. Mr. DeWire stated that that was correct. Mr. Seeds noted that otherwise, the plan would have to be altered, and it would not provide enough space for the gasoline pumps. Mr. DeWire noted, other than the sidewalk, the plan complies with the Township regulations of the ordinance.

Mr. Craig Mellott with Traffic Planning Design, the traffic engineer for Giant Corporation, noted that his experience with PENNDOT has been that they preferred not to have sidewalk install in their right-of-way, driven by liability concerns, based upon advice from their legal counsels. He noted that he has had multiple projects in the last year, that PENNDOT requested the sidewalks be eliminated or moved beyond their right-of-way. Mr. Seeds noted that the Township has run into this before with PENNDOT where they prefer that sidewalks not be installed, but there was one instance where it was permitted.

Mr. DeWire noted that he has not looked at locating sidewalk at this location because there are no existing sidewalks in the area. Mr. Seeds noted that there is a problem at this location, and he was trying to find a way to resolve it.

Mr. Blain made a motion to approve the preliminary-final land development plan for Giant Food Store fuel island at the Point Shopping Center with the following waivers and conditions: 1) Waiver of the requirement to provide sidewalks; 2) Waiver of the requirement to provide a preliminary plan; 3) Waiver of the requirement to provide a Stormwater management plan; 4) Waiver of the requirement to provide USGS datum elevations; and 5) Waiver of the requirement to provide concrete monuments; 6) Plan Sheet 1 needs to change the revisions date to 2008; 7) Plan approval shall be subject to providing original seals and signatures; 8) Plan approval shall be subject to the payment of engineering review fees; 9) Plan approval shall be subject to the establishment of an improvement guarantee for the proposed site improvements; 10) Plan approval shall be subject to the Dauphin County Conservation District's review of the Erosion and Sedimentation Control Plan; 11) Plan approval shall be subject to addressing the 10 comments of HRG's memo dated September 8, 2008; 12) 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 by contacting Matt Miller at 657-5615 to schedule the meeting. This may be held in conjunction with the Conservation District meeting; 13) When resubmitting plans respond in writing to all comments of Township staff, Township Engineer and Dauphin County; 14) Sign permit review and approval is necessary prior to the erection of any signage on this site; and 15) A Highway Occupancy Permit is required for any work proposed along Union Deposit Road.

Mr. Seeds questioned Mr. DeWire if he would accept the waivers, general conditions, site specific conditions and staff comments. Mr. DeWire noted that he received the comments this morning, and other than a couple minor comments regarding plan revisions everything is administrative and he is in agreement with all comments.

Mr. Seeds seconded the motion. Mr. Hawk called for a roll call vote; Mr. Blain, aye; Mr. Hornung, aye; Mr. Seeds, aye, and Mr. Hawk, aye.

Mr. Hornung noted that he has been questioned why the Board grants so many waivers, and he noted that the waivers for this plan include the sidewalks which the Board members discussed in detail. He noted that the second is related to the preliminary and final plan, noting that sometimes the developer submits two plans, but in this case there only needs to be one. He noted that the stormwater management waiver is granted since they are not changing the impervious coverage area. He noted that the USGS Datum Elevation is a mute point since they are not doing any changing of the elevations of the parking lot. He noted that the last waiver is for concrete monuments which are not needed since they are not doing much site changes. He noted that he wanted to explain why the Board grants these waivers. Mr. Seeds noted that the Township is vigilant in spending unnecessary money for a plan, and the Township is open to economic development, and this will be an improvement for the community.

Improvement Guarantees

Mr. Hawk noted that there were eight improvement guarantees for consideration.

Members 1st Federal Credit Union

A release in a letter of credit with Mid-Atlantic Corporate Federal Credit Union, in the amount of \$6,693.50.

Maiden Creek

A reduction and extension in a letter of credit with Fulton Bank, in the amount of \$62,494.30 with an expiration date of October 16, 2009.

Country Inn and Suites

An reduction and extension in a letter of credit with Orrstown Bank, in the amount of \$42,873.60 with an expiration date of October 16, 2009.

TNP Carwash

An extension in a letter of credit with Fulton Bank, in the amount of \$5,775.00 with an expiration date of October 16, 2009.

Wilshire Estates, Phase I

An extension and reduction in a letter of credit with Fulton Bank, in the amount of \$353,445.00 with an expiration date of September 16, 2009.

Old Iron Estates, Phase II

A reduction in a letter of credit with Fulton Bank, in the amount of \$100,809.50 with an expiration date of June 3, 2009.

Stray Winds Farm, Phase I

An extension and 10% increase in a letter of credit with M&T Bank, in the amount of \$2,567,620.00 with an expiration date of October 31, 2009.

Mindy Meadows, Phase 2

An extension and 10% increase in a bond with Eastern Atlantic Insurance Company, in the amount of \$641,300.00 with an expiration date of September 16, 2009.

Mr. Blain made a motion to approve the eight listed improvement guarantees as presented. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote, and the improvement guarantees were unanimously approved.

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.

Adjournment

There being no further business, Mr. Blain made a motion to adjourn the meeting. Mr. Seeds seconded the motion, and the meeting adjourned at 8:32 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary