

**LOWER PAXTON TOWNSHIP
AUTHORITY MEETING**

Minutes of Township Authority Meeting held April 5, 2011

A meeting of the Lower Paxton Township Authority 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.

Authority members 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, Authority Solicitor; William Weaver, Sewer Authority Director; 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. Blain made a motion to approve the minutes from the February 22, 2011 Authority meeting. Mr. Seeds seconded the motion and a unanimous vote followed.

Public Comment

No comments were presented by the public.

Board Members' Comments

No comments were presented by the Board Members.

New Business

Action on Resolution 11-04 authorizing condemnation of the
Marianna Clougherty sewer easement in the PCIC project

Mr. Weaver explained that action on this resolution is required to keep the sanitary sewer projects moving forward as part of the Corrective Action Plan (CAP) with the Department of

Environmental Protection Agency (DEP). He noted for the PC-1A/1C project, the engineer proposed a relocation of the sanitary sewer line from Linglestown Road to the area behind the properties located on Linglestown Road. He noted to replace the sewer lines on Linglestown Road would have required an excavation of 18 feet for the existing sewer, however, for the location behind the properties the depth is only 10 to 12 feet and will save the Authority roughly \$100,000. He noted that staff has met with all the property owners and has received all but one easement to move forward with the project.

Mr. Weaver explained that Mr. Stine has prepared a Deed of Dedication for the easement, and transmitted it to the owner of the property; however she is not satisfied with the amount of compensation offered by the Authority. He noted it would be appropriate for the Authority to approve the resolution that will allow the solicitor to prepare the condemnation documents if needed. He noted that it is his hope that staff will be able to negotiate with the property owner for the easement. He noted if this is not successful, at that time, the solicitor will proceed with condemnation.

Mr. Blain made a motion to approve Resolution 11-04, authorizing the condemnation of the Marianna Clougherty sewer easement in the PC1C project. Mr. Hornung seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Action on the Sewer Extension Agreement
with Donco Construction, Incorporated

Mr. Weaver explained that this project is 30 to 40 years old, and the Township Authority has been approached by numerous developers, over the years, to move ahead with it. He noted that the joint sewer use of the area between Susquehanna and Lower Paxton Townships is required to share use of the Oakhurst Interceptor. He noted that it would service Donco Construction Incorporated property located in Susquehanna Township and a portion of the Lower Paxton Township sewer system that is currently in the Gale Drive Pump Station drainage basin. He noted that having Donco Construction Inc., complete the sewer extension would allow the Authority to eliminate the Gale Drive Pump Station. He noted that negotiations have been ongoing for a year and CET's estimate cost for the Township Authority is \$150,000. He noted that part of that would be a \$65,000 payment to Buonarroti Trust, an affiliated entity of The

Vartan Group, Inc. to secure a sanitary sewer easement across their property. He noted that the agreement would allow the payment of the easement to the Buonarroti Trust. He noted that the agreement would also require the Authority to bid, on behalf of the contractor, the pipe needed for the work in the amount of \$65,000. He noted the reason for doing this is that it is cheaper to have Donco Construction install the sewer system, rather than the Authority since the Authority must use prevailing wages. He noted that this could result in a cost savings of 20% to 30%.

Mr. Weaver recommended that the Authority approve the sewer extension agreement with Donco Construction, Inc. and the Susquehanna Township Authority.

Mr. Seeds suggested that the total cost would be \$150,000 to include the cost of the pipe, but it would allow the Authority to do away with the pumping station. Mr. Weaver answered that is correct. Mr. Seeds noted that it would cut down on the yearly costs of maintaining the pump station. Mr. Weaver noted that the 15 inch pipe will also serve for future growth as required under the Act 537 Plan. He noted that the area in question is currently a golf course but if residential development occurs in that area, the current Gale Drive Pump Station would not have enough capacity to handle it. Mr. Seeds questioned if this is the Blue Ridge Golf Course. Mr. Weaver answered that it includes the Sportsman's and Blue Ridge Golf courses. Mr. Seeds questioned if the pipe would be sized large enough to handle addition growth. Mr. Weaver answered that is would. He explained, 30 years ago, the owner's of the Sportsman's Golf Course presented a plan to the Township and Authority to develop their land, but it never occurred. He noted that Donco Construction Inc. is doing a project in Susquehanna Township and they need to extend the interceptor in order to connect to their development. He noted that Donco's project is located on Progress Avenue off of Linglestown Road.

Mr. Seeds questioned if the Colonial Club Country Club would be included in this. Mr. Weaver answered no. He noted only the western part of the Blue Ridge County Club would be serviced by this agreement. Mr. Seeds questioned Mr. Weaver if the sizing of the pipe would accommodate the future flows from that area. Mr. Weaver answered that was correct.

Mr. Blain noted that due to his relationship with The Vartan Group and Buonarroti Trust, he must reclude himself from the vote since they are clients of his through his work. Mr. Hawk noted the request.

Mr. Seeds made a motion to approve the Sewer Extension Agreement with Donco Construction, Inc., Susquehanna Township Authority, and Lower Paxton Township Authority.

Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Action on the Settlement Agreement with the Estate
of Park Sheesley and Eric Kessler

Mr. Weaver explained that the Authority staff, along with Solicitor Steven Stine, has met on several occasions with the Sheesley Estate representatives regarding their willingness to settle the condemnation that was passed by the Authority for an easement that traverses along Colonial Road. He noted that this project is part of the Kessler Development. He explained that it is part of the Act 537 Plan, noting that it requires a sewer extension to the Colonial Road Pumping Station. He noted, in order for Mr. Kessler to get sewage from his development to the pumping station, it required a sewer easement from the Sheesley Estate, and they could not come to terms on this easement. He noted that Solicitor Stine has been working with the Sheesley Estates attorney, and a settlement has been prepared.

Mr. Weaver noted that the settlement agreement will allow Mr. Kessler to acquire the easement and then it will be transferred to the Authority after the project is complete. Mr. Stine explained that the Authority condemned the easement; therefore the Authority owns the easement. He noted that Mr. Kessler will be installing a sewer line in the Authority's easement in order to service his development.

Mr. Seeds noted that this issue has been discussed over a long period of time and he is glad that there is a settlement on it. He noted that the Board previously approved a plan showing that the access road would be opposite of Hillside Road. He suggested that the developer would need to acquire a PENNDOT Highway Occupancy permit. He suggested that would be a good spot for it. He noted that PENNDOT would have to approve this and there would be more parties involved when the land is developed.

Mr. Seeds made a motion to approve the Settlement Agreement with the Estate of Park Sheesley and Eric Kessler. 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. Hornung seconded the motion and the meeting adjourned at 7:47 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Authority Secretary
Gary A. Crissman