

**LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS**

Minutes of the meeting held on February 1, 2022

A meeting of the Lower Paxton Township Board of Supervisors was called to order at 7:02 p.m. by Chairman Henry on the above date at the Lower Paxton Township Municipal Center 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Henry were Robin Lindsey, Norman Zoumas, Chris Judd, and Paul W. Navarro. Also in attendance were Bradley Gotshall, Township Manager, Samuel Miller, Assistant Township Manager, William Weaver, Authority Director, Adam Kosheba, Public Safety Director, and Steve Stine, Township Solicitor.

Pledge of Allegiance

Mr. Judd led the Pledge of Allegiance.

Approval of Minutes

Mrs. Lindsey made a motion to approve the minutes of the workshop and budget meetings held on October 5, 2021. Mr. Judd seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote of approval followed.

Announcements

Mr. Henry announced that the Supervisors met before the meeting in executive session, and they would meet again afterward.

Public Comment

Ronald Reeder, 6447 Snavely Ct., commented about the Huntleigh Development Phase 2 through 5, and the plan to relocate Conway Road to create a "T" intersection. He noted that traffic has increased on Conway Road; he wanted to know when the Township had planned to reconstruct the road.

Mr. Henry advised that Mr. Gotshall would research the information and get back to Mr. Reeder.

Chairman and Board Members' Comments

There was none.

Manager's Report

Mr. Gotshall provided an update on the MacIntosh Road Bridge Construction Project, noting that the road would reopen in the middle or end of April and construction would cease. The Township's website will be updated periodically.

Mr. Gotshall noted that the Knights of Columbus have donated \$1,500.00 and they committed to providing a staged photo booth for pictures with the Easter Bunny at the Easter Eggstravaganza Hop Along event scheduled for Saturday, April 9, 2022, at Brightbill Park beginning at 11:00 a.m. He noted that the Community Engagement Committee has committed to providing \$50.00 each, to the first twenty Nonprofit organizations that registered to participate in the event, as a thank you to them and to help cover costs.

Old Business

There was none.

New Business

Presentation and Action on Ordinance 22-02; Authorizing the Incurring of Nonelectoral Debt by the Issuance of General Obligation Bonds

Thomas Smida, Esquire, Mette, Evans & Woodside Attorneys at Law, provided an overview of Ordinance 22-02, which authorizes the incurrence of non-electoral debt by issuing a General Obligation Debt in the maximum amount of \$25,000,000.00. This amount will encompass several projects, such as the storm sewer remediation project, vehicle acquisition, and refinancing of an existing PENNVEST loan.

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Mr. Smida noted that the funds give financial advisors and underwriters the ability to negotiate the best terms for that debt. While it is a General Obligation Debt, significant portions of the funds will be subsidized through agreements with the Township Authority. The Authority will devote revenues from the Stormwater and Sanitary Sewer System in the case of the PENNVEST Loan, and the Township would acquire debt from the vehicle acquisition. By approving this Ordinance, the Board is authorizing the submission to the Department of Economic Development through an application to be bound by General Obligation Debt and the filing of a transcript to include a Borrowing Based Certificate, Debt Statement, Application, and the appropriate Subsidy Application. It also provides certain terms and conditions for the award of the sale of the Bonds to two firms, Boenning & Scattergood and Raymond James, Associates, they are acting as underwriters, who will market and sell the Bonds. The Ordinance provides for certain requirements under the Internal Revenue Code prohibiting the Township from taking the proceeds from the Bond Issue and investing it at a higher yield than what is paid. It also provides for certain requirements under the Securities Act, which the Township has already pledged to do for many years, it's called Continuing Disclosure. The Township is required to report certain events to a system called "EMMA" and is required to provide Financial Statements continuously.

Mrs. Lindsey asked Mr. Weaver how long the funds would last until the Township has to borrow again. Mr. Weaver explained that the Financial Advisors requested a three-year spending plan for the Stormwater Projects, therefore, they wouldn't need to borrow again until 2025 for the Pollution Reduction Plan. The stormwater fee pays for the projects through the self-liquidating debt, and it's included in the Authority's rate schedule, therefore, the payments for this debt are projected out until 2025.

Mr. Zoumas made a motion to approve Ordinance 22-02, which authorizes the incurrence of Nonelectoral Debt by the issuance of General Obligation Bonds. Mr. Navarro seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote followed.

Action on Bids for Mini-Basins
BC-7A, BC-7B, BC-7D, BC-8C, and BC-8D Sewer Improvements Project

Mr. Weaver announced that the Township opened Bids for the Mini Basin project on January 21, 2022. The bid specifications were prepared in conformity with the Township's Procurement policies. The engineer's estimate was \$18,500,000.00 and there were two bids received for this contract, with DOLI Construction Corporation (DOLI) as the low bidder, submitting a Bid of \$18,886,489.20, and Michael F. Ronca & Sons, Inc. bid \$23,221,000.00. The staff and engineer have reviewed the bids. There were just two bids received for this project because not many contractors can obtain the required bonding on such a large contract. He added that DOLI is bidding so low, that the other contractors just walk away from the project.

Melissa Smith, GHD, advised the Board members that she reviewed the Bid submission, and all documents are in order; however, the Joint Water Obstruction and Encroachment Permit from the Pennsylvania Department of Environmental Protection is outstanding. She met with representatives of DOLI to obtain a signed document indicating they understand the permit is still outstanding and they would not come back for a time extension or change order for the project. The permit has been outstanding for some time now, but there's a large portion of this project that can be completed without the permit.

Mr. Navarro asked Mr. Weaver if the staff has evaluated DOLI's work. Mr. Weaver indicated that DOLI is doing a good job. Mrs. Lindsey motioned to award the Bid to DOLI Construction for \$18,886,489.20 for Mini-Basins BC-7A, BC-7B, BC-7D, BC-8C, and BC-8D Sewer Improvements Project. Mr. Zoumas seconded the motion.

Mr. Henry called for a voice vote, and a unanimous vote of approval followed.

Action on Application for Payment No. 5 and Change Order No.1
from Pennsy Supply for the 2021 Paving Project

Mr. Judd made a motion to approve Application for Payment No. 5 for \$216,327.25 and Change Order No.1 for \$40,549.85 from Pennsy Supply for the 2021 Paving Project. Mr. Navarro seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote followed.

Action to Authorize the Submission of a Letter of Intent to the Governor's Center for Local
Government Services Requesting Technical Assistance to Conduct a Study on
Fire and Emergency Medical Services

Adam Kosheba, Director of Public Safety, provided an update on the submission to the Department of Economic Development, (DCED) requesting Technical Assistance to conduct a study on Fire and Emergency Services. The Request for Proposal (RFP) was published for private organizations to provide a cost analysis for an independent study. This process will set the Township up for planning for the future and prepare those in the Fire Service to better address the needs of volunteers and residents, and hopefully improve the overall Fire and Emergency Management Services.

Mr. Judd inquired about the timeline of the process. Mr. Kosheba explained that the Letter of Intent is the first step in the process with DCED, and the RFP has been published, then DCED will place the request on their agenda to determine if the project can take place. This process will take place over the next two months. They will analyze the RFPs to determine if state funding can be used to address the need or if a more in-depth study is needed.

Mr. Henry noted that the Study on Fire and Emergency Medical Services is one of three major planning initiatives the Township is undertaking this year.

Mrs. Lindsey made a motion to Authorize the Submission of a Letter of Intent to the Governor's Center for Local Government Services Requesting Technical Assistance to Conduct a Study on Fire and Emergency Medical Services. Mr. Zoumas seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote of approval followed.

Subdivision and Land Development

Action to Approve a Preliminary/Final Land Development Plan for the Self-Storage Facility (Plan #19-09)

Mrs. Zerbe presented the Preliminary/Final Land Development Plan for the Self-Storage Facility proposes to develop the 14.53 acres lot located East of Elderberry Lane and along Allentown Boulevard into a Self-Storage Facility. The property is in the (LI) Light Industrial Zoning District. The Self Storage Facility proposes the construction of a three-story 90,000 SF (30,000 SF per story) storage building, RV storage parking spaces, and associated site improvements which will include car parking, loading docks, and stormwater facilities. Two additional one-story storage buildings will be constructed later. This site will be served by public sewer and water supply. The Planning Commission approved this plan on January 5, 2022. The applicant has requested three waivers that the staff supports. There are three Administrative Comments and four General Comments to be satisfied before recording the plan.

Elliot Shipley, Integrated Consulting, 430 N. Front St., Wormleysburg, was present to answer questions. He noted that the plan was presented to the Supervisors back in January 2019 as a 100,000 sq warehouse, and the client has since changed the plan to develop a self-storage facility. Mrs. Lindsey asked Mr. Shipley if the residents in that area had been notified of the design changes. Mr. Shipley explained that one neighboring resident had reached out to the developer regarding the original plan; he had some concerns about evergreen tree screening, and truck idling, and those concerns have been addressed.

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Mr. Judd asked Mr. Shipley if there would be a warehouse component included in the development. Mr. Shipley explained that the developer has decided to build a storage facility permitting access between 6:00 a.m. and 12 midnight. An employee will be on site until 10:00 p.m. A discussion about the development followed. There are four Administrative Comments and four General Comments to be satisfied before recording the plan.

Mr. Judd motioned to approve the Preliminary/Final Land Development Plan for the Self-Storage Facility (Plan #19-09). Mr. Zoumas seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote of approval followed.

Action to Approve a Final Subdivision Plan for Huntleigh, Phases 2-5

Mrs. Zerbe presented the Final Subdivision Plan for Huntleigh Phases 2-5. This plan involves a total tract of 75.6 acres to be developed in accordance with the plan. Phases 2-5 will consist of 81 single-family detached dwelling lots and two open space lots. The final plan proposes six fewer lots due to the current Stormwater Management requirements. The site is in the (TRND) Traditional Residential Neighborhood District and will be served by public sewer and water supply. No new waivers are being requested for this plan. The Planning Commission approved the plan at their December 1, 2021, meeting.

Tim Mellot, Mellot Engineering was present to answer questions about the plan. Mr. Mellot introduced John Kershner of Fine Line Homes.

Mrs. Lindsey motioned to approve the Final Subdivision Plan for Huntleigh, Phases 2-5. Mr. Judd seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote of approval followed.

Improvement Guarantees

Mrs. Lindsey asked Mrs. Zerbe if the Improvement Guarantee for Memorial Eye Institute indicates that they plan to install a sidewalk. Mrs. Zerbe explained that Memorial Eye Institute has requested an extension because they do not plan to install the sidewalk.

Mr. Navarro motioned to approve the Improvement Guarantees for Grove Road Property, Holy Name of Jesus, and Memorial Eye Institute. Mr. Judd seconded the motion. Mr. Henry called for a voice vote, and the vote was 4:1 approving the Improvement Guarantees, with Mrs. Lindsey opposed to approving the Improvement Guarantee for Memorial Eye Institute.

Payment of Bills – Lower Paxton Township & Lower Paxton Township Authority

Mr. Zoumas made a motion to pay the bills for Lower Paxton Township and the Lower Paxton Township Authority. Mr. Navarro seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote of approval followed.

Announcements

Mr. Henry announced that the next Board meeting is scheduled for Tuesday, February 8, 2021, beginning at 7:00 p.m. at the Municipal Center.

Adjournment

Mr. Zoumas motioned to adjourn the meeting. Mr. Judd seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote of approval followed, and the Chairman adjourned the meeting at 7:40 p.m.

Respectfully submitted,


Shellie Smith
Recording Secretary

Approved by,


Chris Judd
Secretary