

**LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS**

Minutes of the meeting held on February 15, 2022

A meeting of the Lower Paxton Township Board of Supervisors was called to order at 7:00 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, Amanda Zerbe, Community Development Director, Rachelle Scott, Parks & Recreation Director, and Steve Stine, Township Solicitor.

**Pledge of Allegiance**

Mr. Navarro led the Pledge of Allegiance.

**Approval of Minutes**

Mr. Navarro made a motion to approve the minutes of the business meetings held on October 19, 2021, and November 3, 2021. Mrs. Lindsey 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 the executive session, and they would meet again afterward.

**Public Comment**

James Spangler, 2 High Ridge Trail, Mechanicsburg, the previous owner of the 90-acre tract of land on Wenrich Street, expressed his disappointment regarding the Township's decision to sell the Wenrich Street property.

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Mr. Spangler advised the Supervisors that the land was earmarked to develop a park for residents and their children. Recently, he sought legal counsel for the matter and proposed four possibilities: (1) a stay of execution on the sale of the land from a court, (2) he would take the land back and refund the township \$800,000.00, (3) he is to receive additional compensation as indicated in the original sales agreement (4) halt the sale for now and allow the Parks & Recreation Board and others discuss the matter and resolve the issue.

Willian Hornung, retired Township Supervisor spoke about the matter and what had transpired in the past; noting that the Township had purchased the land to expand the Park & Recreation system. Mr. Hornung expressed his dismay about the sale of this land instead of it being developed into a park.

Mr. Henry explained that the Township's decision to sell the land is not just an effort to make a profit by selling the land to developers. The Township is undertaking a new Parks Improvement Project because all the parks need Capital Improvements. The Township is currently evaluating a list of projects to determine how each project will be executed and the exact cost. The cost to make those improvements is likely to be more than 3 million dollars. This endeavor began when members of the Parks & Recreation Board came before the Supervisors requesting to meet with a couple of the Supervisors to discuss some of their concerns about the condition of the parks. In response to that, he and Mr. Navarro met with the Parks & Recreation Board members on several occasions, and they began evaluating the costs. Over the past 20-plus years, the land Mr. Spangler sold to the Township has not been developed. Recently, the Township hired a consultant who provided an estimate of about 12 to 15 million dollars to develop the Wolfersberger tract into a park. He noted that the Supervisors are open to renaming another park "Wolfersberger Park."

Mr. Stine explained that he reviewed the agreement at the Board's request and the agreement has no stipulation regarding the sale of the property, nor are there any requirements indicating that a park must be built there. The property was not dedicated by the landowner and there is nothing in the agreement that would restrict the rights of the Township to sell the property.

Discussion about the Township's Parks Improvement project followed.

Mr. Navarro added that the sale of the property will help to improve the existing parks in the Township. Recently, he was approached by a gentleman who facilitated a basketball program last year and this program could not take place this year because of the current conditions of Township parks.

Mr. Spangler noted that he would have appreciated some notice of the sale, rather than having to discover that the Township was planning to sell the land to someone else. However, it is gratifying to know that the sale of the property is going to help the Township's Park system. For future reference, it would be nice to reach out to all involved parties.

Mr. Henry apologized to Mr. Spangler for neglecting to keep him informed about the sale of the Wenrich Street property. He noted that Mr. Spangler intended to benefit the Township's Park system and residents in the community, and the funds will be used for that purpose. He suggested that Mr. Gotshall meet with Mr. Spangler to discuss the Township's Naming Rights Policy so that the Wolfersberger name could be used for another property. Mr. Spangler agreed, noting that it is very important to him.

Wendy Hepler, 6901 Linglestown Rd, commented about the Township rezoning land that abuts her property. She received a public notice indicating that a public hearing was scheduled for the board meeting. Mr. Henry explained that the developer has withdrawn the request.

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Pertter Wertz, McNees Wallace & Nurick, LLC, and Ron Secary of Pennoni, were present to represent Cold Water Capital, LLC, the owner of a 1.2-acre tract of land north of Linglestown Road, a property which is located in the Institutional District (IN). This property is part of the Blue Ridge Development, Residential Retirement District (RRD). On February 11, 2022, Cold Water Capital, LLC, submitted a request to the Township to amend the Zoning Ordinance to permit conveyORIZED car washes by right in the RRD zone that abuts an arterial street. This request will be passed along to the Township's Planning Commission and Dauphin County's Planning Commission for review and recommendation, and then the Board of Supervisors would render its decision to adopt or deny the Ordinance at a public hearing which is scheduled for March or April 2022.

Mr. Wertz updated the Supervisors on the revisions to the proposed Ordinance based on comments received from the staff, Planning Commission, and residents of Blue Ridge. A representative of Coldwater Capital, LLC, came before the Supervisors in September 2021, and the Planning Commission in October 2021 to discuss an Ordinance that would permit one car wash by right per RRD abutting an arterial street and further proposed a restriction on the maximum number of vacuum stalls per car wash. At the time, the staff suggested that they obtain input from residents of Blue Ridge Village before the advancement of the Ordinance. Based on the input from residents at Blue Ridge via Zoom conference on January 20, 2022, they received a favorable response, including a letter of support from the HOA. Additionally, residents were invited to a meeting with representatives of Coldwater Capital, LLC, to discuss the proposal; this meeting was held on February 10, 2022, and they received positive feedback from the residents. Finally, a survey was developed for residents living in apartments at the Blue Ridge Development. He asked the Board to weigh in on the proposed Ordinance.

Mr. Henry informed Mr. Wertz that his request is out of order in the steps of the process and the Supervisors will not render an opinion on the events of the process at this time. The proposed Ordinance must go before the staff and various boards before it's presented to the Supervisors.

#### **Chairman and Board Members' Comments**

Mrs. Lindsey provided an update on the Township's TNR Program. She thanked Chuck Grubb, the Township's Community Service Officer, Larry Wasser, a Volunteer, and an array of volunteers from the Township. In 2020, the Township paid for 80 vouchers which prevented the birth of 240 kittens and in 2021, the Township paid for 139 vouchers, which prevented the birth of 560 kittens. In 2021, the Township budgeted \$8,000.00 for the TNR program and only spent \$5,560.00 of those funds. Additionally, there was a training session held and 23 people attended, 15 of those attendees were new to the program. The Township has budgeted an additional \$8,000.00 in 2022 for this TNR Program.

Mr. Judd reminded the community that the cats are feral, and the goal was to reduce the population. This will take some time, but each year the numbers will come down. He acknowledged Mrs. Lindsey for spearheading Township's TNR Program.

Mrs. Lindsey announced that K-9 Officer Wess and his handler Officer Gage are participating in a country wide competition to receive a \$5,000.00 grant. She asked the community to support this endeavor by going to [www.K-9.hometown.foundation.org](http://www.K-9.hometown.foundation.org) to vote and donate. Currently, Officer Gage and K-9 Officer Wess are in second place. If they win, the \$5,000.00 will be used for K-9 equipment. Additionally, she and Mr. Gotshall are planning to attend the Dauphin County Board of Commissioners Local Government Forum scheduled for Thursday, February 17, 2022, to learn more about the bank programs offered for Infrastructure.

Mrs. Lindsey added that the Supervisors met with a representative of the Pennsylvania Association of Township Supervisors (PSATS) for interviews and photographs on Monday, February 14, 2022. In April, PSATS is hosting a convention and Parade of Flags and the Township's Flag will be posted in the parade.

### **Manager's Report**

Mr. Gotshall provided an update on the Township's Parks Master Plan. The Township's Parks Revitalization Initiative includes the preparation of a Parks Master Plan, which the staff is currently working on along with a consultant, YSM Landscape Architect. Recently, the Township applied for a Dauphin County Local Share Grant for \$85,000.00 to fund the preparation of this Master Plan. The Dauphin County Commissioners will award this grant on March 1, 2022. As part of this process, the Township will create a steering committee that will assist in guiding the program and this committee will consist of twelve members which will provide community input. He encouraged residents to visit the Township's website for more information and to apply to volunteer on the steering committee.

provide \$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**

#### Action to Appoint Sandra McKeehan to the Community Engagement Committee

Mrs. Lindsey motioned to appoint Sandra McKeehan to the Community Engagement Committee. Mr. Judd seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote followed.

Action to Appoint Sarah Greene and Pamela Valencia to the Historical Commission

Mr. Judd motioned to appoint Sarah Greene and Pamela Valencia to the Historical Commission. Mr. Zoumas seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote followed.

Action to Ratify Assistant Township Manager/Finance Director's  
Action to Exonerate the Tax Collector from Further Collection of the Delinquent 2021 Real Estate Taxes to be Referred to the Tax claim Bureau of Dauphin County for Lien/Collection

Mr. Zoumas motioned to Ratify the Assistant Township Manager/Finance Director's action to Exonerate the Tax Collector from Further Collection of the Delinquent 2021 Real Estate Taxes to be Referred to the Tax claim Bureau of Dauphin County for Lien/Collection. Mr. Navarro seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote followed.

Action to Charge Real Estate Tax Collector Ann Marie Laban,  
4919 Jonestown Rd, with the Collection of 2022 Real Estate Tax in the Amount of  
\$7,528,078 (18,122 Bills) and Authorizing the Issuance of Tax Warrants for the Same

Mrs. Lindsey motioned to approve the order to charge Real Estate Tax Collector Ann Marie Laban, 4919 Jonestown Rd, with the Collection of 2022 Real Estate Tax in the Amount of \$7,528,078 (18,122 Bills) and Authorizing the Issuance of Tax Warrants for Same. Mr. Zoumas seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote followed.

Action to Approve Resolution 22-08; Establishing the Compensation of the Tax Collector for the  
Year 2022 and Annually thereafter, for the Collection of Township Taxes

Mr. Navarro motioned to approve Resolution 22-08, which establishes the Compensation of the Tax Collector for the Year 2022 and annually thereafter, for the Collection of Township Taxes. Mr. Zoumas seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote followed.

Mrs. Lindsey noted that she had asked Mr. Miller if the Township had a Deputy Tax Collector and Mr. Miller advised that Mrs. Bair would be the Deputy Tax Collector.

### **Subdivision and Land Development**

#### Action to Approve the Final Subdivision Plan for the Estates of Autumn Oaks, Phase III (Plan #21-10)

Mrs. Zerbe presented the Final Subdivision Plan for the Estates of Autumn Oaks, Phase III. The Final Subdivision Plan for the Estates at Autumn Oaks Phase III consists of 19 single-family dwelling lots and the street extensions of Colonial Road and Autumn Oaks Drive. The Estates of Autumn Oaks Phase III is in the (R-1) Low-Density Residential Zoning District and will be served by public sewer and private water supply. This plan was approved by the Planning Commission on February 2, 2022. There is one waiver request, four administrative comments, and four general comments. The applicant is responsible for recording the plan with the Dauphin County Recorder of Deeds after all conditions of the plan are met.

Lauren McDaniel and Joel McNaughton, McNaughton Company, 4400 Deer Path Road, Ste. 1, were present to answer questions about the plan. Ms. McDaniel requested that the Supervisors consider a waiver request to connect to the public water system, they would like to connect to on-lot wells instead. The Township staff, Planning Commission, and Dauphin County Planning Commission approved the plan, including the waiver request.

Mr. Judd inquired about the 13 Administrative Comments submitted by HRG, Inc, the Township's engineer, in the memo dated January 27, 2022. Ms. McDaniel agreed to all the comments listed in the memo from HRG.

Mr. Zoumas motioned to approve the Final Subdivision Plan for the Estates of Autumn Oaks, Phase III, (Plan #21-10). Mr. Judd seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote of approval followed.

Action to Approve the Final Subdivision and Land Development Plan  
for Blue Ridge Village, Phase 3 (Plan # 21-39)

Mrs. Zerbe presented the Final Subdivision and Land Development Plan for Blue Ridge Village Phase 3. Phase 3 of the Final Subdivision and Land Development Plan for Blue Ridge Village involves a total tract of 10.37 acres that will be subdivided to create 33 single-family lots. The site is in the Residential Retirement Development (RRD), Zoning District, and will be served by public sewer and water supply. This plan was approved by the Planning Commission. There are three Administrative Comments and four General Comments to be satisfied before recording the plan.

Matt Fisher, R.J. Fisher & Associates, was present to answer questions about the plan. Mr. Fisher noted that he had received the memo from HRG, including the administrative and general comments and has no issue with addressing all the comments listed in the memo.

Mr. Zoumas motioned to approve the Final Subdivision and Land Development Plan for Blue Ridge Village, Phase 3, Plan # 21-39. Mr. Navarro seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote of approval followed.

Improvement Guarantees

Mrs. Lindsey motioned to approve the Improvement Guarantees for 6520 Union Deposit Road, 1635 Buckingham Road, and Spring Creek, Phase 1A. Mr. Navarro seconded the motion. Mr. Henry called for a voice vote, and approving the Improvement Guarantees.

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

Mr. Zoumas motioned 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 Authority Board meeting scheduled for February 22, 2022, has been canceled. The next Board meeting is scheduled for Tuesday, March 1, 2022, beginning at 7:00 p.m. at the Municipal Center.

**Adjournment**

Mr. Zoumas motioned to adjourn the meeting. Mrs. Lindsey seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote of approval followed, and the Chairman adjourned the meeting at 8:06 p.m.

Respectfully submitted,

  
Shellie Smith  
Recording Secretary

Approved by,

  
Chris Juda  
Secretary

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