

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held January 7, 2008

The annual reorganizational meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:35 p.m. by Steven A. Stine, Chairman Pro Tem, on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present were William B. Hawk, William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; and Lori Wissler and Dianne Moran, Planning and Zoning Officers.

Pledge of Allegiance

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

Oath of Office to Newly Elected Municipal Officials

Magisterial Judge Joseph Lindsey administered the oath of office to Supervisor David. B. Blain, Auditor Jason Skrinak, and Tax Collector, Dianne K. Bair.

Election of the Chairman of the Board

Mr. Blain nominated William B. Hawk to serve as Chairman of the Board of Supervisors. Mr. Seeds seconded the motion, and a unanimous vote followed.

Mr. Hawk thanked Mr. Stine for conducting the start of the meeting.

Election of the Vice-Chairman of the Board

Mr. Blain nominated William C. Seeds Sr., to serve as Vice-Chairman of the Board of Supervisors. Mr. Crissman seconded the motion, and a unanimous vote followed.

**Appointment of the Township Secretary, Vacancy Board Chairman, Township Manager, Township Treasurer and Assistant Treasurers, Township Solicitor, Township Engineer, Representative and Alternative to Capital Tax Collection Bureau, and Voting Delegate and Alternate to PSATS State Convention
Establishment of Treasurer's Bond, Depository and Regular Board Meetings**

Mr. Hawk made a motion to appoint the following to the various boards and positions:

Township Secretary – Gary A. Crissman

Vacancy Board Chairman – Norman K. A. Hoffer

Treasurer – David B. Blain

Assistant Treasurers – Gary A. Crissman and Donna Speakman

Township Manager – George S. Wolfe

Township Solicitor – Steven A. Stine, Stine Law Offices

Township Engineer – Herbert, Rowland and Grubic, Inc.

A unanimous vote followed to appoint the listed individuals as stated by Mr. Hawk.

Mr. Hawk made a motion to appoint the following:

Representative and alternate to Capital Tax Collection Bureau – David Blain and Gary A. Crissman

Representative and alternate to the West Shore Council of Governments – William C. Seeds, Sr. and Matthew Miller

Voting delegate and alternate to Pennsylvania State Association of Township Supervisors State Convention – Williams B. Hawk and Gary A. Crissman

Establishment of Treasurer's Bond – Mr. Hawk stated that the Treasurer's bond is in the amount of \$1,000,000.00.

Designation of Township Depository – Mr. Wolfe requested that this item be deferred to a future meeting.

Establishment of the Meeting Schedule for Board Meetings – Mr. Hawk advised that the public board meetings are scheduled for the first and third Tuesday of each month, except for holidays or Election Day. The workshop meetings are scheduled for the second Tuesday of each month. Mr. Wolfe requested that the start time for the business meetings remain at 7:30 p.m. but, requested the workshop meetings to start at 6 p.m. Mr. Hawk noted that the Board members discussed this change, prior to the meeting, and decided that it would be a good idea since the workshop schedules have become very lengthy.

A unanimous vote followed for the appointments stated above, and to establish the Treasurer's bond, and establishment of the regular board meetings as stated by Mr. Hawk.

**Authorization to the Secretary or Treasurer to pay all Fixed Expenses
which result from Prior Board Action.**

Mr. Crissman made a motion to authorize the secretary or treasurer to pay all of the fixed expenses which result from prior Board action. Mr. Seeds seconded the motion and a unanimous vote followed.

Board, Commission & Committee Appointments

Mr. Hawk made a motion to appoint the following board, commission and committee members:

Friendship Community Center Operating Board – Gary A. Crissman, Jann M. McNamara, and Sandra K. Prah, for a three-year term.

Planning Commission – Richard Beverly, for a four-year term.

Recycling Committee – Kathleen Smith and Timothy Murphy, for a two-year term.

Zoning Hearing Board – Alan Hansen as the Alternative, for a three-year term.

Arts Advisory Council – Mary Grace Newsome, Sonia Murphy, Amy Gabriele, Gene Wallace, and Stanley Smith, for a one-year term.

Public Safety Committee – Matthew Hunt, Christopher Judd, Janet Smith, Jack Harlacker, Chief, Colonial Park Fire Company; Chief, Linglestown Fire Company; Chief, Paxtonia Fire Company; President, Colonial Park Fire Company; President, Linglestown Fire Company; President, Paxtonia Fire Company; Fire Marshall, Richard Needham; Public Safety Director/Chief of Police, Daniel Bair; and Representative from South Central Emergency Medical Services, for a one-year term.

Village of Linglestown Committee – Eric Kessler, Andrew Christine, James Griffiths, Gary L. Hoffman, John Kepler, Stuart Knade, William E. Minsker, Paul M. Rowe, Joseph Mack, Perry Pierich, Jerry Miller, and Pastor G. Barry Stahl, for a one-year term.

Audit Committee – Gary A. Crissman, David B. Blain and George S. Wolfe, for a one-year term.

A unanimous vote followed for the appointments to the various boards, and commissions as stated by Mr. Hawk.

Mr. Hawk noted that the Planning Commission, Parks and Recreation Board, Shade Tree Commission, and Public Safety Committee appointments would be made at a future meeting.

Approval of Minutes

Mr. Seeds noted that he had a minor correction to make to the December 4, 2007 minutes. He noted on page five, in the first paragraph, the amount should be listed as \$100 million and not \$1 million dollars. Mr. Crissman made a motion to approve the minutes of the November 13, 2007 administrative workshop, and December 4, 2007 business meeting with the noted correction. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

No public comment was presented.

Chairman & Board Members' Comments

No comments were presented.

Manager's Report

Mr. Wolfe noted that on Sunday, January 20, 2008, the Friendship Center will celebrate its 8th Birthday Bash from 1 p.m. to 3 p.m. He invited the Community to join in the special events and to eat some cake and ice cream.

OLD BUSINESS

Resolution 08-01; Appointing a certified public accountant to audit the funds and accounts of the Township for the 2007 fiscal year

Mr. Wolfe explained that the Board has unofficially retained the firm of Brown, Schultz, Sheridan and Fritz to audit the Township's, Township Authority's, and the Friendship Center's Operations for the 2007-Fiscal Year. He noted that the process in Pennsylvania for the Township to retain a Certified Public Accountant (CPA) requires the publication of a Resolution. He noted

that the Resolution must be advertised and acted upon as stated in the advertisement for the retention of the CPA. He noted that the Board is in a position to officially act on this Resolution.

Mr. Blain made a motion to appoint, through Resolution 08-01, the accounting firm of Brown, Schultz, Sheridan and Fritz to audit the funds and accounts of the Township for the 2007 Fiscal Year in the amounts of \$20,200 for the Township; \$2,800 for the Friendship Center; and \$12,000 for the Township Sewer Authority. Mr. Crissman seconded the motion, and 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 07-14; amending the zoning designation of land commonly known as Sportsmen's Golf Course, changing existing Institutional, Agricultural-Residential, and Conservation Districts to only Institutional and Conservation Districts

No discussion was held on this agenda item.

Action on agreements between Lower Paxton Township and the AFSCME Clerks and Custodians collective bargaining unit

Mr. Wolfe noted that the Township has three AFSCME bargaining units, and the Board entered into agreements with the Public Works and Sewer Employees at the December 18, 2007 businesses meeting. He noted that the Clerks and Custodians Agreement is based upon the same format as the other two agreements, noting that this is a five-year agreement with the rate of increase per year for 2008 and 2009 at 3.5%; 2010 and 2011 at 3.25%; and for 2012 at 3%. He noted that the agreement was ratified by the bargaining unit members and is ready for Board action.

Mr. Crissman noted that the AFSCME signed copy had 38 Articles and the draft copy distributed to Board members had 39 Articles. He questioned which document was the correct one. Mr. Wolfe requested a few minutes to review the two documents to ascertain which one is

the correct one. After reviewing the documents, it was noted that the signed agreement with 38 Articles was the true and correct article.

Mr. Crissman made a motion to approve the agreement between Lower Paxton Township and the AFSCME Clerks and Custodians collective bargaining unit as presented and ratified by their membership. Mr. Blain seconded the motion.

Mr. Seeds questioned if the other agreement that was previously approved with the Public Works bargaining unit was for five years. Mr. Wolfe answered that the Sewer Department Employees' contract was for five years; however, the Public Works Department was for four years.

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

Resolution 08-07; maintaining the administrative employee compensation program

Mr. Wolfe noted that the Township has a compensation program for administrative employees which was developed in the early 1990's, and updated in 2004. He noted that the updated version specifies certain provisions that must be followed on an annual basis. He explained that the Township Manager must review the positions by grade, salary structure, and do so in accordance with an employment market survey. He noted that he must recommend salary increases for the employees based upon the midpoint salary range.

Mr. Wolfe explained that the Resolution for the 2008 Calendar Year includes that the position by grade be maintained in its current standing, with its nine grades. He noted that, given the employment market survey and consumer price index, it is recommended that the salary structure be adjusted by 3.27% for the upcoming fiscal year. In addition, he made several other recommendations that were detailed on the final page of the report. He recommended that the Board act favorably on the Resolution to adopt the compensation program for administrative

employees for the 2008 fiscal year in accordance with the report provided to the Board dated December 12, 2007.

Mr. Crissman made a motion to approve Resolution 08-07, approving the maintenance and ongoing updating to the Administrative Employee Compensation Program. 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

Hutch Junk Yard License renewal

Mr. Hawk noted that Francis R. Hutchinson has submitted an application for a Junk Yard business located at 6861 Blue Ridge Avenue. He noted that the Board must approve the Junk Yard License annually. Mr. Hawk noted that Mr. Allen inspected the premises and found it to be in compliance with the Ordinance.

Mr. Blain made a motion to approve the Junk Yard License Renewal for the year 2008 for the Hutch Junk Yard. Mr. Crissman seconded the motion, and a unanimous vote followed.

Action on bids for the sale of Township vehicles and equipment

Mr. Wolfe explained that Staff opened bids on Thursday, January 3, 2008 for used vehicles and equipment, and the bids results were included in the Board members packets.

Mr. Wolfe noted that the high bid for each piece of equipment is as follows.

1998	Ford Crown Victoria	2FAFP71W2WX157188	House of Cars	\$657
2002	Ford Crown Victoria	2FAFP71W02X103446	Grace Quality Used Cars	\$1755
2002	Ford Crown Victoria	2FAFP71W22X103433	House of Cars	\$1369
1994	Chev. Cheyenne 4x4	1GCGK24K6RE241321	Doug Fisher	\$2200
1994	Chev. Cheyenne 4x4	1GCGK24K6RE241321	Steve Koup	\$2000
1994	Elgin Street Sweeper	J8DM7A1U7R3200825	Lancaster Asphalt	\$3800
1994	Elgin Street Sweeper	J8DM7A1U7R3200804	Lancaster Asphalt	\$3800

1992	Case Backhoe	JJG0168453	House of Cars	\$5679
1984	Trail King Trailer	22,450 GVW	No Bids Received	-----

Mr. Wolfe noted that staff has reviewed the bids and found them to be in order. He explained that it is staff's recommendation to authorize the sale of the equipment to the highest bidder.

Mr. Blain made a motion to approve the sale of the fixed assets as listed and outlined by Mr. Wolfe. Mr. Crissman seconded the motion, and a unanimous vote followed.

Resolution 08-08; Eliminating employee contributions to the Police Pension Plan for fiscal year 2008

Mr. Crissman made a motion to approve Resolution 2008-08; eliminating the employee contributions to the Police Pension Plan for the Fiscal Year 2008. Mr. Blain seconded the motion, and a unanimous vote followed.

Preliminary/final land development plan for Commerce Drive, Dauphin, LP, 2800 Commerce Drive

Mr. Hawk noted that the majority of this plan is located in Susquehanna Township. Ms. Moran answered that that was correct. She explained that the plan proposes an addition to the west side of the existing building for additional research and office space. A new 64,152 square foot office building is proposed on the western side of the property in Susquehanna Township. The portion of land in Lower Paxton Township contains an existing parking lot and retaining walls. The Lower Paxton property is zoned BC, Business Campus District.

Ms. Moran noted that on December 12, 2007, the Planning Commission recommended approval of the plan. She noted that the applicant requested the following two waivers: for the preliminary plan requirement, and for the requirement to provide a traffic impact study. Ms. Moran noted that HRG, Inc.'s comments and staff comments are provided in the packet.

Ms. Moran noted that Mr. Brent Sapen, from Skelly and Loy, is present to represent the plan.

Mr. Crissman questioned Mr. Sapen if he agreed with the two waivers, four general conditions, specifically the two comments from HRG, Inc. dated January 4, 2008. Mr. Sapen noted that he agreed to everything, but questioned the third general condition under staff comments concerning the establishment of an automatically renewable improvement guarantee for the proposed site improvements. Mr. Sapen noted that during the Planning Commission meeting and previous discussions held with the Township Engineer from HRG, Inc., who is also Susquehanna Township's Engineer; it was discussed to include the item of work for the sidewalk in the improvement guarantee bonded with Susquehanna Township. He noted that there is a small portion of sidewalk that needs to be installed along Commerce Drive in Lower Paxton Township. He explained that the Planning Commission and Township Engineer agreed to this proposal.

Mr. Crissman noted that he would refer this request to staff. Ms. Moran noted that she was fine with that condition. Mr. Blain questioned how much of an amount this would be for. Ms. Wissler suggested that it would be roughly around \$1,000. Ms. Wissler noted that it would also include the installation of two concrete monuments. Mr. Crissman questioned if the comment should remain as a listed condition. Ms. Moran noted that as long as the work is bonded in Susquehanna Township, the comment could be removed. Mr. Blain questioned if the plan was approved in Susquehanna Township for the full bond amount. Mr. Sapen answered yes. He noted that he is waiting to finalize the bond tonight, based on the results of this meeting. He noted that he has received all the approvals required by Susquehanna Township, all comments have been addressed and satisfied, and approval has been received.

Mr. Stine suggested that the condition should state that the improvements are bonded under the same bond provided to Susquehanna Township. He noted that it is a valid comment,

but should be revised to state that it would be joined with Susquehanna Township's bond. He noted that their improvement guarantee should acknowledge that this is what was approved. Mr. Sapen noted that he could modify the bond agreement to specifically that, noting that it proposes to cover all the work for the plan. Mr. Stine noted that the bond should acknowledge that part of the work would be completed in Lower Paxton Township and the bond should secure improvements for the work to be preformed in Lower Paxton Township. Mr. Seeds noted that if there would be a problem, the Township would be entitled to those funds. Mr. Stine noted that that was correct. Mr. Crissman questioned if Mr. Sapen was in agreement to making this change. Mr. Sapen answered that he was.

Mr. Crissman noted that there are two staff comments, and he questioned if Mr. Sapen was in agreement to those two comments. Mr. Sapen answered that he was.

Mr. Crissman made a motion to approve the preliminary/final land development plan for Commerce Drive, Dauphin, LP, 2800 Commerce Drive with the following waivers and comments: 1) Waiver of the preliminary plan requirement; 2) Waiver of the requirement to provide a traffic impact study; 3) Plan approval shall be subject to providing original seals and signatures; 4) Plan approval shall be subject to the payment of engineering review fees; 5) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements within the bond agreement with Susquehanna Township; 6) Plan approval shall be subject to addressing the two comments of HRG, Inc.'s memo dated January 4, 2008; 7) When submitting revised plans respond in writing to all comments of staff, Dauphin County, and township engineer; and 8) Any sign that would be placed in Lower Paxton would require approval and a sign permit prior to erecting the signage.

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.

Resolution 08-04; Planning Module for Deluxe Motel Suite
Resolution 08-05; Planning Module for Chelsey Falls
Resolution 08-06; Planning Module for Charleston Riding

Mr. Hawk questioned Mr. Stine if the approval for the three planning modules could be considered under one motion. Mr. Stine answered that it would be permitted.

Mr. Seeds noted that for Resolution 2008-04 for the Deluxe Motel Suite, the project narrative states that “*the proposed building would have 12 rooms at 100 gallons per employee,*” and he suggested that it should state “per room” instead of “employee”. Mr. Wissler noted that it would make sense since 12 rooms at 100 gallons per day would equal the listed amount of 1,200 gallons. Mr. Wolfe agreed that it would make sense that it would be 100 gallons per room and not employee.

Mr. Seeds noted that the other two plans have new homes that include existing homes. He questioned who would pay for the connections for the existing homeowners. Mr. Wolfe noted that it is not the concern of the Township as to who would pay for the connections; just that the connection fee was paid. Mr. Seeds questioned if the existing homeowners would be required to connect to sewer. Mr. Wolfe answered if the sewer service is within 150 feet of the property, then the homeowners would be required to connect. He noted that he did not know if there was an agreement with the developer to pay for the connection.

Mr. Crissman made a motion to approve of Resolution 2008-04, the Planning Module for Deluxe Motel Suite; Resolution 08-05; Planning Module for Chelsey Falls; and Resolution 08-06; Planning Module for Charleston Riding as presented. Mr. Blain seconded the motion, and a unanimous vote followed.

Acceptance of a declaration of consolidation of previously subdivided
lots addressed as 144 Beaver Road

Mr. Hawk noted that, according to the declaration, the owner would agree that neither he nor his heirs shall convey, sale, or lease the lots individually, but shall hereafter regard the said lots on a collective basis combining the same into a single lot.

Mr. Stine noted that changes need to be made to the second paragraph in that it should read that the owner is the owner of, and the tax parcel number should be inserted on this line, and the individual six lot numbers should be inserted into the Lot or Parcel No. with the lots entitled as the Plan of the Paxtonia Gardens. Ms. Wissler noted that she was going to make the necessary corrections to the original document.

Mr. Seeds questioned if this was a reverse subdivision. Mr. Stine answered that this would operate as a waiver of the requirement to file a plan. Ms. Wissler explained that the applicant has six small lots and wants to build an addition to the home that would transverse a lot line, and Mr. Stine made this avenue available to the applicant. Mr. Stine noted that the Township has never done this type of declaration before. He noted that the property owners could never subdivide the property again. Mr. Stine noted that the Declaration would be recorded, and this is a simplified way for a residential property owner to consolidate lots that have been treated as one for many years.

Mr. Crissman made a motion to accept the Declaration of Consolidation of previously subdivided lots addressed as 144 Beaver Road as presented by Ms. Wissler and with the corrections noted by Mr. Stine. Mr. Blain seconded the motion, and a unanimous vote followed.

IMPROVEMENT GUARANTEES

Autumn Ridge, Phases II & III

A change in a letter of credit with Fulton Bank in the amount of \$45,702.00 with an expiration date of May 6, 2008.

Autumn Ridge, Phase II

A release in a letter of credit with Fulton Bank in the amount of \$2,442.00.

Kendale Oaks, Phases II & III

An extension and 10% increase in a bond with Hartford Fire Insurance Company in the amount of \$207,366.77 with an expiration date of February 14, 2009.

Schiavoni LTD

A new letter of credit with Pennsylvania State Bank in the amount of \$298,500.00 with an expiration date of December 31, 2008.

Snow and Vespignani

An extension and 10% increase in a letter of credit with Vartan National Bank in the amount of \$50,941.00 with an expiration date of January 7, 2009.

Tuscan Villas at the Estates of Forest Hills

An extension and reduction in a letter of credit with Pennsylvania State Bank in the amount of \$97,560.10 with an expiration date of November 15, 2008.

Willow Brook, Phases V & VI

An extension and 10% increase in a letter of credit with Fulton Bank in the amount of \$76,874.33 with an expiration date of February 6, 2009.

Ms. Wissler explained that Mr. Seeds had a question regarding the Autumn Ridge Improvement Guarantee. Ms. Wissler noted that for the Autumn Ridge, Phases II and III, the Township is recommending an amount of \$45,702, but if you look at the letter provided by HRG, Inc. it states that it should be \$46,500. She noted that she was unable to talk to anyone

from HRG, Inc. but if you take the release amount of the \$2,442 from Phase II, and join it to the Autumn Ridge Phases II and III Improvement Guarantee of \$43,260, it would total \$45,702. Ms. Wissler recommended that the Board approve the listed number. Mr. Seeds noted that it differs from the HRG, Inc. amount, but there is no reason to hold up the process.

Mr. Crissman made a motion to approve the seven listed Improvement Guarantees to include the clarification provided by Ms. Wissler for the Autumn Ridge, Phases II and III improvement guarantee. Mr. Blain seconded the motion, and a unanimous voice vote followed.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Crissman seconded the motion, 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 8:27 p.m.

Respectfully submitted,

Maureen Heberle

Approved by,

Gary A. Crissman
Township Secretary