

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held June 1, 2010

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:32 a.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, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steven Stine, Township Solicitor; William Weaver, Authority Director; Jeff Wendle, CET, Engineering; and Watson Fisher and Ted Robertson, SWAN.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the minutes of the May 17, 2010 business meeting as presented. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

No public comment was provided.

Chairman & Board Members' Comments

No comments were presented by Board members.

Manager's Report

Mr. Wolfe noted that the Lower Paxton Township fireworks will be held on Monday, July 5th at dusk, at Koons Park. He cautioned those attending to be aware of the construction in the area and allow more time to get to the park, as many people may have to find alternate routes to get to Koons Park.

Mr. Wolfe explained that two major PENNDOT road construction projects are on-going in the Township and information on these two projects can be found on the front page of the Township's website.

Mr. Wolfe noted that PENNDOT is reconstructing Nyes Road from Red Top Road south to Willoughby Road. He noted that that section of Nyes Road will be completely closed to all traffic in both directions for several months.

Mr. Wolfe noted that phase two of the Village of Linglestown construction has the entire eastbound lane through the Village of Linglestown closed. He noted that westbound traffic will continue to flow from West Hanover Township into Susquehanna Township.

Mr. Wolfe noted in addition to the road construction project, the Township's Authority is in the process of several sewer reconstruction projects throughout the Township. He noted that some of the projects involve roadways and private laterals on private property. He requested that the residents be patient with all the construction projects that are on-going in the Township.

Mr. Wolfe noted the PENNDOT plans to start the revamping of the ramp structure for the Route 22/Progress Avenue exit off of I-83. He explained that after the project is completed, all Route 22 traffic will exit via the Progress Avenue exit and a traffic signal will be installed at the top of the ramp for traffic that desires to go eastbound on Route 22 or westbound on Route 22. He noted that the new exit will be renamed the Jonestown Road exit.

OLD BUSINESS

Ordinance 10-02; accepting Raspberry Alley, west of North Mountain Road in the Village of Linglestown as a public right-of-way

Mr. Hawk explained that a public notice was published in The Paxton Herald and letters were sent to abutting residents of Raspberry Alley to make notification of the public hearing to be held on the adoption of this ordinance.

Mr. Wolfe noted that the ordinance was prepared as a result of a petition made to the Board of Supervisors from residents and merchants of the Village requesting that Raspberry Alley be accepted as a public right-of-way. He noted that the minimum width acceptable by the Second Class Code is 15 feet, He explained that area of road to be accepted for public right-of-way is 706 feet from Mountain Road, to about the area of the shop, Things Remembered, close to Sugar Alley. He noted that the Township plans to improve the right-of-way to provide a paved surface.

Mr. Wolfe noted that the Board of Supervisors applied for and was awarded a grant of \$250,000 from the Local Gaming Fund of the Dauphin County Board of Commissioners to improve the alleys in the Village of Linglestown. He noted that the acceptance of a portion of Raspberry alley would only provide for a right-of-way of 15 feet in width and 706 feet in length, west of North Mountain Road. He noted that the ordinance has been advertised for a public hearing and it would be appropriate for Mr. Stine to conduct the public hearing if there are no further questions from the Board members.

Mr. Hawk requested Mr. Stine to conduct the public hearing.

Mr. Stine noted that this is the time and date set for the public hearing on Ordinance 2010-02, accepting Raspberry Alley west of North Mountain Road in Linglestown as a public right-of-way. He questioned if anyone in the audience wanted to be heard on Ordinance 2010-02

Ms. Donna Berkheimer, property owner of 5933 Linglestown Road, and the adjoining property that abuts Raspberry Alley, noted that she and her father own both properties. She noted that she is concerned about the business owners who stated that they need the alley to be paved, and questioned if they would only pave the alley to where the flower shop is located. She noted that every time it rains, there is insufficient drainage for the alley. She stated that she has other things planned for her property. She noted that the utility poles in the alley are within the 15 foot right-of-way and there are areas where there is only a 14-foot width from one property to the other property in the alley. She noted that buildings are located on both sides. She noted that the telephone poles are located on one side of the alley and the electric poles are located on the other side of the alley. She noted that the Township has not maintained the alley for a long time, by salting, plowing or doing any other work for more than 50 years. She requested the Township to let the alley alone, and let the property owners take care of the alley themselves. She noted that it is very difficult to make a turn from Raspberry Alley to Sugar Alley as there is a large barn located at the corner. She noted that a truck with a snow plow or a trailer would not be able to make the turn. She noted that the top of Sugar Alley, where it comes meets Linglestown Road, is only ten feet wide between the two properties. She noted that the Township should take care of the property owners and residents and not the petitioners as the residents need a safe place to live. She noted that the blacktop is not needed, and the rain should be allowed to soak into the ground where it belongs. She noted that consideration should be taken into account for the property owners who have animals in the one section of the alley. She requested the Board of Supervisors to think before they act and that safety is the best policy.

Mr. Joseph Mack, property owner of 1432 North Mountain Road, which is located at the corner of Raspberry Alley and Mountain Road. He noted that he is in favor of having that portion

of the alley improved; however, he is concerned about water runoff. He noted that a huge amount of water comes off of North Mountain Road, and with the alley being paved, if there is no adequate drainage, it will be a serious problem for a number of people, including his property.

Mr. Dan Snow, owner of The Flower Shop, questioned if the Board members knew what the difference is for water runoff from a compacted stone cartway to a paved cartway. Mr. Wolfe noted, in general terms, there is a difference but it is only minor. He noted that he could not provide the exact numbers, but compacted stone has a similar runoff coefficient as a paved parking lot.

Mr. Stine questioned if anyone else wanted to be heard, and seeing no further response, it would be appropriate to close the public hearing on Ordinance 2010-02, and the Board may take action if it so desires.

Mr. Hawk questioned if the Board members had any concerns or comments.

Mr. Seeds asked Mr. Mack if he was concerned with water run off to his property, and he questioned if he is currently having a problem with water run off. Mr. Mack answered that he has some problems at this time, and he was not disputing Mr. Wolfe's comments about the difference, but if the road is paved, he would not want the water channeled toward his building. Mr. Mack noted that he would not want to have the water channeled to other homes either. He questioned if there would be adequate storm sewer to handle the water run-off. Mr. Seeds questioned if the paving could be crowned or sloped toward the south which is mostly wetlands or field areas beyond Mr. Mack's property. He noted that Mr. Mack's property is downhill from Mountain Road. Mr. Mack noted that several years ago, there was talk about having the road dip in the center of the road. Mr. Wolfe noted that no design work has been completed yet since the alley is not owned by the Township. He noted that no engineering work would be done until the

Township owns the right-of-way. Mr. Hawk suggested that these issues could be addressed at the time of the design.

Mr. Crissman noted that it is good to be aware of these concerns prior to the start of the design work so that it would be taken into consideration.

Mr. Seeds noted that Ms. Berkheimer's problem had to do with Sugar Alley. He noted that Sugar Alley is between Mr. Snow's property and the next property. Ms. Berkheimer explained that Sugar Alley is between Mr. Hammacker's property and the Buffington property. Mr. Seeds noted that those properties would not be effected in any way. Ms. Berkheimer noted that Sugar Alley is only ten feet wide. Mr. Crissman noted that the proposed right-of-way does not go as far as Sugar Alley. She noted that she would continue to be concerned about the run-off and the effect it would have on the animals. Mr. Seeds noted that the issue of water runoff would be addressed in the design phase if the Ordinance is adopted. Mr. Crissman noted that the ordinance under consideration only effects Raspberry Alley for a distance of 706 feet to the unopened section of Sugar Alley. He noted that Sugar Alley is not under consideration for this ordinance.

Ms. Berkheimer noted at the end of Sugar Alley where it adjoins Raspberry Alley, there is only a 14-foot width at that location, with a building located tight up against the side. She questioned how it would affect her property. Mr. Wolfe replied that it would not affect the north side at all. Mr. Stine noted that the Township does not need 15 feet of paved cartway, only a 15-foot wide public right-of-way. He noted that it does not mean that all the right-of-way would be paved. Mr. Seeds noted that this issue would be address later.

Mr. Crissman made a motion to approve Ordinance 2010-02, accepting Raspberry Alley west of North Mountain Road in the Village of Linglestown as public right-of –way. Mr. Seeds

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.

Resolutions 10-15-01, 02, 03; authorizing the condemnation of road right-of-way
for a portion of Raspberry Alley, west of North Mountain Road in the
Village of Linglestown

Mr. Hawk noted that there are three resolutions authorizing the condemnation of road right-of-way for a portion of Raspberry Alley, west of North Mountain Road. Mr. Wolfe explained, in order to open Raspberry Alley per Ordinance 2010-02, the Township needs to have a 15-foot wide width. He noted that the platted right-of-way width for Raspberry Alley is only 14 feet wide; therefore, the Township needs to acquire one additional foot of width. He noted that the three resolutions have been prepared to acquire the necessary one foot width from the southern side of Raspberry Alley affecting the properties of Mr. Joseph Mack, Mr. Tim Archibald, and Mr. Archie Hammaker. He noted that it would be a total acquisition of 706 linear feet, one foot wide from all three properties. He explained if the Township does not authorize the acquisition from the three properties, even though the Board has accepted Raspberry Alley as public-right-of-way, it would not have the legal authority to open the alley.

Mr. Hawk noted that this would be according to the Second Class Township Code.

Mr. Seeds questioned Mr. Mack if he had any problem with this resolution. Mr. Mack answered that he had no problem.

Mr. Crissman made a motion to approve Resolutions 2010-15-01, 2010-15-02, and 2010-15-03, which will authorize the condemnation of road right-of-way for a portion of Raspberry Alley, west of North Mountain Road in the Village of Linglestown, and as outlined in the respective resolutions. Mr. Blain seconded the motion.

Mr. Seeds noted that someone in the audience wishes to be heard. Mr. Hawk noted that the motion has been seconded, but he would provide her the opportunity to voice her concern.

Donna Berkheimer explained that she has two buildings that are very close to the edge of the cartway, and one of the Resolutions would definitely affect her. Mr. Hawk noted that it would involve one foot of her property. Mr. Stine noted that the building would not be torn down, because the alley does not have to be improved from edge to edge. Ms. Berkheimer explained that the utility poles are also located on the edge of the property in the alley. She questioned if they would have to be moved. Mr. Wolfe answered that he does not anticipate that being done. Mr. Stine noted that the survey work must be completed first. Mr. Wolfe noted that he does not plan to move utility poles, but it does not mean that possibly one or two poles may need to be moved. He noted that moving all the utility poles in the alley would be cost prohibitive, therefore, he plans to work within the limits of the poles as they exist. Ms. Berkheimer questioned if the alley would be designated as a one-way alley. Mr. Wolfe noted that has not been determined yet.

Mr. Hawk called for a roll call vote: Mr. Bain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

NEW BUSINESS

Action on bids for sanitary sewer improvements in the PC1A/1C sanitary sewer mini-basin

Mr. Weaver noted that the Sewer Authority opened bids for the PC1A/1C sanitary sewer mini-basin project on May 6, 2010. He reported that Liberty Excavators was the lowest responsible bidder. He noted that the bid summary was previously reviewed during the May 25th Sewer Authority Meeting, and he would like Mr. Wendle to review CET's bid summary.

Mr. Wendle noted that the estimate for the entire project for a complete dig up was \$5,646,295. He explained that the bid came in at \$3,910,422. Mr. Hornung questioned why the bids were so much lower. Mr. Wendle answered that there is a very strong bidding climate at this time, and a contractor who has done exclusively development work in the past is anxious to secure work. He noted that Liberty Excavators bid the project in several combinations of lining and dig up since there are sewers located on Colonial Road and Linglestown Road that are in areas where there is traffic congestion and some sewer pipes are fairly deep. He noted that it was suggested to get an alternate bid for lining in these areas.

Mr. Wendle explained that several items were bid in lots and if all the bid alternates were lined only, it would reduce the overall project costs from \$3.9 million to \$3.4 million, providing a savings of \$470,000. He noted that one particular section of lining over the dig up costs only provided a cost difference of \$3,000 and it was thought that that lot should be dug up. He noted for another section of the project along Colonial Road the difference was \$130,000 and for Linglestown Road, there was a \$345,000 difference in lining over dig up. He noted that there are some areas where lining would be particularly useful, to include some sections where the sewer grade is less than the minimum required by DEP. He stated that he wanted to work with staff to determine how much should be lined and how much of a cost savings it would result in. He noted that the good news is no matter how the lots were divided, Liberty Excavators was the lowest bidder for all projects. He suggested that the contract award should be made for total dig up and the contract could be reduced by way of change orders by working with staff to determine what sections should be lined. He noted that the Linglestown Road section near the intersection of Colonial Road should be lined where the traffic signal facilities are located and the depth of the sewer make it very advantageous to line. He suggested that this would result in a reduction of

\$130,000, and he would also look into doing more lining along Linglestown Road. Mr. Crissman noted that the reduction would come as a result of change orders. Mr. Wendle noted that the contractor is anxious to line several of those areas.

Mr. Crissman noted that his motion would contain the “not to exceed” language. Mr. Wendle noted that the award letter would include the not to exceed amount, and also contain language anticipating reductions by lining some sections. Mr. Hawk noted that Mr. Wendle would have to work closely with the contractor to affect the savings by way of change orders. Mr. Wendle noted that it would be easy to do as the contractor has already provided bid numbers for the different sections. He noted that he would inform that contractor that certain sections would be lined using their bid numbers. He suggested that it would be a fairly simple process to execute a change order.

Mr. Crissman noted that the process would work very well, in as much as the overall bids came in substantially lower than anticipated, and the Authority would have the ability to work with the contractor to lower the prices by lining.

Mr. Crissman made a motion to award the bids for sanitary sewer improvements in the PC1A/1C sanitary sewer mini-basin to Liberty Excavators with a, “not to exceed” price of \$3,910,425. Mr. Blain seconded the motion. Mr. Seeds questioned Mr. Stine if the bid documents were in order. Mr. Stine answered yes. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Horning, aye; Mr. Seeds, aye, and Mr. Hawk, aye.

Change Order No. 3 for the PC4B/6C sanitary sewer improvement contract with Michael F. Ronca and Sons for additional depth classifications

Mr. Weaver noted that Change Order No. 3 provides additional compensation to the contractor, Michael F. Ronca and Sons for sewer replacement that was beyond the original bid depth of 18 feet to 20 feet. He noted, as determined by staff and CET in preparing the change

order, he and Mr. Wolfe met with Mr. Ronca regarding a claim letter addressed to CET requesting additional compensation in the amount of \$147,000 for additional work that was needed as a result of the deeper depths in completing this project. He noted that the sewer pipe in this area was 20 to 25 feet deep, and the original bid price was for the classification of a 18 to 20 foot depth. He explained, when Ronca replaced portions of the older sewer system, it was determine that the soils had been blasted before the road was built. He noted when a 20 plus foot sewer is excavated on a road system; it naturally collapses, and requires an exorbitant amount of time and stone to backfill the trench. He noted that the contractor's original price was an additional \$147,000, but he and Mr. Wolfe negotiated the price down to \$100,000 which was more reasonable. He noted that this would compensate the contractor for additional depth classification of 20 to 22 feet and 22 feet to 24 feet. He noted that this does not occur very often, noting that trenches of 10 to 12 feet usually always hold their soil.

Mr. Weaver explained that the only way staff, Mr. Wendle, and the contractor could come to an agreement on this issue in the future would be to clarify the bid specifications for some of the line items, to tighten up the bids. He noted that it may be impossible to eliminate unusual conditions when sewer systems are being replaced.

Mr. Weaver explained that he had staff apply Pennzsuppress to the roadway to keep the dust down because the entire road caved in and would have to be replaced. He noted that a large amount of stone had to be placed in the roadway and the temporary roadway was treated for dust. He noted that this road surface would remain for two to three months until the Public Works Department puts together a design to pave the road. He noted that it is his recommendation to approve the change order to Michael F. Ronca and Sons in the amount of \$100,000.

Mr. Hornung asked what part of the bill was for the labor and what was for the materials costs. Mr. Weaver answered that Ronca submitted bills for lost production for labor and equipment as well as stone material for backfilling the cave in. He noted that the labor production costs were \$39,547 and loss of equipment and production were \$42, 619. Mr. Hornung questioned what the loss of equipment and production was for. Mr. Weaver noted that it would be time the equipment was tied up for the additional work, labor and equipment use. He noted that the \$39,000 covers the actual labor and the material cost for stone was \$65,000. Mr. Wendle noted that Ronca originally asked for \$147,000 and settled for \$100,000.

Mr. Weaver explained that it was an unusual condition; however CET's noted that the project was bid in such a way that it is reasonable to expect a trench to fall in. Mr. Seeds noted that it was bid as a not to exceed 20 foot. Mr. Wendle noted that the last line item was 18 feet to 20 feet plus, and it states very clearly in the specifications that consideration would not be given for trench width outside the paved width. He noted that Ronca wrote a letter to staff noting that although the specifications stated the above, they wanted additional compensation. He noted that staff felt that no change order should be granted simply because the trench became wider; however, he did not feel that it was unreasonable since the trench was substantially deeper and bigger. He noted that the increments for payment were listed in two foot increments up to 18 feet to 20 feet, but when the trench reached over 24 feet deep, he felt that it was fair to allow some additional payment for the 20 to 22 foot and 22 to 24 foot depths. He noted that after conferring with Mr. Weaver and Mr. Wolfe, Ronca agreed to drop their price to \$100,000. He noted that he reviewed new unit prices for the higher depths, and felt that they were reasonable based on the incremental increases of the depths, and given the fact that they had lost the road. He noted that

there are no other trenches this deep within the project, and because they were deeper than the maximum width, he felt it was reasonable compensation.

Mr. Hornung questioned if the trench was 24 feet deep the entire length of the road. Mr. Wendle answered that there was a section that was 22 feet, and another section that was 22 to 24 feet. He noted that when you calculate the unit prices you come up with \$100,000. Mr. Weaver noted that it was for 210 linear feet.

Mr. Wendle noted that there was 210 linear feet of 22 to 24 foot depth and this increased the price to \$500. In addition there was 397 linear foot length of 20 foot to 22 foot depth at a cost of \$300 per foot. He explained that he cost for the 18 foot to 20 foot was \$205 per foot. Mr. Hornung questioned why the price increases. Mr. Wendle answered that it is not a linear measurement, rather, as the trench get wider, it gets longer, and the volume of the trench and the amount of cave-in they experienced encompassed people's yards as well as the street. Mr. Wendle noted that the extra expense for the high depths must be subtracted from what they were already paid. Mr. Hornung explained that he struggles to understand the increments of what is priced for the extra depth. Mr. Weaver explained that they look at the labor, equipment, and materials, and when you go from eight foot to ten foot, the prices are pretty standard within \$100 to \$120 per foot. He noted the ten foot to 12 foot range might cost \$200. He suggested that \$500 was a little high but the situation included the loss of the roadway. He noted that he did not have anything to compare this to for the depth of work, but suggested that the prices that Ronca provided were reasonable.

Mr. Weaver noted that Ronca has done a lot of work for the Authority and they provided a very low bid for the project. He noted that they are doing the sewer work in Raspberry Alley and agreed to hold their bid prices for this work. He noted the other quote received by the

Authority for the Raspberry Alley work was tremendously high. He explained that as he acquires more experience with the sewer work, he would be able to provide the Board with more information as to what the pricing should be.

Mr. Hornung questioned how close Ronca is to being done with this project. Mr. Weaver answered that they just began the PC 4B/6C project, noting that the original bid price was \$7.3 million and it involves 500 homes. He noted that they are behind schedule due to the deep sewer work. He noted that they are in the second or third month of the project and it is anticipated to take 18 months to complete.

Mr. Hornung questioned if there is any additional deep sewer work anticipated. Mr. Wendle answered no. Mr. Wendle explained that this change order must be approved by PennVest as well.

Mr. John Trish, 600 Prince Street, noted that this is change order three, and he questioned what the other two change orders were for. He also questioned if all precautions were taken to prevent the loss of the roadway. Mr. Weaver explained that the first change order was at the request of the Township to be able to use inside drops which are easier to construct and this resulted in a reduction in the contract. In regards to the trench question, when there are soils that are unsuitable from prior blasting, there is no way to control the trenching. He noted that for the amount of the depth, when the plates are removed, the soils just fall all around the plates, noting that you can only plate so much. He noted that they use a digging box to protect the excavation area, and many times when the soils are stable, the digging box will allow the contractor to dig straight down, but if they are unstable, there is not much you can do to keep unconsolidated rock from falling in when they remove the digging box as the soil has no structure to keep it stable.

Mr. Wendle explained that change order 2 was for the additional work in Raspberry Alley.

Mr. Trish questioned if the contractor was doing anything, other than using the trench box, to maintain stability while the work was being done. Mr. Wendle noted that when they excavated, the trench caved in. Mr. Weaver noted that OSHA regulations require that the men be protected by the trench box while they are installing the sewer pipe. Mr. Tress noted that this would stop the road from giving way. Mr. Wendle explained when the trench box was lifted out, the soils collapsed.

Mr. Trish noted that Mr. Wendle stated that the depth was 18 feet to plus 20 feet for the bids. He questioned what this meant. He suggested that it would include at least 18 feet and beyond 20 feet. He noted that the Township now has to pay an additional \$100,000. Mr. Weaver noted that the reason for the 18 feet to 20 feet plus in the bids and the reason for the additional compensation is that the drawings showed the pipe to be 24 feet deep. He noted that you could make a case that the contractor should get no additional compensation, and originally that is what Mr. Wendle stated. He noted that the contractor stated that the sewer was previously blasted, noting the presence of blasting caps, as rock was blasted in the installation of the original sewer, and when the Authority bid the project, the contractor was not aware of that omission. He noted, to settle this claim by calling it a deep classification would eliminate a possible claim filed by the contractor for \$147,000. He noted that there is a good chance that the Township would lose the claim and that is the reason why he proposed the change order for \$100,000.

Mr. Crissman questioned, in regard to the Board's approval of the change order, did he think that PennVest would be supportive of the change order or raise objections. Mr. Wendle answered that he thinks that PennVest would be supportive since they have a very good

explanation for why it occurred. He noted that PennVest is a signatory to the change order and they should approve it prior to the Board signing the change order.

Mr. Seeds noted that it is important to note that Ronca has done much work for the Township in the past and they have done good work. He noted that the Township is under a mandate by DEP to get all this work done. Mr. Weaver noted that due to the current economic situation, the bidding has been very aggressive and the bid was 15% lower than what was expected. He stated that he is careful to check that the contractors do not look to make up for the low bids through change orders. He noted that Ronca has never approached the Township with a change order trying to make up costs. He noted that this is the first change order from the contractor, and he would expect them to be ethical in their work. He noted that staff will continue to monitor this as the project moves forward.

Mr. Weaver explained that Mr. Wendle writes the bid specifications and makes them very tight. Mr. Hawk noted that it is important for the Board to understand the justification for the change order and to make sure that it is a reasonable cost.

Mr. Crissman made a motion to approve the Change Order No. 3 to Michael F. Ronca and Sons, in the amount of \$100,000 for the PC-45/6C sanitary sewer contract for the additional depth classification, subject to PennVest's approval of the change order. Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, nay; Mr. Seeds, aye; and Mr. Hawk, aye.

IMPROVEMENT GUARANTEES

Mr. Hawk noted that there were five Improvement Guarantees.

Old Iron Estates, Phases I & III

An extension in a letter of credit with Fulton Bank, in the amount of \$31,702.50, with an expiration date of June 1, 2011.

Mountain Road Carwash

A release in a letter of credit with M & T Bank, in the amount of \$1,350.00.

Chelsey Falls, Phase I

A reduction and extension in a bond with Lexon Insurance Company, in the amount of \$108,840.00, with an expiration date of June 1, 2011.

Weis Markets

An extension and 10% increase in a letter of credit, and a change in banks from Omega Bank to M & T Bank, in the amount of \$47,729.66, with an expiration date of June 1, 2011.

David Punt – 6009 Jonestown Road

An extension and a 10% increase in a bond with State Farm Fire and Casualty Company, in the amount of \$53,490.90, with an expiration date of June 1, 2011.

Mr. Seeds noted that he spoke with Ms. Moran earlier in the day and he informed her of a correction for a date for one of the Improvement Guarantees.

Mr. Seeds made a motion to approve the five listed Improvement Guarantees. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, 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. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Public Comment

Mr. Anthony McBeth explained that he is a resident of the Township, and is the attorney representing Brian Minito who resides at 5925 Linglestown Road. He explained that he was reading and missed the public comment held earlier in the meeting. He requested permission to make public comment on behalf of his client.

Mr. McBeth noted that the rear of Mr. Minito's property abuts Raspberry Alley. He noted that Mr. Minito is encountering heavy traffic driving through the alley in an effort to avoid the construction on Linglestown Road. He noted that this is assisted by a flagman who is at the intersection of Linglestown Road and Pennsylvania Avenue. He noted that this is located near area that the Township wants to acquire. Mr. Minito stated that from the end of The Flower Shop west, vehicles are driving through the alley and that he is only providing access to the Sewer Contractor to dump dirt on his property. Mr. Wolfe noted that in the past Mr. Minito has blocked off this area, however, if he chooses to open the area then he chooses to allow access. Mr. Minito noted that he chose to open it only for the Sewer contractor, but unfortunately other traffic is using the alley. Mr. Wolfe noted that he could have the Sewer contractor look at this. Mr. Seeds questioned Mr. Minito if he took the road closed sign down to allow the contractor to dump dirt. Mr. Minito noted that he is providing access in the alley for the Sewer Authority, but not the public. He noted that the road closed sign is still up for the public. Mr. Seeds questioned if the traffic is coming from Linglestown Road. Mr. Minito stated that they are coming from both directions. Mr. Hornung suggested that he should put up a private drive sign with no trespassing. Mr. Minito noted that he has done that but they are ignoring the sign. He requested that two flag persons be stationed at that location and Blue Mountain Parkway to keep others vehicles from driving in that section of Raspberry Alley. He stated that they are driving across private property.

Mr. Hawk noted that Mr. Wolfe would follow up on Mr. Minito's request. He noted that it is very difficult time for the people who live and drive in Linglestown. Mr. Minito noted that the cars are driving over neighbor's yards. Mr. Hawk noted that it would be difficult to place a flag person to direct traffic 24 hours a day, seven days a week. Mr. Minito noted that he is only looking for traffic direction while he is allowing the sewer contractor to assess his property. He noted that the cars are sneaking by when the dump trucks are working in the area. He noted that they have almost run over people. Mr. McBeth questioned Mr. Minito if occurred during standard daytime hours. Mr. Minito answered yes. Mr. Hawk noted that Mr. Wolfe would look into this matter. Mr. McBeth questioned if this could be readdressed at the next meeting. Mr. Hawk answered yes.

Adjournment

There being no further business, Mr. Blain made a motion to adjourn the meeting. Mr. Crissman seconded the motion, and the meeting adjourned at 8:40 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary