

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Workshop Meeting held May 10, 2011

A workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 6:03 p.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; Robert Grubic and Stephen Fleming, HRG, Inc.; John Snyder, RGS Associates; Tony Leo, Sunnyhill Farms; Drew Williams, A.P. Williams, Inc.; and Ted Robertson and Watson Fisher, SWAN.

Pledge of Allegiance

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

Public Comment

Robert Michael Diak, 200 Miller Road, noted that the reason he was in attendance at the meeting was due to a letter that he received from Public Safety Director (PSD) David Johnson, dated April 27, 2011. He questioned if the Board members received a copy of the letter. Mr. Hawk asked him to continue. Mr. Diak noted that the Board members are aware of the letter.

Mr. Diak noted that he had a complaint about the Lower Paxton Police, noting that was one of the issues. He noted that, a couple of days later, he had another one. He questioned what are the actual concerns with putting hands on, actually the officer putting hands on an individual, an investigation, are you prone to that or... Mr. Hawk noted that the Board members are here to hear public comment not to respond to you.

Mr. Diak thanked the Board for working with him. He noted that his house was search and seized on December 12, 2010 and they removed items, do I plan on getting that back, or do I have to go through Lower Paxton, okay. I have done that. Myself, Mr. Wolfe, Mr. Chardo, Assistant District Attorney, and Director Johnson, I got, actually that meeting was held this

Monday; I had no feedback whatsoever. He noted that Mr. Wolfe did attend the meeting, it was recorded, why it was recorded, I have no idea. Apparently you guys (Board members) are actually calling the shots on this. He questioned if the Board condoned, I believe you do condone sir, what was allowed to transpire, loitering and prowling at night, and defiant trespassing on June 19, 2010. He noted that he went through the system, I thank God there is a justice system. He noted that the only concern that he has is that I paid \$7,500 to clear my name. He noted that the court cleared the organization I came from. He questioned if there is any repercussions sir... Mr. Hawk noted that you are asking us to make comment on your comments; our purpose here this evening is to listen to your complaints.... Mr. Diak noted that he does not have a complaint. He noted if he had a complaint he'd of had a lawyer. He noted that he is trying to work this out as low as possible in the chain of command. He noted that Mr. Wolfe has been advised, also when I call Lower Paxton, Amanda or Mr. Wolfe particular, I never receive a phone call back. He questioned if that is something you would like to address or you know of, or condone. Mr. Hawk noted that you are asking us to engage you in this conversation and he noted that our purpose is to listen and to take the complaints and follow up.

Mr. Diak noted that you have condoned and allowed everything since day one. Mr Hawk stated Mr. Diak... Mr. Diak said it is Diak, sir. Mr. Hawk noted that he is not going to engage him in a dialogue.... Mr. Diak said, okay sir, what do like to do then sir. Mr. Hawk noted that he is here to listen to what Mr. Diak has to say. Mr. Diak noted, in other words, we've been through the system, and I almost got my stripes, which I didn't, thank you, but you allowed and condoned, you know exactly what is going on in this, I'm sorry, you should know exactly what is going on in this Township. He noted that everything starts with leadership. He noted that he has officer's putting their hands on him; I have no, how you say, no feedback, like I have to initiate everything. He noted when he makes an appointment, he has to personally make a voice message appointment, and then he gets reaction, but when he leaves it up to the Township, which Mr. Hawk runs, sir, I get no feedback, so.

Mr. Hornung questioned Mr. Diak if he took this to a meeting with Fran Chardo and Dave Johnson. Mr. Hawk noted that Mr. Hornung asked Mr. Diak a question. Mr. Diak questioned who is he, I'm sorry, I'm talking with you, (directed towards Mr. Hawk) I'm sorry. Mr Hawk noted that the gentleman that asked the question is Mr. Hornung. Mr. Hornung stated

to let it go. Mr. Diak said thank you. He noted that we have already tried this dialogue; I'm trying to, at the lowest level possible. Mr. Wolfe you're more than welcome to join in. Mr. Hawk noted that he is not going to engage Mr. Diak in a conversation or dialogue, the Board is listening to your complaints, the whole Board is hearing your complaints, and we'll talk about it.... Mr. Diak said, sir this not a complaint, this is a concern that needs to be addressed, so we can all move forward, a new beginning. Mr. Hawk explained that this is not the venue to do it in. Mr. Diak stated, how about this, I could have come up here last Tuesday, but I gave, out of respect, those three individuals that I had a meeting with, an opportunity. He stated we have gone a week now, I'm getting lip service, nobody likes lip service. He noted that these public meetings are public meetings, okay, not my meetings. He wanted to allow the opportunity for those gentlemen to get back with him, it's has been a week and a day. Sir, would you like to be sitting and waiting, especially after you pay \$7,500, and I almost got prosecuted for two misdemeanors.

Mr. Hornung suggested to Mr. Hawk that this is a matter for the Police Department to handle, and they have talk with him, and they have talked to him for 1½ hour and have heard his complaints, but I don't think it is a matter that we can deal with. He noted that there is a lot more here that is going on than what we know about and can understand. He noted that a meeting was arranged with Fran Chardo from the District Attorneys' Office and PSD David Johnson and they will be responding to Mr. Diak's request. He noted that there is nothing more that the Board can say beyond that.

Mr. Diak noted that your actual, I'm sorry, Mr. Wolfe is apparently Mr. Johnson's boss, that's what was instructed to me. He noted that he had three individuals taking the time out of their day to meet with me, and especially, this has been going on for more than a year now, since we came up here and they said, "Get him out of here." And you watched it, the whole Board watched it and said nothing about it, remember that, right here. So you are condoning it and allowing it. He noted that you are sitting on the Board right here, so instead of being proactive, it seems like you are being knee-jerk reactive, that is if it is brought to your attention, then you'll look into it. But you already know, allow, condone....., so since I took the time out of my day, which I'm retired, I mean, so we'll just leave it up to the Police Department, and all of that, or actually those three, Mr. Wolfe, which does not even answer my calls whatsoever, I mean would

you like me to call you personally on his matters, probably not. Mr. Hornung noted that Mr. Diak has already called him. So sir, what would you like to do?

Mr. Crissman noted that since he is only talking to Mr. Hawk, he would suggest that Mr. Hawk ask him to reduce his concerns to writing. Mr. Diak said no, no, no, no. Mr. Crissman requested Mr. Diak to let him finish talking as he extended the courtesy to you, please. He noted since you are not addressing the Board members, but rather dealing with Mr. Hawk, then I feel obligated to speak to Mr. Hawk as opposed to speaking directly to you unless you choose to speak directly to me. Mr. Diak stated that we already had a conversation last time. Mr. Crissman noted that the last time you were here, and I spoke with you, I asked you to please reduce everything to writing, that way our appropriate staff would be able to respond to you in writing. He noted that there would be a very clear understanding of what your issues are so the issues could be addressed one-by-one by our staff. He noted that he thinks that is fair and it also protects everyone involved. He noted that it does not reduce it to a conversation about he-said, he-said. He noted that it would be very clear as to what Mr. Diak's concerns are. He noted when staff receives the letter; they will be able to respond back to Mr. Diak for all his concerns. He noted that this would make everything very clear. Mr. Crissman questioned Mr. Diak if he agreed to this. Mr. Diak responded that he disagrees, he noted that he has a piece of paper here, he had two officers, two corporals who don't work for the UPS, they don't work for DHL, they were directed by the PSD Johnson to drop this off while he was out of town. He noted, specifics and all of that, he is trying to reduce this at the lowest level and also about... it says right here, I am instructed not to meet with you, but here he took the time out, and why did he take the time out. He noted that somebody other than Lower Paxton said, hey, see what the guy wants. He noted if you go through the system or try to go through the system, you'll have your chance and I briefed you through it the whole way.

Mr. Crissman noted that he is trying to make it fair. Mr. Diak stated that he does not need fair; you know everything that is going on. Mr. Crissman questioned Mr. Diak if he would extend the courtesy to him as he has to him to speak. Mr. Diak stated that you said that three times now. Mr. Crissman noted that Mr. Diak continued to interrupt him, when you are speaking I extend the courtesy to you, and I don't appreciate it as a gentlemen to a gentlemen. He noted that our society demands the respect of one another and to hear one another and that is exactly

what we have done. He noted that he tried to offer an easy solution for everyone, but Mr. Diak chose not to follow that. He noted that he does not know what else to offer to him, except to reduce it in writing, fact-for-fact, for staff to respond. Mr. Diak questioned who is staff, meaning Mr. Wolfe. He noted that Mr. Wolfe runs this. Mr. Crissman noted when the Board received the letter, it will take appropriate action. Mr. Diak noted that is why I didn't want to speak with you sir. Mr. Crissman noted that it appears that you and I can no longer have a dialogue that will work to a successful conclusion. Mr. Diak said, of your conclusion. Mr. Crissman noted that is not what I said; do not put words in my mouth. He noted to Mr. Diak, do not quote me erroneously. He noted that I take exception to that. Mr. Diak said, okay, thank you. Mr. Crissman noted that he provided every opportunity, and has tried to talk to Mr. Diak in a gentlemanly fashion, and tried to provide a solution, but if it is not acceptable to him then I believe that our conversation at this point needs to be terminated. Mr. Diak noted that he thought it already terminated when we started. Mr. Crissman answered, no, it didn't. He noted that he gave Mr. Diak options. Mr. Diak thanked Mr. Crissman.

Mr. Diak noted that he would like to leave, but in the meantime, what would I, because if this doesn't get settled tonight, then that gentleman right there will be busy (pointing to Mr. Stine). He noted that he believes him to be the Township Solicitor. Mr. Hawk noted that Mr. Stine is the Township Solicitor. Mr. Hornung suggested, then, we will get something in writing. Mr. Hawk noted to Mr. Stine that he will have some work cut out for him. Mr. Stine responded, okay. Mr. Crissman noted that Mr. Diak's attorney will reduce everything to writing and that will be turned over to Township counsel for review, and to respond. He suggested to Mr. Diak if he wanted to save himself some money. Mr. Diak noted that he has no problem spending the money because you allow and condone sir, everything. Mr. Crissman noted, in the, "for what it is worth department" Mr. Diak will spend money for his attorney to write the letter to us and our attorney will respond. He questioned who pays the salary for the Township Attorney, the taxpayer; therefore Mr. Diak will be paying for his attorney to write the letter and in part as well as all the other citizens will pay for the Township Attorney to respond. He noted that is not cost affective. Mr. Crissman noted that his discussion is brought to closure.

Mr. Diak questioned Mr. Hawk if he had anything to add. Mr. Hawk answered no, noting that he stated that he would not engage Mr. Diak in a conversation. He noted that he has heard

his complaints. Mr. Diak noted that it is not a complaint; it is a concern that keeps going and going like the Energizer Bunny. Mr. Hawk noted that he has heard it. He noted that the Board will talk about it. Mr. Diak said talk about it. He thanked the Board and left the meeting.

Township Engineer report regarding LPT Bridge-10 and efforts to replace this facility through the PENNDOT Transportation Improvement Plan (TIP)

Mr. Robert Grubic, HRG, Inc., noted that several workshop sessions ago, Mr. Steve Fleming, from his firm, made a presentation to the Board related to the status of funding for Bridge LPT-10, the bridge that carries Jonestown Road across Beaver Creek between Lower Paxton and West Hanover Townships. He noted that the bridge was built in the early 1920's and as a result of the recent inspection, it has been weight-restricted at 20 tons. He explained that he wanted to discuss funding issues related to the bridge work in terms of securing as much funding as possible for the ultimate replacement of the structure, which is the only viable option. He noted that he has good news for the Township.

Mr. Grubic explained that Bridge LPT-10 has been added to the Harrisburg Area Transportation System (HATS) Transportation Improvement Plan (TIP). He noted that there is a significantly higher level of funding available for the bridge than anticipated.

Mr. Hawk noted that is good news as this bridge came up in discussions this morning during a transportation hearing on Capital Hill in Harrisburg trying to ascertain if more funding could be made available for transportation issues.

Mr. Fleming explained that the biggest change to occur since he was in attendance at a prior meeting was he was able to secure the State portion of the funding which he did not anticipate being available for this project. He noted that this amounts to an additional 15% towards to cost of the project which will save Lower Paxton and West Hanover Townships \$115,830 a piece, based upon the preliminary estimates. He noted that HRG was able to capitalize on a opportunity for the Townships with another client who had a project on the 2012 TIP, however, they had to pull that project and he was able to work out the details with the other municipality to get this project put on the 2012 TIP in place of the other project.

Mr. Hawk questioned if the \$115,830 would be the total funding for the Township. Mr. Fleming answered that it would be Township's portion. Mr. Wolfe noted that the Townships

would be responsible for 5% of the overall costs to replace the Beaver Creek Bridge which it would share with West Hanover Township

Mr. Seeds questioned what the estimate project cost for the replacement was. Mr. Fleming answered that it would be \$1.5 million. Mr. Grubic noted that the local share for the project would be 5% and that would be split between West Hanover and Lower Paxton Townships. He noted that the bridge would be replaced at a cost of 2.5% of the project to the Township. He noted that it would be a 2012 project but some administrative details need to be completed with PENNDOT. He stated that he wanted to make the Township aware of the funding issues for this project.

Mr. Grubic noted that this bridge is in very bad shape. He noted that it is structurally inadequate; it is old and outdated, and does not meet any current design criteria. He noted that the most cost-effective thing to do is to replace the structure. He noted that HRG was able to work with HATS to get the funding moved from another project that had been delayed to this project.

Mr. Hawk noted that the bridge will be demolished and a new bridge will be built. Mr. Grubic explained that it would be completely replaced; changes would be made to the approaches, and it will have a longer and higher span to accommodate the current design criteria.

Mr. Crissman questioned how long the bridge will be out of service. Mr. Grubic suggested that it would be roughly six months, noting that he would try to schedule the project so that most of the work would be done over the summer months in order to minimize the school bus rerouting. He noted that all emergency responders would be notified of the status of the bridge.

Mr. Hawk questioned if the Township has to do anything in regards to the State or Federal government funds. Mr. Grubic noted that he would address those issues with Mr. Wolfe in order to move the process to the next level. He noted that it would provide for a significant savings for the Township.

Mr. Crissman questioned if communications would be made with the School District in regards to rerouting buses. Mr. Grubic answered that anytime there is a bridge closure, he coordinates with the school districts and emergency responders. Mr. Crissman noted that it would be great to schedule the majority of work during the summer recess.

Review of a sketch plan for Laurel Ridge, proposed 92 townhouse units,
and discussion of two proposed plan waivers

Mr. Wolfe explained that Mr. John Snyder from RGS Associates has provided a sketch plan and information regarding the next phase for the Laurel Ridge Development.

Mr. Snyder explained that he is present to speak to the Laurel Ridge Development, formerly know as the Village of Pheasant Ridge Development that is located south of Linglestown Road and west of Bumble Bee Hollow. He noted that the development currently consists of 186 multi-family apartment units on 51 acres, and is clustered on the western 38 acres. He noted that the current plan to develop the remaining 13 acres does not require zoning variances and he prepared the plan to be in compliance with the zoning for R-2. He noted that R-2 zoning allows for townhouse development.

Mr. Snyder noted that the proposed development is laid out in the style of a Traditional Neighborhood Development (TND). He distributed architectural footprints for the proposed development, which he described as being very general and broad looking. He noted that the garages are pushed to the back of the townhomes, hiding them to the rear of the units. He noted that he has turned the end-units sideways in order to provide the appearance that all units will front on a green. He noted when you drive down the street you will not view the side of a townhouse, but rather another front.

Mr. Snyder noted that he is proposing 92 units in accordance with the requirements of the ordinance, and not extending the non-conformity by adding more apartments, however, he will try to coordinate the lighting from the existing development even though it will be a separate entity. He noted that, initially, he requested more waivers, but he worked with staff and the engineer, and at this time, there are only two waiver requests. He explained that he would like to receive a recommendation from the Board for those two waivers.

Mr. Snyder noted that this project does not involve fee simple lots, as there will be one ownership entity, and he explained that he would like to present this as a final plan in an effort to save some time for the developer. He noted that the developer has the financing and would like to start the building as soon as possible. He noted that the access to the development is by way of Linglestown Road with a signalized intersection. He noted that he would conduct a traffic study for the Township to review, but he does not expect any problems with that. He noted that the site

has been planned for sanitary sewer service; therefore, there is no need for a DEP sewer module. He noted that many of the outside agency issues have already been taken care of.

Mr. Snyder noted that the second waiver has to do with the street layout. He explained that the streets in the existing development and what is proposed for the new phase will be private minor streets. He explained, using the TND layout, he provided on-street parking which the ordinance allows for, but the ordinance did not contemplate using private streets and it did not separate minor streets and private streets. He noted that it falls under the same classification of street systems for arterial, minor or collector streets.

Mr. Crissman requested Mr. Snyder to define minor streets. Mr. Snyder answered that it would be to provide access to single lots, single uses, single residences, to a higher order street, such as Linglestown Road. He explained that it would be a minor street, and he proposed to have 32-foot wide cartways, with perpendicular parking that is permitted for private streets. He noted that the issue is providing a 50-foot access and utility easement instead of a right-of-way since there aren't any right-of-ways in the existing development.

Mr. Seeds questioned what the ordinance requires for a cartway width. Mr. Snyder answered that it is 32 feet. He noted that originally the idea was to build something smaller. Mr. Seeds suggested that Mr. Snyder did not need a waiver. Mr. Snyder noted that the ordinance is clear that minor streets are required to have a 50-foot right-of-way, and there are no right-of-ways in the development. He noted that the developer will dedicate a 50-foot access and utility easement, but the street will never be made public.

Mr. Crissman questioned if this plan would cover the access for emergency vehicles, fire trucks, and school buses. Mr. Snyder answered yes. Mr. Seeds noted that you would not need a waiver. Mr. Snyder noted that you would, in terminology, from a right-of-way to an easement. Mr. Snyder noted that this plan would be similar to a parking lot setup.

Mr. Crissman questioned what is around the island or circle area. Mr. Snyder answered that it is a court and the plan calls for a 25 foot width. He noted that it would not be considered a minor street, rather a parking court or an access drive. Mr. Crissman questioned if there would be sufficient space for a school bus and emergency equipment. Mr. Snyder answered yes. Mr. Snyder noted that he did not know if school buses are permitted to access private streets, but it has been designed to meet the minimum radius. Mr. Crissman suggested when you sell the units

you must make it very clear to prospective buyers that school buses will not travel back to the residences and the students will have to walk to a certain location to be picked up by the school buses. Mr. Crissman questioned if sidewalks will be installed. Mr. Snyder answered that he will connect the new sidewalks to the existing sidewalk system throughout the development.

Mr. Seeds noted that he saw a garage in front of a unit. Mr. Snyder noted that the garages are set to the back of the townhouses. He noted that they would be more like a side garage or unit. He explained that the artistic renderings are not 100% accurate.

Mr. Crissman questioned if all the units would be two-story and if any villas would be built. Mr. Snyder answered that they would be two-story units, but some would have first-floor master bedrooms. He noted that 30% of the units would have first-floor master bedrooms. He noted that an aging population would look for that. Mr. Crissman noted that they do not want steps, and he felt that 30% is a little low.

Mr. Seeds questioned if the units would be for sale. Mr. Snyder noted that they are for rent or lease, and not fee simple.

Mr. Snyder questioned the Board if they would like this type of development. He noted that it provides for more of a walkable community feel. Mr. Seeds questioned if sidewalks would be located on both side of the development. Mr. Snyder answered yes.

Mr. Hawk noted that he likes the idea of a recessed garage. Mr. Snyder noted that you will actually view more of the front of the unit.

Mr. Crissman asked if there were any other objections raised by staff. Mr. Snyder answered no.

Mr. Seeds questioned what would be done for recreation dedication. Mr. Snyder explained that issue has not been discussed yet. He noted that the existing campus includes a good size recreation area, and he suggested that more would be built into the design. He noted that he did not know if that would be done in-lieu of fees at this time. Mr. Wolfe noted that it is just a sketch plan at this stage. Mr. Snyder explained that the existing development has playing fields, tennis courts, clubhouse and other amenities. He noted that other additions will be made but it is unknown what they would be at this time.

Mr. Crissman questioned if there would be one-car or two-car garages. Mr. Snyder answered that they are all one-car garages, but they could be two-car garages depending on how

the architecture designs it. Mr. Crissman questioned if there would be tandem parking as opposed to parallel parking to allow parking for two cars, with one car in the garage and one car in the driveway. Mr. Snyder answered that there may be two cars in a garage, but there could be a wall separating them. Mr. Crissman questioned what would an owner be entitled to per unit. Mr. Snyder answered that there are not enough garages planned for every unit. He noted that the plan calls for 92 dwelling units and forty internal garages. He noted that forty units will have at least one-car garage space. He noted that eleven of the units in the court area will have detached garages. He noted for the units with no garage, the residents will have to park on the street. He noted that is what is provided on the plan. Mr. Crissman requested Mr. Snyder to show him the units on the plan where the residents will have to park on the street. Mr. Snyder responded that it has not been decided yet. He noted that a typical six-unit building may not have any garages, so those residents would have to park in the street in front of their units. Mr. Crissman noted if that is the case, he would want to see additional parking for visitors. Mr. Snyder stated that he understood. Mr. Crissman noted if someone has a party there will be no place for them to park.

Mr. Seeds questioned if the development will be age-restricted. Mr. Snyder answered no, however it could cater to age-restricted.

Mr. Seeds noted that there is a tremendous need in the spring, summer and fall for playing fields. He noted that there are many organizations throughout the Township that can't find a field to play on. He noted it this is a nice development and it is well kept. He explained that he was not aware if there are many police calls from this development. He noted that some other apartments take up much of the Police Department's time; however he did not think that this is an issue for this development. He requested Mr. Snyder to meet with the Parks and Recreation Board to determine if there is any available space that could be used to create more playing fields. He noted that Koons Park is the closest large park and it is a good distance from this location.

Mr. Hawk noted that there are 16 parking spaces in front of one unit, and he suggested that not everyone would have two cars. Mr. Snyder noted that he would only have three buildings without garages, with most of the units having a garage.

Mr. Hornung questioned how many parking spaces are included in the plan. Mr. Snyder answered that there are 184 parking spaces, the minimum per zoning, to include the garage space

but not the area behind the garage. He noted that there is plenty of space to provide for additional parking. Mr. Hornung noted, not counting the garage space, how many parking spaces are there. Mr. Snyder answered that there were 133 parking spaces plus 51 garages for 92 units. Mr. Hornung noted that there are basically two spaces per unit. Mr. Seeds noted that the plan meets the ordinance for parking. Mr. Hornung questioned if there would be on-street parking. Mr. Snyder answered yes, noting that it will be perpendicular parking. He explained that he is not proposing parallel parking. Mr. Hornung questioned if “no parking” signs will be installed on the street. Mr. Snyder answered that he could do that in the long run areas.

Mr. Crissman questioned, if he visits a resident that has a garage and their car is in the driveway, where will he park. Mr. Snyder noted that beside the garage area, they will have two additional parking spaces. Mr. Crissman noted that he could park in the driveway.

Mr. Seeds questioned if the development has an indoor community center. Mr. Snyder answered that they have a clubhouse and a pool, with a playing field and tennis courts. Mr. Seeds questioned if these amenities are for the use of the residents. Mr. Snyder answered yes. Mr. Seeds noted that it would provide for on-site recreation for the residents.

Mr. Snyder questioned if the Board could make a motion on the waivers. Mr. Blain answered that the action could only occur during a business meeting and this is only a workshop session. Mr. Seeds noted that he would want to read staff’s comments first. Mr. Wolfe explained that the developer has not submitted a plan to the Township yet. Mr. Seeds noted that he would also want to hear the Planning Commissions comments. Mr. Crissman suggested that Mr. Snyder may want to address the issues that were discussed, noting if those issues are not addressed, it would influence his vote.

Mr. Hawk noted that he likes the concept. Mr. Crissman noted that they did their homework.

Review of a request to amend phasing schedule for
Sunnyhill Farms South

Mr. Tony Leo explained that he is not changing anything in the plan; only requesting to change the timing for the plan. He noted that there are no engineering changes to the plan. He noted that he has met with Mr. Wolfe and Ms. Moran.

Mr. Leo introduced Drew Williams, of A. P. Williams as the individual who built the project for him. He explained that he asked and was granted permission from the Board to change the one phase plan to a four phase plan. He noted when he went to his bank, they would not loan the money to build the 13 units in Phase I. He then went back to his bank and asked for financing for Phase I and Phase IV. He explained that he would like amend the plan to complete the plan in two phases instead of four phases. He explained, when he added Phase IV with Phase I, the timing of some of the infrastructure did not work. Mr. Williams noted that the Erosion and Sedimentation Control Plan, Stormwater plan, and sanitary sewer plan were not designed for multiple phases let alone four. He noted that there is no good place to divide these into four phases. Mr. Hawk noted that one phase did not make a good transition to the other. Mr. Williams explained that he would have had to work with HRG continuously to try to make sense of it. He noted for the earthwork, dirt was needed in one part of the property to balance it out, so he picked a location that worked and found that he could do it in two phases instead of four phases.

Mr. Crissman questioned why this was not done initially. Mr. Williams answered that he did not know as the plan was designed before he was involved with it. Mr. Leo explained, when the project was initially planned, he sold the development to an out-of-town developer who eventually went bankrupt, Altieri Homes. He noted that the deal was to have the plan fully approved with all the permits in place, and then they would buy it from him. He noted that he had a deadline to meet and he met the deadline. He noted that since then, the bank told him that they would not finance Phase I since two stream crossings had to be installed in the initial phase. He noted if you add that overhead in with the 13 lots in Phase 1, he couldn't afford to build the homes. He noted what he is asking to do is to build the blue area which is Phase I and Phase IV plus one additional lot. He noted that the rest of the lots would be completed as Phase II. He noted that there are 19 building lots in the new Phase I.

Mr. Leo noted that he reviewed this with Mr. Williams, and that is what they are currently proposing to do now. He noted that Mr. Williams met with Steve Fry, from Dauphin County Conservation District, and received his blessing for this. Mr. Williams noted if the Board approves the new sequencing for construction then he must forward that information to Mr. Fry. Mr. Williams noted that the old sequence never contemplated four phases and he met with Mr.

Fry to modify the plan but he needed to determine what Mr. Fry would be comfortable with. He explained that once Mr. Fry reviews the new sequence he will provide a formal approval for the new sequencing for the plan.

Mr. Seeds noted that this is good news. Mr. Leo noted that it will work. He noted that there is a big valley where the cut off is. Mr. Seeds noted that Mr. Leo would build a nice house.

Mr. Leo explained that he met with Ms. Moran and Mr. Wolfe and they agreed that it made sense. He noted that he is not changing the engineering at all, just the timing for when things will be put in. He noted when he comes in with the plan before the Board; it will show the notes and what the phasing would be. Mr. Crissman noted that he understands that staff supports the proposal. Mr. Leo agreed.

Mr. Leo noted that the last item on his list has to do with the improvements for Lyters Lane. He noted that Mr. Williams informed him that the Lyters Lane improvements would cost roughly \$150,000 to complete. He noted that there are 32 lots in the subdivision and they are located down 67th Street in both directions. He noted that half of the trips from the 32 lots could also use Lyters Lane toward Hodges Heights. He noted that the cost for the improvements per each lot is kind of expensive. He noted when the plan was approved he was not going to be the developer as Altieri Builders was. He explained that he thinks the developer might have over-engineered the plan for the improvements to Lyters Lane. He noted that the improvements range from the Szeles property to the corner of 67th Street. He noted that he has to widen the road, and there is a big bank, and it is very wet in that location. He questioned if he could request some relief from this requirement. Mr. Seeds questioned if this was all approved as part of the plan. Mr. Leo answered yes. Mr. Seeds noted that he would have to discuss this with staff and ask HRG to take a look at it.

Mr. Hornung questioned what the improvements for Lyters Lane are. Mr. Williams answered that it is a varying widening of six to eight feet. Mr. Leo noted that the issue is the length of the widening. Mr. Wolfe explained that this plan is approved and the road improvements are part of the approved plan. He noted that Mr. Leo is asking if the Board would be willing to amend the approved plan and do something different.

Mr. Seeds noted that normally, you would widen the road four feet. Mr. Williams suggested that the lanes are substandard so he needs to pick up a little bit of the cartway plus

shoulder. He noted that one side of the road was previously widened. Mr. Hornung questioned how wide the road is now. Mr. Williams suggested that the lanes are ten to ten and a half feet wide. He noted that the plan view varies as to what the limits of the widening are. He noted that there is a steep bank at the Szeles property that needs to be widened, which includes clearing, and slope stabilization, and then you move into a area that needs filled, with manholes to adjust, pipe extensions, and near the reverse curve, guide rail will need to be built out that come down a relatively steep area. He noted that you have new guide rail and a utility pole that will be buried, and will have to be relocated. He noted for the little bit of widening, the work snowballs. He noted that there is a lot of slope stabilization work since it is an environmentally sensitive area.

Mr. Crissman questioned if staff supports the request for change. He noted that Mr. Leo started the discussion stating that there were no changes to the plan, but then at the end he threw one in. He questioned if this was discussed with staff, and what they have said. Mr. Leo noted that staff discussed it briefly. Mr. Wolfe explained that given it was an informal discussion; staff stated that Mr. Leo would have to discuss this with the Board. He noted that it could run the gamut of complete waiver of the improvement, to reengineering the improvement, to re-phasing the improvement. He noted without having more specific information, he does not have a recommendation at this time.

Mr. Hornung noted that he would need to know what the projection for development along Lyters Lane is including what the projected buildout would be. He noted that would determine his decision as to whether he would want the road to be widened.

Mr. Leo noted that he understands what Mr. Crissman is saying. He noted that he slipped it in at the end. He noted that Mr. Williams told him that it would cost over \$5,000 per lot to make improvements to a road that only has half of the residents may travel on. He noted that he wanted to ask at the very least if this could be delayed until the second phase or something. Mr. Le questioned if the Board wanted him to come up with some traffic counts. Mr. Hornung noted that it is fairly simple, to project the build-out for the area. Mr. Seeds noted that he would like to see Mr. Leo go back to staff and HRG to see if he can work with them. Mr. Williams noted that the widening is not over-designed; it is just a matter of... Mr. Seeds noted that he would like to hear staff's opinion.

Discussion regarding the Friendship Operating Board
recommendation to lease certain cardio equipment

Mr. Wolfe explained that Lower Paxton Township has been a pay-by-cash-community for a long time when it comes to paying for equipment. He noted that the Friendship Center (FC) has been operated in that fashion for its first ten years. He noted when everything is brand new from day one it works; however, as items age, replacement at the same time is not the best way to replace certain pieces of capital equipment. He noted of the 28 pieces of equipment to include: cardio equipment, treadmills, elliptical machines, arc trainers, and bikes, 25 of those pieces of equipment are now over five years of age. He noted that typically five years is the time you would want to have a piece of equipment in service and the majority of our equipment is now beyond the five-year window. He noted that the FC is down two treadmills at this time, noting that a treadmill was removed from each end of the row. He noted that the two pieces of equipment could no longer be pieced together. He noted that two additional treadmills are used for walking only since they cannot hold up when members run on them. He noted at any one time for the treadmills and elliptical equipment, two to four are temporarily out of service. He explained that the age of the equipment is catching up.

Mr. Wolfe explained the FC budgeted for 2011, \$25,000 for the replacement of equipment, and typically, in the past, new equipment was purchased every few years. He noted that \$25,000 will only allow for the purchase of three to four pieces of equipment, however, if the FC could lease nine to ten pieces of equipment for the same price. He explained that staff has researched and found that a three-year lease could be had for a interest rate of 3.5% or less with a dollar buy out. He noted that this is a standard municipal lease for equipment that would be leased through the Commonwealth's Costars contract. He noted that the equipment would be paid off over a three-year period and would be used for another two years after.

Mr. Wolfe explained that the FC Operating Board has reviewed Mr. Luetchford's memorandum and Ms. Bauknight's more detailed analysis for the 28 pieces of equipment and her recommendation in regards to leasing versus purchasing. He noted that the FC Operating Board recommended the approval of this type of a purchase subject to final consideration by the Board of Supervisors.

Mr. Wolfe requested permission to have staff proceed in the leasing concept and to bring back to the Board a lease agreement for nine or ten pieces of cardiovascular equipment for a three-year municipal lease purchased through a State contract.

Mr. Hawk noted that you would get almost two and a half times the amount of equipment that you would have paid for otherwise. Mr. Seeds questioned if the FC would own the equipment after the three-year time period. Mr. Wolfe answered that is correct, but the FC would have to commit that amount for three years. Mr. Hawk noted then the FC would purchase the equipment for a dollar at the end of the three-year lease. Mr. Wolfe noted that the total purchase price for a lease arrangement would be roughly \$20,000, allowing \$5,000 to remain in the budget for unforeseen circumstances. He noted for roughly \$20,000 per year the FC can lease nine to ten items for a three-year lease at 3.5% rate of interest per year, operate the equipment for five years, with a \$1 buyer at the end of the lease.

Mr. Hawk noted that it would provide for more units for less money.

Mr. Seeds noted that the paramount was replaced several years ago. Mr. Wolfe suggested that it was less than two years. Mr. Seeds questioned if this would be for the treadmills and elliptical machines. Mr. Crissman answered yes. Mr. Seeds noted that the FC has replaced some of those machines. Mr. Wolfe agreed, but 25 of the 28 units are over five years of age. Mr. Seeds noted that the padding on many machines is coming apart. Mr. Wolfe noted that those are replaced on an annual basis by an upholsterer during the August close-down week.

Mr. Blain noted that anytime you have equipment that is under that type of use, it is much better to lease it than to buy it. Mr. Crissman noted that is true for copier machines as well. Mr. Blain suggested that it is a good idea. He noted that you will be constantly turning over equipment.

Mr. Seeds questioned if the lease company will provide maintenance. Mr. Crissman answered that they will; noting when the current equipment fails now, staff must wait for parts to repair it. Mr. Wolfe noted that the equipment will come with a three-year warranty. Mr. Crissman noted that it was a unanimous decision by the FC Operating Board to make this recommendation to the Board members.

Review of the 1st quarter 2011 Key Indicator Report

Mr. Wolfe explained that he will provide a brief review of the 1st quarter report as the 4th quarter report was discussed during the most recent workshop session. He noted page two states the annual budgets for all the funds. He noted that the historical trends have not changed over the past several years showing that revenues have increased faster than expenditures by 1.5%, however, at the end of 2008, the nation entered into a severe recession that has adversely affected the usual findings to the point where annual revenues and expenditures in 2010 were less than in 2009. He noted for 2011, they are projected to be less than 2010 amounts. He noted that it is very difficult to predict the future financial condition.

Mr. Wolfe noted that the General Fund (GF) balance, found on page three, has shrunk substantially due to planned capital projects and the economic recession of 2009 and 2010. He noted that it was used to carry the Township through those fiscal years.

Mr. Wolfe noted that page five shows the GF balance, at the end of the 2011 first quarter to be \$1.5 million to the negative which is standard for the first quarter of the fiscal year. He explained that the real estate tax revenues are not received until the 2nd quarter. He noted that real estate taxes and Earned Income Tax (EIT) were both behind the 2010 figures. He noted that the real estate tax is surprising since there was a tax increase and you would surmise that the numbers would be a little higher than 2010's numbers. He noted that the real estate tax collector has not been able to provide any reason for why this has occurred, but there is no indication that the tax won't be whole by the end of the year. Mr. Hornung questioned if people are paying their taxes later. Mr. Wolfe answered that could be the case or the tax collector could be processing the bills slower. Mr. Hornung questioned if penalties are attached to a late payment. Mr. Wolfe answered yes, to include the interest as well. Mr. Hornung questioned if the Township receives the penalties. Mr. Wolfe answered yes. He noted that the EIT collections are slightly less than last year which was slightly less than the year before. He noted that the Audit Committee is meeting with representatives from H. A. Berkheimer, Swatara Township, and the Central Dauphin School District to discuss EIT collections and why the collections are behind in payments.

Mr. Wolfe noted on page six, the figure that is most important to him is that the overall GF revenues are 1% lower in the first quarter of 2011 as compared to the first quarter of 2010. He noted for expenditures, the overall expenditures are 1% lower in the first quarter of 2011 as compared to 2010. He noted that staff is doing its best to live within its financial means, and have adjusted accordingly. He noted that the Township is not purchasing anything unless it is absolutely necessary.

Mr. Wolfe noted that the Township received a very large real estate transfer tax payment for the transfer of the Colonial Commons, amounting to almost a quarter million dollars. He noted that the recycling revenue sharing program with Penn Waste seems to be picking up. He noted that expenditures for plowing and salting were over budget due to the winter conditions.

Mr. Wolfe noted that it is too early to say much about the other funds, noting that as of the end of 2010, the GF balance was \$3,644,662. He noted that amount is below the 25% threshold amount required to be maintained in that fund.

Mr. Crissman questioned how much was budgeted for the real estate transfer tax. Mr. Wolfe answered, for 2011 it was \$725,000 and year to date is almost half of that amount. Mr. Crissman noted that is good. Mr. Wolfe noted that the construction industry has yet to show any rebounding at all. He noted that we are on pace with both 2009 and 2010 to be low this year for new single-family homes. Mr. Seeds noted that more developers are coming to talk with the Board members. Mr. Wolfe noted that a few plans have come to before the Board. Mr. Hornung questioned what is projected for the end of the year. Mr. Wolfe answered that it is too early to tell. Mr. Hornung noted that the real estate taxes are a timing issue, but EIT is not. He questioned Mr. Wolfe, if you remove the large real estate transfer tax for the Colonial Commons, what is his best guess for the end of the year, and if further cuts will be needed. Mr. Wolfe answered, at this point we need to monitor the budget noting that it is too early to tell. He noted that the Colonial Commons tax is a one-time occurrence, but usually the Township always experiences a one-time large income from something. He noted that it is too early to tell where the budget will be at the end of the year. He noted that the Audit Committee's discussions with H. A. Berkheimer next week will be very important. Mr. Hornung noted that the \$800,000 deficit from EIT is not all of a sudden showing up. Mr. Seeds noted that it could be partly due to all the vacancies at the Gateway complex. Mr. Blain explained, that it is a sample of what he thinks is occurring, noting

that there is a lot of open office space that is not being used and there are numerous office complexes in the Township that have unoccupied space.

Mr. Wolfe noted that last year the LST revenues were up, which is a tax based upon the number of people working in the Township, and this year it is slightly ahead of last year. He noted that he has no explanation for this since the EIT collections are down. He questioned if the Gateway's of the world have fewer people working, then we should be receiving less LST. Mr. Blain noted that EIT is based upon the compensation that a person makes. He noted that compensation is down, people are taking pay cuts or have taken jobs at lower amounts than what they earned in the past, and this could be the reason why the EIT is down, but the LST is not since it is a flat fee of \$52. He noted that while more people might be working, it does not mean that the amount of cash is higher or greater since some people may have been laid off and have taken jobs at lower pay rates. Mr. Wolfe noted that the EIT system is messed up but it may not be the fault of any one collector, it may be the economy. Mr. Hornung questioned if other municipalities are experiencing the same decline. Mr. Wolfe answered that when he asked locally, he was not able to get a clear answer since everyone booked 2010 on an estimate to close out their books. He noted that the EIT is not fully reconciled until the middle of the year. He noted that Swatara Township told him that they thought their EIT was fine initially since they booked on an estimate, but now they are not so sure. Mr. Hornung questioned if Mr. Wolfe had received an update from the Central Dauphin School District. Mr. Wolfe answered that he would get that on Monday night during the Audit Committee meeting. Mr. Blain noted that Ms. McConnell told him that their EIT was behind, but she did not say by how much. Mr. Hornung noted that he thinks it is as a result of a screwed up system. Mr. Wolfe noted that he received an updated report from H. A. Berkheimer and they listed what funds they were waiting for from the other tax collectors. He noted that the system is so dependant on what happens at so many tax collectors. He encouraged the Board members to attend the Audit Committee meeting.

Mr. Wolfe noted the State Aid Fund will not be received until the second quarter and it should be about one million dollars. He noted that the Fire Equipment Capital Fund's current balance is \$570,000. He noted that the Township will make an annual contribution of \$200,000 that will increase that total to \$770,000. He noted that the firemen want to meet to discuss the next phase of purchases.

Mr. Wolfe noted that General Improvement Fund's (GIF) major project is the Village of Linglestown reconstruction and it should be done soon. He noted that the rest of the projects are on hold at this time, due to the weather.

Mr. Wolfe explained that the Friendship Center's (FC) finances looks a little better than last year at this time, but they are still upside down. He noted that the revenues are less than last year's and continue to lag behind what we would like to see, but program revenues are ahead of last year's which was ahead of the year before. He noted that the Friendship Center Operating Board (FCOB) suggested that they should contact Ken Ballard to seek his operational advice and expertise. He noted that Mr. Ballard previously did a five-year review for operations and made recommendations. He noted that the FC has been struggling with memberships for a couple of years, questioning if the membership fees are priced too high or too low. He noted that that the FCOB would like Mr. Ballard to provide a proposal to review the operations and make recommendations. He noted that it may be found that the FC is pricing itself way too low resulting in low revenues for memberships. He noted that the FC subsidizes the operations for the FC Senior Center, noting that those numbers have not been updated for some time. He noted that the FC Capital Fund has a balance of \$320,000 and FC Operating Fund's balance is \$300,000.

Mr. Hornung questioned Mr. Crissman what members are saying as part of their exit interview. He questioned if people are complaining about the equipment. Mr. Wolfe noted that current members are complaining about the equipment. Mr. Crissman noted that the current members are complaining, but other complaints are that the competition has brand new equipment and the FC's equipment is old. Mr. Wolfe noted that the equipment gets used very hard. Mr. Crissman noted that staff uses parts from old equipment to repair the current equipment, noting that people can't use equipment that is not working. Mr. Seeds suggested that the new equipment will not hold up as well as the old equipment. Mr. Crissman explained, by leasing equipment, the supplier will be responsible to make the necessary repairs. Mr. Seeds suggested that we should be getting more than five years out of the treadmills. Mr. Wolfe noted that the current equipment is not that good. He noted that ten treadmills are operational, eight can be used by runners and two can only be used by walkers. He noted that it is not uncommon

to find that all the machines are being used. Mr. Seeds noted that he likes to use the ones that have fans, and hopes the new machines will have fans.

Mr. Hornung questioned if all the equipment would be replaced. Mr. Wolfe answered that less than a third of the equipment will be replaced since that is all that was budgeted for the year. He noted that only \$25,000 was budgeted for this line item. Mr. Hornung questioned if all the equipment would be rented in the future. Mr. Wolfe noted that eventually all the equipment would be leased, dependent on the 2012 budget. Mr. Crissman noted that there are not enough funds to lease all the equipment at this time. Mr. Hornung noted that it has been his experience that it is not a good route to take. He noted if you have a problem with this economy, and if you need to borrow the money to fix it, then you should fix it fast. He noted if you are getting complaints concerning the equipment and need to revitalize the area, then it might be good to do so and capitalize it into a loan. Mr. Wolfe explained that the FCOB may be coming back to the Board with that recommendation after it receives the first wave of equipment. Mr. Crissman noted that is one reason why the FCOB wants Mr. Ballard to look over the facility, since he deals with public and private sector organizations. He noted that Mr. Ballard may very well make that recommendation. Mr. Hornung noted if you run out of capital and don't make the necessary improvements, the person who comes after you comes in with deep pockets and will revamp the place and it will become an instant success. He noted that when you run out of capital you start doing things you shouldn't do, and then your customers drop off and it is a spiral effect that leads downward resulting in shutting down the operations. He noted that the next guy coming in does what the first person should have done and the customers come back. He suggested that the FC needs to be careful in that area. Mr. Blain noted that you must always reinvest in the business. Mr. Hornung noted that for every complaint that you hear, statistically there are many that you don't hear. He noted that the goal should be zero complaints. Mr. Crissman noted that he does not disagree with Mr. Hornung especially about replacing the equipment, but the FCOB is waiting to hear what the expert has to say. He noted that Mr. Wolfe pointed out that the big question is, are we under-pricing our memberships. He noted that Mr. Ballard will know that. Mr. Hornung stated that he can't provide that information since it takes market studies to complete. He noted that the FC is always running promotions, noting that it would take someone like Mr. Ballard to separate it out and to make a determination that the memberships are too low

or too high. He noted if the FCOB doesn't do something fast, it will reach the point of no return. He note when you hit that point, you might as well sell the facility.

Mr. Seeds noted that the membership numbers are up. Mr. Crissman suggested that they are holding at this time. Mr. Hornung questioned if the renewal dates come up at the end of the year. Mr. Crissman answered that it would be one year from when the member joined. He noted that initially they were all in January when the FC first opened. Mr. Hornung noted that he would be really careful, and urge the FC to revitalize all the equipment, noting that he would vote for it. He questioned how long the facility has been in operation. Mr. Crissman answered that it is 11 years. Mr. Hornung noted if you take a look at Kmart that has been in business for over 20 years, they have lost their newness. He explained that a Target comes in with a brand new store and guess who gets all the business. He noted that it is not about price, it's about the new bright shiny look. He noted that if Kmart tore down the stores and put up new ones, the customers would come back. He noted that it has to look new. He noted that Wal-Mart sales are going down because they are old. Mr. Crissman noted that it has a lot to do with curb appeal. Mr. Hornung noted if the Township does not do something to maintain the curb appeal for the FC, we will be in the same situation as Kmart. Mr. Wolfe noted that the FCOB is having these very same discussions. Mr. Crissman noted that Mr. Hornung is correct. Mr. Hornung questioned if the FCOB would need Mr. Ballard for this part of the problem but he definitely would be needed for the membership pricing issues. Mr. Crissman noted that it is more than that as the FCOB wants Mr. Ballard to review the operations since he has national recognition and he can look to see if the Township is using the facility to the best of its ability, offering the right kind of programs, and to review the entire operations. He noted that Mr. Ballard may very well agree with what Mr. Hornung is saying, and if he does, then those recommendations will be brought back to the Supervisors. Mr. Hornung noted that the Township must either reinvest in the FC or sell it. He noted that doing nothing would help to make the decision to sell it.

Mr. Crissman noted as the facility ages, there will be more major expenditures in replacing the roof or the HVAC. He questioned where that money is going to come from. Mr. Hornung noted that is why it is important to invest now to make a comeback. He noted that pricing is always important, and he explained that if someone complains about the pricing they

are really complaining about customer service at the facility. He noted that it concerns the availability off the equipment, the appeal, and everything.

Mr. Crissman noted that the FC does not receive complaints about pricing; for example, the swim program has a waiting list using tiered memberships. Mr. Hornung suggested that Mr. Ballard might state that the pricing is too low, especially since there is a waiting list. Mr. Wolfe noted that it is the law of supply and demand. Mr. Hornung noted that you do not need Mr. Ballard to do that. He noted when your waiting list is too high, you keep it within reason by raising your prices. He noted that he has watch too many businesses go out of business because they tried to expand to bring the price down, noting that the answer is to always to raise the price. Mr. Crissman noted that these are the same comments made during the meeting of the FCOB last night.

Mr. Wolfe noted that the Authority lists all the active construction projects. He noted that the Beaver Creek decision is now null and void and a new Beaver Creek decision will be made very shortly. Mr. Hornung noted that the Department of Environmental Protection (DEP) letter did not quite state that the Township was off the hook, but they stated they would use discretion. Mr. Blain noted that was in regards to the rain event. Mr. Crissman noted that it is bureaucratic governmental jargon. Mr. Wolfe noted that it is DEP's way of saying that we are off the hook for now.

Mr. Wolfe noted that pension plans year-to-date have done well. earning a rate of 14% on an annualized basis for both plans, however there is still much to make up for the overall loses that occurred in the past year or so.

“Otta Know” Presentation: Pennsylvania Act 44 of 2009 and its
Procurement and conflict of interest requirements

Mr. Wolfe noted in 2009, the Commonwealth adopted Act 44 which did many things. He noted that the big function of Act 44 was to provide the relief to municipal pensions plans to smooth losses that were recognized in 2008 and 2009 over a 30-year period. He noted that Act 44 also did other things as well. He noted that annual disclosure forms must be completed by all the consultants working within the pension plans. He noted that they must disclose any relationships that they may have with municipal officials and they must be posted on the

Township website. He noted that we are doing that now. He explained that the Township must have a policy related to conflict of interests, and he has prepared one and will present it to the Audit Committee for their review. He noted that there is a need for a policy on procuring professional services, and this has been included in the Board's packet. He explained that the Audit Committee will review this policy as well. He noted that the Board will have to adopt a resolution for both policies and if it would fail to do so, it would result in a findings in the Auditor General's Audit report for the next pension audit.

Mr. Wolfe noted that Act 44 requires certain types of advertisements as well as disclosure applications that must be given to all consultants on an annual basis for them to complete to disclose any relationships with any municipal officials. He noted that there is a lot of required paperwork for Act 44. He explained that he would bring the proposed policies to the Board in a workshop session, prior to placing them on an agenda for adoption.

Mr. Hawk noted that Pennsylvania State Association of Township Supervisors adopted a conflict of interest policy and as a result, he had to step down as chairman of the Audit Committee because he is also assist secretary/treasurer. He questioned if this would be impacted by those policies. Mr. Wolfe explained that this is a conflict of interest policy only in relation to the pension plans and their operations. He noted that the Board members are governed by the Pennsylvania Ethic Act when it concerns conflicts of interest. He noted that this is specific to the pension plans and it provides for annual disclosures and advertisements of conflict of interest information. He noted that anyone who makes campaign contributions to pension plans must disclose that if they are providing pension services. He noted that anyone who was employed at the municipal level and leaves can only work for a pension plan consultant after one or two years of leaving the job. He noted that there are specific provisions in Act 44 that are far more stringent than the Pennsylvania Ethics Act.

Mr. Seeds questioned if a candidate can receive a contribution from anyone who is representing the pension funds. Mr. Wolfe answered no. He explained that you must be very careful when dealing with banks. He noted, for instance, that Board members may not be aware that Mr. Houck secured a CD from Metro Bank. He noted if you have a friend who works for Metro Bank and they made a contribution as a Metro Bank official that could be an issue. He noted that Mr. Stine will review everything that has been prepared.

Mr. Seeds questioned if there is a way that the Township could provide an annual list of who the vendors are. Mr. Wolfe noted that all the vendors for the pension plan will be required to fill out an annual disclosure and we will provide them a list of all elected officials and all public officials. He noted that he would do the same for the elected and public officials. He explained that the State has gone to the highest degree in disclosures and conflict of interests in regards to the pension plans.

Mr. Wolfe explained that this Board allows the two Pension Committees to basically administer the pension plans with only significant changes being brought back to the Board. He noted that he cannot remember the last time the Board talked to investment advisors and fund managers. He noted that he is sure the Board recognizes the names when they see the reports but he would not expect that the Board members would readily know who they are. Mr. Seeds questioned if the members of the Pension Committees have to complete an annual ethics form. Mr. Wolfe answered that only the administrative employees who are members of the Pension Committee must do this. He noted that Tim Houck, Alycia Knoll and he complete those forms, however, the rank and file will be covered by this policy which is more restrictive than the Pennsylvania Ethics Act.

Mr. Wolfe noted that there are no areas in the Township with issues in regards to the new restriction. He noted that staff must complete all the paper work and reports, and post the information on the Township website on an annual basis.

Mr. Seeds noted that he needs to know who those people are as well, especially since he is running for election. He noted if he would receive a contribution from someone on that list, he could not accept it.

Mr. Wolfe noted that the fund managers are not listed in the Key Indicator Report. He explained that currently they are Wells Fargo, Principal, Rochdale, and PLGIT.

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 7:58 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary