

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held November 1, 2011

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:55 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 Steven Stine, Township Solicitor; and Watson Fisher, SWAN.

Pledge of Allegiance

Mr. Hawk suspended the recitation of the Pledge of Allegiance as it was recited during the Sewer Authority Meeting.

Approval of Minutes

Mr. Crissman made a motion to approve the October 4, 2011 business meeting, October 4, 2011 budget meeting, and the October 11, 2011 workshop meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

No public comment was provided.

Chairman & Board Members' Comments

No comments were provided.

Manager's Report

Mr. Wolfe noted that next week's Board workshop meeting will be held on Monday instead of Tuesday due to the November 8th General Election Day in the Commonwealth of

Pennsylvania. He noted that the meeting will begin at 6 p.m. and it will not be a televised meeting.

Mr. Wolfe noted that the first nationwide test of the Emergency Alert System (EAS) will be conducted on Wednesday, November 9, 2011 at 2:00 p.m. eastern standard time. He explained that the purpose of the test is to assess the reliability and effectiveness of the system in alerting the public of an emergency condition. He noted that the EAS is a media communications-based system and its participants include: broadcast alerts and warnings regarding weather threats, child abductions, and other types of emergencies. He noted that EAS alerts are transmitted over television and radio broadcasts, satellite television and radio, cable televisions and wireline video services.

OLD BUSINESS

Ordinance 11-09; vacating a portion of Spring Creek Road east of Page Road

Mr. Hawk noted that Bishop McDevitt High School is building a new school on Spring Creek Road at Page Road. He noted as part of that, one of the considerations was to vacate a portion of Spring Creek Road, west of Page Road.

Mr. Wolfe explained that during the land development process, the Township and the Harrisburg Catholic Diocese came to an agreement that Spring Creek Road was not suitable to handle the traffic from the high school, and the improvement of Spring Creek Road would not be a cost effective means to address the traffic created by the high school. He noted that it was believed to be more cost effective and a benefit for the community to vacate Spring Creek Road as it services the high school. He explained that a cul-de-sac will be built on Spring Creek Road at western boundary of the Bishop McDevitt High School property, and thus only serve local residential traffic. He noted that the intersection of Spring Creek Road and Page Road will become the driveway to the high school, and a middle section of that roadway will be completely eliminated.

Mr. Wolfe noted that it was a requirement of the land development plan that the developer request this ordinance for the Board's consideration. He noted that staff has advertised the ordinance for action this evening, and at this time it would be appropriate for Mr. Stine to conduct a public hearing.

Mr. Stine noted that this is the time and date set for the public hearing for Ordinance 11-09, vacating a portion of Spring Creek Road at Page Road. He questioned if anyone wished to be heard on Ordinance 11-09. Seeing no response Mr. Stine noted that it would be appropriate to close the public hearing on Ordinance 11-09, and the Board may take action if it so desires.

Mr. Crissman made a motion to approve Ordinance 2011-09, vacating a portion of Spring Creek Road east of Page Road as outlined by Mr. Wolfe. Mr. Blain seconded the motion.

Mr. Crissman questioned Mr. Wolfe if the Township will maintain its right to access the property for emergency equipment. Mr. Wolfe answered, at the western terminus of Spring Creek Road, as part of the land development plan, a gate will be installed that will allow for emergency access and the gate will be activated by the same system that is used to change the traffic lights on Route 22.

Mr. Seeds questioned if those gates would be opened for sporting events. Mr. Wolfe answered that the land development plan did not permit it.

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

NEW BUSINESS

Action on bids to abate all nuisances at 1061 Wooded Pond Drive

Mr. Wolfe explained that the house located at 1061 Wooded Pond Drive was condemned by the Township, noting that the occupant left the house in a significant state of disrepair and contamination. He noted that staff prepared bid specifications for the rehabilitation of the structure to bring it into compliance with the various building codes. He noted that the bids were

advertised, however, no bids were received for the work. He requested the Board to authorize the re-advertisement of the bid specifications. He noted if no one responds to the second advertisement, then the Township has the right to negotiate with a qualified provider.

Mr. Seeds questioned why the Township did not receive any responses. Mr. Wolfe answered that he did not know. Mr. Seeds questioned how many firms were sent the specifications. Mr. Wolfe answered that there is a limited amount of firms that do this work. He surmised that given all the catastrophic events that have occurred in the area over the past few months, the companies are overwhelmed with work. He noted that these types of companies are very busy with work at this time.

Mr. Wolfe explained that any costs to complete the work will become a lien against the property. He noted that although the Township pays for the work upfront it will be reimbursed at the time of the real estate transfer.

Mr. Blain made a motion to authorize Mr. Wolfe to advertise the second time for the abatement for all nuisances at 1061 Wooded Pond Drive. Mr. Crissman 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

IMPROVEMENT GUARANTEES

Mr. Hawk noted that there were four Improvement Guarantees.

Deaven Woods

An extension and 10% increase in a letter of credit with Integrity Bank, in the amount of \$272,690.00, with an expiration date of November 1, 2012.

Hearthside East

An extension and 10% increase in an escrow with Lower Paxton Township, in the amount of \$12,100.00, with an expiration date of November 1, 2012.

Linglestown Life – A United Methodist Church

A release in a letter of credit with Centric Bank, in the amount of \$40,100.00.

Kendale Oaks, Phases II & III

An extension and 10% increase in a bond with Arch Insurance Company, in the amount of \$303,605.66, with an expiration date of November 1, 2012.

Mr. Crissman made a motion to approve the four improvement guarantees. Mr. Blain seconded the motion.

Mr. Hornung noted that he did not want to provide a year extension for Hearthside East. He explained that they have done nothing on this project for two years, and he questioned why this project was not completed. Mr. Wolfe answered that he did not know why it was not finished but given the time of the year that we are entering into, seeding and the other items could not be completed due to the colder weather. Mr. Hornung noted that the guarantee was reduced to \$10,000 in November 2009, and nothing has been done since that time period. He noted that he does not feel confident that anything will change. Mr. Wolfe suggested providing a six-month extension for the work. Mr. Seeds noted that 111 square feet of concrete sidewalk remains to be done and he assumed that possibly one more house needs to be built. Mr. Hornung noted that it might be true but he would like to know what the reason for the delay is. Mr. Crissman questioned if Mr. Hornung wanted to remove it from the agenda until staff can provide an answer to him. Mr. Hornung answered that he wanted to ensure that there was enough money in the escrow to cover the costs to complete the work. Mr. Wolfe noted that the current agreement expiration date is not shown on the documentation. He noted that the Board could provide a 30-day extension and he could provide an answer to Mr. Hornung. Mr. Blain noted that the developer will not be able to complete the work within the next 30 days so it would make sense to approve the extension for six months. He suggested that staff should inform the builder that the Board wants the work to be done since it will not provide any further extensions.

Mr. Crissman mad a motion to amend his motion to include a 6-month extension for Hearthside East Improvement Guarantee, ending May 1, 2012. Mr. Blain seconded the amended motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Mr. Crissman called for action on the main motion. Mr. Hawk called for a voice vote, and a unanimous 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.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting and the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary