

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held April 17, 2012

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:37 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; Dan Wise, K&W Engineers, Todd Gelbaugh, Dan Scully, R. J. Fisher and Associates; and Ted Robertson and Watson Fisher, SWAN.

**Pledge of Allegiance**

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

**Approval of Minutes**

Mr. Crissman made a motion to approve the minutes from the March 20, 2012 and April 3, 2012 business meetings. Mr. Blain seconded the motion, and a unanimous vote followed.

**Public Comment**

Mr. Mike Kafka, President of the Linglestown Fire Company, wanted to express his thanks to the Board of Supervisors for their assistance in securing grant funds in the amount of \$180,000 from the Dauphin County Gaming Commission. He noted that the Linglestown Fire Company received the full allocation of grant funds to pay off the mortgage. He noted that it would pay for all the renovations that were done at 5831 Linglestown Road in the amount of \$329,000. He reported that this puts the volunteers where they need to be, not spending time

fundraising and more time to spend at home with their families. He noted, in the event the Township submits a grant request, the Fire Company will send its support for that.

Mr. Hornung questioned how much time the volunteer fire fighters spend at calls and training time. He questioned how many volunteers are there and how much training is required to be a fire fighter. Mr. Kafka noted that Chief Payne would have these numbers, but he explained that there are 45 fire fighters ready to go with full turnout gear. He noted that they average 20 hours a month in training with the new requirements for Fire Fighter One, the Pennsylvania Fire Fighter Certification Program, requiring another ten hours per month. Mr. Hornung noted that fire fighters average 30 hours a month in training, and some average more than 300 calls per year. He explained that ten fire fighters were recently recognized for their high response to calls. Mr. Kafka stated that there is a story within the old traditions of Linglestown that the original volunteers were challenged to knock down bricks from a chimney with the fire hose and he would pay them \$5 per brick. He noted that they pumped one, two and then a third brick from the chimney and the property owner told them to stop and he paid them \$15.

Mr. Kafka reported that the social membership for Linglestown Fire Company is over 500, noting that last month they took in 51 new members and this month they have 21 new members. He noted that it is consistent and people are becoming more involved with the fire company. He noted that they try to keep their ties with the community. He noted when he is out on a public service call, for fire prevention using an engine or truck, he informs the public that without their support, this piece of fire apparatus would not be possible. He explains that it is the people's tax dollars that pay for the equipment. He questioned, without that support, where would the fire company be.

Mr. Hawk noted that the fire company's enthusiasm it is a credit to the organization. He explained, when he attended the banquet a few weeks ago, he noticed that there were several fire

fighters that were on as many calls as there are days in the year. He stated that the dedication and support the volunteer fire fighter's show for the community is remarkable. Mr. Kafka explained, when we have a spaghetti dinner or open house, the fire fighters, their wives, and children attend. He noted that it is a neat environment to serve the community. Mr. Crissman noted that the Board appreciates your services and he was glad that Mr. Kafka was speaking tonight because the reporter in the audience is well known for writing human interest stories. He suggested that it would be great if she would write a letter on volunteerism for fire fighting. He noted that it is a service that is often taken for granted by the members of our community.

Mr. Seeds noted that the reporter, Mary Klaus, volunteers for medical missions all over the world and is also involved in volunteering at the Chambers Hill Fire Company. He noted that the three Township fire companies are great and historically, have been the hub of our community, especially for Linglestown. Mr. Hawk suggested that Mr. Kafka and Ms. Klaus get together over a cup of coffee. Mr. Kafka noted that Connie Acri is the spokesperson for the Linglestown Fire Company and he would put her in contact with Ms. Klaus.

Mr. Kafka explained that the fireworks will be held this year on July 3<sup>rd</sup> at Koons Park.

### **Chairman & Board Members' Comments**

Mr. Hawk noted that Mary Klaus has been busy on a recent medical tour. Ms. Klaus responded that she returned from Bolivia three days ago.

### **Manager's Report**

Mr. Wolfe reminded the viewing audience that Tuesday, April 24<sup>th</sup> is primary election day in the Commonwealth. He asked that all citizens exercise their right to vote.

### **OLD BUSINESS**

Action on appointments to the Arts Council and Greenway Committee

Mr. Hawk noted that he would like to appoint Ms. Patricia Crawford to the Arts Council and Angela Sedun to the Greenway Committee as recommended by the Parks and Recommendation Board. Mr. Crissman made a motion to appoint Ms. Patricia Crawford to the Arts Council and Angela Sedun to the Greenway Committee. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous voted followed.

Ordinance 12-02; amending Article V, Section 180.522, of the Subdivision  
and Land Development Ordinance as it relates to recreation  
land dedication or payment of a fee-in-lieu thereof

Mr. Hawk noted that one of the responsibilities under the Subdivision and Land Development Ordinance (SALDO) is to set aside recreation space or to pay a fee in lieu. He noted under the new proposal there will be certain requirements and a reconfiguration of the formula used for the payment of fee-in-lieu.

Mr. Wolfe noted that the Board adopted, several weeks ago, a Recreation and Park Plan for the Township that recommended amendments to the SALDO. He noted that it took so long to do this because the Ordinance was amended in accordance with the Municipalities Planning Code (MPC), and the process is much longer than merely adopting a plan by resolution.

Mr. Wolfe noted that the Board adopted the new Recreation and Park Plan by resolution and now it will be amending the SALDO, and this must occur within the timeframe set forth by the MPC.

Mr. Wolfe noted the Recreation and Park Plan recommended amendments to the SALDO using a formula that will implement the Park Plan for residential developers to dedicate in a development an amount of land equal to .0235 acres per dwelling unit or pay a fee-in-lieu thereof. He noted, previously it was at the developer's choice whether he paid a fee or dedicated land, but under the current SALDO, it is the Board's decision if they want to accept land or

charge the fee. He noted if a fee is paid by the formula in the ordinance, the .0235 acres will be multiplied by the average price of a one-acre lot in the Township to develop a cost per dwelling unit. He noted that the cost per dwelling unit for a fee-in-lieu under the proposed ordinance is \$2,320.37, whereas under the current price for the fee-in-lieu is \$2,300.00. He noted that it results in a slight increase of \$20.37 based upon the new formula. He explained that it is a fair representation of the plan, whereas the old formula did not represent the Recreation and Park plan previously adopted by the Board.

Mr. Wolfe noted that it is staff's recommendation, as well as the Park and Recreation Board and the Lower Paxton Township Planning Commission to make this amendment to the SALDO. He noted that Mr. Stine would have to conduct a public hearing prior to the Board taking a vote.

Mr. Stine noted that this is the time and date set for the public hearing on Ordinance 12-02 that would amend Ordinance Article V, Section 180.522, of the Subdivision and Land Development Ordinance as it relates to recreation land dedication or payment of a fee-in-lieu thereof. He questioned if anyone in the audience wished to be heard. Mr. Stine stated, since no comment was presented it would be appropriate to close the public hearing on Ordinance 12-02, and the Board may take action on Ordinance 12-02 at this time if it so desires.

Mr. Crissman made a motion to approve Ordinance 12-02 that would amend Article V, Section 180.522, of the Subdivision and Land Development Ordinance as it relates to recreation land dedication or payment of a fee-in-lieu thereof. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Ordinance 12-03; deleting Article V,  
Floodplain District, from the Zoning Ordinance

Mr. Hawk noted the Federal Emergency Management Agency (FEMA) has determined that the Federal Insurance Study and the Flood Insurance Rating Map will become effective August 2, 2012. He noted that it is a mandate in order to continue to stay in the National Flood Insurance Program.

Mr. Wolfe noted that the Board adopted new floodplain management regulations in accordance with a model ordinance provided by the Pennsylvania Emergency Management Agency (PEMA). He noted that the process is required by FEMA and the new regulations take effect on August 2, 2012. He noted that ordinance was previously adopted by the Board of Supervisors. He explained that the previous floodplain management regulations were contained in the Township Zoning regulations and they will remain in effect until August 1, 2012; however, the Board must remove them from implementation at that time. He explained, since they are a Zoning Ordinance regulated by the PMC, it was not possible to adopt this ordinance at the same time the new regulations were adopted as it had to comply with the PMC requirements, therefore he is introducing an ordinance for the Board to take action on this evening to delete the flood plain district from the Township Zoning Ordinance effective August 2, 2012 at the same time the newly adopted regulations will take effect.

Mr. Wolfe noted that it would be appropriate for Mr. Stine to conduct a public hearing on this ordinance before the Board takes any action.

Mr. Stine noted that this is the time and date set for the public hearing on Ordinance 12-03; deleting Article V, Floodplain District, from the Zoning Ordinance. He questioned if anyone in the audience wished to be heard. Mr. Stine stated, since no comments were presented it would be appropriate to close the public hearing on Ordinance 12-03, and the Board may take action on Ordinance 12-03 at this time if it so desires.

Mr. Crissman made a motion to approve Ordinance 12-03; deleting Article V, Floodplain District, from the Zoning Ordinance. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Resolution 12-16; implementing the Pennsylvania Intrastate Mutual Aid Act of 2008

Mr. Hawk noted that this resolution will allow for mutual aid services by fire and Emergency Medical Services (EMS) throughout the Commonwealth.

Mr. Wolfe explained in order for Lower Paxton Township to participation in the Pennsylvania Intrastate Mutual Aid System and in undertaking any situation, all fire or EMS personnel that are called to a Pennsylvania emergency or training outside of Dauphin County must first obtain permission from the Township's Public Safety Director. He noted that the provisions of the Act govern the actions that the Township chooses to participate in to help our fellow Pennsylvania municipalities in need based upon natural or manmade emergencies.

Mr. Crissman made a motion to approve Resolution 12-16 implementing the Pennsylvania Intrastate Mutual Aid Act of 2008. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

**NEW BUSINESS**

Resolution 12-14; Accepting the proposal of AUS Consultants to Conduct a review of sanitary sewer rates charged by the City of Harrisburg

Mr. Stine explained that the suburban municipalities that send their waste water to the City of Harrisburg's treatment plant desire to conduct a review of the sanitary sewer rates charged by the City of Harrisburg. He noted that there is a consultant that is able to do that study to determine if the sewer rates currently charged are appropriate and if they are not, what the appropriate rate would be. He noted that this resolution is ready for adoption by the Board if it so desires.

Mr. Blain made a motion to approve Resolution 12-14, accepting the proposal of AUS Consultants to conduct a review of sanitary sewer rates charged by the City of Harrisburg. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 12-15; Authorizing a reduction in the rates paid for  
sanitary sewer services to the City of Harrisburg

Mr. Hawk noted that this resolution relates to the previous resolution that was just adopted. He explained that it authorizes a reduction in the sewer rates paid for sanitary sewer services to the City of Harrisburg. He noted that it is based upon recommendations from Attorney Saltzman with the Hughes Law Firm.

Mr. Stine noted that Attorney Scott Wyland represents the suburban municipalities in regard to the City of Harrisburg sewer rate matter and he recommends that the municipalities temporarily reduce the rates they are paying to the City of Harrisburg, back to the 2006 rates, since there is now a surplus in the sewer fund in the City of Harrisburg. He noted that the resolution would adopt the rate reduction.

Mr. Blain questioned if the City of Harrisburg's Sewer Authority currently has excess funds or is it a situation where they will eventually have excess funds. Mr. Stine answered that the Sewer Authority will have excess funds because the sewer funds from this time forth will only be used for sewer purposes and nothing else. He noted that the temporary rate decrease will only last until the outcome of the rate study. He explained that further discussions will be held with the suburban municipalities after the study determines what the rate for the Harrisburg Sewer Authority should be.

Mr. Blain made a motion to approve Resolution 12-15; authorizing a reduction in the rates paid for sanitary sewer services to the City of Harrisburg to the 2006 year rates. Mr.

Crissman seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on a Stipulation and Joint Motion for Agreed Upon Order regarding the real estate tax assessment appeal for Weis Market, Inc.

Mr. Hawk noted that action is need on a stipulation and joint motion for agreed upon order regarding the real estate tax assessment appeal for the Weis Market, Inc. Mr. Stine explained that Weis Markets, Inc. filled a real estate tax assessment appeal some time ago that was heard by the Dauphin County Board of Assessment Appeals that was denied. He noted that Weis Markets, Inc appealed it to the Court of Common Pleas, and since that time the counsels for Dauphin County Board of Assessment Appeals as the Weis Markets, Inc. resolve the tax assessment appeal based upon appraisals that were done. He noted that this stipulation is ready for action this evening.

Mr. Crissman made a motion to approve action on the stipulation and joint motion for the agreed upon order regarding the real estate assessment appeal for Weis Market, Inc. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on a Stipulation and Joint Motion for Agreed Upon Order regarding the real estate tax assessment appeal for Pep Boys, Inc

Mr. Hawk noted that action is need on a stipulation and joint motion for agreed upon order regarding the real estate tax assessment appeal for Pep Boys, Inc. Mr. Stine explained that it has been recommended by counsel for Dauphin County Board of Assessment Appeals to resolve this tax assessment appeal after appraisals were presented by Pep Boys, Inc. He noted that this is similar to what the Board previously approved.

Mr. Crissman made a motion to approve action on the stipulation and joint motion for agreed upon order regarding the real estate assessment appeal for Pep Boys, Inc. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on an agreement with PEMA under the Hazard Mitigation Grant Program

Mr. Wolfe noted that this item was missing from the electronic agenda but was advertised for this meeting. He noted that action by the Board is needed for an agreement with the Pennsylvania Emergency Management Agency (PEMA) under the Hazard Mitigation Grant Program. He noted that several months ago, the Township submitted a grant application to PEMA to acquire a property in a floodplain. He noted that the grant application was approved and the documents have been transmitted to the Township. He explained that the Board must formally accept the grant, and he requested that the Board take action to accept the PEMA Hazard Mitigation Grant that was awarded per the application for the property located at 5805 Linglestown Road.

Mr. Crissman made a motion to approve the agreement with PEMA under the Hazard Mitigation Grant Program. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Preliminary/final subdivision and land development plan for  
Meadows Mini-Golf Course and Batting Cages

Mr. Wolfe explained that the Township has received a plan for the construction of a mini-golf course, batting cages, clubhouse, and site improvements. He noted that the purpose of this plan is to combine parcel #35-042-035 and #35-042-043 and consolidate them into Lot No. 1 containing 2.05 acres. He noted that the property is currently developed with Meadows Frozen Custard, and is zoned CG, Commercial General Zoning District. He noted that it is located north of Jonestown Road and west of Houcks Road and is served by public sewer and public water.

Mr. Wolfe noted that the applicant was granted a variance from the Zoning Hearing Board to allow batting cages and a mini-golf, (outdoor recreation activities) to be placed within one hundred fifty feet of an existing dwelling and to allow parking within seventy-five feet of an existing residential lot line during its February 23, 2012 meeting. He explained that the Zoning

Hearing Board granted the variance with the following conditions: 1) The installation of privacy fencing as set forth by the Zoning Hearing Board. 2) The installation of opaque screening material in the batting cages to assist in shielding the light from the residential properties, and 3) Reduced hours of operation for the batting cages as set forth by the Zoning Hearing Board.

Mr. Wolfe noted that the plan and the three waiver requests were recommended for approval by the Planning Commission at its March 14, 2012 meeting subject to addressing comments and compliance with the conditions set forth by the Zoning Hearing Board. He noted that staff supports the following three waivers: 1) Waiver of the requirement to provide a preliminary plan submission; 2) Waiver of the requirement to provide road widening of Jonestown Road and Care Street and sidewalks along those frontages; and 3) Waiver of the requirement to provide a minimum one foot of freeboard through the spillway.

Mr. Wolfe noted that there are the normal general conditions and staff comments and representing the plan this evening is Dan Wise from K&W Engineers.

Mr. Dan Wise explained that he is representing Todd Gelbaugh and his plan for the Meadows Mini-Golf Course and Batting Cages.

Mr. Crissman questioned Mr. Wise if he had the documents identifying the waivers and general conditions, and staff comments. Mr. Wise answered yes.

Mr. Crissman noted that the Zoning Hearing Board granted the necessary waivers with three conditions, and he questioned Mr. Wise if he was in agreement with the three conditions. Mr. Wise answered, on behalf of Todd Gelbaugh, the applicant, that he is in agreement with the issues.

Mr. Crissman questioned Mr. Wise if he can speak on behalf of the applicant. Mr. Wise answered yes.

Mr. Crissman questioned Mr. Wise if he is in favor of the three waivers that are supported by staff. Mr. Wise answered yes.

Mr. Crissman noted that there are five general conditions including number five listing the comments from HRG, Inc., the Township Engineer, dated April 2, 2012. He questioned Mr. Wise if he is in agreement with the four general conditions as well as the comments from HRG listed in the memo. Mr. Wise answered that he has already addressed the HRG comments, and items one through three for general conditions have been addressed, and comment four, plan approval by the Dauphin County Conservation District has already been obtained and a copy of the approval letter has been forwarded to the Township.

Mr. Crissman questioned if the staff comment has been addressed. Mr. Wise answered yes.

Mr. Wolfe noted that Mr. Hornung had a question regarding the plan. He noted that some of the highlighted areas on the plan represent new facilities but there are two narrow items running through the existing parking facilities; he questioned what they are. Mr. Wise answered those areas are to replace existing landscape islands. He noted that the existing parking lot had to be reconfigured and repainted to make it more of an efficient use of the place while not increasing the impervious area. Mr. Crissman questioned if there is additional impervious coverage. Mr. Wise answered that there is not; he swapped proposed impervious for the existing impervious area.

Mr. Crissman made a motion to approve the preliminary/final subdivision and land development plan for Meadows Mini-Golf Course and Batting Cages with the following Zoning Hearing Board waivers, Township waivers and conditions: 1) The installation of privacy fencing as set forth by the Zoning Hearing Board. 2) The installation of opaque screening material in the batting cages to assist in shielding the light from the residential properties as set forth by the

Zoning Hearing Board, 3) Reduced hours of operation for the batting cages as set forth by the Zoning Hearing Board; 4) Waiver of the requirement to provide a preliminary plan submission; 5) Waiver of the requirement to provide road widening of Jonestown Road and Care Street and sidewalks along those frontages; 6) Waiver of the requirement to provide a minimum one foot of freeboard through the spillway; 7) Plan approval shall be subject to providing original seals and signatures; 8) Plan approval shall be subject to the payment of engineering review fees; 9) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 10) Plan approval shall be subject to the Dauphin County Conservation District's review of the Erosion and Sedimentation Control Plan; 11) Plan approval shall be subject to addressing HRG's four comments in its memo dated April 2, 2012; and 12) A street/storm sewer construction permit is required and is to be obtained prior to earthmoving activities. A pre-construction meeting is to be held prior to starting the project. Contact Matt Miller at 657-5615 to schedule the meeting. This may be held in conjunction with the Conservation District meeting. Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Mr. Hornung questioned when the operations will open. Mr. Gelbaugh explained that he hoped to have the business opened by the 4<sup>th</sup> of July weekend. He noted that the mini-golf company based out of Wildwood, New Jersey stated that they can have it operational within six weeks. Mr. Blain questioned if it included the batting cages as well. Mr. Gelbaugh answered yes. Mr. Hornung questioned if the mini-golf course would have a theme. Mr. Gelbaugh explained that they don't do that anymore as it tends to date the operations. He noted that the new ADA requirements require nine holes to be ADA accessible.

Preliminary/final subdivision plan for 2521 Patton Road/Triple Crown Corp

Mr. Wolfe noted that the plan proposes the subdivision of five single-family detached building lots at 2521 Patton Road. He noted that the property is zoned R-1, Low Density Residential District, consists of 3.56 acres, and all lots will be served by public sewer and public water. He explained that the property is located north of Linglestown Road and Carrollton Drive and east on Patton Road.

Mr. Wolfe noted on March 14, 2012, the Planning Commission recommended approval of the plan and three waiver requests: 1) Waiver of the requirement to provide volume controls. The applicant is requesting that no volume controls be required; 2) Waiver of the requirement that the invert of all stormwater management facilities and underground infiltration/storage facilities be located a minimum of two feet above the seasonal high groundwater table or other soil limiting zone. The applicant is requesting that the stormwater facility be permitted at the limiting zone; and 3) Waiver of the requirement that the invert of stormwater ponds and underground infiltration/storage facilities be located a minimum of three feet above the seasonal high groundwater table. The applicant is requesting that a stormwater facility be permitted at a limiting zone. Mr. Wolfe noted that Mr. Fleming and staff support the three waivers. He noted that it also includes the six standard conditions and one staff comment.

Mr. Wolfe noted that Tom Scully from R. J. Fisher and Associates is present on behalf of the applicant.

Mr. Tom Scully, R. J. Fisher and Associates, explained that he is the authorized representative of Mark DiSanto of the Triple Crown Corporation. He noted that he received the memo from the Township dated April 9, 2012, acknowledging the three waivers for storm water that Mr. Wolfe described. He noted that it includes the six general conditions which the applicant agrees to and one standard staff comment that the applicant agrees to also.

Mr. Crissman noted that he appreciates that he can speak on behalf of the applicant and that he was so well prepared. He noted that he did a very fine job on behalf of his client because general condition number six always addresses the comment made by the Township Engineer, HRG, Inc. and usually there are numerous; however, there is only one review comment which says to him that the engineer did an excellent job in preparing the plan. Mr. Scully thanked Mr. Crissman for his kind comments and noted that the one comment is more for clarification than a technical one.

Mr. Crissman made a motion to approve the preliminary/final subdivision plan for 2521 Patton Road, Triple Crown Corporation, with the following waivers and conditions: 1) Waiver of the requirement to provide volume controls. The applicant is requesting that no volume controls be required; 2) Waiver of the requirement that the invert of all stormwater management facilities and underground infiltration/storage facilities be located a minimum of two feet above the seasonal high groundwater table or other soil limiting zone. The applicant is requesting that the stormwater facility be permitted at the limiting zone; and 3) Waiver of the requirement that the invert of stormwater ponds and underground infiltration/storage facilities be located a minimum of three feet above the seasonal high groundwater table. The applicant is requesting that a stormwater facility be permitted at a limiting zone; 4) Plan approval shall be subject to providing original seals and signatures; 5) Plan approval shall be subject to the payment of engineering review fees; 6) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 7) Plan approval shall be subject to the Dauphin County Conservation District's review of the Erosion and Sedimentation Control Plan; 8) Plan approval shall be subject to the recreational fee-in-lieu payment of \$2300.00 per lot for five lots; 9) Plan approval shall be subject to addressing the one review comment of HRG in its memo dated April 2, 2012; and 10) A street/storm sewer construction permit is required and is

to be obtained prior to earthmoving activities. A pre-construction meeting shall be coordinated with Township staff and the Conservation District prior to the start of work. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

### Improvement Guarantees

Mr. Hawk noted that there were five Improvement Guarantees.

#### Hearthside East

An extension in an escrow with Lower Paxton Township, in the amount of \$12,100.00 with an expiration date of April 17, 2013.

#### Huntleigh, Phase I

An extension and 10% increase in a letter of credit with Fulton Bank, in the amount of \$99,045.76 with an expiration date of April 17, 2013.

#### Chelsey Falls, Phase I

An extension and 10% increase in a bond with Lexon Insurance Company, in the amount of \$131,696.40 with an expiration date of April 17, 2013.

#### Mindy Meadows, Phase I

An extension and 10% increase in a letter of credit with Fulton Bank, in the amount of \$12,521.08 with an expiration date of April 17, 2013.

#### Amber Fields, Phase IV

An extension and 10% increase in a letter of credit with Sovereign Bank, in the amount of \$167,557.45 with an expiration date of April 17, 2013.

Mr. Seeds noted that Heartside East was only approved for a six month extension the last time and he would like to make it for six months only. Mr. Hornung noted that this improvement guarantee has been approved for three plus years. Mr. Wolfe explained that this improvement guarantee will continue for a significant period of time as it is for sidewalks that will not be

installed until after the homes are built. He noted that due to the economy, homes are not being built at this time and if you provide for only six months, then they will be back in six months asking for another extension until the housing market improves. Mr. Hornung noted that they should be given a year to complete the work. Mr. Seeds agreed since it is a vacant lot.

Mr. Hawk made a motion to approve the five improvement guarantees. Mr. Crissman seconded the 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, Lower Paxton Township Authority and the Check Card Purchase Agreement bills. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

### **Recess**

There being no further business, Mr. Hawk recessed the meeting at 8:32 p.m. to move to Room 174 to conduct a workshop session.

### **Workshop Meeting, April 17, 2012**

Mr. William B. Hawk, Chairman of the Board of Supervisors called the workshop meeting or order at 8:35 p.m.

Mr. Wolfe noted that the Board recessed from its advertised public business meeting to conduct a workshop meeting to meet with the Parks and Recreation Board and members of the Capital Area Soccer Association (CASA) to discuss improvements to two fields located in the Thomas B. George Jr. Park.

Mr. Wolfe suggested that everyone should introduce themselves. In addition to Mr. Hawk, Board members present were: William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, David B. Blain; George Wolfe, Township Manager; and Steven Stine, Township Solicitor. Additional persons in attendance were: Brian Luetchford; Director, Parks and

Recreation Department; Robert MacIntyre, James Seidler and Stan Smith; Park and Recreation Board; Andrew Johnson, President CASA; Eric Beittel, Secretary CASA; Richard Chinapoo, Technical Director CASA; Tom Correll, Treasurer CASA; Bill Yurkovic, Vice-President CASA; Matt Wimer and Bob Humer, Hummer Turfgrass Systems; and Ted Robertson and Watson Fisher, SWAN.

Discussion with CASA regarding improvements to  
certain fields at the Thomas B. George Jr. Park

Mr. Johnson explained that CASA is proposing to improve fields 10 and 11 at George Park. He noted when George Park was created, the underground was almost rolled to the point where it created a basin on the bottom where water does not infiltrate. He noted that he met with Hummer Turfgrass and they suggested digging down two feet down in the ground, tilling the land, adding organic material and planting new seed. He explained that it will take roughly 12 months for the new seed to grow to provide two quality fields. He noted he also had Hummer Turfgrass price an irrigation system that would connect to the water line prior to the restroom with pipes running up to the fields. He explained that it would supply water for two fully sprinkled fields which would provide for quality fields for the club. He noted that the fields would be used for tournaments and game play on the weekends, and based upon a Tourism grant that they reviewed; it is estimated to bring 7,000 to 9,000 people into the Township on an annual basis. He noted that CASA will fund the improvements 100%, to include tilling the land, replanting the seed and installing the irrigation system.

Mr. Hawk questioned if there is enough water pressure to handle the irrigation system. Mr. Johnson answered that Mr. Luetchford had. Steve Fleming from HRG, Inc. checked the pressure for the water pipe coming in to the park. He noted that he found that there is no pump for where the water pipe connects at Nyes Road, running up the pathway. He stated that there is enough pressure but concern about the capacity to run the irrigation system without dropping the

water pressure to the bathrooms. He explained that he intends to install a pump in the shed that will ensure adequate pressure. He presented a diagram of the irrigation system to Mr. Hawk. Mr. Crissman questioned if the diagram was reviewed by staff. Mr. Johnson answered yes. Mr. Luetchford noted that he received a copy and reviewed it on site. He explained that the pump would be installed in the water line in the utility shed or a hot box, prior to the lateral to the bathroom. He noted that either one would be acceptable from a functional standpoint.

Mr. Seidler questioned if this is a well system. Mr. Luetchford answered that it is public water. Mr. Seidler questioned who would absorb the cost for the water. Mr. Johnson answered that CASA currently uses the water system to water the public fields at George Park and they have done a great job balancing that with Mr. Luetchford. He noted that CASA does not have the exclusive right to the fields and the total cost of the project is \$126,000. He noted that he is more than willing to work with staff on that, but CASA can't bear the entire water bill as they are a non-profit entity. He noted that CASA is not looking to stick people with a bill.

Mr. Hawk questioned if there is anything else Mr. Johnson needed to share with the Board. Mr. Johnson explained that it has been very nice to work with Mr. Luetchford as he walked CASA through the process. He explained that CASA brought in a qualified turf contractor who has done this type of work at Beaver Stadium, Little Jeff and Big Jeff at Penn State, and numerous universities. He explained that you need a specialized contractor to do this type of work. He explained that the biggest hurdle for the project is time frame, as they need to get the fields seeded by May 1, 2012.

Mr. Crissman questioned Mr. Johnson if he has the money to pay for the work. Mr. Johnson answered yes. Mr. Crissman noted that Mr. Johnson wants to be able to tell Mr. Hummer to start the work. Mr. Johnson answered that was correct, as they need to kill the existing grass before they can do anything.

Mr. Crissman questioned if the Board agreed to this, what impact it would have on the current use of the fields and how long would those fields be unavailable. Mr. Luetchford explained that the fields would be unusable for one year. Mr. Johnson suggested that the fields are unusable now for any type of field play due to the bad condition of the fields. He noted that contractor grass was installed and it is very clumpy. He noted that due to the drainage problem, the water sits on top of the grass and makes it unplayable. He noted that this would take unplayable grass and put it back into the mix, and at a quality rate. He noted that the Township will end up having two quality fields. He questioned if anyone was familiar with the Pennsylvania Classic Park in Lancaster. He explained that the goal is to get grass of that type of caliber in George Park.

Mr. Seeds noted that some extensive work was done on the playing fields a couple of years ago. Mr. Luetchford noted that CASA did renovations to the fields about three or four years ago, but they are proposing to work the soil deeper to allow for the percolation of water through the existing soil. He noted that that work as not as successful as they wanted it to be and that is why they want to renovate it again. Mr. Seeds noted that the fields are better than they were four years ago, but still not what CASA would like them to be. Mr. Crissman noted that he remembered walking the fields' years ago when CASA was doing work on the fields. Mr. Chinapoo noted that it really hasn't improved the fields very much.

Mr. Crissman noted that the two fields could not be used for a year. Mr. Hummer suggested that is a conservative number. Mr. Seeds questioned what CASA would do in the meantime since they won't be able to use those fields. Mr. Johnson answered that we don't use them now; we use Lingle Field. Mr. Chinapoo explained that he made a request to use the Midget Baseball field on Saturday mornings located across from Possibility Place. He explained that CASA would have to use that area since it can't find another suitable one. Mr. Seeds

suggested that it is not as good as the fields up on the hill. Mr. Chinapoo stated that CASA will play on the Midget field and if it is available in the fall, they would use it then. He noted that they can use Lingle Field in the fall. He noted that there are 17 games to be played, and we can make it work.

Mr. Crissman questioned what the impact will be got the rest of the community. Mr. Luetchford explained that CASA is asking to use the midget field that was intended to be used for Paxtonia Baseball; however, Paxtonia has not contacted the Township for its use of the fields. He noted that they have not installed an infield in that field, and as a result they do not use that field on a regular basis. He noted that they haven't reserved it, and so for this year, unless they want to install the infield, CASA will squeeze themselves into other places they normally would not use. He noted that baseball is not yet active at George Park yet. Mr. Crissman noted that he wanted to ensure that CASA would not be displacing other people and community organizations. He noted that he does not want to be labeled as an elitist by giving everything to one group.

Mr. Luetchford noted that the standard for the Parks and Recreation Department is if any of the 33 organizations that ask for fields, request the same dates and times, they get it for the next year. He noted that there would be no bumping; they would only be using fields that were available for one reason or another.

Mr. MacIntyre noted that one topic of discussion was if CASA could survive without the use of those two fields and Mr. Chinapoo indicated that they could. He explained that he has no problems thinking that they could. He explained that we get tied up on this, but it is open space, it is used as a field, and we are taking it away from the public for use as an open space for a year, but realistically it is not being used as open space. He noted that the overall improvement to that land justifies shutting it down for awhile. He noted that his only concern would be the impact to the other parks as well as getting the equipment in and out of George Park. He stated that he felt

that it could be work. Mr. Crissman noted that he has a concern for when the new Hope on Love Church decides that the Township can no longer use their parking lot. Mr. MacIntyre noted that it will always be an issue and it is similar to the Koons Park area.

Mr. Crissman questioned if any of the other members from the Park and Recreation Board wish to make comments. Mr. Seidler noted that the recent field improvements that were done were significant as he plays on those fields in an over-40 league. He stated before the improvement the fields were really in bad shape; however, more improvement is needed and the Township does not have many quality fields. He suggested that George Park is one of the best locations for this in the area. He noted that he was concerned about using Round-Up on the grass; however, he was told that it only has a 24-hour cycle impact, and after 24 hours there are not residual affects.

Mr. Hawk questioned if this is the optimal time to do this work. Mr. Hummer noted for a spring planting that is correct. Mr. Wimer noted that the next option would be a fall planting.

Mr. Seidler noted that the fields are not used that much and one of the reasons is due to the conditions, and since George Park is still being developed and it would be another great improvement to the park.

Mr. Hawk questioned if there is anything that we should have asked that we didn't. Mr. Johnson noted that it is a means to improve the area to create two quality fields at a place that he has put a band aid on, noting that it will draw high competitions for tournaments that will occur in September that will draw more people into the Township.

Mr. Hawk noted that the timeline to start is May 1<sup>st</sup>.

Mr. Seeds questioned if all the costs are paid by CASA. Mr. Johnson answered yes. Mr. Seeds questioned if this project needs to be bid, and if it did, would it have to be prevailing wage. Mr. Stine answered no, since there is no public money being used, the Township is not paying

for it. Mr. Seeds questioned if the money that CASA is acquiring is public money as some of it is gaming money. Mr. Blain answered that it is all private money. Mr. Johnson noted that the money will be coming from CASA, and \$60,000 is coming from Dauphin County directly to CASA. He noted that it will not come through the Township. Mr. Seeds questioned if there would be any problems with bidding or prevailing wages. Mr. Stine answered no as the Township is not doing the work.

Mr. Wolfe questioned if it was gaming money and if the gaming money had to be run through Lower Paxton Township...Mr. Johnson explained that \$30,000 is coming from unrestricted funds; and another \$30,000 from a tourism grant. Mr. Wolfe noted that Dauphin County does sometimes require grant funds to be administered by the municipality in accordance with the municipalities' procurement policy, and if that was the case, then we would have to follow everything that Lower Paxton Township would normally follow, to include a bid and prevailing wage. He noted that he has not received any notice that the Township is the recipient of the money; however, if Dauphin County says that Lower Paxton Township has to administer the funds, then CASA would have to play by a whole different set of rules. Mr. Crissman noted that is why when he asked if they have the money, and they said yes... Mr. Johnson noted that the money is in the bank account and he has talked to all three Dauphin County Commissioners and they have said that the money is coming to CASA and the Township will not have to be a third party.

Mr. Blain noted for the people to start the work tomorrow, CASA has the money and they can write the check out of the CASA bank account, end of story.

Mr. Crissman questioned how much money is going to be put into this project. Mr. Johnson noted that the total cost is roughly \$126,000. Mr. Crissman noted that it is a nice contribution to the Township for public lands.

Mr. Luetchford noted that any permanent structure in the park becomes the Township property. Mr. Chinapoo noted if CASA is doing this wonderful thing to invest in these two fields...we will always work with the Township, and if someone wants to use the fields, we will always accommodate them. He questioned how much control CASA would have. Mr. Luetchford answered that any established organization that has a regular and consistent use of a portion of a park for similar dates and time in years past, will always be honored as the first priority.

Mr. Hornung questioned if all the workers would have the proper insurance requirements to cover anyone getting hurt. Mr. Wolfe noted that the Township would have to be listed as a certificate holder and additional insured.

Mr. Hornung questioned Mr. Hummer where he plans to store the equipment and if he coordinated this with Mr. Luetchford, and if he was going to fence off the field as it would be full of mud. He noted that the equipment that is left behind is prime play gym for the kids. Mr. Hummer noted that he will ensure that they keys are not in the equipment. Mr. Hornung questioned if he would be fencing in the area. Mr. Humer noted that he would fence it in once he has done his work. Mr. Hornung questioned if it would be fenced in while the work is being done. Mr. Hummer noted that he could do that. Mr. Luetchford noted that he talked earlier about this but he hasn't sat down with Hummer Turfgrass yet. He noted that they talked about placing a fence, north-to-south across the fields as a way to block people from using it. He noted that it would be adequate but he would determine what needs to be done to keep people off of the fields. Mr. Wimer noted that he would meet with Mr. Luetchford to determine what needs to be done. Mr. Hummer noted that he can fence it in if that is what you require to protect the grass. He noted that he would not want anyone to run their bicycles over it as he wants to keep the surface very smooth. He explained, once the turf is mature and ready for traffic, then the fence

will come down. Mr. Hornung questioned who would maintain the turf up to that point. Mr. Wimer noted that he would maintain it for a minimum of 90 days as he would let it grow for 90 days, fertilizer and put down weed control, and the mowing will be done by him and once it is mature, then someone else will take over. Mr. Johnson noted that CASA maintains Ranger Fields on the higher side and he typically mows those as well. He noted that he discussed a long-term plan with Mr. Luetchford but he needs to discuss this with the Parks and Recreations Board to come up with a more permanent divider to keep bicycles off the fields.

Mr. Hornung questioned, if the sprinklers would be run at night when everything is up and running. Mr. Johnson answered that Hummer has a consultant, Jeff, who will provide the times at which they would run the sprinklers to maximize the growth and reduce the water usage. He noted that it would be watered in the heat of the day while it is growing, but once it is mature it would be watered in the early morning hours around 4 a.m. and be done by the residential morning shower time.

Mr. Seeds noted that it is important to know that there will be sufficient water to run the bathrooms. Mr. Hummer noted that 90% of the time, the water would run in the early morning hours. Mr. Johnson noted that the two-inch line is adequate to carry the water and the pressure, but he is adding a pump to make sure it is boosted. He noted that they required a 2 horse power pump, but he is going to increase it to 3 horse power to provide adequate pressure to water the fields and the water gun.

Mr. Seeds questioned where the pump would be located. Mr. Johnson answered in the shed. Mr. Seeds questioned Mr. Luetchford if he was okay with it. Mr. Luetchford answered yes. Mr. Seeds questioned if they will pay for the water as it would have to be metered. Mr. Johnson noted that he could have it metered, but we are still discussing how we would do that. He noted that he has always worked with Mr. Luetchford in the past, for the watering situation

since CASA currently maintains Ranger Park where they mow, fertilize and aerate and roll the fields. He noted that he has not discussed bearing the full cost of paying for the water bill. He noted, if there is the ability to sub-meter the pump, then he will add it to the work order. Mr. Seeds stated that I know you can do that. Mr. Johnson noted that in the past, Mr. Luetchford sent CASA a bill for excess water usage. Mr. Luetchford explained that was correct. Mr. Johnson noted that we have worked together in the past on this issue. Mr. Wimer noted that using an irrigation system is a much more efficient way of watering. Mr. Luetchford noted that the only way to determine CASA usage from the bathrooms usage would be to install a sub meter and he can require that if that is what the Board is looking for, otherwise he would have to agree on a percentage of the water use. Mr. Seeds questioned if Mr. Luetchford or members from the Park and Recreation Board have any issues with this. Mr. Seidler suggested that you might save on water noting that you would be watering the entire field with an irrigation system. He noted that they are watering the field now so it doesn't sound like this would be a significant increase except maybe in the beginning when you need to water a lot. He suggested when the fields are up and running, the water usage should not be any higher than it is now.

Mr. Crissman questioned if the Parks and Recreation Board are supportive of this. Mr. MacIntyre noted that the proposed plan is beneficial to the Township and he has no problems with it. Mr. Crissman noted that he is supportive of everything that he has heard tonight.

Mr. Wolfe suggested that it would be good to memorialize this by motion and action. It was noted that the contractor is ready to start tomorrow morning.

Mr. Blain made a motion to approve CASA's to move forward with the capital improvements to fields 10 and 11 at Thomas B. George Jr. Park, conditioned upon the site plan that was laid out to the Board members by CASA, as well as providing adequate insurance

coverage for the park improvements by the contractor. Mr. Hawk seconded the motion. Mr. Hawk call for a voice vote, and a unanimous vote followed.

### **Adjournment**

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion and the meeting adjourned at 8:50 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

Gary A. Crissman  
Township Secretary