

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Workshop Meeting held September 11, 2012

A workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 6: 04 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; Steven Stine, Township Solicitor; Brian Luetchford and Nick Gehret, Parks and Recreation Department; Dr. and Mrs. Bennett Chotiner, Dr. Erik Chotiner, Matt Musser, ECI Group and Michael Gordon; John Logan, Community Life Team; Jason Campbell, SCEMS; Brett Mashchak, Darden Restaurants; and Watson Fisher and Ted Robinson, SWAN.

Pledge of Allegiance

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

Public Comment

No public comment was presented.

Presentation by Nick Gehret on the Maintenance Week for the Friendship Center

Mr. Hawk noted that the Friendship Center (FC) was closed from August 23, 2012 through September 1, 2012 and Brian Luetchford and Nick Gehret are present to provide an update for the work.

Mr. Luetchford explained that every year the FC is closed for maintenance for major items, such as draining pools, to do the long-term jobs that cannot be done overnight. He noted that staff started Sunday morning at 8 a.m. and worked through to Friday evening at 5 p.m. He noted that the Board was presented a list of items that were done during that week.

Mr. Luetchford noted that Nick Gehret, Facilities Manager for the FC will explain, by way of a power point presentation, what was done during that week.

Mr. Gehret noted that he starts to work on this project the end of April, taking three months to plan and schedule the one-week of work. He noted that the goal is to have all the work lined up for that week by the second week of August. He noted that, every year the 12-year old pool tables are re-felted, and they are normally taken off site to have this work done, however this year they did the work on-site. He noted that they are non-commercial pool tables and the FC has been able to use them for that long a period by performing good maintenance on them. He noted that the contractor informed staff what will need to be addressed for maintenance on those tables in the following year.

Mr. Gehret noted that high dusting was done in the fitness center, however, all 45 pieces of equipment needed to be removed along with the free weights and benches. He explained that six people helped to move the equipment, moving approximately 5.5 tons of equipment. He noted that it was important that no staff was hurt, and that the equipment and floors were not damaged. He noted that some of the equipment weighs as much as 500 pounds. He explained after the high dusting is completed the carpet is steam cleaned. He noted that the columns and air diffusers are clean, light bulbs are changed, and televisions are cleaned. He noted that everything is cleaned from the top to the bottom and once that is done, the carpet cleaners come in to do their work.

Mr. Gehret noted that the steps in the natatorium for the slide pool have an excessive amount of rust that builds up and they must be sanded and repainted each year. He noted that it took six hours to sand the steps, and over the years the structural steel is starting to deteriorate and options will have to be studied to determine what to do.

Mr. Gehret noted that staff cleaned the windows and the ledges, leaving no stone unturned. He noted that many different projects are going on at the same time noting that once staff has accomplished one project, they move to another. He noted that the goal is to provide for a complete cleaning of the entire facility from top to bottom. He noted that all the work is completed by staff using an average of ten employees daily. He noted that there are contractors who do some of the work such as stripping of the classroom floors and others power wash the ceramic tile in the changing rooms. He noted that staff was delayed in painting the classrooms as it took the contractor longer to strip and refinish the floors in the classrooms. He noted that he

was able to mobilized staff to get the work done later in the week as a result of the delay by the contractor.

Mr. Gehret noted that lifeguards cleaned the gutters in the lap pool that help to maintain the pools. He noted that another staff member removed the caulk around the perimeter of the deck between the tile and the concrete. He noted that he re-caulks the entire deck in the pool area.

Mr. Gehret noted that contractors were hired to clean carpets, the windows from the ceiling to eight feet above ground level for the inside and all the windows for the outside. He noted that the babysitting room was repainted and all the toys and equipment were sanitized by the pre-school teachers. He noted that the outside pavers were power washed and sealed.

Mr. Hawk noted that he was glad that Mr. Gehret came to make this presentation, as it shows the amount of work that was done.

Mr. Seeds questioned how the liner was holding up in the pool. Mr. Gehret noted that the vinyl liner is working well, noting that the problem was corrected two years ago and every year the liner is inspected checking the bleed-out valves and where the liner is attached to all the drains and it is performing the way it should be. He noted that it is really easy to work with it since it had been corrected. He noted that there are no bubbles whatsoever. Mr. Seeds questioned how long has it been since the pool was repaired. Mr. Gehret answered that it has been since February 2010. Mr. Seeds questioned what the warranty was for this item. Mr. Luetchford answered 15 years noting that we are six years into that warranty.

Mr. Hawk noted that the list is exhaustive in its content.

Presentation by Dr. Bennett Chotiner regarding a proposed land development
Plan for property at Linglestown and Dover Roads

Mr. Wolfe noted that Dr. Bennett Chotiner is in attendance to present a development proposal to the Board this evening.

Dr. Chotiner thanked Mr. Hawk for allowing him to come to the meeting. He noted that his facility is located on the north side of Linglestown Road, and he opened it in 1984 being the first Ophthalmic Ambulatory Health Care Facility in Pennsylvania and the third surgery center of its kind.

Dr. Chotiner explained that the building is approximately 22,000 square feet with two levels; however, from the front the building appears to be one level. He noted that the clinic houses the Pennsylvania Eye Associates which is his Pinnacle Health practice, Pennsylvania Eye Surgery Center and the optical shop. He noted that there have been many changes in the 27 years since he opened his practice, and he now has a need for additional hospital beds. He noted that he wanted to provide care in a comfortable, convenient, and cost effective setting and has done that in the last 27 years. He noted that the original property was on five acres and he has since purchased an additional five acres.

Dr. Chotiner noted that many things have changed in the 27 years since he has been at that location in regards to the types of exams he can do and the types of diagnostic procedures. He noted that there is much more equipment that is used, noting that they now do Lasik surgery, and most recently he became one of the first 25 institutions in the world to have the capacity to do cataract surgery without using surgical blades using a laser. He noted that he needs more space in the clinic and in the operating room and that is the reason for the project.

Dr. Chotiner noted that the project includes expanding the clinic, the facility where the laser surgery is performed, noting that he plans to add another operating room in the clinic. He noted that the original architect for the project is Michael Gordon, from Florida. He noted that most of facilities like his started in the south in Florida and Mr. Gordon continues to work in this field. He noted that he is present as well as Matt Musser of ECI Group, the chosen contractor; Dr. Erik Chotiner who is in practice at Memorial Eye, and Inez Chotiner, his wife.

Mr. Gordon explained that he was the original architect for this project some 27 years ago. He distributed color copies of the proposed additions. He noted that he came to the Municipal Center last Christmas and spoke to someone who told him that he would probably not need a land development plan since he was only adding 20% to the building. He noted that the site is significant in size, have a large retention pond that has never been filled in 27 year. He explained that the parking is almost double what is needed even after the addition takes place. He requested that this plan not have to go through the land development process and short circuit it to apply for a building permit in order to have the addition under roof before winter, noting that he would still have to get final approval for the plan. He noted if the Township wants him to prove that they do not need any modifications for the land development plan, he is prepared to do

that, but Dr. Chotiner has the land to make the modifications with plenty of water retention and parking, He stated that we don't want to hold up the permitting process for building to take place.

Mr. Hawk noted that it is good that Dr. Chotiner is moving forward with a much needed service for the area, however, he questioned if Mr. Gordon has put together a land development plan. Mr. Gordon answered for the original project developed 27 years ago, he had 99 parking spaces, however, according to the current parking code, he would only need half of that, even with the expansion. He noted that the facility has more parking than is required by zoning and enough to satisfy the practical requirements of the facility. He noted that the retention pond is about 5,000 square feet, more than what is necessary for this site; it always perks and never hold water, even during last year's hurricane. He noted that he does not believe that he needs to do a... Mr. Hawk noted that the reason that he asked the question was because, within certain parameters, the ordinance allows you to do expansion, but when you exceed it, and he suggested that it is exceeded by... Mr. Wolfe noted that he is researching that on the web to find out what it is. He suggested that 15% of a total expansion is permitted. He noted that it is not an optional item, you either need to do it or you don't. Mr. Gordon noted that would be fine, but we would like to start construction before we go through that process. Mr. Wolfe noted that it doesn't work that way. Mr. Wolfe noted that the land development threshold is a total of addition space of 15% but in no case can it be more than 2,000 square feet. He noted that the proposed addition is 5,000 square feet, a 20% increase in space and it would require a land development plan.

Mr. Gordon noted if the owner has enough land to do the land development, why should it hold up the permit process to allow him to build the shell before winter. Mr. Stine noted that you cannot get a building permit until you have an approved land development plan. Mr. Wolfe noted if you issued building permits prior to land development, no one would go to land development.

Mr. Crissman noted that we are just following the rules.

Mr. Gordon noted that we would have been here much earlier but we were led to believe, by your building inspector, who was the only one available during the holidays, that we would not need a land development plan. He noted that he did not promise it but in his experience he felt we would not need one. Mr. Hawk noted if you were not doing as large an expansion as you

are, you would not need it. He noted that the Board has no control over it as it must abide with the ordinance.

Mr. Hawk questioned Mr. Gordon how long it would take him to put a land development plan together. Mr. Gordon suggested that the time is in the approval process, and not in putting it together. Mr. Hornung suggested that it might take three months. He noted that we don't have the authority to waive it. Mr. Stine noted that land development falls under the Municipalities Planning Code, (MPC) and the part that mentions the 15% or 2,000 square feet is not authorized by the MPC. He noted that it is authorized by the Township and not covered under the MPC. He noted that you can't waive the definition of land development. Mr. Wolfe noted if you have a subdivision ordinance it is mandatory.

Mr. Hornung noted that we don't have the ability to waive this as certain rules come from the State that the Township must abide by.

Dr. Chotiner noted that he read in the Township's newsletter that the Supervisors approved a waiver of the preliminary land development plan for the Community General Osteopathic Hospital. Mr. Wolfe noted by ordinance that a developer can apply, noting that it is a two step process, preliminary and final process, for a waiver from the preliminary process but you can't waive the final process. Dr. Chotiner noted that the Hospital extension is under construction already. Mr. Wolfe noted that the building permit was not issued for that extension until after they got final approval for the land development. Mr. Hawk noted that you can do a preliminary and final presentation and get approval at the same time.

Dr. Chotiner noted that he would like to get the addition enclosed before winter comes, but if we have a winter like last year it won't matter.

Mr. Wolfe noted that you can do your preliminary and final land development process in one step and if it is complete it would be a 45 day approval time and you could submit the building permit application at the same time and it could be reviewed and held to issuance until the land development plan is approved. He noted that is what Community General Osteopathic Hospital did. Mr. Hornung noted that you should move to get the plan on the agenda ahead of time there are certain time restraints for advertising. He noted that the Planning and Zoning Office could help you with information for those dates. He noted that the Board would cooperate with you as much as possible to move the plan along.

Review of questions to be submitted to emergency medical
service providers as part of the Township's request for proposals

Mr. Hawk noted that Jason Campbell from SCEMS and John Logan from Community Life Team are in attendance. He explained that the Board will discuss the questions to be used for the RFP, he requested both Mr. Logan and Mr. Campbell to take notes and he would prefer that any responses be put in writing as opposed to a verbal dialogue.

Mr. Wolfe noted that he distributed a list of a questions and information that Board members have informally referred to him over the past couple of weeks of what they desire to know for EMS as proposed. He noted that he wanted to review the following list with the Board members.

A. Administrative Structure:

1. Describe your organization's administrative structure in a manner that clearly documents its representation requirements and its geographic service area.
2. Include copies of bylaws, articles of incorporation, and agreements for service with all served municipalities.
3. Include an organization chart that shows the structure and relationships of the organization's governing body, advisory committees and staff, as well as any representations from municipalities served.

B. List of Officials:

1. Provide a list containing names of board members, officers, and municipal representatives, including the association of representation (e.g., elected official, public member, physician, ambulance service, first responder, hospital).
2. Provide a resume for the medical director(s) responsible for ensuring that programs are developed and implemented in accordance with accepted emergency medical practice. Include any clinical consultants and provide the names of staff members, including job descriptions, educational backgrounds and qualifications.

C. Description of Operational Elements:

1. Manpower – qualifications, staffing levels, training, policies and procedures.
2. Equipment – inventory of rolling stock, including make, model, year, mileage.
3. Facilities – base of operations and satellite locations, including characteristics and functionality.
4. Consumer participation.
5. Public information and education.

D. Describe How Your Organization Plans For and Measures Success:

1. Name or title of the activity or project.
2. Goal(s) of the activity or project. This will describe the long-range, wide-scope end to be achieved.
3. Objectives to meet each goal. What will be changed, how will the change be measured, how much change will occur in the funding period?
4. Evaluation of each objective and goal. This must demonstrate how it will be determined that goals and objectives were met.
5. Expected outcomes of the activity or project.
6. Timelines for completion of the goals, objectives and evaluation.

E. Response to Calls for Service:

1. Indicate the number and type of calls for service addressed by your organization in 2010 and 2011.
2. What was the average response time for emergency calls each year (more detailed response times by month, quarter, and/or municipality are also acceptable).
3. What was the percentage of emergency each year that were dropped to mutual aid (more detailed response times by month, quarter, and/or municipality are also acceptable).

E. Proposed Budget and Finance

1. Provide a proposed line item budget for your organization as a whole entity and for its Lowe Paxton Township service area.
2. At a minimum, revenues shall include detailed line items for each source of revenue that exceeds \$100,000.
3. At a minimum, expenses shall include detailed line items for administrative and operational personnel, employee benefits, equipment purchase, equipment maintenance, facility (building) costs, contracted services, and debt service.

F. Audit Requirements:

1. The selected EMS provider shall conduct an annual audit, performed by a certified public accountant who meets the independence standards specified for audits of governmental organizations, programs, activities and functions.
2. In addition to the financial statement audit, the grantee shall contract with the auditor to report on internal financial controls over financing reporting and compliance with grant requirements.

Mr. Hawk noted that the proposals are rather comprehensive and there are a few, under Administrative Structure, he would be satisfied with just number one and eliminated two and three. He noted under List of Officials, he would be satisfied with number one, and under Audit Requirements he would be satisfied with number one as opposed to number two. He noted under the Description of Operations Elements, the provider should be complete as possible with all five sections suggesting that it could be made in one response. Mr. Crissman suggested that the five sections need to remain therefore the

providers can view them and if they choose to incorporate them into one response that would be their choice.

Mr. Wolfe noted that once the Board has determined what the final document should be he would send it to both providers with instructions for when they should be providing the written information and associated documents. He suggested that a four to six week response time would be adequate. Mr. Crissman agreed.

Mr. Crissman questioned if anything should be added to determine how they plan to interface with the fire companies. Mr. Blain noted that it is a good question as they will have to work with them. Mr. Wolfe noted that we should add the Police Department as well. He noted that he would add it to the list. Mr. Crissman noted that he liked the way Mr. Wolfe organized the questions as he captured the essential elements under each of the headers.

Mr. Seeds noted that we should ask for how they cooperate with those two entities on a daily basis but include what services they will provide to them. He noted that SCEMS provides service to both the police and fire companies free of charge.

Mr. Wolfe noted that he would put the document in a final format with a letter of instruction and ask them to submit their proposal in writing at a certain date, and after that allow the Board members two weeks to review the responses and then set up additional meetings with both providers. He suggested that it would be a two-month process. Mr. Blain noted that the maximum time for review for the providers should be four weeks and the interviews should be conducted within two weeks.

Mr. Crissman questioned if the format would be very similar to what he distributed. Mr. Wolfe answered that he does not plan to mandate for how the providers should respond. Mr. Crissman questioned if the Board should ask for specific response to each individual item or provide the ability to lump them together to provide for one response to the header. Mr. Blain noted that having prepared numerous proposals for RFP's he would highly suggest that they respond to each question as it makes it simpler and easier to follow, but they should prepared the response as they feel fit. Mr. Hawk noted that it makes it easier for the reader.

Mr. Wolfe suggested that a nice booklet with tabs identifying each item is appreciated, but it is their choice. He noted that he would add the request for information with interfacing with fire and police. Mr. Logan questioned if there were two headers listed at "E". Mr. Wolfe noted that he would check it as it was only a draft document.

Mr. Blain noted that he would request that the responses be due by Friday, October 12, 2012 and after the Board has two weeks to review them, the interviews should be held the end of October or the first meeting in November.

Mr. Wolfe explained that he would request one written copy and one digital copy from each provider. Mr. Blain noted if we choose a new provider, the goal would be to have them in place by the first of the next year. Mr. Logan explained that under Act 37, any change must be filed with the Department of Health 90 days prior to enactment.

Staff report regarding efforts to procure insurance proposals for the 2012 – 2013 year of coverage

Mr. Wolfe noted that he wanted to bring the insurance proposals to the Board prior to voting on it during the last meeting in September as it is a significant item. He noted that staff is in the process of obtaining insurance renewal information from anyone who has shown an interest. He noted that he is not going through a full RFP process as it has been several years since we have done that. He noted that he and Mr. Houck have discussed this and a full RFP process will be done next year and will be included in the 2013 budget.

Mr. Wolfe noted that Mr. Houck has met with several providers including the incumbent, Brown and Brown, to solicit proposals for both the Township and the Authority. He noted that the provider's rate for 2011-2012 was \$104,806, \$2,000 for E&O, and \$35,000 for the Authority. Mr. Crissman suggested that the price is a little high. Mr. Seeds questioned if this includes buildings and other things. Mr. Wolfe answered that each plan package includes, boiler, property, inland marine, general liability, auto, umbrella, policy fee, and a stand alone public officials policy and stand alone employees bond. Mr. Crissman suggested that the 15% increase is a maximum high for rates. Mr. Seeds questioned if this is all the insurance that the Township has. Mr. Wolfe answered yes.

Mr. Hawk questioned if we have done a complete inventory for equipment. Mr. Wolfe answered that we have done that. He noted that an industrial appraisal was done several years ago to set property values, but given that they have not changed much he would assume that we are fine with that.

Mr. Wolfe noted that Mr. Houck has received emails daily, noting that Gary Sieber from EH&D notified him that he does not have coverage for public officials liability, police liability, or sewer. He noted that we do not want to purchase some coverage from one provider and some from another provider as some of the proposed providers are not able to provide coverage for what we need.

Mr. Crissman noted that Brown and Brown seems to be having a good number of contacts. Mr. Wolfe noted that he has had the Township's markets locked up for three to four years.

Mr. Wolfe noted if we do a complete RFP for next year, which is what staff recommends, we will have to assign the marketplace. He noted that these providers go out and lock it up and once an agent has a lock on a clients business, the company won't provide multiple quotes. He noted that he will be placing on the agenda for the business meeting, a proposal or multiple proposals for insurance for both the Township and the Authority.

Continued review of a request for waivers for the preliminary land
development plan for Longhorn Steakhouse

Mr. Brett Mashchak of Darden Restaurants explained that Sears should have relayed a letter to the Township in regards to the reworking of the driveway entrance. He noted that he wants to get the Board's feedback on the letter and to discuss it further.

Mr. Wolfe noted that the reason this was put on the agenda was for Mr. Stine to provide a response to the Board in regards to the letter from Sears.

Mr. Stine noted as he read the letter from Sears and suggested that Sears is saying that they don't want anyone to improve the driveway entrance. He noted that the fact that the property owner does not want to do it does not trump the Township's ordinance. He noted that the ordinance requires what it requires so if Sears doesn't want to do it then maybe they don't get a tenant. He noted that it is not the Township's issue. He noted that the Board is free to do what it wants but the letter only indicated to him that Sears does not want to do it because of other relationships they have with other stores in the shopping center, noting if the driveway would be redone, they have certain agreements with other anchor tenants that would have to participate in it.

Mr. Hawk suggested that they felt it would disrupt their business. Mr. Stine noted that the ordinance requires what it requires.

Mr. Seeds noted that even if one half of the driveway is done, it would still disrupt traffic and businesses.

Mr. Hawk noted if the ordinance requires it... Mr. Stine noted that you can grant a waiver to land development and subdivision ordinance provision. Mr. Hawk noted that he drove by the

proposed project area and drove in the entrance. He noted that there is a guiderail to the left that goes all the way to the end. He noted that there is an egress onto Route 22 at Mountz Jewelers, and there is no sidewalk on either side of Route 22 with the exception of directly in front of T-mobile. He noted that he went over to the shopping center on Union Deposit Road, where Gabriel Brothers is located and the Texas Roadhouse and found that their entrance is not as big as the ones at Sears; however it leads to a T-intersection requiring the driver to turn left or right.

Mr. Wolfe noted that you have a land development requirement that says that the entrance can be considered as part of this plan and you can require public or private improvements with the entrance being upgraded to the current standards. He noted that Mr. Stine's believe is that there is no legal prohibition against the developer doing that work, however there is a request for a waiver of that work, but the Board is under no obligation at this time to undertake any action as it does not have a plan before it. He noted that Mr. Mashchak would like a response from the Board in regard to this issue.

Mr. Hawk noted that the ability to get into Sears is much easier than the other shopping center and he noted that he did not personally have a problem with the entrance.

Mr. Seeds questioned if the plan would have an egress and ingress on Route 22 other than using the Sears driveway that has the guiderails. Mr. Mashchak answered no, explaining that he would use the existing entrances that are located in the mall, by the Mountz Jewelers, which would be a right in only westbound on Route 22. Mr. Hawk noted that you can't get in that way but you can't get out driving eastbound. Mr. Seeds noted that you can enter the shopping center off of Route 22 by Mountz Jewelers, but you can't do it if you are going east on Route 22. Mr. Hawk noted if you are going east you could enter at the Bon Ton Store. Mr. Crissman noted that you can do that without a light. Mr. Seeds noted the best way to get into the mall would be by using the traffic signal at Sears. Mr. Hawk noted that he could enter the mall by multiple ways and even use the entrance at Colonial Road at Boscov's.

Mr. Seeds questioned Mr. Mashchak if his company was concerned if the guiderail remains on both sides. Mr. Mashchak answered no. Mr. Seeds noted that the restaurant would not be permitted to have its own entrance that close to the light on Route 22.

Mr. Hornung noted that he is fine with not doing the improvements. He noted that he does not feel the need to have those improvements done, but he would like to see Darden do as

much as possible to pretty up that location. He noted that it is not the most aesthetic corner in the Township and he would like Mr. Mashchak to take some of the money that Darden is saving, by allowing this to be waived, and putting some of it in making it look nicer. Mr. Mashchak answered that Darden constantly does that noting that he was just told that they will be improving the Red Lobster store located on the same parcel. He noted that we are trying to keep the restaurant up to date.

Mr. Crissman noted that the Red Lobster has grass and trees and it looks nice. He noted that he wants to see more of that before he is willing to approve the waiver.

Mr. Seeds questioned if Mr. Mashchak wants to do all the rest of the landscaping, trees and sidewalk but not the removal and upgrade of the entrance driveway. Mr. Mashchak noted that would be the question, knowing that several Board members have stated that sidewalk would not make sense. He noted that sidewalks are included in the plan, but if the Board does not feel it makes sense to be there he would not do it. Mr. Seeds noted that a waiver for sidewalks was not included in the actual request. He noted that he would not want to give more than what was asked for as it would be an improvement. Mr. Crissman noted that he does not care about the sidewalk, but he would like to see a cement pad at the bus stop, the least that is needed so the people would not have to stand in the weeds and grass. He noted that he would like to see grass, trees, and plants put in like what is found at the Red Lobster. He noted if you can create that setting he would be willing to support the waiver, otherwise he would not be willing to support it.

Mr. Hawk noted that there is a cement slab at the bus stop, and he suggested that it can be improved. Mr. Mashchak noted that he would install a walkway to the bus stop and handicap ramp for accessibility from the restaurant for public service. He noted that it might be a sidewalk to the drive with a crosswalk to get to the bus stop. He suggested that the original plan showed sidewalks coming back to the restaurant. He noted that he would keep that in along with the street trees, and increased grass. Mr. Seeds noted that he would like to see the sidewalk, and he is willing to go along with the waiver to remove the guiderails to the entrance driveway and widening. He noted that there may be opportunities to do this in the future as the area may be upgraded in the future. Mr. Hawk noted that the guiderail goes up to Route 22. Mr. Seeds stated that it didn't. Mr. Hawk noted that there is no sidewalk anywhere in that location. Mr. Seeds

answered that he knew that; however, he felt that there maybe future opportunities to get additional sidewalk along Route 22. He suggested that this might be the beginning of more improvements and development.

Mr. Wolfe explained, to the Board, if it waives the improvements, there may be a traffic flow issue that needs to be addressed; signage issues concerning the stop sign coming from Darden's side, a left turn keep moving sign from the other side, as this could create a traffic problem in front of Sears. He noted that the affect on the timing of the traffic signal is also a concern. He noted that the traffic signal and traffic flow must be completed. Mr. Blain noted that it has always been an issue with the stop sign coming in from Route 22 at the Sears store. He noted that for the one side you stop and the other side you don't.

Mr. Hornung noted if you use some of the money that you are saving in not doing the road widening and guiderail removal, take a good look at the site and install a cement slab for the bus stop; it will go a long way to get the Board's approval. Mr. Crissman noted if you have not looked at the corner of the Red Lobster, do that. He noted that the building sets back from the road, and they have planted grass up to the curb, planted trees and it look very nice. He noted that it has curb appeal. Mr. Mashchak stated that he will take a look at it. Mr. Crissman noted that it would influence him, however, at this time he is not in favor of approving the wavier as he does not like to be held hostage. He noted that is the way he feels and it is not his job or responsibility as a supervisor. He noted that he does not like it when a company comes in telling him what to do as it is his job is to protect the interest of the community.

Mr. Mashchak suggested that the Board will be impressed as his company does many things for the community. He noted that they started a fund where every restaurant chooses a charity to donate to within their community, and in Philadelphia, a group of restaurants banded together and made a \$7,000 contribution. He noted that they try to be a good member to the community.

Mr. Hawk noted that the entire shopping center needs a little bit of a facelift to help with the sales.

“Otta Know” Presentation: 1) Act 87 of 2012 extending permits and approvals; and 2) Commonwealth Court ruling overturning PA Act 13 zoning provisions for natural gas drilling

Mr. Stine noted that Act 87 of 2012 extends the extension of building permits that were already extended in 2010 for another three years until July 2016.

Mr. Stine noted that Pennsylvania Commonwealth Court overturned parts of Act 13 in regards to the Marcellus Shale regulations, namely the one that requires municipalities to adopt a certain ordinance with certain provisions for zoning purposes. He noted that the Pennsylvania Commonwealth Court also stayed complying with the Act as well as developing an ordinance for now. He noted that it will be stayed until the Supreme Court makes a decision. Mr. Hawk noted that many municipalities have filed suit against this as well.

Mr. Hawk noted that the Township is not a Marcellus Shale hotbed. Mr. Stine noted that stations or pipelines could impact the Township. Mr. Seeds noted that we would not be eligible for any enumeration. Mr. Stine answered that you only get the enumeration for what is in your County as far as the natural gas drilling. Mr. Seeds noted that they could still put a pipeline through the Township from another County. Mr. Stine suggested that you would not get money for that, only when you have spud wells in the County. Mr. Seeds suggested that you would get money if you have a transmission center. Mr. Stine suggested that only occurs if you have spud wells.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting, and the meeting adjourned at 7:15 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary