

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held September 18, 2012

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:29 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; Steve Stine, Township Solicitor; Jeff Staub, Dauphin Engineering; and Ted Robertson and Watson Fisher, SWAN.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the minutes from the July 31, 2012 and August 28, 2012 workshop meetings, and the September 4, 2012 business meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

Mr. Hawk noted that a representative from the Friendship Senior Center will make a presentation during public comment. He requested if a group wants to make a comment it would be good to have a spokesperson rather than numerous people making the same comment over and over. Mr. Hawk noted that the secretary will be recording all comments, and will provide the Board and those in attendance the opportunity to review them, and after that, a date will be

set to meet with the Operating Board and the Friendship Senior Center members to work out the issues.

The following presentation was provided by Lydia Dietrich, Manager, Friendship Senior Center.

My Name is Lydia Dietrich, I am the Manager of the Senior Center. I'm here to represent our 440 valued "senior" members. She noted that the Center is located at 5000 Commons Drive. Thank you for allowing me to speak in front of your Board of Supervisors. This privilege means a lot to our membership and me personally. Tonight, I would like to make the township supervisors aware of a major issue that our "seniors" are currently being challenged with today. This challenge comes from notification by the Friendship Center Operating Board of an additional cost of over \$22,000 per year for support services. These additional costs, which are scheduled to start in January, 2013, jeopardize the future existence of our Senior Center. We are currently questioning internally whether we can survive because of this additional \$22,000 dollars which represents a cost burden of over a factor of 5 times our current operating budget. We are requesting that the supervisory board help us by questioning the basis and justification for these new costs to our Center. We currently don't believe these costs are consistent with the "Free Use" clauses in the 2006 Letter Agreement between the Operating Board and the Seniors Center Board.

This Letter Agreement was signed by representatives of both Boards on September 9th, 2006 and establishes that no changes "shall" occur on this "Free Use" agreement unless approved in writing by both Boards. We believe this agreement remains binding in this matter.

In addition to our request for your oversight on this issue, I would like to provide just a brief Status of where the "Seniors" are headed on this matter including our efforts to raise funding:

1. First, we have developed several fund raising initiatives and new sponsorship programs in an attempt to off-set some the proposed cost.
2. We have prepared a Senior Center News Flyer which provides a summary of this financial issue and attempts to seek out sponsorship from local business and community leaders. We have submitted this news flyer to several area Local Businesses, Newspapers and posted it on several community Bulletin Boards.
3. We have also initiated several Senior Field teams to start meetings with local business and community leaders to support our effort.
4. We have modified our Seniors Newsletter format and circulation process to allow for local business and community leaders to use this newsletter for advertisements and marketing purposes.

In addition to the above actions we have responded to the letter of May 19th from the Operating Board, which notified us of these increase costs:

5. Two weeks ago, we submitted a letter back to the Operating Board's Membership in attempt to receive clarification on their May 19th letter as well as a better understanding of their basis on several of the cost elements. We have received no response to date.
6. Additionally, we invited the Operating Board membership several times to attend our General meeting this month and they have declined to come.
7. Additionally, We were also informed by several Friendship Center staff and operating board membership that we would not be receiving a response to our clarification letter because of our attendance at this Board Of Supervisors Meeting Tonight..

But More Importantly:

8. In addition to our needing a better understanding of the basis for these additional cost, we are questioning again whether any of the proposed cost are consistent with the Letter

Agreement, which identified " Free Use" Clauses for the use of Annex building as well as the major services to be provided which the Operating Board is now seeking reimbursement.

9. As I mentioned before, this Letter of Agreement of September 9, 2006, which is signed by both the Operating Board Representatives for Lower Paxton Township and the Seniors Center Board, established that if there is to be any change in the conditions and requirements of this "Free Use" agreement that both parties have to concur in writing to allow for those changes.
10. We have asked the Operating Board to provide their basis for not recognizing this agreement, in light of the existence that several of the current Operating Board members are signatory to this "Free Use" agreement.

In Closing we would respectfully request that:

11. You the Supervisory Board take action to oversee this issue we are having with the Operating Board and come to the support of our "Seniors" based on these present findings.
12. Additionally, we would like to request that the Board of Supervisors consider supporting our request to have these new costs be withdrawn based on the language in Letter Agreement and the impact that it will have on our Senior Center.
13. Thank you again for allowing me to speak at your meeting...
14. In conclusion, I would like to provide the Township Supervisory Board with following documents and have them entered in the record:
 - a. Our Senior Center News Flyer
 - b. Our Letter dated September 7th, 2012 to the Friendship Center Operating Board
 - c. The Letter Agreement dated September 9th, 2006 between the Operating Board Representative and our Senior Center Board
 - d. The Operating Boards letter to the Senior Center Board, dated May 19th, 2012

Ms. Dietrich thanked the Board members for allowing her to make her presentation.

Mr. Hawk noted if she wanted to share those documents with the Board Secretary that would be fine.

Ms. Dietrich noted that we are scheduled to meet October 9th with the Board of Supervisors and the Friendship Center Operating Board during a workshop session. She presented a copy of her presentation for the record as well.

Tyler Heap, 1007 Top View Drive, questioned what the status was for correcting the drainage problem in the Top View, Creek View and Harman Drives area. He questioned if anything new has been proposed or considered and if nothing has been considered, he asked that some type of time line be projected for fixing these flooding and run off issues. He questioned if the Board could present him with a time line or information on some type of effort that has been made recently to address those issues.

Mr. Heap noted that he recently read in a newspaper article where Mr. Wolfe was quoted as saying that he disagreed with the Environmental Protection Agency's decision to intentionally name the Paxton Creek as an impaired waterway. He noted that he would have to agree that the Paxton Creek is an impaired waterway simply because he consistently sees the danger of flash flooding along his property. He noted that Mr. Wolfe was quoted in the article saying that the Township has spent ten of thousands of dollars in legal fees related to the Paxton Creek Watershed issue. He noted that he believes that it is absolutely ridiculous that money is being spent on legal fees as it should be going toward fixing the problem and addressing the source of the problem and not going towards legal fees.

Mr. Heap noted, in closing, for the Board to please demonstrate some compassion for your citizens and sincerely consider fixing my neighborhood's runoff problem. He noted that it has become a serious risk to life and property as evidence by the flood of August 7, 2011.

Mr. Hawk questioned Mr. Wolfe if he had any response to those comments. Mr. Wolfe answered that he was not prepared to do that at this time.

Chief Jason Campbell explained that he is the chief paramedic and Chief Executive Officer (CEO) of South Central Emergency Medical Services (SCEMS). He wanted to publicly thank all the citizens who continued to support SCEMS. He noted over the past several weeks, the business office of SCEMS has received hundreds of phone calls concerning EMS coverage in Lower Paxton Township. He noted that quite a few people also stopped by to drop off generous donations and voice their support for the organization that is dedicated, and has been dedicated to serving the citizens of Lower Paxton Township for the past 55 years.

Mr. Campbell noted that being an Emergency Medical Technician (EMT) and paramedic is the single most significant job there is. He noted that it is rich with rewards and possibly the most fun one would ever have in a career. He noted that there are no second chances; not for his providers, for you, and for those who depend on the services of SCEMS. He noted that the average career expectancy of an EMT and or paramedic is approximately five years; for SCEMS they have proven that statistics to be false. He noted in the eyes of the SCEMS employee, it is not a job; it is a calling which is also a passion. He noted it is an organization where patients remember the care and treatment that was rendered, or the way that they helped to warm them through the cold winters chill, or the way they stood in the rain getting drenched as they helped to shield the rain away.

Mr. Campbell questioned why they bother. He noted that when people are at their most vulnerable, they will let us into their homes and tell them things that they won't even tell their priest. He noted that they have a high expectation that somehow, EMS professionals will make it better. He noted in the tapestry of human existence, they are able to contribute their own unique stitch. He noted that they get to make a mark in ways that cannot be quantified on a

spreadsheet or a profit or loss statement. He noted that not everyone has touched the life of another, but SCEMS employees do. He noted that he is not sure that the citizens understand how profound an honor that truly is. He explained that the men and women that are standing in the rear of the room are dedicated EMS professionals of SCEMS. He noted that they are the most compassionate EMS providers he has ever worked with. He noted that they are here tonight because they have long surpassed being just good workers, they are a family and a family sticks together. He noted that they sometimes argue and fight over who is better or the best at doing their job, but at the end of the day, our patients are truly the winner.

Mr. Campbell explained that his staff truly makes him proud to be called the Chief and CEO. He noted, like the words from Tina Turner, SCEMS is simply the best, and as for Montell Jordan, SCEMS does it like nobody does. He noted that they have serviced Lower Paxton Township for the past 55 years and it is their intention to serve for another 55 years. He noted that they are a strong organization professionally and financially.

Mr. Campbell thanked the people for their support and years of dedication as demonstrated by the phone calls and hundreds of letters supporting SCEMS. He noted that they care about the future and make the resident's life their mission.

Mr. Hawk thanked Mr. Campbell for his remarks. He noted that no decision has been made with regards to EMS and he doesn't expect a decision for at least 60 days. He noted that proposals have been requested from SCEMS and Pinnacle Health. He noted that the deadline for receiving the proposals is October 12th and the Board will have the opportunity to review the proposals. He noted that all the Board meetings are public and the public is welcome to attend. He explained that the proposals will be reviewed in an open forum. He noted that any decision that will be made will not be based upon financial considerations but what is in the best interest of the Township.

Ms. Diane Kishalonis, 580 Lester Court, explained as a concerned resident, she wanted to present a comment in regards to the EMS situation in the Township. She noted that she spoke to Mr. Hornung a couple of weeks ago and he told her that there was a concern with SCEMS and their stability. She noted that she appreciated his comments. She noted that she would not want to see a company come into this Township, whether it is SCEMS or Community Life Team (CLT), to find that they are in a financial situation where they can no longer provide care to the residents.

Ms. Kishalonis noted that she is present on behalf of a group of residents and it was their understanding that SCEMS has shown a profit the last few years. She noted that this is not the case with CLT as they reported a loss of operations of \$149,000 in March and a year-to-date loss of \$1.2 million. She noted that she can't image why the Board would think about getting a company that has reported a loss. She noted that SCEMS, as far as she knows, has been self-sufficient for over 55 years; unfortunately CLT has not. She noted that CLT had to umbrella under a large corporation, Pinnacle Health, which is going to create a monopoly in the Harrisburg area and for Lower Paxton Township. She noted, at this point, SCEMS will take a resident to the hospital of their choice; the question is, will Pinnacle Health do the same thing. She noted that she has had family members who were transported by SCEMS and they had excellent care, the EMS were compassionate and took them where they wanted to go. She noted that we are Hershey people and we want to go to the Hershey Medical Center as that is where she feels her family should received their medical care, although it may not be for everyone else. She questioner if she was put into a Pinnacle Health ambulance, would they take her where she want to go and where her family wants to go.

Ms. Kishalonis noted that it is mind boggling to her and the residents on who's behalf she is speaking, that SCEMS has shown stability and are committed and serve the Township that they could be getting the shaft.

Ms. Megan Barto, 6029 Linglestown Road, noted that some residents may recognize her last name as her father was Charles Barto, who was the president of Koons Pool, a member of the Kiwanis's Club and an active member of the community. She noted that she is speaking on behalf of SCEMS as well. She noted that her father passed away two years ago and before that he had to be taken to the hospital. She noted that SCEMS answered the call and the providers knew her dad and they were there for her family. She noted that they are one of us, and are part of our community.

Ms. Barto explained that she started an online petition addressed to the Township Supervisor's to keep SCEMS as the EMS provider. She noted that it will be submitted to the Board prior to the October 12th deadline. She noted that people may also make comments when signing the petition.

Ms. Barto noted that SCEMS has been part of the community for more time than most of us have lived in the area. She noted that it is important that they are part of the framework and structure as they know the residents of the community and their needs and how to get to them. She noted, when looking at an EMS provider, we all know that seconds count. She noted if someone shows up that you are comfortable with that is all the better. She noted that SCEMS is a vital part of the framework of the community.

Kay Ross, 6205 Blue Valley Avenue explained that she has been a resident of the Township for her entire life. She noted that a comment that was made in the paper that CLT plans to use the old sewer building and she questioned the Board how this could be since the Township is in such a financial disarray, to a degree, as our taxes were raised last year. She

questioned if the newspaper article was correct. Mr. Seeds noted that it was mentioned. Ms. Ross questioned who would foot the bill to construction to replace the HVAC system and the piping that has frozen over the years, to make the building usable for this company.

Mr. Hornung noted that it is real clear that the comments that you are making are far ahead of anything that has been thought through because we haven't made the primary decision as to who will be the provider. He noted that all these factors will be taken into account but to discuss where they will end up is premature at this point. He suggested that everyone thinks we are further along on making this decision than we are. He noted that the Board has only recently put out the Request for Proposals (RFP) and it will review the proposals and select the best healthcare provider for the residents of the Township. He noted that the healthcare of the residents for the Township is paramount, not the financials. He noted that is what the decision will be based upon, but until we get the proposals from both sides we can't even begin to argue who is better or worse. He noted that we have no numbers, no idea, having only received preliminary comments from both sides, with nothing in writing to speak of, so we have a long way to go before a decision can be contemplated. He noted that the Boards requests that you get involved as it will provide for the best decision. He noted that we are always available, you know where I work, and you can come in and talk to me any time you want. He suggested that people think that we are a lot further along than we are.

Ms. Ross noted that she was trying to bring up the financial point... Mr. Hornung noted that it is not about financials and it... Ms. Ross noted that is what she wanted to hear, that it is about care and not about financials. Mr. Hornung answered that the decision will be based upon care.

Chairman and Board Members's Comments

Mr. Hawk noted that he had no comments at this time.

Manager's Report

Mr. Wolfe noted that Trick or Treat will be observed in the Township on Thursday, October 25, 2012 from 6 p.m. to 8 p.m. He noted that it is always held on the fourth Thursday in October in align with many other municipalities within Dauphin County.

OLD BUSINESS

Reaffirmation of Resolution 12-23; approving the transfer of a liquor license into the Township from Halifax Township

Mr. Wolfe explained on July 17, 2012, during a business meeting, the Board of Supervisors conducted a public hearing and adopted Resolution 12-23 which authorized the transfer of a liquor license, per State Law, into Lower Paxton Township from Halifax Borough. He noted that the address on the original resolution for the Colonial Park Mall has been modified for Buffalo Wild Wings. He noted that they would like the Resolution to reference the address of 4300 Jonestown Road, Suite 98 and they would like the official name in the Resolution to be Blazing Wings Incorporated.

Mr. Wolfe explained that he discussed these changes with Mr. Stine who has reviewed the information and determined that staff did not need to re-advertise the resolution and could reaffirm it with the two noted corrections.

Mr. Blain made a motion to reaffirm Resolution 12-23; approving the transfer of a liquor license into the Township from Halifax Township. Mr. Blain Crissman the motion. Mr. Hawk called for a voice vote and a unanimous voter followed.

NEW BUSINESS

Resolution 12-31; accepting the Minimum Municipal Obligations for the Police and non-uniformed employee pension plans

Mr. Wolfe noted in accordance with PA Act 205, the Board is required, prior to the end of September, to adopt the Minimum Municipal Obligations (MMO) for both the Police and

Non-Uniformed Pension Plans. He noted that the MMO provides the funding allocation and responsibilities for the 2013 fiscal year for the Township. He noted that the non-uniformed financial obligation required by the Township for 2013 is \$708,378 and for the Police pension plan it is \$856,608 resulting in a total amount of \$1,564,983. He explained that a portion of this MMO will be met with State Aid funds as the Township receives a transfer from the Pennsylvania Treasury from the sale of Foreign Fire Insurance in the amount of approximately \$700,000. He noted that this covers is a little more than half of the funds needed for the MMO.

Mr. Wolfe noted that the financial obligations have been prepared by the actuary, Mockenhaupt Benefits Group, and once the Board approves the MMO, the Chief Administrative Officer of the Pension Plan will be required to sign the documents and they will be maintained as part of the budget and available for inspection by the Auditor General's Office for his biennial pension plan audit.

Mr. Crissman made a motion to approve Resolution 12-31; accepting the Minimum Municipal Obligations for the police and non-uniformed employee pension plans. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on proposals to provide the Township and Authority
with property and liability insurances

Mr. Wolfe noted that insurance packages for both the Township and Authority have been presented by Brown and Brown. He explained that Paul Pugielli from Brown and Brown is present to explain the two policies.

Mr. Wolfe noted that he would summarize the proposals and Mr. Pugielli would answer any questions the Board may have. He noted for the 2013 premium for the Township, without terrorism coverage the premium would be \$113,435 that includes the package for liability, public officials, and crime coverage. He noted if you would choose to add the terrorism coverage, which you have not chosen to do in the past, it would add \$1,357 to the total amount. He noted

that this premium would be underwritten by Allied World National Insurance Company which has an A rating. He noted the public officials coverage would be provided by Ace American Insurance Company which has an A+ rating, and the crime coverage would be provided by Travelers who has a A rating. He explained that it would be a change of carriers over the previous insurance year, noting that the current providers were US Specialty and Houston Insurance Company. He noted that they both provided a quote for this year but it was a little bit more than the one provided by Allied. He noted that Allied had the lowest responsible quote for the Authority which would make it convenient to use one provider for both entitles.

Mr. Wolfe noted that the Authority proposal had a reduced cost for service if you decline the terrorism coverage, at \$32,977 compared to this year's premium of \$34,458. He noted that the Authority would not have the coverage for sanitary sewer backups as it has had for the past two years. He noted that none of the insurers are willing to provide the Authority with that coverage because of the significant sanitary sewer backups over the past 12 months. He noted that the Praetorian Company, the current provider, has refused to provide coverage and renew the policy.

Mr. Paul Pugielli explained that he was with Brown and Brown Insurance and filing in for Mr. Barry who was unable to attend the meeting tonight. He noted that the agency specializes in municipal insurance noting that the Township is one of 120 municipal clients the agency has that consists of Townships, Boroughs, Authorities, etc. He noted that Mr. Wolfe did a good job explaining the situation, noting that the increase is consistent with what is going on with all the accounts. He noted that it is not a buyer's market at this time but it will eventually change.

Mr. Pugielli explained that he is very familiar with all the companies that Mr. Wolfe mentioned and he concurs with his recommendations. He noted that his firm has existing business with the insurance provider, thus the recommendation to use them. He noted that each

proposal provides a list of all the companies that his firm seeks quotes from as well as the outcomes. He noted for the Township he went to a total of five companies to seek a proposal and only one could come up with a low bid. He noted that the same holds true for the Authority. He noted that the Authority received one other quote, however, it had a higher deductible and the cost difference would have been lost in one claim. He noted that he concurs that it is a good idea to have both entities using the same insurance provider. He explained if you happen to have a bad year for either the Authority or the Township, it might provide for more leverage with the firm.

Mr. Hawk noted that keeping everything with one company makes it easier for staff to track and coordinate the claims. Mr. Pugielli noted that it makes it easier to make one phone call in place of multiple phone calls. He explained that there is no reduction in coverage and that it is the insurance agent's job is to go to the market for its client, and he could do that for as often as needed, and if it makes sense to do so, he would recommend a change.

Mr. Hawk suggested that it should be a very competitive market based upon what is occurring across the county.

Mr. Crissman questioned what Allied World National Insurance Company rating is and of the 120 plus municipalities that Mr. Pugielli dealt with, how many are moving to Allied. Mr. Pugielli answered that he currently has various levels of insurance with Allied for roughly 20 to 25 accounts, and he has used them more in the recent past, because the nature of the cycle is that some relatively newer players, noting that Allied is a newer player into this area, but not necessarily nationally, provide lower quotes. He noted that carriers who have been writing at depressed rates are retrenching and carriers who don't have years of bad loss history can afford to be more competitive.

Mr. Crissman questioned what is Allied's rating in the insurance industry. Mr. Wolfe answered that they have an A-rating. Mr. Pugielli noted that his company cannot represent a company that has less than an A-rating. He explained that Brown and Brown has a Quality Control Department who provides weekly updates for down grades of any carrier that we represent.

Mr. Crissman questioned for those who moved to Allied for insurance, how many left them to go somewhere else. Mr. Pugielli answered none at this time.

Mr. Crissman question if the package for the Township which includes liability is \$113,435 plus the \$1,257 for terrorism with a total \$114,692. Mr. Wolfe suggested that the terrorism coverage was \$1,357. He noted that the total should be \$114,995. Mr. Pugielli noted that there is a loss control fee of \$150 on the public official policy. He questioned if that would be the difference between the two, as he has it at \$114,995. Mr. Crissman noted that either his number is wrong for the package of \$113,435 or the terrorism number is incorrect \$1,357.

Mr. Crissman questioned if the Authority rate is \$33,977 with no sewer backup coverage especially since no one is offering that coverage. Mr. Pugielli noted that it is \$32,977 without the terrorism coverage. Mr. Wolf noted that the Board needs to determine if it wants the terrorism coverage or not. He noted that for last year the Board did not choose to pay for it. Mr. Blain suggested that we never had that coverage. Mr. Wolfe noted that Brown and Brown recommend that the Township have this coverage.

Mr. Seeds noted that he realized that we do not have flood insurance but he questioned if we have earthquake coverage. Mr. Pugielli noted the Township's policy includes some earthquake and flood insurance coverage. Mr. Seeds questioned what would be covered. Mr. Pugielli answered that the flood insurance would cover flooding from an overflow of a body of water. He noted that it would cover the Township for structures that are near bodies of water

such as a stream. Mr. Seeds questioned if it was the same for the authority buildings. Mr. Pugielli answered that the problem that you have with water and sewer installations are that it does not cover stuff that is below grade, and is only designed for above grade coverage. He noted that many sewer pump station's equipment is several stories below ground and usually the only thing you would have coverage for is the above ground panels or electrical or above ground building. He noted that it doesn't make sense to purchase it for the Authority because it probably wouldn't cover much. He noted that the pumps are supposed to be sealed and water tight, and they should be able to handle a flooding event. He noted that there is no current flood coverage on the Authority side but there is on the Township side.

Mr. Hawk questioned what the earthquake coverage would be. Mr. Pugielli explained that no one talked about this until one year ago. He noted that it is a very low risk area for earthquakes according to the geological reports. He noted that an exposure for a moderate earthquake would cover an elevated water tower that is located on top of a standpipe. He noted that a building like this would have very little exposure, however, when the event occurred last year in Virginia there was local damage. He noted that it is included in the policy.

Mr. Pugielli noted that the terrorism policy would not be talking about at Timothy McVey situation as you already have coverage for that type of incident, but it would cover events from a foreign based 911 type event. He noted an incident caused by a local unstable person would be covered under the regular policy.

Mr. Crissman noted that the package policy for the Township would be \$113,435. Mr. Wolfe agreed with that number. Mr. Crissman questioned if the price for the Authority was \$33,977 or \$32,977. Mr. Wolfe answered \$32,977, without terrorism coverage.

Mr. Crissman made a motion to approve Allied World National Insurance Company as the provider of the Township's insurance policy in the amount of \$113,435 and for the Authority

\$32,977. 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.

Preliminary and final subdivision plan for John and Sandra Byerly

Mr. Wolfe noted that the purpose of this plan is to subdivide the existing lot into three lots that would include two new building lots. The property is zoned R-1, Low Density Residential District and contains 10.3521 acres. The three lots will contain the following acreage Lot 1- 2.4511 acres, Lot 2 -1.0999 acres and Lot 3 - 6.5810 acres. All lots will be served by private on-lot wells and private on-lot sewage disposal. The property is located west of Parkway West and north of Linglestown Road. He noted that Jeff Staub is present to represent the plan.

Mr. Wolfe noted that the Planning Commission recommended approval of this plan at its August 8, 2012 meeting and action on the waivers as follows: waiver of the requirement to provide a stormwater management plan with the condition that a note be placed on the plan and documentation be provided to future owners so that stormwater management shall be completed when any development occurs on any of the three lots; waiver of the requirement to install sidewalks and curbing along Parkway West is approved; waiver of the requirement to provide existing contours extended to the minimum 100 foot boundary outside of the existing property line is approved, and waiver of the requirement to provide the minimum intersection sight distance for the existing driveway that serves the residual Lot 1 is approved based on the testimony that there is ample sight distance to the west. He noted that the sight distance has been reviewed by our engineer in conjunction with Mr. Staub and found there to be a sufficient sight distance. He noted that staff and the engineer recommend approval of the plan and the waivers.

Mr. Jeff Staub, Dauphin Engineering, noted that he has nothing more to add to what Mr. Wolfe presented. He noted the 2.5 acre lot contains an existing dwelling and it will remain unchanged. He explained that the land will be divided into two lots, a one-acre lot and a 6.5-acre lot. He noted that the one acre lot is reserved for one of their children and they plan to construct a new home for themselves sometime in the future on the 6.5-acre lot.

Mr. Hawk noted that the Planning Commission approved the plan with one condition that the owners complete a storm water management plan when any development occurs on any of those properties. Mr. Staub noted that the applicant is grateful that the Board would approve that waiver at this time. He noted that it will save the property owners some money up front. He explained that it will be done eventually but they would prefer to do that when they are ready to start construction, which may be years from now.

Mr. Crissman questioned Mr. Staub if he was able to speak on behalf of the applicant. Mr. Staub answered yes.

Mr. Crissman questioned Mr. Staub if he was in agreement with the five listed waivers. Mr. Staub answered yes.

Mr. Crissman questioned Mr. Staub if the two site specific conditions have been met or will be met. Mr. Staub answered yes.

Mr. Crissman questioned Mr. Staub if the six general conditions, to include the two review comments by HRG in their memo have been met or will be met. Mr. Staub answered that some have been met and the others will be met. Mr. Crissman questioned if there is any conflict with the six general conditions. Mr. Staub answered no.

Mr. Crissman questioned Mr. Staub if he will be able to meet the staff comment. Mr. Staub answered yes.

Mr. Crissman made a motion to approve the final/ preliminary plan for John and Sandra Byerly with the following waivers and conditions: 1) Waiver of the requirement to provide existing contours; 2) Waiver of the requirement to provide a stormwater management drainage plan; 3) Waiver of the requirement to provide sidewalk along the frontage of Parkway West; 4) Waiver of the requirement to provide curbing and roadway widening along the frontage of Parkway West; 5) Waiver of the requirement to provide the minimum intersection sight distance for the existing driveway that serves the residual Lot 1; 6) Provide an access easement agreement to be recorded with the plan; 7) Upon approval, the Dauphin County Tax Assessment office will need to be notified of the subdivision in order to acquire parcel numbers for the new lots. The new parcel numbers shall be identified on the cover sheet of the plan to comply with plan recording procedures; 8) Plan approval shall be subject to providing original seals and signatures; 9) Plan approval shall be subject to the payment of engineering review fees; 10) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 11) Plan approval shall be subject to the Dauphin County Conservation District's review of the Erosion and Sedimentation Control Plan; 12) Plan approval shall be subject to the payment for recreational fee in lieu for two newly created lots; 13) Plan approval shall be subject to addressing the two (2) review comments of HRG's memo dated September 6, 2012; and 14) 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 roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Declaration of Consolidation of previously subdivided lot for
Bible Chapel of Union Deposit Road

Mr. Wolfe noted that the Bible Chapel, 5503 Union Deposit Road, Harrisburg, PA 17111 has submitted a Declaration of Consolidation of Previously Subdivided Lots for Parcels 35-070-050 and 35-070-015, adjoining lots known as Tract No. 1, 2 and 3. The consolidation of Tracts 1, 2 and 3 create one lot. He noted that the removal of a lot line is by definition still a subdivision and the applicant is requesting permission of this body to take a one-acre parcel by tax map and a four-acre parcel by tax map that has two lots to turn it into one lot without additional subdivision. He noted that the Board has done this through a declaration of consolidation which is in accordance with procedures set forth by Mr. Stine. He noted that Mr. Stine has reviewed this application and found it to be acceptable.

Mr. Crissman made a motion to approve the Declaration of Consolidation of previously subdivided lots for Bible Chapel of Union Deposit Road. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Improvement Guarantee

Mr. Hawk noted that there was two improvement guarantees.

Willow Brook, Phases V & VI

An extension and 10% increase in a letter of credit with Fulton Bank, in the amount of \$81,422.28, with an expiration date of September 18, 2013.

Linglestown Fire Company

An extension and 10% increase in a letter of credit with Centric Bank, in the amount of \$31,460.00, with an expiration date of September 18, 2013.

Mr. Crissman made a motion to approve the two improvement guarantees. Mr. Blain 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 Purchase Cards. 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. Mr. Blain seconded the motion, and the meeting adjourned at 8:29 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary