

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held May 6, 2014

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:35 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 Robin L. Lindsey.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; 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 11, 2014 workshop meeting and the April 1, 2014 and April 15, 2014 business meetings. Mrs. Lindsey seconded the motion, and a unanimous vote followed.

**Public Comment**

No public comment was provided.

**Chairman and Board Member's Comments**

No comments were provided.

**Manager's Report**

Mr. Wolfe explained that the Linglestown American Legion Post 272 will conduct its annual Memorial Day Parade to be held on Monday, May 26<sup>th</sup> beginning at the Linglestown Fire House. He noted that the parade starts at 1 p.m.; however, Board members joining on the Friendship Center Float must muster around 11 a.m.

Mr. Wolfe noted with the upcoming summer months there are codes and regulations that the Community needs to adhere to during the warm months. He explained that residents with dogs must keep their dogs on a leash when they are off their property. He noted that dogs must be licensed with Dauphin County, have current vaccinations, and people walking their dogs must clean up after their dog.

Mr. Wolfe noted anyone who purchases an inflatable pool that holds more than 24 inches of water must install a code compliant barrier. He noted that more information is available on the Township's website in regards to this.

Mr. Wolfe noted the residents are reminded that they are not permitted to discharge their sump pumps into the Township Sanitary Sewer System. He explained that they must discharge onto the property owner's property onto a lawn area or a French drain. He noted that a discharge into the Township Sanitary Sewer System violates municipal code and compounds the Township's infiltration and inflow problems. He noted that the Township is spending considerable money to rehabilitate the sanitary sewer system and to abate the inflow of stormwater and clear water into the system.

Mr. Wolfe noted that the Township has various openings for appointments to Township Boards and Commissions. He noted that interested individuals can complete an appointment application that can be found on the webpage on the resource page under forms, or by picking one up at the Municipal Center, or requesting one to be mailed.

Mr. Seeds questioned for the people who have an above ground pool that is four foot or higher, do they still have to it fenced in. Mr. Wolfe answered that he does not know specifically but the entry way into the pool at the ladder needs to be fenced. Mr. Wolfe noted that he could look into what the code says for above ground pools. Mr. Hornung explained that he was told a

few years ago that the owner had to remove the ladder or have a fenced in ladder and it must be locked.

Mr. Seeds questioned if Mr. Wolfe had specific information in regards to the parade route in Linglestown as last year they switch the route they used. He noted that the parades used to begin at the Legion and travel down Balthaser Street, but last year they started the parade at the Linglestown Fire House and came east through the Village and down Balthaser to the park. Mr. Wolfe noted that the Township recently received the application for the parade from the Legion and forwarded it to PennDOT for its parade permit. He stated that he would check on the parade route.

### **OLD BUSINESS**

#### Action on an agreement with Dauphin County under its 2013 CDBG Disaster Recovery Plan, providing funds for the Winfield Street storm sewer improvements

Mr. Wolfe explained that the Township Engineer, HRG, submitted an application to Dauphin County requesting Community Development Block Grant Disaster Recovery funds for the Winfield Street stormsewer project. He noted that the engineering portion of the project has been approved by Dauphin County and funded in the amount of \$80,000. He noted that the agreement provides for the expenditure of the funds using the HRG's services to design the stormsewer system. He noted that it is staff's desire that the Board act to approve the agreement with Dauphin County authorizing the beginning of the project and use of the funds.

Mr. Crissman made a motion to authorize an agreement with Dauphin County under its 2013 CDBG Disaster Recovery Plan, providing funds for the Winfield Street storm sewer improvements. Mr. Seeds seconded the motion. Mr. Seeds questioned if the \$80,000 is paid by the Township or is it grant funds. Mr. Wolfe answered that the \$80,000 are grant funds. Mr. Seeds questioned if it would cover the cost of the design work. Mr. Wolfe answered yes. He

noted that any costs over the \$80,000 would be the Township's responsibility, however the contract submitted and approved by HRG and Dauphin County has engineering costs at \$80,000.

Mr. Hawk called for a voice vote, and a unanimous vote followed.

### **NEW BUSINESS**

#### Ordinance 14-03; allocating building permits in the Beaver Creek sanitary sewer basin

Mr. Wolfe noted that the Board has acted on this ordinance every year since 1995 in accordance with the First Consent Order Settlement Agreement in which the Township was allocated 168 building permits in Beaver Creek. He noted of that allocation, 96 permits were allocated to the Developer Petitioners and 72 permits are available to the Township for allocation for the rest of the development community. He noted that the 96 permits that are allocated to the Developer Petitioners must be used within one year, and the remainder of the unused permits is to be returned to Lower Paxton Township for reallocation. He noted by this ordinance the Board will authorize the first portion of these permits totaling 72 permits to be used in the following manner: 54 permits authorized for use from April 1, 2014 until December 31, 2014 and 16 permits authorized for use from January 1, 2015 until March 31, 2015. He noted that the Township desires to maintain two of the 72 permits in an account to be used in the final bank of a total of 258 permits for the decommissioning the package treatment plant in the Springford Development. He noted that this project is going to bid within the next several weeks.

Mr. Wolfe stated that the ordinance is complete and ready for action this evening. He noted that it has been advertised for a public hearing so it would be appropriate for Mr. Stine to conduct a public hearing.

Mr. Stine noted that it is the time and date set for the public hearing on Ordinance 2014-03, allocating building permits in the Beaver Creek Sanitary Sewer Basin. He questioned if anyone in the audience wished to be heard on this ordinance. He noted, seeing no comments, it

would be appropriate to close the hearing on Ordinance 2014-03 and the Board may take action if it so desires.

Mr. Crissman made a motion to approve Ordinance 2014-03, allocating the building permits in the Beaver Creek Sanitary Sewer Basin as presented by Mr. Wolfe. Mr. Seeds seconded the motion. Mr. Hornung questioned if the Township has accumulated the amount of permits that have gone unused at this point. Mr. Wolfe answered that was a correct, as the Township is nowhere building out 168 units in the Beaver Creek Basin. Mr. Hornung questioned if there is anything coming up other than Shadebrook that would need permits. Mr. Wolfe answered that Shadebrook would draw on a number of permits but he would not expect them to draw anywhere on the number that is available. Mr. Seeds stated that we can bank the permits that are returned. Mr. Wolfe noted that the permits do expire after a period of time. He noted that we were allowed to bank for the treatment plant but the permits, after they are allocated and go through the process, expire. Mr. Seeds suggested that part of the last agreement was the ability to be able to accumulate permits.

Mr. Hornung questioned if we should make any changes to the consent decree at any point to try to get out of this. Mr. Stine suggested maybe in 20 more years. He noted that the Township will come to a point where it will have to make a decision as to whether it wants to do storage or not and if so how much. He noted that storage might be 15 years out.

Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 14-13; indicating Township support of Senate Bill 1340 and House Bill 1272 which authorizes the use of radar by municipal police

Mr. Wolfe noted that Pennsylvania municipal police are not permitted to use the same radar devices for speed detection of motorist that the State Police are permitted to use. He noted that municipal police do have the ability to use other speed timing devices that are more manpower intensive and difficult to employ. He noted that the radar guns used by the State

Police are very efficient for a one-man operation to use to determine the speed of a vehicle. He explained that the Pennsylvania State Association of Township Supervisors (PSATS) has lobbied for years for the authorization of municipal police to use the radar devices. He noted that this resolution is recommended by the Capital Region Area Council of Governments. He noted if the Board determines that it wants to adopt the resolution it will be transmitted to the State Senator and State Representative.

Mr. Seeds noted that Pennsylvania is the only state that does not allow its local police to use radar. He noted that bills have been introduced almost every year for the past 20 years but it never moves forward. Mr. Hornung questioned who blocks the bills and what the downside is. Mr. Stine answered the fear over the years is that small municipalities will use the radar to set up speed traps to be used as an income source. Mr. Seeds noted that some may well do that.

Mr. Crissman made a motion to approve Resolution 2014-13, indicating the Township's support of Senate Bill 1340 and House Bill 1272 which authorizes the use of radar by municipal police. Mrs. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 14-14; authorizing the submission of a grant application to the PA DCNR requesting funds for a Nyes Run Greenway Feasibility Study

Mr. Wolfe noted that Mr. Luetchford has prepared a grant application in conjunction with the Greenway Committee. He noted that the Greenway Committee desires to obtain funds to conduct a feasibility study to develop a pedestrian greenway path along Nyes Road between Nyes Road and Nyes Run. He explained that Mr. Luetchford would like to submit an application to the Pennsylvania Department of Conservation and Natural Resources (PA DCNR), for a project cost of \$40,000. He noted that the Township is requesting a grant of \$20,000 with the Township providing the matching funds if awarded. He noted that staff is requesting the Board to approve the resolution in order to submit the grant application to PA DCNR. He noted if the

application is awarded, the Board will received a grant application at which time it can act to accept or reject the funds approved by the Department.

Mr. Crissman made a motion to approve Resolution 2014-14, authorizing the submission of a grant application to the PA DCNR requesting funds for a Nyes Run Greenway Feasibility Study. Mrs. Lindsey seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Action on a lease agreement with Ford Motor Credit for four police vehicles

Mr. Wolfe explained that part of the 2014 budget provides for the lease agreement of four police vehicles, one 2015 Ford Interceptor Utility vehicle and three 2015 Ford Interceptor vehicles. He noted that the total lease amount for the four vehicles is \$102,769 to be made through three annual payments of \$35,374.32. He noted that the annual percentage rate is 3.3%. He explained, at the end of the lease, the Township can purchase the vehicles for \$1 each.

Mr. Wolfe noted that this has been the Board's plan of purchase for vehicles for the last several years and staff recommends the Board act affirmately for this request.

Mr. Crissman questioned if this is a lease purchase agreement. Mr. Wolfe answered yes.

Mr. Crissman made a motion to approve the lease agreement with Ford Motor Credit for four police vehicles for the three payments totaling \$102,769, with an annual payment of \$35,374.32. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote, and a unanimous voted followed.

Amendment of the revised preliminary/subdivision and land development plan for Meadowview Village

Mr. Hawk explained that the Board received additional information for this plan amendment and it needs more time to review the information. He pulled the plan from the agenda.

### **Improvement Guarantee**

Mr. Hawk noted that there was one Improvement Guarantee to approve.

#### Chelsey Falls, Phase II

A new letter of credit with Susquehanna Bank in the amount of \$341,233.75, with an expiration date of May 6, 2015.

Mr. Crissman made a motion to approve the one improvement guarantee as listed. Mrs. Lindsey 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 and Lower Paxton Township Authority. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

### **Announcements**

Mr. Hawk noted that May 20<sup>th</sup> is Election Day in the Commonwealth and he encouraged all citizens to get out and vote. He explained that the Board meeting scheduled for that night will be moved to Monday, May 19<sup>th</sup>.

Mr. Wolfe noted that he had more information for the Linglestown Memorial Parade as it begins at 1 p.m. and will start at the Linglestown Fire House. He noted that the parade route will be eastbound on Linglestown Road to Balthaser Street and proceed south to Koons Pool Park Road. He noted that it will be the same route that was used last year.

### **Adjournment**

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mrs. Lindsey seconded the motion, and the meeting adjourned at 7:50 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

William L. Hornung  
Township Secretary