

\ LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held July 15, 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.

Mr. Hawk recessed the meeting at 7:35 p.m. in order to conduct the Sewer Authority meeting.

Mr. Hawk reconvened the meeting at 7:40 p.m.

Pledge of Allegiance

Mr. Hawk suspended the recitation of the Pledge of Allegiance as it was reciting during the previously held Sewer Authority meeting.

Approval of Minutes

Mr. Crissman made a motion to approve the minutes from the June 17, 2014 and July 1, 2014 business meetings. Mr. Hornung seconded the motion, and a unanimous vote followed.

Public Comment

Fran Hahm, 524 Blanchester Road explained that there was an article in The Paxton Herald that discussed the ordinance prohibiting vehicles from parking on the grass on front lawns. She suggested that the property maintenance in the Township is going down as she lives

in the Clermont Development and walks through it all the time. She explained that she made a list of some of the properties that are in bad condition. She noted that she spoke with Ken Shoaff and he told her that it wasn't his job as it is a police problem. She explained that she would like the community to look nice because it ruins all of the properties as people leave their trash cans in the front lawn or in front the garage all the time. She questioned what can be done about this. She suggested that something should be put in the Township Newsletter calling attention for people to take care of their properties. She noted when they don't take care of their property we all lose money.

Mr. Hawk noted that Ms. Hahm's comment is well taken noting as the Board members drive around they see the properties that are not maintained as they should be. He noted that we are always looking for articles to put in the newsletter and someone may want to take a crack at writing about this. He noted that it is the homeowner's responsibility to maintain their homes and the Township tries to enforce the property maintenance code and since the Township is not in the grass cutting business we can't go around and cut people's grass. Ms. Hahm noted that this is worse than grass cutting.

Ms. Hahm noted that she has been a resident living on Blanchester Road for 54 years and she has seen the neighborhood go down, down, down. She noted when she moved to Clermont you were not allowed to have a separate shed or anything and now they have one and two sheds.

Mrs. Lindsey suggested that Ms. Hahm should call the Codes Enforcement Office and report what she is seeing and they will follow up on it. Mr. Wolfe noted if Ms. Hahm provide him with the list he would make sure it gets to the right person.

Chairman and Board Member's Comments

No comments were provided.

Manager's Report

Mr. Wolfe noted that National Night Out for Public Safety will be held on Tuesday, August 5th from 5 p.m. to 8 p.m. at George Park. He noted that this event is sponsored by the Lower Paxton Township Police, Colonial Park, Linglestown and Paxtonia Fire Companies and South Central Emergency Medical Service personnel. He noted that it is designed to heighten crime and drug awareness, gain support for crime prevention efforts, enhance neighborhood spirit, strengthen community partnership, and most importantly, send a message that the community is organized and prepared. He noted that the Public Works and Sewer Department will display equipment and as well as the Shade Tree Commission and there will be information on recycling. He noted that the Parks and Recreation Department as well as the Friendship Center coordinates activities at the event for families and children.

OLD BUSINESS

Resolution 14-18; authorizing the submission of a Dauphin County Local Share Grant application on the part of Contract Helpline

Mr. Wolfe noted that this is a grant application that the Board is asked to sponsor for Contact Helpline. He noted that the grant request is for \$13,000 to be used to upgrade computer equipment. He noted that the support of the application is necessary for Contact Helpline to submit their application to Dauphin County to request the grant funds.

Mrs. Lindsey made a motion to approve Resolution 2014-18; authorizing the submission of a Dauphin County Local Share Grant application on the part of the Contract Helpline. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolutions 14-19-01 through 07, responding to I-83 preconstruction design questions submitted by McCormick Taylor on behalf of PennDOT

Mr. Hawk noted that this concerns the I-83 design submitted by McCormick Taylor who is the consultant working for PennDOT on the improvement project.

Resolution 14-09-01; approval of sidewalks along the Union Deposit Road corridor as part of the I-83 Improvement project and Township accepting maintenance for those sidewalks that traverses the Union Deposit Road Bridge over I-83

Mr. Wolfe suggested starting with Resolution 14-19-01 first. He noted that this was discussed at the previous workshop session that PennDOT is asking for the Board's position in regard to seven specific items that effect the widening of I-83 as it will occur in Lower Paxton Township. He noted that PennDOT plans to undertake reconstruction of I-83 crossings with the bridge work beginning in 2016. He noted that it includes the interchanges at Union Deposit and Colonial Road as well as the bridge on Elmerton Avenue. He noted that it also includes the bridges for Locust Lane, Londonderry Road, and Megoulas Boulevard as well.

Mr. Wolfe noted that Resolution 14-09-01 concerns the reconstruction of the Union Deposit Road Bridge with or without sidewalks. He noted if sidewalks are installed on the bridge then the Township is required to become the responsible maintenance entity for those sidewalks. He noted if the Township does not desire to maintain the sidewalks then PennDOT will not include them in the reconstruction of the bridge over I-83 at Union Deposit Road. Mr. Wolfe noted if the Board acts affirmatively on this resolution it will be in favor of the sidewalks. He noted if the resolution is not adopted it will indicate that the Township is not in favor of sidewalks on the bridge.

Mr. Hawk noted that area of Union Deposit Road on both the north and side sides is extremely a tight area. He questioned if PennDOT will make the necessary arrangements for easements etc. Mr. Wolfe answered yes in that it is a complete reconstruction of the bridge.

Mrs. Lindsey questioned if the businesses were contacted to get their input concerning sidewalk installation. Mr. Wolfe answered no as Mr. Stine stated that the businesses would be responsible for the maintenance of the sidewalks installed on their property. He noted that is per the Township's Second Class Code. Mr. Wolfe noted that the bridge span does not have an abutting property and the Township would have to accept responsibility for the maintenance of the sidewalks.

Mr. Crissman noted that these sidewalks are five feet in width. He noted that it would impact manpower to remove snow as well as the need for the equipment to do this.

Mrs. Lindsey noted if someone would fall who would be liable. Mr. Wolfe answered that PennDOT and Lower Paxton Township are covered by the Pennsylvania Tort Claims Act which provides immunity from liability except in very specific circumstances. He noted that the liability for a public right-of-way would occur if we had advance notice and failed to correct a situation. He noted that the liability would be limited in accordance with the Tort Claims Act. Mr. Stine believed that was correct but he did not remember if sidewalks were an exception. Mr. Wolfe suggested that sidewalks are an exception but this would be one that the Township would have a maintenance agreement for. Mr. Stine noted if there was a defect in the sidewalk then there could be an issue. He noted for winter maintenance, for slip and fall cases, it cannot just be a slippery surface for someone to recover funds, it usually has to be hills and ridges, a very rough and treacherous surface to walk on, not just generally slippery.

Mr. Seeds noted that this would not just cover the maintenance in the winter to take care of snow and ice but it would be ongoing maintenance forever to the point that they may need to be replaced in ten or 20 years. Mr. Wolfe noted that as it was explained to him, they are not asking for construction maintenance, rather winter maintenance of the sidewalks. Mr. Seeds

questioned if the sidewalks become defective for whatever reason... Mr. Wolfe stated that the sidewalks are still owned by PennDOT. He noted that it would be very similar to the maintenance agreement for State routes where the Township plows 19 miles of State roadway in the winter as we would any municipal street; however, after we plow the road we don't fill the potholes or pave it. He noted that it would operate in the same fashion.

Mr. Seeds noted that there are areas where PennDOT put in sidewalks and the property owners must maintain them. He questioned in the areas where there are adjacent properties would it become their responsibility to replace them. Mr. Wolfe answered yes, just like it is with any sidewalk in the Township. Mr. Seeds noted in this case where there is no adjacent properties not owned by individuals or corporations it would be PennDOT's responsibility. Mr. Wolfe answered that PennDOT owns the bridge.

Mr. Hawk noted that this maintenance could be done by Township equipment and staff or it could be contracted out.

Mr. John Trish, 600 Prince Street, noted as a citizen of the Township, he would prefer that the Board put the sidewalks in, for example, at the I-81/I-83 split across Route 22 there is a big ditch in the sidewalk that has not been repaired. He noted if PennDOT is paying for the sidewalks and all we have to do is make sure that they are clear for people to walk on them, it makes sense to him, as it might be a Board member one day who has to cross over the bridge and could get hit by a driver because there were no sidewalks. He noted if you try to walk across that bridge on the east side you will see what I mean.

Mr. Crissman made a motion to approve Resolution 14-19-01 for the approval of sidewalks along Union Deposit Road as part of the I-83 Project. Mr. Seeds seconded the motion. Mr. Hornung questioned if this will impact the parking of the businesses along Union Deposit

Road. Mr. Wolfe answered no as it would be constructed in the PennDOT right-of-way. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 14-09-02; approval of sidewalks along the Route 22/Jonestown Road corridor as part of the I-83 Improvement project and Township accepting maintenance for those sidewalks that traverses the Route 22/Colonial Road Bridge over I-83

Mr. Wolfe explained that Resolution 14-09-02 location already has some existing sidewalks on Jonestown Road at the Colonial Park exit. He noted that the Board is being asking if it will accept the maintenance responsibility for existing and new sidewalks at this location if they are included in the plan for the reconstruction of the interchange for both north and south sides of the bridge.

Mrs. Lindsey noted that Mr. Wolfe explained that the light at the intersection would be changed and there would be a pedestrian walkway. She questioned once the people get to the Sunoco station at Colonial Road, will there be another pedestrian walkway to the Red Lobster. Mr. Wolfe answered that his belief is that the sidewalk will end at the project limits. He displayed a map showing the sidewalk configuration for Route 22 at Colonial Road. He explained that the light blue color is the existing sidewalk and green is the proposed sidewalk and both will extend to the Sunoco Station, across the street from the Colonial Park Diner. Mrs. Lindsey noted once a pedestrian gets to that location, how they will cross the traffic. Mr. Wolfe answered that there would be pedestrian crossings at that location. Mr. Crissman noted that people cross that intersection all the time now. Mr. Wolfe noted if there are sidewalks there has to be a pedestrian crossing.

Mr. Seeds questioned if there are any provisions for bicyclists. Mr. Wolfe answered that there are no provisions for bicyclists. Mr. Seeds suggested that they will use the sidewalks.

Mr. Crissman made a motion to approve Resolution 14-19-02 for the approval of sidewalks along Route 22/Jonestown Road as part of the I-83 Project. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote: four aye votes and one nay vote by Mrs. Lindsey.

Resolution 14-09-03; approval of sidewalks along Elmerton Avenue corridor as part of the I-83 Improvement project and Township accepting maintenance for those sidewalks that traverses the Elmerton Avenue Bridge over I-83

Mr. Wolfe noted that Resolution 14-09-03 is similar in that the sidewalks would be installed on the Elmerton Avenue Bridge. He noted that currently there are sidewalks on both sides of the bridge but the Township is not responsible for those sidewalks; however, when the bridge is reconstructed, PennDOT will install sidewalks only on one side. He noted if the Township does not accept responsibility for the sidewalks PennDOT will not install the sidewalks.

Mr. Crissman made a motion to approve Resolution 14-19-03 for the approval of sidewalks along Elmerton Avenue as part of the I-83 Project. Mrs. Lindsey seconded the motion.

Mr. Seeds noted that he looked at all of the requests and he did not think the bridge sidewalks gets used much, although he notes the tremendous benefit to the prior two requests. He noted that he does not see any future additions that would require additional sidewalks. Mr. Hawk noted that he did the same thing and reviewed all the locations and he is not sure he is in favor of sidewalks at that location. Mr. Seeds noted that the sidewalk is four or five inches up and if you walk on macadam you would have to step up to the sidewalks.

Mr. Crissman noted that he voted for the sidewalks to be consistent in providing sidewalks across the bridges.

Mr. Richard Stottlemeyer, 96 Eric Drive noted that prior to moving to Lower Paxton Township, he lived in the Borough of Pennbrook and when the State plows the roads they plow the snow high on the sidewalk. He suggested that the board has to consider how it will be removed and what you will do with it. He noted that it presents a problem as they plow in the middle of the night and by the time the staff comes to work to remove the snow, it becomes a big bulk of ice and too hard to remove it.

Mr. Crissman noted that the Board had this discussion, noting that even after the snow is removed they may come back and plow again.

Mr. Seeds noted since Mr. Crissman wants to be consistent in his voting and he agrees with that, but when he looks ahead to all the other resolutions, such as sidewalks for Megoulas Boulevard and Locust Lane, if we are going to be consistent he does not see any purpose in putting sidewalks under those two bridges. He suggested that it is a waste of taxpayers' money. He noted that the sidewalks will not lead anywhere and the macadam is better for walkers and bikers then if we put in sidewalks.

Mr. John Trish, 600 Prince Street, questioned Mr. Seeds if there will be places for people to walk without being in harm's way or hit by vehicles, noting that the Board doesn't take any consideration for when the plow drive by and plow the driveways shut. He noted that is on the homeowners. He noted that the reality is if you are one of the poor souls that has to walk across the bridges that you say don't need sidewalks and you happen to be the poor sucker that gets hit, and they ask why they weren't walking on a sidewalk or using a crosswalk when there was nothing there, because the Board did not deem them necessary. He suggested that the Board members look at what is at these locations and maintain it.

Mr. Hawk called for a roll call vote: Mrs. Lindsey, aye, Mr. Hornung, nay; Mr. Seeds, nay, Mr. Crissman, aye; Mr. Hawk, nay. The motion did not pass.

Resolution 14-09-01; approval of sidewalks under the Londonderry Road, Megoulas Boulevard and Locust Lane corridors as part of the I-83 Improvement project and Township accepting maintenance for those sidewalks that traverses those areas

Mr. Wolfe noted that this request is for sidewalks under the structure on the roadway that exists on Locust Lane, Londonderry Road and Megoulas Boulevard. Mr. Seeds questioned if it was for both sides. Mr. Wolfe answered that he believed that it was only for one side.

Mr. Hawk noted that he lives in the area of Londonderry Road and he sees that people have made their own sidewalk on the grass that abuts the property that belongs to the United Church Center. He noted on the other side of the bridge there is a sidewalk.

Mr. Seeds noted that it is the only one of the three that he is in favor of as there are sidewalks on the west side and people have made a path on the other side and maybe someday the church will put in a sidewalk, allowing people to walk from one side of the bridge to the hospital on the other side. He noted that he thinks it will be beneficial.

Mr. Hawk noted that he is not enamored with it.

Mr. Hornung questioned if the resolution could be broken out for each location. Mr. Wolfe answered yes.

Ms. Lindsey noted for Londonderry Road, if they put sidewalk under the bridge and the church center does not install sidewalks on their land they will still walk on the grass and make a path. She noted that would be a lot of sidewalk to install.

Mr. Hawk noted from Hassler Road to the bridge there is a sidewalk but from the bridge to Arlington Avenue there is no sidewalk. He noted on the other side of the street there is no sidewalk but the people have made their own sidewalk by walking on the grass. Mr. Seeds

suggested that St. Mark's Church has sidewalks as well as the hospital. He noted that it would be a nice connection noting that we only need one piece.

Mr. Hawk noted that it is a heavily walked area as a lot of people walk from the Giant on Union Deposit Road to that location.

Mrs. Lindsey noted if the church does not build a sidewalk the bridge sidewalk will not go anywhere. Mr. Hornung noted if people have made a path, it is obvious that it is well used.

Mr. Hawk noted that there is nothing at Megoulas Boulevard. Mr. Seeds noted that it would make it worse as it would raise up the sidewalk; whereas, now it is a flat macadam surface where walkers and bikers can go. He suggested that a sidewalk would create more issues. Ms. Lindsey noted that a five foot sidewalk would not work as you can barely get two cars through the bridge now.

Mr. Hawk noted that he does not see anyone walking on Locust Lane. Mr. Seeds noted that there are high banks on the other side of Locust Lane, so the only one he is in favor of is Londonderry Road.

Mr. Hornung made a motion to approve Resolution 14-19-04 for the approval of sidewalks under Londonderry Road, but not for Megoulas Boulevard and Locust Lane as part of the I-83 Project. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Resolution 14-09-05; approval of making Revere Street a one-way street with parking along the frontage with plans to improve the alley behind the properties to a condition that would be acceptable to the Township as part of the I-83 Improvement project with Township accepting the alley behind Revere Street as a public road.

Mr. Wolfe noted that this resolution states that if the Board is in favor of the improvements made to the alley behind the homes on Revere Street, to include the acquisition of necessary right-of-way that the Township will be willing to accept the alley as a public road. He

noted that the resolution is conditioned upon Township approval of the design of the improvements to the alley, including right-of-way width, pavement width, pavement cross section, and site distance at alley intersection with public streets. He noted if the Board is in favor of this resolution the action is conditioned upon the future review of the design of the alley.

Mr. Seeds noted that the resolution speaks of PennDOT acquiring right-of-way but further on it states, “acquisition of the necessary right-of-way, the Township is willing to”, noting that it makes it sound like the Township is going to acquire the right-of-way. Mr. Wolfe noted that the right-of-way would be dedicated to the Township by PennDOT after it acquires the right-of-way. Mr. Seeds questioned if there are any costs to the Township for any of these resolutions other than ongoing maintenance. Mr. Wolfe answered no.

Mr. Hawk noted that he drove down Revere Street twice and in coming back he wished he wouldn't have. He noted that he had issues with the overhanging trees and he did not know what the people will do with all the discarded possessions that they have stored along the fence in the alley. Mr. Seeds noted that would be their problem noting that we have had that issue in other areas of the Township. He noted that either the people move the stuff or the contractor will move it. He noted if they are putting up sound barriers they will take some of Revere Street and he thinks it is an excellent idea. He suggested that they will make Revere Street one way to Locust Lane.

Mr. Crissman agreed that they will make it one way but what happens when the alley becomes a street as it is tight in that alley. Mr. Seeds noted that it is no different than the situation in Linglestown when they did the same thing. Ms. Lindsey questioned if the alley will become one-way. Mr. Seeds answered not necessarily. Mr. Crissman noted that the alley would have to be one-way.

Mr. Wolfe reminded the Board members that the resolution is contingent upon the Board's review of the design. He noted if the Board adopts this resolution this evening by the wording if it is not comfortable with the design then PennDOT has not met the condition of the resolution.

Mr. Seeds questioned what would happen if the Board said no, PennDOT would not improve the alley but they would still have to make Revere Street one-way. Mr. Wolfe stated that he could not answer that.

Ms. Lindsey noted when she visited the site yesterday, there were eight cars parked in front of homes, noting that it is really a one-way now because two cars could never get through with all the cars that are parked along the road.

Mr. Seeds noted that it would happen anyway once they put up the sound barrier walls as PennDOT will take land to do that.

Mr. Hawk noted if you go down towards Locust Lane, you are taking your life in your hands trying to come out on Locust Lane.

Mr. Crissman noted that he has a problem with the alley becoming a street. He noted that the entire configuration is going to be very difficult for the people living there as well as the people who have to use those streets.

Mr. Seeds noted when PennDOT has their public meetings they will hear from the people but he would think the people would be in favor of improvements for alleys. He noted that we went through the same things in Linglestown and generally the people were in favor of it since it improved the alleys and made them easier to maintain.

Mr. Hornung questioned if residents would lose the loss of the use of their garages. Mr. Wolfe answered that he did not know as it has not been designed yet.

Mr. Crissman questioned what they will take from the people to improve the alleys. Mr. Hornung noted that we have the option to be able to vote again on this once we see the design and it would be good to move forward with it to see what PennDOT comes up with. Mr. Crissman agreed as well.

Mr. Hornung noted that he is concerned with how it will effect the value of their homes as it is best to maintain the property values as much as possible. He noted if the value goes down, the homes become abandoned and there are more problems.

Mr. Seeds noted that PennDOT has not had any public meetings so we have no input from the people that it will impact and we have to try to decide for them.

Ms. Lindsey questioned if the Board voted to approve this resolution and PennDOT comes back with a design that we do not like, can we inform them that we don't want it. Mr. Wolfe answered that the resolution is conditioned on design and approval.

Mr. Hawk noted that there are two homes on the west side of the alley, small homes and the rest are on the east side. He noted that there are two or three homes at Lexington Avenue that have brush to the back but you can drive the rest of the way. Mr. Seeds noted that he did not think that alley was too bad.

Mr. Crissman made a motion to approve Resolution 14-19-05 for the approval of improvements to the alley behind the homes on Revere Street to include the acquisition of necessary right-of-way with the Township being willing to accept the alley as a public road. He noted that the resolution is conditioned upon Township approval of the design of the improvements to the alley including right-of-way width, pavement width, pavement cross section

and site distance at alley intersection with public streets. Mrs. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 14-09-06; acceptance of the alley with improvements behind South Arlington Avenue as a Township street as part of the I-83 Improvement project

Mr. Wolfe noted that this resolution is in regards to the alley behind the properties on South Arlington Avenue. He explained, with this alley, PennDOT desires to restore it to its existing condition after it installs a sound barrier along the alley. He noted if the Board desires PennDOT will construct it to a street standard; however the way the resolution is crafted is that the Township is in favor of restoring the alley to its existing state without the Township becoming the responsible maintenance partner.

Mr. Seeds noted that that alley is very narrow and there are a lot of items such as sheds, garages and big trees in it.

Mr. Hawk noted that PennDOT is going to put up a barrier adjacent to the highway and they would widen it to make a driving lane for access to the back of the homes. Mr. Wolfe explained that this is a different situation as Revere Street is effected on the west side but on the east side Arlington Avenue will not be effected as they will maintain two-way traffic with no activity or construction on Arlington Avenue. He noted that they will install a sound barrier beside the alley that currently exists behind the homes on North Arlington and they will restore the alley to its existing condition. He noted if the Township wants the alley to be restored to a better-than existing condition and is willing to accept maintenance responsibility as a public street then PennDOT will take it to the next step.

Mr. Seeds questioned if that means a macadam surface. Mr. Wolfe answered yes. He noted that the resolution will not accept it as a public street but the alley would be restored to its existing condition.

Mr. Seeds questioned if Mr. Wolfe and staff are in favor of this. Mr. Wolfe answered yes, noting that is what Mr. Robbins indicated to you during last week's workshop session.

Mr. Crissman made a motion to approve Resolution 14-19-06; authorizing the restoration of the alley between South Arlington Avenue and I-83 to match existing conditions, but not to accept said alley as a public road. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 14-09-07; Agreeing to the proposed vertical alignment of Jackson Street being a maximum grade of 13.21%; requesting that the intersection of Hollywood Road and Route 22 be closed with a proper turn-around designed, acceptable to the Township, and constructed in lieu of maintaining the intersection of these two roadways as part of the I-83 Improvement project

Mr. Wolfe noted at Hollywood Road and Jackson Street as they intersect with Route 22, both roads currently exceed the grade limit as established by the Township's design standard of 10%. He noted that PennDOT in its reconstruction of Route 22 as part of the I-83 project will raise the intersection of Hollywood Road and Jackson Street and the increased grades will be over 13% for both streets. He noted as a result, PennDOT is asking if the Township is willing to accept a maximum grade in excess of 13% for both of these intersecting streets with Route 22. He noted that the answer for the resolution is that for Jackson Street, the Township is willing to accept a maximum grade of 13.21%. He noted for Hollywood Road, the Township requests that PennDOT redesign the intersection by closing it at Route 22 and prepare a proper turnaround that is acceptable to the Township upon further review.

Mr. Seeds questioned if he was requesting that Jackson Street be one-way. Mr. Wolfe answered no.

Mr. Crissman noted that the approval for the resolution is what Mr. Wolfe stated. Mr. Wolfe answered yes.

Mr. Crissman made a motion to approve Resolution 14-09-07; authorizing for Jackson Street, that the Township is willing to accept a maximum grade of 13.21%; however, for Hollywood Road, the Township requests that PennDOT redesign the intersection by closing it at Route 22 and prepare a proper turnaround that is acceptable to the Township upon further review. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 14-20; indicating support to PennDOT for the closure of the median break on Union Deposit Road between Scenery and East Park Drives and I-83

Mr. Wolfe noted that this resolution is in regards to the previous subject of the I-83 reconstruction project; however, the previous seven resolutions were in response to questions ask of the Board by PennDOT. He noted that this resolution is a request from the Township to PennDOT in regard to the overall work proposed by PennDOT. He noted that Union Deposit Road is a very high accident location, especially at a mid-block crossing between Scenery Drive and I-83 interchange. He noted that the Township indicates that it is in favor of closing that medium break to prevent the mid-block vehicle crossing.

Mr. Hawk noted that he would like to see no U-turns at East Park Drive intersection. He noted that he highly supports the closing of the medium.

Mr. Seeds agreed with Mr. Hawk but he questioned how this would effect the businesses as the Township needs businesses. He questioned how it would effect the shopping center and Dunkin Donuts. Mr. Wolfe noted that is an issue that PennDOT will have to address when it closes the medium and notifies the businesses. He noted that the Township believes it to be necessary. Mr. Seeds noted that we have a very lengthy accident history in that location. Mr. Wolfe answered that is correct.

Mr. Crissman made a motion to approve Resolution 2014-20; indicating support to PennDOT for the closure of the median break on Union Deposit Road between Scenery and East Park Drives and I-83. Mrs. Lindsey seconded the motion.

Mr. Hornung questioned if there is any other alternatives to closing it. Mr. Wolfe noted that it could be signalized. Mr. Hornung questioned if the Board could push the State to do that. Mr. Wolfe answered that the Board could request it, but in our discussions with them at staff level it is not something they have wanted to consider. Mr. Hornung noted that many businesses have tried and struggled to keep open. He suggested that many of those that are there now are probably just making it. He noted that closing it would be their demise, noting that the Evergreen Restaurant was vacant for a long time. Mr. Seeds noted that Concentra has recently built a new office at that location.

Mr. Hornung questioned if we are putting the business in a situation where they won't make it or do we go back to PennDOT and request signalization.

Mr. Hawk noted that he lives in that general area and if they close the medium he would drive to East Park Drive, take a left, go one block and make another left to go in the back way. He noted that you can hit every business from the back of their locations. Mr. Seeds questioned if people are willing to do that. Mr. Hornung noted that the number one reason why anyone shops a business is access and the more inconvenient you make it the less people will shop. He noted that he will vote no because he wants it to be signalized; however he is concerned that if they won't signalize it and there are no other options he does not want all the accidents. Mr. Seeds agreed with Mr. Hornung. Mr. Wolfe noted that the Board could amend the resolution on the floor and add, "be it further resolved that in lieu of the closure, the Township would support the installation of a traffic signal at the medium break."

Mr. Seeds agreed that the signals would be so close together that it may not be possible to add a signal at that location. He noted that we should ask PennDOT to look at something that would help the businesses. Mr. Hornung noted that in many townships signals are 100 yards apart, and it is not unusual to find this so if they properly signalize it and synchronize them together they will work together.

Mr. Crissman made a motion to add the addendum to the motion concerning the traffic light. Mr. Hornung seconded the motion. Mr. Seeds suggested that we add “other means” as there may be something else that PennDOT can do. Mr. Hawk noted that signalizing that area will help in some cases but it will also deter in others. He noted that it would facilitate getting out of the shopping center near the Giant gas station but you will have a traffic backup with the signal at the bridge. Mr. Hornung noted that it would have to be coordinated. He questioned if Mr. Crissman wanted to amend his motion to include other alternatives. Mr. Crissman agreed to do that placing the onus back on PennDOT. Mr. Hornung seconded the amendment to the motion. Mr. Hawk called for a voice vote on the amendment to the motion and a unanimous vote followed. Mr. Hawk called for a voice vote to the motion including the amendment; and a unanimous vote followed.

Resolution 14-21; authorizing the submission of a 902 grant application to PA DEP for funding to support the operation of the compost facility

Mr. Wolfe explained that this resolution would authorize the submission of a grant application to the Pennsylvania Department of Environmental Protection in accordance with the Section 902 grant program. He noted that it provides 90% of project costs up to \$250,000 for the purchase of equipment for recycling programs. He noted that the application was reviewed with the Board during it last workshop session and proposes to purchase a Windrow Turner and a Compost Screener at a total cost of \$400,000. He noted that the Township will apply for the

total maximum amount of \$250,000 and if it would receive the award it would not preclude the Township from applying for a future grant round for the remainder of the funds, although there is no guarantee that the Township would receive the award. He noted that it is staff's recommendation that the Board authorize the submission of the grant application.

Mr. Seeds questioned if the Township applies, when the awards will be announced. Mr. Wolfe answered that he does not know. Mr. Seeds noted in foresight, next year's budget should possibly include \$150,000 in case the Township is successful and then it would apply to get those funds in a future grant process.

Mr. Crissman made a motion to approve Resolution 2014-21; authorizing the submission of a 902 grant application to the Pennsylvania Department of Environmental Protection (DEP) for funding to support the operation of the compost facility. Mr. Hornung seconded the motion. He questioned where the equipment would be stored in the winter or would it be used in the winter time. Mr. Wolfe answered in the harsh winter it will not be used but the Board previously approved the purchase of a membrane storage building at the compost facility.

Mrs. Lindsey noted when she asked Mr. Robbins where the machinery will be placed he stated that it would be placed outside the 300 foot requirement which will irate the neighbors again; therefore she requested if we get the equipment that it be pushed back farther in the Compost Facility. Mr. Wolfe noted that he has Mr. Robbins scheduled for a future workshop meeting to present to the Board the revised permit application that is being submitted to DEP for the operation of the compost facility which will include the location of the processing areas. Mr. Hawk called for a voice vote and a unanimous vote followed.

Mr. Hornung noted that people come to his store to purchase a compost facility permit and one of the common questions is why do they have to pay a permit fee to use the facility and

he has explained that the fee is a minimal amount to help pay for the monitoring of the facility and nothing more. He noted that, in the past, many inappropriate items were dropped off at the facility and it caused additional headaches for the Township that had to be cleaned up. He questioned what portion of the fee covers the operations. Mr. Wolfe answered that it pays for the people who monitor the site. He noted that it does not pay for the Township's share of the equipment, or for public works time to manage the site, or to process the materials. Mr. Hornung questioned what would that cost be. Mr. Wolfe suggested that it would be more than \$250,000.

NEW BUSINESS

Appointment of a person to the South Central Emergency Medical Services Board

Mr. Hawk noted that there is a vacancy on the South Central Emergency Medical Services Board and he would like to suggest the name of Beth Bisbano who applied for that volunteer position.

Mr. Crissman made a motion to approve the appointment of Beth Bisbano to the South Central Emergency Medical Services Board. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Appointment of Ordinance 14-04; amending the Property Maintenance Code for the parking of vehicles in a residential area

Mr. Wolfe noted that Ordinance 14-04 amends the Property Maintenance Code that prohibits the parking of vehicles in the front yard of any premises in the R-1, R-2 and R-C zones. He noted that currently there is no prohibition from doing this and the Board desires to amend the Code to add this provision. He noted that the ordinance has been duly advertised for Board action this evening after it conducts a public hearing. He noted that it would be appropriate for Mr. Stine to conduct a public hearing at this time.

Mr. Stine noted that this is the date and time set for a public hearing on Ordinance 14-04 which would amend the Property Maintenance Code for parking vehicles in the front lawn area. He questioned if anyone in the audience wished to be heard on this ordinance.

Mr. John Trish, 600 Prince Street questioned if the Property Maintenance Code is being enforced on an as needed basis or a as requested basis. He noted if the Board accepts this ordinance will it be on a as is basis, or as seen, or a complaint basis. Mr. Wolfe answered that the Township's enforcement policy is on a complaint basis when staff is notified; we are not staffed, nor do we have a policy to do enforcement on an inspection basis. He noted we do not drive the Township looking for property maintenance complaints or zoning violations. He explained that they exist and when we receive notice of them by complaint we take action.

Mr. Hornung questioned if that answered Mr. Trish's questions. Mr. Trish answered yes except when the Board adopts this Ordinance will it adequately enforce it because you always hear that "the guy that drove past me driving 40 mph was not pulled over, but I was". He noted that someone will get a citation and the first thing they will say is that there are many other people in violation. He noted if the Board adopts this resolution will it be equally enforced or are we just going to enforce something that is not enforceable because no one complains. He noted that someone will get a citation because someone complains. Mr. Hornung noted if someone complains it will be enforced.

Mr. Stine noted that seeing no more responses, it would be appropriate to close the public hearing on Ordinance 14-04 and the Board may take action if it so desires.

Mr. Crissman made a motion to approve Ordinance 14-04; amending the Property Maintenance Code for the parking of vehicles in a residential area. Mrs. Lindsey seconded the motion. Mr. Hornung noted that he is not totally satisfied with this ordinance although he will

approve it because we know that we can refine it later as he questioned when someone is having a party in many instances, people park on the front yard. He noted if this becomes a problematic ordinance he will be in favor of trying to rescind it or revise it to accommodate those situations.

Mr. Seeds noted that he agreed with Mr. Hornung as we all have concerns about that. He noted if a complaint is received for all the cars that were on a lawn on Sunday, and they said they had a birthday party or something special; hopefully common sense is used like it is used in all ordinances. Mr. Hornung noted that it is not meant to stop those situations. Mr. Seeds noted if it does then we will revisit it.

Mr. Hawk noted that the repetitive parking on front lawns is objectable. Mr. Hornung noted that he is afraid that someone will use this ordinance as a hammer to get at a neighbor.

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

Action on the Declaration of Covenants for Wolfersberger Park

Mr. Stine noted that it should be a declaration of covenants and restrictions for Wolfersberger Park. He explained that the Township is currently trying to get permits from the US. Army Corps of Engineer and DEP to allow the Township to place fill on the Wolfersberger park site. He noted that there are some wetlands on that site and a requirement of the permit application is to have a declaration which preserves those wetlands that would not allow any type of activity to occur within them. He noted that is the reason to sign and record to document.

Mr. Seeds questioned if we have to do this in order to get the permits. Mr. Stine answered that is correct.

Mr. Crissman made a motion to approve the Declaration and Restriction of Covenants for Wolfersberger Park. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Amendment of the revised preliminary/final subdivision plan for Meadowview Village

Mr. Wolfe noted that the request before the Board this evening is to amend the revised preliminary/final subdivision plan for Meadowview Village. He noted that there are three amendments requested.

Mr. Wolfe noted that the first amendment is to remove a required pedestrian path that is currently on the plan that would circle behind existing properties if it were to be installed. He noted if it were removed from the plan it would not be constructed.

Mr. Wolfe noted that the second amendment is to construct two small satellite parking lots in areas of the development that are believed to be congested for parking purposes.

Mr. Wolfe noted that the third amendment is to delete a retaining wall that is located on the plan between Units 187 and 188.

Mr. Seeds suggested that we might have to separate these items as they are three different items.

Mrs. Lindsey noted that she is not in favor of deleting the retaining wall. She noted that it was part of the plan and the engineer has requested that it remain on the plan, and since he is the Township's engineer the Board should follow his advice.

Mr. Hornung noted that he agrees with Ms. Lindsey in that the retaining wall should be placed near the lower end of the property not up by the house. He noted that it is only three feet high and about 50 feet long and will cost about \$5,000. He noted that it has nothing to do with the settlement problem that the one unit is experiencing. He noted that it has to do with the maintenance of the area as the wall would allow someone to mow it as they are unable to mow it at this time. He noted that it will have weeds growing in it eventually and he agreed that the wall should be required for the plan.

Mr. Hawk noted that the wall should be built behind Units 187 and 188. Mr. Hornung noted that it does not have to span the entire length of both properties as it could be 50 feet wide or something in that area. He noted that he is not saying this because the Township Engineer recommends it, as it is his job to do things according to the ordinance requirements. He noted that commonsense needs to be used for this case as it is a maintenance issue.

Mr. Seeds noted that he agrees as long as the engineer agrees to the location.

Mr. Hawk noted that he spoke to the owner of Unit 187 and he did not want the wall, so he does not know if we have any discretion for how wide the wall will be. Mr. Hornung suggested that we don't. He questioned if it could be subject to approval of the design. Mr. Wolfe noted if you maintain the requirement of a wall it is incumbent on whoever builds the wall to present the design for review. He noted that it is the second step in the process.

Mr. Seeds made a motion to delete the pedestrian pathway and to allow the additional parking and disregard the third request to remove the wall from the plan. Mr. Hornung seconded the motion.

Ms. Susan Strawcutter, 106 Leonard Lane in Meadowview Village noted that she had a question. She noted that the Homeowners Association (HOA) had to have 67% vote informed or not so informed of the population for these three items. She questioned if one of the items is denied would we have to vote again to change it back. Mr. Wolfe noted that a modified approval will be provided to the applicant who has 15 days to accept. He noted that the acceptance which is an amendment of the plan would have to be voted on by the HOA. Mr. Stine noted that it would be for a conditional approval but this is not a conditional approval, it is merely granting two waivers. Mr. Stine noted to his knowledge, the HOA would not have to vote on anything.

Mr. Richard Stottlemeyer, 96 Eric Drive questioned who will have to come up with the money to build the wall. Mr. Seeds noted that it would be the people who have the bond money on the project. Mr. Wolfe noted that the bond is posted with the Township and it is not available for use for the facilities. Mr. Stottlemeyer questioned if the money for the walking path could be used to build the retaining wall and whatever is left over... Mr. Wolfe noted that how it is funded is not the issue of the Board of Supervisors, noting that the Board can act on the requested waivers and approve or not approve them but the funding is the responsibility of the community, either the developer or the HOA.

Mr. Seeds suggested that it may be the developer.

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

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting, and the meeting adjourned at 9:03 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William L. Hornung
Township Secretary