

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held August 19, 2014

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:37 p.m. by Chairman William B. Hawk, on the above date, in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds Sr., William L. Hornung, Gary A. Crissman, and Robin L. Lindsey.

Also in attendance was George Wolfe, Township Manager; Steven Stine, Township Attorney; Christine Hunter, H. Edward Black and Associates; Chief Tom Swank, Colonial Park Fire Company; Chief Jason Campbell, South Central Emergency Medical Services; and Watson Fisher, SWAN.

Pledge of Allegiance

Mrs. Lindsey led in the recitation of the Pledge of Allegiance.

Approval of Minutes

Mr. Crissman made a motion to approve the minutes from the July 1, 2014 workshop meeting and July 15, 2014 and August 5, 2014 business meetings. Ms. Lindsey seconded the motion, and a unanimous vote followed.

Public Comment

No public comment was provided.

Board Members Comments

Mrs. Lindsey wanted to thank all those involved in the Night Out for Public Safety event as it was a very successful night.

Manager's Report

Mr. Wolfe distributed an updated agenda to the Board members. He noted that due to the length of the agenda, he had no report this evening.

OLD BUSINESS

Action to appoint individuals to fill vacancies on the Friendship Center Operating Board, Parks and Recreation Board and Greenway Committee

Mr. Hawk noted that he would like to put forth the following names to fill vacancies on the following Boards:

Mr. H. Michael Liptak to fill a vacancy created by the resignation of Gary Crissman. Mr. Liptak will fill a term that expires December 31, 2016.

Mr. Glen Hafer to fill a vacancy by the resignation of John Scola to fill a term on the Parks and Recreation Board that will expired December 31, 2015.

Ms. Debra Correll to fill a vacancy by the resignation of Rogette Harris to fill a one year term on the Greenway Committee that will expire December 31, 2014.

Mr. Crissman made a motion to appoint the individuals that were previously stated by the chair. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and unanimous vote followed.

Ms. Lindsey questioned when people resign from the various boards and commissions does staff contact them to ask why. Mr. Wolfe answered that the reason for the individuals resignation is included in their letter that they submit. He noted that it is normally provided to Board members in the Correspondence Index.

Action to rescind the appointment of an individual previously
appointed to the South Central EMS Board of Directors

Mr. Hawk noted that the Board needs to take action to rescind an appointment that it recently made to fill a position on the Board of Directors of the South Central Emergency Medical Services. He noted that the Board received additional information that required it to rescind the appointment of Beth Bisbano. Mr. Crissman made a motion to rescind the appointment of Beth Bisbano to the South Central EMS Board of Directors. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 14-22; authorizing the submission of a Dauphin County Local Share Grant application requesting support for the rehabilitation/expansion of the Public Works Building

Resolution 14-23; authorizing the submission of a Dauphin County Local Share Grant application requesting support for Friendship Senior Center flooring

Resolution 14-24; authorizing the submission of a Dauphin County Local Share Grant application requesting support for replacement of Friendship Center natatorium lights

Resolution 14-25; authorizing the submission of a Dauphin County Local Share Grant application on the part of Partnership for Hope requesting support for its efforts to provide services to homeless families

Resolution 14-26; authorizing the submission of a Dauphin County Local Share Grant application on the part of the Dauphin County Planning Commission requesting support for updating the County Comprehensive Plan

Mr. Hawk suggested that the Board could take all five resolutions and vote on them by way of one motion. He noted that the Board discussed these application during it recent workshop session and have approved the various amounts to be awarded, noting that the resolutions authorizes that the Dauphin County Local Share Grant applications be considered for approval.

Mr. Wolfe noted that Resolution 14-22 is a grant application from Lower Paxton Township requesting approximately \$250,000 for engineering, design and permitting for renovations of and additions to the Public Works Building.

Mr. Wolfe noted that Resolution 14-23 is a grant application on behalf of the Friendship Senior Center for \$20,000 for new flooring.

Mr. Wolfe noted that Resolution 14-24 is a grant application on behalf of the Friendship Center for \$20,000 for new natatorium lights.

Mr. Wolfe noted that Resolution 14-25 is a grant application on behalf of the Partnership for Hope in the amount of \$82,000 for its community-based homeless program.

Mr. Wolfe noted that Resolution 14-26 is for a grant application on behalf of the Dauphin County Planning Commission to support an update to the Dauphin County Comprehensive Plan.

Mr. Wolfe noted that once the Board has acted on the resolutions then it must rank the applications in order of priority and submit the ranking to the Dauphin County Commissioners.

Mr. Crissman made a motion to approve Resolutions 14-22 through 14-26 for the submission of grant applications to the Dauphin County Local Share Grant Program. Mr. Seeds seconded the motion. Mrs. Lindsey questioned Mr. Wolfe if the Partnership for Hope every got back to him with the information on what they have done with the funds in the past. Mr. Wolfe answered no.

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

Action to rank in level of importance the Dauphin County Local Share Grant applications to be submitted from LPT and its community

Mr. Crissman made a motion to approve the ranking that was determined by the Board for the Dauphin County Local Share Grant Program. Mr. Seeds seconded the motion.

Mr. Wolfe requested to list the priority listing of the grant recipient noting that in addition to the five grant applications approved during this meeting, the Board had approved an application from Contact Helpline at a previous meeting for \$13,000 for computer software.

Mr. Seeds suggested that the Board should list the order of the grant applications for the motion.

Mr. Crissman noted that ranking for the listed grant applications are as follows: Application by Lower Paxton Township for Public Works improvements in the amount of \$250,000; Friendship Senior Center for new flooring in the amount of \$20,000; Friendship Center natatorium lights in the amount of \$20,000; Contact Helpline for computer software and hardware in the amount of \$13,000; Partnership for Hope to fund its community-based homeless program in the amount of \$82,000; and lastly Dauphin County Planning Commission requesting funding to support an update to the Dauphin County Comprehensive Plan.

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

Action on bids for the placement and management
of clean fill at the Wolfersberger Tract
and
Change Order No. 1 to the contract for the placement and
Management of clean fill at the Wolfersberger Tract

Mr. Wolfe requested to take these two items together for consideration at one time. He noted that the Township Engineer for HRG, Randy Watts, recommended the award of a bid to JVH Excavating, Inc. for a unit price bid amount of \$1,092,196.33 for placement of fill and management of a fill site at the Township's 45-acre Wolfersberger Tract located on Wenrich Street. He noted that this was the lowest responsible bid out of seven bids received and a bid that was lower than the engineer's estimate.

Mr. Wolfe explained that Change Order No. 1 to the contract will reduce the scope of work, only pertaining to the north two thirds of the site leaving the south one third to be completed at a later time. He noted that the scope of work reduction will lower the contract price to \$626,556.91. He noted that two thirds of that price will be paid by the Sewer Authority

contractors for mini-basin work, providing them a clean fill location at the Wolfersberger Tract area as a payment to the Township for the cost of those services.

Mr. Wolfe noted that the Board discussed this item in great detail during a recent meeting for both the contract and change order. He noted that he would be happy to address any questions the Board may have.

Mr. Crissman made a motion to approve the contract for placement and management of clean fill at the Wolfersberger Tract to JVH Excavating, Inc., for a unit price of \$1,092,196.33 subject to receiving acceptable Performance and Payment Bonds, with the elimination of the south side work documented in Change Order No. 1 that accompanies the bid. He noted that the revised contract amount would be \$626,556.91. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on an agreement with H. Edward Black and Associates
for engineering and design services for the Heroes Grove project

Mr. Wolfe noted that this item was reviewed in detail during the recent workshop session. He noted that the agreement between the Township and H. Edward Black and Associates is in the amount of approximately \$70,000 providing engineering and design services for Heroes Grove Amphitheater Phase 1 Construction Documents. He noted that the cost **for** Phase I services will be paid by various grant fund sources and has no impact upon the Township's General Fund.

Mr. Crissman made a motion to approve the agreement with H. Edward Black and Associates for engineering and design services for the Heroes Grove Project in the amount of approximately \$70,000 to be paid by grant funds that will be received by the Township for said purposes. Mr. Seeds seconded the motion. Mr. Crissman noted that we do not have an exact

amount for the design services and the Township will not be spending any money but the payment will be made based upon the grants received by the Township as it must be the holder of the funds as the non-profit organization cannot be the receiver of the funds.

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

NEW BUSINESS

Resolution 14-27; indicating support for a Tri-County Regional Planning Commission Regional Connectivity Grant Application

Mr. Brian Luetchford explained that the grant does not have a dollar figure associated with it; however, the Tri-County Planning Commission, those who are working on a Regional Connectivity Grant are looking for a letter of support and a resolution of support from the Board of Supervisors indicating that the Township is interested in participating in a study involving the potential of a bike sharing program. He noted that the Tri-County Planning Commission has been looking at traffic connectivity around Harrisburg for years as part of a pedestrian and bike pathways alternative mode of transportation. He noted that this would support a feasibility study looking at the possibilities of corridors between the City of Harrisburg and Derry Township, attempting to see, where if possible, bike sharing programs could occur. He noted in the Cities of New York and Philadelphia, racks of bicycles are paid for and borrowed from point to point to other racks of bicycles throughout the city. He noted that this is the thought for the future as these things become more popular. He noted that they are looking to see what makes sense for the area.

Mr. Luetchford noted that they are looking for a \$9,000 match that is not to come from Lower Paxton Township but other sources. He noted that it is a recent happening, only in the past six weeks or so and it is being led by a supervisor from Derry Township. He explained that

Derry Township welcomes Lower Paxton Township as a participant in the feasibility study to see if bike sharing makes sense in our area.

Mr. Crissman questioned what the time frame for submission for a response is. Mr. Luetchford answered that the intention is to get the grant submitted by the end of August. He noted that he is not aware of what the time frame is for the approval of the grant.

Mr. Hawk noted that this is part of the Harrisburg Area Transportation Study (HATS) Program. Mr. Luetchford answered yes. Mr. Seeds questioned if there are any costs to the Township. Mr. Luetchford answered not at this point.

Mr. Crissman made a motion to approve Resolution 14-27; supporting the Tri-County Regional Planning Commission Regional Connectivity Grant Application as presented by Mr. Luetchford. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Change Order No. 2 to the contract with Wexcon, Inc., for the
PC-1G/1H sanitary sewer mini-basin contract

Mr. Wolfe explained that this is a close out change order in the amount of \$72,728.50 noting that it is for an increase in quantities used for the project from the initial estimate under the bid specifications for what was actually put in the field. He noted that staff recommends that the Board act favorably on this change order tonight.

Mr. Crissman noted if we don't do the change order we won't get the necessary quantities and we need it to finish the project. Mr. Wolfe answered that you already got the quantity as it is already in the ground.

Mr. Crissman made a motion to approve Change Order No. 1 to the contract with Wexcon, Inc., for the PC-1G/1H sanitary sewer mini-basin contract in the amount of \$72,728.50.

Mr. Hornung seconded the motion. Mr. Hornung noted that sometimes people ask him why the Board approves change orders. He noted that 90% of the time it is that staff asked the contractor to go beyond what was originally bid, using the old rate, finding other issues in the sewer line. He noted that in most cases they do more work. Mr. Crissman noted that is a good explanation for the reason for the change order.

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

Change Order No. 2 to the contract with M. F. Ronca and Sons, Inc.,
for the PC-2C/2D sanitary sewer mini-basin contract

Mr. Wolfe noted that Change Order No. 2 with M. F. Ronca and Sons, Inc., is for \$1,253,411.21. He noted that it is an adjusting quantities change on a contract that will be completed in two to three weeks. He noted that the engineer's estimate on materials for this project wasn't as accurate as we would have liked it to be but the materials in the field are inspected by Township inspectors as they go into the ground.

Mr. Crissman made a motion to approve Change Order No. 2 to the contact with M.F. Ronca and Sons, Inc., for the PC-2C/2D sanitary sewer mini-basin contract in the amount of \$1,252,411.21. Mrs. Lindsey seconded the motion. Mr. Hornung questioned Mr. Wolfe if he could explain why the engineer's estimate is so far off. Mr. Wolfe answered that he can't do that but Mr. Weaver would be able to explain it during next week's Sewer Authority meeting.

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

Action on bids for Trunk G sanitary sewer mainline and
Springford Village sanitary sewer treatment plant decommissioning

Mr. Wolfe noted that the lowest responsible bid for this work was submitted by M.F. Ronca and Sons, Inc., in the amount of \$537,373. He noted that there were seven bidders who

submitted for this project, the lowest bid was under the engineer's estimate. He noted that staff recommends that the Board approve the bid at this time.

Mr. Hornung questioned the quality of the work that has been performed in the past by Ronca. Mr. Wolfe noted that they do excellent work for the Township. Mr. Hornung noted that the highest bid was \$787,000 noting that there is a big disparity between the bids. Mr. Wolfe noted that Ronca has been doing mini-basin work in the Township for four years and staff has not experience any problems with their service.

Mr. Crissman noted that it is important for the community to know the range of the bids received for projects. He made a motion to approve the bid for Trunk G sanitary sewer mainline and Springford Village sanitary sewer treatment plant decommissioning to M. F. Ronca and Sons Inc., in the amount of \$537,373.

Mr. Seeds noted that there are pending items that need to be added to the motion. Mr. Crissman noted that he had not gotten to that part of his motion yet and did not finish his motion.

Mr. Seeds questioned if the project needs the easements from the Fishing Creek Valley Associates. Mr. Wolfe answered that all easements are in process and there still may be some that staff is working on. Mr. Seeds noted that Fishing Creek Valley Associates is located on the other side of Locust Lane. Mr. Wolfe answered that was correct.

Mr. Crissman added to the motion the receipt of the temporary easement associated with the areas of the existing Springford Village wastewater treatment plant; 2) a determination by DEP of whether a WQM Part II Permit is required for Trunk G and issuance of the permit, if necessary; and 3) approval of the bid document by the solicitor. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on bids for televising and testing of
Paxton Creek Sanitary sewer mini-basins

Mr. Wolfe noted for televising and testing of the Paxton Creek Sanitary sewer mini-basin, four bids were received with the lowest responsible bid submitted by Mr. Rehab, Inc. in the amount of \$303,535.80. He noted that this bid was bid with two alternates based upon results per work completed; however, given the way the bids were received and the amount for the base bid, it is staff's recommendation that the Board not award the alternates but to the base bid only.

Mr. Hawk noted that the bids had a wide range from the low bid of \$303,535.80 to \$1,023,400.

Mrs. Lindsey questioned if stall has ever used Mr. Rehab before. Mr. Wolfe noted that we have but it may have been many years ago as we have not done televising of lines in a significant period of time. He noted that they are a reputable contractor.

Mr. Crissman questioned if we need to check references. Mr. Wolfe answered that is not necessary. Mr. Seeds noted that the Township has used Mr. Rehab, Inc. before noting that he signed a check this evening for that firm.

Mr. Crissman made a motion to approve the bid for televising and testing of Paxton Creek Sanitary sewer mini-basins to Mr. Rehab, Inc. in the amount of \$303,535.80. Mrs. Lindsey seconded the motion.

Mr. Seeds questioned if this includes 100% or 50% testing of mainlines. Mr. Wolfe answered it was for 100%.

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

Action on bids for tree cutting services in the BC-3A/B mini-basin

Mr. Wolfe noted that there were three bids received for tree cutting services in the BC-3A/B mini-basin, with the lowest bid submitted by Stoner's Tree Service in the amount of

\$33,075. He noted that staff recommends this bid be awarded to Stoner's Tree Service. He noted that both the Sewer Authority and Public Works Department have used them in the past and found them to provide reputable service.

Mr. Crissman made a motion to approve the bid for tree cutting services in the BC-3A/B mini-basin to Stoner's Tree Service in the amount of \$33,075. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Preliminary/final land development plan for Townes at Galway

Mr. Wolfe noted that the Township has received a plan for the construction of seventeen townhouse unit community. He noted that the property is zoned R-3, Medium-High Residential District and located south of Union Deposit Road and west of Page Road on Newside Road. He noted that the property contains 2.3 acres served by public sewer and public water.

Mr. Wolfe noted that that Planning Commission recommended approval of this plan on July 2nd.

Mr. Wolfe noted that the plan has 14 waiver requests: 1) Waiver of the requirement that proposed private streets are prohibited unless they meet the design standards; 2) Waiver of the road width requirement of 32'; Applicant is proposing a width of 24'); 3) Waiver of the 150' minimum horizontal curve radius; 4) Waiver of the 60' leveling area of 4% grade or less within 60' of an intersection; 5) Waiver of the required vertical curve length; 6) Waiver from required street widths and materials; 7) Waiver of the 20' drainage easement centered on storm sewer requirement, (The applicant is requesting a 10' easement in 2 locations.); 8) Waiver of the requirement to provide a 30' sanitary sewer easement, (Applicant is requesting a 20' easement.); 9) Waiver of the sight lighting, fixture location placement, (Applicant is seeking relief from lighting along Newside Road.); 10) Waiver of the requirement to provide sidewalks along both

sides of new interior streets; (Staff recommends for a safe access route to the sidewalk along Newside Road as shown by the applicant.); 11) Waiver of the requirement to provide minimum pipe size of fifteen inches in diameter, (Applicant requested 12" pipe size in detention basin and wetland crossing); 12) Waiver of the requirement to provide a minimum pipe slope of 0.5%, (Applicant is requesting 0% pipe slope in detention basins); 13) Waiver from the requirement that inlets shall be placed no closer than 5' from any driveway; and 14) Waiver for the requirement to provide the minimum curb radius at the intersection of Newside Road and Celtic Court due to requirements imposed by PennDOT.

Mr. Wolfe noted that there are three site specific conditions: 1) Plan approval shall be subject to the recreational fee-in-lieu payment of \$2,320 per unit for seventeen units; 2) Common Open Space. The Applicant shall prove that these areas are suitable for active or passive recreation; and 3) Provide Planned Community Act agreement for solicitor review.

Mr. Wolfe noted that there are seven general comments and HRG's comments provided by Mr. Fleming.

Mr. Wolfe noted that Christine Hunter from H. Edward Black and Associates is present to explain the plan.

Ms. Hunter noted that she would be happy to review the waiver requests, noting that many of the waivers have to do with the roads. She noted that it is a small development with 17 units. She noted that the roadways only serve those 17 townhouses, and it is not designed as a public road. She noted for stormwater and retention the pipes have to level for the detention basin. She noted that there are DEP regulations regarding a crossing of a wetland, a regulation that the plan needs to meet.

Mr. Hornung noted that the pipes that have no slope are infiltration pipes. Ms. Hunter answered that there are two locations, one at the retention basin and the other at the wetland crossing. She noted in a detention basin the pipes have to be flat as you want the water to infiltrate. Mr. Hornung questioned if the pipes are such in order for the basin to hold the water. Ms. Hunter explained that they are designed to hold water. Mr. Hornung questioned why they are changing the pipe from 15 inches to 12 inches. He questioned if Ms. Hunter had calculations that support that she would not need 15 inch pipes. Ms. Hunter answered that it is for the wetland crossing and the Department of Environmental Protection (DEP) will only allow a 12 inch pipe for wetland crossings.

Mrs. Lindsey noted that she had a question on the first three waivers. She noted that it states that approval is contingent upon approval from emergency management responders. She questioned the status of that. Mrs. Hunter noted that she submitted turn templates to the Township for emergency vehicles but she has not received any comments on that.

Mrs. Lindsey questioned if the plans were submitted to the three fire companies. Mr. Wolfe suggested that it would have been submitted to the Public Safety Committee, but not being directly involved in that process he did not know the results of that.

Mr. Seeds questioned Chief Tom Swank if he had any information on this. Chief Swank answered that he did not think any of that information went to the Public Safety Committee. He noted that he was present to speak against the plan as he has a concern for the turning radius.

Mr. Seeds questioned if the location for the site was next to the Newside Cemetery and Summerwood Drive. Ms. Hunter answered that it is between Summerwood Drive and the Four Seasons Development. Mrs. Lindsey explained that the property had a home demolished recently. Ms. Hunter noted that it is between the pond and Fox Knoll. Mr. Seeds noted that it was

a very wet area and he may be confused as to the location of the area. Ms. Hunter explained that there are some wetlands on the property and she pointed to them on the plan.

Chief Tom Swank, Colonial Park Fire Company stated that he did not believe that he had seen any of the waivers come to the Public Safety Committee. He noted that he wanted to discuss the minimum street restrictions as 24 feet is entirely too small. Mr. Hawk noted that HRG's letter has many comments in regard to the waivers, noting that they commented on the 14 waivers and stated that the plan should be in compliance with Emergency Management Standards. He questioned if Mr. Swank stated that it did not come before the Public Safety Committee. Mr. Swank noted that he spoke to Chief Campbell and he did not recall ever seeing this come before the Public Safety Committee.

Mr. Seeds noted that there is a question about a fire lane as well.

Mr. Swank noted that his other concern is that it will be a private street, not a public street, so there is a concern with on-street parking. He noted if you have driven through Fox Knoll, he recently had a call in that development and had great difficulty getting into that complex and it will be basically the same as the plan before the Board this evening.

Mr. Crissman noted that HRG's Letter stated that the first three waivers were contingent upon approval from Emergency Management Responders.

Ms. Lindsey noted that Chiefs Fife and Payne could not be present at the meeting tonight but she did speak to both of them and they are not in favor of the plan. She noted that Chief Swank told her that his outriggers go out 16 feet so if you have a car parked on the street it is an issue; Chief Payne noted that his outriggers go out 18 feet. She noted that we do have another development in the Township that has a 24 foot wide street and there are problems at that location with the emergency vehicles. She noted that she was not on the Board at that time.

Chief Swank noted if you take in the winter for snow plowing it will make it that more difficult. He noted that all the work that we just put in for the Shadebrook development, this would go against everything we did for that plan if we allow the 24 feet.

Mr. Hawk noted that the waivers should have gone before the Emergency Management Responders and several should have gone before PennDOT for their requirements.

Mrs. Lindsey noted that this is definitely a public safety issue. She noted when she sat on the Planning Commission, another development wanted to go below 30 feet and it was denied because Waste Management trucks would have had issues getting around for that width of street. Mr. Crissman questioned if that was with or without parking. Mrs. Lindsey answered that it was with no parking. Mr. Crissman noted that the Township would not enforce the parking issue on a private street.

Ms. Hunter noted that the development provides for off-street parking, noting that the homes are designed with garages although they were not included in the parking count. She noted that they have garages and driveways and they also included additional visitor parking in the center of the plan. She noted that she was surprised that 24 feet was not sufficient. She noted that every commercial development, the standard access drive width is 24 feet and emergency vehicles access them, as well as Waste Management vehicles, as a standard for those access driveways are 24 feet. She noted that the outside radius for the circle meets the radius of a cul-de-sac street which emergency vehicles navigate. She noted that she is surprised to find that there are issues with accessibility of it.

Mr. Hawk noted that he is a little edgy when he reads the administrative comments.

Mrs. Lindsey questioned if Mr. Wolfe had received any comments from the Fire Marshall, Richard Needham. Mr. Wolfe answered no. Mrs. Lindsey questioned if he was

advised of this plan. Mr. Wolfe answered that he would have to ask staff, but it was his understanding that he would have been, but he did not know for sure.

Ms. Hunter explained that she attended several Planning Commission meetings and she noted that they indicated that they had sent the plans to the Emergency Responders for review. She assumed that was done. She stated at the meeting no comments had been submitted. She stated that she did not know where the disconnect was that the Township did not receive the comments.

Ms. Lindsey questioned Ms. Hunter if the Fire Marshall signed off on the plan for the Planning Commission meeting. Ms. Hunter answered that there was no response but it was indicated that typically if they had comments they would hear the comments, if they don't have comments they don't hear anything back.

Ms. Lindsey noted that she hated to disagree but sometimes Mr. Needham would sign off with no comments. She noted that she would like to see something from Mr. Needham in writing that he has no comments, but after listening to Chief Swank and the other two chiefs she cannot support this plan due to the public safety of the 24 foot roadway. She noted that there are issues in another development and Chief Swank noted because of the Shadebrook Plan, the Board would be going against all it did to make them comply.

Mr. Seeds noted that we need something back from the fire chiefs, Public Safety Committee, and Fire Marshall and we have not seen anything from them that states that they are fine with the plan. He noted that obviously they are not. He noted that they should tell the Board if they are.

Mr. Hawk noted that the deadline for the plan is September 1, 2014. Mr. Wolfe noted that the Board would need a time extension from the applicant as there are no more Board

meetings prior to the September 1st date. Mr. Seeds noted that they can ask for an extension or turn the plan down. Mr. Stine noted that the applicant must grant an extension to the Township, they do not ask for one.

Ms. Hunter suggested that some of the confusion may be due to the transition in staff at the Township in the Community Development Department and that could be why there is a lack of communication. She noted that she did not know what happened. She noted that it is disconcerting to get to this stage of the process and hear comments that she should have heard, since she had two meetings with the Planning Commission and it is disappointing to us that we had no indication of any problems with this issue. She noted that she understands that there are transitions in staff.

Mr. Hawk suggested that the best thing for Ms. Hunter to do is to grant an extension to the Township for the plan.

Ms. Hunter stated that she would like to grant the Township an extension for the plan to address these issues.

Mr. Hornung questioned if Ms. Hunter saw the notes that he is looking at noting that HRG approved the waivers contingent upon approval from Emergency Management Responders. Mr. Hornung questioned Ms. Hunter if she knew that they were looking for the First Responders approval. Ms. Hunter answered yes, noting that it was discussed at the Planning Commission meeting. She noted that first time those comments were made her office responded by providing a template software that is used to determine if the site was acceptable by various vehicles. She noted that she provided the templates that showed that the site was accessible for those vehicles and it was discussed at the next meeting and that is when the question was raised if she should expect to hear from the Emergency Responders.

Ms. Lindsey noted that when she looked at the Emergency Management Responders, that would be the fire departments that should have been contacted. She noted that although you stated that you have a template that shows that the roads are okay, she personally thinks that our fire departments should have been contacted and we should have received a response from them. She noted that obviously it is a problem. Ms. Hunter noted that she will work with Township staff and address the issue.

Mr. Seeds noted that this would include South Central EMS as well at Police Department and anyone who would respond to an emergency call within the Township.

Chief Tom Swank noted that Ms. Zerbe has the current turning radius study for the apparatus so that is what should have been provided to Ms. Hunter versus their computer model. He noted that staff has that information.

Chief Jason Campbell noted that he did receive an email from Ms. Zerbe regarding this development about a month ago. He noted that it was never discussed at the Public Safety Committee meeting but he did receive an email from staff for this development and he noted that he did not have any comments since his ambulances are much shorter than fire apparatus. He noted that the fire department did have a concern once they heard about the development.

Mr. Hornung noted that there is a difference of opinion between Ms. Hunter and Chief Swank as to the turning radius so he would suggest that they should get together with staff and the fire chiefs to determine why there is such a difference of opinion. He noted when the plan comes back he would want to see that this has been resolved.

Ms. Lindsey noted that the ambulances don't have a problem but the fire trucks are much larger. Mr. Hornung noted that Ms. Hunter stated that she has a template that shows that the turning radius can be met. Chief Swank questioned if Ms. Hunter took the current turning radius

that Ms. Zerbe has to see if it works with what she has. He noted that he hopes that Ms. Zerbe could provide that to Ms. Hunter.

Mrs. Lindsey questioned if Mrs. Zerbe has all three of the fire chiefs emails. Mr. Wolfe answered yes. She noted that Chief Campbell was contacted but from what she is hearing the fire chiefs were not contacted.

Mr. Seeds questioned if Ms. Hunter would request an extension. Mr. Stine noted that Ms. Hunter must grant one to the Township. Mr. Seeds suggested that a 90-day extension would be good. Mr. Hawk noted that he would feel more comfortable if you dotted the “I’s” and crossed the “T’s” for a final approval as opposed to running into issues that could deny the plan.

Ms. Hunter questioned if she could do something at the meeting at this time. Mr. Wolfe answered that Ms. Hunter would have to execute a one-page extension form and he stated that he would get it to Ms. Hunter tomorrow.

Mr. Crissman noted that waiver number seven states that staff supports 10 and he did not know if that was a typo. Mr. Wolfe answered that it should read 10 feet.

Mr. Crissman noted that for waiver number eight he assumed that staff supports it although it is not written on the sheet. Mr. Wolfe answered yes.

Hydrologic and Hydraulic Report for Federal Emergency Management Association (FEMA) Letter of map revision (LOMR) for property at 4220 Linglestown Road

Mr. Wolfe noted that the Board has a Letter of Map Revision (LOMR) being submitted by Skelly and Loy on behalf of the property owner of 4220 Linglestown Road. He noted that a LOMR is required when a property owner believes that the representation of the floodplain on a specific property is inadequate or incorrect. He noted that Skelly and Loy has completed a Hydraulic and Hydraulic Study of the floodplain for 4220 Linglestown Road and determined that the floodplain can be redefined on that property. He noted that they are requesting a letter of

map revision from FEMA. He noted that the LOMR Report has been submitted to the Township's Engineer, Steve Fleming, who reviewed it and found it to be complete. He noted as such it would be appropriate for the Board of Supervisors to authorize the submission of the LOMR to FEMA.

Mr. Wolfe explained that the applicant is not allowed to submit it directly; it has to be submitted through the Township.

Mr. Crissman questioned if the recommendation from staff is to submit the LOMR. Mr. Wolfe answered yes.

Mr. Crissman made a motion to submit the LOMR to FEMA for the property located at 4220 Linglestown Road. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Improvement Guarantees, Development Agreements, Plan Reaffirmations, etc.

Mr. Hawk noted that there was eight Improvement Guarantees to approve.

Bishop McDevitt

An extension in a letter of credit with PNC Bank in the amount of \$25,753.20, with an expiration date of August 19, 2015.

Spring Creek Hollows, Phase 1A

An extension and 10% increase in a Letter of Credit with Peoples Bank in the amount of \$91,566.13, with an expiration date of August 19, 2015.

Kendale Oaks, Phase IV

A reduction and 10% increase in a Letter of Credit with M&T Bank in the amount of \$1,274,290.35, with an expiration date of August 19, 2015.

Schiavoni LTD/Monticello

An extension in an escrow with Lower Paxton Township in the amount of \$41,943.00, with an expiration date of August 19, 2015.

Meadowview Village

An extension and 10% increase in a bond with Lexon Insurance Company in the amount of \$83,528.32, with an expiration date of August 19, 2015.

Meadowview Village – Office Building

An extension and 10% increase in a bond with Lexon Insurance Company in the amount of \$78,767.26, with an expiration date of August 19, 2015.

Amber Fields, Phase IV

An extension in a letter of credit with Mid Penn Bank in the amount of \$18,998.40, with an expiration date of August 19, 2015.

Kendale Oaks, Phases II & III

An extension and 10% increase in a letter of credit with M&T Bank in the amount of \$272,656.35, with an expiration date of August 19, 2015.

Mr. Seeds noted for the Meadowview Village improvement guarantee he has a question. Mr. Wolfe noted that the retaining wall was never part of the original improvement guarantee. Mr. Seeds noted that it is mentioned in the letter from Mr. Fleming but it is not listed under the improvements to be completed. Mr. Wolfe noted that is because it was never part of the bond that was approved.

Mr. Hornung questioned what we do now. Mr. Wolfe noted that it remains a plan requirement. He noted that it was a private improvement and never bonded under the Improvement Guarantee. Mr. Seeds questioned what the recourse is if they don't put in the wall.

Mr. Wolfe answered that the Township does not have money to hold but it does have recourse through the courts. He noted that a financial security issue must go through the courts.

Ms. Lindsey questioned if they had a time frame for how long they had to put up the wall. Mr. Wolfe answered no. Ms. Lindsey noted that it would never be put up. Mr. Wolfe answered no as it is part of the plan, and it would depend on what time the Board would take action to enforce the ordinance.

Mr. Seeds noted if it was not listed there is nothing that we can do. Mr. Wolfe answered that the retaining wall was never listed. Mr. Hornung questioned if the Board wanted to pursue it. Mr. Seeds noted that we can't under the Improvement Guarantees. Mr. Hornung noted that the Board can pursue it under other means. He questioned if the time is right to pursue it now. Mr. Wolfe answered that the time is coming close in the fact that you still have outstanding improvements for the development. He noted that it is entirely up to the Board.

Mr. Seeds noted that the letter states that there were several deviations from the approved plan noted in the field, ie., the retaining wall... Mr. Wolfe asked Mr. Seeds to look at the date on the letter. Mr. Seeds answered that it was written in 2009. He noted that is history being provided as it is not the current status for the project.

Mr. Hornung suggested that the Board should wait a little while until they get more of the improvements completed.

Mr. Seeds noted that the letter states that the retaining wall may have a long-term impact on the usability and maintenance of the development and it should be shown on the plan and submitted to the Board of Supervisors for approval.

Mr. Seeds noted that it does not impact the Improvement Guarantee. Mr. Wolfe agreed that it does not.

Ms. Lindsey questioned where Schiavoni, LTD/Monticello is located. Mr. Wolfe answered that it is located off of Crums Mill Road across from the Triple Crown property where the University of Phoenix is located. He noted that it faces Interstate I-81 and it is made up of about 2 units.

Mr. Hornung questioned if the Board is still under the ruling that it has to approve extensions from 2009. Mr. Seeds noted that it had to do with timeframes. Mr. Stine noted that they have been around for so long that they are still good until 2017. Mr. Seeds suggested that they extended it again during the last legislative session. Mr. Stine answered that they did not extend it, noting that anything after June of this year does not get any further extensions other than the ones that were previously granted.

Mr. Crissman made a motion to approve the eight listed Improvement Guarantees. Mr. Hornung 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.

Adjournment

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

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William L. Hornung
Township Secretary