

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Workshop December 10, 2013

A budget workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 6:05 p.m. by Chairman William B. Hawk, on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

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

Also in attendance was George Wolfe, Township Manager; Richard Yingst and John Zervanos, Shadebrook Development; Jeff Staub, Dauphin Engineering; Chief Mike Fife, Chief William Payne, Chief Tom Swank, Mike Kraska; Public Safety Director David Johnson; Robert Grubic, Russ McIntosh, and Steve Fleming, HRG; Sam Robinson, Public Works Director; John Donnelly, Sandra Prahl, Tom George, Denise Hussar, and Bruce Senft; Friendship Center Operating Board; Brian Luetchford, Parks and Recreation Director; and Watson Fisher and Ted Robertson, SWAN.

**Pledge of Allegiance**

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

**Public Comment**

Request for specific design waivers regarding sanitary sewer facilities proposed to serve the Shadebrook development

Mr. Wolfe noted that the design request represents an issue where planning and the Traditional Neighborhood Development (TND) does not fit with current design standards for municipal facilities. He noted that the sanitary sewer facilities in accordance with the Township's public requirement for installation cannot be installed in a 20 foot alley which is where much of the utilities are designed to go in the TND.

Mr. Wolfe explained that the Township received a request for waivers from Shadebrook as well as a review and recommendation from Mr. Wendle, the Sanitary Sewer Engineer. He noted that the memorandum speaks for itself. He noted that prior to this meeting he and people representing Shadebrook met to talk about this matter and the option of the sanitary sewer being held as private facilities to be maintained by the association or developer as opposed to Mr.

Wendle's recommendation to have Shadebrook install a low pressure force main and install the main line at such an elevation that would not be difficult for maintenance. He noted that two options have been provided and the Shadebrook people are present to discuss these options with the Board.

Mr. Jeff Staub explained that he asked for two waivers from the Lower Paxton Township Authority (LPTA) one having to do with constructing sanitary sewers underneath pervious paving which happens to be in the alleys, noting that the ordinance requires him to infiltrate the stormwater into the ground and one of the Best Management Practices (BMP) that he used to do this is pervious paving. He noted that Mr. Wendle agreed to this point as he does not think he will have an issue with that as long as he does clay dikes to ensure that the water does not infiltrate any of the sewer trenches. He noted that the second issue had to do with the alleys and constructing sanitary sewer lines, water lines, and stormsewer lines within a very narrow right-of-way to the point that there would not be enough of a separation between those facilities. He explained that he needs a 10-foot minimum separation between each facility and it can't be done. He noted that he asked for a waiver of that requirement to lessen those separation distances.

Mr. Hawk questioned if everything else meets the requirements for the TND Ordinance. Mr. Staub answered yes.

Mr. Staub explained that he was asking for relief from the separation distance, and Mr. Wendle suggested, as an alternate, that instead of the sanitary sewer line and associated manholes in the alleys, individual grinder pumps could be installed for the units and a force main could be built in lieu of a gravity system. He noted that the force main would be a three or four inch diameter pipe only four feet into the ground as opposed to the standard system of a eight inch pipe that is eight or nine feet into the ground. He noted that the force main and grinder pumps would be less difficult to repair and replace 30 years down the road as opposed to the standard manholes and sanitary sewer lines which are placed much deeper.

Mr. Hawk questioned Mr. Staub if he was opposed to Mr. Wendle's recommendation. Mr. Staub answered that he had a discussion with Mr. Wolfe and Mr. Weaver and since the alley's are private, perhaps he could construct the sanitary sewer as a model gravity sewer, using an eight inch line, sanitary sewer manholes in accordance with the drawings, but leave them private. He noted that the LPTA would not take ownership of those lines with the Homeowners

Association (HOA) being responsible for operation, maintenance and repairs of the three alleys (K, G, and B).

Mr. Crissman questioned how many homes would be affected by this system. Mr. Staub answered that it would be 20 or 21 homes. Mr. Crissman noted for those 21 homes that may have problems years from now, what will happen. Mr. Staub noted that the way it will work is when the HOA documents are prepared; the fee that each individual property owner would pay would be adjusted to account for future repairs, 30 or more years down the road. Mr. Yingst noted that all the homeowners would be responsible, not just one. Mr. Hawk noted if it would be done the other way, then it would be the LPTA's responsibility. Mr. Staub answered that was correct.

Mr. Staub noted that it is the developers wish to leave the design in its current form with the gravity sewer, not do the grinder pumps or the force main and allow those facilities in the three alleys to remain private and maintained by the HOA.

Mr. Seeds questioned if the rest of the facilities would be public. Mr. Staub answered yes. Mr. Seeds noted that the HOA would maintain the grinder pumps. Mr. Staub answered that there would be no grinder pumps at the suggestion made by Mr. Wendle in lieu of a gravity sewer. Mr. Wolfe noted that staff believes that the grinder pump/force main solution, which could be municipal or the private conventional sanitary sewer design is acceptable for the 21 homes. Mr. Hawk noted that one saves the LPTA money.

Mr. Crissman questioned when the 21 units are sold, will those homeowners know about this as opposed to 20 years from now coming and complaining that they were never told. He noted that he wants to make sure there is a disclosure. Mr. Yingst questioned if that is for maintaining the sewer line or the grinder pump. Mr. Crissman noted that the HOA will clearly take care of any costs. He noted that we get people who come to complain to the Board that they bought a property and no one ever disclosed to them that he was in a wet land. He noted that he wants to be sure that the Township isn't faced with the issue of owners coming and complaining that no one ever disclosed it at the time of purchase. Mr. Yingst noted that it would be in the HOA documents and they would be provided a copy of that. Mr. Crissman noted that he is trying to protect the Township and the developer. He noted that he can live with the private ownership option and using gravity and it sounds best as long as all the 21 owners clearly know and understand what they are entering into. Mr. Yingst noted that he can't see why that can't be put into the HOA documents. Mr. John Zervanos noted that the HOA documents are recorded with

the deed so it would be public knowledge. Mr. Crissman noted that realtors don't always share that information with the client.

Mr. Hawk noted that it is like a common maintained area. Mr. Yingst noted that it is the same as maintenance to the alley as the HOA would be taking care of it as well. Mr. Hawk noted that the people would be assessed a certain percentage based upon the situation and it would be up front.

Mr. Seeds questioned if the lines would be under pervious pavement and private facilities. Mr. Staub answered yes.

Mr. Hawk noted that as long as it is up front and the homeowners know that at some future point this would be part of the deal. Mr. Yingst agreed. Mr. Hawk noted that he could support this.

Mr. Staub noted that the document has not been written yet but it would be forwarded to Mr. Stine for review. Mr. Crissman noted that he could support option three as long as the commitment is made for total transparency for all the information. Mr. Staub noted that is what we will do that it will be private for 20 homes.

Mr. Seeds noted that there will be no grinder pumps at this time. Mr. Yingst noted that he wanted to stay away from that option.

#### Presentation of the proposal for the Jonestown Road Bridge design services

Mr. Steve Fleming, HRG, noted that PennDOT transmitted a document to the Township for this project. He noted that it reflects the scope of work that PennDOT has given to HRG to be necessary for the work to replace the bridge at Jonestown Road. He noted that the next step is to assign costs to the project and have PennDOT review those costs. He noted that is where we are now and once they approve it, the project would move to the contract phase and ultimately the design phase. He noted he anticipates starting the design work in early 2014.

Mr. Blain questioned how long it will take to replace the bridge for construction. Mr. Fleming answered that the schedule provided pushed construction to 2015. Mr. Blain questioned how many months would it take, 90 days, 120 days. Mr. Fleming noted that the demolition of the existing structure and construction of the new one would...Mr. Hawk questioned if a lot of ancillary work is needed to construct the bridge. Mr. Fleming answered that there is ancillary design work as far as clearance and right-of-ways that will be completed but as far as the

physical construction of the bridge, it should be pretty straight forward. He noted that they will demolish the existing bridge, construction the footers, build the abutments and finish the bridge.

Mr. Hawk noted that the bridge work that was done for Schoolhouse Lane was quite a project and it is a beautiful bridge... Mr. Fleming noted that he was not familiar with that project but Mr. Grubic will be in attendance and he may know more about that project. Mr. Hawk noted that they had a lot of ancillary work that went along with that project to include sidewalks.

Mr. Fleming noted that this project is a bridge with no sidewalks and it is straight forward.

Mr. Wolfe noted that the bridge is jointly owned by the Township and West Hanover Township and HRG's proposal is a joint one to both Township's but at this point in time it is out of our hands as PennDOT is responsible for the contract and price negotiations. He noted that the Township can weigh in on this project once PennDOT is satisfied with the contract.

Mr. Crissman questioned if there could be any glitches since it involves two municipalities. Mr. Wolfe noted that it is pretty straight forward since both Townships use the same municipal engineer and both selected HRG to do the job. Mr. Crissman questioned how long we anticipate waiting to move forward. Mr. Fleming suggested with the holiday season it will be a couple of weeks at least. Mr. Wolfe noted that he hopes to hear something soon so we can move to the contract stage as we have Local Share Grant funds that are allocated to the project that needs to be spent by March unless the grant provides for an extension. He noted that we have a time frame issue and PennDOT is aware of it.

Mr. Seeds noted that the process calls for a public hearing. He questioned what SOW stood for. Mr. Fleming answered that it stands for scope of work. Mr. Seeds questioned what PMC stood for. Mr. Fleming suggested that it might be PHMC, Pennsylvania Historical Museum Commission in regards to historical clearances. Mr. Seeds stated that it was PMC. Mr. Fleming answered that he did not know what PMC stood for. Mr. Seeds noted that there is a reference to a public meeting that says content of station. Mr. Fleming noted that he would be happy to get an answer for Mr. Seeds. Mr. Seeds noted that it is under Section 2.1.3.

"Otta Know" Presentation: Transportation funding as provided by Act 89 of 2013

Mr. Wolfe explained that the State Legislature has passed and the governor has signed a new transportation funding bill which will have significant benefits to the State for overall infrastructure improvements as well as local governments. He provided a summary of the

legislation. He noted that the major components of the bill include \$1.3 billion annually for State roads and bridges up to nearly \$500 million for public transportation and \$240 million for local roads and bridges. He noted that local governments will receive an additional \$220 million a year in Liquid Fuels Allocations. He explained that not all the money will be distributed next year but after a three-year period, the Township should see its annual allocation jump from \$1 million to \$2.5 million a year. He noted that these funds could be used for any thing that is associated with roadway construction or maintenance. He noted that it includes equipment and tools that are allocated to roadway construction. He noted that there is also up to \$40 million for coordination of traffic signals, however Rt. 22 in the Township and the Carlisle Pike are already slated for improvement and the project should begin in the next year. He explained that they plan to replace all the controllers and install a new coordination system from Harrisburg out in both directions. He noted that there is money for rural roads and special savings for bridge financing. He noted that Mr. Hawk has been extremely involved with this legislation at the State level through PSATS.

Mr. Hawk noted that Mr. Wolfe covered just about everything, noting that it took a long time to get this passed. He explained that he told Rep. Marsico that the Township would have benefited from being able to do routine maintenance and guiderails which according to Rep. Marsico, he could not get the rest of the legislature to go along with it. Mr. Wolfe noted that they increased the state wage rate for prevailing wages to \$100,000 from the current rate of \$25,000; although he was shooting for \$189,000.

Mr. Seeds noted on December 31, 2013, the retail tax ends so gas will be cheaper for a week or so until they add the wholesale tax. Mr. Wolfe noted that he was not sure how that would work; however you could expect to pay more at the pump right away. He noted that you will be paying more in licensing fees and fines but the increase in Liquid Fuels Tax is desperately needed.

Mr. Seeds noted that the report came from Ballard Spahr. Mr. Wolfe explained that they are a group of attorneys in Philadelphia who provide special services to local government. He noted that he received summaries from other organizations but this was the shortest. Mr. Seeds noted that they have some mathematical errors in their figures. Mr. Hawk noted that it would be nice to be allowed to purchase salt with Liquid Fuels Money. Mr. Wolfe answered that we have been buying salt with those funds. Mr. Hawk suggested that one of their representatives

misrepresented that statement. Mr. Wolfe noted that you can purchase blacktop, salt, signs, traffic markings, and 20% can be used for roadway equipment and to purchase stormwater pipes that provide drainage on the road. He noted that anything that affects the road proper is eligible. Mr. Hawk noted that the Greg Penny of Cameron County said that you could not buy salt with Liquid Fuel Funds. Mr. Blain questioned if that was put in the new legislation. Mr. Wolfe noted that he would check on it but... Mr. Blain noted in the 12 years we have done the budget; we have always used those funds to purchase salt. Mr. Seeds suggested that it would hurt a lot of Townships if they had that restriction. Mr. Wolfe noted that he would confirm that for the Board.

#### Discussion regarding Phase IV of the Fire Equipment Capital Fund

Mr. Wolfe noted that we have had previous meetings with the firefighters in regards to the Fire Equipment Capital Fund (FECF) noting that the three fire companies have presented to the Township specifications for the purchase of three units possessing a total purchase price of \$2.5 million. He noted that the Board would like to have further discussions in regards to the equipment.

Chief William Payne questioned what more the Board wants from the fire chiefs, noting that they have looked at lease options and received the specifications for the three apparatus. Mr. Hawk noted that the Board has been consistently putting money aside for the FECF and trying to match need with the availability of funds. He suggested that we need to look at the priority of need and questioned if all three fire companies need to purchase equipment at the same time.

Chief Tom Swank noted that the plan has not kept up with inflation and funds were used for the LOSAP and other things such as maintenance, so the first thing would be keeping up with inflation to pump up the annual allotment because the rigs are getting more expensive. Mr. Blain questioned if Chief Swank was talking about the money that the Township sets aside each year. Chief Swank answered yes. Mr. Blain suggested to Mr. Wolfe that the Board should increase the annual allotment based upon the Consumer Price Index (CPI), and as it goes up, then the contribution should be increased as well. He noted that it would take into account the inflation issue to make sure that there is enough funds in the account to... Mr. Wolfe noted to some extent we have done that beginning last year in that he has taken all the firefighting expenses and put it against a dedicated real estate tax so every year with the increase in the real estate revenues that come from additional properties added to the scale, the receipts will increase. He noted that

it is not a lot more like 1.5%. He noted that it does not meet the rate of inflation but we have done a little bit.

Mr. Hawk noted that the Board is trying to move money into the fund, but what do you do with your household budget when you want something and you don't have the money. He noted that we can borrow money or increase taxes to make it happen.

Mr. Wolfe explained that he provided two memorandums to the Board members concerning the Dauphin County Fire Services Studies for the Gaming Share Grant. He noted that it was based on county-wide spending for fire protection service as it is the only information available to the Board and a white paper that provided information on equipment life cycles which was prepared by the Manufacturers Association. He noted that it is somewhat dated but addresses vehicle usage in suburban departments about the size of the Township. Mr. Crissman noted when the Board looks at that kind of information, he questioned if every fire department in this Township has to have an aerial truck. He questioned if everyone has the same equipment and if so can the Township afford it. He suggested that the answer is no. Chief Swank noted if it is no, then the Township will have to reevaluate the ISO Study as it will affect its rating. He noted that they recommend three aerials and five engines. Mr. Hawk questioned if everyone knows what an ISO rating is. Chief Swank explained that it is based from the insurance industry for the insurance premiums for homeowner insurance. Chief Payne suggested that it was done three years ago. Chief Swank noted that we just received it the end of 2012 and that is what the insurance is based off of. He noted that it falls within the ISO recommendations for fire protection. Mr. Seeds questioned if they recommended three tower trucks. Chief Swank answered yes. Mr. Seeds noted the Dauphin County Report doesn't take that into consideration. Chief Swank noted if the Township had its own study done, it might say something completely different than what the Gaming Board study stated. He suggested that the study did not look at Lower Paxton Township's need, rather county-wide department versus... Chief Payne noted with no township boundaries. Mr. Kraska noted that he was at that meeting with all the fire chiefs at the Courthouse and he stood up and told them that it was a great paper but it was a county-wide assessment. He noted that Lykens and Wisconisco fire department's are within a stones throw of each other and they considered them to be redundant even though they are independent and suggested they merge. He noted that the only way the two fire departments would get gaming grant funds is if they would merge. He noted that they will not get any grant

money since they are too close according to the study. He noted that they did no individual municipal assessment for needs and he urged the chairman, prior to issuing the report, that they put a cover letter stating that it was a county-wide assessment for what funds would be available to county-wide units based upon the assessment. He noted that it was flawed as it was missing fire houses and some were not placed in the proper location, but it does not address meeting the needs of Lower Paxton Township. He noted for Swatara Township, it was noted that Engine 41 which is Bressler was listed as a duplicate station and would not be eligible for any funding. He noted that one of Swatara's Commissioners stated that Chambers Hill Fire Company needs an engine and since Engine 41 is brand new, it could be moved to that Fire Company and they should close the Bressler fire station. He noted that many Township supervisors are looking at the study to use for their Townships; however it was a county-wide study.

Mr. Wolfe noted that the plan references that it is county-wide allocation of local share funds but we don't have a Lower Paxton Township Fire Equipment assessment and it is the closest thing we have geographically in the current time frame for what is existing. He noted if there was more information he would have provided it to the Board members. Mr. Crissman noted that we don't want to be in jeopardy of losing money either.

Mr. Kraska noted that Truck 34 that is to be replaced is listed in the study as a needed piece of fire apparatus. Mr. Wolfe noted that it does not meet the age requirement.

PSD Johnson noted the ISO rating is a for-profit organization aligned with the insurance services that evaluates risk. He noted that they assign points and at one time when the last study was done, all insurance companies were buying the report from ISO, but in the last few years many have stop buying the ISO reports and are utilizing ISO reports significantly less in their calculations for risk. He noted that he is doing extensive research on this and he would be glad to get back to the Board with the information. He noted that he has researched the National Fire Protection Association's (NFPA) study for replacement for fire equipment and is early on in his investigation for ISO rating and how it would impact the Township.

Mr. Blain questioned if this risk is for the homeowners insurance premium. Mr. Wolfe noted when you buy your homeowner's insurance there is a fire component, the ISO rating of your community affects the cost of you insurance. He noted if you have a low ISO rating, you pay more in homeowner's insurance then you would if you have a high rating. He noted that it is completely dependent on how the Board provides fire services. PSD Johnson noted that they

look at training, fire hydrants, and membership when they assign the rating. Chief Payne noted that the age of the fire truck does matter but he does not know what the age is.

Mr. Blain questioned what we are talking about in regards to the impact to the taxpayer for their homeowner's insurance. He questioned if we have talked to Enders Insurance to get his assessment for what the ISO rating means to homeowner's insurance policy. He questioned what can it mean in percentage of dollars to some homeowners insurance. Chief Fife suggested that it can't be that much. PSD Johnson noted that they would look at the amount of fire loss in any area to include the loss from flooding for tornadoes and hurricanes and blizzards that cause damage and all of it helps to set the ISO rating. Chief Fife noted that it is not based strictly on fire.

Chief Payne noted that this is a big issue and the three fire companies have agreed to put money towards the purchase of fire equipment using firemen's relief funds of roughly \$300,000. He noted that it is not much when you are talking about spending \$2 million, but some good stuff happened. He explained that the chiefs did not do good research for the price of sale of used fire trucks. He suggested that the engine for Linglestown might bring in \$75,000 but we have to sell it out-right. He suggested that Paxtonia's ladder truck might bring in \$100,000. Chief Fife suggested that it might be more like \$60,000 to \$70,000. Mr. Blain suggested that it might result in \$150,000 for trade-ins plus the \$300,000 would total \$450,000 lowering the purchase price to \$2 million.

Chief Fife questioned if Lower Paxton Township is an island to itself. He noted as soon as there is a fire in West Hanover Township, Linglestown and Paxtonia have fire trucks rolling to it. He noted that there is no barrier between the Townships. He noted that West Hanover Fire trucks come and help us. He noted that it is the same for Susquehanna and Swatara Townships. He questioned if we are building an island unto ourselves by serving the Township with the three ladders trucks and six engines. He noted that he does not see a reason in the world why we can't go back to running two fire trucks the way we did before, a rescue engine and a ladder truck and take the half million pumper sitting in his station and put it towards his ladder truck as far as he is concerned. He noted that he is a taxpayer before he is a fire chief and he is not willing to pay \$1 million or \$1.2 million so someone can have a ladder truck sitting in their station on the off chance that there is a fire in one building in their area. He noted that he is not willing to do that. He noted that we have fewer fires now everywhere, and he is not talking about a dryer fire or

smoke investigations or the things that Dauphin County dispatches as a structure fire, rather actual legitimate fires. He questioned if the remedy is to buy more fire trucks and bigger fire trucks because we have fewer fires. He questioned how many fire trucks are around us, he noted that everyone would like to think that we are the only ones that respond to calls, but every time there is a structure fire there are multiple municipalities that have come and assist us, the same way we go and assist them. He suggested that we have too many fire trucks in this Township. He noted that Susquehanna Township does it with less fire trucks than we have because they also use assets outside the township, the City of Harrisburg, Colonial Park, Linglestown and Paxtonia, but for some reason we don't let them come across that line to help us unless we decide that it is okay for them to do that. He noted that everyone has an issue with the closest due fire truck thing, but there is nothing that we have done about it. He noted that the only thing that happened for the closest due fire truck debate is that Chief Fife was forced to take truck 32 off his box. He noted that is the only thing that we did that was smart and it wasn't that smart. He noted all that happened and we did nothing. He noted that we will sit here and no one will say anything about the fact that we can do with less fire trucks. He noted that he always has one fire truck sitting in the station, noting that the old 98 Seagrave will put out a fire just as well as any fire truck out there. He noted that it also does vehicle rescues.

Chief Fife explained that he received a nice call from Hershey Medical Center Trauma Services about the job his guys did the other night on the Interstate taking seven minutes to free a trapped woman and they did it with the 98 Seagrave and the squad we just bought. He noted that he is willing to give the 2009 Seagrave pumper up as he could care less. He noted if you want to replace both fire trucks as they are scheduled to be replaced he will provide for the 2009 to be traded in on a replacement for the replacement for the 98 Seagrave. He noted that you will get several hundred thousand for the 2009 but he is not going to sit on his hand, say nothing and buy another million dollar truck only to let it sit in the fire house in the off chance that we have a need for it. He noted that the whole concept of mutual aid means that if we have a big incident, we call mutual aid. He noted that is why he spent four hours of his time last summer at the Hershey Arena fire. He noted that it is far removed from the Lower Paxton Township but his men were there all day long. He noted that Hershey got help from five counties. He noted that we don't need to build our own little island and have a private fire department and not worry about the fact that we have other assets surrounding us and not take them into consideration.

Chief Swank told the Board that they must decide what they want to provide for the fire companies and come back to the fire chiefs.

PSD Director noted that he spent many years in the fire service and the volunteers give up a lot of their time and their family time and are faced with trying to make these decisions on what is the best option for each individual fire company and for the Township as a whole. He noted that they have the burden to keep volunteers interested and getting the fire trucks out on the road when needed. He noted that he spent a significant amount of time trying to research the subject to make it as informative as possible to make a good decision for what is best for the Township. He noted that NFPA has nothing out there; there is not good study for when to replace fire apparatus. He noted that the best he could come up with was the white paper that he provided Mr. Wolfe. He noted that we need to consider if the fire equipment is obsolete by current standards, and are their issues with the safety of the apparatus, surface rust on the frame and major components, extensive repairs bills and the call volume and type of calls. He noted that it has to be determined how hard the aerials are being used, if they are being used every day to fight structure fires as all of this has to be considered. He stated that we need to take more time before we make a decision to spend \$2.5 million.

Chief Swank noted that the equipment that gets used the most is the suppression engine. Mr. Hornung questioned what that is. Chief Swank answered the fire engines. Mr. Hornung questioned what percentage of calls respond to traffic accidents. Chief Swank noted that you will have to refer to the 2012 report. Mr. Wolfe noted that we get reports from the three fire departments on a quarterly basis. He noted that he could get the information for Mr. Hornung.

Mr. Coburn noted that every piece of equipment has a specific job; a suppression engine, a rescue engine and a truck. He noted that the suppression engine and truck go out on structure fires or automatic fire alarms. He explained that he worked for a boss who ran a fleet of 150 school buses and he could keep them running forever and that was her way to save money. He noted that we never bought new, and one day, all of a sudden, the buses started to break down and the budget went through the roof. He noted when the administration left he was stuck with trying to maintain the fleet. He noted that you can keep a piece of equipment running forever but safety standards change on things, pressure relief valves and braking systems change. PSD Johnson questioned, if all those standards are met by these trucks is there still a need to replace the equipment. He questioned if the apparatus could be used another two or four years. He noted

that ladder trucks have lifetime expectancy for a suburban aerial from 19 to 23 years, and for engines it is 16 to 23 years.

Mr. Coburn noted when Chief Cerzullo was around we decided that the engines and trucks would last for a certain period of time. Mr. Wolfe noted that we came up with an 18-year schedule. Mr. Coburn noted that we are willing to do that if the Township would pick up the maintenance costs which it doesn't do now. He noted that we are struggling to pay for this stuff.

Chief Payne noted in regards to what PSD Johnson said for braking systems, he noted that it is hard to tell noting that he spends a lot of money and the fire companies don't want to spend a lot of money on maintenance. He noted if a truck needs repairs, you make it. He noted that his truck went to KME last year and he spent a lot of money on it for corrosion but if you let it take hold on a ladder truck, in two years it is out of control. He noted every year the truck goes gets the same thing reviewed. He noted that he is not looking for a pretty fire truck.

Mr. Hawk noted that he is trying to be practical and questioned how the Board can satisfy the need in a reasonable method that doesn't break the bank. Chief Swank noted that the Board needs to decide what the replacement cycle should be. He noted that the fire chiefs have suggested ten years for the suppression engines, fifteen years for the aerials, or let them at the current 18 years. He noted that if you replace three pieces now, in two years Colonial Park and Paxtonia stated that they would bump the rescue engines back as there is no money available for the next round. He noted that you need to look at the leasing aspect as Manheim Township just purchased five suppression engines on a lease payment. Mr. Wolfe noted that we have looked at leasing as the Township is leasing police and public works vehicles and he doesn't disagree that it is a viable way to get over an economic hump, however, you still spend the same amount of money. He noted that the Board's issue is \$2.2 million when you only have \$1 million in the bank noting that the only way you come up with that money is to finance it somehow.

Mr. Hawk noted that he relates it to his own financial situation, noting that he wants something and so does his wife, but then you need a new furnace... Chief Swank noted that Colonial Park will forgo purchases, but when the maintenance issues come up, the Township will have to step up to pay for it if we are pushing the rigs for more service. He noted that we will be where Chiefs Givler, Coyne and Shields were when we first started the program. He noted that we had equipment that was rusting and falling apart. He noted if you are willing to help with the maintenance...

Mr. Crissman noted that hearing the wants and needs from the fire companies, is there a difference. He noted that the fire chiefs have much more expertise than he would ever have, and he would yield to them. He noted if the Board must make the selection for what the fire chiefs do or do not get, he can't do that. He noted that he can recommend that the Board spend \$50,000 to bring a consultant in to tell us what we should or shouldn't have. He noted if the Board has to go that route that the money paid for the consultant will be deducted from the contribution that comes to the fund. He questioned if the three chiefs can collectively get together, knowing that the \$2.5 million is not available, to determine what should be done or should the Board hire a consultant using funds from the fire fund.

Chief Swank noted that he will give up the aerial but the Township will have to take on the maintenance for his rigs.

Mr. Seeds noted that the white paper stated that the number of hours driven for the average suburban aerial unit was 3,492. He suggested that we are way above that. Chief Swank noted that he provided a spreadsheet. Mr. Seeds suggested the way to go is to have an independent study. Mr. Wolfe noted that the miles are similar to that as you were looking at total miles on a vehicle versus average annual. He noted that miles driven are comparable. Mr. Crissman noted that he is now hearing that one can give up this and another can give up that, but he questioned why the three chiefs can't get together to determine what you can do and then come back and discuss it with the Board.

Chief Fife noted that we don't have the money, it is the Township's and the three chiefs can wish all they want but we don't have the money. Mr. Crissman note that you know that we are looking at \$2.5 million that the Township does not have. He noted that he wants the three fire chiefs to come in with a plan for what you can do or he can pay a consultant to do that for you.

Chief Payne noted that it will not happen. He noted that there are things that the three chiefs are not going to agree upon. Mr. Coburn noted that this is the equipment that is due to be replaced. He noted that you can have other people come into this area but they are volunteers to. He questioned if Susquehanna Township would be willing to come with their tower truck every time they have an automatic fire alarm, running 800 to 900 calls a year.

Mr. Crissman noted that the bottom line is that we don't have \$2.5 million to spend. He noted that we could bring in a consultant and the cost would be deducted from the fund but why can't you all meet. He noted that some have provided concessions, just make it happen.

Chief Fife noted that you could divide the money up and let the fire companies purchase their own fire trucks. Mr. Crissman noted that the Board wants to do as much as it possibly can.

Mr. Seeds questioned if the Township should hire a consultant. Chief Swank answered no. Chief Fife noted that it would be an eye opening experience. He noted that they do not have any political ties. Mr. Seeds noted that there are conflicts from the Gaming Report. Chief Swank noted that you could get another report and it will say something different. Chief Payne noted that we have come in for two and a half years; he noted that everyone argued during the last Public Safety Committee meeting, it is not going to happen. Mr. Crissman noted that it has been his goal to have the fire chiefs works together. He noted that he would like to say that the Lower Paxton Township fire departments are the finest. Chief Payne answered that we are but certain things we will not agree on. Mr. Crissman noted that you are not unified and he would not want the fire companies to lose money.

Mr. Kraska noted, during the last Public Safety Committee meeting, he expressed an objection to Colonial Park aerial request based solely on the fact of what we are doing here. He noted that we need to justify to the Board why we need to spend an additional \$250,000 as it is a lot of money. He noted that he will try to get the men to organize and we will try to do a needs assessment for what we need in the Township and come up with a schedule for what needs to be replaced first. Mr. Hawk noted that is a prudent thing to do. He noted that there is no one present who would not like to see the fire chiefs get what they want, but... Chief Fife suggested that a private third party should be involved. Mr. Kraska did not think it was necessary noting if everyone comes in with an open mind for what is in the best interest of the Township as that is what the Board is all about. Chief Fife suggested that a lot less fire trucks would be in the best interest. Mr. Kraska noted if that is what we come up with then that is it. Chief Payne noted that is why we need a third party as Chief Fife is already going on the defensive. He noted that it is not going to happen. PSD Johnson noted that it will be hard trying to get people to agree on this and he is trying to take more of an active role in the fire portion of his job. He requested to be allowed to continue his research to present something and work with the fire chiefs.

Mr. Crissman noted if it can be PSD Johnson that is fine, but if we need to send a third person he would be willing to do that. Mr. Wolfe noted that he appreciates what Mr. Kraska is trying to do but he believes the issue is that we are all too close. He noted from the Board side of the table, the only way it can come up with money is to issue debt or raise taxes, neither of which is desired. He noted from the fire fighters side, no one wants to lose a piece of equipment especially when there are two other fire companies out there and if you don't get it they might. He noted that he understands that as the volunteers want to be driving the new stuff and not the other company. He suggested that the Board needs an independent party from the outside, maybe not to do the entire study but to provide the Board with a final recommendation.

Mr. Hawk questioned at what price. Mr. Wolfe answered that it would cost around \$50,000. Mr. Kraska asked the fire chiefs if they wanted to fight about this or spend \$50,000 for a guy to tell the fire chiefs what they really need. He noted that he can't see doing that. He questioned why the fire chiefs can't agree to disagree and work together. Mr. Hawk noted that Chief Fife was shaking his head. Chief Fife suggested that it is the only way to get it done unless you have an independent third party, no one present could ever be put in charge of Lower Paxton Township Fire Services because they all live in a different neighborhood and run at different fire companies. He agreed with Mr. Wolfe in that no one wants to have anything taken away.

Chief Swank noted that he could go back to his company and if they choose to get out of the truck business, you will have \$934,000 more to spend or just replace what we have which is a 75 foot aerial and we will just be an engine and aerial station. He noted that he can't ultimately make that decision about giving it up as he has to go back to his fire company and discuss it with them. He noted if they agree with it you will save that much money.

Mr. Blain noted that everyone is frustrated, and everyone should go home and cool down, relax, and try to get together one time between now and January 31<sup>st</sup> to resolve it. He noted if you can't resolve it then you go to step B and hire an outside consultant to come in to assess the Township and go from there. He noted that way you gave it a shot. Mr. Hornung questioned why PSD Johnson can't do it. Mr. Wolfe noted that he has the expertise and each fire company has the expertise. Mr. Hornung noted that PSD Johnson is a third party removed. Mr. Wolfe noted that he is removed from the fire side of the table but continues to be a part of the administrative side of the table. He noted that this side of the table is viewed as not wanting to raise taxes or issue debt. He noted that we all have some vested interest and unfortunately if he

was on the fire side of the table, he would say that the PSD's recommendation is geared to giving the Supervisors what they want, a low cost recommendation. He noted that he did not think it was true as PSD Johnson would not do that but each fire chief would come up with an unbiased result, with the perception being if I don't get it then the other guy is not getting it.

Chief Payne noted if PSD Johnson wants to do it he will respect his opinion and he does not care where it falls for the three fire companies. He noted that he was hoping that we would get a fire administrator job and his company would respect his opinion as I don't think he is biased.

Chief Fife noted that he had a meeting with the membership of Paxtonia before coming to this meeting and they have agreed that they are willing to give up the third fire truck because they can do fire and rescue with one fire truck that has a pump and hose. He noted that all you need to put out a fire is water and hose. He noted that what he has said is representative of what his membership has agreed to.

Mr. Hornung noted that he is hearing that everyone is willing to give up and when we first sat down to develop the FECF we had several consultants talk to the Board. He noted that the Board needs to raise the contribution a little bit based on an inflation factor, and he understands that PSD Johnson will want to please the Board of Supervisors. He noted that is how it works, so speaking for the Board, if the chiefs come back with what the consequences will be for the Township if it fails to buy this or that, or that the maintenance is costing so much per year and if you look at the ration for maintenance dollars over the replacement of the unit, we would be open to raising the level for one time. He noted that a consultant would get us through the next five years but then we would do it again in another five years. He didn't think so. He noted that he has been on the Board for 20 years and the fire chiefs have never agreed on anything, and there were war stories before that. He stated that it will not change tomorrow, and it is reasonable to expect that we need someone to review the evidence and make a statement. He explained that he is willing to accept PSD Johnson and if he is willing to do it, and if he finds we need to spend \$2.5 million the Board will figure it out. He noted that he may come back with another idea. He noted that the money that we put aside was for one purpose to help the fire fighters from constantly doing fundraisers. He noted that the fire fighters spend a lot of time in training and it is only getting harder, and not better. He noted whether we put the money towards maintenance, LOSAP or into a vehicle, he doesn't care, but he cares that they aren't out

trying to raise money to fund their operations. He noted that was the sole purpose for creating that fund. He noted if you need money for maintenance since you want to push out a vehicle longer, then maybe we should take some of the funds for that, as we know we have older trucks. He noted that it is difficult to raise taxes, but if we need to do that, after they all get together, he will be open to listen. Chief Payne noted that all three fire chiefs agreed to meet with PSD Johnson. He noted that they would meet and PSD Johnson would serve as the mediator. Mr. Crissman thanked them for doing that and requested that they give it their best shot.

Continued discussion regarding the Township's ability to  
form a municipal authority for stormwater facilities

Mr. Hawk noted that the Pennsylvania legislature has passed legislation that allows municipalities to form a stormwater authority. He noted that the Board has discussed this previously as to how it should approach the topic of raising funds for stormwater improvements. He noted that the Township could set up a separate authority or continue to fund the improvements through the General Fund budget.

Mr. Steve Fleming noted that Robert Grubic and Russell McIntosh are present to continue the discussion that was held during the October workshop session.

Mr. Grubic noted that the Board held a general discussion regarding the stormwater authority concept. He noted that the Board agreed at that time that it needed to do some homework to come up with additional items to discuss when trying to make a decision as to whether or not it should create an authority. He noted that information was contained in a memo from his office to the Board dated October, 2014. He noted that his intent is to discuss that memo at this time.

Mr. Grubic noted that he wants to provide the information to the Board in order to make a decision for an Authority. Mr. Seeds suggested that Mr. Robbins may have some information for this to keep the costs down for the Township. Mr. Grubic noted that is understandable. Mr. Seeds noted that back in October we discussed municipalities that were similar and the one that was cited was Mount Lebanon. He suggested that they are a similar township. Mr. McIntosh noted that geographically they are. Mr. Grubic noted that they have different issues. Mr. Seeds noted that they have a plan in affect. Mr. McIntosh noted that they are putting a plan together and they have some operations. Mr. Seeds noted that there is information for how they charge for the program based on ERU's. Mr. Crissman noted for the Board to make a decision it needs a

proposal. Mr. Hornung noted that we will always evaluate the cost to define the problem if it was worth more than just going out and getting it done. He noted that sometimes the Board made the decision to forgo it and use a different approach. He noted that he would like Mr. Grubic to use a cost effective way to define the major points and the fine tuning for the authority. He noted that it would take two years to look at every phase and determine every problem. Mr. Grubic noted that is not a cost effective way to do it. Mr. Hawk noted if you haven't defined the problem properly how you can solve it. Mr. Hornung suggested as you go through it, you break it out into a level one or two or three for intensity. Mr. Grubic noted that you want a priority based analysis so that we are not just doing a shotgun approach to solve all the problems at one time or even over a ten-year period rather concentrating on the ones that have the most impact for the least cost.

A general discussion was held on the following memorandum that is attached at this point in the meeting minutes. Due to failure with the taping device, portions of this discussion were not able to be transcribed.

#### MEMORANDUM

TO: Board of Supervisors Lower Pasten Township

FROM: Robert C. Grubic, P.E.  
Russell F. McIntosh  
Stephen M. Fleming, P. E.

DATE: October 18, 013

RE: Lower Paxton Stormwater Authority

As a follow up to last month's meeting discussion, we have prepared the following summary and guide to assist you in your consideration to create a new Authority (Department) and a funding source for the purpose of maintaining the Township's stormwater infrastructure

#### Background

The Lower Paxton Township (LPT) Board of Supervisors has a long history of supporting effective stormwater management throughout the Township. For decades, they have required land developers to comply fully with Township Ordinances and state regulations for onsite stormwater management. The Township has operated and maintained both constructed and acquired stormwater facilities that manage water run-off from public areas such as streets, public parks, and community facilities in order to protect the safety and property of the Township's residents and businesses.

Over the years, the Township has expanded and upgraded these facilities in response to increased regulation, severe weather events and the impacts of growth in the Township. While stormwater management cannot eliminate local flooding, it can help control run-off from impervious surfaces, prevent soil erosion, and reduce the public

inconvenience and property damage. Stormwater management costs are funded exclusively by the Township's General Improvement fund currently set by the Township Real Estate tax.

In the past several years, the Township along with many Township's in the area have felt the combined force of severe weather events and declining infrastructure. These weather events have registered rainfall at historic portions which over tax systems that are designed to handle more regularly occurring small rain events. In addition, these over taxed systems range in age (on average) from 25 to 50 years in age and are made of materials that are only designed to provide a life span of the earlier.

Township resources have been stretched to respond to each storm and a trend has been noticed that the severe, long term damage of each storm is increasing. Long term damage would be considered an infrastructure failure which would create an extended exposure to an unsafe situation. For example, a closed road, open pit, accelerated erosion causing undermining of a road or structure, bridge degradation, or road pavement damage. Long term damage or reoccurring damage may negatively impact public perception as well as strain the annual budget in regard to labor, equipment and materials.

Compounding the impacts of the unexpected weather, the Township Sewer Authority is in the middle of a multi-year sewer replacement project. These sewer projects are requiring premature stormwater expenditures in neighborhoods as the streets are excavated to reach the underlying sanitary lines. This premature replacement of the storm lines has a significant impact on the stormwater budget

Traditionally, the Township has undertaken annual maintenance projects which have repaired 2-3 stormwater problem areas in an effort to "keep up" with infrastructure replacement needs. Initially, it was thought that a growing list of projects may indicate a manageable peak period of infrastructure spending which would normalize. It was quickly realized that the trend was growing and not an anomaly.

#### Stop Gap

Over two years ago, staff prepared a prioritized list of projects and presented it to the Board. That list was used as a basis for a Pennsylvania Infrastructure Bank loan to fund the more imminent projects and allow the Township time to determine how to fund future projects.

Funding for these projects could potentially be several sources, previously discussed bond proceeds, additional borrowings from the PA Infrastructure Bank, Dauphin County Infrastructure Bank, General fund (tax based) expenditures or special projects funds. All of these sources are available to the Township with its current structure or other reorganized form. All of these sources also present additional cost associated with borrowing (interest, application fees, overhead associated with preparing applications, oversight and management).

Future projects are planned. An incomplete estimate of the total number of stormwater features owned by the Township has previously been acquired through other programs. The list does not include cost estimates, assessment of condition or suggest any schedule for maintenance, repair or replacement but clearly, many of these facilities have been installed for over 25-30 years. In addition, there are many other stormwater facilities located in the Township that are located on private property and are currently the responsibility of the property owner.

#### Private Facilities

These "private property facilities" can and do impact the public facilities since some connect to the facilities owned and managed by the Township, in addition, some private facilities are not well maintained and do not perform as intended. At times, the Township must provide that maintenance to preserve the integrity of their own system.

While the Board of Supervisors is considering alternatives for funding the ongoing costs to own operate and maintain the Township's facilities, they may also want to look at the question of private facilities and if costs associated with those facilities should be considered since some of those facilities have been orphaned by property owner associations that are no longer active or even in existence. If the private facilities are to remain "private" should township ordinance

address fines or other penalties for failure to properly maintain? What will the impact be to staffing related to increased ordinance enforcement?. What will the cost associated with that effort be? So an answer may not be obvious\* and may require more detailed information and analysis.

Similarly, as mentioned above, the list of facilities currently owned by the Township is not complete and needs to be updated to include facilities installed between 2004 and 2008. The condition of Township owned facilities is not known for the majority of the facilities, and neither is the age, construction materials, or other relevant information needed to create a capital plan and schedule. Once assembled, this information, when added to existing costs being funded by the Township and the future costs associated with MS4 compliance, will provide an estimate of the future costs of the Township's stormwater management program.

The estimate of future costs can then be calculated as a percentage of the annual budget or millage rate necessary to support this activity. It will also allow for a rough calculation of the rate under an ERTJ (Equivalent Runoff Unit) billing method. However, as has been discussed, the selection of the billing method may include other factors such as collectability, number of tax exempt properties, the need to provide credits of property owners who install onsite stormwater control facilities such as rain barrels, roof top gardens, and the like.

### The Need for an Authority

As discussed during the last Board workshop meeting, it was unclear whether the Township wanted to establish a stormwater Authority using the recently passed State legislation. This may mostly be an unrelated issue that does not have to be decided upon today.

The selected billing method does not automatically determine the need to establish a separate stormwater Authority since, it is my understanding, that the Township has the power to impose and collect separate fees for services provided based on the costs to provide the service. Research by the Township's solicitor may be needed to establish exact parameters for such charges may be needed.

However, there may be other important considerations in determining whether or not a separate stormwater authority is necessary or desirable. These might include a decision to bill on a drainage basin basis, impervious coverage of a lot, the need to join with neighboring municipalities in creating a long term control plan for areas outside LPT or a financing benefit.

In addition, the Township Public Works Department already has trained staff, historical knowledge of the system and in-situ infrastructure (buildings, material and equipment) that would be more efficiently leveraged through expansion rather than starting an additional Township Department, with an additional overseeing body, management staff, administrative staff, etc. This department may always be divided in the future, should a compelling (yet currently unidentified) reason present itself. Moreover, maintaining the existing structure may offer you flexibility to adapt to other infrastructure needs in the future. These may be increased road maintenance, increased park maintenance or even transportation related improvements (intersections, traffic signals, bridges and widening)

### Moving Forward

In closing, given the various factors described above that will influence the decision on how to fund stormwater management in the Township and the potential impact on the residents and businesses in LPT, the Board of Supervisors may want to consider the following approach before committing to a particular funding method or level:

1. Review and update inventory of Township owned facilities
2. Identify facilities located on private property that are directly connected to Township owned facilities.
3. Identify facilities located on private property and evaluate the ability of the owners to properly maintain those facilities.
4. Review and revise policies and ordinances that require the owners of privately owned facilities to properly

maintain them and establish unes for non-compliance. (This may take the form of a separate charge to individual homeowners whose property is served by these facilities.

5. Revisé inventory to include any facilities that the Township will assume responsibility.
6. Review inventory to assess general condition of facilities in order to determine future projects.
7. Estimate the timing and cost of future projects and identify the need for financing.
8. Identify current operating costs (labor, materials and services) for stormwater system.
9. Estimate future annual operating costs and annual debt service costs.
10. Determine if funding is possible using property tax revenue
11. Discuss the benefits and negative impacts of using general tax revenue versus a dedicated user fee.
12. Determine the benefit of a separate stormwater authority.

The Board of Supervisors is again to be commended for their foresight in attempting to identify a sustainable approach to managing the Township's stormwater needs. While the twelve steps identified above may appear to be time consuming, they are designed to provide an approach that is customized to meet the needs of LPT both now and in the future. Because mere is likely to be additional costs associated with enhanced stormwater management, they provide justification for whatever action is taken.

HRG is in a unique position to help guide the Township thorough this process. As your Engineer, we are familiar with the local infrastructure and have developed a permitting and construction program that maximizes efficiencies. We are also familiar with both the types of facilities owned by the Township and their relative importance in managing stormwater. In addition, our familiarity with stormwater regulation, both current and pending, and their impact on the Township is an important component in deciding a course of action. We have the hardware, software, and people to document all the stormwater assets and the experience to explore financing. We can also assist you in fee development options or assist you in setting a tax-based programming goal.

#### Discussion regarding the composition, duties and responsibilities of the Friendship Center Operating Board

Mr. Wolfe noted that the Friendship Center Operating Board was established by Resolution 99-06 to assist in the Operation of the Friendship Community Center. He noted in January of 2000, Resolution 00-01 amended the membership for the at-large members to allow that one of those members could be a member from the Board of Supervisors and that the terms would stagger in membership. He noted in January of 2002, Resolution 02-13 amended the membership so that a member from the Friendship Community Center Operating Board would be deleted since that Committee ceased to exist on December 21, 2001. He noted that the at-large membership was increased from five to six allowing for a total membership of seven members.

Due to the failure of the tape, the general discussion was not fully recorded but concerned the membership and how it would function in 2014 with its attempts to right-fit the FC. The later part of the discussion follows below.

Mr. Hornung noted that we don't know what the rock climbing wall will generate but there is a way to do that. He noted that it is somewhat of a guess, to get a rough idea of what it will bring in, and he likes the idea, but it takes a little bit of investigation to find out what revenue it brings in and it is a leap of faith. He noted it is a risk, but you try to minimize it as much as possible by going around, researching it and taking the jump.

Mr. Crissman noted that the FCOB is not ready to make that specific recommendation.

Mr. Hornung questioned if there is a conflict with Mr. Crissman being the chairman of the FCOB since he is a Township Supervisor. He questioned if Mr. Crissman might have power to influence the members of the FCOB to make them do or not do certain things. Mr. Crissman noted that you would have to ask the FCOB if they feel that way. He noted at times it puts him in an awkward position, but for 95% of the time it does not. He noted that the FCOB knows that when they came to make the presentation it put him in an awkward position as one member suggested that he should be making the presentation since he is the chairman of the FCOB but he couldn't do that as he needs to sit with the Board of Supervisors. He noted that Bruce Senft made one presentation and Jack Dougherty made another presentation. He noted that it removes him from that situation. Mr. Dougherty noted that he never felt inhibited by expressing his opinion since Mr. Crissman is a Board member. He noted that it is important to understand what the different rolls are. Mrs. Pahl noted that one of the resolutions state that a chairman would be a member-at-large and not the supervisor and not from the Parks and Recreation Board. Mr. Hornung questioned if that is a current resolution requirement. She noted that it is in one of the resolutions. Mr. Seeds agreed that it is. He suggested that Mr. Crissman is an at-large member. Mr. Crissman noted that he sat on the Board of Supervisors before he sat on the FCOB. Mrs. Hussar explained, having Mr. Crissman on the FCOB provides some insight as to what the Supervisors may prefer or may support. She noted that there is no intimidation and they have had very lively discussions. Mr. Crissman noted that he would not mind giving up the chair for the FCOB. He suggested that the Board should meet at the last workshop session of the month, similar to the Audit Committee who is meeting for the software transition for the financial management packet. He noted that these meetings keeps all informed of what is going on for that

transition. He noted that Mr. Wolfe, Mr. Luetchford and he attend all the FCOB meetings and are aware of what is going on with the FCOB.

Mr. Crissman noted that he was providing the rock climbing ideas and tiered membership as the FCOB had a 2.5 hour meeting last night. He noted that they felt that they wanted to present the generalizations first and come back at the end of January to talk about specifics later. He noted that the Supervisors will have to provide specifics for the FCOB to move forward. Mr. Seeds noted that the FCOB is looking at both reports that were provided to the Township and the FCOB is looking to move walls and he is not in favor of that. Mr. Crissman noted that the FCOB is not ready to come in with a specific recommendation for the tiered membership. He noted that he only wanted to relay part of all the discussions that occurred last night. Mr. Dougherty noted that we are looking at reasonable recommendations and do not want to spend time analyzing what all the connotations could be if the FCOB does not have the blessing of the Board of Supervisors. He noted if the Board tells the FCOB that something is reasonable and directs it to come up with a plan, we will work on each of the recommendations. He noted that we may not be able to determine how to control the tier membership but if it makes sense then we must figure a way to do it.

Mr. Hornung noted that he is frustrated that the FCOB has to come back to the Board to get is approval. He suggested that the FCOB should determine what it wants to do noting that his guidelines are that it must be family oriented since the FC is not the Platinum Gym. He noted that he could provide some boundaries but everything else is yours to do it. He noted that he would only hold the FCOB accountable for the membership going up. He noted that is what he wants to see and he wants the FCOB to stay within the guidelines. He noted that other than that you don't need my approval. Mr. Seeds agreed. Mr. Crissman noted this is a change in philosophy. Mr. Blain suggested that the Board stated this last month. He noted that we told the FCOB that they were to run the FC. Ms. Hussar suggested that the protocol was to come to the Board. Mr. Hornung noted that he does not want that; he wants the FCOB to get the memberships to increase and stay within the guidelines. He noted if the FCOB puts up a \$19.99 monthly membership then you will probably see me at your meeting but if you think we have to move in that direction, then those are the things you need to come back to the Board to discuss. He noted the only time you need to come back to the Board is when you want to change the

purpose of the FC. He noted other than that it is yours to do. Mr. Crissman noted that he is glad that the Board is saying that to the FCOB.

Mr. Hawk noted if the Board gives the FCOB the authorization to do what they have to do he wouldn't mind getting a report once in a while. Mr. Hornung noted that it true. Mr. Crissman noted that the FCOB could meet with the Board of Supervisors or Mr. Wolfe or Mr. Luetchford could deliver a status report. Mr. Hornung noted if the FCOB decides to put in a climbing wall, he would like to know that. Mr. Crissman noted that is true for the tiered membership or renovations of the classrooms.

Ms. Prahl questioned if the Board of Supervisors was satisfied with the composition of the FCOB. Mr. Hornung noted that he sees no reason to change the composition of the FCOB at this point in time; however, in a year if he keeps hearing the same thing that the economy is bad and that is why we don't have any increased membership, then we will have to see if someone else can make the necessary changes. He noted if you were given the job to run his hardware store and you keep coming back to tell me why the sales are going down he would have no other choice then to find someone else to run it. He noted that he is willing to give the FCOB a shot.

Mr. Hawk noted that memberships are the key and providing a report periodically to the Board. Mr. Dougherty noted that the FCOB wants to be part of a successful enterprise and it is knocking its heads against the wall but it is not happening.

Mr. Seeds questioned if the costs for the senior center have been removed from the FC budget. Mr. Wolfe answered as the Board adopts a budget it will also adopt a resolution that will have the Township pay for the senior center costs and rewrite the debt for a 20 year term through a General Fund inter-fund loan. He noted that it will be on the agenda next month.

Ms. Prahl suggested that we may need some money to make money. Mr. Hornung explained that the FCOB would need to put that together to bring to the Board.

Mr. Seeds questioned if the Board can talk about the 20-year extension sometime. Mr. Wolfe noted that it will be on the agenda for next week's meeting. He noted that it is part of the budget process. Mr. Seeds questioned what does that do to the debt. Mr. Wolfe explained that it takes the debt to \$231,000 from \$395,000. He noted that the General Fund would be paying the \$169,000 and when you get to the point where the final debt is satisfied for an additional period of time, the FC would then be paying off what they borrowed from the Township General Fund to the Township. Mr. Seeds questioned if the bond would be paid in 2025, but they will still owe

money to the Township at 1% interest. Mr. Wolfe noted that the bonds have an interest rate and there is an additional 1% servicing fee from the Township for the extension.

Ms. Lindsey questioned if the members who have not renewed their memberships have been contacted and asked why. Mr. Crissman answered that staff does that. Ms. Lindsey questioned what has been the response. Mr. Crissman noted that staff has been doing this for a number of years, when anyone leaves; there is a follow up to find out why. Ms. Lindsey questioned what have been the recent reasons for leaving the FC. Mr. Luetchford answered that in many instances it has been an economic situation and a change in their priority.

Mr. Crissman noted that the FCOB asked last night what was lost in memberships as a result of all the discussions about closing or making changes at the FC. Mr. Luetchford explained that the FC lost memberships but it also gained some back, so it is hard to come up with an exact loss. He noted that the FC usually runs a holiday special as well.

Mr. George noted that the numbers have stayed up pretty good, but the FC has lost money due to the health memberships. He noted that it has hit the FC very hard.

Mrs. Lindsey noted that many senior citizens think because their health insurance pays for their membership that the FC automatically gets a \$300 check but they need to be educated that the only time the FC gets paid is when the member swipes the card. She noted that she spoke with a senior who told her that she was a member and she asked her if she used the facility and her statement was no but the FC gets paid. She explained that she told her that was not the case. She noted that many seniors think that the FC gets paid whether they attend or not.

Mr. Blain suggested that there is nothing more to discuss on this matter.

Mr. Crissman questioned if the Board has an understanding that the FCOB will be scheduled through Mr. Wolfe to come back with specific recommendations to share the information to keep the Supervisors up to date. Mr. Hornung noted that he would like to know what the FCOB is doing. Mr. Dougherty noted that we may have some ideas that we have not thought about as it is a team effort. He noted that they have received a lot of feedback from the members. Mr. Seeds noted that he likes Mr. Senft's idea for a town hall meeting. He noted that we may all learn something from this. Ms. Prahl noted that the FC could do an electronic survey very easily.

Mr. Hornung thanked the FCOB for the work that they do.

Presentation of the fill and grading plan  
for the Wolfersberger Tract

Mr. Luetchford noted over the last year and a half Mr. Collins had made numerous presentations to the Board concerning the landscape architecture master plan for both Koons and Wolfersberger Parks. He noted that the plan is completed and the final copy will be brought to the Board in the near future. He noted that there were several areas within the plan that could be used for ball courts, ball fields, pavilions for the front 50 acres of the Wolfersberger Tract, the area that fronts along Wenrich Street.

Mr. Luetchford noted that HRG has a completed plan in regards to the Simone Collins Plan for having Sewer Authority fill from their projects. He noted that it would require the clearing of the topsoil from the area and then fill would be placed. He noted that the topsoil would eventually be replaced saving the overall project over a \$1 million in funds for the grading of the 50-acre area to meet the appropriate specifications. He requested Mr. Fleming to prepare an Erosion and Sedimentation Permit to gain permission to fill the site starting in 2014.

Mr. Fleming noted that the fill that will be delivered and placed is eligible as an in-kind contribution for future grant applications so it is a good opportunity for the Township to take advantage of that fill material that is coming out of the Township streets instead of sending it off to a landfill or other site, capturing it at little or no cost, to construct part of the park and generate a non-cash contribution that could be used to get more money to develop the park. He noted that moving forward he wants to insure that the Township is not duplicating its effort in looking forward to the future for how it would build the park, not having to move fill material around multiple times eliminating extension rework to do later.

Mr. Fleming noted that the plan that is up on the screen this evening is one of two that he designed for the front 50 acres as the entire tract is made up of 96 acres. He explained that he designed a future connection to the other 45-acre track, to ensure that staff can access that part depending on what the Township wants to do in the future.

Mr. Fleming explained that he took the latest Simone Collins Park Concept Draft Plan and designed the features they proposed for that plan and made some modifications that he incorporated along with staff with some additional direction from the Sewer Authority, Public Works Department and Parks Department to ensure that it would maximize the opportunity for

the Sewer and Parks Departments. He noted that he also took into account what experience the Public Works Department had with the current compost facility.

Mr. Fleming noted that if you compare this plan to the Collins Concept Plan, he has steepened some of the slopes which were counterintuitive to what they were recommending for a park area but he needed to do that to maximize the fill areas. He noted that he increased the amount of flat areas for ball fields to get the maximum for the park investment but he has also used what they have learned from George Park and other areas where there are parks with large flat areas and steep slopes. He noted that he incorporated a berm on the downhill side with the uphill side of the slope so when a ball is kicked towards the slope a berm would be attached to the wall so you don't have to send someone down the slope after it. He noted that he has also shown some pavilions, parking lots, stormwater features, and walking trails. He noted that important part of doing that at this stage, while it may change and be moved in the future is that he can design the stormwater features at various locations and for the southern tract so that the Township would not have to re-permit it in the future. He noted as funding becomes available, we can move forward towards construction.

Mr. Seeds noted that Mr. Fleming is proposing to fill in the areas that are allowed to be filled in as per the Department of Environmental Protection (DEP) and the US Army Corp of Engineers, so if the plan would change somewhat in the future it would still be adaptive. Mr. Fleming explained that he made this plan as adaptable as possible and by doing that he may have overdesigned it. He noted that he may be showing one area larger than it needs to be. Mr. Seeds noted that the soccer people in years past have talked about acquiring a large amount of money and putting fields in. He noted if they proposed to put in fields since they had a large amount of money, it would be adaptive for the future when we go to develop it. Mr. Fleming noted that the fields are not designated for any particular use, just large flat areas. He noted that generally we have used soccer fields or football fields, general practice, or multi-purpose fields for the dimensions of the flat areas so that as you move forward to the actual park planning process and determine what you will put in you have the flexibility to move those features around when you get to that point, which is probably a couple of years down the road.

Mr. Seeds noted the Simone Collins Concept Park Plan shows parking across the bottom but on the other map you are showing it north and south. He questioned if that was changed. Mr. Fleming explained that it did change from the Simone Collins Plan. He suggested that this was a

safer design and recommended not having an integral parking lot where your access drive is through the parking area. He noted that you have kids and strollers and people unloading their trunks and you have through traffic that would have to leave the main area to go up to other section. He noted that you would be driving through the parking lot to do that. He explained that he retained that focal point roundabout feature. He noted that he incorporated it into traffic calming as well as providing the public works facility that was incorporated in the concept plan. He noted that there are two very large field areas, an extensive trail network on both the north and south sides, and a storm water facility in the southern section.

Mr. Fleming noted that he is working on submitting permit application's to Dauphin County Conservation District and has completed the pre-application meeting and field testing for infiltration. They have agreed to waive the Dauphin County fees but were unable to waive the State fees. He noted that he will be acquiring a General NPDES Permit for this project since it disrupts over five acres. He noted that he was able, through the design and the pre-application meeting to make some changes for the permit application which is a year long state permit for encroachment in an environmentally sensitive area. He noted that he will only have to apply for two general permits at this point.

Mr. Seeds questioned when Mr. Fleming thought he should be able to move ahead with the project. Mr. Fleming answered that the intent is to have a permit in place by applying for it now in order to received it within three or four months and be able to set up the site for whatever needs to be done for E&S controls to include moving top soil. He suggested that by the end of this 2014 they should begin the filling process and it would take years of fill until it would be completed.

Mr. Seeds questioned if most of the fill would from authority projects. Mr. Fleming noted that it would depend on the projects and the size of them. Mr. Seeds suggested that it may also come from some developers. Mr. Hornung questioned if there was a way to capitalize on getting fill now instead of waiting until the end of the year. Mr. Fleming noted that he is working with them now as the projects go to bid depending on the timing for the projects for how we feel the schedule will go. He noted that we have talked to them noting that we are implementing the requirement that the hauler will haul to this location to save money. He noted that the haulers are going a much greater distance than they would have to go for this site. He noted that it is a money saving prospect for the bidders.

Mr. Hornung noted if we have the highest amount of projects going on he would hate to lose the fill that is going out of the Township now. Mr. Fleming noted that we are talking about a fill project that is roughly 75,000 cubic yards. He noted that a bid is going to be put out in January and he wants to put this in that project for bidding. Mr. Hornung questioned if there is any projects going on now that we could get dirt from. Mr. Fleming noted that you can't place material there at this point and we have some details to work out as far as clearing and grubbing the site itself as it is generally wooded with the brushy areas having to be cleared first. Mr. Seeds questioned if we will have to put a contract out for the clearing and grubbing. Mr. Fleming answered yes. Mr. Luetchford noted that we will also have to think about gating the area to regulate the control.

Mr. Fleming noted that there will be some upfront costs, E&S perimeter controls and working out how the facility will be monitored while the fill is being placed. He noted that he will have the NPDES permit early in 2014 so he wants to capitalize on getting the material as soon as possible.

Mr. Hornung questioned if there is any risk in that we are pulling soil from areas where there could have been a sewage discharge. Mr. Fleming answered that there is no recognized contamination concern as it is considered to be clean fill but staff will be making sure with different monitors that the Township is only getting clean fill at this site. He noted that contaminated soils or materials or improperly placed materials would be detrimental to the success of the project.

Mr. Hawk noted that he got a call on Monday morning from Mr. Yingst as he talked to someone, possibly on behalf of Dauphin County, who approached him about his land that abuts the Wolfersberger Tract. Mr. Luetchford noted that he, Bill Collins, and Steve Fleming met with Mr. Yingst and a number of other neighbors as well to make sure they were aware of what was going on. Mr. Hawk noted that according to Mr. Yingst they discussed building soccer fields and a stadium. Mr. Blain suggested that is the project that Bob Weidner and Dauphin County Commissioners are doing a study for at this time. Mr. Crissman questioned if that project is moving forward. Mr. Blain answered that he had no idea. He noted in order for them to do that project, they would have to buy the Yingst Property as they need a couple hundred acres and all we have is 95 total acres. Mr. Hawk noted if they combined our property with Mr. Yingst's property they would have enough to do it, and if they want to purchase the Wolfersberger Track

they have to make the Township whole. Mr. Fleming noted that he has kicked around the Simone Collins planning process for the start of the design process to make sure he understood everything that was planned. He noted that there is a potential as there is a lot of undeveloped area between Wenrich Street, Blue Ridge Avenue, and Linglestown Road for more development. He noted that there are a lot of environmental features that have to be developed around such as wetlands, waterways, and zoning and there is a prime residential area next to it as well as a school. He explained as those projects develop, we have had discussions and are ready to react to them. He noted that this design considers changing access points if necessary but he does not believe what he proposes will pigeon hole anyone in this regard. Mr. Hawk wanted to make sure that Mr. Fleming and staff was aware of those conversations.

Mr. Luetchford noted that it is a new initiative on the soccer group's part to talk to Mr. Yingst. Mr. Blain noted that he is not involved in the discussions, but they would need a couple hundred acres to do their plan and in order to be able to do it they would have to buy Mr. Yingst's property as well as the Township's property to be able to do it. He noted that money was expended by the Dauphin County Commissioners to do a study and it was one area that CASA was looking at. Mr. Fleming noted that he found out that there are two different Yingst's properties, one is owned by Richard Yingst and the other is owned by a family member. Mr. Crissman questioned if the properties are contiguous with one another. Mr. Fleming answered yes but the ownership motivation is different as one is the family homestead and they were not interested in it being available for development. Mr. Hawk noted from Mr. Yingst's standpoint, if he didn't have a big plan in mind it would be a chance for him to unload some property.

Mr. Fleming noted that is the update and once the application is signed by the Board and the Historical Museum Commission Clearance is signed he will make the submission to Dauphin County and request payment for the fees that are necessary to make the application. He noted that he will get the review comments which he anticipates being minimal from the pre-application meeting, and should be ready to move forward over the next year.

Presentation of the cable television franchise review for Verizon, as  
Prepared by the Cohen Law Group on behalf of CAP COG

Mr. Wolfe noted that he received the second of the franchise reviews from the Cohen Law Group. He noted that the Capital Area Council of Governments served as the focal point

for 15 municipalities to jointly undertake franchise reviews for both Comcast and Verizon. He noted that Lower Paxton Township spent about \$15,000 in the total process to have a review of the franchise agreements. He explained, unlike the Comcast franchise review, the document provided by Verizon contains confidential information that the Cohen Law Group entered into a confidentiality agreement with. He noted that it could become public documents but currently it is not one. He noted that he could review the results of the findings noting that they reviewed it for 20 parameters. He explained that Comcast as a mature system was in compliance with all the parameters. He noted that Verizon is not a mature system as they have only been in place in Lower Paxton Township for five years and they were found to be non-compliant in five specific parameters. He noted that one was the installation time as they were required to have installations done for 95% within a seven-day time frame and they did not meet that installation requirement. He noted that they were attempting to sign up everyone in the Township because they were a brand new system. He noted in 2011 and 2012, they did not meet it as they were at about 75% of the required seven day period.

Mr. Wolfe noted that they were non compliant regarding schedule outages of cable service. He noted that they are to provide notice of schedule outages for maintenance and they were noncompliant in that area. He noted that the franchise agreement requires them to build out the Township and provide service to every residential address within the five year period. He noted that they were noncompliant as they had 175 addresses yet to be built in the fall of this year which made them 99% compliant. He noted that they missed it by a few months and will be complete within the next several months. He noted that they were non-compliant as they missed an education and government grant payment to the Township in the amount of \$13,500. He noted that they were also non-compliant in their calculations of gross revenues in the franchise fee shorting the Township \$8,200. He noted that they have since provided payment to the Township in the amount of about \$22,000 for those two items.

Mr. Seeds noted that makes us ahead of the game a little bit. He noted that it is good that we did a check on both providers so they know we are looking.

Mr. Seeds noted that he has a big concern that Verizon is not giving the Township proper notification when they plan to dig in right-of-ways. He noted that it is causing the Departments some problems and he think that the recommendation is that you send a strong letter to handle this. Mr. Wolfe noted that the problem that staff had with Verizon is that they were building so

much so fast they couldn't keep ahead of their construction crews. He noted that they are still negligent in getting required permits but they are getting better. Mr. Seeds questioned if he would send a letter. Mr. Wolfe answered that he will send them a letter; however, the Sewer Department had a meeting with Verizon today in regard to a line that was not installed in accordance with the Township's requirements as it was installed over a sanitary sewer line and they have said that they will move it. Mr. Seeds noted that it could be a huge problem if they hit a gas line. Mr. Wolfe noted that Verizon is doing their one-calls.

Mr. Seeds noted when the Shade Tree Commission planted the evergreen tree in the Square in Linglestown, PPL marked their location for the wires in the front spot and when the company started to dig to put in the tree, there was a person standing by who saw the power line and stopped the machine before they hit the line. He noted that they had to move the tree two feet, even though PPL marked the location but if they would have hit that electric line it would have shut power off to a lot of people. He noted that you can't trust them when they mark the lines.

#### Improvement Guarantees

Mr. Hawk noted that there were six Improvement Guarantees.

#### Old Iron Estates, Phases I, III, and IV

A reduction in a letter of credit with Centric Bank in the amount of \$33,976.20, with an expiration date of November 19, 2014.

#### Wilshire Estates, Phase I

An extension and 10% increase in a letter of credit with Jonestown Bank and Trust Company, in the amount of \$323,070.00, with an expiration date of December 10, 2014.

#### 5710 Union Deposit Road

An extension and 10% increase in a letter of credit with Integrity Bank, in the amount of \$439,347.12, with an expiration date of December 10, 2014.

#### Amber Fields, Phase I

An extension and 10% increase in an escrow with Lower Paxton Township, in the amount of \$8,144.36, with an expiration date of December 10, 2014.

#### Amber Fields, Phase III

An extension and 10% increase in an escrow with Lower Paxton Township, in the amount of \$9,062.90, with an expiration date of December 10, 2014.

Amber Fields, Phase I

A reduction in a letter of credit with Mid Penn Bank, in the amount of \$18,998.40, with an expiration date of September 10, 2014.

Mr. Crissman made a motion to approve the six listed improvement guarantees. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Adjournment

Mr. Crissman made a motion to adjourn the meeting and the meeting adjourned at 9:30 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

Gary A. Crissman  
Township Secretary