

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Workshop July 8, 2014

A workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 6:04 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; Steve Stine, Township Attorney; Sam Robbins, Public Works Director; Matt Miller, Public Works Technical Engineer; Steve Fleming, HRG- Township Engineer; and Watson Fisher, SWAN.

Pledge of Allegiance

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

Public Comment

Mr. Terrance James, the Quarter-Master from the VFW Post 148, Lower Paxton Memorial Post located on Union Deposit Road, noted that he was present along with Jamie Beck, Commander and Tim William, Assistant Quarter-Master to make a presentation to the Township.

Mr. James explained that several weeks ago, there was an article in The Paxton Herald about the cemetery that needed repairs located on Newside Road. He noted that Mr. Jay Purdy was overseeing the repairs needed for the small cemetery. He explained that the VFW Post is in a refurbishing mode as it just came out from receivership for the past year and it does not have the people to spearhead this project at this time. He noted that he was told that a young man who is working on his Eagle Scout project has taken this project on and he would like to present a check in the amount of \$500 to help pay the costs for this project. He explained that he spoke with Mr. Wolfe to determine who the check should be presented to. Mr. Wolfe answered that the Township could accept the check on behalf of the Boy Scout who is working on the project.

Mr. James explained, at one time, his organization took care of the cemetery as a person donated paint in order to paint the fence silver.

Mr. Hawk noted that it is very easy to drive past that cemetery and miss it.

Mr. James noted that in the past the VFW would have sponsored a service on Memorial and Veterans Days but it is located in a bad spot with no available parking. He noted that there are very old veterans buried in that cemetery.

Mr. Hawk accepted the check on behalf of the Township for the Boy Scout project. He thanked the members of the VFW for their contribution to the project.

Mr. Seeds noted that he was approached by these members of the VFW at the Heroes Grove groundbreaking event, inquiring as to who they could present the check to. He noted that Mr. Wolfe looked into this and will forward it to the correct party. He thanked those members of the VFW for their generous donation to the project. Mr. Wolfe noted that he is working with the Eagle Scout who is working on this project. He noted that he and his troop will be replacing the fence with a wrought iron looking fence in accordance with the manufacturer's instructions. Mr. Crissman noted that he hopes that they will share with the community what the Boy Scout is doing for this project.

Ms. Lindsey requested that the Board send a thank you letter to the VFW.

Review of correspondence from McCormick
Taylor regarding the reconstruction of I-83

Mr. Wolfe noted that he received the correspondence from McCormick Taylor on Friday that concerns the improvements to the I-83 corridor that are being designed by PennDOT. He noted that input and decisions from the Township are needed on several matters. He noted that the reconstruction of I-83 in Lower Paxton Township is going to be conducted in two phases. He noted that Phase I will be the widening of the bridge structures which is planned for letting in 2016 that will take two years and upon the completion of that project in 2018, the additional travel lanes in both directions on I-83 from north of Union Deposit Road to the I-81 split will be constructed.

Mr. Wolfe noted PennDOT needs decisions from the Township in regards to the bridges over Union Deposit and Jonestown Roads, Elmerton Avenue, Londonderry Road, Locust Lane and Megoulas Boulevard concerning the installation of sidewalks on or under the bridges where sidewalks have or have not existed in the past. He noted that they are looking for the Board's opinion in regards to the installation of the sidewalks and if the Township will take responsibility for maintaining those sidewalks.

Mr. Wolfe displayed the Union Deposit Road map supplied by PennDOT showing the proposed sidewalks in green. He noted that the existing sidewalk is shown in blue. He noted that PennDOT needs to know if the sidewalks should be installed, and if so, the Township must make a commitment to maintain those sidewalks.

Mr. Sam Robbins explained that the amount of sidewalk to be installed for the north side of Union Deposit Road is 1,850 feet that will be five foot wide. He noted for the south side of the roadway it would be 1,960 feet. He explained that he would need a Bob Cat to remove snow from that length and width of sidewalk. He noted that it would require at least two passes to clear snow from the five-foot wide sidewalk, and the Public Works Department is not equipped to do this work at this time as it lacks the equipment and manpower.

Mr. Hawk noted that it takes in the area from Briarsdale Road to East Park Drive.

Mr. Robbins noted that snow removal would be required within hours of the snowfall as the sidewalks should not be allowed to freeze overnight or we would have a very difficult time removing the snow from the sidewalks. He explained when you remove snow from the overpass, you cannot dump it over the bridge onto traffic nor can you put it on the roadway. He noted that it would have to be removed from the area.

Ms. Lindsey questioned if there are any State Roads that the Township currently plows sidewalks for now. Mr. Robbins answered no.

Ms. Lindsey noted if staff plowed the sidewalks and 15 minutes later PennDOT plowed the snow back on the sidewalks, and staff doesn't return for a couple of hours to remove the additional snow, staff is back where it started. Mr. Robbins noted that timing is crucial as the sidewalks need to be plowed within a certain period of time from when the snow stops falling. He noted if it is a light dusting, it would still need to be removed, but with a different set of tools.

Mr. Robbins noted that pedestrian travel is necessary as there is a lot of traffic on that corridor especially near the hotel at Scenery Drive as many people cross Union Deposit Road to the Shopping center on the opposite side of the road.

Mr. Hawk questioned if they are only proposing to put sidewalk on the north side of the road. Mr. Robbins answered that it will be on both sides of the road.

Mr. Hawk questioned if the Township said no, would that mean that they would not install the sidewalks. Mr. Robbins answered that PennDOT will not install the sidewalks unless they have a maintenance agreement with the Township. Mr. Hawk noted that additional

equipment would have to be purchased to maintain the sidewalks. Ms. Lindsey noted that we would need additional manpower as well. She noted that there are quite a few roads where they want to install sidewalks and she noted that staff would need to apply salt if the sidewalks are frozen to keep them operable.

Mr. Hawk questioned what would happen if the Township responds negatively to any of the sidewalk requests. Mr. Robbins answered that PennDOT will not construct the walkways.

Mr. Hornung questioned if the landowner would be responsible to maintain the sidewalks noting that that the Township would have to maintain the area near the bridges. Mr. Robbins noted that it is an option to approach the businesses and ask them to maintain the sidewalk on their property. He noted that the motel and Rite Aid would have to maintain the sidewalks on their property as staff should treat those areas the same as any other sidewalk in the Township. Mr. Hawk noted that it would not take in the area of the bridges. He suggested that it would be less than 500 feet or more but it would still be a significant area to maintain. He noted that the work for two of the bridges would be on a major highway.

Mr. Seeds noted that putting the ownership on the businesses would be a tremendous benefit to them as they would have sidewalks for their patrons to use. He noted that he has seen people crossing the road in that location and for the Township to say no, when it would not cost the Township anything initially is not a good idea. He suggested that the snow removal for those sections could be contracted out by the Township. He noted that we require developments to install sidewalks and for the Township to say no, when it would be free and provide a very good benefit for many businesses is not good. He noted that staff could make contact with the businesses to get them to help with the maintenance for those sidewalks that are adjacent to their businesses. He noted that we could contract out the removal for the other parts.

Mr. Crissman questioned what would happen if the businesses say no, who would be responsible to maintain the sidewalks. Mr. Wolfe suggested that the property owners would be responsible to maintain the sidewalks. Mr. Stine noted that the Township has an ordinance that requires the property owner to clear sidewalks. Mr. Seeds noted that we put a lot of new sidewalk in the Village of Linglestown as part of the project and the property owners have to maintain the sidewalk on their property.

Mr. Hawk noted that there are at least six bridges that the State wants to build sidewalks over or under. He suggested that it is shades of an unfunded mandate.

Mr. Robbins suggested that PennDOT is getting pressure from ADA to put in sidewalks. He noted that they would pay the cost to install the sidewalks but the property owners would have to maintain them.

Mr. Seeds noted that it is a huge savings for the Township to provide pedestrian safety, noting that there is a cost to do this. Mr. Wolfe noted that the Board has to make a decision by August 6, 2014 and he needs direction from the Board for what to do.

Mr. Hornung noted that the missing number is what it would cost for maintenance. He noted that it is hard to determine if this is a good thing to do without an estimate for a contractor maintaining the sidewalks that fall under our domain. He noted that it would be contingent on how many snowfalls occur each year, but he questioned Mr. Robbins if he could come up with an estimate. Mr. Robbins suggested that it could be \$175 an hour for a 300 to 400 hour contract. Mr. Wolfe suggested that it would operate much like a commercial parking lot in that you would have someone under contract and pay a retainer of \$10,000 to \$15,000 to have them maintain the sidewalks that would be applied to the costs incurred. He noted that the Township would need to hire someone who could provide a guaranteed response, noting that is why you see the loaders sitting in the parking lots of Colonial Commons or Paxton Towne Centre.

Ms. Lindsey questioned if we should contact the businesses to see if they are willing to maintain the sidewalks. Mr. Hornung noted if we put in the sidewalks they are required to maintain the sidewalks. He questioned what use the sidewalks would get. Mr. Wolfe noted that as far as he knows there are no pedestrian counts; however, Union Deposit Road has individuals with disabilities and accessibility issues for pedestrian access and we have had pedestrian fatalities on Colonial Road. He noted that he did not know if sidewalks would have made a difference but they are very heavily traveled roadways with some pedestrian use.

Mr. Hawk questioned if the Board could be selective for where the sidewalks would be installed; only selecting portions of the sidewalk plan. He noted that Mr. Nutter stated in his letter that we could contact him with any questions that we may have. Ms. Lindsey questioned if he could be invited to attend a meeting to discuss the issues. Mr. Wolfe answered that he was sure that he would attend a meeting but the message will not change. He noted that PennDOT is very clear in their policy, if you want the sidewalks they will install them but the Board has to agree to maintain the sidewalks. He noted that is not a negotiable item. Mr. Hawk questioned if it was worthwhile having someone come in to discuss this. Mr. Wolfe noted that staff has had

discussion with representatives from McCormick Taylor and staff has have been told if it doesn't want to maintain the sidewalks that is fine, PennDOT will not put them in.

Mr. Hawk noted that it is all or nothing. Mr. Wolfe answered that it is not all or nothing by location, noting that the Board could pick Union Deposit Road and Route 22 and eliminate the other locations. He noted that each bridge would stand on its own.

Mr. Seeds noted that the Board has insisted that sidewalks be installed in lieu of granting waivers and the Board has an opportunity to get the sidewalks for free, even though the Township and the property owners will have to maintain the sidewalks. He suggested that the Board should do this. Mr. Crissman noted that we do not know what the usage is for the pedestrian travel in those areas, and he questioned if we should undertake the expenditure for maintenance for only three people as opposed to usage by 200 people.

Mr. Hawk noted that it would be a substantial amount of money to purchase equipment for this issue. Mr. Robbins agreed in addition to the labor costs. Ms. Lindsey suggested that we would have to subcontract out the work. Mr. Hornung agreed.

Mr. Seeds noted that we may not have heavy usage now, but if we have nice sidewalks it might increase as people may choose to walk instead of driving.

Mr. Hornung questioned if Mr. Wolfe could come up with costs for this item the next time we discuss this. He questioned what area we have had accidents in the past for people walking in these areas. Mr. Wolfe suggested that the number would be very few, but these two locations have issues. He suggested that the Township has never had pedestrian accidents on Londonderry Road, Elmerton Avenue, Megoulas Boulevard, or Locust Lane. He noted that the only way to come up with a cost is to develop a specification and bid it.

Mr. Robbins noted that the general numbers for residential sidewalk maintenance would be \$35 to \$45 per hour for a two-stage snow blower. He noted that this would need more equipment than that to do these areas. Ms. Lindsey questioned if the contractor would have to keep going back to clear the sidewalks.

Mr. Crissman questioned if there was any data on usage at this time. Mr. Wolfe answered that he is not aware of the Township having any pedestrian counts. He noted that recently there was an issue with a crossing in Linglestown and a police officer had to sit at that location to determine a pedestrian count.

Mr. Robbins noted from Scenery and East Park Drive up to the I-83 Bridge, the traffic in that area in front of the hotel across from the Giant is significant with many people crossing the road not using the intersections, making their crossing at mid-block. Ms. Lindsey noted that they will not walk down to East Park Drive but cross Union Deposit Road at mid-block. Mr. Robbins answered that he did not know where they will go but it makes it a lot easier if the sidewalks are in place.

Mr. Hawk noted if you accept some locations and not others, we still have to maintain the sidewalk and curbs. Mr. Hornung noted we could contract it out.

Mr. Wolfe noted that PennDOT is looking for an answer and we have a business meeting next week and if the Board so desires he could put a resolution for each item and the Board could act accordingly. Mr. Hawk answered that would be the best way to do it. Mr. Hornung noted at this point he would be in favor of sidewalks along Union Deposit and Colonial Roads but he may not support the other sidewalks.

Mr. Hawk requested Mr. Robbins to come up with some costs for maintenance.

Mr. Hornung suggested at \$35 an hour noting that they would be at each location eight to 10 hours, 400 hours' times \$20 per event would be about \$8,000. He suggested that would be the minimum amount for a contract but it could be closer to \$10,000. He suggested for commercial services it might be more like \$50 or \$60 an hour noting that it may be closer to \$15,000 per year per area.

Mr. Hornung noted that we have had accidents in those areas and they are heavily travelled especially for Union Deposit Road as there is a lot of shopping going on in that area with many hotels.

Mr. Robbins questioned if the Board wanted to review the Route 22 Colonial Road plan. He noted that the sidewalk would start at Franklin Street located on the south side of Route 22 crossing the area where the new signal would be installed at the exit ramp from I-83, crossing over to the north side of Route 22 to Colonial Road. He noted that the sidewalk would be located on the south side and then move across the street to the north side of Route 22. Mr. Hornung questioned if anyone would lose parking in that area as many businesses park up against Route 22. Mr. Robbins answered that the sidewalk would be in the right-of-way but he would look into this.

Ms. Lindsey questioned if there would be a pedestrian walkway across Jonestown Road. Mr. Robbins answered yes at a signalized intersection. Mr. Hornung noted that there is one by the Dairy Queen at 39th Street. Mr. Robbins noted that one is located in Susquehanna Township.

Mr. Robbins noted for Route 22 on the north side there is 780 feet and for the south side it will be about 1,000 feet of sidewalk. He noted for Elmerton Avenue the bridge will be replaced. He noted that currently there are sidewalks on both sides of the existing structure but no sidewalks along the approach so PennDOT wants to know if the Township wants sidewalks on the bridge and what about the approaches. He noted that they want to grade the approaches to the bridge for future sidewalks. Mr. Seeds questioned if they will build the sidewalks for the approaches. Mr. Robbins answered no, only on the bridge.

Ms. Lindsey questioned who is taking care of the sidewalks on that bridge now. Mr. Robbins answered no one. Mr. Wolfe explained when PennDOT initially installed sidewalks on bridges in the past; they did that without requiring municipal maintenance. He noted that their policy has now changed. He noted that they recognize that they are not equip to maintain sidewalks on the hundred of bridges that they would have in any district for winter maintenance and if municipalities want them in the future that is fine but they will have to maintain them.

Mr. Robbins noted for Megoulas Boulevard, North Arlington Avenue and Locust Lane they want to know if the Township wants sidewalks under those bridges. He noted if the bridge is 100 feet long, then they will install a sidewalk 100 feet long.

Mr. Seeds questioned if they are replacing the existing bridges. Mr. Robbins answered yes, noting that they will widen them to accommodate the two extra lanes.

Mr. Wolfe noted that he would prepare resolutions and the Board can act accordingly for each item.

Mr. Wolfe noted that there are a few more items to review such as Revere Street in the reconstruction of I-83. He noted that PennDOT plans to take part of Revere Street which is a two lane street and make it one lane of traffic with one lane of parking. He noted that Revere Street will become a one-way street and to accommodate the transportation needs of the residents on Revere Street, PennDOT is proposing reconstruction of the alley to the west of Revere Street to provide for additional circulation. He noted that the alley exists not as a municipal facility but it is traveled and there are garages on the alley, some places improved and others not. He noted that PennDOT is looking to improve the alley as part of the project but it would require that the

Township take it over as a public street and provide maintenance on the alley. He noted that he and Mr. Robbins have reviewed the proposal by the Department but they are not sure what they mean by improvements to Revere Street. He noted the width of the alley is an issue but also site distance issues especially at the intersection of the alley and Locust Lane. He suggested that the Township should inform PennDOT that it would be willing to accept the alley but it has to be constructed to a certain standard. He noted that he will put this into a resolution format.

Mr. Seeds questioned if PennDOT will be having public meetings. Mr. Wolfe answered yes.

Mr. Hornung questioned if the State improvements impact the property value of the houses along Revere Street, does the State compensate them. Mr. Stine answered that it would depend if they were taking property. Mr. Hornung suggested that they are not doing that. Mr. Stine answered that there would be no compensation.

Ms. Lindsey noted that they are only taking one part of the street. Mr. Seeds noted that it would be converted to a one-way street. Mr. Crissman noted that they would have parking and improvements to the alley to alleviate traffic flow.

Mr. Hornung questioned if there was a plan to install any sound barriers. Mr. Wolfe suggested that there will be but he has not seen the design yet. He noted that they have only brought design issues to the Township but they have not shared those designs with staff at this point.

Mr. Wolfe noted that there is a similar issue on the opposite side with the alley between I-83 and North Arlington Avenue. He noted that this alley functions in a similar fashion and is proposed to be improved by PennDOT if the Township wants it to be; however, they are not restricting North Arlington Avenue in anyway. He noted that staff feels that any improvements that they do to the alley are fine but they would prefer to let it remain as a private alley. Mr. Robbins noted that it is a stone alley now and it will become a narrower stone alley. Mr. Seeds questioned if they would pave it. Mr. Robbins answered that they would match it with in kind materials and use stone. Mr. Wolfe noted they are willing to improve it to a higher standard but the Township would have to take over the alley and unlike the west side where the alley will be needed for traffic flow due to the one-way street pattern that they will be creating on Revere Street, they won't be doing that on the east side so staff sees no reason to become involved in the

alley. Mr. Crissman noted that it will remain the care of the property owners, whereas, the other alley will become a street.

Mr. Wolfe noted that PennDOT is also asking questions in regard to parcel questioning how the Township would look at the improvements that affect private properties. He suggested that they are creating non-conforming issues which would be addressed by the zoning ordinance. Mr. Stine answered that is what they are doing and the property owner would not have to do anything. Mr. Hawk questioned if this concerned the parking issues for Old English Gap. Mr. Wolfe answered yes. He noted that one property on St. Thomas Court will be adversely impacted to a minor degree but it is staff's opinion that when this occurs the impact will make it non-conforming and they have protection under the Zoning Ordinance to accommodate it. He noted that he could respond to PennDOT on this matter without the use of a resolution.

Mr. Wolfe noted that the last request effects Hollywood Road and Jackson Street where they abut Route 22. Mr. Robbins explained that the two roads tie into Route 22 prior to the on ramp for I-83. He noted that they will be adjusting the elevation of the highway as it is slightly higher so it will force them to adjust the profile so they are not any steeper than what they are now. He explained that PennDOT sent profiles to us to see if we would be okay with it. He noted that Jackson Street has seen more traffic since the prohibition of a left turn on Colonial Road to Elmerton Avenue. He noted that Jackson Street is a two-way street and he could probably live with the increase in the slope, leaving it a two-way street without any restriction, but he does not feel the same way about Hollywood Road. He noted in talking with the Police Department there are many close call with people in that lane that feeds the I-83 ramp and having people turn onto Hollywood Road. He noted that it is a one-way street and you can only go north with no access onto Route 22. He requested that they would like a different design for this intersection, possibly terminating the road at Route 22.

Mr. Crissman questioned what does the elevation of the road do for water runoff and drainage. He questioned if it could become a major issue. Mr. Robbins noted that they will provide for drainage on their roadway but some runoff will come off the roadway onto the Township side streets and it will flow like it does now, to the drainage on Jackson Street, but he did not believe that he had drainage on Hollywood Street. He noted that it would ultimately work its way to Elmerton Avenue. Mr. Crissman questioned if there would be an additional impact to

the Township to offset the drainage issues as a result of the elevation. Mr. Robbins answered that the proposed elevation will not have a huge impact.

Mr. Hornung questioned how much steeper it will be. Mr. Robbins answered that Hollywood Street is currently at a 12.6% grade and this would be increased to 13.6% grade. He noted that driving that street is not a good scenario but it would make it worse than what it is already. Ms. Lindsey noted that she would be in favor of closing that street entrance. Mr. Crissman agreed.

Mr. Wolfe noted that he has one other issue in regards to PennDOT work that Mr. Robbins would like to discuss with the Board. He noted that it is not part of the I-83 project but it is part of the ongoing work that the Department is planning to undertake in a shorter period of time. He noted that it will effect Union Deposit Road as it has been added to the Adaptive Signal Plan for Route 22. He noted that the Union Deposit Road corridor between Briarsdale Road and Scenery Drive is up for consideration for adaptive signal coordination. He noted that staff would like PennDOT to consider closing the median on Union Deposit Road that exists at the location where Avila Drive would meet if it was extended through to Union Deposit Road.

Mr. Hawk suggested that it is in the area of the entrance to the Union Deposit Mall where the Giant gasoline pumps are located. Mr. Robbins noted that is correct. He explained if your are driving east you can make a left and if you are driving west you can make a left as there are dual left turn lanes in that area.

Mr. Robbins noted that the adaptive signalization project is funded by PennDOT through the safety corridor plan. He noted that the purpose is to install the adaptive technology at five intersections, four of which of in the Township: Briarsdale Road, I-83 ramps and Scenery Drive. He noted that the fifth would be further west located in Susquehanna Township. He noted that they will install the adaptive technology, install signage and overhead street signs. He explained that this section in the Township is the most dangerous in the Township. He noted that there have been many accidents along this corridor and in 2009 there were 18 accidents; 2010 – 13 accidents; 2011 – 12 accidents; 2012 – 17 accidents and in 2013 there were 27 accidents. He stated that he did not know if they were reportable or non-reportable accidents. He noted that the accidents are increasing and it is a dangerous area. He explained that he is asking for the Township's blessing to send a letter to PennDOT requesting that the medium be closed and PennDOT evaluate the feasibility of incorporating this project into the Adaptive Signal project.

He noted that PennDOT is willing to consider this request but they want to know if the Township is in support of this.

Mr. Wolfe noted if the Board is willing to go along with the request, he will prepare a resolution for next Tuesday's meeting.

Mr. Hawk noted that the area east from I-83 to East Park Drive is a disastrous area. He noted that it would prevent vehicles driving eastbound to cross over Union Deposit Road to short cut the light to gain access to Avila Road. Ms. Lindsey noted that it would also prevent traffic traveling westbound to cross over to the Union Deposit Mall. Mr. Hawk noted that it is very dangerous to exit the Union Deposit Mall onto Union Deposit Road.

Mr. Crissman noted that he would support the resolution.

Review of a proposed grant application to be submitted to the PA
DEP requesting funding for a windrow turner and compost screener

Mr. Robbins requested permission to submit for a grant for two pieces of equipment. He noted that the compost screener is a new piece of equipment for the Township. He explained that it is device that conveys mulch into a conveyor noting that the screen has different size orifices within it noting that the bulky material comes out one end and the finer material comes out the other end. He noted that we have a tremendous amount of single-grind leaf waste that we can't get rid of, and it costs money to have it sit on the site as we sometimes have to move the waste. He noted that a screener would allow staff to screen the material to make more products that would be available to use internally and to go out to the public, such as screen compost. He noted that the compost we have now is not screened. He noted that it will allow staff to make more single-grid leaf waste to produce additional products that can be used. He proceeded to show a single-grind waste that was 14 to 18 months old producing finer material that would be mixed with topsoil for restoration projects.

Mr. Hornung questioned if staff screened the material is this what it would look like reintroducing it into the compost. Mrs. Lindsey questioned if this would impact the local businesses that sell mulch as people would come to the compost facility as it would be free as opposed to having to pay for it elsewhere. Mr. Robbins answered that he did not think so noting that the mulch that the Township has is not dyed and that is what most people buy.

Mr. Hornung questioned if the larger stuff is too big for mulch. Mr. Robbins answered that you reintroduced it back into the active windrow and it provides for a faster break down for

composting. Mr. Hornung noted that we would not be giving it away for mulch. Mr. Robbins answered no, as he would be taking other single-grind woody waste that is cured with a turner and give it out in its original form. He noted that you can do a lot of things with it if it is screened.

Mr. Crissman questioned if we would sell the single-grind. Mr. Robbins answered that he would mix it with topsoil which conditions to soil to help hold the moisture. Mr. Crissman noted that it is a nice product. Mr. Robbins agreed as we spend \$8,000 to \$10,000 a year buying topsoil so having the screener and allowing us to make the two products would prevent the Township from having to purchase topsoil from a vendor.

Ms. Lindsey questioned what the cost of the screener was. Mr. Robbins answered that it is \$181,500. He noted that he would like to submit a 902 grant to DEP as that is how the Township purchased the recycler.

Mr. Robbins noted that the windrow turner is \$211,500 and both would cost \$390,000. He noted that the full grant would be in the amount of \$250,000, noting that \$141,000 would be paid by the Township until the next round of grants. Ms. Lindsey noted that the Township already spent \$8,000 to \$10,000 each year for topsoil.

Mr. Wolfe questioned how the equipment runs for noise and other issues. Mr. Robbins answered that he does not have noise information for either one of the machines but he suggested that it would not introduce a significant noise for what we are doing now. He explained that he would be replacing one turner for another and the screener is not that noisy. He noted that both pieces of equipment would be run outside of the 300 foot buffer.

Ms. Lindsey questioned if they would be located by the grinder or in the area of where the leaves are. Mr. Robbins answered that staff is in the process of getting a new permit so it would probably be located slightly in the front where the grinder is, close to the big piles that are located there now. He noted that it would be further to the east.

Mr. Hornung questioned if we had a screener now. Mr. Robbins answered that we do not; we have a windrow tuner at this time that is over 20 years old. Mr. Wolfe noted in the past, staff borrowed Swatara Township's screener but they were putting it to such heavy use that we were unable to borrow it again. He noted when staff had the ability to screen the material; we were able to use it on our facility to a much greater degree and had a much easier time getting rid of the materials. He noted since we have been unable to screen it, it just creates big piles of waste.

Mr. Hornung questioned if staff could apply for a grant in the first year and then for the second piece of equipment the second year. Mr. Wolfe noted that staff had the ability to apply for a second reimbursement but if the Township applies for the maximum of \$250,000 in the first year, it may have a reasonable change to get the award, however, he would not count on a second award for the remainder. He noted that it is possible but it doesn't always happen and these funds aren't always available every year. He noted that we have the opportunity now but it is not certain that the program will be funded next year. He noted that we may be successful for the \$250,000 grant only.

Mr. Crissman stated that staff should submit the application.

Mr. Wolfe noted that he will put a resolution on the agenda for next Tuesday night.

Mr. Hornung questioned where we will get the \$141,000 that is not covered by the grant. Mr. Wolfe noted that it was listed within the Strategic Plan during the last meeting. Mr. Hornung noted that we have not made any decisions for funding that plan.

Mr. Wolfe noted that this will allow staff to submit the application but it does not mean that we will receive it noting that the Board will have a second chance when and if the funds are awarded to the Township to accept and execute the grant.

Continued discussion with the Meadowview Village Homeowners Association regarding amendments proposed to the Meadowview Village land development plan

Ms. Mary Liz Todaro, Homeowners Association for Meadowview Village and Diane Geise, President of the Homeowners Association (HOA) explained that they were present to continue the discussion from a previous meeting.

Ms. Todaro noted that she would like to highlight what was sent to the Township. She explained that she was notified by Mr. Wolfe that the Township Engineer had provided comments for maintaining the retaining wall behind Units 188 and 187. She noted that she has no information for why he has reached his conclusion and hopefully she will receive more information on that tonight.

Ms. Todaro noted that the HOA's primary objective is to make sure that there are no more problems with the impaired unit and that is most probably the Supervisors objective as well. She noted that the hill is pretty stabilized now as it has vegetation and the HOA is concerned about disturbing that soil as it could provide for more problems. She noted that it appears to have

a 60 degree slope so she is not sure why a retraining wall would be helpful in her opinion and two other engineers that looked at it, one from the developer and as well as the engineer who is working on the repairs to the building concluded that the hill is stable. She noted that before making a final decision on this she would request the Board to look at all the facts and all the recommendations because they don't want more problems. She noted that they don't want to deal with a retaining wall that in her opinion is dangerous as well as having to maintain it. She noted that it will not help to stabilize the area as it is already stabilized.

Ms. Todaro noted if the Board does not feel comfortable making a final decision on the retaining wall until the repairs are done, the HOA ask that it be put on hold until all the repairs are done and make a decision at that point. She explained that the HOA is asking that the other requests not be put on hold as they would like to get the parking lot put in as there are major issues with parking in that area and they would like to move forward with paving to be completed within the next few months. She noted that installing the parking areas are part of the paving project.

Ms. Todaro noted that there are two aspects to changing the plan, one was to remove the walking path due to safety issues as it goes behind people's homes and they don't want that, and she believed that the Board stated during the last meeting that it did not have an issue with doing that. She noted if the Board needs to put the retaining wall on hold that the HOA be allowed to move forward using the monies that had been set aside for the walking paths for the new parking areas.

Ms. Geise noted that she has lived in the development for three years and other residents have lived there much longer, and today, after seven or eight years we are finally getting paving in the little area that we live. She noted that those people have lived for eight years with no paving of their driveways or streets in front of their homes. She noted that she had lived with it for three years and parking is a real issue so we are asking for the monies that were set aside for a walking path to be diverted to two areas of parking. She noted the developer and builder for over ten years have failed to put in the retraining wall. She noted that they have a home that has sunk and we are repairing the home and we don't want the ground to be disturbed.

Ms. Geise noted that she does not understand why, after ten years, that the retaining wall is required or why it was not put in originally by the builder. Mr. Seeds noted that is a very

good question. Ms. Geise suggested that it is related to money, so we are trying to move along with the process.

Mr. Seeds suggested that there is an improvement guarantee for the wall. Mr. Wolfe noted that there is an improvement guarantee and the wall was required ever since the plan was recorded. Mr. Seeds noted that there is a bond for the wall. Mr. Wolfe answered yes.

Mr. Seeds noted that there is a letter from Yingst Engineering and at the bottom it talks about the current status under #4, and it says that they would like to have changes be approved so the final paving can be completed. He questioned why the approval not to put the wall would stop the paving. Ms. Todaro noted that we have asked the developer to put in the parking spaces so they are taking the monies that were set aside for the walkway as well as the monies for the retaining wall... Mr. Seeds questioned who the original developer was. Ms. Todaro answered that it was the second developer, Cornerstone, noting that the original developer sold his interests to Cornerstone so we have had two developers and four builders. She noted that the paving that is currently being done by the fourth builder and the developer will come in and do the final paving on the new section which will include the additional parking spaces. Mr. Seeds noted that they will have to do the paving anyway. He noted that you want the revisions as soon as possible so the construction of the parking can be done as well as the final paving of the roadways. He noted that it does not have anything to do with the final paving. Ms. Todaro explained that the developer who is doing the parking will do it at the same time as he does the final paving which makes sense. He noted that is why those two projects are combined.

Ms. Lindsey questioned if you want to use the money that would be used to build the wall to pave. Ms. Todaro noted that is one aspect but the HOA is concerned about disturbing the land which is now stable at a 60 degree angle. She noted that we have some major issues there as you are aware, with the engineer coming in to begin the work on August 4th. She noted that the perimeter is stabilized and to start messing with that now is a real concern as for who will pay for any further repairs if they come about as a result of the disturbing the land. She noted that is the other aspect to it as well.

Mr. Steve Fleming, HRG noted that he has looked at the slope for the past four or five years having a little bit of history with it. He noted that the retraining wall has always been a part of the plan and included in the Improvement Guarantee as a bond for it to be installed. He noted that the reason the retaining wall was originally proposed was that the slope in the Yingst

Report was proposed as a 3 to 1 slope which is an ordinance requirement. He noted that they could not get a 3 to 1 slope building the unit at the elevation proposed, so they proposed a retaining wall at the top of their slope. He noted when they built the homes, assuming that they build everything at the same elevation, they steepened the slope to make up the grade. He noted that there was no approval given for them to do that. He noted that all the notes for whoever has been on site show that the retaining wall would have to be installed. He noted that since the home has been built there he agrees that the wall should be built. He noted that there are ways to build a retaining after the fact, building it away from the home, installing it from the bottom of the slope and building it up to the top to provide a 3 to 1 slope. He noted the reason he does not support waiving the retaining wall and going with a steeper slope is not only from an ongoing maintenance standpoint but from a future one as not only do you have the slope but it is really steep on the side of the building which abuts two homes and if there is future maintenance for siding or roofing, or HVAC, the area is not really accessible as well when he visited it recently it was nothing but high weeds or grass where it has not been mowed in over a year. He noted that it is not a very good maintainable condition. He explained that these are some of the reason why he does not support the waiver for the retaining wall. He explained that he read the Yingst Report and evaluated whether or not the slope is stable noting that it is more of an evaluation of what he normally would get into for that scenario.

Ms. Todaro noted that the HOA does not want to have an issue with that and the ground is stable and there does not seem to be a major slope. She questioned what would be gained from putting in a retaining wall. Mr. Fleming answered that a 3 to 1 slope is required by ordinance providing for lawn equipment to be assessable to traverse the area without safety issues or overturning or eroding conditions occurring. He noted that it is not specialized to Lower Paxton Township as it is found in many ordinances in the area.

Ms. Todaro questioned if the condition the slope is in right now, being actively stable, still have this requirement. She noted that she does not understand 3 to 1. She questioned if it is still at a 3 to 1 slope or has it been changed. Mr. Fleming answered that it is steeper than 3 to 1 and the requirement still exists noting that the land development plan as approved is incomplete until the retaining wall and slope is installed as per the plan.

Ms. Todaro questioned where the retaining wall should be. She suggested that it would be more dangerous to put a retaining wall in where people could fall over it. She noted that she has

a retaining wall by her place and she finds it very dangerous so she is trying to understand what would be gained by putting in a retaining wall as it looks to her that we have everything to lose. Mr. Fleming noted from a safety standpoint, the building code requires that a railing be installed at the top of the retaining wall if it has a drop-off of 42 inches or more. He noted that he is not sure if the drop off meets that criteria but there should be something on the plan showing the design composition. He noted that it was originally proposed to be very close to that unit and probably has been filled with geo-grid tieback as the site was brought up at that time and it might not be feasible to install a retaining wall in that location now that the building is there. He noted that a different type of retaining wall may have to be installed. He noted that there are concrete and block retaining walls and they all have different construction techniques.

Mr. Hornung noted that two houses are involved and he questioned how long the retaining wall would be. Mr. Fleming suggested that it would be 20 to 30 feet in length. Mr. Hornung noted if the wall was to be put down at the bottom to get the slope to 3 to 1, how high would it need to be. Mr. Fleming answered three to four foot range.

Mr. Crissman noted that originally it was set forth that there be a retaining wall, and he questioned why it wasn't done as it should have been done at the time of construction. Mr. Seeds suggested that many things should have been done.

Mr. Wolfe noted at the Township level, we do not relate the order of construction; the item was a plan requirement and it was bonded and it was noted on inspections every year when we did the inspections. He noted that it was the developer's responsibility to put it in and he did not do it.

Ms. Giese noted that she wants to make sure they don't have any further problems.

Ms. Todaro noted that they are drilling piles inside the home but the perimeter is firm. She noted that the ground inside the home is not stable and sinking. Ms. Giese noted that according to the engineer's review the foundation of the home is firm. Ms. Todaro noted that they did not compact the soil inside and that has settled and as a result some of the lines underneath the ground have had issues. Mr. Hawk questioned if the house is not sinking. Ms. Todaro answered yes for the ground inside the perimeter.

Mr. Wolfe noted when he inspected the home with the Codes Officer, the interior showed signs of settlement on the interior floor. Ms. Lindsey noted that the interior floor is settling or sinking. Mr. Hornung noted when you build a home you build a foundation and it is usually two

or three feet of concrete and you build the home on top of that and then you build the floor but it is not directly connected to the walls so you can have the floor settle and not the walls. Mr. Wolfe noted that these are crawl spaces and he believes the floors were poured on the footer and there is inadequate center support. What was supporting the interior has settled or sank and as a result the concrete is cracking. Mr. Hornung questioned if there was any evidence of the walls cracking. Mr. Wolfe answered yes for the walls, but not the footer.

Ms. Lindsey questioned if installing the retaining wall would impact the home. Mr. Fleming answered that the floor is settling and it is related to a lack of compacted fill and it will continue to settle until the fill is compacted. He noted that there is a potential but the issue of settling is there whether the retaining wall is put in or not. Mr. Hawk questioned if there is a potential for the house to continue to settle. Mr. Fleming noted when you have a situation where you have a large fill area that is not properly compacted and you build something on top of it and it starts to settle it won't stop settling until the ground is compacted. He noted that it is hard to guess when that will be. He noted he has been involved in a geotechnical engineer pour bores and does soil testing and in similar situations they have recommended removing the material and compacting it. He noted if he had to comment on what Yingst Engineering is proposing, they are trying to find stable ground to bring it a good level without excavating.

Ms. Todaro noted that they will be putting in grout, noting that they can't put soil in but it is something that will stabilize the area.

Mr. Hawk noted that this situation is like having to divide the baby in half to make everyone happy. He questioned if we didn't do anything what would happen. Mr. Fleming noted that the grading of the slope is not related as the building issues concerns how the material was installed at the back of the property. He noted that the grading of the slope is not causing this condition, but the stability to prevent erosion can be stabilized with vegetation and the vegetation is very high. He noted that whether or not it is consistent down to the soil level you can't tell that. He noted that high weeds can hide a lot of erosion but the last time he was there it did not seem that there was much erosion. Mr. Fleming noted that they build retaining walls close to structures all the time.

Mr. Dick Stottlemeyer, 96 Eric Drive, noted that the dirt inside the property has settled down and the sewer pipes were laid on that particular ground. He noted when the ground settled it pulled the pipes apart and in one building there are leaks so what they are going to do is to drill

down and once they get to solid shale ground they will put in material to fill the void after the plumbers come in to fasten the new pipes to the floor so if it settles any more it will not pull the pipes as it will settle to the floor and the floor will be braced by these pipes. He noted that the eight inch pipes will be laid about a foot apart on both sides and this will stabilize the floor. He noted that the one person has a little dog and when she drops a ball on the floor, it rolls to the other end of the living room. He noted when the other person bought the property they could tell there were issues with the floor and they had them do some fill inside to level the property out. He noted that there has been a problem for a long time but now it has become worse since the pipe broke to the sewer lines. He noted that they had to televisive the pipes to see what the problem was and now they are capped. He noted that there is one bathroom that can't be used at this time because it is capped off. He noted in his opinion the retaining wall has nothing to do with the problem with the home. He noted that we have to get this property up and running for these people, stabilized in order to put the sewer pipes back in so if it settles more it will not impact anything. He noted that they are using a surrey mixture. Mr. Fleming noted that it is concrete without the aggregate. Mr. Stottlemeyer noted that it will fill the void so if it does sink anymore it won't hurt anything as the sewer pipes will be fastened to the bottom of the floor.

Mr. Hornung noted that the question is if we put the wall in or not, not to decrease the subsidence of the house but to allow the maintenance of the bank. He noted that the wall could be put down at the lower end and be three to four foot high. Mr. Fleming explained that he did not recall the exact height. Mr. Hornung questioned how long the wall would be. Mr. Fleming answered that it would be 30 to 40 feet. Mr. Hornung questioned how much it would cost to put in a wall like that. Mr. Fleming answered that it would be about \$35 per square feet and cost about \$4,000.

Mr. Hawk questioned if the wall is behind Unit 168. He questioned if is a stabilizing wall. Mr. Fleming answered that it is a decorative wall of similar material to what would be installed.

Mr. Stottlemeyer noted that the wall has nothing to do with the property issue. He noted if the Township decides that the wall needs to be installed that is different. He noted that it does not have to be done to get the other problem resolved to get the people back in their homes as they plan to start the work August 4th. He noted that it will take about a month to get the work done and the people have to move out of their homes to do it.

Mr. Crissman agreed that the issues are not related. He noted that we need to bifurcate the issues.

Ms. Todaro noted that she is concerned that they don't have further problems down the road because the ground is stable. She noted that they don't want to disturb a stable land unless it is absolutely necessary.

Mr. Wolfe questioned if the work is to start August 4th for the two unites, have you retained a building permit yet. Ms. Todaro answered that she does not know but she does know that Mr. Yingst plans to submit an application for a building permit sometime in the middle of June. She stated that she would check tomorrow.

Mr. Hornung questioned what Mr. Wolfe is looking for. Mr. Wolfe responded that this is a workshop session and in the future the Board needs to take action on the requested amendments to the land development plan for the removal of the paved pedestrian walking path, addition of two small parking areas totaling six to eight spaces each and neither of those two issues are of significant concern. He noted that the third issue is the request to remove the retaining wall from the plan. He noted that the Board will have to act upon the three amendments to the plan sometime in the near future.

Mr. Seeds noted that it would require a waiver for the wall.

Mr. Hornung questioned if anyone else wanted to make comment on this issue.

Mr. Wolfe noted that the purpose of this agenda item was to discuss the issues and the Board can move ahead on all three items at any point. Mr. Hawk noted that we would make a decision during a public meeting as a resolution. Mr. Hornung noted if the Board decides to remove the retaining wall from the plan, then it would require a waiver for the plan. He noted if we decide to keep the retaining wall it will require no action. He questioned if the maintenance for the wall is worth putting in a retaining wall or not. Mr. Hawk questioned if the waivers could be done in two different waivers. Mr. Hornung noted that we can but why make two different decisions; rather make one decision. He noted that we are in agreement that we will let the walkway go in order to put the parking areas in. He noted that the real issue is the retaining wall. He questioned if the Board members had any thoughts on maintenance versus the retaining wall or should we just put it on the agenda for a Board meeting. Mr. Crissman noted that it works for him.

Mr. Seeds questioned if the Township would have to remove the requirement for the pathway from the plan and add the parking. Mr. Wolfe answered that it would be an amendment to the plan. Mr. Seeds questioned if the retaining wall issue would require a waiver. Mr. Wolfe noted that it is also a plan amendment and would require a waiver. He noted that the walkway would as well as it is part of the recreation plan.

Mr. Seeds noted that other than the maintenance of the bank, is there a chance of erosion occurring. He noted that it is not like we live in California and questioned if there is any possibility of the bank eroding where it would cause the residence a problem. Mr. Fleming answered that there was an issue at one time with water running off the driveway over the bank and they resolved it. He noted that the bank is stable now and vegetative. Mr. Seeds noted what if the crown vetch dies out. Mr. Fleming answered that typically another form of vegetation will take its place or it could be seeded. Mr. Seeds noted that it would take weeks. He noted that the problem is when PennDOT planted the crown vetch it was okay until it started to take over everywhere and now they have a problem trying to control it. Mr. Fleming answered that there is no guarantee that the vegetation will maintain stability for the bank. Ms. Lindsey noted that we don't know that for sure. Mr. Hawk noted that they don't have to use crown vetch for planting. Mr. Seeds noted that they already have it but the problem with crown vetch is that it will go everywhere and then you have a control issue.

Mr. Crissman questioned Mr. Fleming if it was his professional opinion that we still need the retaining wall. Mr. Fleming answered yes. Ms. Lindsey noted that Mr. Fleming is the Township engineer and he does advise the Board for what it should do.

Request from Contact Helpline for support of its Dauphin County Local Share Grant application requesting funding to purchase new computers

Mr. Wolfe noted that this is the first application that the Board has received requesting support for Dauphin County Local Share Gaming fund approval. He noted that in Dauphin County, with the advent of local share funds, municipalities are required to indicate their support for grant application for local share funds that emanate from within their boundaries. He noted that Kelly Gollick, the Executive Director of Contact Helpline is present to discuss this with the Board members.

Ms. Gollick thanked the Board members for supporting their prior year's request as they received a grant for a new generator to help sustain their services. She noted that they are in the process of installing the generator at this time.

Ms. Gollick noted that Contact is in need of computers. She noted that the funding to non-profits has been cut over the past few years and as a result she has not been able to build in any funding to purchase new computers. She noted that the computers are ten to 12 years old and since they are a phone hotline they depend on their computers to assist all the callers in finding information for various shelters etc. She noted that she would like to be able to upgrade the computers as many of them still use the XP system, a system that is no longer protected by Microsoft. She noted that they need to bring fresh technology into their system. She requested that the Boards support their grant application.

Mr. Seeds noted that this is the first request for support for the year and he suspected that the Board will have many more to come. Ms. Gollick noted that the applications are due by August 1, 2014.

Mr. Crissman noted that it is a very worthwhile organization and he would be more than happy to be in support of this request and the other Board members agreed.

Review of the Township's regulations
regarding the parking of buses on public streets

Mr. Wolfe noted that he provided information for the Board in regard to Township regulations as they pertain to the parking of buses on municipal streets.

Mr. Al Sporik, 1001 Wooded Pond Drive noted that he brought pictures and a petition that has 49 signatures in regards to the prohibition of parking buses on Township streets. He noted that he visited some area townships and municipalities and he has information from Camp Hill and New Cumberland Borough ordinances which he found are well written for a good resolution. He noted that he would like to present this information to the Board members.

Mr. Hawk questioned how long do the people park the bus and van at that location. Ms. Barbara Loomis noted that she owns the home that her mother lives in at 1103 Wooded Pond and she has lived there for four years, and the buses have been there all during that period of time. She noted that she lives across the street from Mr. Sporik and they did landscaping on the patio, putting some money into it so her mother could have some privacy and the buses parked there all

during the school year, every day and weekends as well. She noted that they drive the buses back and forth two to three times a day to transport students but the rest of the time they are parked there. She noted that it is a problem as you look out or are sitting on the patio and all you see is a bus. She noted that Mr. Sporik who lives on the other side of the street, has to deal with their parking the buses on his side of the street.

Ms. Lindsey questioned where the people who drive the school buses live. Mr. Sporik answered that they live on Wooded Pond Drive, the fourth and fifth houses from the corner.

Mr. Sporik noted that he has no problem with bus drivers and he appreciates what they do and the responsibility that they have but what happens; they can get a job and Boyo Transportation is located on South 23rd Street in Harrisburg and the economics of them going to that location to pick up the bus three times a day, that's the economics of it. He noted what Boyo Transportation allows drivers to take the bus to their homes, with the one van being parked there all year. He noted that the yellow bus is only there for nine months. He noted that they are legal in what they are doing in that they can park their buses anywhere. He noted that the economics of this Township is that people live in \$200,000 to \$400,000 homes, all professional people with government jobs as they will never have that problem. He note that the problem is going to be in his development where the homes are worth \$150,000 or to Mountain Road by the Turkey Hill, they are \$100,000 to \$150,000 homes and those people economically, can have the regular school buses parked on their property other than the street. He noted in Camp Hill they can not do that, however in Swatara Township you can park a tractor trailer in front of the house as they have no restrictions. He noted if you have a trailer you can't park it detached. He noted that Steelton does not allow tractor trailers to be parked on the streets.

Ms. Lindsey questioned if Mr. Sporik has talked to the bus company. Ms. Loomis stated that she has. Ms. Lindsey questioned what they said. Ms. Loomis answered that they don't, as she has tried and called two times. She noted when she tried to talk to the owner, the women that she spoke to would not let her talk to the owner. She noted that she pretty much told me that it was my problem and that she didn't care. She noted that she tried talking to the bus driver and she asked him noting that where her mother lives, if he would move it up the street beyond the gazebo there are no houses in that location, but he is not willing to do that as he does not want to walk to the bus. She noted that the Police Department did a traffic study as the buses were parked very close to Wooded Pond Drive and when you exit from that location there was a sight

visibility issue. She noted that they moved the no parking signs further back from the corner. She noted that they first parked in the development but the Association had a problem with that as they used up the extra parking, so that is when they ended up parking on the street.

Ms. Lindsey questioned if any of the Board members had been over to view the issue as she would not want to sit on her patio and look at that. She noted that the ordinance does not prohibit parking in that location but she questioned if there is anything that could be done to take care of this. Mr. Wolfe noted if the Board desires to regulate the appropriate regulation it would be Section 196.25, C that prohibits the parking of vehicles with a school bus registration on a Township residential street.

Mr. Hawk noted that there is nothing in the ordinance that prohibits parking a bus.

Mr. Crissman noted that we have to define what a school bus is. Ms. Loomis suggested if it has a school bus registration. Mr. Crissman noted that it can also be an automobile. He noted that he is not taking sides but relaying information that he has knowledge of in terms of a vehicle that carries school students. Mr. Wolfe noted that the request from Mr. Sporik and Ms. Loomis is to prohibit the parking of a large van which under normal circumstances would be a passenger vehicle registration. He noted that the van is registered as a school bus and school bus registration are used for any vehicle that transports school children. He noted that he is not sure how else you would regulate it to address their problem. He noted that you could do it by vehicle weight and that would get the big yellow buses off the road but it would not address a van. Mr. Sporik noted that New Cumberland has a 7,000 pound restriction for their ordinance. He noted that they state that no commercial vehicle is allowed to park in a residential area and nothing larger than a ¾ ton truck. He noted that no buses are allowed to park anywhere in Camp Hill. He noted that he has no problem looking at a car but he does object to looking at the school bus. He noted that he did not come to Lower Paxton Township to buy a house and live next to a school bus parking lot in a residential area. He noted that it makes no sense to him that anyone...he noted that it is not his personal thing, noting that he has dealt with all kinds of hurricanes and as a matter of fact when the flood came he allowed his property to be zoned as a commercial highway in order to get a \$10 million grant. He noted that he understands how government works and it is not about him, it could be anyone in the Township. He noted what is happening in the Township is that we have a lot of home associations and they don't allow parking for boats and other things so consequently, where do they go, they go to the Township

street. He noted that the Township street is a parking lot and if your land is zoned residential, you should not have to put up with a big pickup truck with Bob Jones Painter Miracle Man with nine ladders on top who parks on the Township street. He noted that you either have residential or commercial to regulate the streets. He noted that he can't regulate the streets but the five people on the Board can regulate what can park on Township streets. He noted that the biggest house is on Country Lake and he knocked on the door and showed the man that they can park a bus in front of your house and asked him to sign the petition. He noted that he could go all over the Township but he just celebrated his 65 graduation anniversary so he is not as young as he used to be. He noted that he remembers when Lower Paxton Township had a high school and he served in the Pennsylvania National Guard in Korea. He noted that he remembers the great names that graduated in 1948 from Lower Paxton Township High School. He requested the Board to solve this problem for him as it is not going to go away but move to somewhere else in the Township.

Ms. Lindsey questioned if the people who had lived in your house before had complained about the same situation and nothing was done.

Mr. Seeds noted that in a residential area. Mr. Sporik stated that people should not have trucks with ladders and things on the roof, but he questioned how far you want us to go on this ordinance. He noted that we all know people who work for companies and they take the truck home and that is their transportation to work or they may be on call. He noted that many plumbers and electricians are on call so they take their vehicle home and it is sitting there and he doesn't think he would want to say that they can't take a truck home from work.

Mr. Sporik noted that there is a box truck parked in the development, a six-wheel box truck. He questioned if that is legal in a residential area. Mr. Seeds noted that people have to be able to make a living.

Mr. Hawk questioned if the bus is more objectionable than the van or are they both objectionable. Mr. Sporik answered that they both are. He noted that both have school students written all over them. He noted if he owned a Toyota Cesena or a Caravan, it is roughly the same size as the van, would it be objectionable. Mr. Sporik questioned if it has school students written on it. Ms. Lindsey noted that a Cesena van is a lot smaller than what the van is that is parked by Mr. Sporik's house. She noted that it is a big van and not a minivan that people drive around. Mr. Sporik noted that he has no problem with vans and Camp Hill addresses that in their ordinance.

Mr. Hornung noted that the problem with weight is you can have a Recreational Vehicle (RV). He noted that people have bought buses and use them as RV's.

Mr. Crissman noted that we allow RV's to park in front of a property. Mr. Seeds questioned where you draw the line. Mr. Hornung suggested that the easiest way to draw a line now is with what Mr. Wolfe came up with, if it is registered as a certain thing. Mr. Crissman suggested that registration would cover it as it does not matter what the size of the vehicle is. He noted if they are registered to transport students they may not park on public streets.

Ms. Lindsey noted that she spoke with Mr. Wolfe and questioned if a station wagon that someone puts the magnetic school student sign on, would it have a school bus registration. Mr. Crissman answered because they are transporting students, it would have to be registered even if it was a portable sign. Ms. Lindsey noted if they park in their driveway it is okay. Mr. Crissman noted if they park in the street, nothing that he had station wagons that he used to transport students where he would take the sign off, but it is still registered but you may not know that as the driver have taken the temporary sign off. He noted that some vehicles have a magnetic sign on the side of the vehicle and the driver will take it off, but the vehicle is still registered for that purpose.

Mr. Hornung noted that the way to get around that is to have it both ways; a registered vehicle for the transport over a certain weight limit. Ms. Lindsey noted that you might have a car. Mr. Sporik noted that you can't have a car or any vehicle that transports; they have to have a student sign on the vehicle. He noted that even Milton Hershey has that wording for school students on their buses and they have to have a license for that. He noted that any vehicle licensed to transport school students can not be parked on a residential street. He noted that any vehicles that comes under that requires a license, or a school bus license, they should not be allowed to park on the street.

Mr. Hornung noted that the Board has to determine if it is willing to make it that stringent.

Mr. Wolfe questioned what he is supposed to do with this ordinance. Mr. Crissman answered that he likes the combination of registration and weight. Ms. Lindsey questioned what is the weight of the van parked near Mr. Sporik's house is. Mr. Wolfe answered that a 12-passenger van weighs roughly 6,000 pounds. Mr. Hornung suggested that it should be 5,500 and up. Mr. Crissman noted that this is not an and/or, it is for registration and weight. He questioned

if it has to be both because you can go back to the person who is using a private vehicle registered to transport from an institution. He questioned if it is acceptable or not. He noted if it is excluded as it could be a regular four-door passenger vehicle. Mr. Wolfe noted that they would not be at this point since it would not be over the weight limitation. Mr. Crissman noted that it needs to be registered and meet the weight. Mr. Hornung noted that we don't have an issue with a small wall.

Mr. Wolfe noted that he would prepare the ordinance for possible adoption in four to six weeks.

Review of the Township's Property Maintenance Code as it relates to the cutting of weeds and grass on large tracts of land

Mr. Hawk noted that the next item is in regard to Ordinance 12-7 and high grass concerns.

Mr. Wolfe noted during a previous business meeting, the Board was asked to consider amending the ordinance that currently exists for the cutting of grass on properties in residential areas. He noted that he provided a copy of the current ordinance as well as a memorandum that led up to the adoption of the ordinance in 2012. He noted in 2012, the Board recognized that the Property Maintenance Code pertains to all property when it regulated the height of weeds and grass to ten inches or less, no matter what size it was, would require weeds and grass be cut in excess of that height. He noted that the Board adopted an ordinance in 2012 as part of the Township's Property Maintenance Code which states in the R-1 zoning district the minimum lot area is 20,000 square feet and as a result, on properties in excess of 20,000 square feet a minimum of 20,000 square feet must be maintained in the lawn-type condition. He noted that the ordinance was questioned at a recent workshop meeting and he presented it for further discussion this evening.

Mr. Hornung noted when we enacted this ordinance we had a long discussion about the resident who came in who lived next to a large area who had acres of land, and they wanted the owner to cut a ten foot swatch next to their property and we decided not to do that. He noted that he did not remember why we decided that. Mr. Crissman noted that he could not recall why that decision was made. Mr. Wolfe noted that the Board held those discussions but never acted on them. He suggested that it was because there were so many different variable and factors that it adopted that current ordinance amending it to what is in place now to see how it would work. Mr.

Hornung noted that it was too difficult at that time to come up with the right item at that time and the Board decided to go with what we did instead. He noted that we have to look at this again.

Mr. Seeds noted that Mr. Wolfe referred to 1968 in the memo, does that have to do with land development. Mr. Wolfe noted that is the date of the subdivision land regulations in the Township in accordance with the Municipalities Planning Code.

Mr. Seeds questioned why Institutional zones were not included. Mr. Wolfe noted that he did not remember but the conflict occurred in residential zones where you have the large lots abutting residences. He noted that the mowing of grass over ten inches would apply in Institutional zones.

Mr. Wolfe noted that this applied to a special exemption in a residential zone for lots in excess of 20,000 square feet. He noted that the issue becomes the conflict between a large lot where a property owner could be cutting 10, 15, 100 acres of ground zoned R-1 versus abutting property owners who have a standard 10,000, 15,000 or 20,000 square foot lot that abuts against a large lot. He noted that they want to see maintenance extended into that area.

Mr. Seeds noted that now there is a requirement that Institutional would have to cut the grass as it is normally a park or school.

Mr. Matt Miller suggested that whatever the appropriate setbacks are for that zoning is what should be maintained. He noted for all the zoning you have setbacks established for that particular type of zoning for that use, so what some places do if it is a 30 foot setback they have to mow the 30 feet or if it is ten feet they have to mow ten feet. He noted that you would not have to go through a property-by-property basis as they are already zoned something and that would be a fair way to do it. He noted that there was a property in the Linglestown area that is not a huge property but the individual left it for hay as they had one horse. He noted that he can understand a resident's concern with woodchucks and so forth but how far do you go to tell someone what they can or can't do with their property. He noted if staff uses the setbacks as its guidance that provides an already define buffer, noting if you won't let a house that close to the property line you shouldn't let the tall grass, trees and bugs and everything else be that close to the property line. Mr. Seeds noted that it would include side yards as well.

Mr. Crissman noted that it would provide an equal balance for every property. Mr. Miller noted to make an arbitrary ten feet decision would not make everyone happy. Mr. Wolfe noted

that you can't legislate what would please everyone and for every ordinance that you try to adopt there will be an unintended consequence.

Mr. Crissman noted that it would be consistent for everyone.

Mr. Hornung noted that farmers have fewer regulations. Mr. Wolfe noted if a parcel of ground is zoned agricultural and used agriculturally or if it is a non-conforming agricultural lot, you can't regulate the growing of grass as a feed crop. Mr. Stine noted that it would violate the Right to Farm Law. Mr. Hornung noted that we would not be able to regulate the farms. Mr. Stine noted that the Attorney Generals could wage a lawsuit against the Township.

Ms. Lindsey questioned if there are many residents who have neighbors that are not cutting back as they should be. Mr. Wolfe suggested that there are more than a handful and some are long standing feuds. Ms. Lindsey noted that Mr. Miller's suggestion was a good one.

Mr. Hornung noted that we would have to exclude farms and agriculture. Mr. Stine noted that they are exempt now under the current ordinance. He noted that you could not prevent them from planting crops on their farmland.

Mr. Wolfe noted that he would confirm that if it is being put to agricultural use as either zoned agricultural or legally existing non-conforming agricultural use that it is exempt. He noted that he could add to our regulations the setbacks as well.

Mr. Hornung questioned if he would have to mow the side yards. Mr. Wolfe answered yes as it is not an agricultural use. Mr. Hornung noted that it would be impossible. Mr. Wolfe noted that you are trying to take a cookie cutter requirement and apply it to 22,000 parcels. Mr. Stine noted that you only have rocks and trees. Mr. Hornung noted that he has bushes that grow. Mr. Stine noted that is not grass. Mr. Seeds suggested that it is close to a conservation area. Mr. Wolfe noted that there are provisions that the Board can't regulate such as wetlands, floodplains, and areas that are set aside for conservation for the flora and fonder that exists. He noted that we are not enforcing any regulations against those areas and buffer areas as their natural state is to be maintained.

Mr. John Trish, 600 Prince Street, noted if it is a commercial use abutting a residential property it applies... Mr. Wolfe responded that is not where we are getting the complaints from, it is typically a large lot residential versus a small residential lot. Mr. Trish noted that you can't please everyone but as Mr. Miller stated if you go by the setbacks adjacent to a residential property and cut it down to a reasonable height it would work. He noted that a commercial

property not adjacent to a residential property is exempt and that way you have no residents coming to the Township to complain. He noted if you bought the property and you know you are next to a business then you will have to deal with it.

Mr. Wolfe noted that he would prepare an amendment to the ordinance making sure that we are protecting farming and also adding the setback provision as an area to be mowed. He noted that it would take four to six weeks before it would appear in a public hearing. Mr. Crissman noted that the setbacks is a good idea.

Mr. Seeds noted that he found what he was speaking about earlier in the memo that requires grass and high weeds maintenance on all lots except those that are agricultural, open space conservation and institutional zoning. Mr. Wolfe noted that Mr. Seeds is referring to his 2012 memo at which he suggested ten or 12 different ways to amend the ordinance to further regulate cutting. He noted that he is talking about the first suggestion which was not considered. Mr. Wolfe noted that it would be a simple amendment to keep the front, side and rear yard setbacks mowed as required by the zoning ordinance for the district.

Adjournment

Mr. Seeds made a motion to adjourn the meeting. Mr. Hornung seconded the motion and the meeting adjourned at 8:37 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William L. Hornung
Township Secretary