

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held April 21, 2009

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:42 p.m. by Vice-Chairman William C. Seeds, Sr., on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

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

Also in attendance were George Wolfe, Township Manager, Steven Stine, Township Solicitor; Lori Wissler, Community Development Manager; and Stephen Quigley and Christine Hunter; H. Edward Black and Associates.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the minutes of the February 10, 2009 workshop meeting and the April 7, 2009 business meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

Chairman & Board Members' Comments

Ms. Kristen VanScyoc, 6116 Nassau Road, noted that she had a lot of concerns with her neighborhood, her community, and her property. She explained that she has lived in her residence for six years, and for the past five years she has had to call the Lower Paxton Township Police 15 times concerning destruction to her property and problems with neighbors. She stated that her issues have not been resolved.

Mr. Seeds questioned if the police had been called to Ms. VanScyoc's home. Ms VanScyoc answered that they should have documentation of all the calls that she has made. She noted this past weekend, she was out doing yard work, and the neighbor across the street was blowing leaves and debris onto the road. She noted that she told the neighbor that he was inconsiderate to do that. She noted that she has had people drive their vehicles on her property; her house has been vandalized by kids throwing tomatoes and human feces on her front doorstep. She noted on the Fourth of July weekend, the neighbors used illegal fireworks that came down on her trees and nearly missed her parents as they were leaving her home.

Mr. Seeds questioned Ms. VanScyoc if she had any discussions with Township staff or the police officers. Ms. VanScyoc answered no, stating that she tried to reason with the neighbors, but it was like talking to a brick wall. Mr. Seeds requested Mr. Wolfe to have staff contact Ms. VanScyoc to determine if there are any violations. Mr. Wolfe noted that he would obtain the information from the police reports, to see what is occurring, noting that he would report back to the Board members.

Ms. VanScyoc explained that people have parked their cars on her grass, and last year, the Township reseeded her grass, but now it is ruined again. She noted that she was told by the Police if the neighbors don't repair her grass, she would have to file a civil suit with Magisterial Judge Wenner.

Mr. Seeds noted that Mr. Wolfe would look into the situation for Ms. VanScyoc. Ms. VanScyoc noted that it seems that she is the only one in her neighborhood that has been targeted. She suggested that her neighbors would take her more seriously if she was a male and not a female. She noted that she has been sworn at, and threatened by the neighbors, and she stated that she does not deserve to be treated this way.

Mr. Seeds explained that he was going to adjust the agenda to move to New Business at this time due to personnel issues.

Preliminary/final subdivision and land development plan
for Community General Osteopathic Hospital Oncology Center

Ms. Wissler explained that the Preliminary/Final Subdivision & Land Development Plan #08-13 for CGOH-Oncology Center was approved by the Board of Supervisors with conditions on October 21, 2008. Since that time, they have proposed the addition of a third story to the Oncology Center (originally proposed with two stories). They also proposed the relocation of the utility facility to the east side of the hospital. CGOH is requesting the required parking for the third story of the Oncology Center be ghosted until such time as the Township determines that the reserved parking is needed.

Ms. Wissler noted that the purpose of this plan is for the construction of a 57,300 square foot three-story expansion on the north end of the hospital for an Oncology Center that will include medical imaging and treatment. The expansion will also include a 1,900 square foot expansion of the existing hospital lab facility and a 4,918 square foot utility facility, with three future expansion areas with a combined area of approximately 3,000 square feet. She noted that the plan also proposes the consolidation of three lots owned by Pinnacle Health Systems. She explained that the property is located north of Londonderry Road and east of South Arlington Avenue and is zoned Institutional District. This tract of land possesses 28.237 (exclusive of CNCO Leasehold) and is served by public water and public sewer systems.

Ms. Wissler noted that the following waivers and comments were approved by the Board in October 2008; 1) A waiver of the requirement to submit a preliminary plan; 2) A waiver from the requirement that a low flow channel and under drain shall be provided in the detention basin from each point of inflow to the outlet facility; 3) A waiver from the requirement to provide the field infiltration testing results utilized in the design of the infiltration facilities; 4) A waiver

from the requirement to meet the current Act 167 Study requirements; 5) A waiver of the requirement that pipes shall be designed so as to provide a minimum velocity of 2.5 feet per second when conveying the design discharge; 6) Plan approval shall be subject to providing original seals and signatures on the plan; 7) Plan approval shall be subject to DEP's approval of a Sewage Facilities Planning Module; 8) Plan approval shall be subject to the payment of engineering review fees; 9) Plan approval shall be subject to the establishment of an improvement guarantee for the proposed site improvements; 10) Plan approval shall be subject to Lower Paxton Township Sewer Department's review and approval of the sanitary sewer design; 11) A storm/sewer construction permit is required for construction of storm water facilities; 12) All signage, including construction signs, must meet the requirements of the Lower Paxton Township Zoning Ordinance, and require permits; and 13) A preconstruction meeting is to be held prior to starting the project. Contact Matt Miller at 657-5615 to schedule the meeting. This may be held in conjunction with the Conservation District meeting.

Ms. Wissler noted that Steve Quigley and Christine Hunter, from H. Edward and Black, Associates are present to represent the plan.

Mr. Crissman noted that the five waivers and comments have been approved. Mr. Crissman questioned if the 13 comments from the HRG.'s letter dated March 31, 2009, and the two comments from the HRG.'s letter dated March 13, 2009 have been approved. Ms. Wissler noted that it is included under the Site Specific Comment that needs to be approved at this time.

Mr. Quigley noted that he was present to discuss the plan. He explained that the plan was approved in October 2008, but since then, the utility plant was relocated on the plan. He noted that the original plan called for it to be located near the entrance on Arlington Avenue, but after receiving comments from the Township, questioning if that would be a good location for it, he relocated it to the area of the Sussex Court Apartment property which is owned by the hospital.

He eventually moved it again to the east side of the hospital, closest to the existing utilities in the hospital. He noted that there are two more additions to be made to the power plant, to be done in the future, and the area for that work has been included with the site plan. He noted a additional cooling towers and boilers are planned to be built in the future on both sides of the power plant.

Mr. Quigley noted that he conducted some sound testing, but since it was still too cold, he was unable to turn on all the cooling towers at one time. He noted that he made projections of what the sound should be when everything is running at one time. He noted, in July, when all the cooling towers are running, he could create the baseline sound for that area. He noted that he has offered to do it at several locations along the property line. He noted that it would become the baseline and he would have to stay within those parameters by use of landscape screening or building architectural sound walls.

Mr. Quigley explained that there was an opportunity to add additional services in the Oncology Center, thus the addition of a third floor, which results in a need for additional parking. He noted that the area where the power plant was originally designed to be placed along Arlington Avenue would accommodate the requirement for 49 spaces for the additional floor. He noted that he would like to have the third floor approved and ghost the parking spaces so they could be built, at such time the Township informs the hospital to build them, or the hospital builds them. He noted that the hospital has an agreement with the adjoining church to use their 48 parking spaces. He explained that it was the location where the construction trailers were placed when the rehab hospital was built. He noted that the trailers have been moved to the back of the site, and the hospital has repaved the parking lot, and the church has agreed to permit hospital parking except for Sunday mornings. He noted that there are no visiting hours on Sunday morning, therefore, it would provide for enough parking spaces on the hospital property.

Mr. Seeds questioned if the church parking spaces would be for visitors or employee parking. He noted that there are very few parking spaces available. Mr. Quigley answered that parking is a concern of the hospital, and the construction manager has worked closely with the hospital to do tight phasing plans, to remove construction fences, to get parking open as quickly as possible. He noted that the employees are requested to park at the back of the site, and the hospital runs a shuttle bus to pick up employees and visitors. He noted that the shuttle bus driver can be very busy, and at other times he is not. He noted that the hospital would prefer that visitors or patients use the church parking area since it is fairly close to the front door.

Mr. Seeds questioned if signs would be erected. Mr. Quigley answered that most of the signs are down now, but there is the use of some temporary signage. Mr. Seeds questioned if there are signs for the church parking. Mr. Quigley noted that there are no signs stating who can use the area, only that it can be used for hospital parking. He noted that people are using that area to park their vehicles.

Mr. Seeds questioned if there are long-range plans for a parking garage. Mr. Quigley answered that it is an option for the long-range plans. He noted that the central area of the main hospital has the ability to add another three floors, but it is unknown when that would occur as the hospital would have to seek approval from the Department of Health for additional beds or services. He noted if this occurs, then a parking deck would be built. He noted that there is a one-story area on the south end of the hospital that is all medical services and beds, and it is possible that it may be torn down to construct a multi-story building in that area. He suggested that the next round of improvements would include a parking deck.

Mr. Seeds noted that the Board approved the two-story addition, but now the hospital is asking for an additional story that would require an additional 49 parking spaces. Mr. Seeds noted that there would be language that when the Township determines a need for those 49

parking spaces that the hospital would built them. Mr. Quigley noted that there is language on the plan to state that. Mr. Seeds questioned how that agreement would be policed. Mr. Quigley suggested if a member of the Board or staff thought that there was an issue that would be the time to call a meeting to discuss the additional parking. He suggested that it would be good to conduct an informal traffic count, over the course of a week to determine if there was an issue. He noted that he often hears that there is no parking, but in fact there is parking, but it is not where people want it.

Mr. Seeds questioned, once the addition is completed, would there be more parking spaces than there are today. Mr. Quigley answered yes. He suggested that he is down between 75 and 100 parking spaces that will be put back in service, as well as the parking required for everything but the third floor addition.

Mr. Seeds noted that the hospital is not asking for a wavier and he did not know how the Township would deal with the issue. Ms. Wissler noted that they would have to get a variance, but there is a note on the plan. She noted that Mr. Quigley is in the Township office quite often with revisions to the plan, and staff does review the parking each time a plan is presented.

Mr. Seeds questioned the information in the letter regarding the noise issue. He questioned if it would require a variance from the Zoning Hearing Board. Ms. Wissler answered no. She explained that HRG, Inc. has reviewed the plan, and their comments are included with this submission. Mr. Quigley noted that the Township has recently enacted a noise ordinance, with a level of 55 decibels requirement for commercial adjoining a residential setting. He explained that all the equipment could not be turned on, therefore, they researched the specifications to determine what the noise levels would be, and the projection is that when the present equipment is running the sound level would be roughly 65 or 66 decibels. He noted that he would like to set this as the baseline, and rather than agree to that number based on paper

speculation, he would do actual testing in July when the equipment is running. He noted that testing would be done at several locations along the property line and he would use that as the baseline. He noted from that point onward, anything that the hospital would do would have to stay under that level. He noted that the engineers feel that with Phase I, the equipment would be under or at that level, and by the time the hospital is finished with Phase III, the sound levels would be under the level too as the newer equipment would be quieter than the older equipment.

Mr. Seeds noted if the Board did not grant the parking request for the plan, then the hospital would have to get a variance from the Zoning Hearing Board. Ms. Wissler answered that that was correct. Mr. Seeds questioned how many additional parking spaces would be needed for the third floor. Ms. Wissler answered that it would require 49 parking spaces. He noted that that is exactly the amount of parking spaces located on the church property on Arlington Avenue. He noted if the church changed their mind, then the hospital would have to figure another way to get the additional parking.

Mr. Blain questioned if the hospital has a written agreement with the church. Mr. Quigley answered that, as far as he knows, it is in writing, but he stated that he has never seen a copy of the agreement. Mr. Crissman questioned what the timeline is for the agreement. Mr. Quigley suggested that it is an open ended agreement, and he never heard mention of a expiration date. Mr. Crissman requested Mr. Quigley to obtain a copy of the agreement for staff.

Mr. Seeds noted that the note on the plan would state, that upon the request of Lower Paxton Township, within a year, the hospital would provide the additional 49 parking spaces. Ms. Wissler stated that that was correct.

Mr. Crissman questioned Mr. Quigley if he was the official spokesperson for the CGOH plan, and could speak on their behalf. Mr. Quigley answered that he could for this land development plan.

Mr. Crissman noted that Mr. Quigley is in agreement with the five waiver requests, however, he questioned if he would be in compliance with the two comments in the letter from HRG, Inc. dated March 13, 2009, and the 13 comments in the letter dated March 31, 2009. Mr. Quigley answered that he was in agreement with the comments.

Mr. Crissman questioned Mr. Quigley if he was in agreement to the five general comments and the three staff comments. Mr. Quigley answered that he was in agreement to the five general comments and three staff comments. Mr. Crissman questioned if he was in agreement to a note on the plan that he would build the additional parking if necessary within a year. Mr. Quigley agreed to that.

Mr. Crissman made a motion to approved the Preliminary/final subdivision and land development plan for Community General Osteopathic Hospital Oncology Center, with a reaffirmation of the five waivers; 1) A waiver of the requirement to submit a preliminary plan; 2) A waiver from the requirement that a low flow channel and under drain shall be provided in the detention basin from each point of inflow to the outlet facility; 3) A waiver from the requirement to provide the field infiltration testing results utilized in the design of the infiltration facilities; 4) A waiver from requirement to meet the current Act 167 Study requirement; 5) A waiver of the requirement that pipes shall be designed so as to provide a minimum velocity of 2.5 feet per second when conveying the design discharge; 6) Plan approval shall be subject to addressing HRG.'s 13 comments in their letter dated March 31, 2009 as well as the two comments in their letter dated March 13, 2009; 7) Plan approval shall be subject to providing original seals and signatures on the plan; 8) Plan approval shall be subject to DEP's approval of a Sewage Facilities Planning Module; 9) Plan approval shall be subject to the payment of engineering review fees; 10) Plan approval shall be subject to the establishment of an improvement guarantee for the proposed site improvements; 11) Plan approval shall be subject to Lower Paxton Township

Sewer Department's review and approval of the sanitary sewer design; 12) A storm/sewer construction permit is required for construction of storm water facilities; 13) All signage, including construction signs, must meet the requirements of the Lower Paxton Township Zoning Ordinance, and require permits; 14) A preconstruction meeting is to be held prior to starting the project. Contact Matt Miller at 657-5615 to schedule the meeting. This may be held in conjunction with the Conservation District meeting; and 15) include a note on the plan that, upon the request of the Township, the additional 49 parking spaces would be provided within one year. Mr. Blain seconded the motion. Mr. Seeds called a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Horning, aye; and Mr. Seeds, aye.

IMPROVEMENT GUARANTEES

Mr. Seeds noted that there were two Improvement Guarantees.

Candlewood Suites

A reduction in a letter of credit, with Mid Penn Bank, in the amount of \$117,100.00, with an expiration date of May 28, 2010.

CGOH – Oncology Center

A new letter of credit, with Wachovia Bank, in the amount of \$210,200.00, with an expiration date of November 3, 2009.

Mr. Crissman made a motion to approve the two Improvement Guarantees as presented. Mr. Blain seconded the motion. Mr. Seeds called for a voice vote, and a unanimous vote followed.

Payment of Bills

Mr. Blain made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Crissman seconded the motion, and a unanimous vote followed.

OLD BUSINESS

Action on commitment letters, as guarantor, to a loan and a line of credit offered to Koons Memorial Swim Club by Centric Bank

Mr. Wolfe explained that Koons Memorial Swim Club is in need of financial assistance, and in discussion with the Swim Club during a workshop meeting, the Board agreed to serve as a guarantor in regard to two loans for Koons Memorial Swim Club. He noted that the Board has assisted in making contacts between the Swim Club and Centric Bank to obtain the necessary loans.

Mr. Wolfe explained that Centric Bank has agreed to provide a loan in the amount of \$11,000 to pay outstanding accounts held by the Swim Club. He noted that this loan would be for a five-year period at an interest rate of 6¾%. In addition, Centric Bank has agreed to provide a second loan in the amount of \$8,000 to provide for facility repairs, a construction-type loan, only to be drawn upon as needed. He noted that the interest rate for this loan would also be 6¾%. He explained that the Township would act as Guarantor for these two unsecured loans. He noted that this item is ready for Board action at this time.

Mr. Blain made a motion to approve the action as guarantor to a loan in the amount of \$11,000 and a line of credit in the amount of \$8,000 offered to Koons Memorial Swim Club by Centric Bank. Mr. Crissman seconded the motion. Mr. Seeds called for a voice vote, and a unanimous vote followed.

Authorization to submit grant applications to the PA DCNR under various grant programs:

Resolution 09-19; the Wolfersberger Tract and Koons Park planning grant
Resolution 09-20; the Friendship Center Energy Conservation grant application
Resolution 09-21; the Skate Park in the Thomas B. George Jr. Park grant application

Mr. Wolfe noted that these grant applications were discussed during the workshop session last Tuesday night. He explained that there are three grant applications that the Parks and Recreation Director, Brian Luetchford, desires to submit to the Department of Conservation and

Natural Resources (PA DCNR). He noted that the first is a planning grant to develop the Wolfersberger Tract in conjunction with the nearby Koons Park. The second grant is for energy conservation for the Friendship Center with total project costs estimated to be approximately \$210,000.00 with a maximum of 50% matching costs. He noted that the third grant application is a construction grant for a skate park in the Thomas B. George Jr. Park. He noted that the maximum amount of the grant application is \$250,000.00, with an overall project cost of \$500,000.00. He noted that staff requests the Board to authorize the submission of the three grant applications.

Mr. Crissman made a motion to approve Resolution 09-19, the Wolfersberger Tract and Koons Park planning grant application; Resolution 09-20, the Friendship Center Energy Conservation grant application; and Resolution 09-21, the Skate Park in the Thomas B. George Jr. Park grant application. Mr. Blain seconded the motion. Mr. Seeds called for a voice vote, and a unanimous vote followed.

NEW BUSINESS

Action on agreement with PNC Bank to provide purchasing card services

Mr. Blain explained that the Audit Committee has met with two banking institutions, as well as PLIGIT, in regards to the utilization of a purchase card program. He explained that the purchase card would allow the Township to put most of its expenditures onto a credit card system that would allow the Township to receive rebates and refunds on money, based on the amount of purchases put on the credit card.

Mr. Blain noted that the Audit Committee interviewed PNC Bank, M&T Bank, and PLIGIT in regards to their program. He explained that the financial institution would administer the program for the Township, providing weekly and monthly reporting, and access to download information for the Township's general ledger system. He noted that the Audit Committee

reviewed the amount of rebate it would receive, what it would cost to use the card, and it was determined that the best offer was provided by PNC Bank. He noted that PNC Bank offered a very competitive rebate based upon the amount spent on the card. He noted that there is no cost for the program to the Township, and it is rebate driven. He explained that the Audit Committee reviewed this option to take advantage of the large sums of money the Township spends, and to put that spending into a credit card system that would generate rebates to the Township to help defer the costs of other activities in the General Fund.

Mr. Seeds questioned if different cards would be issued to different management employees within the Township with a limit set for each card. Mr. Blain answered that there would be a limited amount of cards issued, and the spending would be monitored on a daily basis, and any major purchases over a certain dollar amount would have to be approved as per the Township's procurement policy. He noted that, in the event that a card would be used over a certain amount, contact would be made with the Township immediately. Mr. Seeds noted that certain total costs would require the use of the bidding process, and he stated that this would be a secure way of spending for the Township.

Mr. Seeds questioned if there would be a limit as to who would be assigned a card. Mr. Blain answered that only department heads would be issued a credit card.

Mr. Blain made a motion to approve action on the agreement with PNC Bank to provide purchasing card services to the Township. Mr. Crissman seconded the motion. Mr. Seeds called for a voice vote, and a unanimous vote followed.

Mr. Blain explained that the Township would receive a check for the rebate, noting that on expenditures of \$1million, it would receive \$6,500.00. He noted that PNC Bank identified the vendors used by the Township, and noted that there are enough vendors who would accept a VISA payment, to provide a substantial savings. Mr. Seeds noted that the vendor would receive their money much faster and would not mind paying a small fee to do so.

Resolution 09-18; Authorizing the preparation, maintenance
and updating of an Emergency Operations Plan

Mr. Wolfe noted that the Township has an Emergency Operations Plan and by the Resolution, the Plan must be reviewed every two-years. He noted that in the review process, it must make the necessary updates to the plan that may be required. He noted that this process has been confirmed by the Township's Emergency Management Coordinator.

Mr. Crissman made a motion to approve Resolution 09-18, Authorizing the preparation, maintenance and updating of an Emergency Operations Plan. Mr. Blain seconded the motion.

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

Action on a request from the Dauphin County Sheriff
to purchase three Township police vehicles

Mr. Wolfe noted that the Dauphin County Sheriff, who has purchased vehicles from the Township in the past, desires to purchase a 1998 Ford Crown Victoria, a 2000 Ford Crown Victoria, and a 2002 Ford Crown Victoria, all of which have mileage in excess of 120,000 miles, but are still servable. He noted that the Dauphin County Sheriff's office proposed to pay \$5,000.00 for all three vehicles. He explained that it is his recommendation to accept the Sheriff's bid for these vehicles and authorize staff to process the transfer of title.

Mr. Blain made a motion to approve the action on a request from the Dauphin County Sheriff to purchase the three Township vehicles at a price of \$5,000.00. Mr. Crissman seconded the motion. Mr. Seeds called for a voice vote, and a unanimous vote followed.

Action on proposals to provide surveying services for various
Paxton Creek sanitary sewer mini-basins

Mr. Wolfe noted that for the ongoing sanitary sewer mini-basin projects, prior to the design work, surveying needs to be completed, and he found that it was very cost effective to contract out the survey work. He noted that staff contacted four firms, and the Township received four proposals, the lowest submitted by Dauphin Engineering Co., in the amount of

\$24,500.00. He noted that the proposals ranged from \$24,500.00 to a high proposal of \$29,900.00, noting that they were less than the estimate of \$49,000.00 by CET. He noted that it is staff's recommendation to execute a letter of agreement with Dauphin Engineering Co. to undertake the required surveying services in the amount of \$24,500.00.

Mr. Crissman made a motion to approve Dauphin Engineering Co., to provide surveying services for various Paxton Creek sanitary sewer mini-basins in the amount of \$24,500.00. Mr. Blain seconded the motion, and a unanimous vote followed.

Action on a Reciprocal Membership Agreement between the
Township and Devon Manor Swim Club

Mr. Wolfe explained that this agreement was offered to the Devon Manor Swim Club when the Friendship Center opened, as well as being offered to Penn Colonial and Koons Memorial Swimming Pools. He noted that both Penn Colonial and Koons Memorial Pools entered into the agreement in the year 2000; however, Devon Manor Swim Club did not. He noted that Devon Manor now desires to share membership services with the Friendship Center, and they have approached the Friendship Center Operating Board to request consideration of a reciprocal membership agreement. He noted that the Friendship Center Operating Board has considered the request and made a recommendation to enter into this agreement.

Mr. Crissman noted that it is an excellent opportunity for both organizations.

Mr. Crissman made a motion to approve action on a Reciprocal Membership Agreement between the Township and Devon Manor Swim Club. Mr. Blain seconded the motion. Mr. Seeds called for a voice vote, and a unanimous vote followed.

Manager's Report

Mr. Wolfe noted that he wanted to thank the Shade Tree Commission who conducted the Arbor Day ceremonies today at the Friendship Center with fourth graders from the Linglestown Elementary School. He noted that they both put on an excellent presentation in honor of Arbor

Day, and planted a red sunset maple tree. Mr. Seeds noted that this is the 17th year that the Township has been recognized as a Tree City USA Community. He noted that he always enjoys sharing the day with the young people.

Board Members' Comments

None were presented.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 8:37 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary