

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held Monday, May 19, 2008

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:36 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

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

Also in attendance were George Wolfe, Township Manager; Steven Stine, Township Solicitor; Dianne Moran, Planning and Zoning Officer; Scott Wagner, Penn Waste; Robert Milligan, Recycle Bank; Tom Stang, Waste Management; Zaki Kauser; Mr. Tim DeWire, J. Michael Brill & Associates, Inc.; Kerry Eck, Giant Foods; and John Clarke, Hartman and Associates, Inc.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the minutes from the April 8, 2009 workshop meeting, and an administrative workshop meeting held April 15, 2008. Mr. Blain seconded the motion, and the motion was approved unanimously.

Public Comment

None was provided.

Chairman and Board Member's Comments

None was provided.

Manager's Report

Mr. Wolfe noted that the Central Dauphin High School Alumni Association will hold its second annual All-Class Reunion on Saturday, June 21, 2008, from 4 p.m. to 11 p.m. at Cedars Grove located at 8143 Old Jonestown Road. He noted that the ticket prices are \$25 for non-members and \$20 for members. He explained that the ticket includes music, karaoke, catered meal, desserts, drinks, beer, and wine. He noted on Sunday, June 22, 2008 there will be a benefit concert held at the former Central Dauphin High School, located at 4600 Locust Lane at 2:30 p.m. by the Central Dauphin Alumni Jazz Combo, under the direction of retired band director Jim Milbrand. The price of admission is \$10, and the entire community is invited. Additional information is available by calling 541-0220 or www.CDHSalumni.com.

OLD BUSINESS

Action on bids for collection of municipal solid waste and recyclables

Mr. Wolfe noted that the Board of Supervisors opened bids and discussed those bids at a business meeting held May 13, 2008. He noted that, as a result of the business meeting, it was determined to continue discussions on bids received for the bids for municipal solid waste collection and recyclable at this meeting.

Mr. Wolfe explained that the Board has the option to award the bids in one of several ways. He noted that one option would be to award the base bid collection program, or it could also award a bid for the base program, plus an alternate utilizing a RecycleBank Program. He explained that Recycle Bank partners with municipalities to offer an enhancement in the recycling efforts; a rewards program to encourage people to recycle. He noted that another option would be to consider the base bid, plus the mandatory leaf waste collection program, or the base bid, and an optional leaf waste program. He noted that the Board could also take action

on a bid that could include multiple alternatives, such as the base bid, plus the RecycleBank alternate, plus optional or mandatory leaf waste collection.

Mr. Wolfe explained that the Board members reviewed the bids provided by the three bidders as per the Township's specifications. He noted that the bids were received from York Waste, Penn Waste, and Waste Management, the three primary haulers for the area. He noted that the Board members reviewed the bids at their May 13, 2008 meeting, for each of the respective base bids and alternates.

Mr. Wolfe noted this is a bid for services that is crucial to the community, noting that the current contract for services with Waste Management expires July 1, 2008, and there is a need to have a contract in place with the new vendor for services to start July 2, 2008. He noted that the contract period is for a five-year term, and it also contains an optional out-years contract, for a potential total term of ten years.

Mr. Wolfe explained that there are approximately 13,000 customers in Lower Paxton Township. He noted that the base bids from all the haulers are in the range of \$16 to \$17 per month for the base bid alone, providing a five-year contract that well exceeds \$13 million in total costs. He noted that adding the alternates, the cost for services would increase based upon the additional services the Board selects.

Mr. Wolfe noted that this is the time to further discuss the issue, and it is his hope that the Board would make an award for the contract for services at this meeting. He noted that the Township Solicitor has reviewed the bids, and he has previously commented to the Board that he has found the bids provided by the respective low bidders in each one of the categories to be acceptable.

Mr. Crissman questioned if the Board was to choose one of the options, and the community raised issues, specifically concerning the mandatory leaf waste alternate, would the

Township have the option to go from the mandated to the optional leaf waste alternate. He suggested that Mr. Stine would submit that he must abide by the bid specifications, and the bidder is not obligated to return and re-visit the issue. Mr. Wolfe noted that any change order, after bid award, would have to be negotiated, and not violate the bidding document, or the bid prices submitted by any of the other bidders. He noted that it is not to say that a change order could not be negotiated, but it could be very difficult after the fact.

Mr. Crissman made a motion to approve Option Four, the regular collection service, and the optional leaf waste alternate. Mr. Seeds seconded the motion. Mr. Wolfe noted that for those who are watching at home or in the audience, the base bid for the regular collection service for MSW is Waste Management who's monthly costs for services are in Year 1: \$15.95, Year 2: \$16.20; Year 3: \$ 16.46; Year 4: \$16.77, and Year 5: \$17.10, for a total five-year contract of \$13,118,625. He noted that adding the optional leaf waste program, the lowest bid would be Waste Management for Year 1: \$6.58; Year 2: \$6.81; Year 3: \$7.05; Year 4: \$7.37, and Year 5: \$7.69, for an annual cost to the optional customers ranging from \$78.96 in Year 1 to \$92.28 in Year 5.

Mr. Crissman noted that the optional leaf waste program is what he is most concerned about, because, had he made the motion for mandatory leaf waste alternate, the dollar amount would only be \$.72 per resident, as opposed to those who elected it at \$6.58. He noted that \$.72 is not an outrageous amount of money for all people to avail themselves of that service, yet there are residents in the community who don't want the service. He noted that, in light of the comment that a change would need to be negotiated, that is the reason for his motion.

Mr. Hornung noted that, in the discussion of mandatory versus voluntary leaf waste collection, a \$.72 per month fee to provide an overall program is not that costly to the other members of the community who are not interested. He noted that if the Township experiences an

ice storm and there is no convenient way to remove yard waste, residents will end up hiding it in their trash to try to get rid of it by illegally dumping it. He noted that he did not want to put the residents in a position where they have to be deceitful to get rid of the yard waste. He explained as the community ages, it will be more difficult for the citizens to get rid of their yard waste. He suggested if, the program was made available to all the residents, the usage would increase, and not put the residents in a position to be deceitful to get rid of their yard waste. He noted that some citizens take their yard waste and dump it on other people's property. He noted that there would be a benefit for the residents around Christmas time as a means to dispose their Christmas trees. He noted that it would provide for a cleaner Township, and for the residents who would not use the service, \$.72 a month is not a lot to spend to make a contribution to help keep the Township a nicer place to live. He noted that he is in favor of the mandatory leaf waste option at this time. He noted that he has some questions regarding the RecycleBank before he is willing to make a decision.

Mr. Scott Wagner, President of the Penn Waste Company, noted that he wanted to talk about RecycleBank. He noted that his pitch will be to request the Board to consider the RecycleBank alternate. He noted that he has been in the business for almost 25 years, and what the Township has done with designating a recycling facility to accept its recyclables is a new trend. He noted that he has a significant investment in his business, opening a new recycling facility, a 40,000 square foot facility, the second on his property. He noted that he will have invested over \$8 million in his facility by the end of the year. He explained that he is putting 20 new recycling trucks on the road June 2, 2008 at an investment of \$3.5 million dollars. He noted that he, as a business owner, is not going to keep his head in the sand, and not recognize, with the rebate coming back to the Township, or the possibility of using the RecycleBank program, ignore this.

Mr. Wagner noted that he has looked at the numbers, and was unable to be in attendance at last weeks' meeting because he flew to China. He explained that he flew roundtrip, first class to China because he had a United Airlines VISA card, and he did not pay for his tickets. He noted that the value of the tickets were over \$10,000. He noted that he also has a Sam's Club Discover Card, which provides a 2% rebate, and this past February he received a check for \$1,700. He noted that he has a Giant Bonus Card, and that he bought his gas at a Giant Store in York for \$2.40 less than what it is being sold for at the pump because he redeemed his points. He noted that he is not a regular shopper at Giant, unlike his wife, who saves significant money using the Bonus Card. He noted that Mr. Wolfe mentioned that Giant Foods is looking to put a fueling station on Union Deposit Road. He noted that many guys, like himself, use the different rewards programs offered by various companies, and they are a significant savings for his family.

Mr. Wagner noted that Penn Waste currently services over 54 municipalities, and since 2000, Penn Waste has been involved in upsizing and delivering containers to at least 20 municipalities throughout South Central Pennsylvania, one of whom is Susquehanna Township. He noted that when he took over the Susquehanna Township contract in 2006, he distributed new containers to all the residents that increased the size of the recycling container, which has resulted in a 25% increase in recycling. He noted that people are using much more plastic, and if it can't be put in the recycling bin, then it is put into the trash can. He noted that the Department of Environmental Protection (DEP) can confirm the numbers. He noted that the New Freedom Borough in York County had a 67% increase in their tonnage last year. He noted that he could guarantee the Board members that at least 10% of the residents do not recycle. He noted that the current program consists of buying your own container, and placing a recycling sticker on it but if all the people had a consistent container, there would be competition to see who puts out more.

He noted that he sees the increase and so does DEP. He noted that there is no uncertainty for the use of the recycling container and it is sized for the right amount.

Mr. Wagner noted that the Board is contemplating awarding a five-year contract, and the contract could be with or without RecycleBank, and he urged the Board members to go with RecycleBank because he believes that it is a trend that is coming, and for five years, if this option is not chosen, and others choose to use it, the residents would feel that they have been left out. He noted that the Township is the largest municipality in Dauphin County behind the City of Harrisburg, and this is an opportunity for the Township to be a leader in the area.

Mr. Wagner noted on June 2, 2008, Penn Waste will be unveiling 20 new recycling trucks, and will take cardboard of any size, as long as it is broken down and the packing is removed from the boxes. He noted, if you look at the RecycleBank numbers that were provided last week, he is shocked at what he read. He noted, if the residents participate in the program, and can save \$240 per year in points, it is significant. He noted that when he flies, he flies first class and uses his United Airline Visa Card. He noted, if all the residents were able to save \$240 a year or \$1,200 in five years, and if you take that amount times 13,000 residents, it would amount to a total saving of \$15,600,000. He noted that it is equal to the contract the Township is considering awarding at this time. He noted that it does not even address what the Township would receive if it chose to use RecycleBank. He noted that the benefit to the Township between the rebate and the 902 Grant is estimated to be \$242,000 per year for \$1.2 million over the term of the contract. He noted that the residents could almost pay for this contract in their savings.

Mr. Wagner noted that he is not going to keep his head in the sand, thinking that this will pass, noting that this is a trend that is coming, and he is going to pay attention to it. He suggested that more people would participate in the rewards program than what is imagined. He noted that from 60% to 80% of the Township residents are involved in an awards program. He suggested

that there may be some confusion concerning the coupons that would be mailed out, noting that this is an awards program activated by the customer going on-line or calling the 800 number.

Mr. Wagner noted that five years ago he stood in front of this Board and the Board was contemplating a decision on the yard waste program, and he noted that at \$.17 a month or \$2.14 a year, the Board chose not to go with that option. He noted that the Township provides the yard waste service on a user-pay basis and the resident pays \$72 per year. He noted that the comments about a mandatory yard waste program are a win-win for the residents and the Township. He noted that the numbers that he sees from the RecycleBank Program and the opportunity for the residents is staggering, and he asked that the Board consider the RecycleBank option.

Mr. Seeds noted that the Township currently recycles, and the rewards program sounds great if everyone uses it, but many people may not have the time or the interest to use the program. He questioned if it is such a good deal, then why do residents have to pay from \$2.95 to \$5 extra per month if in fact they can earn \$20 worth of credits. He questioned if it is such a good deal, then why does the Township have to charge people to use it.

Mr. Robert Milligan, of RecycleBank, explained that the \$3 difference is what it comes down to if you take a five-year average. He noted that the \$3 fee that a resident pays is for the assets that are being put on the street. He noted that he charges the haulers for the containers, and explained that he would be putting over \$750,000 worth of containers on the street. He noted that that is one of the reasons for charging the customers. He noted that there are fees to retro the trucks for the technology to weigh the recyclables, and for the computers to store the data. He noted that the rewards tracking component of the program is also paid by the fees. He suggested that the residents would receive the rewards but it costs \$3 to operate the system on a monthly basis. Mr. Seeds suggested if RecycleBank was providing up to \$20 per month as a reward, then why wouldn't it just decrease the rewards to \$15 and not charge the people extra to pick up the

recyclables. Mr. Milligan noted that the rewards program is externally funded by over 400 businesses that are partnered with RecycleBank. He noted that when you go to the ACME store and buy \$50 worth of food, you may get \$10 off the purchase price. He explained that this is an example of a reward, noting that RecycleBank does not give the residents \$10, ACME is participating in the program to encourage people to shop at their store, to recycle and get the reward points, and cash the points at their stores. He noted that, in the future, there would be more ways of earning points by purchasing green products. He noted that there is the rewards program and the operating costs are the assets that RecycleBank needs to put the program on the street in Lower Paxton Township.

Mr. Hawk noted that he was not sure that that was fully explained to the Board when it was originally presented. He noted that there is a list of participating partners, and he noted that he was not familiar with 80% of the vendors. Mr. Milligan explained that when RecycleBank enters a new market, it brings the national partners as well. He noted that he will have his sales force solicit area businesses once the contract is secured. He explained that he just launched a program in Virginia, and added 27 local partners in less than a week, and expects to have 150 additional partners by the end of the month. He noted that this is a commerce issue where local people become involved in the program. He noted that it is not just about the large national firms, but he wants the local businesses to be a part of this, and they reply beautifully in all the markets that RecycleBank is in. He noted that it is an environmental win, and a local business win.

Mr. Hornung noted that he had more questions to ask. He noted that the rewards coupons are not dollar for dollar for redemption, noting that many coupons are buy something and get something in return. Mr. Milligan noted that it varies with each company as they may provide a different incentive for customers, such as \$10 off of a \$50 purchase, or it may be \$5 off a

product. He explained he is working with a company that would provide cash gift cards in that the customer would redeem an “x” amount of points for every pound of recycling material. He noted that the customer redeems the points with a local business for a discount for service, and/or receives a gift card with “x” amount of points. He noted that it is not just about a company providing a discount as there are over 400 different options available. He noted that RecycleBank is coming out with an aspirational program, where they could save a number of points, and receive tickets from Disney World, or possibly receive sporting goods tickets for a buy one get one free promotion. He noted that he just signed a contract with Kraft Foods and as they produce Green Products, there will be a code on each cap, and the code could be put into the account to get RecycleBank points for buying green. He noted that he wants to address green habit buying and expand the rewards program as a true points reward system. He noted that the rewards system is capped at 5,400s point a year or \$540 per year, but the average customer earns roughly \$240 a year.

Mr. Hornung questioned how long RecycleBank has been in business. Mr. Milligan answered that it has been in business for three years, has 78,000 carts on the street, and is adding another 170,000 carts in Virginia. He noted that his goal is to have one million carts in service this year. He noted that more municipalities are including RecycleBank in their bid specifications, and more haulers are signing with RecycleBank. He noted that the numbers he provided to the Board were conservative numbers, and that customers love the program since it provides an opportunity for them to do the environmentally right thing, and be rewarded for doing it.

Mr. Blain noted that Mr. Wagner stated that his new equipment could receive any size cardboard, to include refrigerator packing, but he questioned how it would get picked up and included in the weight for the recycling. Mr. Wagner noted that most likely it would be thrown

into the back of the truck and would not be weighed due to the size, but he suggested that if the person wants to get the rewards, they should flatten the box to fit it into the container. He suggested that a very minimum amount would not be weighed due to the size.

Mr. Wagner noted that he would like to address the issue of the time it would take to redeem the rewards. He noted that it does not take much time to redeem his points, but he questioned how many Board members or their wives have a credit card that pays some type of rewards. He noted that during the pre-bid meeting, Mr. Milligan was questioned regarding merchants in the area, and he explained that if he was successful in the bid process, he would be adding local merchants from the area. He noted that Giant Foods is dominating the region, and he would assure the Board Members that they would want to participate in this program and the same for Weis Markets.

Mr. Wagner noted that Mr. Seeds made a comment that the Township is currently recycling in the Township. He questioned if the Township could do more, and he suggested that if the residents are provided a similar 64-gallon container, that everyone would use them. Mr. Seeds noted that maybe they will, but only 10% of the residents avail themselves to the leaf waste program. He noted that it would not be fair to charge all of the residents for what only 10% would use; suggesting that the same limited number may participate in the RecycleBank program. He noted that everyone should recycle, but questioned if the Township could justify charging that amount more per month for the 10% who would use the program.

Mr. Wagner questioned where Mr. Seeds got the figure for 10%. Mr. Seeds based that number on the people who currently use the leaf waste program. Mr. Wagner noted that the current program is a user-pay program costing \$72 per year. Mr. Wagner noted if that contract would have been awarded five years ago, it would have cost the residents \$2.40 per quarter. Mr. Seeds noted that there was a lot of opposition to the program. Mr. Wagner noted that Mr. Seeds

is basing his assumptions on the costs for the leaf waste program, whereas, the recycling program is good for all the residents. Mr. Seeds noted that he must be conscience of what people can afford with the rising gas and utility prices, and stated that he does not want to put further strains on family's incomes. He noted that the Board members are all for recycling, but the reality is that only a small portion of the community will redeem the rewards at a cost to everyone who must pay the extra costs to be in the program. Mr. Wagner noted that the question becomes should the Township charge the residents up to \$36 per year if they have an opportunity to redeem up to \$540 worth of coupons per year, and it is unfortunate that Mr. Seeds is basing his assumptions on the yard waste program. He noted if the Board would have awarded the contract five years ago, they would probably have 30% to 50% participation in the project, but set up at a fee of \$72 per year is cost prohibitive.

Mr. Seeds questioned if 100% of the people should pay for a service that only 10% are using. Mr. Milligan noted that 78% of the carts are on the street every week, and there is 93% participation in the program. He noted that if he does not get a 90% participation rate in the Township, he is not doing his job. Mr. Seeds noted that he did not know if the volume would increase or if the residents would use the coupons. Mr. Milligan noted if customers did not want to use the coupons, they could donate them through the Coca-Cola Green Fund that provides money to RecycleBank every year for schools. He noted that this year the Fund raised \$150,000 to donate to schools in grant funds to do environmental projects at the schools. He noted that last year, he received \$93,000 in Coca-Cola Green Funds.

Mr. Hornung questioned, of the communities involved in the RecycleBank program, what has been the percentage of residents that have participated in the coupons program. Mr. Milligan answered that, over-all; the average is 60% to 65%. He noted that many people will accumulate their points for a special redemption and noted that just because a customer has not

redeemed his rewards, does not mean that he is not aware of the program. He noted that the recycling rate has increased where the program is used and explained that many people wait until Christmas time to redeem their points as gifts.

Mr. Crissman noted that this community does support recycling, but he takes offense to the comment that people could donate back to the schools. He noted that the school district is highly committed to teaching recycling in the community. He noted that he is not willing to ask the taxpayers to pay more money for RecycleBank's tracking system, new trucks and new containers. He noted that the residents may or may not participate in the redemption of the coupons, but he would rather provide the program to the residents for less money than to burden them with another rewards program.

Mr. Hornung noted that, statistically, for communities similar to the Township, they have experienced an increase in recycling with the RecycleBank program, and Mr. Milligan has provided numbers to show that the rate has doubled. He noted that Mr. Crissman stated that the Township does recycle, but he questioned the degree of recycling. He noted that the rate would increase under the new program, but you could argue what that rate of increase would be. He suggested that people would start to recycle items that they are not currently recycling, and it is important to know that the Township would receive \$150,000 a year for recycling materials, based on the current level of recycling. He noted that there are numerous rewards that would be available from this program, in addition, the community would contribute more recycling, and provide for less destruction on the environment. He noted that the recycling amount is not 10%, but more like 60% to 65%. He noted that as people build up points, the participation would increase. Mr. Crissman noted that the data does not provide for what the increase would be for a community that has already been recycling. Mr. Seeds noted that Mr. Milligan has projected what the increase could be if the RecycleBank program was used.

Mr. Blain questioned how RecycleBank would educate the community to use RecycleBank dollars. Mr. Milligan answered that they would ask the Township to send out a letter informing the residents that they do a good job, but there is an opportunity for the residents to increase the amount of recycling, and more importantly they would be rewarded for recycling. He noted that this letter would go out to the residents three weeks prior to the carts hitting the street. He noted that he would follow-up the letter within four days with the welcome kit that explained the entire program, noting that the introductory letter would warn the residents to look out for the kit, and not to throw it away. He noted that it would explain the entire program and assign an account number to the customer. He explained that tomorrow night he would be addressing the residents of Cherry Hill, New Jersey, who were alerted of the meeting through their newsletter and ads in the newspaper to attend an informational meeting. He noted that he has scheduled community outreach meetings at various centers in the community. He noted that he would explain the program in detail and answer questions, and after a six-month period, he would mail a postcard, congratulating the customer and notifying them of what they have earned to date, as well as the average earnings for the community, as an encouragement. He noted that RecycleBank is a rewards company and their job is to encourage the residents to recycle more. He noted that he would assign an account manager to the Township who would go door-to-door to visit the non-recyclers, and that he would focus on those customers who need to do more. He noted that the percentages are very favorable for the program.

Mr. Blain questioned if the letters would identify how many points the customer has accumulated. Mr. Milligan answered that he could provide this service if the Township requests it.

Mr. Seeds noted that education is very important for this service. Mr. Milligan explained that this service would not start before October and that would provide plenty of time to meet the Board's requirements.

Mr. Blain noted that the residents would be charged for the service in July, but not be provided the service until October. He questioned how they would be discounted for the service. Mr. Wolfe noted that you would not need to do this as it is part of the bid specifications.

Mr. Scott Wagner noted if money is so sensitive to the Board members, he suggested if the Township would be willing to give up 100% of recycling rebate from Penn Waste, he would be willing to provide the service at no cost. Mr. Blain noted that the Board could not do that. Mr. Wagner noted that the Board can't, but money seems to an issue, and he is offering to provide the RecycleBank program for no extra cost if the Board was willing to give up its recycling contract. Mr. Wolfe noted that Counsel would state that the Board could only consider the bids before it this evening. Mr. Crissman thanked Mr. Wagner for the offer, but the Board would not be permitted to consider that as an option. Mr. Chiaruttini noted that the only option would be to rescind all the bids and re-bid the project, noting that there is a time issue. Mr. Crissman noted that the option should have been provided earlier. Mr. Seeds noted that it goes with what he was saying, that if it is such a good deal, then why should the people be charged to participate.

Mr. Hornung questioned how much the containers cost. Mr. Milligan answered that it costs roughly \$65 to put a container on the street with the computer chip.

Mr. Hornung noted that the Board does have the option to rescind the bids. Mr. Crissman noted that it would not leave much time to meet the deadline.

Mr. Seeds questioned if the Board could extend the existing contract with Waste Management to do this. Mr. Wolfe answered that, under State law, the Board does not have the

ability to extend the contract unless the current bidder is willing to do so at the current price for services.

Mr. Wagner noted that the Board could do something creative, and take the recycling rebate funds and give it back to Penn Waste and direct them to credit the resident's accounts and then it would not need to re-bid the contract. He suggested that the numbers would come pretty close. Mr. Hornung noted that it would not be that close, as he already figured for that possibility. He noted that it would be \$12 per year versus \$36 a year, resulting in only a third of the credit.

Mr. Crissman called for the question on the motion.

Mr. Blain recapped the motion, noting that it was Option Four that would include the base bid and the optional leaf waste program.

Mr. Hawk call for a roll call vote: Mr. Blain, nay; Mr. Crissman, aye; Mr. Hornung, nay; Mr. Seeds, aye, and Mr. Hawk, aye.

NEW BUSINESS

Presentation by Kalim Bhatti regarding upcoming event at the Farm Show

Mr. Blain noted that he was contacted by Mr. Bhatti to request a few moments to make a presentation to the Board members.

Mr. Zaki Kauser, 15000 Good Hope Road, Silver Springs, Maryland, explained that he represents the Ahmadiyya Muslim Community who believes that the Messiah is yet to come. He noted that his community will be hosting a symposium to express that there is a voice in the Muslim world that seeks peace, and that that voice is not being heard. He explained that the symposium will be held at the Farm Show Building, Saturday, June 21, 2008, from 3:30 p.m. to 6 p.m., and the name of the symposium is "Muslims for Peace". He explained that he is inviting members from the community to come and join him to provide ideas of how to promote peace in

this time of war, famine, and earthquakes. He noted that his organization has been in existence in the United States since 1921, has about 200 members living locally, and has over 15,000 members in the United States. He explained that he is inviting the different faiths and political movements to come to help to promote peace. He noted that a member of the Seneca Nation will be coming to tell his story. He explained that the event is free and the parking is free also. He made an invitation to any Board members who would like to speak at the symposium to do so. He noted that the people in the area are very warm, and he has received a very warm reception from the various groups that he has visited in the area.

Resolution 2008- 22; Authorizing the Chairman to notify the Capital Tax Collection Bureau of the Township's intent to withdraw from the Bureau

Mr. Blain noted that the Board is well aware of what has occurred with the Capital Tax Collection Bureau (CTCB), and has voiced its concern with the service that it has received from the agency. He noted that it is unfortunate that the Township is at this point, explaining that the idea of the Bureau as an Intermunicipal cooperation organization with its current size makes a lot of sense from the standpoint of efficiency and a means to reduce costs. However, knowing what it knows in regards to the operation of the CTCB, and also what it knows in regards to the for-profit completion, and of its superior technology and efficiency, it seems that the Board has a fiduciary responsibility to consider other options. He noted that there are other organizations that can collect and distribute the tax funds more quickly and efficiency.

Mr. Blain made a motion to approve Resolution 2008-22, authorizing the Chairman to notify the Capital Tax Collection Bureau of the Township's intent to withdraw from the Bureau. Mr. Crissman seconded the motion. Mr. Crissman noted that the community needs to know that this is an issue that the Board has been dealing with for more than a year, and has tried to be helpful to make CTCB more efficient. He noted that he has had great difficulty in reaching this decision, but after much effort by this Board, the Central Dauphin School District, and several

other local municipalities, he has no other choice. Mr. Hawk called for a roll call vote; Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Mr. Hornung noted that he wanted to thank Mr. Blain for the countless hours that he spent trying to correct the situation, and noted that this was a last resort for the Board members. He noted that Mr. Blain should be commended for the amount of personal time he spent on this issue to try to make it work.

Conditional Use 2008-02; Request from Giant Foods Stores, LLC
to operate fuel dispensing facilities at the Point Mall along Union Deposit Road

Ms. Moran noted Giant Foods is proposing a six, double-sided gas fuel-dispensing facility with an attendant's kiosk to monitor fueling operations. She noted that this differs from the plan that they originally submitted that included a two-bay automatic car wash along Union Deposit Road. She explained that this is a Conditional Use application due to the property's location in the Commercial General (CG) zoning, and explained that the hours of operation would be from 6:00 a.m. to 11:00 p.m. She noted that the facility will offer three grades of fuel.

Ms. Moran noted that on April 9, 2008, the Planning Commission recommended approval of the conditional use application. She noted that public notices were mailed to the neighboring residents on April 28, 2008, and a public notice appeared in The Paxton Herald on April 30, 2008, and May 7, 2008.

Ms. Moran noted that the Conditional Use application is reviewed under the criteria listed in Sections 116.C and 117. C for Conditional Use Considerations. She noted that a map was included in the Board member's packets.

Ms. Moran noted that Mr. Tim DeWire, from J. Michael Brill and Associates, Inc. is present to represent the plan.

Mr. Hornung questioned why Giant decided to eliminate the car wash. Ms. Moran answered that during the Planning Commission meeting there were discussions regarding the

circulation through the site, and there was more interest in installing the fuel pumps than the car wash.

Mr. Wolfe noted that this is the time and date set forth in the public notice provided to the community to conduct a Public Hearing on Conditional Use Application 2008-02 that has been submitted by the Giant Food Stores Incorporated to operate gasoline fueling dispensing facilities at the Union Deposit Road location in the Point Mall. He noted that any individual who desires to present testimony to the Board should do so at this time.

Mr. Tim DeWire explained that he is the project manager from J. Michael Brill and Associates, Inc. and also present is Kerry Eck, from Giant Foods Corporation, the applicant for the proposed use at the Point Mall. He noted that he would be willing to entertain questions at this time.

Mr. Crissman questioned why the change in the plan. Mr. DeWire explained that, subsequent to discussions held during the Planning Commission meeting, there were some concerns raised about the circulation through the building pad and the queuing of parking extending beyond the carwash setting beyond the limits of the fuel line for the facilities. He noted that given the concerns raised by the members of the Planning Commission, and the public, Giant Foods made a decision to withdraw the carwash facility from the site. He noted that it was a use allowable by right in the CG zone, and it was decided to only pursue the fueling station facilities. He noted that the new design allows for better vehicular circulation through the site, preserving the same curb line that currently exists on the building pad. He noted that the site was the former Denny's Restaurant, and is mostly impervious coverage, noting that there are existing parking spaces and curb lines that he would like to preserve with the new configuration, allowing for access to the site for the fuel trucks coming off of Union Deposit Road.

Mr. DeWire noted that the facility would be operated from 6:00 a.m. to 11:00 p.m. and deliveries to the site typically would occur during off-peak hours, therefore, there should be very little disruption of the traffic patterns for the Point Mall.

Mr. Crissman noted that he applauded the applicant's response to the Planning Commission's suggestions and to the resident's concerns.

Mr. Wolfe noted that seeing no other public comment in regard to the Conditional Use Application 2008-02, it would be appropriate to close the public hearing.

Mr. Crissman made a motion to approve Conditional Use 2008-02, a request from Giant Foods Stores, LLC, to operate fuel dispensing facilities at the Point Mall along Union Deposit Road. Mr. Blain seconded the motion, and Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolution 2008- 21; Reaffirming the Emergency Operations Plan of Dauphin County

Mr. Wolfe explained that two years ago, Lower Paxton Township adopted its emergency operations plan, and the Dauphin County Emergency Operations Plan. He noted, on a bi-annual basis, the Township is required to review and reaffirm its own operations plan, and the Dauphin County Plan. He noted that the Police Department has conducted such review and prepared the Resolution for Board consideration.

Mr. Blain made a motion to approve Resolution 2008-21, reaffirming the Emergency Operations Plan of Dauphin County. Mr. Crissman seconded the motion, and a unanimous vote followed.

Preliminary/final land development plan for Hoffman Ford Sales, Inc.

Mr. Wolfe explained that this plan was before the Board at a previous meeting, and at that time it was tabled to provide time for the developer to discuss further options with the applicant. He explained that the purpose of this plan is to construct a 7,000 square foot building

addition to the Hoffman Ford facility located at 5200 Jonestown Road. The tract, which consists of 7.13 acres, is zoned CG, Commercial General District, and will be served by public sewer and public and private water.

Mr. Wolfe explained that on April 9, 2008, the Planning Commission recommended approval of the plan subject to addressing the review comments. The Commission also recommended approval of the Preliminary Plan Waiver, the Stormwater Management Plan Waiver, and the Sidewalk Waiver along Jaycee Avenue and Carolyn Street. The Commission recommended disapproval of the waiver request for sidewalks along Jonestown Road.

Mr. Wolfe explained that the applicant has requested three waivers: 1) Waiver of the requirement to submit a Preliminary Plan; 2) Waiver of the requirement to submit a Stormwater Management Plan; and 3) Waiver of the requirement to provide sidewalks on Jaycee Avenue, Carolyn Street, and Jonestown Road. He noted that staff supports the first two waivers, and the waiver of sidewalks for Jaycee Avenue and Carolyn Street, but not for Jonestown Road.

Mr. Wolfe noted that this item was discussed in great detail at the previous business meeting, and the Board members suggested to the developer, that it would approve the plan, subject to the installation of sidewalks along Jonestown Road, granting the waiver for Jaycee Avenue and Carolyn Street. He noted that the developer requested the plan be tabled to provide time for him to talk to his client.

Mr. Wolfe noted that the plan also has three general conditions and two staff comments.

Mr. John Clarke, Harman and Associates, explained that Mr. Hoffman is in agreement to building the sidewalk along Route 22.

Mr. Seeds made a motion to approve the preliminary/final land development plan 2008-06, for Hoffman Ford Sales with the following waivers and conditions: 1) Waiver of requirement to submit a preliminary plan; 2) Waiver of requirement to submit a storm water management

plan; 3) Waiver of the requirement to provide sidewalks for Jaycee Avenue and Carolyn Street; 4) Plan approval shall be subject to providing original seals and signatures; 5) Plan approval will be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 6) Plan approval shall be subject to the payment of the engineering review fees; 7) The proposed addition will be required to have a fire protection system per Township requirement; and 7) All proposed site signage, including construction signs, shall comply with the Lower Paxton Township Zoning Ordinance. Mr. Crissman seconded the motion. Mr. Crissman noted that Mr. Clark was in agreement to the general conditions, waivers, and staff comments, prior to the vote. Mr. Clark answered that that was correct. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Improvement Guarantees

Mr. Hawk noted that there were two improvement guarantees for consideration.

Estates of Forest Hills, Phase VII

A reduction and extension of a letter of credit with Community Banks, in the amount of \$140,700.00 with an expiration date of June 7, 2009.

Amber Fields, Phase IV

A reduction and extension in a letter of credit with Sovereign Bank in the amount of \$114,444.00 with an expiration date of June 23, 2009.

Mr. Crissman made a motion to approve the two listed improvement guarantees as presented. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and the improvement guarantees were unanimously approved.

Payment of Bills

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

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 9:05 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary