

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held Tuesday, October 21, 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., Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steven Stine, Township Solicitor; and Stephen Quigley, H. Edward Black and Associates, Ltd.

**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 workshop meeting held September 9, 2008. Mr. Blain seconded the motion, and the motion was unanimously approved.

**Public Comment**

Mr. Larry Rebenolt, owner of First Impressions, 5943 Linglestown Road, explained that the Merchants of Linglestown would like to formally petition the Township for improvements to the alley identified as Raspberry Alley. He noted that he was told that improvements are to be made to Blackberry Alley, the alley north of Mountain Road. He noted, as the Village of Linglestown project progresses, with the traffic shut down in one direction, the merchants are looking to use Raspberry Alley as an alternative route for access to their respective businesses. He noted that all the businesses will experience some type of slowdown as a result of the construction project; however, the merchants believe that the petition should be given full

consideration before budgets are finalized and the road construction begins. He noted that the merchants would appreciate the Board's support in this matter.

Mr. Rebenolt provided a list, with the name of ten merchants, on the petition.

Mr. Hawk explained that the Board could only take the matter into consideration as it could not take any action on the request at this meeting.

Mr. Rebenolt questioned what the next step in the process would be. Mr. Hawk noted that staff could contact Mr. Rebenolt if it has any questions in regards to the request.

Dr. Mark Guise, 2336 Forest Hills Drive, explained that he continues to have silt deposit problems at his home. He noted that the latest update concerns a meeting with the Department of Environmental Protection (DEP), and it did not go very well. He said that DEP does not care about the silt that has been deposited at his home, determining that it was a general stormwater issue, and that it should be tossed back to the local municipality.

Dr. Guise noted that he is extremely frustrated as to where to go next. He noted that he cannot deal with his neighbor too much more. He noted that the response from the Public Works Department was to let grass grow in the silt. He noted if there is a major rain event, the water needs to go somewhere, and the silt needs to be removed from the swale in order for the water to flow in the swale to access Forest Hill Drive.

Dr. Guise noted that he sent each Board member a sample of the silt deposits over a year ago. He explained that the neighbor installed something above his home to move the water away, but the crux of the problem is still there. He noted that this has been an ongoing problem for more than two years.

Mr. Blain questioned if the swale filling with silt is the major problem. Dr. Guise answered yes, to the extent of one to six inches in depth. He noted that the representative from DEP would not walk up to the swale to view the problem. Mr. Blain questioned if it would make

sense to have Mr. Robbins revisit the site, and clean out the swale to allow free water movement. Mr. Wolfe noted that the area in concern is not a public easement, noting that this is an instance of one property owner depositing silt on another neighbor's property. He explained that there is no municipal ordinance that prohibits this from happening. He noted that the stormwater enforcement occurs through DEP and the Dauphin County Soil Conservation District, DCSCD). He noted that Mr. Robbins has had conversations with DEP and DCSCD, and has tried to gain greater enforcement efforts from them, and other than a joint installation of an underground pipe from the property owner who deposited the silt on Mr. Guise property, and connecting the underground system to a inlet in the street, no other action has been taken by any other person. He noted that he does not know of any municipal regulation that would permit the Township to correct the problem.

Mr. Blain questioned when the pipe was constructed. Mr. Wolfe answered that it was constructed a month ago. Mr. Blain noted that there has not been any substantial rain since the party installed the pipe to test to see if the pipe is working correctly. Mr. Wolfe noted that Dr. Guise's problem stems from the initial deposit of silt. He noted that an un-stabilized site caused runoff and it left a lot of silt material in his backyard and drainage swale, and he wants the property owner who deposited the silt to remove it. He noted that the Township involved the Dauphin County Soil Conservation District because it is an Erosion and Sediment issue. He noted that DEP became involved, and the final result is that neither DEP nor DCSCD are concerned about the deposited silt. Mr. Blain stated that it is believed that the corrective action has been put into place, but the problem is that there is one to six inches of silt in the swale deposited from another property owner that needs to be removed. Mr. Crissman questioned if the property owner is not cooperating. Mr. Blain answered that was correct.

Mr. Hawk noted that he visited the site, and the silt not only infiltrates on to the swale, but also the driveway. He noted that it is a consistent flow of silt in a water event. Dr. Guise noted that since the underground pipe was installed, there hasn't been a water issue, but again, there has been no significant rain since the pipe was installed. He noted, if he experiences a rain event like what occurred last year, or a hurricane, the water needs to go somewhere, and if the swale is filled with silt, the water may come into his garage.

Mr. Seeds questioned whose property the swale is located on. Dr. Guise answered that the swale is located on his property. Mr. Blain noted that the swale was built to direct water away from his home. Mr. Seeds questioned who built the swale. Dr. Guise answered that he was the third property owner, so an owner, prior to him, installed the swale. He noted that he did not know if it was a natural swale.

Mr. Seeds questioned what DEP told Dr. Guise. Dr. Guise answered that they stated that it was a matter between the two properties owners. Dr. Guise noted that he has an attorney. Mr. Blain noted that the other property owner is unwilling to do anything to clean the swale. Mr. Seeds noted that the Township cannot take their equipment on private property to fix this problem. Mr. Stine noted that it is a private swale and the Township has no right to make improvements on Dr. Guise's property. Mr. Crissman questioned if the Township could put pressure on the State agencies to do their job. Mr. Seeds questioned what they could do. Mr. Crissman stated that he did not know. Mr. Seeds noted that the State agencies cannot go on Dr. Guise's property to correct the matter.

Dr. Guise noted that the local municipality is pointing the finger of blame at the Conservation District. He noted that the Conservation District is pointing it back at the Township, and DEP, whose job it is to oversee all of these issues, and protect the rights of everyone, will do absolutely nothing. He noted that he sent DEP samples of silt as well.

Mr. Hawk suggested that Dr. Guise's home should be put on the list of Road Tour items for next Tuesday night. Dr. Guise noted that he told Mr. Robbins that he could take a high pressure hose and push the silt out into the street. He noted that Mr. Robbins was not happy with that solution. He noted that he could not dump it on another's property as it would be trespassing. Mr. Crissman suggested that the cost to fight this battle legally would be nearly the same that it would cost to hire someone to come in and clean out the swale. Dr. Guise questioned where he would deposit the silt.

Mr. Hawk noted that rain is in the forecast for the weekend, and a visit would be made to Dr. Guise's home on Tuesday during the Road Tour. Mr. Blain noted that Dr. Guise does not have the equipment to remove the silt from the swale.

Mr. Crissman questioned if Dr. Guise hired an architectural or landscaping company, could they dispose the silt. Dr. Guise noted that the cost to do that would be \$6,000. Mr. Crissman noted that Dr. Guise could file a lawsuit against his neighbor, and determine the costs for that, as opposed to hiring someone to remove the silt. Mr. Seeds suggested that Dr. Guise should wait until he receives a significant rainfall to ensure that the problem has been corrected. Dr. Guise agreed.

Mr. Hawk questioned if the silt was removed could the swale fill up with silt in the future. Dr. Guise answered, if you can believe the information from DEP and the Conservation District, it should not come back. He noted that an engineering firm evaluated the entire process, and the appropriate E&S controls have been installed, after the fact, but he questioned if they are able to be removed.

Mr. Blain questioned if Dr. Guise had any idea of how much silt needed to be removed. Dr. Guise answered that it would be a double-axle load. He noted that the work entails manual

removal of the rocks that are placed there, the ditch line needs to be graded down, a fabric liner must be installed, and the rocks must be reinstalled.

Mr. Seeds questioned Mr. Rebenolt if he brought the Merchant's petition request to the Village of Linglestown Committee. Mr. Rebenolt explained that the Committee has not had a meeting since June. Mr. Seeds noted that the Committee has petitioned the Township for Blackberry Alley, and they would be in support of this petition as well. Mr. Seeds noted that the Committee has been providing input to the Township for the Village project for the past several years. Mr. Rebenolt noted that Mr. Wolfe told him to present the petition for Raspberry Alley from the Merchant's group in person at this meeting. Mr. Wolfe noted that the Committee does support the opening of Raspberry Alley, but they only petitioned for the opening of Blackberry Alley as they wanted to do one alley at a time. He noted that the Committee chose Blackberry Alley first since it would provide access to the public parking lot that was constructed.

Mr. Seeds noted that he was not aware that a merchants association was in existence. Mr. Rebenolt explained that it is in the process of being formed and they plan to meet on a monthly basis. It was noted that they would also be launching a website, LinglestownSquare.com, to keep the public informed of what is going on in Linglestown, especially in regards to the project. Mr. Hawk thanked Mr. Rebenolt, noting that it is good that the businesses are looking to revitalize their downtown area. Mr. Hawk noted that the merchants have created their own Business Improvement District.

### **Chairman and Board Member's Comments**

None was presented.

### **Manager's Report**

Mr. Wolfe noted that Trick or Treat will be celebrated in Lower Paxton Township on Thursday, October 30, 2008, from 6 p.m. to 8 p.m.

Mr. Wolfe noted that the Parks and Recreation Department is offering Autumn Hayrides in Koons Park beginning October 10, 2008, from 6 p.m. to 8 p.m. He noted that there are various other dates for the hayrides, and the fee for the event is \$2 per person. In addition, pumpkin carving will be held on specific nights in conjunction with the hayrides.

Mr. Wolfe noted that there are several events occurring at the Friendship Center, to include a Turkey Rama Family Fun Run, scheduled for Saturday, November 1, 2008, at 9 a.m. He noted that the event is only a one-mile run, and prizes, to include turkeys, will be provided. He noted that prizes would be awarded to participants who do not win the race.

Mr. Wolfe noted that the next two meetings of the Board of Supervisors will be held on Monday nights instead of Tuesday evenings. He explained that the first televised meeting in November will be held on the 3<sup>rd</sup> at 7:30 p.m., due to Election Day being November 4<sup>th</sup>. The second meeting, a workshop meeting, will be held Monday, November 10<sup>th</sup> at 6 p.m. due to the Veteran's Day Holiday on November 11<sup>th</sup>.

## **OLD BUSINESS**

### Action on a Fixed Rate Note and Mortgage for the Paxtonia Fire Company

Mr. Wolfe explained that members from the Paxtonia Fire Company met with the Board members in a workshop session to discuss improvements to their facility and requested a loan in the amount of \$421,435.00. He noted that a discussion was held regarding the Township providing a loan for the above mentioned amount at an interest rate of 3%. He explained that the Township, in the past, has granted notes to the Paxtonia, Linglestown and Colonial Park Fire Companies for capital improvements. He noted that the Township holds the mortgage to the Colonial Park Fire House, and has held mortgages with Linglestown Fire Station. He noted that the Fire Companies have been diligent in their repayments to the Township, typically paying the

mortgages prior to the end of term. Mr. Wolfe noted that Mr. Stine has reviewed the documents that Mr. Wolfe prepared from prior documents that were used.

Mr. Crissman made a motion to approve a fixed rate note in the amount of 3% for a mortgage of \$421,435.00 for the Paxtonia Fire Company. Mr. Blain seconded the amendment but requested that the motion include that it is a 20-year note. Mr. Crissman agreed to the amendment, and Mr. Hawk called for a roll call vote; Mr. Blain, aye; Mr. Crissman, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Action on a Bill of Sale to transfer the George Park water line to United Water

Mr. Wolfe explained that a water line had been installed by the Township to service the facilities at the Thomas B. George Jr. Park for the bathroom and the watering of fields. He noted that it was intended to become a public water line, and ownership must be transferred to United Water Pennsylvania. He noted that staff must provide a two-year maintenance bond for this action. He noted that the Board must approve this action, and staff requests the Board to act on a bill of sale to transfer the water line to United Water PA.

Mr. Blain made a motion to act on a bill of sale to transfer the Thomas B. George Jr. Park water line to United Water of Pennsylvania. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

**NEW BUSINESS**

Resolution 08-45; Appointing the Finance Manager as the Chief Administrative Officer of the Township's employee pension plans

Mr. Wolfe noted that the previous chief administrator for the employee's pension plan was Donna Speakman, the Finance Manager, who has since retired from the Township. He noted that it is his recommendation, supported by the Finance Director, to appoint the Finance Manager, Alycia Knoll, as the chief administrative officer of the employee pension plans.

Mr. Crissman questioned if the Resolution was appointing a position, the Finance Manager, rather than a person, as the chief administrative officer. Mr. Wolfe answered that it would appoint the position rather than the person staffing the position.

Mr. Crissman made a motion to approve Resolution 2008-45, appointing the Finance Manager as the Chief Administrative Officer of the Township's employee pension plans. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Resolution 08-43; Authorization to advertise the Township's intent to retain Brown Schultz Sheridan and Fritz to audit the accounts of the Township for 2008 fiscal year

Mr. Wolfe explained that the Township has received a proposal from Brown Schultz Sheridan and Fritz to perform the 2008 fiscal year audit. He noted that the proposal provides for an audit of the Township in the amount of \$24,150 that includes auditing the Friendship Center accounts at a cost of \$3,000 and for the Township Authority at a cost of \$13,000. He noted that the proposal was reviewed by the Township's Audit Committee and found to be acceptable, and the Audit Committee has recommended that the Board of Supervisors retain Brown Schultz Sheridan and Fritz for the 2008 fiscal year audit. He noted, in order to do this, the Board of Supervisors must advertise its intent to utilize a certified public accountant at least 30 days prior to the annual reorganization meeting, at which time the Board would make the appointment. He noted that in order to advertise the intent, the Board must basically accept the proposal from Brown Schultz Sheridan and Fritz.

Mr. Wolfe noted that the Resolution indicates the price schedule for the 2008-fiscal year audit for the Township and the Authority. He noted that Brown Schultz Sheridan and Fritz have provided its services to the Township for several years and their cost for service is an increase of 3%.

Mr. Blain made a motion to approve Resolution 08-43, authorizing the advertisement by the Township, of its intent to retain Brown Schultz Sheridan and Fritz, to audit the accounts of the Township and the Township Authority for the fiscal year ending December 31, 2008, with a contract of \$24,150 for the Township's and Friendships Center's funds, and \$13,000 for the Township Authority. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Change Order Nos. 1 & 2 to the contract with Bachman's Roofing  
for salt storage dome roof replacement

Mr. Wolfe explained that these two change orders are recommended by the roofer, and after staff consulted with HRG, Inc., they concur that the changes are warranted. He noted that the first change order is to fabricate and install aluminum fascia to preserve the treated wood base of the roof at the concrete transition. He noted that the treated wood has rotted since there is no aluminum fascia. He noted that the cost for this Change Order is \$2,200.00.

Mr. Wolfe noted that an additional \$1,198.00 is necessary to spend to replace rotted plywood roofing as opposed to try to salvage some of the roofing. He noted that he did not know why the project was specified to try to salvage the roofing as opposed to using new plywood. He noted that the bid was issued with the reuse of some of the wood that had been weathered, and the proposal was to treat or paint the wood, and then put roofing shingles and paper over it. He noted that the roofer is very hesitant to do this. Mr. Wolfe recommended that any severely weather plywood be replaced.

Mr. Crissman noted that HRG, Inc. chose to use a different format for the Change Order which shows the original contract and increase. Mr. Wolfe explained that the Township is managing the entire contract in-house, as opposed to having HRG, Inc. manager the project. Mr. Wolfe noted that the total bid amount for the salt storage dome and the maintenance garage at Koons Park was roughly \$50,000.

Mr. Crissman made a motion approve Change Order No.1 with Bachman's Roofing for salt storage dome roof replacement in the amount of \$2,200.00 and for Change Order No. 2 in the amount of \$1,198.00. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed. in great demand as there is a report of a shortage of supplies, and he questioned if the Township has a sufficient supply. Mr. Wolfe answered no, since the salt dome is currently empty. He noted that when salt is exposed to the weather, there is the potential for an environmentally sensitive condition. He noted that the Public Works Department emptied the dome and filled the south side dome. He noted that Mr. Robbins intends to complete the roof and fill this dome using the current Capital Region Council of Governments, CAPCOG bid that expires the end of October. He noted that for the 2008-2009 winter season, the CAPCOG has received a very favorable bid, although higher than what it was last year.

Mr. Seeds noted that the CAPCOG voted, at its meeting last night, to accept the bids, and the cost will be \$79 per ton, which is significantly less than PENNDOT's bid. He noted, in some instances, local governments are not receiving any bids, as there are reports of a shortage of road salt. Mr. Wolfe noted that Mr. Robbins was told to fill the salt storage dome prior to the end of the month.

Change Order No. 1 to the contract with Handwerk Site Contractors  
for George Park roadway improvements

Mr. Wolfe explained that Handwerk is under contract to provide paving to Lower Paxton Township to the southern parking lot that comes off the main driveway into the Thomas B. George Jr. Park. He noted that the Township planned to purchase the stone and apply it themselves, but Handwerk is willing to issue a change order to apply the stone in the amount of \$9,021.20. Mr. Blain noted that the cover letter stated a price of \$9,021.90. Mr. Wolfe noted that he would inquire as to the correct amount for the change order. He noted that this would provide for the sub-grade preparation of the south parking lot. He noted that Handwerk is providing

milled material from the Quail Hollow project to reduce the amount of stone that the Township would have to provide to the job site. He noted that the amount provided to the Township to have Handwerk perform the work is significantly less than what it would have cost the Township to do the work. He noted that although the Township would be paying more for the contract, in the long run, it would be a savings to the Township. He noted that staff recommended approval of this change order in the amount of \$9,021.90.

Mr. Crissman made a motion approve Change Order No. 1 with Handwerk Site Contractors, for the Thomas B. George Jr. Park roadway improvements, in the amount of \$9,021.90. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Preliminary/final land development plan or CGOH Oncology Center

Mr. Wolfe explained that the purpose of this plan is for the construction of a 46,000 square foot two-story expansion on the north end of the hospital for an Oncology Center that would include medical imaging and treatment. He noted that the expansion would also include a 1,900 square foot expansion of the existing hospital lab facility and a remote 6,000 square foot utility facility with two future 1,500 square foot expansion areas.

Mr. Wolfe explained that the plan also proposes the consolidation of three lots owned by Pinnacle Health Systems, and the property is located north of Londonderry Road, east of South Arlington Avenue, and is zoned Institutional District. He noted that this tract of land possesses 28.237 acres (exclusive of CNCO Leasehold) and is served by public water and public sewer systems.

Mr. Wolfe explained that the applicant has requested the following 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 the requirement to meet the current Act 167 Study Requirements; and 5) A waiver of the requirement that pipes shall be designed so as to provide a minimum velocity of 2½ feet per second when conveying the design discharge. Mr. Wolfe noted that the five waivers are related to stormwater issues, and the stormwater layout for the entire tract was completed on a full-buildout scenario four years ago, and as a result, several waivers are justified in that additional stormwater management treatment is not necessary. He noted that many of these requirements have been completed through earlier projects. He noted that the fifth waiver has been requested since the area is very small. Mr. Quigley noted that he has the choice of having the lower than requested velocity or a smaller than allowed pipe to make up the velocity. Mr. Wolfe noted that the only waivers are for stormwater management, and those waivers are requested because the stormwater management facilities were designed and built for total site buildout, which is not occurring at this time, but the plan is taking another step closer to that goal.

Mr. Wolfe noted that the plan was also submitted noting the five standard general comments, and four staff comments. He noted that HRG, Inc.'s comments are attached to the packet, and an excerpt from the Traffic Study is included in regard to this plan which indicates that the 46,000 square foot addition would not provide a significant impact on the overall transportation network in the area.

Mr. Wolfe noted that the proposed location for the new building would be north of the existing hospital, with the maintenance facility located at the upper north east corner of the property.

Mr. Crissman noted that Ms. Wissler did not include the HRG, Inc.'s comments dated October 16, 2008. Mr. Wolfe noted that Ms. Wissler summarized those comments in her comments. Mr. Crissman noted that he would not need to reference the letter in his approval.

Mr. Wolfe noted that the Planning Commission recommended approval of this plan at its August 13, 2008 meeting. He noted that Mr. Gingrich made a motion to recommend approval of the plan subject to the listed comments and also recommended approval of the waiver requests. The motion was unanimously approved.

Mr. Stephen Quigley, H. Edward Black and Associates, Ltd., explained that he was present to represent the plan. He noted that the new building is 46,000 square feet in size, with two floors and a basement level. He noted that the basement level would house the treatment facility for radiation, chemotherapy and MRI's. He noted that when the building is completed, the current MRI facility that is located to the west of this building would be torn down to create additional parking spaces.

Mr. Quigley noted that the red building shown on the plan to the north, is the new maintenance facility that would house, eventually, all the cooling towers for the entire hospital, but, at this time, only the towers for the Oncology Center. He noted that some emergency generators would be built into the building. He noted that the building is built into the hillside, therefore, from the hospital side you would only view one floor, but, from the creek side, there will be two floors visible. He noted that the building would be constructed of masonry, mostly brick, to match the rest of the facility.

Mr. Quigley noted that the Oncology Center would be designed to fit in with the new look of the hospital, with brick and metal siding glass. He noted that a new entrance for the Emergency Department would be redesigned as phase two of the project. He noted that perimeter parking would be created to make more room for visitors to the hospital while the building is

under construction, since it would be taking existing parking that is close to the main building. He noted that he would design drop off points for the MRI and Oncology entrances for the new building.

Mr. Quigley noted that the sewage planning module is under a 30-day review with the Township. He noted that the improvement guarantee is with HRG, Inc. for their review, and the plans are being reviewed by the Sewer Authority.

Mr. Quigley explained that he has been working with Mr. Stine to develop blanket easements for sewer and stormwater for the site. He noted that the points of easements for the entire plot read like a spider web, and it was determined that two separate easements would be recorded with this plan, to provide the Township with a blanket easement to access the site to do the inspections and necessary repairs. He noted that the plan meets the necessary requirements of a 20-foot easement, but it made no sense to continually make easements for every area as it covered the entire site. He noted that the easements would be signed by the hospital and be delivered with the recording documents.

Mr. Seeds questioned which building would be torn down. Mr. Quigley answered that the current PinnacleHealth MRI Center would be torn down. Mr. Seeds questioned how many parking spaces it would provide. Mr. Quigley answered that it would add roughly 40 more parking spaces in the area. Mr. Seeds suggested that the facility might be running out of parking spaces as many times the lot is very full. He questioned what the future plans are for the parking situation. Mr. Quigley noted that part of this plan includes a consolidation of the Sussex Court Apartments lot that would be made part of the hospital site. He noted that it would allow the hospital to expand more, in terms of building and parking, and tie that open space into the overall campus.

Mr. Seeds questioned Mr. Quigley if the hospital had any problems with parking. Mr. Quigley answered no, the only problem that the hospital has is that visitors and patients all want to park near the front door. He noted that people will circle the area near the front door in search of a parking space because they don't want to park in the outer parking areas.

Mr. Seeds questioned if the emergency room entrance would change. Mr. Quigley answered that the actual door would remain the same, but a loop drive would be built at the front door, with its own designated parking of roughly 25 parking spaces.

Mr. Seeds questioned the traffic report in regards to the intersection of Londonderry Road at Sir Thomas Court/Hassler Road Avenue, noting that the stop-controlled approaches operate at failing LOS in the P.M. peak hours, and would continue to fail in the future, with or without COGH expansion. He noted that the next bullet states that peak hour traffic signal warrants are not met for this location through the 2020 design year. He questioned how an intersection that is failing now does not meet warrants until 2020. Mr. Quigley explained that the stop sign that controls the intersection, fails now, however, if the counts are done for warrants for a traffic signal, it still does not meet the warrants for a traffic signal until the 2020 date. Mr. Quigley explained that PENNDOT has certain counts that need to be met to fulfill its requirements.

Mr. Wolfe noted that the Township and CGOH entered into a traffic signal participation agreement in 2006 and that agreement identifies the intersection of Londonderry and Avilla Roads, and Londonderry Road and Arlington Avenue as the two primary intersections that PinnacleHealth has agreed to pay its prorated share of future traffic studies and signalization costs when the Township submits invoices to CGOH. He noted that the Township has an agreement with PinnacleHealth to participate in the signalization of the two intersections at an amount to be determined by studies based on their contribution of traffic to those intersections.

Mr. Hawk noted that he lives in the area, and the new traffic pattern that was created with the paint striping took some time to get adjusted to, but is working much better. He noted, in most instances, drivers take their turn at the three-way stop at Londonderry and Avila Roads.

Mr. Hawk questioned if the entire Oncology Center would be moved from the Harrisburg Hospital to the CGOH. Mr. Quigley answered that he has not been told how much of the operations would move, and how much would remain at the Harrisburg Hospital.

Mr. Crissman questioned Mr. Quigley if he could speak for the developer. Mr. Quigley answered that he could. Mr. Crissman noted that Mr. Quigley would be in agreement with the waivers, but questioned if he was in agreement with the five general comments. Mr. Quigley answered yes. Mr. Crissman questioned if he was in agreement with the three staff comments. Mr. Quigley answered yes.

Mr. Crissman made a motion to approve the Preliminary/final subdivision and land development plan 2008-13 for CGOH Oncology Center with the following waivers and conditions: 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 2½ 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 by contacting Matt Miller at 657-5615 to schedule the meeting. This may be held in conjunction with the Conservation District meeting.

Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote; Mr. Blain, aye; Mr. Crissman, aye; Mr. Seeds, aye, and Mr. Hawk, aye.

#### Improvement Guarantees

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

#### Giant Fuel Island

A new escrow with Lower Paxton Township, in the amount of \$32,230.00, with an expiration date of October 21, 2009.

#### Spring Creek Hollows, Phase IB

An extension in a letter of credit with Commerce Bank, in the amount of \$99,471.90, with an expiration date of October 21, 2009.

#### Bern6, LLC

An extension in a letter of credit with Fulton Bank, in the amount of \$7,692.00, with an expiration date of October 21, 2009.

Mr. Crissman made a motion to approve the three 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. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

### **Adjournment**

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 8:42 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

Gary A. Crissman  
Township Secretary