

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held Tuesday, December 2, 2008

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:37 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 and Steven Stine, Township Solicitor.

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 October 14, 2008. Mr. Blain seconded the motion, and the motion was unanimously approved.

Public Comment

None was presented.

Chairman and Board Member's Comments

Mr. Seeds noted that the Village of Linglestown will have their annual Tree Lighting on Sunday, December 7, 2008, at 6 p.m. in the Square. He noted that music will be provided by an elementary school and a local church choir. He noted that the businesses throughout the Village will have open houses with cookies and treats, and following the tree lighting, there will be refreshments at the Linglestown Fire Hall.

Manager's Report

Mr. Wolfe noted that the Supervisors will meet twice in December; the 9th for a workshop session, and the 16th for a business meeting. He noted that it is the Board's intention to adopt the 2009 fiscal year budgets during the Tuesday, December 16, 2008 business meeting.

Mr. Wolfe noted that the Board will conduct its reorganizational meeting in 2009 on Monday, January 5th at 7:30 p.m. He noted, by law, all municipalities must meet the first Monday in January to reorganize for the conduct of business during the upcoming calendar year.

Mr. Wolfe noted that the annual Holiday Tree Lighting Ceremony will be held on Friday, December 5, 2008, at 7 p.m., at the Friendship Center. Music will be provided by the Lower Paxton Township Variety Band and Santa Claus will make an appearance.

Mr. Wolfe noted that Breakfast with Santa will occur on Saturday, December 13th, 2008, starting at 9 a.m. A fee is charged for this event and pre-registration is required.

Mr. Wolfe announced that the Township Compost Facility will remain open until Saturday, December 13th under its normal Tuesday, Thursday, and Saturday schedule.

OLD BUSINESS

Action of supplement D to the agreement between the Township and Arora and Associates, P.C. for engineering services relative to the Linglestown Corridor Improvements

This item was removed from the agenda.

Reconsideration of action to award bid for the sale of a 2001 Ford Crown Victoria

Mr. Wolfe explained that when Mr. Robbins, Public Works Director, initially reviewed the bids for the sale of vehicles he had neglected to notice that the bid bond for Rodgers Auto Sales for a 2001 Ford Crown Victoria was not in the packet. He noted, that as a result of the incomplete bid packet, staff recommends to the Board to rescind its bid to Rodgers Auto Sales,

in the amount of \$610.00, and award to the next lowest bidder, Police Cars Store, LLC, in the amount of \$600.00. He noted that the difference between the two bids is \$10.00.

Mr. Crissman moved to rescind the bid award of \$610 from Rodgers Auto Sales for a 2001 Ford Crown Victoria made during the November 3, 2008 Board meeting, due to the incomplete bid bond. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Mr. Crissman moved to award a bid to Police Cars Store, LLC, in the amount of \$600.00, for a 2001 Ford Crown Victoria. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

NEW BUSINESS

Change Order No. 2 for the contract with Handwerk Site Contractors for improvements at the Thomas B. George Jr. Park

Mr. Wolfe explained that this Change Order is in the amount of \$10,969.28 for additional work performed by Handwerk for the relocation of a gas line that the contractor was not aware of as it was not indicated on the plans. He noted that the gas line has to be relocated to accommodate storm sewer facilities that were required. He explained that the work has been completed, noting that there was no other way to complete the work other than to relocate the gas line as required by the Highway Occupancy Permit for the work on Nyes Road.

Mr. Hornung noted that Handwerk provided a 2008 prevailing rental rate for equipment. He questioned if these rates could be negotiated, in the future, since some of the rates seem outrageous. Mr. Wolfe answered that it could be done, noting that the Township Sewer Maintenance bid is a rolling bid with each item listed individually. He noted that this was a different type of project in that it was a one-time project, and obviously change orders are not

foreseen. He noted that the Township could structure a bid to include per unit costs for specific items.

Mr. Hornung noted that a change order opens up the door for any pricing, and in this instance, the Township had no choice as the contractor was already on site to do the work. He suggested, that in the future, if it is a big project, that the project should be bid to lock in the prices for items such as equipment rental. Mr. Seeds noted that, in many cases, the line of profit is very small for a project, and the contractors almost count on change orders to increase their profit margin. Mr. Hornung noted if certain things are bid ahead of time, then it could be included in the contract. He noted that the original bid was over \$1 million and a change order amounting to one percent of the total is very good. He noted that this speaks highly of staff.

Mr. Crissman noted that the bids should be written to avoid expensive change orders. Mr. Seeds noted that change orders normally occur because of a mistake in engineering or something similar.

Mr. Crissman made a motion to approve Change Order No. 2 for the contract with Handwerk Site Contractors for improvements at the Thomas B. George Jr. Park, in the amount of \$10,969.28. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Resolution 08-50; Establishing a Right-to-Know Policy for municipal public records

Mr. Stine noted that Resolution 2008-50 concerns the new Right-To-Know Law. He noted that the Resolution is based on the new requirements of the law that would go into effect, in a large part, on January 1, 2009. He noted that requests for records would be responded to in accordance with this policy. He noted that an Open Records Officer had to be appointed, and that would be Mr. Wolfe. He noted that the Police Department would have their own Open Records Officer and that would be the Chief of Police. He noted that the policy summarizes many of the

provisions found in the law, so that when it is posted on the web site, anyone who wants to request records could review the policy, to see the requirements, and to have certain expectations as to what is needed to be filed to request the records. He noted that the response time has also been included as part of the policy.

Mr. Stine explained that this would lead into Resolution 2008-51 that sets the fees for the Right-To-Know Law requests. He noted that those fees have been set by the Commonwealth Office of Open Records that was established under the new Right-To-Know Law. He noted that some fees are exact and others are ranges that are set.

Mr. Stine noted that the Resolution is ready for action at this time.

Mr. Crissman made a recommendation to approve Resolution 2008-50, establishing a Right-To-Know Policy for municipal public records. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Resolution 08-51; Setting the fees for the production of municipal public records in accordance with the Right-to-Know Policy

Mr. Hawk noted that this Resolution sets the fees, as Mr. Stine explained, for the duplication of municipal records.

Mr. Crissman made a recommendation to approve Resolution 2008-51, setting the fees for the production of municipal public records in accordance with the Right-To-Know Policy. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Resolution 08-49; Accepting portions of Sir Thomas Court in the Olde English Gap Professional Park

Mr. Wolfe noted that this resolution would allow the Township to accept portions of Sir Thomas Court in the Olde English Gap Professional Park. He noted that this is complete for Board action at this time.

Mr. Blain made a recommendation to approve Resolution 2008-49, accepting portions of Sir Thomas Court in the Olde English Gap Professional Park. Mr. Crissman seconded the motion.

Mr. Hornung noted that, in the past, the Township had the practice of doing core drilling for new roads, and he questioned if this was still done. Mr. Wolfe answered that it depends on the situation, but he did not think that it was done for this project. He noted that staff closely monitored this project in that the road sat without a top coat for many years due to financial hardship on the original developer. He noted that either an additional base coat was added or the old base coat was removed and a new base was installed before the top coat was added. Mr. Seeds noted that Mr. Miller inspected the project and noted that it was substantially completed. Mr. Hornung noted that core drillings were done in the past when inspections could not be performed. Mr. Wolfe noted that the Township was well aware that this road needed work, and Mr. Miller kept a close watch on the repairs.

Mr. Crissman called for the question. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Mr. Blain made a motion to approve the maintenance agreement for Sir Thomas Court in the Olde English Gap Professional Park. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Resolution 08-44; Planning Module for the Shadebrook TND

Mr. Wolfe explained that this Planning Module is for Phase I only, for the Shadebrook Traditional Neighborhood Development (TND), which is comprised of 101 units. He noted that, given the size of the development, the planning module would be submitted in phases.

Mr. Blain made a motion to approve the planning module for the Shadebrook TND. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Improvement Guarantees

Mr. Hawk noted that there was one improvement guarantee for consideration.

Schiavoni LTD

An extension in a letter of credit with PNC Bank, in the amount of \$183,060.00, with an expiration date of December 2, 2009.

Mr. Crissman made a motion to approve the one listed improvement guarantee. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and the improvement guarantee was 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. Blain made a motion to adjourn the meeting. Mr. Crissman seconded the motion, and the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary