

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held Tuesday, December 16, 2008

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:34 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, and Gary A. Crissman.

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 October 21, 2008, November 3, 2008, November 18, 2008, and December 2, 2008 business meetings. Mr. Seeds seconded the motion, and the motion was unanimously approved.

Public Comment

None was presented.

Chairman and Board Member's Comments

None was presented.

Presentation of Life Saving Award

Mr. Hawk noted that it was his privilege and honor to present a Life Saving Award to Megan Strine. He explained that Megan is a lifeguard at the Friendship Center, and in the spring of 2008, she observed two small children playing in the leisure pool. She observed that one child had dunked another child who inhaled water and collapsed motionless in the water. Megan immediately removed the child from the water, checked for a pulse, and initiated rescue breathing and resuscitated the child. She continued to care for the child until police and emergency medical personnel arrived. He noted, without Megan's quick actions, the child's survival would have been limited. He noted, on behalf of the Board of Supervisors', their immense gratitude for her quick action in saving the life of a child.

Mr. Hawk presented Megan Strine with a plaque in the company of her parents, Brenda and Bradley Strine.

Manager's Report

Mr. Wolfe announced that the Township's Compost Facility closed as of Saturday, December 13th, and will not open until April of 2009.

Mr. Wolfe noted that the Supervisors will not meet for the remainder of the year. He noted that the Board will conduct its 2009 reorganization meeting 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 suggested that a possible gift for the holidays could be a gift to the Friendship Center, in the means of a membership or gift certificate for services. He requested that anyone interested in a gift certificate could contact the Friendship Center who would be happy to accommodate their needs.

OLD BUSINESS

Resolution 08-48; Adoption of the 2009 fiscal year budgets

Mr. Hawk explained that he is very proud of the Township staff, Mr. Wolfe and fellow Board members for the tremendous amount of effort that went into developing the budget. He noted that in these hard economic times, there would be no increase in taxes.

Mr. Wolfe noted that budget Resolution and accompanying documents have been prepared by the Board and staff, in an effort that began in September. He noted that it involved several public meetings, with a goal to balance the budget without an increase in taxes. He noted that with the current economic times throughout the Country, the Board has recognized that the citizens of Lower Paxton Township do not need an increase tax burden in 2009.

Mr. Wolfe noted that the rate of taxation for the Township would remain the same as it was last year at .875 mills, with .240 mills for fire protection services; .041 for the Dauphin County Library; and .594 for general operating purposes. He noted that the Township's General Fund Budget is \$18,145,784, with a State Liquid Fuels Budget of \$1,008,075; Capital Improvement Fund of \$3,149,000; and a Friendship Center Operating Fund of \$2,240,880. He explained that the Friendship Center Fund is balanced without using municipal tax revenues. He noted that its operations are based upon the revenues that it generates from memberships, programs, and other fees.

Mr. Wolfe noted that action on the 2009 fiscal year budget is appropriate at this time.

Mr. Crissman explained that the Township demonstrated great fiscal responsibility in its ability to deliver a budget that would not increase its taxes. He noted that he wanted to commend staff for their efforts that they put forth to present a budget, and to work with the Board members to bring a budget in with no tax increases.

Mr. Crissman made a motion to approve Resolution 2008-48, adopting the 2009 fiscal year budget in the amount of \$18,145,784. Mr. Seeds seconded the motion. Mr. Hawk called for a roll call vote; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Mr. Hornung noted that it is important to note that the Township lost almost \$500,000 in revenues from a change in the tax structure. Mr. Hawk noted that cuts were made in all the Departments to attain a balanced budget.

Resolution 08-54; Maintaining the Administrative Employee Compensation Program

Mr. Wolfe noted that Resolution 92-06 established an Administrative Employee Compensation Program that covers administrative employees in the Township. He noted that the Resolution has a compensation program report that details the findings of an employment market survey, recommendations on salary structures, and recommendations for actual rate of compensation for said employees. He noted that this program was completed as part of the budget process, and is complete for Board action.

Mr. Crissman made a motion to approve Resolution 2008-54, which is the continuance of the Administrative Employee Compensation Program. Mr. Hornung seconded the motion. Mr. Hawk called for a roll call vote; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

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

Mr. Wolfe explained that this item was pulled from the December 2nd Board meeting at the request of the Board of Supervisors. He noted that the first request was for an amount not to exceed \$98,000, based upon services to be provided. He explained, at that time, the actual number of properties proceeding to condemnation was a maximum of ten properties, with the actual expenditures to be far less as proposed. He noted that the Board requested Arora and

Associates to update the Supplement to do estimates only for seven properties, as the original document was based upon ten properties. He noted, as a result, the new supplement's costs were reduced to \$68,424.52. He noted that the majority of work provided for this agreement, \$47,531.58, would be for appraisal services for two outside contractors under assignment to Arora and Associates. He noted that the remainder of costs is for engineering work for the property acquisition activities.

Mr. Wolfe noted that the Supplement is complete for action by the Board at this time. He noted, if the Board members approve this Supplement, it must be forwarded to PENNDOT for their approval.

Mr. Crissman made a motion to approve Supplement D to the agreement between the Township and Arora and Associates, P.C. for engineering services relative to the Linglestown Corridor Improvements. Mr. Hornung seconded the motion.

Mr. Seeds noted that he would have to abstain from voting on this matter due to family involvement in Supplement D.

Mr. Hawk called for a roll call vote; Mr. Crissman, aye; Mr. Hornung, aye; and Mr. Hawk, aye.

Resolution 08-52; Amending the Fire Equipment Capital Fund, reducing the annual collection from \$250,000 to \$200,000 as the Township works to establish a LOSAP

Mr. Hawk explained that the Resolution would amend the Fire Equipment Capital Fund to reduce the annual collection from \$250,000 to \$200,000 as the Township wishes to establish a Length of Service Awards Program (LOSAP) for volunteer firefighters. Mr. Wolfe noted that the original Fire Equipment Capital Fund was established by Resolution 96-19, which states that the Township would allocate \$250,000 for funding of fire equipment. He noted that over the past 12

years, the Township has purchased close to \$4 million worth of fire apparatus for its three fire departments. Mr. Seeds noted that nine pieces of equipment were purchased during this time period, three for each fire company. He noted that this completed the phasing of equipment for the fire capital purchase plan.

Mr. Wolfe noted that it was determined that the allocation could be reduced for fire equipment by depositing \$50,000 in a LOSAP account. He noted that the firefighters have agreed to this as long as the reduction went to fund a LOSAP. He noted that this Resolution provides for the amending of the Fire Equipment Capital Fund to reduce the amount of funding for future apparatus, using part of the funds to establish a LOSAP. He noted that an ordinance would follow in the future to establish a LOSAP, and a resolution that would set forth the LOSAP fund. He noted that a program document would also have to be approved. He explained that action on these items would probably occur in January or February after the Board meets with the firefighters at its January workshop meeting.

Mr. Crissman made a motion to approve Resolution 2008-52, to amend the Fire Equipment Capital Fund, reducing the annual collection from \$250,000 to \$200,000 as the Township works to establish a Length of Service Awards Program. Mr. Seeds seconded the motion. Mr. Hawk called for a roll call vote; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolution 08-53; Adopting a policy to reimburse property owners for damage to mailboxes struck by equipment performing road maintenance

Mr. Wolfe explained that this Resolution would reimburse a property owner \$50 for a mailbox that is struck by a municipal vehicle that is performing work in the right-of-way, usually for snow removal work. He noted that the Resolution also states that if the mailbox is damaged by snow coming off a snow plow, the Township will not assume responsibility for that. He noted

that the Township must remove the snow from the roadways, and it was found, in the past, that many damaged mailboxes happen to be in a state of disrepair. He noted that many posts are old and have deteriorated at the base. He noted that some mailboxes are of a standard that could not accommodate the conditions for snow removal.

Mr. Hornung suggested that it would be a good idea if the residents took a good look at their mailboxes to test the integrity of the mailboxes and posts to ensure that they would sustain being struck by snow.

Mr. Crissman made a motion to approve Resolution 2008-53, adopting a policy to reimburse property owners for damage to mailboxes struck by equipment performing road maintenance. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on request from the City of Harrisburg to purchase the
Township's 2004 International packer truck

Mr. Hawk explained that the Township has an opportunity to sell its 2004 International Packer Truck to the City of Harrisburg. He explained that the Township is no longer in need of this vehicle for its recycling program.

Mr. Wolfe noted that the Department of Environment Protection (DEP) is requiring the Township to sell the truck to the City of Harrisburg. He noted that he received correspondence from DEP that acknowledges this fact, and to grant approval of the sale of the truck to the City of Harrisburg. He noted that the equipment was purchased in 2004 using DEP 902 Municipal Recycling Grant Program funds. He noted that that is why this transaction is being handled in this manner.

Mr. Seeds questioned how much the Township paid for the truck. Mr. Wolfe stated that the Township paid 10% of \$125,000, the cost of the equipment. Mr. Seeds questioned what the

bid price was. Mr. Wolfe answered that it was more than the amount to be paid by the City of Harrisburg, but since it was not from a municipal entity, DEP is requiring the Township to sell this truck to a municipal entity who would continue to use it in a recycling program.

Mr. Seeds questioned if the tub grinder was sold yet, and if it plans to sell it as well. Mr. Wolfe noted that the Township would sell it as soon as DEP finds a buyer.

Mr. Crissman made a motion to approve the request from the City of Harrisburg to purchase the Township's 2004 International Packer Truck in the amount of \$7,500.00. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

NEW BUSINESS

Action to transfer to Dauphin County a Crisis Response Team vehicle titled to Lower Paxton Township

Mr. Hawk noted that the Township currently pays for insurance and maintenance for a Crisis Response Team vehicle, and has made a request to transfer the vehicle to Dauphin County. Mr. Wolfe noted that the vehicle is title to the Township, but it was never for the sole use of the Township, as it was always used by the Dauphin County Crisis Response Team. He noted that it was only titled to the Township as a requirement of the grant program. He noted that, at this point in time, Dauphin County is requesting to title and insure the vehicle, and the Township has no problem with this arrangement and recommends the transfer.

Mr. Crissman questioned if the vehicle would be transferred to Dauphin County Crisis Response Team or the District Attorney's Office. Mr. Wolfe noted, in either case, it would be transferred to Dauphin County.

Mr. Crissman made a motion to approve action to transfer to the Dauphin County District Attorney's Office the Crisis Response Team vehicle titled to Lower Paxton Township. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Change Order No. 1 to the contract with Doug Lamb Construction, Inc.
for bridge maintenance and repairs

Mr. Wolfe explained that the change order is to provide a time extension to the contract. He noted that the time extension would run the contract to a completion date of January 3, 2009. He noted that staff recommends the change.

Mr. Seeds questioned if there were nine bridges in the Township. Mr. Wolfe explained that the Township owns seven bridges; however, the numbers go from one to ten, with some numbers missing.

Mr. Crissman made a motion to approve Change Order No. 1 to the contract with Doug Lamb Construction, Inc. for bridge maintenance and repairs for the purpose of a time extension to January 3, 2009. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Request from Triple Crown Corporation for an
Occasional Flowage Easement along McIntosh Road

Mr. Wolfe explained that the subdivision plan for Stray Winds Farm required the construction of a foot bridge along the McIntosh Road Bridge over Paxton Creek. He noted, that in permitting the bridge with DEP, the engineering produced a very minor change in the elevation of the 100-year flood by approximately six inches. He noted that it only affects the area surrounding the stream channel along McIntosh Road. He explained that, in order for DEP to grant the necessary permits, the Township must agree to an Occasional Flowage Easement, given that there would be a minor increase in height of the 100-year flood for Paxton Creek. He noted that the bridge, located downstream, would provide for a greater clearance than the existing bridge.

Mr. Seeds noted, in the 15 years that he has been on the Board; an easement of this type has never been requested to the Board. Mr. Wolfe agreed.

Mr. Crissman made a motion to approve a request from Triple Crown Corporation for an Occasional Flowage Easement along McIntosh Road. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Improvement Guarantees

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

Harrisburg Foot and Ankle

A reduction in a letter of credit with Commerce Bank, in the amount of \$28,000.00, with an expiration date of March 27, 2009.

Snow and Vespignani

An extension and 10% increase in a letter of credit with Centric Bank, in the amount of \$56,035.10, with an expiration date of December 16, 2009.

Willow Brook, Phases V & VI

An extension and 10% increase in a letter of credit with Fulton Bank, in the amount of \$84,561.76, with an expiration date of December 16, 2009.

Kendale Oaks, Phases II & III

An extension and 10% increase in a bond with Arch Insurance Company, in the amount of \$228,103.44, with an expiration date of December 16, 2009.

Mr. Crissman made a motion to approve the four listed improvement guarantees. Mr. Hornung 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. Hawk made a motion to adjourn the meeting. Mr. Seeds seconded the motion, and the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary