

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held Tuesday, September 2, 2008

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:33 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; Lori Wissler, Community Development Manager, Brian Luetchford, Parks and Recreation Director; Mark Coakley, Triple Crown Corporation; and Jeffrey Staub, Dauphin Engineering.

**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 for the July 8, 2008 workshop meeting, and the July 15, 2008 business meeting. Mr. Blain seconded the motion, and the motion was approved unanimously.

**Public Comment**

Eric Epstein, 4100 Hillsdale Road, Chairman, Stray Winds Area Neighbors (SWAN), explained that he wanted to thank the Township on behalf of SWAN for helping to organize the meeting with the McNaughton Homes the previous Wednesday. He noted that it was very beneficial and constructive, and he wanted to recognize the efforts made by the Township staff to bring the different groups together. He noted that he did not know if the issues would be

resolved, but he noted that SWAN was calling an emergency meeting at Epiphany Church on September 3, 2008. He explained that he hopes the issues can be resolved as a result of the Workshop meeting to be held September 9, 2008.

Ms. Margie Phillips, 6626 Jordan Drive, explained that this is her third time addressing the Board members on the issue of the Hodges Heights Playground in regards to the traffic flow around the playground. She noted, that at a previous Board meeting, the member's listened attentively to her request, and some addressed questions to find solutions to the issue. Ms. Phillips noted that Creek Crossing Drive that intersects with Lyters Lane was recently paved, and although there are numerous lots located along this roadway; speed bumps were installed in the roadway even though there are no homes on the street. She noted that the residents of Hodges Heights, who have children and grandchildren who frequent the playground, would like to know what it takes to get speeds bumps installed in the area of the playground. She noted that she would continue to attend the meetings until something is done in this regard.

Ms. Wissler explained that Creek Crossing Drive is not a dedicated Township road and the developer installed the speed pumps due to speeding vehicles. Mr. Wolfe noted that the speed bumps would have to be removed prior to the Township taking over the road. He noted that in regards to the comments made by Mrs. Phillips, staff has spoken to all the contractors who drive vehicles to the Township's closed municipal landfill, instructing them to drive slowly. He noted that staff has spoken to Waste Management and instructed their operators to drive slowly, and the Traffic Safety Unit of the Police Department has been asked to conduct a speed study at that location, noting that the results are not yet complete. Ms. Phillips questioned when the results would be available. Mr. Wolfe noted that he did not know the time frame for the speed study and would make contact with her to provide her the information.

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

None was presented.

## **Manager's Report**

Mr. Wolfe thanked Mr. Brian Luetchford, Parks and Recreation Director, for a very successful close down maintenance week at the Friendship Center. He noted that Mr. Luetchford and his staff worked very hard for a seven day period to clean, paint, maintain equipment, redo the gym floor, clean carpets, redo the swimming pool area, draining, cleaning and painting the lap pool, make repairs to the liner for the recreation pool, complete plumbing work in the showers and lockers rooms, and strip and wax the VCT tile floors. He noted that the Friendship Center will reopen Sunday, September 7, 2008, for an Open House event from 1 p.m. to 3 p.m. He invited the viewing public to come and try out the facility for free.

Mr. Wolfe noted that the Friendship Center will have a First Friday event, September 5<sup>th</sup>. He noted on First Fridays, members get special treats, such as free coffee.

Mr. Wolfe noted that the Friendship Center participates in the Medicare Forever Fit Program that allows senior citizens, through Medicare and several health care providers, to join the Friendship Center at a membership rate of \$30 per month. He noted that the membership is paid by the health care provider, and he invited seniors to try out the facility, and take out a Forever Fit membership.

## **OLD BUSINESS**

### Action on appointments to the Greenway Committee

Mr. Hawk explained that the Township established a Greenway Committee and the Parks and Recreation Board has been tasked to choose two members to add to the Greenway Committee to bring the total membership from its current number of three members to five members, adding two at-large members. He noted that the Greenway Committee would work

with the Parks and Recreation Board and the Board of Supervisors to implement the approved Greenway Plan. Mr. Hawk noted that the following members are under consideration for membership to the Greenway Plan: Chris Johnston, Parks and Recreation Board; Roy Newsome, Planning Commission; John Whaley, Shade Tree Commission; and Ms. Priscilla St. Jacques-Glusko, and Ms. Betsy Sibert, two at-large members.

Mr. Blain made a motion to approve the five listed persons as the members of the Greenway Committee. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and the motion passed unanimously.

Mr. Eric Epstein noted that SWAN had concerns about takings and eminent domain, and he asked that those concerns be conveyed to the Greenway Committee members. He noted that many of the properties designated as greenways traverse through the SWAN members properties. He requested Mr. Luetchford to inform the Committee members of the strong concerns from the SWAN membership.

Mr. Seeds noted that a memo dated March 24, 2008 recommended that a member from the Sewer Authority be on the Committee since many of the greenways are located over sewer easements. Mr. Luetchford noted that some of the greenways could be included in easements along sewer lines, to combine both uses. He noted that the original Greenway Committee included Mr. Weaver, and Mr. Weaver would be invited to attend meetings that concern issues that include the Sewer Authority easements.

Resolution 2008-36; Authorizing development of a dog park within Kohl Park

Mr. Hawk noted that the Board members have received numerous requests to develop a dog park in the Township.

Mr. Wolfe explained that the Township received a request from a citizens group to establish a dog park in Kohl Park. He noted that the request was transmitted to the Township's

Parks and Recreation Board for review, and they, in turn, provided the Board members with a recommendation to develop a dog park in Kohl Park. He noted that this recommendation was reviewed at the last Board workshop meeting, and, as such, a Resolution has been prepared to begin the process with the following requirements:

- The citizens group shall conduct a public fundraising campaign, in cooperation with the Township, for the purpose of planning, construction, and maintenance of the dog park. Cooperation shall include regular reports to the Parks and Recreation Board concerning activities, and coordination of all planning, construction, and maintenance activities with Township staff.
- The dog park plans shall be reviewed and approved by the Township prior to beginning construction.
- All construction shall comply with applicable federal, state, and local codes and regulations.
- The official name of the dog park shall be reviewed and approved by the Township prior to facility dedication for use.
- The dog park shall be constructed entirely within the space allotted in the official park plan.
- The dog park shall be designed to blend with other park facilities.
- The dog park shall be designed to maximize safety of park users, dog owners, and their dogs.
- The dog park shall be owned and operated by the Township as a public recreation facility.

Mr. Wolfe noted that the resolution was complete for action and if the Board members had any questions, Mr. Luetchford was present to address those questions.

Mr. Crissman made a motion to approve Resolution 2008-36, authorizing the development of a dog park in Kohl Park with the stipulations outlined by Mr. Wolfe. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Resolution 2008-37; Authorizing sponsor recognition for contributions made to fund the construction of a skate park proposed to be developed in George Park

Mr. Wolfe noted that this resolution is very similar to that just adopted for the dog park, as it provides for sponsor recognition for contributions made to fund the construction of a skate park to be developed in the Thomas B. George Jr. Park with the following stipulations:

- The citizens group shall conduct a public fundraising campaign, in cooperation with the

Township, for the purpose of planning, construction, and maintenance of the skate park. Cooperation shall include regular reports to the Parks and Recreation Board concerning activities, and coordination of all planning, construction, and maintenance activities with Township staff.

- The skate park plans shall be reviewed and approved by the Township prior to beginning construction.
- All construction shall comply with applicable federal, state, and local codes and regulations.
- The official name of the skate park shall be reviewed and approved by the Township prior to facility dedication for use.
- The skate park shall be constructed entirely within the space allotted in the official park plan.
- The skate park shall be designed to blend with other park facilities.
- The skate park shall be designed to maximize safety of park users and skateboarders.
- The skate park shall be owned and operated by the Township as a public recreation facility.
- He noted that this resolution also adopts the recommendation that a specific schedule for recognition of donors to the skate board park be adopted by the Board as an attachment provided in the memorandum provided by Mr. Luetchford.

Mr. Wolfe noted that he or Mr. Luetchford would be happy to answer any questions regarding this resolution.

Mr. Crissman made a motion to approve Resolution 2008-37, authorizing sponsor recognition contributions made to fund the construction of the skate park proposed to be developed at the Thomas B. George Jr. Park as outlined by Mr. Wolfe. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Mr. Hornung noted that he is one of the primary fundraisers for this project. He requested anyone interested in making a contribution for the skate park, to contact the web address at [www.skatecentralpa.com](http://www.skatecentralpa.com). He noted that the Freedom Group is collecting funds for the construction of the skate park, and they have collected roughly \$50,000 to date.

Mr. Crissman questioned who the contact person would be for contributions for the dog park. Mr. Luetchford noted that the group is still organizing; therefore, anyone wishing to make a donation could contact him at the Friendship Center.

Resolution 2008-38; Authorizing the Township to procure EIT collection services from H. A. Berkheimer Incorporated either individually or through an Intermunicipal cooperative

Mr. Wolfe noted that Resolution 2008-38 states that the Township would secure Earned Income Tax (EIT) collection services from H. A. Berkheimer Incorporated (Berkheimer), and authorizes the Chairman of the Board of Supervisors to execute an agreement for the collection of the EIT and Local Services Tax (LST) from Berkheimer. Mr. Wolfe noted that it also allows the Township to either procure services from Berkheimer directly or to participate in any Intermunicipal cooperative formed for the EIT and the LST collection services as long as said Intermunicipal cooperative procures tax collection from Berkheimer.

Mr. Wolfe noted that Mr. Stine has reviewed the agreements provided by Berkheimer, and Mr. Blain has been actively involved in working with Berkheimer to develop an agreement, but also in working on the EIT issue with the Capital Tax Collection Bureau (CTCB).

Mr. Seeds questioned if there was a time frame for the contract. Mr. Stine noted that there is a term listed, but he was not sure if it was for one or two years. Mr. Blain noted that a two-year agreement would be appropriate because, in two years, Act 32 would take affect, and at that time Dauphin County would have to appoint a tax administer. He noted that that is the reason for forming the Intermunicipal Cooperative Agreement and asking the neighboring municipalities, specifically those attached to the Central Dauphin School District, to join with the Township. He noted that it would possibly allow the Township to choose who the County-wide tax collector would be. He noted that the Central Dauphin School District, Swatara Township and Lower Paxton Township would carry a considerable weight in making that decision. He noted that the decision would be based on how much money is distributed to a municipality and school district, and population size. He suggested that this would hold a significant weight as to who the tax collector would be in the future.

Mr. Blain explained that the other reason for the Intermunicipal Cooperative is that a

larger volume in regards to the amount of processing would provide for a lower rate of collection. He noted that this was proven when Berkheimer offered a low rate to CTCB for full outsourcing services. He noted that the rate was considerably lower and Berkheimer admitted that.

Mr. Blain noted that it is sad that the Township is having this discussion. He stated that CTCB has been given every opportunity to do the right thing, and they have not done it. He stated that he challenged CTCB's Executive Board, back in June, noting that their operations were 20 years behind those of Berkheimer, Centax, Keystone or West Shore Tax, to investigate other options. He noted that CTCB formed the Technology Committee and it unanimously agreed that Berkheimer clearly provided superior service capabilities, better technology, and better tax collection abilities over what CTCB had. He noted that the Technology Committee, made up of five members, voted unanimously on August 4, 2008, to recommend full outsourcing to Berkheimer. He noted that CTCB's Board decided that that was not the direction they wanted to go, and instead, decided to spend their capital reserve monies, roughly \$800,000 to upgrade their technology and equipment. He noted that CTCB's Executive Board decided against using Berkheimer's 21st century technology, and having the capability to immediately use their system without having to spend a cent on upgrades. He noted that the current rate of collection with CTCB is 2% and Berkheimer was offering a rate of 1.3%. He noted that the quote included a processing center in the local area, and it guaranteed that at least two of the three offices would remain open, but CTCB decided that that was not the direction it wanted to take.

Mr. Blain noted that it is very sad, and an example of what happens when politics come into play. He noted that members on the CTCB Board tried to say that he was playing politics with this issue a year ago, but clearly you can see that it was not politics with him, rather it was politics that directed the Executive Board to continue to manage the Bureau and its operations.

He noted that it is sad that the Township had to find another tax administrator. He noted that vendoring services would have saved CTCB and the taxpayers money. He noted that efficiency would have been gained, but instead, the Bureau wants to take capital money that belongs to the taxpayers and try to upgrade their technology to compete with Berkheimer. He noted that Berkheimer is investing in new technology all the time, and that it was a quality business decision to outsource to Berkheimer. He noted that CTCB decided not to make good decisions and to keep the status quo, and appease the good old boys network.

Mr. Blain made a motion to recommend the approval of Resolution 2008-38, authorizing the Township to procure EIT and LST collection services and to participate in an Intermunicipal agreement for the purpose of collecting said taxes with H. A. Berkheimer Inc. Mr. Crissman seconded the motion.

Mr. Seeds noted that he wanted to thank Mr. Blain for his diligent efforts completed over the past few years, noting that the resolution is a win/win situation for all, especially for the taxpayers of the Township and the School District. He noted that he hopes to enter into a cooperative agreement to save more money. Mr. Hawk noted that it is a sad day and suggested that the two-year contract would work well in light of legislation recently passed by the Pennsylvania State Legislature which would enact county-wide tax collection. He noted that it puts the Township and Berkheimer in a strong position to determine who would control the tax collection for the County.

Mr. Seeds pointed out that the agreement listed the wrong address. Mr. Wolfe noted that that would be changed on the original document.

Mr. Hawk called for a voice vote and a unanimous vote followed.

Ordinance 2008-08; Amending Chapter 110 of the Codified Ordinances by adding Section 110-19, trash receptacles for restaurants with drive-through or take-out facilities

Mr. Wolfe explained Ordinance 2008-08 adds to the Codified Ordinances, section 110-19, requiring all restaurants that offer drive-through or take-out facilities to have outdoor receptacles for garbage and rubbish, generated by their customers. He noted that a minimum of one receptacle shall be provided for each public entrance, and the receptacle shall be to close proximity of the public entrance. He noted that the receptacles shall be emptied when full, and at intervals of 48 hours. He explained that, should the Board adopt the Ordinance, staff will make notification to all restaurants in the Township that they are required to install the required trash receptacles. He noted that the Ordinance has been advertised with a public hearing provision, and, if the Board member's have no questions, it would be appropriate for Mr. Stine to conduct a public hearing.

Mr. Stine noted that this is the time and date set for the public hearing on Ordinance 2008-08, amending the codified ordinances to require trash receptacles for restaurants with drive-through or take-out facilities. He questioned if anyone in the audience wished to be heard. Mr. Stine noted that, seeing no response, it would be in order to close the public hearing on Ordinance 2008-08, and the Board may take action if it so desires.

Mr. Hawk noted that it is a great addition to the Ordinances.

Mr. Crissman made a motion to approve Ordinance 2008-08, amending Chapter 110 of the Codified Ordinances by adding Section 110-19, trash receptacles for restaurants with drive-through or take-out facilities. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

## NEW BUSINESS

### Ordinance 2008-11; Allocating building permits in the Beaver Creek sanitary sewer basin

Mr. Wolfe explained that this ordinance is an annual action taken by the Board of Supervisors, noting that the process was established by Ordinance 95-06 and has carried through each year thereafter, and will continue to carry through as long as the Township has a limited number of building permits for the Beaver Creek sanitary sewer basin. He noted that the permits are for new construction that would connect to the sanitary sewer and for the period of July 1, 2008 through December 31, 2008 there would be 54 permits available, and from January 1, 2009 through March 31, 2009 an additional 18 permits would be available. Mr. Wolfe requested the Board to take affirmative action on this Ordinance.

Mr. Stine noted that this was the date and time set for the public hearing for Ordinance 2008-11, allocating building permits in the Beaver Creek sanitary sewer basin. He questioned if anyone in the audience wished to be heard on Ordinance 2008-11. Mr. Stine noted that since there was no response, it would be appropriate to close the public hearing on Ordinance 2008-11, and the Board may take action if it so desires.

Mr. Crissman made a motion to approve Ordinance 2008-11, allocating building permits in the Beaver Creek sanitary sewer basin as presented. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

### Change Order #7 for the Valley Road and Winfield Street sanitary sewer replacement contract

Mr. Wolfe noted that Changer Order #7 is for the Valley Road and Winfield Street contract with M.F. Ronca and Sons. He noted that the current price for the contract for this project to include the Lakewood Hills apartments is \$1,201,594.63. He explained that the Township is in the process of replacing a significant amount of sanitary sewer main and lateral lines along Winfield Street, Valley Road and the Lakewood Hills Apartments. He noted that

Change Order #7, in the amount of \$100,240.71, would address the increased quantities that have been discovered in the field as part of the sanitary sewer replacement that were not expected or known to the engineers when they developed bid specifications based upon estimated quantities. He noted that the estimated quantities and unit price for those items contained within the bid specifications are attached to the change order. He explained that the quantity to date has been greater than the engineer's unit original estimate of construction magnitude. He noted that the Township has completed more construction that was estimated for the bid. He noted that the prices are per-item basis and have remained the same. He noted that the contractor is not being paid a higher amount for services; he has just completed a larger volume of work. He explained that when the engineer completed the bid process, he was not certain of what the total scope of work would be. He noted that the change order has been determined by staff and the engineer to be needed.

Mr. Hawk noted that the extra work is by the Township's own choosing. Mr. Wolfe agreed.

Mr. Crissman made a motion to approve Change Order #7, for the Valley Road, Lakewood Hills, and Winfield Street Sanitary Sewer Replacement contract, with an increase of \$100,240.71 to M. F. Ronca and Sons, Inc. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Change Order #1 for the Linglestown Road sanitary sewer  
and force main replacement contract

Mr. Wolfe noted that this is a change order in the amount of \$5,500.00 for valve chamber number two, and it is a design change that has been requested by the Township. He noted that staff feels that the design of the valve chamber is more appropriate than what was officially specified, and requests to make the necessary change

Mr. Crissman made a motion to approve Change Order #1 for the Linglestown Road sanitary sewer and force main replacement contract in the amount of \$5,500.00 as presented by Mr. Wolfe. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Change Orders #1 & #2 for the Earl Drive sanitary sewer replacement contract

Mr. Wolfe noted Change Order #1 is for new work providing for the construction of a 100-foot long by six-foot high boulder wall for stream bank protection. He noted that this is the Community Environmental Project that was discussed during the last Township Authority meeting. He noted that Change Order #1 is in the amount of \$22,200.00 to construct the Community Environmental Project.

Mr. Wolfe noted that Change Order #2 is the amount needed to install clay dams where directed by the Engineer, a quantity of two, estimated at \$1,125.00 each. He noted that a new pipe was placed in a stone trench, and it created a French Drain system to drain the stream. He noted that the installation of the clay dams would prevent the stream from getting into the stone lined trenches. He noted that Change Order #2 is an increase of new work in the amount of \$2,250.00.

Mr. Crissman made a motion to approve Change Order #1, in the amount of \$22,200.00 and Change Order #2 with an increase expenditure of \$2,250.00 as presented by Mr. Wolfe. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Action to partner with Dauphin County Crime Stoppers on a grant application being submitted under the Uniform Local Share Municipal Grant Program

Action to partner with South Central EMS on a grant application being submitted under the Uniform Local Share Municipal Grant Program

Mr. Wolfe explained that this grant application, and the one following for South Central EMS, requests the Township to partner with Dauphin County Crime Stoppers and South Central

EMS on applications for funding under the Uniform Local Share Municipal Grant Program. He noted that this program sets aside gambling funds for municipalities to use to undertake programs in close proximity to the new gaming facilities. He noted that Lower Paxton Township would not benefit directly from the two applications, however, the Township was asked to be a municipal partner to support the application and to potentially serve as a conduit for the transmission of grant funds from the funding source to the entities in question. He noted that there are no municipal funds involved in either one of the two grant applications.

Mr. Crissman made a motion to partner with Dauphin County Crime Stoppers and South Central EMS on grant applications being submitted under the Uniform Local Share Municipal Grant Program. Mr. Blain seconded the motion.

Mr. Seeds noted that the Township would benefit from this since the Crime Stoppers use the money to pay for information for wanted persons, and South Central EMS would like to build a new building located in Paxtonia that would help to provide better emergency services.

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

#### Preliminary/final subdivision plan for Bumble Bee Golf Center

Ms. Wissler noted that the purpose of this plan is to create a residential lot addition to be incorporated into existing lot #2 of the lands of Douglas Neidich. She noted that no construction is proposed with this plan. She explained that the property is located south of Linglestown Road and west of Colonial Road, and is zoned CN, Commercial Neighborhood District, R-1, Low Density Residential District, and R-2, Medium Density Residential District. The tract possesses 27.05 acres. Ms. Wissler explained that there are three waivers: 1) Waiver of the requirement to submit a preliminary plan; 2) Waiver of the requirement to provide sidewalks, curb and widening along Linglestown Road; and 3) Waiver of the requirement to submit a stormwater management plan and Erosion and Sedimentation Control Plan.

Ms. Wissler explained that on August 13, 2008, the Planning Commission recommended approval of the plan subject to addressing the review comments. The Planning Commission recommended approval of the waivers, with a condition that waiver #2 would only be in effect until redevelopment of the lot occurs, at which time the issue would be revisited. Ms. Wissler noted that there are two general comments and two staff comments and HRG, Inc.'s comments have already been addressed.

Ms. Wissler noted that Mark Coakley from Triple Crown Corporation is present on behalf of the plan.

Mr. Seeds noted that the plan states that the tract is 27 acres, but he questioned what the size of the existing tract was. Mr. Coakley answered that the overall tract is 27 acres, but he proposes to divide the tract into a 16-acre tract and an 11-acre tract.

Mr. Seeds noted that there are three different zoning districts involved. Mr. Coakley noted that the Neighborhood Commercial zone is located at the front of the property and the R-2 Residential zone is located to the rear of the property. Mr. Seeds questioned what the tract would be zoned when it was subdivided. Mr. Coakley answered that the zoning lines would not change, as he is following the zoning lines of Neighborhood Commercial and R-2 Residential. Mr. Crissman requested Ms. Wissler to confirm that this was correct and that they would not be requesting a rezoning of the tract. Ms. Wissler noted that she could confirm the zoning, but not any future requests for rezoning. She noted that the R-2 zoning would be added to Mr. Neidich's property. Mr. Crissman noted that Mr. Coakley would be following the basic existing zoning requirements. Mr. Coakley answered yes; he explained that he was not proposing a change in use or zoning. He noted, if the subdivision was approved, the Bumble Bee Driving Range would continue to operate, but it would have two landlords instead of one.

Mr. Crissman questioned Mr. Coakley if he was the official representative for Triple Crown Corporation, and could speak on their behalf. Mr. Coakley answered yes. Mr. Crissman questioned if Mr. Coakley was in agreement with the three waivers, and if he understood what Ms. Wissler stated in regard to Wavier #2, as it would only be in affect until redevelopment of the lots occur, at which time that issue would be revisited. Mr. Coakley answered yes. Mr. Crissman questioned Mr. Coakley if he was in agreement to the two staff comments and two general comments. Mr. Coakley answered yes.

Mr. Crissman made a motion to approve the preliminary/final subdivision plan for Bumble Bee Golf Center with the following waivers and comments: 1) Waiver of the requirement to submit a preliminary plan; 2) Waiver of the requirement to provide sidewalks, curb and widening along Linglestown Road, would only be in effect until redevelopment of the lot occurs, at which time the issue would be revisited; 3) Waiver of the requirement to submit a stormwater management plan and Erosion and Sedimentation Control Plan; 4) Plan approval shall be subject to providing original seals and signatures; 5) Plan approval shall be subject to the payment of engineering review fees; 6) All proposed signage, including construction signs, shall comply with Article 7 of the Lower Paxton Township Zoning Ordinance; and 8) A Highway Occupancy Permit is required prior to access to a State Highway is permitted.

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

Preliminary/final land development plan for  
Child Evangelism Fellowship of Dauphin County

Ms. Wissler noted that the purpose of the plan is to construct a one-story office addition and related site improvements. The property is located at 16 South Mountain Road and is zoned CG, Commercial General District. The tract of land possesses 0.2732 acres and is served by public sewer and public water.

Ms. Wissler noted that on May 29, 2008, the following variances were granted by the Zoning Hearing Board:

1. Section 604, Loading and Unloading Zone
2. Section 603, Minimum Aisle Width
3. Section 603, Required Number of Parking Spaces
4. Section 803.D, Proposed Building within the Buffer Yard
5. Section 803.D, Proposed Parking within the Buffer Yard

Ms. Wissler noted that the Planning Commission, at their meeting on July 9, 2008, recommended approval of the plan subject to addressing the review comments. The Planning Commission also recommended approval of the waivers, provided that the applicant maintains the rolled curb.

Ms. Wissler noted that the applicant requests the following waivers: 1) Waiver of the requirement to submit a preliminary plan, and 2) Waiver of the curb requirement along South Mountain Road.

Ms. Wissler noted that there is one site specific condition to include HRG, Inc.'s 14 comments dated June 30, 2008, four general conditions, and two staff comments. She noted that Brook Morrison from Child Evangelism Fellowship of Dauphin County, and Mr. Jeff Staub from Dauphin Engineering are present to represent the plan.

Mr. Crissman noted that the HRG, Inc. letter dated June 30, 2008, had comments 3, 4, 6, 7, 8, 9, 10, and 11 marked completed, but he questioned if comments 1, 2, 5, 12, 13, and 14 are still outstanding. Ms. Wissler answered that comments one and two only restate the waivers, so they would be granted if approved. She noted that there are four comments that need to be addressed: 5, 12, 13, and 14.

Mr. Seeds noted the comment regarding the rolled curb, and he questioned if there was a rolled curb in front of that property along Mountain Road. Ms. Wissler answered that there is. Mr. Staub explained that the reveal has been reduced due to the pavement overlay on South

Mountain Road; therefore, it is not as pronounced as it was a few years ago. Mr. Seeds noted that it helps to direct the rain water, and he questioned Mr. Staub if he would recommend that it remain. Mr. Staub answered that he would not propose to change the curb; however, he would be adding sidewalk along the frontage. Mr. Seeds stated that this is a good idea since the Township required the Church next door to install sidewalk.

Mr. Crissman questioned Mr. Staub if he was in agreement to the listed waivers including the recommendation from the Planning Commission to maintain the rolled curb. Mr. Staub answered that he was. Mr. Crissman questioned Mr. Staub if he was in agreement to the site specific conditions, specifically the 14 comments addressed in HRG, Inc.'s letter dated June 30, 2008. Mr. Staub stated that he was. Mr. Crissman questioned Mr. Staub if he was in agreement to the four general conditions and two staff comments. Mr. Staub answered that he was.

Mr. Crissman made a motion to approve the preliminary/final land development plan for Child Evangelism Fellowship of Dauphin County, Inc. with the following waivers and conditions: 1) Waiver of the requirement to submit a preliminary plan; 2) Waiver if the curb requirement along South Mountain Road as long as the applicant maintains the rolled curb; 3) Plan approval shall be subject to addressing HRG's 14 comments dated June 30, 2008; 4) Plan approval shall be subject to providing original seals and signatures on the plan; 5) Plan approval shall 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; 8) Plan approval shall be subject to the Dauphin County Conservation District's review and approval of the Erosion and Sedimentation Control Plan; 9) A Street/Storm Sewer Construction Permit is required for construction of stormwater facilities; and 10) The proposed addition will be required to have a fire protection system per Township requirements.

Mr. Blain seconded the motion. 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 was one improvement guarantee for consideration.  
Hawthorne Suites

An extension and 10% increase in a letter of credit with M&T Bank, in the amount of \$98,391.56 with an expiration date of October 18, 2009.

Mr. Crissman made a motion to approve the one listed improvement guarantee as presented. 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. Crissman 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 8:30 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

Gary A. Crissman  
Township Secretary