

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held February 17, 2015

The 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 Robin L. Lindsey. (Mr. Crissman was available by telephone conference for the first listed item on the agenda.)

Also in attendance was George Wolfe, Township Manager; Steve Stine, Township Solicitor; Randy Shearer, Hartman and Associates, Inc.; Earl Hoffman and Ryan Hoffman; Steve Fleming and Jason Heinz, HRG, Inc.; Jason Campbell, Chief of South Central EMS; Mike Bova, Boenning and Scattergood; Jay Wenger, Susquehanna Financial Group Inc.; and Watson Fisher, SWAN.

Pledge of Allegiance

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

Approval of Minutes

There were no minutes to be approved.

Public Comment

No public comment was provided

Oath of Office to Fire Police

Mr. Hawk provided the oath of office to Margaret Doucette for the position of Fire Police. Mr. George Byerly provided her with the official vest and the Board members congratulated Ms. Doucette on her volunteerism.

Board Members Comments

No comments were provided.

Manager's Report

Mr. Wolfe noted that we are at the time of the year prior to any spring activities such as leaf waste collection and opening of the Compost Facility. He noted that there are no unusual events that are currently scheduled for the next several weeks.

OLD BUSINESS

Request from Hoffman Ford for waiver of the installation of Sidewalks in connection with an application for stormwater management plan approval

Mr. Hawk proceeded to contact Mr. Crissman by way of conference call to participate in this agenda item.

Mr. Wolfe noted during last week's workshop session, discussion was started on this request, however, the meeting was abruptly ended as the smell of natural gas was detected in the room.

Mr. Wolfe noted that Hoffman Ford has made a request to waive the installation of sidewalks in connection with a stormwater management plan approval. He noted that the site is part of the Hoffman Ford dealership, west of Carolyn Street and north of Jonestown Road. He noted that the applicant does not believe that a sidewalk is warranted at this location, and as such, this request has been submitted to the Board of Supervisors. He noted that we were half way through discussion last week when we had to adjourn the meeting. He suggested that the applicant should restate his position in regards to this item at this time.

Mr. Randy Shearer, Hartman Associates, noted that Earl Hoffman and Ryan Hoffman are also present in the audience.

Mr. Shearer explained that he submitted a Highway Occupation Permit (HOP) to the Pennsylvania Department of Transportation (PennDOT), to fill in the existing swale at 5140 Jonestown Road that Hoffman Ford is using for its truck sales. He noted as part of the application, it required the Township's review as well. He noted that the PennDOT consultants' review had no recommendation for sidewalks, as their interest concerned the type of pipes to be used in the closing of the swale. He noted that the Township Engineer reviewed the plan and provided a comment that sidewalks should be put in along 5140 Jonestown Road.

Mr. Shearer noted that Mr. Hoffman is opposed to that for the simple fact that it would provide for 170 foot of sidewalk along 5140 Jonestown Road and then abruptly end and the pedestrians would have to walk 1,500 feet along Jonestown Road on grass to get to the Colonial Commons. He noted that he contends, along with PennDOT, that there is already an approved PennDOT crossing prior to crossing Carolyn Street. He noted if you travel in front of 5200 Jonestown Road, there is an approved crossing that would travel along the south side of Jonestown Road on the existing sidewalk to the main entrance of both shopping centers where there is approved pedestrian crossing to get to the Colonial Commons Shopping Center. He noted that is his presentation.

Mr. Hawk noted that a lot of the testimony was provided during the February 10th meeting.

Mr. Wolfe suggested that Steve Fleming, the Township Engineer from HRG, Inc. is present to provide staff's opinion in regard to the requirement that has been placed upon the stormwater management plan.

Mr. Steve Fleming noted that he is also present with Jason Heinz who also reviewed the plan with him. He noted that the history of the application is that he reviewed the HOP and made

previous site visits with the applicant's representative. He noted during those site visits he notice a number of people who walked along the north side of Jonestown Road (Rt.22) from the sidewalk that goes across the existing Hoffman Ford car dealership, cross Carolyn Street, and walk along the property in question to the Colonial Commons property. He noted that there is quite a pedestrian volume as indicated by the worn pathway you can see in the grass just inside the curb line. He noted that he made the recommendation based upon a similar one he made for the previous Hoffman Ford land development application that was made three or more years ago to install sidewalk along the frontage to provide for a sidewalk to Colonial Commons. He noted that Mr. Shearer is correct in that there is no existing sidewalk on the Colonial Commons property; the Township would have to pursue that landowner in order to make that connection complete.

Mr. Fleming noted that he feels that it is appropriate, whether it is under the Subdivision and Land Development Ordinance (SALDO) or under the Township Codified Ordinances which allow for the Supervisors to require sidewalk where they see that there is existing sidewalk to connect to or where there is an unusual or particular condition with respect to traffic or the safety of pedestrians. He noted that he would stay by his recommendation to install the sidewalk in front of this property.

Mr. Hawk noted that Mr. Fleming made a comment that the Township should further pursue efforts with Colonial Commons to provide a sidewalk. He noted if the decision from the owners of Colonial Commons was negative, there is nothing the Board can do to force the issue.

Ms. Lindsey noted that once a waiver is approved, the Township cannot go back and rescind it unless there is a land development plan. Mr. Fleming noted that is correct. He stated, in this instance, for this property and the Colonial Commons property, if the Township believed or

surrounding residents would make a recommendation or inquiry regarding pedestrian safety, he believes that there are ordinances in place that allow the Township to require those property owners to install sidewalks.

Mr. Hawk noted that the Board could require the sidewalk or waive the sidewalk with the stipulation if Colonial Commons puts in sidewalks, then Hoffman Ford would be required to do the same. He noted that Mr. Earl Hoffman is nodding his head that it would be acceptable to him.

Mr. Seeds questioned when they had a land development plan three years ago. Mr. Ryan Hoffman answered that they did for an addition to the rear of their building. He noted at that time they had to put sidewalk in front of the dealership. Mr. Shearer noted that it was at 5200 Jonestown Road for the main showroom. Mr. Seeds suggested that it was longer than three years ago. Mr. Fleming noted that he was not exactly sure of the timing. Mr. Earl Hoffman suggested that it was four or five years ago.

Mr. Hawk noted that he drives past that area a half a dozen times a day and he has yet to see anyone walking in that area. He noted that it does not mean that it does not happen. He stated that the Board could waive the sidewalk requirement with the stipulation and he received head nods from both Earl and Ryan Hoffman and Mr. Shearer.

Mr. Seeds noted that this is not a land development plan and he did not think the Board could legally waive it as he does not think that it is a requirement. He noted if it is not a requirement for them to put in sidewalks, then how can we can waive it. Mr. Fleming answered that it is not a land development application, so the SALDO would not be applicable to this situation; however, the Township Codified Ordinances have other provisions to address sidewalk that would be applicable in this instance. He noted that regardless if it is land development application, the Township can require it. He noted that Hoffman Ford is required to submit the

HOP plans and the Board can make comments to PennDOT regarding things such as the installation of sidewalk or other municipal interests that it would like to see addressed through the HOP process.

Mr. Seeds questioned Mr. Stine if that is correct. Mr. Stine answered that the Township has a sidewalk ordinance but he does not know exactly what it says but he does not doubt what Mr. Fleming is saying about a provision in the sidewalk ordinance that if the Township believes that a sidewalk is necessary that it can make a property owner install it. He noted that he does not know that for sure as he had not read the sidewalk ordinance in some time.

Mr. Hawk noted that HRG feels that it is necessary to install sidewalks. Mr. Fleming explained that he spoke with the PennDOT reviewer and he was told that when they review an HOP application the only thing they look at in regards to sidewalks is to make sure that it is outside of the right-o-way as proposed. He noted that they do not require people to install it or not install it, as they feel that it is a municipal issue. He noted that they are interested in the proper placement for maintenance and liability from their standpoint and also the pedestrian safety at crossings. He noted that crossings are their main concern.

Mr. Seeds noted that he liked Mr. Hawk's comments from before in regards to if they would be required to put in sidewalks he would be in favor of granting a waiver pending a time when sidewalks are installed at Colonial Commons, then they would have a period of time to install the sidewalks. He noted, at this point, he does not see a need for sidewalks as they will not go anywhere.

Ms. Lindsey stated that she agreed as she spoke about people who are on motorized wheelchairs. She noted if they come across the sidewalk from the other side of Hoffman Ford and get to the end of the sidewalk where do they go. She noted that they can't jump the curb

with the motorized wheelchair and the grass going up has a bit of a slant, she noted that she does not see why we should make Hoffman Ford put in the sidewalks. She noted that they will be filling in the culvert and paving correct. Mr. Shearer answered no, they will fill in the culvert and bringing it up to... Ms. Lindsey noted that there are many poles towards the commons, would they have to move some of the poles to install the sidewalks. Mr. Fleming answered probably not as PennDOT would require that sidewalk be located outside of the right-of-way, so it would be located behind the existing poles.

Ms. Lindsey noted because the sidewalk doesn't go anywhere, we will get a fight from Colonial Commons if we tried to make them do anything since they were granted a waiver. She noted that she had Mr. Wolfe pull the minutes from the 1989 Planning Commission where they did grant the waiver and it did go the whole way through to the Supervisors. She noted that she thinks it is a moot point because the sidewalk will not go anywhere.

Mr. Hornung noted that the Board does not have the ability require the Colonial Commons to do it now because this request would go to PennDOT. He noted that we could ask that PennDOT makes the issuance of a HOP contingent on providing sidewalk but would PennDOT require it. He suggested that it would be far reaching at this point. He noted that it is not a typical request, where in the past, we have put a note on the plan that it is contingent on when sidewalks are added from an adjoining property.

Mr. Hornung questioned Mr. Shearer if when they fill in the swale will it have grass. Mr. Shearer answered yes. Mr. Hornung noted at that point it does seem appropriate that someone walking in that areas would have a continuous grass area.

Mr. Hornung questioned if this improvement would be handled as an improvement guarantee. Mr. Wolfe answered that only the stormwater facilities would be under an

improvement guarantee. Mr. Hornung noted that he would like to see it filled in so people would be able to walk on the grass and not on the highway. Mr. Wolfe noted that the stormwater plan is to fill in the deep swale and pipe it. Mr. Hornung noted that he is satisfied with that.

Mr. Seeds noted that their engineer stated that PennDOT can't require the sidewalk either. He noted that the Board has issued waivers in the past... Mr. Hornung noted that was for land development plans. Mr. Seeds noted if the Board is required to waive this or not waive it then we could also make it contingent on any future sidewalks adjoining it, although he would have to ask Mr. Stine

Mr. Hornung noted that this is only initiated because we can request PennDOT to force this to happen as a condition of Hoffman Ford getting a HOP. Mr. Seeds stated that he did not think that PennDOT has anything to do with this. Mr. Stine noted that they do in that our comment on the HOP is that the Township would like to see sidewalks there. He noted that it has to do with the HOP, otherwise we would not be talking about it. Mr. Hornung noted that it is not a waiver or anything. Mr. Stine questioned if a waiver was actually requested as it would not be a waiver. Mr. Shearer noted that he asked for relief. Mr. Stine noted that it is not really a waiver request, Mr. Shearer is asking the Township to remove that as a comment on the HOP and not pursue that.

Mr. Seeds noted that it is not a waiver request.

Ms. Lindsey made a motion that the Board grant Hoffman Ford relief of the installation of sidewalks in connection with an application for stormwater management plan. Mr. Seeds seconded the motion.

Mr. Crissman requested members to speak one at a time as he was getting a conflict with multiple conversations. He requested short responses for his questions so he can hear the

answers. He questioned if there was a stormwater issue in making this decision. Mr. Steve Fleming answered no. Mr. Crissman questioned if PennDOT and any of their regulations have any impact on our decision in this issue of sidewalk. Mr. Fleming answered yes, in that they will require the Township to make comment on the HOP application. Mr. Crissman questioned if PennDOT has the final decision with regard to whether sidewalk does or does not go in there. Mr. Fleming answered that ultimately that decision is the Board's recommendation. Mr. Crissman noted that PennDOT will follow along in our decision making and they will be supportive of that decision. Mr. Fleming answered yes. Mr. Crissman questioned what the requirement is for Colonial Commons to finish its sidewalk that would connect to this. Mr. Wolfe answered that there is no requirement for Colonial Commons to install sidewalks. He noted during the land development plan process in 1990, the sidewalks on Route 22 in front of the Commons were waived by the Board of Supervisors at that time. Mr. Crissman noted that based on that comment, to grant this waiver is not setting a precedent because it has already been established. Mr. Hornung noted that we are not granting a waiver, it is a relief. He noted that it is not a land development plan, it is an application for a HOP and on that application we have the ability to ask PennDOT to make requirements to the land owner. He noted that originally on the PennDOT permit there was a request for Hoffman Ford to put sidewalks in. He noted that Hoffman Ford is asking the Board to remove that comment and not require that comment as part of the HOP. Mr. Crissman noted that Hoffman Ford is requesting relief. Mr. Hornung answered that is correct.

Mr. Crissman noted that based on the request for the release, is there any merit in tying the release to sidewalk connections with Colonial Commons in their finalization of any areas that would connection. Mr. Wolfe answered that the only time Colonial Commons would be required

to install sidewalk is if they submitted a new subdivision or land development plan for property abutting Route 22. He noted that it could occur in the future, and at that point, the Board would be in a position to require sidewalks at that time. He noted if the Commons does not do any additional development, there would be not subdivision land development plan requirement for sidewalks.

Mr. Crissman noted in granting this release, part of the motion should be to grant with the caveat that should Colonial Commons be required to install sidewalks in the future that Hoffman Ford would also need to comply as well. Mr. Seeds noted that we had that discussion two minutes ago... Mr. Crissman noted that he could not hear what Mr. Seeds was saying. Mr. Seeds stated that we are not granting relief as a waiver, therefore we cannot add that on as a condition that Hoffman Ford would put in sidewalk in the future if and when Colonial Commons did. He noted that we can't do that because it is not a waiver.

Mr. Crissman questioned if it could be a stand-alone to grant or not grant the release. Mr. Hornung answered yes.

Mr. Wolfe noted that there is a motion on the floor, and he questioned if Mr. Crissman heard the motion. Mr. Crissman answered that he did not.

Ms. Lindsey restated her motion that Hoffman Ford should be granted relief for the installation of sidewalk in connection with the application of stormwater management plan approval. She asked if Mr. Crissman heard the motion. Mr. Crissman answered yes. Mr. Hornung noted that Mr. Seeds seconded the motion.

Mr. Crissman requested what the issue is with stormwater management. Mr. Wolfe answered that there is no stormwater management issue in the motion. Mr. Crissman questioned what Ms. Lindsey said in her motion in regards to stormwater in her motion. Mr. Wolfe noted

that the motion is to waive... Ms. Lindsey noted that her motion is to give relief of the installation of the sidewalk in connection with the application for the stormwater management plan approval. Mr. Crissman questioned if the motion is contingent upon approval of the stormwater management plan. He noted that is what it sounds like to him. Mr. Seeds suggested that it has more to do with the HOP. Mr. Fleming answered yes. Mr. Hornung noted that Ms. Lindsey means in reference to, as compared to being a direct connection to the approval, it is just in reference to this, referring to this particular application so that we are not granting any other approvals on other applications. Mr. Crissman understood the explanation. He called for the question on the motion.

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

Mr. Earl Hoffman noted that his son Ryan is present and his other son Todd is plowing snow. He noted that if the Colonial Commons ever puts in sidewalk he will put sidewalks in. He noted that he may not be around but his son Ryan will be and so will Todd and you have his word that the sidewalks will go in.

Mr. Seeds noted that Hoffman Ford does so much day in and out for the community that when he looks at all the organizations that they help on a daily basis with funds and other things, he wanted to publicly thank him for all he has done for the Township and the surrounding townships.

Ms. Lindsey thanked Mr. Hoffman for coming back from last week's meeting. She noted that we did not expect to have to end the meeting abruptly.

Report from South Central Emergency Medical Services regarding operations in 2014

Mr. Hawk noted that Chief Jason Campbell is prepared to present a report on the 2014 South Central Emergency Medical Services Operations (SCEMS).

Chief Campbell explained that he presented Mr. Wolfe with the 2014 Annual Report that he in turn provided to the Board. He noted that he also wanted to present some community initiatives that he would email to Mr. Wolfe tomorrow.

Chief Campbell noted that SCEMS responded to over 5,000 calls in the Township in 2014 with a dispatch enroute time of .54 seconds which is well below the national average, noting that it is one of the best in the region. He noted that the enroute to arrival for a 911 call is 6.62 minutes and the overall patient satisfactory rate is 97%. He explained that he sends out surveys to one out of two patients that they transport to a hospital and about 34% are returned.

Chief Campbell explained that he will send Mr. Wolfe an addendum regarding the community initiatives; such as providing AED and CPR classes at the Friendship Center on a quarterly basis, free to the community. He noted that pending approval, he will be the Bloodborne Pathogens instructor for Lower Paxton Township Firemen's Relief Association. He noted that SCEMS orders supplies for the Central Dauphin School District, donating six standard wheel chairs to the district in the event of a mass causality incident or in an instance where multiple patients had to be extracted in a hurry. He noted that his main goal this evening was to see if the Board had any concerns regarding the SCEMS operations.

Ms. Lindsey questioned if the call volume from 2013 to 2014 was a significant increase. Chief Campbell answered that he had about 560 more calls than in 2013. He noted that 2015 has started off very strong as the call volume has increased drastically in the past two months. Ms. Lindsey noted that last year, Chief Campbell stated that he added a fourth unit in the Township.

Chief Campbell answered that was correct, noting that he has two units from 7 a.m. to 7 p.m.; another one starting at 9 a.m., at 10 a.m., and a third at 12 noon. Ms. Lindsey thanked Chief Campbell for the SCEMS service.

Mr. Seeds noted that there was a reference to call volume increases due to the ACA. He questioned what that was. Chief Campbell answered that ACA is the Affordable Care Act. He noted that more people have medical benefits and more will call 911. He noted that many of the people who did not have medical insurance would not call 911 for help.

Ms. Lindsey questioned if a person calls for an ambulance and they decide not to go is there a charge for the call. Chief Campbell answered if they are not a member they will be charged, but if they are a member they will not be charged. Ms. Lindsey questioned how many times a member can call for service in a year. Chief Campbell answered that it is unlimited.

Mr. Hornung noted that the accounts receivable looks very good for the amount of business that you do. He questioned in reference to 2013, did it go up or down. Chief Campbell answered that it increased about \$150,000. He noted that it has to do with the AFA, having insurance and medical benefits and more people on Medicare and associated costs with Medicare for transports.

Mr. Hawk noted that he would have thought that most calls would be cardiac related and he was surprised to find that they were for abdominal pain, fever, etc. Chief Campbell noted that the majority of the calls are not life and death emergencies. He noted that they are abdominal pain, the flu, people not feeling; things of that nature. He noted that the serious medical calls such as cardiac arrest or shortness of breath due to asthma, COPD, congestive heart failure, are not as high on the list. He noted that these statistics are for anyone who comes into the Township, whether at a mall or store, those are the illnesses that we deal with the most to include

slips and falls. Mr. Hawk noted that 5,000 calls provides for a very busy year. Chief Campbell noted overall we had about 8,200 calls throughout all the municipalities that he serves.

Mr. Hawk noted that he is delighted with what Chief Campbell has done with SCEMS. He noted that the appreciation banquet is coming up in April. Chief Campbell stated that the invitations will be coming out very soon.

Mr. Hornung thanked Chief Campbell for the great job that he does. He questioned if December is typically a down month for billing. Chief Campbell answered that we don't have up or down months, it all depends on the call volume and from the numbers that you are seeing, it all depends on when we are paid for the invoice. He noted that most people when they buy bread, pay up front, but it doesn't happen that way in the medical industry. He noted that we could wait, three, six, and sometimes a year to receive payments. He noted that he received payments today from a 2012 call, and if a car accident goes to litigation, it could take a while to receive the payment.

Presentation on refunding/issuance of 2015 General Obligation Bonds

Mr. Mike Bova from Boening and Scattergood noted that his firm was authorized to move forward with the distribution, marking and sale of Lower Paxton's refunding bonds issued in 2015. He noted that he was authorized to do this on Tuesday, February 3, 2015 and the earliest that he could have gone to the market was Wednesday, February 4th but they felt they needed a day to pre-market the bonds, so he had a conference call with Mr. Wolfe and Mr. Wenger and his desk on Wednesday, February 4th and the head trader felt they should go to the market as soon as possible, on Thursday. He noted that they all agreed to do that on February 5th.

Mr. Bova explained that they went out about 9:30 a.m. Thursday morning, to institutions and banks and did the presale of the bonds. He noted what he showed on the chart is the

summary of the deals that were done for Armstrong County on February 4th, and Lower Paxton Township on February 5th, as well as Bedford, University Area Joint Authority and Manheim Township. He noted that the rating of the bonds is very similar being AA, Aa2, AA, and AA-. He noted that the only real difference was that three of the five deals were insured, noting that the Township's deal was not insured. He noted that two of the deals were bank qualified, noting that they typically trade at lower rates than none bank qualified deals, but since the other three, to include the Township's, were over \$12,000,000 they were not bank qualified. He noted that you would expect to see the two bank qualified rates lower. He explained that the bonds for Lower Paxton Township were sold at or lower than the other deals that were done that week. He noted that it looks like the bonds from 2026 and 2018 were done at lower rates than Lower Paxton Township but there is an explanation for that. He explained that these two deals both had a ten-year call provision, meaning that the rates would stay in place until 2025. He noted after that time period the bonds could be called. He noted when you do a refunding issue which this was, if you do a premium bond, meaning that the coupon on the bond is 5% that normally yields 2.57%, and he used premium bonds for the first ten years as did the County of Armstrong but in 2026 through 2028 he could have used premiums, but that was the savings on the bond deal. He noted that the actual rate in 2026 through 2028 for the call was 2.75%, 2.96% and 3.15%. He noted that he is very proud of the marketing effort that his desk did in selling the bonds. He noted that the rates are lower than all the other deals and maturities.

Mr. Bova noted that there was a lengthy discussion on the 4th of February if they should go to the market or not. He noted that rates had been lower than they were at that time. He noted that his desk and the financial advisor felt that the rates were going to move up. He displayed a comparison by using the Municipal Market that comes out with a daily scale of where AA rated

bonds should sell. He noted on the February 5th the rate was .15% to 2.44%, the date that we went out. He noted that the rates on February 6th had a .12% increase difference, and on February 9th, the rate difference was .13%. He noted that the fact that Mr. Wolfe and Mr. Wenger made the call to go out on the 5th it saved the Township tens of thousands of dollars. He noted that the rates are substantially higher today than they were when we did the deal on the 5th.

Mr. Bova noted that it was not an easy sale or typical sale noting that the coupon on the bond are normally progressive; however, it started at 2%, increasing to 3%, decreasing to 2% and then increasing to 4% and decreasing to 2.5%, and finally increasing to 3%. He noted that his firm had a hard time finding buyers as they were being very particular with what they wanted to buy. He stated that he had to match the coupon with what the buyers were looking for, and it was not a smooth sale as he ended up underwriting over \$2 million of the bonds which the firm took risk on because it felt the levels that were established were the right levels. He noted for all the other deals, the coupons were also up and down.

Mr. Jay Wenger noted when he came to the Board a few weeks back, it was the Board's quick decision to save money as quickly as we could. He noted that the limiting factor was the number of days we had to place the ad in the newspaper, given The Patriot News limited days of circulation. He noted as a result we could not meet the immediate deadline and were delayed by that. He noted that he got into the market in record time, and the fact that the Township had recently gone through the rating process helped a lot as he was able to expedite that process by two weeks. He noted that Mr. Bova did a great job of summarizing the process of how they moved in the market, the conference call, the decision, but moving as quickly as we did was the right decision. He noted that the rates have gone up since then. He noted that the pages that he distributed to the Board are very similar to the information provided by Mr. Bova.

Mr. Wenger wanted to point out that on the day he priced the bonds, the ten-year treasury was at 1.82% and today it closed at 2.14%. He noted that it is a change of 32 basis points in the last three weeks. He explained that we did not hit exact bottom of the market but we got very close. He noted that the only issue that was not on his spreadsheet was the Upper Darby School District that has a Aa3 credit rating. He noted in the gray box it shows the spread in the number of basis points that were issued higher than your bonds. He noted that there is one negative number there but for the most part, the Township's bonds traded lower than all other bonds in the marketplace given similar pricing dates. He noted that Boenning and Scattergood did a very good job. He explained that they took about \$2 million in inventory and in today's marketplace we see very few underwriters willing to take any inventory, so they should be commended for stepping up to the plate on behalf of the Township and taking some risk on their behalf.

Mr. Wenger noted that the Aa2 rating goes a long way in the marketplace, being able to get into the marketplace without buying insurance and having the Aa2 credit rating helped to market the bonds. He noted that it keeps the expenses lower and provides a better outcome. He provided a one-page summary of the refunding transaction. He noted that the savings as a percent of the bonds was about 10%, noting that he generally looks for a savings of 3%, so this was well above that threshold. He noted that the annual savings that would drop out of the budget, starting in 2015 through 2021 starts at \$299,467 and tails off to \$169,459. He noted that he was very pleased and he appreciates the opportunity, cooperation, and confidence to move quickly. He stated that it was the right decision to get into the market very quickly.

Mr. Wenger noted that Mr. Bova's desk was willing to step into the marketplace when we didn't know who the buyers would be and how the market would react to rates having moved so quickly in the opposite direction. He noted that it turned out to be the right decision.

Mr. Hawk thanked both Mr. Wenger and Mr. Bova for watching things so closely so that the Township got the maximum benefit that it could get.

Mr. Bova noted that the Commonwealth of Pennsylvania has the highest threshold of savings at 3% and the Township was more than triple that. He noted that it doesn't happen all the time and probably won't happen again so don't get used to that percentage amount. He noted that the savings were substantial. ~~Resolution 14-41; Adoption of the 2015-19 Strategic Plan for Financial Operations~~

~~Mr. Crissman made a motion to approve Resolution 14-41; adopting the 2015 through 2019 Strategic Plan for Financial Operations. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.~~

~~Resolution 14-42; Adoption of the 2015 Municipal Fee Schedule. Mr. Crissman made a motion to adopt Resolution 14-42, adopting the 2015 Municipal Fee Schedule. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.~~

NEW BUSINESS

Action on appointment to the Friendship Center Operating Board

Mr. Hawk noted that the Friendship Center Operating Board has interviewed people for a vacancy as a result of the resignation of Mike Liptak. He noted that the recommendation for replacement made by the Board is David Berra who will complete Mr. Liptak's unexpired term that ends on December 31, 2016. Mr. Hawk move to appoint Mr. David Berra to fill the unexpired term as a member of the Friendship Center Operating Board. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on surveying service proposals for the BC-4 sewer mini-basin

Mr. Wolfe noted that the Board has a memorandum from staff indicating the results of the request for proposals for engineering services to survey the BC-4 sanitary sewer mini-basin. He noted that it has been found to be far more cost effective to package the survey services into a specific contract and issue a request for proposals on that contract from local engineering firms that specialize in surveying services.

Mr. Wolfe noted that staff is recommending an award to Dauphin Engineering in the amount of \$6,000. He noted that staff believes that Dauphin Engineering is the lowest qualified engineer service provider to meet the needs of the BC-4 sanitary sewer mini-basin. He explained that there is one proposal less than that, in the amount of \$4,500; however staff does not deem it to be qualified. He noted that staff also received two other proposals with the highest being \$22,115.60. He noted that staff recommends an award to Dauphin Engineering for the BC-4 sanitary sewer mini-basin surveying services in the amount of \$6,000.

Ms. Lindsey made a motion to grant Dauphin Engineering the contract for the surveying service in BC-4 sanitary sewer mini-basin in the amount of \$6,000. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on a lease with HP Financial Services for 30 computers

Mr. Wolfe noted that this lease is for 31 computers. He explained that the additional notebook price quotation contained in the packet is a separate price quotation to be addressed at a later time. He noted that it was not removed from the price quotation and he needed to provide the Board with a separate quotation for two lap top computers. He explained that the total number of computers is 31 with the stated price of \$20,655 to be made in four annual payments of \$5,408.45.

Mr. Wolfe noted that last year the Township replaced nearly 70 computers that were operating the Windows XP Operation System. He explained that the new computers are operating the current windows system; however the current replacement request is for old machines, many of which were purchased as rehab units and are now several years old. He noted that the computers are having significant failures and require maintenance on a very regular basis. He noted that staff recommends the lease purchase of the 31 computers in an amount of \$20,655 over a four-year period.

Mr. Hornung questioned what the Township would do with the old computers. Mr. Wolfe answered that they will be scrapped as they are that bad.

Ms. Lindsey questioned what happens at the end of the four-year lease and how long would we hold on to the computers. Mr. Wolfe answered that it will depend on how long Windows maintains the current operating system. He noted if they upgrade to a new operating system, it needs to be determined if these units can operate that system or will they need significant retro fits. He noted if the units provide to be viable we will continue to operate them for two to four years after that. He noted that we don't want to do what we did this past time and get ourselves behind the 8-ball where we had to purchase 100 computers in a 12-month period of time.

Ms. Lindsey questioned if last year's computers were also Hewlett Packard computers. Mr. Wolfe answered yes, noting that they were purchased under the State contract.

Mr. Seeds made a motion to award the bid for 31 computers to HP Financial Service in the amount of \$20,655 to be paid over a four-year payments in the amount of \$5,408.45 each.

Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action bids for the sale of municipal vehicles

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~~Mr. Crissman made a motion to approve the bids for the two vehicles as indicated by Mr. Wolfe for the 2006 Explorer and 1997 Chevy as well as the authorization to re-advertise bids on the other vehicles. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.~~

Improvement Guarantees

Mr. Hawk noted that there was eight Improvement Guarantees and two Stormwater Guarantees ~~and one Stormwater Guarantee~~ to approve.

~~Amber Fields, Phase III~~The Arlington Group

_____ An extension in a letter of credit with First National Bank in the amount of \$282,949.49 with an expiration date of February 17, 2016.

~~Amber Fields, Phase III~~Laurel Ridge

_____ An extension in a letter of credit with PNC Bank in the amount of \$48,334.65 with an expiration date of February 17, 2016.

~~Amber Fields, Phase III~~Autumn Oaks, Phase II

_____ An extension and 10% increase in a letter of credit with Farmers and Merchants Trust Company in the amount of \$436,637.57 with an expiration date of February 17, 2016.

~~Amber Fields, Phase III~~Mindy Meadows, Phase 2

_____ An extension and 10% increase in a bond with Eastern Atlantic Insurance Company in the amount of \$1,249,712.26 with an expiration date of February 17, 2016.

~~Amber Fields, Phase III~~Hawthorne Suites

An extension and 10% increase in a letter of credit with M&T Bank in the amount of \$191,737.27 with an expiration date of February 17, 2016.

Amber Fields, Phase III The Estates of Autumn Oaks, Phase IIA

 An extension and 10% increase in a letter of credit with Farmers and Merchants Trust Company in the amount of \$130,567.17 with an expiration date of February 17, 2016.

Amber Fields, Phase III Stray Winds Farm – Phases 1, 1A, 1X

 Setting the rate for an improvement guarantee in the amount of \$2,219,401.58.

Stormwater Guarantees

1527 Nittany Lane

A new escrow with Lower Paxton Township, in the amount of \$8,000 with an expiration date of February 17, 2016.

6546 Plowman Ridge

A release of an escrow with Lower Paxton Township, in the amount of \$7,800.

Mr. Hornung noted for Kings Crossing, it has been the same amount for quite a while. He noted that it is a result of lots being mulched. He questioned if this will ever come to an end or are the 14 lots sitting there empty. Mr. Wolfe answered that is the way the improvement guarantee reads. Mr. Hornung noted that hopefully, they sell the lots. Mr. Wolfe noted that he discussed with Mr. Seeds earlier today that the Hawthorne Suites extension and increase is for a proposed hotel on East Park Drive beside the Best Western and that plan was approved at least ten years ago. Mr. Seeds noted that it was approved in 1998. Mr. Wolfe noted that we have the remnants of some old developments still lingering the Township.

Mr. Wolfe noted that Mr. Hawk stated that of the Improvement Guarantees for non-stormwater management, they are all extension, most of which come with a 10% increase and

then there is the new letter of credit for Stray Winds Farm Phase I, IA, and IC. He noted that it is a new letter of credit, noting that it had been established but there was an agreement with the Board of Supervisors to release it and now it is being posted again anew.

Mr. Seeds made

~~Stormwater Guarantee~~

~~Verizon Wireless PRISM Center~~

~~—————A new bond with Westchester Fire Insurance Company in the amount of \$14,200.00 with an expiration da~~ motion to approve the eight listed improvement guarantees and two storm water guarantees.

Ms. Helen Gemmill noted that she was present on behalf of three of the Township residents, James Blatt, Harry Ulsh, and Andrew B. Snyder. She noted with respect to the Stray Winds Farm Improvement Guarantee, we are very happy to see that it is being re-instated and she appreciates that because it is important to put that back in place, but she wanted to note that the Board is re-instating security on a plan that does not have the right number of units shown on it. She noted that the courts have definitively established that they were only permitted to build 374 units on this property. So noted, in connection with this, the Township should also be getting a preliminary plan for Stray Winds Farms from Triple Crown Corporation that shows the correct number of units and does not show 449 units.

Mr. Hawk noted that Ms. Gemmill is referring to the Stray Winds Farm, Phase 1, 1A and IC. Ms. Gemmill noted that yes, the approved preliminary plan does not have 1A and 1C exactly in the same place, but it shows 449 units. She noted that the Township can no longer have a preliminary plan showing 449 units because the courts have determined they are only permitted to have 373 units and that is now final. She noted that there are no further appeals. She noted in

connection with getting the security back in place, the Township should also have an approved preliminary plan that shows the correct number of units for this development. She noted that is all she is requesting.

Ms. Lindsey questioned Mr. Stine if he was in agreement with Ms. Gemmill's statement. Mr. Stine answered that the issue is currently before the Court of Common Pleas in Dauphin County, so the idea is to allow the court to make a decision as there may be an appeal to that decision, no matter what the court decides to the next level of Commonwealth Court.

Ms. Gemmill responded that appeal relates to our challenge to your phasing plan, to your approval to the phasing plan where you approved a revised phasing plan that shows 449 units. She noted that she challenged that on the grounds that at that time, the Courts of Dauphin County had decided to only have 374 units. She noted at that time, there was still appeals pending as to whether or not TCC could have 449 units. She noted that those appeals had not been resolved, so you approved a revised phasing for 449 unit because Triple Crown Corporation was telling you that we are still challenging this and we may be able to have 449 units. She noted, it is not moot at this point, because you have a revised phasing plan in place that shows 449 units, but they have no right to 449 units, so she was not sure that... she noted that she would disagreed a little bit with Mr. Stine, she did not think that appeal has anything to do with this. She noted that the Township has a preliminary plan that has been approved that shows the number of units that the courts have definitively decided Triple Crown Corporation not to have. She noted that the current appeal has nothing to do with whether or not they should be putting a revised preliminary plan in place or not. Mr. Stine responded that he read the briefs and the issues are briefed, that their issue is briefed; therefore it will come up whether you think it is the focus of the appeal or not, it is a part of it.

Ms. Gemmill answered that is true, but she questioned if Mr. Stine would agree with her that, at this point in time, Triple Crown Corporation is not entitled to 449 units. Mr. Stine answered that is absolutely correct. Ms. Gemmill questioned if Mr. Stine also agreed that they currently have an approved plan that shows 449 units. Mr. Stine answered that the preliminary plan does show 449, but it was modified to some extent by the phasing schedule. Ms. Gemmill noted that the phasing schedule states we are still phasing, but we are phasing 449 units. She questioned how you phase 449 units when you are only allowed 374 units. Mr. Stine responded that it was done in the time before the Supreme Court denied allocatur. Ms. Gemmill noted now that the Supreme Court has...Mr. Stine stated, hold on, he believes as a part of the phasing schedule it was determined that in fact Triple Crown Corporation did not prevail on the appeal, that all the units, he thought, 75 would come out of Phase Nine, the new phase that was created. Ms. Gemmill noted that is what they said, but we don't know where those units are and she believes that they also said that we would change it to single family units. Mr. Stine, noted at some point in time, no matter what the court decides, a plan of some sort will have to be filed to eliminate 75 units, there is no question about that. Ms. Gemmill noted that she is encouraging to have this done sooner than later. Mr. Stine answered that he understands.

Mr. Seeds questioned Ms. Gemmill if she was okay with the Board approving the Improvement Guarantee. Ms. Gemmill answered that she is fine with it. Mr. Seeds questioned why we were discussing this issue at this time. Mr. Stine noted at some point in time, no matter what the courts decided, the Board will have to have some sort of revised plan to eliminate 75 units.

Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Payment of Bills

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

Adjournment

There being no further business, Mr. Seeds made a motion to adjourn the meeting, and the meeting adjourned at 8:48 p. m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William L. Hornung
Township Secretary