

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held January 4, 2010

The annual reorganization meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:30 p.m. by Steven A. Stine, Chairman Pro Tem, on the above date, in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present were William B. Hawk, William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; Stephen Fleming, HRG, Inc., William Weaver, Authority Director; Jeff Wendle and Kevin Shannon, CET, Inc., and Ted Robertson and Watson Fisher, SWAN.

Pledge of Allegiance

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

Oath of Office to Newly Elected Municipal Officials

Magisterial Judge Joseph Lindsey administered the oath of office to the newly elected Supervisors William B. Hawk and Gary Crissman. He administered the oath of office to the newly elected Auditors Allen McCormack and Joel Jukus, and the newly elected constable, Michael P. Maugans.

Election of the Chairman of the Board

Mr. Crissman nominated William B. Hawk to serve as Chairman of the Board of Supervisors. Mr. Seeds seconded the motion, and a unanimous vote followed.

Election of the Vice-Chairman of the Board

Mr. Blain nominated William C. Seeds, Sr., to serve as Vice-Chairman of the Board of Supervisors. Mr. Crissman seconded the motion, and a unanimous vote followed.

Mr. Hawk introduced Steven Lacey, a Boy Scout from Troop 360, Holy Name of Jesus Church, who was present with his mother, to work on his Communications, and Citizenship in the Community Badges. Mr. Hawk thanked Mr. Lacey for attending the meeting.

**Appointment of the Township Secretary, Vacancy Board Chairman, Township Treasurer and Assistant Treasurers, Township Manager, Township Solicitor, Township Engineer, Voting Delegate and Alternate to PSATS State Convention
Establishment of Treasurer's Bond, Depository and Regular Board Meetings**

Mr. Hawk made a motion to appoint the following to the various boards and positions:

Township Secretary – Gary A. Crissman

Assistant Secretary – David B. Blain

Vacancy Board Chairman – Lohman Henry

Township Manager – George S. Wolfe

Treasurer – David B. Blain

Assistant Treasurers – Gary A. Crissman and William Hornung

Township Solicitor – Steven A. Stine, Stine Law Offices

Township Engineer – Herbert, Rowland and Grubic, Inc.

Representative to the South Central Emergency Medical Services – William C. Seeds, Sr., and William L. Hornung.

Representative and alternate to the Capital Region Council of Governments – William C. Seeds, Sr. and Matthew Miller

Voting delegate and alternate to Pennsylvania State Association of Township Supervisors State Convention – William B. Hawk and Gary A. Crissman

Mr. Blain seconded the motion to approve the appointments made by Mr. Hawk. Mr. Hawk called for a voice vote and a unanimous vote followed.

Mr. Hawk noted the following items:

Establishment of Treasurer's Bond – \$1,000,000.00.

Designation of Township Depository – M & T Bank.

Establishment of the Meeting Schedule for Board Meetings – First three Tuesday's of each month, except for holidays or Election Day. The first and third Tuesday would be the business

meetings starting at 7:30 p.m. and the second Tuesday would be the workshop meeting starting at 6:00 p.m.

Mr. Blain made a motion to approve the Treasurer's bond, Township Depository, and establishment of the regular board meetings as stated by Mr. Hawk. Mr. Crissman seconded the motion, and a unanimous vote followed.

**Authorization to the Secretary or Treasurer to pay all Fixed Expenses
which resulted from Prior Board Action.**

Mr. Blain made a motion to authorize the secretary or treasurer to pay all of the fixed expenses which resulted from prior Board action. Mr. Crissman seconded the motion and a unanimous vote followed.

Board, Commission & Committee Appointments

Mr. Hawk made a motion to appoint the following board, commission and committee members:

Friendship Community Center Operating Board – Mervin Woolf to complete a two-year term as a result of David Bohner's resignation, and Thomas B. George, Jr. and John Deiter for a three-year term.

Planning Commission – Earnest U. Gingrich and Fredrick W. Lighty, for a four-year term.

Recycling Committee – Kathleen Smith and Timothy Murphy, for a two-year term.

Shade Tree Commission – Karl Valley, for a five-year term.

Zoning Hearing Board – Gregory Sirb, for a five-year term.

Arts Advisory Council – Mary Grace Newsome, Sonia Murphy, Amy Gabriele, David Russell who replaces Gene Wallace who resigned, and Stanley Smith, for a one-year term.

Public Safety Committee – Matthew Hunt, Christopher Judd, Janet Smith, Jack Harlacker, Doug Vene, Chief, Colonial Park Fire Company; Chief, Linglestown Fire Company; Chief, Paxtonia Fire Company; President, Colonial Park Fire Company; President, Linglestown Fire Company; President, Paxtonia Fire Company; Fire Marshall, Public Safety Director; and a Representative from South Central Emergency Medical Services, for a one-year term.

Village of Linglestown Committee – Eric Kessler, Andrew Christine, James Griffiths, Gary L. Hoffman, John Kepler, Stuart Knade, William E. Minsker, Paul M. Rowe, Joseph Mack, William Twilley, Jerry Miller, and Pastor G. Barry Stahl, for a one-year term.

Audit Committee – Gary A. Crissman, David B. Blain and George S. Wolfe, for a one-year term.

Greenway Committee – Christopher Johnson (Parks and Recreation), Roy Newsome, (Planning Commission), John Whaley (Shade Tree Commission), Betsy Sibert, and Priscilla St. Jacques Glusko, for a one-year term.

Mr. Hawk noted that no recommendations have been made for an appointment to the Agricultural Security Area Advisory Committee.

Mr. Crissman made a motion to approve the appointments to the various boards, and commissions as stated by Mr. Hawk. Mr. Blain seconded the motion, and a unanimous vote followed

BUSINESS MEETING

Approval of Minutes

Mr. Hawk noted that he needed a motion to approve the minutes of the November 10, 2009 administrative workshop, and December 15, 2009 business meeting. Mr. Seeds noted that he had a correction for the minutes of November 10, 2009. He requested that the first sentence at the top of the page six be struck from the record. He noted that it reads, “Mr. Seeds noted that 86,000 people did not pay their taxes over the past year.” With that correction noted, he made a motion to approve the minutes of November 10, 2009 and December 15, 2009 as written. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

No public comment was presented.

Chairman & Board Members’ Comments

Mr. Hawk thanked the Board members for choosing him to serve another year as their chairman. He noted that the Township has an outstanding Board that does not always agree, but works well with each other. He noted that he is extremely proud of the work provided by Mr. Wolfe, the Township Manager and the entire staff. He noted, due to the financial economic

conditions, the administrative staff would not be compensated with salary increases this year. He noted that the Board is working to operate the Township in a very efficient manner.

Manager's Report

Mr. Wolfe noted that the Friendship Center would be celebrating its 10th anniversary on Sunday, January 24, 2010, from 1 p.m. to 3 p.m. He explained that there would be featured entertainment, refreshments, games and activities for the entire family and the community is invited to attend.

OLD BUSINESS

Resolution 10-01; Appointing a certified public accountant to audit the funds and accounts of the Township for the 2009 fiscal year

Mr. Blain made a motion to appoint, through Resolution 10-01, the accounting firm of Brown, Schultz, Sheridan and Fritz to audit the funds and accounts of the Township for the 2009 Fiscal Year in the amounts of \$22,000 for the Township; \$3,120 for the Friendship Center, and \$13,520 for the Township Sewer Authority. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

NEW BUSINESS

Hutch Junk Yard License renewal

Mr. Hawk noted that Francis R. Hutchinson has submitted an application for a Junk Yard business located at 6861 Blue Ridge Avenue. He noted that the Board must approve the Junk Yard License annually. He explained that the facility was inspected by staff and found to be in compliance with all Township regulations.

Mr. Seeds noted that, 16 years ago, the first action that he took was to approve a Junk Yard, and as a result he made a motion to approve the Junk Yard License Renewal for the year

2010 for the Hutch Junk Yard located at 6861 Blue Ridge Avenue. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Resolution 10-02; Increasing the size of the Greenway Committee

Mr. Hawk noted that the current make up the of Greenway Committee has representatives from the Planning Commission, Shade Tree Commission, Parks and Recreation Board and two at-large members. Mr. Wolfe noted that the Greenway Committee would like to add two additional members to help support their activities.

Mr. Seeds questioned if the Greenway Committee has interviewed any candidates. Mr. Wolfe answered that they are actively searching new members. Mr. Seeds announced that the Township is seeking members for the Greenway Committee and anyone who is interested should complete an appointment application. He noted that the applications are available online or by contacting the Municipal Center.

Mr. Crissman made a motion to approve Resolution 2010-02; increasing the size of the Greenway Committee from five members to seven members. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Resolution 10-03; Accepting amendment of engineering services with CET, Inc.

Mr. Wolfe noted that Mr. Weaver would be providing the information for this resolution, as well as the companion resolution that is included in the Authority meeting that would follow this meeting.

Mr. Weaver explained that this resolution amends the engineering services agreement with CET, Inc, for design and construction for specific projects that were approved by PennVest. He noted that the design work has already been completed, and the Authority is getting closer to the settlement for the PennVest loan, it was found that PennVest required that the engineering agreement be in place. He noted that bond counsel has pointed out that the debt structure has

been set up where the Township would be the borrower for the PennVest money. He noted that it is anticipated that the Township would take over the loan from PennVest, and bond counsel is in the process of completing this work.

Mr. Weaver noted that Mr. Wendle prepared an amendment to the agreement to cover the PennVest requirements. He noted that the management agreement requires, under item number 11, that the Township accepts the Sewer Authority engineer.

Mr. Seeds noted that the PennVest funds were originally granted in the amount of \$16.6 million but had to be reduced to \$14.2 million because PennVest disapproved the use of their funds for improvements to private sewers. He noted that the figure that CET, Inc. is submitting approval for is for the \$16.2 million loan, and he questioned if the figure would be cut back since the Township is losing \$2 million in loan funding. Mr. Weaver explained that the engineer had to design the private sewer improvements even though PennVest would not cover those costs. He noted that part of the fee for the project would be paid with non PennVest funds.

Mr. Weaver noted that the scope of work would be reduced, based on the private sewer work. He noted that bond counsel is working to prepare the paper work to convert the loan from the Authority to the Township. He noted that a further reduction in costs is the result of bids coming in lower than anticipated. He noted that the total project costs will be reduced from \$16.6 million to \$14.2 million. Mr. Seeds noted that the private sewer work would be done but its funding would have to come from other sources.

Mr. Wendle, CET, Inc. explained that he anticipated that most of the engineering fees would be eligible to be paid with PennVest funds. He noted that most of the design and survey work is for the sewers in the streets. He explained that PennVest requires the design to show where the service laterals would be installed, and that is as far as is shown on the drawings. He noted that PennVest would not pay for the construction from the curb line back to the house. He

noted that he does not anticipate that any of CET, Inc.'s fees for the construction or design work would be denied.

Mr. Blain questioned what was covered by Mr. Wendle's fee of \$890,000. Mr. Wendle answered that it is related to the preparation of all the plans specifications, doing all the permitting work, PennVest Administrative work, and construction fees for engineering services. He noted that it is an estimate and he would only charge what it costs. He noted that he put these numbers in the annual budget and that is how it has been handled in the past under the original agreement. He explained that PennVest wanted to see a separate item for the PennVest projects only. He noted that the total amount could not be exceeded without written agreement between CET, Inc, and PennVest. He noted that his fee amounts to roughly 5.5% of the original estimate for total project costs of \$16.6 million. Mr. Blain noted that the \$890,000 works out to be roughly 6% of the \$14.2 million project. Mr. Wendle noted that the bids came in lower than estimated.

Mr. Blain questioned if there was a breakout of the hourly rates, and who would do what work. Mr. Wendle noted that he attached the hourly rates that are part of the agreement, and the 2010 rates would remain the same as the 2009 rates. He noted that he did not provide a breakdown of costs but would be happy to do so.

Mr. Crissman questioned Mr. Wendle if the amount stated in the agreement is an up to and a not to exceed amount. Mr. Wendle answered yes. Mr. Crissman noted that the resolution does not have that language in it. He noted that in making his motion to accept this resolution he would change the wording in paragraphs two and four to add, "not to exceed" \$890,000. Mr. Seeds 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 were six Improvement Guarantees.

Schiavoni LTD

A change in the financial institution to set up an escrow account with Lower Paxton Township, in the amount of \$48,500.00 with an expiration date of January 4, 2011.

Anderson and Gulotta Holding Group, LLC

A release in a letter of credit with Susquehanna Banks, in the amount of \$2,117.50.

Spring Creek Hollows, Phase IA

An extension and 10% increase in a letter of credit with Peoples Bank, in the amount of \$56,855.36, with an expiration date of January 4, 2011.

Willow Brook, Phase III

An extension and 10% increase in an escrow with Lower Paxton Township, in the amount of \$665.50, with an expiration date of January 4, 2011.

Meadowview Village

An extension in a bond with Lexon Insurance Company, in the amount of \$51,864.51, with an expiration date of January 4, 2011.

Meadowview Village – Office Building

An extension and 10% increase in a bond with Lexon Insurance Company, in the amount of \$48,908.27, with an expiration date of January 4, 2011.

Mr. Hornung questioned the extension for Willow Brook, Phase III when the amount is only \$600. He questioned if the work could be completed. Mr. Wolfe explained that staff is working with the developer on a detention basin, and an extension is needed to resolve the issue. He noted that the developer is being very cooperative.

Mr. Crissman made a motion to approve the six listed Improvement Guarantees as presented. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous voice vote followed.

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, and a unanimous vote followed.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 8:14 p.m.

Respectfully submitted,

Maureen Heberle

Approved by,

Gary A. Crissman
Township Secretary