

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held June 21, 2011

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:35 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; Mark DiSanto and Paige McDonald, Triple Crown Corporation; Barry Calhoun, Executive Director South Central Emergency Medical Services; Frank Grottola, Act One Consultants, Inc.; Ted Robertson and Watson Fisher, SWAN.

**Pledge of Allegiance**

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

**Approval of Minutes**

Mr. Hawk noted that there were no minutes for approval.

**Public Comment**

**Chairman & Board Members' Comments**

No comments were provided.

**Manager's Report**

Mr. Wolfe noted that the Township and Linglestown Fire Company will host a Firework's Display on Tuesday, July 5<sup>th</sup> in Koons Park beginning around 9:15 p.m.

Mr. Wolfe noted that Waste Management is passing along increases in costs for vehicle fuels and tipping fees, and as a result the cost for the solid waste, recycling, and leaf waste

collections will increase \$.68 per month. He noted that the increase in cost will show up in the July quarterly bill.

Mr. Wolfe noted that Three Mile Island will be testing their alert sirens on Thursday, June 23<sup>rd</sup> at 12:15 p.m.

Mr. Wolfe noted that much has been in the press and media concerning the road opening for the Linglestown project and the newly installed roundabouts. He explained that a roundabout, a large single-lane traffic circle, is new to Dauphin County. He noted that there are two in this project, one located at the Square at Mountain Road and the second at Pennsylvania Avenue. He noted that roundabouts are relatively new for Pennsylvania as well.

Mr. Wolfe explained that he drove in one today and found it to be easy to drive. He noted that roundabouts are circular intersections where traffic moves counter-clockwise so that all turns into and out of the circle are right-hand turns. He noted this eliminates the risk of head-on, left-turn, and right-angle crashes. He noted that there are special rules for driving a roundabout. He noted, when approaching and entering a roundabout, slow down, and be prepared to yield to pedestrians in the crosswalk. He noted that you should pull up to the yield line, look to the left and check for approaching traffic within the roundabout as circulating traffic has the right-of-way. He noted that you enter the roundabout when there is an adequate gap in traffic. He explained, once you have entered the roundabout, proceed counterclockwise to your exit point as you have the right-of-way. He noted that you need to watch for pedestrians in crosswalk and be prepared to yield, and then exit the roundabout.

Mr. Wolfe explained that he drove the roundabout today for the first time and he found that it was easy to drive.

Mr. Seeds noted that there was an article in the newspaper that quoted PENNDOT as saying that trucks were prohibited from using the roundabout. He noted that if this is the case then PENNDOT needs to post Linglestown Road. He questioned if there would be an exception

for local deliveries or for the length of the trucks. He explained that he drove through that area today around 5 p.m. and there was no stacking of vehicles that you normally find at that time of the day.

Mr. Eric Epstein questioned if there would be a problem with school buses driving through the roundabouts. Mr. Wolfe answered that the roundabouts were designed to accommodate school buses and the local fire apparatus. He noted that the long tractor trailers and double trailers are prohibited from using the roundabout.

Mr. Seeds welcomed back Mary Klaus as the representative from The Patriot-News.

### **OLD BUSINESS**

#### Action on Ordinance 11-03; which amends the Residential Cluster Zoning District to allow an increase in density under certain circumstances

Mr. Wolfe explained that during the last business meeting, the Board conducted a public hearing to receive public comments on this ordinance. He noted that the application was submitted by the Triple Crown Corporation (TCC) to increase the density of development within the Residential Cluster Zoning District under certain circumstances. He noted, upon completion of that public hearing, the Board of Supervisors requested the attorneys for TCC and any other parties of interest to provide written comments to Mr. Stine in regard to the public testimony that was provided during the public hearing.

Mr. Wolfe explained that the Board authorized staff to re-advertise the ordinance for consideration this evening. He reported that Mr. Stine received correspondence from interested counsels, has reviewed it, and will be ready to provide the Board with any responses that they may request.

Mr. Wolfe noted that the ordinance was advertised as per the Board's request; however, there was a mistake in the advertising process. He noted that the ordinance was advertised one day short of the required window of opportunity for advertisement. He noted that the public

notice was only available for seven days and it was only advertised for six days, therefore the Board is not in a position to take action on this ordinance this evening. He noted that this item should be removed from the agenda for action this evening.

Mr. Hawk noted that he was under the impression that the day that the ad appeared in the newspaper counts as a day, but under the rules apparently it does not. He noted that the Board can not take action on this agenda item, and it will be removed from the agenda at this time.

Mr. Mark DiSanto questioned if the Board would advertise this ordinance for its next meeting. Mr. Hawk noted that the Board needs to take time to check schedules, and as soon as it sets a date, staff will notify TCC and the opposing counsels of the date.

Action on an agreement with Ballard King and Associates, LTD, to provide for an operations performance audit of the Friendship Center

Mr. Wolfe explained that the Friendship Center Operating Board (FCOB) has recommended to the Board of Supervisors that an operations audit of the Friendship Center (FC) be undertaken. He noted this would be the second time the FC has undertaken an operations audit. He noted that the purpose of the audit is to determine what we are doing at the FC and if there is a better way to do it, and to improve the efficiency of the FC.

Mr. Wolfe noted that the initial market and operations analysis was done by Ballard King and Associates before the FC opened in 2000. He noted in 2004, Ballard King provided the FC with the first operations audit. He explained that staff was directed by the FCOB to obtain a price from Ballard King for an operations audit at this time.

Mr. Wolfe noted that the packet included the second proposal received from Ballard King. He noted the first proposal was viewed by the FCOB to be excessive in price. He noted that staff worked on a scope of services to reduce costs, and the proposal before the Board is the 2<sup>nd</sup> proposal for a total cost of \$15,875, roughly a \$3,500 decrease from the original one. He noted that the scope of services includes a review of the background information, a use

assessment of the center, review of programs and services, and the costs associated with those programs and services, review of the operating budget, a review of marketing efforts, along with a condensed executive summary with recommendations. Mr. Wolfe noted that the proposal is available for the Board to consider this evening.

Mr. Crissman made a motion to approve the agreement with Ballard King and Associates to provide an operations performance audit of the Friendship Center in the amount of \$15,875.

Mr. Blain seconded the motion.

Mr. John Trish, 600 Prince Street questioned who would be paying for the audit. Mr. Wolfe answered that it would be paid by the Friendship Center's cash account, not the Township's general fund.

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

Action on an agreement to lease fitness equipment  
at the Friendship Center

Mr. Wolfe explained that this was included on the agenda for tonight's meeting hoping that he would have a lease agreement that would be acceptable to the Board of Supervisors in time for the Board to review it. He explained that he only received the documents at 4 p.m. and the Board members did not have a chance to review the documents. He requested that action on this item be delayed until the July 5<sup>th</sup> meeting.

Mr. Hawk noted that this item would be removed from the agenda.

Resolution 11-10; Adopting procurement procedures for  
pension plan professional services

Resolution 11-11; Adopting a conflict of interest policy applicable to those  
public officials, employees, and service providers responsible for the  
operations and maintenance of the Township's employee pension plans

Mr. Wolfe explained that he would summarize the comments for Resolutions 2011-10 and 2011-11. He noted in 2009, the State Legislature passed Act 44, which amended procedures and practices for municipal pension plans in Pennsylvania. He explained that it required the Township to adopt procurement policies for professional service vendors who are retained by the Township's Pension Plans and it required the Township adopt a conflict of interest policy for public officials, employees, and service providers who work with the pension plans and their funds. He noted that the two resolutions have been reviewed by Mr. Stine and the Township's Audit Committee during their past meeting. He noted that both resolutions comply with the requirements of PA Act 44 and he requests that the Board take action to adopt both resolutions this evening. He noted once the resolutions are adopted, he will begin the implementation process with the Township's Police and Non-uniformed Pension Committees.

Mr. Crissman made a motion to approve Resolution 11-10; adopting procurement procedures for pension plan professional services. 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.

Mr. Crissman made a motion to approve Resolution 11-11; adopting a conflict of interest policy applicable to those public officials, employees, and service providers responsible for the operations and maintenance of the Township's employee pension plans. 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.

## **NEW BUSINESS**

### Preliminary/final land development plan for L.P. Volunteer Firemen's Association, Inc.

Mr. Wolfe noted that the purpose of this plan is to allow the construction of an addition and second story to the operations center of the South Central Emergency Medical Services. The

proposed addition would be 1,274 square feet, and a second story is proposed as well. He noted that the property is currently zoned R-2, Medium Density Residential District, and is located in Paxtonia on Poplar Street. The property is served by public sewer and private on lot well.

Mr. Wolfe noted that the applicant has requested the following waivers that are supported by staff: 1) Waiver of the requirement to provide a preliminary plan; 2) Waiver of the requirement to provide a stormwater management report; 3) Waiver of the requirement to provide an erosion and sedimentation control plan; 4) Waiver of the requirement to provide sidewalk; 5) Waiver of the requirement to provide a landscaping plan; and 6) Waiver of the requirement to provide a detailed hydrogeological study. He noted that the property is a postage stamp sized lot and the size of the building is pretty much the size of the lot. He explained that there is no possibility for landscaping, sidewalks, and no need for a hydrogeological study since the lot is 100% paved and will be serviced by an on-lot system.

Mr. Wolfe noted on November 4, 2010, the Lower Paxton Township Zoning Hearing Board granted variances for the minimum side yard setback, the amount of building coverage and impervious coverage and buffer yard requirements. He noted that they granted a special exception for the expansion of a non-conforming use on the property.

Mr. Wolfe noted on February 8, 2011, the Planning Commission recommended approval of this plan and waiver requests subject to addressing the comments.

Mr. Wolfe noted on April 19, 2011, the Board of Supervisors tabled action on the plan to allow the applicant time to address the outstanding comments and issues.

Mr. Wolfe noted that the seven site specific comments are found by staff to be administrative in nature and the six general conditions and three staff comments are the normal standard comments for plans. He noted that the Township Engineer, HRG, Inc. has provided their comments as part of the condition number six. He noted that the plan is ready for Board action this evening.

Mr. Wolfe noted that Frank Grottola from Act One Consulting, and Barry Calhoun, Executive Director for South Central Emergency Management Services are present to represent the plan.

Mr. Crissman questioned Mr. Grottola if he was able to speak for the applicant. Mr. Grottola answered yes.

Mr. Crissman questioned Mr. Grottola if he was in agreement with the six requested waivers. Mr. Grottola answered yes.

Mr. Crissman questioned Mr. Grottola if he was in agreement that the seven site specific conditions have been complied with or will be complied with. Mr. Grottola answered yes.

Mr. Crissman questioned Mr. Grottola if he was in agreement that the six general conditions to include number six, which is the letter from HRG, Inc. listing four zoning ordinance comments and seven subdivision and land development comments in a letter dated June 10, 2011, have or will have complied. Mr. Grottola answered yes.

Mr. Crissman questioned Mr. Grottola if he was in agreement with the three staff comments, and if he would comply with those comments. Mr. Grottola answered yes.

Mr. Crissman made a motion to approve the preliminary and final land development plan for L.P. Volunteer Firemen's Association with the following waivers and conditions: 1) Waiver of the requirement to provide a preliminary plan; 2) Waiver of the requirement to provide a stormwater management report; 3) Waiver of the requirement to provide an erosion and sedimentation control plan; 4) Waiver of the requirement to provide sidewalk; 5) Waiver of the requirement to provide a landscaping plan; 6) Waiver of the requirement to provide a detailed hydrogeological study; 7) Provide a title for the plan that includes Preliminary/Final Land Development Plan for...; 8) No less than two (2) permanent concrete reference monuments shall be shown on the plan; 9) Provide the seal of the registered professional engineer, registered in the Commonwealth of Pennsylvania responsible for the plan; 10) Provide a statement on Plan

Sheet 1 that the requested variances were granted by the Zoning Hearing Board on November 4, 2010; 11) Remove the following requested waivers from Plan Sheet 1: #3, #4, and #5; 12) Plan approval shall be subject to the applicant providing a shared parking easement; 13) One street tree is required for this plan. The Board of Supervisors shall reach agreement for fee-in-lieu for placement of a shade tree elsewhere in the Township; 14) Plan approval shall be subject to providing original seals and signatures; 15) Plan approval shall be subject to the payment of engineering review fees; 16) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 17) Plan approval shall be subject to DEP's approval of a sewage facilities planning module; 18) Plan approval shall be subject to Lower Paxton Township Sewer Department's review and approval of the sanitary sewer design; 19) Plan approval shall be subject to addressing the four (4) zoning ordinance comments and the seven (7) subdivision and land development ordinances comments of HRG's memo dated June 10, 2011; 20) When submitting revised plans respond in writing to all comments of County, Staff and Township engineer; 21) A street/storm sewer construction permit is required and is to be obtained prior to earthmoving activities. A pre-construction meeting is to be held prior to starting the project. Contact Matt Miller at 657-5615 to schedule the meeting. This may be held on conjunction with the Conservation District meeting; and 22) All signage must meet the requirements of the Lower Paxton Township Zoning Ordinance Article 7. 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.

#### **Harrisburg Foot and Ankle**

A release of a letter of credit with Metro Bank, in the amount of \$1,826.00.

Mr. Crissman made a motion to approve the one listed improvement guarantee as presented. Mr. Blain seconded the motion. Mr. Hawk called for 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. Mr. Crissman seconded the motion. Mr Hawk called for a voice vote, and a unanimous vote followed.

### **Announcement**

Mr. Hawk reminded the viewing public that the Annual Fireworks will be held on Tuesday, July 5<sup>th</sup> at Koons Park starting roughly at 9 p.m. Mr. Blain noted that the Board of Supervisors will continue to have their regularly schedule meeting that night at 7:30 p.m.

### **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 8:08 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

Gary A. Crissman  
Township Secretary