

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held August 2, 2011

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:37 p.m. by Vice-Chairman William C. Seeds, Sr., on the above date, in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Seeds were: William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were Steven Stine, Township Solicitor; Dianne Moran, Planning and Zoning Officer; Brian Evans, Evans Engineering, Inc.; David Gill, Weis Market; Eric Epstein, Ted Robertson and Watson Fisher, SWAN.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the minutes of the July 12, 2011 workshop meeting and the July 19, 2011 business meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

Mr. Eric Epstein explained that he would like to compliment the Police Department in their speedy response to the bear and run-away steer sightings. He noted that the bear was in his front yard last week.

Mr. Epstein noted that there have been numerous burglaries in the quadrant near his home. He explained that the Stray Wind Area Neighbor (SWAN) would like to extend an invitation to partner with the Township to do some public awareness on this topic. He noted that

SWAN is having a meeting next Monday and he would like to extend an invitation to participate in some type of outreach to educate residents as to what they can do to prevent home burglaries and what to look out for.

Chairman & Board Members' Comments

Mr. Hornung explained that he received a call from a Forest Hills resident who was very concerned about the burglaries. He noted that he understood his concern, especially since it is vacation season and everyone is afraid to go on vacation. He noted that Public Safety Director (PSD) Johnson is doing everything he can to solve the crimes. He explained that we have to work together to solve this problem and it does not help when persons make unsubstantiated accusations such as there is an informant inside the Police Department who was telling the perpetrators when people were on vacation. He noted that this is a waste of time and energy, looking in the wrong direction, to try to solve the problem. He noted that it alienates one group against another and does not help in working together to solve the problem. He noted that someone took PSD Johnson's words out of context. He explained that he is the best of the best.

Mr. Hornung requested Mr. Epstein to help curtail those types of comments and to work together but not by pointing fingers or calling each other names. He noted that the Department has hired the best of the best and it has had a good success rate in solving many crimes. He explained that he lives up Blue Mountain and his house has been burglarized and he knows what it is like. He explained that there is no way to know if the people who walk in the neighborhoods are friend or foe, unless the Police stop everyone asking for identification. He suggested that we don't want it to get to that point. He noted that the burglars are smart and dress like the residents of the neighborhoods. He suggested that we have to work together to get it done.

Mr. Seeds noted that tonight is "Night Out for Public Safety" at George Park off of Nyes Road. He noted that the event started at 6 p.m. and will end at dusk. He explained that it gets bigger and better every year and includes police, fire and EMS displays. He noted that many

service organizations had displays as well, and there was a hot air balloon and helicopter. He wanted to thank the Police Department who sponsors the yearly event.

Mr. Crissman wanted to thank the Police Department for the planning and implementation of the event. He also wanted to thank the numerous volunteers who were assisting in the event. He noted that it is great for the community to see the kind of services that the Township provides for its citizens. He noted that Waste Management was also present and provided a great teaching tool for recycling.

Manager's Report

No Manager's report was provided.

OLD BUSINESS

Action on Settlement Agreement for Land Development Plan 06-13 Withdrawal with Weis Markets, Inc.

Mr. Stine noted that Weis Markets had a plan approved by the Township in 2006 to build an addition to its store on Linglestown Road. He noted that since that time they have decided not to move forward with that plan and have requested that the Improvement Guarantee be returned. He explained that the plan has been recorded in the court house so it could not be withdrawn. He noted that the Township and Weis Markets have drafted an agreement to withdraw the plan and state that the Weis Markets will not seek to build that plan, and if they want to do any further development in the future, they will have to provide a new plan. He noted once this agreement is signed and recorded at the court house then the Township will be able to return the Improvement Guarantee.

Mr. Stine noted that Brian Evans is present to represent Weis Markets. He noted that the agreement is ready for action this evening and it has been signed by Weis Markets representatives.

Mr. Brian Evans, Evans Engineering Inc. noted that he was able to develop an agreement that was satisfactory to Mr. Stine.

Mr. Crissman made a motion to approve the Settlement Agreement for Land Development Plan 06-13 for the withdrawal of the Weis Markets, Inc. Plan. Mr. Hornung and Mr. Blain seconded the motion. Mr. Seeds called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; and Mr. Seeds, aye.

NEW BUSINESS

Ordinance 11-06; amending Article 170 of the Codified Ordinances, Stormwater Management, Drainage, and Erosion Control

Mr. Stine noted that Ordinance 11-06 contains amendments to the recently adopted Stormwater Management Ordinance. He noted that the amendments are very minor and the purpose for this ordinance is to amend the Township's current ordinance to better implement the new regulations. He noted that the amendment is before the Board and a memo from Mr. Wolfe explains all the changes. Mr. Seeds noted that this is a housekeeping item to conform to the Dauphin County Stormwater Management Ordinance.

Mr. Crissman made a motion to approve Ordinance 11-06; amending Article 170 of the Codified Ordinances, Stormwater Management, Drainage, and Erosion Control. Mr. Blain seconded the motion. Mr. Seeds called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; and Mr. Seeds, aye.

IMPROVEMENT GUARANTEES

Mr. Seeds noted that there were three Improvement Guarantees.

Maiden Creek

An extension and engineer's estimate increase in a letter of credit with Fulton Bank, in the amount of \$94,000.00, with an expiration date of August 2, 2012.

Wilshire Estates, Phase I

An extension and engineer's estimate increase in a letter of credit with Fulton Bank, in the amount of \$407,165.00, with an expiration date of August 2, 2012.

Victoria Abbey at Forest Hills, Phase 2

An extension and engineer's estimate increase in a bond with The INSCO/DICO Group, in the amount of \$156,000.00, with an expiration date of February 2, 2012.

Mr. Seeds explained that these three improvement guarantees were tabled from the last meeting in order to have the Township Engineer determine the correct price for the guarantees.

Mr. Crissman suggested that the Victoria Abbey improvement guarantee be extended for six months only, and the other two improvement guarantees would be approved as presented.

Mr. Hornung noted that he was glad to see that the amount was increased so the Township does not have to use its funds to repair or pave the road. Mr. Seeds questioned if the improvement guarantees would be extended according to the Township Engineer's estimate or the normal 10% increase which is larger. Ms. Moran noted that for the Wilshire Improvement Guarantee, the engineer's estimate was less than the normal 10% increase. Mr. Hornung questioned if that was because the engineer felt that the work could be done for a little less than the 10% increase. Mr. Moran answered yes, but noted that the Township is entitled to the 10% increase of \$407,165.00. Mr. Hornung noted that he would approve the 10% amount of \$407,165.00.

Mr. Seeds explained that the housing market is in the middle of an economic downturn and the result is that the developers are not building the homes and not completing the developments. He noted that there are several developments that have people living in them and the roads do not have the final wearing course installed. He noted that some residents from these developments have made numerous complaints to the Township staff and Board of Supervisors

about the condition of their roads or the lack of snow removal. He noted that the Board is trying to find a way to get these roads paved as soon as possible.

Mr. Crissman made a motion to approve Victoria Abbey at Forest Hills, Phase 2, with a six-month extension using the Engineer's estimate; Maiden Creek using the Engineers' estimate for a one-year extension; and Wilshire Estates, Phase I, for a one-year extension at the 10% increase rate. Mr. Blain seconded the motion. Mr. Seeds called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; and Mr. Seeds, aye.

Payment of Bills

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

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting, and the meeting adjourned at 7:52 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary