

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held October 4, 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 Steven Stine, Township Solicitor; and Ted Robertson and Watson Fisher, SWAN.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the September 6, 2011 business meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

Ms. Allison Shreffler, 4601 Goose Valley Road, explained that she and her husband have meet with Mr. Matt Miller from the Public Works Department and it was his suggestion to attend the Board of Supervisors meeting. She stated that she wanted to address the flooding and traffic safety issues that are currently ongoing along Goose Valley Road, specifically at three intersections: Elwill Drive, Fairway Lane, and Janelle Drive. She presented the Board a signed petition from the residents in the area, mostly from the Chelsey Falls development.

Mr. Hawk explained that the Board members went on a road tour prior to the start of this meeting and it was one of the areas that was reviewed. He noted in August the Township

experienced seven inches of rain over a three hour period and then flooding as a result of Tropical Storm Lee. He noted that many neighboring municipalities also experienced extreme flooding events. He noted that he did not have an immediate answer at this time, however the Board is well aware of the issue and discussed it with the Public Works Director during the road tour.

Ms. Schreffler noted that she had documented six dates when Goose Valley Road flooded. Mr. Hawk noted that Township staff is well aware of the situation for that road, noting that they are seeking an adequate solution for that area. Ms. Schreffler presented photographs of the flooding conditions to the Board members.

Ms. Schreffler noted that the Board is obviously looking at the situation, but she questioned if a culvert needs to be replaced and should some of the responsibility for the flooding conditions be shared with the surrounding developments to maintain more control of their stormwater. Mr. Hawk noted that he did not have a definitive answer at this time. Mr. Blain answered that it is a combination of a number of issues, such as large drains, culverts, and numerous things that need to occur. He noted that it was mentioned that an engineering study needs to occur to determine how to fix the problem. He noted that it is not a simple fix and staff is actively looking to determine how to resolve the water issues. He noted that staff is well aware of the numerous times that the roadway flooded this year and that it has some infrastructure issues. Mr. Hawk noted that staff could raise the road six feet and it would solve the problem but it is not a practical solution, and further study is needed.

Mr. Hornung noted that a rough estimate for cost for approximately half of the stormwater projects that have been identified is \$850,000. He noted that it would probably cost closer to \$1.5 million to resolve the problems, and the Board is already looking at a \$1 million shortfall for the 2012 budget. He noted that staff is trying to determine the best way to correct the problems under these tight economic conditions. He noted that the Board may have to raise taxes

and cut back on other services to accommodate the stormwater needs. He noted that there has been much discussion on these issues and the stormwater problems could not have come at a worst time. He explained that the Board will do its best to resolve the issues.

Ms. Schreffler noted that there are traffic safety issues as the road is wearing away at the bottom of Elwill Road. She noted that young people travel on buses along this road and that corner makes her very nervous for their safety. She questioned if guardrails would be considered to provide additional protection.

Mr. J. Michael Coleman, 6454 Taunton Road, Heatherfield Development, noted that he is present to further discuss the complaint that he made before the Board during its last meeting. He noted that he prepared a packet of information for each Board member that also contains photographs. He requested that one set of photographs be returned to him.

Mr. Coleman explained that we all have trees and a concentration of leaves and during normal circumstance the cleaning and raking of leaves occurs once or twice a year. He noted that his problem has been ongoing for several months in epidemic proportions. He explained that his neighbor at 6435 Taunton Road has huge towering poplar trees which reach heights of 65 to 70 feet. He noted that these trees begin to shed their leaves in mid-July and continue into part of August. He noted during hurricanes or winds, they discharge much more than leaves and the branches and twigs flew over the roof of his house and end up on his patio, garage, gutters, and all over the street. He noted in terms of time, safety, and convenience, wet leaves fall on Nyes Road and Taunton Road and a vehicle turning onto Taunton Road almost slammed into the rear of his parked car. He noted that there is a safety issue to all of these leaves as well. He explained that the cleanup from the leaves encompasses 25 to 30 times a year. He noted that it is excessive, uncalled for, and he should not have to do that.

Mr. Coleman explained, in confirming with Mrs. Gourley, the Zoning Officer, that Section 302.1 of the Zoning Ordinance, and also by the Heatherfield Community Organization

rules, he was told that it was illegal to discharge waste onto Taunton Road. He noted that initially his neighbor would collect the leaves in his yard and would blow them out to Nyes or Taunton Roads and force them into the storm drain. He explained, since he received a letter from Ms. Gourley, he now comes over to his property and sidewalk and takes his leaves and blows them behind his car, and pushes them onto the middle of Taunton Road and blows them to the storm drain. He noted that he makes gesticulations of shrugging his shoulders while doing it. He stated that his neighbor is defiant, and it is a safety hazard, and we are past the point of letters or warnings from the municipality. He noted that this is a direct violation of Section 302.1 that states, "That all exterior property shall be maintained in a clean, safe, and sanitary condition." He noted that he has many photographs showing his neighbors repetitive actions and that the man should be cited as it is the only thing that will stop him. He needs to be cited and brought before Magisterial Judge Lindsey to pay a fine. He noted that he should not have to go out to clean up his neighbor's mess 25 times a year and he should not have to take out 20-foot ladders to clean his gutters two or three times a year. He noted that he should not have to clean the wells in his windshield wiper, and he is very concerned about the vehicle that almost drove into his car. He noted from the municipality standpoint, his neighbor should not be allowed to place this mess on Taunton Road and clog the storm drain.

Mr. Coleman requested the Board to take affirmative action to cite this person, not once, but repetitively. He noted that it is beyond a nuisance and is an example of harassment. He noted that the neighbor comes onto his property and blows the leaves into the street. He noted that he wants permission from the Board of Supervisors to put banners in front of his house, noting that he had a similar situation with the Borough of Penbrook that has developed into an adversarial issue. He noted that it is not the case with this municipality. He requested the Board to compel Ms. Gourley to issue citations to his neighbor and to get this man before a judge, to fine him, and put an end to this. Mr. Hawk noted that the Board will need some time to digest the information.

Mr. Blain questioned Mr. Coleman if his neighbor just cut down a tree. Mr. Coleman answered yes, and that it was a Willow tree. Mr. Blain noted that Mr. Coleman's issue is with the Poplar trees. He suggested that there is only one Poplar tree at that location. Mr. Coleman responded that there are two trees and the neighbor is planting additional trees. He noted if it was a fall and spring cleanup issue he would not be before the Board asking for justice. He noted that he and his wife spend an hour or two, 20 or 30 times a year cleaning up.

Mr. John Trish, 600 Prince Street, noted that the street sweeper was in his neighborhood the previous morning when it was raining and they did not do a good job in clearing leaves, and he meet with Mr. Wolfe about this issue. He noted that there are five drains in front of his house and they were all clogged. He explained that he swept out the drain, and raked the leaves into a nice pile, and he proceeded to tell Mr. Wolfe that the street sweeper was at his home the week before and had been there twice since then, hitting only two of the drains, and leaving. He noted that this time it was a woman driver. He thought that the driver was going to come back and get the leaves, but she didn't. He noted it rained and washed them back into the gutters and the water sloshed 12 feet up on his property and his ground is so saturated that it floods his basement. He noted that the leaf truck was at his place again on Monday morning. He noted that this is not a joke to him, and that he has five drains in front of his house and water problems. He noted every once in a while a school bus gets stranded in the high water, so the Public Works staff shows up, they are bone dry and he is soaking wet, trying to do their job. He noted that along Prince Street, where the hill goes down on the west side, all the debris is still there from past events, and when the next rain comes it will wash down into the drains. He noted that the truck was there and the driver should do her job. He noted that it looks pretty good now since he was out there cleaning up the street, however there is still a pile of leaves in front of the one drain and when it rains it will wash the leaves back into the drain. He noted that just because the driver runs over the top of the drains, it doesn't mean that the leaves get sucked up into the

machine. He suggested that the driver may need to go over the drains more than once. He noted that we are coming up on the...Mr. Wolfe explained that the message that Mr. Trish gave him last Thursday was transmitted to the Public Works Director and they will do a better job sweeping. Mr. Hornung noted that the Board will have staff do it the proper way.

Mr. John Cornelius, 403 N. Houcks Road, explained that he has a creek in his back yard that has flooded seven times this year from April through September. He noted that the three events in September were from excessive rain that came within four feet of his kitchen. He stated that he fears that it will flood his basement. He explained that he pumps water out onto the adjoining dentist's driveway. He noted that there is a drain that comes from the Amesbury Development where the wetlands are and it comes down to the upper part of the creek behind his home and all the excess water goes into the creek. He noted in 2008, Amesbury was built and they installed a retention pond that dumps into the stormwater system and the creek. He noted that the dentist had four feet of water in his basement. He stated that he lost four days of work babysitting the creek as he had to set his alarm every two hours to pump the water. He noted on the 7th of September it happened twice, and on the 8th, it happened again. Mr. Hornung questioned if this has only occurred this year or if he had previous problems. Mr. Cornelius answered that he had issues seven years ago, prior to the building of Amesbury. He noted that the drains are clogged at Amesbury and he even talked to the builder about the retention pond. He noted that he was told that it would drain in 72 hours, but that is baloney. He noted that it takes over a week for it to drain, noting that there are ½ inch holes in the vertical pipe. He noted that he was told that they can't be any larger. He noted that this is ridiculous.

Mr. Hornung noted that the Township is dealing with the highest priority issues first, or ones that have had past occurrences. He noted that this was a very unusual storm that occurred. Mr. Cornelius answered that he realized that. Mr. Hornung noted that there are conditions that are beyond the control of the Township and up to God. He noted that the Township can not fix

all the problems as it does not have enough money to do that. He noted that staff is looking to repair those places that have ongoing issues, and also where the Township has the right-of-way and is the Township's responsibility. He noted that many people come in with issues that are on private property and not the responsibility of the Township. He noted that some issues are related to the way the builder developed the property. He explained that the Board had a road tour today and looked at the problem in that location, but if it rains again, Mr. Cornelius may continue to have problems. He noted that staff has identified at least 100 problematic places and there is not one community in the Township that doesn't have some issues. He suggested, to fix all the issues would cost more than \$1.5 million. He noted that the Board plans to prioritize the list and work on these issues over the next four to five years.

Mr. Cornelius explained that the Township replaced the pipe in the creek years ago and it helped with the problem and then the development was built and it added more water to it. Mr. Hornung noted that all developments are not allowed to add additional volume over a longer duration for removal. He noted that the law states that a new development cannot contribute more flow instantaneously to the creek, and it must retain the water and slowly drain the water during lower flow periods. He noted with all the rain that has occurred, there have not been many low flow periods, and it aggravates the situation. Mr. Cornelius questioned Mr. Hornung if he needed to see pictures. Mr. Hornung responded that it was not necessary as the Board is aware of the problem. Mr. Cornelius noted that the dentist stated that there was an extra pipe that he removed last September. He noted that the Township may not be aware of that. Mr. Hornung agreed that it may not be aware of it.

Mr. Bob Dornsife, 405 N. Houcks Road, noted that his house is above Mr. Cornelius's and he is present to support him. He stated that he has witnessed this problem time and time again. He noted that the staff has multiple projects, and this has been a very heavy rainfall year, but the water comes down a huge pipe from Amesbury into the creek. He noted that 30% of the

water issue is from the pipe that drains off the properties in Amesbury. He noted that the Supervisors have been doing an excellent job in difficult situations. He noted that the Board members are mentioned in the Bible, in Romans 12 its states, to pray for those in authority and he wanted to tell the Board members that he does pray for them. Mr. Hornung stated that the Board could really use that right now.

Mr. Dornsife noted that during flooding events it hits the bottom of his property in an 8 inch area with the water being in the area of his poplar tree and if there was a wind event and the roots were saturated with water, it could provide for the possibility of the tree blowing over into his neighbors' shed. He noted that his insurance company would pay for it after he pays his deductible. He noted since the Board is aware of the water problem and since it has not been corrected he questioned what would the Board do as individuals if they had water in their backyard like Mr. Cornelius has. He stated that he knows that the Board will attempt to resolve the issue.

Mr. Cornelius requested the Board to have staff check the drain pipe that is coming down from the Amesbury development.

Ms. Anita Steele, 112 South Madison Street, noted that Madison Street is a block up from Willow Street where a stormwater project was completed two years ago. She noted that her house is not accessible when it rains, the storm swale crosses in front of her home and the inlet is clogged and water surrounds her home. She noted that it runs into her backyard through the neighbor's yard on to Willow Street. She noted in April it opened up the abandoned septic system in her backyard which she filled with a half ton of stone. She explained that her neighbor rebuilt their home that was damaged in a fire and spent more than its value for that neighborhood, and in September it flooded their finished basement. She explained that she has no loss since her basement is not finished because she gets water in her basement. She noted that

she has lived in her home since 1991, and the Township did do some work in the area originally, cleaning out the drain, but the situation has become cumulative over the years.

Ms. Steele explained that she has been in contact with the Public Works Department and this year there has been lots of rain. She noted that the neighborhood was built in the 1930's. She noted that there was a waterline project that provided a lot of dust and dirt that was deposited into the swale, into her driveway, and many neighbors have tapped their downspouts out to the street instead of across their lawns to the street. She noted that five or six trees have died from that. She noted that people do not realize the little things they do to help themselves impacts everyone. She noted that Willow Street and Madison Street are on the list, but her concern is that the work that was done on Willow Street is not functioning properly and it cost over \$100,000 to do it. She noted that something needs to be done about this as her house has no value as it is. She noted if the drain pipe was cleared out, noting that it is probably the original drain that was put in when the neighborhood was built 70 years ago, it held up good, and if it was cleaned out as much as possible it would be helpful.

Ms. Steele suggested holding a neighborhood meeting to discuss other ways to mitigate some of the discharges. She noted that her neighbor used gravel on his driveway, thinking that it would help with infiltration and all that gravel is now in her yard. She noted that she needs the Board to facilitate something to fix the problem, and she is open to any kind of best management practices, noting if someone wanted to put a wetland in her front yard or a detention basin she would be willing to do that. She noted that she would be open to any suggestions and provide her yard as a demonstration project for other areas in the Township.

Mr. Hornung questioned if Mr. Wolfe was aware of this problem. Mr. Wolfe stated that it was on the list.

Mr. Hawk noted that he never had water in his basement in 40 years, but he did this year.

Ms. Avie Banks, 4510 Elwill Drive, explained that she had a daughter that had to ride through the flooding that occurred on Goose Valley Road. She noted that the bus driver was ready to drive through the flooding and it took three neighbors to convince the bus driver to let the children off the bus before driving through. She questioned why there is no partnership with the School District. She questioned if this is an issue that the Township was aware of. She noted that the school system is not addressing the safety of those buses driving through the flooded streets at Goose Valley Road and Elwill Drive. She noted that she took pictures of the last event and many cars were stopping to ask her if they should drive through the flooded water. She noted that she would not provide that advice to the drivers but there is nothing to warn drivers not to drive through the water. She suggested that a barrier is needed for the area. She noted that there a wet water rescue event occurred early in the area this year. She stated that she fears that someone will misjudge the water and wants some type of system to help deter people from driving through the flooded water. She noted that she is concerned that her daughter's bus drives through the flooded area and there is no means to leave the kids closer to their homes where they need to be. She requested the Board of Supervisors to work with the Central Dauphin School District when the flooding occurs. She noted, during the last event, after getting off the bus some children decided to play in the water. She suggested that someone will sue the Township \$1.5 million for the life of their child. She noted that every parent can't be present to pick up their child, but something can change to ensure that the buses reroute to get those kids home safely. She noted that her daughter's bus driver told her daughter that she would not be allowed to get off the bus to get home and her daughter was in a panic. She noted that someone needs to work with the School District in the event that the road will not be fixed in the near future that some work be done to train the bus drivers who travel those roads what to do in adverse conditions.

Mr. Crissman explained the he had worked for the School District, and he questioned if Ms. Banks shared her concerns with the School District. He noted that she needs to do that as it

is important there be in-service training sponsored by the School District to teach its drivers to make a determination whether it is a safe condition for a child, noting that health and safety should always be number one. He noted that drivers do have to make decisions, and if they come upon an unsafe condition, the driver should be trained not to drive through water, and not to drop off children in unsafe locations. He noted that Ms. Banks stated that parents are not always present to pick up their children, but as a former school administrator, he suggested that it is imperative that parents be present since the School District is responsible for the child until that child leaves the bus and after that they become the parent's responsibility. He noted that it is the parent's responsibility to be at the bus stop providing a safe condition for their child and not allowing them to play in standing water. He noted with the amount of water that was flowing on Goose Valley Road, it could have been an extremely dangerous situation for a child. He noted that Ms. Banks needs to address the School District to ensure that they are aware of this situation.

Ms. Banks noted that numerous cars stopped, trying to determine if they should cross the water. Mr. Crissman noted that it is a very bad location for flooding water. He noted that it was one of the areas that the Board toured this evening and a plan will be designed in the best interest of the citizens. He noted that it floods rather quickly and drivers have to be extremely careful. He noted that the Township officials have put up barriers and many times people just drive around them. He noted that there was an emergency rescue in that location, and there are people who don't abide by signage and don't make good decisions. He noted that he will see the Assistant Superintendent of the Central Dauphin School District tomorrow and he will share this conversation with her.

Ms. Diane Dugan, 2231 Earl View Drive, questioned if the Board toured her mess today. Mr. Blain noted that the Board was in the vicinity of Earl View Drive. She noted that the Board should have come in to see the mess in her house. She noted that she had pictures the last time she was at a meeting, noting that five storms have damaged her home since March. She

explained that her first level is completely destroyed, she does not have a furnace that works, and it has been freezing cold. She noted that she can't cook dinner since it is so cold in her house. She noted that the water heater was replaced after the second flood, and has been replaced twice. She noted that someone helped her put down her third floor. She noted that the entire first level of her home was destroyed. She noted that everything has to be replaced, and she presented pictures the last time she was in attendance of a Board meeting. She noted that she also has mold issues.

Ms. Dugan explained that Mr. Robbins tried to find the pipe that was installed 24 years ago, but he can't. She noted that Mr. Robbins told her that the pipe would be replaced by the end of August, but it didn't happen. She noted that she was told by Mr. Wolfe that it would be done in September but it hasn't been done yet. She noted that the water is coming down from Doris View Drive like a waterfall. She noted that this is the third time that she brought pictures to the Township and requested to have the pictures returned to her. She noted that the pipe cannot contain the water. She explained that she walked from her place to Doris View Drive during a storm and saw multiple pipes from the neighbor's home that were dumping into her natural swale. She noted that Lonny Maurer has also built a swale that he told her that he had permission from the Township to do so. She noted that she called Mr. Robbins to see if he received permission, and she has copies of all the swales that he built. She noted that he has visible pipes and there are other pipes from other people's properties. She noted that Mr. Robbins told her that when they put in the new pipe that would probably take care of a lot of the water runoff, but he also suggested that she put a swale in also. She explained that she has estimates for the work and it is costing a lot of money. She noted, in her opinion, the water is coming into her place from the neighbors pipes and they don't want to take any responsibility for it. She noted that they don't think they have done anything to create more water into her property, but they have. She stated that you can see that the neighbors have been digging. She noted that she and a few other

neighbors put \$1,000 worth of sandbags on Mr. Maurer's property and he is saying that he did not give permission for her to put them their and she told him that he needed permission to build a swale and flood everyone else. She questioned him if he had heat and a furnace, and he stated yes. She noted that the next quandary is that the sandbags are unsightly, but after they were installed and a small rain occurred in September, it handled most of the water but it still came into the first level of her home. She noted that the Mr. Dane and the Mr. Maurer want her to put in a swale. She noted that she has estimators, Dauphin County, and an engineer look at the mess but nothing has been done since March. She noted that Mr. Maurer wanted to see the aesthetics for her plan and she questioned him if he has seen the aesthetics in her home as there is nothing there anymore.

Ms. Dugan explained that she has done everything she can as fast as she can but she is concerned with the Township pipe and what they plan to do. She noted that she has not seen the plan; however, she suggested that Rodger Olsen has seen it. She noted that she cannot put more pipes and money into anything until she knows that the proposed solution will work to keep water out of her home. She noted that she has come back to seek more help from the Board as she has not received a whole lot of help. She stated that other people have had water but no one else from her development has come to a meeting to complain. She noted that the Mr. Dane and Mr. Maurer have exasperated the water situation at her home. She suggested that legally, it is an encroachment onto her property.

Ms. Dugan noted that she had talked to FEMA and they will help her a little bit, but not very much towards replacement of the furnace which costs between \$5,000 and \$7,000. She noted that she called Senator Robert Casey's office and they recommended that she speak to FEMA about mitigation between the Township and the State as it might provide some help for her. She noted that she had not received a return phone call from FEMA at this point. She noted that she is overwhelmed with all of this.

Ms. Dugan noted that Mr. Robbins has the first set of pictures that the Board has seen. She noted that she feels that there should be a meeting with her neighbors to make them feel some sense of responsibility. She noted that Mr. Maurer just skimmed over it and he is petrified that she would sue him. She noted that nothing has been done. She noted that she has a swale that works well, but it is too much water that is coming into it, along with the debris, and no one cares about it.

Ms. Dugan noted that Mr. Maurer wants her to have her work done by October 1st, and it is impossible to do this. Mr. Wolfe noted that Public Works will be undertaking a project in this area, noting that their staff has been cleaning up a new emergency work every two weeks. He noted when the rain stops; staff will be installing a public system in the street in that development. He noted that the private matter between Ms. Dugan and abutting property owners are civil issues. He noted that Mr. Robbins has a plan in place and as soon as the weather cooperates, he will do the work. Ms. Dugan questioned what should she do in regards to a civil suit. Mr. Blain explained that she would have to retain an attorney to handle that. Ms. Dugan noted that she needs an engineers report before she could do that.

Chairman & Board Members' Comments

No comments were provided.

Manager's Report

Mr. Wolfe noted that Treat or Treat Night will be observed on Thursday, October 27th in the Township from 6 p.m. to 8 p.m.

Mr. Wolfe noted that the dedication ceremony for the Linglestown Road project will take place on Friday, October 21st at 11 a.m. in the Linglestown Square. He noted that the public is invited to attend.

OLD BUSINESS

Action on the engagement of Lewis and Associates to perform an audit of Comcast cable franchise fees

Mr. Wolfe explained that staff has been working with Lewis and Associates to perform an audit of the Comcast cable franchise agreement and Mr. Stine has more information to share with the Board.

Mr. Stine explained that Mr. Wolfe provided him a copy of the previous cable franchise agreement with Comcast, noting that the Audit provision is different from the current agreement. He noted, under the old agreement, the years can only be audited one by one, therefore, after the first year if you wanted to conduct an audit for that year, you had to make notification to Comcast of the request for an audit within 30 days of the end of the contract year. He noted if the Township failed to do this it forfeits its audit rights. He noted that it has been a number of years since that contract when into affect and the time has lapsed to make notification for audit services. He suggested that there is nothing for Lewis and Associates to audit.

Mr. Seeds noted that the new contract started in 2010. Mr. Crissman noted that it is a silent point and no action can be taken. Mr. Wolfe noted at this time, neither staff nor counsel can find a way to conduct an audit on the prior or current agreements in accordance with the current proposal from Lewis and Associates. He noted that it can be done on a fee per hour basis, but not on a contingency fee basis.

NEW BUSINESS

Action to appoint an individual to fill a vacancy on the Arts Council

Mr. Hawk noted that Mr. Luetchford has requested the Board to approve Ms. Tavia Larson to fill a vacancy on the Arts Council. He noted that this request was based upon the recommendation of the Parks and Recreation Board. He noted that Ms. Larson would fill the term of office that expires on December 31, 2011.

Mr. Crissman made a motion to approve the recommendation from the Parks and Recreation Board to appoint Tavia Larson to fill the vacancy on the Arts Council. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Action on bids for tree cutting in the PC-2C/2D sanitary sewer mini-basin

Mr. Wolfe explained that staff received five bids for tree cutting work in the PC-2C/2D sanitary sewer mini-basin. He stated that the low bid from Stoner's Tree Service in the amount of \$31,300 was reviewed by staff and found to be acceptable. He noted that staff is familiar with Stoner's Tree Service, and have found their work to be acceptable. He noted that four of the five bids were within \$8,000 of each other. He noted that staff recommends the Board to authorize this action at this time.

Mr. Crissman made a motion to approve the bid for tree cutting in the PC-2C/2D sanitary sewer mini-basin to Stoner's Tree Service in the amount of \$31,300. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

IMPROVEMENT GUARANTEES

Mr. Hawk noted that there were three Improvement Guarantees.

Hoffman Ford Sales

A reduction and extension in a letter of credit with Mid Penn Bank, in the amount of \$1,485.00, with an expiration date of October 4, 2012.

Willow Brook, Phases V & VI

An extension and 10% increase in a letter of credit with Fulton Bank, in the amount of \$74,020.25, with an expiration date of October 4, 2012.

Chateau Woods – Kings Pointe

An extension in a letter of credit with Integrity Bank, in the amount of \$11,475.97, with an expiration date of October 4, 2012.

Mr. Hornung noted that the Kings Pointe Chateau Woods guarantee is minor in nature and they have been provided extensions in the past for the same work. He suggested that it is about time they got the work done. Mr. Wolfe noted that the option would be to act on the letter of credit, however, the estimate to do the work would exceed the funds that the Township has in the improvement guarantee. Mr. Hornung questioned by how much. Mr. Wolfe answered that it would be significant. He noted that his recommendation would be to extend the guarantee for another six months and if the work does not get done within six months, that reevaluate the total costs of the letter of credit and at that time increase it substantially. Mr. Hornung questioned if it could be a three-month extension. Mr. Wolfe answered yes. Mr. Seeds noted that he spoke to Ms. Moran in regards to this and she referenced that HRG, Inc. would be sending a new estimate, but since the guarantee would expire in a couple of days, the Board needs to act on it tonight. Mr. Hornung noted that this has been going on since 2005 and it is ridiculous. Mr. Seeds noted that it was last reduced back in 2000.

Mr. Crissman made a motion to approve the three improvement guarantee, however, only providing a three-month extension for Chateau Woods until January 5, 2012. Mr. Blain 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. Mr. Crissman seconded the motion. Mr Hawk 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 8:45 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary