

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held October 18, 2011

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:33 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; Brian Evans, Evans Engineering Inc.; and Ted Robertson and Watson Fisher, SWAN.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the August 9, 2011 workshop meeting, September 13, 2011 workshop meeting, and September 20, 2011 business meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

Mr. John Trish, 600 Prince Street, noted that he wanted to thank Mr. Wolfe and the Board members for ensuring that the leaves were cleaned from the drains in front of his house.

Chairman & Board Members' Comments

Mr. Hawk acknowledged the presence of students from the Central Dauphin High School who were working on their Advanced Placement Government Class project. Mr. Hawk invited the students to come to the podium.

A student explained that the group is from the Advanced Placement Government Class at Central Dauphin High School and their teacher is Mr. Bair. She explained that it is an advanced

government class that is offered by the school. Mr. Crissman questioned what the follow-up will be in class tomorrow as a result of attending the meeting. A student explained that they must write a report on what occurred at the meeting and share it with the rest of the class. Mr. Crissman stated that he hoped the contents of this meeting would provide for good conversation during the school class. Mr. Hawk noted that he was delighted to have the students present at the meeting.

Manager's Report

Mr. Wolfe noted that Treat or Treat Night will be observed in the Township on Thursday, October 27th from 6 p.m. to 8 p.m. He noted that most municipalities in Dauphin County will observe Trick or Treat on this same date. He noted that police personnel and members from the three fire departments will be on duty to provide protection during the two hour event.

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. He explained that a section of North Mountain Road will be closed during the dedication ceremony, and the event should only last a half hour. He encouraged the citizens to participate in the fall festival days that will occur in the Village of Linglestown from Friday October 21 through Sunday, October 23rd. He noted that the Linglestown Merchants Association has scheduled many activities for the weekend to include: self-guided walking tours, annual pancake breakfast at the Linglestown Fire Company, historic talk by Polly Murphy; Rep. Ron Marsico will be present at noon on Saturday; trivia for kids by Sylvan Learning; and face painting on Saturday. He noted on Sunday there will be face painting for kids and an antique appraisal fair. He noted that numerous other events are scheduled throughout the weekend.

Mr. Wolfe noted that the first nationwide test of the Emergency Alert System (EAS) will be conducted on Wednesday, November 9, 2011 at 2:00 p.m. eastern standard time. He explained that the purpose of the test is to assess the reliability and effectiveness of the system in

alerting the public of an emergency condition. He noted that the EAS is a media communications-based system and its participants include: broadcast alerts and warnings regarding weather threats, child abductions, and other types of emergencies. He noted that EAS alerts are transmitted over television and radio broadcasts, satellite television and radio, cable televisions and wireline video services.

NEW BUSINESS

Action on proposals to provide the Township and Authority with property and liability insurances

Mr. Wolfe noted that the Township has acquired pricing (not bidding) through Brown and Brown, the Township's current insurance broker and noting no changes for the Township's current policy; the coverage costs have been reduced. He noted that the proposal for liability insurance for the Township for 2011-2012 is \$95,668, whereas the Township paid \$97,270 for the 2010-2011 year. He noted that the public officials' binder proposed cost is \$9,138 as compared to paying \$10,112 this year.

Mr. Wolfe explained for the Lower Paxton Township Authority, the situation is a little different. He noted for the public officials' liability, the cost increased from \$2,431 to \$2,863. He noted for the liability coverage, the cost increased from \$23,399 to \$29,595. He explained that there has also been a reduction in the coverage as the insurance carrier has reduced its no-fault one-time, per property owner payment up to a maximum of \$15,000 of reimbursement with a payment of \$1,000 per claimant for sanitary sewer backup. He noted that coverage costs have increased and the type of coverage that has been reduced has resulted in a very expensive insurance year for the Authority with significant sanitary sewer backups into basements due to the extreme wet weather that we have experienced this year. He noted that the insurance carrier had to pay many claims and the experience has not been good, therefore the cost for coverage has increased and the amount of payout has decreased.

Mr. Wolfe noted that staff recommends that the Board accept the proposals provided by Brown and Brown for both the Township and the Authority insurances for the 2011-2012 insurance year.

Mr. Seeds questioned what a Township speed sampling station is. Mr. Wolfe answered that it is the mobile station set up by Police personnel to warn drivers how fast they are traveling.

Mr. Seeds noted that he reviewed the appraisal for various buildings, especially the ones located in the parks and he questioned who does the appraisals. Mr. Wolfe answered that industrial appraisers had conducted the appraisals in the past for Township capital assets and that information is provided to the insurance carrier. Mr. Seeds suggested that some of the appraisals are very low, suggesting that the Koons Park announcer booth is appraised at \$2,789. He suggested that there is no way that it could be replaced for that amount of money. He noted that there were other examples of low appraised buildings. Mr. Wolfe suggested that the Township is overdue for an appraisal. He noted that it would not affect the insurance carrier, only the costs for the insurance from the carrier.

Mr. Seeds noted that the Authority has costs to reimburse property damage in the new policy. Mr. Wolfe noted that is not true for the next insurance year. He noted that those funds have been exhausted for this year insurance year. Mr. Seeds noted that Mr. Wolfe mentioned \$15,000. Mr. Wolfe explained that was the policy limit for the past year and the Authority went over it substantially.

Mr. Crissman made a motion to approve the Township and Authority proposals for insurance for property liability, the public officials and the umbrella coverages under the Township of \$9,138, plus the \$95,688 and the Authority in the amount of \$2,863 and \$29,595 as proposed by Mr. Wolfe. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Action on an agreement with Dauphin County to lease space in the Municipal Center

Mr. Wolfe explained that the Township leased space to the Capital Tax Collection Bureau in the past, and since that lease was extinguished the space is now available. He noted that Dauphin County has approached the Township to lease that office space. He noted that they do not desire a long-term lease and the lease amount that was prepared for the Board's review is \$1,250 per month. He noted that it includes all utilities except for trash and telephone services. He noted that the term of the lease would be for one year after which it would convert to a 30-day, month-to-month renewal. He explained if any of the parties would desire to extinguish the lease after one year it could be done with a 30-day notification. He noted that the lease is very similar in form to the CTCB lease which was prepared by Mr. Stine. He explained that he prepared this lease and Mr. Stine reviewed it and found it to be acceptable.

Mr. Crissman made a motion to approve the leasing of space in the Municipal Center for \$1,250 monthly rental for one year with a 30 day notification of departure with Dauphin County. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Change Orders #4, #5, and #6 to the PC 1A-1C sanitary sewer
mini-basin Contract with Liberty Excavators

Mr. Wolfe explained that the total contract with Liberty Excavators for the PC 1A-1C min-basin is in the amount of \$3,910,422. He noted that Change Order #4 is a increase in costs of \$12,615 for extra costs incurred for a concrete encased sanitary sewer main that were not shown on the plan. He noted that staff was unaware that the pipe was encased in concrete. He noted that the issue with concrete encasement is that it provides for a very difficult effort in replacing the failed lines since they are encased in concrete, all of which had to be removed or worked around. He noted that this change order has been reviewed by staff and the engineer and found to be acceptable.

Mr. Wolfe explained that Change Order #5 is a decrease in the contract price of \$103,307.24. He explained that this change order provides for the relocation of a sewer line that currently runs along Linglestown Road to Hummingbird Lane and to the rear of those properties. He noted that the replacement will occur in what would be a paper alley type area. He noted that previously, the contractor had to work in a deep line in a State right-of-way, and the costs of constructing the new line is significantly less.

Mr. Wolfe noted that Change Order #6 is an increase of \$150,000. He noted that the Authority had a negotiated change order with Ronca for sanitary sewer collapse in Earl Drive when the entire width of Earl Drive was lost due to the depth of the line and the strata of the dirt that was there. He noted that it was found that the road had been previously blasted, and when the contractor started digging, the road started to collapse on both sides until there wasn't anything left, needing complete restoration. He noted that Liberty Excavators had the same work experience in portions of Hillsdale, McIntosh, Valley View and Crestview Roads and Avon Drive. He noted that Liberty submitted a change order in excess of \$400,000; however staff applied the same criteria to their change order request that was applied to the Ronca request and provided documentation that the change order should be in the amount of \$150,000. He noted that amount has been accepted by Liberty Excavators and it is acceptable to staff and the engineer.

Mr. Wolfe noted that these three change orders are presented to the Board for their approval.

Mr. Crissman made a motion to approve the Change Orders #4, an increase in the amount of \$12,615; Change Order #5, a decrease in the amount of \$103,307.24; and Change Order #6, an increase in the amount of \$150,000, to the PC 1A-1C sanitary sewer mini-basin Contract with Liberty Excavators. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Revised final land development plan for 6009 Jonestown Road

Mr. Hawk noted that the revised plan is actually a reduction in the footprint for a previously recorded plan that allows for additional parking on site.

Mr. Wolfe noted that this plan was originally approved by the Board of Supervisors on June 27, 2006 and recorded on February 8, 2007 at the Dauphin County Courthouse, Instrument #2007008072. This revised plan represents minor modifications which include a reduction in the building footprint and the addition of three additional parking spaces. This plan also represents a change in ownership. The property will be served by public sewer and public water and is zoned CN, Commercial Neighborhood District.

Mr. Wolfe noted that the plan was approved with the following waivers on June 27, 2006: 1) Waiver of the requirement to install sidewalks; 2) Waiver of the requirement to submit a preliminary plan; and 3) Waiver of the requirement to provide road widening along Jonestown Road. He noted that these three waivers will carry over to this plan and are recommended by staff.

Mr. Wolfe noted that the plan contains General Note 13 which has been placed on the revised plan indicating that sidewalk adjacent to Jonestown Road will be installed in the future at such time that adjacent development occurs.

Mr. Wolfe noted that there are three general conditions: 1) Plan approval shall be subject to providing original seals and signatures; 2) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; and 3) A street/storm sewer construction permit is required and 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.

Mr. Wolfe noted that it is an unchanged plan, however, since a document was recorded in the Dauphin County Courthouse and that plan will not reflect the current document unless it is changed, staff felt it was best to have the Board approve the revised plan so that it could be recorded and provide for no confusion in the future.

Mr. Wolfe noted that Brian Evans, of Evans Engineering is present to represent the plan.

Mr. Crissman questioned if the waivers need to be reapproved for this revised plan as well as General Note 13. Mr. Wolfe answered yes. He questioned if any additional action must be taken. Mr. Wolfe answered no.

Mr. Brian Evans, Evans Engineering, stated that the plan is very much like the original approved plan, however he has reduced the size of the building by about 400 square feet and added three additional parking spaces. He noted that the net result is a negative 30 square feet of impervious coverage on the lot. He explained that he reduced the impervious footprint and made no changes to the existing stormwater design. He explained that he had done some equitable tweaking for the new property owners. He noted that the driveway locations will remain the same and everything else works as it was originally intended.

Mr. Crissman questioned Mr Evans if he was able to speak on behalf of the applicant. Mr. Evans answered he believed so. He noted that the applicant is in the audience. Mr. Crissman noted that he needs to know who can speak for the plan. Mr. Evans noted that he received a nod from the property owners to state that he could represent the plan. Mr. Evans noted that Mr. Beachly stated that was correct.

Mr. Crissman questioned if Mr. Evans was in agreement to the three requested waivers. Mr. Evans answered yes.

Mr. Crissman questioned Mr. Evans if he can meet the three general conditions. Mr. Evans answered yes.

Mr. Crissman noted that would include General Note 13. Mr. Evans answered yes.

Mr. Crissman made a motion to approve the revised final land development plan for 6009 Jonestown Road to include the following waivers, conditions and note: 1) Waiver of the requirement to install sidewalks; 2) Waiver of the requirement to submit a preliminary plan; and 3) Waiver of the requirement to provide road widening along Jonestown Road; 4) Plan approval shall be subject to providing original seals and signatures; 5) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 6) A street/storm sewer construction permit is required and 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; and 7) General Note 13 which has been placed on the revised plan indicating that sidewalk adjacent to Jonestown Road will be installed in the future at such time that adjacent development occurs. Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote and the members voted unanimously.

Payment of Bills

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

Adjournment

Mr. Hawk thanked the students for attending the meeting and invited them to come back to another meeting.

There being no further business, Mr. Crissman made a motion to adjourn the meeting, and the meeting adjourned at 8:04 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary