

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held February 10, 2009

A workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 6:05 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 George Wolfe, Township Manager; Steve Stine, Township Solicitor; Daniel Bair, Chief of Police; Robert Grubic and Steven Fleming, Herbert, Rowland and Grubic, Inc.

Pledge of Allegiance

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

Public Comment

No public comment was provided.

Review of the results of the 2008 Citizens' Survey of police services

Chief Bair explained that this is the second survey that the Police Department conducted, the first being in 2003. He noted that he was hoping to increase the response from the first survey conducted in 2003 and the Department was successful in this goal. He noted that there were 1,532 respondents in 2003 as compared to 3,363 in 2008. He noted that the demographics of the survey noted that the medium respondent was a white female, over 50 years of age, who has resided in the Township for 20 or more years, and owns her own home.

Chief Bair noted that the survey contained 17 questions, and some asked every respondent for an answer, while others only asked for a response from those citizens who had contact with a police officer in the past 12 months. He noted that questions eight through ten were designed to solicit information from respondents who had direct contact with a police officer. He noted that for the 2008 survey, 59.1% had direct contact with a police officer, whereas, in the 2003 survey, 54.4% has contact with a police officer, noting that 31.4% of the contacts were casual contact through meeting in public, crime watch or neighborhood meetings. He noted that the main reasons for his request for additional personnel was to increase the time

officers would have for individual contact with people other than responding to calls for service. He suggested that this statistic shows that the Police Department accomplished this goal.

Chief Bair noted that 12% of the respondents requested assistance from the Department; 17.1 % were contacted through traffic violations; 5.3% through vehicle accidents; 21.1% by reporting a problem; .01% for being arrested; 5.1% reported a crime; and 7.7% were victims of a crime.

Chief Bair explained that he reviewed several categories in relation to the police officer's role and conduct during the contact with the public, and he used a system for overall satisfaction for placing a value on a category for police interaction. He noted that the survey results were very good, noting that an area of less than 80% is indicative that there is a need for improvement in that area. He noted that the five areas that he looked at had satisfaction ratings of higher than 80% with the lowest being 89.57%. He noted that the officers received ratings for the following categories: appearance, 93.27%; competence and professionalism, 90.63%; attitude and courtesy, 90.46%; response time, 89.76%; and quality of service, 89.57%.

Chief Bair reviewed the overall statements of persons having contact with police officers, and 97% gave a very satisfied or satisfied rating. He noted that the victims of crime rated the police officers 90% satisfied or very satisfied. He noted that the satisfaction of services by race for blacks was 93% satisfied or very satisfied, and 100% for the Hispanic community. He noted that this showed that the officers interact well with members from a minority community.

Chief Bair noted that the survey questioned how safe citizens feel during the day and at night in their homes, neighborhoods and the Township. He suggested that this is where the white female who has lived in the Township for over 20 years comes into play. He noted that during the night, 97.7% of residents felt safe in their neighborhoods, 94.1% felt safe in the Township, and 98.3% felt safe in their homes. He noted that for the daytime hours, 98.4% felt safe in the Township, and 99.2% feel safe in their neighborhoods.

Chief Bair noted the next question asked if crime increased or decreased in their neighborhoods, and 3% indicated that crime has decreased, with 85% indicating no change, and 12% indicated that crime had increased. He suggested that the perception of what is happening is much different from what was happening 20 years ago. He noted that 86% of the respondents indicated that their feelings of safety have not changed; 7% indicated that their feelings of safety have decreased, and 7% indicated that their feelings of safety have increased.

Chief Bair noted that 60% responded that traffic problems in their neighborhood have not changed, while 2.8% have decreased, and 36.6% indicated that traffic problems have increased.

He noted that this is similar to the response from the 2003 survey, and that is why he placed such an emphasis on traffic enforcement to maintain a safe level of traffic in the neighborhoods.

Chief Bair noted that 88% of the people surveyed indicated that the quality of life issues in the neighborhood have not changed, while 7% indicated that it has decreased, and 5% indicated that it has increased.

Chief Bair noted that survey questions 14 and 15 were intended to solicit useful information for the direction of future police services. He noted that 96.4% of the respondents indicated that the efforts of Community Policing are working in Lower Paxton Township. He noted that 3.6% indicated that they are not working. He noted that he asked what services should be increased, and the number one response was increased patrolling in the neighborhood, and the second was, increased traffic enforcement. He explained that this is the opposite for the 2003 survey and the increased enforcement may have had some impact on the respondents.

Chief Bair noted that question 16 concerned visiting the Township's website, and 84% responded that they never visited the site, 10% stated that they visited the site yearly, 4% monthly, and .05% indicated that they visit the site weekly. He noted that the Police Department wants to improve the Township's website, noting that they want to add a number of items that would attract people to go to the webpage, on a weekly basis. He explained that he wants to add the news and press releases, crimes and incidents that are occurring in specific neighborhoods, noting that the Police website would contain a lot more information.

Chief Bair noted that question 17 asked for suggestions for improvement of services from the Police Department. He explained that he received 1,045 comments, ranging from, no improvement necessary to you-name-it. He noted that he planned to take the responses from questions 15 and 17 to drive the 2009 business plan, and that they would become the goals set for the Police Department in 2009. He noted that each division of the Police Department is going to be required to come up with two goals that affect their division in response to the greatest number of the comments.

Chief Bair noted that the Department has received a 92% approval rating for police services. He noted that this is outstanding, as the rate nation-wide is generally 85% to 90% level. He noted that the efforts of the Police Department have been accomplished based upon the support provided from the Board of Supervisors by significantly increasing the manpower that has enabled him to move forward and implement many projects to bring the Department's satisfaction rating from 93% in 2003 to 97% in 2008.

Mr. Blain questioned how the surveys were distributed. Chief Bair answered that they were mailed with the sewer bills. He noted that the surveys were not just given to people who came in contact with the Police Department. Chief Bair noted that the residents in the apartment complexes received their survey with their newsletters, many were picked up from the Municipal Center, and it was also available on line. Mr. Blain noted that 59.1% of the people who returned surveys had contact with a police officer within that year. He questioned of those who had contact with police officers, what was their rate of return for surveys. Chief Bair noted pages four and five involve those persons who had contact with police officers.

Mr. Blain questioned how Chief Bair knew that the Township's numbers were very good as compared to those of other police departments. Chief Bair answered that he used the internet to research their reports for annual surveys. He noted that many police departments conduct surveys every two or three years. He noted that he looked at 50 to 100 surveys from other police departments from state, county, and municipal agencies to see how they laid out their report.

Mr. Crissman questioned when he was collecting the information for the ethnic groups, what was the raw data for the total number of Hispanics versus the total number that was satisfied for respondents. Chief Bair noted that he used Service Monkey, an internet service provider, to compile the raw data. He explained that he took the hard copy surveys and entered the data on their website. He noted that he did not have the information for that question; however, he suggested that the number was fewer than 20.

Chief Bair noted that 3,317 respondents answered the question for race, whereas, 46 did not, indicating that it should not be a concern for the survey.

Mr. Crissman questioned if the survey indicated that the white female, over 50, having lived in the Township for more than 20 years, was provided by Service Monkey. Chief Bair answered that it broke down each question to provide statistics.

Mr. Hornung noted that the ratings for person who had contact with a police officer, were all close to 90%. He questioned if this was typical for the other surveys Chief Bair studied. Chief Bair answered that the overall satisfaction rating was only found in three other surveys. He suggested that the Township's were higher than those he reviewed.

Mr. Hornung questioned if he shared the overall comments with the police officers. Chief Bair answered that he made it available to the officers, but he distributed the information to the Division Commanders and they were instructed to discuss it with their sergeants and corporals. He noted that individual concerns would be assigned to the four patrol zones for further patrol action. For instance, a stop sign complaint would be assigned for additional enforcement.

Mr. Blain questioned if an officer is detailed to a stop sign, what directive is given to the officer, to ticket or provide a warning. Chief Bair explained that a warning is a means of enforcement, and it is the officer's discretion. He noted that it may very well depend on the manner of the infraction, such as creeping through a stop sign or just failing to slow down and stop. Mr. Hornung noted that there was a comment made that police officers fail to stop at stop signs. Chief Bair noted that there were 12 comments regarding officer's failure to follow driving laws, and he noted that it would be addressed by the Sergeants.

Mr. Hornung noted that there should be a good means for public relations to spread the results of the survey. He suggested that information from this report should be included, in some fashion, in the Township newsletter. Chief Bair noted that the report is on the webpage, but the responses were not included.

Mr. Seeds noted that the increase in traffic problems would coincide with the increase in traffic. Chief Bair noted that as the main roads become congested, people take short cuts into neighborhood streets. Mr. Seeds questioned if there would be less traffic enforcement as part of the business plan for 2009. Chief Bair answered that the number one request was increased patrols in neighborhoods, and the patrol division is looking at means to increase the amount of time that officers patrol neighborhood streets. He noted that a means to validate the increase in traffic must be established to verify that it is occurring. He noted that there are over one hundred complaints regarding people who do not stop at stop signs in neighborhoods, therefore, a way to validate this would be to conduct more stop sign enforcements, as he could document the number of traffic stops an officer would make for particular violations. He stated that he needs to provide proofs for the need for increase patrol action in neighborhoods by way of written documentation.

Mr. Seeds questioned if the Township experienced a recent rash of burglaries. Chief Bair answered that the burglaries have remained consistent, but the robberies have increased tremendously, as well as crimes committed with firearms. He explained that a robbery is a crime whereby someone takes another's property by force. Mr. Seeds questioned if the Police still provided bank escorts for businesses. Chief Bair answered no. Mr. Seeds questioned if the robberies are occurring when managers are leaving the business. Chief Bair answered no. He noted that the Criminal Investigation Unit's goal is to increase its solvability rate for residential burglaries. He noted that the solvability rate for businesses is normally higher, since they are normally committed by repeat offenders. He noted that, typically, a residential burglary is committed by a teenage boy or a neighbor who is aware that the occupants are not at home.

Mr. Seeds questioned if the Police Department reports its crimes to the newspaper. Chief Bair answered that the Criminal Division Lieutenant has made daily reports to the press for the past seven years, Monday through Friday. He noted that the Police Department tries to be as open with the press as possible.

Mr. Blain noted that the Central Dauphin School District has an email or phone system to notify parents for alerts at school. He questioned if the Police Department could develop a similar program to notify neighbors of a recent criminal act, such as a burglary. Mr. Wolfe noted that the PEG TV service, through the Capital Area Region Council of Governments, offers that service where they could send email alerts to telephones or computers. He noted that a reverse 911 system is still very pricey. Chief Bair noted that the Police can provide this service for the Amber Alert or Child is Missing Programs. He noted that these two programs are provided free to police departments. Mr. Seeds noted that there is an initial start-up cost for the PEG, EG, TV program, and it would have cost roughly \$80,000 to set up the program. Mr. Wolfe noted that more than one local municipality has a reverse 911 system. He noted that Waste Management has the means to make a group notification when it must adjust its calendar.

Mr. Blain commented that no one presents statistics like Chief Bair and it looks like he is moving in the right direction with the Police Department. He noted that he has a problem with the police officer's ability to make decisions in the field in regards to enforcement or community policing. He noted that perception is reality and he has had numerous people comment negatively to him in regards to traffic stops. He noted that the officers must understand that they are working for the best interests for the public and if it means giving a ticket, then so be it. Chief Bair noted that the Police Department issues two warnings for every citation, noting that Swatara and Derry Townships are nowhere near a two to one ratio. He noted that the 43 patrol officers are amenable when it comes to traffic enforcement. He explained that the community is asking for increased traffic enforcement, noting that it was the number one concern in 2003, and in 2008 it was the second top concern. He noted that the number one concern of citizens for the Township is how traffic affects the quality of life for citizens in Lower Paxton Township.

Continued discussion regarding options for providing towing services  
at the scene of vehicle accidents

Mr. Wolfe noted that the Board requested Chief Bair to schedule a meeting with the Township towing vendors to discuss a change in the rates for services with the vendors. Chief Bair explained that a number of years ago, the Police developed an agreement with the towing

vendors, noting that the vendor's business had to be located in the Township in order to tow vehicles upon the Police Department's request. He noted that the system has not changed, with the vendors rotating services monthly, for the north and south side of Route 22, however, the towing fees have slowly started to increase and he has received complaints from customers. He noted that over the past few years it seems like the citizens are complaining more noting that the average towing bill is \$275 to \$300. He noted that customers are calling the towing companies to complain and they are told that the Police Department sets the rates. He noted that the Police Department does not set the rate. He noted that the towing companies set the rates as maximums, noting that they are not supposed to go higher than the set rates. He explained that he wanted to bring this issue before the Board, and questioned if the rates are okay, or should the Township bid the process for police requests, in order to make the vendors lower their rates, or continue to do business as is.

Mr. Seeds explained, years ago, the towers were upset that they did not get their share of the towing requests. He noted that the Police Department met with the towers, and they came up with the current agreement, and now they are working together to regulate the fees. He suggested that they would not charge a Board member the same rate that they charge the average citizen.

Chief Bair noted that he conducted a meeting with the towing vendors recently and they were able to add an additional class of vehicle to be towed, an abandoned/disabled/impounded vehicle for \$100 on weekdays between 8 a.m. and 5 p.m.; however, on weekends or between the hours of 5 p.m. and 8 a.m. the charge would be \$125. He noted that although this fee is not unreasonable, the charge of \$250 minimum to tow an accident from a vehicle after 5 p.m. on a weekday is very expensive. Mr. Stine noted that it is very expensive for an AAA member.

Chief Bair explained, if an accident occurred at 6 p.m., three blocks from the towing vendor, the tower would charge \$250 and automatically add a \$25 to \$35 storage fee. He noted, if the person picks up the vehicle the next day, they add another day's storage fee. He noted that the person ends up with a \$300 bill to tow a vehicle three blocks. Mr. Crissman noted that there is a great disparity between that and what AAA would charge for a tow.

Chief Bair noted that all the towing agencies used to be AAA affiliated, but none of them are at this time.

Mr. Blain noted that Chief Bair recommends going out to bid for services. Mr. Crissman questioned Chief Bair if that was his recommendation. Chief Bair answered that it would be the best way to provide what was best for the citizen. He noted that his primary recommendation, would be to tell the towing vendors what the maximum amount would be permitted, and it would

be their choice to participate on the towing list. Mr. Seeds questioned how the Township would determine what the fair rate should be. Mr. Blain questioned if the towing company bills the customer directly. Chief Bair answered that the Township could tell the vendors, if they want to be on the towing list for the Township, and they respond for an accident vehicle, they could not charge more than X amount of dollars for a flat rate for the tow. He noted, if the accident involved a vehicle over an embankment, and a second towing truck was needed, they would be allowed to charge extra. He noted that he hasn't looked at the numbers to determine what the maximum rates should be. He noted that the way to get the best price for the citizens may be to bid the service. He noted that there are towing companies that could provide the service for under \$100 per tow. He noted that if the tower only has one truck and there are five accidents at one time, that tower could not provide the services that would be needed. Mr. Wolfe noted that the Board could set a minimum equipment requirement which would prevent that vendor from bidding the project. Mr. Wolfe noted, if the Board decided to set specification and bid the work, the Board could end up with a room full of angry towers.

Mr. Crissman questioned Chief Bair what he would suggest since he would have to deal with the problem. Chief Bair suggested that he would like to determine appropriate rates for the three categories, and if a vendor wishes to be on the list for towing for the Township, they could not charge more than the base rate. He noted, if they could not make a living on that rate, then they should not bid the project. Mr. Crissman noted that the Township would need to come up with a list to present to the vendors. Mr. Seeds noted that a vendor could be removed from the towing list for failing to follow its requirements.

Mr. Stine questioned if all vendors provided a price list, and the person who owns the vehicle could pick who they want to use. He noted that all the towers who would tow must be AAA affiliated. He noted, if someone is an AAA member, they would be able to get the service free. He noted that the Township could set the criteria for being included on the list and the citizens could chose who they want. Chief Bair explained that the current list is limited to towers who have businesses in the Township so the citizen would not have to drive out of the Township to get their vehicle. Mr. Stine noted that he would be upset if he was unable to use his AAA service provider to have his vehicle towed, especially since he pays for that service.

Mr. Seeds noted that the current system is not acceptable to the Board members. Mr. Crissman noted that he liked Mr. Stine's suggestion. Mr. Seeds questioned if Chief Bair should provide a recommendation to the Board members for what they should be charging. Mr. Crissman noted that he likes the AAA connection too. Mr. Stine noted that he did not like the

price fixing method. He noted that there needs to be an element of free market, or certain criteria by which a tower would qualify. Mr. Blain suggested that the vendors would not want to lose their business with the Township with the current economy. He noted that they should be told that their rates don't work, and they should provide a better rate schedule.

Chief Bair noted if he had a meeting with the towing vendors and told them that the Board members feel that the rate is too high, they would come back with lower rates. Mr. Stine noted that that would trouble him as it would be a violation of the anti-trust laws. He noted if there is a local monopoly, the Federal government would enforce that act upon them if they are colluding to fix prices. Mr. Wolfe suggested that it should be a competitive bid process in accordance with specifications. Mr. Stine noted that it could be done through a Request for Proposal (RFP) process. He noted that he liked the ideas of having qualifications for the towing services, such as certain equipment specifications. Chief Bair noted that that requirement is contained in the current contract. Mr. Crissman noted that the AAA affiliate should also be included. Mr. Seeds noted that it may cut out some of the towing companies. Mr. Wolfe noted if the Township issues a bid or an RFP, the majority will be cut out, purchasing services from a small conglomerate that meet the overall need. He noted that it may not be anyone from the Township; rather it could be someone who is willing to open a storage lot in the Township. Chief Bair noted that the person who contacted him stating that he could provide services at a reduced rate, is a towing vendor for the City of Harrisburg, however, the vehicles would be towed to his lot. Mr. Seeds noted that he would need to review the costs for storage too.

Chief Bair noted that a reason why the towing vendors do not want to lower their rates is because, by law, everyone is required to have insurance, and insurance companies will pay the prices. He noted for those accidents where the drivers choose not to report the accident to their insurance company, they would have to pay the high rates. He explained that he would research the matter further and discuss an RFP with Mr. Wolfe.

Mr. Hornung noted if a rate schedule was used, they would be forced to lower their rates. He noted that it would eliminate the price fixing dilemma. He noted that a vendor cannot tell him what he must sell something for. He noted that by providing a sheet to the public with the rates, then the vehicle owner could choose who they want to use. He noted that the AAA towing vendors could be listed as well. Chief Bair suggested that the four vendors would get together to set rates. Mr. Hornung noted that it would be okay. He noted that it would be to the vendor's advantage to be AAA affiliated as they may get more business. He noted that it would be a more competitive usage. Mr. Seeds noted that sometimes, at the scene of an accident, the driver would

not be able to make a choice. Mr. Hornung noted that the police should call the lowest priced vendor.

Mr. Hornung noted that the vendors' issue is that they must purchase a vehicle that cost a lot of money, hire a driver or drivers who work 24 hours a day, and put them in an unsafe situation. Mr. Stine noted that the vendors are to sweep up the area and clean up the debris. He noted that he would not do it for under \$250, especially if he needed to be at the scene within 40 minutes. He explained that his vehicle was recently towed from the Holy Spirit Hospital to his business for \$80.

Chief Bair noted, if the Police call the towing company, the rate for the contract is charged, however, if the car owner calls the driver, they get the vehicle towed for half the rate. Mr. Seeds noted that most people have cell phones. Chief Bair noted that the Police could provide each driver a list of vendors and prices and they could make the call. He noted that if they are unable to make the call, the Police could have a rotating list. Mr. Stine noted that the AAA members would call their towing service. Chief Bair noted that the only problem with AAA is their response time.

#### Discussion with Robert Grubic, HRG, Inc., regarding services as Township Engineer

Mr. Seeds noted that the agreement with HRG, Inc. is good until the end of 2009, and he suggested that the Board needs to meet with Mr. Grubic once a year to discuss service. He questioned if the rumors are true that Mr. Grubic may be leaving his company. Mr. Grubic answered that he did not plan to leave his firm.

Mr. Grubic explained that he wanted to review the 2008 activities, noting that Steve Fleming is the day-to-day contact with the Township as well as the member of the firm attending the Planning Commission meeting and selected Board meetings. He noted that the list of activities that he prepared included the Township retainer fee that covers meetings and routine communications on a daily basis as well as plan reviews and land development and subdivision work. He noted that additional work included; George Park, rewrite of the SALDO, work at Koons Park for the salt dome and maintenance building, storm sewer rehab work in Forest Hills, Crums Mill Road and Devonshire Road intersection, Hocker Park and Appalachian Trail, Willow Ave, Crums Mill culvert on Linglestown Road, Public Works building for possible building expansion, lighting and energy work, and bridge repair work. He explained that his firm provides services for Dauphin County for bridge work inspections with a span over 20-foot. He noted that additional work has been done for the MS4 Project, Page Road, Trudy Road storm

sewer, Conway Road compost facility, Route 22 and Devonshire Road improvements, and a sewer line replacement for Trudy Road. He explained that this is an overview of the work performed in 2008.

Mr. Grubic explained that he has been involved with the Township since 1973 and values the Township as one of his flagship customers. He noted that it is great working with the Township and he looks forward to continuing that working relationship.

Mr. Grubic explained that he has no plans to leave his company; however, in January 2008 he made changes in HRG, Inc. from a closely held corporation to a stock ownership, so the employees are owners of the company. He explained that he continues to be president and CEO of the firm, and that he loves what he is doing. Mr. Seeds questioned if Mr. Grubic was associated with a bank. Mr. Grubic explained that he is on the Board of Directors for Mid-Penn Bank.

Mr. Seeds noted that Mr. Grubic is always present at the Susquehanna Township meetings, and he explained that the Board feels slighted since he does not attend the Township's meetings. He questioned if it would cost the Township more to have Mr. Grubic attend Township meetings. Mr. Grubic answered that it would not cost more. He noted that he has represented Susquehanna Township, through the firm, since 1981, noting that they have nine board members and have had two managers, and that he attends the Commissioners and Planning Commission meetings. Mr. Crissman noted that the Board's concerns are in no way meant to make light of Mr. Fleming's work. Mr. Grubic noted that he spoke with Mr. Fleming and told him that he should not take this request personally. Mr. Seeds noted that when Mr. Snyder first started to work with the Township they both experienced growing pains. Mr. Seeds noted that there have been instances when he did not like the way Mr. Fleming did his work. He noted that the big plan coming up will be Bishop McDevitt and he wanted to insure that Mr. Grubic has everything covered for that plan. Mr. Grubic noted that his business philosophy is Quality Client Service, and he needs to provide whatever the client wants, especially since the Township is a major client. He noted that he aims to make the Township happy and exceed its expectations. He explained, however the Board would want to structure the arrangement for Board meetings, he would be happy to accommodate it.

Mr. Grubic explained that in 1973, he worked on a road projection study for the Township, to plan how roads would be designed along with the development, and 35 years later, much of it has come to be. He noted that, over the years, it makes him happy to see that his work

has come to fruition. He explained that he has lived in the Township since 1978, and is involved with the Township work on a daily basis.

Mr. Fleming noted that he spends half of his time working on Township business. Mr. Grubic noted that he would be happy to do whatever the Township would like him to do.

Mr. Seeds noted that there were numerous change orders for the George Park project, and Blue Meadow Farms, resulting in a lot of cost overruns that amounted to a large amount of money. He requested that the engineers do a better job estimating the quantities and checking for the missed utilities. He noted, during the tight economic times, it is imperative that Mr. Grubic and Mr. Fleming check their work for accuracy. He noted that when there are many waivers and conditions for plan, sometimes it is very hard to follow the information, and he requested that HRG, Inc.'s comments correspond to the same number for waivers. He noted that he does not like to be presented with new information during the meeting as it does not provide him the necessary time to review it. Mr. Grubic noted that he tries to make the Board members' job easier. Mr. Wolfe noted that part of the concern between the numbering for the waivers and conditions may be part of staff's issue as well. Mr. Fleming noted that he tries to address the concerns as they are brought to his attention, but if he misses something, he requested that it be brought to his attention right away. He noted that his goal is to make the Board members happy.

Mr. Grubic questioned if there were any concerns in regards to HRG, Inc.'s service. Mr. Hornung noted that he had an area that he had received several complaints. He explained that the review fees seem to be high. He noted that he has a concern when he has no control over something and it is his money. He noted that when the contractor receives a bill that he has no control over, it is frustrating, especially when there is not much of an explanation for the bill. He noted that this is an area that is a sore subject with many of the contractors. He explained, in some instances, the developer's engineer do shoddy work and then expects the Township to fix it. He noted that some developers have requested an explanation for the expensive bill and have not been provided with one. He questioned if the review could be billed out to show what each item was for and the amount of time for each item. He noted that it would show the developer that his engineer made mistakes and then they could go back to their engineer to find out why, noting that they would be forced to do better work or be fired. Mr. Grubic questioned if he was asking about reviews or inspections. Mr. Hornung suggested that the bill could provide more information, then it would provide the contractor a better understanding of where the money was spent. Mr. Grubic noted that the biggest problem that exists is the less than acceptable quality of some of the work of the engineers and surveyors. He explained that they will quote their client a

low number, come in with a shoddy plan, expect the Township engineer to review the plan, calling this, design by review, where the Township engineer tells the developer what to do in order to get the plan approved. He noted that the developer's engineer goes back to the developer, explaining that the Township made him do extra things, and that it would cost more, when he didn't do the work right in the first place. He noted that he meets with the developer's engineers a lot and makes many comments, and in many instances, they only address half of the comments. He noted that a second report has to be issued for corrections, and in some cases, he would mark an asterisk after the repetitive comments to show that they are repetitive. He noted that some comments may be addressing outside agency approvals.

Mr. Hornung questioned if it would be possible for a contractor to receive a bill that would itemize how much time was spent for each comment. Mr. Grubic noted that when he reviews a plan, he takes the previous comments and looks at the new plan and compares the two plans to ensure that the comments were completed. He explained that taking a look at one comment may take a few minutes while another may take an hour. He noted that some developers have asked for the information and he was happy to share the amount of time that staff spent on a plan review or site inspection. He stated that he had issues with one contractor, noting that staff has concerns for the quality of work, noting that it was a building that the Township would own. He noted, in some instances where extra attention is needed or requested to protect the Township interest's, he will spend more time in the review.

Mr. Grubic noted that the two largest issues related to land development is the review and the comments that the developer thinks that their engineer is taking care of; however, they are not doing this in the proper manner. He noted that the construction phase, when the inspections are done, is the time when the greatest disagreements occur in the field. He noted that some inspections are completed by Township staff. Mr. Seeds suggested that more and more of this would occur.

Mr. Grubic noted that he has lived in his development for over four years and the final road surface has not been installed over the wearing course. He noted that the binder is deteriorating. Mr. Seeds questioned who plows the road. Mr. Grubic answered that the developer plows to a certain extent.

Mr. Hornung questioned if Mr. Grubic could asterisk the repeat comments, and instruct Ms. Wissler, if the contractor inquires about charges, that it would be okay for her to have them contact HRG, Inc. Mr. Fleming noted that he has worked with Ms. Wissler and Ms. Nebrosky to provide them information for one particular project. Mr. Hornung noted that Mr. Ricker has been

in his store complaining about the charges, but it was never offered to him to call HRG, Inc. Mr. Grubic noted that he would be willing to do this, but he explained that the most successful projects occur when the developer attends the meeting with his engineer and then they both hear the comments first hand.

Mr. Fleming noted that Mr. Ricker's issue involved a change issue at a field meeting, resulting in additional cost that he was not expecting, after the plan was approved. He stated that he provided information to Mr. Ricker, but he never heard anything more. He explained that he had to ensure that the storm system would function as it was originally intended.

Mr. Seeds requested if Mr. Fleming would speak louder into the microphone during the meetings so that he could hear him. Mr. Fleming answered that he would.

Mr. Blain noted that there is always a learning curve with new employees, and during last week's meeting, Mr. Fleming knew the issues and he was on top of his game, and he should keep up the good work. Mr. Hornung agreed.

Mr. Crissman noted that he appreciates the value of service that HRG, Inc. provides, the long term commitment, and he agreed that Mr. Fleming's effort at the last meeting was the best he ever presented during a public session, however, if the Township would go out for RFP's for an engineer, HRG, Inc. would be the at the top of the list. He noted that the Township continues to use HRG, Inc. since they think they are the best. He noted that perception is reality, and he is not taking anything against Mr. Fleming, but when you pay the top dollar you want to see the top person and he would like to see Mr. Grubic at some of the meetings. Mr. Grubic noted if staff informs him when his presence is needed at a meeting, he would be there. Mr. Crissman noted that the general public associates Mr. Grubic with HRG, Inc., and they visually need to see that for a while. Mr. Grubic noted that whenever the Board feels it is necessary, he will attend the meeting.

Mr. Grubic questioned if there was any particular schedule for him to follow to attend the meetings. Mr. Crissman answered that he would yield to Mr. Wolfe and staff to make that determination. Mr. Wolfe noted that when a plan of notoriety or multiple plans are scheduled, he would request Mr. Grubic to attend, and when it is a simple plan or one that has received preliminary approval, he would ask Mr. Fleming to attend. Mr. Hornung questioned if there would be a continuity issue if Mr. Fleming was working a plan and Mr. Grubic attends the meeting. Mr. Grubic answered, that although he communicates with Mr. Fleming on the Township's plans, it could be a possibility. He noted that Mr. Fleming keeps him informed as to

what is happening in the Township not only for a professional reason but also for personal reasons as well.

Mr. Seeds questioned, in regards to the Hocker Park Appalachian trail work, what exactly is HRG, Inc. doing. Mr. Fleming answered that he did a survey location of the trail. Mr. Wolfe noted that as part of the Greenway Plan, the Township needs to be able to identify the Trail, to apply for funding to ensure that Hocker Park connects to the Boyd Big Tree Conservation Area to the west. Mr. Seeds noted that Mr. Spangler owns land in that area and questioned if the Township has a right-of-way through his land. Mr. Wolfe answered that there is an implied right-of-way. Mr. Fleming noted that the intent is to use the survey information to formalize the agreement with Mr. Spangler and to have the land dedicated to Boyd Big Tree or the Conservancy. Mr. Grubic noted that there is an Appalachian Trail Council that is a multi-state organization that is providing federal funds.

Mr. Grubic thanked the Board members for their business, and noted that he appreciates working with the Township, professionally and personally.

#### Review of the mission statement proposed by the Greenway Committee

Mr. Wolfe noted that the Greenway Committee has prepared a formal mission statement, definition of a greenway, and short and long-term goals. He noted that once the Board of Supervisors concurs with these items, then he would schedule them for adoption during a business meeting. Mr. Crissman noted that it looked good to him. Mr. Seeds agreed and suggested that it should be added to a future agenda. Mr. Blain and Mr. Hornung were in agreement with Mr. Seeds.

#### Review of a recommendation from the Parks and Recreation Board on the naming of the proposed dog park

Mr. Wolfe noted that the recommendation from the Dog Park Association is that the proposed dog park be called Happy Tails Dog Park in Kohl Park. Mr. Seeds questioned if this would affront the memory of Mr. Kohl. Mr. Wolfe noted that within the parks, several facilities have been named, such as Possibility Place at George Park. He noted that this would become the Happy Tails Dog Park in Kohl Park. He noted that the Parks and Recreation Board have approved the proposed name. Mr. Blain noted that since the organization is paying for the park, then it would make sense to let them choose the name. Mr. Crissman noted that a resident of the

City of Harrisburg donated \$2,600 towards the development of the dog park. Mr. Seeds requested that it be put on the agenda for the next meeting.

Review of the 2009 budgets for the Paxtonia and Linglestown Fire Companies

Mr. Blain noted that he reviewed the Paxtonia and Linglestown Fire Companies' budgets and said that they were fine. Mr. Wolfe explained that he received the South Central EMS agenda after the packet was put together. Mr. Seeds noted that the Colonial Park Fire Company wants the funds to repaint their fire truck to come from the Fire Equipment Capital Fund. He noted that the Paxtonia Fire Company paid \$37,500 for automobiles and equipment repairs. He noted that the Linglestown Fire Company has \$42,000 listed for equipment repairs. He questioned what Colonial Park Fire Company paid in comparison to the other two fire companies, and if it was justified to take the funds out of the capital fund. Mr. Wolfe noted that maintaining fire equipment, especially aerial equipment, is very expensive. He noted that the fire companies spend thousands of dollars to maintain relatively new equipment on an annual basis. Mr. Wolfe noted that he did not know what Colonial Park paid for their maintenance costs, but he assumed that it would be very similar in costs.

Mr. Seeds questioned if the \$500,000 in a savings account is some of the money loaned to Paxtonia for the refurbishing of the fire house. Mr. Wolfe answered that it is a loan drawn construction and Paxtonia would only have the money afforded for the draw. He noted that that amount is the money that Paxtonia has in its saving account. Mr. Seeds questioned why they would have borrowed the money that they did. Mr. Wolfe answered that they did not want to draw on their cash reserves. Mr. Seeds questioned how they saved that large amount of funds since they were in bankruptcy several years ago. Mr. Wolfe noted that they have run their board very well over the past 20 years; however, he noted that he would check into this for Mr. Seeds.

Mr. Crissman noted for the South Central EMS Budget, under municipal revenues, they have \$345,000 listed, and he would like to know the breakdown for this line item. Mr. Wolfe explained that the Township paid \$224,000, noting that West Hanover Township paid roughly \$45,000.

Mr. Blain noted that he would not want to discuss this budget since he has nothing to compare it with. He noted that he would like to see a budget with the 2008 and 2007 actual figures. Mr. Crissman noted that there is nothing to compare with, and he would like to have the

final numbers for 2008. Mr. Wolfe noted that he would make contact with Mr. Calhoun and request the additional information.

“Otta Know” Presentation: Act 32 implementation towards  
county-wide collection of Earned Income Tax

Mr. Blain noted that Act 32, which is the new Earned Income Tax (EIT) legislation that was passed by Governor Rendell in July 2008, is quickly coming full circle. He noted that he is conducting educational seminars State-wide for the Pennsylvania State Association of Township Supervisors (PSATS). He noted that the Board needs to discuss what it needs to know as Supervisors for this Act.

Mr. Blain explained that Dauphin County must call a meeting of all the political subdivisions of the County that is in the tax collection district. He noted that the meeting must be advertised no later than September 15, 2009, and must be held before November 15, 2009. He noted that before the meeting occurs, each municipality and school district must appoint a delegate to the Tax Collection Committee (TCC). He noted that the TCC would be made up of one person from each political subdivision within the district and they would be charged to select the County-wide tax collector. He stated that he would be willing to be the delegate.

Mr. Blain requested that this item be placed on the agenda for the February 17, 2009 meeting, to appoint him as the representative to the TCC. Mr. Hornung noted that it would be a very tough job.

Mr. Blain noted that, as a municipality, the Board members should collaborate with the county municipalities and school districts as to who they are interested in appointing as the County-wide tax collector. He noted if the Board wants to continue to use A. H. Berkheimer in Dauphin County, it would require everyone to lobby other municipalities. He noted that he has found that they all have different thoughts as to who the tax collector should be. He explained that when the Dauphin County Commissioners call the meeting, everyone would send their representatives to decide if they should set up its own tax collection bureau, or outsource it to a tax officer, a third party entity that would collect the taxes, such as Berkheimer. He suggested that since Derry Township is the only municipality that collects its own taxes, most likely they would vote to have a third party collect the taxes. He noted, if that is the case, then everything is in place to do a Request for Proposal (RFP) for the process. He noted if the process goes that route, then there is a greater risk that the Township’s collector may not be chosen. He noted if the Board members can get enough school districts and municipalities to support one collector,

there is a good chance that they would be appointed as the tax officer, and it could be done during the first meeting. He noted if Berkheimer is not chosen, then the Township would have to transition its taxing services.

Mr. Blain noted that the TCC's votes are weighted upon the size of population, and amount of tax revenue collected for the municipality or subdivision. He noted that the Central Dauphin School District and Swatara and Lower Paxton Townships together, would amount to 40% of the weighted voted. He noted that the Township would only need one additional major entity to secure the majority vote. He noted that he had a discussion with a Commissioner in Susquehanna Township and he was told that they use Lancaster's Tax Collection Bureau and he questioned who they would like to use, and he stated that they would like to remain with the Lancaster Tax Bureau. He noted that they did not want to go with Berkheimer. He noted that he did not know what the Susquehanna Township School District wanted to do. He noted that this is also true for Derry Township, since they fired Berkheimer and started their own collection agency.

Mr. Blain noted that the Board needs to start working today to ensure the necessary end results that would occur later this year. He noted that maybe the Township would decide that it doesn't want to choose Berkheimer, but the Township needs to be focused on who it appoints to the TCC, and it should begin to find out what the other Townships are doing.

Mr. Blain noted that it would be great to establish some agreements as to who should be chosen before it goes to the Dauphin County Commissioners meeting.

Mr. Crissman questioned if Act 32 requires the County to do an RFP. Mr. Blain answered that nothing in Act 32 states that it must use an RFP process; however, you must have majority support for whatever is chosen.

Mr. Crissman questioned if Karen McConnell could pull in any of the other school districts, noting that it is the largest school district in Dauphin County. He suggested that she may not be able to help with Susquehanna Township since it has a close relationship with its municipality.

Mr. Blain noted that the legislation allows for the collection of EIT and Local Services Tax, (LST), but also, to implement a new tax, a personal income tax, which would tax assets and holdings on a yearly basis. Mr. Seeds questioned if the TCC would make that decision. Mr. Blain answered yes.

Mr. Blain noted that the changes would not take effect until January 2012, allowing two years to establish the process. Mr. Seeds questioned if the TCC would vote on these issues or

would it automatically happen. Mr. Blain answered that the TCC would vote on the issues. He noted that he would like the Board members to stay focused on what it needs to do now, which is to appoint a person to the TCC. He noted that the Township would be the first to do this, and then collaborate with other entities. He noted that the City of Harrisburg, along with its school district and Derry Township would have a lot of pull.

Mr. Crissman suggested that the big three should meet after next week to discuss strategies. He noted that they in fact could attempt to draw others to the plan. Mr. Blain suggested that it would be better to meet with Swatara Township first. He noted that one of the Central Dauphin School Board members, who was adamantly against the CTCB, has since changed his mind. He noted that this is somewhat of a concern for him.

Mr. Blain noted that Mr. Seeds sits on the Capital Regional Council of Governments and could play a vital roll in persuading others to vote for Berkheimer.

Mr. Blain noted that part of the Act states that, if the Township had a system using a County-wide collector, such as Lancaster and Lebanon, they can opt out of the function and ratify that they would continue to use the same tax collector.

### **IMPROVEMENT GUARANTEES**

Mr. Seeds noted that there were three Improvement Guarantees.

#### Liberty Place

A release in an escrow with Lower Paxton Township, in the amount of \$8,250.00.

#### Willow Brook, Phase III

An extension and 10% increase in an escrow, with Lower Paxton Township, in the amount of \$605.00, with an expiration date of February 1, 2010.

#### Amesbury

A reduction in a bond with Liberty Mutual Insurance Company, in the amount of \$570,420.68, with an expiration date of April 18, 2010.

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

## **Adjournment**

There being no further business, Mr. Blain made a motion to adjourn the meeting. Mr. Crissman seconded the motion, and the meeting adjourned at 8:27 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

Gary A. Crissman  
Township Secretary