

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Business Meeting held February 9, 2016

A workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 6:07 p.m. by Chairman William L. Hornung, on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hornung were: William B. Hawk; William C. Seeds, Sr., and Robin Lindsey.

Also in attendance was George Wolfe, Township Manager; Steven Stine, Township Solicitor; Tom Bova, Boenning and Scattergood; Jay Wenger, Susquehanna Financial Group; Amanda Zerbe, Community Development Manager; Erin Letavic, HRG, Inc. Vince Pinizzotto and Christine Hunter, Heroes Grove Committee; Polly Murphy, Pam Jones, and Stefan Klosowski, Village of Linglestown Committee; and Watson Fisher, SWAN.

Pledge of Allegiance

Mrs. Lindsey led in the recitation of the Pledge of Allegiance.

Public Comment

No public comment was presented.

Chairman and Board Members Comments

Ms. Lindsey wanted to thank the ladies at the Friendship Center for the nice entertainment that they had on Saturday night with the Variety Band for the fundraiser for a new Freddy the Frog. She noted that they raised funds to replace the frog that is in the leisure pool.

Review of the issuance of the 2016 General Obligation Bonds

Mr. Wolfe noted that Mike Bova and Jay Wenger are present to review the last issuance whereby Lower Paxton Township issued a General Obligation Bond in the amount of \$29 million. He noted that \$25 million is to be used for sanitary sewer improvements through to 2033 and \$4 million is for stormwater improvements.

Mr. Jay Wenger from Susquehanna Financial Group noted that the selling of the bonds will close a week from tomorrow on the 17th of February so the money will be in the bank in

short order. He noted that he would let Mr. Bova speak to the underwriting effort that in his opinion was done very well and effectively. He distributed two sheets that he used to provide more of a picture for what we have done. He noted that page one displays a graph of interest rates going back to 1990. He noted that the blue line is the ten-year treasury which today reached almost 1.7. He noted that rates are still very low and the green line is the bond buyer 20 GO Bond Index which is a basket of high-grade long term tax exempt bonds. He noted on page two, the chart goes back to the Series of 2014 Bonds showing the rates, and for the 2015 Bonds the rates were a little lower than the 2014 Bonds, and the 2016 Bonds were lower than the 2015 Bonds. He noted that the Township has a substantial capital project, and it has had the benefit of very low interest rates that have hung in for two solid years, and the way things are going probably for another year.

Mr. Mike Bova from Boenning and Scattergood noted if you recall in December the Board took action on a parameters resolution that gave his team and the Financial Advisors and Underwriter the authorization to proceed with the new money issue within certain parameters that were established by the Board. He noted in early January the Township Manager, Financial Advisor and he, as the underwriter, decided that they wanted to be one of the first in the market place in January. He explained that historically, in the beginning of the year, there is very little supply but the same amount of demand. He explained that he wanted to be the first in the market in the new year to go out with a very solid credit which Lower Paxton Township has with a Aa 2 credit rating to lock in rates at a very low level. He noted that the typical procedure that he follows is that he had a conference call with Mr. Wolfe on Friday, January 8 and provided him with an indication of where they felt the rates would be. He noted that they had a subsequent call on Monday, January 11 and provided to him the pricing for what they thought the rates would be. He noted that they decided to pull the trigger and go out Monday before anyone else came out on Tuesday. He noted they had another conference call with Mr. Wolfe later in the morning to let him know how the sales were going. He noted that the financial advisor reviewed the orders that they received and we ended up having more orders than we had bonds. He noted that the role of the financial advisor is to make sure the orders matched the bonds that were bid on. He noted if we had \$1 million bonds for 2020, and we had orders for \$3 million then we had to

make the yield a little lower to lose \$2 million of the bonds so we had a one-for-one. He noted that is the goal.

Mr. Bova noted that the way we evaluate to the issuer, the Board, and the Financial Advisor is to compare the rates of Lower Paxton Township bonds to rates that were done on another issue. He noted on the screen is the Municipal Market Daily (MMD) that comes out every day and it takes into account the day to day on the bonds and that maturity for what interest and principal is paid. He noted that it is a pretty good system. He noted that you can see on January 11th there were only two other deals, two were insured, which they pay for insurance, but due to Lower Paxton's rating, it does not have to pay insurance. He noted you need to look at the list to see what the Township did, looking at the spread over the MMD. He noted that the lower the spread over the MMD the better rate the issuer gets. He noted in 2017 the spread above MMD is 23, for Green County it was 46 and for Catasauqua School District it was 38. He noted other than a few exceptions this spread performed extremely well.

Mr. Bova noted that typically for a call date on a deal over \$10 million, you have a ten-year call; however, he was able to market this with a seven year call. He noted that yields under \$10 million are bank qualified and it adds a premium to the issue as the banks want to buy those bonds. He noted that historically, bonds that are bank qualified will trade stronger, meaning interest rates are from five to ten basis points for maturity. He noted the next page shows the coupon on the bonds and what the yields are. He noted if you go across the chart the Township was .80%; Green County was 1.00% and Catasauqua Area School was .90%. He noted that even though their bonds should have yielded less the Township bonds were yielding less. He noted that his desk did a very good job. He explained that those rates are locked in, and next Wednesday we will collect all the money from the people who bought the bonds and will give the Township about \$28 million.

Mr. Hornung questioned why the yields for 2021 showed 3.30%. Mr. Bova answered that was a typo mistake and it should be 1.30%. He noted that was a good catch.

Mr. Bova noted that a lot of this is attributed to the Aa2 credit rating that the Township has. He noted that is a testament to the Board and staff in having financials in shipping order and making decisions that the rating agency found very favorable. He noted that you don't pay for

insurance and you have a good credit rating. He noted that there were no other non-insured bonds in the market that day.

Mr. Bova thanked the Board for the opportunity to serve and he wanted to thank Tom Smida, the bond counsel, for all his efforts as well as Jay Wenger from the Susquehanna Group.

Ms. Lindsey thanked both men for coming to the meeting, especially Mr. Bova who has to drive back to Pittsburgh this evening in the bad weather.

Presentation of a draft ordinance creating a vacant/blighted property registry

Mr. Wolfe noted during the last business meeting the Board adopted an Intermunicipal agreement to participate with the Dauphin County Authority in regard to a blighted property program by which the County will be able to acquire and restore or return back to useful productive status in our communities and others within the Central Dauphin School District.

Mr. Wolfe noted that Amanda Zerbe has proposed that the Board also consider a vacant/blighted property register for our community. He noted that she will go through a draft ordinance this evening describing the registry that is not really complicated and provide reasons for why she believes this is a good thing. He noted that it is a draft at this time and it is not ready for Board action as there is more work to do as staff would like to get the Board's input.

Ms. Zerbe noted that the ordinance before the Board will establish a vacant/blighted property registry as in many cases the owners or responsible parties of these structures are neglectful by not maintaining them or securing them to an adequate standard or restoring them to productive use. She noted that the vacant and abandoned structures cause severe harm to the health, safety, and general welfare. She noted that the Township incurs disproportionate costs in order to deal with the problems of vacant and abandoned structures. She noted that this ordinance would allow the Township to impose a fee in conjunction with registration of vacant and abandoned structures in light of the disproportionate costs incurred.

She noted if you look at Section Two it reads that the owner of any vacant property as defined herein shall within 60 days after the property becomes vacant or within 30 days of assuming ownership of the vacant property, whichever is later, file a Property Registration Form with the Community Development Department. She noted that the registration shall remain valid for one year beginning at the date of the registration and the owner shall be required to

renew the registration annually, as long as the building remains a vacant property, and shall pay a registration or renewal fee in the amount prescribed for each vacant property registered.

Ms. Zerbe noted that Section Three has the fees listed as the registration for each vacant property shall be \$100.00 for the first year; \$500.00 for the second year; and \$1,000.00 for the third year and each year after.

Ms. Zerbe noted that the violations and penalties will be completed by Mr. Stine.

Ms. Zerbe noted that Community Development has been dealing with vacant houses for many years and at this time we have 40 houses that are on the vacant house list and out of those 40 houses, we have four that are on the unfit for human occupation list. She noted that emergency responders need to know where the unsafe and blighted houses are located so this list will help identify the problem properties before they would make any responses. She noted that we will also use the list to better track the vacant houses as we need that for several agencies that we need to send a list; such as the Dauphin County Land Bank, several other different governmental agencies, and the Mortgage Bankers Association. She noted that it will also help to make Community Development more efficient. She noted, at this time, it takes about three hours of work from the time we get the initial compliant from a resident until the time we send a violation letter out. She noted that most of that time is spent trying to locate the owner of the property which is not easy to do as most of the properties are in foreclosure.

Ms. Zerbe explained that the Township has to maintain the properties when we are unable to find a responsible party. She noted that we try to get the money that the Township spent to abate violations back through billing and placing a lien; however, if the property is in foreclosure and we can't identify who the agent is, the property sometimes sells before we can place a lien on it, and we are unable to recoup the abatement costs.

Ms. Zerbe noted if we adopt this ordinance the Township will be one of 1,900 municipalities in the country to have a vacant house list.

Ms. Lindsey questioned how many properties the Township is taking care of in the summer with mowing the grass. Ms. Zerbe noted in the late fall there were 40.

Mr. Wolfe noted that covers the vacant and abandoned properties but it does not include the list of properties that are occupied in some fashion that have major code violations. He noted

that it would expand that list three fold if not more. He noted that it does not include properties that do not have code violations. He noted if they are vacant and being maintained they won't go on the list although those properties cause the Township's issues as well.

Mr. Seeds questioned if this was modeled after another community's ordinance. He questioned how many other municipalities in the state have an ordinance like this. Ms. Zerbe answered there are 1,900 in the country.

Ms. Lindsey questioned under section three, did they all use the fee schedule. Ms. Zerbe answered it is a very low fee. Ms. Lindsey questioned if Community Development determined the fee or is that what Dauphin County suggested. Ms. Zerbe answered that is the fee that was determined by staff after looking at some other Second Class Townships and other ordinances that were posted on what is called Safeguard Property. She explained that they are a property preservation group. She noted throughout the country you can post your ordinance on it and any property preservation company looks to that list to see what Township they need to register in.

Ms. Lindsey questioned if the fees are low compared to what other states have. Ms. Zerbe answered that it is very low. Ms. Lindsey questioned why are other so much higher. Ms. Lindsey noted that the ones who charge a higher fee are larger communities with more vacant houses as they have more of a reason to have the prices higher as they don't want the houses sitting for long periods of time.

Mr. Wolfe noted that is a staff recommendation and the Board is free to set whatever fee it thinks is reasonable.

Mr. Hawk noted that it is an escalating fee that becomes substantial by the third year. He noted that their requirements are to maintain it in... do they have any say in... and how do we select the properties. Ms. Zerbe answered that any property that meets the criteria for vacant which is in the definition section on the first page would have to register. Mr. Hawk noted that we could have multiple properties on the list. Ms. Zerbe answered that we most probably will have over a 100 properties on the list.

Ms. Lindsey questioned if we increased the fees more it would make them take care of the property. Ms. Zerbe answered that is the reason for the stepped fees. Ms. Lindsey suggested that they would probably not take care of the property. Ms. Zerbe noted for the first year \$100

seems reasonable but she would be happy with whatever the Board decides. She noted that Township staff needs a means to be able to deal with these properties. She noted that we need to have the registry.

Ms. Lindsey noted that she agrees with the registry but she questioned if \$100 is a little low. Mr. Wolfe noted that we are not acting on this at this time and if the Board desires to raise it that is fine.

Ms. Lindsey questioned what the other Board members think.

Mr. Hornung questioned how you distinguish a property that is waiting to be rented versus a property that is vacant. Ms. Zerbe answered if it is actively marketed and has no violations it doesn't get on the list. Mr. Hornung questioned how they would prove that it is actively being marketed. Ms. Zerbe answered by being listed with an agent or having a sign out front.

Mr. Seeds noted that many people just walk away from their homes as they find that their mortgage is beyond what they can afford. He noted that those people will not bother to list their homes. Ms. Zerbe noted that they would be part of a foreclosure and a lender would be responsible for putting the structure on the list and paying the fee. Mr. Seeds noted that would be once the lender assumes ownership, noting that they would have to take the property back for non-payment of the mortgage. He noted that could take some time. Ms. Zerbe answered that the property would be placed on the list before it goes into that step. She noted once the mortgage gets to a point where the bank is going to start the process to take the house, then that is when it would be placed on the list.

Mr. Hawk noted if they walk away... Mr. Seeds noted that it happens a lot. Mr. Hawk questioned how do you get in touch with them and make them comply. Mr. Seeds suggested that they would not be responsible enough to bother to register. Ms. Lindsey noted what Ms. Zerbe is saying is they are considered a foreclosure property. Mr. Hawk noted that you don't pay the mortgage or taxes and they just walk away.

Mr. Hornung noted that there are foreclosed properties and pre-foreclosed properties. He noted that he is working on a property where the owner was sent to South Korea and he will not respond to any phone calls or anything like that as you can't get ahold of him as he is outside of

the country. He noted that it is a real problem. He noted that he feels bad for the neighbors as they have to deal with the property and there is not much you can do with it.

Mr. Hornung noted that anything we can do to move this forward we should do. Ms. Lindsey stated that it is a great idea. Mr. Seeds noted that it is a step in the right direction.

Mr. Wolfe noted that staff would like to put this ordinance into a final form asking Mr. Stine to review the overall legal ability of the Township to establish such a list and once we get the ordinance in final form we will bring it back to the Board for action during an advertised public hearing.

Mr. Hawk wanted to thank Ms. Zerbe as the Board members get phone calls for this all the time. He noted that it is a great step in the right direction.

Mr. Hornung thanked Ms. Zerbe for her information.

Request to modify the Deavon Woods subdivision plan to remove
a curbed medium on Plowman Ridge Road

Mr. Hornung noted that this is withdrawn from the agenda.

Review of the PA DEP MS4 inspection results and
public official training on the MS4 Program

Mr. Wolfe noted that Erin Letavic from HRG is present to make this presentation. He noted that Ms. Letavic has assisted staff greatly in the MS4 Program in preparation for the recent Department of Environmental Protection (DEP) inspection for the MS4 Program. He noted that he has included in the packet the MS4 checklist that staff received from DEP which provides the results of the inspection. He noted that Ms. Letavic has taken the inspection results and turned it into a more user friendly format that we can use tonight as training for ourselves in regard to the MS4 Program for Lower Paxton Township to provide an easier way to know what the State of Pennsylvania is going to require from the Township as we move into the future.

Ms. Letavic noted the last time she was before the Board it was to discuss the Paxton Creek Watershed Strategy. She noted that she is present again to discuss water quality. She noted that she is present to discuss the MS4 Program that stands for Municipal Separate Stormwater Sewer System. She noted that it is a separate system from the sanitary sewer system

as it is not treated in a treatment plant. She noted that there are water quality measures that municipalities are required to utilize so that you have water quality improvements and no problems.

Ms. Letavic noted that there are a number of different pollutants and they impact the local watersheds, Susquehanna River and Chesapeake Bay. She noted that the Chesapeake Bay continues to be in the news as DEP was just given back \$3 million from the Environmental Protection Agency (EPA) as they had been making steps to see stormwater improvements. She noted that she is not sure the municipalities will see any of those funds but hopefully DEP will put it to good use. She noted that we are also discussing National Pollutant Discharge Elimination System (NPDES) Permits so it is similar to a waste treatment plant and it is related to water quality.

Ms. Letavic noted the way you demonstrate those water quality improvements is by an effective program. She noted that the program is designed by DEP for the Township's use having minimum control measures such as taking water samples and best management practice plans that the Township is expected to implement. She noted that DEP and the EPA will do municipal inspections to see if those programs are really working. She noted on an annual basis for the Township, for the permit that goes back to 2003, there have been annual reports submitted to DEP that have been filed. She questioned if they have been actively reviewed. She noted that part of DEP's new approach is to review the reports and schedule an inspection to tell you how they are going in an un-punitive way. She noted that this inspection was a, "we are here to help you inspection", but we will see what the next one is like.

Ms. Letavic noted that the program includes minimum control measures. She noted that the first is public education outreach and public involvement in the presentation. She noted if you have an engaged education program, hopefully, the public will see the value of it and want to become involved. She noted that you are blessed to have the Paxton Creek Watershed and Education Association in your municipality and you also have a couple of other watersheds that have some value that are in the Paxton Creek.

Ms. Letavic explained that education is in the form of holding presentations or exists in the form of websites, noting that you have a decent amount of information on the Township

website for stormwater. She noted that public education can also be demonstrated by the capital improvement projects that you have been investing in for many years now. She noted that the trick is talking about the water quality aspect of all the work that you do. She noted that public involvement can be demonstrated by participating in the watershed association's activities, stream cleanups, work groups and anything that the residents can do to keep the tax dollars down so that water quality projects could be reduced.

Ms. Letavic noted that minimum control measure number three is demonstrated by seeking illicit discharge detection and elimination. She noted that it is a program to improve water quality by not putting pollutants in the system in the first place. She explained that pet waste is a pollutant. She noted that the middle picture shows a concrete wash off into the storm drain, or paint entering the system, leaves and grass clippings, used oil that is poured into the storm drains. She noted that she has been involved with this program for ten plus years and she does not know that these are significant problems for a watershed, but DEP wants staff to educate people on the proper use of the stormwater system and to document the number of times a resident calls and says that it is occurring. She noted that it also includes staff's time to document the event and investigate it.

Ms. Letavic noted that the next slide shows construction site runoff controls and post construction runoff control. She noted that the Erosion and Sedimentation Control (E&S) Permit is required for land development process and after the site is completed when the grass is growing and detention basins are working it is tracked by the Best Management Practices (BMP) to ensure that the private land owners are living up to their Operation and Maintenance (O&M) Agreement. She noted that this is a very large undertaking for a municipality of Lower Paxton Township's size due to the level of development in the Township. She noted that the picture shows that rain gardens can look nice, but they don't always get the care they need. She noted that the Township has many nice rain gardens in its parks.

Mr. Wolfe questioned if anyone has studied or demonstrated the quantitative value of a rain barrel. Ms. Letavic answered yes but it is dependent upon the roof material as there could be sediment that comes off of it. She noted that asphalt shingles produce sediment. Mr. Wolfe noted that it normally ends up in the rain gutter and sits there. Ms. Letavic noted that the value is to

reduce the amount of water that is running off the property. She noted that the purpose is to repurpose the water on site and having less runoff by putting the water in your garden.

Mr. Hawk noted that he had a rain barrel and he was away for several days when it rained and he had MS4 in his basement. Ms. Letavic noted that you need to use the rain barrels and not just let them sit. She noted that some municipalities are interested in grant projects to encourage more residents to put in rain barrels. She noted if they utilize it as a BMP, now you have to track it. She noted that we will have to create a program so that any property owner that has a BMP registered with the Township and can demonstrate that they are using it properly can get a credit for the BMP. She noted that it is a very tough program to manage.

Ms. Letavic noted that pollution prevention and good housekeeping is a long title for the regulations associated with the Public Works and highway crews. She noted that it is making sure you have spill kits on site, vehicles are maintained properly, that staff has the right equipment for E&S controls and that everyone is trained on these items. She noted that the employees are supposed to have an enhanced level of training for this. She noted that this is the stormwater presentation for residents but municipal staff at all levels is expected to have a higher technical understanding of the program for the water quality issues.

Ms. Letavic noted that this is the first time that the Township had a PADEP Inspection for its MS4 Program and it was done on December 9, 2015. She noted that Mr. Wolfe and Mr. Kline were part of the team. She noted that it took about six to eight weeks to get the report back from DEP, and the report had a lot of detail which she thinks is good as it gave her more information to understand what needs to be done.

Ms. Letavic noted that they went through a documentation review, going over the written procedures that they have and then they looked at the documentation to see if the procedures were being followed. She noted that they then did a field inspection and toured the Public Works and Sewer Authority Complex and the Compost Facility. She noted that it was a surprise as it has its own permit, but this inspector wanted to look at it. He noted while we were doing our tour, staff did their day-to-day jobs. She noted that the inspector did that to observe good housekeeping practices.

Ms. Letavic noted that the report had good news and some bad news. She noted that the good news is that no violations were issued during the first MS4 inspection; however, the bad news is there was one particular areas of non-compliance and multiple areas of partial compliance that required improvement. She noted that the check list that had a yes and no checked meant that you have a document that is compliant with what the programs says but the no was checked as they questioned if it was effective.

Mr. Wolfe showed the large amount of information that was provided to the DEP inspectors as part of the inspection. He noted that this was in addition to visiting municipal sites and other sites throughout the Township. Ms. Letavic noted that it took a significant amount of staff time to prepare for this inspection due to the level and detail that DEP was asking for. She noted that the Township was provided with the request for information in advance so we had time to prepare and we had everything laid out on the table when they came. She noted that the inspector that wrote the report was there with another inspector and sometimes they had conflicting opinions for whether something was effective or not. She noted that we now know who the inspector is for Dauphin County and Dauphin County should be held to the same standard.

Ms. Letavic noted that the results for the public education and outreach is that the plan is compliant and you have various educational materials available through the newsletter, website and general stormwater information. She noted that they wanted to see an updated list of target audiences who can make real progress toward water quality improvements. She noted that the list includes schools, businesses, and so on, but they want to see a particular audience group like the Paxton Creek Watershed Association and how the Township will engage them in the process. She noted that they want the Township to target the educational materials to those particular audience groups. She noted that the Dauphin County Conservation District is a partner with the Township in the MS4 program. She noted that we have a memorandum of understanding and one of the primary objectives is to share educational materials to save on costs. She explained that that the report is saying that the Township needs to create its own material to target to the residents.

Ms. Letavic noted that public involvement and participation again states that the plan is compliant and the ordinances are advertised according to the Municipalities Planning Code. She noted that there is room for improvement to include more community groups, increase public involvement and seek greater public involvement with the reporting of illicit discharges. She noted that it involves keeping the pollutants out of the stormwater system and her experience is that there is not a lot of this going on; they just want to see when it happens that it is documented.

Ms. Letavic noted for the illicit discharge and detection, the Township has a complete outfall map but they were not happy to see that no screenings were completed in the last year. She noted that the Township is required to complete a certain percentage of all the outfalls in the system in a given year and last year there was a decision made to only look at the detention basin mapping as it took precedence. She noted that the Township is very large and you have many assets to keep track of. She noted that part of the next control measure that we will discuss refers to the private BMP's that need to be documented and put on a schedule for inspection. She noted that it was a good use of time to catalog all the detention basins on the map however a particular staff person chose how much time they had to offer to it, the outfall inspections did not get done.

Mr. Wolfe noted that we have over 350 detention basins all of which need to be inspected and many of which will need some type of maintenance that we need to ensure occurs. He noted, in the meantime, we have hundreds of outfalls and on a four year basis we have to inspect each one and sample the water that is coming out of the outfall and take it to a lab to have it tested to see if there are any issues. He noted that we are not in a position to be sampling all of our outfalls and inspecting all the detention basins. He noted that it will be a program that will grow into the future. Mr. Seeds noted that it will cost money.

Mr. Hornung questioned what is involved in an outfall screening. Ms. Letavic answered that you need to know that it is there, and it needs to be mapped, you need to complete a form and take pictures and if there is water you need to test it. Mr. Wolfe noted that you can only do this on certain days. Ms. Letavic noted that it has to be done 72 hours after it rains. She noted that you don't want to see water there as it is a storm pipe. Mr. Wolfe noted that it is a hard thing to staff for with part-time people. He noted if rains what do you do with them until the 72

hours has passed. He noted that it is a very difficult thing to provide manpower for. He noted for the Public Works employees to do it, there are limited times of the year where they can do it and we will continue to do that but it is something we have to get our hands around as we move into the future. Mr. Hornung questioned that you have to do it 72 hours after a rainfall.

Ms. Lindsey noted that we have hundreds of these outfalls. Ms. Letavic noted that you have four years to get through it. Mr. Wolfe noted that it has to be at least 72 hours. He noted that you have to find it, do a grab sample, documentation and paperwork and take all the samples to a lab. He noted that it is not a drive-by and take a picture issue, as you won't do more than four or five a day if you are one person, starting in the morning, and only stopping for coffee. Mr. Hornung noted that you have to know where they are located.

Ms. Letavic noted the positive for the Post Construction Stormwater Management (PCSM) is that the ordinance is compliant and there are written instruction for inspecting PCSM for BMP. She noted that it includes the detention basins, infiltration trenches, swales, anything from a land development plan from 2003 that is part of an O&M Agreement. She noted that it has to be cataloged, O&M Agreement needs to be in a file, and land development plans and as-builts together and you have to inspect them or track private property owners to inspect them on their own and do spot checks. She noted that the program that DEP put forth is that you are required to ensure that the BMPs are being operated properly. She noted that they don't tell you how to do it, but you have to ensure that it is occurring. She noted each land development plan has notes on it related to O&M Agreement and each schedule may be different. She noted that one detention basin may need to be inspected on an annual basis or biennial or every three years. She noted that this is a significant labor intensive exercise. Mr. Wolfe noted that storm water facilities are now required for any additional impervious coverage of 1,000 square feet or more. He noted every time someone builds a swimming pool and puts in a BMP facility for stormwater eventually we have to inspect it again to make sure it is operating properly.

Ms. Letavic noted that there is no end point to all of this. She noted that the database keeps growing and growing. She noted that it is very difficult for municipalities to do this. She noted that the good housekeeping resulted in a positive for our conduction of inspections for the structural facilities, vehicle washing and maintenance areas. She noted that they want to see an

expanded list of municipal operations in the O&M program. She noted that they want to see a standard operation procedure and they want the Sewer Authority personnel involved and provide widespread training for all municipalities. She noted that DEP wants documentation that all municipal employees are good stewards of storm water. Mr. Wolfe noted that we operate an indoor recreation facility that employs over 300 people throughout the course of the year and to provide those employees with stormwater BMP training is an unbelievable difficult task.

Ms. Letavic noted that there are certain notes about the observations made during the inspection of the municipal complex. She noted that Mr. Kline and staff did a great job keeping the complex up to specs so there was not a significant amount of work to be done to get ready for the inspection. She noted that there were two small areas for improvement, a pile of cold patch asphalt should be covered with a tarp, and fluids should be drained from impounded vehicles. She noted that we don't know how long those vehicles will be there. Mr. Wolfe noted that there is a chain of custody issue with doing that. He noted that you can't have municipal employees working on vehicle that has been impounded.

Ms. Letavic noted that they inspected the Compost Facility and noticed that the streets sweeping screening area was in that location but no negative comments were received. She noted that they walked around the municipal Sewer Authority building and found several containers that may have contained potential pollutants. She noted that there was no evidence of MS4 training. She noted that the employees told the inspectors that they hadn't received the training and the inspectors stated that they need to be trained.

Ms. Letavic noted that the next slide shows the summary checklist and red boxes demonstrate the different areas of non-compliance or room for improvements. She noted that ten of the 24 lines could be improved in some way. She noted that they did not like the way we documented the public meeting last year, so we will document this one to at T. She noted for illicit discharges, they want to make sure the outfall inspections occur. She noted that inspections of all the private BMPs is something that they had a concern with. She noted that they wanted more detail for the Public Works related items.

Ms. Letavic noted that there were no fines as a result of the inspection, but we need to keep doing what we do well and identify key persons in the Township that can bring the

Township into compliance. She noted that it is a balance between time and money. She noted that this is another unfunded mandate that means more to Lower Paxton Township than it does too many others due to how much we have to manage.

Ms. Lindsey questioned how often DEP will do this inspection. Ms. Letavic answered that they were told once every five years but we didn't get a five-year permit. She noted that she would expect them to be back in another five years. She noted that DEP is updating their permit plan in the next couple of years. She noted once that language is updated, it will give more teeth for enforcement and they will be back.

Mr. Wolfe requested Ms. Letavic to explain why the Township does not have a permit yet. Ms. Letavic answered that we applied for a general permit in 2013 and DEP is going through a review process of the Paxton Creek TMDL and they are also going through a review related to eligibility for a General Permit. She noted that they are going down the direction of saying that should you have an active TMDL with your municipality listed in it, as a discharger, you are likely going to need to apply for an individual permit which means significant fees to apply for the permit and then a fee associated with the annual report and a higher level of enforcement. She noted that they have not finalized that for the Township yet. She noted that she is not sure they have made a decision yet. She noted that the Township has been unofficially told that we should continue to operate under the General Permit as it currently exists, which means no change to the Township. She noted in the next two to three years you will be looking at some changes.

Mr. Wolfe noted at the end of last year, Lower Paxton, Susquehanna and Capital Region Water submitted a plan to DEP in regard to the Paxton Creek TMDL. He noted that we are waiting for the review of that plan as we speak and he does not expect it anytime real soon. He noted that is in addition to this inspection and what we have to do for MS4.

Ms. Letavic noted that we submitted the report at the end of 2015 and we have a follow-up meeting with DEP, Susquehanna Township and Capital Region Water to identify the next steps next week. She noted that she is hoping to get some level of detail from DEP as to what do we do now. She noted that some of the partners can't wait for regulatory obligations. She noted that it is leveraging the things you have to do through the other limited control measures to make

some of the Paxton Creek things happen. She noted that stream bank stabilization could be attained by working with the Paxton Creek Watershed Association and their volunteers to make it happen. She noted that we want to make sure that all the municipalities that are involved are spending their dollars wisely and we would not want to start a project that may not be approvable. She noted that it is all about water quality and the Chesapeake Bay noting that is the thing that the EPA is regulating the most.

Mr. Wolfe noted that he along with Ms. Letavic intended this to be a report on the inspection and municipal official training. He noted that Ms. Letavic would be happy to address any questions that you may have.

Mr. Seeds noted that he had a question about how you screen the street sweeping screening area. Mr. Wolfe answered that we have a screener that does that. He noted that after we sweep a street, we take the sweepings out to the Compost facility, screen out the undesirable material that is put in the solid waste stream, and take the screened material and use it as bedding for pipe. Mr. Seeds explained that he misunderstood the slide.

Ms. Lindsey noted that Ms. Letavic did a great job and she loved the pictures. She noted that staff knows what we have to do and we have to work on it, a little bit at a time.

Mr. Hornung questioned Ms. Letavic if she is working further on this project. Ms. Letavic noted at this point her work is done.

Mr. Wolfe noted that Ms. Letavic is actively involved with the Paxton Creek TMDL.

Mr. Hornung noted that the key to keeping the costs down on this is to use technology as much as possible. He noted if there is a stormwater basin, can we require the person who is maintaining that facility to send us a pictures as compared to going out to inspect it. Mr. Wolfe answered that we have the inventory of the detention basins, and will have to identify it with the property owners and we will have to put together a detailed inspection letter and report that they will have to complete and send back with complete documentation including pictures. He noted if you send out 350 you won't get them all back. He noted that it will be a long process, noting the detention basin in front of Karns is very well maintained. He noted that he can point to a couple others on Route 22 that you can't tell for the trash that is in it. He noted that we will have to go door-to-door to talk to the manager of the facility. He noted that the residential ones will

probably be more problematic as we need to identify the responsible parties. Mr. Hornung noted for the residential ones, maybe they can provide a picture and complete a questionnaire. Mr. Wolfe noted that you have several residential detention basins that we allowed developers to plot on private parcels and they have gone for tax sale and they are either unowned or owned by someone in Florida. He noted that many of the facilities are not being maintained. Mr. Seeds noted that it will come back to the Township to do it.

Mr. Hornung noted that Mr. Seeds is one of the big proponents of forming our own Storm Sewer Authority. He noted as this gets more restrictive it points more and more to go in that direction. Mr. Wolfe noted if you do this through an authority it could well be a function of that Authority. Mr. Seeds noted that this would be very expensive and the Authority could help fund this.

Mr. Hornung questioned if we draw up coordinates for all these properties and the detention basin, could we use Google Maps. He noted that he is not sure how often the maps are updated. He questioned if we could do that in place of sending someone out to do the inspections. He noted these are some of the ways that he would like to look to see if we could save some money for the residents as they are unfunded mandates and it results in higher taxes. He noted if there is any technology that could help reduce the time required he would like to know. He questioned if there is anything that we can be doing now for the smaller facilities for example the swimming pools to make people aware of what is coming. Mr. Wolfe noted that we are gathering information now as two years ago we instituted a stormwater management application permit. He noted that it is not what is happening from here on; that is the problem it is what happened prior to that is the problem. He noted that we made all sorts of development mistakes ten, 15, 20 years ago in regard to stormwater when it was not an important issue other than you did not want to have flow from the site be greater than pre-development. He noted that no one ever spoke to water quality issues. He noted that the facilities were laid out for flow and not water quality and we have a lot of issues with the existing facilities that were developed under the old regulations.

Mr. Seeds noted if we form an authority and or have rates applied to impervious areas we can give credits to those property owners who properly maintain their facilities.

Status report from the Heroes Grove Committee regarding
Phase I of the amphitheater project

Mr. Vince Pinizzotto noted that he is a member of the Heroes Grove Committee and he wanted to thank the Board for providing time to speak this evening to thank the Board for its support in the construction of Phase I. He noted that Phase I is now complete and the facility is completely functional as an amphitheater. He noted that he plans to have the ribbon cutting on June 17 in conjunction with the first of the TGIF summer concerts. He noted that the concert will follow the ribbon cutting event. He noted that prior to the ribbon cutting, radio personality R.J. Harris has requested to conduct his Annual Troop Rally at the site to be held on May 7th. He explained that Christine Hunter from H. Edward Black and Associates is present to discuss Phase II. He noted that Ms. Hunter is the project manager for Heroes Grove and she will be outlining Phase II.

Ms. Christine Hunter noted that we are looking to the future and she would like to discuss the Committee's thought on that. She noted that some of the things she hoped to include in Phase I were taken out and she would like to add them to Phase II. She noted that many performers like to have a roof over the stage and she would like to provide a shade structure over the stage. She noted that the foundations for that were put in as part of Phase I. She distributed photos of Heroes Grove as it is now. She noted if you look at the picture, on the right side, we brought power to the site for sound systems and for lighting and you can see the electric panel mounted on the wall. She noted that she would like to enclose that box and provide better security to it as well as providing an area for minor storage.

Ms. Hunter noted that she anticipates doing renovations for restrooms as there are no restrooms at the site, but the area where we renovated the old skate board parking area has a rest room adjacent to it. She noted that it has proximity to the amphitheater that could be used for that. She noted in talking with Ms. Wuestner, she mentioned that some renovations would be in order. She noted that it would be a benefit to the park and be used for the Heroes Grove Park. She noted that a walkway would be provided from the parking area to the restrooms. She noted that they were not able to put in all the railing in Phase I and additional railing would be needed. She noted that they plan to put a wall around the sign to provide an entrance emphasis and to

provide the trash receptacle. She noted that the trash receptacles may be added as a change order to Phase I. She noted the final item would be the trees and shrubs to provide some shade and plantings.

Ms. Hunter noted that the estimate of the Phase II costs is about \$650,000. She noted that it is a similar amount that was spent in Phase I and they would like to begin applying for grants. She noted in the past they received one grant from DCNR, one from the Marcellus Shale Act 113 Fund that is for greenways, and also from the Dauphin County Local Share Gaming Grants. She noted that she would like to discuss the Board's thoughts on moving forward. She noted that the Township owns the land and the Township would have to be the applicant for the grants.

Ms. Hunter noted that the DCNR grants are due April 13th, and the Act 113 grants are due June 30th with the Gaming Grants due on September 1st.

Mr. Seeds questioned if Ms. Hunter has brought this before the Parks and Recreation Board. He noted that it involves parkland and the restrooms. He thought that there could be some coordination with some of the shared costs. He noted that we are already in the 2016 budget. He suggested that there may be the availability of applying for joint funds from other sources for both the Township and Heroes Grove. Ms. Hunter noted that her goal is to leverage funds through the various grants and agencies we were able to amass funds for in Phase I. She noted that they feel that they provided a nice amenity for the Township and Brightbill Park and the goal is to continue to do that as we move into the future to improve the park.

Mr. Seeds noted that you could apply for grants to coordinate between the parks and Heroes Grove Committee. He noted that it may help secure more funds from the State. Ms. Hunter noted that is what we are looking to do to, to partner on these applications for grants. She noted that she does not have a breakdown for what each grant would be and what we would anticipate applying for, but in the past it has been \$200,000 for each grant. She noted that we have been able to leverage the grants that no money was expended from the Township as Heroes Grove received a contribution to the matching funds as the grants all matched each other.

Ms. Lindsey noted after you apply for the grants, how long does it take to hear back. Ms. Hunter answered that they vary, the DCNR is usually the next fall so that would be November of 2016; the Act 113 might be September of 2016, and the gaming grants are in January of 2017.

She noted that they understand that the pending funds try to work together to match each other funds.

Ms. Lindsey questioned if Phase II would begin in 2017. Ms. Hunter answered that construction would probably be in late 2017 or 2018. Ms. Lindsey noted that you are seeking our approval to apply for more grant funding for Phase II. Ms. Hunter questioned what the process is; do they need a formal resolution from the Board. She questioned if the Board needs to take action at its next meeting that would allow us to work together on the grants. Mr. Wolfe answered not really as there was nothing done previously. Ms. Hunter noted that I am looking for your blessing to move forward. Mr. Wolfe noted that the only thing that has to occur is if you receive a grant is that the Board has to act to accept it. Mr. Stine suggested that it may have to act to apply for it as well. Ms. Hunter noted that it would involve a resolution from the Board that would be in conjunction with the submission of the application and she would work with Ms. Wuestner as the Township would be the applicant to work together to complete the online application. She noted that she would provide all the documentation and prepare the grant but she would have to work with the Township as they will be the ones submitting the grant.

Ms. Lindsey questioned when the first grant is due. Ms. Hunter answered April 13th. She noted that she could come back in March to discuss the application.

Mr. Hornung questioned who pays for the actual grant application. Ms. Hunter answered that Heroes Grove covers all the costs that are involved in that. Mr. Hornung noted that all the Board members agree that it has been a long and fruitful journey and it is something that he is proud of. He suggested that we all want to continue to get Phase II done as soon as possible. He questioned if the items on the list are in a prioritized list. Ms. Hunter answered no. Mr. Hornung suggested that renovating the restrooms would be a key one to get done first and then work on some of the other areas.

Mr. Seeds noted that there has been some vandalism at the site. Ms. Hunter explained that photocell on the electrical panel was damaged and that is why she would like to get that enclosed as it would be more secure. She noted that the panel is now locked and to her knowledge there have been no additional incidents of vandalism. She noted there was a time period from when the railings were installed and some skateboarders put a black wax on it. Mr.

Seeds questioned if there was graffiti spray painted at the site. Ms. Hunter answered that she is not aware of anything like that. She noted that they caulked the joints in the concrete and some kids stuck candies in the joint but the contractor will clean that out as part of the close out.

Mr. Seeds questioned if you discussed installing cameras at the site. He noted that we are looking at other areas in the Township where we may install cameras to identify individuals who are doing things they should not be doing. Ms. Hunter answered that they discussed that with Ms. Wuestner as they are putting new cameras at the Friendship Center. She questioned if the one camera from the corner of the building would reach. Mr. Wolfe answered that the interior cameras and system could not reach that far. He noted that you would need something outside on a pole.

Ms. Hunter noted that Public Works will be putting up signs that state no trespassing and provide some regulations for the Police to cite people if they do find them there.

Ms. Lindsey questioned if Ms. Hunter wanted to explain how people can donate to the park. Mr. Pinizzotto noted that pavers continue to be available as well as other contributions that could be made at www.heroesgrove.com. He noted that we are looking for contributors for flag poles, benches and trees. He noted that the pavers are 4x8 at \$100 and 12x12 at \$250.

Ms. Lindsey noted if you have not visited the site you need to do so. She noted that it is a great facility and it is a shame that the picture could not be displayed for the TV.

Mr. Seeds questioned if there are pamphlets at the Township for people to find. Mr. Wolfe noted that we normally have a supply in our front display. Mr. Seeds noted that many people come in to pay their sewer bills and it would be good to have them near the front desk.

Mr. Hawk and Ms. Lindsey thanked Mr. Pinizzotto for all the Committee's hard work. Mr. Seeds noted that it is a good asset for the Township.

Close-out status report regarding the Village of Linglestown
250th Anniversary Celebration

Ms. Pam Jones noted on behalf of the entire Linglestown 250th Committee she wanted to thank the Board of Supervisors and Mr. Wolfe for all that was done to support the event. She

noted that there were endless meetings, countless emails, letters and all your support made the event a true celebration for Linglestown.

Ms. Polly Murphy noted the party is over and the bills are paid and tomorrow there will be a write up in the Paxton Herald. She noted that there are a few things to complete, one is the installation of a sign on North Mountain Road, Welcome to Linglestown. She noted that a historical marker will be installed and the signage is the work of Stefan Klosowski. She noted that two time capsules will be going in the wall sitting next to the beautiful clock. She noted for all the time spent in meetings we thank you for what you did for the Township. She noted everyone was a huge help. She explained that Mr. and Mrs. Lindsey worked all day at the event on Saturday and Mr. Hawk was at every meeting for the clock. She noted that they could not have done it without the help of Mr. Hornung and Ace Hardware. She noted that Bill Seeds lives in the middle of everything and he attended every meeting and anything we needed, he was there. She noted the day before the event, he was working like a dog and then he left to go to a Penn State to his grandson's football game getting in at 3 a.m. She noted that golf carts were stored in his garage and her golf cart would not start and at 7 a.m. she woke him up and he helped the rest of the day. She noted that he marched in the parade and he put his heart and soul into this event. She presented to him a 250th banner and bracket for him to hang. Ms. Murphy noted that the banners that were on the PPL standards will be going back up as they worked that out with PPL as they took them down for winter. Pictures were taken with the Board at this time.

Mr. Seeds questioned how much money the Committee raised. Ms. Murphy answered that when she started out the budget was \$100,000 but they received two \$5,000 grants from the Tourism Board and raised a total of \$107,000. He noted that the Rotary raised over \$63,000 for the clock. She explained that they had \$10,000 left over and it was divided between the Linglestown Area Civic Association and Dauphin County Historical Society who is archiving all their materials. She noted in 50 years you will be able to go to the Historical Society to see all that we did.

Mr. Hawk noted that Ms. Murphy and Ms. Jones got this thing rolling as they went out of their way to make this a super enjoyable event. Ms. Murphy noted that we had fun. Mr. Seeds

noted that the average meeting had 40 to 60 people in attendance. He noted that he has never seen a group of people come together like this one.

Ms. Lindsey noted it was so nice to see everyone walking around the Village on Saturday and people who were born and raised there and came back again. Ms. Murphy noted that a number of Lingle's descendants who came from California, Colorado, Boston and South Carolina. She noted that we had a dinner at the Knights of Columbus and it was amazing that they came that far. Ms. Lindsey noted that she spoke to many of them at the parade.

Mr. Klosowski noted that they have or will be putting up five standup historical interpretation plaques throughout the Village. He noted that four are set up as they are mounted on two four by four posts. He noted the one that he has in his hand will be placed on the eastern part of Village; discussing the St. Thomas Institute. He noted that the other detail the Square with Wilson's Pharmacy; another with information about Linglestown Road being the first slip form concrete road in the State, and the fire house and cemetery, and the Eagle Hotel and funeral home, and information on the former shirt factory.

Ms. Lindsey questioned where the signs are located. Mr. Klosowski noted that they are located in the Church of God Cemetery across from the firehouse; in front of Minsker' house facing the Square; corner of Blue Mountain Parkway West; Eagle Hotel facing the funeral home and the hotel; and the last one will be sitting at the St. Thomas Institute which is a three-story building on the eastern part of the Village.

Ms. Murphy suggested if you take a walk through Linglestown you can learn about our history. She noted that social media is what brought the people in from across the country and she is still doing the Facebook page and putting up pictures from the event. She noted that she has over 3,000 followers at least 1,600 a day.

"Otta Know Presentations: The Dauphin County Community Rating System (CRS) Initiative

Mr. Wolfe noted Lower Paxton Township has been participating with other municipalities in Dauphin County, coordinated by Dauphin County, in a Regional Community Rating System Initiative. He noted through the initiative it is hoped that municipalities in Dauphin County will improve their flood insurance rating and help to lower the rate of flood insurance policies sold to property owners within our community.

Mr. Wolfe noted that he has received a request for the Township to participate in the Repetitive Loss analysis of this community rating initiative. He noted that it is designed to identify specific areas and properties within the communities that are subject to repetitive flood loss and develop plans and programs to address the repetitive loss. He noted that we are to help determine why properties have repetitive losses, provide documents to home owners for this program, reach out to the residents as necessary, coordinate access to private properties with residents, help to determine the flood problem in the repetitive loss areas; facilitate adoption of the repetitive loss analysis map, and post that information on our website. He noted that it is a concentrated area and the schedule for work on the repetitive loss analysis provides for delineation of the areas; conduct outreach, and perform building condition assessment by the end of April of this year. He noted that program will be adopted in September 2016. He noted that it is a very aggressive schedule; however, in Lower Paxton Township there has only been three properties identified as continual repetitive losses. He noted that there may be other properties that have flooding issues but these three have had flood insurance in place for a significant amount of time and have had losses of more than \$1,000 on multiple occasions.

Mr. Hornung questioned how you know that. Mr. Wolfe answered that the National Flood Insurance Program would know what their losses are. Ms. Lindsey noted that people could have had losses but we wouldn't know that because they don't have flood insurance. Mr. Wolfe answered that is correct. Ms. Lindsey noted that there could be a lot more properties, but we would not know that. Mr. Wolfe noted for the Township the flooding primarily relates to basement flooding and it is his understanding that flood insurance does not cover finished basements, only some mechanicals. He noted if you see someone who has lost carpet and furniture from a basement that is flooded it is not a loss under the National Flood Insurance Program. Ms. Lindsey questioned what you mean by mechanicals. Mr. Wolfe answered that would include the furnace and water heater, and electrical box. Ms. Lindsey questioned if those three properties are all in the same area. Mr. Wolfe answered that he did not know where they are.

Mr. Wolfe noted what is being requested from the Township is to submit a letter of intent to participate in the Repetitive Loss Area Analysis program by March 4th. He suggested that it

would be worthwhile for the Board to participate in the community rating initiative as we don't have significant or large repetitive loss areas, but our participation would be worthwhile. He noted that he would write a letter signed by the Chairman of the Board.

Mr. Hornung questioned what the purpose of this is again. Mr. Wolfe answered to identify areas of repetitive flood loss and then eventually work to address the causes of it.

Mr. Seeds noted that some have been corrected since 2011, as one structure was removed and some improvements have been made to areas that are prone to flood. Mr. Wolfe noted that it is part of an overall program by which we gain entry into the community rating service initiative to improve our municipal rating for flood insurance purposes to reduce on a percentage basis, from 10 to 15% of the cost of flood insurance for properties in our community. He noted that you don't have to be in a flood plain area to purchase flood insurance. He noted that anyone can purchase flood insurance.

Mr. Hornung noted that it is a good thing. He explained that people who go to sell houses and find out that they are in a floodplain find it extremely difficult to sell those homes due to the high flood insurance premiums and anything we can do to help mitigate or lower their flood insurance would be helpful.

Mr. Wolfe noted that the consensus of the Board is needed for him to send a letter at this time. Mr. Hornung noted that the four Board members are in agreement to do this.

Announcements

Mr. Hornung noted that prior to this meeting the Board met in executive session to receive information from Mr. Wolfe.

Adjournment

With there being no other business, Mr. Hawk made a motion to adjourn the meeting, and the meeting adjourned at 7:46 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William B. Hawk
Township Secretary