

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held April 19, 2016

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:34 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 C. Seeds, Sr., Gary A. Crissman, and Robin L. Lindsey.

Also in attendance was George Wolfe, Township Manager; Steve Stine, Township Solicitor; Esten Rusten and Ken Grubb, GHD; Christine Hunter, Heroes Grove; Martin Schoffstall, Ryan Hannold, Hannold Architects, and Watson Fisher, SWAN.

Pledge of Allegiance

Mr. Hornung suspended the recitation of the Pledge of Allegiance as it was previously recited at the Sewer Authority meeting.

Approval of Minutes

Mr. Crissman made a motion to approve the minutes from the March 15, 2016 and April 5, 2016 business meetings. Mr. Seeds seconded the motion, and a unanimous vote followed.

Board Members Comments

Ms. Lindsey wanted to congratulate South Central EMS as they received the Gold Award today for the second year in a row from the American Heart Association. She noted that there are 1,392 EMS agencies in the Commonwealth of Pennsylvania and South Central is one of 92 agencies that will be honored by receiving the award this year. Mr. Seeds noted that we are all very proud of the job that they are doing.

Public Comment

No public comment was presented.

Township Manager's Report

Mr. Wolfe noted the Heroes Grove facility located in Brightbill Park has been constructed by a non-profit County-wide organization in honor of veterans, emergency responders, law enforcement and ordinary citizens who demonstrate dedication to our community. He noted that the ribbon cutting for the facility will be held on Friday, June 17th at 6 p.m. and a concert will follow this event. He noted on Saturday, May 7th, the Rally for the Troops event will be held at noon.

Mr. Wolfe noted that the Township Friendship Center will be hold a Kids Yard Sale on Saturday April 23 starting at 9 a.m. He noted that it is only for children to sell their toys and other items in the parking lot of the Friendship Center. He noted that they must be accompanied by a parent and the registration fee is \$10 for residents and \$12 for non-residents.

Mr. Hornung noted that Heroes Grove is a great asset to the Township. He encouraged the residents to go out and visit the site as it will continue to have improvements such as adding a covering over the stage area. He noted that the Township provided the land but the funding for the amphitheater was done by the Heroes Grove Committee.

Mr. Seeds noted that this is a County-wide project and pavers are available to be purchased in order to raise funds to improve and complete the facility.

Arbor Day Proclamation

Mr. Hornung noted that Arbor Day in Lower Paxton Township will be held on Monday, May 2, 2016 at 12:30 p.m. at North Side Elementary School located at 4520 Devonshire Road. He explained that students from the fourth grade will participate in the event and all are welcome

to attend. He noted that this event is sponsored by the Shade Tree Commission in conjunction with the Public Works Department. He stated that the Shade Tree Commission is a great asset to the Township.

Mr. Crissman made a motion to approve the Arbor Day Proclamation. Mr. Seeds seconded the motion, and added that he has tried to attend this event every year. He noted that it is great to see the children singing and talking about trees. He noted that Lower Paxton Township has been a Tree City USA for over 20 some years, and that the Shade Tree Commission does a great job working with the developers and keeping all the trees in good shape in the Township.

Ms. Lindsey noted that the Shade Tree Commission plants little trees in a cup and they provide them to the students to take home, plant the tree, and watch it grow.

Mr. Crissman noted that this is a change as we normally held this event at the Friendship Center but we are now going to the school. He questioned if it is because of the costs to transport the students, noting that it is much easier to go to a school to plant a tree. He questioned if we will be rotating schools close to the Friendship Center. Mr. Wolfe answered that recently we have conducted this event at the Friendship Center, but not always, as in the past we have been on school property or other Township parks. He noted with the current school policy, it is easier to go to them.

Mr. Hornung called for a voice vote and a unanimous vote followed.

OLD BUSINESS

Change Order #1 to the agreement with GHD for professional services associated with the design of an addition to the Public Works Building

Mr. Wolfe noted that the Board has a memorandum detailing specific increased costs to the Public Works facility that it awarded bids for during the last business meeting. He noted that

the costs relate specifically to the location of the vehicle wash, the type of vehicle wash facility that required some in-depth analysis, and as a result the total increase in cost for services to date by this change order is \$33,000. He noted that Esten Rusten and Ken Grubb from GHD will review the change order and answer any questions you may have.

Mr. Esten Rusten from GHD explained that he took a look at some of the figures, and even with the additional fees, the project continues to fall within range of a typical design project like this. He noted with the highly competitive bid that we received from the low bidder, we believe that the extra costs helped to create drawings that provided for the low bid.

Mr. Seeds noted that Mr. Rusten visited a vehicle wash site on the Pennsylvania Turnpike; a semi-automatic vehicle wash. He questioned what that is. Mr. Rusten answered that there is an undercarriage wash which is an automatic assembly. He noted after that stage, it becomes a manual wash similar to what we have in the Township, where there are pressure washers that are used to manually wash the trucks and vehicles. Mr. Seeds questioned if they push a button or lever and some kind of device sprays to get the salt from underneath, especially for the trucks in the winter time to get the salt off. Mr. Rusten explained that the under chassis wash is a big element with the salt removal. Mr. Seeds questioned if that is what is desired by staff and the people who do the work. Mr. Rusten answered yes. He noted that there was much discussion back and forth with vendors as well as Township staff, questioning if it should be full automatic or more of a manual operation and it was decided for something in the middle that meets the needs.

Mr. Seeds questioned if the Turnpike personnel demonstrated how their machine worked. Mr. Rusten answered yes. Mr. Seeds questioned if staff was pleased with the process. Mr. Rusten answered yes.

Ms. Lindsey questioned if this is a three to five minute wash for the undercarriage wash. Mr. Rusten answered yes.

Mr. Grubb noted when we talk about the undercarriage automatic, it is still a drive through system, with an operator in the truck driving through with an electric eye activating the system which blasts water upwards but once they drive through it the electric eye shuts it off and then they drive to the second stage which is the manual washing of the vehicle. He noted an automatic system would include a vehicle driving through a series of hoops and arches that would completely wash the truck, but you don't want to know the cost difference for that unit.

Mr. Seeds noted, in the long run, there will be a savings realized by being able to clean our vehicles better than what we have done in the past by doing it manually trying to clean off the underneath. He noted that there should be some savings over the years. Mr. Grubb noted that the undercarriage system only uses 30 gallons of water a minute which is low for what it does. He noted that it would depend on how long it takes to drive the vehicle through this process, but using five minutes as an average time, it is not an exorbitant amount of time.

Mr. Seeds noted that the bid was designated for that particular type of equipment. Mr. Grubb noted that we did it in such a manner that another vendor could come in and match that equipment if possible. He expanded the specifications so that a local vendor or any other person could assemble an equipment package similar to the one we looked at. He noted as long as they met the specifications and criteria they could bid it to the general contractor.

Ms. Lindsey questioned if it is a Department of Environmental Protection (DEP) mandate that we have the truck wash. Mr. Wolfe answered that it is not a mandate, it is DEP requirement the municipal facilities have a Best Management Practice (BMP) for stormwater. He noted that the current practice would be to wash the equipment outside but it would not be an

acceptable method in this day and age with the environmental concern for stormwater. He noted if we are going to continue to wash our trucks we need to do it in an enclosed facility and the water needs to be captured and treated.

Mr. Crissman noted that GHD is asking for a change order for an increase of \$23,000. Mr. Seeds noted that it was \$33,000. Mr. Crissman stated that he heard Mr. Wolfe say \$33,000 but he thought there was an error as when he reads the four components it adds up to \$23,000. Mr. Crissman noted that component one is \$9,500, two is \$8,500, three is \$9,500 and four is \$5,500. Mr. Crissman noted if his math is correct it is \$23,000. Mr. Seeds noted that it is \$33,000.

Mr. Hornung noted that he is going to vote no because he wants to see the change order broken down. He noted that he wants to see the time broken down. He explained that he does not know if \$8,500 is a lot of money to visit the turnpike and all that went with that. He noted without seeing it broken down into the time, he can't make an informed decision. He stated that he is not saying that GHD is trying to get away with anything, but he wants to see the numbers. He noted that \$33,000 is a fair amount of change. Mr. Crissman questioned what are you asking them for in addition to what is on the proposal. He questioned if you want more itemization for each of the components. Mr. Hornung answered that the work has been done, so they should be able to show the time they have in it and also a projection of additional time if necessary.

Mr. Wolfe questioned if you are going to table this item.

Mr. Crissman made a motion to table this item until the next scheduled meeting or if the information would come forth and there would be a need for a special meeting. Ms. Lindsey seconded the motion. Mr. Crissman questioned how quickly the response could be put together. Mr. Esten answered that he should have it by the end of the week. Mr. Grubb noted that we have

the information available but the choice was made to provide it to the Board in this fashion as he did not want to overwhelm the Board with a lot of numbers. He noted that he would be happy to do that. Mr. Crissman noted that we could take action next Tuesday if we had the information. Mr. Seeds noted that it would be in two weeks as we don't have a meeting next Tuesday. Mr. Crissman noted that we meet Monday for a Road Tour meeting. Mr. Hornung questioned if we could take action at that time. Mr. Wolfe answered no as it is not a public meeting. Mr. Crissman stated that we would have to schedule a special meeting or it would have to go two weeks so GHD needs to determine how quickly they would come back to the Board. Mr. Grubb noted that it could wait two weeks. Mr. Hornung noted that Mr. Wolfe stated that it would be difficult to schedule a special meeting by next week.

Mr. Tim Murphy, Pine Hollow Road noted that he may be asking questions that are out of place but we don't have a packet and we don't have the details that the Board has in front of it. He noted that his recollection is when the bids were accepted for this project, the truck wash was in the neighborhood of \$500,000. He questioned how many trucks do we have and how much does each truck cost. He questioned how often we have to replace those trucks. He noted that now we find out we have to spend more money on more engineering. He noted that it was a half million, and now it is another \$33,000, and you have another agenda item coming up, but he does not know if it is related to the truck wash or some other aspect of the Public Works Building. He noted that it seems that we are spending a lot of money on a truck wash and no one in the public knows the answers to any of those questions he is raising; how many trucks do we have, how much the average truck costs and how often do we have to replace a truck. He questioned how often we have to replace a truck due to its chassis being rusted out or because of

mechanical failures, or the miles that are drive, or the wear and tear on the vehicle. He questioned if the rusting out of trucks is really the reason we have to replace vehicles.

Mr. Seeds noted that some of this is related to new requirements for stormwater for treating the stormwater. He noted that we can't just let the water go into the streams anymore like you could years ago. Mr. Murphy noted that he heard Mr. Wolfe say that it is related to stormwater requirements, but if you are not washing off the underside of the trucks, where is the stormwater. He noted that you are generating it by washing the underside of the truck. Mr. Seeds answered that is correct. Mr. Murphy noted then you have to treat it, so he assumed that it means there is no recycling of the water, and if it is salty water you have to treat it, but he questioned if we are talking about onsite treatment or will it go into the sewer system and be treated in Swatara Township. He questioned if we are incurring a long-term operational cost down site for water treatment.

Mr. Grubb explained that way the vehicle wash facility works is the water runoff from inside the facility goes through an oil separator, which it has to do, and it goes into the sanitary sewer system. He noted that the total flow is negligible in terms of what the sanitary sewer system can handle. He noted that the most it would ever be is 5,000 gallons per day. Mr. Hornung questioned if the water, less the oils, would go into the sanitary system. Mr. Grubb answered yes. He noted that you can't release it without treating it as the cost of desalting it is way too expensive.

Mr. Hornung questioned Mr. Wolfe if he has the information on the trucks. Mr. Wolfe answered that the specifics he does not have, but the Township has over 80 vehicles and pieces of heavy equipment. Mr. Hornung noted that it is not just the trucks that would be washed at the facility as it would be other vehicles. He noted that we could get those answers for Mr. Murphy

for the next meeting. Mr. Murphy stated that he would appreciate it but he is a little surprised that it would not go into the evaluation for the project. Mr. Hornung noted that we did that but he did not remember the numbers. He noted that he would not want to indicate that it wasn't done but we looked at the vehicles and equipment. He noted that there is more to it than what you brought up as there are dangers of having people washing outside in inclement weather, and the amount of vehicles that we have has gotten to the point where it is a stormwater problem as we are washing all the salt from not just a few trucks but 80 vehicles and it can generate quite a bit of saltwater. He noted that we are looking to the future as we are redoing the site and it seems prudent to take advantage of other construction that is going on as it is a very good time to bid projects. Mr. Murphy noted that he was present for the announcement of bids and that was good news.

Mr. Hornung noted that we are taking advantage of economic conditions and things like that, knowing that it most probably will be mandated in the future, that is where we are at. He noted that there were many considerations but we can provide the stats for our vehicles at this time.

Mr. Seeds noted that this was discussed very much in workshop sessions, noting what the hours of labor that are paid for doing it manually versus how long it would take to use this system. He noted that we discussed the cost effectiveness of both. He noted that the Board went through this process. Mr. Murphy noted that he is looking forward to seeing the information. . Mr. Hornung called for a voice vote and a unanimous vote followed.

Action on a proposal from GHD for engineering services associated with the construction of the addition to the Public Works building

Mr. Wolfe noted that this is an engineering proposal for construction management services in regard to the construction of the addition to the Public Works facility. He noted as

you are aware, the Board awarded bids at its business meeting on April 5th in the amount of \$3 million to build a 1,600 square foot Public Works addition as well as the vehicle wash facility that we have been discussing. He noted to manage these construction activities to the end of construction GHD has provided a proposal for a total cost of \$142,900 representing 4.5% of the total construction cost which is a low number. He noted that Mr. Rusten and Mr. Grubb are present to answer any questions you may have.

Mr. Seeds noted that the number of hours and what is involved is included in the proposal so he doesn't have any questions. He noted that Mr. Wolfe stated that the cost is 4.5% of the total cost, noting that it is low as compared to other projects. Mr. Wolfe noted that typically it would be six to eight percent.

Ms. Lindsey questioned if staff is satisfied with the number of construction meetings. Mr. Wolfe answered that should be sufficient.

Mr. Hornung noted in the past, when the Township has used GHD for other construction services, they have been one of the lowest around and we have searched quite a few other organizations or firms and found that GHD had done good by the Township. He noted when a contractor does the work for the Township we have onsite inspectors standing over the workers' shoulders ensuring that the work that is being done is in accordance to the specifications. He noted that he has been on the Board for 20 years and we did not always do that, and we ended up paying for it when we found that we were not provided with what we should have been. He noted that this Board now ensures, even though it appears to be an extra fee, the past has dictated that this is a necessary requirement for the Township to make sure it gets what it is paying for.

Mr. Crissman made a motion to approve a proposal from GHD for engineering services associated with construction of the addition to the Public Works building in the amount, not to

exceed, \$142,900. Ms. Lindsey seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

NEW BUSINESS

Conditional Use 16-01; application to demolish 5940 Linglestown Road filed by Martin Schoffstall in accordance with the requirements of the Village District as contained in the Township's Zoning Ordinance

Mr. Wolfe noted the Township has received an application for a Conditional Use Permit that would allow the demolition of the structure located at 5940 Linglestown Road. He noted that the structure is considered a Historic Building under Section 316 of the Lower Paxton Township Zoning Ordinance and requires a Conditional Use in order to be razed. He noted that the applicant proposes to demolish the building that was damaged by fire and construct a new structure on the parcel. The parcel is located in the V, Village District and it is made up of .28 acres, housing a 1,600 square foot, two-story structure.

Mr. Wolfe noted that the Planning Commission unanimously voted to approve Conditional Use 16-01.

Mr. Wolfe noted that the Board of Supervisors in acting on the demolition in the Village District must consider the following items: 1) The existing building cannot feasibly and reasonably be reused, and that such situation is not the result of intentional neglect or demolition by neglect by the owner; 2) The denial of the demolition would result in unreasonable economic hardship to the owner, and the hardship was not self-created; 3) The demolition is necessary to allow a project to occur that will have substantial, special and unusual public benefit that would greatly outweigh the loss of the building regulated by Section 316. For example, a demolition may be needed for a necessary expansion of an existing public building or to allow a street improvement that is necessary to alleviate a public safety hazard; and 4) The existing building

has no historical or architectural significance and the demolition will not adversely impact upon the streetscape.

Mr. Wolfe noted that Mr. Schoffstall will address these items for the Board in his presentation and it would be appropriate for Mr. Stine to conduct the public hearing at this time.

Mr. Steve Stine noted that this is the time and date set for the public hearing on Conditional Use 16-01 application to demolish 5940 Linglestown Road filed by Martin Schoffstall in accordance with the requirements of the Village District as contained in the Township's Zoning Ordinance.

Mr. Stine noted that the court stenographer will swear in anyone who will provide testimony. Mr. Martin Schoffstall of 5790 Devonshire Road was sworn in by the court stenographer. He noted that in the summer of 2015 an arsonist burned the building at 5940 Linglestown Road and this incident was investigated by local and federal agencies; however, no arrests have been made. He noted that the building is in the Village District which is commercial and sits between two other buildings that he owns. He noted that the structure has no historic or architectural significance.

Mr. Schoffstall noted in many people's minds Linglestown needs more local services and this translated most of the time into more restaurants. He noted that he met with Ryan Hannod, an architect and Alisha Bird, a chef and sommelier, who came up with a design wrapped around a restaurant that would be architecturally integrated into a current Linglestown artifact, which is the church at 5948 Linglestown Road that he owns. He noted that a wine "forward" use of a Brewpub license was approved by the Zoning Hearing Board.

Mr. Schoffstall showed what the new building would look like from a streetscape perspective. He noted that the current building next door is similar to the way the current

building looks. He noted they decided to tie in to the look of the historic structure so they will flip the roof and use the Ginger Bread effect on the side adding a small roof over the door of the main entrance to make them blend into one another.

The court stenographer swore in Ryan Hannold who stated that he works for Hannold Architects and is the architect for the project. He noted that the existing building does not have any historical value. He noted that it will be demolished and a new building will be built. He noted that the current building is 48 inches above grade and the new structure will be at grade, allowing the seamless fabric of the sidewalks and the mainstream overlay that he is looking to do to interconnect all the different businesses that are on that street.

Mr. Crissman noted that you made the statement that the structure has no historical significance, could you define what that means and who made that determination. Mr. Hannold answered that it is not documented in any portion as historical and the only reason that it comes up is because of the year it was constructed. He noted that the zoning bylaws state that if it was constructed before a particular year we have to treat it as historical but it doesn't fall into any historical register.

Mr. Crissman questioned if it is recorded anywhere in the Township that it is a historic building. He noted that he does not want to happen to us what occurred in Cumberland County where they started to tear down a building that was not historic but had great historic significance. Mr. Hannold noted that this was evaluated through the Planning Commission along with Ms. Zerbe and it has all been put to rest.

Mr. Crissman questioned who made the determination and is it documented that the structure has no architectural significance as opposed to a general statement being throw out. Mr. Hannold noted it is not documented that it does or does not have any architectural significance.

He noted that it is more of a personal opinion but as a professional in the industry he would say that it does not have any historical value. Mr. Crissman noted that he is not agreeing or disagreeing, he is simply saying that he wants to make sure you have good documentation that can substantiate the two general statements that are being made. He noted that he does not want to be chastised later on to say that no one documented that.

Mr. Seeds noted that notification of this project was provide to Linglestown Area Civic Association (LACA) and he has not heard any opposition from within the Village noting that he lives in the Village. He noted that he hopes that the plans follow through as he thinks it will be a great addition. He noted that Linglestown is becoming the place to go, like a restaurant row which is great for the area. He noted that it looks great to him and it will be an improvement to the Village.

Ms. Lindsey questioned if there are any other organizations in Linglestown that you would have to go in front of. Mr. Hannold answered no as this would be the last step.

Ms. Lindsey noted that the plans are 90% finished, do you know what the other 10% is. Mr. Hannold answered that once he gets all the approvals, they will finalize the plan and submit it for the permits.

Mr. Crissman noted that you have the Planning Commission approval.

Mr. Stine questioned if anyone in the audience wished to be heard.

Mr. Tim Murphy, 1524 Pine Hollow Road was sworn in by the court stenographer. Mr. Murphy noted that he does not want to come across sounding flip or accusatory or anything but it is pretty common knowledge that Mr. Hornung is a business partner of Mr. Schoffstall's and he would expect that you won't need to vote on this from the sound of it, as it will pass very easily without your help. Mr. Hornung stated that he wanted to respond to that. He noted that he has no

business association with Mr. Schoffstall. He noted that he hasn't had that for a number of years. He noted that that the business association probably hurt our friendship if anything, so that ended quite a while ago, and he does not have any financial interest in any regards with Mr. Schoffstall. Mr. Murphy said okay and thanked him for correcting him on that.

Mr. Mark Everest, 5943 Linglestown Road was sworn in by the court stenographer. He noted that he operates the Mellow Minded Café that is situated across the street from Mr. Schoffstall's building. He noted in his opinion it is a great enhancement. He noted that they are trying to make Linglestown not just great for the community, but for the businesses in an entrepreneurial spirit. He noted that the more localized business that we can bring in, it will stimulate jobs and the economy and more people are getting wind that Linglestown is turning into a hip/cool little town in Central Pennsylvania that is located between Hershey and Harrisburg. He noted that we need this to happen for all the businesses as we have an Artisan Trail and other good things that we are doing for Linglestown. He noted that we are continuing to build the community together to provide interesting and different places that you don't find typically in other towns in Central Pennsylvania, and he is all for it.

Mr. Stine questioned if anyone else wanted to make comments on Conditional Use 16-01. Hearing none, he noted that it would be appropriate to close the public hearing on Conditional Use 16-01 at this time and the Board may take action if it so desires.

Mr. Crissman made a motion to approve the application for Conditional Use 16-01, to demolish 5940 Linglestown Road filed by Martin Schoffstall in accordance with the requirement of the Village District as contained in the Township Zoning Ordinance. Mr. Seeds seconded the motion. Mr. Hornung for a roll call vote: Ms. Lindsey, aye; Mr. Crissman, aye; Mr. Seeds, aye, and Mr. Hornung, stated that he would abstain from this vote. He noted not because he has any

association with Mr. Schoffstall but it is rumored and it is implied and for that reason he is going to abstain from the vote. He noted that the motion is carried.

Mr. Hornung questioned Mr. Schoffstall when he thought he would be finished with the project. He noted that the building has been an eyesore since the fire. Ms. Schoffstall suggested that the outside of the building could be finished by December but it will probably not open as a restaurant until next April or May. Mr. Crissman noted that it will be good to see a façade change by December.

Mr. Seeds questioned what a Somalia is. Mr. Crissman answered that it is a wine steward. Mr. Schoffstall explained that there is a grading system on an international basis, noting that there is one Somalia in Central Pennsylvania who is a friend of his and someone who is onsite twice a week at Spring Gate Vinery. He noted that she went to a Cor Don Bleu Chief School as well so she has all the pieces.

Change Order #2 to the contract with Michael F. Ronca and Sons, Inc for the BC-4A, 4B &4C sanitary sewer mini-basin replacement project

Mr. Wolfe explained that this change order is in the amount of \$89,083.50 and it adds the replacement of ten manholes from top to bottom that previously, in mutual investigations, passed inspection, but on further investigation it was found to fail a vacuum test. He noted that all ten manholes that are in the Heatherfield area need to be replaced and the price is based upon a per linear-foot contained within the competitive bid contract awarded to Mr. Ronca.

Mr. Crissman noted that this needs to be done and we don't have any choice.

Mr. Hornung noted that we see a fair amount of change orders and what happens is the sewer lines are in the ground and there are many unknowns. He noted the bid provided for a price for anything associated with putting in the sewer and when we have extra work, the contractor must abide by those quoted prices. He noted that it is a simple calculation that goes on

where they do the line items for the piping involved, the manholes, and depth, and many other considerations, and that is how they get the number. He noted that both GHD and our staff reviewed the numbers that they are proposing and as the items are put in the ground, GHD monitors the project continuously and in some cases we use our own inspectors to verify that the numbers are correct before the contractor submits the bill.

Mr. Crissman made a motion to approve Change Order #2 to the contract with Michael F. Ronca and Sons, Inc. for the BC-4A, 4B and 4C sanitary sewer mini-basin replacement project with an increase to the total project of \$89,083.50. Ms. Lindsey seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Change Order #5 to the contract with
eciConstruction, LLC for the Heroes Grove Project

Ms. Christine Hunter from H. Edward Black and Associates, noted that she has one final change order for the construction Phase I of the Heroes Grove Project. She noted that all the funds have been procured by Heroes Grove and no Township funds are being expended for this project. She noted that the project was comprised of grants and monies raised by Heroes Grove Inc. She noted that when the contract was awarded, a contingency fund was included to provide for funds if needed. She noted that we have a few punch list items that need to be completed to include adding back the trash receptacles, a few pavers have been sold, and skate board deterrents need to be placed on the walls. She explained that extra ones will be purchased to be used as replacements when needed. She noted that there continues to be a cushion of about \$7,000. Mr. Crissman noted that he is happy to know that there continue to be funds available for this phase of the project in the event something would arise.

Mr. Crissman questioned Ms. Hunter if she recommends approval of the change order. Ms. Hunter answered yes.

Mr. Crissman made a motion to approve Change Order #5 to the contract with eciConstruction, LLC for the Heroes Grove Project in the amount of \$9,199.10. Mr. Seeds seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Change Order #1 and #3 to the contract with
York Excavating, LLC for site work at the Public Works site

Mr. Wolfe noted that staff neglected to provide Change Order #1 to the Board for its approval. He noted that it was a credit in the amount of \$4,859.08 to remove the paving of the prospective entrance to the MDJ Office site. He noted that is the reason the change orders are out of sequence.

Mr. Wolfe noted that Change Order #3 is a threefold change order at a cost of \$74,411.29. He noted that it provides for additional site work for the Public Works building noting in finishing the site work it was determined that additional site work was needed but it could be done using the current bid prices with York Excavating. He noted that the second part is the increasing the base pads to 75 feet for the ballfield, and the third one is the additional costs for relocating the natural gas service to the property which is related to the vehicle wash facility.

Ms. Lindsey requested that we vote on the change orders separately.

Mr. Crissman made a motion to approve Change Order #1 to the contract with York Excavating, LLC for site work at the Public Works site in the amount of a credit of \$4,859.08. Mr. Seeds seconded the motion. Mr. Hornung called for a voice vote, with three ayes and one abstention by Ms. Lindsey.

Mr. Crissman made a motion to approve Change Order #3 to the contract with York Excavating, LLC for site work at the Public Works site in the amount of \$74,411.29. Mr. Seeds seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Action on a Stipulation and Joint Motion for Agreed Upon Order
in regard to the real estate tax assessment appeal of the PA Medical Society

Mr. Stine noted that this is the stipulation that would provide a settlement for the real estate tax assessment appeal filed by the Pennsylvania Medical Society for their building on East Park Drive. He explained that the building has been sold to another owner and the new owner is not interested nor do they want to be a part of the tax assessment appeal. He noted that the appeal is being proposed to be settled for only a five-month period of time during the ownership of the Pennsylvania Medical Society. He noted that it is a very limited amount of money that is involved, and that it is ready for action this evening.

Mr. Crissman questioned why this wasn't resolved at settlement between the buyer and seller. Mr. Stine answered that it could not be resolved as the buyer was not going to pay the difference to make the Pennsylvania Medical Society whole.

Mr. Seeds noted that this is a court challenge that is going forward. Mr. Stine answered that the appeal is still pending, but the parties are attempting to settle the matter and they have arrived at this stipulation. He noted that the new owners want nothing to do with it. He noted after this five-month period is paid it will revert back to the original assessment. Mr. Seeds noted that the appeal process will go on. Mr. Stine noted, no, that is not true, this will settle the appeal process if this is approved by all parties.

Mr. Crissman made a motion to approve a Stipulation and Joint Motion for Agreed upon Order in regard to the real estate tax assessment appeal of the Pennsylvania Medical Society. Ms. Lindsey seconded the motion. Mr. Stine noted that the new owner could appeal the process next year. Mr. Stine noted that anyone has the right to appeal their tax assessment. Mr. Seeds noted that it is obviously higher than what they paid for the building. Mr. Stine answered that is correct. Mr. Hornung called for a voice vote and a unanimous vote followed.

Resolution 16-18; Planning Module for KIMCO Shopping Center Redevelopment

Mr. Wolfe noted that this location was commonly referred to as the Hills Plaza as it currently houses the Gander Mountain and Value City Furniture stores. He noted that KIMCO of Pennsylvania Trust is the property owner and they are proposing redevelopment of the site. He noted that they need additional sanitary sewer capacity and this is what this Planning Module is for. He noted that they will be constructing a 3,800 square foot restaurant; 13,000 square foot CVS Pharmacy; a 68,000 square foot Giant Grocery Store; and 14,000 square foot retail space that currently exists in the Shopping Center. He noted that the additional square footage will require additional sanitary sewer capacity totally 34 EDU's and by this resolution you will be approving the additional capacity for treatment.

Mr. Seeds noted that they referred to it as the Harrisburg East Shopping Center. He noted that the one mall on Paxton Street used to be called by that name but they changed the name for that one. Ms. Lindsey noted that she never knew it was called by that name. Mr. Wolfe suggested that it was probably listed as such in some document years ago. Ms. Lindsey noted the one on Paxton Street was called the Harrisburg East Mall but now is just called the Harrisburg Mall.

Mr. Crissman made a motion to approve Resolution 16-18 the Planning Module for KIMCO Shopping Center Redevelopment. Mr. Seeds seconded the motion.

Mr. Hornung questioned if we are still in a permit allocation restriction for this area. Mr. Wolfe answered in Beaver Creek but this is located in Paxton Creek, however, we do have a planning module restriction for both.

Mr. Crissman questioned, with the approval of this planning module, what remains. Mr. Wolfe answered with the onslaught of the Great Recession of 2008, we have a surplus of permits.

Mr. Seeds noted that it is good that this redevelopment is occurring because if the shopping centers do not improve they will be left behind. He noted that we don't want to have boarded up shopping centers in our Townships and it is good to see redevelopment occur.

Mr. Hornung called for a voice vote and a unanimous vote followed.

~~Action bids for the sale of municipal vehicles~~

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~~Mr. Crissman made a motion to approve the bids for the two vehicles as indicated by Mr. Wolfe for the 2006 Explorer and 1997 Chevy as well as the authorization to re-advertise bids on the other vehicles. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.~~

Improvement Guarantees

Mr. Hornung noted that there were no Improvement Guarantees ~~and one Stormwater Guarantee~~

Payment of Bills

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

Announcement

Mr. Seeds noted that next Monday the Board will conduct its semi-annual road tour starting at 4:30 p.m. He noted that next Tuesday is Primary Election Day in Pennsylvania with the polls opening at 7 a.m. and closing at 8 p.m. He noted that the Board will be back with a business meeting on Tuesday, May 3rd.

Mr. Hornung noted that prior to this meeting the Board met to receive information from the Township Manager.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting,
and the meeting adjourned at 8:42 p. m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William B. Hawk,
Township Secretary