

**LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS**

TUESDAY, APRIL 21, 2020 - 7:00 PM,
425 PRINCE STREET, LOWER PAXTON, PA

CALL TO ORDER - CHAIRMAN HENRY

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

PUBLIC COMMENT

CHAIRMAN & BOARD MEMBERS' COMMENTS

MANAGER'S REPORT

OLD BUSINESS

NEW BUSINESS

PRESENTATION AND ACTION ON RESOLUTION 20-13; EXTENDING DEADLINES
FOR THE PAYMENT OF REAL ESTATE TAXES FOR TAXABLE YEAR 2020

Mr. Gotshall

PRESENTATION AND ACTION ON RESOLUTION 20-14; APPROVING OF THE DEP
PLANNING MODULE FOR THE ALLENTOWN BOULEVARD WAREHOUSE

Mr. Gotshall

SUBDIVISION AND LAND DEVELOPMENT

IMPROVEMENT GUARANTEES

PAYMENT OF BILLS - LOWER PAXTON TOWNSHIP & LOWER PAXTON
TOWNSHIP AUTHORITY

ANNOUNCEMENTS

ADJOURN

**NEXT BOARD MEETING (Business Meeting),
TUESDAY, MAY 5, 2020; 7:00 P.M.**



Ordinance

Resolution

Flow-Sheet

1. Name, Number, or Description:

2. First Presentation Meeting:

Date: _____

3. Adoption Date Range (7-60 days):

Dates: _____

4. Meeting to Adopt:

Date: _____

5. Solicitor Reviewed?:

Yes No

6. Township Review:

- Manager Public Safety
- Public Works Communications
- Sewer Parks & Rec/FC
- Finance Comm. Dev.

Executive Summary/Major Revisions (if amendment):

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**LOWER PAXTON
TOWNSHIP BOARD OF
SUPERVISORS**

RESOLUTION 20-13

**A RESOLUTION EXTENDING DEADLINES FOR THE PAYMENT OF REAL
ESTATE TAXES TO LOWER PAXTON TOWNSHIP FOR TAXABLE YEAR
2020**

WHEREAS, Lower Paxton Township, Dauphin County, Commonwealth of Pennsylvania, (the “Township”) is a Township of the Second Class organized and existing under the laws of the Commonwealth of Pennsylvania (the “Commonwealth”); and

WHEREAS, the Township is a taxing district as defined in the Local Tax Collection Law, 53 Pa.C.S. § 8001, *et seq.*

WHEREAS, a novel coronavirus (now known as “COVID-19”) emerged in Wuhan, China, began infecting humans in November 2019, and has since spread throughout the world, including the United States, the Commonwealth of Pennsylvania, and the County of Dauphin; and

WHEREAS, on March 11th, 2020, the World Health Organization declared the COVID-19 virus a pandemic; and

WHEREAS, the Governor’s Office of the Commonwealth of Pennsylvania issued a Proclamation of Disaster Emergency on March 6th, 2020, due to the spread of COVID-19 under the authority of 35 Pa.C.S. § 7501, *et seq.* that authorized the suspension of certain procedures and formalities prescribed by law and urged counties to “act as necessary to meet the current exigencies;” and

WHEREAS, the Township Manager issued a Declaration of Disaster Emergency on March 18, 2020, with the Board of Supervisors of the Township ratifying such Declaration on March 24, 2020, recognizing the existence of a disaster emergency in the Township due to COVID-19; and

WHEREAS, the Governor mandated the closure of physical non-life-sustaining businesses, effective March 21st, 2020, and has urged “social distancing” measures to prevent the spread of COVID-19; and

WHEREAS, the Federal Government has extended the deadline for filing federal taxes for a period of 90 days until July 15th, 2020, due to the economic impact of the virus; and

WHEARAS, through Resolution 2020-10, the Dauphin County Commissioners took action to dispense with the assessment of interest and penalty on County real estate taxes through December 31, 2020.

WHEREAS, the Township Board of Supervisors recognizes that the finances of many taxpayers of the Township will be negatively affected by the closure of local businesses, layoffs of employees, and uncertainty in the financial markets; and

WHEREAS, the Township desires to mitigate the economic impact of COVID-19 on Township taxpayers by using its statutory discretion to waive penalties for late tax payments, providing for collection of the real estate tax at the flat tax rate up to and including December 31, 2020.

NOW, THEREOFRE, BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Township Board of Supervisors as follows:

SECTION 1. The foregoing Recitals to this Resolution are incorporated herein and made a part hereof.

SECTION 2. The Board of Supervisors authorizes and extends appreciation to the County of Dauphin for providing notification to taxpayers and instructing the local tax collectors to process all real estate taxes paid between June 1st, 2020 and December 31st, 2020 at the flat rate.

SECTION 3. A tax payment shall be considered “late” if not paid within four (4) months of the tax notice, pursuant to 72 P.S. §5511.10. For taxable year 2020 only, all late tax payments received by December 31st, 2020, shall be assessed a penalty of zero percent (0%) of the taxpayer’s tax liability.

SECTION 4. For payments related to tax years other than 2020, tax collectors are directed to apply the 10% penalty for late payments in accordance with 72 P.S. §5511.10.

SECTION 5. This Resolution shall be effective immediately.

RESOLVED this 21st day of April, 2020.

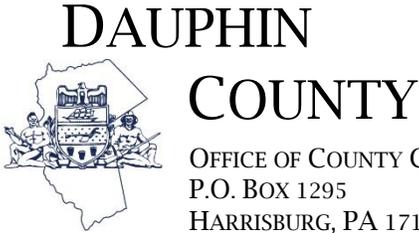
ATTEST:

BOARD OF SUPERVISORS
LOWER PAXTON TOWNSHIP

Chris Judd, Secretary

Lowman S. Henry, Chairman

(SEAL)



OFFICE OF COUNTY COMMISSIONERS
P.O. BOX 1295
HARRISBURG, PA 17108
(717) 780-6300
(717) 255-2684 FAX

BOARD OF COMMISSIONERS
JEFF HASTE, *CHAIRMAN*
MIKE PRIES, *VICE CHAIRMAN*
GEORGE P. HARTWICK III, *SECRETARY*

CHIEF CLERK/CHIEF OF STAFF
CHAD SAYLOR

April 7, 2020

Dear Municipal Official:

At our public meeting on April 1st, 2020, we adopted the attached Resolution waiving 5% and 10% penalties for 2020 County real property taxes for the balance 2020. The Resolution fully explains the basis and reasons for our actions. All County taxes collected on or after June 1st, 2020 will be collected at the flat tax rate, not having either the 5% or 10% penalties imposed.

In view of the current COVID-19 pandemic and the various directives issued by PA Governor Tom Wolf and Department of Health Secretary Dr. Rachael Levine, we believe it is in the best interest of the citizens of Dauphin County, in these critical times, for individuals and businesses whose livelihoods have been impacted to have the opportunity to pay 2020 real property taxes for the balance of 2020 without penalty. As local government officials, we need to work together and help those who are struggling during this pandemic.

We would appreciate your support to extend this relief to Dauphin County property owners who reside in your municipality as well. With your approval, we will notify all property owners with unpaid 2020 taxes as of June 1st, 2020 (the date the 5% penalty would be added) via a reminder of the real property tax due, now at FLAT, without penalty.

With your approval, local tax collectors will be instructed to process all real property tax paid between June 1st, 2020 and December 31st, 2020 at the FLAT rate. By processing all real property tax payment received at FLAT, refunds will not be required.

For those municipalities where the Dauphin County Treasurer is the tax collector, distribution of monies collected will be uninterrupted. Unpaid 2020 taxes will be returned by the tax collector on or before January 19th, 2021 to the Dauphin County Tax Claim Bureau, as is the statutory process, for collection in accordance with the Real Estate Tax Sale Law (RETSL).

For the County to take the appropriate steps for implementation of this unprecedented action, we are asking for your endorsement of this process before Friday April 24th, 2020. In the event your Board does not meet before this deadline, we suggest that you poll the members and follow with an official action at the next appropriate public meeting.

Please respond with your acceptance by calling Chief Clerk Chad Saylor at 717.780.6336 and csaylor@dauphinc.org before the deadline of April 24, 2020. Thank you for your hard work and support on behalf of Dauphin County residents.

Sincerely,

Jeff Haste
Chairman

Mike Pries
Vice Chairman

George P. Hartwick, III
Secretary

WS/LM 4/1/2020
RAM

RESOLUTION 2020- 10

A Resolution of the Dauphin County Board of County Commissioners adopting a real estate tax deferment of interest and penalties associated with real estate taxes levied and due upon tax parcels within Dauphin County pursuant to the Third Class County Code, The Local Tax Enabling Act, 53 P.S. § 6924.101, et seq., and the General Local Government Code, 53 Pa.C.S.A. § 8573.

WHEREAS, there has been a Proclamation of Disaster Emergency by the Commonwealth of Pennsylvania on March 6, 2020, pursuant to the Emergency Management Services Code, 35 Pa.C.S. § 7101. et seq., based upon the imminent threat of the COVID-19 (novel coronavirus) outbreak; and

WHEREAS, the Governor has ordered by and through such Proclamation the closure of all schools and non-essential businesses; and

WHEREAS, the Governor has further urged all governing bodies and executive officers of all political subdivisions affected by this emergency to act as necessary to meet the current exigencies as legally authorized under this Proclamation (*see* attached hereto as if set forth in full herein); and

WHEREAS, the Commissioners of the County of Dauphin recognize that in this time of mandatory business closures wherein many constituents, residents, and taxpayers in Dauphin County are without their livelihoods that it is incumbent upon the County of Dauphin to assist those who have been economically displaced by this disaster; and

WHEREAS, nothing herein shall be construed as to effect or modify any existing tax levied upon real estate within Dauphin County, nor shall it be intended to effect the existence of any past due taxes, penalties, or interest thereon for real estate taxes owing prior to date of this Resolution. *This is prospective only and applies to the 2020 Real Estate Tax Notice for the County of Dauphin only.*

WHEREAS, this Resolution does not and cannot effect the tax remittance period for any local municipality, school district, municipal library, municipal fire protection, nor does it change the remittance period for County Library taxes. It *only* effectuates change to the remittance period of County Real Estate Taxes due during the Annual Bill Type periods.

AND BE IT FURTHER DIRECTED that the Commissioners of the County of Dauphin do not direct any change to the current County Tax Payment Schedules for Interim 1 Bill Types or Interim 2 Bill Types. Those payment periods shall remain as previously set by resolution, ordinance, statute, or such other lawful agency regulations or code.

DELEGATION— the appropriate County Officials are authorized and directed to take such actions as are necessary to effectuate this Resolution.

NOW AND THEREFORE, the Commissioners of the County of Dauphin hereby direct that the County Tax Office, the County Tax Claim Bureau, the Office of the County Treasurer to waive any and all calculations of interest or penalties thereon for the late payment of County real estate taxes through December 31, 2020.

SEVERABILITY– If any provision, sentence, clause, or section or part of this Resolution or the application thereof to any person or entity or circumstance is for any reason found to be unconstitutional, illegal or invalid by a court of competent jurisdiction, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution. It is hereby declared by the Commissioners of the County of Dauphin that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part hereof had not been included herein.

AUTOMATIC SUNSET– This Resolution and the performance of any part hereof shall automatically sunset on January 1, 2021.

Motion passed unanimously.

ADOPTED this 1 day of ^{April}~~March~~, 2020, by the Board of Commissioners of the County of Dauphin, Pennsylvania, in lawful session duly assembled.

**Board of Commissioners of
Dauphin County, Pennsylvania**

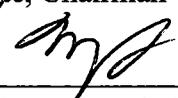
ATTEST:



Chad Saylor, Chief Clerk



Jeff Haste, Chairman



Mike Pries, Vice Chairman



George P. Hartwick III, Secretary



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LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Resolution 20-14

Resolution for Plan Revision

RESOLUTION OF THE SUPERVISORS OF LOWER PAXTON TOWNSHIP,
DAUPHIN COUNTY, PENNSYLVANIA, (hereinafter “the Municipality”).

WHEREAS, Section 5 of the Act of January 24, 1966, P. O. 1535, No. 537, known as the “Pennsylvania Sewage Facilities Act”, as amended, and the Rules and Regulations of the Pennsylvania Department of Environmental Resources adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the Municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters and/or environmental health hazards with sewage wastes and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new development conforms to a comprehensive program of pollution control and water quality management, and,

WHEREAS, Allentown Boulevard Associates, LLC has proposed the development of a parcel of land identified as the Allentown Boulevard Warehouse, as described in the attached planning module for land development, and proposes that such land development be served by the public sewer system,

WHEREAS, the Municipality finds that the land development plan described in the attached Planning Module conforms to applicable zoning, subdivision, other Municipal Ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Supervisors of the Township of Lower Paxton hereby adopt and submit to the Department of Environmental Resources for its approval as a revision to the “Official Plan” of the Municipality the above referenced Planning Module for subdivision, which is attached hereto. The Municipality hereby assures the Department of the complete and timely implementation of the said plan as required by Law. (Section 5, Pennsylvania Sewage Facilities Act as amended). The approval of a Planning Module by the Board of Supervisors does not obligate the Township to provide building permits and/or sanitary sewer connection permits. The availability of such permits may be limited by DEP and/or the owners of the downstream sewer system.

DULY ADOPTED By the Board of Supervisors of Lower Paxton Township on April 21, 2020.

BOARD OF SUPERVISORS
LOWER PAXTON TOWNSHIP

Chairman, Lowman S. Henry

Attest:

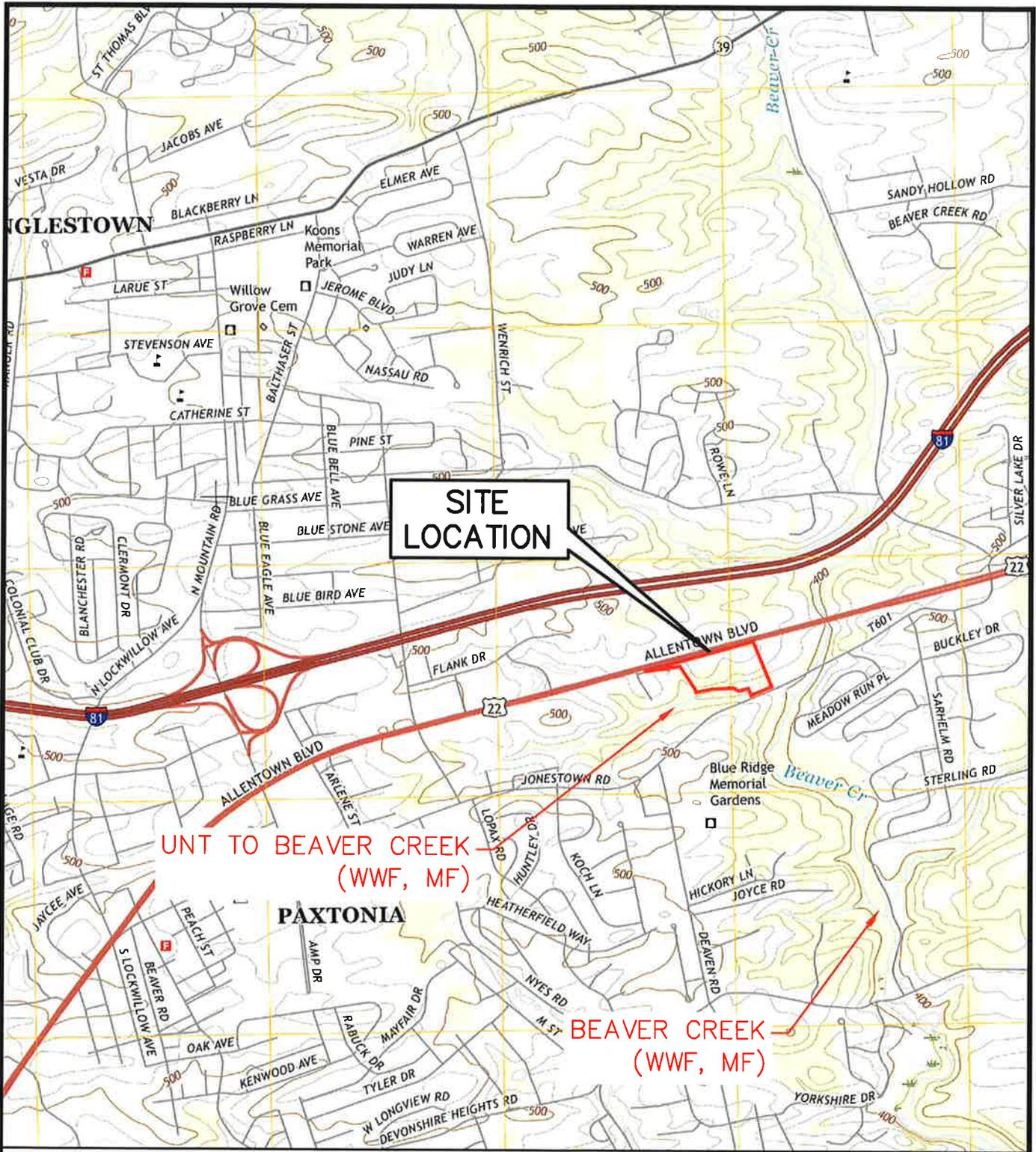
Secretary, Chris Judd

Project Narrative:

The project includes the construction of a new industrial 100,500 SF flex building and associated site improvements on a +/-14.5-acre site in Lower Paxton Township, Dauphin County, PA. The site improvements include loading docks, passenger vehicle parking, utility connections and stormwater management facilities. The site is to be developed as a single-phase, with no future phases. The owner does not own any adjacent properties, and no other Act 537 information has been completed by the Applicant for this property.

The design sewage flows are based on the number of employees at the warehouse, which is expected to be between 45-60 people. According to PACODE §73.17.Sewage Flows, a warehouse with 60 employees has an anticipated sewage rate of 1,000 gpd, requiring four (4) EDUs.

The project proposes to connect a 6" sewer lateral from the proposed building approximately 275' south to existing Manhole-225, which is part of an existing 12" sewer main that runs through the site. The existing sewer main is part of the Lower Paxton Township's collection and conveyance system that discharges to the Swatara Township sewage treatment facility, which is currently under a moratorium from PADEP to limit new connections.



USGS QUAD: HARRISBURG EAST, PA



2000 1000 0 2000

GRAPHIC SCALE

INTEGRATED
DEVELOPMENT PARTNERS
430 NORTH FRONT STREET
WORMLEYSBURG | PA | 17011
717.773.6084
www.IntegratedDP.com

USGS LOCATION MAP
JVH EXCAVATING INC.
ALLENTOWN BLVD
LOWER PAXTON TOWNSHIP, DAUPHIN COUNTY, PA

Designed: ESS
Reviewed: JLK
Scale: 1"=2,000'
Project No.: 18-0023
Date: 04/03/19
CAD File: CV.01

FG-01