

LOWER PAXTON TOWNSHIP AUTHORITY
Dauphin County, Pennsylvania
RESOLUTION 23-03-02

WHEREAS, the Lower Paxton Township Authority (the “Authority”) is a municipality authority, existing under the Municipality Authorities Act, as amended; and

WHEREAS, the Authority is required to replace portions of the sanitary sewer system, including private sewers, as part of a Corrective Action Plan (CAP) with the Pennsylvania Department of Environmental Protection (PADEP); and

WHEREAS, it is necessary to acquire a temporary construction easement for purposes of replacing the sanitary sewer line on the property now or formerly owned by, **HOWARD G KRESSLEY, 5596 BANBRIDGE DR, Tax Parcel # 35-081-121**; and

WHEREAS, in order to ensure compliance with the CAP with the PADEP, it has been deemed to be in the public interest for the Authority to acquire, by purchase or eminent domain proceedings, a temporary construction easement in such lands as the Authority deems necessary for continued effective sanitary sewer service; and

WHEREAS, the Board of the Authority, upon the recommendation of its Manager and the advice of its engineer and other advisors, has selected a temporary construction easement to be acquired, all as more fully described on Exhibit “A” hereto, as attached and to be acquired for the purposes of providing an improved public sewer main.

NOW THEREFORE, the Authority hereby adopts the following resolution:

1. The Chairman, Secretary and other such officers as they may designate, through the Solicitor of the Authority and with the assistance of such other advisors as the Manager deems appropriate, shall contact the owner thereof and negotiate the acquisition of the temporary construction easement described in Exhibit “A” on terms and conditions deemed advantageous to the Authority in light of the public objectives of the Authority and the necessity to acquire the temporary construction easement as soon as possible, and to settle on the acquisition of, make proper compensation and full payment for and secure the permanent and temporary construction easement in order to complete the sanitary sewer construction project.
2. The proper officers of the Authority are hereby authorized and directed to do all things necessary and desirable to implement the above action by the Authority, including the fixing of the fair market value for the temporary construction easement, making an offer to acquire the easement by agreement and to order the preparation and execution of any and all such documentation necessary to accomplish this acquisition.

3. In the event that the Authority cannot expeditiously agree on terms of the acquisition of the temporary construction easement with the owners of the property in question, then the Chairman and Secretary, with the assistance of the Solicitor and such engineering and other assistance as is deemed appropriate by the officers of the Authority, are hereby authorized and directed to take the temporary construction easement by exercise of the eminent domain power of the Authority for sanitary sewer purposes under the Municipality Authorities Act, as amended and supplemented from time to time and under the Eminent Domain Code, as amended and supplemented from time to time.
4. Proper officers of the Authority are authorized and directed to execute, file and deliver such documents and to do such other things as may be necessary to carry out the intent and purpose of this Resolution, including, but not limited to a Declaration of Taking.
5. This Resolution shall become effective immediately.
6. In the event any provision, section, sentence, clause or part of this Resolution shall be held invalid, such invalidity shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Resolution, it being the intent of the Township that such remainder shall be and shall remain in full force and effect.

DULY ADOPTED as **RESOLUTION 23-03-02** this 23rd day of May 2023 by the Board of the Lower Paxton Township Authority.

ATTEST:

LOWER PAXTON TOWNSHIP AUTHORITY

Secretary

By: _____
Chairman

CERTIFICATE

I, the undersigned, Secretary of the Lower Paxton Township Authority (the "Authority"), certify that the foregoing Resolution was adopted by a majority of the entire Board of the Authority at a meeting duly convened according to law and held on May 23, 2023, at which meeting a quorum was present; said Resolution was adopted by an aye or nay vote; said Resolution and the vote thereon showing how each member voted have been recorded in the minutes of said Board; and said Resolution remains in effect, unaltered and unamended as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and official seal of the Authority, this _____ day of _____, 2023.

(Assistant) Secretary

(SEAL)

Res #	Parcel #	Street Number	Street address	Onwe Name
23-03-02	35-081-121	5596	BANBRIDGE DR	HOWARD G KRESSLEY
23-03-03	35-081-023	528	BLANCHESTER RD	EDWARD J KENDRA
23-03-04	35-081-110	550	BLANCHESTER RD	NARAD ADHIKARI
23-03-05	35-081-098	539	BLANCHESTER RD	MELVIN L COLLINS
23-03-06	35-081-026	522	BLANCHESTER RD	DINO PATRIZIO DEGENNARO
23-03-07	35-022-098	6033	BLUE BIRD AVE	6005 & BRM INCORPORATED
23-03-08	35-022-010	604	BLUE EAGLE AVE	SA DEBRY LLC
23-03-09	35-022-062		BLUE EAGLE AVE	513 BLUE EAGLE AVENUE TRUST
23-03-10	35-034-103	491	BLUE EAGLE AVE	JM DISANTO PARTNERSHIP
23-03-11	35-022-046	518	BLUE EAGLE AVE	SCOTT C BENDINSKY
23-03-12	35-022-073	508	BLUE EAGLE AVE	BLUE EAGLE INVESTMENTS LLC
23-03-13	35-022-063	513	BLUE EAGLE AVE	513 BLUE EAGLE AVENUE TRUST
23-03-14	35-022-077	509	BLUE EAGLE AVE	JAMIE E STONE
23-03-15	35-022-049	514	BLUE EAGLE AVE	AUSTIN J LANGON
23-03-16	35-022-040	6050	BLUE VALLEY AVE	SETH J REICHLEY
23-03-17	35-022-129	6051	BLUE VALLEY AVE	BLUE EAGLE INVESTMENTS LLC
23-03-18	35-081-040	519	CLERMONT DR	TAMMY WORTHY JONES
23-03-19	35-081-048	516	CLERMONT DR	TAMER ELFAWAL
23-03-20	35-081-035	506	CLERMONT DR	JERELL LITTLE
23-03-21	35-081-049	514	CLERMONT DR	JEAN M MURPHY
23-03-22	35-083-038	409	COLONIAL CLUB DR	JAMES R LEWIS
23-03-23	35-018-033	5910	FOX ST	THOMAS D DIEFFENBACH
23-03-24	35-081-083	525	KINGSTON RD	COLIN J KRUGER
23-03-25	35-081-088	532	KINGSTON DR	BERNARD L PARRETT
23-02-26	35-081-076	522	KINGSTON RD	MDDD REALTY LLC
23-03-27	35-031-067	402	LOCKWILLOW AVE	ROBERT L SPENCE
23-03-28	35-031-033	407	LOCKWILLOW AVE	ERIC WRIGHT
23-03-29	35-031-034	409	LOCKWILLOW AVE	ROBERT S KINSEY
23-03-30	35-031-035	411	LOCKWILLOW AVE	KRISTA M KIGER
23-03-31	35-031-019	405	MARION DR	DREW C SAAD
23-03-32	35-018-159	701	MOUNTAIN RD	MCCARTHY INVESTMENTS LLC
23-03-33	35-018-157	707	MOUNTAIN RD	PROPERTY TAX DEPT TH MINIT MARKETS
23-03-34	35-027-043	600	MOUNTAIN RD	K B D AND A PARTNERSHIP
23-03-35	35-022-003	631	MOUNTAIN RD	SA DEBRY LLC
23-03-36	35-022-001		MOUNTAIN RD	SA DEBRY LLC
23-03-37	35-022-004	621	MOUNTAIN RD	HOWARD H SNYDER
23-03-38	35-031-040	408	MOUNTAIN RD	THO D TRAN
23-03-39	35-027-068	300	MOUNTAIN RD	MLG ENTERPRISES INC
23-03-40	35-022-041	518	REAR BLUE EAGLE AVE	SCOTT C BENDINSKY
23-03-41	35-081-031	514	ROXBURY DR	LORE LEE WALAK
23-03-42	35-027-175	503	RYAN DR	CHRISTOPHER L LEEPER
23-03-43	35-027-162	516	RYAN DR	EARMON A JOHNSON
23-03-44	35-027-173	507	RYAN DR	DAMODAR GHIMIRE
23-03-45	35-027-161	518	RYAN DR	JOSEPH YOUSSEF

23-03-46	35-027-169	502	RYAN DR	SOZAN ASAAD
23-03-47	35-027-182	511	SCOTT DR	NICHOLAS M ALICEA
23-03-48	35-081-044	524	CLERMONT DR	PAMELA M BESHORE
23-03-49	35-081-069	540	CLERMONT DR	ROBERT P MILLER
23-03-50	35-022-005	611	MOUNTAIN RD	DAWN M SHEARER
23-03-51	35-027-205		NORTH OF RYAN DR	JAMES PETER HALKIAS
23-03-52	35-081-029	518 A	ROXBURY DR	TOD ALAN PARKER
23-03-53	35-01-004	601	Colonial CLUB DR	JOSHUA FEESER