

**LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS**

Minutes of Board Meeting held on May 19, 2020

A meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:02 p.m. by Chairman Lowman S. Henry, on the above date in the Lower Paxton Township, Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Henry were Gary A. Crissman, Robin Lindsey Chris Judd, and Norman Zoumas. Also, in attendance was Bradley Gotshall, Township Manager, and Steve Stine, Township Solicitor.

**Pledge of Allegiance**

Ms. Lindsey led the Pledge of Allegiance.

**Approval of Minutes**

Mr. Crissman made a motion to approve the minutes of a meeting held on May 5, 2020. Mr. Zoumas seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote followed.

**Public Comment**

Mr. Henry announced that there would be no in-service public comment due to the COVID-19 restrictions. The Municipal Center is closed to the public. Anyone who would like to contact the Board members may send an email message or call the Township Manager.

**Announcements**

Mr. Henry announced that the Board of Supervisors met in Executive Session before the meeting to receive information from the Township staff.

**Chairman and Board Member's Comments**

Ms. Lindsey announced that May 19, 2020, is National Elected Official's Day.

### **Manager's Report**

Mr. Gotshall reported on the Township's self-response rate for the U.S. Census. This rate is the rate at which the Township's residents have responded to the U.S. Census. As of Monday, May 14, 2020, that rate is at 70.6%, which places the Township in the top ten on the list, and West Hanover Township remains in the first place.

Mr. Henry reminded the residents of Lower Paxton Township to complete the Census forms if they have not already.

### **OLD BUSINESS**

There was none.

### **NEW BUSINESS**

#### Action to Award the Heroes Grove Amphitheater, Phase 2 Construction Contract

Christine Hunter, H. Edward Black, and Associates, Ltd., (via telephone) presented the Heroes Grove Amphitheater, Phase 2 Construction Contract. The Phase 2 Construction Contract involves the stage roof; this project went out for Bid. ECI Construction, LLC bid on the project, and the proposed Bid was within the range of the funds available for the project.

Mr. Henry noted that there was a considerable difference in the two bid amounts. He asked Ms. Hunter why there is such a large discrepancy in the two bids. Mr. Stine explained that one Bid had been withdrawn because the contractor made an arithmetical error that resulted in their Bid being way too low.

Ms. Hunter recommended that the Board members award the Base Bid and all Alternates to ECI Construction, LLC, for 403,949.84. There are 573,000 dollars available to fund the project, and the total cost is estimated at 478,949.78. She added that an additional 95,000 dollars are included for any unforeseen expenses.

Ms. Lindsey asked Ms. Hunter if the remaining funds left over from the Phase 2 project could be applied to Phase 3. Ms. Hunter explained that County officials would make this determination.

Mr. Zoumas asked Ms. Hunter if it were possible to begin the construction sooner since most of the events at Heroes Grove have been canceled. Ms. Hunter indicated that ECI Construction, LLC would be happy to start the project as soon as possible.

Mr. Crissman made a motion to award the Heroes Grove Amphitheater Construction Contract to ECI Construction, LLC, for 403,949.84, which includes the alternate bids. Ms. Lindsey seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote followed.

Action on approving the Authorization of the Heroes Grove, Phase 3 Construction Administration Agreement

Christine Hunter, H. Edward Black, and Associates, Ltd., (via telephone) presented the Heroes Grove Amphitheater, Phase 3 Construction Administration Agreement. The funding is secured for the Phase 3 Construction for 245,000 dollars. This project involves the construction of the Welcome Building, which includes the restrooms and concessions. The estimated total cost of this project is 245,000. She requested that the Board approve this agreement to begin the design work on this project, which would allow the project to transition from Phase 2 into Phase 3 faster.

Mr. Crissman asked Ms. Hunter to clarify the actual amount needed to begin the design phase of the project. Ms. Hunter explained that the total cost of the design phase is 45,000 dollars.

Mr. Crissman made a motion to authorize the expenditure of 45,000 dollars to H. E. Black for professional fees for the development of the Heroes Grove, Phase 3 Construction project. Mr. Zoumas seconded the motion.

Mr. Henry called for a voice vote, and a unanimous vote followed.

Action on Change Order#1 for the 2020 LPT Paving Project

Mr. Gotshall presented Change Order No. 1 for the 2020 LPT Paving Project. The Change Order modifies the contract as requested by the Township and agreed to by the Contractor; Parkway East from Linglestown Road and St. George Drive will be added to the project scope for pavement remediation. This work shall be scheduled and completed in conjunction with efforts along St. George Drive. This Change Order increases the original contract by 132,401.30.

Mr. Crissman motioned to approve Change Order No. 1 for the 2020 Township Paving Project for an increase of 132,401.30. Mr. Judd seconds the motion. Mr. Henry called for a voice vote, and a unanimous vote followed.

Action on an agreement for Crossing Guard Services with All City Management Services, Inc.

Mr. Gotshall noted that the contract had been revised to reflect the correct number of days that the Central Dauphin School District would be in session.

Ms. Lindsey inquired about the hourly rate for the Crossing Guard position. The contract indicates the job pays 15.00 dollars per hour, but it only pays 12.00. She asked Mr. Gotshall if the additional 3.00 dollars goes towards the Workers Compensation and insurance. Mr. Gotshall offered to verify the hourly rate for the position and get back to the Board.

Ms. Lindsey announced that she is not in favor of the agreement with All City Management Services, Inc. and would not partake in the vote.

Ms. Lindsey said, the position should have been advertised in the Township. All City Management Services, Inc. had not signed the agreement, and the Board typically prefers that the agreement is approved by the other party first.

Mr. Judd mentioned that he supports the agreement with All City Management Services because of the past challenges associated with filling the position. The Director of Public Safety should not be putting too much time into this task.

Ms. Lindsey added that she feels that the Crossing Guard position allows the Police Officers to interact with students. Thirty years ago, Officer Friendly used to visit the schools, and this role permitted the Police Officers to perform hands-on Public Relations in the community.

Mr. Crissman noted he also prefers that the agreement is signed by the other party first. He agreed that the position should be advertised and filled by a member of the community.

Mr. Crissman noted that he would prefer local control over this service. He recognized that All City Management Services, Inc. provides a regional Supervisor who would make phone calls to fill the position but would prefer having a Police Officer fill the position whenever there is a call off. The funds available to provide this service should remain in the Township.

Mr. Crissman noted that he does not support the agreement with All City Management Services, Inc.

Mr. Zoumas noted that All City Management Services, Inc. has worked for Swatara Township, and they have not had any problems. Ms. Lindsey added that Swatara Township has one crossing guard.

Ms. Lindsey asked Mr. Gotshall if there is a clause in the contract that would allow the Township to end the contract after the first 30-60 days. Mr. Stine explained that a provision in the contract would permit either party to terminate the agreement with sufficient notice.

Mr. Judd noted that the contract is for one year, and if it does not work out, the Board could look at hiring someone from the Township.

Mr. Gotshall noted that he would hope All City Management Services, Inc. has a business process in place for contacting the Township's Police Department if they are unable to fill the position when someone calls off. Ms. Lindsey asked Mr. Gotshall to track this information.

Mr. Zoumas motioned to approve the Agreement with All City Management Services, Inc. for Crossing Guard Services contingent upon them signing the contract. Mr. Judd seconded the motion. Mr. Henry called for a roll call vote. Mr. Zoumas voted yes, Mr. Judd voted yes, Mr. Crissman voted no, and Mr. Henry voted yes. A 3:2 majority approved the agreement with All City Management Services, Inc.

### **Subdivision and Land Development**

#### Action on a Preliminary Final subdivision Plan for Shain & Diane Devan at 7052 Creek Crossing Drive (Plan #19-22)

Mr. Gotshall presented the Preliminary Final Subdivision Plan for Shain and Diane Devan at 7052 Creek Crossing Drive Plan#19-22. This plan for 7052 Creek Crossing Drive proposes to subdivide the existing parcel 35-078-004 with a total area of 32-234 acres and create two separated lots. Lot one will be a new single-family dwelling and will have 1.999 acres, and Lot two will be the residual lot with a total area of 30.235 acres. The site is in the Residential Low-Density Zoning District and will be served by public sewer and water supply.

Additionally, there are four waiver requests. The applicant is requesting a waiver of the requirement of providing plan sheets at a minimum scale of 1" =60'. The Township staff support this request as all required information can be viewed at a minimum scale of 1" = 100. The applicant is requesting a waiver of the requirement to provide an Erosion and Sediment Control Plan. The Township staff believes this request should be deferred. The applicant is requesting a waiver of the requirement to provide a stormwater management plan. The Township staff believe this request should be deferred. The applicant is requesting a waiver of the requirement to provide a sidewalk along the frontage of Creek Crossing Drive only. The Township staff support this request as the associated development was planned for a sidewalk along one side of the roadway only. There are five Administrative Comments and two General Comments which have been addressed already and returned to HRG for review.

Mr. Crissman noted that he would like the recommended deferral requests well documented, so there are no questions about the deferral a year or two from now. Mr. Stine explained that the deferrals would be recorded in the approval letter.

Jeff Staub, PE, Dauphin Engineering, Inc., was available to answer questions about the development plan via telephone.

Mr. Crissman asked Mr. Staub if he could speak on behalf of the applicant. Mr. Staub said that he could speak on the applicant's behalf. Mr. Crissman asked if Mr. Staub could provide something in writing to make it clear to the family what will be required for moving forward with the property. Mr. Staub indicated that the developer would be fine with that request and recommended that the two deferral requests are memorialized in the Township's approval letter.

Mr. Crissman asked Mr. Staub if the five Administrative Comments had been completed or completed in a timely fashion acceptable to the Township staff.

Mr. Staub indicated that the items had been completed, and the revised plans have been submitted to HRG and Amanda Zerbe.

Mr. Crissman asked Mr. Staub if the two General Comments have been completed or would be completed in a timely fashion acceptable to the Township staff. Mr. Staub indicated that the items had been completed, and the revised plans have been submitted to HRG and Amanda Zerbe.

Mr. Staub indicated that the revised plan was resubmitted on May 11, 2020, and he requested an additional waiver related to the requirement to provide a Wetland Certification on the plan. This request is because there are no wetlands on the new building, which is Lot 1. The Wetland Biologist, who performed the original wetland delineation, has retired, and there is no way to contact him.

Mr. Crissman motioned to approve the Preliminary/Final Subdivision Plan for Shain and Diane Devan at 7052 Creek Crossing Drive (Plan #19-22) along with the waiver requests, five administrative, and two general comments, specifically the memo from Jason Hinz of HRG. Mr. Judd seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote of approval followed.

#### Improvement Guarantees

Mr. Crissman motioned to approve the Improvement Guarantees for 7052 Creek Crossing Drive, Stormwater Management Plan, Stray Winds Farm, Phase 4 & 9 A, and Stray Winds Farm, Phase 3. Mr. Zoumas seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote of approval followed.

Payment of Bills – Lower Paxton Township & Lower Paxton Township Authority

Ms. Lindsey made a motion to pay the bills for the Township and Authority. Mr. Zoumas seconded the motion. Mr. Henry called for a voice vote, and a unanimous vote followed.

**Announcements**

Mr. Henry announced that the next Board meeting is scheduled for Tuesday, June 2, 2020, but because of COVID-19, the Primary Election was moved to Tuesday, June 2. The Board concurred to reschedule the Board meeting for Wednesday, June 3, 2020, beginning at 7:00 p.m. at the Municipal Center.

Ms. Lindsey added that the Township Authority Board meeting is scheduled for Tuesday, May 26, 2020, beginning at 7:00 p.m. at the Municipal Center.

**Adjournment**

There being no further business, Mr. Crissman motioned, to adjourn the meeting. Mr. Zoumas seconded the motion. Mr. Henry adjourned the meeting for the Lower Paxton Township at 8:00 p.m.

Respectfully submitted,

  
Shellie R. Smith  
Recording Secretary

Approved by,

  
Chris Judd,  
Secretary