

**LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS**

Minutes of the Board meeting held July 6, 2021

A meeting of the Lower Paxton Township Board of Supervisors was called to order at 7:00 P.M. by Chairman Henry on the above date at the Lower Paxton Township Municipal Center located at 425 Prince Street, Harrisburg, Pennsylvania.

Board members present in addition to Mr. Henry were Robin Lindsey, Chris Judd, Norman Zoumas and Paul Navarro. Also in attendance were Bradley N. Gotshall, Township Manager, and Steve Stine, Township Solicitor.

Pledge of Allegiance

Mr. Zoumas led the Pledge of Allegiance.

Approval of Minutes

Mrs. Lindsey made a motion to approve the minutes of the meeting held on April 20, 2021. Mr. Judd seconded the motion. Mr. Henry called for a voice vote, and there was a unanimous vote of approval.

Announcements

Mr. Henry announced that the Board of Supervisors met in executive session before the meeting to discuss personnel items, and they would meet again afterward.

Public Comment

There was none.

Ceremony for the Swearing in of Newly Hired LP Police Officers

Mr. Henry recognized Adam Kosheba, Director of Public Safety, Lower Paxton Township Police Department and neighboring Police Departments, Dauphin County Agencies,

and the State Police for their outstanding work during the recent hostage situation that occurred at Pennswood Apartments.

Officer John Balint, III, Officer Matthew Bond, Officer Lauren Neely, and Officer Cody Webster, were sworn into office by Chairman Henry.

Chairman & Board Members' Comments

Mrs. Lindsey thanked the Linglestown Fire Company for participating along with the Township to host the fireworks display on Saturday, July 3, 2021.

Mrs. Lindsey announced that she, Mr. Henry, and Mr. Zoumas attended the Heroes Grove celebration at Heroes Grove.

Mr. Zoumas thanked William Minsker for helping to coordinate the Heroes Grove event.

Mr. Henry added that the event was an outstanding program.

Manager's Report

Mr. Gotshall announced that the Township will adjust the calendar for the review of Dauphin County Local Share Gaming Grant applications. All applicants are required to submit a Township sponsorship letter to the county no later than August 1, 2021, and materials should be submitted to the Township Manager's office by Friday, July 9, 2021, at 5:00 p.m. for the July 13, 2021, Workshop meeting agenda. The Supervisors will rank the applications and provide letters of sponsorship at their July 20, 2021, Business meeting.

Mr. Henry announced that the agenda order would be changed to allow Mr. Kosheba to participate in the festivities for the newly sworn officers.

Old Business

There was none.

New Business

Action on Resolution 21-17; Authorizing the Disposition of a Colonial Park Ladder Truck in Accordance with the Fire Equipment Capital Plan

Mr. Kosheba presented Resolution 21-17 which authorizes the Township to transfer ownership of a retired ladder truck, previously purchased by the Fire Equipment Capital Fund and operated by the Colonial Park Fire Company, to the Colonial Park Fire Company, so that the resale of this vehicle may be transacted.

Mrs. Lindsey motioned to approve Resolution 21-17, which authorizes the disposition of a Colonial Park Fire Company Ladder Truck according to the Fire Equipment Capital Plan. Mr. Navarro seconded the motion. Mr. Henry called for a voice vote, and there was a unanimous vote of approval.

Action on Bids for the 2021 Sanitary Sewer Improvements Project

Mr. Weaver reported that the Township opened bids for the 2021 Sanitary Sewer Improvement Projects on June 30, 2021. This project requires construction work in three areas: Lot 1 Spring Creek 1, involves the Consent Decree and will be the last area the Township needs to monitor for overflows in the Spring Creek Basin. Lot 2, Spring Creek 2B, involves the replacement of portions of SC-2B Trunk Line, which is a total lining project, however, Granite Inc. has identified sewers that cannot be lined. Lastly, Lot 3, Beaver Creek Metering Chamber, which involves modifying the existing concrete structure to eliminate the chamber from being flooded. GHD and staff met with Swatara Township's engineers to construct a facility like that in Swatara Township. The low bid received was from PACT ONE, LLC, for \$937,360.00. The engineer's estimate is \$887,500.00. The staff recommends awarding the bid to PACT ONE, LLC for \$937,360.00.

Mrs. Lindsey asked Mr. Weaver if the Township had used PACT ONE, LLC in the past.

Mr. Weaver explained that the Township hired PACT ONE, LLC, to do a mini basin project at Gale Drive.

Mr. Zoumas motioned to award the bid for the 2021 Sanitary Sewer Improvements Project to PACT ONE, LLC for \$937,360.00. Mr. Navarro seconded the motion. Mr. Henry called for a voice vote, and there was a unanimous vote of approval.

Action on Ordinance 21-03; Amending Chapter 203 of the Codified Ordinances,
Related to the Keeping of Bees and Chickens

Mr. Stine opened the Public Hearing for Ordinance 21-03, which amends Chapter 203 of the Codified Ordinances related to the keeping of bees and chickens.

Public Comment

Ginger Cortoi, 661 Maria Drive, announced that she is opposed to the adoption of Ordinance 21-03, due to the odor and the proximity of the homes in her neighborhood. She suggested that the Supervisors consider some sort of compromise to require people with chickens to put up stockade fences. She mentioned that people in her neighborhood already have chickens and roosters, and the existing Ordinance is not being enforced. She spoke with Nick Gehret, Codes Enforcement Officer who indicated that he is aware there is a rooster in the area. She asked the Supervisors to table action on the Ordinance to discuss it more and give it further consideration.

Mr. Zoumas noted that roosters are not included in the proposed Ordinance. Ms. Cortoi explained that two of her neighbors have roosters. She wanted to know how the Ordinance would be enforced if it hasn't been enforced yet. The police shouldn't be out looking for roosters. Mr. Judd explained that the police would not be enforcing the Ordinance, it would be enforced by the Township's Community Development; roosters are not allowed and that should be enforced if it has been brought to the Township's attention.

Mr. Judd noted that initially he and the other Board members were skeptical about the proposed changes; they had to be convinced about the impact the Ordinance would have on one's quality of life, because it is very important. He considered the proposed changes only after receiving assurance that other Municipalities permitted chickens without impacting the quality of life. As for the odor, he felt assured by the dialogue during board meetings, that the smell would not be an issue. He noted that it's difficult to solicit those who oppose the proposed Ordinance, however, those individuals who supported the proposed changes were present, and the Supervisors considered quality of life and that people should be able to do what they want on their property, if it doesn't have an impact on their neighbors. He added that roosters are prohibited, and this prohibition should be enforced.

Mrs. Lindsey noted that she is opposed to the proposed Ordinance because the Township does not have enough staff to enforce it and she received numerous phone calls about this Ordinance. The chickens will bring rodents, disease, salmonella, and possibly the avian influenza.

Bob Zubrickie, 628 Frances Drive, presented photographs of a house in his neighborhood with chickens; this house is currently being neglected. He is opposed to the adoption of Ordinance 21-03, because it will bring rats, foxes, rodents, and snakes, and it would have an impact the value of his property. Recently, he witnessed a neighbor skinning a chicken in their front yard, and then it was placed in scolding hot water. This neighbor also has a rooster and he and others reported this to the Township, however, the rooster miraculously disappeared.

Link Martin, 5218 Crestwood Drive, announced that he supports Ordinance 21-03, specifically on beekeeping; he checked with other beekeepers in the area and there's a lot of support, they are willing to work with the Township.

Mr. Martin thanked the Supervisors for their time and effort spent deliberating on the topic.

Ashley Pollart and Colin Powell, 4925 Colorado Avenue, support Ordinance 21-03. Ms. Pollart thanked the Supervisors for their time and consideration over the past few months. She noted that people who would have chickens responsibly should not be penalized because of those who break the rules; most people who would have chickens are going to care for them responsibly and follow the rules. Many of the surrounding townships permit chickens on any property of any size.

Mrs. Lindsey disagreed with Ms. Pollart, noting that the Township did not have adequate staffing to enforce the Ordinance and with the culture of the Township changing, there will be more people keeping chickens. She mentioned that a lot of residents have called her because they are concerned about their property's value changing, due to the Township permitting chickens on smaller parcels of land.

Mr. Henry commented on the manner which Ms. Pollart and Mr. Powell introduced the proposed changes to the Ordinance. The presentation and process is a model for how it should be done. The Supervisors learned a lot through the process, and it took some time to consider all the information. He expressed appreciation to Ms. Pollart and Mr. Powell for their time and effort gathering the information needed to craft the Ordinance so the Supervisors could decide on the proposed changes.

Ms. Pollart noted that she has received emails, social media messages and hundreds of people signed a petition supporting the proposed Ordinance. Mrs. Lindsey requested a copy of the petition. Ms. Pollart agreed to forward copy of the petition to Mrs. Lindsey.

Rob Miller, 801 Leads Ct., announced that he supports the Township allowing chickens, but is opposed to the Ordinance because it was written extremely heavy handed in terms of the

requirements. Mr. Miller noted that he owns four chickens and has had them for a year. He purchased the chickens at Tractor Supply for \$1.00 during the COVID-19 Pandemic. He admitted to violating the current Ordinance. He stated the chickens aren't loud and there is no odor. He invited the Supervisors to visit his home to observe the chickens.

The Supervisors discussed the proposed Ordinance with Mr. Miller.

Mr. Judd noted that he is inclined to vote yes for the proposed Ordinance.

Mr. Miller suggested that the Ordinance is rewritten, noting that Derry Township's Ordinance doesn't even include the word "chicken" it's a pet, if it's a nuisance then they deal with the nuisance. The proposed Ordinance includes the size of the wiring needed to keep chickens, but if there's no one to enforce the Ordinance, having a long list will make it more difficult. He mentioned that Susquehanna Township's Ordinance includes a requirement about keeping the food away, so the rats don't come. The rats and mice come for the food, not the chicken, chickens eat mice and rats.

Mr. Navarro admitted that initially he was not in favor of the proposed Ordinance, but over time there were changes made, and the land requirements had been drilled down from 1.00 acre to .20 acres. The Supervisors are obligated to protect people in the community as well as, the animal. The proposed Ordinance was written in a manner to protect the next-door neighbor and animal, and to ensure that the chicken coup isn't an eye sore.

John Trish, 600 Prince Street, announced that he supports the proposed Ordinance because people should have the right to what they want on their property just so long as it doesn't affect their neighbors.

Mr. Stine closed the public hearing on Ordinance 21-03.

Mr. Henry thanked the residents in attendance who offered their input on the Ordinance.

Mr. Judd noted that everyone's opinions are very important, noting that he also wrestled with some of the same issues presented during the meeting.

Mrs. Lindsey noted that the Township does not have the staff to enforce the Ordinance.

Mr. Zoumas motioned to approve Ordinance 21-03, which amends Chapter 203 of the Codified Ordinances, related to the keeping of bees and chickens. Mr. Navarro seconded the motion. Mr. Henry called for a roll call vote: Mrs. Lindsey nay, Mr. Zoumas aye, Mr. Judd aye, Mr. Navarro aye, and Mr. Henry aye. The final vote was 4:1 approving the Improvement Guarantee for Shadebrook Phase 3. The final vote was 4:1 approving Ordinance 21-03 which amends Chapter 203 of the Codified Ordinances, related to the keeping of bees and chickens.

Action Awarding the Selection of a Comprehensive Update to the Zoning Ordinance Proposal

Mr. Gotshall reported the Township received a response to a Request for Proposal for updating the Township's Zoning Code. The staff reviewed a proposal from HRG and recommends that HRG be contracted for this service. The Board has authorized \$30,000.00 in the 2020-2021 General Improvement Fund Budget for this project and HRG's proposal provides a cost estimate of \$29,988.00.

Mrs. Lindsey motioned to approve HRG's proposed contract to update the Township's Zoning Code. Mr. Judd seconded the motion. Mr. Henry called for a voice vote, and there was a unanimous vote of approval.

Subdivision and Land Development

Improvement Guarantees

Mr. Judd made a motion to approve the Improvement Guarantees for 7052 Creek Crossing Drive, SWMP, 4129 Locust Lane, SWMP, 4420 Goose Valley Road, SWMP, 6210 Cider Press Road, SWMP, Blue Ridge Village, Lot 6, Estates of Forest Hills, Phases I-VII, and

Blue Ridge Village, Lot 3. Mr. Navarro seconded the motion. Mr. Henry called for a voice vote, and there was a unanimous vote of approval.

Payment of Bills – Lower Paxton Township & Lower Paxton Township

Mr. Zoumas motioned to approve the payment of bills for Lower Paxton Township and Lower Paxton Township Authority. Mr. Navarro seconded the motion. Mr. Henry called for a voice vote, and there was a unanimous vote of approval.

Announcements

Mr. Henry announced that the next Board meeting is scheduled for Tuesday, July 13, 2021, beginning at 7:00 p.m. at the Municipal Center.

Adjournment

There being no further business, Mr. Zoumas motioned to adjourn the meeting. Mr. Judd seconded the motion. The meeting adjourned the meeting at 8:37 p.m.

Respectfully submitted,


Shellie R. Smith
Recording Secretary

Approved by,


Chris Judd
Secretary