

**LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS**

Minutes of the Board meeting held August 10, 2021

19376
A workshop meeting of the Lower Paxton Township Board of Supervisors was called to order at 7:01 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 W. 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 motioned to approve the June 1, 2021, meeting minutes. Mr. Navarro seconded the motion. Mr. Henry called for a voice vote, and there was a unanimous vote of approval.

Public Comment

Yonise Roberts Paige, 5023 Royal Avenue, announced that she had forwarded an email message to the Supervisors; this message included links to YouTube video footage of flooding at her property. The email dialog included Randy Allen, Amanda Zerbe, Chris Fagen of HRG, and Nema Hayes of Dauphin County. The email dialog occurred between April 12, 2021, through May 11, 2021. Mrs. Roberts Paige noted that she purchased her home back in 2017 and never had any issues until a developer began building in August 2020. The video footage also included multiple breaches to the silk fencing, which changed the original grating of the swale created in 2017 and ultimately caused the soil to runoff onto her property.

Mrs. Roberts Paige mentioned that Randy Allen scheduled a meeting with a representative of Dauphin County Conservation District and the person didn't show up, and Mr. Allen offered to reschedule the meeting, however, she never heard back him, nor did she receive a response to the correspondence sent on May 4, 2021, and May 11, 2021. Finally, she met with Mr. Allen at the township building and was told nothing more could be done because the developer had followed the plans. She received a telephone call from William Weaver who reiterated the same response. She asked the Supervisors for some direction relative to the Township's laws or requirements for developers. She thanked William Weaver and Randy Allen for their assistance and helping her to better understand the process, noting that Mr. Weaver provided a possible remedy to the problem. She mentioned that the original plans were submitted to the Township in 2010 and since then, the website has had an updated Ordinance. She requested a copy of the Ordinance from 2010. She asked the Supervisors to consider revising the law relative to stormwater runoff from other properties to protect other residents from experiencing the same situation.

Mr. Stine explained the stormwater management permit process, noting that the Township reviews the application and will approve or deny it based on the information submitted by the developer. However, there are some enforcement provisions in the Ordinance.

Mr. Henry explained that the Supervisors could not change the laws governed by the Commonwealth; however, the Township can work with Mrs. Roberts to help remedy the problem. He suggested that Mrs. Roberts forward the information to Mr. Gotshall's attention so that he may follow up with Mr. Weaver.

19376

Monica Powell, 5025 Royal Avenue, said the land was originally flat, but when the developer began construction, the area had to be filled with dirt to raise it higher and this development plan had to be approved by the Township. She wanted to know if the Township is responsible to protect property owners if the approved plan is now causing flooding on the property next door. Mr. Henry explained that the Township operates under state rules and laws for development and the Supervisors must act within those parameters. The Supervisors cannot go against those rules if the developer has met all the laws and requirements. The Township's staff review the plan and applicable rules, regulations, and laws of the Commonwealth, and if what the developer proposes to do meets those rules, regulations, and laws, the Township must approve the plan.

Mr. Navarro explained that developers are required to complete a stormwater management plan before starting construction on new development, and this plan may include swales, detention ponds, or rain gardens. Often, the excavator fails to grade the ground properly when they start the development, and this could potentially cause flooding. He suggested that Mrs. Roberts Paige and Ms. Powell call him to discuss the matter further.

Announcements

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

Presentation of Donations to South Central EMS, the LPT Police Department, and LPT Fire Companies by the VFW, Post 148

William Shellhammer, Commander, VFW Post #148, 306 Thresh Drive, Hummelstown thanked all the men and women who serve and protect the community. The VFW Post 148 donated \$ 2,500.00 to the Police and First Responders of Lower Paxton Township.

Mr. Shellhammer presented checks for \$500.00 each to the Linglestown Fire Company, South Central EMS, Colonial Park Fire Company, Paxtonia Fire Company, and Lower Paxton Township Police department. Adam Kosheba, Director of Public Safety, William Payne, Chief of Linglestown Fire Company, Dustin Ross, Chief of Paxtonia Fire Company, Tim Pramik, President of Colonial Park Fire Company, and Jason Campbell, Chief of South-Central EMS, were present to accept the donations.

The Supervisors' thanked the VFW Post# 148 for these donations to the Township's First Responders.

Action on Resolutions 21-18-08 and 21-18-09; Endorsing and Authorizing the Submission of Additional Dauphin County Local Share Grant Applications

Christine Hunter, H. Edward Black, provided an update on the Heroes Grove Phase 3 project. The Heroes Grove Phase 2 project was completed in the spring, this phase included the roof and some additional improvements to the functionality of the amphitheater. Currently, Heroes Fund, Inc. is raising funds and working on the construction drawings for Phase 3. The Heroes Grove facility is a public entity that can be reserved and rented by anyone. Currently, the facility is being used for functions such as memorial services, church concerts, Township activities, and most recently, the 4th of July celebration. The facility is being used but still lacks public restrooms. There are restrooms in Brightbill Park, but they are across the baseball field. The Heroes Grove Phase 3 project consists of the construction of a building for concession and restrooms. The entire facility has been built without any funds from the Township, it is a Dauphin County facility, and Heroes Fund, Inc. has obtained grants to fund the improvements to the facility.

Mr. Zoumas added that the Township's Historical Commission used the facility last Thursday evening, for an outstanding presentation and is scheduled to be used by the Boy Scouts on Sunday. The new sound system was used on Thursday evening, and it was outstanding.

Mr. Judd motioned to approve Resolutions 21-18-08 and 21-18-09, endorsing and authorizing the submission of additional Dauphin County Local Share Grant Applications for Brightbill Park Heroes Grove \$75,000.00 and Colonial Park United Church of Christ for security cameras \$20,000.00. Mr. Zoumas seconded the motion. Mr. Henry called for a voice vote, and there was a unanimous vote of approval.

Action on Resolution 21-12; Approving Meadows Carwash Sewer Planning Module

Mr. Henry noted that the Supervisors will not act on Resolution 21-12, it will be delayed and presented to the Supervisors at another board meeting.

First Presentation of Ordinance 21-04; Adopting Special Events Rules and Regulations

Mr. Gotshall introduced Ordinance 21-04 which adopts rules and regulations for special events in the Township. This proposed Ordinance is the result of some confusion related to how special events are performed throughout the Township. Specifically, private events such as block parties and large marathons whether sponsored by the Township or other organizations. The confusion came about because of residents not knowing who to contact at the Township for an event. The residents would call different departments at the Township and be transferred to another department for assistance. The most important concern is public safety at these events and the staff has drafted Ordinance 21-04 with one primary goal in mind and that is to drive the importance of public safety. The Township should be aware of events that might bring 100 or more people to the area, to provide public services.

Mr. Gotshall noted the Parks & Recreation Department should be aware of these events to keep the parks clean and Public Works to ensure that certain safety precautions are implemented. The proposed process would allow for a single point of contact, which would be the Township Manager's office. The application would then be distributed to all applicable departments and those involved would send their comments to the Township Manager and staff would work to issue a special event permit to the organization.

The Supervisors and Mr. Gotshall discussed the proposed Ordinance, fees associated with the permit process, and the impact on local non-profit organizations, and members of the community.

Mr. Zoumas suggested that Mr. Gotshall incorporate an annual permit process to cut down on the administrative requirements for the local non-profit organizations, especially those who don't make much of a profit. Mr. Gotshall explained that the intent has never been and shouldn't be to levy fees to make money, the intent is to pay for Township services.

Mrs. Lindsey asked Mr. Gotshall if the local non-profit organizations must apply for a permit to hold an event on private property. Mr. Gotshall explained that the permit is required for events taking place in a public setting only, such as public roads and facilities.

Bill Minsker, 5956 Linglestown Rd, noted that two years ago he proposed to have the Lower Paxton Township Lion's Club (LPT Lions Club) solicit and maintain a list of events scheduled to take place in the Township for the entire year and prepare this information to be placed on the Township's website. Currently, there is a conflict with the joint scheduling of these events.

Leigh Ann Urban explained that the website provides for organizations to submit information about their events. After the information is submitted, she would review each submission and approve the requests, and this information is automatically added to the calendar. She noted that it became a challenge to solicit this information from local organizations.

Mr. Henry noted that the LPT Lions Club is willing to do the work.

Mr. Minsker expressed some concern about the permit fees for large community events, such as, the Memorial Day Parade, Linglestown Area Civic Association Mile Run which raises funds for Heroes Grove, July 4th Fireworks event which brings thousands of people to the Linglestown Koons Park area, and the Christkindlmarkt and Taste of Linglestown. He requested that the fees be kept low for all non-profit organizations.

Mr. Gotshall noted that the Supervisors must make a policy decision, or indicate those organizations that should not be charged because all the events Mr. Minsker mentioned would be charged for setting up appropriate traffic mitigation efforts. Mrs. Lindsey asked Mr. Gotshall if the Fire Police typically handle traffic mitigation.

Mr. Minsker noted that the Paxtonia and Linglestown Fire Companies will likely sponsor the County Association Convention this year, and this is a two-day event with a large parade.

Mr. Henry asked Mr. Gotshall how much money the Township is spending to handle the community events or if it is something that should be considered a service. Mr. Gotshall explained that the primary concern is that events are taking place without anyone at the Township knowing about it. However, he has not completed an analysis of the cost incurred for any service provided by the Township.

Mr. Judd noted that the Ordinance is a good idea. He suggested that Mr. Gotshall take some time to analyze the costs and who would incur those costs.

Mr. Henry noted that the Township should not charge the American Legion for a Memorial Day Parade, it's not right. As for the Chriskindlmarkt, they are raising money for a community foundation for community non-profit organizations, and if the Township takes money from them, that is less money for those non-profit organizations. He suggested that Mr. Gotshall make a delineation between non-profit and for-profit organizations.

Proposal for Additional Services Related to Heroes Grove Phase 3 Construction Project

Christine Hunter, H. Edward Black, presented a proposal to the Supervisors for additional services related to Phase 3 of the Heroes Grove Construction project. The PA Department of Environmental Protection requires completion of the Sewer Facility Planning Module for the installation of restrooms at Heroes Grove. She asked the Supervisors to cover \$6,000.00 in fees for the Sewer Facility Planning Module. The fees will be paid for by the grants as part of the total project.

Mrs. Lindsey made a motion to approve the \$6,000.00 fee for additional services related to the Heroes Grove Phase 3 Construction project. Mr. Navarro seconded the motion. Mr. Henry called for a voice vote, and there was a unanimous vote of approval.

Discussion on 2021 Trick-Or-Treat Activities

The Supervisors agreed to keep Trick or Treat activities on October 31st.

Subdivision and Land Development

Improvement Guarantees

Mrs. Lindsey made a motion to approve the Improvement Guarantees for 726 Hampton Court, Autumn Oaks, Phase 3, 4640 Jonestown Road, Taco Bell, 6804 Blue Ridge Avenue, 6038 Mayfair Drive, Amber Fields, Phase 7A, and 5912 Linglestown Road. Mr. Judd 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 Authority

Mr. Zoumas motioned to pay the 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

Mrs. Lindsey announced that the Parks & Recreation Department is hosting a concert at Heroes Grove on Friday, August 13, 2021, beginning at 7:00 p.m.

Mr. Zoumas commended the staff, Police Department, Fire Companies, and all those involved in the National Night Out for Public Safety event.

Mr. Henry announced that the next Board meeting is scheduled for Tuesday, August 17, 2021, beginning at 7:00 P.M. at the Municipal Center.

Adjournment

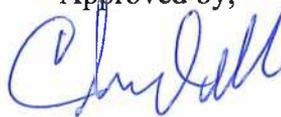
There being no further business, Mr. Zoumas motioned to adjourn the meeting. Mr. Judd seconded the motion. The meeting adjourned the meeting at 8:07 P.M.

Respectfully submitted,



Shellie R. Smith
Recording Secretary

Approved by,



Secretary