

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held March 21, 2006

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:35 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., William L. Hornung, and Gary A. Crissman.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; Dianne Moran, Planning and Zoning Officer; Brian Evans, Stephen Yingst, and Stephen Knight, Evans Engineering, Inc.; Harold Kushner, Omni Reality Group; Brad Henken; and Jeff. Staub, Dauphin Engineering.

Pledge of Allegiance

Mr. Blain led the recitation of the Pledge of Allegiance.

**Approval of Minutes of November 29, 2005, February 7, 2006
and February 14, 2006**

Mr. Seeds made a correction to the February 7, 2006 meeting minutes. He noted that on page 14, the fourth paragraph, the last sentence should read, “figures on the gallons of water and number of vehicles per day.” With that correction noted, Mr. Seeds made a motion to approve the minutes of the November 29, 2005 budget workshop meeting, the February 7, 2006 business meeting, and the February 14, 2006 workshop meeting. Mr. Crissman seconded the motion, and a unanimous vote followed.

Public Comment

Ms. Sue Lanza of Hidden Lake Drive noted that she recently retired from the Police Department and wanted to express her thanks to the Board Members for her 27 years of service

as a member of the Police Department. She noted that she spent the majority of the time in the Community Policing Unit.

Mr. Hawk thanked Officer Lanza for her service to the Township and her kind comments. Mr. Crissman noted that he also wanted to express his thanks to Officer Lanza as a Board member, and as a former member of the Central Dauphin School District's Administrative staff.

Chairman & Board Members' Comments

There were no Board comments presented.

Police Awards Ceremony

Chief Daniel Bair introduce to the Board of Supervisors citizens from the community and members of the Police Department who deserve recognition for their special and exemplary service to the community.

Civilian Support Award

Michael Lavender and James Smith – Mr. Lavender, along with Mr. Smith notified the police of suspicious activity involving a Central Dauphin School District bus that resulted in the arrest of a male bus driver for a host of sexual crimes committed against a teenaged female student.

Manish Modi – Mr. Modi observed an individual running from the Choice Cigarettes store on Mountain Road carrying money. Believing a robbery had just occurred, Mr. Modi followed the suspect's vehicle and called 911 with a description of the car and suspect. This information resulted in the arrest of an individual who was responsible for multiple robberies in Dauphin and Cumberland Counties.

John Maxwell – Mr. Maxwell was the director of loss prevention for Sears at the Colonial Park Mall for 30 years, who was always willing to assist the Lower Paxton Township Police Department. He was instrumental in the arrests of hundreds of individuals involved in crimes ranging from robbery to retail theft. Chief Bair thanked Mr. Maxwell for his dedication to the job and wished him well in his retirement.

Mr. Maxwell stated that he enjoyed the contact that he had with the Police Department for the past 30 years, and he appreciated the help provided to him as a loss prevention officer.

Unit Citation Award

Community Policing Unit:

Lt. David Johnson, Sgt. J. Thomas Waller, Officers G. Susan Lanza, John Gallup, John Stoner and Curtis McCoy – for their outstanding service in providing over 268 programs in 2005. In

addition the unit revitalized the Neighborhood Watch Program, which now has six communities in the Township. Also, the unit developed several new and innovative programs for students at the Dauphin County Technical School and the Central Dauphin East High School. He noted that the units oversee more than \$100,000 in grants for crime analysis and crime mapping systems. He commended the unit for its recognition that common goals are larger than individual actions.

Award of Merit

Officer John McPhillips and Officer Douglas Petras - both officers were involved in a traffic stop that yielded nearly \$20,000 in drug money.

Officer John Welty - for action in stopping a vehicle matching the description of a vehicle seen fleeing the scene of a burglary. Through keen observation and interviewing, he was able to link the suspect to eleven burglaries in Lower Paxton Township.

Life Saving Award

Officer Donald McCurdy- for saving the life of a man who was unresponsive and suffering from cardiac arrest. Officer McCurdy initiated CPR until medical personnel arrived. He noted that Officer McCurdy provided the best possible first aid techniques, and without this, the victim would have died.

Officer of the Year Award

Uniformed Officer:

Officer Justin DePasqua – for his overall performance. Officer DePasqua ranked 3rd in the Department in incidents handled, traffic enforcement, and criminal arrests. He serves as a Field Training Officer, a member of the Rapid Response Team, bicycle patrol, the Honor Guard and is the liaison to the Dauphin County District Attorney’s Domestic Violence Task Force.

Non-Uniformed Officer:

Detective Gary Flythe – for his work as the lead investigator on a string of burglaries that resulted in the arrest of an individual involved in 11 burglaries in Lower Paxton Township and nearly 100 burglaries in the mid-state area. He was also instrumental in the arrest of an individual involved in a string of violent robberies during the summer of 2005.

Mr. Hornung noted that he is very accessible to the public through his business and in the course of a year, he received roughly two or three complaints against the police department. He noted that this speaks very highly of the department, and stated that these complainants are always resolved beyond his expectations. He noted that, recently, a complainant came back to him to rave about the police department’s actions. He noted that the police department was very

professional and compassionate in handling her complaint. He noted that the police department does a very good job, and this makes his job much easier.

Mr. Hawk commended the four citizens who were honored. He noted that it shows that people care and are willing to get involved.

Manager's Report

Mr. Wolfe explained that the Koons Park Pool Board is desperately in need of volunteers to keep the pool open. He noted that they need volunteers to assist with maintenance activities and pool supervision over the summer months. He noted that anyone interested in volunteering their time should contact Randy or Vicki Koppenheffer at 657-1438.

Mr. Wolfe noted that the Township's Leaf Waste Collection Program would begin the first week of April and continues through the second week of December. He explained that the Township provides this curbside service on a bi-weekly basis to citizens for \$66 per calendar year. He noted that items included in the collection are yard waste except for grass clippings. He noted that grass clippings are collected as part of the four-bag weekly garbage. He noted that the yard waste should be placed loose in cans, or in recyclable Kraft bags. He noted that the cans should not weigh more than 50 pounds, and be placed curbside the morning of the collection.

Mr. Wolfe noted that the Township received a letter from Community Services of South Central Pennsylvania noting that they are attempting to manage traffic demands. He noted that they have created a six-county commuter service organization to provide free services to encourage commuting options other than driving alone. He noted that they work with employers and commuters on a range of alternatives. He stated that they offer a free emergency ride home program, and provides on-line ride matching. He noted that the joint efforts of Dauphin, Cumberland, Perry, Lebanon, Lancaster and York Counties is supported by chambers of commerce, metropolitan planning organizations, and county transient providers. He noted that there are more than 732,000 commuters in the six-county region and if the program can reduce

single occupancy vehicles during rush hours by 1%, it will remove a 22-mile long line of traffic from the roadways. He noted that the number to call for services is 1-866-579-RIDE, or visit the website at pacommuterservices.com.

Mr. Seeds noted that he wished to reiterate the importance of the need for volunteers to keep the Koons Park Pool open.

Mr. Hawk noted that Evan Scott of Troop 23 from St. Catherine Laboure Church was present to work on his “Citizenship in the Community” Merit Badge.

OLD BUSINESS

Traffic study agreement between Lower Paxton Township and Triple Crown Corporation, Inc. in regard to the proposed development of the Stray Winds Farm

Mr. Hawk explained that Triple Crown Corporation recently bought the 291-acre Stray Winds Farm. He noted that they have agreed to conduct a comprehensive traffic study for the surrounding area to include 13 intersections. He noted that the agreement between the Township and Triple Crown Corporation, Inc. involves the completion of a traffic study that will be completed by Herbert, Roland and Grubic, Inc. (HRG) the Township’s engineer, and would be paid by the Triple Crown Corporation.

Mr. Crissman made a motion to accept the traffic study agreement between Lower Paxton Township and Triple Crown Corporation in regards to the proposed development of the Stray Winds Farm that will be completed by HRG, Inc. and paid by the Triple Crown Corporation. Mr. Blain seconded the motion, and a voice vote followed. The motion was carried unanimously.

Authorization to the Township Solicitor to file suit against the developers of Quail Hollow in regard to violations of the subdivision and land development regulations

Mr. Wolfe explained that several on-going subdivision violations with Quail Hollow are being addressed by staff. He noted that it’s staff’s opinion that the responsible party has not addressed the on-going violations and staff is requesting authorization from the Board of

Supervisors to have the Township Solicitor take action against the developers of Quail Hollow in the court of common pleas to obtain the corrective measures.

Mr. Blain made a motion to authorize the Township Solicitor to file suit against the developers of Quail Hollow in regard to violations of the subdivision and land development regulations as outlined in the memo. Mr. Crissman seconded the motion, and a voice vote followed. The motion was carried unanimously.

NEW BUSINESS

Resolution 2006-13; Authorizing the continued maintenance of the Township's Emergency Operations Plan

Mr. Wolfe noted that the Township is required, on a bi-annual basis to undertake a maintenance effort in regards to the Emergency Operations plan. He noted that the Board is required to adopt a resolution indicating that it has attempt to comply with the Pennsylvania Emergency Management Act and the code of regulations that has been established to implement the Act. He noted that this is very similar to a Resolution acted upon by the Board two years ago, and this begin the process to continue maintaining the Township's Emergency Operations Plan.

Mr. Crissman made a motion to authorize Resolution 2006-13, authorizing the continued maintenance of the Township's Emergency Operations Plan. Mr. Blain seconded the motion, and a voice vote followed. The motion was carried unanimously.

Final land development plan for Pinnacle Family Medicine Center, 2323 Patton Road

Ms. Moran explained that the purpose of the plan is to construct a 13,050 square foot professional medical center and parking on Lot #4 of the 8.58 acre property (formerly Final Subdivision and Land Development Plan for Robert J. Fried and Commerce Bank) north of Linglestown Road and west of Patton Road. The property is zoned C-1, General Commercial and is 3.18 acres. The site will contain public sewer and public water.

Ms. Moran noted that on January 25, 2006, the Planning Commission recommended approval of the plan. She noted that on February 21, 2006, the Board of Supervisors tabled the plan, and on February 28, 2006, abutting residents to the north of the property met with Brian Evans and Steve Knight at Evans Engineering. Mr. Mike Kushner from Omni Reality was also present.

The applicant has requested the following waivers requests, general conditions, and staff comments: 1) Waiver to permit the plan to be submitted as a final plan; 2) Waiver to allow the placement of sidewalk as proposed in accordance with the Land Development Plan of Robert Fried, Commerce Bank; 3) Plan approval shall be subject to providing original seals and signatures; 4) Plan approval shall be subject to the payment of engineering review fees; 5) Plan approval shall be subject to the establishment of an improvement guarantee for the proposed site improvements; 6) Plan approval shall be subject to the Dauphin County Conservation District's review of the Erosion and Sedimentation Control Plan; 7) Plan approval shall be subject to DEP's approval of a sewage facilities planning module; 8) Plan approval shall be subject to the Lower Paxton Township Sewer Department's review and approval of the sanitary sewer design; 9) All signage must meet the requirement of the Lower Paxton Township Zoning Ordinance; and 10) A street/storm sewer construction permit is required for construction of storm water facilities.

Ms. Moran noted that Mr. Brian Evans is present to represent the plan.

Mr. Hawk noted that there was a change between the plan that was present on February 21st in that a waiver for road widening is no longer needed, and an agreement to the comments provided by HRG, Inc have been met.

Mr. Crissman questioned if the general comment regarding HRG comments was not listed because the comments have been met. Ms. Moran noted that a memo from Mr. Snyder is attached to the paperwork showing that all HRG comments have been met.

Mr. Evans explained that the reason the road-widening waiver was withdrawn was because it was not necessary. He noted that the road, as proposed under the original subdivision, meets the Township's ordinance requirements. He noted that the road would be 14 feet from centerline of road to the curb face. Mr. Seeds noted that the waiver for the sidewalk still remains. Mr. Evans noted that he has adjusted the location for the sidewalk from the McHaffie property to the driveway entrance to comply with the Township ordinance. He noted that a waiver is only needed for the southern side of the driveway where it abuts the approved sidewalk at Patton Place. He noted that this was done to preserve wetland activities.

Mr. Crissman noted that there were two waiver requests, six general conditions, and two staff comments, and he questioned Mr. Evans if he was in agreement with these. Mr. Evans answered that he was.

Mr. Crissman noted that he would like to thank to Mr. Evans and his staff for meeting with the neighbors, and he hoped that the outcome would create a positive relationship with the neighbors.

Mr. Brad Henken, 4435 Venus Avenue, stated that he wanted to thank the Board of Supervisors for arranging the meeting with the developers. But he explained that he was not satisfied since the only satisfaction that he received from the meeting was that the parking lot lights would be turned off earlier than planned. He noted that all residents in the Township deserve privacy and a guarantee of safety at their home. He noted that these requirements are not being met. He noted that the ordinance requirements were met, but the minimal requirements are unacceptable, and he felt that he received lip service from the meeting as part at any attempt to make adjustments to be good neighbors.

Mr. Henken noted that if a business was built in someone's backyard, he would define good neighbors as involving the neighbors from the start, not after the fact. He suggested that his concerns fell on unresponsive ears. He noted that the natural deterrent was the forested land that

prevented people from trespassing on his land. He noted that would be changed with a berm of dirt, and 2½ inch diameter trees that will eventually fill in nicely in ten or twenty years, and this would not protect his family now. He stated that he requested larger trees at the meeting and the answer was no. He additionally asked for a fence and he was told that it would not happen, and he suggested that people would trespass across his property to get to the businesses or vice versa. He noted that he had a concern for his children's safety, and requested a larger buffer than 50 feet, and this was also turned down. He noted that the garbage site is closest to his property, and he requested it to be moved, and it was not achieved. He noted that the current situation is unsafe and unacceptable. He suggested that better barriers should be installed.

Mr. Henken noted that he knows the plan meets the requirements of the ordinances but suggested that the safety and privacy of his property would be at risk. He stated that the plan is unacceptable. He thanked Omni Reality for keeping the lines of communication open, and he would continue to attempt to get a better barrier to provide for safety and privacy. He noted that the Township should have contacted the property owners from the start of the project to allow for more involvement in the process. He suggested that the current ordinances should be reevaluated, as they do not provide for privacy and safety.

Mr. Hornung noted that there is a safety issue and he questioned Mr. Henken how he would resolve the issue. Mr. Henken suggested that a better barrier be provided between the two properties. Mr. Henken noted that a fence could be build or larger trees could be planted. Mr. Hornung explained that, in the past, fences were required but they became dilapidated, and a maintenance headache. Mr. Wolfe noted that a fence was required along the entire length of the Colonial Commons as well as a planting buffer. He noted that over the years, the fence has reach a significant state of disrepair, but it was recently repaired in the past year by the property owners, although they argued that since the buffer strip has grown it was no longer necessary.

Mr. Henken suggested that a temporary fence could be one consideration. Mr. Hornung suggested that a plastic fence would hold up much better.

Mr. Hornung explained that the ordinances are being revised, and he appreciated Mr. Henken's comments.

Mr. Crissman questioned what type of trees would be placed in the buffer zone. Mr. Evan answered that Steve Knight, from his office, was present and he is trained in forestry. Mr. Knight explained that cypress trees would be planted, and he noted that they grow like spires, are pear-shaped coniferous trees, are very densely branched, and create an impenetrable area. Mr. Evans noted that the trees would be eight-foot tall with 2-½ in. caliber trunk, which is required by ordinance. He noted that certain trees were identified to be kept on the site.

Mr. Hawk noted that the trees would develop into a fence type structure. Mr. Hornung questioned how long it would take for this to occur. Mr. Knight answered that it would take five to ten years. He noted that planting a larger tree provides for a higher mortality rate for the trees. He noted that he would intersperse some other deciduous trees with the cypress trees.

Mr. Hornung made a motion to approve the final land development plan 2005-05 for Pinnacle Family Medical Center, 2323 Patton Road with the following waivers requests, general conditions, and staff comments: 1) Waiver to permit the plan to be submitted as a final plan; 2) Waiver to allow the placement of sidewalk as proposed in accordance with the Land Development Plan of Robert Fried, Commerce Bank; 3) Plan approval shall be subject to providing original seals and signatures; 4) Plan approval shall be subject to the payment of engineering review fees; 5) Plan approval shall be subject to the establishment of an improvement guarantee for the proposed site improvements; 6) Plan approval shall be subject to the Dauphin County Conservation District's review of the Erosion and Sedimentation Control Plan; 7) Plan approval shall be subject to DEP's approval of a sewage facilities planning module; 8) Plan approval shall be subject to the Lower Paxton Township Sewer Department's review and

approval of the sanitary sewer design; 9) All signage must meet the requirement of the Lower Paxton Township Zoning Ordinance; and 10) A street/storm sewer construction permit is required for construction of storm water facilities.

Mr. Blain seconded the motion. The Supervisors were polled as follows: Mr. Blain – aye; Mr. Crissman – aye; Mr. Hornung – aye; Mr. Seeds, - aye; Mr. Hawk – aye.

Resolution 2006-12; 2002 – 2005 Road Dockets

Mr. Wolfe noted that the road dockets must be filed with the Court of Common Pleas in Dauphin County in order to provide for public recognition of the accepted roadways to qualify the roadways for the state liquid fuels listing and receive state revenue for the additional mileage in the community.

The following is a list of the accepted streets:

Resolution 02-05: Amber Fields, Phase I

- Wrigley Lane
- Yankee Lane
- Anaheim Court

Resolution 03-53: Old Iron Estates, Phase I

- Farmcrest Lane
- McCormick Lane
- Oliver Lane

Resolution 04-32: Kings Crossing, Phase B

- Churchill Road
- Brittan Road

Resolution 04-34: Estates of Forest Hills, Phase 4B

- Continental Drive

Resolution 04-35: Woodvale Development

- Woodvale Road

Resolution 05-48: Mindy Meadows, Phase I

- Deaven Road
- Devonshire Heights Road
- Mindy Lane
- Misty Lane

Mr. Seeds questioned if this process is completed each year. Mr. Wolfe answered that it is done when there is a large list to transmit to Dauphin County.

Mr. Crissman made a motion to approve Resolution 2006-12, the 2002 – 2005 Road Dockets as presented in exhibit “A”. Mr. Blain seconded the motion. The Supervisors were polled as follows: Mr. Blain – aye; Mr. Crissman – aye; Mr. Hornung – aye; Mr. Seeds, - aye; Mr. Hawk – aye.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Crissman seconded the motion, and a unanimous vote followed.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 8:37 p.m.

Respectfully submitted,

Maureen Heberle

Approved by,

Gary A. Crissman
Township Secretary