

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held August 14, 2007

A workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:30 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; Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Lori Wissler, Planning and Zoning Officer; Steve Stine, Township Solicitor; Dan Bair, Chief of Police; Brian Luetchford, Parks and Recreation Director; Francis McNaughton Sr., Francis McNaughton Jr., Joel McNaughton, McNaughton Homes; Tim Mellott, Ted Robertson, and Watson Fisher, Stray Winds Area Neighbors; Chief Ben Shields, Dan Crum, Ben Coburn, Colonial Park Fire Company; Chief Perry Pierich, Linglestown Fire Company; Jeff Wendle, CET Engineering; Ron Beeck, President, and Tim Renninger, Maintenance Director, Friends of the Playground; and R. J. Sholder, Treasurer, Inspired Recreation.

Pledge of Allegiance

Mr. Crissman led in the recitation of the Pledge of Allegiance.

Public Comment

None was presented.

Presentation by the Linglestown Fire Company regarding equipment to be purchased
as per Phase III of the Fire Equipment Capital Plan

Mr. Wolfe noted that the Board of Supervisors had approved Phase III of the Fire Capital Equipment Plan that was prepared by the Public Safety Committee. He noted that Director Bair had been working with the fire chiefs and the Public Safety Committee in regards to the purchase of specific units, and at this time Linglestown Fire Company is prepared to make a presentation to the Board on the unit that they desire to purchase in accordance with the Commonwealth of Pennsylvania COSTAR's program which does not require competitive bidding.

Chief Pierich explained that he worked through the COSTAR's program which is a cooperative purchasing program through the Department of General Services (DGS). He noted that DGS secures bids from suppliers for all types of products to include fire and emergency vehicles. He noted that these are found in COSTAR's program 13. He noted that there were over

thirty manufactures included in the contract, and he reviewed the five manufacturers that provided tanker trucks. He explained that he talked to the manufacturers, and chose the one that best fit the needs for the Linglestown Fire Company. He noted that it was not the most expensive piece of equipment, nor was it least expensive, but the price came in very close to the original estimated cost, and very close to the needs that the fire company has. He noted that he has worked with the manufacturer, and is comfortable with them, since he has purchased rigs from them in the past. He noted that he is very satisfied with the price, and made a formal proposal to purchase the tanker through the COSTAR's program. He noted that he is present to seek approval from the Board of Supervisors to purchase the fire apparatus. He explained that a purchase order is sent to the manufacturer, and the fire company would take delivery after the apparatus is built.

Mr. Wolfe questioned what the estimated cost of purchase would be. Chief Pierich estimated that the price for the tanker would be \$285,000. He noted that it provides for a quicker and easier process for the Township to purchase through the COSTAR's program. He noted that the other two fire companies are working in the COSTAR's program to find apparatus that may fit their needs. He noted that, at the present time, there are no pieces of equipment that fit their needs, but some may be added in the near future.

Mr. Seeds noted that there is a tremendous savings of \$9,900 if the bill is paid within seven days of receiving the purchase order. Mr. Wolfe explained that the Township could do the prepaid discount of 100% for the order.

Chief Pierich noted that he is very happy with the rig and the manufacturer. He noted that the rig is manufactured in Pennsylvania, and it would use a Mack chassis that could be serviced locally.

Mr. Hawk noted that only the chassis would be available by December. Chief Pierich noted that it would take additional time to build the tank on the chassis, and he suggested that the rig would be complete by February or March 2008. Mr. Wolfe noted that there is money in the Fire Capital Equipment Fund to purchase the rig, and since the Board approved the Fire Capital Equipment Plan, the Board only needs to concur with the purchase. He noted that there is no bid requirement, and if the Board concurs, Chief Pierich can order the rig, and he would cut a check for him when he needs it.

Chief Pierich questioned if the Township could provide a purchase order form for him to send to the manufacturer. Mr. Wolfe answered that he could do that. He noted that this is the first time the Township has used the COSTAR's program to purchase fire equipment, and it makes

the process so much simpler. He noted that before, the fire chiefs had to use the bidding process, which is very cumbersome.

Director Bair noted if the other fire chiefs purchased through the COSTAR's program there may be an additional discount. Chief Shields noted that this would only occur if the additional purchasing was done through the same manufacturer. Mr. Wolfe questioned if there was a time frame for this. Chief Pierich noted that the manufacturer offers the rebate, and it would be up to them.

Discussion with representatives from Inspired Recreation regarding future maintenance and fundraising for Possibility Place

Mr. Wolfe noted that Ron Beeck was present to represent the Friends of Possibility Place. He noted that he has been corresponding with Ann Phillips for the past few months regarding two issues which the Board has had questions. He noted that the first issue pertains to the maintenance fund for the Possibility Place, and the fact that when the Board of Supervisors passed the Resolution to enter into the project with Inspired Recreation, it stated that 5% of the costs of the facility would be set aside for future maintenance. He noted that he was told by Ms. Phillips that she is not in favor of doing this and this needs to be addressed. He noted that the second issue is that there could be fund raising activities undertaken on a public park for private for-profit activities. He noted that Ms. Phillips told him that this is not occurring, but he wanted to confirm this matter for the Board members. He noted that these two issues were raised to Ms. Phillips in his letter to her dated July 11, 2007, and it was decided to invite members from Inspired Recreation to the Board meeting to discuss these issues.

Mr. Hawk noted that he heard that Inspired Recreation had the impression that Possibility Place is privately owned in spite of the fact that the playground sits on Township land. He noted that the Board members have some basic concerns regarding the facility.

Mr. Beccck explained that the Friends of Possibility Place came on board after the facility was built, and he was not aware of the 5% commitment, and he questioned where the Board would like the money to be deposited. He noted that there is money deposited in a Foundation, of which none of the members have access to unless they present the Foundation with a receipt, at which time the Foundation will write a check for the funds. He noted that roughly \$20,000 is deposited in that account. He noted that as far as raising funds for a non-profit, the website provides an option to make a tax deductible contribution that would be deposited in the Foundation. He noted if the check is written to "The Friends of the Park", then that money is deposited into a petty cash fund to alleviate members from having to lay out funds out of their

pocket to make repairs or whatever. He noted that the petty cash fund contains roughly \$600 to \$800.

Mr. Crissman questioned if Mr. Beeck was familiar with Resolution 2005-21. Mr. Beech noted that the Resolution was given to him prior to walking into the meeting. Mr. Crissman questioned if he was aware that the Resolution states, “*that a minimum of 5% of total funds raised shall be placed in a Township escrow account dedicated to the future maintenance of the playground.*” Mr. Beeck answered that he was not familiar with that requirement.

Mr. Blain questioned Mr. Beeck what the corporate structure was for Inspired Recreation, and if Ms. Phillips was the president. Mr. Beeck noted that Ms. Phillips is still the active president of Inspired Recreation, noting that Mr. Sholder sits on that Committee; he stated that he is the president of the Friends of the Park. He noted that his group’s main objective is to deal with the vandalism that has occurred in the park, and to make the necessary repairs to the equipment.

Mr. Blain questioned why Ms. Phillips was not present to represent Inspired Recreation. He noted that the Township has had correspondence with Ms. Phillips in regards to the escrow account, and that it has been clearly stated to the Township that she never agreed to this, nor has Inspired Recreation agreed to this. He noted that that is why it was critical for Ms. Phillips to be present to discuss these issues. Mr. Beeck noted that as of next week, Ms. Phillips will be stepping down as president of Inspired Recreation as she is moving to Philadelphia. He noted that a new president will be elected at the meeting to be held next week. He noted that one of the problems that he is running into in securing funds from the Foundation since they will not provide funds for a petty cash fund. He noted that they will only release funds for receipts presented to them. He noted that the Foundation reasons that the funds were donated by people in-trust to them to ensure that the funds are used only for the playground.

Mr. Hawk noted that Mr. Beeck is using the petty cash fund as a means to purchase items in order to provide a receipt to the Foundation. Mr. Blain questioned if the Foundation will provide funds to Mr. Beeck to make repairs to the playground. Mr. Beeck answered only after a receipt is provided to them to show that the item was purchased or the repair was made. He noted that members of the group must lay out funds prior to getting reimbursed by the Foundation. Mr. Hawk noted that the group can use the petty cash fund to purchase the items, and after receiving the funds from the Foundation, deposit it back into the petty cash fund.

Mr. Beeck noted that the only fundraising occurring at this time is the purchase of fence posts or donations made to the playground. Mr. Hawk noted if the funds were deposited into a

Township escrow account, then there would be no need for a petty cash fund as the Township would provide the money up front for the members to use.

Mr. Crissman noted that a new core of people would be assuming the leadership for Inspired Recreation, and they are not aware of the obligations that were made by Possibility Place when they entered into the agreement with the Township. He suggested that they should be provided with a copy of the Resolution, and once they know the obligation, the new core of people should meet with staff to resolve the issues. He noted that they need to honor their commitment to the Township.

Mr. Beeck questioned what the benefit was for the Township or for Inspired Recreation to deposit 5% of the build money in a Township fund as opposed to the Foundation. Mr. Crissman answered that Inspired Recreation would have immediate access to its funds. Mr. Wolfe noted that you would not need to have a petty cash fund to do maintenance work. He explained that the Township maintains their parks daily, and employees are not required to use money out of their pockets to do so. He noted that the Township has established credit with local vendors, and Inspired Recreation would only need to receive approval from Mr. Luetchford or his designee to get a purchase order. He suggested that it would be easier for Inspired Recreation to perform maintenance for the playground.

Mr. Renninger questioned if Inspired Recreation would receive quarterly statements to show what funds were used. Mr. Crissman answered that they would.

Mr. Blain noted that the reason Ann Phillips and Janice Creason agreed to the 5% escrow account was to safeguard funds in the event the Friends of the Playground disband. He noted that the Township would be left with the maintenance for the playground made up of specialized equipment, and since the playground was built on Township land, the money needed to be set aside for long-term maintenance.

Mr. Beeck noted that he was told that the resolution was not discussed prior to the Township meeting, and that is why the president of the organization was in disagreement with the stipulations. Mr. Crissman noted that the organization made a commitment to the Township and the Township took action to approve the resolution. Mr. Blain noted that the resolution was addressed to Inspired Recreation. Mr. Crissman noted that that is why it is important for the new people coming into office to be made aware of the agreement in order to provide for a good working relationship.

Mr. Seeds explained that the resolution is the license that permitted Inspired Recreation to build Possibility Place in the Township Park.

Mr. Seeds questioned if there would be a problem for Inspired Recreation to raise funds through the Foundation. Mr. Wolfe suggested that it may work best if the recreation maintenance funds were set aside at the Foundation, and the maintenance draw-downs would be completed through the Township. He noted that the Township could make monthly or quarterly checks to the Foundation with documentation that would include invoices or purchase orders. Mr. Seeds suggested that the three parties should meet to work out the terms for withdrawals.

Mr. Blain suggested that it would be good to leave the funds with the Foundation, and he noted that separate accounts for separate moneys could be set up with the Foundation that would be set aside for maintenance. He noted that the Foundation would provide the Township with quarterly statements for the maintenance fund.

Mr. Wolfe suggested that the overall goal for the project is the same; to make sure the playground stays in great shape for as long as possible. He noted that there needs to be some municipal accountability for the maintenance pledge, and there should be no out-of-pocket expenditures for the Friends of the Playground.

Mr. Beeck noted that the reason for setting up the petty cash fund was to provide donors an option as to how they wanted to donate their money to the project. Mr. Wolfe noted that this would provide for additional accounting for the organization.

Mr. Blain suggested that Mr. Beech should speak to Janice Black about opening a separate account for maintenance funding that would provide quarterly accounting to the Township, and authorized either Mr. Wolfe or Ms. Speakman to work with Ms. Black to make reimbursements to the Township.

Mr. Renninger explained that they have had to remove some equipment and make changes to the playground.

Mr. Hawk noted that the Township will need to be informed of the names of the officers for the various organizations related to the Possibility Place. Mr. Crissman suggested that they should continue to keep Mr. Luetchford informed of what is occurring with the playground.

Mr. Seeds noted that his wife was at the playground today with her grandchildren when a woman let her dog run loose, and the dog was chasing the grandchildren. He noted that the lady screamed at his grandchildren because they were making her dog bark. He suggested that a “no pet sign” should be erected since it is not a pet park. Mr. Renninger noted that he will be posting several signs in the near future, especially a “no smoking” sign.

Mr. Blain noted that Mr. Beeck explained that they are selling fence posts for non-taxable deductible contributions. Mr. Beeck explained if someone purchased a fence post and did not

wish it to be tax deductible, then the \$50 is put into the maintenance petty cash fund to use to cover expenses. Mr. Blain noted that the Township has an ordinance that permits the selling of items on Township property only for not-for-profit status organizations. He noted if the funds are not going into the 501 C Foundation account, then this would leave the Township open to allow other vendors to do the same.

Mr. Blain questioned if the name Possibility Place had been trademarked in any way. Mr. Shoulder answered that an application has been sent to trademark the name since there are issues with a group in Mechanicsburg that wants to use the same name by calling their playground Possibility Place Two. He noted that he has been in correspondence with them to explain their concerns with using the same name. He noted that they did not back down, and some members did research and found that the name could be trademarked. He explained that the group voted to apply for the trademark, but nothing has been finalized at this point. Mr. Blain noted that you cannot apply for a trademark for something that is located on public property. He noted that the playground is a public site located on public property, and a trademark would be used to protect a revenue generating item, and this is not a revenue generating facility. Mr. Stine explained that you cannot trademark a facility that belongs to the Township, although it was built by someone else, and he assumed that the name would also belong to the Township as well. He noted that he did not know how a Third party could trademark a name that is in the public domain. Mr. Blain noted that he is concerned that the group is attempting to trademark the playground, and suggested that the group should review this with their legal counsel.

Presentation by the McNaughton Company of the
master development plan for Autumn Oaks

Mr. Joel McNaughton explained that the McNaughton Company is a family company and noted that his grandfather, Francis McNaughton, his father, Fran McNaughton, and the project engineer, Tim Mellott, are present to explain the master plan.

He noted that the master plan for Autumn Oaks includes a 313- acre site located in the northern portion of the Township, off of Patton Road. He explained that it is zoned R-1 and RC and that he currently proposes 300 units to be constructed on this site. He noted that the site is accessed from Patton Road.

Mr. Hornung questioned how many acres of the land are in wetlands. Mr. Mellott answered that he did not have that information with him, but all the wetlands are encompassed in the open space in the RC portion of the property, and will be secured with easements. He noted

that the R-1 zoning permits a much higher density, and it is his intent to preserve as many trees as possible, to provide a higher class estates-type configuration for the upper portion of the tract. Mr. Hornung questioned what percent the wetlands take up. Mr. Mellott suggested that it would be 5% to 10% of the project. Mr. Hornung questioned, of the open space, what portion is wetlands. Joel McNaughton noted that there are 69 acres in open space. Mr. Mellott explained if he pulled the wetlands out of the open space, he would still have more open space than what is required.

Mr. Hornung questioned what area is in steep slopes. Joel McNaughton answered that 180 acres are located in the R-1 zone, and 130 acres are located in the RC zone. He noted that all the natural features are identified on the plan, to include wetlands, streams, and the dark green areas are the steep slopes. He explained that the wetlands are delineated through a very conservative approach, but a jurisdictional determination will be done by the United States Army Corps of Engineers. He noted that some wetlands shown on the map are marginal.

Mr. Hornung questioned what variances would be needed for the plan. Joel McNaughton noted that he currently is not seeking any variances as the plan is in conformance with the zoning ordinance. He noted that he would be requesting several SALDO waivers, for slant curbing, throughout the development.

Mr. Crissman questioned if the cul-de-sacs meet the requirements for emergency vehicles and school bus. Mr. Mellott answered that the intent of the cul-de-sacs are to create separate community types. He noted that the cul-de-sacs are actually 10-foot wider than required to provide a larger radii, providing for a 100-foot wide turning area. He explained that he does not intend to put plantings in the cul-de-sac, rather he would use stamped concrete that would not be a hindrance for movements, but would be a visual aesthetic enhancement. Mr. Mellott suggested that the school buses would pick up students at the beginning of the road and not drive down the cul-de-sacs. He noted that cul-de-sacs are a safer type of street for vehicular traffic.

Chief Pierich noted that the International Fire Code has specific requirements for cul-de-sacs. Mr. Mellott noted that the diameter for the cul-de-sac will be 100-foot wide, and 80-foot is the requirement.

Joel McNaughton noted that the development will have access to Patton Road and Colonial Road which are both signalized intersections with Linglestown Road. He noted that Kensington Way is a cul-de-sac.

Mr. Seeds questioned what the status with the straightening of Patton Road was. Joel McNaughton explained that he met with staff recently to discuss the sketch plan and the Patton

Road alignment issues. He noted that the problem curve for Patton Road is an off-site issue, and suggested that there are other areas of Patton Road that need replaced prior to this curve. He suggested that the issue of this curve is not as big an issue to the Township today as it was in the past. Mr. Mellott noted that there was a tentative realignment plan that did depict the straightening of the one section, but due to the massive wetlands, the location of the Paxton Creek, the economic expense, and the fact that there is a much tighter turn right after that, the discussion determined that those monies would be better spent to provide other improvements than straightening the road. Francis McNaughton noted that when he met with the Township engineer and staff, the original plan called for the straightening of the curve on Patton Road, but subsequent to the meeting with staff, it was recommended that he not depict that on the plan, hence it is not shown.

Mr. Seeds questioned if that meant that it would not be done. Francis McNaughton suggested that he should talk to the Township Engineer to make a determination as to what would be the best allocation of the resources, such as doing improvements somewhere else in the Township. Mr. Seeds noted that an earlier discussion was held regarding the reduced lot size and an arrangement was made with Francis McNaughton who needed smaller lots to take some of the fill to straighten the curb. He noted that discussions have been ongoing for two or three years regarding the lot sizes and the fill needed, that would enable Mr. McNaughton to straighten the curbs. Mr. Seeds questioned what happened with that. Francis McNaughton explained that to provide a better road alignment he would need to build a small bridge. Mr. Seeds questioned who made this determination. Francis McNaughton answered that he had engineers look at the site. Mr. Seeds questioned who would build the bridge. Francis McNaughton answered that he would have built the bridge. Mr. Blain noted that Mr. McNaughton is saying that he would not need to build the bridge if he is in compliance with everything in the zoning regulations for their specific site.

Francis McNaughton noted that he met with the Township Engineer and staff and it was determined from those meetings that the realignment did not serve a good purpose in the best interest of the Township, and it was suggested to him to remove it from the plan. He noted that he told his staff that he has a commitment, based on what he anticipated that the road would cost, and that the Township might make a determination to have him put those resources elsewhere, and he is willing to do that.

Mr. Seeds questioned why he had not heard about this.

Francis McNaughton questioned if he could proceed with the presentation. Mr. Seeds questioned what the underlying zoning for the cluster is. Mr. Mellott answered that the land is zoned RC. Mr. Seeds questioned what it was zoned previously. Mr. Mellott answered that it was zoned R-1. Mr. Seeds noted that some of the townhomes would have 60-foot frontages. Mr. Mellott noted that the minimum frontage in the RC is 90-foot and the average is 111-foot.

Joel McNaughton noted that he would provide access to Forest Hills and Parkway West, in addition to Colonial and Patton Roads. He noted the properties would be serviced by public water, sewer, electric, telephone, cable and natural gas, all of which will be underground utilities. He noted that the green areas shown on the map are steep slopes, the wetlands are shown in brown, and the streams are in blue.

Joel McNaughton noted for the RC district, he has submitted a Yield Plan to the Township that has been reviewed by the staff and Township engineer and they have approved 203 dwelling units for the 133 acres in the RC portion, noting that 45% or 92 of those units are required to be single-family detached, and up to 55% or 111 units are attached units. He noted that there is a 40% open space requirement, which would amount to 53 acres. He noted that the current plan shows 69 acres in the RC district as open space. He noted that 203 units have been arranged into clusters or like-units types and consideration has been given to surrounding or proposed tracts. He noted that all four sides of the site have been buffered with open space or single-family detached units. He noted that 40 duplex units, 47 luxury town homes or villas, and 24 traditional townhomes with two-car garages for the end units and one-car garages for the interior units are shown on the plan.

Joel McNaughton explained that he proposes to install slant curbs and a street separation on Autumn Oaks Drive. He noted that the single-family detached lots are located in three distinct areas, and the average lot size is 14,294 square feet, and the minimum lot size is 11,000, with 7500 square feet being the permitted minimum lot size.

Joel McNaughton explained that there would be 47 villa units located in the central portion of the site. He noted that those units would have two-car garages, abutting the open space, is roughly 2,250 square feet in size, with no basements. He noted that the current selling price will be in the \$300,000 range. He noted that the other type of housing located in the RC District would be single-family duplexes, abutting open space, with two-car garages. He noted that the units would be 1,900 square feet in size and priced in the range of \$270,000 to \$280,000. He noted that there will be 24 traditional townhome units, and the end units would have two-car garages. He explained that there are only 15 units in the RC district that would have one-car

garages. He noted that the interior units are 1,450 square feet in size, and will sell in the mid \$170,000 range, with the end units having 1,700 square feet and will sell for \$230,000 to \$240,000.

Joel McNaughton noted that the R-1 area would have 96 single-family detached estate homes. He noted that the average lot size is 1.77 acre, noting that the minimum required is 20,000 square feet. He noted that all lots would be serviced with public water and sewers as well as the other previously mentioned underground utilities. He noted that lot 300 is located near Parkway West and has been designated by United Water PA as a regional water tank location. He noted that he has attached a letter from United Water PA in response to his request to service this project, and highlighted the paragraph which explains their intent to construct a 2 million gallon ground storage tank. He noted that he has provided United Water PA access off of Parkway West to their lot to work on the project.

Joel McNaughton noted that in the estates section, the homes will have two or three car garages that will have side entries.

Joel McNaughton explained that they plan to submit a preliminary plan for the October Planning Commission meeting. He noted that this site is proposed to be in compliance with the zoning ordinance, but a few waiver requests will be needed for the SALDO requirements for slant curb in the RC section and for two cul-de-sacs in the area of Patton Road. He noted that this area has been designed as a private estate community, and meets the requirements for the maximum allowed units in a cul-de-sac.

Joel McNaughton noted that the plan has eight phases to be constructed over a 15-year period. He noted that he would be extending Colonial Road, Continental Drive and Kensington Way.

Mr. Hawk questioned if there was some discussion about the extension of Continental Drive. Mr. Wolfe answered that it was his understanding that it would be extended in this plan to the eastern property line. Mr. Mellott explained that Colonial Road is being designed as a collector road, and Continental Road will be a dead-end street at this time. He noted that, eventually, it could extend to Parkway West.

Mr. Hornung questioned if there would be a sight distance problem where Colonial Road is projected to connect to Parkway West, noting that northbound traffic making a left turn onto Parkway West would have to enter into the intersection to make the turn. Mr. Mellott noted that the development's property actually extends onto Parkway West which would allow them to

make some adjustments for the intersection. Mr. Hornung requested Mr. Mellott to improve the intersection to accommodate the sight distance issue.

Mr. Hornung noted that the Township has encouraged no private access driveways along Continental Drive. He noted that the plan shows numerous driveways at the dead end of Continental Drive, but someday, it is expected to extend this road to Parkway West. He noted that he had a concern regarding private access since it will be a collector street. Mr. Mellott noted that the roadway was designed in this manner to provide as much open space as possible. He suggested that it would not be a highly traveled collector road. Mr. Seeds suggested that it will be in the future as it will serve as a parallel collector road for Linglestown Road. He noted that the roadway would need to be widened in that area as well.

Mr. Crissman noted that he had a concern that the plan showed that three main roads from the development would connect to Colonial Road and add much traffic to that area.

Review of the revised 2007 Paxton Creek decision for sanitary sewer system improvements
Review of the Key Indicator Report: 2nd Quarter 2007

Mr. Wolfe noted that this is the final draft for the Paxton Creek decision as per staff's discussions with the Department of Environmental Protection (DEP) held August 1, 2007. He noted that it is important to ensure that the Board members are in concurrence with the language in the plan since its modification.

Mr. Wendle explained that DEP granted permission to allow a 20-year time frame to complete the program. He noted on the last page of the draft, the 20-Year Table shows the work in four and five year increments. He noted that this was done at the request of DEP, and he combined that with the idea of whether storage would be needed in the future. He noted that an assessment for storage would be made in the year 2015. He noted that it may not be needed, or if it is, it is hoped that it would be very small, in the area of 2 million gallons.

Mr. Wendle noted that DEP requested a check list to determine when a basin is completed. He noted that there are two groups, explaining that group two would include the mini-basins that are completed, but would need to be reviewed again, such as Colonial Crest. He noted that there is criteria for determining when a basin is done. He explained if a basin has all the asbestos cement pipe removed, tests all the building sewers, and replaces everything to the house, noting that the existing plastic pipe would not be replaced, and then DEP would consider this basin finished for the purposes of adding additional connections. He noted if the Township does not want to replace everything, then the Township needs to demonstrate to DEP that the

flow is reduced to 1,000 gallons per day per EDU. He noted that this would not include under-slab issues that the Township would continue to deal with.

Mr. Wendle noted that PC-2B and PC-2E were completed this past year, and he thinks the Township has met the 1,000 gallons per day requirement in those basins. He noted that there is asbestos pipe that was not replaced, but he explained that DEP would allow the Township to consider those basins complete as long as the Township continues to monitor the flows. He suggested that ultimately, that pipe would need to be replaced. He noted that the Township would address the flow issues first, and then eventually come back to replace the pipe.

Mr. Wendle noted that he was shocked that DEP permitted the 20-year time frame, noting that they wanted to change the increments into five-years, and to identify the basins where the work was done, but would not revisit them at this time.

Mr. Wolfe questioned on page three, where it states that a completed mini-basin in Group 1 or Group 2, if it would be clearer if it stated that a completed mini-basin in Group 1 is defined as 1 and 2, and then a completed mini-basin in Group 2 is defined, since Group 2 is actually different than Group 1 and 2. Mr. Wendle noted, at first, DEP was only going to give credit for Group 2 when it reached the 1,000 gallons per day per EDU requirement, but he noted that that was not fair. He explained if the Township went into the Colonial Crest basin, and replaced every ACP pipe and did all improvements up to the house, he felt that the Township should still be given credit for completing a basin. He noted that for both groups, if the Township gets to that point, then it would be completed.

Mr. Hornung questioned what if you find the ACP pipe is not the problem, but the under-slab issue is the problem. He noted that it would not be appropriate to replace the ACP pipe, since it would not solve the problem, but the basin would not be able to reach the 1,000 gallons per day per EDU requirement. He noted that the under-slab issues would need to be addressed and this would take a long time to do. He noted that the Township would never be able to get credit for this basin. Mr. Wendle noted that DEP, in the past, would not give the Township credit for the work if the ACP pipe was the problem, and it was replaced and still did not reach the 1,000 gallon mark.

Mr. Seeds questioned how many years it would take to replace all the ACP pipe. Mr. Wendle answered that it would take 20 years. Mr. Seeds questioned if DEP would evaluate the number of permits after 15 years. Mr. Wendle answered that the Township would have to inform DEP in 15 years if storage is needed. He suggested that DEP would continue to allow permits as long as the Township has a solution for the 20-year schedule. He noted that the Township would

be issued 93 permits per year based on the fact that the Township had 63 permits and with three basins completed, it would ask for 10 more permits for each completed basin.

Mr. Wendle noted that he prioritized the basins with the most ACP pipe and the most flow to remove. He noted that he wants to get down to 10.5 million gallons total peak flow.

Mr. Seeds questioned how often Mr. Wendle would meet with DEP. Mr. Wendle answered that DEP wants to continue to meet annually, noting that priorities could be changed at that time.

Mr. Hawk noted that he read that DEP wants to meet monthly with the Township. Mr. Wendle explained that Mr. Weaver requested to meet monthly until the permit is approved for the Beaver Creek solution.

Mr. Wendle noted that by meeting annually, DEP can determine if the Township is on schedule. He noted that this includes, for the first year, to finish the trunk projects; Trunk A for Earl Drive and Valley Road.

Mr. Wendle noted that the new regional director is a practical person and favors rehab for the systems. Mr. Crissman noted that the yearly meetings may also help with changes that might occur with DEP's personnel.

Mr. Wolfe noted that he is looking for permission from the Board to submit the plan to DEP. It was a unanimous vote to submit the Corrective Action Plan to DEP.

“Otta Know” Presentation: The 2007 federal grant program “Staffing for Adequate Fire and Emergency Response

Mr. Wolfe noted that Chief Bair informed him that there is a grant that aids in the recruitment and retention of volunteer firefighters. He explained that it is a federal grant that would help to fund adequate staff for emergency responders and paid or volunteer fire departments.

Mr. Wolfe noted that the funding for volunteers could be used for a number of activities. He noted that the grant requires that, after the three-year grant period is completed, that the Township must continue what it has established, and maintain funding for the program.

Mr. Crissman questioned if the funding was prorated for the three years. Chief Shields answered that that is the way it would work. Director Bair noted that each entity could apply for \$100,000 and the disbursement would be decided by the Township. Director Bair noted that it would be a total of \$100,000 for three years, but he did not know how it would be distributed to the Township. Mr. Crissman stated that normally, the Township would receive 100% funding for

the first year, with it being prorated for the second and third years. Mr. Wolfe noted that he could not find that information in the grant program information, but it does not mean that it would not happen that way. Mr. Crissman questioned if there are any caveats for the funding that would restrict spending. Mr. Wolfe noted that at one point in the grant, it states that they will not pay a longevity payment for volunteer firefighter service, but they will pay for a per-call credit.

Mr. Wolfe noted that the purpose of the grant is to encourage volunteerism and recruitment efforts. He noted that the funding could include accidental death and dismemberment insurance, college education cost reimbursement, reimbursement for loss wages while attending training, marketing program costs, staffing needs assessment, mentoring programs for junior firefighters, payment for physicals, tuition assistance, worker's compensation already paid by the Township, length of service awards, and other retirement benefits. He explained that the grant would fund plaques, but earlier on, it states that it would not pay for a longevity payment. He noted that it would not pay for costs associated with award banquets and food; however, costs for non-cash awards are eligible. He noted that the firefighters could be paid a stipend on a per-call basis. Chief Bair noted that he called the grant program today, and was told that it would not pay a stipend for every firefighter, but only for the top ten responders.

Mr. Wolfe noted the following activities are not eligible: cash awards for participation in activities other than those directly linked to operations services, reimbursement for travel, costs associated with awards banquets, personal protective clothing, firefighting equipment, and training. He noted that it is not the easiest read for a grant application.

Mr. Wolfe questioned if there was an interest from the Board to participate in the grant program, knowing that there would be a cost to the Township down the road. Mr. Crissman questioned if there was a penalty statement to cover year four if the program was dropped. Mr. Wolfe answered that he could not find that. Mr. Crissman questioned if the pro-rated contribution made to the program in year two and three could be in-kind monies such as the costs already incurred by the Township to pay the workers compensation payments. He suggested that this should be looked into.

Mr. Seeds questioned if it must be designated at to what the funds would be used for prior to receiving the grant. Chief Shields answered that the Township would have to select one of the items. He noted that the firemen's relief organization provides for most of what the grant covers. He noted that since many of the covered items are already in place, it may be difficult to apply for the grant.

Mr. Seeds questioned if there had been some talk about funding a retirement fund. Chief Shields answered that the Commonwealth has not passed a law to allow the firefighters to do this. Mr. Seeds questioned if the grant funds could be used for this. Chief Shields stated that he did not know. Mr. Seeds noted that the Township is unable to receive some grants because it is considered to be a wealthy community. Chief Shields noted that he thinks that it is good to always apply for a grant to see what happens.

Mr. Seeds noted that this would be very similar to the COPS Program in that once you received the grant funds then the Township must continue to fund the program.

Chief Shields questioned if the Township could apply for the grant or do they need a sponsoring fire company. Mr. Wolfe answered that it could be the municipality or the fire company. Chief Bair also noted that it could be a fire company for a regional fire service. Mr. Seeds questioned if the Public Safety Committee could apply for the grant. Mr. Wolfe noted that it would have to be under the Township's name.

Mr. Wolfe questioned if anyone had a grant purpose at this time. Chief Bair noted that the grant is designed to recruit and retain volunteer firefighters, therefore, part of the grant should be used for whatever could be done to recruit more firefighters, and the second part should be to retain firefighters. He noted that several things could be done, such as paying a stipend for the top responders to fires, a retirement fund for anyone who retires from a fire company, providing "X" number of dollars, provide dental care for a retiree, or whatever the Township would want to do. He noted the Township would need to decide what benefit it would provide to the fire companies for a long period of time. Mr. Hawk suggested that there would need to be a consensus among the three fire companies as to what the funds should be used for.

Chief Bair noted that the grant application must be submitted by August 31, 2007. Mr. Crissman noted that the Township must identify in the grant what it would use the money for. Mr. Hawk suggested the three fire companies need to decide what it would use the funds for. Chief Shields noted that the Township would need to provide annual reports after the grant funds are expended to show that it has continued the program.

Mr. Seeds noted that Chief Shields stated that the firefighters could not be paid benefits in retirement. Chief Shields explained that the retirement funds could not be paid with the Fireman's relief funds, but the Township could pay for a retirement fund. Mr. Stine noted if the Township starts to pay for things, at some point in time, they would be considered paid firefighters, and then there would be many other issues involved.

Mr. Hawk questioned the fire chiefs as to what appealed to them. Chief Pierich answered that the retirement plan appealed to him, and so did college credit reimbursement. He noted that stipends are good, but at what point would the volunteers be considered paid firefighters. He noted that the retirement program would provide for some longevity and encourage volunteers to stay with the company.

Chief Shields noted that the plan must be two-fold, to get volunteers and retain them. He explained that he received 15 applications in a month's time, and once he explained to the volunteers what is expected from them, they want to know what they get out of it. He noted that he has nothing to offer the volunteers. He explained that he can supply the training and gear, but that is about it. He noted that he has no cash reward to offer to the volunteers, and noted that the younger generation does not want to do anything for nothing.

Chief Pierich noted that he retains one out of every five volunteers that apply. Chief Shields noted that if he could offer a signing bonus, he may be able to retain more volunteers. Mr. Hawk agreed that the new generation is expecting to start at the salary that he retired at.

Mr. Wolfe noted that the three fire chiefs need to come up with a definitive idea that is affordable in a short period of time. Chief Shields noted that he agrees with the retirement suggestion, but it would need to be a two-part solution.

Mr. Hornung noted that his concern is that once the funds run out, then the Township must continue to run the program, and he suggested that the Board provide a funding cap for the grant. He suggested that the Board needs to provide the grant writer the maximum amount of funds that it should write for.

Mr. Crissman noted that he would like to know what they would be applying for before the application is filed. He noted that he needs to know what the overall dollar costs would be for funding.

Mr. Wolfe noted that he needs some guidance on the ability to commit to the grant program. He questioned what the Board members would like to secure in funds when writing for grant funds. Mr. Hawk noted that there is a need for the three fire chiefs to get together to decide what they want to spend the funds on. Mr. Hornung suggested that the Board needs to come up with a dollar figure for them to use in their decision. Mr. Wolfe noted that if the Board was interested in supply the firefighters with a long-term protection of life benefit, the Township could get a group life insurance policy on all active firefighters for \$10,000 that would provide a \$50,000 group term insurance. However, a retirement type benefit for over 100 fire fighters would cost \$50,000 to \$60,000 for a retirement benefit of \$1,000 to \$2,000 on an annual basis.

He noted that this program would need an actuarial evaluation, and that would cost a certain amount of money. He noted that the two examples are very different in what the Township would be willing to spend.

Mr. Stine questioned, if the Township pays for the plan, there would be the issue of whether they are paid firefighters or not. He noted if the Township provides funds for their own plan, then they would be subject to ERISA regulations.

Mr. Hornung noted that every year, the Township contributes \$250,000 towards the purchase of equipment and he questioned if the equipment needs are less, and some of those funds should be moved into a retirement fund. He noted that, perhaps, a large grant fund could be requested, knowing that some of the \$250,000 could be used to pay the extension of the program.

Chief Pierich suggested that it would be wiser to keep those funds in the Fire Capital Equipment fund. He noted that as the equipment ages, it would need to be replaced, and when it does need to be replaced, the costs would be more expensive. He suggested that it would be wise to continue the contribution to that account at the same amount. Mr. Hornung noted that, if the Township has all the equipment sitting there, and no one to run it, it doesn't do him any good. He questioned, investment wise, is it better to invest in equipment or personnel.

Mr. Seeds noted that the inevitable solution would be paid firefighters in the future. Chief Shields noted that he has been saying that for the past five years, and he noted that this will become a public safety issue. He suggested that it could be a combination paid and non-paid solution that paid firefighters could be paid from 6 a.m. to 6 p.m. and the non-paid firefighters could staff the other 12 hours. He noted that the reason a house burned to the ground recently in West Hanover Township was because no one was available to respond to the first alarm during daylight hours.

Mr. Hawk suggested that \$60,000 could be requested in the grant, dividing \$20,000 between the three fire companies. Mr. Crissman noted that he would not have a problem with requesting \$60,000 for the grant program. Mr. Wolfe noted that he would provide a copy of the grant application to the Board before it was submitted.

Chief Shields requested a copy of the grant application when it was completed. Mr. Wolfe noted that it would be up to the chiefs to prepare the grant application for the Township. He noted that he would help to put the written format together, but the fire chiefs would need to come up with the program. Chief Bair noted that he has the guidelines for the amount of funds; but he would need some direction for what type of program should be chosen. He noted that

either his grant writers could complete the application, or possibly, Mr. Linville could complete it.

Mr. Crissman noted that he would like to know what the Township's commitment would be for years, two, three and four since it would have a fiscal impact to the Township's budget.

Key Indicator Report

Mr. Wolfe explained that the Audit Committee has reviewed the Key Indicator Report and found no issues with it. He questioned if the Board members wanted to defer further discussion on this as CASA representatives are present to go into Executive Session to discuss real estate issues.

Mr. Blain explained that as of June 30, 2007, the receipts are on tract with the budget, and expenses are below the budget. He noted that he did not find anything abnormal for the next six months.

Mr. Seeds questioned, on page eight, for vehicle fuel, noting that expenditures are at 90% of budget. He noted that in 2004, the budgeted amount was \$44,000, in 2005 it was \$69,000, and in 2006 it was amended to \$90,000, but it has gone up compared to the past years. Mr. Wolfe noted that gasoline has doubled in price since 2004; he noted that the Township is now operating the Leaf Waste Collection program that was not in operation in 2004. He noted that more work is being completed at the compost site than in the past. Mr. Seeds questioned if the total for 2006 was budgeted for \$90,000, why it was only budgeted for \$80,000 in 2007. Mr. Wolfe admitted that it was not a good projection, and he would look into this for next year.

Mr. Seeds noted, on page 15, under the Police Pension fund, that actuarial evaluations are conducted every two years, but the current report is dated 2005. Mr. Wolfe noted that he has not received the 2007 report, as it takes roughly six to eight months to complete. Mr. Blain noted that when it is done, it will be dated January 1st of the current year.

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 9:32 p.m.

Respectfully submitted,

Maureen Heberle

Approved by,

Gary A. Crissman
Township Secretary