

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held April 3, 2012

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:37 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 Steven Stine, Township Solicitor; Janine Parks, Tri-County Regional Planning Commission; Joseph Blackburn, Pennsylvania Law Enforcement Accreditation Commission (PLEAC); Public Safety Director, David J. Johnson; Steve Fleming, HRG, Inc.; and Ted Robertson and Watson Fisher, SWAN.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the March 13, 2012 workshop meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

No public comment was provided

Chairman & Board Members' Comments

Mr. Hawk noted at times he is asked what the difference is between a First Class and a Second Class Township. He noted, in this instance, first is not better than second, it is simply the way government is run. He noted that there are two First Class Townships in Dauphin County, Derry and Swatara Townships. He noted that a First Class Township is broken up into wards and

has Commissioners who runs and represent their own particular ward. He noted in a Second Class Township, the elected officials are called Supervisors and they run Township-wide to represent all the residents of the Township. He explained, in Pennsylvania, there are 1,454 Townships of the Second Class and 93 Townships of the First Class. He noted for Lowe Paxton, running Township-wide provides for more representation for its citizens. He noted that a First Class Township has nine Commissioners and Lower Paxton Township has five Supervisors, with smaller Townships having only three Supervisors.

Presentation by Tri-County Regional Planning Commission

Ms. Janine Park explained that she is a Senior Planner with the Tri-County Regional Planning Commission (TCRPC), and the purpose of coming to the meeting is to explain their new educational programs. She noted that TCRPC started a new education program in 2012 and the purpose of the program is to provide municipalities and others with information that will assist TCRPC with implementing the Regional Management Plan and Regional Transportation Program and in any training that they may need.

Ms. Park explained that the training will be provided on a regional, county, plan development section or municipal level. She noted that TCRPC has conducted four sessions this year on American Fact Finder, the means to access census information.

Ms. Park noted that TCRPC offered a one-day transportation workshop today on access management and transportation impact fees. She noted that future classes are: April 4, 2012, Welcome to the Zoning Board; April 12, 19 & 26, 2012, a course on Subdivision and Land Development Review; September 5, 2012, Integrating Transportation and Land Use in Comprehensive Plan; and October 4, 11 & 18, 2012, a course on Community Planning. She noted that TCRPC is planning classes on Highway Occupancy Permits and a Stormwater Management Presentation on Infill and Redevelopment.

Ms. Park noted that she sent out a request to the Board members to complete an on-line survey with a list of planning topics to determine if there are needs for other training topics.

Mr. Hawk questioned if anyone from the public could attend these classes. Ms. Park answered yes.

Police Department Reaccreditation Ceremony

Public Safety Director (PSD) David Johnson noted, on behalf of Lieutenants Gary Seefeldt, Ron Gramigni, Mark Zerbe, and all the men and women of the Police Department, thanks to the Board for providing an opportunity to partake in the Annual Awards Ceremony.

PSD Johnson noted that it was his pleasure to introduce Mr. Joseph Blackburn who retired from the Pennsylvania State Police, and worked three years as the Public Safety Director of Lower Paxton Township. He noted that he is currently the State-wide coordinator for the Pennsylvania Law Enforcement Accreditation Commission (PLEAC). He explained that the Township was accredited as a Police Department in 2005, recently reassessed in 2011, and Mr. Blackburn is present to present the certificate to the Township.

Mr. Joseph Blackburn explained that he is present to present a prestigious award but he would first like to explain a few things about the accreditation program. He noted that the Pennsylvania Chiefs of Police Association introduced the Pennsylvania Law Enforcement Accreditation Program (PLEAP) in 2001. He noted that the program was designed and developed by professional law enforcement executives to provide a reasonable and cost effective plan for the professionalization of law enforcement agencies in the Commonwealth. He noted that accreditation is a progressive and time proven way of helping institutions evaluate and improve their overall performance. He noted that health care and educational institutions have gone through this process for many years.

Mr. Blackburn explained that law enforcement accreditation is a method and a process to ensure that the law enforcement agency is in compliance with national best practices covering all aspects of law enforcement, policies procedures and operations. He noted that these best practices are known as accreditation standards. He explained that the PLEAP has 133 standards divided into four distinct areas: organization and management; law enforcement functions; staff support responsibilities; and Pennsylvania legal entities.

Mr. Blackburn noted that the standards include such areas as the use of force, fiscal management, disciplinary procedures, selection of police officers, and property and evidence control to name a few.

Mr. Blackburn noted that although the Lower Paxton Township Police Department was initially accredited in 2005, it must go through the same on-site assessment for reaccreditation every three years. He noted that the process for preparing for accreditation is time consuming, frustrating, and intense. He noted once an agency feels that they are ready, they participate in a mock assessment completed by volunteer assessors to provide the agency with a report on what needs to be revised, corrected, or completed before requesting the official on-site assessment.

Mr. Blackburn noted that the on-site assessment was conducted late in 2011. He explained that the assessment team leader was from Upper Marion Township Police Department and the other assessors were from the Bethlehem City Police Department and the Warminster Township Police Department. He noted that they inspected the Police Department facilities, interviewed officers, went on ride-alongs, and inspected the required accreditation standards. He explained that it is not good enough to have a policy which addresses a standard; you must also provide proofs in the file that show compliance with that standard and policy. He noted of the 133 standards, only 115 were applicable to the Police Department. He noted not all the files were initially accepted, some files were returned since the assessors were not satisfied with the proofs

of compliance, or the wording of the policy. He explained that the accreditation manager, Officer Ralph Palm, had two days to bring everything into compliance, and in the end everything was found to be in compliance. He noted that the assessment report was presented in late 2011 by the team leader to the full PLEAC Board and they voted unanimously to award reaccredited status to the Police Department.

Mr. Blackburn noted that the following persons deserve the accolades for accomplishing this goal: PSD Johnson, Officer Palm, men and women of the Police Department, Township Manager, the Board of Supervisors, and the citizens of the Township.

Mr. Blackburn explained that the benefits of accreditation are a blueprint for excellence, providing officers with clear guidance, reduces exposure to liability, requires constant self-assessment, promotes the effective and efficient use of resources, and ensures that the Department is meeting its obligations that are mandated by Pennsylvania law. He noted, most importantly, it instills citizen confidence in the Police Department.

Mr. Blackburn noted that the team will be back in three years to do this all over again. He stated, as a resident of Lower Paxton Township, he is very proud to present the award of accreditation to the Board of Supervisors on behalf of the Pennsylvania Chiefs of Police Association.

Mr. Blackburn noted that the certificate states, "All ye who see this certificate know that the Lower Paxton Township Police, having fulfilled the necessary qualifications and mandatory of the Pennsylvania Law Enforcement Accreditation Program of the Pennsylvania Chief of Police Association, by voluntarily complying with the provisions of the Professional Law Enforcement Program by means of achieving and demonstrating the highest acknowledged standards as required by the Pennsylvania Law Enforcement Accreditation Commission, is

herby recommended and approved and authorized to receive this certificate of Law Enforcement accreditation.”

Mr. Hawk accepted the award on behalf of the Board and the Police Department. He then presented the award to PSD Johnson and thanked the men and women and their families for their hard work and support in the work of the Police Department. He noted that it is a team effort.

PSD Johnson thanked Mr. Blackburn and Mr. Hawk and presented the award to Officer Ralph Palm and his supervisor, Lt. Mark Zerbe. He noted that it is a team effort and without the work that all the members do everyday, it would not have become a reality.

2011 Police Department Awards Ceremony

Civilian Support Award: Stacey Romberger – In June 2011 Stacey Romberger, a Township resident, volunteered to assist Officer McIntyre with the stray cat problem in the Township. Stacey helped start the non-profit group Lower Paxton Community Cats. She has volunteered countless hours to the program by trapping, transporting, and caring for these stray cats. She has coordinated the spaying and neutering of the cats. In total, Stacey and handled nearly 300 stray cats in 2011 saving Township taxpayers nearly \$40,000.00.

Civilian Support Award: John Hanawalt – On June 4, 2011 a resident of Forest Hills Drive was burning paper in a burning barrel when a gas can tipped over causing the fire to spread to the garage area of the home. Mr. Hanawalt saw this happen and immediately responded and was able to extinguish the fire. His actions certainly saved the home from significant damage.

Life Saving Award: Colonial Park Fire Company Chief Tom Swank, F.F. Mike Rodkey, F.F. Brandon Leidy, F.F. Jesus Familia: In the midst of heavy rains and flooding on September 9, 2011, Company 33 was alerted to cardiac arrest on Fenton Avenue. Chief Swank and Fire Fighters Rodkey, Leidy, and Familia responded and began emergency care which included oxygen and the use of the Automated External Defibrillator. The crew was able to re-establish a heartbeat on the patient and maintained care until the arrival of Emergency Medical Services (EMS). The quick actions of these firefighters certainly contributed to saving the life of the victim.

Life Saving Award: Colonial Park Fire Company Driver/Operator Matt Miles, F.F. Brandon Leidy, F.F. Jesus Familia, F.F. Carl Minieri, F.F. Che Kerestes: On December 2, 2011 the Colonial Park Fire Company was conducting training in the Lakewood Hills Apartment complex when EMS was dispatched to a cardiac arrest on Dartmouth Street. Firefighters Miles, Leidy, Familia, Minieri, and Kerestes responded to the scene along with EMS and police officers. The patient was successfully resuscitated thanks to the quick action of these firefighters.

Life Saving Award – Officers Hallie Miller and Steve Cover: On November 25th, 2011 Officers Miller and Cover responded to a cardiac arrest on North Mountain Road. Officer Miller arrived on the scene first and began Cardio Pulmonary Resuscitation (CPR). Officer Cover arrived shortly thereafter with an AED. Officer Cover utilized the AED to restore the victim's heartbeat. Both officers continued emergency care until relieved by EMS. The victim was transported to the hospital where he recovered and was released a few days later. The actions of Officers Miller and Cover certainly contributed to the recovery of the victim. Officer Haley was unable to be present for her award.

Award of Merit: Lt. Mark Zerbe: For the past seven years Lt. Zerbe has coordinated the physical agility portion of the Dauphin County Police Testing Consortium. Since its inception there has been between 8 and 16 police departments participating in the process and Lt. Zerbe has been responsible for coordinating the testing of as many as 500 applicants through five and in some years, six different testing stations. Tremendous organizational skills are required to accomplish this task with much of it being done on his own time. Every year participants report that the Dauphin County Police Consortium testing process is the most organized and well run process that they have participated in.

Award of Merit: Det. Mark Brumaghim – Det. Brumaghim was nominated and was a finalist for the Non-Uniformed Officer of the Year. Det. Brumaghim specializes in financial crimes and has become a recognized expert in the field. During 2011, he was assigned 82 cases and was able to close 64% of those cases. He is a very diligent and focused investigator who sets the standard for case management. Det. Brumaghim is a highly motivated investigator who can be counted to do a very thorough and complete investigation every time.

Award of Merit: Officer luAnna Brook: Officer Brook was nominated and was a finalist for Uniformed Officer of the Year. Officer Brook is a veteran officer who constantly performs at a very high level. In 2011 she was in the top three for total productivity. She also is in charge of the Departments Child Safety Seat Program.

Award of Merit: Officer Brian McIntyre: Officer McIntyre was nominated and was a finalist for Uniformed Officer of the Year. Officer McIntyre is a highly motivated officer who is consistently one of the Departments top performers. Officer McIntyre requires very little supervision and can always be counted on to provide solutions to problems. Officer McIntyre was instrumental in identifying solutions to deal with the ever increasing stray cat problem and in doing so saved the Township thousands of dollars.

Award of Merit: Officers Dhenin Brock and Douglas Petras: On December 15, 2012, Police units were dispatched to a shooting on Beaver Road. Upon arrival he observed a male subject down in the front yard and was told by witnesses that the suspect had fled into the house. Officer Brock immediately went to the aid the victim, unsure where the shooter was located. Within a short time Officer Petras arrived and he too went to aid the victim. While officer Petras treated the victim, Officer Brock provided cover because the whereabouts of the suspect was still unknown. Both officers provided responding units with updates and directed their response. Realizing that it was unsafe for EMS to enter into the area where the victim was located, Officers Brock and Petras moved the patient to a safe location for EMS to assume care. Both officers demonstrated leadership and courage in their attempt to save the victim and apprehend the shooting suspect.

Award of Merit: Cpl. Greg Sumbury and Officer David Shifflett: For most of 2010 and 2011 the Forest Hills development was the target for serial burglars. LPPD had committed every available resource to stop the burglars. On October 28, 2011, Officer Shifflett took it upon himself to conduct surveillance during the overnight hours in Forest Hills. His efforts paid off. Officer Shifflett observed two males dressed in camouflage walking around the back of homes. Officer Shifflett called for assistance and Cpl. Sumbury was the first to respond. Cpl. Sumbury pursued the two suspects on foot and subsequently took both suspects into custody. Detectives responded and after many hours of interrogation, were able to obtain the name of the leader of the group. Within days a search warrant was served on a home in Berks County in which hundreds of thousands of dollars in stolen items were recovered. As a result of the capture of these two individuals hundreds of burglaries in multiple counties were solved.

Award of Merit: Officer Zach Fehrenbach: On August 19, 2011 at 2305 hours Police units were dispatched to a burglary that had just occurred on Shatto Drive. Officers responded to the scene, including Officer Fehrenbach. Later that night it was determined that numerous other homes in the area had been burglarized or an attempt had been made. In fact 20 homes had been burglarized. At the Shatto Drive home Officer Fehrenbach painstakingly processed the crime scene for evidence and was able to lift some latent prints. Those prints were later identified and the suspect was brought in for questioning by detectives. The suspect admitted to committing over 20 burglaries in the area. These cases were solved because of the effort put forth by Officer Fehrenbach.

Award of Merit: Officers luAnna Brook and Steve Wertz: On February 2, 2011, officers were dispatched to Heathrow Court for a 911 open line call. The call came from a cell phone so an exact address was not given. Officers Brook and Wertz responded but had no idea what they were faced with. As they entered the common area of the apartment building they immediately encountered two masked individuals and a female. Both masked men fled in separate directions to the rear of the building. Both officers gave chase and as they exited the rear of the building they were met with gunfire. Officer Brook returned fire and took cover. Officer Wertz, not sure where the gunfire was coming from also took cover and immediately called out for assistance noting that shots were fired. He also provided descriptions of the suspects. Within days both suspects were apprehended.

Honorable Discharge: Sgt. Steve Paoletti: Sgt. Steve Paoletti served with the Lower Paxton Township Police from September 9, 1974 until October 28, 2011. That is just over 37 years, which is the longest serving police officer in Department history. Steve was a very loyal and dedicated member of the police department. His contributions to the Department and to the law enforcement profession will not be forgotten.

Honorable Discharge: Officer John Stoner: Officer John Stoner served with the Lower Paxton Township Police Department from June 23, 1982 until June 23, 2011. Officer Stoner was a Traffic Safety officer for the majority of his career, but he is best remembered for being the officer who started the now infamous Lower Paxton Police Citizens Academy. This 10 week course is the only one of its kind in Dauphin County and Officer Stoner is responsible for making it the community favorite that it is. Officer Stoner always served with honor and pride and his contributions to the Department will always be remembered.

Director's Fitness Award: Officer J.D. Albright: The Director's Fitness Award is presented annually to the individual officer that meets each component of the physical fitness test and has the highest overall cumulative score. The physical fitness test includes the 300 meter run, 1.5 mile run, bench press, push-ups, curl-ups, and vertical jump. The winner of the 2011 award is Officer J.D. Albright. Officer Albright was unable to be present to receive his award.

Career Service Award: Administrative Supervisor Susan Katz - 40 years

Career Service Award: Lt Gary Seefeldt - 30 years

Career Service Award: Sgt. Greg Taylor – 30 years

Career Service Award: Secretary Frances McPhillips – 30 years *

Career Service Award: Police Officer Scott Starr – 25 years *

Career Service Award: Lt. Ron Gramigni – 20 years

Career Service Award: Sgt. Curtis McCoy – 20 years *

Career Service Award: Sgt. Leo Zuvich – 20 years

Career Service Award: Det. Mark Brumaghim – 20 years

Career Service Award: P.O. Charles Farrell – 20 years *

Career Service Award: O.O. Ralph Palm – 20 years

Career Service Award: P.O. Steve Alcorn – 20 years

* Unable to be present to received award.

Certificate of Commendation: The Certificate of Commendation is awarded to officers and civilian police department employees who perform a specific act of service which deserves special recognition during the year and does not fall into one of the other award categories. These officers and civilians have gone above and beyond in the efforts to meet our mission and goals.

Certificate of Commendations: P.O. Hallie Miller*

Certificate of Commendations: P.O. J.D. Albright*

Certificate of Commendations: Cpl. Tom Bell*

Certificate of Commendations: P.O. Zach Fehrenbach

Certificate of Commendations: P.O. Bryan Ryder*

Certificate of Commendations: Det. Autumn Lupey

Certificate of Commendations: P.O. Greg Geib*

Certificate of Commendations: P.O. LuAnna Brook

Certificate of Commendations: Cpl. Tim Puchalski*

Certificate of Commendations: P.O. Steve Wertz

Certificate of Commendations: Sgt. Curtis McCoy*

Certificate of Commendations: Administrative Assistant Sonia Murphy

* Unable to be present to receive award.

Unit Citation Award: Criminal Investigations Unit – The Criminal investigations worked all of 2011 with only five detectives, a corporal and a sergeant. They were assigned 475 cases and closed 58% of those cases. They closed 41% of all burglaries when the national average is about 12%. Detectives from the unit conducted the extensive interviews that subsequently solved hundreds of burglaries throughout Dauphin, Cumberland, and York counties. Members of the unit spend a significant portion of their own time on investigations and are willing to change

their work schedules on very short notice to meet the needs of the Department. Unit members include Sergeant Greg Taylor, Cpl. Todd Witmer, Det. Mark Brumaghim, Det. Jim Glucksman, Det. Autumn Lupey, Det. Jeff Corcoran, Det. Gordon Goodrow, Det. Gary Flythe*, and Evidence Tech. John McPhillips*. Lt Seefeldt is the commanding officer.

* Unable to be present to receive award.

Uniformed Officer of the Year: Cpl. Justin DePasqua – Cpl. DePasqua has been a top performer for the many years. He has proven time and again that he needs little supervision. He strives to lead by example everyday. He was the top producing patrol supervisor and one of the highest producing officers in the Department in 2011. Cpl. DePasqua has been instrumental in the success of the county-wide consortium testing process, assisting Lt. Zerbe with the physical agility testing of hundreds of applicants each year. Cpl. DePasqua displays an extensive level of job knowledge and consistently makes the correct decisions. He is the author of a brochure titled “Tips to Minimizing Being a Victim of Vehicle Break-Ins and Burglary”.

Non-Uniformed Officer of the Year: Detective Gordon Goodrow. Det. Goodrow recently received his award at his retirement dinner earlier this year. Det. Goodrow retired in January after 25 years of service with LPPD, and is now with the Attorney General's Office in Harrisburg in their computer forensic unit. Det. Goodrow was a patrol officer, U.S. Marshall's and Fugitive Task Force, and became a detective and is known as the one of the finest sex crime investigators in Pennsylvania. He noted that he regularly lectures on the subject to colleges.

Manager's Report

Mr. Wolfe noted that the Township's Compost Facility opened today and will be open weekly on Tuesday, Thursday and Saturday from 7:30 a.m. to 5 p.m. He explained that residents who use the facility are required to have a Compost Permit; the cost of an annual permit is \$30 and \$8 for a one-day pass. He noted that permits are available for purchase at the Township's Municipal Center or Hornung Hardware Store. They are not available for purchase at the Compost Facility.

Mr. Wolfe stated that the curbside collection of leaf waste by Waste Management started this week, and it takes place the day after trash and recyclable collection. He requested that residents be patient given the very warm weather that we have experienced, Waste Management is behind schedule due to the heavy loads of material for pickup. He noted if Waste Management doesn't get to your home on the appointed day, they will get to you later in the week.

OLD BUSINESS

Ordinance 12-05; amending the time period to initiate construction following issuance of a building permit in the Paxton Creek Basin

Mr. Hawk noted that Ordinance 2012-05 amends the time period to initiate construction following the issuance of a building permit in the Paxton Creek Basin from 60 days to 180 days. He noted that the Uniformed Construction Code (UCC) allows for 180 days and the Township needs to amend the ordinance to be in compliance with the UCC.

Mr. Hawk requested Mr. Stine to conduct the public hearing for this Ordinance.

Mr. Stine noted that this is the time and date set for the Public Hearing on Ordinance 12-05 that would amend the time period to initiate construction following issuance of a building permit in the Paxton Creek Basin. He questioned if anyone in the audience wished to be heard. Mr. Stine stated, as no comment was presented it would be appropriate to close the Public Hearing on Ordinance 12-05, and the Board may take action on the Ordinance at this time if it so desires.

Mr. Crissman made a motion to approve Ordinance 12-05 that would amend the time period to initiate construction following issuance of a building permit in the Paxton Creek Basin from 60 days to 180 days. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

NEW BUSINESS

Action on a lease agreement for the purchase of public work vehicles

Mr. Hawk noted that the lease agreement is for the purchase of a drum roller for the Public Works Department for three payments of \$12,546.25.

Mr. Wolfe noted that the 2012 budget for the Public Works equipment, as it has been for Police Department equipment, has been based upon leasing for this year as opposed to cash purchase. He noted that the Township is in need of an asphalt roller and the equipment cost is

\$34,737.83 based on a State Contract purchase. He explained that the Township proposes to lease this equipment making three annual payments of \$12,546.25. He noted that it is staff's recommendation that the Board award the lease agreement to Real Lease Inc, for a three year term at an annual percentage rate of 4.12%.

Mr. Crissman made a motion to approve the lease agreement with Real Lease Inc. for three annual payments of \$12,546.25 for an asphalt roller. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action of lease agreement for four Public Works trucks

Mr. Wolfe noted that the Public Works Department also proposes to lease four trucks, one Ford F550 and three Ford F350 trucks. He noted that the lease will be purchased using a State COSTAR's contract. He noted that the lease would be with Ford Motor Credit, the same lease that was used for the purchase of the Police vehicles. He noted that the total lease amount for the three Ford F350's is \$77,677 and for the Ford F550 it is \$67,774. He noted that the bids include a trade-in for the old vehicles. He noted that the term for the two leases is three years with an interest rate of 6%. He noted at the end of the lease term the Township will own the equipment. He noted that the lease of the four trucks and the asphalt roller totals annual payments of \$64,181. He explained that the Board budgeted \$74,000 for equipment.

Mr. Crissman made a motion to approve the lease agreements with Ford Motor Credit for the four Public Works trucks; three Ford F350's at \$77,677, and one Ford F550 at \$67,774. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on bids for the Township's 2012 storm water projects

Mr. Hawk noted that the Township received six bids for this project with a low bid of \$835,250 and the high bid of \$1,623,000. He noted that the low bid was received from Wexcon, Inc.

Mr. Wolfe noted that Steve Fleming, Township Engineer from HRG, Inc., is present to explain the bid process and to provide a brief summary of the process. He noted that earlier in the day, Mr. Seeds had asked him which projects were included in the paving bid. He recalled that the Board was provided a list of projects from the Public Works Director, noting that there are 12 projects that were listed as designed and ready to go to bid. He explained that this bid project will account for seven of those 12 projects. He noted that it will also take in the Marion View Drive project that was included in Category two of the paving list. He noted the projects being addressed for this bid are: Curvin Drive, Mountain View Street, Molly Drive, Blue Mountain Parkway-2200 Block, Blue Mountain Parkway at Kepler's Masonry; Berwyn Drive and Old Farm Lane. He noted that these projects have been discussed in workshop sessions. He explained that Mr. Fleming put together the bids specifications for these projects and he can address the specifics for this work.

Mr. Fleming explained that he put out a bid notice this spring for seven stormwater projects which were designed and permitted last year and planned for construction this spring/summer. He noted that these projects were identified early last year as potential projects for future work. He noted that six contractors bid on the project and Wexcon, Inc. was the low bidder. He noted that their base bid was \$835,250 with an Alternate of \$26,425. He explained that the alternate bid entailed lining a section of pipe for a portion of the Mollie Drive replacement as the pipes were located very close to the houses. He noted that he was not sure which means would provide for the best pricing, lining versus replacement; and as such, the reason for the alternate bid. He explained if you remove the items in the base bid that will be replaced by the alternate items the actual amount is less than the base bid at \$832,975. He noted that is the amount that he recommends the Board to award tonight.

Mr. Fleming explained that the project will be under construction this summer. He noted that there are two milestones, one for Curvin Drive and the second is for Berwyn Drive. He noted that both areas are very sensitive projects due to the fact that they have been under construction for sanitary sewer replacement for the past two years. He noted that they will also be incorporated in the 2012 Paving Project that the Township will bid very soon. He noted that those areas are to be paved this summer and in order to facilitate the paving; these stormwater projects must be completed first.

Mr. Fleming explained that the Berwyn Drive project has work associated with Brightbill Park area utilizing some of the Township's Community Environmental Project (CEP) funds in conjunction with LPTA and the Parks and Recreation Department. He explained that he wants to get this project done as soon as possible so as not to interfere with the summer sport seasons and uses.

Mr. Fleming noted that the engineer's estimate was approximately \$750,000 and the low bid contract was higher than anticipated. He noted that it was caused by several environmental factors as a result of the escalating fuel prices that impact fueling trucks, purchase of pipe, and asphalt prices. He noted that the construction industry is seeing a steady rebound in the economy and the contractors are much busier than in the recent past. He noted, other factors that could have influenced the project are that several areas have tight existing utility areas within the work project and the contractors were asked to assume some of the risk in relocating the utilities to working with HRG in order to mitigate some of the Townships' risk.

Mr. Seeds noted that sewer work was done on Curvin Drive, therefore, this contract will install a larger storm pipe in that area and obviously it will be done prior to the repaving of Curvin Drive. Mr. Seeds questioned if that is what Mr. Fleming stated. Mr. Fleming answered yes. He noted that it is his understanding that the sewer work is mostly completed so it will be

ready for the approved contractor to start the stormwater work. Mr. Seeds questioned if that would be as soon as the Authority work is done in that area. Mr. Fleming noted that is correct, and explained that the sewer lines have been installed in the street area which is where the stormsewer is located; therefore, the area of work for the stormsewer contractor is available at this time.

Mr. Seeds questioned if HRG designed this work and if they will be doing the inspecting work. Mr. Fleming answered that HRG designed the work and will assign a full time inspector to this project. He noted that it will ensure that the work is done properly. Mr. Seeds questioned if this would be for all the projects. Mr. Fleming answered yes. He noted that it will help to value engineer the project with the contractor to try to save some funds as the project came in over budget.

Mr. Seeds questioned what impact it would have on the storm drainage area that flows down and underneath Earl Drive where there are problems. He questioned if this pipe would be replaced with a larger pipe. Mr. Fleming answered yes. Mr. Seeds questioned if it would impact the area further west on Earl Drive. Mr. Fleming answered, when you look at the area under Earl Drive that is further down the drainage basin, the same amount of water will run off. He explained that he is not adding additional impervious area that would increase the runoff to that area. He noted that the new pipe will convey a greater volume of water, and he is increasing the capacity of the existing pipes to ensure that once the water gets into the system that it stays in the system.

Mr. Seeds questioned if all these projects are already designed. Mr. Fleming answered yes. Mr. Seeds questioned if they are ready to be done this year. Mr. Fleming answered yes.

Mr. Hornung questioned if Mr. Fleming had a description of what work will be done in each of the areas. Mr. Fleming noted that he could provide a description for each project. Mr.

Hornung questioned if Mr. Fleming could provide it in writing. Mr. Fleming answered yes. Mr. Seeds noted that he was going to ask Mr. Wolfe if the listing of these projects could be provided to all Board members. Mr. Fleming noted that a good general description for all the areas is the replacement of the existing systems, as he did not believe that he was proposing any new systems. He explained that all existing infrastructure has reached the end of its useful life. Mr. Wolfe noted that he will provide the Board members with the written description. Mr. Hornung noted if the replacement is enlarging the pipe it would be helpful to know that. Mr. Fleming suggested in all areas the pipes are to be enlarged and some additional inlets will be added. He noted in the case of Curvin Drive he will be adding more inlets along the roadway in order for the stormwater runoff in the street to be captured in the system earlier and conveyed to the crossing.

Mr. Crissman noted that Wexcon has a base bid with an alternate price and he questioned what price should be used for the motion. Mr. Fleming answered that he recommends that the Board approve the \$832,975 amount. He explained, since it is a unit price contract, he can remove items that will not be used as a result of selecting the alternate. He noted that he would be adding the alternate and deducting line items from the base bid.

Mr. Crissman made a motion to approve the bid for 2012 storm water projects to Wexcon Inc. in the amount of \$832,975. Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Action on a Stipulation and Joint Motion for Agreed Upon Order regarding the real estate tax assessment appeal for 5125 Jonestown Road (Target)

Mr. Hawk noted that action is need on a stipulation and joint motion for agreed upon order regarding the real estate tax assessment appeal for 5125 Jonestown Road which is the

Target store. Mr. Stine noted that it has been recommended by counsel for Dauphin County Board of Assessment Appeals to resolve this tax assessment appeal.

Mr. Crissman made a motion to approve action on the stipulation and joint motion for the agreed upon order regarding the real estate assessment appeal for 5125 Jonestown Road, Target store. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on a Stipulation and Joint Motion for Agreed Upon Order regarding the real estate tax assessment appeal for certain parcels within Old Iron Estates

Mr. Hawk noted that action is need on a stipulation and joint motion for agreed upon order regarding the real estate tax assessment appeal for certain parcels within Old Iron Estates. Mr. Stine noted that it has been recommended by counsel for Dauphin County Board of Assessment Appeals to resolve this tax assessment appeal. He noted that the parcels are undeveloped lots within that development that are still owned by the developer.

Mr. Hornung questioned who did the negotiation for this motion. Mr. Stine questioned in regards to which entity. He noted that the solicitor or counsel for the Dauphin County Assessment Appeals normally takes the lead. He noted that he did not know if the Central Dauphin School District was involved in the negotiation, noting that they, along with Dauphin County are the two largest taxing bodies. He noted that the Township's involvement as far as dollars is very minimal. Mr. Hornung noted that it is good to see that the Assessment Office did not just make a decision without some foresight. Mr. Stine noted that once the appraisals are returned, they get an idea of what it should be and in most cases these motions are resolved prior to going before the Dauphin County Court of Common Pleas.

Mr. Crissman made a motion to approve action on the stipulation and joint motion for agreed upon order regarding the real estate assessment appeal for certain parcels in Old Iron

Estates. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 12-12; supporting reforms to the Pennsylvania
Prevailing Wage Act by the General Assembly

Mr. Hawk noted that that Resolution 12-12 supports reforms of the Pennsylvania Prevailing Wage Act by the General Assembly. He explained that he is a Board member and Vice-Chairman of the Pennsylvania State Association of Township Supervisors and one of their responsibilities is to keep an eye on legislation before the General Assembly and share information back to the Township. He noted that it is the feeling of the Townships that the Prevailing Wage is unfair, extremely high, and a financial burden to the Township but also to the taxpayers. He noted that the resolution does not solve the problem but it lets the General Assembly know how the Township feels. He noted that Township's across the State are urging the General Assembly to eliminate the prevailing wage or at least significantly amend it.

Mr. Hawk noted that the Prevailing Wage requires that workers on public construction, reconstruction, demolition, alteration or repair projects with an estimated cost greater than \$25,000 be paid a wage set by the Secretary of Labor and Industry rather than local market rates. He noted that the Prevailing Wage runs from a low of 5% to as high as 40% above market rate. He noted the wages are borne ultimately by the taxpayer in the form of higher construction costs and taxes. He noted that contractors often chose not to bid on projects because of the prevailing wage.

Mr. Hawk explained that there are two bills before the Pennsylvania legislature, one HB 1329 that would increase the amount for the prevailing wage threshold from \$25,000 to \$185,000. He noted that PSATS supports this bill as it is a good start. He noted that the \$25,000 rate was established in 1963.

Mr. Hawk noted that House Bill 1685 require reforms of the rates to be charged. He noted that he hopes that it could be reformed to be more advantageous for the contractors and townships, and ultimately the taxpayers. He explained that another option would be to eliminate the prevailing wages. He noted that the passage of this resolution would provide for the Township's opinion in this matter to be on record. He noted that his recommendation is to pass the resolution and to forward a copy of this resolution to the appropriate people.

Mr. Crissman noted that a school district was paying for services \$40 an hour because it was required by the prevailing wage to do so. He noted when the project was finished, the same construction company moved one mile to do a private enterprise job at \$20 an hour. He noted that it truly does hurt the taxpayers.

Mr. Crissman made a motion to approve Resolution 12-12, supporting the reforms of the Pennsylvania Prevailing Wage Act by the General Assembly. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and the Lower Paxton Township Authority bills. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Adjournment

There being no further business, Mr. Blain made a motion to adjourn the meeting and the meeting adjourned at 9:08 p.m.

Respectfully submitted,

Approved by,

Maureen Heberle
Recording Secretary

Gary A. Crissman
Township Secretary