

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Workshop March 11, 2014

A workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 6:09 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 Robin L. Lindsey.

Also in attendance was George Wolfe, Township Manager; Steve Stine, Township Attorney; John Snyder, RGS Associates; Jeff Staub, Dauphin Engineering; John Zervanos and Richard Yingst, Yingst Homes; Brian Luetchford, Parks and Recreation Director; Sam Robbins and Matt Miller, Public Works Department, Steve Fleming and Adrienne Vicari, HRG; and Watson Fisher, SWAN.

**Pledge of Allegiance**

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

**Public Comment**

No public comment was presented.

Continued discussion regarding a proposal to rezone  
6200 Jonestown Road from CN to R2

Mr. Wolfe noted, during a previous workshop session, Mr. John Snyder from RGS Associates made a presentation in regards to the rezoning of 6200 Jonestown Road from Commercial Neighborhood to Residential. He noted that it is a seven acre parcel of ground that would provide for some commercial and residential development. He noted that he made a presentation to the Planning Commission, and before going any further, Mr. Snyder wanted to discuss what could be done with the parcel of ground with the Board of Supervisors.

Mr. Snyder explained that he was present about two months ago to discuss the development of 6200 Jonestown Road. He explained that he developed a sketch plan and took it to the Planning Commission. He noted that the feedback he got from the Planning Commission was that they did not like certain things about the sketch plan. He noted that they did not like the townhouses as they were concerned that it would turn into low income housing development. He

noted that they wanted a road alignment for extending Nyes Road to Allentown Boulevard. He noted that they had a question for the validity of the zoning change and if it would be considered spot zoning. He explained that he added the extension of Nyes Road to the plan that he has before the Board this evening. He noted that it is not defined as to how it would connect to Allentown Road end once it leaves the property. He explained that he changed the mixture of housing types from all townhomes to singles, townhouses and duplexes. He suggested that residential as opposed to neighborhood commercial makes more sense as it is an extension of the residential neighborhood. He noted that the size of the property does not make it a viable commercial development for retail activity. He noted that it would lend itself to office space if there was a market for office space.

Mr. Snyder explained that developers and engineers hear what we want to hear and don't hear what we should hear. He noted that he is looking for feedback from the Board from the sketch plan that he is presenting for the rezoning.

Mrs. Lindsey questioned if Mr. Snyder has talked to the neighbors about this plan. Mr. Snyder answered no as he wanted to approach the Planning Commission first. Mrs. Lindsey questioned what the price ranges are for the units. Mr. Zervanos suggested that it would be between \$180,000 and \$230,000.

Mr. Seeds noted that Mr. Snyder wants to rezone the property to R-2. Mr. Snyder stated that is for the rear portion of the property only. He noted that the property is made up of a total of 7.4 acres with only 6.5 acres being rezoned to R-2. Mr. Seeds noted that he received phone calls from property owners who are zoned commercially and some of them are not happy as they are limited with the designation of uses. He noted before the Board would consider rezoning the land, we need to hear from the people who live nearby; there should be a town hall meeting conducted by the Planning Commission as the entire area needs to be looked at. He noted that he is not sure the entire area is zoned properly. He noted if you are looking to rezone six acres to R-2, the most units would be 24 residents but the plan shows 33 units. Mr. Snyder answered that the entire property is 7.4 acres. Mr. Seeds noted that you want the frontage to be some sort of commercial. Mr. Snyder answered that is correct. Mr. Seeds noted that the R-2 would only be about six acres. Mr. Snyder answered 6.5 acres. Mr. Seeds noted if you are looking at that square footage, he did not know how Mr. Snyder configured 33 units. Mr. Snyder explained that you are allowed five units per acres in the R-2.

Mr. Hawk suggested that Mr. Snyder is exceeding the density allowed. He noted that he wants to know how the neighbors feel about this future development. He noted that Mr. Snyder has a proposed road that should tie in to Blue Ribbon Avenue. He noted that there is a property where the road would come out. He questioned if they would have to move that house. Mr. Snyder answered that the house would have to be moved. He noted that the developer owns the property. Mr. Hawk noted that Mr. Snyder wants commercial in the front and residential to the back. He noted that the land has lain fallow for many years, noting that the land is wedged in between commercial and residential. Mr. Snyder stated that the property lends itself to commercial and residential since it is wedged in.

Mr. Seeds noted that the development for R-2 is 10,000 square foot. Mr. Snyder noted that it could be a condominium-type development that would provide for a density of five units per acre; therefore 6.5 acres would allow for 33 units.

Mrs. Lindsey noted that she is disappointed that Mr. Snyder has not visited with the residents yet as Mr. Snyder stated at the last meeting that he would do that. She noted the neighbors would be the main focus for what would happen with the property. She noted if there is a lot of opposition we would have to weigh in on that as it has been a dead-end street for a long time. Mr. Snyder explained the reason he chose to come back to the Board with what he was directed to do by the Planning Commission was to further discuss the street extension and the spot zoning. He explained that he wanted to hear the solicitor's opinion on the spot zoning issue. He noted that he did not want to spend a lot of time and effort on going down a road that he will never be able to do.

Mr. Hawk questioned what the pink building is on the sketch plan. Mr. Snyder explained that it would be the proposed commercial use for the property.

Mr. Seeds noted that he likes the concept of the Nyes Road extension going through the property as it was included in the Township's most recent Comprehensive Plan. He noted that the developer would have to pay for that with the Township finding the money for the road to extend the rest of the way to Route 22. He suggested that the Township would have to acquire land to do that.

Mr. Seeds noted that there are many things that need to enter into this plan as it is not a simple plan. He stated that he is not sure how Mr. Snyder calculated the density for the property.

Mr. Crissman noted that the Planning Commission pointed out two major issues, spot zoning that needs to be discussed and the opposition from the community, and also, if it exceeds the allowable density. He noted at this point he did not think Mr. Snyder was getting much support for this plan.

Mr. Hawk questioned if 33 was the magic number for Mr. Snyder. Mr. Snyder answered that it was the maximum that he calculated for density. He suggested that the magic number would be 44 units.

Mr. Seeds questioned if he could develop this plan with less than 33 units. Mr. Snyder suggested that he could not with putting the funds into fixing the light signal and extending Nyes Road; many public improvement dollars would be needed.

Mr. Hawk questioned if you needed 33 units. Mr. Snyder answered yes.

Mr. Seeds questioned if there were any comments from staff or the engineer. Mr. Wolfe noted that this is a rezoning request and other than the three comments provided by the Planning Commission, staff would have no other comments. Mr. Fleming noted that he agreed with Mr. Wolfe as he has not had an opportunity to review the plan for various items such as spot zoning, extension of the roadway, environmental concerns, etc.

Mr. Snyder requested if Mr. Stine could make a determination if it would be spot zoning. Mr. Stine answered that he would do that as soon as he is requested to do so.

Mr. Mark Levine questioned if it is legal to have commercial in R-2. Mr. Snyder stated that the front of the property would remain commercial neighborhood. Mr. Levine questioned if he would have to subdivide the commercial in order to rezone the other portion of land to R-2. Mr. Stine answered no.

Mr. Hawk suggested that Mr. Snyder needs to go back and do some more work.

Review of the revised preliminary subdivision and land  
development plan for Shadebrook

Mr. Wolfe noted that the plan has been presented to the Board previously in regards to revising an approved Phase I subdivision plan for Shadebrook. He noted that the developer has decided to downsize the residential and commercial portions of the development and in doing so presented a concept plan. He noted from that concept plan, the developer moved forward to prepare a revised final subdivision and land development plan for Phase I and the revision will

be presented this evening along, with a review of the staff and engineer findings, and the developer's ability to address those findings.

Mr. Wolfe noted that Jeff Staub of Dauphin Engineering is present to represent the plan.

Mr. Staub explained that he has an Erosion and Sedimentation (E&S) Plan at the Conservation District for review waiting for an administrative completion letter. He noted that he has an approved Department of Environmental Protection (DEP) Planning Module for the remaining site. He noted that he has all the approvals needed from the Lower Paxton Township Authority for the preliminary plan and Phase I final. He reported that he has received all the outside agency letters from Waste Management, Central Dauphin School District, Post Office, and so on.

Mr. Staub noted that he is present to discuss the outstanding issues for the plan, three in particular. He noted that the first has to do with Mr. Fleming's remaining comments; second would be re-introducing all the waiver requests that were presented to the Board with this plan and the original plan that was submitted in 2006. He noted that the last thing he wants to discuss has to do with the Fire Marshall's comment regarding the alleys and so forth.

Mr. Hawk noted that this is an R-1 zoning with a Traditional Neighborhood Development (TND) overlay. He noted that the waivers that we are looking at conform to the overlay. Mr. Staub agreed.

Mr. Staub noted in regards to Mr. Fleming's memo, noting that he had seven additional comments in regards to the preliminary plan and three of them concerned a zoning permit, landscaping, and a note on the plan about the design calculations for a retaining wall, have been addressed by putting notes on the plan. He noted that the fourth comment has to deal with the Fire Marshall's comments that he would discuss later. He noted that the only outside approval that he is waiting for is the E&S approval from the Conservation District and DEP approval for some infrastructure work that has to do with sanitary sewer connections in the floodplain along Nyes Run, as well as a request from the Township to do a culvert replacement project on the east side of Fairmont Drive along Nyes Run. He noted that there are some legal issues in regard to the DEP General Permit authorization application for the replacement of the wetlands on the Shadebrook property and the need for a conservation easement. He noted that Fishing Creek Valley Associates is working with DEP and their attorneys to work out all the legal requirements.

Mr. Staub noted that comments five and six have to deal with temporary cul-de-sac; a waiver of that requirement. He noted that the Planning Commission, and Mr. Seeds in particular, were interested in having the temporary cul-de-sac become a permanent cul-de-sac that would be paved and have curbing. He explained that he has changed the plan to show that. He noted that the last comment has to deal with paying the fees that are required for engineering review fees.

Mr. Staub noted that there are 17 waiver requests and eleven of them are directly related to being a TND development. He noted that Mr. Stine may be able to verify that the Pennsylvania Municipalities Planning Code that was revised several years ago allows these types of waivers to be granted for TND development without needing justification. He noted that he could review all 11 waivers but they are related to the TND street system and consistent with the waiver requests that were part of the old Rettew Plan.

Mr. Seeds noted that he did not have a problem with the permanent cul-de-sac, he was happy with the cul-de-sac. He questioned what the blue street lines on his map indicate. Mr. Staub answered that they are the alleys that the Fire Marshall was concerned about. Mr. Seeds questioned if this has changed from the last plan. Mr. Staub answered no. Mr. Seeds questioned why it is marked in blue. Mr. Staub answered that it is clear showing which alleys the Fire Marshall has a concern with. Mr. Seeds noted that he does not have any problems as he likes the plan, although his only issue concerns those of the Fire Marshall's.

Mr. Hornung noted, if he is being asked to waive something, for instance, the waiver of paving requirements for off-street parking, he would like to know what he is waiving it to. He questioned if you are putting stone down, noting that you are asking for a waiver but he needs to know how much of a difference the waiver is for. He noted that it would be helpful to know each situation, the difference between the requirement and the waiver request. He noted that it might make a difference if the waiver request is for a 10% difference. He noted that is his issue. He explained that he is a proponent for the plan as it is something the Township could use but he needs to know what the degree of the waiver is. Mr. Staub noted that he could put those limitations in a revised waiver request letter.

Mr. Staub noted that he could address the off-street parking paving. He explained that it was for the two commercial buildings at the intersection where there is a sharp curve; he is using pervious bituminous paving to help with the Best Management Practices (BMP). He noted that

most of the waiver requests that he is asking for are not widely beyond the requirements, noting that the leveling area maybe 4.4% as opposed to a requirement of 4%. Mr. Hornung noted that it would help him to make his decisions if he knew how much a waiver the request is for. He noted if someone asks him why he approved something, he can explain that the waiver was not enough to justify not approving the plan. He noted that there are many safety requirements built into the rules and he wants to be able to provide the waiver but remain within a certain standard of safety.

Mr. Staub noted that the last thing he wanted to discuss was the alleys. He explained that the original TND had more than 8,000 linear feet of alleys, over a mile and a half of alley length. He noted, with the revised plan, it went from 8,200 linear feet to 4,700 linear feet, providing quite a drop for the overall alleys. He noted that it helps his cause for whatever issues the Fire Marshall has about the alleys in general.

Mr. Staub noted that the Fire Marshall had two specific comments; one having to do with the length of the alleys, noting any alley over 150 feet requires a turn around sufficient for fire apparatus to maneuver. He noted that the plan does not have that for the dead-end alleys. He noted that he has turnarounds, but they are not large enough for a fire apparatus to easily turn around. He suggested that they would have to do a triple-K turn. He noted two out of the five alleys that are dead-end alleys are over 150 feet and they are found in Phase IV. He noted that one alley is 190 feet and the other is 174 feet.

Mr. Crissman questioned if the Fire Marshall had an opportunity to respond to this issue. Mr. Staub answered that he met with him and received comments about a week ago and he has met with Township staff to discuss how to respond to the comments.

Mr. Hornung questioned if the 150 feet requirement has any bearing on the length of hose they can use or is there another reason for that number. Mr. Staub answered that the issue is if there is a fire at the dead-end of the alley, the fire equipment will be driven down the alley and set up to control the fire but they will have to back out of the alley as there is no way to turn around. Mr. Seeds noted that it is a requirement of the International Fire Code. Mr. Staub pointed out to the Board where the two alleys were located on the plan.

Mrs. Lindsey noted that the alley widths are currently 16 feet and the Fire Marshall would prefer 20 feet. Mr. Staub noted that the fire code calls for a width of 20 feet in the alleys. He noted the main reason had to do with the fire engine setting up the outriggers to level and stabilize the apparatus. He noted that the outriggers would extend to 18 feet and be in the grass

and not on a road surface. He noted that he was told that firemen put blocking underneath the outriggers regardless if they are extended on to a road or grass surface so they don't damage the pavement.

Mrs. Lindsey questioned if Waste Management would be using the alleys to pick up trash. Mr. Staub answered that they will be using a smaller vehicle for trash pick up in the alleys. Mrs. Lindsey questioned if the HOA would be responsible for plowing the alleys. Mr. Staub answered that all the alleys are private and will be maintained by the HOA.

Mr. Seeds questioned if there are any areas in the alleys that will be wider than 16 feet. Mr. Staub noted that Phase I has one alley, Alley K at the entrance off of Road D, it is 16 feet and it rounds out to 24 feet for most of the alley. Mr. Seeds questioned if the area where the garages are located would be wider. Mr. Staub answered yes. Mr. Seeds questioned if there would be areas that would be wider than 16 feet. Mr. Staub answered yes, in the event that would be the location to stage the fire apparatus. He noted that there is a driveway every 40 to 50 feet so there is a chance that some outriggers would be placed on the driveways.

Mr. Seeds suggested that there was a third issue in regards to sprinklers. Mr. Staub noted that he had shown the fire connections for the fire trucks on the side of each building but the Fire Marshall requested the connections be relocated on the opposite side so they are in the vicinity of the fire lanes. He noted that he could accommodate that change.

Mr. Staub noted that the Fire Marshall had a concern about the turning radius from the main streets into the alleys for when the trucks make those turns they will climb up on the sidewalk and over the curb but it will be a mountable curb. He noted that there is no curb located in the alley. Mr. Seeds noted that it would be like the roundabout in Linglestown. Mr. Hornung noted that he hoped there would be no signage in the way.

Mr. Hornung questioned if all the alleys are only 16 feet wide. Mr. Staub answered that the minimum is 16 feet wide but there are two alleys that are wider than that. He noted in some cases, the only access to the home is the alleyway; however, in some instances access is available from the main street. Mr. Hornung noted that he would be more concerned trying to find a wider access to those areas whose only access is the alley. He noted that other than that he is okay with it. Mr. Crissman questioned if the houses shown in pink only have fire equipment access via the alley. Mr. Staub answered that was correct. Mr. Crissman questioned what the green roofs are for. Mr. Staub noted those units are served by alleys and public streets. Mr. Crissman agreed

that the alleys with pink homes need to be a little wider for fire protection services. Mrs. Lindsey agreed also, noting that the Board should take the advice of the Fire Marshall.

Mr. Crissman noted that there is one isolated alley. Mr. Staub suggested that it is Alley G and those units can be accessed from the street or parking lot in the commercial district. Mr. Crissman noted that the last unit can only be accessed by the alley.

Mr. Staub noted for alley widths in the TND, in Central Pennsylvania, three of the seven alleys have 14 foot alleys widths, three have 16 foot wide alleys and Shadebrook is the only one that has alleys that are wider than 16 foot. Mr. Hornung requested Mr. Staub to see what he can do and come back and if you can't widen them, then bring studies to show that it will work. He questioned if Mr. Staub could move the houses back two or three feet to accommodate a wider alley, and that he should try to see what he could do.

Mr. Seeds questioned if parking would be restricted on the 16 foot alleys. Mr. Staub answered that no parking would be permitted. He noted that it won't be signed since they are private streets but there would be language in the HOA to cover this.

Mr. Seeds noted that the green alleys have garages in the back of the homes that access the alley so they would have to utilize the alleys to get to their garages.

Mr. Crissman noted the link or additional alley at the very bottom of the plan that is not blue can only be accessed by a road or alley. Mr. Crissman questioned if it is a wider alley and that is why it is not in blue. Mr. Staub explained that blue means there is circulation for the alley. He noted that the white alleys are dead-end alleys. Mr. Crissman noted that the alleys have 19, 10, and 8 houses, noting that the one with 19 houses bothers him the most. He noted that he agrees with Mr. Hornung that Mr. Staub should see what he can do.

Mr. Seeds questioned what about the two alleys that are over 150 foot in length. Mr. Staub noted that he needs a waiver for those two dog leg alleys, as one is 190 feet and the other is 174 feet. He noted that they are longer than the fire code allows. He explained that he has not met with the Fire Marshall since he received the memo a few weeks ago.

Mr. Crissman noted that he wanted to hear from Mr. Fleming in regard to his comments for Phase I. Mr. Fleming noted with regards to the 17 waiver requests, Mr. Staub indicated that 13 are in concert with the TND and he would support those waivers. He noted that the remaining waivers he also supports as they are design related items that also relate to the TND Development. He noted that the remainder of the General Comments and the additional items

related to the Developer's Agreement sounds like they should all comply. Mr. Crissman noted that he doesn't want to get ready to make a motion only to find that there are issues.

Mr. Hawk questioned if Mr. Staub was going to make some modifications for access. Mr. Staub answered to his best ability. Mr. Crissman noted that Mr. Staub will have further meetings with the Fire Marshall. Mr. Hornung noted that he would like to have explanations for why the plan is designed the way it is, are there any options, and what the waivers are for.

Continued review of the Earl Drive Culvert analysis prepared by HRG

Mr. Wolfe noted during the past workshop sessions there have been discussions regarding the backwater issue at the Earl Drive culvert, the need to repair or replace it and the different options that exist.

Mr. Fleming noted that earlier in 2013, he did a hydraulic assessment of the channel to evaluate the replacement of the culvert to provide some channel improvements upstream of the culvert, as well as new grading for private property areas. He noted that he was trying to alleviate the flood plain issues for those private properties. He noted that the culvert has a very fragile large diameter that is very costly to work around. He suggested that it could be temporarily bypassed and ultimately replaced. He noted that staff has determined that the condition of the existing culvert is prime for maintenance as opposed to replacement as there is a lot of usable life left in it as long as we do some repair to the bottom of the culvert.

Mr. Fleming noted that he analyzed what benefit could be had by not replacing the culvert and just doing the grading in the yards. He noted ultimately it would reduce the floodplain by less than one foot and suggested that it was not necessarily the most prudent improvement. He noted since that meeting he and staff had a brainstorming session and came up with three other approaches that he would like to evaluate. He noted the first would be a retention structure upstream in the watershed. He noted that due to the development of the watershed there is no area to construct a detention structure as there is no land or water body that would be positioned in that watershed that would have a significant impact on the lower portion of the Earl Drive culvert that would warrant moving forward with that analysis. He noted that he can't catch enough water and detain it long enough to create a big impact at Earl Drive.

Mr. Fleming noted that the other two options would be to provide more grading by taking one property on either side of the culvert and some of the other properties that are significantly

impacted and grade those areas out to provide some relief to the adjacent properties in order to pull down their collection area ahead of the culvert. He noted that the second approach would be to determine what size culvert could be placed under that scenario that would significantly lower the flood plain elevation. He noted that the current floodplain elevation is associated with the size of the culvert and has more to do with the width of the culvert than the overall diameter. He noted that we need to widen out the culvert to allow for the water to pass through it at a lower elevation. He explained that these are the goals for the remaining two options.

Mr. Hawk questioned what kind of impact it would have on the roadbed. Mr. Fleming answered that there is a 20 foot grade change from the bottom of the culvert to the roadbed. He noted only under the most extreme storm, like the 2011 storm that was in excess of the 100-year storm, did the water flow over the road. He noted that all storms that are less than a 100-year event do not overtop the road or impact it. He noted that we are looking to make a bad situation better and it will not impact traffic safety or traffic infrastructure.

Mr. Crissman noted that we discussed this issue during a previous meeting and he questioned if the repair to the culvert would be done regardless or is it a separate item. Mr. Fleming noted, as part of the investigation, he enlisted the help of Lane Enterprises which is a pipe manufacturer for large diameter pipe. He noted that they do not know what caused the issue with the pipe but they believe they can remove that section of pipe and replace the bottom pieces of the culvert and make the repair to the pipe. Mr. Robbins agreed that we can get that done.

Mr. Hawk questioned if it could be done without a risk of a downpour making the situation worse. Mr. Fleming explained that they would remove and replace one section of pipe at a time, and be working a couple feet a day as they would make sure whatever they pull they can replace in a day. He noted that an overnight storm would not be a safety issue with the culvert. He noted that the culvert acts like a bridge, and the way it is designed all the weight is along the edges with very little support coming from the bottom edges.

Mr. Seeds questioned if you are still looking to widen that pipe. Mr. Fleming answered, with the channel we are limited to the width so what he is looking at would be to remove the properties and the ground associated with the properties upstream of the culvert. He noted for the Heap and Hople removing the home and the ground associated with it to create room upstream for detention, or the second option would be to remove the house immediately adjacent to the culvert to provide a wider channel and culvert underneath Earl Drive. He noted that it would be

a costly project. Mr. Seeds stated that it was his understanding that we don't have enough room to widen the culvert. Mr. Fleming answered that we don't and the options discussed are thinking outside the box.

Mr. Crissman questioned with the three options, are you looking to get more costs for each to provide a recommendation to the Board. He noted that other stormwater projects may have more impacts on more properties such as Forest Hills where 25 people are impacted. Mr. Fleming answered that the hydraulic model is built so he can make some small changes.

Mr. Seed questioned if you eliminated the one option for a detention structure upstream. Mr. Fleming answered that he scoured the watershed and could not find any area adjacent to Curvin Drive that is wide enough. He note that he looked at creating a lake but the magnitude of water that we are looking at is so great and it will take a lot to address the floodplain at Earl Drive.

Mr. Hawk noted that you want to widen the stream but another step would be to lower the flood plain by about one foot. He questioned if that would be done by making the stream deeper. Mr. Fleming answered to achieve the one-foot reduction, he would have to replace the culvert with as wide a culvert that he could get into the stream channel today without taking any properties, and then go upstream to the tributary where Creek Drive meets Curvin Drive, and do some grading in that area to create a lower area using a lot of private property.

Mr. Seeds suggested that the other option would be to take some homes. Mr. Robbins noted that we have no costs for these options and will have to get that data to present to the Board. Mr. Hawk noted that he ran into Mr. Hoppole last night and he stated that he did not care what the Township did but he wants some relief. Mr. Fleming noted that we are only looking at options at this stage for what can be done to determine what the magnitude of the problem is. He noted that those home are affected by Federal Emergency Management Agency (FEMA) delineated 100 year floodplain. He noted that the property owners are aware at the time of purchase of the danger associated with a stream in the back yard as they are required to get flood insurance so we are evaluating options to improve the neighborhood. Mr. Seeds suggested that many bought their homes before all the development occurred upstream resulting in the flooding.

Mr. Crissman noted that based upon the three options, how long will it take to do the analysis and come back with a recommendation. Mr. Fleming answered that he hopes to have the information for the April workshop meeting.

Mrs. Lindsey noted that the piping near the properties; are you worried about kids climbing into it, the ones behind Mr. Hopple's property that are upstream. Mr. Robbins noted they will have to be replaced as part of this project. Mr. Fleming explained that there are issues for using stormwater grates; safety versus efficiency of flow noting that you don't want a child to be sucked into a pipe, but if you allow debris to accumulate along the grate it would cause property damage. He noted that most culverts would afford an adult to work their way through a pipe.

Mr. Seeds suggested that the Board should meet with the residents but in light of this new information we should wait until we have more information before doing so.

Mr. Crissman noted that the consultant is looking at options and doing reviews and he will be back with a recommendation next month. Mrs. Lindsey noted that the people at least know we are working on this issue.

Mr. Hawk questioned if Mr. Fleming has any costs for this yet. Mr. Crissman answered that they are not there yet. Mr. Fleming noted that he did for the original option but the first option would concern property acquisition costs and actual construction.

Mr. Mark Levine noted several years ago the residents of Curvin Drive area came to a SWAN meeting describing what had happened in their area. He noted that we brought that to the Township's attention. He noted that we have not had any major problems along the Earl Drive area so SWAN hasn't done anything; however, since he lives in the area, he has seen this as a problem in the Township. He noted that he did his own investigation since the last overflow for Curvin Drive. He noted that erosion does not occur on the side where the residents live but on the downstream side as the water comes up over Earl Drive and as it goes down into the empty forest area that is where the erosion occurs. He noted that it is not significant... Mr. Hawk suggested to Mr. Levine to share this information with the Mr. Fleming noting that talking to the Board, it would be better for him to share it with Mr. Fleming.

Mr. Levine noted that he has met with many of the residents in that area on his own as an individual citizen. He explained that he had gone to the intersection of Devonshire Road near Brightbill Park to see what has happened there. He explained that is where the one feeder starts; and he plans on walking from that intersection down the gully to see what is there. He suggested that there can be some mini detention ponds down in that gully coming down from Brightbill Park. He noted that there is going to be an amphitheater in Brightbill Park and that it will create

more pervious area and more runoff and it will exacerbate the situation. He explained that the gully ends up crossing under the road and on the downstream side it overflowed the road and wound up in a driveway that came down. He noted that the other section starts at Karns and goes into a big pond but it is a depression in the ground and any water just goes out the pipe. He suggested that it could be converted into a detention pond. He noted that another major source of flooding is not from water that is close to these feeder streams; it is actually coming from a stormsewer and he... Mr. Hawk questioned if Mr. Levine had this information in writing. Mr. Levine answered not yet. He noted that he could sum this up in 15 seconds. He noted that Chicago has used restrictors in their stormsewers because the stormsewers in the neighborhoods are feeders and he would volunteer his services to meet Mr. Fleming and anyone else to share his knowledge to help to alleviate the situation. Mr. Hawk suggested that Mr. Levine should meet with Mr. Fleming.

Continued discussion regarding the management of stormwater facilities through the Township or an Authority

Mr. Wolfe noted that Mr. Fleming and Ms. Vicari from HRG have prepared a memo that will detail their findings for the potential of doing stormwater improvements for the Township for a long-term basis and how to fund it, either by a Township Authority or using municipal tax dollars.

Mr. Fleming introduced Adrienne Vicari who works in a service group associated with establishing authorities, including the preparation of rate studies, capital plans and assisting in making recommendations and preparing initial assessments. He noted that the experience is based upon a tried and true method which is part of the Authority's Act which a Stormwater Authority would be under and also the Municipalities Planning Code (MPC). He noted at a previous Board meeting he was jointed by Russ McIntosh and Robert Grubic to discuss the possibility of establishing a Stormwater Authority. He explained that Mr. McIntosh provided an October 18, 2013 memo that laid out a 12-step program to establish a tax base stormwater program or a separate authority.

Mr. Fleming noted from that meeting the Board requested HRG to work with staff to project the outcome of steps 8 through 12 which are the later steps in that program to provide a glimpse as to what a tax-based program or a stormwater authority may look like. He noted that is

done and we are here to present the findings for the projected rate study. He explained that this is done very early in the analysis for what the Board may want to do to provide a ball park estimate based upon the information that was available to staff. He noted that further decisions that the Board makes in regard to that program could impact the rate study.

Mr. Fleming thanked the Board, Mr. Wolfe, Mr. Robbins and Mr. Miller for the detailed information provided to him that made it easier for his staff to put the rate study together. He noted that the industry is normally reluctant to put something like this together but he understands that it is critical step the Board must take to make a decision for which option it chooses.

Ms. Adrienne Vicari noted that she prepared a textual analysis for possible financial impacts to an average residential property in Lower Paxton Township. She noted if the Township were to continue to own, operate, and maintain a stormwater facility as a Township Department versus leasing the infrastructure to an Authority, the funds that would generate the facility would likely be a tax revenue whereas Authority funds would be generated for stormwater rates by accessing a monthly or quarterly user fee. She explained that she came up with a cost analysis for the average residential property owner under both scenarios. She noted that it ended up being an annual tax rate of \$118 compared to an annual user rate of \$120. She noted since the cost impacts are so similar it will be important to note that it is dependent upon the standards or requirements of the assumption that she made for the analysis, either option has the potential to be the lower cost option to a residential property owner. She noted if the costs in-house would remain similar into the future, assuming that both the Township and Authority have equal access to financing, and that the Board would not spend significantly more to maintain the stormwater assets in the Township, she would expect the similarity in costs to remain similar between both options. She noted that it is worthwhile to note that both analyses were developed using preliminary information for the Township information from the Dauphin County GIS data. She noted as you continue to review the options, and make decisions to get traditional data, the actual rates to users will vary. She suggested that what she prepared in her memo is a good estimate to use in moving forward to make a decision.

Mr. Hawk noted that the tax rate is \$117.88 versus a user rate charge of \$119.71.

Mr. Hornung noted that it is important to educate the citizens as they will look at it as a tax increase as opposed to a user fee. He noted that the ideal way would be to add it to the tax

bill and you get a check once a year and you don't have to worry about delinquencies. Ms. Vicari noted that the rate analysis is only one tool to use when you start to evaluate more of those broader philosophical concepts. She noted with a user rate it would include a collection system, delinquencies and possible credits for property owners whereas a Township tax would not include tax-exempt properties. She noted that a user rate would bring in more revenues by charging rates to the tax-exempt properties. Mr. Hawk noted that it sounds like the way to go but you also have a significant amount of costs with running an Authority. Mr. Fleming noted that there are pros and cons for both options. He noted that a tax program does not touch the tax exempt property where as the Authority will hit all the properties but it is hard to estimate what the rate would be. He noted that he was able to provide the impact of assuming all of the stormwater systems including that which is outside the right-of-way that the Township does not maintain or setting a line of demarcation for anything inside the road, the right- of-way would be funded by this program and anything outside the right-of-way in private property would remain the private property owner's responsibility.

Mr. Robbins noted that 65 miles is what is in the right-of-way and there is about 30 to 35 miles that is outside the right-of-way. He noted that it provides a sense of what is outside the right-of-way, noting that these are approximate numbers based on the GIS data. He suggested that they are close.

Ms. Vicari noted under both scenarios there are options for stepping into these average costs with a tax or user rate. She noted that you would not need a significant tax increase or implement a user rate in year one. She noted that the Township could increase fees for the level that you will need to sustain the type of operation for replacement of the current infrastructure. She suggested that would be how you determine what your goal is.

Ms. Vicari questioned if the Board wants to know how she came up with the budget and the rate comparison between inside the right-of-way or outside the right-of-way or would you rather speak to the broader issues.

Mr. Hawk suggested that we should talk about the rate comparison for inside and outside the right-of-ways.

Ms. Vicari noted in evaluating what the Township is doing now, she received costs from the Township and it showed that over the last three years, the average annual costs were \$1.8 million to operate, maintain, and improve the stormwater infrastructure. She noted for the most

part it was located inside the right-of-way. She noted that based upon the Township information for what is believed to be outside the right-of-way, you would spend \$600,000 more in annual capital costs and as much as \$300,000 in debt service costs, adding about another \$900,000 per year. She noted in regards to a tax it would be from \$118 to \$176 per year. She noted that would be doing all of the work, noting as you go through the system working on specific areas, you would have the ability to further evaluate how that private infrastructure impacts the Township infrastructure and if it is something that may need to be taken on to protect the integrity of the Township's system.

Ms. Vicari noted for an authority user rate, it would assume the same annual costs and it went from a rate of \$120 to \$165 a year.

Mr. Hawk noted that the citizens would expect the Township to take care of anything that happens. Mr. Robbins noted that we have to keep in mind regardless of which way we go, we have to tie into something good, so if we just work within the right-of-way, how do you tie into something that is not in good shape outside the right-of-way. He noted that we could spend millions of dollars but if it is not going into a good system, it is a huge issue for him.

Mr. Crissman questioned what the time element was for setup, establishment, and collecting all the data and criteria before we take the first step to implement. Mr. Wolfe noted that you need to determine what route you want to go, noting that the Authority route has a longer set up time than the non-authority route. He noted that you don't have to make that decision this evening as we will talk more a little later about the on-going capital projects for stormwater and how far into the future we would fund it. He noted that you are only funded to 2015 at this time, but you need to think in terms of the next six months about coming to a consensus to fund anything beyond what we currently have funded.

Mr. Fleming noted that the Township has a good handle on what it owns and where it is so the next step is to develop capital planning, condition assessment, which is taking the information that you currently have and laying out the next five years. He noted that it could be done in pieces working with staff on the capital improvement plan scenario. He noted that he could provide a list of the projects; identify the projects and permit them in one year and construct them the following year. He noted that you may ask why we don't continue to do what we are doing and the reason is that the current list of projects come from the loudest complainers.

He noted that we need to study the neighborhoods to determine when we should replace their systems.

Ms. Vicari noted that you need to determine if the level of service that you are providing will meet the goals that you want to provide for the residents into the future. Mr. Fleming noted that you will need to come up with a public relations campaign, educating the public as to what you are considering and doing. He noted that it would be critical in explaining which way you choose to go and that the public is not paying a penalty or a stormwater tax, explaining that all properties have stormwater run off. He noted that the program is designed to target not only the increase in runoff but the Earl Drive or Winfield Street scenario. He noted that a drop of water that falls on the shopping center at Karns is handled four to seven times until it leaves the Township. He explained that water passes through culverts under Route 22, Curvin and Earl Drives, before it gets to Colonial Road. He noted that they are all different pieces of the infrastructure that the stormwater touches before it exits the Township.

Mr. Hawk noted that we need to educate the public on the benefit of a stormwater system. Mr. Robbins noted that it will be a very critical part of the process.

Mr. Seeds noted that he read the report and found it to be very good. He noted that he also read the report from Mount Lebanon as they used an ERU method. He noted that he would be strongly in favor of using that method rather than using taxation on the property tax. He noted that everyone who has property would be paying for the pervious areas according to their ERU's. He noted that the formula that they have for credits for retention ponds and rain barrels; he loves that and that is the way he would like to go.

Mr. Crissman questioned what ERU stands for. Mr. Fleming answered equivalent runoff unit. Ms. Vicari noted that it looks at the impervious area and how much stormwater there is. Mr. Seeds noted that the developer will get credit for maintaining the retention areas; he noted that all the property owners, if they have a Homeowners Association, will get credit so they will want to maintain the area in order to get the credit. He noted that we need to put the onerous back on the property owner to get credits. He stated that he loves that plan. Ms. Vicari noted that it is a nice approach for a green infrastructure and aqua Flore, and by minimizing the amount of stormwater into the system, it provides more equitable distribution of stormwater costs. She noted that you would want to weigh that against the other advantages and disadvantages to determine what works best.

Mr. Seeds noted that going forward we should have town hall meetings with the public to make them aware of what is going on with stormwater, to educate the public, and to let them know where we need to go. He suggested that everyone realizes that we have a problem and we have to fix it; we should get all the stakeholders together to figure how to fix it.

Mr. Fleming noted that one main focus of this study was to stay objective and not to lean one way or the other. He noted that both programs have their merit but they also have components that you may want to bring into whichever way you go. He noted that you could use the credits for both programs.

Mr. Seeds noted that it would be good to have experts for both plans to speak to the Board to help us make a decision. He suggested that we could get someone from Mount Lebanon to talk to the Board. Mr. Fleming noted that the credit program is very important, noting that it is available to developers, and they, in many cases, oversize it, noting that they are removing stormwater. He noted that they handle it on site by infiltrating it or removing runoff from the system. He noted that is the key. He explained, if we can reduce the burden of the system, it will ultimately extend the life of it to possibly downsize it and lower the costs.

Mr. Hawk noted that there is still a need for much discussion among the Board members and staff for which way to go.

Mr. Fleming noted that his staff is available to help if the Board has more questions.

Discussion regarding the potential  
to issue debt for future Capital projects

Mr. Wolfe noted that the Authority Board had discussion on financing for future capital projects during its recent meeting. He explained that he wanted to present the latest spread sheet developed by staff and consultants. He noted during the Authority meeting, the discussion was to borrow \$20 million to fund the next phase of the sanitary sewer Infiltration and Inflow Program that would cover years 2016 through 2019. He noted that the numbers have been reviewed and updated. He explained that the borrowing that is now recommended by GHD is \$25 million as opposed to \$20 million. He noted if the Board decided to borrow in 2014 or 2015, the amount for sanitary sewer projects will be \$25 million. He noted that no decision has been made yet for when the borrowing will occur.

Mr. Wolfe noted that there have been discussions in regards to borrowing additional debt for the Township as well. He noted in 2012, the Township issued \$2 million in debt to the General Fund for a new municipal center roof, financial management system, Public Works Department radio system and stormwater improvements. He noted that \$1.4 million of the \$2 million was for stormwater improvements. He noted of that bond issue, \$55,000 remains. He noted in 2013, the Board issued a \$4 million General Obligation Bond with \$3 million to fund ongoing stormwater projects and \$1 million to fund improvements at the Friendship Center (FC). He noted for the FC, \$498,016 has been spent leaving a little more than \$500,000 to spend over the remaining two years of the improvement program. He noted for stormwater improvements \$385,000 has been spent, and \$1.4 million is budgeted to be spent in 2014. He noted that will leave \$1,250,000 remaining for 2015. He noted from both bond issues for capital improvements at the current rate of expenditures, the programs are funded for 2013, 2014 and 2015. He noted after that, there are no funds available for capital projects including the stormwater system.

Mr. Wolfe noted that under the 2013 bond issue for the FC, the Township received a grant of \$161,444.00 from the Local Share Gaming Grants. He noted that the total funds available are \$1,161,444. He noted that \$659,460 have been obligated, leaving a balance of \$501,984 for capital projects. He noted that the obligated funds include the replacement of the HVAC system in the natatorium, noting that the capital plan has projects listed for 2013, 2014, and 2015, all to be funded by the 2013 bond funds.

Mr. Wolfe provided a current financial status with the intent that the Board is looking to issue debt for continued sanitary sewer projects, as well as adding additional debt for stormwater projects which are funded through to December 2015.

Mr. Seeds noted that we need to look at the Public Works building, to either build an additional building or an addition. Mr. Wolfe noted that this would be a topic of discussion during a strategic planning session that is scheduled for April 29<sup>th</sup>.

Mr. Wolfe noted that anything that we borrow we have to pay back. He noted borrowing increases the cost of government and could mean the increase of the rate of taxation to pay off the debt.

Mr. Hornung noted that there are many projects planned to solve the sewer system issues, noting that the roads and yards in the Township are ripped up, but he questioned how much the Authority has spent to upgrade the sewer system. Mr. Wolfe answered, depending on the start

date for the calculation; it would easily be over \$75 million. He noted, going back to 1997, as the start date for the current program, it would be in excess of \$100 million. Mr. Hornung noted that we are projected to borrow between now and 2033 another \$170 million. He noted that the entire project of fixing the sewer system will be will over \$300 million; noting that we need to come up with creative ways to reduce the \$300 million down to something more affordable for the Authority.

Mr. Wolfe noted, as the Board embarks on borrowing or not borrowing, the strategic planning process the Board will go through in the next few weeks will help identify the priorities for the future, put numbers to the priorities, and come up with a plan that could be sold to the community.

Continued discussion regarding proposed county-wide  
stormwater management ordinance amendments

Mr. Wolfe noted that he prepared an amendment that was discussed during a previous workshop session noting that Mr. Seeds had questioned him in regards to the status of the amendment so he placed it on the agenda for the Board to discuss.

Mr. Wolfe noted at a previous workshop session the Board reviewed correspondence from Dauphin County which concerned the current way to provide an exception for stormwater with a proposed way to provide a different way to come up with an exemption primarily geared to larger lots and a third option that allows the Board to use first the proposed amendment and then the existing language in tandem to provide for an exemption process. He explained that he prepared an ordinance for the Board to review, noting that stormwater staff is present, although they may not be very supportive of the ordinance.

Mr. Crissman noted that he wanted to hear from staff.

Mr. Seeds suggested that the ordinance is still kind of confusing.

Mr. Wolfe noted page two of the ordinance discusses minimum separation distances, noting that the proposed Dauphin County Amendment would allow a waiver of the stormwater provisions, noting that you would still have to submit and meet certain thresholds. He noted that Table 1 sets minimum separation distances that would be available for new stormwater and impervious area and abutting properties. He noted if you have a new impervious area of less than 250 feet and a roof drain, you have to have a separation distance of 40 feet. He noted that would be all around the impervious area. He noted that 40 feet on either side of a 25 foot facility would

measure out to 105 feet, larger and wider than most lots in Lower Paxton Township. He noted that is at the bottom of the threshold; however, as you move up you see the more impervious coverage you have, the greater the separation distance you would need and many lots in the Township would not qualify based upon a total width of separation distance needed.

Mr. Wolfe noted Table 2 is currently in effect and it states if you have a new impervious area that is less than 1,000 square feet you don't have to submit anything to the Township but have to comply with the regulations. He noted for new impervious areas in excess of 1,000 square feet you have to submit a storm water management plan and report and there are other things that need to go with it. He noted that you have to control volume controls for the storm water that you create. He noted that this waiver process is currently in effect, and Dauphin County has stated that the Township can either use the first table or use the second table in tandem if we so desire. He noted for the Township, Table 2 would continue to apply to the vast majority of properties in that the minimum separation distances provided in Table 1 would apply to most properties.

Mr. Wolfe noted that the draft ordinance would provide an option of using the current method or the proposed method by Dauphin County and having the choice of doing or not doing it and staying with just the current method.

Mr. Fleming noted that he does not want to discredit the efforts of Dauphin County or DEP in looking to provide exemptions for stormwater as they received much pressure from their rural municipalities where they have large agricultural properties that were impacted by the 1,000 to 5,000 square foot threshold. He noted that their proposed amendment has merit; however, unfortunately for the amendment that he was reviewing he was also preparing the stormwater authority memo where conveying existing stormwater is costing millions of dollars. He noted that he did not support the exemption because he believes controlling as much of the stormwater, whether it is running off the property today, or a slight increase in the runoff from a property resulting from a small project is important cumulatively to the Township. He noted that is why he does not support any change of the current ordinance.

Mr. Robbins noted that both he and Matt Miller provided comments to Mr. Wolfe.

Mr. Crissman noted if the Board chooses to do nothing, then Table 2 is still in effect. He noted that staff and engineer's recommendation is that the Board not adopt Table 1 and stay with what we have. He noted if that is the case, then we need to do nothing.

Mr. Seeds noted if the Board goes with Table 2, it would become very arbitrary, as some of the decisions would be on someone's part.

Mr. Miller noted staff is in favor of doing nothing.

Mr. Robbins noted that this issue has been discussed by Dauphin County for sometime and they must have received pressure from someone to put it on paper. He noted that we should leave our ordinance where it is. Mr. Seeds agreed.

Mr. Crissman noted that based upon staff's recommendations he would recommend that we move on to the next agenda item.

Mr. Hornung noted that most of the developed land would not fit any of these conditions, as they are more for the rural areas. He noted that the Township does have some rural areas, and the purpose of this is for those rural areas, where the buildings are far apart with larger tracts of land, where the possibility of runoff from that is next to impossible to reach our stormwater system. Mr. Fleming noted that they are saying that the impact of a small increase in runoff from a property that large would not have a significant effect on the stormwater system to warrant a stormwater system.

Mr. Hornung noted if someone has a 30 or 50 acre farm, and he wants to put a 1,000 square foot garage up, the chance of the water that runs from the roof of ever getting into our stormsewer is small. Mr. Fleming noted from a traditional sense, he would agree; however, as you travel through the more rural portions of the Township, there are culverts and buildings close to the culverts, and the development of anything contributes to the maintenance of those systems. He noted that the ordinance changes as proposed do have merit where you have a lot of rural properties that are impacted in that way where a Township is not in a developed state, that they have stormwater challenges that they have tried to overcome. He noted that the third option left the regulations to be discretionary and it becomes a challenge for staff to enforce the requirements and to treat everyone fairly. He noted if someone feels that stormwater regulations are unfairly imposing a hardship upon their project, they can always come to the Board for a case-by-case waiver. He noted that the Township could refer back to the County-approved stormwater ordinance guidance to support the waiver but he would recommend if the Township is considering anything other than the do nothing option, that would be the route that he would recommend.

Mr. Hornung questioned if in the past, waiving the stormwater requirement was not an option, but Mr. Fleming is stating that if the waiver conforms to this, the Township would have that as a fallback. He noted if a guy is building a garage in the middle of 100 acre farm, that water will most probably not enter into our stormwater system and we may want to waive that and we would be positioned to say at this point in time that it would be waiveable. Mr. Fleming noted that the burden of prove would be on the applicant to prove no impact to the stormwater system. Mr. Hornung noted that he would find it hard to believe that a building in the middle of a 100 acre farm... Mr. Wolfe noted that is only if you adopt the amendment. Mr. Fleming noted that the Board could waive it on a case-by-case basis instead of adopting the three alternatives that go with the new ordinance.

Mr. Seeds questioned if we don't change the ordinance, can we waive something. Mr. Fleming answered that the Board has not waived any of the stormwater requirements. Mr. Seeds questioned if the Board could waive something. Mr. Fleming suggested that it would be a question for Mr. Stine. Mr. Stine noted that he does not remember any waiver provisions in the ordinance. Mr. Wolfe noted that he is not aware of the model ordinance that the Board adopted having waiver provisions.

Mr. Seeds noted that the concept is good, but someone needs to rewrite it. He suggested that it was too arbitrary but we need to be able to help those situations that Mr. Hornung mentioned. He suggested that it is not an option provided to the Board at this time.

Mr. Fleming questioned what about an option to revise the current ordinance to reflect a waiver criteria based upon Dauphin County recommendations instead of adopting their options. He noted that the Township would revise the current ordinance, noting if someone has to submit a stormwater waiver, they will be hiring an engineer for the project and there would be costs associated with it. He noted that small projects have small stormwater impacts from a construction standpoint, whether it is a stone bed or rain garden that are very effective in eliminating small amounts of stormwater.

Mr. Hornung noted that he is in favor of that for the guy who builds a garage and is 100 feet away from one of our inlets as we will get stormwater from that. He noted if the guy is 500 yards away from one, unless it is on an incline of 45 degrees, chances of the runoff getting to the stormwater system are slim to none. He noted that it would have to be handled on an individual basis and this ordinance does not allow that to occur. He noted if we have a waiveable provision,

we can take a look at it if it makes sense. He noted that staff is always asked for their recommendations, and he is in favor of doing that.

Mr. Seeds noted that someone putting in a pool could be in the same position if they have a very large piece of land.

Mr. Miller noted that it is important to note that it all does add up. He noted that is how the Township has gotten to the position that it is in now and staff hears this from long-time residents that state that they have lived in their home for 40 years and over that time they have seen a significant increase in the runoff noting, that the pre-1980's, development were not required to do any detention. He noted when each house was built no one thought that it would make a difference until 19,000 houses later we have a lot of difference. He noted we need to consider, if the Board chooses to go with a wavier provision, we have to keep in mind that there would be criteria for it and try to adhere to that criterion. He noted that it makes it difficult for staff to pick and choose and it puts staff in a difficult position. He noted that we need clear-cut guidance and it must be proven that the likelihood of any impact would be diminimus.

Mr. Seeds questioned if the Township would also need to get approval from Dauphin County or DEP. Mr. Fleming noted that the ordinance would reference Dauphin County's Ordinance. Mr. Seeds questioned if their ordinance permits waivers. Mr. Fleming answered if Dauphin County has jurisdiction to send it to the Township, he has reviewed and approved it as it is a regulation handed down to the County by DEP.

Mr. Hornung noted that he understands what Mr. Miller is saying, that urban sprawl over a period of time has impacted the problem. He noted that government makes rules and there are times that they don't make sense and we have to have the ability to look at things when they don't make sense.

Mr. Wolfe noted if you look at the last page of the ordinance, page 4, paragraph j, he included the entire text of the ordinance that was provided by Dauphin County and chose option three, the combined existing old system. He noted the old system has paragraph J that notes that all requests for exemptions and modifications shall be at the discretion of the municipal body; however, he does not believe that Dauphin County give the Board the authority to adopt just that paragraph by itself. He suggested that the Board will have to adopt the entire Option 3 in their structure that includes Table 1 and Table 2

Mr. Hornung noted if we don't adopt this, then we have no waivable provision. Mr. Wolfe noted that Dauphin County provided the regulations in their entirety and the Township has the ability to adopt it. He noted that they do not tell us if we can modify what they have provided to us. Mr. Stine suggested that Mr. Wolfe is correct in that it is either this option which is three, or do nothing. Mr. Wolfe noted that it does not give you paragraph J or the ability to accept a waiver. Mr. Stine suggested that you can't cherry pick the ordinance.

Mr. Hornung questioned who said that. He requested Mr. Wolfe inquire with Dauphin County about this matter. Mr. Wolfe answered that he would be happy to ask the question. Mr. Hornung noted that he wants the ability to have an engineer determine that the stormwater would not be impacted unless it was a 100-year flood. He noted that he wants to know that to make a decision. He noted that is why we waive sidewalks sometimes because it doesn't make sense to put a sidewalk at a certain location. He noted that we discussed earlier the alleys in a TND. He noted that the decisions have to make sense and that is what we get paid to do. He noted that we don't have to follow every rule but have the ability to waive it. He noted that you cannot right a law for every particular circumstance that might come up.

Mr. Crissman suggested that the Board needs to see what Mr. Wolfe finds out from Dauphin County.

Status report regarding ongoing efforts to  
apply clean fill to the Wolfersberger Tract

Mr. Fleming noted that several months ago, he came to the Board with the concept of using the Township-owned Wolfersberger Tract which is planned to be a park for a fill site to benefit the sanitary sewer projects and ultimately saving costs for those projects while at the same time acquiring the ground needed to fill the site to develop the park.

Mr. Fleming noted that he has attended three or four staff meetings to coordinate the work between the Departments for the master plan for the park, and the Sewer Authority to ensure that everyone's concerns are heard to implement the project properly. He explained that he spoke with a representative from the Conservation District who is on board with the project and thinks it's a great idea. He resubmitted the latest plan to address the minor comments and they moved it up on their priority list once he informed him that the Township was behind it and would like to put this in place this year. He noted that he is looking to get site controls and

perimeter controls under construction as soon as possible. He noted that the project is moving along. He stated that one component to the project that he did not anticipate under the original proposal was the submission for a general permit application to DEP for the road crossings over the two streams that run through the project and the wetlands associated with it. He noted that the roadwork for the Master Plan under the NPDES Permit was very clear that it would be required through the review with Dauphin County. He noted that he is proposing a supplement to the proposal for the General Permit application package for a total cost of \$6,500, for a not to exceed time and materials basis.

Mr. Wolfe requested the Board's permission to put this on the agenda for next week's meeting.

Mr. Seeds questioned what the original amount was for the agreement. Mr. Fleming answered that he did not recall what the original amount for the NPDES proposal was but suggested that it was about \$75,000.

Mr. Crissman requested that it be put in the agenda.

Review of a proposed resolution establishing a 250<sup>th</sup>  
Anniversary Committee for Lower Paxton Township

Mr. Wolfe noted that the Board has discussed the potential for the Township to celebrate its 250<sup>th</sup> Anniversary which will be in 2017. He noted that a citizen from the community suggested forming a 250<sup>th</sup> Anniversary Advisory Committee to the Board of Supervisors in regard to a potential celebration.

Mr. Wolfe explained that he prepared a resolution for discussion this evening. He noted that he listed the duties, responsibilities and composition of such an advisory committee leaving it is up to the Board to decide who they wish to appoint to the committee, how it should be formed, and what the committee should do.

Mr. Wolfe noted that the resolution starts with the composition of the committee to be made up of a representative from the Board of Supervisors, Parks and Recreation Board, Community Engagement Committee, and six representatives from the community at large. He listed the duties and responsibilities that the Committee will have: to meet monthly according to the Pennsylvania Sunshine Law; organize for conducting business to include election of officers, and the formation of sub committees. He noted that the Committee shall establish goals and

objectives to be submitted to the Board of Supervisors for their approval. He noted that the Committee shall participate in the development, implementation and management of the programs, events, and activities to celebrate the Township's 250<sup>th</sup> anniversary. He noted that the Committee shall solicit ideas from the general public, prepare an operating budget for the celebration, conduct fundraising efforts and shall investigate sources of funding and submit necessary grant applications on behalf of the Township. He noted that the Committee shall work to mobilize the appropriate resources and expertise in the Township to support such an event.

Mr. Wolfe noted that the Board should make any changes to the resolution that it deems appropriate.

Mr. Seeds stated that the Board should move ahead with this resolution and he would suggest that Ms. Polly Murphy be one of the appointed members of this Committee. He noted that Ms. Murphy will have much knowledge from serving on the Linglestown 250<sup>th</sup> Anniversary Committee.

Mr. Hawk questioned if the Board needs to make the appointments this evening. Mr. Wolfe answered that the best way to form a Committee would be to act on the resolution first, for whatever content the Board wants, during a regular business meeting. He noted if you are satisfied with this resolution it could be put on the agenda for approval for the next business meeting. He noted that you do not need to appoint people at that time.

Mr. Crissman noted once the concept is approved, then the Board could have further discussions on who should staff the Committee.

Mrs. Lindsey questioned how you pick the at-large members as many people may want to be involved in this, and how do we get the word out to the public.

Mr. Wolfe noted that he would put this on the agenda for the next Board business meeting. He noted that the Board may decide that it needs more than nine members on the Committee. Mr. Crissman noted that large committees sometime overwhelm the process and nine is a good number. Mr. Seeds noted that we can always make changes to the resolution once it is adopted. Mr. Crissman suggested that the Board adopt the resolution as it is written and if there is a need to make changes, we can always do an amendment.

“Otta Know” Presentation: Information from  
House the Homeless, Inc.

Mr. Hawk explained that he received a letter asking the Board to support a resolution to the US Conference of Mayors to raise the Federal Minimum Wage and the SSI disability benefits, making it subject to the US Department of Housing and Urban Development Section 8 Fair Market Rents.

Mr. Wolfe noted if the Board desires to do this, he could prepare and place the resolution on a business meeting agenda.

Mr. Crissman questioned if the National Coalition for the Homeless is attached to any political party. Mr. Hawk suggested that it is not. Mr. Crissman noted if it is then he would prefer not to take any action on this.

Mr. Seeds noted that it is coming from the US Conference of Mayors. Mr. Hawk noted that was true. Mrs. Lindsey questioned if the US Conference of Mayors is a political group. Mr. Hawk noted that he gets a lot of correspondence from this group, some of which never gets to the Board because it is informational. He assumed that this group is A-political that crosses all lines.

Mr. Hornung noted that the problem is that it is a monumental question, and you could probably study it for a long period of time to get all the pros and cons and ramifications for the extent of what it would cause to the economy. He noted without doing that he would not vote on it. He noted that he agrees that you can't make a living on \$7 an hour but what are the ramifications of raising the minimum wage.

Mr. Hawk noted that the letter is asking the US Senate to address the Federal Minimum Wage and SSI supplemental income, but you don't know what the outcome will be. Mr. Hornung noted that he struggles with this as he is not an economist.

Mr. Crissman suggested that he would prefer not to do this as there are too many unknowns. Mr. Hornung agreed.

Mr. Hawk noted that the Board is not an official member of the US Conference of Mayors.

Adjournment

Mr. Crissman made a motion to adjourn the meeting. Mrs. Lindsey seconded the motion, and the meeting adjourned at 8:40 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

William L. Hornung  
Township Secretary