

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held January 5, 2015

The annual reorganization meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:32 p.m. by Steven A. Stine, Chairman Pro Tem, on the above date, in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present were William B. Hawk, William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and Robin L. Lindsey

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; John Zervanos, Yingst Homes Inc.; and Watson Fisher, SWAN.

Pledge of Allegiance

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

Election of the Chairman of the Board

Mr. Crissman nominated William B. Hawk to serve as Chairman of the Board of Supervisors. Mr. Hornung seconded the motion. Mr. Crissman moved to close the nomination process. Mr. Hornung seconded the motion. Mr Stine called for a voice vote and a unanimous vote followed.

Election of the Vice-Chairman of the Board

Ms. Lindsey nominated Gary A. Crissman to serve as Vice-Chairman of the Board of Supervisors. Mr. Hornung seconded the motion. Mr. Hawk moved to close the nomination process. He called for a voice vote and a unanimous vote followed.

Appointment of the Township Secretary, Vacancy Board Chairman, Township Treasurer and Assistant Treasurers, Township Manager, Township Solicitor, Township Engineer, Voting Delegate and Alternate to PSATS State Convention Establishment of Treasurer's Bond, Depository and Regular Board Meetings

Township Secretary – Mr. Crissman nominated William L. Hornung. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Treasurer – Ms. Lindsey nominated William C. Seeds, Sr. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and unanimous vote followed.

Assistant Secretary/Treasurer – Mr. Crissman nominated Robin L. Lindsey. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Mr. Hawk made the following motions for appointments:

Vacancy Board Chairman – Lowman Henry

Township Manager – George S. Wolfe

Township Solicitor – Steven A. Stine, Stine Law Offices

Township Engineer – Herbert, Rowland and Grubic, Inc.

Mr. Crissman made a motion to approve the four listed appointments. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Representative and alternate to the Capital Region Council of Governments – Mr. Crissman nominated William C. Seeds, Sr. and Robin Lindsey as the Alternate. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Voting delegate and alternate to Pennsylvania State Association of Township Supervisors State Convention – Mr. Hawk nominated himself to serve as the delegate with Robin Lindsey as the Alternate.

Representative to the Dauphin County Tax Collection Committee and Alternate - Mr. Hawk nominated Tim Houck to server as the representative with himself as the alternate.

Mr. Hawk called for a voice vote for the two appointments and a unanimous vote followed.

Establishment of Treasurer's Bond – \$1,000,000.00.

Designation of Township Depository – M & T Bank. Mr. Crissman made a motion to designate the Township Depository as M&T Bank with a Treasurers Bond of \$ 1,000,000.00. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Mr. Hawk noted the following is the establishment of the Meeting Schedule for Board Meetings – First three Tuesday's of each month, except for holidays or Election Day. The first and third Tuesday would be the business meetings starting at 7:30 p.m. and the second Tuesday would be the workshop meeting starting at 6:00 p.m. Mr. Hornung made a motion to approve the schedule. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Authorization to the Secretary or Treasurer to pay all fixed expenses which resulted from prior Board action.

Mr. Crissman made a motion to authorize the secretary or treasurer or assistant secretary or treasurer to pay all of the fixed expenses which resulted from prior Board action. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Board, Commission & Committee Appointments

Mr. Hawk put forth the following names for appointment to the following boards, commissions and committee members:

Arts Advisory Council – Mary Grace Newsome, Stanley Smith, Patricia Crawford, and Lorraine Rogers for a one-year term with one vacancy. Mr. Crissman made a motion to approve the nominations. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Audit Committee – Gary A. Crissman, William B. Hawk and George S. Wolfe, for a one-year term. Mr. Seeds made a motion to approve the nominations. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed. \

Community Engagement Committee – Patricia Crawford, Neal Johnson, Sandy Prah, Bruce Senft and Stan Smith, Tom Thomas, and Jim Seidler for a one-year term. Mr. Crissman made a motion to approve the nominations. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Friendship Center Operating Board – Denise Hussar and Bruce Senft for a three-year term with one vacancy. Mr. Crissman made a motion to approve the nominations. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Greenway Committee – James Seidler (Parks and Recreation), Roy Newsome, (Planning Commission), Angela Sedun, Thomas Thomas, Susan Landau, and Debra Correll, for a one-year term. He noted that there is one vacancy for this committee. Ms. Lindsey made a motion to approve the nominations. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Planning Commission – Dennis Guise for a four-year term. Mr. Crissman made a motion to approve the nominations. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Public Safety Committee – Chief Colonial Park Fire Company, Chief, Linglestown Fire Company, Chief, Paxtonia Fire Company, President Colonial Park Fire Company, President Linglestown Fire Company, President Paxtonia Fire Company, Fire Marshall, Public Safety Director, Representative from South Central EMS, and Emergency Operations Director for a one year term. Mr. Crissman made a motion to approve the nominations. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Shade Tree Commission – Karl Valley for a five year term. Ms. Lindsey made a motion to approve the nomination. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

South Central Emergency Medical Services. Mr. Hawk noted that there is one vacancy with no nominations at this time.

Zoning Hearing Board – Greg Sirb for a five year term and Alan Hansen to fill the term for Mr. Freeburn who resigned from the Board. Mr. Crissman made a motion to approve the nominations. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed. Ms. Lindsey questioned if Mr. Hansen’s appointment will leave a vacancy for an alternate. Mr. Hawk answered yes. Mr. Seeds questioned if we needed two alternates. Mr. Stine suggested that it would be good to do so.

Mr. Crissman requested that citizens who are interested in volunteering for any of the vacancies to apply to the Township. He noted that there are vacancies for the following boards or commissions: Arts Advisory Council, Friendship Center Operating Board, Greenway Committee, South Central Emergency Medical Services Board and Zoning Hearing Board. Mr. Hawk noted that applications could be secured from the Municipal Center front desk.

BUSINESS MEETING

Public Comment

No public comments were presented.

Chairman & Board Members’ Comments

Mr. Hawk noted that it looks to be a very active year ahead and he appreciates all the support that has been provided to the Board in the past year.

Approval of Minutes

Mr. Crissman made a motion to approve the minutes of the December 9, 2014 workshop meeting. Ms. Lindsey seconded the motion. Mr. Hawk call for a voice vote, and a unanimous voted followed.

Manager's Report

Mr. Wolfe noted the Police Department will be hosting the Citizens Academy starting on Monday March 2, and will run for 11 weeks. He noted that the newsletter printed the incorrect date for the academy. He explained that the class will involve many aspects of Police work to include field trips to Dauphin County Emergency Management Center and other points of interest for Public Safety. He noted anyone who is interested in attending the classes must submit an application by calling the Police Department at 657-5656 and ask for Officer luAnna Brooks.

Mr. Wolfe noted that Christmas trees can be dropped off at Koons Park or the Public Works Center located on Locust Lane. He noted that Waste Management will be collecting trees at curb side the week of January 5th and January 19th. All trees must be free of any ornaments or decorations and may not be placed in a plastic tree bag. He noted that the trees will be recycled and turned into mulch and used in the community.

OLD BUSINESS

Resolution 15-01; Appointing a certified public accountant to audit the funds and accounts of the Township for the 2014 fiscal year

Mr. Wolfe noted that the Board is required by the Pennsylvania Second Class Code to appoint an auditor or accountant to perform the audit for the previous fiscal year. He noted by the Resolution 15-01 the Board will allow the replacement of the Elected Auditors by a certified public accountant to do this work. He noted that the Board has retained Zelenkofske Axelrod, LLC, to audit the Township funds at \$22,688 for the Township; \$10,762, for the Lower Paxton Township Authority; and \$2,768 for Friendship Center for a total amount of \$36,220.00 He

noted that the Board adopted a three-year extension to the agreement in 2013 with Zelenkofske Axelrod to perform the services through 2015. He noted that it is staff's recommendation to appoint Zelenkofske Axelrod to audit the Townships funds and accounts. He noted that this resolution was advertised as required by the Second Class Code and is ready for the Board's action.

Mr. Crissman made a motion to appoint, through Resolution 15-01, the accounting firm of Zelenkofske Axelrod, LLC, to audit the funds and accounts of the Township, Friendship Center and Sewer Authority for the 2014 Fiscal Year. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Reaffirmation of the agreement with the Community Club of
Colonial Park for lease of Mateer Fields

Mr. Wolfe noted that the Board previously acted to approve a lease agreement with the Community Club of Colonial Park to lease two baseball fields, commonly referred to as Mateer Fields for baseball activities and programs for the Township's Park and Recreation Department. He noted that the lease agreement that the Board previously acted upon was presented to the Community Club of Colonial Park which made significant changes to the format of the agreement but very few to the actual content of the agreement. He noted that Mr. Stine has reviewed the revised agreement and he will make comments on his review.

Mr. Stine noted that the only important change that was made was in regard to the right of first refusal, noting that they had inserted language that the price to be paid would be the estimated or fair market value of the property as determined by a certified appraisal or the price that would be offered by a third party, whichever was greater. He explained that he advised Mr. Wolfe that the Township cannot pay more than a certified appraised fair market value for the property. He noted that the Community Club has agreed to that change, noting that it was the

only important change, noting that most of the other changes were not important in nature. He noted that the agreement is ready for reaffirmation.

Mr. Crissman questioned Mr. Stine in that the Board will be signing the document first, in the event that the Community Club of Colonial Park decides not to sign the document, does it mean that we would draft something else or wait for them to draft a different document. Mr. Stine noted that we would have to guess what the other party is looking for, therefore the Township would wait for the other party to come forward with a revised document.

Mr. Crissman made a motion to approve the reaffirmation of the agreement with the Community Club of Colonial Park for the use of Mateer Fields as presented by counsel. Mr. Hornung seconded the motion.

Mr. Seeds noted in regards to the 90 days that the Community Club of Colonial Park has to provide notification to the Township of pending sale, the Township has an additional 90 days after they would give us such notice to purchase the property at a fair market appraised value. Mr. Stine answered that the documents states that we have 90 days. Mr. Crissman noted that it is listed in Item 10.

Mr. Hawk called for a voice vote and unanimous vote followed.

Memorandum of Understanding between the Township, the Dauphin County Industrial Development Authority, Capital Area Soccer Association, Paxton Athletic Association, and Linglestown Baseball Association regarding the Hurley Fields

Mr. Wolfe noted that the agreement before the Board has been revised on multiple occasions noting that the Board is using the version with today's date that contains six provisions setting forth the terms and conditions by which the parties will proceed in development of the Hurley Fields at the Township Public Works facility.

Mr. Wolfe noted that he believes that this version of the Memorandum of Understanding is complete for Board action this evening.

Mr. Crissman made a motion to approve the Memorandum of Understanding dated January 5, 2015, between the Township, the Dauphin County Industrial Development Authority, Capital Area Soccer Association, Paxton Athletic Association, and Linglestown Baseball Association regarding the Hurley Fields. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

NEW BUSINESS

Amendment of the Phasing Schedule for Shadebrook

Mr. Wolfe noted that the Board has been asked to adopt a new phasing schedule for the Shadebrook development. He noted that it is an amendment to the current schedule proposed the following changes: five phases for the Shadebrook Development with the first phase beginning January of 2015 and the final phase going through year 2026. He noted that the commercial portion of the development is proposed in phases four and phase five unless, by the footnote at the bottom of the page, there is the opportunity to begin the commercial portion at an earlier point in time. He noted that this item is complete for the Board's action this evening and John Zervanos from Yingst Homes Inc. is present to speak on this agenda item.

Mr. Crissman questioned what the impetus was for this submission. Mr. Zervanos answered that the purpose is that the development gets some commercial uses which is important to the TND. He noted that the developer is aggressively pursuing tenants to rent space and this would provide some latitude and time. He noted that having an empty building sitting in the development is just as bad as having no commercial built. He explained that we want to start the project and go from there.

Ms. Lindsey questioned Mr. Zervanos if he plans on starting the development in the spring. Mr. Zervanos answered that the developer has already started to move dirt, working on erosion control measures and those types of things. He noted that they are in the process of doing

the marketing for the project and plan on building houses that will be ready for sale by late spring.

Mr. Crissman questioned if Mr. Zervanos will be back for another adjustment to the scheduling phases. Mr. Zervanos answered that he has to update it every year and if he was able to find a tenant for a commercial use, he would be back in right away to get moving on the commercial buildings. Mr. Wolfe noted if there is commercial development that would occur sooner than the fourth phase then an amendment would have to occur. He noted that phasing schedules are relatively flexible noting that it is the developer's opportunity to inform the Board what is planned for what the current market conditions provide. He noted that it is the Board's opportunity to act on that schedule.

Mr. Stine noted that phasing schedules are usually deadlines by which a plan must be submitted. He noted if they submit it sooner, it is okay, but it is an ending time and if it is not submitted by then, then the developer takes a chance of losing his rights to the ordinances that were in place at the time the preliminary plan was approved.

Mr. Crissman made a motion to approve the updated phasing schedule for development as provided by the Shadebrook Development for Yingst Homes, Inc. Ms. Lindsey seconded the motion. Mr. Hawk called for a roll call vote: Ms. Lindsey, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority and the Purchase Cards for Lower Paxton Township and Lower Paxton Township Authority. Mr. Crissman seconded the motion. Ms. Lindsey questioned what Dawood Engineering's bill is for. Mr. Stine noted that they do survey work for the Township. Mr. Wolfe

suggested that it may be surveying work for a sewer project but he would have to check. Mr. Hawk called for a voice vote and a unanimous vote followed.

Announcements

Mr. Hawk noted that the next meeting will be a workshop meeting held on January 13, 2015 at 6 p.m. in this meeting room and it will be televised.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting, and the meeting adjourned at 8:08 p.m.

Respectfully submitted,

Maureen Heberle

Approved by,

William L. Hornung
Township Secretary