

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held September 15, 2015

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:28 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 Solicitor; Andrew Kenworthy, HRG; Michael Bowser, Biscon Land Surveying Co., Inc.; and Watson Fisher, SWAN.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the workshop meeting minutes of August 11, 2015 and the business meeting minutes of September 1, 2015. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Public Comment

No comments were provided.

Board Members Comments

No comments were provided.

Dennis T. Guise Service Recognition

Mr. Hawk noted that Dennis Guise has been a member of the Planning Commission since 1984 and he wanted to acknowledge his insight and dedication to the Planning Commission. He noted that many of the members from the Planning Commission are in attendance to

acknowledge his years of service. He and the Board members presented a plaque to Mr. Guise, acknowledging his appointment to the Planning Commission in 1984 to the present time. Mr. Guise thanked the Board for their appointing him to serve on the Planning Commission. At this time pictures were taken with the Board of Supervisors and Planning Commission members.

Mr. Hawk acknowledged Lisa Schaefer, the newest member of the Planning Commission, who was recently appointed by the Board of Supervisors.

Manager's Report

Mr. Wolfe noted that the Village of Linglestown Sestercentennial Celebration will be held Friday, October 10th to Sunday October 12th. He explained that there is a host of activities and events planned, with a parade, a 5-k run, dedication of the new Linglestown Rotary Clock, and fireworks. He invited the community to participate in the events.

Mr. Seeds noted that all the activities have been listed on the Linglestown 250th Anniversary web site. He noted that the St. Thomas Church will be sponsoring an old county fair during the weekend and there will be a church service held on Friday evening at the Linglestown Life United Methodist Church.

Mr. Wolfe noted that Trick or Treat is scheduled for Thursday, October 29th, 2015 from 6 p.m. to 8 p.m. He requested all youngsters to be accompanied by a responsible adult.

OLD BUSINESS

Action on bids for site work at the Township's Public Works property

Mr. Andrew Kenworthy, HRG, noted that a bid was put out for improvements to the Public Work facility to include grading the new Babe Ruth baseball field, provide an area for the expansion of the Public Works facility, and provide a building pad for the future Magisterial District Judge's (MDJ) Office. He explained that he received one bid from York Excavating Company, LLC and the bid that was received was within 1% of the design estimate provided by

HRG. He explained that five or six companies picked up the bid documents but only one bid was received. He noted that an invitation to bid was sent to eight or nine bidders as well. He suggested that there were some time constraints within the contract process that may have resulted in the receipt of only one bid. He noted that there is a need for a quick turnaround to get the turf field planted this fall and also get the pad area ready for Dauphin County to build the new MDJ Office. He noted that the contract calls for some stringent milestones to be met as well. He noted that although York Excavating has not worked for the Township, HRG has experience working with the contractor in other municipalities, and is confident that they have a solid bid and can perform the work.

Mr. Kenworthy noted that they submitted a base bid of \$982,521.00, noting that they also had four alternates that bidders were requested to provide numbers for. He noted that they included baseball netting that would supplement the backstop. He noted that the original field had grass infield and he had two alternates, one to take the grass out and replace it with Diamond-Tex, the type of baseball surface that you see when it is not grass, and then another combination alternate of a deduct to take the seeding out from the outfield and replace it with a full sod installation. He noted that York provided numbers for those as well. He recommends to accept four of the five alternates, and to wait on the baseball netting for a future date and include removing the sod from the infield and the seed from the outfield providing the Diamond-Tex for the infield and the sod for the outfield. He noted that his recommendation would be for the combined bid total of \$1,016,550.12.

Mr. Seeds questioned if this would prepare the site for the addition to the Public Works building and the MDJ Office, to include the piping system, retention area, all the earthwork. Mr. Kenworthy answered yes, noting that the intent is to have a fully prepared site so when the MDJ office is to be built and the Public Works Building addition is ready to be built, they will have

pad ready sites in order to build the buildings. Mr. Seeds questioned if there would be paving for the parking lot and changes in the driveway. Mr. Kenworthy answered that he is preparing areas with stone for future paving; some will have the base paving. He noted that the areas that are to be finalized through this bid will be completed.

Mr. Seeds questioned if changes will be made after the Public Works addition is complete. Mr. Kenworthy answered, along the main entrance, the main parking area and up closer to where the building addition will be will not be paved as there will be a need for construction staging, and maneuvering that would damage the paving. He noted that the base paving would be part of this contract and when the building is completed the final paving will be installed. Mr. Seeds noted that would be a part of the bidding bid. Mr. Kenworthy answered yes.

Ms. Lindsey questioned when the earthmoving would start and how long it would take to prepare for the MDJ office and the baseball fields. Mr. Kenworthy answered with the awarding tonight, he will need a few weeks for the contracts, insurance, bonds and paperwork to be finished so he would look for that to be done by the beginning of October, and after that, the contract will be mobilized and started. He noted that activity will begin on site in October, noting it would take about six weeks for the major earth moving components to be done around mid-November for a pad ready site for the MDJ office with other improvements continuing through the winter with finalization in spring.

Mr. Crissman thanked Mr. Kenworthy for the explanation for how the bids were put out and why he thinks we only received one bid, and the fact that HRG feels comfortable working with York Excavating Company, LLC. He noted that this process has been going on for so long that he is happy that we have reached this point and it is something that will work well for the Township and Dauphin County. He thanked Mr. Lighty for his efforts in moving this plan along.

Mr. Crissman made a motion to accept the bid for the site work for the Public Works property in the amount of \$1,016,550.12, to York Excavating Company, LLC. He noted that it includes the Diamond-Tex and the sod and excludes the baseball netting. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Mr. Crissman requested Mr. Kenworthy or Mr. Lighty to keep the Board up-to-date on the progress of the project. Mr. Kenworthy noted that he plans to attend the meetings regularly to provide information as necessary for the process until its completion. Mr. Crissman questioned if that would be once a month. Mr. Wolfe noted that he can report monthly if not more frequently for the progress of the project.

Ms. Lindsey requested Mr. Lighty to thank Mr. Memmi for his work in this project.

NEW BUSINESS

Action on proposals to provide the Township and Authority with property and liability insurances

Mr. Wolfe noted that the proposal for Lower Paxton Township provides continuous coverage with the incumbent carrier for the Package Insurance and Umbrella to Allied World National, for Public Officials it is Ace American, and for Crime it is Travelers Casualty and Surety of America. He noted that all three companies are rated A to A++. He noted that the cost for the Township's policy for 2015-2016 is less than it was this past year at \$136,033 as compared to \$137,797 last year for the same coverage.

Mr. Wolfe noted for the Lower Paxton Township Authority, the coverage for 2016 is slightly higher than it was for 2015. He noted that the proposed coverage is \$35,451 as compared to \$34,259. He noted the rate is with the incumbent carries of National Casualty for Public Officials and Allied World National for the Package and Umbrella coverage. He noted that both companies are rated A or A+.

Mr. Wolfe noted that there are no appreciable changes for both policies and the cost with the incumbent carriers is relatively the same and as such it is staff's recommendation as well as the broker, John Barry of Brown and Brown Associates, that the Board award a contract for services for insurance for the Township and Authority for the rates he provided.

Ms. Lindsey questioned if this covers everything at the FC. Mr. Wolfe answered yes. Ms. Lindsey questioned if it would cover the climbing wall. Mr. Wolfe answered no, noting anytime the Township adds capital, including a climbing wall, it would change the coverage. He noted that we will not insure something until we add it, but when we add a vehicle or truck or property it does impact the insurance.

Mr. Seeds noted that he is happy to see that the Township's rate is less but he questioned why the Authority's rate increased. Mr. Wolfe answered when the change is less than 1% he does not ask why. He noted with the potential for sanitary sewer backups, that is a market-driven thing. Mr. Seeds questioned if the history of sewer backups has been less as the years go by. Mr. Wolfe answered that is correct.

Mr. Seeds noted that the list of employees still shows employees who have retired. Mr. Wolfe noted that staff has provided the updated list. Mr. Seeds noted that the list of equipment includes a caterpillar paver; he questioned if we sold that unit. Mr. Wolfe answered that he did not know. Mr. Seeds noted that the lists are not completely accurate but if it is a blanket thing it may not matter. Mr. Wolfe noted that he could get an answer for Mr. Seeds on that question.

Mr. Hornung noted that the driver's license numbers are included for the employees, and he questioned if there is a need to add new ones right away. Mr. Wolfe noted that we are okay with not reporting the new employees to the insurance company for coverage, but for new employees as a condition of their employment, a completed background check to include a

driver's history is conducted. He noted that current employee's driving records are checked on a biennial basis.

Mr. Crissman made a motion to approve the proposals for the Township insurance at a rate of \$136,033, and the Authority insurance at a rate of \$35,451 for property and liability insurances with Brown and Brown Brokers. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous voted followed.

Action on a Master Equipment Lease with Ford Credit for four 2015 Interceptor Sedans

Mr. Wolfe noted that the master equipment lease will provide for the ultimate purchase of four 2015 Ford Interceptor Sedans from Hoffman Ford on state contract in the total amount of \$101,834 with an annual amount of \$35,052.77. He noted that the financing charges for the three-year lease brings the total amount to \$105,158.31. He noted that this is a lease purchase arrangement.

Mr. Wolfe noted that we have purchased vehicles through this lease program for several years and it is staff's recommendation that the Board continue to do this.

Mr. Crissman noted that the first sheet states that it is an amendment, but is it really an amendment. Mr. Wolfe answered that it is an amendment since we have an existing agreement with Ford Credit.

Mr. Crissman questioned if we are using the \$101,834 number or the \$105,158.31 number for the motion. Mr. Wolfe noted that the total lease payment would be \$105,158.31.

Ms. Lindsey noted on the first page of the agreement 2016 is crossed out and 2015 is inserted. Mr. Wolfe noted that we will be getting 2015 units.

Mr. Seeds questioned if after we purchase the vehicles they still have to be painted and striped and the equipment needs to be installed. Mr. Wolfe answered that they do not need to be painted, only striped and they have to be internally and externally outfitted. Mr. Seeds

questioned what does that cost. Mr. Wolfe suggested that it is another \$4,000 to \$5,000 per vehicle.

Ms. Lindsey questioned how many miles are on the vehicles. Mr. Wolfe answered that they are brand new.

Mr. Crissman made a motion to approve the master equipment lease with Ford Credit for four 2015 Interceptor Sedans for a three-year lease of \$35,052.77 per year for a total amount of \$105,158.31. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed

Resolution 15-19; accepting the Minimum Municipal Obligations for the police
And non-uniformed employees' pension plans

Mr. Wolfe noted that this process begins part of the 2016 budget process. He noted Pennsylvania Act 205 requires the Board to adopt the Minimum Municipal Obligation (MMO) for the pension plans for the next fiscal year by the end of September. He noted that the MMO is set forth by the actuary for the non-uniformed employee pension plan. He noted that \$674,462, is the Township's responsibility in addition to the employee's contributions and those from the State. He noted that the MMO for the police pension plan is \$1,165,107, noting that there are also employee contributions and those from the State. He noted that the resolution that you have before you is the same as you have approved the last ten years and it is complete for your action this evening as it is signed by the Chief Financial Officer. He noted that staff recommends affirmative action this evening.

Mr. Crissman made a motion to approve Resolution 15-19; accepting the Minimum Municipal Obligation for the police and non-uniformed employees' pension plans. Mr. Hornung seconded the motion. Mr. Hawk noted that Governor Wolf has made the proposal that anyone who does not meet the MMO would be subject to a stiff penalty. Mr. Seeds noted that they

should take measures against themselves for all the years they underfunded their pension programs.

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

Resolution 15-20; authorizing the destruction of specific municipal records

Mr. Wolfe noted that the list of documents that are to be destroyed are attached to the resolution.

Ms. Lindsey questioned how long we normally keep the records. Mr. Wolfe answered that it is based upon a retention schedule and for these records it is either three years or five years. He noted that we have exceeded it in all cases. Mr. Crissman noted that it varies for what the record is and in some cases you may never destroy certain records.

Mr. Crissman made a motion to approve Resolution 15-20; authorizing the destruction of specific municipal records. Ms. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Change Order #2 to the contract with Pennsy Supply, Inc. for roadway paving

Mr. Wolfe noted that the Change Order is in the amount of \$1,750 for additional subgrade repair as staff prepared Hillside Drive for paving. He noted that the change order was reviewed by the engineer and Public Works Director and is recommended for approval this evening.

Mr. Crissman made a motion to approve Change Order No. 2 to the contract with Pennsy Supply, Inc. for roadway paving in the amount of \$1,750.00. Mr. Hawk called for a voice vote and a unanimous vote followed.

Preliminary/final subdivision plan for Tina and Asher Benner

Mr. Wolfe noted that the Preliminary/Final Subdivision Plan for Tina R. and Asher D. Benner proposes to subdivide an existing 2.736-acre lot (Lot #1) located at 1220 Fairmont Drive.

The plan will subdivide a 4,221 S.F. area, referred to as Lot #1A on the plan, from Lot #1 and then combine Lot #1A with Lot #2 which is the adjacent property to the southwest at 1230 Fairmont Drive. He noted after the subdivision, Lot #1 will contain 2.639 acres and Lot #2 will contain 0.514 acres. He noted that the plan is for subdivision purposes only and does not propose any improvements, and both Lot #1 and Lot #2 are presently and will continue to be served by private wells and public sanitary sewer. He noted that the site is located within the Residential Low Density (R-1) Zoning District.

Mr. Wolfe noted that the Planning Commission approved the plan to move forward to the Board of Supervisors at its September 2, 2015 meeting.

Mr. Wolfe noted that the plan has four waiver requests, noting that they are waivers naturally granted in a non-development situation such as curbs, sidewalks, and street widening. He noted that there are two zoning ordinance issues but the first one is not an issue and should have been removed from the comments. He noted the second comments is a clarification of the lot frontage. He noted that there are the standard subdivision and land development comments as well as two administrative comments prior to recording the plan.

Mr. Wolfe noted that Michael Bowser is present to represent the plan.

Mr. Michael Bowser noted that he is from Biscon Land Surveying Co., Inc., the company who prepared the plan. He noted that it is a simple subdivision plan transferring roughly 4,000 square feet from one lot to another. He noted that he received the comments from the Township, Dauphin County, and Engineer and 99% of those are very minor drafting changes to the plan. He noted that he is present to answer any questions the Board may have for the plan.

Mr. Seeds noted that Mr. Bowser is requesting a waiver of the requirement to provide a preliminary plan, but HRG noted that it is not necessary. Mr. Wolfe noted that is technically correct but it is a comment that has been provided in the past. Mr. Seeds noted that there has

been a change in the land development process with the State and it is no longer required to request the waiver.

Mr. Crissman questioned Mr. Bowser if he is able to represent the applicant for the plan. Mr. Bowser answered yes.

Mr. Crissman questioned if Mr. Bowser had the same document that the Board has that identifies the waivers and comments. Mr. Bower answered yes.

Mr. Crissman noted that Mr. Bowser is in agreement with the four waivers and they have all been supported by the Planning Commission and staff. Mr. Bowser agreed.

Mr. Crissman noted that there are two zoning ordinances... Mr. Wolfe noted that the first zoning ordinance comment should be removed from the record. Mr. Crissman questioned if Mr. Bowser needs to clarify anything for the second comment or has it been resolved with staff. Mr. Bowser answered that it was resolved as there was typing error.

Mr. Crissman noted that there are nine Subdivision and Land Development Ordinance comments and he questioned if they have all been completed or will they be completed in a timely fashion. Mr. Bowser answered that they will be completed and sent next week to staff.

Mr. Crissman noted that there are five administrative comments and he questioned if they will be completed in a timely fashion. He noted, specifically number five has the 11 comments from HRG dated August 5, 2015. Mr. Bowser noted that all those will be completed and returned to staff prior to recording of the plan.

Mr. Crissman questioned if there was anything else in the document that was reviewed that he may have problems with. Mr. Bowser answered that he has no problems with any of the requirements.

Mr. Crissman made a motion to approve the preliminary and final subdivision plan for Tina and Asher Benner with the following waivers and comments: 1) A waiver for the

requirement to provide a preliminary plan; 2) A waiver for the requirement to install sidewalks along Fairmont Drive; 3) A waiver for the requirement to install curbing and road widening along Fairmont Drive; 4) A waiver for the requirement to plant street trees along Fairmont Drive; 5) The minimum proposed lot width of 140 ft. listed in the Site Data table appears to be erroneous as the proposed minimum lot width measures approximately 160 ft. according to the plan, please clarify; 6) Identify the location of primary control point and the datum on the plan; 7) Show all existing man-made features on the plan including buildings and structures on adjacent properties and utilities serving the properties affected by the subdivision. Likewise, dimension the cartway and right of way widths for the public streets shown on the plan; 8) Provide required and provided sight distance at the driveways affected by the subdivision and add clear sight triangles to the plan; 9) Add the maximum allowable building height to the site data table; 10) Revise the certification of ownership and dedicatory statement to match verbatim what is shown in Exhibit 2. Also, correct the lot and parcel designations in the sentences added to the dedicatory statements, remove them from the certification, and add the statements as General Notes as applicable; 11) Revise the surveyor's certification to match verbatim what is shown in Exhibit 4; 12) The applicant shall address street trees; 13) The applicant shall indicate if wetlands are present at the site and the appropriate wetlands certification shall be added to the plan; 14) Add markers at the ends of the curve associated with the Fairmont Drive right of way along Lot 1; 15) The applicant shall provide a financial security estimate for the proposed monuments and iron pins unless they are installed and verified prior to plan approval; 16) Provide evidence that either approval of the DEP Sewage Facilities Planning Module or similar documentation has been granted by DEP or that such approval is not required; 17) Upon approval, provide an electronic file of the complete plan set and any other technical plans on a compact disk (CD) in accordance with Section 180-308; 18) The applicant shall pay all required

fees prior to recording the plan; 19) The applicant is responsible for recording the plan in Dauphin County Recorder of Deeds office after staff has prepared the plan for recording; and 20) Plan approval shall be subject to addressing all 11 comments of Andrew Kenworthy, HRG, Inc. memo dated August 5, 2015. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Improvement Guarantees

Mr. Hawk noted that there were ten Improvement Guarantees.

The Townes at Forest Hills

An extension and 10% increase in a bond with Insko Insurance Services, Inc., in the amount of \$3,761.27, with an expiration date of September 15, 2016.

Quail Hollow, Phase IV

An extension and 10% increase in a bond with Developers Surety and Indemnity Company, in the amount of \$82,159.16, with an expiration date of September 15, 2016.

Quail Hollow, Phase V

An extension in a bond with Developers Surety and Indemnity Company, in the amount of \$145,587.00, with an expiration date of September 15, 2016.

Old Iron Estates, Phases I, III, & IV

An extension and 10% increase in a letter of credit with Centric Bank, in the amount of \$41,111.20, with an expiration date of September 15, 2016.

Estates of Forest Hills, Phases I-VII

An extension and 10% increase in a letter of credit with Susquehanna Bank, in the amount of \$45,572.11, with an expiration date of September 15, 2016.

Charleston Riding

An extension in a letter of credit with Susquehanna Bank, in the amount of \$72,721.00, with an expiration date of September 15, 2016.

Rite Aid Corporation

An extension in a bond with Westchester Fire Insurance Company, in the amount of \$392,136.25, with an expiration date of September 15, 2016.

Amesbury

An extension and 10% increase in a bond with Insko Insurance Services, Inc., in the amount of \$3,761.27, with an expiration date of September 15, 2016.

The Townes at Forest Hills

An extension and 10% increase in a bond with Liberty Mutual Insurance Company, in the amount of \$69,251.93, with an expiration date of September 15, 2016.

Autumn Ridge, Phases II & III

An extension and 10% increase in a letter of credit with Fulton Bank, in the amount of \$98,066.90 with an expiration date of September 15, 2016.

Victoria Abbey at Forest Hills, Phase 2

An extension and increase in a bond with the INSCO/DICO Group in the amount of \$11,583.96, with an expiration date of September 1, 2016.

Mr. Crissman questioned if any of these are long-standing that we need to take a second look at. Mr. Hornung noted that some of these date back to 2009. Mr. Stine reminded that Board that they are protected by the Permit Extension Act, so they can be out there until 2018. He noted that the Permit Extension Act was extended a couple of times, and when 2016 rolls around, whatever is left starts to run for about a year or so. Mr. Hornung questioned even for something as minor as seeding. Mr. Stine noted that it does not matter what it is, noting that any agreements

with a municipality are covered by the Permit Extension Act. He noted that it is an improvement guarantee agreement. Mr. Hornung noted that they have to increase their bond every time we approve it and for some it is not worth the expense to go back and get a new agreement.

Mr. Crissman made a motion to approve the ten improvement guarantees. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Payment of Bills

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

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting, and the meeting adjourned at 8:19 p. m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William L. Hornung
Township Secretary