

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held October 4, 2016

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:29 p.m. by Chairman William L. Horning, on the above date, in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hornung were: William B. Hawk, William C. Seeds, Sr., Gary A. Crissman and Robin L. Lindsey. Also in attendance was George Wolfe, Township Manager; Steve Stine, Township Solicitor; Jeff Kline, Public Works Director, Esten Rusten, GHD, Brent Detter, ELA Group, Inc. Suzanne Gausman, CEO/Principal Infinity School; Mark Henise, Senior Transportation Manager, ELA Group, Inc; and Watson Fisher, SWAN.

Pledge of Allegiance

Ms. Lindsey led in the recitation of the Pledge of Allegiance.

Approval of Minutes

Mr. Crissman made a motion to approve the minutes from the September 6, 2016 business meeting. Mr. Seeds seconded the motion, and a unanimous vote followed.

Public Comment

No public comment was presented

Board Members Comments

Ms. Lindsey explained that she attended the open house at the Colonial Park Fire Company this past Sunday. She noted that it was great to see the community come out and she wanted to thank the fire company for the great job that they did and for giving back to the community. She noted that they had activities and food for the residents to enjoy.

Township Manager's Report

Mr. Wolfe noted this there are numerous events scheduled for the month of October. He noted that there will be Autumn Hayrides sponsored by the Parks and Recreation Department at George Park from 6-8 p.m. on October 21, 22, and 23. The fee is \$3. He noted that there will be pumpkin carving at George Park on Sunday, October 23rd, from 5-6 p.m. The fee is \$7 and pre-registration is required.

Mr. Wolfe noted that Trick or Treat in Lower Paxton Township will be observed on Thursday October 27th from 6-8 p.m. He requested that parents watch out for the safety of their children. He explained that the fire, police and EMS will be very visible in the community that evening, and if residents chose to join in on this event, they should turn on their porch light.

Mr. Wolfe noted that the Friendship Center will sponsor a Halloween Candy Exchange in lieu of a free workout at the Friendship Center on Friday, October 28th. He noted that anyone who brings a plastic bag of wrapped candy will receive a free pass for a workout for that day. He noted that the candy will be donated to the Bethesda Youth Center.

OLD BUSINESS

Action on appointments to the Community Engagement Committee and Arts Advisory Council

Mr. Hornung noted that the Board has been asked to approve an appointment to the Community Engagement Committee and the Arts Advisory Council. He suggested that the Board could do both at the same time.

Mr. Wolfe noted that the Parks and Recreation Board have met and recommend the appointment of these two positons.

Mr. Crissman made a motion to appoint Sherri L. Davis to the Community Engagement Committee and Sarah Steinhauser to the Arts Advisory Council as recommended by the Parks

and Recreation Board. Ms. Lindsey seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Action on an appeal of a Stormwater Management
Ordinance violation for 2517 Patton Road

Mr. Hornung noted that the Board must act on an appeal of a Stormwater Management Ordinance violation for 2517 Patton Road. He noted that the hearing for this appeal was heard by the Board at its September 20th meeting.

Mr. Crissman made a motion to deny the appeal of the Stormwater Management Ordinance violation for 2517 Patton Road as submitted by Mr. Joseph Fraraccio. Ms. Lindsey seconded the motion. Mr. Hornung called for a roll call vote: Ms. Lindsey, aye, Mr. Crissman, aye; Mr. Hawk, aye; Mr. Seeds, aye; and Mr. Hornung, aye.

Action to engage James Smith Dietterick and Connelly LLP for
representation in regard to a dispute with Shiloh Paving and Excavating

Mr. Stine noted that this engagement involves the bid for the Winfield Street project. He noted that Attorney Matthew Chabal is with the firm listed on the agenda is involved in construction law matters to include construction law litigation. He noted that he has offered a letter of engagement to represent the Township with regard to the matter involving Shiloh Paving and Excavating and the Township. He noted that this is ready for action this evening.

Mr. Crissman made a motion to approve the engagement letter with James Smith Dietterick and Connelly LLP for representation in regard to a dispute with Shiloh Paving and Excavating as presented by counsel. Mr. Seeds seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

NEW BUSINESS

Action to engage Salzman Hughes, P.C. for representation in regard to the joint preparation of an Intermunicipal agreement regarding the Paxton Creed TMDL

Mr. Wolfe noted that Lower Paxton, Susquehanna Townships and Capital Region Water (CRW) have been working together for about a year to address the Paxton Creek Total Maximum Daily Load (TMDL). He noted that it involves specific limitations and needs to reduce the amount of sediment that is contributed to Paxton Creek. He noted that this was done basically on a handshake, a TMDL Plan that was submitted to the Department of Environmental Protection (DEP) in December of 2015. He noted that the plan is still under review by that agency.

Mr. Wolfe noted that it is time to take the next step forward in the TMDL process as the three entities need to select an engineer to develop and evaluate a specific instream and land based options for waterway improvements. He noted that it is believed by all three municipalities that there is a need for a more formal agreement for roles and responsibilities as we move forward. He noted that the three entities will share costs for engineering services and share responsibilities for the outcome as we have to meet certain mandates by DEP.

Mr. Wolfe noted that CRW has suggested that we retain Scott Wyland. He noted that Attorney Wyland of Salzman Hughes, P.C. is representing Lower Paxton and Susquehanna Townships over a previous dispute with CRW on rates. He noted that CRW recommends that Mr. Wyland would be acceptable by them to do this work and as he already works for Lower Paxton and Susquehanna Townships, we obviously find him qualified. He noted that CRW also finds him to be qualified to do this work.

Mr. Wolfe noted that it is staff's recommendation that the Board authorize the engagement letter of Salzman Hughes, P.C. submitted by Scott Wyland to prepare an

Intermunicipal Agreement between Lower Paxton and Susquehanna Townships and CRW to help prepare an Request for Proposal to retain an engineer to develop a specific pollution reduction plan for Paxton Creek.

Mr. Seeds noted that it states the selection of an engineer but it is more than that. Mr. Wolfe answered no. He explained that the three entities want to select an engineer to do work. He noted that the attorney won't be doing that work. He noted the attorney will develop an agreement by which we move forward to select an engineer. He noted it would be for such things as how we share the costs for the engineer, who is the lead entity with the engineer; a simple Intermunicipal agreement.

Mr. Seeds noted that they will prepare the Intermunicipal agreement between three entities for how we move forward. Mr. Wolfe noted that is correct. Mr. Seeds noted that Mr. Wyland has done a great job for us in the past. He noted that we have a good engineer who represents the Sewer Authority in all matters so he would be in favor of having them be the engineer to do the work. Mr. Wolfe explained that this agreement is not to select the engineer, the engineer will be selected by a Request for Proposal process that will be developed by the three municipalities. He noted that this is just a framework by which the municipalities create a legal entity to work together.

Mr. Crissman questioned if the other municipalities have already signed the engagement letter. Mr. Wolfe noted that it was his understanding that it has been presented to the CRW Board and the Susquehanna Board next week. Mr. Stine noted that each entity received their own representation letter.

Mr. Crissman made a motion to approve the engagement letter with Salzman Hughes, P. C. for representation in regard to the joint preparation of an Intermunicipal Agreement regarding

the Paxton Creek TMDL with Susquehanna Township and Capital Region Water. Mr. Hawk seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Mr. Hornung noted that looking at some of the rates that we have been charged before, and it looks like they are fairly decent. He noted that Mr. Wyland has worked for us in the past. He suggested that it would be odd for us to use our own attorney. Mr. Wolfe noted that Mr. Stine would be more than capable to prepare the agreement. He noted that we did not want to get into an argument on whose solicitor would be doing the work. He noted that CRW volunteered to Lower Paxton and Susquehanna Townships that we retained Mr. Wyland and they would be agreeable to using him. He noted that it made it easy.

Action on proposals to provide surveying services for the BC-1A, B, C;
BC-5C; and PC-2A sanitary sewer mini-basins

Mr. Wolfe noted that the Authority received four responses to the request for proposals for this work and the lowest responsible response was received from Dawood Engineering in the amount of \$61,000. He noted that Dawood has done surveying work for the Township before and it is staff's recommendation that we award the contract for surveying services to Dawood.

Mr. Crissman noted that you stated that we have used Dawood Engineering Services in the past and they have always been satisfactory. He noted that he is happy to see that the lowest proposal is from someone we have worked successfully in the past.

Ms. Crissman made a motion to approve the surveying services to Dawood Engineering in the amount of \$61,000 for BC-1A, B, C; BC-5C; and PC-2A sanitary sewer mini-basins. Mr. Seeds seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Change Orders Nos. 1 and 2 to the contract with eciConstruction for
the construction of a Public Works building addition

Mr. Wolfe noted that the first item is for eciConstruction who has submitted two change orders. He noted that Esten Rusten is present from GHD to explain the change orders as well as Jeff Kline, the Public Works Director.

Mr. Rusten noted that the eciConstruction has two change orders, the first one consists of several smaller ones. He explained that it has to do with the excavation and backfill for the IT trench. He noted that there was a buried roof drain that was anticipated to be in one location but it was routed in a different direction. He noted that this provided the opportunity to make some changes for roof drain on most of the building for some of the existing garage, the new garage as well as the office expansion.

Mr. Rusten noted that change order two for eciConstruction has to do with a code review. He noted that the plans had to be reviewed by a third party to get the permits. He noted that these are the items they wanted addressed.

Ms. Lindsey noted that the roof drain was coming from the existing building, where is it going to be draining that you are rerouting it. Mr. Rusten answered that there are two detention ponds, one is by the driveway when you enter the facility and one is on the backside of the property. He noted that originally all the roof drains were to go to the one large pond in the front, but now it has be routed to the one in the back.

Mr. Seeds questioned why that change was made. Mr. Rusten answered that it was initially designed to go to the one in the front, but due to where the pipe had been directed, once they started construction, they found that... Mr. Seeds questioned if they found the pipe in a different location. Mr. Rusten answered yes as that if the information they had from the existing drawings.

Mr. Hornung questioned if it would have cost more to take it to the front like it was originally designed. Mr. Rusten answered that the retention pond in the front was not maxed out but it was being used a lot more than the one on the back of the property and it made sense to do this. He noted that this was discussed with HRG and the contractors and it was decided that this would be a better option.

Mr. Seeds questioned what the amount for that change is. Mr. Crissman answered the first change order is for \$16,676 and the second change order is for \$3,834. Mr. Seeds questioned what the \$16,676 is for, for excavation. Mr. Rusten answered that there are four items in that change order totaling \$16,676. Mr. Hornung questioned if it all has to do with the roof drain. Mr. Esten answered that there is a section for excavation and backfill regarding the IT trench which runs from the electric pole to the facility. He noted that eciConstruction is doing the excavation for that line.

Ms. Lindsey questioned why it was not in the original bid. Mr. Rusten answered that it was not in the contract documents. He noted that we had pushed some of the IT work out of the contract towards the end of design as we wanted to have the IT people who work for the Township to be engaged in the setting up of all the IT wiring. He noted that the electrical contractor is putting in the conduit and we will have someone else come in and do that work. He noted that the electrical contractor that we have will do that but this is the excavation portion of that.

Ms. Lindsey questioned if we knew from the beginning that we would have to do this excavating, but it was not put it in the original bid. Mr. Rusten answered that is correct. He noted that we have \$16,676 for the excavation for the IT line, excavation and backfill to reroute the roof drains, and on the garage side, backfill related to the installation and collection and

conveyance piping into the stormwater management system and installing the downspout system. He noted that they are lumped together and have crossed a bit of time initially from the start of the construction project. He noted that we are keeping tabs and working back and forth with eciConstruction to make sure that we are getting the best numbers.

Mr. Hornung noted that the reason you decided to go to the back pond was because you felt the front pond was at its limits. Mr. Rusten noted that he would have to look at the numbers but it was his understanding that there was more water going to the front pond from the admin area. He noted that we had the new admin space, one side of the new garage, and a portion of the existing garage all coming into that area onto the new admin roof. He noted now, we are pulling some of that away and redirecting it to the back of the facility. Mr. Hornung questioned if you knew that from the beginning or did something change. He questioned if it was okay in the beginning when you first did the calculations for the front basin. Mr. Esten answered that he is not saying that the retention pond was overloaded and we were going to change it for that purpose. He noted that we had a lot of water going towards that and less going towards the back, and the idea of bringing all that water onto the roof and running it through the roof drains and roof leaders and emergency drains as well, it was a lot to run out so we alleviated some of it by pushing some to the back.

Mr. Tim Murphy, 1524 Pine Hollow Road questioned, for the first item, the rerouting of the roof drains, he is confused about what roof area you are talking about. He questioned where the back basin is, if it was a preexisting basin that was there before the work started last year. Mr. Rusten answered that these are two new basins. Mr. Murphy questioned if you are talking about the basin that is on the west end of the property at the intersection of the existing building and the new expansion. Mr. Rusten answered yes. Mr. Hornung questioned if that would be the front

one. Mr. Murphy noted that the front one would be the one by the driveway, opposite the retaining wall.

Mr. Murphy noted that it was his understanding from the original drawing that the two basins are interconnected. He noted that there is a 24 inch pipe that connects the two basins. He noted that it shouldn't matter which of those two basins the water goes to. He stated that he hoped when you reroute the water to a different basin if the stormwater management permits provisions are met. Mr. Rusten answered that he worked heavily with HRG in doing this to minimize costs to the Township and we looked to daylight it once it came down by the corner of the intersection of the new and old garage. He noted that we were going to run it to daylight it but looking at the Stormwater Management Permit it was determined that it was exceeding the bounds of that permit so we ended up running it down the side of the building for about 100 to 120 feet and then draining into the basin.

Mr. Murphy noted that he did not follow that. He questioned if you are putting water that was originally intended to be in one of the two new basins into one of them. Mr. Rusten answered that he is not a civil engineer and he did not design this as someone from HRG or his office could get more into the details for this, but he could assure Mr. Murphy that the time that we put into dealing with this and with the contractor, looking at the permitting and working with HRG, pushing back and forth with the contractor to make sure we got the best pricing, we feel very confident that these are good numbers for the work provided. He noted that we have a \$20,000 credit coming from eciConstruction which will be coming up at the end of the project for the final payment for a line item that we had in the contract in case we ran into unsuitable soils for the vehicle wash. He noted that will be coming at the end of the contract.

Mr. Seeds questioned, in your opinion, are the charges by eciConstruction reasonable.

Mr. Rusten answered yes and he recommends approval.

Mr. Murphy noted that he is looking for the Township to get the best deal on this but he thinks it is important that we don't violate the stormwater management permits and the capacity to each basin. He noted that he is fuzzy for what is happening here, but he thinks if it goes to either one of the new basins, the ones built last year, they are interconnected so it shouldn't matter.

Ms. Lindsey questioned if Mr. Kline wanted to add anything. Mr. Kline wanted to know what Mr. Murphy's question was. He noted that it has been rerouted and it empties into the one that was originally scheduled to go to. He noted that the water goes to where it is supposed to go. He noted one of the other reason that it was routed to the western basin was due to the fall, as there was not enough fall to get it out to the basin that was furthest away. He noted that everything goes to the eastern basin and then goes out the back of the property. He noted that the western basin is an overflow type basin and anything that comes into it is routed to the first basin you see when you come down the driveway. He noted that it gets to where it is supposed to go, and it doesn't have to travel as far.

Mr. Hornung questioned why there is additional costs. Mr. Rusten explained that initially it was going to drain onto the existing roof and that would have taken it through the building in the ceiling area of the admin area, out to a ten inch pipe that leads to the pond. He noted that it would have had to jog over to a manhole and continue on. He noted that it ended up being a shorter route when you look at the different costs associated with it, as it cost more to add some of the piping and down spouting.

Mr. Kline noted that the first one would not have required excavation and it would have run from roof to roof but this one required excavation.

Mr. Hornung questioned why this was not caught in the initial design. Mr. Rusten answered that from the information that they had from the original drawings that it was located in a different spot and needed to be routed in a different direction; however, when they went to excavate for the new garage it wasn't where it was supposed to be. He noted that is what started the ball rolling to evaluate the situation that we were in and it was decided to go out to the other basin.

Mr. Hornung noted that Mr. Rusten stated that the pipe was not where it was supposed to be, but he did not understand why it was too much water coming into one area and they wanted to run it somewhere else through the building. He suggested that it has to do with something not being in the right spot. He noted that he does not understand this. Mr. Kline noted that he is not sure about the water going which way as he left that up to the engineers but they did find when they were excavating, a storm drain or gutter drain, in a spot that they did not think it was. He suggested that they thought it was drawn on the other side of the roof and out that way. He noted that it ended up going to a catch drain to where the new garage is supposed to be. He noted that he did not know why it was not caught in the beginning, but basically it went to a place where they did not think it went. Mr. Seeds noted if there were as-built drawings of the original... Mr. Kline noted from 27 years ago, correct. He noted that it was from the original building. Mr. Seeds noted if they were relying on those drawings they found them not to be accurate.

Ms. Lindsey questioned why the IT trenches were not added in the beginning. She questioned what changed with that. Mr. Kline answered, when the project went out to bid, there was some uncertainty as to whether Appalachia was going to enter into this or we would

have to find someone else. He noted that they knew they would have to excavate at some time but he is not sure how they were going to come into the building.

Mr. Seeds noted that we are not picking on Mr. Rusten but we know that in some instances, contractors will make up change orders and we have to be very careful as the price escalates over time. He noted that we only have so much to spend on this. He noted that anytime we see a change order we have to ensure that the contractor is not trying to get extra money out of the project, figuring in their low bid that they would have change orders. Mr. Rusten answered that he understands that.

Mr. Hornung noted that as-built drawings are not always reliable and it could create issues when you are digging. He noted that we want to make sure that these things were nailed down before it got to this point to avoid these issues as it is difficult to try to make sure we are getting a fair price. He noted that it is easier beforehand than after. He noted that is one message he would like to send back to everyone. He noted that you guys typically do a great job but he wants to ensure that this happens as minimal as possible. He noted that it provides an opportunity for contractors to get additional costs.

Mr. Crissman noted that he has never been involved with a construction project that does not have a few change orders. He noted that sometimes what goes on the drawing board with the best planning and engineering does not meet the realities of the project. He noted that he is concerned about the amount of money that is involved in the change orders, and based upon the explanation he is satisfied. He made a motion to approve Change Order No. 1 in the amount of \$16,676 and Change Order No. 2 in the amount of \$3,834 to eciConstruction for the Public Works building addition. Ms. Lindsey seconded the motion.

Mr. Seeds noted that the second change order had to do with changing doors from a honeycomb to some other door. He questioned who requested that; was it from our people. Mr. Rusten answered that it had to do with energy as it was a better type of insulation. He noted that some of the doors had different cores than others and it was thought that keeping the doors consistent would make sense. Mr. Seeds questioned if it was at the request of our staff for sound or noise. Mr. Rusten answered that it had to do with energy.

Mr. Seeds questioned why there were additional exit signs. Mr. Rusten explained with the International Building Code (IBC) there can be different interpretations of what would be the right thing to do in that particular instance. He noted that we had a certain exiting plan in place and the third party told us that we needed to add a door as we had too much distance between doors. Mr. Seeds noted that this was for an additional door. He noted that \$3,000 is a typical cost for a single exterior door and hardware. He questioned if it was fire rated. Mr. Rusten answered that it is not fire rated. He noted that the exit sign was an addition as well. Mr. Seeds questioned if this was the national code. Mr. Rusten answered that it was the IBC.

Mr. Hornung noted with the IBC you can have two different interpretations of the code and you are stuck with it. HE noted for the exit sign and the hardware that goes on the door it would probably cost \$3,000.

Mr. Seeds questioned Mr. Esten if he is recommending that we approve this. Mr. Esten answered yes.

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

Change order Nos. 1 and 2 to the contract with Frey Lutz Corporation
for the construction of a Public Works building addition

Mr. Esten noted that Change Order No. 1 has more to do with the running of the drainage from the roof as eciConstruction took care of most of that work but Frey Lutz was involved in

running a pipe below grade in the new garage at a cost of \$2,144. He noted that we went back and forth several times on all these change orders to make sure they were reasonable and he believes that they are.

Mr. Hornung noted that Mr. Wolfe looked on the Home Depot site and other sites to get some price comparisons and it looked like they could have added a little more but they are good prices. Mr. Rusten answered that they are good prices. He noted that these are commercial-type products and they are usually more expensive, for example a typical door, half the cost of \$3,000 is for the hardware for the door as a panic bar cost \$700.

Mr. Crissman noted that change Order No. 2 has to do with the installation of hose bibs in the bay wash facility and a floor drain.

Mr. Crissman made a motion to approve Change Order No. 1 in the amount of \$2,144 and Change Order No. 2 in the amount of \$3,864 to Frey Lutz Corporation for the Public Works building facility. Mr. Hawk seconded the motion.

Ms. Lindsey noted, for the truck wash for the hose bids, why were they not included in the original bid. Mr. Rusten answered that he did not have it in the drawings and the floor drain was admitted from the drawings. He noted that the hose bibs were an addition noting that Mr. Kline requested it. He noted that these items will be a benefit to the building as it would make it easier to wash down the vehicles.

Mr. Hornung noted that he appreciates the individual listing of items as it provides some reassurance that we were not getting charged \$100 for a hammer. He noted that the Board also scrutinized the prices, and explained that it is more difficult to scrutinize the cost of labor.

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

Change Order No. 1 to the contract with Lecce Electric for the
construction of a Public Works building addition

Mr. Rusten noted that this change order is from Lecce Electric for \$5,936, and it was also associated with the plan review. He noted that he can't speak to them in detail as he could for the others, but it was scrutinized by his electrical engineer noting that it started out as a \$12,000 change order and staff worked with them to get the price down.

Mr. Crissman noted that it appears that the code service did a review and discovered an inconsistency or a part that needed to be corrected and that is what is resulting in the change order. Mr. Esten answered that is correct.

Mr. Crissman questioned why it takes this long for the third party to do the review and required the changes. He noted when the drawings are compiled it is not required to have the third party review. He questioned if he answered his own question.

Mr. Hornung questioned what a fixture type EX 1 or Fixture type SI is. Mr. Esten answered that he did not know. Mr. Kline noted that he did not know as well.

Mr. Hornung noted that the plan was revised as per an email that eliminated a door access. He questioned why if you eliminate something would it cost more. Mr. Rusten answered that the original change order was for \$12,000 as it had included the existing door and the security that is on all exterior doors. He noted that they proposed that but eciConstruction was taking care of it. He noted that it is a door on the backside of the building that would not be used much, just for exiting the building but it was felt that the security fob entrance was not needed. He noted that we deleted it from the plan which was close to \$5,000.

Mr. Crissman made a motion to approve Change Order No. 1 to the contract with Lecce Electric in the amount of \$5,936 for the Public Works facility building addition. Ms. Lindsey seconded the motion.

Ms. Lindsey questioned if this would be the last of the change orders. Mr. Kline answered no. He suggested that there will be more IT items. Mr. Seeds noted that before you bring back more change orders make sure you have done your homework.

Mr. Rusten noted that the reason that we held them until now is that we have been keeping them since the beginning of the project in order to work through them and to put them in a way that it made sense. He noted that we wanted to work with the contractor and he noted that many change orders came to him in a much larger amount. He noted that we worked extra hard to keep costs down.

Ms. Virginia Alexandra noted that she had a comment to make as she tried to make it here in the beginning of the meeting but you started early. She noted that it is about the Public Works building. Mr. Hornung requested to finish the motion first.

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

Ms. Virginia Alexandra noted the week before last the Board received an email from her with an attached picture of the side of the Public Works building that is facing her backyard. She noted that Mr. Kline responded to the email that they were not going to be actual windows but translucent windows. She noted in talking with the neighbors who have signed the legal agreement that we have, we would like to request of you that translucent says that you can't see clearly, but that is not what we had in mind as we thought that side of the building would look like the existing side of the building. She noted that last night and tonight the lights are on in that facility and the whole thing is lite up. She questioned if it would look like that with these translucent windows in. She noted that we thought there would be no lights on that side of the building, but the thing is all lite up.

Mr. Hornung questioned Mr. Kline if the translucent windows are installed yet. Mr. Kline answered no. Ms. Alexandra stated that she wanted to view the product ahead of time to see what you are talking about. Mr. Hornung noted that Mr. Kline brought in a sample of the window for the Board to look at and he would not even call it translucent as it was almost opaque. Mr. Kline explained that he could provide a sample for the neighbors to view. Ms. Alexandra noted as many as the neighbors that can would like to see it, especially the Fields. She questioned if it will block the light as now it is all lite up over there. Mr. Seeds questioned if the light panels are installed yet. Mr. Kline answered no. Ms. Alexandra noted that she did not want to wait until they were installed to raise the question. Mr. Seeds noted that they will block the lights somewhat but not entirely. He suggested that it would only be an issue during storm events. Ms. Alexandra questioned if you are saying that those lights will not be left on every night. Mr. Kline questioned if the lights were on tonight. Ms. Alexandra answered yes. Mr. Kline noted that we have lights going in there that set themselves off after 20 minutes if there is no activity. He noted if there is activity the lights will be on. Ms. Alexandra noted that the timer is not working. Mr. Kline noted that the light have not been installed yet as they are work lights.

Mr. Seeds suggested that they could be pouring concrete and that is why the lights are on. Mr. Kline explained that the concrete guys stay later. Ms. Alexandra noted that she can see it from any window in her house and it was on all night or at least until midnight. She noted that she assumed that the lights will be on all the time and she will be seeing those lights. Mr. Kline noted that the translucent panels will block most of the light. Ms. Alexandra requested Mr. Kline to get ahold of her to set up the viewing meeting.

Ms. Lindsey questioned Mr. Kline that the only time that he would be in the building is if you were plowing snow. Mr. Kline noted in an emergency situation as we are normally done at 2:30 p.m.

Mr. Hornung noted that the panels are opaque and you would obviously be able to see if lights were on inside the building, noting that they are over two inches thick and not much light will get through.

Ms. Alexandra noted that she is mostly concerned that they don't see her. Mr. Hornung noted if someone can see you through those panels they would have to have x-ray vision. Mr. Seeds noted that they would need a big ladder as they are 16 feet off the ground.

Change Order No. 1 to the contract with Pennsy
Supply, Inc. for the 2016 paving program

Mr. Kline noted that the original paving projects came in under what was budgeted so we had the opportunity to add a couple roads and that is what we did. He noted that it finishes Fairfield Street as we only did two-thirds of the street under the contract. He stated that we will finish it tomorrow. He noted that we also paved a very bad section of Gloucester Street. He noted that it was two small areas but we were able to get it done and we thought we should take advantage of it.

Mr. Hornung questioned if you used the same rates that were awarded as part of the contract. Mr. Kline answered yes. He noted that it is a change order for quantities.

Ms. Lindsey questioned how do you determine what street is next. Mr. Kline noted that first he checks the Authorities schedule for the next five years as we don't want to redo a street only to find out that they will be working in it. He noted that we monitor the streets, take calls from citizens, and our people are constantly out and about looking at road conditions. He noted that the change order for the two roads is \$92,741.04.

Mr. Crissman made a motion to approve Change Order No. 1 to the contract with Pennsy Supply for the 2016 Paving Program in the amount of \$92,741.04. Mr. Seeds seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Preliminary/final land development plan for 5405 Locust Lane -
Infinity Charter School

Mr. Wolfe noted that this plan was presented at the previous meeting and at that it was tabled.

Mr. Wolfe noted that the Preliminary/Final Land Development Plan for 5405 Locust Lane proposes to construct a new addition to the existing 4,000 square foot building and renovate the existing building to create a new use as a charter school. He noted that the school will serve grades K-8 and is expected to have a capacity for 256 students and a staff of 30. He noted that bus transportation will be provided for students. He explained that associated with the construction of the new addition and existing building will be additional impervious coverage associated with site improvements including playgrounds. He noted that the lot is comprised of 5.86 acres and is located within the Commercial Neighborhood (CN), R-1 and R-2, Zoning Districts. He noted that the lot is served by existing public water and existing sewer.

Mr. Wolfe noted that the Planning Commission recommended approval of this plan with the following conditions at the September 7, 2016 meeting: Application and receipt of a PennDOT HOP permit; and the Applicant shall installing a warning flasher to alert drivers on Locust Lane during school operation hours. He noted that the applicant has submitted or will submit these permits to PennDOT, and as such, the conditions of plan approval by the Planning Commission have been met.

Mr. Wolfe noted that the plan has one waiver for a stormwater management ordinance with staff supporting the waiver, and the plan has ten administrative comments and five general

comments.

Ms. Lindsey questioned how long it would take to get the PennDOT approval for the flashing signal. Mr. Wolfe answered that typically it would be six weeks.

Mr. Seeds questioned who would pay for the maintenance and electricity for the sign. Mr. Wolfe answered that all signals in the Township become the property of the Township. Mr. Seeds questioned if the developer will pay for the installation. Mr. Wolfe answered that is what normally occurs.

Mr. Brent Detter, ELA Group explained that the signal will be solar powered. He noted that there will be no electrical hookup. Mr. Seeds questioned if the intensity of the light would be strong enough. Mr. Hornung noted that it would be LED lights.

Mr. Seeds noted that there are no sidewalk waivers. Mr. Detter answered that we are replacing some of the sidewalk as part of the project as it is already there. Mr. Seeds noted that there is no curbing. Mr. Detter answered that there is curbing.

Ms. Lindsey questioned if the students will be bused by Central Dauphin School District. Ms. Susan Gausman, Director and CEO of the Infinity School explained that she pulls from 15 different school districts, but about 80% of the students come from the Central Dauphin School District. She noted that they come from Cumberland Valley and many other school districts.

Ms. Lindsey questioned if this is a new school or are you located somewhere else. Ms. Gausman answered that they are currently located in Penbrook and have been at that location for 13 years. Mr. Seeds questioned if she is located in the old school building. Ms. Gausman answered yes. She explained that the church across the street owns the building and they share space with a day care.

Ms. Lindsey noted that you will be using the existing building, but will you be adding on

to it. Ms. Gausman answered yes, noting that it is about a 40,000 square foot addition, so the existing building will become administrative space and the wing will go out the back. She noted that it is a very basic design.

Mr. Bob Ward, 5402 Locust Lane noted that he heard the figure, 40,000 square foot for the addition. Mr. Wolfe noted that it is 4,000 square foot, not 40,000 square foot.

Mr. Ward questioned, under the zoning, what is the maximum square footage allowed. Mr. Wolfe answered that there is no maximum square footage, it is based upon the parcel size, setbacks, parking calculations, and the impervious coverage permitted.

Mr. Ward noting that before the bowling alley was built there was a local community organization, and at the time the zoning went in he thought that they had a maximum of 1,600 square feet. He questioned how we went from having a maximum square footage of 1,600 to none. Mr. Wolfe answered that the bowling alley has been there longer than he has worked for the Township and in the last 28 years and the Township has been through two revisions of that zoning ordinance. He noted that the most recent was 2006.

Mr. Ward questioned what the permitted uses are under that zone. Mr. Wolfe answered that he does not have the entire list but the use proposed is a permitted use. Mr. Ward noted that you are saying if a parcel is big enough they could put a huge building on that parcel that would be completely out of character with that neighborhood, noting that it is commercial. Mr. Wolfe noted that the parcel is 5.9 acres so when you consider parking and associated facilities you will not get much bigger than what they are asking for. Mr. Ward noted that he is not talking about this particular place, but he is saying, if under the zoning regulation, if there was a large parcel of land available, since there is no maximum size for buildings, you could have a ten or 12 acre parcel of land and someone could build a huge building of some type. Mr. Wolfe noted such as

the Vo Tech, yes.

Mr. Ward noted that it is out of character with any other building along that area of Locust Lane. He noted that it is mostly a residential neighborhood and you are talking about putting a large three-story building which is out of character with everything else. He noted if they were going to build a one-story addition that extended into the back he did not think that would be objectionable. He noted that placing something like that, and he is not against the school per say as he has no problems with them putting it in, but it will completely change the neighborhood and make it look more like a commercial zone than a residential neighborhood. He noted that he has a list of questions that he need to address to the representative from the school.

Mr. Ward questioned if anyone feels that the proposed three story edition blends in with the surroundings, mostly being one and two story residential houses. He questioned if there are any height regulations to observe. Mr. Wolfe answered yes. Mr. Ward questioned what they are. Mr. Wolfe answered that it complies with the height requirements but he does not know what they are off the top of head.

Mr. Ward questioned if we are to expect that there will be additional construction added to this property at a later date or is this the final product. Mr. Wolfe noted that he can't answer that question. Mr. Wolfe suggested that people who own property are allowed to develop it as long as they can do that development in accordance with terms of the ordinance. Mr. Ward noted that you are stating that this is a done deal. Mr. Wolfe explained that he answered Mr. Ward's question. Mr. Ward noted if any of us have any objections or have problems with the school building or the fact that it will tremendously increase the amount of traffic and noise in the area, it doesn't matter because this falls within the zoning regulations and we might as well just go back and sit down and forget about it.

Ms. Lindsey questioned if the Township has received any complaints from any neighbors in the area about the charter school going in. Mr. Wolfe answered that he received some complaints, yes.

Mr. Seeds noted that they have to get a Highway Occupancy Permit (HOP) from PennDOT as Locust Lane is a State Road. He noted that PennDOT will take a look at traffic movement. Mr. Crissman noted that it is part of the requirement of plan approval.

Mr. Seeds noted if they would put up a bigger building, they would need more parking, noting that every step has different requirements.

Mr. Hawk noted that they are looking to put in a school warning flasher as well.

Mr. Ward questioned how much green space is required, noting that there is a certain amount of green space that has to be left. Mr. Seeds noted that each zoning has a certain percent and for the commercial part they have a certain percent of pervious area, and it is true for R-1 and R-2. He stated that he does not have that information in front of him. He noted that Mr. Wolfe is looking up those questions. Mr. Wolfe noted that he has no problem providing answers to those types of questions but he suggested that the best thing to do would be for Mr. Ward to submit them to the Township and... Mr. Crissman agreed as Mr. Wolfe does not have the time to research it now. He noted if Mr. Ward has questions he should reduce them to writing, and give them to Mr. Wolfe, who would have staff get back to Mr. Ward with the information in order to provide the correct information rather than saying I think. He noted that he would rather provide accurate information then guess.

Mr. Ward questioned if he could look at a plan somewhere in the Township. Ms. Lindsey answered yes if you could provide staff 24 hours before you come in to get the information. Mr. Wolfe noted that the construction plans are not available as they have not been submitted yet. He

noted that the subdivision and land development plans, that are being reviewed tonight, are available but the applicant has not applied for a building permit yet.

Mr. Ward noted that there is no date set for a ground breaking yet. Ms. Gausman answered that is correct.

Mr. Ward questioned where the parking would be located, behind the building. Ms. Gausman answered some to the back and some to the front.

Mr. Hornung requested someone from the school to approach the podium to answer the questions noting that the people at home can't hear your reply. Mr. Detter questioned if Mr. Wolfe could display the plan.

Mr. Detter noted when Mr. Ward comes in to look at the land development plan he will find many of the answers to his questions on the first page of the plan. He noted that the chart shows what the required open space is and what is proposed, and the same for the parking. He noted that the first page is a rendering of the existing property showing the existing building and the next slide shows the proposed land development plan. He noted the small rectangular building is the existing building and what is shown to the west is the proposed addition that has a 4,000 square foot footprint. He noted that it is two stories in the front and three stories in the back, and the existing parking that is currently in front of the vacant building will remain. He noted that most of the parking and parent and bus drop off will be in the play area to the south of the existing building and south of that is the soft surface play area and also the stormwater management facility.

Mr. Ward questioned if there is an athletic field or just the play area. Mr. Detter answered that it is just the soft surface play area and a very shallow stormwater detention facility that could be used as space also if it is not too wet.

Mr. Ward questioned if there will be activities that will occur during the evening. Ms. Gausman answered no.

Mr. Ward questioned if you will have lights on all night long. Ms. Detter answered when you come in to take a look at the plan you will find a landscaping and lighting plan noting that the parking lot is required to be lit per the ordinance. He noted that you would be able to see where the proposed lighting is noting in the front parking lot there are two fixtures in the front area; fixtures along the access drives and a number in the rear parking lot. He noted that there is one fixture along Locust Lane that meets the dark side requirement of the ordinance as there will be no glare on the road or house side.

Mr. Ward noted when the school lets out in the afternoon will there be a patrol officer present to handle the traffic or will they come out on their own when they get a break in the traffic. Mr. Detter noted that Mark Henise from their Traffic Department could answer those questions. Mr. Henise answered that there will not be anyone directing traffic as it will exit from driveway to the east with the driveway to the west being an entrance driveway.

Mr. Ward questioned how many buses would be coming to the school. He suggested that he heard 200 buses. Ms. Gausman answered that it could be 15 but many are small buses.

Mr. Crissman questioned what the estimated school enrollment is. Mr. Detter answered that 256 is the maximum. He noted that the first day that they open they will not have that many students, but they are building for future maximum growth.

Ms. Lindsey questioned what time the school dismisses. Ms. Gausman answered 3:15 p.m. Ms. Lindsey noted that will be after the VoTech School.

Mr. Ward questioned if there will be many evening activities. Ms. Gausman answered that we have none now. She answered that they meet one night a week at the Giant on

Linglestown Road for a game night. She noted that it is actually twice a month.

Mr. Ward questioned if you have 200 students now as it seems that your current location is a small building. Ms. Gausman answered that she has 150 students at this time but does not want to grow too fast.

Mr. Ward noted that you are anticipating adding 100 students in the future. He questioned if you have a cap on that number. Ms. Gausman answered that it is designed for 256 students.

Ms. Lindsey questioned if the school is tuition based. Ms. Gausman answered no as they are a public charter school so the funding comes from the sending district from where the student lives. She noted that there is a formula set by the Pennsylvania Department of Education based on the average daily membership rate that it would cost the home district to educate the student. She explained that we get a portion of that. Ms. Lindsey questioned if the parents have to pay anything. Ms. Gausman answered no. Mr. Crissman noted that the payment varies per school district based upon state subsidies formulas.

Mr. Ward noted that all the loading and unloading of buses would be in the back. He noted that he had a concern that buses would be lining up on Locust Lane. Ms. Gausman that it will occur in the rear of the school.

Mr. Ward questioned if there would be an outside PA system. Ms. Gausman answered that she thinks that it is internal but we haven't discussed that specifically, but even if it would be outside it would only go to the back of the building where the playground area is.

Mr. Ward noted that he and some of the neighbors feel the building itself is out of character with the neighborhood, and if it wasn't that tall, the building is very modern and if you look at all the houses around the area except for the church, they go pretty far back. He noted that it looks out of place and he questioned if the plans are finalized and if there is any way to

make it look more like the existing building rather than a completely different structure. Ms. Gausman noted that they want to keep the integrity of the existing building but the addition is a simple design going back, the lowest level is below grade so there are only two floors above grade. She noted that it is a personal interpretation about what you think it looks like. Mr. Ward requested to get back the picture his wife presented to the Board. Ms. Gausman noted that it is only an artist's rendering; she noted that the real building looks different from the rendering.

Mr. Hornung noted that it is his understanding that the final construction drawings have not been submitted yet. Mr. Wolfe answered that is correct as you don't submit building plans until after the land development plan is approved. Mr. Hornung noted that the rendering is probably totally irrelevant at this point as it is an artist's rendition and it is not until they sit down and draw up the plans for how it will be constructed will you know what it will look like. He noted that he would not use that picture for any type of accuracy to base what will happen. He noted that there will be another approval process for them to submit the plans and then to get them approved. He noted that there is a lot of difficulty in trying to legislate good taste as something that looks good to someone may not look good to someone else. He noted unless it is in a historical district, the Board does not have the capability to do anything. He suggested that Mr. Ward not make too much of a judgement on the rendering at this point.

Mr. Ward noted that this is not necessarily what the building will look like. Ms. Gausman answered yes. Mr. Ward noted that she said two stories above ground but it looks like three stories to him. Ms. Gausman noted that the angle of the drawing makes it look huge and bigger than what she thinks it will look like. She noted that she is not an architect either. Mr. Ward questioned if it is any taller than the existing building. Mr. Detter answered that it will be. He noted that once the land development plan is approved the architect will be submitting a set of

plans for review. He noted that there will be no other approval from the Board of Supervisors for the plan as that will be a building code review. He noted that the building meets the zoning requirement of the maximum height but he will not say that the new section won't be taller than the existing building as it will be two stories from the building on Locust lane. He noted that it will not be lower than the existing roof line. He noted that the design and height of the building will not change as it is actually set at this point. He noted that the rendering shows it a bit out of scale than what it will be, but the shape of the building will be rectangular and higher than the existing roof line.

Mr. Hornung questioned if the actual materials on the outside may or may not change.

Mr. Deter answered that it will be a masonry structure.

Mr. Ward noted that any problems that anyone in the neighborhood has with the height or size of the building are mute because as long as it meets the zoning requirements there is nothing that we can say that would make a difference. Mr. Hornung noted that there is nothing the Board can say that would make a difference. He noted if they meet all the requirements we are bound to approve it. He noted that the only way to change an ordinance is to rewrite the ordinances and the Board is in the process of starting that now. He noted that the public will be involved in the review of the Comprehensive Plan. Mr. Ward noted that rewriting the codes would not stop this process. Mr. Hornung answered no. He noted that as long as they meet the current requirements we are required to approve them.

Mr. Ward questioned what the next hearing will be regarding this property. Mr. Wolfe answered that there are no additional hearings in regard to the property. Mr. Hornung noted that there are other approvals needed. Mr. Wolfe answered that a building permit application does not require any type of hearing; it is an approval by a codes officer. Mr. Ward noted that someone

mentioned future approvals. Mr. Hornung noted that they are not by the Board but by Codes Enforcement people. Mr. Ward answered that it will not involve the Board and it would not be a public hearing. He noted what goes in goes in and it doesn't matter what the public wants.

Mr. Seeds noted that you can always talk to the developer to request something and if it is reasonable they may agree to it. Mr. Ward noted as far what the Township can do, since everything meets the requirements, there is nothing the Township can do to change anything. Mr. Crissman answered that is correct.

Mr. Tim Murphy, 1524 Pine Hollow Road noted as a proud father of an architect, he would venture to say he would expect to be unemployed if he put together a rendering that didn't represent what his clients were expecting. Mr. Hornung noted that it is not requirement, those things can be changed; the color and all those things can change. He noted that they are correct with it being a three story building and showing approximately what it will look like but when it comes to some other things he did not want Mr. Ward thinking that when it is built it could be a different color, noting that is not what was shown. He explained that he wanted him to know that they are not required or bound to the conditions of that drawing. He noted that the architect hopefully is accurate.

Mr. Murphy noted that an earlier rendition of this plan was reviewed several months ago and there was some mention or concern about traffic that was mentioned tonight. He noted that we are all familiar with backups that occur at Prince Street and Locust Lane on a daily basis and the problem at the VoTech as an officer spends time there every afternoon getting buses out, and now we are going to put another situation similar to that between those two locations. He noted, at the earlier discussion of this project, there was some mention in having a turning lane. He questioned where we are with that. He noted that he is aware that a HOP is being applied for,

but he questioned if there will be a turning lane or widening.

Mr. Henise answered that there will be no dedicated turning lanes provided; there will be a taper to the west of the entrance driveway to provide some area for turning vehicles to get off of Locust Lane a little quicker. He noted that is what was agreed with PennDOT and the Township engineer. Mr. Seeds suggested that Mr. Hinz from HRG noted that there is to be some widening on the north side in one of the aprons. Mr. Henise answered that there will be some widening of the shoulder on the north side to the east of Rosewood Drive that would allow vehicles, if they choose, to bypass the left turning vehicles in that area.

Mr. Murphy questioned if it would be for the westbound traffic for vehicles to swing around the right side if someone was making a left turn into the school. Mr. Henise answered yes. Mr. Murphy questioned if it will be lined for a legal passing on the right because right now that section of Locust Lane has a white line and you should not drive on the right side of it. He noted that it needs to be lined as a driving lane. Mr. Crissman noted that the egress for this particular school's entrance and departure is not different than it would be for Southside Elementary School on Union Deposit Road or Northside Elementary School on Devonshire Road. Mr. Murphy noted point well taken, and although he is not familiar with South Side he noted that the North Side School traffic is a nightmare. Mr. Crissman noted at those times of the day, but it is no different as South Side is on Union Deposit Road and that is an extremely difficult road to enter turning left or right. Mr. Murphy answered that he is sure it would be, but his traffic patterns don't take him there.

Mr. Murphy noted to observe the problem and allow it to continue doesn't solve any problems does it. Mr. Crissman noted that he did not say it does, he simply said that it is the same menace.

Ms. Margaret Ward, 5402 Locust Lane noted that she heard something that she was not aware of that Locust Lane was going to be widened on the north side. She noted that it is already in her front yard. She explained that she lost six feet 10 or 15 years ago and all our mailboxes and our drainage pipes are right there. She questioned how they can take anything else from us. Mr. Henise answered that the proposal to widen the shoulder is approximately one to two feet and it is within the State right off way.

Mr. Seeds suggested that it would be part of the HOP. Mr. Wolfe agreed. Mr. Seeds noted that PennDOT determines that. Ms. Ward noted that we are looking at chopping the end of our driveway again and moving our mailboxes and any kind of pipes that come up there and that will be our responsibility. She noted that is what happened the last time. Mr. Henise asked Ms. Ward where her property was on the map. Ms. Ward pointed it out to him, 5402 Locust Lane, the only one with a driveway that comes out on Locust Lane as there is no other way out. Mr. Deter pointed out the location of the proposed road widening. Ms. Ward noted that as it stands now, we can't get out of our driveway. She noted that we have to back into our driveway to be able to get out and we are lucky if we can pull out. She noted if the buses start coming out from VoTech and all the people from VoTech, and after that the school lets out, we will not be able to get out of our house as we have no alley or any other access. She noted that it is too late to say anything but she is trying to bring it to the Board's attention.

Ms. Karen Hare, 5902 Pine Hollow Court questioned if the widening would be at the location that she pointed to on the map. Mr. Henise answered yes. Ms. Hare questioned where the entrances and exits would be. Mr. Henise pointed those out to Ms. Hare. He noted that there would be no widening at the location that she pointed to, only the striping of the street. Ms. Hare noted that it would allow a car to get over to turn into the school. Mr. Henise answered yes. Ms.

Hare noted that on the other side of the road, the widening will occur to allow cars to get around. Mr. Henise answered yes. Ms. Hare noted as far as the lining is concerned, will we legally be allowed to pass. She noted if there is a solid line, technically you can't cross over it. Mr. Henise noted that we prepared a traffic study for this project and it included an evaluation of the need for a left turn lane on Locust Lane into the entrance. He noted that it was not warranted based on PennDOT's criteria. He noted that the Township Engineer asked that we widen the shoulder to a full depth shoulder so it is the same pavement depth as the roadway so if people do pass on the shoulder that it won't damage the pavement. He noted that is what we are doing. He noted that it meets PennDOT's criteria. Mr. Seeds questioned if it will meet the southern side of the road, the width. Mr. Henise answered yes. He noted that the traffic study was reviewed by PennDOT and approved. Mr. Seeds noted that is why HRG asked you to do that. Mr. Henise answered that it was in case people do pass on the shoulder so that the roadway is not damaged.

Mr. Crissman noted that PennDOT has told you what you have to do. Mr. Henise answered yes as we have submitted the plans to PennDOT and we have received one round of review comments. He noted that we resubmitted those today and expect approval within the next three weeks.

Mr. Crissman questioned if the directive from PennDOT allow you to turn left or right coming out of the school driveway. Mr. Henise answered yes as it is a full access driveway.

Mr. Ward questioned if the widening takes place east of Rosewood Drive. Mr. Henise answered yes. Mr. Ward noted that it will not impact his house as the widening is directly across from Rosewood. Mr. Henise answered yes. Mr. Ward noted that the widening will take place from Rosewood east and his house is directly across from the school so he will not be impacted by the widening. Mr. Henise answered yes.

Mr. Ward questioned what the purpose of widening it down there is. Mr. Henise answered that he evaluated the need for a left turn lane in the area and it does not warrant it. He noted to widen the shoulder in this area, at the end of the driveway area for the left turn in to school allow cars to pass on the shoulder in a way that would not damage the roadway.

Mr. Crissman questioned Mr. Detter if he could speak to the plan. Mr. Detter answered yes.

Mr. Crissman questioned if he had the same memo as the Board has. Mr. Detter answered yes.

Mr. Crissman noted that there are two conditions for the plan; the first that has to do with PennDOT's HOP approval; noting that staff recommends approval of the plan with the condition that the HOP is approved. He questioned Mr. Detter if he is in agreement with that. Mr. Detter answered yes.

Mr. Crissman noted that the second condition; staff recommends the approval of the plan, noting that he met with staff and the Engineer regarding the underground utilities that were addressed in the meeting and it was resolved.

Mr. Crissman noted that there is a request for a waiver of roof drains and staff supports that. He questioned if he was in support of that. Mr. Detter answered yes.

Mr. Crissman noted that there were 10 administrative comments and he questioned if they have been or will be completed in a timely fashion. Mr. Detter answered yes.

Mr. Crissman noted that there were five general comments including comment five from HRG with their 15 comments. He questioned if they have been or will be completed in timely fashion. Mr. Detter answered yes.

Mr. Crissman noted that the final comment is that after all the conditions have been met

the applicant will be responsible for recording the plan with Dauphin County Recorder of Deeds and provide the Township with recorded copies. He questioned if he was in agreement with that. Mr. Dettner answered yes.

Mr. Crissman made a motion to approve the preliminary and final land development plan for 5405 Locust Lane, the Infinity Charter School with the following waivers and conditions: 1) Application must be in receipt of a PennDOT HOP permit; 2) Applicant shall install a warning flasher to alert drivers on Locust Lane during school operation hours; 3) A waiver of the requirement that roof drains shall not be connected to storm sewers. A roof leader has been designed to discharge directly to an inlet that will convey runoff directly to the proposed stormwater management basin (A), therefore the roof leader discharges to the closest available junction prior to reaching the system. The direct connection ensures the roof area reaches the basin. It also ensures runoff does not flow directly across sidewalks and parking space areas causing ice and slick conditions for students and staff during winter months; 4) A Certificate of Occupancy shall be required for the new institutional use and structure; 5) Approval letter from Dauphin County Conservation District of the Erosion and Sedimentation Control Plan that is required; 6) 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; 7) Any retaining wall over 4' in height must secure a Building Permit as required under the PA Uniform Construction Code; 8) A sign Permit will be required for the change in signage; 9) The applicant shall submit a final signed Operations and Maintenance Agreement from Appendix A; 10) The applicant shall provide an approved PennDOT permit associated with the site; 11) The applicant shall provide a copy of the approved NPDES permit associated with the site; 12) 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; 13) The applicant shall pay all required fees prior to recording the plan; 14) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 15) Plan has been approved by Sgt. Thomas Waller, Cpl. Rich Needham, Fire Marshall, and Dave Spotts, Public Safety Director; 16) Plan approval shall be subject to addressing all comments of Andrew Bomberger, TCRPC; 17) Plan approval has been granted by the Lower Paxton Township Authority; 18) Plan approval shall be subject to addressing all 15 comments of Jason Hinz, HRG, Inc. letter dated August 12, 2016; and 19) After all conditions of the plan are met, the applicant will be responsible for recording the plan with the Dauphin County Recorder of Deeds, and provide the Township with two recorded copies. Mr. Seeds seconded the motion. Mr. Hornung called for a roll call vote; Ms. Lindsey, aye; Mr. Crissman, aye; Mr. Hawk, aye; Mr. Seeds, aye; and Mr. Hornung, aye.

Resolution 16-17; Planning Module for Infinity Charter School

Mr. Hornung noted that Resolution 16-17 would approve the Planning Module for the Infinity Charter School.

Mr. Crissman made a motion to approve Resolution 16-17, the planning module for the Infinity Character School. Mr. Hawk seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Resolution 16-36 for the submission of an application for traffic signal (flashing school sign) approval to PennDOT

Mr. Hornung noted that Resolution 16-36 is for the submission of an application for a traffic signal for the flashing school sign to PennDOT.

Mr. Crissman questioned the agenda as the number on the resolution is different from what is on the document. Mr. Wolfe answered that it was the wrong number on the agenda and it should be 16-36.

Mr. Crissman made a motion to approve Resolution 16-36, the submission of an application for traffic signal flashing school sign for approval by PennDOT. Ms. Lindsey seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Improvement Guarantee

Mr. Crissman noted there were six Improvement Guarantees.

Charlestown Riding

An extension in a letter of credit and a change of bank from Susquehanna Bank to BB&T, in the amount of \$62,876.00, with an expiration date of October 4, 2107.

Amber Fields, Phase VI

A reduction in a letter of credit with Mid Penn Bank, in the amount of \$97,699.20, with an expiration date of October 4, 2107.

Estates of Forest Hills, Phases I-VII

A change of bank from Susquehanna Bank to Centric Bank for a letter of credit, in the amount of \$21,732.57 with an expiration date of October 4, 2107.

Kendale Oaks, Phase IV

An extension in a letter of credit with Integrity Bank, in the amount of \$1,318,885.20, with an expiration date of October 4, 2107. (No Increase, under inspection)

King's Pointe

A reduction in a letter of credit with Mid Penn Bank, in the amount of \$11,126.50, with an expiration date of June 7, 2107.

Wilshire Estates, Phase I

An extension in a letter of credit with Jonestown Bank and Trust Co., in the amount of \$273,869.89, with an expiration date of October 4, 2107.

Mr. Crissman made a motion to approve the six Improvement Guarantees. Mr. Seeds seconded the motion. Mr. Hornung 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, payroll checks, Lower Paxton Township purchase cards and Lower Paxton Sewer Authority purchase cards. Mr. Hawk seconded the motion. Mr. Hornung called for a voice vote, and a unanimous vote followed.

Announcements

Mr. Hornung noted that prior to and following this meeting the Board met to receive information from the Township Manager.

Mr. Hornung noted that the next meeting will be Tuesday, October 11, starting at 6 p.m.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting; the meeting adjourned at 9:25 p. m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William B. Hawk
Township Secretary