

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held November 15, 2016

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:31 p.m. by Chairman William L. Hornung, 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 C. Seeds, Sr., Gary A. Crissman, and Robin L. Lindsey.

Also in attendance was George Wolfe, Township Manager; Steve Stine, Township Solicitor; Tim Mellott, Mellott Engineering, Gary Gardner, Devonshire Memorial Brethren in Christ Church; Ken Grub and Esten Rusten, GHD; 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 accept the minutes of October 4, 2016 business meeting and the minutes from the October 11, 2016 workshop meeting. Ms. Lindsey seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Public Comment

Mr. David Dellinger, 501 California Avenue, noted that he addressed the Board previously about the issue with the kids that are playing on the street. He noted that things were okay for a while but they are back to the same thing. He noted that he works for the State and some of the people who saw his last presentation stated that they thought that he lived in their neighborhood from what he was describing. He suggested that he is not the only one that has this issue. He noted that it is rampant with kids. He noted that they have yards. He explained that the

last incident was this past week. He noted that he was told by the Codes Officer that handles the basketball issue that you report it and they are supposed to be fined. He noted that is not the case as he had to stop his car this past week as the kid threw a ball directly over top of his car. He noted that he wanted to take care of things himself so he came over to the station. He questioned when this guy will start to get fined for this kind of crap. He noted that he pays to live in his house in this Township and we have a renter who comes in and thinks the street is a playground. He noted if he wanted to live in center city Harrisburg to have that kind of stuff that is where he would have moved, he would not have moved to this Township. He noted that it irritates him that when he comes over to talk to a police officer, he is being taken as the bad guy because he is trying to correct a situation. He noted that it ticks him off. He noted that he is putting money in his place and when you start getting these people who are buying these places to rent them out, we end up getting some people who have kids that play in the middle of the street.

Mr. Seeds questioned Mr. Dettinger if he has contacted Dauphin County Children and Youth Services (DCCYS). Mr. Dettinger answered that one of your officers came over and apparently they were talking about DCCYS which their record is not exactly exemplary by the news. He noted that it doesn't matter to them because they are back out on the street. He noted that he had to call the Humane Society as they corrected the issue with the dog tied on a two foot leash. He noted that he was irritated about that being a dog lover himself.

Mr. Seeds questioned if Mr. Dettinger had contacted DCCYS. Mr. Dettinger answered that he did. Ms. Lindsey questioned if you called DCCYS. Mr. Dettinger answered no, as your officer came over and said that they would talk to them and talk care of it. He noted that the Codes Officer called him and they were supposed to start fining the owner so the kids don't play

basketball in the middle of the street. He noted that he likes to play basketball and if this is not going to be enforced he will put one up and he will start playing in the middle of his street.

Ms. Lindsey questioned if the basketball net is in the street. Mr. Dettinger answered that it is at the corner, the kids play there. He noted they let their kids continually play there and they had the little one in a small baby car in the middle of the street the last time he was there. He noted how long does it take as it has been ongoing for over a year, like he said he moved into this Township with the assumption that he is paying for a place, the police are going to enforce the rules that you guys put out there. He noted every time he comes over here it is like he is pulling teeth, not to get on the bad side of the officers, they have more important things to do. He noted when he comes here and is told that he needs to make the contact or who he is supposed to say something too, he would expect something to be done.

Ms. Lindsey questioned Mr. Wolfe if it is up to the Police to contract DCCYS or should the gentleman do it. Mr. Wolfe noted that both parties have the responsibility to do so. He noted if a police officer is aware of the situation that children are endangered, they have a responsibility to take action; any individual can contact DCCYS. Mr. Dettinger noted that they were already contacted. Ms. Lindsey questioned if the Police Department contacted them. Mr. Wolfe noted, after the gentleman's comments from the previous meeting, he asked the Police Department to make contact.

Mr. Dettinger noted that the police came over to him when he said something to them about playing in the middle of the street. He stated that they should put the basketball net in their yard as they have areas in their yard that they can play. He noted that they should put it on a street that is not used, but this is a thoroughfare. He noted that the police officer questioned him

if he expected him to take a screwdriver and take it apart. He noted that he wants the guy fined. He noted that they can play at school as there are other parks and places they can go to.

Ms. Lindsey noted that the ordinance prohibits having a basketball net in the street. Mr. Wolfe answered that is correct. Ms. Lindsey questioned what Mr. Gehret has done so far. Mr. Wolfe answered he will find out.

Mr. Dettinger noted if he hits them they will sue him. He noted that the kids are getting brazen about it as he had the basketball thrown directly over his car as he had to stop the car and then he whipped it across to the other kid with a smirk on his face. He noted that it needs to stop.

Ms. Lindsey questioned if you could call DCCYS as we asked you to do that a couple weeks ago. Mr. Dettinger questioned what will that do. Ms. Lindsey suggested the more people they hear from that street... Mr. Dettinger noted that the police officer came over, took the report, he told him, I really don't want to get involved other than he just wants the kids to stop playing on the street, because he does not want to start taking other ways that means he is traveling out of way. He noted that he moved into this neighborhood to have peace and quiet, and a person who pays taxes should not have to deal with this.

Mr. Crissman noted that you don't want to get involved but he strongly urged him to call DCCYS as they have a responsibility if the children are being abused or not, in concert with parents, guidance and directions, they have an obligation. He noted on the reverse side, if you and I as citizens don't report it, it can come back on us. He strongly urged him to make that phone call. Mr. Dettinger noted that he reported it to the police and the police took the information, as the officer indicated to him that it was supposed to be forwarded to them. Mr. Crissman noted that Mr. Wolfe stated that it requires both parties to complain. He noted that it requires the Township, which we have done, but please call DCCYS. Mr. Dettinger noted that

they took his statement, the officer took a statement... Mr. Crissman noted that he understands that but there is a second agency and he urged Mr. Dettinger to call DCCYS as that would be his first call if he was in his situation. He noted that he has dealt with children for more than 40 years and it would be his first call. Mr. Dettinger noted that going to the Police Department, come on, he is going to start to charge mileage for coming over here to report it.

Mr. Hornung noted that Mr. Dettinger stopped to see him. Mr. Dettinger noted that it was to purchase something at his store. Mr. Hornung requested him to take pictures as it is huge when it comes to proving a point with any authority whether it is the police or DCCYS. Mr. Dettinger noted that he is not like most people that have the phone on the on position. Mr. Hornung noted that Mr. Dettinger lived close by. Mr. Dettinger answered yes. He noted if he is heading somewhere he is on a mission to go somewhere. Mr. Hornung noted that he is asking him to do this. Mr. Dettinger noted if it is available and handy he will stop and take pictures. Mr. Hornung noted if you want a better response pictures will improve your situation a lot more. Mr. Dettinger noted the last time it was a minute and a half coming over to get your officer that was outside the building and telling him about it. He noted that people ask him where he lives and regrets living here now. He noted that he hates to say that but it is the truth because of this situation. He noted that he has a home and he paid for it and he is fixing it up and we have a person who rents, a landlord, obviously it is a slum lord, that allows this kind of crap to go on. He noted that it devalues homes and people don't want that kind of stuff in their neighborhood.

Ms. Lindsey questioned if we can contact the owner of the property to let them know what is going on. Mr. Dettinger noted that it is his understanding that the owner is the one who is supposed to be fined. Mr. Wolfe noted that the Township cannot fine anyone. He noted that we can only issue citations. He noted that he will check with the Codes Enforcement Officer and see

where he is in the process; obviously any contact with the violating property is with the property owner and not the occupants. He noted that he will make sure the contact has been made.

Mr. Dettinger noted that the Codes Enforcement Officer informed him if it continues to contact the police as they were obviously supposed to be fining them every time there was a call. Mr. Hornung noted that we don't issue fines. Mr. Dettinger answered that he was talking about the police department. Mr. Wolfe noted that Mr. Dettinger made his statement and we hear you, but at the same time we don't have the information in front of us, so we don't know what has been done. He noted that we will find out and we will make sure the proper steps have been taken.

Mr. Dettinger noted that is why he is upset as you buy a home you expect to live in fairly quiet peaceful neighborhood and not have continuing issues like this.

Mr. John Trish, 600 Prince Street, noted that he has missed some meetings recently but he has two problems. He noted that Mr. Weaver was to call him to let him know what the writing on road is for in front of his home. He noted that he never did.

Mr. Trish explained that he tried to catch up on the meetings that he missed and tuned in to the station and the last meeting you had was November 7th. He noted that the meeting that he watched was the one before that where Mr. Crissman said that the next meeting was the 7th because of the election on the 8th. He noted that he does not know what was talked about on the 7th. He noted that there are a couple of things on the agenda tonight that he will hang around and maybe comment or maybe he won't. He questioned how difficult it is in 2016 that when the Township says a meeting will be aired and you can't hear it. He noted, at this time, before the Commonwealth Court of Pennsylvania, between a Township and the State, there is litigation about disclosing information, personnel information, that I understand, you have a right to a

closed meeting to talk about personnel issues. Mr. Hornung questioned Mr. Trish if his computer has ever broken down. Mr. Trish answered no. Mr. Hornung noted that we need your computer because we had computer problems. He apologized for it but those things happen and we notified the IT people on staff and it was fixed but that meeting was not recorded. Mr. Wolfe noted that the meeting was televised live but the tape delayed broadcast did not come through. Mr. Trish questioned if there was a backup of the meeting. Mr. Wolfe answered no. Mr. Trish noted before we got our own station he used to watch the meetings on Comcast and the City of Harrisburg used to replay their weekly meeting 50 a times in one week. Mr. Hornung noted that we would play it over again if we had a copy of it but we don't. Mr. Trish noted that you are going to have a letter in the newsletter that will be coming out about the meals. He noted on Channel 22, for Verizon it says it is Lower Paxton TV Station, he noted if you play it once a day all week what is the difference. He noted that it is our TV station and we are not paying any more or less Mr. Wolfe answered that it would not matter as we had equipment failure and would not be able to replay it. He noted that we replay the meetings on Thursday at 6 p.m. and Saturday at noon. He noted that it is replayed the same time every week. He noted this past week we had equipment failure and the replay did not occur. Mr. Trish noted he has turned his TV on at noon on Thursday to see the replay and it was not replayed. He noted that it is not that difficult. He questioned how many times did he come up here and stand in the back and the meeting was going a half hour and he would say that he is watching the meeting at home and he couldn't hear. Mr. Hornung noted that we have money in the budget to fix the sound system but sometimes other things have more importance as far as expenditures. He requested Mr. Trish to be patient and by the end of next year we should have a better TV and sound system

Board Members Comments

Mr. Crissman noted this past Thursday, Giant Food stores opened a new store and the day before the grand opening, Giant gave \$6,000 in donations, of which \$1,000 went to the Police Department and another \$1,000 was donated to Paxtonia Fire Company, and a third to Heroes Grove. He thanked Giant for doing that.

Mr. Crissman noted that since the last meeting he met with the Chairman of the Friendship Center Operating Board as they have awarded bids for the improvements to the Friendship Center. He noted that they are looking for ways to raise additional funds other than through the bonds funds. He noted that they are planning a rock climbing wall at that facility which will be great as it will be the only one on the East Shore. He noted that they are aggressively looking at ways to raise funds.

Ms. Lindsey noted that she spoke to Christine Zarek from Rutherford Road who had put a claim into the Township's insurance company and it was denied. She noted that Ms. Zarek emailed another note to the Board and she made contact with her leaving a voice mail that if she could come up with pictures showing her bridge prior to the construction it would be very helpful.

Ms. Lindsey noted that she wanted to wish Giant well in their new location. She noted that the Board gets invited to many grand opening events and we always try to have someone from the Board present to represent the Township.

Mr. Seeds noted that he attended a ceremony at Heroes Grove on Veterans Day and one of the honorees was Giant as they provided a donation to the project. He noted that the project is seeking funds for Phase II. He explained that they needed 18 trees; eight were donated by Hoffman Ford, and the other ten trees were funded by grants for the project. He noted that pavers

are still available for sale and he invited people to come and visit the project. He noted that they had summer concerts and even a wedding at the site. He noted that the American Legion was involved in the Veterans Day event.

Ms. Lindsey noted that last May there was a Rally for the Troops event with R.J. Harris and he plans to do it again the first Saturday in May in 2017.

Mr. Hornung noted he attended the Parks and Recreation meeting and the discussion was centered on donations for parks to help improve the park system. He noted that they are discussing naming rights for certain things. He noted that we are looking at how to do this, noting that baseball and soccer associations want some of that private money as well. He noted that we need to determine how to do this in order to improve the parks, looking at other ways to make the improvements without having to increase taxes. He noted that we need to work with the Friendship Center and Parks and Recreation Board to have commonality in the ordinances to provide continuity between the two. He noted that they hope to have something for the Board by the end of the year.

Mr. Hornung noted that he has a Boy Scout in the audience from the Calvary United Methodist Church, Troop 302. He noted that Ryan Walter is working on his Citizenship in the Community Badge. He was accompanied by his dad. Mr. Hornung questioned Ryan how many badges he has. Ryan noted that he has been in the Boy Scouts for three years and he does a lot of camping and is present to work on his badge. Mr. Hornung questioned how close he was to working on his Eagle Scout Award. He answered that he was almost Star Light and then he would work on his Eagle. Mr. Hornung thanked Ryan for coming to the meeting.

Mr. Hornung noted that, "Recently, the Board of Supervisors has been questioned regarding its practice of having food available to members and staff before certain meetings. A

detailed response to this practice has been placed in the Township Newsletter that is being mailed to residents this week. Yes, we have pizza or hoagies, with salad, prior to meetings that begin before 6:00 p.m. These meetings typically are long, lasting 4 to 5 hours. Supervisors come to these meetings from work and from other activities. Lower Paxton Township operates with budgets that exceed \$60 million per year and your elected Supervisors - 5 citizens from among nearly 50,000 residents - act as your board of directors. Supervisors hold public meetings 40 or more times a year, while pizza or hoagies before a meeting is provided, on average, 20 times a year. And, given the circumstances, we believe this practice to be appropriate. In addition, the Township's credit card purchases over a 6-year period have also been closely scrutinized. From this effort only 3 receipts have been questioned: one to Mount Hill Tavern; one to Progress Grill; and one to Lenscrafters. It has been determined that all 3 purchases were properly documented and were in support of our Police Department. Two of these purchases were made during state-wide accreditation reviews. And, the Lenscrafters expenditure was for vision examinations for two police officers as they qualified for employment. Please be assured, your Supervisors are proud of our community and its accomplishments, and we live by the Township's slogan: "Good government for a great community."

Mr. Hornung noted, in the future, we may start to respond to some comments or questions and if we don't have the answers then we will respond in writing to make sure we get accurate information to everyone. He noted, otherwise we would only be guessing with a response.

Mr. Hornung noted that our government is not perfect. He noted that the five of us who sit up here are not perfect and none of our staff is perfect, they will make mistakes. He noted that many successful people such as Thomas Watson from IBM stated that success is on the far side

of failure and if you want to increase your success you have to double your failure rate. We are going to make mistakes and we are going to do our best to make as few as possible and we will fix them when we make them, apologize, and move forward. He noted the last thing he will ever ask this staff to do is to stop making mistakes. He noted, as his dad used to say, "Show me a man who is not making a mistake and I will show you a man who is not doing anything." He noted that we are here to do things, we are here to be proactive and yes we are going to make mistakes. He noted that sometimes it will be an embarrassing mistake, and we will apologize and move forward. He noted this is one thing that I will guarantee you, I think we have the best staff in the entire United States in this Township. He noted if you look at our numbers, they are incredible in relation to other townships. He noted when he first got on the Board there were people who had other agendas, but this Board has no other agenda, but to try to do the best job they can for the citizens of this Township. He noted that they had no agenda to move on to another office and no agenda to side with anyone, they are here to do their best possible and he will step up to say that many times we all pray that we will make the best decisions for the longevity and the future of this Township. He questioned, will we always get it right, no, but we will do our best for you, and we will continue, when we do make a mistake, to try and look it over and see what we can do better next time. He noted that is his commitment to the Township.

Manager's Report

Mr. Wolfe noted that the Holiday Tree Lighting will occur on Friday, December 2nd at 7 p.m. at the Friendship Center on Commons Drive. He noted that there will be festivities, refreshments, and a visit from Santa Claus who will arrive on a fire truck. He noted that the Village of Linglestown will be having its Christmas Tree lighting ceremony on Sunday December 4th at 6 p.m.

Mr. Seeds noted that Santa and Mrs. Claus will be at Linglestown to put the star on top of the tree after the carol sing.

Ms. Lindsey questioned when the Breakfast with Santa will be held at the FC. Mr. Wolfe suggested that it is probably December 10 and it is a registration only event.

OLD BUSINESS

Presentation of the draft 2017 Township budgets

Mr. Wolfe noted that Lower Paxton Township is required, by the Second Class Township Code, to have a budget in place for the beginning of the next fiscal year which starts on January 1, 2017. He noted that this Board has been working on budget preparations for three months, if not longer, and they are prepared for certain municipal services such as: public safety that includes police, fire, EMS, and Emergency Preparedness; public works which provide for road maintenance, storm sewer, municipal maintenance, and the operation of the compost facility; sanitary sewer authority overseeing the sanitary sewer; parks and recreation and the Friendship Center, Community Development, Sanitation, Health and Township Administration to include the Finance and Personnel.

Mr. Wolfe noted, by the Second Class Township Code, you are required to adopt the budget by the end of the year at its last business meeting, which is scheduled for December 20th. He noted that the budget needs to be advertised 20 days in advance of your action on the budget scheduled for December 20th, and an advertisement noting the public availability of the budget will appear in this week's Paxton Herald. He noted that the Lower Paxton Township Authority is scheduled to adopt its budget on Tuesday November 22th.

Mr. Wolfe noted the budget for the General Fund is balanced at \$23,313,136; Liquid Fuels Funds is balanced at \$1,503,880; General Improvement Fund has expenditures of

\$4,588,750; Fire Equipment Capital Fund has revenues of \$304,500 and no expenditures in 2017; Length Of Service Awards Program for firefighters and police officers who have reached certain milestone dates has revenues of \$85,520, and expenditures of \$31,000; Friendship Center Operating Board has revenues of \$2,295,213 and expenditures of \$2,315,535; Lower Paxton Township Authority Operating Fund expects revenues of \$16,083,951 and expenditures of \$17,494,355; and the Capital Fund will have expenditures of \$8,128,000. He noted that both the Friendship Center and Lower Paxton Township Authority are enterprise funds and are not required to have a balance budget. He noted that the total spending plan for 2017 is \$56 million, about \$4 million less than 2016 noting that the capital projects for 2017 are smaller.

Mr. Wolfe explained that the General Fund is the Township's Operating Fund at \$23,313,316. He noted that it is the primary source of revenue for the General Improvement Fund, Fire Equipment Capital Fund, LOSAP Fund, Police Pension Fund and Non-Uniformed Employee Pension Fund. He noted from 2008 through 2017 budgets, annual expenditures for municipal operations have increased by a total of 23.1% at the average of 2.3% per year. He noted, if you compared that to the CPI for Northeast urban areas it has increased 14.2% for the same time period, on average 1.6% per year. He noted that the Township budget has increased by .7% a year to provide for increase services coming from the General Fund and the General Improvement Fund.

Mr. Wolfe noted for 2017, the proposed real estate tax rate is 1.95 mills, unchanged from 2016. He noted that the real estate tax levy provides 1.554 mills for the general fund, 0.355 mills for fire protection, and 0.041 mills for library service provided by Dauphin County. Mr. Hornung noted that many people he talks to thinks the real estate tax is around 22 mills. Mr. Wolfe noted he will discuss that later in his presentation.

Mr. Wolfe explained that the State assess a tax on vehicle fuel in Pennsylvania and it provides revenues to State and local governments for the maintenance of roads. He noted in 2017, the Township expects \$1,503,880 in both revenues and expenditures from that fund.

Mr. Wolfe noted that the Fire Equipment Capital Fund covers nine pieces of fire apparatus for the Township's three fire companies. He noted in 2017 the fund will begin with a liability of nearly \$650,000. He noted that \$304,500 will be added during the year, taking the fund liability to \$350,000. He noted that the deficit is funded by the General Fund and made up by annual contributions. He noted that the deficit exists because this year, expenditures from the fund totaled nearly \$2.4 million to purchase three pieces of fire apparatus that are being constructed at this time.

Mr. Wolfe noted that the Township provides a Length of Service Awards Program, a defied benefit stipend to qualifying volunteer firefighters and fire police officers. He noted that these are individuals who have provided service of at least 20 years to the community and have reached the age of 65. He noted that it is a volunteer service. He noted that the LOSAP Fund balance is \$490,000 at the beginning of 2017, adding another \$85,520 in 2017. He noted that expenditures are budgeted at \$31,000 for the fiscal year with the maximum stipend of \$250 a month for the volunteer who has 25 years of service at age 65. He noted, at this time, we have approximately 13 individuals who are receiving a benefit.

Mr. Wolfe noted for the General Improvement Fund, a onetime use for capital expenditures, the Township will spend \$4,588,750 noting that the vast majority will be for stormwater improvements.

Mr. Wolfe noted the largest source of revenue is the Earned Income Tax (EIT) that is expected to generate \$7.7 million. He noted that Real Estate Tax is expected to generate \$5.8

million and the Local Services Tax is expected to generate \$1.4 million. He noted that the Township levies no other taxes that are paid by residents on an annual basis. He noted that the taxes total about \$14.5 million with a budget of \$23 million.

Mr. Wolfe noted that the Real Estate Tax rate is 1.95 mills and it is expected to generate 25% of the total General Fund in 2017. He noted that a quarter of our Real Estate Tax revenues goes to volunteer fire services, nearly \$1.5 million. He noted that it leaves only \$4.3 million in Real Estate Tax revenue for municipal operations in 2017 within the \$23 million budget.

Mr. Wolfe noted in regards to tax rates in Dauphin County the average tax rate in 2016 is 3.35 mills, noting that there are 40 municipalities in Dauphin County, two of which do not have real estate tax, and two with millage rates that split for land and buildings, being Harrisburg and Steelton. He noted that Lower Paxton Township's rate is 1.95 mills. He explained for a home assessed at \$200,000 paying 1.95 mills, 1.554 will go for general funds costing \$310.80; 3.55 mills will go for fire protection costing \$71.00; and .041 mills goes for the library tax costing \$8.20. He noted that total tax to the Township would be \$390.00.

Mr. Wolfe noted in 2017, a property owner will pay real estate taxes at the rate of 23.7882 mills; to Central Dauphin School District at 14.8622; Dauphin County, 7,226 mills and Lower Paxton Township at 1.95 mills.

Mr. Wolfe noted that completes his 2017 budget presentation.

Mr. Seeds noted that the paving for State Aid is \$813,880 noting that additional moneys from Act 89 have been moved to State Aid paving. He questioned if that means the additional money that we got is going into paving. Mr. Wolfe answered yes as part of the Board's strategic plan you have allocated all additional revenues from the new state levy to roadway paving.

Mr. Crissman noted that the Board has been working on this budget since July in workshop meetings, getting reports from the various Department Directors, spending long and arduous hours on this preparation.

Mr. Tim Murphy, 1524 Pine Hollow Road noted at last week's workshop meeting there was discussion of hiring a staff person, a consultant for the purposes of public relations. He noted that Mr. Seeds suggested that you add up to \$50,000 in next year's budget to cover that and he wondered if that money had been identified. Mr. Wolfe answered that it has not been included in the budget at this time. He noted that it is a draft budget and it can change between now and adoption, but changes will be identified as we go through the process.

Mr. Hornung noted that Mr. Seeds was very adamant about hiring this person but he questioned if he continues to be, and if so, we should have this as an agenda item for a workshop session. Mr. Seeds noted that we can have more discussion; he noted that it was not included in the budget and suggested that we could discuss this at a workshop session.

Mr. John Trish, 600 Prince Street, noted that the Friendship Center Operating Fund was \$2,295,000 and revenues were \$2,315,000. He questioned how much of that of the revenue comes from other sources than membership. He questioned how much is the Friendship Center generating, noting that grants and bonds could be going towards the Parks and Recreation. Mr. Wolfe responded that it is an operating budget and none is a grant fund or a bond fund. Mr. Trish questioned if someone wanted to know what revenue the Friendship Center is generating since from what he understands that almost \$600,000 in improvements. He questioned how much is coming from the membership as it is supposed to be a self-supporting operation. Mr. Hornung noted that all that information will be available in the budget and you can come to the Township and get a whole explanation on it, as it is rather lengthy and a little bit much to explain it. Mr.

Trish questioned what percent is it. He questioned how much revenue is the FC generating of the \$2.3 million from membership. Mr. Wolfe noted that between programs and membership all... Mr. Trish questioned if the rental that PinnacleHealth is paying... Mr. Wolfe answered that it is not PinnacleHealth anymore, it is Drayer and it goes into that budget. He noted that the \$2,295,213 revenues are generated by members and programs at the Friendship Center. Mr. Trish questioned if that includes what Drayer pays. Mr. Wolfe answered yes.

Mr. Hornung recommended that Mr. Trish get a copy of the budget to see what is going on.

Resolution 16-40; establishing guidelines for public comment

Mr. Hornung requested Mr. Wolfe to display the guidelines on the screen for everyone to read. He noted that we normally follow these procedures but now we have them in writing, noting that we had a person who wanted to talk under public comment and when he spoke to Mr. Wolfe about it, he suggested that be put on the agenda. He noted if someone has something that would take longer than five minutes to have it added to the agenda, as it would set time aside for the person to make his case. He noted if other people are interested in that item, they may also want to comment pro or con. He noted that is the only change at this time.

Mr. Crissman noted that it is memorializing what our practice currently is.

Mr. Seeds questioned if a person wants to have something put on the agenda, they are encouraged to provide information ahead of time to the Township Manager by the Friday before the scheduled meeting. He questioned if there is a particular time for that. Mr. Wolfe noted the more detail in the request the better, but he will work with what he gets. He noted if the information would come in at the close of business day he would post it on Monday morning. Mr. Seeds questioned if it should be in writing. Mr. Wolfe answered the more specific the better

as we are encouraging people to better utilize their time and the Board's time. He noted with more information we can be more productive. He noted if someone wants to show up and speak under public comment, they can do that. Mr. Seeds noted if they desire to speak for more than five minutes would Mr. Wolfe include it on the agenda that would be posted. Mr. Wolfe answered that he would try to keep these things on the workshop agenda unless it was a time sensitive issue. Mr. Crissman noted that is covered under item one.

Mr. Crissman made a motion to approve Resolution 2016-40 that establishes the guidelines for public comment as presented by Mr. Wolfe. Mr. Seeds seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Action on a collective bargaining agreement between Lower
Paxton Township and its Police Officers
and
Action on a collective bargaining agreement between Lower
Paxton Township and its AFSCME Public Works employees

Mr. Wolfe noted that he is going to discuss both agenda items at the same time. He noted that the Township has four collective bargaining units, Police, Public Works, Sewer Authority and Clerks and Custodians. He noted all four units are due for renewal by the end of 2016. He explained that staff has reached an agreement with the Police and Public Works employees. He noted that we have a tentative agreement with the Sewer Authority and are still in negotiations with the Clerks and Custodians. He noted the Board has a complete copy of the Police and Public Works bargaining unit agreements as they have been agreed to by the bargaining teams, and in both cases, the unions have accepted and signed the documents.

Mr. Wolfe noted that the significant changes that occurred in each one are very conservative in the economic parameters, but acceptable agreements for both parties. He noted the standard question is that the rate of increase for both units and it is proposed at 2.5% for

2017, 2.6% for 2018 and 2.7% for 2019. He noted that the agreements are complete and ready for Board action this evening.

Mr. Crissman noted that both agreements have been successfully negotiated with consistency and uniformity in what is being recorded and he is very pleased with it.

Mr. Hornung noted that there were a few other areas that the language was changed but it had very little impact on the Township.

Mr. Crissman made a motion to approve the collective bargaining unit agreement between Lower Paxton Township and the Police Officer's union. Ms. Lindsey seconded the motion. Mr. Hornung called for a roll call vote: Ms. Lindsey, aye; Mr. Crissman, aye; Mr. Seeds, aye; and Mr. Hornung.

Mr. Crissman made a motion to approve the collective bargaining unit agreement between Lower Paxton Township and AFSCME's Public Works employees. Mr. Seeds seconded the motion. Mr. Hornung called for a roll call vote: Ms. Lindsey, aye; Mr. Crissman, aye; Mr. Seeds, aye; and Mr. Hornung.

NEW BUSINESS

Ordinance 16-04; redefines and regulates Institutional/Semi-Public Uses in the (R-1) Low Density Residential District

Ms. Zerbe noted proposed Ordinance 16-04 redefines the permitted use of Institutional/Semi-Public Use in the R-1, Low Density Residential District and established dimensional requirements to include a minimum lot area, minimum lot widths, minimum front yard setback, minimum side yard setback, and maximum building coverage. She noted in addition Ordinance 16-04 amends the Township Zoning Ordinance, Article 3, Section 307.A,

dimensional requirements to increase the permitted impervious coverage for Institutional Semi-Public Use from 40% to 50% in the R-1 District.

Ms. Zerbe noted that the Planning Commission voted unanimously to move the proposed amendment to the Board of Supervisors and enclosed in the packet is the public notice advertising the ordinance in accordance with the PA MPC, the public notice was posted in the legal ad column of the Paxton Herald on Wednesday, October 19, 2016 and Wednesday, October 26, 2016. She noted that a listing of individuals who received the mailing which included the proposed ordinance and proposed Table 307.A is included. She noted that the application from the Devonshire Memorial Brethren in Christ Church for the amendment to the Zoning Ordinance is also included as well as a copy of the conceptual plot plan in support of the Devonshire Memorial Brethren in Christ Church application, as well as a letter from the Dauphin County Planning Commission dated November 7, 2016 noting that they do not support the proposed zoning text amendment to increase the maximum impervious coverage for Institutional Semi-Public Uses from 40% to 60%.

Ms. Lindsey questioned if there was anyone from the Dauphin County Planning Commission. Ms. Zerbe answered no. She noted that Tim Mellott is here from the Devonshire Memorial Brethren in Christ Church to discuss the proposed amendment.

Ms. Lindsey questioned why the Dauphin County Planning Commission voted against this. Ms. Zerbe noted at the Planning Commission meeting they had no opinion and then after November 7th we received their letter noting that their official opinion was that that they were not in support. Mr. Wolfe noted during the Planning Commission meeting there were no specific comments made at that time from Mr. Bomberger, but we did received the correspondence later at the end of last week. She noted that she had no additional information.

Mr. Seeds questioned if this could have been handled by the church through a special exception, conditional use, or a variance. He questioned if there would be another means for the church to handle this without changing the ordinance. Ms. Zerbe answered that they could, but in discussions that the Board had with the applicant back in 2014, it was discussed that the best course of action would be to go for the text amendment.

Ms. Lindsey questioned the letters that were sent to the residents, and if anyone had called or if there anyone in the audience. Ms. Zerbe noted a few people have come in to ask for an explanation of the amendment but she has not received any calls in opposition to this.

Mr. Seeds questioned if Dauphin County made any remarks in regards to setbacks, only the change from 40% to 60% impervious change. Ms. Zerbe noted that was correct. Mr. Seeds noted that the Planning Commission was okay with the setbacks. Ms. Zerbe noted that the Planning Commission was fine with everything. Mr. Seeds questioned how many other churches or schools would be impacted by this. Ms. Zerbe answered that there are 16 possible parcels that would be affected by this, but we don't have the information to say that they are already over the 40% existing impervious coverage.

Mr. Hornung questioned what the percent of impervious coverage is under the Institutional zoning. Ms. Zerbe answered if they were in the Institutional zone, they would be permitted to have 75%, so this request is more restricted.

Mr. Stine noted that this is the time and date set for a public hearing on Ordinance 16-04; to redefine the Institutional semi-public use in the R-1, low density residential district. He questioned if anyone is present to represent the applicant.

Mr. Stine questioned if Mr. Mellott wanted to make a brief presentation.

Mr. Tim Mellott of Mellott Engineering introduced Gary Gardner who is a member of the Church's Building Committee.

Mr. Mellott noted that he is a land development engineer, licensed in Pennsylvania, dealing with land planning for a little over 20 years. He noted that the Devonshire United Brethren in Christ Church is near the access to the Spring Gate Winery. He noted that it was constructed in 1962/1963 time period and in 1976 they made some additional improvements. He noted in 2008 they made handicap accessibility improvements to include an elevator to the church. He noted for the past 30 years the church has continued to acquire properties that abut it with the idea of expanding the church.

Mr. Mellott displayed a 2008 aerial map noting that the property was originally seven properties with the parking lot at the bottom being on a separate lot. He noted that the original parcel was 90% impervious coverage, noting if we are able to move forward, it will provide for an overall net reduction from a percentage standpoint.

Mr. Mellott noted that the church has a seating capacity of 360 persons and they are looking to pursue the construction of a community recreation center. He requested Mr. Wolfe to show that on the screen. He noted that it would provide more usable space for their current uses. He noted that they have a nursery school which has 125 part time students as well as the Harrisburg Christian Kindergarten which is a half day school for six children. He noted that northern portion displayed the proposed recreation center as well as a parking lot to satisfy their needs during certain events. He noted that the text amendment that they are requesting is a change that is specific to the R-1 District and Institutional Semi-Public uses which are limited to library, school, churches, and governmental facility. He noted that these types of uses usually have larger buildings that require additional parking to serve those buildings that ultimately

increase the need for additional impervious coverage. He noted that the landscaping buffers that go around the perimeters of the properties against the residential uses established as a transition and separation between these types of uses for the abutting residential properties. He noted while legally they had to discuss all the setbacks, the only thing we are looking to change is the impervious coverage for those institutional uses. He noted that the table needed to be adjusted to show the setbacks, but no other changes are proposed with it.

Mr. Mellott noted that the 60% coverage, as presented, is also consistent with the allowable coverage for Institutional uses in the R-2 district. He noted that is a residential use up against an Institutional use, and they recognize that to be an adequate coverage amount. He noted that the overall intent for the 40% coverage for the R-1 is based off an overall density perspective which is linked to residential. He noted that these types of uses that we are talking about are incidental and almost accessory to residential communities. He noted that the buildings are larger and require more parking which increases the coverage on a particular lot. He noted, to stay at the 40%, it would create sprawl and use property unnecessarily because the buffers are the buffers, meaning you have it along residential properties, you have impervious coverage, and whatever happens internally to the lot really is not relevant in his mind for the concerns of the uses up against each other. He noted that we are all aware of the extensive National Pollution Discharge Elimination Systems (NPDES) storm water requirements, as well as the Township's ordinances, and new Act 167 Plan, so the impervious coverage from a stormwater perspective will be managed. He noted that this is a text amendment, and he would be following through with a land development plan that would detail and address all things that are required under that ordinance.

Mr. Mellott noted that he came before this Board on September 9, 2014, and prior to that, he met with staff to discuss this project to see what options were available. He noted through those discussions, it was thought that it was reasonable and practical for these types of uses to have that increase in coverage. He noted, in lieu of proposing a zoning variance, which is a legal procedure, which requires you to meet certain hardships, one being that the parking that he is proposing would exceed what would be required by ordinance. He noted that we would have to justify why we would want to do additional parking. He noted that we know that we need the parking and are trying to limit the need for people to park across the street in our parking lot that is across Devonshire Heights Road. He noted that staff thought the text amendment was the proper way to go when we meet with the Board on September 9, 2014. He noted that the Board asked many questions about stormwater and a strong recommendation was made to coordinate with the abutting property owners. He noted that Gary Gardner delivered 20 letters to people in the area, which we provided a list of those property owners to the Township, and a meeting was held on November 12, 2015. He noted that there was no opposition provided during that meeting that was held at the church.

Mr. Mellott noted that during the Planning Commission meeting Andrew Bomberger was the representative from Dauphin County, and while he could not speak on the record because it did not go before their Planning Commission meeting due to timing, he indicated at the meeting that he was not in opposition to it. He noted with that support he did not go to the County Planning Commission meeting and now he gets the letter. He stated that he called Tim Reardon and asked him why they did not elaborate on what they were saying, that there was an issue between the 40% and 60% coverage. He questioned what the discussion was and Mr. Reardon indicated that he couldn't say. He noted that they were focused on the fact that government was

in the semi-public uses and there were some thoughts, but he didn't know. He noted that there were more concerns about what a government use might do. He explained that he did not understand that and he was trying to get an explanation so he could come and explain their opinion. He noted, in their letter, they don't have a problem with changing the coverage to 60% for the entire R-1 zoning, but that is not what he is looking to do. He noted that R-1 is at 40% as you are trying to keep residential aspects of the R-1 District to be greener and that is the coverage that was allocated. He noted that these types of uses are incidental and accessory to the residential districts and the warrants of the bigger buildings, the more parking, and also considering that the landscape buffers in between these properties are not being requested to be altered, it is a very reasonable request. He noted that the Planning Commission questioned what other churches might be affected by this, and he was provided a list of 16 churches in the R-1. He noted that some could be deficient with their parking but they are up against the coverage and they can't provide adequate parking on their property. He noted that it would allow them to move forward with their community recreation center that would provide benefits to the community as well but it would allow other churches that might need more parking to provide more parking for their uses. He noted that stormwater is addressed, landscape buffers, building setbacks, all those provisions were not changed, only what he is doing internally to the lot relative to percentage of coverage. He suggested if he would have attended the Dauphin County meeting it would have ended differently.

Mr. Seeds noted that he recalled the plan but he did not remember the recommendation that we go for a text amendment. Mr. Mellott noted that it was a while ago and he had a lot of work to do to get to this stage. He noted that the final property that was needed has been

acquired and now it is literally a single 3.1 acre tract, not multiple parcels with three of the dwelling being removed from the property.

Mr. Mellott noted for this particular property, you have a large amount of impervious coverage and there are no stormwater measures as it rolls down on the road into Beaver Creek. He noted that we will be collecting a lot of stormwater that does not have management and will improve the condition. He noted that he realizes that the amendment is a standalone thing but relative to this project it would be an enhancement to this part of the Township.

Ms. Lindsey questioned if Mr. Mellott could explain the lighting for the parking lot. Mr. Mellott answered that we are not there yet but will provide lighting plans consistent with the ordinance requirements. He noted that he anticipates doing a walkway but he is only focusing on internal circulation at this time. He noted that his father was a pastor at that church from 1976 to 1984 and he is familiar with the property. He noted that the house he lived in is no longer at that location. He explained that his daughter plays volleyball for Central Dauphin and it is very hard to find places for them to play volleyball. He noted that there will be programs for citizens of the Township to take advantage of.

Mr. Mellott noted if you look at your map relative to the Institutional mapping and recreation areas, while there are parks throughout the Township, if you look at this location, there is not much in this area. He noted that there is a good bit of housing in this area.

Mr. Crissman noted when Mr. Mellott was here the last time he asked him to talk with the neighbors in the area. Mr. Mellott answered that 20 letters were hand delivered and they had a meeting at the church on November 12, 2015. He noted that he did not know how many people attended, but was told that no one was in opposition to the plan. Mr. Gardner answered that is correct, they only wanted to know how soon the project would start.

Mr. Stine questioned if anyone in the audience wanted to be heard on this.

Mr. John Trish, 600 Prince Street, noted that he is opposed to this for several reasons, as it will affect the entire Township and not just this parcel of land. He noted that Mr. Hawk gave a synopsis two meetings ago about what is going on at the County, State, and Federal level as far as ground water and impervious water. He noted that Lower Paxton will be taxing its residents for ground water and impervious water and he does not know when that will occur. He noted when it does, the taxes will go up and organizations such as government buildings, churches and other non-profit will be exempt from it. Mr. Hornung noted that is not true. Mr. Stine noted that it will not be a tax. He noted that it would be a fee that all would have to pay.

Mr. Trish noted that he still objects to it because it affects the entire Township and the entire Township should have been notified regardless if someone is grandfathered in with more than 40% ground coverage on their property at this time. He noted that we make the laws for a reason and now there is a reason for this, and every time we have the laws and we waiver this or that or change this for one or two individuals. He noted that he is opposed to it.

Mr. Tim Murphy, 1524 Pine Hollow Road, noted that he has no problem with the church doing what they want to do as it would do a lot of good for the community but he is not happy as Mr. Trish is not happy about changing the ordinance Township-wide for the benefit of one property owner. He noted that we have seen this happen before and he has the same reservations here that he had in the past. He noted that a variance is initially sought and discussed but he is puzzled why the Township would recommend a text change to the zoning ordinance for one property owner. He noted in light of talking about stormwater issues and maintaining stormwater facilities in the Township and discussing the possibility of having user fees based on the percent of impervious cover for these types of properties, he thinks the church needs to

recognize that they are going to face a 50% increase in their user fee, going from 40% to 60% impervious. He noted that it may not be a deterrent but they should be made aware of it. He noted if other churches or schools need to have this kind of a variance under the ordinance let them seek their variance. He questioned why we are undermining the ordinances that have been in place if they did not have a purpose. He questioned why we would have these things in the ordinance to begin with if we did not want to follow them. He noted that there should be a distinction between the percent impervious allowed in the R1 zone as opposed to R2. He noted that he understand that they will have stormwater facilities to control the runoff but it is more than just controlling the runoff. He noted that it is the extent of paving that changes the character of the neighborhood. He noted if the people in that area don't mind and are amenable to having a variance so be it, but don't change the ordinance Township-wide with the assumption that everyone in the Township will be okay with that. He noted with having to manage stormwater facilities you should be looking for ways to minimize it and not look for a potential to maximize it. He noted that you need to take a more holistic look at things and not individual instances.

Mr. Murphy noted that the explanation by the engineer for why this was sought as a zoning ordinance change rather than a variance change sounds to him that it is a backdoor way of allowing for more parking on the property than would be acceptable under the consideration of the variance. He noted that is the way it came across to him as this is an easy way to pave more of the lot and not have to explain all the parking if he was going for a variance. He noted that is not a reasonable reason to change the ordinance for the entire Township.

Ms. Sandy Stoner, questioned if it would change the setback for the requirements. Mr. Stine answered no. She questioned if it only changed the impervious from 40% to 60%. Mr. Stine answered that is his understanding. She noted that she is not opposed to the church

wanting to make changes to its property and create facilities that are helpful; however she is opposed to amending the ordinance across the Township for what should be a variance for the church. She noted that it looks like spot zoning and you are allowing one person to control the zoning for this Township as they want a change. She noted what she heard today was mostly speculation as there are 16 churches that could be affected, but she heard no evidence, whatsoever, that any of those other churches needed a change, wanted a change, or got a change, for the impervious requirement. She noted that the churches alone are not affected, as under the residential zoning for R-1, it includes cemetery's, community recreation centers which would include the Friendship Center, libraries, maintenance facilities for residential property owners, schools, township, government users, government facilities, public utility facilities, which would be the sewer, as they could then say they want more here and change our facility, swimming pools, it is not just churches. She noted that it would not be appropriate to change a requirement from 40% to 60% for all these groups when no one other than this church has asked for it. She noted that there is no evidence that was presented that there is a need for it. She noted that the whole purpose of R-1 zoning is to keep density low, to keep a feel for a neighborhood that is like a neighborhood. She noted that churches and other groups can be helpful and you want them in your neighborhoods but they should follow the rules and we should not make an exception that says, oh, we want to allow them to have more parking or more paved areas just for their convenience, when it would not help the issues dealing with the reason we have impervious requirements, which is not to allow a lot of runoff and flooding. She noted that there are purposes for impervious requirements and we want that in this area and we don't want to change that without good reason. She noted that she has heard no good reason for doing it across the board. She noted that we don't know how many other properties, they talk about 16 churches, we

don't know how many other properties could automatically change what they are doing and pave more areas and do other things that are not beneficial to Comprehensive Plan of the Township. She noted that they could make changes and the Township would not know it and it could create problems in the future. She noted that it is unwise and she would object to changing this through a text amendment. She noted that it should be done through a variance and she would urge the Board to consider the fact that the County has objected to it and there must be more reasons. She urge the Board not to vote on this now and get further information from Dauphin County as to why they objected as well.

Mr. Rob Amell, noted that he is Chairman of the Board at the Devonshire Church. He noted that we approached the Board about making these changes and it was recommended to us to make the change since this type of variance is often given and it would make it easier on the Township if these types of facilities would have the approval by the ordinance. He noted that he questioned it from the standpoint of paying more money to do a text amendment as opposed to filing for a variance, but he was assured that this made more sense for the Township and we did not mind doing this. He noted that it does make sense because if you are granting variances to facilities like this, that do need parking, to be able to support their facilities for the community, he thinks it is a good thing to do. He asked that Board to consider that in making its decision.

Mr. Stine noted that it would be good to close the public hearing on Ordinance 16-04 and the Board may take action if it so desires.

Mr. Crissman questioned if we should have further discussion on a variance versus a zoning text amendment.

Mr. Hornung questioned Ms. Zerbe how many variances, similar to this, have been granted in the last years, noting that she would probably not know. He noted that there were

some comments that we do this routinely. He noted that he is not aware of this but he does not approve variances. Ms. Zerbe answered that she does not have any recollection on how many variances we have done in the last few years. She questioned if he was speaking to impervious coverage. Mr. Hornung answered yes. She noted that she does not know if there were any.

Mr. Tim Mellott noted that it was his understanding, with the current zoning map that there were a lot of these properties that have been identified as churches previously with your last rezoning, the Township at some point made some institutional. He noted, not by a variance, but you had the properties rezoned and it allows for 75% coverage. He noted that there are other churches and churches with cemeterys within the Township that were zoned to the institutional zoning which allows a higher percentage of impervious than what we are looking for. He noted that we considered that but being in the R-1 it was felt that we should stick with the lower percentage rate of 60%.

Mr. Seeds questioned if that would have been another avenue for the church to change its zoning. Mr. Mellott noted Dauphin County, in their letter indicated that as an option, and he put Tim Reardon on the spot and said we had your support at the Planning Commission meeting but then the entire Dauphin County Planning Commission voted differently. He noted what if we came in for a rezoning, and he stated that it seemed reasonable and he would support that if that is what they have done in the past. He noted that he has looked at some of the church properties that were not zoned institutional, and he does not want to say that it happened all over, but he was looking at the map, looking at the church by Koons Park, it is in the institutional. He noted that there are several that are zoned institutional, but the key is the impact, noting the buffers against the residential properties are not proposed to be altered, so the effect on the neighborhood, noting that it is not a density situation because that applies to residential, not to

institutional use. He noted we are not talking about density or the effect on the neighborhood as the buffers around the property that separate the church from the homes are not being changed. He noted that that it is all internal to the site.

Mr. Crissman made a motion to postpone consideration of this variance until the first meeting in December which would provide another meeting to discuss this variance versus the text amendment. Ms. Lindsey noted that she would like to have more comment from Dauphin County. She noted that she did not like what was said in their letter. Mr. Crissman noted that we need more time to discuss this with Dauphin County and the language versus the variance. Mr. Wolfe noted that we do not have a meeting between now and the first meeting in December.

Mr. Hornung noted that he would like to gather further information for what the impact would be, not just for the church properties but other properties that are in a similar situation where they are in R-1 areas and institutional. He noted that making a text change would affect how many properties and residences that are surrounding those properties. He noted that he struggles with having more recreation in the community, so it is a very difficult struggle for him. He noted that he would like to see this built very badly but he questioned how it impacts all the other properties, and he is not sure we can resolve that tonight. He suggested that it should come back to a workshop session.

Mr. Crissman made a motion to postpone consideration on the Ordinance tonight to provide time for more discussion. He noted that he would like to have Mr. Wolfe provide more information for a future meeting. Mr. Seeds noted that he agrees as he has heard many good points since it affects the entire Township and he needs more information and more clarification from Dauphin County. Ms. Lindsey seconded the motion. Mr. Hornung called for a roll call vote: Ms. Lindsey, aye; Mr. Crissman, aye; Mr. Seeds, aye; and Mr. Hornung, aye.

Mr. Hornung noted that he did not know if it would be better to go for a zoning variance noting that the public is in favor of your doing what you are doing. He noted that we may take a look at certain property sizes to move the percent of impervious coverage up since you have a greater area to deal with. He noted that there may be other options to maybe move it to 50% or 60% or do something different. He noted that we may want to look at what we have done in the past in these areas.

Mr. Hornung requested Ms. Zerbe to come to the podium. He questioned how long she has been in this job. Ms. Zerbe answered two years. He wanted to commend Ms. Zerbe for what she has done, a superlative job as a codes enforcement officer and now as the zoning officer. He noted that the few times she has come in front of the Board she has done a great job. He thanked her for doing such a great job. Ms. Lindsey thanked Ms. Zerbe for all that she does and for being at the meeting.

Change Order No. 3 to the contract with eciConstruction, LLC for construction of an addition to the Public Works building

Ms. Lindsey noted that she will be abstaining from Change Order No. 3 as it was part of an agreement that she did not sign.

Mr. Wolfe noted that you have three change orders before you tonight for the Township's addition to the Public Works facility and we have representatives from GHD to speak to these change orders.

Mr. Wolfe noted that Change Order No. 3 is to the contract with eciConstruction, LLC as the general contractor for the Public Works addition.

Mr. Ken Grubb noted that it is for \$9,484 to cover the translucent panels on the east side of the east garage facility. He noted that the panels will be the same color as the existing siding that is out there and the trim will be covered so it would have the appearance of a solid wall. Mr.

Hornung questioned if the trim will be covered as well. Mr. Grubb answered yes, but it will match the existing trim. Ms. Virginia Alexandra noted that he mentioned the east wall but it should be the west side. Mr. Grubb agreed.

Mr. Crissman made a motion to approve Change Order No. 3 to the contract with eciConstruction, LLC for construction of an addition to the Public Works building in the amount of \$9,484. Mr. Seeds seconded the motion. Mr. Hornung called for a voice vote and three eyes votes were made.

Change Order No. 2 to the contract with Lecce Electric, Inc. for construction of an addition to the Public Works building
and
Change Order No. 3 to the contract with Frey Lutz, Corp. for construction of an addition to the Public Works building

Mr. Hornung suggested that we take these two together. Ms. Lindsey returned to the dais. Mr. Ken Grubb noted that Change Order No. 2 is to the contract with Frey Lutz for plumbing. He explained, when the water line was installed in the new wash facility building it was determined that there would be a conflict with the electrical boxes that were scheduled to be put in so the water line had to be extended by significant number of feet to the other side of the room and it generated a change order in the amount of \$2,436.53.

Mr. Grubb noted for Change Order No. 2 to Lecce Electric, it is in the amount of \$25,446.32 for installation of the new buried duct work to supply the IT Services to the new facilities. He explained that the duct work runs from a new PPL pole on the east side of the property and runs across the entire property to the new facility, and also another line runs back over to the vehicle wash facility. He noted that it was not part of the original contract but it was put into this work at this time noting if we waited until later we would be digging up new pavement that was put down today. He noted that it consists of two four-inch duct lines running

between the pole and new building and a two-inch communication line running from the new building to the new vehicle wash facility.

Mr. Seeds noted that there are two letters dated September 26, 2016 noting that you should delete two and another one says delete one and the one letter says \$20,803 and the one you mentioned says \$25,446.32. Mr. Wolfe noted that it shows the complete progression of the change order from its initial submission through to what GHD recommends and would like the Board to authorize. Mr. Grubb noted that there were several iterations of the process as we found some things missing, we deleted some things, and some things were added back in. He noted that the original proposal was for four four-inch ducts and we knocked it down to two. He noted that we had to add some in-ground vaults because every time you have a bend in the line you have to have a vault as you can't bend the line to fish it through. He noted that is basically what is going on here.

Ms. Lindsey noted that is what you brought up at the workshop meeting. Mr. Kline answered yes. Mr. Hornung noted that we discussed why this was not included in the original bid. Mr. Grubb noted in the original bid, it was recognized, at the end of the design period, that the IT services had to be added in. He noted, as you said earlier, no one is perfect and what happened here is HRG is doing the site work drawings and we did the other drawings and we tried to get this into HRG's work and the communications were not successful between the two companies so the work was shown but it was not assigned to a particular contractor. He noted, as a result, no one bid the work so what you are getting is added value to the project, but it was an omission from the original bid.

Mr. Crissman made a motion to approve Change Order No. 2 to the contract with Lecce Electric, Inc. for construction of an addition to the Public Works facility in the amount of

\$25,446.32 and Change Order No. 3 to the contract with Frey Lutz Corporation for construction of an addition to the Public Works facility in the amount of \$2,436.53. Mr. Seeds second the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Action on bids for sanitary sewer emergency services

Mr. Wolfe noted every year the Board enters into a contract with a contractor to be available in case we have an emergency with a sanitary sewer line, one that can't be addressed by Township employees. He noted that it is bid based upon prices that are estimates that are prepared based upon past history. He noted that the Township received four bids for services and the lowest responsible bid was Rogele, Inc. in the amount of \$81,118.50. He noted that it is staff's recommendation that the Board accept this bid this evening. He noted that Rogele has been a provider of this service in the past.

Mr. Seeds questioned if they are the current provider. Mr. Wolfe answered that he is not sure. Mr. Seeds noted that Rogele was awarded the current 2014 contract as this contract is for 2016 extended until this time next year.

Mr. Crissman noted that we have used their services before. Mr. Wolfe answered yes. Mr. Crissman made a motion to approve the Sanitary Sewer emergency services with Rogele Inc., in the amount of \$81,118.50. Ms. Lindsey seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Action on bids for two law enforcement motorcycles

Mr. Wolfe noted that Lower Paxton Township has bid for two new or near new condition Harley Davidson and equivalent motorcycles. He noted that the Township received one bid from Susquehanna Valley Harley-Davidson providing two motorcycles at a base bid amount of \$34,500 with a trade in amount of \$6,500 for a total cost of \$28,000. He noted that both

motorcycles are used units but in near-new condition as required by the bid specifications. He noted that it is PSD Spotts and his recommendation for the Board to award this bid this evening.

Mr. Seeds questioned if they are 2012 models. Mr. Wolfe answered yes. Mr. Seeds noted that we currently have two motorcycles. He questioned if we are keeping one. Mr. Wolfe explained that the one will be maintained as a training unit to be used to train officers when they are learning to ride the motorcycles.

Mr. Seeds noted that we are trading in one unit and getting two new ones. He questioned if they have low mileage. Mr. Wolfe answered that it is very low mileage. He noted that PSD Spotts has reviewed both units and they meet the specifications.

Mr. Seeds made a motion for the purchase of two Harley Davidson motorcycles from Susquehanna Valley Harley Davidson in the amount of \$28,000 after the trade in. Ms. Lindsey seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Action on a Settlement Agreement and Release in the civil action
Filed by Antonio Watson v. Witmer, et al

Mr. Stine noted that the proposed settlement agreement is in regards to Watson versus Witmer et al which means and others, with regard to an alleged false arrest claim that was filed by the plaintiff. He noted that the insurance company represented the Township and they recommend the Township enter into a settlement agreement with regard to the claim against it. He noted that Dauphin County is recommending the same with regard to their counts. He noted that it would be in order at this time to approve the settlement agreement. He noted that he was not involved in this matter and does not know much in the way of background.

Mr. Crissman made a motion to approve the settlement agreement and release in the civil action filed by Antonio Watson versus Witmer, et al as recommended by counsel. Mr. Seeds seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Resolution 16-39; accepting a portion of Camden Drive and
Shea Lane in Amber Fields

Mr. Wolfe noted that these roads are in Phase V of Amber Fields, noting that you have the resolution, deed of dedication, release of liens and the next agenda item will be the maintenance bond. He noted that the two streets within this phase are complete for public acceptance, and staff recommends that the Board act favorably in this resolution.

Mr. Crissman made a motion to approve Resolution 16-39; accepting a portion of Camden Drive and Shea Lane in Amber Fields. Ms. Lindsey seconded the motion. Mr. Hornung called for voice vote and a unanimous vote followed.

Improvement Guarantee

Mr. Hornung noted there were eight Improvement Guarantees and one Maintenance Agreement.

Huntleigh, Phase I

A reduction in a letter of credit with Fulton Bank, in the amount of \$110,374.12, with an expiration date of November 1, 2017.

3913 Seabiscuit Way- Alan W. & Claire A. Gallagher

A release of an escrow with Lower Paxton Township.

Kendale Oaks, Phase IV

A reduction in a letter of credit with Integrity Bank, in the amount of \$1,052,677.03 with an expiration date of October 4, 2017.

Stray Winds, Phase I, IA, IC

A reduction in a letter of credit with M&T Bank, in the amount of \$288,660.30 with an expiration date of January 19, 2017.

Stray Winds Farm, Phase 2

A reduction in a letter of credit with M&T Bank, in the amount of \$480,793.04 with an expiration date of April 12, 2017.

7071 Creek Crossing Drive – Charter Homes

A new escrow with Lower Paxton Township, in the amount of \$3,000.00 with an expiration date of November 15, 2017.

Old Iron Estates, Phase II

A release of a letter of credit with Centric Bank, in the amount of \$43,560.

Chelsey Falls, Phase I

A reduction in a bond with Lexon Insurance Company, in the amount of \$147,666.47, with an expiration date of November 1, 2017.

Maintenance Bond

Amber Fields, Phase V

A new letter of credit with Mid Penn Bank, in the amount of \$31,881.09 with an expiration date of April 18, 2018.

Mr. Crissman made a motion to approve the eight improvement guarantees and one maintenance agreement. Ms. Lindsey 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 and the payroll checks. Mr. Crissman seconded the motion. Mr. Hornung called for a voice vote, and a unanimous vote followed.

Announcements

Mr. Hornung noted that prior to or following this meeting the Board will meet in Executive Session to receive information from the Township Manager and the Township Solicitor and information in regards to employee contract negotiations.

Mr. Seeds noted that the next meeting will be a Sewer Authority meeting held on Tuesday November 22, 2016 at 6 p.m.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting. The meeting adjourned at 9:32 p. m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William B. Hawk
Township Secretary