

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held Tuesday, June 17, 2008

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:37 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steven Stine, Township Solicitor; Dianne Moran, Planning and Zoning Officer; Michael Musser, Community Network Resources; Alisa Harris-Daniels, Exelon Nuclear; Mr. Harold Rudy; Mr. Frank Gratola, Act One; and Joel McNaughton, McNaughton Company.

**Pledge of Allegiance**

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

**Approval of Minutes**

Mr. Crissman made a motion to approve the minutes from the business meeting held May 6, 2008. Mr. Blain seconded the motion, and the motion was approved unanimously.

**Public Comment**

Mr. Al Schroff, 1441 Haney Drive, noted that last Wednesday, he attended the Planning Commission meeting, and during the meeting a request for a zoning change was heard for a property to be rezoned Institutional (IN). He suggested that the Board members should take a look at this zoning and eliminate it as the catch-all zoning. He noted, as more residents become aware of what could be built in the IN zone, their fear level grows.

Mr. Schroff noted that the proposed rezoning was for senior citizen housing. He explained that no one opposed the project on its merits, but, the opposition was to the IN zoning, and the fear of what could be built, as well as the increased density. He noted that the rezoning request was for a tract of land that was currently zoned R-1. He explained that the primary objection voiced was the fear of what would happen if the project was not built, or the land was sold to someone else. He noted that the new owner would be allowed to build a prison, a halfway house, or a juvenile detention facility, and this is what frightens the residents in the Township. He requested the Board to find a means to remove the other entities from the IN zoning, possibly creating an education zone, or rehabilitation zone for hospital or health care. He noted, in the case of retirement homes, a retirement district could be created. He suggested that the Township could create a Retirement One and Retirement Two district to better control what type of facility is built and also control the density. He noted that the IN zone could be retained for correctional facilities, and the residents' would breathe a lot easier, since their biggest concern is not knowing what would be built.

Mr. Schroff explained that some residents feel that they can change the outcome of a land development plan, but that is not always easy to do. He suggested that a few good projects would fall by the wayside, strictly because they are not being considered by the public on their merits, but considered on what could be developed, and the density. He noted that it would be fair to the people and the developers and less problematic for the Board if changes could be made to the ordinance.

Mr. Hawk noted that Mr. Schroff made some valid points, and explained that this issue is under consideration by the Board members to review the ordinance and make recommendations for change. Mr. Blain noted that the Board started to review this at its workshop meeting held June 10, 2008.

Mr. Hornung questioned Mr. Schroff if he would want to be notified when the zoning comes up for review. Mr. Schroff answered that he would be interested. Mr. Hawk noted that the secretary has Mr. Schroff's name and address and will notify him at the proper time.

### **Chairman and Board Member's Comments**

None was provided.

### **Oath of Office to New Police Officer**

Chief Bair explained that Brian Egli was hired to fill a vacancy in the Police Department. He explained that Mr. Egli is a graduate of Bellefonte High School and graduated from the Penn State University with a Bachelor's Degree in Recreation Management. He noted that Mr. Egli's most current employment was as the Director of Group Sales for the Harrisburg Senator's.

Mr. Hawk swore in Brian Egli as a police officer for Lower Paxton Township.

### **Manager's Report**

Mr. Wolfe explained that the Police Department is hosting a Police Youth Academy the week of July 14<sup>th</sup> through the 18<sup>th</sup>, and it is open to young people ages 13 to 15. He noted that Township residency is not a requirement, although residents would be given priority for enrollment. He noted that the Academy will meet from 9 a.m. to 3 p.m. and lunch would be provided. He explained that the students will learn about police work and team building.

Mr. Wolfe explained that the Township and Waste Management will begin services under a new contract starting July 2, 2008. He noted that the new contract provides all residents with leaf waste collection services at a rate of \$16.67 a month for 2008-2009 period. He noted that many residents have participated in an optional leaf waste collection service that was offered by the Township that provided bi-monthly collection April through December as well as the collection of Christmas trees in January at a cost of \$72 a year. He noted that items placed at curbside included all leaf waste, brush, tree trimmings, but not grass. He noted that previously,

this service was provided by Township employees, but now all citizens participating in the Waste Management Collection Program will be afforded leaf waste collection by Waste Management as part of their regular collection service on a bi-monthly basis.

Mr. Wolfe explained that a notice will be mailed to the residents by Waste Management that will explain the program, and the first week of all-customer leaf waste collection service begins July 7, 2008.

Mr. Wolfe noted that the summer TGIF evening concert series begins June 27<sup>th</sup> at 7 p.m. with *Trinidad and Tobago*; July 11, *Jeffrey Gains*; July 18, *One More Time*, (L.P. Variety); and July 25, *Steven Courtney Band*. He noted that the concerts are held at Brightbill Park and start at 7:30 p.m.

Mr. Wolfe noted that the Lower Paxton Township Parks and Recreation Department, along with the Linglestown Fire Company, will once again, sponsor a fireworks display at Koons Park, on Saturday, July 5<sup>th</sup> at dusk, rain or shine. The public is invited to attend this event.

Mr. Wolfe noted that the Central Dauphin High School All-Class Reunion will be held on Saturday, June 21, 2008, from 4 p.m. to 11 p.m. at Cedars Grove, located at 8143 Old Jonestown Road. He noted that the price of the tickets is \$25 for non-members and \$20 for members. The events include music, karaoke, catered meal, desserts, drinks, beer, and wine. He noted on Sunday, June 22, 2008, there will be a benefit concert held at the former Central Dauphin High School, located at 4600 Locust Lane, at 2:30 p.m. by the Central Dauphin Alumni Jazz Combo, under the direction of retired band director Jim Milbrand. The price of admission is \$10, and the community is invited. Additional information is available by calling 541-0220 or on the web at [www.CDHSalumni.com](http://www.CDHSalumni.com).

## **OLD BUSINESS**

### Action on agreement between the Township and South Central Emergency Medical Services for emergency medical services

Mr. Wolfe explained that Board members had further questions regarding this agreement; therefore, it is his recommendation to table action on this agenda item. Mr. Hawk noted that no action would be taken on this agenda item at this time.

## **NEW BUSINESS**

### Presentation by Michael Musser, representing Community Networking Resources, regarding the relicensing of the Three Mile Island power plant

Mr. Hawk stated that Michael Musser, former Steelton Borough Manager, is a leader in the community, and always available when needed. He noted that he and Alisa Harris Daniels are present to make a presentation regarding the re-licensing of the Three Mile Island (TMI) power plant.

Mr. Musser noted that he was the Manager for the Borough of Steelton for 15.5 years, and after retiring started a consultant group involved in grass roots growth government relations, political campaigns, fundraisings, and things of that nature. He noted that he would like to take the opportunity to inform the Board that they have one of the best managers in the area. He explained that Mr. Wolfe is a very professional worker, who knows his stuff, and is always willing to lend a helping hand. Mr. Wolfe thanked Mr. Musser for his kind comments.

Mr. Musser noted that one of his clients, Exelon, is the company that runs the TMI power plant, and Alisa Harris Daniels is present to make a presentation to the Board members. He noted that Ms. Daniels was a basketball star for Bishop McDevitt High School in 1985. He noted that they had a 33-0 season, but lost the State finals. He explained that Ms. Daniels would be the direct contact for information for TMI as she is the Regional Public Affairs Manager for Exelon Nuclear.

Ms. Daniels noted that Mr. Musser distributed a power point presentation and a fact sheet for what is occurring at TMI. She noted that TMI is located in Londonderry Township in Dauphin County, three miles south of Middletown. She noted that TMI has provided a clean, safe, and reliable source of electricity since 1974, and employs 540 people at the plant. She noted that TMI has set four separate world records for continuous day of operation, that it provides 852 MW of electricity to 800,000 homes, has successfully completed its ISO 14001 Environmental Certification, and last year, operated without any forced outages. Ms. Harris noted that TMI raised \$56,000 for the Londonderry Fire Company during a TMI Golf outing, and employees contributed almost \$142,000 to the United Way. She noted that TMI has trained and qualified a new class of Control Room operators last year and have started a new class for this year.

Ms. Daniels noted that 35% of Pennsylvania's electricity comes from nuclear power; 56% from coal; 7% from gas; and 1% is hydroelectric. She noted that Limerick, Peach Bottom and TMI increased Pennsylvania's economic output by \$229 million. She noted that the operation of Exelon's Pennsylvania nuclear plants and their secondary effects, accounts for more than 4,000 jobs in the state.

Ms. Daniels noted that in the year 2006, TMI was online and operating 98.6% of the time, while the other nuclear plants were operating 89.9% of the time. She explained during the same time period, coal provided 71.1% availability, natural gas 39.9%, hydroelectric 31.8%, wind energy 30.8% and solar at 18.8%.

Ms. Daniels noted that since the 9-11-01 event, TMI has spent over \$17 million in security upgrades that includes \$5 million for the year 2006. She noted that 15% of TMI's operating budget is for security. She explained that those upgrades include, increased security personnel with expanded weaponry, enhanced barriers, vehicle checkpoints, surveillance

equipment, bullet resistant enclosures, and miles and miles of razor wire and mesh fencing. She invited the Board members to come to TMI for a tour to see the security upgrades first-hand.

Ms. Daniels explained that TMI submitted an application for a license renewal to the Nuclear Regulatory Commission (NRC) on January 28, 2008, and the renewal would be for 20 years of operation. She noted that the NRC held an overview public meeting on March 4, 2008, and completed a determination of acceptability and sufficiency on March 10, 2008. She noted that TMI held an environmental scoping public meeting on May 1, 2008. She noted that the process for renewal by the NRC would take approximately 22 months, and explained that the process is a very complicated process.

Ms. Daniels explained that replacing the steam generator would cost close to \$400 million. She explained that two new steam generators are being manufactured in France, and that each generator weighs roughly 510 tons, stands 70 feet high, with a 12.5 foot diameter. She noted that a hole would be cut into the building to place the generators and this should occur in the fall of 2009. She noted that the generators will be transported from France by ocean, and transported by barge to Port Deposit, Maryland, at which time they will be transported by land to the TMI site. She noted that the route information will be shared with the local governments when it becomes available.

Ms. Daniels noted that anyone wanting more information could contact her at [www.threemileislandinfo.com](http://www.threemileislandinfo.com) or phone her at 717-948-8033.

Mr. Hawk noted that much of the discussion heard, especially on local evening talk radio; suggest that the way of the future would be nuclear power. He questioned if Ms. Daniels sees this as an increasing trend. Ms. Daniels answered, absolutely, noting that 85% of Europe's electricity is generated through nuclear power plants, and that they are happy with the reliability of the service.

Mr. Hawk questioned what the capacity for the nuclear waste was. Ms. Daniels answered that TMI and the NRC are working on this issue, but explained that TMI has plenty of space for its spent fuel. She noted that that is not the case for some of the other facilities. She noted that she is very hopeful that the federal government could resolve the issue for the nuclear facilities. Mr. Hawk noted that the pamphlet helps to dispel the fear of the unknown.

Mr. Hornung questioned if all the spent fuel stays on site. Ms. Daniel answered that it does, and is true for the facilities across the country. She explained that the spent fuel is stored in spent fuel pools that are in dry cast storage. Mr. Hornung questioned if TMI was accepting spent fuel from other locations. Ms. Daniel answered no. Mr. Hornung questioned how many tons per year of spent fuel does TMI generate. Ms. Daniels noted that she did not know, but she could get an answer for Mr. Hornung. She noted that TMI schedules outages every two years to remove the spent fuel from the reactor.

Mr. Seeds questioned if the plant would be shut down when the new generators are installed. Ms. Daniels answered that the shutdown should only last for a few weeks to remove the existing steam generators and replace them. Mr. Seeds questioned if the existing generators would be stored on site. Ms. Daniels answered that they would. Mr. Hawk questioned if that would affect the 800,000 homes that are serviced by TMI. Ms. Daniels suggested that TMI is looking to provide the same amount of output during the replacement process. Mr. Seeds noted that they would be switched to some other type of generation during that time period. Ms. Daniels explained that TMI generated electricity goes out to the grid and it is distributed from the grid. Mr. Seeds questioned if there is a concern if this is done during the summer that it would impact the heavy demand for air conditioning. Ms. Daniels answered, that TMI plans for certain outages, and production and loss of production by working with another company that distributes

the electricity. Mr. Seeds questioned if the two existing generators are the original ones. Ms. Daniel answered that they were, providing a life span of 20 plus years.

Mr. Seeds questioned when TMI opened. Mr. Blain answered that they opened in 1972. Ms. Daniels stated that the generators went on-line, at different times, from 1972 to 1974.

Action on bids for replacement of the Linglestown Road sanitary sewer force main

Mr. Wolfe noted that the Township received five bids for the work to replace the sanitary sewer force main in Linglestown Road, work that is necessary for the Township to do in advance of the Village improvement project which hopefully will begin in the near future. He noted that the Linglestown roadway work would impact the Township's sanitary sewer force main, therefore it is appropriate to replace it at this time. He noted that the replacement of the force main has been on the list of capital improvements for the Township to do.

Mr. Wolfe noted, of the five bids received, it is the engineer's recommendation to award a bid to Womex, Inc. in the amount of \$338,684.50. He noted that this is for the base bid only, and does not include any alternates, which the engineer believes to be acceptable at this time.

Mr. Wolfe noted that it is also staff's recommendation for the Board to award this bid to Womex, Inc. in the amount of \$338,684.50. He noted that this action is complete for Board action at this time.

Mr. Seeds questioned if Mr. Wolfe recommended including the warranty for this project. Mr. Wolfe answered yes, noting that at a very minimal cost, the Township would be afforded a warranty of one year for the contractor's work and he suggested that it is well worth the price.

Mr. Crissman made a motion to approve the bid for replacement of the Linglestown Road sanitary sewer force main to Womex, Inc. in the amount of \$338,864.50. Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Seeds, aye; and Mr. Hawk, aye. (Mr. Hornung was absent for the vote.)

Resolution 08-26; approving Supplement C to the Reimbursement Agreement between the Township and PENNDOT for Linglestown Road Improvements

Mr. Wolfe explained that the Township has a reimbursement agreement with PENNDOT for the Village of Linglestown Improvement project for State Route 39. He noted that the Township is well into this project at this time, and that the reimbursement agreement for Supplement C provides for all costs incurred up to the completion of the right-of-way acquisitions. He noted that the reimbursement agreement was submitted to PENNDOT and approved, and is now before the Board members to seek their approval. He noted that closer to the time of construction, there could also be an amendment to the reimbursement agreement to provide for additional construction cost financing through the PENNDOT Transportation Program. He noted that Supplement C is ready for approval by the Board of Supervisors.

Mr. Crissman made a motion to approve Resolution 08-26; approving Supplement C to the Reimbursement Agreement between the Township and PENNDOT for Linglestown Road improvements. Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolution 2008- 25; Applying for funding for police officer training from the Municipal Officer's Education Training Commission

Mr. Hawk noted that earlier in the meeting, Officer Brian Egli was sworn in as a police officer for the Township. He noted that this resolution would pay for Officer Egli's training.

Mr. Blain made a motion to approve Resolution 2008- 25; Applying for funding for police officer training from the Municipal Officer's Education Training Commission. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Preliminary/final subdivision plan for Harold Rudy

Ms. Moran noted that the purpose of this plan is to subdivide a portion of tax parcel #35-70-62 and combine it with tax parcel #35-65-102. She noted that the newly created Lot 2 would consist of 14,957.79 square feet and the remaining Lot 1 would contain 2.482 acres. She explained that the two lots are located at the end of Nittany Drive which is presently a dead end street. She explained that the property is zoned R-1 and would be served by public sewer and public water.

Ms. Moran explained that on January 31, 2008 the Lower Paxton Township Zoning Hearing Board approved a variance allowing the creation of the new Lot 2 with a total area of 14,957.80 square feet. She noted that on May 14, 2008, the Planning Commission recommended approval of the plan and the following five requested waivers: 1) Waiver of the requirement to provide a preliminary plan; 2) Waiver of the requirement to provide an erosion and sedimentation control plan; 3) Waiver of the requirement to provide curb and sidewalk; 4) Waiver of the requirement to provide existing contours; and 5) Waiver of the requirement to provide a stormwater management plan.

Ms. Moran noted that HRG, Inc.'s comments are included in the Board packet, and Mr. Rudy and Mr. Frank Gratola, from Act One, are present to represent the plan.

Mr. Seeds questioned if the applicant would be building a home on the site. Mr. Gratola answered that that was correct. Mr. Seeds questioned if the lot extends to the west side of the property. Ms. Moran answered no, and explained that the newly created lot is the square, listed as Lot 2. She explained that the bottom portion of the smaller lot is being combined into the top portion so that Mr. Rudy can give the property to his son to build a home. He noted that even though the lot is non-conforming and required a variance, it actually made it less non-

conforming and it would be a little larger than most lots on the street. Mr. Seeds noted that the land to the south of the lot is owned by the Township.

Mr. Seeds questioned if there should be a listing of HRG, Inc.'s comments under the general conditions. Ms. Moran noted that HRG, Inc.'s comments addressed the listed waivers, and the other three comments are in order. She noted that there are no outstanding comments. He questioned what the fee-in-lieu is. Ms. Moran noted that there are already two lots on the plan, they are only being reconfigured, and therefore, there is no fee-in-lieu.

Mr. Crissman questioned Mr. Gratola if he had the same document that identified the waiver requests, site specific conditions, general conditions, and staff comments. Mr. Gratola answered, yes. Mr. Crissman noted that Mr. Gratola would have no problem with the waiver requests as staff supports the five waiver requests. He questioned Mr. Gratola if he was in agreement with the one site specific condition, the two general conditions to include HRG, Inc.'s eight comments dated June 10, 2008, and the one staff comment. Mr. Gratola stated that he was in agreement to all these conditions.

Mr. Crissman made a motion to approve the Preliminary/final subdivision plan for Harold Rudy 2008-08, with the following waivers and conditions: 1) Waiver of the requirement to provide a preliminary plan; 2) Waiver of the requirement to provide an erosion and sedimentation control plan; 3) Waiver of the requirement to provide curb and sidewalk; 4) Waiver of the requirement to provide existing contours; 5) Waiver of the requirement to provide a stormwater management plan; 6) List the fifth requested waiver on the plan sheet; 7) Plan approval shall be subject to providing original seals and signatures; 8) Plan approval shall be subject to the payment of engineering review fees; 9) the eight comments provided by HRG, Inc., dated June 10, 2008; and 10) All new driveways shall be paved for a minimum distance of 50' from the edge of the cartway.

Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Action on agreement between the Township and the  
McNaughton Company for improvements to Patton Road  
in conjunction with the Autumn Oaks preliminary subdivision plan

Ms. Moran explained that Mr. McNaughton met with Mr. Stine and Township staff regarding the provisions that needed to be made to the Roadway Improvement Agreement for the realignment of Patton Road. Ms. Moran noted that Mr. Stine has reviewed the agreement and found everything to be in order and ready for Board action.

Mr. Seeds questioned how many total units would be built in this development. Mr. Joel McNaughton answered that 203 units would be built. Mr. Seeds noted that after 126 occupancy permits are issued, the improvements would be completed. Mr. Stine noted that the agreement reads that the improvements would be designed at that time. Mr. Seeds questioned when the road realignment would be completed. Mr. Stine noted that paragraph four states that if all the permits are in place, construction would occur concurrent with the improvements to Phase III of Autumn Oaks or upon occupancy of 126 residential units, whichever occurs first. He noted that the next sentence states that the McNaughton Company would diligently pursue and complete construction. He noted in paragraph nine, it states that the developer acknowledges that if all required road construction permits are in place, the Township would not issue occupancy permits for any phase of Autumn Oaks after Phase III until the construction of the realignment has been completed and accepted by the Township as required by the agreement unless bonding is in place.

Mr. Crissman made a motion to approve the agreement between the Township and the McNaughton Company for improvements to Patton Road in conjunction with the Autumn Oaks preliminary subdivision plan as reviewed and recommended by Solicitor. Mr. Blain seconded the

motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolution 08-24; Planning module for the Deaven Woods subdivision plan

Mr. Blain made a motion to approve the Planning Module for the Deaven Woods subdivision plan. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

Improvement Guarantees

Mr. Hawk noted that there were seven improvement guarantees for consideration.

Weis Markets

An extension and 10% increase in a letter of credit with Omega Bank, in the amount of \$39,446.00 with an expiration date of July 20, 2009.

Spring Creek Hollows, Phase IB

A reduction in a letter of credit with Commerce Bank in the amount of \$234,794.01 with an expiration date of November 30, 2008.

Wyndhurst Manor, Phase 3

A reduction and extension in a bond with Developers Surety and Indemnity Company, in the amount of \$157,403.95 with an expiration date of July 17, 2009.

Allentown Blvd Storage

An extension, 10% increase and change in an escrow with Lower Paxton Township, in the amount of \$7,649.92 with an expiration date of June 17, 2009. (This is a change in the financial institution.)

Allentown Blvd Storage

A release in a letter of credit with M&T Bank, in the amount of \$6,954.48.

Kendale Oaks, Phase V

An extension and change in a letter of credit with Peoples Integrity Bank, in the amount of \$657,000.00 with an expiration date of June 15, 2009. (This is a change in the financial security.)

Kendale Oaks, Phase V

A release in a bond with Arch Insurance Company, in the amount of \$657,000.00.

Mr. Crissman made a motion to approve the nine listed improvement guarantees as presented. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and the improvement guarantees were unanimously approved.

**Payment of Bills**

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

**Adjournment**

There being no further business, Mr. Seeds made a motion to adjourn the meeting. Mr. Crissman seconded the motion, and the meeting adjourned at 8:26 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

Gary A. Crissman  
Township Secretary