

**LOWER PAXTON TOWNSHIP  
AUTHORITY MEETING**

Minutes of Township Authority Meeting held November 1, 2011

A special meeting of the Lower Paxton Township Authority was called to order at 7:35 p.m. by Chairman William B. Hawk, on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Authority members 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, Authority Solicitor; and Watson Fisher, SWAN.

**Pledge of Allegiance**

Mr. Seeds led the Pledge of Allegiance to the Flag.

**Approval of Minutes**

Mr. Crissman made a motion to approve the minutes of the August 23, 2011 business meeting. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

**Public Comment**

Mr. Hawk noted that the Board received written information from Eric Epstein who wanted to make public comment but was unable to attend the meeting.

Mr. Wolfe noted that Mr. Epstein asked to address the Board this evening under public comment in regard to the reimbursement applied to Richard Pleasants for property identified at 4101 McIntosh Road. He explained that the reimbursement was for a private building sewer that was performed by Mr. Pleasants. He noted that that the Authority in the area in which this property is located was rehabilitating private sanitary building sewers which are owned by the property owners; however, in select mini-basins the Authority does the restoration or replacement. He noted when the Authority was doing the restoration of the private building sewers at 4101 McIntosh Road, the contractor encountered contaminated soil. He noted that the Authority instructed its contractor to cease work and staff met with the Department of Environmental Protection (DEP) personnel who provided information that remediation had been

performed and that the site was safe for the work to continue. He noted that the Authorities' contractor was not equipped to do the work, and the property owner, Mr. Pleasants, offered to perform the work at his expense and requested reimbursement at the same costs the contractor was paid.

Mr. Wolfe noted that the Authority provided that reimbursement to Mr. Pleasants roughly a month ago. He explained that Mr. Epstein is in opposition to the reimbursement and in his correspondence to the Board he stated that he believes that this action set a precedent and that it showed preferential treatment to Mr. Pleasants. Mr. Epstein requests that the Township rescind the reimbursement made to Mr. Pleasants.

Mr. Wolfe explained that he was not speaking on behalf of Mr. Epstein; he was only providing the information that was delivered to the Board. He noted since Mr. Epstein was not able to be present and he was not sure that any further discussion on this topic would occur.

Mr. Hawk noted that it would be up to the Board to decide if further discussion should occur on this topic during a workshop session.

### **Chairman/Board Member Comments**

Mr. Hawk noted that two students are in the audience, and one is from Penn State, Middletown Campus, working her communications class, Writing for the Media. Ms. Kristin Simmers explained that she is a resident of the Township and is a third-year communications major at Penn State, and it is a requirement of her course to attend a public meeting. She noted that she was present to gather information to write a report. Mr. Hornung questioned Ms. Simmers why she chose to come to the Township Board meeting. Ms. Simmers answered that she was required to attend a meeting in her Township and her choice was either this meeting or the Central Dauphin School Board, and she chose this one since it worked well with her schedule. Mr. Blain explained that a representative from The Patriot-News was in the audience and she may provide additional information for Ms. Simmers. Mr. Crissman noted that it is always good to speak with a professional who works in the field of your major. Mr. Hawk questioned Ms. Simmers if she plans to get into a writing career. Ms. Simmers answered that she would prefer to get into broadcasting but this is a requirement of the curriculum. Mr. Seeds

explained that the Board would be conducting two meetings tonight, one for the Sewer Authority and one for the Board of Supervisors.

Mr. Cory Knoble explained that he attends Kaplan Business School and is attending the meeting for his Business Administration class. He noted that he is also Ms. Simmer's boyfriend and he came to support her in her attendance during the meeting.

### **Old Business**

There was no old business.

### **New Business**

#### Action on Resolution 11-07 which sets forth terms for the Authority to assist customers in connection to the clear water system in PC 4B/6C

Mr. Wolfe explained, in certain mini-basins rehabilitation areas, there is extremely high ground water and properties received clear water infiltration under their concrete slabs that enters the sanitary sewer system. He noted that removing clear water from the sanitary sewer system is the goal of the rehabilitation and it was found in the high groundwater areas a clear water system where the flows from the sump pumps is channeled into a storm sewer is the best way to prevent under slab clear water from getting into the sanitary sewer system. He noted that the resolution will provide to the property owners in the PC 4B/6C mini-basin the ability to connect their sump pumps to a clear water system at no cost, and it will be installed by the Authority as the mini-basin project is completed. He noted that the system will remain private and it will be the property owner's responsibility to maintain it after the Township makes the initial connection.

Mr. Wolfe explained that this is not the first time the Township has done this. He noted that it has been done in the past where there is high groundwater in the area. He noted that staff recommends that the Board approve this resolution in order to move forward and make contact with the necessary property owners to acquire an agreement to work with the Authority.

Mr. Hornung questioned why the resolution does not include the entire Paxton Creek mini-basin. He questioned if this is expected to be a problem in the other mini-basins. Mr. Wolfe answered that it has not occurred in all mini-basins. He noted that the Authority does not experience under slab issues in all mini-basins, and as a result clear water systems have not been

installed in all mini-basins. He noted that this mini-basin has been identified by the engineer as having a significant potential for under slab issues.

Mr. Seeds noted that there will be no cost to the homeowners if they sign an agreement to allow the contractor to go in their home and disconnect the current discharge and hook up to the clear water system. Mr. Wolfe answered that the Authority will only make the connection from outside the home and if there is internal plumbing that needs to be done it will be the homeowner's responsibility. He suggested that it would be a minor cost as it would entail connecting the outside sump pump connection to the clear water system

Mr. Crissman made a motion to approve Resolution 2011-07 which sets forth the terms for the Authority to assist customers in connection to a clear water system in PC 4B/6C mini-basin. 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 Resolution 11-08 for acquisition of a permanent right-of-way for Colonial Place L. P. for the sanitary sewer easement at 4775 Linglestown Road

Mr. Wolfe noted that the Board members viewed during its recent road tour Mr. Weaver's proposal to relocate the sewer main on Fairway Drive as it intersects with Linglestown Road and flows westward along Linglestown Road. He explained the need to relocate the line is two-fold; one, that the work would be in a PENNDOT right-of-way and it would be easier to eliminate as much of this work as possible, and second, the line has insufficient grade to provide for the adequate flow of waste water. He noted when the line was first installed many years ago it was not installed properly. He suggested if the Authority accesses through the property at 4775 Linglestown Road through a green area and the parking lot it can install a sanitary sewer line that will have a sufficient grade and be out of the PENNDOT right-of-way. He noted that the property owner is aware of this and is agreeable with the project but not the amount offered by the Township for the acquisition of the right-of-way. He noted, as a result of this, staff is requesting the Board to approve this resolution authorizing acquisition up to and including condemnation if necessary. He explained that it is the standard resolution that the Township and the Authority uses in all acquisition cases.

Mr. Crissman made a motion to approve Resolution 11-08 for the acquisition of a permanent right-of-way for Colonial Place L. P. for the sanitary sewer easement at 4775

Linglestown Road. 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 Amended Agreement with Mark and John DiSanto for the  
sanitary sewer easement at Valley View Road

Mr. Wolfe noted that the original agreement with Mark and John DiSanto provided for transfer of a sanitary sewer right-of-way by the DiSanto's for the Authorities' installation of the sanitary sewer line and their ability to connect to it. He noted that the Authority installed the sanitary sewer line. He explained that the Board members toured this area during its recent road tour. He noted as a result of the significant storm events that occurred in August and September, after the sanitary sewer lines were installed, there was damage to the DiSanto property. He noted that much of the earthwork that was placed had been swept away by the rain, and as a result of the Authorities discussion with the DiSanto's it was determined that in place of the Authority fixing the damage to the property through the sanitary sewer mini-basin contractor, the Township would pay the DiSanto's \$31, 58.10 for the acquisition of the right-of-way, the price that they would have paid to rehabilitate their property and restore it to its original condition.

Mr. Wolfe noted that the Township engineer has reviewed the estimate provided by the DiSanto's and determined that the amount requested is significantly less than what it would have been if the contractor did the work. He noted that it is the engineer and staffs recommendation that the Board amend the agreement with the DiSanto's and provide compensation to them in the amount of \$31,358.10 for the acre and a quarter of sanitary sewer right-of-way area.

Mr. Wolfe noted that Mr. Stine has reviewed the agreement and can provide further comment if necessary. Mr. Hawk questioned Mr. Stine if he has any further comments on the agreement. Mr. Stine answered that he did not.

Mr. Blain questioned how quickly they would be able to get the work done. Mr. Wolfe answered that staff tried to determine if the work could be done this year and it was found that it would have to wait until the spring. He noted that the area in front of Mr. Epstein's home has been repaired by the Authority. He suggested that the area west of Mr. Epstein's home, approximately the length of two football fields, must be restored and it will not occur until next year. He noted that a significant amount of topsoil material will have to be trucked in. He noted

that the area is too wet and nothing will grow at this late date. Mr. Crissman noted that it is nice to know that it will cost less than what was anticipated.

Mr. Crissman made a motion to approve the amended agreement with Mark and John DiSanto for the sanitary sewer easement at Valley View Road. 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.

### **Adjournment**

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 7:55 p.m.

Respectfully submitted,

Maureen A. Heberle  
Recording Secretary

Approved by:

Gary A. Crissman  
Authority Secretary