

WORKSHOP MEETING MINUTES

April 9, 2012

Those in attendance: Ron Hepner, Chairman; Joe Snyder and John Orr, Supervisors; Betty Warfel, Secretary/Treasurer; Randy Witmer, Zoning Officer; Michael Stover and Gary Lenker.

The meeting was called to order at 9:00 a.m. by Chairman Hepner.

Public comments: None

Old Business

1. Michael Stover addressed the Board regarding revisions needed on the Early Bird/Night Owl Storage Land Development Plan. Supervisors acknowledged receipt of Stover's letter dated March 16th, 2012, requesting an extension of the review period for this application until June 17th. The Administrative Completeness Review for Application PAG02-022-12-003 stating that this application is administratively complete and will be processed for technical review by the Dauphin County Conservation District was also received and reviewed by members of the Board. Following discussion, Stover stated that EB/NO will obtain a letter from Jere Troutman of the Millersburg Area Water Authority with respect to whether or not an easement will be required for a water line located on the property. Stover provided a copy of the Supplemental Highway Occupancy Permit (Original Permit 08071494) extending the period from October 6, 2011 to October 5, 2012. According to Gary Lenker, this permit transfer is allowed because this is the same type of project at the same location.

Stover addressed the following issues raised in the correspondence sent to Donald Lenker and Ronald Knorr dated March 14, 2012:

a. Stormwater Management: Stover stated that his method utilizing 2RC stone, which appears to be the largest concern of the Supervisors, will work and that they would not be losing the NPDES footprint. The township's engineer had advised that he was not comfortable with using a material that was outside of the Ordinances' list. Stover contends that everything in our Ordinance has been met. John Orr stated that the Board has a backup of BMPs listed in the Ordinance, and if we do not vary from these, we have fulfilled our duty – as non-engineers – and by doing so are not doing anything to increase the stormwater runoff problems already in existence for the residents of Pearl Street. If the Board accepts an alternative plan; and the plan fails, the Supervisors have failed the residents. This the first project to come before the Board since the new regulations are in place. If an alternative plan is accepted, the Board is setting a precedent for future development. Discussion ensued regarding providing improved infiltration at the bottom of the property. If additional infiltration should be placed in this area, EB/NO would require a letter from the Millersburg Area Water Authority stating that they would not be liable for any damages that may result to the water line. Stover suggested that the depth of stone be increased from 4" to 8" and bermed to capture and hold the water runoff. He also recommended that infiltration trenches be installed under the lowest row of buildings. Long basins were also discussed. Gary Lenker stated that this sounded like a reasonable suggestion to discuss with the owners. With proper infiltration included in the plan, Supervisors could assure residents that they had done all they could under the provisions of the township's zoning ordinance to protect their properties. In response to Joe Snyder's inquiry whether asphalt would be a viable alternative, Stover replied that this type of material would significantly increase the runoff problem. Lenker will take the Board's recommendation to the owners for their consideration. Stover stated that he is not admitting that his design will not work as presented, but he will make the changes to appease the Supervisors and

the added runoff protection will err on the side of caution. The Commonwealth's water quality standard will be met. Stover provided an attachment to the Operation and Maintenance Agreement Stormwater Management Best Practices to be included with their permit for execution by the Supervisors. This document can be executed at a later date and included with the final approval of the plan. Stover asked that EB/NO not be required to provide a performance bond for this project. This issue will need to be discussed with the Township's solicitor.

b. Subdivision and Land Management: Stover inquired whether a waiver could be granted regarding the requirement to install sidewalks. Following discussion, Ron Hepner made a motion that the Board grant a waiver that sidewalks are not needed on the property. This motion was tabled for lack of a second. John Orr would like to determine whether any proposed development in the near future on the adjoining properties would require the installation of sidewalks before making a decision on this proposed plan. Fire hydrants will not be required because of the close proximity of current ones. A formal waiver will be needed regarding installation of hydrants at a future date.

c. Zoning: With respect to a landscaping barrier along the portion of the lot facing Center Street, the Board cannot mandate this work.

d. Stormwater Management: Stover will incorporate berm and/or infiltration trenches at the lower end for an increased safety factor. New plans will be prepared. Formal waivers will be required on several items. An amendment to the NPDES Permit will be prepared. EB/NO will need a consistency letter from the Township about stormwater runoff.

With respect to excavation of the site, Joe Snyder made a motion to have an inspector present on the job during excavation. Stover stated a licensed professional will be on-site during the excavation. The trench will be inspected before stone is put in it. Motion died for lack of a second. HOP Permit number will be included on the final plans.

2. Supervisors discussed whether the Floodplain Ordinance Amendment could be a stand alone ordinance or must be included in the township's zoning. The Board will discuss this matter with Attorney Howland on Wednesday evening.

3. Chairman Hepner provided information regarding the Rails to Trails plans to go alongside the township's roadways. During communications with Chris Deitz, Hepner rejected the group's request to provide a letter of support for the grant application they are submitting to DCNR. Concerns about the safety of people as they walk or ride along Pearl Street, Wiconisco Street and Goodling Road were discussed. Handicapped accessibility is also a matter of concern. Hepner will check into the township's liability for accidents that would occur along these sections of the township's roads. As this is a constricted area, PennDot could install a cartway along Wiconisco Street. Sidewalks may need to be installed so that residents are not walking on the streets.

4. The Board addressed the issue of a house fire in a duplex home located on Maple Street in Lenkerville. The owners of the half of the house that was damaged are opting to collect the insurance and not repair the property. The township currently has no ordinance addressing what must be done if one-half of a double home is destroyed. Millersburg Borough has an ordinance that addresses this issue. Chairman Hepner will obtain a copy of this ordinance for the Board's review.

5. Millersburg Area Ambulance has requested that the Supervisors provide a letter of support for their application to the Dauphin County Gaming Advisory Board to obtain a local share grant to purchase a new ambulance. Ron Hepner made a motion to provide a letter of support for the

ambulance association to be included in their grant application. John Orr seconded the motion. With all in favor, motion carried.

6. The Board discussed the proposed Swale 4A for Water Company Road at the Ned Smith Center. Supervisors reviewed an email from Elizabeth Davison, of H. Edward Black, regarding the suggestion to use a 5' pipe to convey the water runoff during a 25-year storm event. John Orr advised that 4' pipe would be less expensive if that could be used at the site. Bob Coleman has advised that installing a surface swale with rip/rap would cause the township to lose road. Eastern Industries has not responded to the township's request to share the cost or provide stone for the project.

7. Supervisors discussed whether to move the May Workshop meeting to an alternate date due to its' coinciding with the PSATS Conference at Hershey. Following discussion, the Board decided to hold the May workshop meeting on Monday, April 30th.

8. Robert Coleman has tendered his resignation as Township Roadmaster as of Monday, March 12, 2012. Joe Snyder made a motion to accept Robert Coleman's resignation as Roadmaster. John Orr seconded the motion. All in favor, motion carried. Due to this change of status, Joe Snyder made a motion to reduce Robert Coleman's pay accordingly. Second by John Orr. With all in favor, motion carried.

9. The Board discussed the appointment of a new Township Roadmaster. Robert Hooper advised that he is not interested in this position due to health reasons. Stephen Erdman stated that he has reservations about assuming the position due to his lack of experience in estimating the costs of projects. An alternate solution would be for a Supervisor to oversee the scheduling of duties for the road crew. Supervisors will discuss this matter further with Stephen Erdman to determine if he may reconsider accepting the appointment. Discussion will continue at Wednesday evening's monthly meeting.

10. Joe Snyder expressed concern regarding the age of the pipe under Senator Drive. It may be advisable to replace the aging pipework before paving the road surface. Supervisors will make a site visit before making a decision on this matter.

New Business

1. Supervisors discussed a private paving issue that has arisen on Tandy Lane. The Township is aware of the problem and will continue to monitor it.

2. The Board reviewed correspondence received from Foreman & Caraciolo, Attorneys at Law, addressed to DEP, regarding Post-Closure Care/Dauphin Meadows Landfill. A problem has arisen under the Trust because of the inability to pay the Trustee's annual service fee. The Solicitor is proposing to amend the Trust to provide that the Bank may hereafter annually charge and be paid three tenths of one percent of the corpus of the trust with the same never to be reduced below \$450,000. The amendment would permit payment of administrative fees billed dating back to November, 2004, which remain unpaid. Upper Paxton Township was notified as a Township who may share with the County in the ultimate distribution in the event that money is available at the termination of the trust in approximately 20 years. No action by the Board is required at this time.

3. Supervisors reviewed a letter received from Governor Tom Corbett acknowledging receipt of the Township's Resolution in support or elimination of the State Prevailing Wage Act.

Public Comments

None

With no further business to discuss, John Orr moved to adjourn. Second by Joe Snyder. All in favor, motion carried. Meeting adjourned at 11:15 a.m.

Respectfully submitted,

Betty A. Warfel, Secretary