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Middle Paxton Township

BOARD OF SUPERVISORS

REGULAR MONTHLY MEETING MINUTES
October 6, 2014

Call to Order

The October 6, 2014 regular monthly meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:00 PM by Chairman Andrew Megonnell in the Township meeting room. Also present were Supervisor James Fisher, Vice-Chairman and Secretary/Treasurer; Supervisor Jeffrey Smith; Supervisor Dick Pepper; Supervisor Mitch Rissinger; Julie Ann Seeds, Township Manager and Assistant Secretary/Treasurer; Steve Stine, Township Solicitor; and Ed Fisher, Township Engineer.

Pledge of Allegiance

The meeting was opened with the Pledge of Allegiance.

Public Hearing

Solicitor Steve Stine opened the public hearing on the previously advertised Ordinance 2014-3 whereby the Township proposes to vacate the Township road commonly known as "Stone Arch Lane" formerly the right-of-way of State Highway Route 22026 Section 1 Station 278+38 to Station 301+08.

Joe Fetterhoff, 181 Stone Arch Lane, questioned why the Township had never maintained Stone Arch Lane and suggested it should be brought up to Township roadway standards before being vacated.

Edward Fetterhoff, Jr., 900 Clarks Valley Road, expressed the same sentiment previously stated by Joe Fetterhoff.

Solicitor Stine explained that the Township had always considered Stone Arch Lane to have been vacated at the time it was abandoned by the Pennsylvania Department of Transportation in 1942 and reverted to the Township for ownership. However, a research of Township records undertaken as a result of a building permit having been submitted for a property on Stone Arch Lane could not produce verifying documentation for Stone Arch Lane having been vacated. Hence, the Township proposes to enact Ordinance 2014-03 to provide documentation of Stone Arch Lane having been vacated such that property owners would not be constrained to Township roadway right-of-way requirements in the future.

Robin Ford, a resident of Harrisburg and daughter of Ethel Sauer who owns property at 1020 Clarks Valley Road, questioned whether the proposed action to vacate Stone Arch Lane would place a burden on her elderly mother. Solicitor Stine explained that there were no requirements for property owners to take any action associated with the Township's proposed ordinance to vacate Stone Arch Lane.

Motion by Supervisor Smith to close the public hearing on the proposed adoption of Ordinance 2014-03 was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Ordinance Adoption

Motion by Supervisor Smith to adopt Ordinance 2014-03 vacating the Township Road commonly known as "Stone Arch Lane" formerly the right-of-way of State Highway Route 22026 Section 1 Station 278+38 to Station 301+08 was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Public Comments

Chairman Megonnell invited public comments from those in attendance who were not listed on the agenda.

Wilbur Evans, 111 Affection Road, requested any old records of the Dauphin-Middle Paxton Community Ambulance Association still stored at Station 12 be forwarded to the Dauphin-Middle Paxton Historical Society. Chairman Megonnell noted his request would be referred to the Dauphin-Middle Paxton Joint Public Safety Authority who owns the property known as Station 12.

Joe Fetterhoff, 181 Stone Arch Lane, suggested the Township should consider amending its Zoning Ordinance whereby existing buildings already encroaching upon a set-back line would be granted an exception to permit construction of an addition that does not extend beyond the existing building line.

Approval of Minutes

Chairman Megonnell requested a motion to approve the minutes from the September 2, 2014 meeting. Motion by Supervisor Smith to approve the September 2, 2014 meeting minutes was seconded by Supervisor Rissinger. *Motion passed with Chairman Megonnell abstaining due to having been absent from that meeting.*

Treasurer's Report/Monthly Financial Statement

Julie Ann Seeds, Assistant Secretary/Treasurer, presented the monthly Treasurer's Report showing the total of Fiduciary Funds (\$146,235.38), State Accounts (\$336,683.52) and General Account Funds (\$1,367,655.91) to be \$1,837,272.46 as of September 30, 2014. The Fire Truck loan balance is \$97,279.77 with no other Township indebtedness at this time.

Ms. Seeds reported the actions required to close General Account #1329 (General Checking Account) with Susquehanna Bank and transfer those funds to the Operating Fund #3367 (Payroll – Direct Deposit) with Mid Penn Bank were in process.

Ms. Seeds also reported having been advised that designated "funds" must be established by resolution of the Board with those monies held in a fund used solely for the purpose stated in the resolution, whereas "accounts" do not have those same restrictions. She noted her research of past records did not produce resolutions supporting establishment of those "funds" currently itemized within the Treasurer's Report. A recommendation and supporting resolution for designation of funds will be forthcoming at the next regular meeting.

Motion by Supervisor Smith to approve the Treasurer's Report to be filed for audit was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Agenda Items

Kerstetter Property – Request for Release of Improvement Guarantee

Light-Heigel & Associates correspondence dated September 16, 2014 indicated satisfactory completion of site improvements for the Kerstetter property (Hagy Subdivision Lot 3) located on Red Hill Road and recommended release of the improvement guarantee provided by a \$20,500 letter of credit.

Motion by Supervisor Rissinger to release the improvement guarantee provided by a \$20,500 letter of credit being held for the Kerstetter property (Hagy Subdivision Lot 3) pursuant to the Township Engineer's recommendation was seconded by Supervisor Smith. *Motion passed unanimously.*

Resolution 2014-05 Dauphin County Infrastructure Bank Loan Request

A resolution authorizing the filing of an application for a Dauphin County Infrastructure Bank (DCIB) loan request in the amount of \$1,212,000 to be used for the Potato Valley Road Bridge Project was presented to the Board. The proposed DCIB loan will be used to fund the design, permitting, roadway realignment/construction, and construction administration and inspection. DCIB loan funding obtained by the Township is intended to leverage PennDOT STP funding of the actual bridge construction with bridge design also being funded in part by CBDG disaster relief grant funds.

Motion by Supervisor Rissinger to adopt Resolution No. 2014-05 authorizing the filing of an application for a Dauphin County Infrastructure Bank (DCIB) loan request in the amount of \$1,212,000 to be used for the Potato Valley Road Bridge Project and designating Julie Ann Seeds as the official to execute all documents and agreements between the Township and Dauphin County to facilitate and assist in obtaining the requested loan was seconded by Supervisor Smith. *Motion passed unanimously.*

2015 Budget Requests

Ms. Seeds presented 2015 budget requests from the following community organizations:

- Dauphin-Middle Paxton Emergency Management Agency – same as previous year (\$3,900 total including \$200/month salary)
- Dauphin-Middle Paxton Park Authority – nothing received to date
- Fishing Creek Community Association – building supplies and several new folding tables
- Dauphin-Middle Paxton Joint Public Safety Authority – nothing received to date
- Dauphin Area Senior Transit (D.A.S.T.) – same as previous year (vehicle fuel, garage space for van and administrative assistance for scheduling rides)
- Dauphin-Middle Paxton Fire Company No. 1 – received email notification that the 2015 budget request will be forthcoming by mid-October

Wilbur Evans, representing the Middle Paxton Lions Club, requested the Township allocate \$1,000 in the 2015 budget toward the approximate \$5,000 cost of the fireworks at the annual Middle Paxton Lions Club Carnival.

2015 Preliminary Budget

Ms. Seeds distributed a preliminary 2015 budget and 2014 year-to-date P&L budget overview for the Board's review in preparation for 2015 budget deliberations. Supervisor Fisher suggested the Board consider connecting the maintenance garage to the public water supply and purchasing a steam jenny to facilitate more extensive cleaning of the trucks and spreaders after winter road

clearing use. He also suggested investigating connection to the public sewer in advance of constructing a new salt shed in the proposed location.

Hetrick Lane Right-of-Way – Release of Improvement Guarantee

Ms. Seeds reported Solicitor Stine had reviewed all documents related to the Hetrick Lane Right-of-Way (ROW) agreement and, based upon satisfactory completion of the required ROW documents, recommended release of the improvement guarantee.

Motion by Supervisor Rissinger to release the improvement guarantee held for the Hetrick Lane Right-of-Way pursuant to the Township Solicitor's recommendation was seconded by Supervisor Fisher. *Motion passed with Supervisor Smith abstaining and taking no part in the discussion.*

Reports

Solicitor – Steve Stine, Esq.

Solicitor Stine reported having filed a complaint with Magisterial District Judge 12-3-02 Gregory Johnson pertaining to cost recovery for the Stony Creek Road guiderail damaged by a PPL vehicle.

Engineer – Ed Fisher, P.E. – See attached report.

Engineer Fisher reported Texas Eastern requested the Township complete paving overlay of the road cut where the pipeline was installed across Stony Creek Road and would reimburse the Township for that work. Engineer Fisher recommended issuing Meckley's Limestone Products a change order to complete that work, as well as issuing a separate change order for Meckley's to pave the road cuts for recently completed culvert pipe replacements prior to repaving Stony Creek Road from the Ellendale turn-a-round to Lindsey Lane.

Motion by Supervisor Smith to issue change orders to Meckley's Limestone Products for paving the Stony Creek Road culvert pipe and pipeline installation road cuts at the contracted price of \$150/ton was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Road Master – Robert Hofer – See attached report.

Road Master Hoffer will schedule re-striping of the Blue Mountain Parkway and the repaved section of Stony Creek Road by Alpha Space Control under the CAPCOG bid pricing. It was the Board's consensus that all Township roads be scheduled to be re-striping in the spring after the winter snow plowing season.

Zoning and Codes Enforcement Officer – See attached report.

Ms. Seeds noted permits issued year-to-date represent about fifty percent less than previous years.

Emergency Management Coordinator – Robert Rusbatch

No report was presented.

Manager’s Report – Julie Seeds – See attached report.

Committee/Organization Reports

- Dauphin-Middle Paxton Joint Park Authority

No report was presented.

- Dauphin-Middle Paxton Joint Public Safety Authority

No report was presented.

Review/Approval of Bills

The listing of bills for September was distributed to the Board for review/approval. The Board met in executive session prior to the regular meeting to review the Zoning Hearing Board Solicitor’s (Guy P. Beneventano) October 2, 2014 response to the Board’s questions concerning his August invoices # 723 and #749 for professional services.

Supervisor Smith requested the description of the vendor bill payable to Jeffery A. Smith (Ramp – DMP Park play station) in the amount of \$637.99 be clarified to indicate reimbursement for materials only. Supervisor Smith also indicated his intent to abstain from voting on a motion to pay the bills that included the aforementioned vendor bill.

Motion by Supervisor Rissinger to pay all vendor bills for September including Guy P. Beneventano Law Office invoices #770 and #771 dated October 2, 2014 showing a \$16,467.58 Balance Total failed for lack of a second.

Motion by Supervisor Smith to pay all vendor bills for September with the exception of the vendor bill payable to Jeffery A. Smith (Ramp – DMP Park play station – reimbursement for materials only) in the amount of \$637.99 failed for lack of a second.

Motion by Supervisor Fisher to pay all vendor bills for September was seconded by Supervisor Peffer. *Motion passed with Supervisor Rissinger voting nay and Supervisor Smith having departed the meeting before the vote was recorded.*

Board Member Comments

Supervisor Fisher reported having attended the following meetings:

- CAPCOG on September 15
- Stormwater Management Workshop sponsored by CAPCOG and Alliance for the Chesapeake Bay on September 16
- Dauphin County Tax Collection Committee on September 17
- PSATS 2015 Conference Planning Committee on September 19

Supervisor Fisher commended Ms. Seeds on the excellent presentation of the Township's fall/winter edition of the newsletter. However, he questioned the inclusion of a full page advertisement for the Progress Fitness Spa in the Township's newsletter.

Supervisor Fisher also noted Upper Allen Township recently amended its ordinances requiring removal of vehicles from all Township maintained streets upon declaration of a snow emergency, as well as requiring removal of snow and ice around fire hydrants and from private or nonpublic streets following a winter storm to allow access by emergency vehicles.

Chairman Megonnell reported having attended the Clarks Creek Watershed Preservation Association's September 30 public meeting and presentation on the DeHart Dam Emergency Action Plan.

Executive Session

Not required.

Adjournment

There being no further business, the meeting adjourned at 8:55 PM upon a motion by Supervisor Rissinger, seconded by Supervisor Peffer. *Motion passed unanimously.*

Respectfully submitted,

James H. Fisher, Secretary