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*Middle Paxton Township*

**BOARD OF SUPERVISORS  
REGULAR MONTHLY MEETING MINUTES  
April 1, 2013**

**Call to Order**

The April 1, 2013 regular monthly meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:04 PM by Chairman Andrew Megonnell in the Township meeting room. Also present were Supervisor James Fisher, Vice Chairman and Secretary; Supervisor Richard Peffer, Treasurer; Supervisor Mitchell Rissinger; Supervisor Mary Jane Davis; Julie Seeds, Township Manager and Assistant Secretary/Treasurer; Steve Stine, Township Solicitor; and Ed Fisher, Township Engineer.

**Pledge of Allegiance and Public Comments**

Following the Pledge of Allegiance, public comments were requested from those in attendance.

Ron Hull of 910 Sprucewood Avenue stated that he and others would be cutting dead trees and clearing brush at the Dauphin-Middle Paxton Community Park with the approval of the Joint Park Authority and requested Township assistance with chipping the cut tree limbs and brush that will be piled up at various locations within the park. Road Master Robert Hofer reported the Township's chipper was currently out for repair and that he could not predict when it would be returned fully operational. It was the consensus of the Board to authorize the road crew to chip the brush piles at the park depending upon the availability of the chipper and the road crew to attend to this matter.

**Approval of Minutes**

Chairman Megonnell requested a motion to approve the minutes from the March 4, 2013 regular monthly meeting. Motion made by Supervisor Rissinger to approve the minutes from the March 4, 2013 regular monthly meeting was seconded by Supervisor Fisher. *Motion passed unanimously with Supervisor Davis abstaining due to having been absent from the March 4<sup>th</sup> meeting.*

**Treasurer's Report/Monthly Financial Statement**

Julie Seeds, Assistant Secretary/Treasurer, presented the Treasurer's Report and reported the total of designated and undesignated funds was \$2,078,945.82 at the end of March. Ms. Seeds noted the Centric Bank CD# 1550 in the amount of \$126,804.35 will mature during April and requested direction from the Board on how to handle that investment. Motion made by Supervisor Rissinger to move funds from Centric Bank CD# 1550 to a Money Market Account with the designated repository to be determined by whichever of the Township's three current banking institutions will provide the most advantageous interest rate was seconded by Supervisor Davis. *Motion passed unanimously.*

Ms. Seeds reported the municipal building loan balance to be \$478,860.47 and indicated the remaining debt should be paid off by early 2015 as a result of the Township having applied extra debt reduction payments against the principal since loan origination. Ms. Seeds distributed a final copy of the 2012 Municipal Annual Audit and Financial Report showing a deficit of revenues over expenditures in the amount of \$30,082 and a Total Fund and Account Group Equity of \$2,489,195 during the fiscal year.

Supervisor Davis and the Board acknowledged Ms. Seeds for her continued due diligence and fiscal accountability in managing the Township's funds throughout fiscal 2012.

Motion made by Supervisor Rissinger to approve the Treasurer's Report and Monthly Financial Statement to be filed for audit was seconded by Supervisor Davis. *Motion passed unanimously.*

### **Agenda Items**

#### **Parks and Recreation Board Ordinance 2013-03 Adoption**

Having given prior public notice as required under the Second Class Township Code, motion made by Supervisor Rissinger to adopt Ordinance No. 2013-03 establishing a Township Parks and Recreation Board was seconded by Supervisor Fisher. *Motion passed unanimously.*

Applications of interest in being considered for appointment to the three remaining seats on the Parks and Recreation Board received from Township residents were referred to Supervisor Rissinger and Ms. Seeds for review and recommendation to the Board of Supervisors at a subsequent meeting.

#### **Discussion on Municipal Merger – Proposed meeting with DCED**

Ms. Seeds reported on having had a preliminary discussion with Dauphin Borough Council President, Steve Bomgardner, regarding the feasibility of a merger between the Township and Borough and a suggestion of engaging the Department of Community and Economic Development (DCED) to determine and outline the advantages of such a proposal. Ms. Seeds indicated Mr. Bomgardner intended to present this proposal to Borough Council during its meeting on Tuesday evening April 2<sup>nd</sup> and requested the Board's consensus on whether further discussions and engagement of DCED would be supported by the Board. It was the consensus of the Board that discussions continue and DCED be engaged to further investigate the feasibility of a municipal merger should Dauphin Borough Council look favorably upon such a proposal.

## 2013 Gaming Grant Proposed Projects

Ms. Seeds noted that grant applications under the Local Share Municipal Grant Program will once again be considered by Dauphin County and requested input from the Board regarding proposed projects for the 2013 application. Initial suggestions from the Board that will require further review and discussion included municipal building debt reduction, debt reduction for the Fire Company's pumper/tanker being funded at 50% of estimated cost during the 2012 grant cycle, replacement of the Township's front end loader and construction of a new salt bin as an inter-municipal project between the Township and Dauphin Borough.

## Dauphin Recreation Association – Proposed Sale of Subdivided Property

Dan Deichmiller representing the DRA inquired as to whether the Township would be interested in purchasing property to the rear of the swimming pool should DRA subdivide that approximate 3.2 acre plot from their existing parcel. Mr. Deichmiller indicated that the parcel being proposed for subdivision had been appraised at \$15,000 per acre.

Given the Board's expressed interest in preserving the DRA parcel for community parks and recreation use, the Board recommended DRA present their offer to the Dauphin-Middle Paxton Joint Park Authority for their consideration as a lot addition to adjoining Authority lands noting that a lot addition could be accomplished at less cost than pursuing a subdivision plan.

## St. Matthew's Catholic Church – Request for Release of Escrow

In response to the Church's March 29<sup>th</sup> request for full release of its improvement guarantee in the amount of \$32,111.75, Township Engineer Ed Fisher noted that his March 29<sup>th</sup> site review indicated the permanent seed was not complete, the site was not stabilized and the as-built plan was not received. Mr. Fisher recommended a partial release of funds in the amount of \$24,817.50 with a minimum balance of \$7,294.25 retained for the subject project.

Motion by Supervisor Rissinger to approve a partial release of improvement guarantee funds in the amount of \$24,817.50 was seconded by Supervisor Fisher. *Motion passed unanimously with Supervisor Davis recusing herself due to being an adjoining property owner and having expressed continued concern regarding church property stormwater management.*

## Linden Lane Developer Issues – Cul-de-Sac and Detention Basin Corrective Actions

Ms. Seeds reported that Cottonwood Developer, Raymond Stanley Miller, has failed to complete the cul-de-sac work and provide the Township with as-built plans for the detention basin required for dedication of Linden Lane despite having been sent certified notices and a reminder to complete those actions by April 1, 2013. Ms. Seeds noted that Mr. Miller has not responded to the Township's notices and that ownership of portions of the Linden Lane cul-de-sac right-of-way and the retention basin is a matter still pending a Dauphin County Court of Common Pleas decision. Township Engineer Ed Fisher cautioned the Board that the remaining balance on the developer's Letter of Credit may not be sufficient to complete required corrective actions should the Board proceed to collect on the Letter of Credit and complete the necessary work.

Motion by Supervisor Rissinger for the Township to attempt to negotiate an amicable solution with the property owner affected by the Linden Lane cul-de-sac having been paved beyond the subdivision right-of-way that will enable the Township to accept dedication of Linden Lane was seconded by Supervisor Davis. *Motion passed unanimously.*

## **Reports**

### Emergency Management Coordinator – Robert Rusbatch

Mr. Rusbatch thanked the supervisors who attended the emergency management informational session held during the previous month.

Mr. Rusbatch reported that Mrs. [REDACTED] Hockendon of [REDACTED] Clarks Valley Road is requesting an audible (siren) warning system be installed to alert residents should a potential breach of the Dehart Dam threaten Clarks Valley properties. The Board requested correspondence be sent to Mrs. Hockendon advising her the Township has endorsed the South Central Task Force Everbridge Emergency Notification System to alert Township residents of emergency incidents or imminent threats to health and safety. The Everbridge notification system sends a message to residents within an area of concern via traditional landline telephone numbers listed in the White or Yellow Pages. In addition, residents can select and prioritize notification methods such as cell phone, home phone, email, text message, TTD/TTY numbers, as well as the type of alerts being received.

### Dauphin-Middle Paxton Joint Park Authority

Ms. Seeds reported having received an email from Authority chairman, Guy Jacobs, outlining upcoming work activities including removal of dead trees threatening the playground area, clearing brush debris, and installation of the new scoreboard and flag poles donated by the Dauphin-Middle Paxton Home Association prior to the baseball season opener on April 20<sup>th</sup>.

Solicitor – Steven Stine, Esquire – No report was presented.

Engineer – Ed Fisher – See attached report.

In response to the traffic speed study of the Blue Mountain Parkway, the Board concurred with the Engineer's recommendation that roadway speed be posted at 40 MPH and requested Solicitor Stine prepare and advertise the ordinance necessary to post a 40 MPH speed limit for the entire length of the Blue Mountain Parkway with cautionary speed restrictions posted upon approaches to intersecting roadways where deemed advisable.

The Board also concurred with the Engineer's recommendation to prepare bid specifications and contract breakdowns for the Fishing Creek Community Building renovations in a two-phase approach with the first phase including roof replacement, re-pointing of the brick wall and work necessary to correct the out of alignment chimney, restoration of the front entranceway and replacement of the side and front entrance doors, and installation of the security system. The second phase would include installation of the air conditioning system, correction of the handicap ramp access to be fully

ADA compliant, and installation of an electrical generator system to provide emergency power during an outage. Mr. Fisher anticipated being able to present the first phase bid specifications for the Board's review at the May 6<sup>th</sup> meeting for authorization to advertise for bids. The Board concurred with Supervisor Fisher's recommendation that a standing seam metal roof be included as a bid option for roof replacement.

Road Master – Robert Hofer - See attached report.

Zoning and Codes Enforcement Officer – Alicia Riegel-Kanth – See attached report.

### Manager's Report– Julie Seeds

Ms. Seeds reported:

- The 2012 Audit was completed and filed with the state.
- The extra benches for Hagy Park were ordered and delivered.
- The baby changing stations were ordered and delivered for installation in all Township facility restrooms.
- Work continues on a DCNR grant application due April 10<sup>th</sup> seeking funds to construct a new pavilion and an all-weather walking trail around the fields at Hagy Park.

Motion made by Supervisor Fisher to adopt the Resolution pertaining to Web Application ID 1007140 seeking a grant from the Pennsylvania Department of Conservation and Natural Resources for the Hagy Park Project was seconded by Supervisor Rissinger. *Motion passed unanimously.*

- A grant was submitted to PennPrime seeking \$1,000 to help defray costs for development of personnel policies and road crew training.
- Resumes and letters of interest received for the advertised part-time summer seasonal lawn maintenance position were being reviewed.
- She attended a Governor's Center for Local Government Services workshop entitled "Collaborative Approaches to Funding Fire and EMS Services" on March 20<sup>th</sup> at the PSATS Educational Center.

### Review/Approval of Bills

Motion made by Supervisor Rissinger to pay the March 2013 General and New Municipal Building bills presented for payment was seconded by Supervisor Fisher. *Motion passed unanimously.*

### Information Items/Letters Received

Ms. Seeds reported having received the following information items and correspondence:

- Announcement of the introductory meeting of the Dauphin County Infrastructure Bank to be held on April 2<sup>nd</sup> which she will attend.
- Announcement of the HATS monthly meeting on April 9<sup>th</sup> which she intends to attend.
- Dauphin County Conservation correspondence indicating approval of the Fort Hunter adaptive re-use E&S plan.
- PSATS correspondence indicating the requirement for sealed bids has been increased from \$18,500 to \$18,900 effective January 1, 2013.

- A telephone inquiry was received from Eckert Seamans the County's IDA legal counsel to obtain clarification regarding the contract funding for the Fire Company's pumper/tanker project, specifically the Township's funding commitment versus the Fire Company's funding commitment to match the County's grant allocation. Ms. Seeds noted that the project may have to be advertised for sealed bids should the Township versus the Fire Company be the recipient of funds being allocated under the Local Share Municipal Grant Program contract agreement for the pumper/tanker purchase.

### **Executive Session**

The Board recessed into executive session at 9:26 PM to discuss matters pending litigation and employee matters upon a motion by Supervisor Rissinger, seconded by Supervisor Fisher. *Motion passed unanimously.*

The Board reconvened into regular session at 10:12 PM. Motion made by Supervisor Rissinger to appeal the Zoning Hearing Board Decision Granting Appeal, with Reservations, from Zoning Officer's Determination Regarding Yard Adjustment Regulations in Case No. 2013-1 (appellant Jennifer Lynn Maldonado, a/k/a Jennifer Del Sol residing at 440 River Road) inasmuch as the decision was based upon conclusions that the property had no front yard upon which to apply Zoning Ordinance yard adjustment regulations was seconded by Supervisor Peffer. *Motion passed unanimously.*

### **Board Member Comments**

None presented.

### **Adjournment**

There being no further business, the meeting was adjourned at 10:14 PM upon a motion by Supervisor Rissinger, seconded by Supervisor Peffer. *Motion passed unanimously.*

Respectfully submitted,

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James H. Fisher, Secretary