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Middle Paxton Township

BOARD OF SUPERVISORS
REGULAR MONTHLY MEETING MINUTES
June 3, 2013

Call to Order

The June 3, 2013 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; 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.

Dan Deichmiller, 1650 Chase Lane, a member of the Dauphin Recreation Association (DRA) board of directors reported that DRA had approached the Dauphin-Middle Paxton Joint Park Authority concerning acquisition of DRA property with DRA maintaining responsibility for continued pool operations. Mr. Deichmiller informed the Board that the Park Authority requested DRA financial statements for the past five years and designated a committee to consist of two representatives of the Park Authority, DRA, Dauphin Borough Council and Middle Paxton Township to study the proposed DRA land acquisition by the Joint Park Authority. Chairman Megonnell appointed Supervisors Rissinger and Fisher to serve on the Park Authority's Pool Committee.

Peggy McGeehan, 1051 Hecks Drive, requested assistance in expediting issuance of a building permit required for construction to replace her home that was destroyed by fire. Ms. Seeds stated she would look into the building code issue related to requirements for installation of an exit window as a result of a shower intended to be included within the half-bath for the family room in the lower level of the house.

Approval of Minutes

Chairman Megonnell requested a motion to approve the minutes from the May 6, 2013 regular monthly meeting. Motion made by Supervisor Rissinger to approve the minutes from the May 6, 2013 regular monthly meeting was seconded by Supervisor Fisher. *Motion passed unanimously.*

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 to be \$2,153,874.93 as of the end of May. As a result of being notified the Board authorized transferring Township Money Market Account funds to another banking institution offering a higher rate of interest, Ms. Seeds reported Mid Penn Bank reconsidered decreasing Money Market Account interest rates for Township accounts from 0.85% to 0.30% and instead established Money Market Account interest rates at 0.50% for Township accounts. Ms. Seeds reported that neither Centric Bank nor Susquehanna Bank were offering higher Money Market Account interest rates.

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

Agenda Items

Fire Truck – PEMA Loan Application

Solicitor Stine reported having reviewed the PEMA 2% Loan Application completed by the Dauphin-Middle Paxton Fire Company with assistance from the Fire Commission and that he did not find anything objectionable insofar as the Township being required to cosign the loan application. Ms. Seeds was authorized to cosign the PEMA Loan Application denoting the Township is providing at least 20% of the total project funding by entering into a separate \$125,000 commercial loan agreement to complete the purchase under the terms of the Dauphin County Local Share Municipal Grant Program agreement.

Fire Company president Mike Fagan, Jr. reported having entered into a purchase agreement with KME Fire Apparatus in the amount of \$530,595 for purchase of the Custom Predator Severe Service X-MFD Pumper Tanker based upon KME's COSTARS 13-005 proposal dated April 22, 2013 to avoid an anticipated June 1st price increase. Mr. Fagan indicated the KME proposal offered a \$17,686 discount for 100% prepay which would necessitate obtaining a performance bond in the amount of \$2,655. Ms. Seeds noted Dauphin County would not release any grant funds until delivery of the truck unless a performance bond was entered into between the parties. The Board requested Ms. Seeds seek guidance from Dauphin County Department of Community and Economic Development (DCED) regarding the purchase agreement pre-payment options which would require release of County grant funds.

Motion made by Supervisor Rissinger to enter into a \$125,000 5-year term loan agreement with either Mid Penn Bank, Susquehanna Bank, Centric Bank or Juniata Valley Bank based upon the bank offering the lowest rate of interest was seconded by Supervisor Davis. *Motion passed unanimously.*

Pennsylvania State Police (PSP) Monthly Report

PSP Cpl. John Kline reported upon PSP dispatches to incidents within the Township during the prior month acknowledging the Township has a low crime rate, as well expressed his gratitude to the Township for providing 24x7 access to office space and a computer within the Township's office for PSP troopers while on patrol.

Board Meeting Room – Use Policy and Rules

In response to requests being received for use of the Municipal Building meeting room by various parties, Ms. Seeds distributed a proposed *Board Room/Meeting Room Policy and Rules* document. Motion made by Supervisor Rissinger to adopt the *Board Room/Meeting Room Policy and Rules* as distributed was seconded by Supervisor Davis. *Motion passed unanimously.*

PennPRIME – Statements of Compliance

A *Seat Belt Use Policy and Motor Vehicle Review Policy – LCS #7* required by PennPRIME to be enacted as policies of the Township to ensure safe driving practices were distributed for Board review. Motion made by Supervisor Rissinger to adopt the *Seat Belt Use Policy* and the *Motor Vehicle Review Policy – LCS #7*, as amended to add the phrase "within the prior five (5) years" immediately prior to "...constitutes an unacceptable record." within the exceptions stated in definitions 2.a. and 2.b., as well as at the conclusion of definition 2.c was seconded by Supervisor Fisher. *Motion passed unanimously.*

Reports

Emergency Management Coordinator – Robert Rusbatch – No report was presented

Ms. Seeds noted that Mr. Rusbatch was meeting with River Road Association residents to discuss planned responses to future flooding events.

Dauphin-Middle Paxton Joint Park Authority – No report was presented.

Solicitor – Steven Stine, Esquire

Solicitor Stine reported the argument and briefing schedule for the Township's appeal of 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) has been issued by Dauphin County Court of Common Pleas. The Township's brief must be filed on or before June 14 and arguments are scheduled for July 9 before Judge Richard Lewis.

Solicitor Stine reported the ordinance required to post a 40 MPH speed limit for the entire length of the Blue Mountain Parkway would be advertised for action to be taken at the Board's July meeting.

Engineer – Ed Fisher – See attached report.

Engineer Fisher noted the bid opening for Fishing Creek Community Building roof replacement was scheduled for June 28 and the bid package for repointing the exterior brick walls should be issued prior to the Board's August meeting.

Road Master – Robert Hofer - See attached report.

Motion made by Supervisor Rissinger to purchase an 18' trailer with spring assisted gate and a 3 rack trimmer holder from Russ's Trailer Sales (Enola, PA) at the quoted price of \$3,090 to haul all of the Township's mowing equipment from site-to-site was seconded by Supervisor Fisher. *Motion passed by a vote of 4 to 1 with Supervisor Peffer voting nay.*

Motion made by Supervisor Rissinger to enter into contract with Alpha Space Control to repaint all line-painted Township roadways (20.85 miles) after crack sealing is completed on those roadways was seconded by Supervisor Fisher. *Motion passed unanimously.*

Motion made by Supervisor Rissinger to accept the New Holland Auto Group trade-in offer of \$3,000 for the 1997 Ford dump truck upon delivery of the 2013 F-550 dump truck was seconded by Supervisor Davis. *Motion passed unanimously.*

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

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

Ms. Seeds noted continuing discussions with Spectra Energy/Texas Eastern (SE/TE) Right-of-Way agents indicate a willingness to assist the Township with resurfacing sections of Stony Creek Road that will be impacted by heavy construction traffic during pipeline installation. The Board requested the proposed Temporary Workspace Permit (TWP) currently being revised by SE/TE include specifics regarding Stony Creek Road resurfacing in addition to those revisions specified by the Board during the May meeting.

Review/Approval of Bills

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

Information Items/Letters Received

Ms. Seeds advised the Board that the Township has right-of-ways (ROWs) that parallel certain portions of Fishing Creek Valley Road with those ROWs having been dedicated to the Township during approval of development subdivisions. This was discovered during review of the Robert Merritt application (ZHB Case #2013-03) for a Variance and Special Exception for placement of a detached accessory structure scheduled to be presented to the Zoning Hearing Board on June 13. Inasmuch as Fishing Creek Valley Road is a state highway with the state having its own ROW, the Board could see no specific reason for the Township to maintain a parallel ROW. The Board requested Ms. Seeds investigate the reasoning behind those ROWs having been dedicated to the Township and, unless there was a valid reason supporting those ROW dedications, to instruct

Solicitor Stine to prepare the necessary documents for abandoning the Fishing Creek Valley Road ROWs held by the Township.

Executive Session

The Board recessed into executive session at 9:25 PM to discuss matters pending litigation and employee matters upon a motion by Supervisor Fisher, seconded by Supervisor Rissinger. *Motion passed unanimously.*

The Board reconvened into regular session at 9:50 PM and took no actions regarding items discussed during executive session.

Board Member Comments

Supervisor Fisher noted that Vision Resources (formerly Tri-County Association for the Blind) offers a variety of services to area industries/companies including comprehensive document imaging/printing and bulk sorting mailing. He requested Ms. Seeds contact Vision Resources to determine whether they could handle production and mailing of the Township's newsletter and, if so, obtain a quote for comparison to costs being incurred with our current vendor.

Supervisor Fisher inquired as to the status of the Hagy Park gate that was damaged as a result of the locking upright post having been removed by the fire company to facilitate emergency vehicle access for landing of the Life Lion helicopter. It was the consensus of the Board that access to Hagy Park should not be restricted unless there is an increase in vandalism or other problems arise.

Chairman Megonnell inquired whether the AEDs located at Township facilities were under a maintenance contract. Supervisor Fisher noted that a maintenance contract was not entered into with Central PA Technical Services (CPTS) when those AEDs were originally purchased and/or serviced, but that he would check with CPTS owner Mark Geiser to determine whether he had the AEDs scheduled to be serviced.

Chairman Megonnell requested that organizations and/or agencies receiving Township funds provide either a monthly or quarterly report of activities to the Board.

Adjournment

There being no further business, the meeting was adjourned at 10:04 PM upon a motion by Supervisor Rissinger, seconded by Supervisor Peffer. *Motion passed unanimously.*

Respectfully submitted,

James H. Fisher, Secretary