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Middle Paxton Township

BOARD OF SUPERVISORS

REGULAR MONTHLY MEETING MINUTES
June 06, 2016

Call to Order

The June 6, 2016 regular monthly meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:03 PM by Chairman and Treasurer Jeffery Smith in the Township meeting room. Also present were Supervisor James Fisher, Vice-Chairman and Assistant Secretary; Supervisor Richard Peffer; Supervisor Wilbur Evans; Supervisor Larry Cooney; Julie Ann Seeds, Township Manager, Secretary and Assistant Treasurer; Township Solicitor Steve Stine; and Township Engineer Ed Fisher.

Pledge of Allegiance

The meeting was opened with the Pledge of Allegiance.

Public Comments

Chairman Smith invited comments from those in attendance who were not listed on the meeting agenda.

Robert Keyser, 1221 Gap View Road, expressed his ongoing nuisance complaint regarding road noise on SR 22/322, as well as motorcycle noise on Gap View Road. He asked the Township to request PennDOT install sound suppression material on the jersey barriers between SR 22/322 and Gap View Road.

Martha Mercurio, 1600 Hemlock Lane, reported interest in combining two separate tracts into one and questioned whether the Township had knowledge regarding the ownership of Hemlock Lane, a private road which bisects one of the two tracts jointly owned by her and Jack Bertollette.

Approval of Minutes

Motion by Supervisor Peffer to approve the minutes of the May 2, 2016 regular monthly meeting was seconded by Supervisor Evans. *Motion passed unanimously.*

Treasurer's Report/Monthly Financial Statement

Manager Seeds presented the monthly Treasurer's Report showing the total of *State Accounts* \$420,405.90; *Fiduciary Accounts* \$96,721.62 and *General Accounts* \$1,372,764.39 to be \$1,889,891.91 as of May 31, 2016. Manager Seeds also distributed the May deposit detail, May and January – May P&L statements.

Motion by Chairman Smith to accept the May 2016 Treasurer's Report to be filed for audit was seconded by Supervisor Pepper. *Motion passed unanimously.*

Agenda Items

Request for Release of Stormwater Improvement Guarantee

Light-Heigel & Associates, Inc. correspondence dated June 3, 2016 indicated required stormwater facilities have been completed in general conformity with the approved plan for the John Saponsky property, Lot #35 of the Autumn Glen subdivision, and recommended release of the remaining improvement guarantee being held in escrow.

Motion by Chairman Smith to release the \$3,300 remaining improvement guarantee being held in escrow for completion of the stormwater facilities on the John Saponsky property, Lot #35 of the Autumn Glen subdivision, pursuant to Light-Heigel & Associates, Inc. June 3, 2016 correspondence was seconded by Supervisor Cooney. *Motion passed unanimously.*

PennDOT Proposal to Relocate Bicycle Route J

Richard Norford, 1601 Primrose Lane, reported having been notified PennDOT intends to relocate Bicycle Route J from SR 22/322 to SR 11/15 upon completion of the Rock Slope Safety project in answer to the PUC having initiated an investigation to evaluate the safety of the traveling public where SR 22/322 crosses, below grade, the tracks of the Norfolk Southern Railway.

According to Mr. Norford, that action will restrict all bicycles from using SR 22/322 for commuter and recreational purposes. As proposed safety alternatives to relocating Bicycle Route J, Mr. Norford suggested PennDOT could:

- Install warning lights in the westbound and eastbound approaches to the railroad overpass that could be activated when bikers were traveling through the overpass.
- Construct a cantilevered bicycle/pedestrian pathway on the river side through the Dauphin Narrows.
- Seek use of the railroad's gated service road as a designated bicycle/pedestrian route through the Dauphin Narrows and controlled access for emergency vehicles when SR 22/322 is impassable.

Motion by Supervisor Fisher to draft a resolution in support of maintaining Bicycle Route J on the east shore of the Susquehanna River primarily following SR 22/322, Allegheny Street and Gap View Road through Middle Paxton Township and calling upon PennDOT to reconsider plans to re-route Bicycle Route J from the east shore to the west shore upon completion of the SR 11/15 Rock Slope Safety Project was seconded by Supervisor Evans. *Motion passed unanimously.*

Draft Snow Emergency Ordinance

The Board reviewed a draft ordinance intended to establish a procedure for a snow emergency declaration and to regulate parking of motor vehicles and snow and ice

removal during a declared snow emergency. The Board directed Solicitor Stine to delete Section 6, *Removal from Private or Nonpublic Streets*, in its entirety and include several additional edits suggested by the Board for review at the next regular meeting.

Dauphin-Middle Paxton Fire Company Joint Oversight Committee Request for Early Release of Equipment Fund Contribution

Ms. Seeds provided correspondence dated June 3, 2016 from committee Chairman Thomas P. O'Connell provided details regarding the committee's action authorizing the fire company to purchase a new special utility unit and requested the Township advance the total 2016 budgeted amount of \$15,000 being deposited in quarterly payments to the fire company equipment fund in order to make those funds available for vehicle delivery during the third quarter of 2016.

Motion by Supervisor Fisher to make a lump sum payment in the remaining amount of \$11,250 to the fire company equipment fund (Mid Penn Bank account #9119) on or about September 1 was seconded by Supervisor Evans. *Motion passed with Chairman Smith and Supervisor Peffer voting nay.*

Joint Municipal Salt Storage Shed Update

Light-Heigel & Associates, Inc. correspondence dated June 2, 2016 indicated all work was complete, outstanding issues were addressed and recommended release of the \$15,700 contract retainage to Agpoint Construction Services.

Motion by Chairman Smith to release the \$15,700 contract retainage to Agpoint Construction Services contingent upon final inspection by Middle Department Inspection Agency was seconded by Supervisor Cooney. *Motion passed unanimously.*

Manager Seeds reported Morgan Paving completed contracted paving services for the L-shaped apron in front of the salt storage shed and would be returning to seal all joints between new and existing paving at no additional cost to the Township.

Motion by Chairman Smith to release the \$12,600 payment to Morgan Paving for contracted paving services was seconded by Supervisor Evans. *Motion passed unanimously.*

Potato Valley Road Bridge and Roadway Realignment Project Update

Workshop session notes from a May 17 meeting held with representatives of Herbert, Rowland and Grubic, Inc. (HRG) were distributed and reviewed by the Board. Manager Seeds distributed a May 27 update report provided by HRG intended to address items questioned during the May 17 workshop session. HRG invoices 108991, 109285, 110016 and 110893 were included in the HRG update and presented for payment under the Dauphin County Infrastructure Bank (DCIB) loan.

Supervisor Fisher noted the invoices were based upon a percent complete factor against a Preliminary Engineering fee of \$279,151.27 while the professional services contract entered into with HRG on April 6, 2015 was based upon an April 2, 2015 proposal with a Preliminary Engineering lump sum fee of \$229,000. Supervisor Fisher also noted an apparent \$20,000 discrepancy between the \$427,000 total of design and construction engineering cost stated within HRG's *bridge replacement planning cost analysis* and the

\$447,000 contract total for preliminary engineering (\$229,000) and final design (\$218,000) exclusive of the \$15-20,000 estimate for wetland mitigation.

Motion by Chairman Smith to authorize Manager Seeds to make payment on the outstanding HRG invoices once the invoice Preliminary Engineering fee aligns with the professional services contract Preliminary Engineering fee was seconded by Supervisor Cooney. *Motion passed unanimously.*

Reports

Engineer – Ed Fisher, P.E.

An engineering report for the month of May 2016 was presented.

Motion by Supervisor Fisher to prepare an Ordinance establishing a speed limit of 35 MPH for Riverview Road in accordance with a traffic and engineering study performed by Light-Heigel & Associates, Inc. was seconded by Chairman Smith. *Motion passed unanimously.*

Roadmaster – Robert Hofer

A written report dated June 6, 2016 was presented.

It was the consensus of the Board to direct the Roadcrew to remove the lilac bush immediately adjacent to the roadway within the right-of-way of Stony Creek Road in the recently widened 'S' turn.

Supervisor Fisher suggested a box culvert and grate be installed at the storm water inlet on the east side intersection of Fulton and McKelvey Roads and provided road crew liaison, Chairman Smith, with a photograph showing the current inlet opening which is intruding into the paved section of the roadway due to collapse around the inlet.

Zoning and Codes Enforcement Officer – Julie Ann Seeds

A written report dated June 6, 2016 was presented.

Emergency Management Coordinator – Robert Rusbatch

EMC Rusbatch reported the SR 11/15 Rock Slope Safety Project was 57 days ahead of schedule and that the required documents for the winter storm disaster assistance had been submitted.

Manager – Julie Ann Seeds

A written report dated June 6, 2016 was presented.

Supervisor Fisher questioned whether Dauphin Borough was current with reimbursements to the Township for their share of the fire company's Workers Compensation insurance payments and the frequency of the billing to Dauphin Borough considering the Township makes insurance payments on a monthly basis. Manager Seeds explained that billing to Dauphin Borough for their 14.86% share of the fire company's Workers Compensation insurance was on an annual basis and that reimbursements for calendar years 2014 and 2015 were still pending. Manager Seeds will inquire about the overdue payments and whether Dauphin Borough would like to change the frequency of billings.

Committee/Organization Reports

- *Dauphin-Middle Paxton Joint Park Authority* – Ron Hull reported the *Land Transfer and User Agreement* had been executed between the Authority and the Dauphin Recreation Association (DRA) and distributed unexecuted copies of that agreement, as well as the Deed for transfer of tax parcel 23-001-102 from DRA to the Authority. Chairman Smith admonished the Authority for not having the Township and Dauphin Borough authorize the Authority to enter into a land transfer agreement, as well as for not having engaged legal counsel to represent the Authority's interests and not having conducted a title search before taking the reported action. The Board requested Solicitor Stine to determine whether the land transfer action was in compliance with the Authority's bylaws and/or articles of incorporation.
- *Dauphin-Middle Paxton Joint Public Safety Authority* – no report was presented. The next Authority meeting is scheduled for July 13 at 6 PM in the Township meeting room.
- *Capital Region Council of Governments (CapCOG)* – Supervisor Fisher reported the Board of Delegates met on Monday, May 16 and adopted resolutions calling for PennDOT to install cross-over protection barriers in grassy medians of Interstate 81 and in support of a citizens commission for legislative redistricting and congressional reapportionment. The annual municipal auction is Wednesday, July 20. CapCOG is sponsoring a Firefighters Forum @ HACC on August 15. Next meeting is scheduled for Monday, June 20 at 7 PM in the Hampden Township Building.
- *Dauphin-Middle Paxton Fire Company Joint Oversight Committee* – Supervisor Fisher reported Richard Davis submitted his resignation immediately following the May 3 meeting which now leaves two Township appointee seats vacant. The committee met in a special session on Monday, May 16 at the request of the Fire Company to review the proposed purchase of a new special utility unit (Chevrolet Silverado 2500HD Crew Cab with a Brand FX composite utility body) from Lawrence Chevrolet at a total purchase price of \$44,951.15. Purchase price is intended to be covered by using funds retained from the used tanker sale, \$13,790 from the Office of State Fire Commissioner grant and the balance from the Township's fire company equipment account. The vehicle will be used primarily for towing the rescue boat and replace the aging utility vehicle being used for that purpose. The committee approved the special utility unit purchase and will request the Township fully fund the fire company equipment account with the \$15,000 budgeted for 2016 prior to vehicle delivery expected during the third quarter of this year. The date for the committee's next meeting has not yet been determined.

Review/Approval of Bills

The listing of vendor bills for May was distributed to the Board for review/approval.

Motion by Chairman Smith to pay all vendor bills listed for May with the exception of the HRG invoices having a reported unpaid balance of \$69,787.82 was seconded by Supervisor Fisher. *Motion passed unanimously.*

Information Items/Letters Received

Manager Seeds presented items of general interest, as well as recent correspondence received by the Township.

The Board authorized Manager Seeds to prepare a mini-grant application due June 30 to the Appalachian Trail Conservancy for financial assistance in preparing an ordinance for protection of the Appalachian Trail within the Township boundaries.

Board Member Comments

Chairman Smith expressed concern that Board actions are not being reported to the Dauphin-Middle Paxton Joint Park Authority and requested Manager Seeds email all park-related actions of the Board to the Authority's chairperson and officers.

Executive Session

Not required.

Adjournment

There being no further business, the meeting was adjourned at 9:02 PM upon a motion by Chairman Smith, seconded by Supervisor Peffer. *Motion passed unanimously.*

Respectfully submitted,

James H. Fisher, Assistant Secretary

SUBJECT TO BOARD APPROVAL ON JULY 1, 2016