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*Middle Paxton Township*

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

**Call to Order**

The July 1, 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 Pepper, 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. No comments were presented to the Board of Supervisors.

**Approval of Minutes**

Chairman Megonnell requested a motion to approve the minutes from the June 3, 2013 regular monthly meeting. Motion made by Supervisor Rissinger to approve the minutes from the June 3, 2013 regular monthly meeting was seconded by Supervisor Davis. *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 \$2,152,291.37 as of June 30. Ms. Seeds reported year-to-date net income through June 30 to be \$9,619.90 and acknowledged EIT receipts are down when compared to last year. Ms. Seeds also reported income from building and sewer permits is running about half of last year's receipts on a year-to-date basis.

Motion made by Supervisor Davis 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**

### Texas Eastern

Mike Long, Right-of-Way agent representing Texas Eastern Transmission, was not present to discuss the Temporary Workspace Permit currently being revised to permit entry onto the Ibberson Park property for expansion of the Spectra Energy/Texas Eastern gas pipeline.

### Fishing Creek Community Building Roof Bids

Bid results from Hi-Tech/Hi-Art, Jeff Smith Roofing, Shea Roofing and Diversified Construction for replacing the roof on the Fishing Creek Valley Community Building were presented to the Board via Light-Heigel Associates, Inc. memorandum dated July 1, 2013. Bids were solicited and received for both asphalt shingle and metal standing seam roof material installations. Jeff Smith Roofing was the apparent low bidder for asphalt shingles at \$14,000 and Hi-Tech/Hi-Art was the apparent low bidder for metal standing seam at \$15,850.

Motion made by Supervisor Fisher to award a contract to Hi-Tech/Hi-Art in the amount of \$15,850 for installation of a metal standing seam roof on the Fishing Creek Community Building was seconded by Supervisor Rissinger. *Motion passed on a 4 to 1 vote with Supervisor Peffer voting nay.*

### United Water Company – Proposed Bulk Water Station

Arthur Saunders, Sr. Project Engineer, presented a sketch plan and photos of a bulk water dispensing station proposed to be installed on township property with a 122' by 13' paved pad in the township right-of-way of Elizabeth Avenue to permit pull off for filling of truck tankers midway between the City of Harrisburg water main and intersection of Edison Avenue. The bulk water station would have a coded system for use by commercial haulers and could provide for emergency distribution of water to residents dependent upon wells affected by a power outage.

While the Board concurred that the concept of a bulk water station had merit, it was the consensus of the Board that bringing commercial truck traffic onto Elizabeth Avenue having to exit onto Peters Mountain Road (Route 225) would contribute to what is already a hazardous intersection. No action was taken on United Water's proposed bulk water station proposal.

### Site Development Plan – 1241 Peters Mountain Road

Realtor Phil Gladstone presented a site development plan for the professional office use proposed for 1241 Peters Mountain Road located in the Mixed Use (M-X) zoning district. The proposed change of use, specifically a photography/videography studio and editing workshop, will bring usage of the property into conformity with the Zoning Ordinance and was approved by action of the Planning Commission.

Motion made by Supervisor Rissinger to approve the site development plan for 1241 Peters Mountain Road dated stamped as having been received by the Township on June 26, 2013 was seconded by Supervisor Davis. *Motion passed unanimously.*

## Fishing Creek Valley Road – Township Right-of-Way

Ms. Seeds advised the Board that further investigation of Township right-of-ways (ROWS) that parallel certain portions of Fishing Creek Valley Road and determining whether or not those ROWs have been dedicated to the Township would be a rather extensive undertaking. Furthermore, there would be costs involved in having ordinances prepared and advertised in order for the Township to vacate dedicated ROWs.

Inasmuch as this issue came to the Township's attention during review of the Robert Merritt application (ZHB Case #2013-03) for a Variance and Special Exception for placement of a detached accessory structure, it was the consensus of the Board that determination whether the ROW shown on the development plot plan was dedicated to the Township as a matter of record was the responsibility of the landowner.

## Ordinance 2013-04 – Blue Mountain Parkway Speed Limit

Ordinance 2013-04 establishing a speed limit for Blue Mountain Parkway in accordance with an engineering study conducted by Light-Heigel Associates, Inc. was properly advertised for adoption.

Motion made by Supervisor Fisher to adopt Ordinance 2013-04 establishing a speed limit for Blue Mountain Parkway and providing penalties for violation thereof was seconded by Supervisor Rissing. *Motion passed unanimously.*

## Dauphin-Middle Paxton Fire Company – Dauphin County Local Share Municipal Grant Program Funds

Dauphin County Department of Community and Economic Development (DCED) indicated they would release County grant funds enabling the Fire Company to exercise a pre-pay option to obtain a discount for purchase of the Custom Predator Severe Service X-MFD Pumper Tanker to be manufactured by KME Fire Apparatus (Nesquehoning, PA) upon receipt of a letter from the Township making a request for those funds together with a copy of the performance bond.

Fire Company president Mike Fagan, Jr. reported the Fire Commission had approved the Fire Company entering into a 6-month commercial loan and amending the PEMA 2% Loan Application to pay off and refinance the commercial loan debt in order to provide the funds necessary to exercise the 100% pre-pay option.

Ms. Seeds reported Mid Penn Bank quoted the Township the lowest interest rate (2.31%) for the 5-year term \$125,000 loan necessary to complete the purchase under the terms of the Dauphin County Local Share Municipal Grant Program agreement. Centric Bank quoted an interest rate of 2.75%, Juniata Valley Bank quoted an interest rate of 3.25% and Susquehanna Banks declined to bid.

## St. Matthew's Parish – Request for Release of Improvement Guarantee

In response to St. Matthew's Parish request for release of the \$7,294.25 remaining balance of the improvement guarantee, Light-Heigel & Associates, Inc. correspondence dated July 1, 2013 indicated

the buffer tree planting along the north property line valued at about \$5,000 has not been started nor has the as-built plan valued at about \$2,000 - \$3,000 been provided to the Township.

Motion made by Supervisor Fisher to deny St. Matthew's Parish request for release of its improvement guarantee remaining balance and to advise St. Matthew's Parish that any plans to change the buffer tree planting from that indicated on approved plans should be presented to the Board for approval was seconded by Supervisor Rissinger. *Motion passed unanimously.*

## **Reports**

### Emergency Management Coordinator – Robert Rusbatch

Mr. Rusbatch reported:

- the NIMS report to the County will be filed well in advance of the August 4 deadline;
- he met with River Road Association residents to discuss planned responses to future flooding events, as well as the need for trimming trees along the private roadway to improve access for fire apparatus;
- he would be meeting with the Planning Commission on July 8 to brief members on emergency management;
- he was investigating grants that may be available for Project Lifesaver, a GPS enabled satellite tracking system for missing/lost Alzheimer patients and children; and
- the annual Fire Company open house is scheduled for Saturday, September 28.

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

Supervisor Rissinger mentioned the Park Authority refused to accept a \$1,000 donation offered by the Dauphin Softball Association. Supervisor Fisher noted a meeting of the Pool Committee was held on June 17 and the Park Authority was to have determined whether there was a consensus to accept conveyance of the Dauphin Recreation Association property during their June 24 meeting. Ms. Seeds was asked to communicate the Board's request for a representative of the Park Authority to attend monthly Board of Supervisors meetings and provide a report on their activities.

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

In response to questioning, Solicitor Stine noted the Township's brief for the 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) had been filed and that oral arguments were scheduled for July 9 before Judge Richard Lewis.

Engineer – Ed Fisher – See attached report.

Engineer Fisher noted the bid package for repointing the exterior brick walls of the Fishing Creek Community Building should be issued prior to the Board's August meeting.

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:

- plans were underway for a Township open house in conjunction with the Fire Company open house scheduled for Saturday, September 28;
- loss control policies were submitted to PennPRIME for insurance coverage cost reductions;
- having worked with the Solicitor, Fire Company, COSTARS and KME Fire Apparatus to obtain a corrected KME proposal based upon COSTARS requirement that the proposal disclose the cost of the truck and 5% mark-up permitted by COSTARS.
- having received the results of the soil sample analysis requested by landscapers to provide a quote on lawn treatment and flower bed planting for the municipal building campus; and
- she would be attending a meeting of the County's Gaming Advisory Committee tomorrow, July 2, and presenting preliminary projects for 2014 grant funds to include municipal building and fire truck debt reduction and suggested construction of a new salt bin as the third project.

Supervisor Fisher suggested the salt bin project be a joint municipal project to include provisions for use by the Borough of Dauphin.

### **Review/Approval of Bills**

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

### **Information Items/Letters Received**

Ms. Seeds presented general items of interest, as well as correspondence received by the Township during the previous month that did not require Board action.

### **Executive Session**

The Board recessed into executive session at 9:39 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 9:55 PM and took the following action.

Motion made by Supervisor Rissinger to forward the Houck & Company, Inc. quotation to mitigate water intrusion through the municipal building mezzanine 8" single wythe split-face block masonry walls once revised to clearly indicate routing out and repointing of all exterior mortar joints in the east, west and north mezzanine walls with mortar containing *Dry Block* or equivalent water retardant to special counsel Matt Chabal for subsequent engineering review by Ron Carr (D'Huy Engineering, Inc.) before having Attorney Chabal propose this corrective action to Poole Anderson as being acceptable to the Township was seconded by Supervisor Fisher. *Motion passed unanimously.*

## Board Member Comments

Supervisor Peffer questioned why the Zoning Hearing Board limited its June 13 hearing to 10 PM and did not complete testimony and deliberation on the third case presented to the Board that evening. He did not feel an arbitrary ending time was proper when it inconvenienced the applicant.

Supervisor Fisher reported he had spoken with Central PA Technical Services (CPTS) owner Mark Geiser and that CPTS would service those AEDs originally purchased and/or serviced by CPTS currently installed in Township facilities.

## Adjournment

There being no further business, the meeting was adjourned at 10:01 PM upon a motion by Supervisor Rissinger, seconded by Supervisor Peffer. *Motion passed unanimously.*

Respectfully submitted,

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James H. Fisher, Secretary

SUBJECT TO BOARD APPROVAL ON AUG 5, 2013