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*Middle Paxton Township*

**BOARD OF SUPERVISORS**  
REGULAR MONTHLY MEETING MINUTES  
August 5, 2013

**Call to Order**

The August 5, 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; Julie Seeds, Township Manager and Assistant Secretary/Treasurer; Steve Stine, Township Solicitor; and Ed Fisher, Township Engineer. Supervisor Mary Jane Davis was absent.

**Pledge of Allegiance and Public Comments**

Following the Pledge of Allegiance, public comments were requested from those in attendance. Mr. Robert Keyser, 1221 Gap View Road, distributed correspondence dated July 16, 2013 from the office of State Representative Sue Helm in response to his questions regarding vehicular noise emanating from US Route 22/322. Once again, Mr. Keyser expressed his continued consternation over the Route 22/322 traffic noise and cited the many studies he has investigated seeking relief. The Board acknowledged Mr. Keyser's continued complaint regarding the road noise and suggested he direct his complaints to PennDOT inasmuch as the Township has no enforcement powers over noise generated from a state or federal highway.

**Approval of Minutes**

Chairman Megonnell requested a motion to approve the minutes from the July 1, 2013 regular monthly meeting. Motion made by Supervisor Rissinger to approve the minutes from the July 1, 2013 regular monthly meeting was seconded by Supervisor Fisher. *Motion passed unanimously.*

Chairman Megonnell requested a motion to approve the minutes from the July 10, 2013 special meeting. Motion made by Supervisor Rissinger to approve the minutes from the July 10, 2013 special 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 Fiduciary and General Account Funds to be \$1,777,736.83 as of July 31 after having drawn a check in the amount of \$275,000 from Centric Bank General Account #3935 to complete the advance payment to KME Fire Apparatus for the Custom Predator Severe Service X-MFD Pumper Tanker. A corresponding request has been submitted under the Dauphin County Local Share Municipal Grant Program for reimbursement of the \$275,000. Ms. Seeds reported 2013 year-to-date EIT income of \$373,874.12 versus \$409,880.70 for the corresponding period during 2012 and that building permit applications were down \$7,000 when compared to the same year-to-date period during 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 Fisher. *Motion passed unanimously.*

### Agenda Items

#### Planting Beds/Lawn Maintenance Bids

Ms. Seeds reported having received the following bids in response to the Township's specifications for planting flower beds, installation of the gratitude garden and reseeding/fertilizing the lawn at the municipal complex:

- All Phase Landscaping - \$7,164.00
- Reed Landscaping - \$10,542.00

Ms. Seeds noted the landscaping costs are reimbursable under the new municipal building funds remaining from the Dauphin County Local Share Municipal Grant Program.

Motion made by Supervisor Rissinger to accept the All Phase Landscaping bid was seconded by Supervisor Fisher. *Motion passed unanimously.*

#### St. Matthew's Parish – Request to Change Buffer Plantings

St. Matthew's Parish correspondence dated July 12 requesting the Board's approval to make a change in the north property line buffer plantings from that indicated on approved plans was presented to the Board. The Parish proposes using rhododendrons in lieu of evergreen trees in consideration of the height of the embankment. Motion made by Supervisor Rissinger to table action on this request until the area in question could be viewed by the Board was seconded by Supervisor Fisher. *Motion passed unanimously.*

Adjoining land owner Kim Laing, 605 Stoney Creek Drive, voiced objection to any consideration of the Township releasing the remaining balance in the St. Matthew's Parish improvement guarantee until correction of stormwater currently draining onto her property from the driveway into Parish property at 607 Stoney Creek Drive.

## Fishing Creek Community Building – Repointing Specifications

Township Engineer Ed Fisher reported the bid specification for repointing the brick walls of the Fishing Creek Community Building was being advertised with a pre-bid meeting scheduled for August 22 and bid opening scheduled for August 30.

## Susquehanna River Basin Commission (SRBC) – Flood Stage Remapping

Ms. Seeds reported SRBC had received grant funding to remap river flood stages from Duncannon to Royalton and would be assigning corresponding numbers to flood stages warranting actions by affected residents. SRBC will be corresponding with residents along the river advising them of the remapped river stages and associated action levels. Supervisor Fisher suggested these actions by SRBC should also be reported in the Township newsletter.

## Small Projects Manual for Stormwater Management under Act 167

Ms. Seeds reported that any building project resulting in over 1,000 square feet of impervious surface now falls under Act 167 requirements as it relates to stormwater management planning when applying for a building permit. Inasmuch as the Township Engineer must review and verify acceptance of the applicant's stormwater management plan, Ms. Seeds suggested having Ed Fisher develop a small projects manual to provide a guide for applicants to complete the Act 167 required stormwater management plan that must accompany the request for a building permit.

A motion by Supervisor Rissinger authorizing the Township Engineer to develop a Small Projects Manual for Stormwater Management pursuant to Act 167 requirements was seconded by Supervisor Fisher. *Motion passed unanimously.*

## Game Time Grant – Playground for Dauphin-Middle Paxton Park

Ms. Seeds presented a preliminary sketch for an all-inclusive playground proposed for the Dauphin-Middle Paxton Park that would be eligible for a Game Time grant to offset the approximate \$67,000 cost for the specified playground equipment. Ms. Seeds briefed Park Authority members Shannon Scott and Jeff Smith on this proposed playground replacement design and indicated a willingness to assist the Park Authority during the November grant application period. The Board encouraged Ms. Seeds to provide the Park Authority with the necessary grant preparation assistance assuming they want to proceed with this proposed venture.

## 1721 Pine Lane – Waiver Request

Email correspondence dated June 27 from Township SEO Matt Williard showing a plan of property and site conditions for a .311 acre property with an existing manufactured home owned by Jeremy Reichert and Hui Li located at 1721 Pine Lane requiring waiver of the 100 foot separation distance from the well to the proposed septic absorption area was distributed to the Board.

A motion by Supervisor Rissinger to grant a waiver of the 100 foot separation distance from a well to a septic absorption area on the property located at 1721 Pine Lane pending a Hold Harmless and

Indemnification Agreement prepared by the Township's Solicitor and attached to the deed of property recorded in the courthouse was seconded by Supervisor Peffer. *Motion passed unanimously.*

## **Reports**

### Emergency Management Coordinator – Robert Rusbatch

In the absence of Mr. Rusbatch, Ms. Seeds reported Mr. Rusbatch had attended the SRBC meeting concerning flood stage remapping, as well as a meeting with PennDOT to discuss temporary opening of Route 22/322 westbound to two-lane traffic when the eastbound lane will be closed for a significant amount of time due to accidents. Future meetings with PennDOT are anticipated regarding solutions for re-routing 22/322 traffic when the eastbound lane is closed.

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

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

In response to questioning, Solicitor Stine noted Judge Richard Lewis has not yet ruled on 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) following oral arguments held on July 9.

Supervisor Fisher inquired whether the Solicitor was aware of any action taken by municipalities pertaining to the condition of private bridges noting discussions during the most recent Fire Commission meeting concerned fire apparatus that may weigh in excess of private bridge capacities. Solicitor Stine was not aware of any corresponding actions and stated that neither the township nor the fire company could be held liable in the event of a private bridge collapse caused by responding emergency apparatus dispatched to that location. It appears the decision whether or not it may be safe to cross a private bridge is entirely up to the fire apparatus driver when responding to an emergency call.

Engineer – Ed Fisher – See attached report.

Engineer Fisher noted installation of the standing seam metal roof on the Fishing Creek Community Building will include removal of the existing roof shingles to inspect the roof decking and anticipated the contractor should be able to start work sometime next week.

In response to questions regarding continued planning for replacement of the Potato Valley Road Bridge, Engineer Fisher noted that property acquisition will be required. More specific information regarding the necessary property acquisitions and preliminary bridge design will be presented at the next regular monthly meeting.

Road Master – Robert Hofer - See attached report.

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

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

## **Review/Approval of Bills**

Motion made by Supervisor Rissinger to pay the July 2013 General and New Municipal Building bills with the exception of the Central Westmoreland Council of Governments annual membership fee presented for payment was seconded by Supervisor Fisher. *Motion passed unanimously.*

## **Information Items/Letters Received**

Ms. Seeds presented correspondence received from FEMA stating the Township was required to designate a certified floodplain administrator to maintain compliance with its floodplain ordinance. A motion by Supervisor Rissinger to appoint Township Engineer Ed Fisher as the Township's certified floodplain administrator was seconded by Supervisor Fisher. *Motion passed unanimously.*

Ms. Seeds presented Hershocks, Inc. quote #2013-231 to replace the grader bay garage door on the east side of the maintenance building. The quote included option #1 for a manually operated Clopay model 525 steel door for the sum of \$1,765.00 and option #2 for a Clopay model 525 steel door and a Lift Master MT-50-11 electric garage door operator for the sum of \$2,745.00. Ms. Seeds noted that A&S Electric quoted \$250.00 to provide electric service to the door operator.

A motion by Supervisor Rissinger authorizing Hershocks, Inc. to install the Clopay model 525 steel door and a Lift Master MT-50-11 electric garage door operator for the sum of \$2,745.00 was seconded by Supervisor Fisher. *Motion passed with a vote of 3 aye and 1 (Supervisor Peffer) nay.*

## **Executive Session**

The Board recessed into executive session at 9:15 PM to discuss matters pending litigation upon a motion by Supervisor Rissinger, seconded by Supervisor Fisher. *Motion passed unanimously.*

The Board reconvened into regular session at 9:44 PM and took no action.

## **Board Member Comments**

Supervisor Peffer questioned why the Hagy Park softball infields were overgrown when the Township had recently purchased an infield groomer. Supervisor Rissinger explained that the fields were not in use over the summer, but would be groomed before the fall softball season.

**Adjournment**

There being no further business, the meeting was adjourned at 9:50 PM upon a motion by Supervisor Rissinger, seconded by Supervisor Fisher. *Motion passed unanimously.*

Respectfully submitted,

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James H. Fisher, Secretary

SUBJECT TO BOARD APPROVAL ON SEP 3, 2013