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Middle Paxton Township

BOARD OF SUPERVISORS

REGULAR MONTHLY MEETING MINUTES

March 2, 2015

Call to Order

The March 2, 2015 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 Jeffrey Smith, Treasurer; Supervisor Richard Peffer; Supervisor Mitch Rissinger; Julie Ann 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, Chairman Megonnell invited public comments from those in attendance who were not listed on the agenda.

Ron Hull, 910 Sprucewood Avenue, reported there would be an annual spring cleanup scheduled for the Dauphin-Middle Paxton Community Park and requested use of the Township chipper with an operator to eliminate the resulting brush pile from accumulated brush and tree trimmings.

Barbara Wilhelm, 1941 Clarks Valley Road, requested the Board's response to alleged violations of Township ordinances by the owner of the adjoining property at 1931 Clarks Valley Road beginning on or about May 28, 2014. Ms. Wilhelm cited alleged violations of Ordinance 80, Ordinance 67, as well as Section 1309 (Unenclosed Storage) and Section 1311 (Uses With Nuisance Effect) in the Zoning Ordinance. Ms. Seeds verified having issued warning notices concerning alleged ordinance violations and reported the adjoining property owner had been cooperative in taking corrective actions to avoid being issued Notices of Violation. It was the Board's consensus no further action was warranted inasmuch as previously alleged ordinance violations have reportedly been corrected.

Tony Trost, 800 Stackpole Lane, requested use of Hagy Park on March 29, April 12 and 16 for the Central Dauphin High School Rugby club team. Mr. Trost indicated the team was insured by USA Rugby, would use paint to line the field and provide its own portable goals. He anticipated 60-70 players participating in three games on each of those dates with approximately 200 spectators also in attendance. The Board instructed Mr. Trost to complete the required application, pay the associated fee for each of the three (3) requested dates and provide an insurance certificate with the Township as a named insured.

Approval of Minutes

Chairman Megonnell requested a motion to approve the minutes from the February 2, 2015 regular monthly meeting. Motion by Supervisor Smith to approve the minutes from the February 2, 2015 regular monthly meeting was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Treasurer's Report/Monthly Financial Statement

Julie Ann Seeds, Assistant Secretary/Treasurer, presented the monthly Treasurer's Report showing the total of Fiduciary Accounts (\$76,765.72), State Accounts (\$154,655.31) and General Accounts (\$1,342,401.70) to be \$1,573,822.73 as of February 28, 2015. The Fire Truck loan balance is currently \$87,563.65 with no other Township indebtedness at this time.

Supervisor Fisher reported having received correspondence from Mid Penn Bank indicating the Township's application for a business credit card had been approved with the corresponding business credit card to be mailed to the Township office within 8-10 business days. Ms. Seeds explained the business credit card with a credit limit of \$4,000 would be tied to the General Operating Account (Mid Penn Bank Account #3367) and, upon receipt, the Debit Card (Mid Penn Bank Account #1876) would be cancelled.

Motion by Supervisor Fisher to accept the February 2015 Treasurer's Report to be filed for audit was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Agenda Items

Morrison/Clemens Final Minor Subdivision Plan

Joe Burget (Burget & Associates, Inc.) representing landowners George Morrison, Jr. & Martha Morrison and Baiba Clemens presented a Final Minor Subdivision Plan to convey Lot 1-A from George Morrison, Jr. & Martha Morrison to be merged into an adjacent existing parcel (Lot 2) owned by Baiba Clemens and requested two (2) waivers to the Township's Subdivision and Land Development Ordinance:

- Section 304 – Preliminary Plan Submission
- Section 307 – Sheet Size

The Planning Commission reviewed and recommended approval of the plan (drawing number 14062-002), as well as the requested waivers based upon Township Engineer Ed Fisher's correspondence dated February 6, 2015.

Motion by Supervisor Rissinger to approve the two (2) requested waivers was seconded by Supervisor Fisher. *Motion passed unanimously.*

Motion by Supervisor Rissinger to approve the *Final Minor Subdivision Plan over lands of George Morrison, Jr. & Martha Morrison and Baiba M. Clemens* subject to completion of those items noted in Light-Heigel & Associates, Inc. correspondence dated March 2, 2015 was seconded by Supervisor Smith. *Motion passed unanimously.*

Dauphin-Middle Paxton Joint Park Authority – Appointment Recommendations

Applications for appointment to the 1-year and 5-year vacancies on the Park Authority were received from Township residents Ronald Hull, Robert Megonnell, Russell Hornung and Christopher Barnes. Park Authority member and secretary, Nicole O'Gorman, reported the Authority was recommending the Township consider the appointment of Russell Hornung and Christopher Barnes to fill the vacant positions.

Motion by Supervisor Fisher to appoint Ronald Hull to the 1-year vacancy on the Dauphin-Middle Paxton Joint Park Authority was seconded by Supervisor Smith. *Motion passed unanimously.*

Motion by Supervisor Rissinger to appoint Russell Hornung to the 5-year vacancy on the Dauphin-Middle Paxton Joint Park Authority was seconded by Supervisor Fisher. *Motion passed with Supervisor Peffer voting nay.*

Resolution 2015-03 – PennPRIME Loss Control Standard (LCS #2)

Motion by Supervisor Smith to appoint Township Manager Julie Seeds as the Safety/Risk Management Contact and adopt Resolution 2015-03 was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Draft Ordinance 2015-01 – Repealing Article 12 – Floodplain District (FP) of the Middle Paxton Township Zoning Ordinance

Motion by Supervisor Fisher to include a reference to Ordinance 70 having been adopted amending Sections 1200 to 1204 of the Zoning Ordinance within the proposed Ordinance 2015-01, forward proposed Ordinance 2015-01 to the Township's Planning Commission and Tri-County Regional Planning Commission (TCRPC) for comment and advertise a public hearing for adoption of Ordinance 2015-01 was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Draft Ordinance 2015-02 – Authorizing Participation in the PSATS Unemployment Compensation Group Trust

Motion by Supervisor Fisher to advertise a public hearing for adoption of Ordinance 2015-02 was seconded by Supervisor Smith. *Motion passed unanimously.*

Maintenance Proposal for Municipal Building Geothermal System

Ms. Seeds reported the municipal building had experienced heating problems over the past several weeks and that the original geothermal system installer was called in to check and reset the system. After the system faulted again, Ms. Seeds requested emergency service from a local HVAC contractor, Heim Electric. Inasmuch as the original system installer was not interested in offering a maintenance contract, Ms. Seeds obtained an annual systems maintenance contract quote from Heim Electric in the amount of \$1,882. The Board requested a second quote be obtained for comparison before taking further action.

Quote for Manhole Repair on Gap View Road

Roadmaster Bob Hofer presented a quote from Custer Excavating, Inc. for repair of the manhole on Gap View Road that requires rather extensive work to return it to the proper grade. PennDOT has been contacted to determine whether that work would be the responsibility of the Township since the manhole provides access to the roadway drainage system to which it is believed PennDOT retained ownership when the roadway was deeded to the Township.

Texas Eastern Notification of Replacement of One Segment of Existing Line 19 Gas Pipeline

Texas Eastern provided written notice and an overview map pertaining to the planned replacement of one segment of its existing Line 19 gas pipeline located to the east of Stony Creek. The project permit application does not require any road cut to Stony Creek Road, but will involve construction equipment being transported on Stony Creek Road during the summer of 2015.

Light-Heigel Sewage Enforcement Officer Change

Light-Heigel & Associates, Inc. provided notice that Matt Williard had accepted a position with Dauphin County Conservation District and would no longer be available to provide services as Sewage Enforcement Officer (SEO) to the Township. Mike Keffer has been assigned to the role of SEO.

Penn E&R – PPL Electric Utilities – Rockville Reconductor GP-5 Project

PPL provided notice pertaining to the planned replacement of an electric conductor cable from Clarks Valley Road to the 911 tower on Stony Mountain.

Capital Region Council of Governments Chesapeake Bay Pollutant Reduction Plan

Supervisor Fisher presented a Capital Region Council of Governments (CapCOG) initiative to prepare a Chesapeake Bay Pollution Reduction Plan (CBPRP) for municipalities who are required to prepare a CBPRP within the first year of their Municipal Separate Storm Sewer Permit (MS-4) cycle. CapCOG has engaged Pennoni Associates, Inc. to prepare a regional CBPRP on behalf of its member municipalities and is seeking interested municipalities to enter into a letter of intent to participate in this joint effort by March 16.

CapCOG is applying for a TCRPC Regional Connections Grant for \$100,000 to help offset the \$119,500 cost of the CBPRP. Costs not offset by a grant would be assessed to participating municipalities based upon a set of variables such as each municipality's amount of impervious surface, miles of streams and population.

Inasmuch as the Township continues to hold an MS-4 permit waiver, no action was taken by the Board regarding participation in the CapCOG CBPRP planning initiative.

CapCOG/TCRPC Wireless Facilities Ordinance Project

Supervisor Fisher presented a CapCOG and TCRPC initiative to engage Cohen Law Group (CLG) to assist municipalities with updating their current cell tower/wireless facilities ordinance in conjunction with a *Proposal to Perform Services Regarding Wireless Facilities Management* submitted to CapCOG by CLG and TCRPC. This joint initiative is intended to reduce attorney fees associated with updating municipal wireless facilities ordinances to address recent changes in both wireless technology and in federal and state law.

Through this initiative, CLG has offered to perform a free legal assessment of the Township's current cell tower/wireless facilities ordinance and, subsequently, the Township could determine whether to engage the services of CLG to prepare its own specific wireless facilities ordinance at a discounted fixed price based upon the number of municipalities participating in the project. The CLG quoted flat fee price schedule ranges from \$5,750 to \$3,900 should 40 plus municipalities participate in the project and the deadline for entering into an engagement letter for participating in the project is March 31.

Motion by Supervisor Fisher to request a free legal assessment of the Township's current cell tower/wireless facilities ordinance contained in Section 1414 of the Zoning Ordinance was seconded by Supervisor Smith. *Motion passed unanimously.*

Reports

Solicitor – Steve Stine, Esq.

No report was presented.

Engineer – Ed Fisher, P.E.

See attached report. Supervisor Fisher questioned the status of a roadway management plan to enable the Township to schedule roadway microsurfacing and/or paving projects over a period of 5-10 years versus having an excessive amount of roadway re-paving and/or full depth reclamation projects due all at one time. Township Engineer Ed Fisher reported he continues to evaluate the condition of Township roads in order to develop a roadway management plan for adoption by the Township.

Road Master – Robert Hofer

See attached report.

Zoning and Codes Enforcement Officer

See attached report.

Emergency Management Coordinator – Robert Rusbatch

Mr. Rusbatch presented Resolution No. 2015-04, a promulgation adopting the Dauphin County Emergency Operations Plan (EOP) as the Township's EOP.

Motion by Supervisor Rissinger to adopt Resolution 2015-04, Dauphin County EOP Promulgation, was seconded by Supervisor Fisher. *Motion passed unanimously.*

Mr. Rusbatch also updated the Board on his emergency planning activities with Cumberland, Perry and Dauphin County emergency management agencies and emergency responders pertaining to anticipated traffic congestion on Route 22/322 during the Route 11/15 project this summer.

Supervisor Fisher reported having just received PennDOT correspondence introducing another factor in the emergency planning effort inasmuch as a pavement preservation project is scheduled for Route 22/322 during the summer months. The Route 22/322 project will require night time roadway restrictions of both eastbound and westbound lanes at work sites west of the Speeceville interchange, as well as in the vicinity of the railroad overpass east of Dauphin. PennDOT requested completion of a Municipal Officials Response Form detailing special considerations from the Township during the proposed project.

Manager's Report – Julie Seeds

See attached report. Ms. Seeds also reported the Dauphin County Commissioners awarded \$6.4 million in gaming grants on February 11 that included fully funding the Township's grant requests for the joint municipal salt shed (\$165,000), debt reduction for the balance of the Township's fire apparatus loan (\$98,482) on the 2014 KME pumper/tanker and debt reduction for the balance of the Dauphin-Middle Paxton Fire Company's fire apparatus loan (\$50,000) for the 2008 KME pumper.

Committee/Organization Reports

- Dauphin-Middle Paxton Joint Park Authority

No report was presented.

- Dauphin-Middle Paxton Joint Public Safety Authority

No report was presented.

Review/Approval of Bills

The listing of bills for February was distributed to the Board for review/approval. Motion by Supervisor Rissinger to pay all vendor bills listed for February was seconded by Supervisor Smith. *Motion passed unanimously.*

Information Items/Letter Received

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

Ms. Seeds reported having confirmed that new regulations require a shadow vehicle to follow the boom mower during mowing operations along Township roadways.

Board Member Comments

Supervisor Rissinger questioned whether the Township could provide use of its chipper as requested by the Park Authority. The Board's consensus was that liability concerns prevented the Township from providing equipment for use by others.

Supervisor Rissinger inquired as to the status of posting signs restricting tractor trailer trucks from using McElwee Road. Ms. Seeds reported a request has been made to PennDOT regarding posting of signs in the Peters Mountain Road (Route 325) right-of-way restricting 3-axle vehicles from entering McElwee Road.

Supervisor Rissinger questioned the status of the door replacement project approved for the Fishing Creek Community Building. Ms. Seeds reported the contractor was waiting for a break in the recent severe winter weather and has scheduled door replacement for March 16 and 17.

Supervisor Rissinger asked whether recommendations for the Zoning Hearing Board vacancy appointments would be forthcoming. Ms. Seeds reported interviews were scheduled with the two candidates expressing interest in ZHB appointment and that recommendations would be presented to the Board at the March 17 workshop meeting.

Supervisor Fisher reported he would be attending the *2015 State of the County* address on March 31 and inquired whether anyone would be interested in attending the PSATS sponsored workshop *Collaborative Approaches to Funding Fire and EMS Services* on April 1 in Lancaster.

Executive Session

Not required.

Adjournment

There being no further business, the meeting was adjourned at 9:25 PM upon a motion by Supervisor Smith, seconded by Supervisor Rissinger. *Motion passed unanimously.*

Respectfully submitted,

James H. Fisher, Secretary