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Middle Paxton Township

BOARD OF SUPERVISORS

REGULAR MONTHLY MEETING MINUTES
July 5, 2016

Call to Order

The July 5, 2016 regular monthly meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:01 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; and Julie Ann Seeds, Township Manager, Secretary and Assistant Treasurer. Township Solicitor Steve Stine and Township Engineer Ed Fisher were absent.

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.

Donald Donley, 1220 Buttonwood Drive, complained that Manager Seeds had neither returned his telephone calls nor was immediately available when he stopped in the Township office to inquire about staging a Bar-B-Que event on the parking lot at Fox's Pizza (982 Peters Mountain Road) and to answer questions he had about a stormwater management issue on his property. Manager Seeds requested Mr. Donley provide written documentation describing his event request in order for it to be reviewed against the applicable ordinance requirements and stated that Township Engineer Ed Fisher, as well as Paul Wentz from the Dauphin County Conservation District had both visited Mr. Donley's residence and, as far as she was aware, had provided a response to Mr. Donley's stormwater management questions.

Approval of Minutes

Motion by Chairman Smith to approve the minutes of the June 6, 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* \$420,287.03; *Fiduciary Accounts* \$100,031.91 and *General Accounts* \$1,297,910.75 to be \$1,818,229.69 as of June 30, 2016. Manager Seeds also distributed the June deposit detail, June and January – June P&L statements.

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

Agenda Items

Request for Release of Stormwater Improvement Guarantee – Jeremy Reichert

Light-Heigel & Associates, Inc. correspondence dated June 27, 2016 indicated required stormwater facilities have been completed in general conformity with the approved plan for the Jeremy Reichert property on Fishing Creek Valley Road, Tax Parcel 43-037-024, and recommended release of the improvement guarantee being held in escrow.

Motion by Chairman Smith to release the \$3,806.00 improvement guarantee being held in escrow for completion of the stormwater facilities on the Jeremy Reichert property on Fishing Creek Valley Road, tax parcel 43-037-024, pursuant to Light-Heigel & Associates, Inc. June 27, 2016 correspondence was seconded by Supervisor Evans. *Motion passed unanimously.*

Stony Creek Road 'S' Turn Projects

- *G.R. Charles Excavating LTD – Release of Payment for Widening of 'S' Turn Area*
Light-Heigel & Associates, Inc. correspondence dated June 29, 2016 recommended payment in the amount of \$35,009.95 holding 10% (\$3,890.00) until final inspection is completed in response to G.R. Charles Excavating LTD request for payment.
Motion by Chairman Smith to release payment in the amount of \$35,009.95 to G.R. Charles Excavating LTD was seconded by Supervisor Cooney. *Motion passed unanimously.*
- *Robinson's Excavating & Mulch LTD – Release of Payment for Culvert Replacement and Stormwater Work in the 'S' Turn Area*
Invoice number 0237 in the amount of \$8,737.50 was presented by Robinson's Excavating & Mulch LLC for equipment mobilization/operation and labor for Stony Creek Road culvert replacement and installation of stormwater management inlets and pipe.
Motion by Supervisor Fisher to release payment in the amount of \$8,737.50 to Robinson's Excavating & Mulch LTD was seconded by Chairman Smith. *Motion passed unanimously.*
- *Right-of-Way Matters in the 'S' Turn Area*
Roadmaster Hofer reported Township Engineer Ed Fisher had verified a lilac bush located within the 'S' turn of Stony Creek Road was within the Township's Right-of-Way and a June 30 email from Solicitor Steve Stine recommended the Board should make a determination by motion that the lilac bush constitutes a hazardous or dangerous condition to the use of the road or impairs the use or maintenance of the road before directing the Roadmaster to remove it.
Motion by Supervisor Fisher that the lilac bush located within the 'S' turn of Stony Creek Road and the Township's Right-of-Way constitutes a hazardous or dangerous condition to use of the road, impairs the use and maintenance of the road and

directing the Roadmaster to remove the lilac bush was seconded by Supervisor Evans. *Motion passed unanimously.*

Final Subdivision Plan for Bradley D. Seltzer, 520 Misty Lane, Dauphin, PA

Tony Trost (Third Mountain Surveying) presented a Final Subdivision Plan for Bradley D. Seltzer, 520 Misty Lane, Dauphin, PA for the purpose of subdividing proposed Lot 2A from existing Lot 2 (tax parcel 43-024-024). Proposed Lot 2A is then to be combined with existing Lot 1 (tax parcel 43-024-017) and existing Lot 3 (tax parcel 43-024-027) to become proposed Lot 1. No new construction is proposed for the new Lot 2. Construction of a garage is proposed for the new Lot 1.

Light-Heigel & Associates, Inc. correspondence dated July 1, 2016 indicated having reviewed the proposed subdivision plan (Third Mountain Surveying Job No. 000706 dated April 25, 2016 and last revised June 27, 2016) and a response letter from Third Mountain Surveying dated April 27, 2016. Comments from Light-Heigel & Associates, Inc. initial plan review dated June 13, 2016 were noted as having been satisfied. Manager Seeds noted having received subdivision plan approvals from both the Township's Planning Commission, as well as the Tri-County Regional Planning Commission.

Motion by Chairman Smith to accept the applicant's requested waiver of Section 304 – Preliminary Plan and request to postpone a stormwater management plan until a building permit is required and approve the Subdivision Plan for Bradley D. Seltzer, 520 Misty Lane, Dauphin, PA pursuant to Light-Heigel & Associates, Inc. correspondence dated July 1, 2016 was seconded by Supervisor Evans. *Motion passed unanimously.*

Revised Draft Ordinance – Establishing a Procedure for Snow Emergency Declaration

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

Motion by Supervisor Fisher to amend the proposed ordinance title to be "AN ORDINANCE OF THE TOWNSHIP OF MIDDLE PAXTON, DAUPHIN COUNTY, PENNSYLVANIA, ESTABLISHING A PROCEDURE FOR A SNOW EMERGENCY DECLARATION, REGULATING PARKING OF VEHICLES DURING SNOW AND ICE REMOVAL AND PROVIDING PENALTIES FOR VIOLATION THEREOF", delete the definition of "Private or Nonpublic Streets", include "is being performed by the Township." to conclude the sentence in Section 4, correct the word "from" to be "front" in the third line of Section 6, insert the word "Magisterial" before "District Justice" in the fifth line of Section 8 and advertise the proposed ordinance for adoption was seconded by Supervisor Evans. *Motion passed unanimously.*

Draft Ordinance – Establishing a Speed Limit for Riverview Road

Motion by Chairman Smith to advertise AN ORDINANCE OF THE TOWNSHIP OF MIDDLE PAXTON, DAUPHIN COUNTY, PENNSYLVANIA, ESTABLISHING A SPEED LIMIT FOR RIVERVIEW ROAD AND PROVIDING PENALTIES FOR VIOLATION THEREOF for adoption was seconded by Supervisor Cooney. *Motion passed unanimously.*

Draft Ordinance – Zoning Ordinance Amendments

The Board reviewed a draft ordinance amending, modifying and changing the Township's Zoning Ordinance approved by the Planning Commission pertaining to commercial requirements within the following sections of the Zoning Ordinance:

- Section 1700 – General Parking Regulations
- Section 903.E – Off-Street Parking Location
- Section 1304 – General Buffer and Screening Regulations

Motion by Chairman Smith to forward the proposed Zoning Ordinance Amendments to the Tri-County Regional Planning Commission (TCRPC) for review and, should TCRPC have no comments or suggested changes, to advertise the proposed ordinance for adoption was seconded by Supervisor Cooney. *Motion passed unanimously.*

Draft Resolution – Bicycle Route J

Motion by Supervisor Fisher to adopt A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF MIDDLE PAXTON, DAUPHIN COUNTY, PENNSYLVANIA REQUESTING THAT BICYCLE ROUTE J REMAIN ON THE EASTERN SIDE OF THE SUSQUEHANNA RIVER as RESOLUTION 2016-4 and to immediately forward a copy of that resolution to PennDOT, our respective State Representative and Senator, the Tri-County Regional Planning Commission, and the Dauphin County Board of Commissioners was seconded by Chairman Smith. *Motion passed unanimously.*

Joint Municipal Salt Storage Shed Electrical Quotes

Manager Seeds reported that installation of solar panels to provide electrical service to the Joint Municipal Salt Storage Shed and upper maintenance garage would cost \$20,278.54 including the direct purchase of solar panels off the COSTARS contract. Quotes to extend electrical service from the upper maintenance garage to the Joint Municipal Salt Storage Shed and provide the required lighting fixtures were provided by A&S Electric (\$8,715.00) and SECCO (\$7,650.00) with the Township digging the trench for the underground conduit.

Motion by Chairman Smith to award SECCO a contract in the amount of \$7,650.00 to provide electrical service and lighting fixtures for the Joint Municipal Salt Storage Shed was seconded by Supervisor Fisher. *Motion passed unanimously.*

Potato Valley Road Bridge and Roadway Realignment Project Update

Manager Seeds reported Herbert, Rowland & Grubic, Inc. (HRG) vice-president Andrew Kenworthy had reviewed HRG invoices 108991, 109285, 110016 and 110893 previously presented for payment under the DCIB loan and has withdrawn and replaced those invoices with Invoice No. 112459 in the amount of \$29,991.79 for Preliminary Engineering services rendered through May 29, 2016. The revised invoice is based upon a percent complete factor of the Preliminary Engineering fee of \$229,000.00 versus a Preliminary Engineering fee of \$279,151.27 upon which the aforementioned invoices were prepared. No explanation for the previous invoice discrepancies was provided, nor did HRG provide a current project status report.

Manager Seeds further reported HRG Invoice No. 112459 was submitted to the Dauphin County Industrial Development Authority for payment under the Township's project account pursuant to the DCIB loan agreement as authorized by the Board's motion made during the June 6 regular monthly meeting.

Hagy Park DCNR Grant Update and Key Issues

Manager Seeds reported questions were received from DCNR regarding the Township's submission of project documents and she and Township Engineer Ed Fisher were in the process of preparing a response. Project start is anticipated to be during September or October.

Manager Seeds also reported Boys Scouts under the age of 18 were observed operating Dauphin Athletic Association owned power equipment (labeled with a sign that "no one under the age of 18 is authorized to operate") stored in the Hagy Park equipment storage area while clearing trails surrounding Hagy Park and reportedly had obtained a key to the equipment storage area from an unauthorized source. It was the consensus of the Board that the Hagy Park equipment storage and concession areas should be re-keyed separately, the Boy Scout troop requested to provide a certificate of insurance and informed that no one under the age of 18 is to be operating power equipment on Hagy Park premises.

Reports

Engineer – Ed Fisher, P.E.

An engineering report for the month of June 2016 was presented and Stacy Longenecker representing Light-Heigel & Associates, Inc. was present to answer any questions.

Roadmaster – Robert Hofer

A written report dated July 5, 2016 was presented.

Supervisor Fisher suggested pressure-treated plywood panels be installed above the interior concrete walls of the Joint Municipal Salt Storage Shed to prevent damage to the outer wall aluminum panels should materials get pushed above the concrete walls. Chairman Smith indicated he and Supervisor Peffer will meet with Roadmaster Hofer and make a determination whether that would be advisable.

Roadmaster Hofer reported the box culvert and grate has been obtained for the storm water inlet to be installed at the northeast intersection of Fulton and McKelvey Roads and that new guiderails will be installed in the Stony Creek Road 'S' turn where the concrete cross pipe was recently installed replacing the old stone culvert.

The Board recommended Roadmaster Hofer check with Township Engineer Ed Fisher to determine whether the municipal building parking lot should be sealed before having the parking areas restriped this summer.

Zoning and Codes Enforcement Officer – Julie Ann Seeds

A written reported dated July 5, 2016 was presented.

Emergency Management Coordinator – Robert Rusbatch

No report was presented.

Motion by Chairman Smith to request PennDOT install permanent mile markers on SR 22/322 inasmuch as the temporary mile markers were removed by the SR 11/15 Rock Slope Safety Project contractor once SR 11/15 was reopened to traffic was seconded by Supervisor Cooney. *Motion passed unanimously.*

Manager – Julie Ann Seeds

A written report dated July 5, 2016 was presented.

Manager Seeds also reported Regional Connections Grant applications were due to TCRPC during September and suggested the Township consider submitting a grant application to undertake development of an Official Map. Manager Seeds also noted having received payment from Dauphin Borough for their share of the fire company Workers Compensation insurance premiums for 2014 and 2015.

Committee/Organization Reports

- *Dauphin-Middle Paxton Joint Park Authority* – No report was presented.
- *Dauphin-Middle Paxton Joint Public Safety Authority* – Supervisor Fisher reported the next Authority meeting is scheduled for July 13 at 6 PM in the Township meeting room and that agenda items will include proposed demolition of the vacant 2-story house on the Authority's premises at 930 Peters Mountain Road. The structure serves no useful purpose and the annual \$3,667 cost of maintaining commercial insurance coverage on the vacant structure is approximately half of the estimated demolition cost. The apparatus bay (Station 12) and the other commercial building on the premises are currently leased to PinnacleHealth *Community Life Team*. The consensus of the Board was to support an action by the Authority to proceed with demolition of the vacant structure.
- *Capital Region Council of Governments (CapCOG)* – Supervisor Fisher reported the Board of Delegates met on Monday, June 20 with presentations by Bruce Kell from Congressman Barletta's office and Mark Smith Director of Government Affairs and Outreach who is a member of the Governor's senior staff and manages the Governor's regional offices. Business was brief and the Board adjourned in record time.
- *Dauphin-Middle Paxton Fire Company Joint Oversight Committee* – Supervisor reported no meeting has been held since May 16 and no meeting is scheduled at present.

Review/Approval of Bills

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

Information Items/Letters Received

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

Manager Seeds reported having received a 2-week notice of resignation from Linda Megonnell who has been serving as a part-time clerk. Manager Seeds suggested creating a part-time position for an individual to assume the combined role of Zoning and Codes Enforcement Officer. The Board requested Manager Seeds compile and submit her proposed part-time employee requirements to Board for further action.

Chairman Smith expressed the Board's appreciation for the talents employed and duties performed by Mrs. Megonnell during her tenure working within the Township office.

Board Member Comments

Supervisor Evans questioned whether Solicitor Steve Stine was able to determine the land transfer from the Dauphin Recreation Association (DRA) to the Dauphin-Middle Paxton Joint Park Authority was made in compliance with the Authority's bylaws and/or articles of incorporation. Manager Seeds reported the Solicitor had reviewed those documents currently on file with the Township and did not note any discrepancies between those documents and the Authority's action to accept transfer of DRA's deed to their property. Solicitor Steve Stine did, however, recommend the Authority obtain title insurance on tax parcel 23-001-102 deeded from DRA to the Authority.

Supervisor Evans suggested PennDOT be requested to install "Through Traffic Left Lane" signs on SR 22/322 westbound as traffic approaches the entrance ramp from Fishing Creek Valley Road (SR 443) and SR 22/322 eastbound as traffic approaches the entrance ramp from Peters Mountain Road (SR 225) in an attempt to minimize rush hour traffic congestion.

Motion by Chairman Smith to request PennDOT install "Through Traffic Left Lane" signs on SR 22/322 westbound as traffic approaches the entrance ramp from Fishing Creek Valley Road (SR 443) and SR 22/322 eastbound as traffic approaches the entrance ramp from Peters Mountain Road (SR 225) was seconded by Supervisor Cooney. *Motion passed unanimously.*

Executive Session

Not required.

Adjournment

There being no further business, the meeting was adjourned at 8:25 PM upon a motion by Chairman Smith, seconded by Supervisor Cooney. *Motion passed unanimously.*

Respectfully submitted,

James H. Fisher, Assistant Secretary