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Middle Paxton Township

BOARD OF SUPERVISORS

REGULAR MONTHLY MEETING MINUTES
August 1, 2016

Call to Order

The August 1, 2016 regular monthly meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:02 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. No comments were presented.

Public Hearing

Chairman Smith requested Solicitor Stine conduct the public hearing regarding proposed Ordinance 2016-06 Amending, Modifying and Changing the Township of Middle Paxton Zoning Ordinance, as well as the Township of Middle Paxton Ordinance of Definition. Solicitor Stine invited public comments, as well as comments or questions from the Board of Supervisors. No public comments were presented. Supervisor Evans suggested the minimum size of a non-parallel parking space should be not less than ten (10) feet wide versus nine (9) feet wide as stated in the proposed amendment to Section 1700.B considering the width of today's SUVs and trucks. There being no further comments or questions, Solicitor Stine concluded the public hearing.

Motion by Supervisor Evans to amend the minimum size of a non-parallel parking space to be not less than ten (10) feet wide versus nine (9) feet wide within Section 1700.B of the proposed Ordinance 2016-06 failed due to the lack of a second.

Motion by Chairman Smith to adopt Ordinance 2016-06 *An Ordinance of the Township of Middle Paxton, Dauphin County, Pennsylvania, Amending, Modifying and Changing the Township of Middle Paxton Zoning Ordinance* was seconded by Supervisor Peffer. *Motion passed with Supervisor Evans voting nay.*

Approval of Minutes

Motion by Supervisor Fisher to approve the minutes of the July 5, 2016 regular monthly meeting was seconded by Supervisor Peffer. *Motion passed unanimously.*

Treasurer's Report/Monthly Financial Statements

Manager Seeds presented the monthly Treasurer's Report showing the total of *State Accounts* \$372,313.82; *Fiduciary Accounts* \$96,236.54 and *General Accounts* \$1,283,520.81 to be \$1,752,071.17 as of July 31, 2016. Manager Seeds also distributed the July deposit detail, July and January – July P&L statements, and January – July versus Budget P&L Statement. Manager Seeds noted reimbursement of funds expensed from the General Reserve Account for construction of the new joint municipal salt storage shed was anticipated to be forthcoming from Dauphin County's allocation under the state liquid fuels fund.

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

Agenda Items

Proposed Ordinance 2016-04 Establishing a Speed Limit for Riverview Road

Motion by Chairman Smith to adopt Ordinance 2016-04 *An Ordinance of the Township of Middle Paxton, Dauphin, County, Pennsylvania, Establishing a Speed Limit for Riverview Road and Providing for Penalties for Violation Thereof* was seconded by Supervisor Peffer. *Motion passed unanimously.*

Proposed Ordinance 2016-05 Establishing a Procedure for a Snow Emergency Declaration

Motion by Supervisor Fisher to adopt Ordinance 2016-05 *An Ordinance of the Township of Middle Paxton, Dauphin County, Pennsylvania, Establishing a Procedure for a Snow Emergency Declaration and Regulating Parking of Vehicles and Snow and Ice Removal and Providing Penalties for Violation Thereof* was seconded by Chairman Smith. *Motion passed unanimously.*

Requests for Dauphin County Local Share Municipal Grant Support

- *Jewish Federation of Greater Harrisburg (Green Hills Swim Club)*

Mike Solomon and Jen Ross representing the Jewish Federation of Greater Harrisburg (JFGH) presented a written request for the Township to support its application under the Dauphin County Local Share Municipal Grant program for proposed Phase 2 security and infrastructure improvements to the Green Hills Swim Club property located in Fishing Creek Valley. Mr. Solomon noted the Green Hills Swim Club is semi-private, but open to all residents of Middle Paxton Township at a discounted membership rate.

Motion by Chairman Smith for the Township to sponsor the JFGH Local Share Municipal Grant application as a co-applicant was seconded by Supervisor Evans. *Motion passed with Supervisor Cooney abstaining upon advice of Solicitor Stine*

inasmuch as he serves on the Dauphin County Local Share Municipal Grant Advisory Committee.

- *Hope United Presbyterian Church*

Steve Megonnell representing Hope United Presbyterian Church (HUPC) presented a written request for the Township to support its application under the Dauphin County Local Share Municipal Grant program for parking lot repaving and lighting improvements to its property located on Red Hill Road. HUPC is the Township's designated Precinct 3 polling place for primary and general elections, as well as a disaster emergency shelter for Township residents and serves as a meeting site for numerous community organizations.

Motion by Chairman Smith for the Township to sponsor the HUPC Local Share Municipal Grant application as a co-applicant was seconded by Supervisor Fisher.

Motion passed with Supervisor Cooney abstaining.

- *Dauphin Recreation Association*

Dave Lutz representing Dauphin Recreation Association (DRA) presented a written request for the Township to support its application under the Dauphin County Local Share Municipal Grant program to complete Phase 1 infrastructure improvements partially funded under a 2016 Local Share Municipal Grant. The Board questioned whether the Dauphin-Middle Paxton Joint Park Authority (DMPJPA) was fully aware of and supportive of DRA's application inasmuch as DRA had deeded the pool property to DMPJPA and now operates the pool under the terms of a user agreement entered into with DMPJPA.

Motion by Supervisor Fisher for the Township to sponsor the DRA Local Share Municipal Grant application as a co-applicant with the understanding DMPJPA would be notified and requested to concur with the Township in taking this action was seconded by Chairman Smith. *Motion passed with Supervisor Cooney abstaining.*

Declarations of Consolidation of Previously Subdivided Lots

- *Jack Bertolette & Martha Mecurio – 1600 Hemlock Lane*

No one was present to submit a Declaration of Consolidation of Previously Subdivided Lots for Board action.

- *Damien Garner – 1261 Hillcrest Avenue*

Damien C. Garner owner of 1261 Hillcrest Avenue submitted a Declaration of Consolidation of Previously Subdivided Lots intended to consolidate and combine adjoining lots known as Dauphin County UPI 43-044-010 and 43-044-011.

Motion by Supervisor Fisher to approve consolidation of adjoining lots known as Dauphin County UPI 43-044-010 and 43-044-011 was seconded by Supervisor Cooney. *Motion passed unanimously.*

Harlacher Family Trust Sketch Plan

Joe Burget of Burget & Associates, Inc. presented a sketch plan for Trustees of the Harlacher Family Real Estate dated July 8, 2016 proposing to subdivide approximately 211 acres into three lots, consolidate two previously subdivided lots immediately adjacent to Stony Creek Road, obtain a new driveway permit for an 18 foot gravel driveway through the consolidated lot with a new relocated 50 foot right-of-way crossing Stony Creek ending in a cul-de-sac providing access to the three new lots. The proposed re-configured driveway, however, was shown as narrowing from 18 feet to a width of 12

feet before crossing Stony Creek on an existing private bridge with a width of 13 feet to access the three new lots. Light-Heigel & Associates correspondence dated September (SIC) 29, 2016 provided follow-up comments to comments from a June 13, 2016 review of the subject sketch plan. Joe Szekeres representing the interests of the Harlacher Family Trust also addressed the Board concerning the sketch plan.

The understanding of the Board was that the sketch plan presented by Mr. Burget represents a 4-lot subdivision for which the Township's Subdivision and Land Development Ordinance (SALDO) requires an access roadway with a minimum width of 18 feet. The Board advised Mr. Burget the aforementioned SALDO requirement was one for which the Board would not be inclined to grant a waiver.

Well Isolation Distance Waiver Requests

- *1551 Fishing Creek Valley Road – Michael Swett*

Keith Heigel SEO #1342 submitted correspondence dated July 12, 2016 proposing four (4) options for maintaining a current 70 foot well isolation distance versus the required 100 foot well isolation distance for property owned by Michael Swett at 1551 Fishing Creek Valley Road. It was determined that a significant portion of Mr. Swett's on lot disposal system distribution field was located on the adjoining property owned by Nikki Frye at 1545 Fishing Creek Valley Road during excavation for utilities to connect a new residence placed upon The Frye property. Two of the four options proposed for consideration would require a well isolation distance waiver.

Motion by Chairman Smith to require selection of either options #3 or #4 per Light-Heigel & Associates, Inc. correspondence dated July 12, 2016 and approve a well isolation distance waiver with a hold harmless agreement to be prepared by Solicitor Stine and affixed to the property deed of record for 1551 Fishing Creek Valley Road was seconded by Supervisor Evans. *Motion passed unanimously.*

- *1230 Mountain Road – Joshua Crowl*

Keith Heigel SEO #1342 submitted correspondence dated June 15, 2016 requesting a well isolation distance waiver for the property owned by Joshua Crowl at 1230 Mountain Road. The existing well is located approximately 52 feet from a malfunctioning on-lot sewage disposal system and due to the lot size limitations, would be 55 feet from the proposed new elevated sand mound absorption area versus the required 100 foot well isolation distance.

Motion by Chairman Smith to approve a well isolation distance waiver with a hold harmless agreement to be prepared by Solicitor Stine and affixed to the property deed of record for 1230 Mountain Road was seconded by Supervisor Cooney. *Motion passed unanimously.*

2017 Dauphin County Gypsy Moth Suppression Program

Manager Seeds reported Dauphin County was seeking to determine municipal interest in participating in the 2017 Gypsy Moth Suppression Program whereby the County would pay half the cost while the property owner would be responsible for the other half of costs estimated to be in the neighborhood of \$55-\$60 per acre. Participating municipalities would be responsible for collecting and remitting the property owner's cost share to the County.

Motion by Supervisor Fisher for the Township to participate in the 2017 Gypsy Moth Suppression Program with the participating property owners required to assume all related cost share expenses was seconded by Chairman Smith. *Motion passed unanimously.*

Department of Environmental Protection MS-4 Waiver Request

Manager Seeds reported the Township should be eligible for an MS-4 Waiver, but would have to map all Township stormwater outfalls in order to complete the waiver application process by December 31, 2016. She also noted the continued difficulty in having DEP correct the FEMA mapping error under which the Township's 2012 MS-4 waiver request was reviewed. Action on the Township's 2012 MS-4 waiver request remains on hold due to the unresolved FEMA mapping error.

Motion by Chairman Smith to authorize Light-Heigel & Associates, Inc. to perform the stormwater outfall mapping required to prepare and submit the Township's application for an MS-4 waiver was seconded by Supervisor Evans. *Motion passed unanimously.*

Joint Municipal Building Driveway Entrance Signage

Manager Seeds reported vehicles parked on Elizabeth Avenue opposite the driveway entrance to the Joint Municipal Building were completely blocking a lane of travel, as well as contributing to a hazardous situation for firefighters responding to the fire station for emergency calls.

Motion by Chairman Smith to properly post the Joint Municipal Building driveway entrance pursuant to Title 75 Section 3353 (a)(2)(v) whereby any vehicle parked on the side of the street opposite the entrance to any fire station within 75 feet of the entrance can be cited as a summary offense was seconded by Supervisor Evans. *Motion passed unanimously.*

Township Employee Pension Program

Manager Seeds distributed an actuarial study prepared by Mockenhaupt Benefits Group comparing the current pension plan financials with those proposing a decrease in the Normal Retirement Age (NRA) from 65 to 62, as well as for increasing the multiplier to 1.25% and 1.50% for the current plan NRA and 1.25% and 1.50% for the proposed NRA of 62. The Board requested a 5-year projection of those proposed plan changes in order to determine potential costs as employee age and salaries increase.

Regional Connections Grant

Manager Seeds reported applications for the Tri-County Regional Planning Commission (TCRPS) Regional Connections Grant were due August 31, 2016 and suggested submitting a grant application to assist the Township in undertaking an update of the Zoning Ordinance now that the Joint Comprehensive Plan has been adopted. The consensus of the Board was to prepare and submit an application under the TCRPC Regional Connections Grant program for updating the Township Zoning Ordinance.

Zoning & Codes Enforcement Officer Job Description

Manager Seeds distributed a draft job description for a part-time Zoning & Codes Enforcement Officer position in lieu of replacing the individual who had been serving in the part-time capacity as Township Clerk. The Board requested Manager Seeds to determine whether contracting for those services would be feasible and perhaps more cost-effective than a direct hire.

Reports

Engineer – Ed Fisher, P.E.

A written report for the month of July 2016 was presented. Engineer Ed Fisher recommended a road tour to determine which roads should be scheduled for resurfacing during calendar year 2017 to facilitate budget preparations. Chairman Smith and Supervisor Peffer indicated they would accompany Engineer Ed Fisher, Roadmaster Hofer and Manager Seeds on a road tour prior to the next Board meeting.

Roadmaster – Robert Hofer

A written report dated August 1, 2016 was presented. Roadmaster Hoffer reported he had solicited three quotes for guiderail replacement for the recently completed cross-pipe at the Stony Creek Road 'S' turn and had only received one quote dated July 12, 2016 from L.S. Lee, Inc. in the amount of \$5,525 to furnish and install the guiderail.

Motion by Chairman Smith to enter into contract with L.S. Lee, Inc. to furnish and install guiderail at the Stony Creek Road 'S' turn for the quoted amount of \$5,525 was seconded by Supervisor Cooney. *Motion passed unanimously.*

Supervisor Fisher inquired as to why all Township roadways currently line-painted were not scheduled for line-painting this year inasmuch as it was his understanding line-painting was to be completed annually. Roadmaster Hoffer indicated line-painting of all currently line-painted Township roadways had not been entered into the budget for the current year, but would be for 2017.

Zoning and Codes Enforcement Officer – Julie Ann Seeds

A written reported dated August 1, 2016 was presented.

Emergency Management Coordinator – Robert Rusbatch

A written report for the month of July 2016 was presented. EMC Rusbatch reported FEMA reimbursement for the winter storm declared emergency was anticipated soon, but had been delayed due to FEMA having misplaced the Township's documents submitted for reimbursement.

Manager – Julie Ann Seeds

A written report dated August 1, 2016 was presented. Manager Seeds also distributed the HRG status report on the Potato Valley Road Bridge Replacement Project dated July 26, 2016 and noted that HRG was now recommending roof mounting versus ground mounting for the Energy Efficiency (Solar) Project.

Committee/Organization Reports

- *Dauphin-Middle Paxton Joint Park Authority* – No report was presented.
- *Dauphin-Middle Paxton Joint Fire Commission* – Supervisor Fisher reported a meeting was held on July 26. Discussion items included the \$2M liability insurance required to be carried by the fire company under the terms of the lease agreement with the Township, as well as the Memorandum of Understanding entered into on February 14, 2001 establishing the Joint Fire Commission. The expenditure of funds was approved for the September 24 annual open house. The fire company also noted it was considering converting the current utility vehicle for Fire Police use once the new

utility vehicle arrives and is placed into service. The next meeting is scheduled for 5:30 PM Tuesday September 20 in the Township meeting room.

A motion by Supervisor Fisher to reduce the number of commissioners appointed by the Township to the Joint Fire Commission from 5 to 3 was seconded by Chairman Smith. *Motion passed unanimously.*

- *Dauphin-Middle Paxton Joint Public Safety Authority* – Supervisor Fisher reported a meeting was held on July 13. Action was taken to cancel the current AIA General Liability and Property insurance policy and replace it with a corresponding policy quoted by Keystone Insurers Group for an annual savings of \$3,667 (\$6,660 - \$2,993) on the buildings at 930 Peters Mountain Road. Casualty coverage will be dropped on the 2-story vacant house and the Authority approved entering into a demolition contract once the water system can be disconnected from the house and re-routed directly to the apparatus bay (Station 12). The structure serves no useful purpose and the annual cost of maintaining commercial insurance coverage on the vacant structure is approximately half of the estimated demolition cost. The Authority also approved a 2017 budget funding request in the amount of \$12,000 for operating costs to be split proportionally between the Borough and Township. The next meeting is scheduled for 6 PM Wednesday October 12 in the Township meeting room.
- *Capital Region Council of Governments (CapCOG)* – Supervisor Fisher reported the Board of Delegates met on Monday, July 18 with presentations by Bob Reilly from Congressman Scott Perry's office and David Black, CEO of Harrisburg Regional Chamber & Capital Region Economic Development Corporation (CREDC). A resolution is being drafted in support of HB 541 proposing elimination of the Prevailing Wage Act 442 of 1961. Upcoming events include the August 15 Firefighters Forum at HACC, the 11th annual picnic and golf tournament at Armitage GC on September 19 and a MS-4 presentation by DEP at the October 17 Board of Delegates meeting. The August 15 Board of Delegates meeting was cancelled with delegates encouraged to attend the Firefighters Forum that evening.

Review/Approval of Bills

The listing of vendor bills for July was distributed to the Board for review/approval. Motion by Chairman Smith to pay all vendor bills listed for July including release of escrow funds in the amount of \$1,500 to PEQ Construction 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.

Board Member Comments

Supervisor Evans requested a copy of the Township's letter to PennDOT requesting installation of "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) be forwarded to State Representative Sue Helm inasmuch as she expressed interest in that request on behalf of the residents of northern Dauphin County.

Executive Session

Not required.

Adjournment

There being no further business, the meeting was adjourned at 9:30 PM upon a motion by Chairman Smith, seconded by Supervisor Evans. *Motion passed unanimously.*

Respectfully submitted,

James H. Fisher, Assistant Secretary