

**Mailing Address**

P.O. Box 277  
Dauphin, PA 17018

**Office Address**

10 Elizabeth Avenue  
Dauphin PA, 17018

Phone: 717-921-8128

Fax: 717-474-8146

*Middle Paxton Township*

**BOARD OF SUPERVISORS****MONTHLY BUSINESS MEETING MINUTES**

March 4, 2019

**Call to Order**

The March 4, 2019 monthly business meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:02 PM by Supervisor and Chairman Jeffery Smith in the Township meeting room. Also present were Supervisor and Treasurer Wilbur Evans; Supervisor and Assistant Secretary James Fisher; Supervisor Larry Cooney; Township Manager, Secretary and Assistant Treasurer Julie Ann Seeds; Solicitor Steve Stine; and Ed Fisher representing Light-Heigel & Associates, Inc. Supervisor and Vice-Chairman Mike Sudia was absent.

**Pledge of Allegiance**

The meeting was opened with the Pledge of Allegiance.

**Public Comments**

Supervisor Smith invited comments from those in attendance who were not listed on the meeting agenda. No comments were presented.

**Approval of Minutes**

Motion by Supervisor Evans to approve the minutes from the February 4, 2019 monthly Business meeting was seconded by Supervisor Cooney. *Motion passed with Supervisor Smith abstaining due to having been absent from that meeting.*

Motion by Supervisor Smith to approve the minutes from the February 19 Workshop meeting was seconded by Supervisor Evans. *Motion passed unanimously.*

**Treasurer's Report/Monthly Financial Statements**

Manager Seeds presented the monthly Treasurer's Report showing the total of the *PLGIT Prime State Account* (Liquid Fuels) \$119,651.07; *Mid Penn Bank Fire Hydrant Account* \$4,987.48; *Fiduciary Funds (Escrow & Fire Co. Vehicle Replacement)* \$162,243.00; *PLGIT Prime General Fund (Building, Equipment, Parks & Rec)* \$134,987.41; *PLGIT Term*

Reserve Account (Capital & Sewer) \$768,242.18; and *Mid Penn Bank* General Fund (Public Safety & Operating) \$386,355.89 to be **\$1,576,467.03** as of February 28, 2019.

Manager Seeds reported the *Mid Penn Bank* Account #0119 (Fire Co. Vehicle Replacement Fund) was closed out and those monies transferred to a *PLGIT Prime* account. The Township's 4<sup>th</sup> Quarter 2018 contribution, as well as the full 2019 budgeted contribution of \$28,000 were deposited in the *PLGIT Prime* account upon a recommendation by the Finance Committee to maximize interest earnings throughout the year. The current balance in that account as of February 28, 2019 is \$58,324.96.

Manager Seeds also reported current year-to-date EIT income was noticeably higher than has been experienced in previous years.

Motion by Supervisor Fisher to accept the February 2019 Treasurer's Report to be filed for audit was seconded by Supervisor Smith. *Motion passed unanimously.*

## **Agenda Items**

### Potato Valley Road Bridge Replacement and Roadway Realignment Project Update

The HRG March 4 project status report was distributed to the Board. In the absence of HRG project manager Ryan Hostetter, Manager Seeds briefed the Board on a recent meeting with PADEP intended to obtain final comments on the waterway permit (proposed wetland mitigation), gain closure on achieving that milestone and avoid a bid letting schedule delay.

### 2019 Road Project Bid Results

A summary of bids received for advertised roadway chip-seal and paving overlay projects was distributed by Ed Fisher. Manager Seeds reported the current *Liquid Fuels* fund balance, anticipated 2019 *Liquid Fuels* receipts and reported Dauphin County Gaming Grant award of \$100,000 for the Blue Mountain Parkway paving project would provide a total of \$434,844.87 for road projects.

Motion by Supervisor Smith to award a contract to *Hammakers East LTD* in the amount of \$89,811 to chip-seal and fog-seal Affection Road, South Road, Drake Road, Lesh Road, Hagy Lane, and Miller Road (south and north of McKelvey Road) as specified in the respective bid packages for those roads and a contract in the amount of \$293,865 to *Meckley's Limestone Products, Inc.* for the Blue Mountain Parkway Paving Phase 1 and Phase 2 projects including stone shoulders as specified in the corresponding bid package was seconded by Supervisor Evans. *Motion passed unanimously.*

### Resolution 2019-04

Emergency Management Coordinator, Robert Rusbatch, presented Resolution 2019-04 to the Board and explained that adoption of the Dauphin County Emergency Operations Plan satisfies the Township's requirement to prepare, maintain and keep current an emergency operations plan for the prevention and minimization of injury and damage caused by a major emergency or disaster within the Township.

Motion by Supervisor Fisher to adopt Resolution 2019-04 to place into immediate effect the Emergency Operations Plan of Dauphin County for the prevention and minimization of injury and damage caused by a major emergency or disaster within the Township was seconded by Supervisor Smith. *Motion passed unanimously.*

#### Subdivision and Land Development Plans

- Preliminary/Final Subdivision Plan – Frank Jackson, III

Anthony Trost representing Frank Jackson, III of 200 Timber Trail Lane, presented a Preliminary/Final Subdivision Plan prepared by Melham Associates, PC to combine the owner's existing Lot 1 and Lot 2 (tax parcels 43-036-037 and 43-036-031) into a single lot.

Motion by Supervisor Fisher to approve the requested waiver of the requirement for Preliminary Plan Submission (SALDO Section 304) was seconded by Supervisor Smith. *Motion passed unanimously.*

Motion by Supervisor Fisher to approve the Preliminary/Final Subdivision Plan for Frank Jackson, III subject to all plan review comments in Light-Heigel & Associates, Inc. correspondence dated February 26, 2019 and the Dauphin County Subdivision/Land Development Review Report No. 19-018 being satisfied was seconded by Supervisor Smith. *Motion passed unanimously.*

- Final Land Development Plan – Zoellner, LLC

Anthony Trost representing Zoellner, LLC, 640 Knapps Lane, presented a Final Land Development Plan prepared by Melham Associates, PC to demolish and remove an existing mobile home and erect a new single-family dwelling on the existing 8.47 acre lot (tax parcel 43-011-032).

Motion by Supervisor Fisher to approve the requested waiver of the requirement for Preliminary Plan Submission (SALDO Section 304) was seconded by Supervisor Smith. *Motion passed unanimously.*

Motion by Supervisor Smith to approve the Final Land Development Plan for Zoellner, LLC subject to all plan review comments in Light-Heigel & Associates, Inc. correspondence dated December 13, 2018 and the Dauphin County Subdivision/Land Development Review Report No. 18-125 being satisfied was seconded by Supervisor Evans. *Motion passed unanimously.*

- Final Minor Subdivision Plan – Margaret A. Callahan & Louis F. Kuskin

Scott Akens representing Margaret A. Callahan & Louis F. Kuskin of 440 Fishing Creek Valley Road, presented a Final Minor Subdivision Plan prepared by Akens Engineering Associates, Inc. to subdivide and convey a portion of existing Lot #1 (additional Lot #A – 0.33 acres) from Martha G. Morrison (tax parcel 43-032-006) to the adjacent property existing Lot #3 via a lot addition. The additional Lot #A shall be merged into the existing Lot #3 (tax parcel 43-032-005) owned by Margaret A. Callahan & Louis F. Kuskin.

Motion by Supervisor Fisher to approve the requested waivers of the requirement for Preliminary Plan Submission (SALDO Section 304) and Sheet Size 18"x24" (SALDO Section 307) was seconded by Supervisor Smith. *Motion passed unanimously.*

Motion by Supervisor Smith to approve the Final Minor Subdivision Plan for Margaret A. Callahan & Louis F. Kuskin subject to all plan review comments in Light-Heigel & Associates, Inc. correspondence dated February 26, 2019 and the Dauphin County

Subdivision/Land Development Review Report No. 19-014 being satisfied was seconded by Supervisor Cooney. *Motion passed unanimously.*

#### Well Isolation Distance Waiver Request

A well isolation distance waiver request dated February 21, 2019 was received from Robert Parkins, owner of a property located at 3321 Fishing Creek Valley Road, stating that correction of a malfunctioning on-lot sewage disposal system requires installation of a new absorption area that will encroach upon the regulated isolation distance of 100 feet to the existing well water supply. It was noted that the distance between the existing well and existing absorption area is approximately 40 feet, while the maximum distance that can be obtained between the existing well and the new elevated sand mound absorption area is 53 feet due to the relatively small lot size, wetlands and creek located to the rear of the lot.

Motion by Supervisor Fisher to approve a waiver of the regulated 100 feet well isolation distance contingent upon installation of an UV light sterilizer on the water system and execution of a hold-harmless agreement prepared by the Township Solicitor being recorded and affixed to the property deed of record for 3321 Fishing Creek Valley Road was seconded by Supervisor Evans. *Motion passed unanimously.*

#### Zoning Ordinance Update Project Change Order Request

Manager Seeds presented a change order request received from the Township's consultant, Environmental Planning & Design, LLC (EP&D), who is currently engaged under contract to complete an update of the Zoning Ordinance and Ordinance of Definition. Having realized the ordinance update has expanded well beyond the current scope of work during its review of the first draft, the ZO Update Committee requested EP&D submit a change request proposal for the Board's consideration.

The proposed EP&D scope change request totaled \$13,126 for the expanded scope items and additional tasks required to perform a comprehensive Zoning Ordinance re-write versus a more constrained ordinance update originally specified in the Township's RFP and subsequent July 3, 2017 Board action to enter into contract with EP&D in the amount of \$31,975.

Manager Seeds explained that additional funds remain uncommitted under the TCRPC Regional Connections grant currently underwriting the Township's cost of updating the Zoning Ordinance and Ordinance of Definitions that should be able to be applied to the scope change request upon TCRPC approval. Supervisor Fisher noted that EP&D has been requested to incorporate the expanded scope items and additional tasks into the initial project fee schedule and provide an updated project schedule that aligns with the amended scope of work for submission to TCRPC for approval.

Motion by Supervisor Fisher to submit the proposed EP&D change order request to complete the Zoning Ordinance and Ordinance of Definition upgrade project to Tri-County Regional Planning Commission for approval and funding under the Regional Connections Grant was seconded by Supervisor Evans. *Motion passed unanimously.*

#### Stormwater Escrow Release

Manager Seeds reported having received a request for release of funds being held in escrow for the required stormwater facilities for the James & Lisa Smith property located

at 2010 Snyder Lane. Ed Fisher reported the stormwater facilities have been installed, but Light-Heigel & Associates, Inc. had not yet performed a final inspection of the subject property to make a determination whether those facilities have been completed in general conformity with the approved plan.

Motion by Supervisor Smith to release \$3,300 being held in escrow for the required stormwater facilities for the James & Lisa Smith property located at 2010 Snyder Lane contingent upon a final inspection by Light-Heigel & Associates, Inc. determining the required stormwater facilities have been completed in general conformity with the approved plan and receipt of a letter from Light-Heigel & Associates, Inc. recommending release of those funds being held in escrow was seconded by Supervisor Evans. *Motion passed unanimously.*

## **Reports**

### Engineer – Light-Heigel & Associates, Inc.

A written report for the month of February was presented.

### Roadmaster – Robert Hofer

A written report dated March 4 was presented.

### Zoning Officer

A written report dated March 1 was presented.

### Emergency Management Coordinator – Robert Rusbatch

A written report for the month of March was presented. The Board approved use of the unpaved area adjacent to the east parking lot of Hagy Park for a hazmat spill control training session by the Dauphin-Middle Paxton Fire Company in conjunction with the Dauphin County Hazmat team.

### Manager – Julie Ann Seeds

A written report dated March 4 was presented. Manager Seeds reported having received a report of “no audit findings” upon the auditor’s exit after having completed a review of the Township Pension Plan. Manager Seeds also reported Hershocks does not offer an annual maintenance agreement, but has been scheduled to perform a maintenance inspection of all 21 overhead garage doors on the municipal campus buildings. That inspection will include a complete tune-up of each operating overhead door and written recommendations for any additional work deemed to be required.

### Committees/Authorities/Organizations

- *Dauphin-Middle Paxton Joint Park Authority* – Supervisor Cooney reported the Authority was attempting to compile a grant application to DCNR to fund a Master Site plan for park improvements. He also reported the Authority was seeking a second bid for repairs and sealing of the grandstand roof and intends to install poles and netting before removing the backstop behind home plate.
- *Dauphin-Middle Paxton Joint Public Safety Authority* – A written report dated March 4 was presented by Supervisor Fisher.
- *Capital Region Council of Governments (CapCOG)* – A written report dated March 4 was presented by Supervisor Fisher.
- *Dauphin-Middle Paxton Fire Company Oversight Committee* – A written report dated March 4 was presented by Supervisor Fisher.

- *Zoning Ordinance Update Committee* – Manager Seeds reported the committee intends to complete its review of the remaining Sections 14 – 18 of the Zoning Ordinance and prepare a second working draft for review by the Planning Commission.

## **Review/Approval of Bills**

The listing of vendor bills for the March meeting was distributed to the Board for review/approval. Motion by Supervisor Fisher to pay all vendor bills listed for the March meeting and authorize payment of all recurring monthly expenses upon receipt to avoid late-charge penalties was seconded by Supervisor Smith. *Motion passed unanimously.*

## **Executive Session**

Not required.

## **Information Items/Letters Received**

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

## **Board Member Comments**

None presented.

## **Adjournment**

There being no further business, the meeting was adjourned at 8:46 PM upon a motion by Supervisor Smith, seconded by Supervisor Cooney. *Motion passed unanimously.*

Respectfully submitted,

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James H. Fisher, Assistant Secretary