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*Middle Paxton Township*

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

August 5, 2019

**Call to Order**

The August 5, 2019 monthly business meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:01 PM by Supervisor and Chairman Jeffery Smith in the Township meeting room. Also present were Supervisor and Vice-Chairman Mike Sudia; 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.

**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.

John W. Buffington, Jr. (4629 Raccoon Valley Road, Millerstown, PA) presented a Memorandum for Record (MFR) dated January 21, 2019 regarding issues experienced with his property located at 1822 Towpath Road. The MFR addressed four topics: 1) Township complaint form/process; 2) Township association with Light-Heigel & Associates, Inc.; 3) Ed Fisher's August 16, 2018 activity on the subject property; and 4) the Middle Paxton Campground. Mr. Buffington stated that he was not filing a formal complaint at this time, but wanted to present his MFR to the Board for the record.

**Approval of Minutes**

Motion by Supervisor Smith to approve the minutes from the July 1, 2019 monthly business 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) \$343,319.34; *Mid Penn Bank* Fire Hydrant Account \$8,087.18; Fiduciary Funds (Escrow & Fire Co. Vehicle Replacement) \$178,567.55; *PLGIT/Prime* General Fund (Building, Equipment, Parks & Rec) \$239,231.63; *PLGIT/Term* Reserve Account (Capital & Sewer) \$779,54.77; and *Mid Penn Bank* General Fund (Public Safety & Operating) \$310,850.58 to be **\$1,859,597.05** as of August 5, 2019.

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

## **Agenda Items**

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

In the absence of HRG project manager Ryan Hostetter, Manager Seeds presented the August 5, 2019 HRG project status report. The report indicated PennDOT opened the nine (9) construction bids electronically in ECMS on July 12 with the low bidder being Deblin, Inc. at \$1,137,413.71. HRG's pre-bid estimate for the project was \$1,182,945.

Motion by Supervisor Smith to award the construction contract for the *Potato Valley Road Bridge Replacement and Roadway Realignment Project* to Deblin, Inc. was seconded by Supervisor Evans. Discussion followed concerning the Township's share of the project construction cost and the motion was withdrawn by Supervisor Smith upon Manager Seeds informing the Board that PennDOT was funding the total project construction cost.

PennDOT is anticipated to issue the notice to proceed on October 7, 2019 and will coordinate with the Township to schedule a preconstruction meeting prior to that date.

### Final Phase 1 Subdivision and Land Development Plan – Chestnut Hill

Elliot Shibley with Integrated Development Partners representing Chestnut Hill Holdings, LLC presented the *Final Phase 1 Subdivision and Land Development Plan – Chestnut Hill* seeking the Board's approval following the Planning Commission's recommendation for approval granted on July 8.

In response to Supervisor Fisher's question regarding sheets 8, 10 and 11 of 22 showing the Speece Lane Widening Section (sheet 14 of 22) transitioning to an end just past the development boundary line, Mr. Sibley noted that to be an oversight and committed to modifying the final plan to show the widening of Speece Lane the entire length to McKelvey Road and including the associated cost in the financial guarantee.

Motion by Supervisor Smith to approve the *Final Phase 1 Subdivision and Land Development Plan – Chestnut Hill* subject to compliance with all review comments in Light-Heigel & Associates, Inc. correspondence dated July 8, 2019 to the Planning Commission, all review comments concerning Sewage Facilities Planning in Light-Heigel & Associates, Inc. correspondence dated July 17, 2019 to the Planning Commission, Dauphin County Subdivision/Land Development Review Report No. 19-055, and inclusion of the Speece Lane Widening Section for the entire roadway length to McKelvey Road in a revised Final plan submitted for recording, as well as its associated cost in the financial guarantee was seconded by Supervisor Sudia. *Motion passed unanimously.*

#### Stormwater Escrow Releases

- Kevin Scott Taylor & Tracy Taylor, 810 Red Hill Road

Motion by Supervisor Fisher to release the \$2,200 improvement guarantee held for completion of the required stormwater facilities on the Kevin Scott Taylor & Tracy Taylor property at 810 Red Hill Road as recommended in Light-Heigel & Associates, Inc. correspondence dated July 30, 2019 was seconded by Supervisor Cooney. *Motion passed unanimously.*

- Joshua & Jennifer Edmiston, 350 McKelvey Road

Motion by Supervisor Smith to release the \$10,230 improvement guarantee held for completion of the required stormwater facilities on the Joshua & Jennifer Edmiston property at 350 McKelvey Road as recommended in Light-Heigel & Associates, Inc. correspondence dated August 2, 2019 was seconded by Supervisor Cooney. *Motion passed unanimously.*

- Sebastian Detres, Lot 85 Felicita Subdivision

Motion by Supervisor Fisher to release the remaining \$1,000 improvement guarantee held for completion of the required stormwater facilities on the Sebastian Detres property at Lot 85 Felicita Subdivision subject to receipt of written correspondence from Light-Heigel & Associates, Inc. was seconded by Supervisor Smith. *Motion passed unanimously.*

#### 2019 Road Projects – Requests for Payment

- Meckley's Limestone Products, Inc. – Blue Mountain Parkway Paving Project

Motion by Supervisor Fisher to pay Meckley's Limestone Products, Inc. \$231,087.67 for the paving work completed to date retaining \$4,716.07 until certified payroll forms are submitted and closeout documents are signed and received pursuant to Light-Heigel & Associates, Inc. correspondence dated August 5, 2019 was seconded by Supervisor Sudia. *Motion passed unanimously.*

- Hammakers East LTD – Chip Seal & Fog Seal Road Projects

Motion by Supervisor Fisher to pay Hammakers East LTD \$89,811.00 for chip seal & fog seal work completed on South Road, Affection Road, Drake Road, Lesh Road, Miller Road and Hagy Lane pursuant to Light-Heigel & Associates, Inc. correspondence dated August 5, 2019 was seconded by Supervisor Smith. *Motion passed unanimously.*

Motion by Supervisor Smith to pay Hammakers East LTD \$13,016.50 for chip seal & fog seal work completed on Old State Road and fog seal work completed on Hunt Wyd, Hunt Meadow, Hunt Glen and Denison Drive pursuant to Light-Heigel & Associates, Inc. correspondence dated August 5, 2019 was seconded by Supervisor Fisher. *Motion passed unanimously.*

Motion by Supervisor Smith to pay Hammakers East LTD the remaining balance of \$2,599.25 for having repaired the chip seal work that failed on a portion of Denison Drive during 2018 was seconded by Supervisor Cooney. *Motion passed unanimously.*

#### Declaration of Consolidation of Previously Subdivided Lots

Motion by Supervisor Fisher to approve the Declaration of Consolidation of Previously Subdivided Lots for adjoining Tax Parcels 43-009-281 and 43-009-094 subject to the Declaration presented to the Board by Mark A. Fisher and Ashley T. Fisher residing at

1783 Green Grove being duly recorded as a covenant running with the land comprising said lots and evidence of recording being presented to the Township was seconded by Supervisor Cooney. *Motion passed unanimously.*

#### Well Isolation Distance Waiver Requests

- David W. Seachrist & Melissa A. Seachrist, 1760 Miller Road Extended

A well isolation distance waiver request from Township SEO Brian S. McFeaters dated July 29, 2019 was received on behalf of David W. Seachrist & Melissa A. Seachrist, 1760 Miller Road Extended, 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.

Motion by Supervisor Fisher to approve a waiver of the regulated 100 feet well isolation distance contingent upon installation of an UV light sterilizer treatment system 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 1760 Miller Road Extended was seconded by Supervisor Sudia. *Motion passed unanimously.*

- Frank Payne, 3520 Fishing Creek Valley Road

A well isolation distance waiver request from Township SEO Brian S. McFeaters dated July 29, 2019 was received on behalf of Frank Payne, 3520 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.

Motion by Supervisor Fisher to approve a waiver of the regulated 100 feet well isolation distance contingent upon installation of an UV light sterilizer treatment system 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 3520 Fishing Creek Valley Road was seconded by Supervisor Smith. *Motion passed unanimously.*

#### Request for Sponsorship of Local Share Municipal Grant Application

A written request was received from the Borough of Dauphin for the Township to sponsor their Local Share Municipal Grant Application for funding up to \$365,658 for wastewater treatment plant improvements and/or debt reduction inasmuch as the Borough's wastewater treatment plant also serves certain properties within the Township.

Motion by Supervisor Smith to adopt Resolution 2019-07 whereby the Township agrees to be a co-applicant to the Local Share Municipal Grant Application for the Borough of Dauphin to make wastewater treatment plant improvements and/or debt reduction was seconded by Supervisor Sudia. *Motion passed unanimously.*

## **Reports**

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

A written report of items and activities completed during the month of July was presented.

#### Roadmaster – Robert Hofer

A written report dated August 5 was presented.

Zoning Officer – Ed Fisher

A written report dated August 1 was presented.

Emergency Management Coordinator – Robert Rusbatch

A written report for August was presented.

Manager – Julie Ann Seeds

A written report dated August 5 was presented.

Committees/Organizations

- *Dauphin-Middle Paxton Joint Park Authority* – Supervisor Cooney reported the Park Authority had a pre-application meeting with the Dauphin County Gaming Grant Committee in preparation for submitting a Local Share Municipal Grant Application for a master site development plan. It was also reported that the Park Authority's *John Deere* Zero-turn mower has been fully serviced and was being stored in the Township maintenance garage to be utilized when mowing the Park Authority fields.
- *Dauphin-Middle Paxton Joint Public Safety Committee* – Supervisor Cooney reported the deed to transfer ownership of the Station 12 property at 930 Peters Mountain Road from the Dauphin-Middle Paxton Joint Public Safety Authority is being prepared by Solicitor Stine and an appraisal of the property will be completed prior to reconvening a meeting of the Committee.
- *Capital Region Council of Governments (CapCOG)* – A written report dated August 5 was presented.

Motion by Supervisor Smith to support the Cumberland County Resolution urging the Public Utility Commission to order hazardous liquids pipeline operators to conduct annual public outreach/awareness meetings for the purpose of outlining safety precautions and to address citizen questions and concerns was seconded by Supervisor Evans. *Motion passed unanimously.*

- *Dauphin-Middle Paxton Fire Company Oversight Committee* – A written report dated August 5 was presented.
- *Zoning Ordinance Update Committee* – Manager Seeds reported the Planning Commission requested the proposed changes in the second draft of the updated Zoning Ordinance distributed for their review on July 8 be highlighted to better enable them to differentiate those changes being proposed for adoption.

## **Review/Approval of Bills**

The listing of vendor bills for the August meeting was distributed to the Board for review/approval. Motion by Supervisor Fisher to pay all vendor bills listed for the August 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**

Motion by Supervisor Smith to enter into executive session at 8:18 PM to obtain legal advice from the Solicitor was seconded by Supervisor Sudia. *Motion passed unanimously.*

The Board reconvened the monthly business meeting at 8:58 PM.

Motion by Supervisor Smith to amend the Township Employee Handbook to stipulate the 4-hour minimum call out time applies only to seasonal employees was seconded by Supervisor Sudia. *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**

No comments were presented.

### **Adjournment**

There being no further business, the meeting was adjourned at 9:03 PM upon a motion by Supervisor Smith, seconded by Supervisor Sudia. *Motion passed unanimously.*

Respectfully submitted,

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James H. Fisher, Assistant Secretary