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Middle Paxton Township

BOARD OF SUPERVISORS**MONTHLY BUSINESS MEETING MINUTES**

October 7, 2019

Call to Order

The October 7, 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 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. No Comments were presented.

Pennsylvania State Police Report

PSP Harrisburg Station Commander, Lt. Cara J. McCree, reported PSP responded to approximately 40 incidents within the Township during the past two months and noted that no crime trends have been detected within the Township before inviting questions from the Board or others in the audience. The Board congratulated Lt. McCree on her recent appointment as Station Commander and thanked her for attending the meeting, as well as for the patrol coverage and timely response to incidents within the Township.

Approval of Minutes

Motion by Supervisor Smith to approve the minutes from the September 3, 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) \$20,138.79; *Mid Penn Bank* Fire Hydrant Account \$7,514.73; Fiduciary Funds (Escrow & Fire Co. Vehicle Replacement) \$176,590.16; *PLGIT/Prime* General Fund (Building, Equipment, Parks & Rec) \$240,134.90; *PLGIT/Term* Reserve Account (Capital & Sewer) \$780,514.49; and *Mid Penn Bank* General Fund (Public Safety & Operating) \$363,081.77 to be **\$1,587,974.84** as of September 30, 2019. She also distributed the August report which was unavailable during the September meeting.

Manager Seeds noted the PGLIT investment rates can change daily and have declined somewhat reflecting the national trend. She also distributed PennDOT correspondence indicating the Township's 2020 Liquid Fuels Fund allocation was estimated to be \$210,807.33 and noted the 2020 allocation is approximately \$11,000 less than the 2019 allocation.

Motion by Supervisor Smith to accept the August and September 2019 Treasurer's Reports to be filed for audit was seconded by Supervisor Evans. *Motion passed unanimously.*

Agenda Items

Potato Valley Road Bridge Replacement and Roadway Realignment Project Status

HRG project manager Ryan Hostetter reported the contractor will be rescheduling the posted date to close Potato Valley Road (Western Entrance) from October 14 to October 21 coinciding with the utility relocation work. He also reported HRG will assist the Township in preparing the substitute inspector approval request letter to PennDOT.

2020 General Fund Budget Requests

General Fund budget requests for 2020 were received from the following organizations/agencies:

- Dauphin Area Senior Transit (DAST)
- Dauphin-Middle Paxton Fire Company No. 1
- Dauphin-Middle Paxton Joint Park Authority – verbal request from Supervisor Cooney on behalf of the Park Authority for \$15,000 equivalent to the 2019 budget line item
- Dauphin-Middle Paxton Emergency Management Coordinator
- Middle Paxton Lions Club – verbal request from Supervisor Evans on behalf of the Lions Club for \$1,500 to help offset the approximate \$6,000 cost for the community fireworks during the annual carnival

The aforementioned budget requests will be forwarded to the Finance Committee to prepare a draft 2020 General Fund Budget to be presented to the Board at its November 4 Regular Business Meeting.

Final Subdivision & Land Development Plan for River View at Middle Paxton

Eric R. Clancy, Managing Member of *LDI Associates/Dauphin, LLC* presented the *Final Subdivision and Land Development Plan for River View at Middle Paxton* seeking the Board's approval following the Planning Commission's contingent recommendation granted on August 12. He also introduced his accompanying LDI partner, Pete Paturzo,

David Getz, Esq. with *Wix, Wenger & Weidner*, and David Weihbrecht, P.E. with *Advantage Engineering Services, LLC*.

Final Plan documents presented and/or reviewed by the Board during Mr. Clancy's presentation included:

- Plan titled "Final Subdivision Plan for River View at Middle Paxton and Final Land Development Plan for Unit 1 of River View at Middle Paxton Condominium a Site Condominium" prepared by *Advantage Engineering Services, LLC* last revised September 12, 2019
- *Advantage Engineering Services, LLC* correspondence dated September 17, 2019 requesting waivers from the Township Subdivision & Land Development Ordinance (SALDO) and providing justification supporting the waiver request
- *Advantage Engineering Services, LLC* correspondence dated September 17, 2019 in response to *Light-Heigel & Associates, Inc.* Final Plan review comments dated September 3, 2019
- *Light-Heigel & Associates, Inc.* Final Plan review comments dated October 2, 2019
- Final Plan review comments by Supervisor Fisher dated October 3, 2019
- Township Planning Commission draft meeting minutes dated August 12, 2019
- Dauphin County Subdivision/Land Development Review Report No. 19-058 dated July 1, 2019

Mr. Clancy addressed several of the Final Plan review comments, as well as questions presented from the Board and Patrick and Donna Booton, adjoining landowners residing at 1021 Hagy Lane who were present in the audience. He committed to correct several items identified as being in error or absent on the Final Plan drawing and proposed entering into an easement and maintenance agreement pertaining to the 2.04 acre Allegheny Street right-of-way to facilitate Applicant's proposed Access Drive A.

Mr. Clancy and Mr. Weihbrecht both expressed confidence that all outstanding items identified during the review process can be readily addressed and respectfully requested the Board's approval of the following waivers from SALDO requirements:

- Section 502.D.2.7 for the proposed intersection of Allegheny street and Drive A
- Section 701.D.2 for the side slopes in Channel 3

Motion by Supervisor Fisher to grant the requested waivers and approve the *Final Subdivision Plan for River View at Middle Paxton and Final Land Development Plan for Unit 1 of River View at Middle Paxton Condominium a Site Condominium* subject to the Applicant entering into a Development Agreement with the Township (SALDO Section 306.J.) detailing the plan elements, specifications and improvements agreed upon during the review and approval process as stated in 1) *Light-Heigel & Associates, Inc.* October 2, 2019 correspondence to the Board of Supervisors, 2) Township Planning Commission August 12, 2019 meeting minutes, 3) Dauphin County Subdivision/Land Development Review Report No. 19-058, 4) review comments dated October 3, 2019 by Supervisor Fisher, and 5) all other outstanding items needed to be submitted to and/or approved by the Township for Final Plan approval including execution of an easement and maintenance agreement for the 2.04 acre Allegheny Street right-of-way and execution of an Intergovernmental Cooperation Agreement between the Township and Dauphin Borough was seconded by Supervisor Smith. *Motion passed unanimously.*

PEMA E-Grant Application Request – FEMA Hazard Mitigation Non-Disaster Grant Program
Manager Seeds reported the Township received a request from Johnny & Carol Kelly, 1804 Towpath Road, to prepare and submit an E-Grant application to the Pennsylvania Emergency Management Agency (PEMA) on their behalf for a grant to elevate their flood-prone residence above the base flood elevation (BFE).

Ed Fisher explained the Federal Emergency Management Agency (FEMA) Hazard Mitigation Non-Disaster Grant Program is intended to assist local governments in reducing overall risk to population and structures from future hazard events, as well as reliance on federal funds for buildings located in special flood hazard areas. He further explained the applicant under this competitive grant program must be the Township and upon award, the Township would be reimbursed for its expenses to administer the grant, as well as to perform all associated activities (engineering design, bidding, construction, etc.).

Motion by Supervisor Smith to authorize *Light-Heigel & Associates, Inc.* to prepare a Hazard Mitigation Non-Disaster Grant application for the Township on behalf of Johnny & Carol Kelly upon receipt of \$750 to be placed in the Township's escrow account with the understanding any excess costs incurred by the Township for preparation of the grant application will be payable to the Township prior to the grant application being submitted was seconded by Supervisor Evans. *Motion passed unanimously.*

Meckley's Limestone Products, Inc. Request for Retainer

Light-Heigel & Associates, Inc. correspondence dated October 2, 2019 noted the Blue Mountain Parkway resurfacing project was \$49,400.54 under budget and recommended payment of the \$9,060.72 invoice for the stone shoulder work completed by *Meckley's Limestone Products, Inc.* and the \$4,716.07 retained from their previous invoice.

Motion by Supervisor Fisher to pay *Meckley's Limestone Products, Inc.* the \$13,776.79 total amount due for completing the Blue Mountain Parkway resurfacing project was seconded by Supervisor Smith. *Motion passed unanimously.*

Stormwater/Improvement Guarantee Escrow Release Requests

- Jeremy Aldridge, 3201 Fishing Creek Valley Road

Motion by Supervisor Smith to release the \$9,011.75 improvement guarantee held for completion of the required stormwater facilities on the Jeremy Aldridge property at 3201 Fishing Creek Valley Road as recommended in *Light-Heigel & Associates, Inc.* correspondence dated October 3, 2019 was seconded by Supervisor Cooney. *Motion passed unanimously.*

- Allen & Yvonne Schock, 1650 Riverview Road

Motion by Supervisor Fisher to release the \$2,500 improvement guarantee held for completion of the required stormwater facilities on the Allen & Yvonne Schock property at 1650 Riverview Road as recommended in *Light-Heigel & Associates, Inc.* correspondence dated October 3, 2019 was seconded by Supervisor Evans. *Motion passed unanimously.*

Intergovernmental Cooperation Agreement and Ordinance No. 2019-02

A proposed Intergovernmental Cooperation Agreement by and among the Borough of Dauphin, the Municipal Authority of the Borough of Dauphin and the Township memorializing the arrangement by which the Municipal Authority may, from time to time, extend its Sewer System within the municipal boundaries of the Township for the purpose

of providing sanitary sewer services to properties within the Township was distributed for Board review.

Supervisor Fisher objected to language in Section 2 of the proposed Agreement having been added subsequent to the Board's review of the draft Agreement at its August 5 meeting. The added language denies extension of Sewer System collection and conveyance facilities to R-1 Low Density Residential District zoned parcels except for those parcels located in the *River View at Middle Paxton development* and also denies extension of Sewer System collection and conveyance facilities to N-R Neighborhood Residential District zoned parcels.

Motion by Supervisor Evans to advertise the proposed Ordinance No. 2019-02 approving an Intergovernmental Cooperation Agreement by and among the Township, the Borough of Dauphin and the Municipal Authority of the Borough of Dauphin to provide sewage treatment services to properties located within designated zoning districts in the Township subject to the terms and conditions set forth therein was seconded by Supervisor Smith. *Motion passed with Supervisor Fisher voting NAY.*

Miscellaneous Quotes

- Tree Removal at Eastern Entrance to Potato Valley Road
The Board reviewed proposal No. 19406 from *Good's Tree and Lawn Care* for removal of six (6) trees located in the Potato Valley Road (Eastern Entrance) right-of-way and requested additional bids be solicited for the proposed project.
- Reseal and Line Hagy Park and Fishing Creek Community Center Playing Courts
The Board reviewed Sport Surface Program COSTARS quotes received from *SealMaster Pavement Products & Equipment* for the Hagy Park basketball court, Hagy Park tennis court and Fishing Creek Community Center basketball court and took no action.
- Maintenance Garage Interior Lighting Replacement
The Board reviewed estimate No. E2019047 received from *N.A.S. Contracting, LLC* to remove the obsolete 8' fluorescent lighting fixtures in Bays 1, 2, 3, 4 and 5 of the Maintenance Garage and install 24 LED lighting fixtures (6026 lumens each) with diffuser lens for a total estimate of \$5,640.00.

Motion by Supervisor Sudia to award a contract to *N.A.S. Contracting, LLC* in the amount of \$5,640.00 to complete the description of work specified in their estimate No. E2019047 was seconded by Supervisor Smith. *Motion passed unanimously.*

2020 General Fund Budget Discussions

Manager Seeds distributed copies of the 2019 General Fund Budget noting the Finance Committee will be meeting within the next two weeks to prepare a draft 2020 General Fund Budget for presentation and discussion during the November 4 meeting.

Reports

Engineer – Light-Heigel & Associates, Inc.

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

Roadmaster – Robert Hofer

A written report dated October 7 was presented. Supervisor Fisher noted the thoroughness of the report and expressed the Board's appreciation to Roadmaster Hofer for the detail now being provided on the new report format.

Zoning Officer – Ed Fisher

A written report dated October 3 was presented.

Emergency Management Coordinator – Robert Rusbatch

No report was presented.

Manager – Julie Ann Seeds

Manager Seeds presented a verbal report of activities completed during the past month, as well as items remaining on her work agenda.

Committees/Organizations

- Dauphin-Middle Paxton Joint Park Authority

Supervisor Cooney reported the Park Authority rest room facilities sewer line blockage required the Park Authority to engage the services of a contractor to correct the lateral line connection to the Borough's sewer system.

- Dauphin-Middle Paxton Joint Public Safety Committee

Manager Seeds reported the Committee will be meeting in the next couple of weeks to take steps necessary to obtain execution of documents prepared by the Solicitor pertaining to termination of the Dauphin-Middle Paxton Joint Public Safety Authority.

Motion by Supervisor Smith to appoint Supervisor Evans to the Township's vacant position on the Dauphin-Middle Paxton Joint Public Safety Authority was seconded by Supervisor Cooney. *Motion passed unanimously.*

- Capital Region Council of Governments (CapCOG)

A written report dated October 7 was presented by Supervisor Fisher.

- Dauphin-Middle Paxton Fire Company Oversight Committee

A written report dated October 7 was presented by Supervisor Fisher.

- Zoning Ordinance Update Committee

Manager Seeds reported the Committee was scheduled to meet the afternoon of October 14 to review the second draft of the updated Zoning Ordinance, together with review comments submitted by the Planning Commission.

Review/Approval of Bills

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

Executive Session

Supervisor Smith reported the Board met in executive session during the morning of September 11 to discuss matters of litigation.

Information Items/Letters Received

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

Board Member Comments

Supervisor Sudia expressed his appreciation to Supervisor Fisher for his time and effort to prepare written comments on the *River View at Middle Paxton* Subdivision & Land Development Plan.

Supervisor Fisher verbally submitted his resignation as the Township's alternate voting delegate to the *Dauphin County Tax Collection Committee* (DCTCC) citing a DCTCC meeting might conflict with another commitment and recommended the Board's treasurer, Supervisor Evans, be appointed as his replacement.

Motion by Supervisor Cooney to appoint Supervisor Evans as the Township's alternate voting delegate to the *Dauphin County Tax Collection Committee* was seconded by Supervisor Sudia. *Motion passed unanimously.*

Supervisor Fisher reported he and Supervisor Evans attended the *Dauphin County Association of Township Officials* annual convention held in Halifax on October 3. Dauphin County District Attorney, Fran Chardo, was the keynote speaker and the Association re-elected Gloria Zimmerman (West Hanover Township) president, Jim Fisher 1st vice-president, Stacey Connors (West Hanover Township) 2nd vice-president and Wendy Wentzel (Halifax Township) secretary/treasurer for the 2-year term of office. Next year's convention will be held in West Hanover Township.

Motion by Supervisor Fisher for the Township to send a letter to the Dauphin County Gaming Grant Committee supporting the Rush Township Local Share Municipal Grant application for funding to place PennDOT approved 2-sided high-visibility/high-reflectivity Emergency Response Signs every ½ mile along Clarks Valley Road (SR 325) from the intersection of Peters Mountain Road (SR 225) to Tower City (SR 209) was seconded by Supervisor Evans. *Motion passed unanimously.*

Supervisor Fisher stated his rationale for having compiled written review comments on the proposed *River Lands at Middle Paxton* subdivision & land development plan that were submitted to the Applicant to address.

Adjournment

There being no further business, the meeting was adjourned at 9:17 PM upon a motion by Supervisor Smith, seconded by Supervisor Sudia. *Motion passed unanimously.*

Respectfully submitted,

James H. Fisher, Assistant Secretary