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Middle Paxton Township

BOARD OF SUPERVISORS**MONTHLY BUSINESS MEETING MINUTES**

November 4, 2019

Call to Order

The November 4, 2019 monthly business meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:00 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.

Marty Eichelberger, 402 River Road, questioned why the Intergovernmental Cooperation Agreement being proposed for adoption via enactment of Ordinance 2019-02 excludes properties within certain zoning districts from being able to connect to the Dauphin Borough Municipal Authority's sanitary sewage collection and conveyance facilities. He specifically cited the environmental concerns and interests of River Road residents located in the N-R Neighborhood Residential zoning district who would be denied sanitary sewer service under the proposed Agreement, while permitting the Borough Municipal Authority's sewer system to be extended to other properties within the Township.

Dan Thompson, 400 River Road, and Christine Snyder, 436 River Road, also expressed their objection to the Board adopting the proposed Intergovernmental Cooperation Agreement which would exclude N-R Neighborhood Residential zoning district properties from being able to connect to the Dauphin Municipal Authority's sanitary sewage collection and conveyance facilities.

Approval of Minutes

Motion by Supervisor Evans to approve the minutes from the October 7, 2019 monthly business meeting was seconded by Supervisor Cooney. *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) \$20,174.54; *Mid Penn Bank* Fire Hydrant Account \$7,523.03; Fiduciary Funds (Escrow & Fire Co. Vehicle Replacement) \$167,683.47; *PLGIT/Prime* General Fund (Building, Equipment, Parks & Rec) \$240,561.20; *PLGIT/Term* Reserve Account (Capital & Sewer) \$780,974.02; and *Mid Penn Bank* General Fund (Public Safety & Operating) \$307,939.23 to be **\$1,524,855.49** as of October 31, 2019. She also distributed the JAN-OCT 2019 Profit & Loss statement showing a net income of \$134,422.74 and the Deposit Detail for the month of October.

Motion by Supervisor Fisher to accept the October 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 Status

Manager Seeds presented the HRG project status report dated November 4. Construction accomplishments during the past month included removal of the existing bridge superstructure with planned demolition of the existing pier and south abutment to permit construction of the new southern abutment and wing walls during the upcoming month. Project completion reportedly remains on schedule for June 2020.

Ordinance 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 properly advertised and presented for the Board's consideration.

Motion by Supervisor Fisher to adopt Ordinance 2019-02 and approve the Intergovernmental Cooperation Agreement by striking out the words "sanitary sewage collection and conveyance facilities may only be extended into the following zoning districts of the Township: R-1 Low Density Residential District zoned parcels located in the River View at Middle Paxton development; R-2 Medium Density Residential District; R-3 High Density Residential District; MX Mixed Use District; MX-2 Mixed Use 2 District; CV Civic District; C-O Commercial and Office District; and C-I Commercial and Industrial District;" found in Section 2 of the Intergovernmental Cooperation Agreement attached as Exhibit A and incorporated into Ordinance 2019-02 was seconded by Supervisor Sudia. *Motion passed with Supervisor Smith and Supervisor Evans voting NAY.*

Solicitor Stine advised the Board that the aforementioned changes to the Intergovernmental Cooperation Agreement attached as Exhibit A and incorporated into Ordinance 2019-02 requires the proposed Ordinance to be re-advertised before adoption.

Motion by Supervisor Cooney to add N-R Neighborhood Residential District to those zoning districts currently listed in Section 2 of the proposed Intergovernmental

Cooperation Agreement and re-advertise Ordinance 2019-02 was seconded by Supervisor Sudia. *Motion passed with Supervisor Smith and Supervisor Evans voting NAY.*

Supervisor Fisher noted that HB 510 and HB 511 were currently awaiting the Governor's signature after passing through both chambers of the General Assembly and, upon the Governor's signature, those bills would amend the Pennsylvania Statutes and Second Class Township Code enabling municipalities to enter into an Intergovernmental Cooperation Agreement without the requirement to enact an ordinance.

Stormwater/Improvement Guarantee Escrow Release Requests

- Peter Tucker, 4000 Pine Needles Drive

Motion by Supervisor Smith to release the \$3,300 improvement guarantee held for completion of the required stormwater facilities on the Peter Tucker property at 4000 Pine Needles Drive as recommended in *Light-Heigel & Associates, Inc.* correspondence dated October 23, 2019 was seconded by Supervisor Fisher. *Motion passed unanimously.*

- Ray Cree, 409 Holly Drive

Motion by Supervisor Smith to release the \$3,300 improvement guarantee held for completion of the required stormwater facilities on the Ray Cree property at 409 Holly Drive as recommended in *Light-Heigel & Associates, Inc.* correspondence dated October 31, 2019 was seconded by Supervisor Evans. *Motion passed unanimously.*

- S&G Homes, 1801 Primrose Lane (Lot#8-Cottonwood Development)

Motion by Supervisor Smith to release the \$3,300 improvement guarantee held for completion of the required stormwater facilities on the S&G Homes property at 1801 Primrose Lane (Lot#8-Cottonwood Development) as recommended in *Light-Heigel & Associates, Inc.* correspondence dated November 1, 2019 was seconded by Supervisor Evans. *Motion passed unanimously.*

2020 Draft General Fund Budget

Manager Seeds distributed draft copies of the 2020 General Fund Budget prepared by the Finance Committee for the Board's consideration. She noted that all budget requests received from Township supported organizations/agencies were able to be fully incorporated in the draft budget which was balanced with a total projected revenue and corresponding expense of \$1,343,145.65.

Motion by Supervisor Evans to advertise the proposed 2020 General Fund Budget for public inspection at the Township Office during normal business hours from the publication date of the budget announcement and present it for adoption at the December 2 monthly Business meeting was seconded by Supervisor Smith. *Motion passed unanimously.*

Proposals for IT Services and Vertical Summit IP Telephone System

Manager Seeds presented preliminary proposals received from Higher Information Group pertaining to an upgrade to the Township's IT infrastructure (client/server and backup device installation), a comprehensive IT Support Service Agreement, as well as for replacement of the current telephone system network with a *Vertical Summit* IP Telephone System.

The Board requested a more definitive breakout of the proposed equipment pricing (purchase versus lease), as well as identification of items priced under the Costars program be presented during the December 2 monthly Business meeting.

On-Lot Sewage Management Program

A revised draft Ordinance Adding an On-lot Sewage Management Program Governing Municipal Management of On-lot Sewage Disposal Facilities in compliance with the Township's Official Sewage Facilities Plan (Act 537) was distributed to the Board. Manager Seeds explained the proposed ordinance was reviewed with the Township's SEO, Brian McFeaters, and included several recommended changes (highlighted in red) since the Board last reviewed the draft ordinance at its February 4 meeting. Supervisor Fisher also provided a pen and ink mark-up copy of the proposed ordinance that included formatting and editing recommendations.

The Board reviewed and accepted the SEO recommendations including changing the on-lot sewage disposal system pumping and inspection requirements from a 3-year to a 4-year cycle and designating the four (4) Sewage Management Districts indicated in Section 9. Maintenance.

Suggested dates for public meetings to introduce the proposed ordinance included December 2 from 6 to 7 PM to be held at the municipal building in advance of the regular monthly Business meeting and December 10 from 6 to 7 PM to be held at the Fishing Creek Community Building. The Board concurred with the aforementioned public meeting dates and requested those dates be advertised, together an announcement informing residents of the proposed ordinance to be placed in the Fall/Winter Newsletter and Township website.

Reports

Engineer – Light-Heigel & Associates, Inc.

A written report of items and activities completed during the month of October was presented. The report indicated the completed traffic speed study on Denison Drive showed the 85th percentile speed between 37 and 47 miles per hour and recommended a maximum speed of 35 MPH given the curves, grade changes and number of driveways accessing the roadway.

Motion by Supervisor Smith for the solicitor to prepare and advertise an ordinance to post a speed limit of 35 MPH for the entire length of Denison Drive was seconded by Supervisor Evans. *Motion passed unanimously.*

Noting that engineering specifications were being prepared to solicit bids for 2020 chip-seal and fog seal road projects, Supervisor Fisher recommended those bids specify the use of "Grip-Tight or equivalent" fog seal emulsion which was applied during the highly successful 2019 road projects.

Roadmaster – Robert Hofer

A written report dated November 4 was presented.

Zoning Officer – Ed Fisher

A written report dated October 31 was presented. It was noted that the *Preliminary/Final Land Development Plan for Zion Evangelical Congregational Church* would have to be placed on the December 2 meeting agenda for Board action inasmuch as the Applicant granted the Township an extension of time until December 2019 to take action on the Preliminary /Final Land Development Plan during the September 3 meeting.

Emergency Management Coordinator – Robert Rusbatch

EMC Rusbatch reported all required reports had been submitted to the County EMA and invited all interested parties to attend either session of the County-Wide All-Hazards Mitigation Annual Meeting being held at the Dauphin County Conservation Center (Peters Mountain Road) on November 26 with a session at 2 PM and a second session at 6 PM.

Supervisor Evans reported he had received positive comments on the notifications issued by the Dauphin-Middle Paxton EMA advising residents that trick-or-treat night was rescheduled as a result of a severe storm warning issued by the National Weather Service for the late afternoon and early evening of October 31.

Motion by Supervisor Smith authorizing the Township Manager to make the final determination whether to post-pone and/or reschedule Halloween trick-or-treat night was seconded by Supervisor Cooney. *Motion passed unanimously.*

Manager – Julie Ann Seeds

A written report dated November 4 was presented. Manager Seeds also distributed Supervisor Fisher's synopsis of the PSATS Fall Forum held at Liberty Mountain Resort near Gettysburg on Wednesday afternoon and Thursday morning last week. She and Supervisor Fisher reported the break-out sessions offered were very informative and proved to be well worth the cost.

Committees/Organizations

- Dauphin-Middle Paxton Joint Park Authority

Supervisor Cooney reported the Park Authority recommended Shannon Smith be re-appointed at the conclusion of her term ending December 31, 2019.

- Dauphin-Middle Paxton Joint Public Safety Committee

Manager Seeds reported the Committee was attempting to arrange a meeting of the Dauphin-Middle Paxton Joint Public Safety Authority to complete the steps necessary to obtain execution of documents prepared by the Solicitor pertaining to termination of the Authority pursuant to Ordinance 2019-01.

- Capital Region Council of Governments (CapCOG)

A written report dated November 4 was presented by Supervisor Fisher.

- Dauphin-Middle Paxton Fire Company Oversight Committee

A written report dated November 4 was presented by Supervisor Fisher. The report included copies of an independent auditor's review of the Fire Company's 2017 and 2018 fiscal year financial statements indicating no requirements for any material modifications.

- Zoning Ordinance Update Committee

Manager Seeds reported the Committee and Planning Commission chairperson, Liz Rodda, met the afternoon of October 14 to review the second draft of the updated Zoning Ordinance and incorporated review comments submitted by the Planning Commission. Supervisor Fisher noted that a recent Commonwealth Court decision invalidated a zoning ordinance update because the ordinance update committee had not held a public meeting to review proposed changes in advance of the township adopting the updated zoning ordinance.

Review/Approval of Bills

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

November 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

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

Supervisor Sudia questioned whether the Board should await determination of the outcome of HB 510 and HB 511 which would exempt the Township from being required to re-advertise the proposed Ordinance 2019-02 in order to adopt the Intergovernmental Cooperation Agreement.

Supervisor Cooney gave a "shout out" to our local fire company and mutual aid companies for their quick response to a recent fire reported at Hidden Valley Lane.

Supervisor Fisher expressed his appreciation to the Board for having sponsored his attendance at the 2-day PSATS Fall Forum held last week.

Supervisor Fisher inquired as to the status of the Development Agreement between *LDI Associates/Dauphin, LLC* and the Township detailing the plan elements, specifications and improvements agreed upon during the review and approval process for 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*. Solicitor Stine reported the Development Agreement was drafted by the Developer's counsel David Getz, Esq. (*Wix, Wenger & Weidner*) and was just received by the Township this date.

Adjournment

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

Respectfully submitted,

James H. Fisher, Assistant Secretary