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*Middle Paxton Township*

**BOARD OF SUPERVISORS**

MONTHLY BUSINESS MEETING MINUTES

September 9, 2020

**Call to Order**

The September 9, 2020 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; Solicitor Steve Stine; and Ed Fisher representing the Township Engineer, *Light-Heigel & Associates, Inc.* Township Manager, Secretary and Assistant Treasurer Julie Ann Seeds was absent.

**Pledge of Allegiance**

The meeting was opened with the Pledge of Allegiance.

**Public Comments**

Provisions were made to accommodate the public while maintaining adequate social distancing within the meeting room during the continuing Declaration of Disaster Emergency as a result of the imminent threat to the health, safety and welfare of the citizens of the Commonwealth posed by the novel coronavirus (COVID-19) pandemic.

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 Sudia to approve the minutes from the August 3, 2020 monthly business meeting was seconded by Supervisor Evans. *Motion passed unanimously.*

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

The monthly Treasurer's Report showed the total of the *PLGIT/Prime* State Account (Liquid Fuels) \$92,201.34; *Mid Penn Bank* Fire Hydrant Account \$9,403.16; Fiduciary Funds (Escrow & Fire Co. Vehicle Replacement) \$195,565.58; *PLGIT/Prime* General Fund (Building, Equipment, Parks & Rec) \$242,831.84; *PLGIT/Term* Reserve Account (Capital &

Sewer) \$796,569.16; *Mid Penn Bank* Money Market \$125,004.70 and *Mid Penn Bank* General Fund (Public Safety & Operating) \$522,193.99 to be **\$1,983,769.77** as of August 31, 2020. Manager Seeds indicated in an earlier email to the Board that Earned Income Tax (EIT) year-to-date receipts exceeded 2019 receipts for that same period and served to help offset other revenue losses attributed to COVID-19.

Motion by Supervisor Evans to accept the August 2020 Treasurer's Report to be filed for audit was seconded by Supervisor Cooney. *Motion passed unanimously.*

## **Agenda Items**

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

In a written report to the Board, Manager Seeds reported HRG project manager Ryan Hostetter and the contractor met with the property owner at 1310 Potato Valley Road and will be correcting stormwater issues attributed to the contractor's installation of a sidewalk impeding stormwater flow along the roadway shoulder. Mr. Hostetter is also checking with the contractor to determine when the final wetland plantings can be accomplished to complete the project.

### Employee Pension Plan Minimum Municipal Obligation for 2021 Budget

Motion by Supervisor Fisher to certify the calculations of the Middle Paxton Township Employee Pension Plan Financial Requirement and Minimum Municipal Obligation for the 2021 Municipal Budget totaling \$25,078 required to be deposited into the Plan's assets by December 31, 2021 was seconded by Supervisor Smith. *Motion passed unanimously.*

### Resolution 2020-07

September 3 correspondence from the Township's Sewage Enforcement Officer Brian S. McFeaters reported having completed his review of the revised Chestnut Hill Development – Phase 1 Sewage Planning Module addressing the technical deficiencies noted in Department of Environmental Protection (DEP) technical deficiency letters dated July 30 and August 10 and recommended the revised planning module packet be resubmitted to DEP for their review.

Motion by Supervisor Fisher to adopt Resolution 2020-07 and resubmit to the Department of Environmental Protection the Revised Plan Revision for New Land Development described in the Sewage Facilities Planning Module for Chestnut Hill Subdivision – Phase 1 as a revision to the "Official Sewage Facilities Plan" of Middle Paxton Township was seconded by Supervisor Cooney. *Motion passed unanimously.*

### Resolution 2020-08

Motion by Supervisor Fisher to ratify the adoption of Resolution 2020-08 whereby the Township agrees to be a co-applicant with the Dauphin-Middle Paxton Joint Park Authority to submit a Local Share Municipal Grant Application for a Parks and Recreation Master Plan was seconded by Supervisor Evans. *Motion passed unanimously.*

### Resolution 2020-09

Motion by Supervisor Fisher to adopt Resolution 2020-09 authorizing submission of the 2020 Dauphin County Coronavirus Aid, Relief, and Economic Security (CARES) Act Municipal Grant Program Application in the amount of \$3,585.28 was seconded by Supervisor Smith. *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 Lot 1 and Lot 2 (Huckleberry Lane) of the Preliminary/Final Subdivision Plan for Gerald K. Morrison and Mary Fae Morrison recorded on February 29, 1988 in Dauphin County Plan Book O, Volume 4, Page 13 subject to the Declaration presented to the Board by Gerald K. Morrison and Mary Fae Morrison residing at 511 Bridgeview Drive, Lemoyne, PA 17043 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 Evans. *Motion passed unanimously.*

### Stormwater Escrow Release Requests

- Ed Fisher representing the Township's Engineer, Light-Heigel & Associates, Inc., reported the required stormwater facilities have been completed in general conformity with the approved plan for the Scott L. and Michelle M. Williams property located at Lot 78, Mockingbird Lane with the exception of site stabilization work and recommended release of the Improvement Guarantee held for that site contingent upon completion of the stabilization work.

Motion by Supervisor Smith to release the \$10,906 Improvement Guarantee being held for the Scott L. and Michelle M. Williams property located at Lot 78, Mockingbird Lane contingent upon final engineering inspection of the site stabilization work was seconded by Supervisor Evans. *Motion passed unanimously.*

- Light-Heigel & Associates, Inc. correspondence dated September 8 indicated the required stormwater facilities have been completed in general conformity with the approved plan for the Tyler and Amy Zoellner property located at 640 Knapps Road with the exception of site stabilization work and recommended release of the Improvement Guarantee held for that site contingent upon completion of the stabilization work.

Motion by Supervisor Smith to release the \$9,270.47 Improvement Guarantee being held for the Tyler and Amy Zoellner property located at 640 Knapps Road contingent upon final engineering inspection of the site stabilization work was seconded by Supervisor Cooney. *Motion passed unanimously.*

### Gene Stilp

Christian Masters stated he was standing in for Gene Stilp and representing the interests of the organization known as *SaveFishingCreekValley.org* that is concerned about the potential for the Board considering a Zoning Ordinance text amendment intended to enable construction and operation of a "limited agribusiness building" proposed as a food distribution center/storage facility on the property located at 2551 Fishing Creek Valley Road in the Township's Agricultural and Rural Residential (A-RR) District.

Mr. Masters distributed documents to the Board titled "Background Information for Farm-to-Food Bank Draft Text Amendment September 9, 2020" (6 pages), "Current Midwest Food Bank Locations" (1 page) and "SaveFishingCreekValley.org" (10 pages).

Mr. Masters introduced April Showers, 942 Baltimore Pike, Gardners, PA who stated she was representing the interests of John & Tammy Alwine, 2455 Fishing Creek Valley Road. Ms. Showers proceeded to introduce and summarize the text contained within the

"Background Information for Farm-to-Table Bank Draft Text Amendment September 9, 2020" document, as well as the "Current Midwest Food Bank Locations".

Mr. Masters introduced Attorney Sean P. Delaney of Mette, Evans & Woodside as counsel to *SaveFishingCreekValley.org* and a Township resident. Attorney Delaney proceeded to summarize the text contained with the "SaveFishingCreekValley.org" document and stated that a proposed text amendment to the Zoning Ordinance would be a discretionary act of the Board of Supervisors which is under no obligation to consider or act on that proposal.

The Board thanked the aforementioned individuals for their presentations and information disseminated to the Board for its use in the event such a proposed Zoning Ordinance text amendment would be placed on the table for the Board's consideration.

## **Reports**

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

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

Ed Fisher summarized the Clarks Valley Road (SR 0325) mileage marker project being initiated under a Local Share Municipal Grant awarded to Rush Township. Supervisor Fisher reported Rush Township Board chairman, Mike Brennan, is seeking a partnership with Middle Paxton Township for the installation of safety mileage markers every half mile along Clarks Valley Road ending at SR 0225 (Peters Mountain Road). The Board requested further information be directed to the attention of Manager Seeds.

PA Department of Transportation correspondence dated August 6 stated the Township would be required to conduct a Traffic Safety Study to determine the need for hidden driveway signs in the vicinity of Peters Mountain Road (SR 0225) in response to the Township's July 21 correspondence. It was the Board's consensus to notify the requesting property owner they would be responsible for costs associated with the PennDOT required Traffic Safety Study, as well as the cost to purchase, install and maintain the requested signage should PennDOT authorize sign installation before the Township would undertake any further action.

### Roadmaster – Robert Hofer

A written report dated September 9 was presented.

A listing of roads recommended to be crack sealed and a 2020 Crack Sealing Rental Program Quote dated 8/28/2020 from *SealMaster Municipal* in the amount of \$5,490 for equipment rental and materials was presented to the Board. Ed Fisher recommended the Board consider engaging a contractor to perform that work versus renting equipment, buying materials and using Township roadcrew labor to perform the work. A firm price quote dated 8/12/2020 in the amount of \$11,100 from *Hammaker East* to crack seal 27,750 lineal feet of roadway at the unit price of \$0.40/LF was presented to the Board.

Motion by Supervisor Smith to award a contract in the amount of \$11,100 to *Hammaker East* to crack seal 27,750 LF of roadway with the Township to provide all necessary signage and traffic control was seconded by Supervisor Sudia. *Motion passed unanimously.*

### Zoning Officer – Ed Fisher

A written report dated September 8 was presented.

### Emergency Management Coordinator – Robert Rusbach

Mr. Rusbach reported the deadline for FEMA reimbursements related to COVID-19 expenses beyond those expenses identified in the CARES Act application had been extended and the Township's submission will have to be amended. He also reported he continues to work with the committee updating the Dauphin County Hazard Mitigation Plan required to be performed every five years.

He requested Township authorization to enable the fire company to change out the lighting above the fire station bay doors to a red bulb for the national "Turn the Night Red" event being held the last week of September to recognize the contributions of our nation's firefighters.

Motion by Supervisor Smith to purchase the red light bulbs for installation in the exterior lighting fixtures located above the fire station bay doors, as well as those lights above the garage bay doors on the south side of the Joint Municipal Building in recognition of the "Turn the Night Red" event was seconded by Supervisor Evans. *Motion passed unanimously.*

### Manager – Julie Ann Seeds

A written report dated September 9 was presented. The Board noted the inclusion of the *2019 Municipal Annual Audit and Financial Report* and thanked the elected Board of Auditors and its chairman, Sherry A. Mutzabaugh, for their diligence and time commitment necessary to complete the annual audit despite having to deal with COVID-19 pandemic restrictions.

### Committee/Organization Reports

- Dauphin-Middle Paxton Joint Park Authority

Supervisor Cooney thanked the Board for purchasing the wood carpet mulch enabling their volunteers to spruce up the playground area adjacent to Sheetz Field. Supervisor Fisher noted Dauphin Borough Council appointed Jeff Thrush and Mike Cohen to the Park Authority after accepting the resignations of Messrs. Bechtel and Hartz during last evening's Council meeting.

- Dauphin-Middle Paxton Joint Public Safety Committee

Supervisor Cooney reported the committee was scheduled to meet at 4:30 PM on Tuesday, September 15.

- Capital Region Council of Governments (CapCOG)

A written report dated September 9 was presented by Supervisor Fisher.

- Dauphin-Middle Paxton Fire Company Oversight Committee

A written report dated September 9 was presented by Supervisor Fisher. Supervisor Evans requested the Board take note of the item in the report whereby the Board must approve in writing all non-firefighting activities (fundraisers, parades, fire awareness/prevention events, etc.) undertaken by the fire company in order for firefighters to be covered under Workers Compensation during those activities.

- Zoning Ordinance Update Committee

Supervisor Fisher reported Manager Seeds was attempting to schedule a meeting before the end of the month to restart this effort that has been sidelined during the pandemic. Anna Breinich, 90 Geisel Road, addressed the Board regarding that topic and requested

the date and time for future committee meetings be listed on the Township website so interested parties could attend those meetings. She specifically requested to be notified of the upcoming meeting once it is scheduled. It was the consensus of the Board that dates and times for all committee meetings be listed on the Township website with the exception of Personnel Committee meetings.

- Detweiler Park Steering Committee

No report was presented.

## **Review/Approval of Bills**

Motion by Supervisor Smith to pay all vendor bills listed for the September meeting and authorize payment of all recurring monthly expenses upon receipt to avoid late-charge penalties was seconded by Supervisor Fisher. *Motion passed unanimously.*

## **Executive Session**

Not required.

## **Information Items/Letters Received**

Items of general interest, as well as correspondence received by the Township found in the Board's meeting packet included:

- *Chesapeake Bay Journal* Summer 2020 Local Government Edition
- *PA Township News* article from PennDOT LTAP about newly approved mastic products for addressing problem areas during road maintenance
- Invitation to the Capital Region Council of Governments (CapCOG) 15<sup>th</sup> Annual Picnic & Golf Tournament scheduled for Monday, September 21
- Registration information for the Tri-County Regional Planning Commission (TCRPC) 2020 Virtual Luncheon scheduled for Thursday, October 1
- Dauphin County Planning Commission August 3 correspondence to the Board providing comments pertaining to the proposed Zoning Ordinance amendment to add a new term and definition for "Limited Agribusiness Building" as a use within the Agricultural Rural Residential (A-RR) District.

## **Board Member Comments**

Supervisor Fisher inquired whether the Board intended to provide any guidance on the annual Halloween Trick or Treat night other than recommending CDC guidelines pertaining to COVID-19 mitigation be practiced. He noted the recently released CapCOG municipal survey seeking to determine whether municipalities were holding Trick or Treat this year had 29.6% responding "yes", 0% responding "no", 33.3% responding "undecided" and 37% responding with "comments".

## **Adjournment**

There being no further business, the meeting was adjourned at 8:36 PM upon a motion by Supervisor Sudia, seconded by Supervisor Cooney. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Assistant Secretary