



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

October 3, 2022

Call to Order

The October 3, 2022 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; Township Solicitor Steve Stine; and Ed Fisher representing the Township Engineer, 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 regarding items not listed on the published meeting agenda. No comments were presented.

Approval of Minutes

Motion by Supervisor Smith to approve the minutes from the September 8, 2022 Monthly Business meeting was seconded by Supervisor Cooney. *Motion passed unanimously.*

Treasurer's Report/Monthly Financial Statement

The September monthly Treasurer's Report showed the total of the *PLGIT Prime* State Account (Liquid Fuels Fund) \$242,640.19; *Mid Penn Bank* Fire Hydrant Account \$7,174.27; *Mid Penn Bank* Fiduciary Funds (Escrow & Fire Co. Vehicle/Equipment Accounts) \$389,084.36; *PLGIT Prime* General Fund (Building, Equipment, Parks & Rec Accounts) \$497,964.70; *PLGIT Prime & Term* Reserve Account (Capital & Sewer) \$501,949.32; *PLGIT* American Rescue Plan Act (ARPA) Fund \$270,326.92; *PLGIT* Public Safety Account \$400,670.22; *Mid Penn Bank* Money Market Account \$129,603.91; *Mid Penn Bank* General Fund (Public Safety & Operating) \$36,086.66; *Mid Penn Bank* Reserve Account (Capital &

Sewer) \$49,598.75; and *Mid Penn Bank* FEMA Grant Account (Flood Mitigation Assistance Program) \$1.00 to be **\$2,525,100.30** as of September 30, 2022.

Manager Seeds reported the second and final payment of the American Rescue Plan Act (ARPA) funds in the amount of \$269,062.88 direct deposited to the *Mid Penn Bank* General Operating Account will be transferred to the *PLGIT* American Rescue Plan Act (ARPA) Fund. Commonwealth of PA Fire Relief Funds received in the amount of \$35,879.93 will be transferred to the Fire Company's Volunteer Firefighters' Relief Association and \$15,541.35 received from the Commonwealth of PA for the Pension Fund will help offset the township's annual Minimum Municipal Obligation (MMO). She also reported both *PLGIT* and *Mid Penn Bank* interest rates have increased and provided a copy of current *PLGIT Term* yields for various maturity dates.

Motion by Supervisor Smith to accept the September 2022 Treasurer's Report to be filed for audit was seconded by Supervisor Fisher. *Motion passed unanimously.*

Agenda Items

Red Hill Road Bridge/Culvert Replacement Project Status

Manager Seeds presented the HRG October 3 status report indicating contract documents will be provided for the township's review at the November monthly meeting, as well as providing recommendations to complete the remaining ROW acquisitions.

Municipal Solid Waste & Recycling Management Program

Kevin Macomber submitted a September 20 email request to be placed on the agenda accompanied by Leroy Albright to ask questions regarding issues with the township's solid waste & recycling management program.

Mr. Macomber commented on the apparent lack of communications to the public on specific pricing details of the new contract resulting in a perceived lack of public trust in the township's handling of the contract award process to *Waste Management*, questioned the enforceability of the penalties clause of Ordinance 98-53, and emphasized the impact of the significant price increase from the previous contract rate will have on senior citizens and other township residents with limited and/or fixed income.

Inasmuch as the Board's September 8 meeting minutes had just been approved and were not yet published on the township's website, Supervisor Fisher momentarily interrupted Mr. Macomber's comments to read verbatim the recorded actions taken by the township on September 8 in response to having received "no bid" letters from prospective contractors on August 11 from its initial solicitation for a 5-year contract for the solid waste & recycling program and the motion to award a contract to the lowest of the two (2) contractor bids received in response to a reissued solicitation for a 2-year contract. He also emphasized the 21% difference in the 2-year total base bid amounts between *Waste Management* and *Valley Waste Solutions*.

Mr. Macomber concluded his presentation and Mr. Albright stated his opinion that the township had entered into a bad faith contract placing a hardship on its residents.

Following the close of comments by Messrs. Macomber and Albright, Supervisor Smith invited comments from others in attendance regarding this same topic and comments were presented by the following individuals:

- Dave Seace
- Mike Kraft
- Bob Klutas
- Tracey Hanwell
- Peggy McGeehan
- Jacelyn Tokah
- Robert Finley
- Cindy Hanwell
- Brad Coy
- Richard Finley
- Chris Rowe
- Kathy Ribec
- Pete Busby
- Valinda Shumaker-Mutzabaugh
- Bob Hocker

Time Extension for Final Minor Subdivision Plan for Sean & Elizabeth Miriello

A September 30, 2022 written grant of extension of plan review time until December 6, 2022 to allow time for outstanding issues to be resolved pertaining to the *Final Minor Subdivision Plan for Sean & Elizabeth Miriello* was received from Melham Associates, PC.

Motion by Supervisor Smith to accept the grant of extension of plan review time until December 6, 2022 for the *Final Minor Subdivision Plan for Sean & Elizabeth Miriello* was seconded by Supervisor Cooney. *Motion passed unanimously.*

2023 Budget Requests

- Dauphin Area Senior Transit (D.A.S.T.) – D.A.S.T. correspondence dated September 24, 2022 thanked the township for its continued support (administrative function of rider scheduling and daily driver notification, as well as providing a *PLGIT* P-card used to purchase fuel for the van) and included a request for the township to budget \$2,000 for fuel to enable D.A.S.T. to continue offering transportation services to both township and Dauphin Borough senior citizens.
- Dauphin-Middle Paxton Fire Company No. 1 – The Fire Company’s 2021 balance sheet, statement of income and expenses for 2019 – 2021, as well as their 2023 budget were submitted by the Fire Company Oversight Committee requesting a total 2023 contribution of \$86,250 from the township (\$20,000 General fund, \$1,250 training and \$65,000 Vehicle Replacement fund) representing a 15% increase over the previous budget year.
- Dauphin-Middle Paxton Joint Park Authority – The Park Authority submitted a listing of its projected 2023 expenses and income. Supervisor Cooney reported the Park Authority was requesting a \$25,000 contribution for 2023 representing a \$5,000 increase over the previous budget year.
- Dauphin-Middle Paxton Emergency Management Agency – Emergency Management Coordinator Bob Rusbatch submitted a written request totaling \$9,100.
- Middle Paxton Lions Club – Club correspondence dated September 30, 2022 thanked the township for its \$1,500 donation toward the fireworks display at the highly attended 2022 annual carnival. Supervisor Evans reported the Club was requesting a \$1,500 contribution to help offset the cost of the fireworks display planned for the 2023 annual carnival.

The Board referred the 2023 budget requests to the Finance Committee for their consideration during preparation of the preliminary 2023 budget.

Subdivision Plan for 311 Speece Lane

Lauren A. Kelley, P.E. with R.J. Fisher & Associates, Inc. presented a *Subdivision Plan for 311 Speece Lane* on behalf of their client, Robert W. Speece, seeking the Board's approval to subdivide Parcel No. 43-017-041 into three separately deeded lots consisting of proposed Lot #1 (2.0 acres), Lot #2 (12.0 acres) and Lot #3 (36.5 acres) with no other improvements proposed on those lots at this time. The submitted subdivision plan also included a waiver request from SALDO 305.R – Requirement to Show Wetlands inasmuch as no development was proposed on the site.

Motion by Supervisor Fisher to approve the waiver request from SALDO 305.R inasmuch as no development was proposed on the site was seconded by Supervisor Sudia. *Motion passed unanimously.*

Motion by Supervisor Fisher to approve the *Subdivision Plan for 311 Speece Lane* conditioned upon and subject to all comments in Light-Heigel & Associates, Inc. correspondence dated September 12, 2022 and Dauphin County Subdivision/Land Development Review Report No. 22-088 being satisfied, the two structures located on Lot #1 currently labeled as "building" be relabeled as "barn", and a note being added to the plan stating the driveway shown entering Speece Lane to the east of Lot #2 is to be removed was seconded by Supervisor Smith. *Motion passed unanimously.*

Proposed Zoning Ordinance Text Amendment

The McNaughton Company ("Applicant") is the owner of a certain tract of land (Parcel No. 43-022-026) containing 59.52 acres located north of Stony Creek Road and south of Delwood Avenue located in the Medium Density Residential (R-2) Zoning District. Applicant desires to develop the site as a townhouse community known as *The Townes at Stoney Creek* with single family attached dwelling units including a private clubhouse, community pool, playground and nature trail.

Lauren McDaniel representing The McNaughton Company presented their application for a proposed text amendment to the Zoning Ordinance to reduce the minimum required front yard setback for single family attached (townhouse) dwellings with an integral garage in the R-2 (Medium Density) and the R-3 (High Density) Residential Zoning Districts to permit a twenty five (25) foot front yard setback.

Motion by Supervisor Fisher to incorporate The McNaughton Company's proposed Zoning Ordinance text amendment to modify the R-2 and R-3 Residential Zoning District front setback requirements in the final draft of the proposed Zoning Ordinance update per the recommendations within the Dauphin County Planning Commission's review correspondence dated July 7, 2022 was seconded by Supervisor Sudia. Following discussion on the proposed motion, Supervisor Fisher withdrew his motion from the floor.

Motion by Supervisor Evans to deny The McNaughton Company's application for a proposed text amendment to the Zoning Ordinance failed due to the lack of a second.

Motion by Supervisor Smith to prepare and advertise an ordinance to amend the current Zoning Ordinance to reduce the minimum required front yard setback for single family

attached (townhouse) dwellings with an integral garage in the R-2 (Medium Density) and the R-3 (High Density) Residential Zoning Districts to permit a thirty (30) foot front yard setback from the right-of-way with a requirement whereby a minimum of four (4) parking spaces external and internal to the single family dwelling must be maintained was seconded by Supervisor Cooney. *Motion passed with Supervisor Fisher voting NAY.*

Supervisor Smith called for a ten minute recess before continuing to conduct business listed on the agenda.

Reports

Township Engineer – Light-Heigel & Associates, Inc.

A written engineering report for the month of September was presented.

Public Works – Roadmaster Robert Hofer

A written activity report dated October 3, 2022 was presented. Supervisor Smith requested that any questions from the Board pertaining to items listed in the report be presented to Manager Seeds.

Zoning & Codes Enforcement – Barry Isett & Associates, Inc.

A written Building-Zoning-Code Enforcement Activity Report for the month of September was presented. Supervisor Smith requested that any questions from the Board pertaining to items listed in the report be presented to Manager Seeds.

Emergency Management Coordinator – Robert Rusbach

No report was presented.

Sewage Enforcement Officer – Brian McFeaters

A written activity report for the month of September was presented. Supervisor Smith requested that any questions from the Board pertaining to items listed in the report be presented to Manager Seeds.

Township Manager – Julie Ann Seeds

A written activity report for the month of September was presented. Manager Seeds highlighted several items included in her written report.

Committees/Organizations

- *Dauphin-Middle Paxton Joint Park Authority* – Supervisor Cooney reported the Authority conducted a public meeting on September 26 to present Master Site Plan preliminary design options and intends to incorporate the preferred options into the final Master Site Plan.
- *Capital Region Council of Governments (CapCOG)* – A written report dated October 3 was presented by Supervisor Fisher.
- *Dauphin-Middle Paxton Fire Company Oversight Committee* – A written report dated October 3 was presented by Supervisor Fisher.
- *Zoning Ordinance Update Committee* – Manager Seeds reported she was discussing preparation of the final draft of the proposed Zoning Ordinance update with the township's consultant Environmental Planning & Design, LLC for presentation to the Planning Commission.

- *Dauphin County Tax Collection Committee (DCTCC)* – No report was presented.
- *Parks & Recreation Committee* – Manager Seeds reported a convenient meeting date for all members has not yet been determined.

Review/Approval of Bills

Motion by Supervisor Smith to pay all vendor bills listed for the October meeting including *HRG, Inc.* invoices in the total amount of \$6,421.44 for the Red Hill Road Bridge project and to authorize payment of all recurring monthly expenses upon receipt to avoid late-charge penalties was seconded by Supervisor Sudia. *Motion passed unanimously.*

Informational Items/Letters/Emails Received

No items were presented.

Board Member Comments/Announcements

No comments were presented.

Adjournment

There being no further business, the meeting was adjourned at 9:40 PM upon a motion by Supervisor Evans, seconded by Supervisor Cooney. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Assistant Secretary