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*Middle Paxton Township*

**BOARD OF SUPERVISORS**

MONTHLY BUSINESS MEETING MINUTES

April 5, 2021

**Call to Order**

The April 5, 2021 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. Supervisor Smith reported that an executive session was held immediately preceding the meeting to obtain legal advice from the Township Solicitor.

**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.

Pennsylvania State Police Cpl. Mortorf reported there were 34 incidents within the township during the past month and invited comments from the Board regarding any criminal trends that may have been reported to the township by the public that needed addressed. Overall, Cpl. Mortorf indicated the number of reported incidents continue to be low and mainly related to speeding on Routes 22/322. The Board thanked Cpl. Mortorf for his report and expressed its continued appreciation for the law enforcement and public service efforts of the State Police.

## Approval of Minutes

Motion by Supervisor Evans to approve the minutes from the March 1, 2021 Monthly Business Meeting was seconded by Supervisor Sudia. *Motion passed with Supervisor Smith abstaining due to having been absent from the March 1 meeting.*

## Treasurer's Report/Monthly Financial Statement

The March monthly Treasurer's Report showed the total of the *PLGIT Prime* State Account (Liquid Fuels Fund) \$40,299.70; *Mid Penn Bank* Fire Hydrant Account \$7,376.50; Fiduciary Funds (Escrow & Fire Co. Vehicle Replacement Accounts) \$279,264.41; *PLGIT Prime* General Fund (Building, Equipment, Parks & Rec Accounts) \$242,977.09; *PLGIT Term* Reserve Account (Capital & Sewer) \$548,934.29; *Mid Penn Bank* Money Market Account \$374,320.58; *Mid Penn Bank* General Fund (Public Safety & Operating) \$513,697.21; and *Mid Penn Bank* Public Funds Account (FEMA Flood Mitigation Assistance Grant Program) \$1.00 to be **\$2,006,870.78** as of March 31, 2021.

Manager Seeds reported \$55,000 was transferred from the General Fund to the Fire Company Equipment Fund pursuant to the 2021 budget and recommendation of the Finance Committee. Month ending account summary statements from Mid Penn Bank and PLGIT, as well as the monthly Deposit Detail, Check Detail and January through December 2020 Revenue & Expenditure statements were also presented.

Motion by Supervisor Fisher to accept the March 2021 Treasurer's Report to be filed for audit was seconded by Supervisor Smith. *Motion passed unanimously.*

## Old Business

### Eagle Scout Project – Andrew Young

Mr. Andrew Young was not present to provide an update on the proposed honor garden at the Joint Municipal Building intended to be completed as his Eagle Scout project. The Board deferred any further action on that project until the next meeting.

### 930 Peters Mountain Road – Purchase and Sale Agreement

Motion by Supervisor Smith to execute the Purchase and Sale Agreement for the tract of real estate located at 930 Peters Mountain Road (tax parcel 43-022-004) by and between Middle Paxton Township and the Borough of Dauphin to the County of Dauphin for the sum of \$395,000.00 and to authorize the Chairman of the Board to sign all documents at settlement was seconded by Supervisor Evans. *Motion passed unanimously.*

## New Business

### Capital Region Water

Mr. Steve Early representing Capital Region Water (CRW) briefed the Board on Phase 2 of the CRW water pipeline transmission project to inspect and clear the right-of-way (ROW) extending from DeHart Dam through the Township and Borough of Dauphin. He explained that all property owners adjacent to the ROW have been notified. Mr. Caleb Krauter of Herbert, Rowland & Grubic, Inc. engineers for the CRW project presented a video showing the areas impacted by the project where clearing of debris from the ROW would take place above the water pipeline installed in 1939 to provide domestic water from DeHart Dam to the City of Harrisburg.

Declaration of Consolidation of Previously Subdivided Lots

John Zervanos of Yingst Homes, Inc. presented a request of John W. and Susan E. Viguers, 2028 Laurel Glen Drive, Harrisburg, owners of adjoining Lot 89 and Lot 90 of the Final Subdivision Plan for Mockingbird Drive Extended and Spruce Drive/Larch Circle to consolidate and combine those lots into a single lot upon which to erect a house.

Motion by Supervisor Smith to approve the Declaration of Consolidation of Previously Subdivided Lots to consolidate and combine Lot 89 and Lot 90 of the Final Subdivision Plan for Mockingbird Drive Extended and Spruce Drive/Larch Circle known as Parcel No. 43-040-133 and Parcel No. 43-040-134 into a single lot, piece or parcel of land and abrogate and cancel the individual status of the component Lots was seconded by Supervisor Evans. *Motion passed unanimously.*

The Board noted that the improvement guarantee for the Final Subdivision Plan for Mockingbird Drive Extended and Spruce Drive/Larch Circle had lapsed and was no longer in effect.

Motion by Supervisor Smith that no permits shall be issued for any of the lots in the Final Subdivision Plan for Mockingbird Drive Extended and Spruce Drive/Larch Circle until such time an improvement guarantee is posted that covers all outstanding required improvements in the aforementioned development with the exception of the combined Lots 89 and 90 was seconded by Supervisor Fisher. *Motion passed unanimously.*

The Board requested Manager Seeds to provide notice of the above action to the current property owners and real estate agencies listing property for sale in the Mockingbird Drive Extended and Spruce Drive/Larch Circle Subdivision.

Holding Tank Request – 424 River Road

Mr. Dennis Spicher, 424 River Road, requested the Board's retroactive approval of a permit for installation of a sewage disposal system issued by the Township Sewage Enforcement Officer, Brian S. McFeaters, to install two (2) holding tanks totaling 2,500 gallons required to correct a malfunctioning septic system at his 424 River Road residence. March 30 correspondence from Mr. McFeaters explaining the emergency situation needing to be addressed under which he issued permit No. Z235532 on March 26, a copy of the application for an on-lot sewage disposal system permit, a copy of the permit noting the additional conditions required by the SEO in issuing the permit, a photograph of the installation for reference, and a wastewater holding tank cleaning contract dated March 20 between Hoke's Septic Service and Mr. Spicher were also presented the Board.

Motion by Supervisor Fisher to approve the permit issued for an on-lot sewage disposal system pursuant to Application for Sewage Disposal System Number Z235532 at 424 River Road with the understanding the permit applicant is subject to the rules and regulations established under the Holding Tank Ordinance #34 adopted August 6, 1990 was seconded by Supervisor Evans. *Motion passed unanimously.*

Application for Zoning Amendment – Pocono Business Park LLC

Salzmann Hughes, P.C. attorney E. Lee Stinnett II representing Pocono Business Park, LLC ("Applicant") presented a petition requesting the Board to rezone a portion of property identified as Dauphin County Tax Parcel ID No. 43-020-029 from the

Commercial-Office District to the Commercial-Industrial District and to amend the Middle Paxton Township Zoning Ordinance, specifically Article 2 (entitled "Designation of Districts"), Section 201 (entitled "Zoning Map"), and the Middle Paxton Township Zoning Map.

Applicant is the equitable owner of a 38.58 acre tract identified as "Lot 2" within the aforementioned tax parcel located immediately to the north of Allegheny Street adjacent to the interchange of Route 22/322 and Route 225 (Peters Mountain Road) and is proposing to develop a warehouse facility on Lot 2. Applicant's representative Mr. Nathan Pipitone and Mr. Joel E. Young with RETTEW presented a brief narrative of the proposed development concept site plan consisting of an approximate 248,000 square foot warehouse building, approximately 50 loading dock berths, 45 trailer parking spaces and 153 passenger vehicle parking spaces. Allegheny Street access to and from the proposed warehouse facility would utilize the same access drive as the proposed River View at Middle Paxton residential development with a gated emergency access drive extension to Affection Road.

It was the consensus of the Board to permit Applicant's petition to proceed through the procedures set forth in the Middle Paxton Township Zoning Ordinance and the Municipalities Planning Code for enactment of zoning ordinance amendments.

#### Potato Valley Road Tree Removal Quotes

Quotes to remove trees in the Township right-of-way in advance of scheduled roadway improvements were not yet available and the Board deferred any further action on that project until the next meeting.

## **Departmental Reports**

#### Township Engineer

Light-Heigel & Associates, Inc. submitted a written report of items and activities completed during the month of March. It was the consensus of the Board that the Township neither installs nor replaces property owner driveway pipes in response to the Township Engineer's report of a driveway pipe needing replacement at 609 Stoney Creek Drive.

#### Public Works – Road Master

Road Master Robert K. Hofer II submitted a written report dated April 5.

A March 31 memorandum from the Road Master detailed the results of an inspection at the west end of Potato Valley Road intersection with SR 443 reporting that the Township Engineer determined no action was required to address a complaint about the paving overlay transition to SR 443. However, the property owner having a Rose of Sharon hedge along SR 443 within the clear sight triangle was advised to trim the hedge according to PennDOT specifications.

Manager Seeds was requested to send correspondence to Ms. Anthea Stebbins, 200 Peace Lane, who reported a safety concern about transition and visibility issues at the intersection to the Board during the December 7, 2020 meeting.

#### Zoning & Codes Enforcement

Ed Fisher and Julie Seeds submitted a written report dated April 2.

Emergency Management Coordinator  
No report was presented.

Sewage Enforcement Officer  
SEO Brian S. McFeaters submitted a written activity report for the month of March.

Township Manager  
Manager Seeds submitted a written report dated April 5.

## **Committee/Organization Reports**

Dauphin-Middle Paxton Joint Park Authority  
Supervisor Cooney submitted a written report dated April 5 summarizing his discussions with Tom Shingara regarding the rental agreement between the Township and the Dauphin-Middle Paxton Soccer Association.

Capital Region Council of Governments (CapCOG)  
Supervisor Fisher submitted a written report dated April 5.

Dauphin-Middle Paxton Fire Company Oversight Committee  
Supervisor Fisher submitted a written report dated April 5.

Zoning Ordinance Update Committee  
No report was presented.

Dauphin County Tax Collection Committee  
The next committee meeting is scheduled for 6:30 PM May 19 in the Township meeting room.

## **Approval/Payment of Bills**

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

## **Informational Items/Correspondence Received**

Manager Seeds reported having received a Gaming Grant award notice in the amount of \$124,000 for debt service on the Dauphin County Infrastructure Bank loan for the Potato Valley Road bridge replacement and roadway realignment project.

## **Board Member Comments/Announcements**

No comments were presented.

## **Adjournment**

There being no further business, the meeting was adjourned at 8:50 PM upon a motion by Supervisor Smith, seconded by Supervisor Cooney. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Assistant Secretary