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Middle Paxton Township

BOARD OF SUPERVISORS

MONTHLY BUSINESS MEETING MINUTES

August 3, 2020

Call to Order

The August 3, 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; Township Manager, Secretary and Assistant Treasurer Julie Ann Seeds; 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

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.

The following individuals addressed the Board citing their objections to the proposed text amendment to the Zoning Ordinance intended to enable construction and operation of a "limited agribusiness building" as a food distribution center/storage facility on the 200 acre property located at 2551 Fishing Creek Valley Road in the Township's Agricultural and Rural Residential (A-RR) District scheduled for consideration by the Planning Commission:

- Louis (Luke) Portas Jr., 485 Countryside Lane
- David Crew, 2350 Mockingbird Road
- Braxton Ditty, 441 Straw Hollow Road
- Tracey Hanwell, 2830 Fishing Creek Valley Road
- Helena Bartash, 400 Toms Road
- Christian Masters, 3020 Fishing Creek Valley Road
- Larry Hoover, 1411 Potato Valley Road

- Clint Kreiger, 410 Church Lane
- Angela (Angie) Shaw, 605 Lesentier Lane
- Ashley Shaw, 551 Lesentier Lane
- Todd Gorshe, 2280 Mockingbird Road
- Kenneth Beck, 1630 Fishing Creek Valley Road
- Harold Beers, 2421 Fishing Creek Valley Road
- Fred & Sonya Bennett, 2621 Fishing Creek Valley Road
- Eugene (Gene) Stilp, 1550 Fishing Creek Valley Road
- Joseph Hoover, 1411 Potato Valley Road
- Timothy (Tim) Carre, 555 Lesentier Lane
- Deborah Hocker, 490 Countryside Lane
- April Showers, 942 Baltimore Pike, Gardners, representing John & Tammy Alwine, 2455 Fishing Creek Valley Road
- Kathleen (Kathy) Ribec, 3421 Fishing Creek Valley Road
- William (Bill) Hallman, 199 Hallman Lane
- Lee Norris, 470 Countryside Lane
- Glenn Miller, 431 Blue Mountain Parkway
- Richard (Rick) Leitzel, 128 Geisel Road
- John Wheeler, 721 Hilltop Road
- Igor Druker, 465 Countryside Lane
- Kurt & Maria Stoner, 2461 Fishing Creek Valley Road
- Anthea Stebbins, 200 Peace Lane
- John Hocker Jr., 490 Countryside Lane

Kirkland (Kirk) Gibson, 2441 Fishing Creek Valley Road, requested the Township give the property owners a fair shake during the review process of their proposal to construct and operate a food distribution center/storage facility at 2551 Fishing Creek Valley Road.

Approval of Minutes

Motion by Supervisor Sudia to approve the minutes from the July 6, 2020 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) \$235,762.60; *Mid Penn Bank* Fire Hydrant Account \$9,398.77; Fiduciary Funds (Escrow & Fire Co. Vehicle Replacement) \$197,746.59; *PLGIT/Prime* General Fund (Building, Equipment, Parks & Rec) \$242,778.20; *PLGIT/Term* Reserve Account (Capital & Sewer) \$796,448.04; *Mid Penn Bank* Money Market \$124,946.33 and *Mid Penn Bank* General Fund (Public Safety & Operating) \$427,560.37 to be **\$2,034,640.90** as of July 31, 2020.

Copies of the January 1 through August 3, 2020 *Revenue & Expenditures* and corresponding report for 2019 were provided for comparison noting the Earned Income Tax receipts for the 2020 period were down \$10,000 from that received during the 2019 period. Manager Seeds also reported *PLGIT Term* (Capital Reserve Account & Sewer) funds which matured on July 13 were re-invested in a 90-day *PLGIT CD* offering an interest rate of 0.75% as recommended by the Finance Committee.

Motion by Supervisor Smith to accept the July 2020 Treasurer's Report 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

Motion by Supervisor Fisher to approve the request for time extension from the current expiration date of September 17, 2020 to November 30, 2020 for Construction Inspection and Documentation Services submitted by T.W. Consultants, Inc. dated July 29, 2020 was seconded by Supervisor Smith. *Motion passed unanimously.*

Resolution 2020-06

Motion by Supervisor Smith to adopt Resolution 2020-06 requesting the Clerk of Courts, Court of Common Pleas of Dauphin County, Pennsylvania record Sutton Drive (Aiden Grove Subdivision) as part of the public road system of Middle Paxton Township was seconded by Supervisor Cooney. *Motion passed unanimously.*

Revised Final Minor Subdivision & Lot Addition Plan over lands of Flemish Down, LLC

Ben Kirk of Burget & Associates, Inc. representing Flemish Down, LLC presented a Lot Addition Revision dated July 1, 2020 to the *Final Minor Subdivision & Lot Addition Plan over lands of Flemish Down, LLC* previously approved by the Board on June 1, 2020.

Mr. Kirk explained the approved addition of Lot 2B to adjacent lands of the Commonwealth of Pennsylvania Game Commission required re-configuration inasmuch as the Game Commission did not want the portion of Lot 2B containing the Appalachian Trail easement and its associated encumbrances. This land is now proposed to be given to the US Government Appalachian Trail Organization.

Motion by Supervisor Fisher to approve the Lot Addition Revision dated July 1, 2020 to the *Final Minor Subdivision & Lot Addition Plan over lands of Flemish Down, LLC* subject to all plan review comments stated in Light-Heigel & Associates, Inc. July 31, 2020 plan review correspondence to the Planning Commission being satisfied was seconded by Supervisor Sudia. *Motion passed unanimously.*

Preliminary/Final Subdivision and Land Development Plan for Jeffrey C. Smith

Jeffrey C. Smith, 1034 Hagy Lane, presented the *Preliminary/Final Subdivision and Land Development Plan for Jeffrey C. Smith* dated June 12, 2020 (last revised July 27, 2020) prepared by Melham Associates, P.C. The plan represents a boundary survey of Tax Parcel 43-011-001 (Existing Lot 1) to be subdivided into proposed Lot 1, proposed Lot 2 and proposed Lot 3 with proposed Lot 3 created as an add-on lot to become an integral part of the adjoining lands now or formerly of Robert B. & Patricia A. Myers (Tax Parcel 43-011-038).

Applicant's plan included the following waiver requests on Sheet 1 of 10 stating the corresponding grounds for the requested waivers:

- Section 304 – Preliminary Plan requirements as no new streets or public improvements are proposed and the plan was prepared to final plan standards.
- Section 502.F – Pavement widening requirement as the frontage street is a PennDOT road (SR 0325) and no other street widening in the area is planned or anticipated.
- Section 502.F – Curbing requirement as the frontage street is a PennDOT road (SR 0325) and no other curbing in the area is planned or anticipated.
- Section 802.B.8 – Loading area ratios relative to rain gardens.

Supervisor Fisher noted the requested waiver to Section 802.B.8 was neither included in Melham Associates, PC correspondence dated July 27, 2020 in response to comments received from Light-Heigel & Associates, Inc. dated July 7, 2020, nor addressed in Light-Heigel & Associates, Inc. review comments dated July 31, 2020 to the Planning Commission. Anthony Trost of Melham Associates, PC representing the Applicant stated the waiver request to Section 802.B.8 was unnecessary and would be removed before filing the plan document.

Motion by Supervisor Fisher to grant the requested three (3) waivers with the understanding the requested waiver to Section 802.B.8 was to be removed from Sheet 1 of 10 was seconded by Supervisor Smith. *Motion passed unanimously.*

Motion by Supervisor Smith to approve the *Preliminary/Final Minor Subdivision and Land Development Plan for Jeffrey C. Smith* subject to all plan review comments stated in Light-Heigel & Associates, Inc. July 31, 2020 plan review correspondence to the Planning Commission and Dauphin County Subdivision/Land Development Review Report No. 20-044 being satisfied was seconded by Supervisor Evans. *Motion passed unanimously.*

Stormwater Escrow Release Request – Douglas Sheetz, 1680 Potato Valley Road
Light-Heigel & Associates, Inc. correspondence dated July 24, 2020 indicated the required stormwater facilities have been completed in general conformity with the approved plan for the Douglas Sheetz property located at 1680 Potato Valley Road and recommended release of the Improvement Guarantee held for that work.

Motion by Supervisor Smith to release the \$2,200 Improvement Guarantee being held for the Douglas Sheetz property located at 1680 Potato Valley Road was seconded by Supervisor Fisher. *Motion passed unanimously.*

Reports

Engineer – Light-Heigel & Associates, Inc.

A written report of items and activities completed during the month of July was presented. The Board concurred with the recommended solution to correct the separation in the Red Hill Road culvert 24" RCP located just west of Poet Lane, as well as the recommendation to cutout and remove the paving over what appears to be a subsoil/subbase issue which has occurred on Heck Lane prior to completing a full base and paving repair.

Roadmaster – Robert Hofer

A written report dated August 3 was presented.

Zoning Officer – Ed Fisher

A written report dated July 29 was presented.

Emergency Management Coordinator – Robert Rusbatch

A written report for August was presented.

Manager – Julie Ann Seeds

A written report dated August 3 was presented. Manager Seeds also reported the 2019 Audit has been completed and submitted to DCED with copies to be made available to the Board.

Committee/Organization Reports

- Dauphin-Middle Paxton Joint Park Authority

Supervisor Cooney reported the Park Authority was preparing a Local Share Municipal Gaming Grant application to engage a consultant to assist in preparing a Master Site Plan. He also reported that volunteers were working to spruce up the playground area adjacent to Sheetz Field and requested Township funding assistance to purchase wood carpet mulch needed to complete that project.

Motion by Supervisor Cooney for the Township to co-sponsor the Park Authority's Local Share Municipal Gaming Grant application for 2020-21 was seconded by Supervisor Smith. *Motion passed unanimously.*

Motion by Supervisor Smith to fund the purchase of wood carpet mulch in the amount of \$1,578 for the Park Authority's playground was seconded by Supervisor Sudia. *Motion passed unanimously.*

- Dauphin-Middle Paxton Joint Public Safety Committee

Solicitor Stine reported the *Certificate Requesting Termination of the Dauphin-Middle Paxton Joint Public Safety Authority* filed with the Secretary of the Commonwealth on behalf of the Authority needs to be recorded at the Dauphin County Courthouse.

- Capital Region Council of Governments (CapCOG)

A written report dated August 3 was presented by Supervisor Fisher.

- Dauphin-Middle Paxton Fire Company Oversight Committee

A written report dated August 3 was presented by Supervisor Fisher.

- Zoning Ordinance Update Committee

Manager Seeds reported a committee meeting has not yet been scheduled.

- Detweiler Park Steering Committee

Manager Seeds reported the next Public Meeting for Dauphin County's Detweiler Park Master Site Plan is scheduled for Monday, September 21 at the Dauphin County Conservation Center.

Review/Approval of Bills

Motion by Supervisor Fisher to pay all vendor bills listed for the August meeting including the invoice just presented by Russell Standard Corporation (Hammaker East LTD) for having completed the chip-seal and fog-seal of certain Township roads once it is reviewed and approved for payment by Light-Heigel & Associates, Inc. and authorize payment of all recurring monthly expenses upon receipt to avoid late-charge penalties was seconded by Supervisor Sudia. *Motion passed unanimously.*

Executive Session

Motion by Supervisor Smith to enter into executive session at 9:09 PM to discuss personnel matters was seconded by Supervisor Cooney. *Motion passed unanimously.*

The Board reconvened the regular monthly business meeting at 9:15 PM.

Information Items/Letters Received

Manager Seeds presented items of general interest, as well as recent correspondence received by the Township. The following correspondence items were distributed to the Board:

- Undated written correspondence from "A Proud, RESPONSIBLE, Tax-Paying Middle Paxton Township Resident" objecting to neighborhood roads having been included in the recently completed chip-seal road preservation project and commenting on the manner in which work was performed by the contractor.
- Email correspondence dated July 31 from Richard Friedman, 2800 Fishing Creek Valley Road, seeking information about the proposed warehouse for 2551 Fishing Creek Valley Road.
- Written correspondence dated July 31 from Marilyn Chastek, 19 White Oak Road, Mechanicsburg, on behalf of *Bicycle South Central Pennsylvania* requesting the Township take the needs of bicyclists and pedestrians into consideration when reviewing the proposed warehouse at 2551 Fishing Creek Valley Road.
- Email correspondence dated August 3 from Tim Carre, 555 Lesentier Lane, requesting the Board vote against the proposed warehouse in Fishing Creek Valley.
- Email correspondence dated August 2 from Danny Privett citing objections to the proposed warehouse along Fishing Creek Valley Road.
- Email correspondence dated August 1 from Terry and Marlene Hollen, 3050 Fishing Creek Valley Road, citing objections to the Fishing Creek warehouse.
- Email correspondence dated July 27 from Joe McConlogue seeking information on a new warehouse to be built on Fishing Creek Valley Road.
- Email correspondence dated August 3 from Melinda Eash, 3111 Fishing Creek Valley Road, providing comments regarding the proposed warehouse in Fishing Creek Valley.

Board Member Comments

Supervisor Sudia thanked the staff for their efforts in conducting Township business during the continuing COVID-19 pandemic.

Supervisor Cooney expressed the Board's thanks to the Fire Company for providing crowd control measures to accommodate the public while maintaining adequate social distancing within the meeting room during this evening's meeting.

Motion by Supervisor Smith to reschedule the advertised September 8 monthly business meeting of the Board of Supervisors to Wednesday, September 9 at 7 PM was seconded by Supervisor Sudia. *Motion passed unanimously.*

Adjournment

There being no further business, the meeting was adjourned at 9:25 PM upon a motion by Supervisor Fisher, seconded by Supervisor Smith. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Assistant Secretary