

**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

August 7, 2023

**Call to Order**

The August 7, 2023 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 Jacob Hoffman representing the Township Engineer, Herbert, Roland & Grubic, Inc. (HRG).

**Pledge of Allegiance**

The meeting was opened with the Pledge of Allegiance.

**Public Comments**

Supervisor Smith announced the Board held an executive session immediately prior to the monthly business meeting to discuss matters pending litigation and then invited comments from those in attendance who were not listed on the meeting agenda.

Rue Megonnell inquired about a hole in the roadway directly in front of her property at 613 Stoney Creek Drive previously marked with a traffic cone. She attributed that hole to deterioration of a cross pipe under the roadway and reminded the Board that the Township installed a connecting drainage pipe under her adjoining neighbor's driveway many years ago that is also now deteriorating. She also questioned whether the Township provided notice to nearby property owners prior to construction of a cell tower now underway on Township property to the rear of the maintenance garage.

**Approval of Minutes**

Motion by Supervisor Evans to approve the minutes from the July 6 Monthly Business meeting was seconded by Supervisor Cooney. *Motion passed unanimously.*

## Treasurer's Report/Monthly Financial Statement

The June monthly Treasurer's Report showed the total of the *PLGIT* Liquid Fuels Fund \$208,817.39; *Mid Penn Bank* Fire Hydrant Account \$13,129.66; *Mid Penn Bank* Escrow Account \$207,666.55; *PLGIT* Fire Company Vehicle/Equipment Fund \$268,064.97; *PLGIT* DCIB-G Fund (Potato Valley Road Improvements) \$674,584.10; *PLGIT* General Fund (Building, Equipment, Parks & Rec) \$515,040.04; *PLGIT* Capital Reserve & Sewer Account \$568,632.04; *PLGIT* American Rescue Plan Act (ARPA) Fund \$556,507.14; *PLGIT* Public Safety Account \$414,409.35; *Mid Penn Bank* General Operating Account \$196,455.47; *Mid Penn Bank* FEMA Grant Account (Flood Mitigation Assistance Program) \$1.00 to be **\$3,623,307.71** as of June 30, 2023.

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

The July monthly Treasurer's Report showed the total of the *PLGIT* Liquid Fuels Fund \$209,753.23; *Mid Penn Bank* Fire Hydrant Account \$13,001.17; *Mid Penn Bank* Escrow Account \$217,588.55; *PLGIT* Fire Company Vehicle/Equipment Fund \$268,576.96; *PLGIT* DCIB-G Fund (Potato Valley Road Improvements) \$677,606.96; *PLGIT* General Fund (Building, Equipment, Parks & Rec) \$517,347.97; *PLGIT* Capital Reserve & Sewer Account \$569,793.97; *PLGIT* American Rescue Plan Act (ARPA) Fund \$559,000.89; *PLGIT* Public Safety Account \$416,266.35; *Mid Penn Bank* General Operating Account \$136,951.03; *Mid Penn Bank* FEMA Grant Account (Flood Mitigation Assistance Program) \$1.00 to be **\$3,585,888.08** as of July 31, 2023.

Manager Seeds distributed the current *PLGIT* investment rate sheet and recommended the *PLGIT* Capital Reserve & Sewer Account funds in the Term investment option be reinvested in Term upon their 8/24/23 maturity date.

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

## Agenda Items

### Draft On-Lot Sewage Management Ordinance

Supervisor Fisher recommended a final revision to the draft On-Lot Sewage Management Ordinance by deleting the last sentence in Section 10 – System Rehabilitation, Subpart E in response to Rick Roadcap's additional written comments dated July 3 he provided to the Board during the July 6 monthly business meeting. A corresponding copy of the revised draft document with the recommended deletion highlighted in yellow was distributed to the Board.

The Board also reviewed August 7 correspondence received from its Sewage Enforcement Officer, Brian S. McFeaters, indicating his concurrence with Mr. Roadcap's written comments with the exception of the Board's June 5 action deleting Subpart C from Section 12 – Disposal of Septage which would have required a registration fee for pumper/haulers. Supervisor Fisher noted that Section 7 – Inspection, Subpart A and Section 12 – Disposal of Septage, Subpart B requiring pumper/hauler registration and maintaining current registration should be more than adequate to ensure compliance with the proposed ordinance without imposition of a registration fee.

Motion by Supervisor Fisher to upload a pdf copy of the township's Act 537 Plan to the township website; delete the last sentence "*Wastewater generation in the structure may also be reduced by requiring changes in water usage patterns in the structure served such as limiting the use of laundry facilities to one load per day or the use of laundry facilities being discontinued altogether.*" from Section 10 – System Rehabilitation, Subpart E; reaffirm Subpart C was deleted from Section

12 – Disposal of Septage by action of the Board on June 5; and reaffirm Subpart D was deleted from Section 14 - Administration by action of the Board on April 18 was seconded by Supervisor Cooney. *Motion passed with Supervisor Evans voting NAY.*

Mr. Roadcap was present in the audience and in response to Supervisor Fisher’s inquiry acknowledged the motion addressed his written comments regarding the revised final draft of the proposed On-Lot Sewage Management Ordinance that was reviewed by the Board during its June 5 monthly business meeting and submitted to its solicitor in preparation to be advertised for a public hearing.

#### Red Hill Road Bridge Replacement Project

HRG correspondence dated July 11, 2023 indicated having reviewed the 8 bids submitted for the Red Hill Road Bridge Replacement Project ranging from \$564,756.00 to \$878,720.90 and recommended award of a contract to *Lobar Site Development Corporation* in the amount of \$564,756.00 and corresponding issuance of a Notice of Intent to Award transmitting the Agreement and Construction Performance and Payment Bonds for execution.

Motion by Supervisor Smith to ratify issuance of a Notice of Intent to Award and to award a contract in the amount of \$564,756.00 to *Lobar Site Development Corporation* for the Red Hill Road Bridge Replacement Project following receipt of acceptable Construction Performance and Payment Bonds was seconded by Supervisor Sudia. *Motion passed unanimously.*

#### Briardale Road Base Repair Cost Estimate

Light-Heigel & Associates, Inc. memorandum dated August 3, 2023 indicated having reviewed a cost estimate submitted by *Farhat Excavating, LLC* for base repair for Briardale Road in the amount of \$11,250. The memorandum stated base repair was necessary to prevent water from undermining the cartway and to provide for proper drainage to the inlet box and culvert pipe in advance of the chip and fog seal project intended for that roadway.

Motion by Supervisor Fisher to award a contract to *Farhat Excavating, LLC* in the amount of \$11,250 for base repair for Briardale Road was seconded by Supervisor Evans. *Motion passed unanimously.*

The aforementioned memorandum also indicated PennDOT has issued a highway occupancy permit for the mileage marker signs for Clarks Valley Road (S.R. 325) being acquired by Rush Township under a Local Share Municipal Grant with the markers being specific to mileage within both Rush and Middle Paxton Townships. The Board reaffirmed its commitment that our township road crew would install the mileage marker signs provided for installation within the township’s portion of Clarks Valley Road.

#### Time Extension for Final Minor Subdivision Plan over lands of WRTR Properties, LLC

A July 26, 2023 written grant of extension of plan review time until the November 2023 Supervisors meeting to allow additional time needed for the attorney to review encroachment issues pertaining to the *Final Minor Subdivision Plan over lands of WRTR Properties, LLC* was received from Burget & Associates, Inc.

Motion by Supervisor Smith to accept the grant of extension of plan review time until the November 2023 Supervisors meeting for the *Final Minor Subdivision Plan over lands of WRTR Properties, LLC* was seconded by Supervisor Fisher. *Motion passed unanimously.*

### Fishing Creek Valley Community Center – Proposed Fence Options

Manager Seeds recommended fencing the rear boundary of the Fishing Creek Valley Community Center property to designate the neighboring property line as a result of a recent incident at that location. Fencing options were presented and the consensus of the Board was to obtain quotes for a 6-foot high chain link fence with an option for heavy duty privacy fence screening.

### Stormwater Escrow Release Request

Motion by Supervisor Smith to release the Improvement Guarantee held for the Michael & Cori Hurley property located at 2050 Clarks Valley Road pursuant to Light-Heigel & Associates, Inc. correspondence dated August 2, 2023 indicating the required stormwater facilities have been completed in general conformity with the approved plan was seconded by Supervisor Sudia. *Motion passed unanimously.*

### Resolution 2023-06

Dauphin-Middle Paxton Joint Park Authority intends to submit a Local Share Municipal Grant application to Dauphin County Department of Community and Economic Development for required renovations to the Dauphin Pool. The Authority is applying for a DCNR grant as the primary source of funding to undertake extensive repairs needed to the pool's gutter system estimated to cost in excess of \$800,000 and is seeking Local Share Municipal Grant funds in the amount of \$150,000 to meet the DCNR grant matching requirement.

Motion by Supervisor Smith to approve Resolution 2023-06 whereby Middle Paxton Township agrees to be a co-applicant to the Local Share Municipal Grant application for the Dauphin-Middle Paxton Joint Park Authority for renovations to the Dauphin Pool was seconded by Supervisor Fisher. *Motion passed unanimously.*

### Savvy Citizen Proposal

Manager Seeds presented a price quote for a subscription to *Savvy Citizen*, a one-way direct communications application easily installed on user mobile devices that would enable the Township to provide timely and instantaneous notifications of meetings, alerts, road closures, community events, etc. that directly impact daily lives of our residents.

Upon the township entering into a *Savvy Citizen* subscription, Manager Seeds explained residents will be notified to download the "free" *Savvy Citizen* app from the *Apple App Store* or *Google Play*. There is a one-time marketing/setup fee of \$500 to the municipality whereby the *Savvy Citizen* team will create and manage advertising the use of *Savvy Citizen* to our residents via notices on our website, Facebook advertising, handouts, etc. to facilitate their enrollment.

Motion by Supervisor Smith to subscribe to *Savvy Citizen* at the yearly rate of \$2,519 plus the \$500 one-time marketing/setup fee and establish written procedures for use of the application by designated township officials was seconded by Supervisor Fisher. *Motion passed unanimously.*

### Zero-Turn Mower Quotes

Quotes for a 60-inch commercial diesel powered Zero-Turn mower received from *LandPro Equipment LLC* in the amount of \$17,316 (*John Deere Z994R Diesel*), *Messick's* in the amount of \$17,160.75 (*Kubota ZD1211-3-60 Diesel*) and *Hornung's True Value* in the amount of \$18,400 (*Toro 72027 60" Diesel*) were reviewed and discussed by the Board.

Motion by Supervisor Cooney to purchase a *John Deere Z994R Diesel 60" Commercial ZTrak from LandPro Equipment LLC* in the amount of \$17,316 per Quote ID 29300560 was seconded by Supervisor Smith. *Motion passed unanimously.*

Request from PennDOT for I-83 South Bridge Grant Application Letter of Support

Motion by Supervisor Fisher to amend the agenda to add an item to enable the Board to address the August 7 email request from PennDOT for a letter of support of its I-83 South Bridge Grant Application was seconded by Supervisor Smith. *Motion passed unanimously.*

PennDOT is pursuing a major competitive grant from the USDOT to fund the replacement of the John Harris Memorial (South) Bridge which carries I-83 across the Susquehanna River in Harrisburg. Letters of support from area leaders are an essential element of a competitive grant application and PennDot is requesting letters of support from area municipalities for this project given its critical importance to the region's mobility, economic performance and quality of life for Central Pennsylvania residents and beyond.

Motion by Supervisor Cooney to send a letter of support for PennDOT's I-83 South Bridge (Harrisburg, PA) Multimodal Project Discretionary Grant Application to the U.S. Department of Transportation was seconded by Supervisor Evans. *Motion passed unanimously.*

## **Reports**

Township Engineer - Herbert, Roland & Grubic, Inc. (HRG)

A written engineering report dated August 4 was presented. Jacob Hoffman provided a brief summary of engineering services provided by HRG during the month. He also identified four constructability review issues recommended be addressed for the McKelvey Road culvert replacement project and summarized HRG's August 2 email request for authorization to perform the out-of-scope work in order to finalize the bidding documents.

A motion by Supervisor Fisher authorizing HRG to perform the out-of-scope work necessary to address the four issues identified in their McKelvey Road culvert replacement project constructability review for a lump sum of \$3,000 failed to receive a second.

The Board requested HRG revisit the pricing of the proposed out-of-scope work attributed to the constructability review issues and provide the Township with a construction cost estimate for authorization to proceed with placing the project out to bid.

Public Works – Road Foreman Jeff Warfel

A written activity report dated August 7 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 July 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 Rusbatch

No report was presented.

Sewage Enforcement Officer – Brian S. McFeaters

A written activity report for the month of July 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 was presented by Manager Seeds. In addition to highlighting various activities completed during the month and planned to be addressed during August, she reported that special counsel has advised us that Pocono Business Park LLC did not file an appeal to Commonwealth Court within the required 30-day period contesting the decision by Dauphin County Common Pleas Court Judge John Dowling to deny its appeal of the township's deemed denial of its Application for Curative Amendment.

Committees/Organizations

- *Dauphin-Middle Paxton Joint Park Authority* – Supervisor Cooney thanked the Board for its support of the Authority's Local Share Municipal Grant application.
- *Capital Region Council of Governments (CapCOG)* – A written report dated August 7 was presented with several items of note summarized by Supervisor Fisher.
- *Dauphin-Middle Paxton Fire Company Oversight Committee* – A written report dated August 7 was presented with several items of note summarized by Supervisor Fisher.
- *Dauphin County Tax Collection Committee* – Manager Seeds reported the July scheduled meeting was canceled.

## **Review/Approval of Bills**

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

## **Informational Items/Letters/Emails Received**

Correspondence was received from the Dauphin-Middle Paxton Historical Society thanking the Board for accommodating placement of the society's "mini-museum" display cabinet in the meeting room.

## **Board Member Comments/Announcements**

The Board commended Administrative Assistant, Rachel Sweeney, for her exemplary performance during Manager Seeds' recent absence from the office due to illness.

## **Adjournment**

There being no further business, the meeting was adjourned at 8:34 PM upon a motion by Supervisor Sudia seconded by Supervisor Cooney. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Assistant Secretary