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Middle Paxton Township

BOARD OF SUPERVISORS

MONTHLY BUSINESS MEETING MINUTES

December 7, 2020

Call to Order

The December 7, 2020 monthly business meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:00 PM by Supervisor and Vice-Chairman Mike Sudia in the Township meeting room. Also present were 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.* Supervisor and Chairman Jeffery Smith 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 Sudia invited comments from those in attendance who were not listed on the meeting agenda.

Angela Shaw, 605 Lesentier Lane, voiced her recently filed complaints to the township office about the detrimental effect upon her neighboring agricultural operations resulting from loud, excessive and repetitive high-powered gunfire alleged to be coming from a shooting range constructed at 2551 Fishing Creek Valley Road.

Mette, Evans & Woodside Attorney Sean P. Delaney representing *Preserve Fishing Creek Valley, Inc.* distributed correspondence dated December 7 to the Board lodging a formal complaint of "use violations" at 2551 Fishing Creek Valley Road which incorporated a photo with the caption "Serrano Farm Shooting Range"; a complaint form dated 11/8/2020 filed by Tammy Alwine, 2455 Fishing Creek Valley Road; an email string dated

December 7 from the township to John Alwine in response to Mr. Alwine's November 17 email transmittal of a complaint form dated 11/8/2020; a complaint form dated 10-7-2020 filed by Angela Shaw, 605 Lesentier Lane; an email string dated 11/23/2020 from the township to Ms. Shaw in response to emails dated 11/19, 11/11 and 11/09 inquiring about the status of Ms. Shaw's email transmittal of a complaint form dated 10/07/2020; a complaint form dated 11/20/2020 filed by the Druker family, 465 Countryside Lane; and a complaint form dated 11/11/2020 filed by Matt Bishop, 551 Lesentier Lane.

April Showers, 942 Baltimore Pike, Gardners, stated she was representing John and Tammy Alwine, 2455 Fishing Creek Valley Road, and presented correspondence to the Board dated December 7 supplementing the Alwine's November 17 complaint form.

Igor Drucker, 465 Countryside Lane, presented a copy of an email to the township dated October 8 reporting excessive large caliber gunfire allegedly coming from 2551 Fishing Creek Valley Road, as well as an email dated November 20 transmitting a corresponding complaint form dated 11/20/2020.

Matt Bishop, 551 Lesentier Lane, informed the Board that he filed a corresponding complaint form dated 11/11/2020 via email to the Township.

Approval of Minutes

Motion by Supervisor Sudia to approve the minutes from the November 2, 2020 monthly business meeting was seconded by Supervisor Evans. *Motion passed unanimously.*

Treasurer's Report/Monthly Financial Statements

The November monthly Treasurer's Report showed the total of the *PLGIT/Prime* State Account (Liquid Fuels) \$92,235.86; *Mid Penn Bank* Fire Hydrant Account \$8,483.90; Fiduciary Funds (Escrow & Fire Co. Vehicle Replacement) \$194,321.31; *PLGIT/Prime* General Fund (Building, Equipment, Parks & Rec) \$242,922.76; *PLGIT/Term* Reserve Account (Capital & Sewer) \$548,772.87; *Mid Penn Bank* Money Market \$373,762.70 and *Mid Penn Bank* General Fund (Public Safety & Operating) \$556,575.41 to be **\$2,017,074.81** as of November 30, 2020.

Manager Seeds reported an interest bearing account has been opened at Mid-Penn Bank to receive and disburse FEMA Flood Mitigation Assistance (FMA) grant funds for the FMA program project to be undertaken at 1804 Towpath Road.

Motion by Supervisor Fisher to accept the November 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

Manager Seeds reported the contractor submitted a time-extension request to PennDOT solely for the purposes of monitoring the continued growth of plantings and seeding in the project wetlands.

Anthea Stebbins, 200 Peace Lane, informed the Board that she has experienced some difficulty exiting Potato Valley Road onto Fishing Creek Valley Road (S.R. 443) due to the sharp upward transition. Ms. Stebbins also reported a safety concern regarding a driver's

limited sight distance due to shrubbery that obstructs the view of approaching eastbound traffic while stopped at the intersection stop sign. Supervisor Fisher requested the Roadmaster, together with our PennDOT Municipal Representative, determine whether the clear-sight triangle is sufficient at the Potato Valley Road and Fishing Creek Valley Road intersection and take whatever corrective action is deemed necessary.

Resolution 2020-11

A resolution recognizing Dauphin-Middle Paxton Fire Company No. 1 as the officially recognized fire company to provide fire protection and related services to the Township of Middle Paxton and authorizing activities of the Fire Company for the purpose of defining public firefighting duties and providing additional protection to firefighters under the Pennsylvania Workers' Compensation Law was presented to the Board for consideration.

Fire Chief Rusbatch noted that the Fire Company's name should include "Inc." and Supervisor Fisher recommended minor text changes be made within paragraphs 2 and 3 of Section 3 in order to be consistent with the wording of paragraph 1.

Motion by Supervisor Evans to adopt Resolution 2020-11 with the requested changes was seconded by Supervisor Cooney. *Motion passed unanimously.*

1993 John Deere Loader & Backhoe Model 510DG

The Board reviewed the Stephenson Equipment, Inc. service estimate in the amount of \$32,213.65 to repair and/or replace the damaged axle housing resulting from failure of an axle bearing and determined the repair estimate far exceeded the current value of that piece of equipment which when new cost \$59,980. The Board reviewed an estimate to purchase a new JCB Model 3CX-15 Super Loader Backhoe under PA State Contract pricing, as well as estimated municipal lease pricing ranging from 24 to 72 month terms for 500 hours/year operation (return at end of lease term).

The Board requested additional detail and firm municipal lease costs (return at end of lease term) for a comparable unit with less usage allowance than 500 hours/year (if possible) ranging from lease terms of 24 to 72 months and Muni Buy-Out lease costs (own at end of lease term) for 24 to 72 months.

Resolution 2020-12 (2021 Budget)

Motion by Supervisor Fisher to adopt Resolution 2020-12 appropriating specific sums estimated to be required for the specific purposes of municipal government during the year 2021 and fixing the tax rate of 0.17 mills for fire hydrant maintenance (pertaining to real property within 1000 feet of a fire hydrant) during the year 2021 was seconded by Supervisor Sudia. *Motion passed unanimously.*

Stormwater Escrow Release Request

Light-Heigel & Associates, Inc., correspondence dated November 20, 2020 indicated the required stormwater facilities have been completed in general conformity with the approved plan for the Cameron W. & Jenna M. Funk property located at Lot 3 Potato Valley Road and recommended release of the remaining Improvement Guarantee being held for that project.

Motion by Supervisor Fisher to release the Improvement Guarantee bond being held for the Cameron W. & Jenna M. Funk property located at Lot 3 Potato Valley Road pursuant

to Light-Heigel & Associates, Inc. correspondence dated November 20, 2020 was seconded by Supervisor Evans. *Motion passed unanimously.*

2021 Proposed Road Projects

The Board requested Light-Heigel & Associates, Inc. provide cost estimates associated with the proposed chip and fog seal road projects listed for 2021. The proposed Potato Valley Road project to include a leveling course and super pave wearing course has been incorporated in the Township's request to Dauphin County to reallocate DCIB loan funds remaining from the completed Potato Valley Road Bridge Replacement and Roadway Realignment project.

Supervisor Fisher suggested the Township inquire whether the proposed Red Hill Road Bridge replacement project can be placed on the list of bridges for the 40% funding being allocated by Dauphin County under their municipal bridge project with the remaining 60% funded under the Township's DCIB loan. Manager Seeds reported HRG has been requested to make that inquiry.

Hagy Park

Manager Seeds reported having received a request from DAA to extend the fall soccer playing schedule into the months of January and February 2021. She and Supervisor Cooney are in the process of reviewing the agreement between the Township and DAA to determine whether an extended play season would be covered under that agreement, as well as any additional provisions that may need to be considered for an extended season.

Manager Seeds distributed a sketch plan for the proposed extension of the Hagy Park walking/fitness trail including the addition of a new pavilion adjacent to the upper parking area, as well as an ADA-compliant gazebo adjacent to the playground equipment. It was the consensus of the Board for Manager Seeds to prepare and submit a grant application to DCNR for funding the proposed Hagy Park Phase II project.

Reports

Engineer – Light-Heigel & Associates, Inc.

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

Roadmaster – Robert Hofer

A written report dated December 7 was presented.

Zoning Officer – Ed Fisher

A written report dated December 4 was presented.

Emergency Management Coordinator – Robert Rusbach

EMC Rusbach reported he will be inventorying the emergency management materials and supplies stored by the Township to determine which items may need to be replaced. He also presented templates of emblems to be placed on the Fire Company's entrance doors, as well as signage to be placed above the apparatus bay doors.

Sewage Enforcement Officer – Brian S. McFeaters

A written activity report for the month of November was presented.

Manager – Julie Ann Seeds

A written report dated December 7 was presented.

Committee/Organization Reports

- Dauphin-Middle Paxton Joint Park Authority

Supervisor Cooney reported the Authority made a presentation to the Dauphin County Gaming Advisory Board for funding to pursue a Master Site Development Plan.

- Dauphin-Middle Paxton Joint Public Safety Committee

Supervisor Cooney reported there was no longer a need for a joint committee with the Borough now that both municipalities have concurred with entering into an agreement of sale with Dauphin County for the jointly held property at 930 Peters Mountain Road. Manager Seeds reminded the Board of its obligation under the Second Class Township Code Section 1553 to ensure Emergency Medical Services continue to be provided within the township and the corresponding need to enter into an agreement with *Community LifeTeam EMS* to continue providing those services. Supervisor Cooney suggested someone from the Board be delegated during the annual reorganization meeting to work with Manager Seeds to undertake that task.

- Capital Region Council of Governments (CapCOG)

A written report dated December 7 was presented by Supervisor Fisher.

- Dauphin-Middle Paxton Fire Company Oversight Committee

A written report dated December 7 was presented by Supervisor Fisher.

- Zoning Ordinance Update Committee

Manager Seeds reported the committee was still waiting for our consultant EP&D to compile the final draft of the Ordinance of Definitions for their review.

- Dauphin County Tax Collection Committee

Supervisor Evans reported Keystone Collections Group anticipates earned income tax (EIT) revenues may be reduced going into 2021 due to continued Covid-19 mitigation efforts and corresponding employment losses in the services sector even though 2020 EIT revenues remained steady throughout the year. Middle Paxton Township extended its offer to continue hosting the DCTCC meetings during 2021.

Review/Approval of Bills

Ed Fisher reported Farhat Excavation LLC completed all roadway repair work as contracted, however, the specified roadway base repair to Speece Lane required 64% more paving material than the initial engineering estimate. Farhat submitted a change order in the amount of \$13,397.50 to cover the additional paving materials and work performed on Speece Lane.

Motion by Supervisor Fisher to approve the Farhat Excavation LLC change order in the amount of \$13,397.50 was seconded by Supervisor Evans. *Motion passed unanimously.*

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

Information Items/Letters Received

Manager Seeds distributed Dauphin Borough correspondence dated November 12, 2020 granting the Borough's sewer system allocation to the proposed River View at Middle Paxton development project for the full capacity requested contingent upon the five (5) factors outlined therein. The corresponding Sewage Planning Module prepared for the

proposed development will be reviewed by the Planning Commission during its December 14 meeting before being forwarded to the Board for further action.

Executive Session

Not required.

Board Member Comments

Supervisor Evans questioned whether the Township had provided a response to the parties who filed complaint forms concerning the Serrano property at 2551 Fishing Creek Valley Road. Manager Seeds noted that upon receipt of a complaint form concerning alleged code violations, acknowledgements are typically sent advising the party their complaint will be forwarded to the Zoning and/or Codes Enforcement Officer for investigation. In this particular situation, Manager Seeds noted that all parties who filed written complaints received such an acknowledgment either via email or telephone and both she and the Zoning Officer will be meeting with the property owner to determine whether any alleged code violations are valid.

Adjournment

There being no further business, the meeting was adjourned at 8:28 PM upon a motion by Supervisor Cooney, seconded by Supervisor Sudia. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Assistant Secretary