



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

December 5, 2022

Call to Order

The December 5, 2022 monthly business meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:01 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; Township 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

Supervisor Sudia invited comments from those in attendance regarding items not listed on the published meeting agenda.

- Bob Klutas suggested installation of “no parking” signs would have been a better use of township funds than the installation of multiple delineators to prevent parking along Allegheny Street at the intersection of Erie Street. He also noted he would continue to fight the imposition of the township’s residential solid waste & recycling management program contract awarded to *Waste Management of Pennsylvania, Inc.* and commented upon the unsightly accumulation of trash and debris in the front yard of a residence along Peters Mountain Road.
- Rick Roadcap questioned the purpose of the November 7, 2002 executive session and inquired why the outcome of that executive session was not being reported to the public. The Board noted the meeting minutes state the executive session was held to discuss legal matters pending litigation and that disclosing legal matters discussed during such sessions could jeopardize the township’s legal strategy and case outcomes.

Approval of Minutes

Motion by Supervisor Evans to approve the minutes from the November 7, 2022 Monthly Business meeting was seconded by Supervisor Cooney. *Motion passed unanimously.*

Motion by Supervisor Cooney to approve the minutes from the November 15, 2022 Workshop meeting was seconded by Supervisor Evans. *Motion passed unanimously.*

Treasurer's Report/Monthly Financial Statement

The November monthly Treasurer's Report showed the total of the *PLGIT Prime* State Account (Liquid Fuels Fund) \$677.60; *Mid Penn Bank* Fire Hydrant Account \$6,932.48; *Mid Penn Bank* Escrow Account \$208,325.90; *Mid Penn Bank* Fire Company Vehicle/Equipment Fund \$196,904.18; *PLGIT* Fire Company Vehicle/Equipment Fund \$3.93; *PLGIT* DCIB-G Fund \$656,042.46; *PLGIT Prime* General Fund (Building, Equipment, Parks & Rec) \$500,883.63; *PLGIT Prime & Term* Reserve Account (Capital & Sewer) \$503,130.23; *PLGIT* American Rescue Plan Act (ARPA) Fund \$541,210.97; *PLGIT* Public Safety Account \$403,018.89; *Mid Penn Bank* General Operating Account \$448,796.05; *Mid Penn Bank* Money Market Account \$92.50; *Mid Penn Bank* Public Safety Account \$36,137.24; *Mid Penn Bank* Capital Reserve/Sewer Account \$49,668.28; and *Mid Penn Bank* FEMA Grant Account (Flood Mitigation Assistance Program) \$1.00 to be **\$3,551,825.34** as of November 30, 2022.

Manager Seeds reported the funds in the *Mid Penn Bank* Fire Company Vehicle/Equipment Fund were transferred to the *PLGIT* Fire Company Vehicle/Equipment Fund with \$150,000 invested in *PLGIT 180 day TERM* at the interest rate of 5.09% and the remaining balance of \$46,904.18 invested in *PLGIT PRIME* currently at 4.05% interest upon request of the Dauphin-Middle Paxton Joint Fire Commission. She also recommended the remaining balance in the *Mid Penn Bank* Money Market Account be transferred to the *Mid Penn Bank* General Operating Account and the balance in the *Mid Penn Bank* Public Safety Account be transferred to the *PLGIT* Public Safety Account to take advantage of the higher interest rate.

Motion by Supervisor Fisher to close the *Mid Penn Bank* Money Market Account and transfer the remaining balance in that account to the *Mid Penn Bank* General Operating Account and to close the *Mid Penn Bank* Public Safety Account and transfer the remaining funds in that account to the *PLGIT* Public Safety Account was seconded by Supervisor Sudia. *Motion passed unanimously.*

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

Agenda Items

Red Hill Road Bridge/Culvert Replacement Project Status

Ryan Hostettler reported the project design work and utility clearance activities were complete and distributed construction drawings for the Board's review. He also reported being unable to complete the remaining Right-of-Way (ROW) clearances required for the project to be advertised for bids despite diligent and persistent negotiations with property owners for more than five months since offers were first presented.

The Board requested Solicitor Stine prepare the Resolutions necessary to obtain the ROW and temporary construction easements by eminent domain should negotiations not be

completed by the December 20, 2022 workshop meeting. The objective of the Board is for the project to proceed to construction during the summer months to avoid rerouting of school buses during the anticipated two month closure of Red Hill Road.

Verizon Wireless Communications Tower Facility

McNees Wallace & Nurick LLC attorney James M. Strong representing CELLO Partnership d/b/a *Verizon Wireless* introduced Andrew Petersohn, P.E. with *dBm Engineering, P.C.* who presented radio propagation studies showing the existing *Verizon Wireless* reliable coverage areas and the projected reliable coverage areas benefiting both the township's Stoney Creek Valley and Dauphin Borough residents from the proposed tower site.

The Board reviewed the corresponding site plan, photo simulation/visibility analysis of the proposed 150' monopole tower and inquired whether other wireless carriers will be permitted to lease tower space. Carl Humenik with *Airosmith Development* acknowledged co-location of other wireless carriers on the *Verizon Wireless* tower was a possibility, but that such arrangements could only be undertaken once the tower was erected.

Motion by Supervisor Fisher to approve the proposed site plan for *Verizon Wireless* to install, maintain and operate communications equipment upon a portion (approximately 10,000 square feet) of township property located within the township's brush and roadway material storage site immediately to the north of the upper maintenance garage conditioned upon the lease agreement being amended for the township to receive additional lease rental payments should other wireless carriers be co-located on the tower was seconded by Supervisor Evans. *Motion passed unanimously.*

Stormwater Escrow Release Requests

Motion by Supervisor Sudia to release the Improvement Guarantee in the amount of \$5,500 held for the Brandon Lindsey property located at 150 Stony Creek Road pursuant to Light-Heigel & Associates, Inc. correspondence dated December 2, 2022 indicating the required stormwater facilities have been completed in general conformity with the approved plan was seconded by Supervisor Cooney. *Motion passed unanimously.*

Motion by Supervisor Sudia to release the Improvement Guarantee in the amount of \$17,125.35 held for the Anatoly Khmaruk property located at 2217 Mockingbird Drive/Lot 67 pursuant to Light-Heigel & Associates, Inc. correspondence dated September 18, 2022 indicating the required stormwater facilities have been completed in general conformity with the approved plan was seconded by Supervisor Fisher. *Motion passed unanimously.*

Final Minor Subdivision Plan for Sean & Elizabeth Miriello

Melham Associates, PC correspondence dated December 5, 2022 was received informing the township that Sean & Elizabeth Miriello have decided to formally withdraw their proposed Final Minor Subdivision Plan and expressed appreciation for the township's time and effort put into review of that proposed plan.

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

A December 1, 2022 written grant of extension of plan review time until the March 2023 Supervisors meeting to allow additional time to review plan changes with the Planning Commission pertaining to the *Final Minor Subdivision Plan over lands of WRTR Properties, LLC* was received from Burget & Associates, Inc.

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

Painting Quote for Joint Municipal Building Interior

A quotation obtained from William Stockum Painting including all materials required to prep and paint the Joint Municipal Building meeting room, lobby, restrooms and application areas was reviewed by the Board. The Board requested Manager Seeds obtain additional corresponding quotes for comparison.

Proposed 2023 Road Projects

Manager Seeds presented a listing of the following roads recommended by the Township Engineer and Roadmaster to be chip and fog sealed during 2023:

- Primrose Lane 0.53 miles
- Linden Lane 0.15 miles
- Poet Lane 0.09 miles
- Buttonwood Drive 0.32 miles
- Heritage Lane 0.07 miles
- Hecks Drive 0.8 miles
- Briardale Road 0.28 miles

Motion by Supervisor Fisher authorizing Light Heigel & Associates, Inc. to prepare bid specifications and advertise same to obtain contractor bids to chip and fog seal the roads listed as proposed 2023 road projects was seconded by Supervisor Sudia. *Motion passed unanimously.*

Resolution 2022-10 (2023 Budget)

Motion by Supervisor Fisher to adopt Resolution 2022-10 appropriating specific sums estimated to be required for the specific purposes of municipal government during the year 2023 and fixing the tax rate of 0.17 mills on each dollar of assessed valuation for fire hydrant maintenance (pertaining only to real property within 1,000 feet of a fire hydrant) during the year 2023 was seconded by Supervisor Cooney. *Motion passed unanimously.*

Supervisor Fisher noted that the adopted 2023 budget was balanced with a total projected revenue and corresponding expense of \$2,392,702.54 for municipal government operations without the imposition of a real estate tax on township properties.

2023 Draft Resolutions

Manager Seeds distributed a draft of Resolution 2023-01 *Appointments* and a draft of Resolution 2023-02 *Fee Schedule* for the Board's review in preparation for the annual re-organization meeting on January 3, 2023. Several items were updated on those draft resolutions and the Board was requested to submit any further comments or suggested revisions directly to Manager Seeds prior to the annual re-organization meeting.

2023 Meeting Schedule for Board and Workshop Meetings

Motion by Supervisor Fisher to establish the first Monday of each month commencing at 7:00 PM as the Board's regular Monthly Business Meeting date/time with the exception of those meetings to be held on Tuesday January 3rd, Thursday July 6th and Thursday September 7th when the first Monday of the month falls on a holiday and to establish the third Tuesday of each month commencing at 7:00 PM as the Workshop meeting date/time

(as needed) with all meetings to be held in the township's Joint Municipal Building meeting room was seconded by Supervisor Sudia. *Motion passed unanimously.*

Executive Session

Motion by Supervisor Sudia to enter into executive session at 7:57 PM to discuss personnel matters was seconded by Supervisor Cooney. *Motion passed unanimously.*

The Board reconvened the Monthly Business meeting at 9:10 PM.

Motion by Supervisor Fisher to provide 2022 holiday gift cards in the amount of \$400 to full-time hourly employees, holiday gift cards in the amount of \$200 to part-time hourly employees including the Emergency Management Coordinator and grant the Township Manager a \$3,500 end-of-the year bonus in recognition of her continuing initiative and leadership resulting in the Township being awarded grants for various Township improvement projects accomplished throughout the year was seconded by Supervisor Evans. *Motion passed unanimously.*

Motion by Supervisor Sudia to approve all employee salaries, wages and hourly pay rates associated with the adopted 2023 Budget effective January 1, 2023 was seconded by Supervisor Cooney. *Motion passed unanimously.*

Reports

Township Engineer – Light-Heigel & Associates, Inc.

A written engineering report for the month of November was presented. Ed Fisher noted that the Kelly house flood mitigation project continues to be on hold until the FEMA grant funding gap issue is resolved between PEMA and the property owners.

Public Works – Roadmaster Robert Hofer

A written activity report dated December 5, 2022 was presented. Supervisor Sudia 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 November was presented. Manager Seeds reported Magisterial District Justice Gregory Johnson held a hearing on December 5 concerning the township's Notice of Violation issued to a Hagy Lane property owner and ordered the property be cleaned up within 60 days in compliance with the Zoning Ordinance. Supervisor Sudia 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 McFeaters

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

Committees/Organizations

- *Dauphin-Middle Paxton Joint Park Authority* – Supervisor Cooney reported the Authority held a public meeting on November 14 at the township’s Joint Municipal Building to present the draft Master Site Plan and a fourth public meeting is scheduled to be held on Monday, February 13, 2023 for presentation of the Final Plan.
- *Capital Region Council of Governments (CapCOG)* – A written report dated December 5 was presented by Supervisor Fisher.
- *Dauphin-Middle Paxton Fire Company Oversight Committee* – A written report dated December 5 was presented by Supervisor Fisher.
- *Zoning Ordinance Update Committee* – Manager Seeds reported having received the final version from TCRPC’s Kyle Snyder and that she continues to work with the township’s consultant *Environmental Planning & Design, LLC* who is formatting the final draft of the proposed Zoning Ordinance update to be printed and presented to the Planning Commission for their review.
- *Dauphin County Tax Collection Committee (DCTCC)* – Manger Seeds reported the county’s EIT and delinquent receipts continue to show an increase over the previous year and that the DCTCC was scheduled to meet at 6:30 PM on January 18 in the township’s meeting room.
- *Parks & Recreation Committee* – Manager Seeds reported she intends to invite the Parks and Recreation Directors from both Lower Paxton Township and Dauphin County to address future meetings of the township’s Parks & Recreation Committee.

Review/Approval of Bills

Motion by Supervisor Cooney to pay all vendor bills listed for the December 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

Manager Seeds presented several items deemed to be of interest to the Board.

Board Member Comments/Announcements

No comments were presented.

Adjournment

There being no further business, the meeting was adjourned at 9:50 PM upon a motion by Supervisor Sudia, seconded by Supervisor Cooney. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Assistant Secretary