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Middle Paxton Township

BOARD OF SUPERVISORS

MONTHLY BUSINESS MEETING MINUTES

February 4, 2019

Call to Order

The February 4, 2019 monthly business meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:02 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 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 who were not listed on the meeting agenda. No comments were presented.

Approval of Minutes

Motion by Supervisor Evans to approve the minutes from the January 7, 2019 monthly business meeting was seconded by Supervisor Sudia. *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) \$119,415.03; *Mid Penn Bank* Fire Hydrant Account \$5,363.56; *Mid Penn Bank* Fiduciary Accounts (Escrow & Fire Co. Vehicle Replacement) \$130,426.71; *PLGIT Prime* General Fund (Building, Equipment, Parks & Rec) \$134,721.12; *PLGIT Term* Reserve Account (Capital & Sewer) \$768,051.81; and *Mid Penn Bank* General Operating Account \$342,509.89 to be **\$1,500,488.21** as of January 31, 2019.

Manager Seeds reported the *BB&T* Fire Hydrant Account# 9026 and Escrow Account# 1454 were closed out and those funds transferred to corresponding accounts opened at *Mid Penn Bank* as directed by the Board during its January 7 meeting.

Manager Seeds also reported the \$254,665.52 Capital Reserve Account investment holdings in *PLGIT Term* having a maturity date of 01/25/19 are currently being held in a *PLGIT Prime* account at 2.57% interest until those holdings can be moved to a *PLGIT Term* account at 2.60% interest.

Manager Seeds also reported *Mid Penn Bank* was unable to quote a higher rate of interest for the Fire Company Vehicle Replacement Account# 0119.

Motion by Supervisor Fisher to close out *Mid Penn Bank* Account# 0119 and transfer the Fire Company Vehicle Replacement funds to a separate *PLGIT Prime* account in order to maximize interest earnings was seconded by Supervisor Evans. *Motion passed unanimously.*

Motion by Supervisor Fisher to accept the January 2019 Treasurer's Report to be filed for audit was seconded by Supervisor Cooney. *Motion passed unanimously.*

Agenda Items

Potato Valley Road Bridge Replacement and Roadway Realignment Project Update

The February 4 project status report was distributed to the Board with HRG project manager Ryan Hostetter present to brief the Board on recently completed and upcoming project tasks, as well as to entertain questions. Mr. Hostetter reported the JPA permit continues to remain in the PADEP queue for review despite HRG's best efforts to gain closure on that milestone. The Board directed Manager Seeds to correspondence with Representative Sue Helm and Senator John DiSanto requesting their assistance to expedite the PADEP permitting process to avoid a bid letting schedule delay.

Mr. Hostetter proposed Supplement C to add *Construction Administration Services* to the *Preliminary Engineering and Final Design Agreement* Scope of Work. Construction Administration includes shop drawing reviews, construction consultation, review of submittals by the contractor for approval by the engineer, coordination with PennDOT for the approval of materials and sources, coordination and conduct of regular status meetings, and review of contractor payment applications.

Motion by Supervisor Fisher to approve the addition of Supplement C, *Construction Administration*, for the lump sum fee of \$46,800 to the *Preliminary Engineering and Final Design Agreement* Scope of Work was seconded by Supervisor Cooney. *Motion passed unanimously.*

Mr. Hostetter also presented an updated project funding plan showing \$1,916,575 estimated total project cost, \$2,627,000 total available funding sources including \$1,350,000 state funds allocated for bridge construction and roadway realignment (includes administration and inspection) providing the Township with an estimated contingency funding amount of \$710,425 remaining in the DCIB loan.

Stormwater Escrow Release

Light-Heigel & Associates, Inc. correspondence dated January 30, 2019 indicated the required stormwater facilities for the Adam Jarrett property located at 1 Mountain Ridge Lane have been completed in general conformity with the approved plan and recommended release of the funds being held in escrow for that project.

Motion by Supervisor Fisher to release the \$16,415.59 being held in escrow for the required stormwater facilities for the Adam Jarrett property located at 1 Mountain Ridge Lane pursuant to the January 30, 2019 correspondence from Light-Heigel & Associates, Inc. was seconded by Supervisor Cooney. *Motion passed unanimously.*

Draft Ordinance

A second draft of the proposed Ordinance *Adding an On-Lot Sewage Management Program Governing Municipal Management of On-Lot Sewage Disposal Facilities* incorporating comments received to-date from the Board and the Township's SEO was distributed. Manager Seeds requested the Board review the second draft and make any additional comments before it is presented to the Board for approval to be released for public review.

Fishing Creek Community Center

Manager Seeds presented specifications and pricing for recycled rubber parking blocks to complete the FCCC driveway and parking lot improvement project.

Motion by Supervisor Fisher to acquire the required number of recycled rubber parking blocks and anchors under the Costars contract held by D.B. Kreig with general parking block color option of black/yellow and handicapped parking block color option of blue/white was seconded by Supervisor Sudia. *Motion passed unanimously.*

McElwee Road

Ed Fisher reported the signage intended to be placed by the Township at the S.R. 225 entrances to McElwee and Briardale Roads to prevent semi-trailer trucks from entering those roads was still under PennDOT review. Manager Seeds presented photographs showing the damage being made by semi-trailer trucks and school buses at the McElwee and Creek Road intersection.

The Board directed Light-Heigel & Associates, Inc. to evaluate and make recommendations to improve the turning radius for school buses at the McElwee and Creek Road intersection.

Final Land Development Plan Extension for Tyler and Amy Zoellner

Melham Associates, PC correspondence dated February 1, 2019 granting the Township an extension until April 8, 2019 for required action on the Final Land Development Plan for Tyler and Amy Zoellner was distributed to the Board.

Motion by Supervisor Fisher to accept the granted time extension until April 8, 2019 for required action on the Final Land Development Plan for Tyler and Amy Zoellner was seconded by Supervisor Evans. *Motion passed unanimously.*

Reports

Engineer – Light-Heigel & Associates, Inc.

A written report for the month of January was presented.

Roadmaster – Robert Hofer

No report was presented. Manager Seeds noted that removal of construction debris and surplus office furnishings/equipment items and a general clean-up of the Joint Municipal Building basement was added to the work detail list in response to Supervisor Fisher's earlier recommendation.

Zoning Officer

A written report dated January 31 was presented.

Emergency Management Coordinator – Robert Rusbach

No report was presented.

Manager – Julie Ann Seeds

A written report dated February 4 was presented. Manager Seeds reported having received a report of "no audit findings" upon the auditor's exit after having completed a review of the Township Pension Plan. Manager Seeds also reported Hershocks does not offer an annual maintenance agreement, but has been scheduled to perform a maintenance inspection of all 21 overhead garage doors on the municipal campus buildings. That inspection will include a complete tune-up of each operating overhead door and written recommendations for any additional work deemed to be required.

Committees/Authorities/Organizations

- *Dauphin-Middle Paxton Joint Park Authority* – Supervisor Cooney reported the Authority was attempting to compile a grant application to DCNR to fund a Master Site plan for park improvements. He also reported the Authority was seeking a second bid for repairs and sealing of the grandstand roof and intends to install poles and netting before removing the backstop behind home plate.
- *Dauphin-Middle Paxton Joint Public Safety Authority* – A written report dated February 4 was presented by Supervisor Fisher.
- *Capital Region Council of Governments (CapCOG)* – A written report dated February 4 was presented by Supervisor Fisher.
- *Dauphin-Middle Paxton Fire Company Oversight Committee* – A written report dated February 4 was presented by Supervisor Fisher. The Board congratulated Robert (Rusty) Rusbach on being elected Fire Chief replacing Mike Fagan who has stepped down from that position after having served 26 years as a line officer.
- *Zoning Ordinance Update Committee* – Manager Seeds reported the committee met last Thursday with its consultant EP&D to complete a comprehensive review of the first 13 Sections of the December 10 working draft. The committee intends to complete its review of the remaining Sections 14 – 18 and submit a second working draft to the Planning Commission at its March meeting with the overall objective of finalizing the Zoning Ordinance update for adoption by June 30. Manager Seeds reported the ordinance update has expanded beyond the current scope of work under the EP&D contract and that additional funds remain uncommitted under the TCRPC Regional Connections grant awarded for ordinance update. Supervisor Fisher

reported the committee requested EP&D submit a scope change proposal for the Board's consideration.

Review/Approval of Bills

The listing of vendor bills for the February meeting was distributed to the Board for review/approval. Motion by Supervisor Fisher to pay all vendor bills listed for the February meeting and authorize payment of all recurring monthly expenses upon receipt to avoid late-charge penalties was seconded by Supervisor Sudia. *Motion passed unanimously.*

Manager Seeds reported an on-line account would be established to pay PPL bills via ACH versus continuing to prepare separate checks for each of the nine PPL bills received monthly.

Executive Session

Not required.

Information Items/Letters Received

Manager Seeds presented items of general interest, as well as recent correspondence received by the Township.

Board Member Comments

Supervisor Cooney thanked Manager Seeds, Ed Fisher and Supervisors Evans and Fisher for their diligence and time being spent in serving on the Zoning Ordinance Update Committee.

Supervisor Evans thanked the road crew for their winter road maintenance being performed during the several nuisance storms over the past month.

Supervisor Fisher noted a recent Commonwealth Court case ruling emphasizing the requirement stated within Section 512.1 of the MPC for all requests by a developer for waivers be made in writing stating: 1) the grounds for claiming a hardship based on the physical condition of the land; 2) the provision(s) of the ordinance involved; and 3) how the request for waiver(s) is the minimum modification necessary. He suggested the Board be aware that expressed justifications for a developer's waiver request should be required with explicit findings for granting waivers incorporated into the Township's written decision for plan approvals.

Supervisor Sudia noted the extreme amount of work that occurs behind the scene in order for the Township to serve its residents and expressed his appreciation to the Board and staff for having committed their time and effort to accomplish the tasks reported out during our monthly meetings.

The Board also acknowledged the continuing efforts of Ed Fisher to assist Manager Seeds with processing zoning permit applications while the Township continued its recruitment effort to employ a full-time Zoning and Codes Enforcement Officer.

Adjournment

There being no further business, the meeting was adjourned at 8:21 PM upon a motion by Supervisor Cooney, seconded by Supervisor Evans. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Assistant Secretary