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Middle Paxton Township

BOARD OF SUPERVISORS

ANNUAL RE-ORGANIZATION AND REGULAR MONTHLY MEETING MINUTES
January 6, 2014

Call to Order

The January 6 annual re-organization and regular monthly meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:00 PM by Township Manager and Assistant Secretary/Treasurer Julie Seeds in the Township meeting room. Also present were Supervisor Richard Peffer, Supervisor Andrew Megonnell, Supervisor James Fisher, Supervisor Mitchell Rissinger and Supervisor Jeffrey Smith.

Pledge of Allegiance

Following the Pledge of Allegiance, Ms. Seeds entertained nominations for the office of Chairman of the Board.

2014 Elections/Appointments

Election of the Chairman of the Board

Motion by Supervisor Rissinger to elect Supervisor Megonnell as Chairman of the Board was seconded by Supervisor Smith. *Motion passed unanimously.*

Election of the Vice Chairman of the Board

Motion by Supervisor Rissinger to elect Supervisor Fisher as Vice Chairman of the Board was seconded by Supervisor Smith. *Motion passed unanimously.*

Appointment of the Township Secretary

Motion by Supervisor Rissinger to appoint Supervisor Fisher as Township Secretary was seconded by Supervisor Smith. *Motion passed unanimously.*

Appointment of the Township Treasurer

Motion by Supervisor Rissinger to appoint Supervisor Fisher as Township Treasurer was seconded by Supervisor Smith. *Motion passed unanimously.*

Appointment of the Voting Delegate and Alternate to PSATS State Convention

Motion by Supervisor Rissinger to appoint Supervisor Fisher as the voting delegate and Township Manager Julie Seeds as the alternate delegate to the PSATS State Convention was seconded by Supervisor Smith. *Motion passed unanimously.*

Establishment of the 2014 Schedule for Board Meetings

Motion by Supervisor Fisher to establish the first Monday of the month at 7 PM as the regular meeting date and time except where the first Monday of the month is a holiday whereby the regular meeting would be held on the first Tuesday of the month at 7 PM was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Motion by Supervisor Fisher to establish the third Tuesday of the month at 7 PM as the workshop meeting date and time was seconded by Supervisor Smith. *Motion passed unanimously.*

Resolution 2014-01 Board Appointments

Motion by Supervisor Smith to adopt Resolution 2014-01 Board Appointments for the offices of Chairman, Vice Chairman, Secretary and Treasurer was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Public Comment

Chairman Megonnell invited public comments from those in attendance who otherwise were not listed on the agenda. There were no public comments presented.

Approval of Minutes

Chairman Megonnell requested a motion to approve the minutes from the December 2, 2013 regular monthly meeting. Motion by Supervisor Rissinger to approve the minutes from the December 2, 2013 regular monthly meeting was seconded by Supervisor Fisher. *Motion passed with Supervisor Peffer abstaining due to not having been present at that meeting and Supervisor Smith abstaining due to not having been a member of the Board during that meeting.*

Chairman Megonnell requested a motion to approve the minutes from the December 17, 2013 workshop meeting. Motion by Supervisor Rissinger to approve the minutes from the December 17, 2013 workshop meeting was seconded by Supervisor Fisher. *Motion passed with Supervisor Smith abstaining due to not having been a member of the Board during that meeting.*

Treasurer's Report/Monthly Financial Statement

Julie Seeds, Assistant Secretary/Treasurer, presented the monthly Treasurer's Report and reported the total of Fiduciary (\$380,834.02) and General Account (\$1,516,607.73) funds to be \$1,897,441.75 as of December 31, 2013. Ms. Seeds also distributed the Treasurer's Report for January through December 2013 which included total account activity during the calendar year. Ms. Seeds noted the Susquehanna Bank certificate of deposit #1825 would be maturing on April 25 and that a decision regarding that investment will need to be forthcoming prior to that date.

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

Agenda Items

Auditor Appointment – Vacancy created upon resignation of Marita Kelly

Motion by Supervisor Fisher to appoint Gregory C. College to fill the vacancy on the Board of Auditors through the term ending 2015 was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Subdivision/Land Development Plans

1. *Linda Brindle/Verizon Wireless Land Development Plan – Cell Tower*

Richard Williams, Esq. (Hourigan, Kluger & Quinn, PC) and Chris Knarr (Rettew Associates, Inc.) representing Verizon Wireless presented a Preliminary/Final Land Development plan for construction of a 195' cellular tower in Clarks Valley on a leased tract of land owned by Linda L. Brindle.

A Special Exception was granted by the Zoning Hearing Board on June 13, 2013 for the tower placement. The Planning Commission reviewed and recommended approval of the plan and Township Engineer Ed Fisher recommended plan approval be granted per Light-Heigel & Associates, Inc. correspondence dated January 6, 2014.

Motion by Supervisor Fisher to approve the following requested waivers: 1) Section 304 Preliminary Plan Submission; 2) Section 307 Final Plan –

Specifications: Plan Scale; 3) Section 307.R Final Plan – Specifications: Permanent Monuments and Markers; and 4) Section 502.L Driveways as noted in Rettew Associates correspondence dated December 23, 2013 to Middle Paxton Township was seconded by Supervisor Rissinger. *Motion was approved with Supervisor Smith voting NAY.*

Motion by Supervisor Fisher to approve the Cellco Partnership d/b/a Verizon Wireless Preliminary/Final Land Development Plan dated July 30, 2013, last revised 12/19/2013 with the condition all outstanding comments be addressed to the satisfaction of Township staff, including the posting of the site improvement guarantee, execution of a tower removal agreement, and Developer's Agreement be addressed and properly submitted was seconded by Supervisor Rissinger. *Motion passed unanimously.*

2. *Clark, Monk & Spangler – Subdivision Plan*

Ben Kirk (Burget & Associates, Inc.) representing Larry E. & Suzanne H. Clark and Robert E. Monk and Michelle H. & Wayne Wm. Spangler presented a Final Minor Subdivision & Lot-Addition Plan to take an existing undeveloped lot owned by Larry E. & Suzanne H. Clark and divide it into two tracts and add the tracts to adjoining lots. The plan does not propose any new construction.

The Planning Commission reviewed and recommended approval of the requested waivers and plan. Township Engineer Ed Fisher stated no objections to the requested waivers and recommended plan approval be granted per Light-Heigel & Associates, Inc. correspondence dated January 6, 2014.

Motion by Supervisor Fisher to approve the following requested waivers: 1) Section 304 Preliminary Plan Submission; 2) Section 307 Plan Sheet Size; 3) Section 307 Plan Scale; and 4) Section 308.C Stormwater Management Plan as noted in Burget & Associates correspondence dated November 27, 2013 to Middle Paxton Township was seconded by Supervisor Rissinger. *Motion was approved with Supervisor Smith and Supervisor Peffer voting NAY.*

Motion by Supervisor Fisher to approve the Final Minor Subdivision & Lot-Addition Plan for Larry E. & Suzanne H. Clark and Robert E. Monk and Michelle H. & Wayne Wm. Spangler dated November 15, 2013, last revised 12/5/2013 with the condition all remaining comments be addressed to the satisfaction of Township staff was seconded by Supervisor Smith. *Motion passed unanimously.*

3. *Dively, Orlousky & Borelli – Subdivision Plan*

Anthony Trost (Third Mountain Surveying) representing Bertha R. & Raymond Dively, Jr. and Linda L. & John J. Orlousky and Deborah Ann Borelli presented a Final Subdivision Plan to take six existing lots of record – three of which have been developed, three of which are vacant – and re-divide the land into three lots of separate ownership. The plan does not propose any new construction.

The Planning Commission reviewed and recommended approval of the requested waivers and plan. Township Engineer Ed Fisher stated no objections to the requested waivers and recommended plan approval be granted per Light-Heigel & Associates, Inc. correspondence dated January 6, 2014.

Motion by Supervisor Smith to approve the following requested waivers: 1) Section 304 Preliminary Plan Submission; and 2) Section 308.C Stormwater Management Plan as noted in Light-Heigel & Associates correspondence dated January 6, 2014 to Middle Paxton Township was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Motion by Supervisor Smith to approve the Final Subdivision Plan for Bertha R. & Raymond Dively, Jr. and Linda L. & John J. Orlousky and Deborah Ann Borelli dated October 20, 2013, last revised 12/27/2013 with the condition all remaining comments be addressed to the satisfaction of Township staff was seconded by Supervisor Fisher. *Motion passed unanimously.*

Request for Proposal (Draft) – Joint Comprehensive Plan Consultant

Ms. Seeds reported the draft request for proposal (RFP) prepared to solicit proposals from professional community planning consultants to assist in the preparation of the Joint Comprehensive Plan was on the Dauphin Borough Council agenda for action this evening. The draft RFP had previously been reviewed by our solicitor and review comments provided by Supervisor Fisher were also incorporated therein. Ms. Seeds stated it was necessary to expedite the RFP process inasmuch as the conditions of the Regional Connections Grant, which is helping underwrite the cost of the planning process, requires the Borough and Township to have a consulting firm selected and under contract on or about March 1, 2014.

Motion by Supervisor Rissinger to advertise the RFP for Joint Comprehensive Plan Consultant as mutually agreed upon between the Borough and Township was seconded by Supervisor Fisher. *Motion passed unanimously.*

Dauphin-Middle Paxton Historical Society

Ms. Seeds presented a verbal request received from the Dauphin-Middle Paxton Historical Society for use of the public address system that has been in storage for

the past several years since the curative amendment hearings were held at the Fishing Creek Community Building.

Motion by Supervisor Smith to donate the surplus public address system to the Dauphin-Middle Paxton Historical Society with the understanding that the system would be made available for use by any other community organization was seconded by Supervisor Fisher. *Motion passed unanimously.*

Reports

Solicitor – Steven Stine, Esquire – No report was presented.

Engineer – Ed Fisher – No report was presented.

Road Master – Robert Hofer – See attached report.

Zoning and Codes Enforcement Officer – See attached report.

Emergency Management Coordinator – Robert Rusbatch – No report was presented.

Manager’s Report – Julie Seeds

Ms. Seeds reported having spent considerable time during the past month preparing end of the year reports, the RFP for Comprehensive Plan Consultant, as well as compiling documentation for the 2013 audit. Ms. Seeds also reported she is awaiting receipt of the DCNR award letter indicating the various steps required for the Township to proceed with the Hagy Park walking trail project. DCNR has awarded the Township \$53,000 toward the \$120,000 project with the Township providing in-kind services to complete that project.

Review/Approval of Bills

Motion by Supervisor Fisher to pay the December 2013 General and New Municipal Building bills was seconded by Supervisor Smith. *Motion passed unanimously.*

Information Items/Letters Received

Ms. Seeds presented items of general interest, as well as correspondence of general interest received by the Township during the previous month that did not require Board action.

Board Member Comments

Supervisor Peffer inquired as to whether the arrangement for cleaning the interior of the new municipal and Fishing Creek Community buildings would continue or whether the services of a cleaning contractor should be solicited. Ms. Seeds responded that the current arrangements for building cleaning would continue, but that she is also obtaining quotes from cleaning contractors for comparison. No other comments were presented.

Executive Session

The Board recessed into executive session at 8:16 PM to discuss matters pending litigation upon a motion by Supervisor Smith, seconded by Supervisor Fisher. *Motion passed unanimously.*

The Board reconvened into regular session at 8:38 PM and took the following action.

Motion by Supervisor Fisher to authorize special counsel Matthew Chabal, Esq. to present a settlement offer as outlined in draft correspondence dated January 7, 2014 to McNees Wallace & Nurick LLC representing municipal building general contractor Poole Anderson requiring 1) remediation of the Mezzanine wall exteriors to mitigate water intrusion, 2) restoration of the Fire Company day room interior wall to its original finish and 3) carpet replacement within the day room was seconded by Supervisor Smith. *Motion passed unanimously.*

Adjournment

There being no further business, the meeting adjourned at 8:38 PM upon a motion by Supervisor Smith, seconded by Supervisor Rissinger. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Secretary