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Middle Paxton Township

BOARD OF SUPERVISORS

ANNUAL REORGANIZATION AND MONTHLY BUSINESS MEETING MINUTES

January 6, 2020

Call to Order

The January 6, 2020 annual reorganization and monthly business meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:00 PM by Township Manager Julie Ann Seeds in the Township meeting room. Also present were Supervisor Jeffery Smith, Supervisor James Fisher, Supervisor Wilbur Evans, Supervisor Larry Cooney and Supervisor Mike Sudia. Solicitor Steve Stine and Ed Fisher representing the Township Engineer, Light-Heigel & Associates, Inc. were absent and unable to attend due to prior commitments.

Pledge of Allegiance

The meeting was opened with the Pledge of Allegiance.

- ANNUAL REORGANIZATION MEETING -

2020 Elections/Appointments

Election of the Chairman of the Board

Motion by Supervisor Evans to elect Supervisor Smith as Chairman of the Board was seconded by Supervisor Cooney. *Motion passed with Supervisor Smith abstaining from voting and Supervisor Fisher voting NAY.*

Election of the Vice-Chairman of the Board

Motion by Supervisor Smith to elect Supervisor Sudia as Vice-Chairman of the Board was seconded by Supervisor Cooney. *Motion passed unanimously.*

Appointment of the Secretary

Motion by Supervisor Cooney to appoint Supervisor Fisher as Secretary was seconded by Supervisor Sudia. *Motion was withdrawn by Supervisor Cooney.*

Motion by Supervisor Cooney to appoint Township Manager Julie Ann Seeds as Secretary was seconded by Supervisor Sudia. *Motion passed unanimously.*

Appointment of the Treasurer

Motion by Supervisor Cooney to appoint Supervisor Evans as Treasurer was seconded by Supervisor Smith. *Motion passed unanimously.*

Appointment of the Assistant Secretary

Motion by Supervisor Evans to appoint Supervisor Fisher as Assistant Secretary was seconded by Supervisor Sudia. *Motion passed unanimously.*

Appointment of the Assistant Treasurer

Motion by Supervisor Evans to appoint Township Manager Julie Ann Seeds as Assistant Treasurer was seconded by Supervisor Cooney. *Motion passed unanimously.*

Appointment of the Voting Delegate and Alternate to the PSATS State Convention

Motion by Supervisor Sudia to appoint Supervisor Fisher as the voting delegate and Supervisor Evans as the alternate voting delegate to the PSATS State Convention was seconded by Supervisor Cooney. *Motion passed unanimously.*

Establishment of the 2020 Schedule for Board and Workshop Meetings

Motion by Supervisor Cooney to establish the first Monday of each month commencing at 7:00 PM as the Board meeting date/time unless the first Monday falls on a holiday, then the Board meeting will take place at 7:00 PM on the next day (Tuesday) and to establish the third Tuesday of each month commencing at 7:00 PM as the Workshop meeting date/time (as needed) was seconded by Supervisor Smith. *Motion passed unanimously.*

Board and Workshop meetings will be held in the Joint Municipal Building, 10 Elizabeth Avenue. However, it was the Board's consensus to schedule a Board meeting to be held at the Fishing Creek Community Center, 1361 Fishing Creek Valley Road, following the projected June completion of the Potato Valley Road Bridge Replacement and Roadway Realignment Project.

Resolution 2020-01 Appointments/Compensation

The Board reviewed the draft *Resolution 2020-01 Appointments/Compensation* presented for adoption. Supervisor Fisher noted the \$17.50 hourly pay rate stated for the Public Works Roadcrew w/CDL (seasonal part-time) was in conflict with the \$17.45 hourly pay rate for that position stated in the December 2, 2019 meeting minutes.

Motion by Supervisor Smith to adopt *Resolution 2020-01 Appointments/Compensation* with the hourly pay rate for the Public Works Roadcrew w/CDL (seasonal part-time) corrected to be \$17.45 was seconded by Supervisor Evans. *Motion passed unanimously.*

- BUSINESS MEETING -

Public Comments

Supervisor Smith invited comments from those in attendance who were not listed on the meeting agenda. No comments were presented.

Approval of Minutes

Motion by Supervisor Smith to approve the minutes from the December 2, 2019 monthly Board meeting was seconded by Supervisor Sudia. *Motion passed unanimously.*

Treasurer's Report/Monthly Financial Statement

Manager Seeds presented the monthly Treasurer's Report showing the total of the *PLGIT/Prime* State Account (Liquid Fuels) \$20,235.94; *Mid Penn Bank* Fire Hydrant Account \$6,745.96; Fiduciary Funds (Escrow & Fire Co. Vehicle Replacement) \$159,670.90; *PLGIT/Prime* General Fund (Building, Equipment, Parks & Rec) \$241,293.46; *PLGIT/Term* Reserve Account (Capital & Sewer) \$781,763.39; *Mid Penn Bank* Money Market \$100,132.62 and *Mid Penn Bank* General Fund (Public Safety & Operating) \$361,486.80 to be **\$1,671,329.04** as of December 31, 2019.

Manager Seeds reported the \$266,751.28 Capital Reserve Account investment holdings in PLGIT Term had a maturity date of 01/13/20 and that the Finance Committee recommends those funds be reinvested in PLGIT Term.

Motion by Supervisor Fisher to reinvest the matured Capital Reserve Account investment holdings in PLGIT Term as recommended by the Finance Committee was seconded by Supervisor Evans. *Motion passed unanimously.*

December 17, 2019 email correspondence from the Dauphin-Middle Paxton Fire Company Oversight Committee chairman, Tom O'Connell, expressed thanks to the Township for its continued annual support to the Dauphin-Middle Paxton Fire Company No. 1 and requested the budgeted \$25,000 for Fire Company Vehicle Replacement be placed into the current Escrow Account with PLGIT at the earliest possible convenience to maximize interest earnings and the remaining \$16,000 budgeted for fire company operations and training being disbursed to the fire company either 1, 2 or 4 times throughout the calendar year.

Motion by Supervisor Fisher to disburse funds budgeted for the Dauphin-Middle Paxton Fire Company No. 1 as requested by the Dauphin-Middle Paxton Fire Company Oversight Committee was seconded by Supervisor Sudia. *Motion passed unanimously.*

Motion by Supervisor Smith to accept the January 2020 Treasurer's Report to be filed for audit was seconded by Supervisor Fisher. *Motion passed unanimously.*

Agenda Items

Resolution 2020-02 Fee Schedule

The Board reviewed the draft *Resolution 2020-02 Fee Schedule* presented for adoption. Supervisor Fisher recommended the Board consider deferring action on Resolution 2020-02 to a later meeting considering the Board did not have sufficient time to review the rather extensive changes proposed to the fee schedule. He suggested extending the 2019 Fee Schedule with the exception of incorporating the 2020 third party agency fees for building code and sewage enforcement permits until such time that a more complete review of the proposed fee schedule for 2020 can be accomplished.

Motion by Supervisor Cooney to adopt *Resolution 2020-02 Fee Schedule* was seconded by Supervisor Sudia. *Motion passed with Supervisor Fisher voting NAY.*

It was the consensus of the Board, however, to refer the 2020 Fee Schedule to the Finance Committee for a more in depth review.

Potato Valley Road Bridge Replacement and Roadway Realignment Project Update

Manager Seeds noted that a monthly project update report had not been received from our HRG project manager Ryan Hostetter.

Boy Scout Troop 233 Eagle Scout Project – Andrew Young

Andrew Young distributed a preliminary drawing outlining his proposed Eagle Scout project which would include two sitting benches each being placed at the front and rear entrance doors to the fire station, two sitting benches and an honor garden recognizing past/present first responders and Township supervisors to be located directly across from the municipal building front entrance and a picnic bench to be placed adjacent to the north side of the fire station. He also proposed the acquisition and installation of an LED message board sign to be located north of the fire company driveway exit onto Peters Mountain Road as a project alternate depending upon his fund raising success.

Motion by Supervisor Fisher to approve the Eagle Scout project proposed by Andrew Young and to appoint Manager Seeds and Supervisor Sudia to provide oversight for the project was seconded by Supervisor Smith. *Motion passed unanimously.*

It was the consensus of the Board that financial support toward the proposed Eagle Scout project would be considered at a later date once the project plan is finalized and associated costs determined.

2020 Road Project Bid Results

Bid opening results for the 2020 Road Seal Coat Projects segregated into bids 1-5 were summarized in a January 6, 2020 report submitted by Light-Heigel & Associates, Inc. The Township Engineer's recommendation was to award a contract to Hammaker East, LLC for the complete project including the maintenance garage parking lot for a total bid of \$143,601.27 with a reminder that Bid #4 pertaining to the garage parking lot would need to be paid from the General Fund versus the Liquid Fuels Fund.

Motion by Supervisor Smith to award a contract in the amount of \$143,601.27 to Hammaker East, LTD for the 2020 Road Seal Coat Projects was seconded by Supervisor Evans. *Motion passed unanimously.*

Comments on the Draft Sewage Management Program Ordinance

Rick Roadcap, 1340 Stone Glen Road, addressed the Board concerning the proposed *Ordinance Governing Municipal Management of On-Lot Disposal Facilities* recently introduced during the December 10 and 18 informational meetings. He recommended the Board institute a public education program to provide residents the background for the Township having proposed implementation of the sewage management program, as well as to advise residents on proper maintenance of their on-lot septic systems.

Improvement Escrow Release Request

Motion by Supervisor Smith to release \$15,000 being held in escrow for the demolition and removal of two separate dwellings required to permit construction of a new single family dwelling on the Shane Staley property at 901 Fishing Creek Valley Road pursuant

to January 6, 2020 correspondence from Light-Heigel & Associates, Inc. was seconded by Supervisor Sudia. *Motion passed unanimously.*

LDI Associates Dauphin, LLC

Motion by Supervisor Smith to approve the Development Agreement (revised 12/30/19) by and between LDI Associates Dauphin LLC and the Township for the "Final Subdivision and Land Development Plan for River View at Middle Paxton and Final Land Development Plan for Unit 1 of River View at Middle Paxton Condominium, a Site Condominium" (prepared by Advantage Engineering Services, LLC dated June 17, 2019, last revised September 12, 2019) subject to correction of the item letters listing the Conditions stated in Section 4 was seconded by Supervisor Evans. *Motion passed unanimously.*

Supervisor Fisher noted that failure or refusal of LDI Associates Dauphin LLC to sign the Development Agreement within ten (10) days of its presentation for signature would result in a deemed denial of the Plan pursuant to Section 306.J. of the Township's Subdivision and Land Development Ordinance.

Motion by Supervisor Smith to approve the Maintenance and Access Agreement by and between LDI Associates Dauphin, LLC and the Township subject to the Agreement being fully executed and attached to the Development Agreement as Exhibit B was seconded by Supervisor Evans. *Motion passed unanimously.*

Slot Machine Nuisance Ordinance Request

Eckert Seamans Cherin & Mellott, LLC correspondence dated December 13, 2019 written on behalf of the Dauphin County Gaming Advisory Board included a proposed Slot Machine Nuisance Ordinance intended for Township adoption to regulate conduct and activities pertaining to the proliferation of so-called "skill games" recently determined to be nothing more than slot machines by a decision of the Commonwealth Court.

Motion by Supervisor Smith to table action on the proposed Slot Machine Nuisance Ordinance until it can be reviewed by Solicitor Stine for presentation to the Board at its February meeting was seconded by Supervisor Evans. *Motion passed unanimously.*

National School Choice Week Proclamation Request

Correspondence dated 10/28/2019 from the president of National School Choice Week, Andrew Campanella, requested the Township issue a proclamation recognizing January 26 through February 1, 2020 as *School Choice Week in Middle Paxton*. The Board took no action on this request.

Municipal Building Key Fob Access System Upgrade Quote

Manager Seeds reported the major power outage experienced on December 22 disabled the key fob access system to the Municipal Building and Fire Station despite the Township's back-up systems. The system vendor was able to restore functionality, but noted the system was considered functionally obsolete and recommended upgrade to a more current and technically secure system.

Manager Seeds requested quotes to upgrade the key fob access system and also recommended the Board consider system expansion to include key fob access to the maintenance garage buildings. Manager Seeds also noted that several of the Municipal Building video security system cameras are not currently functioning and requested

vendor quotes to restore the video security system to full functionality, as well as to expand video security to the maintenance garage areas.

Fishing Creek Community Center

Motion by Supervisor Fisher directing Light-Heigel & Associates, Inc. prepare bid specifications for installation of an air conditioning system for the Fishing Creek Community Center and lighting plan bid specifications for the driveway entrance was seconded by Supervisor Smith. *Motion passed unanimously.*

Dauphin Area Senior Transit (DAST)

Manager Seeds reported DAST had verbally offered to sell the Township their soon to be replaced 2012 Toyota Sienna van at the reported trade-in value of \$8,500. The Board requested the Finance Committee obtain the details of the proposed transaction which would be intended to replace the Township's current 2002 Chevrolet van and report back to the Board with its recommendation.

Draft Ordinance – Dauphin-Middle Paxton Joint Public Safety Authority

Manager Seeds presented the proposed Ordinance 2020-01 entitled *An Ordinance of the Board of Supervisors of the Township of Middle Paxton, Dauphin County, Pennsylvania, Approving the Certificate Requesting Termination of the Dauphin-Middle Paxton Joint Public Safety Authority* and requested the Board's authorization to advertise Ordinance 2020-01 to be considered for adoption at the February 3 meeting.

Motion by Supervisor Smith to advertise Ordinance 2020-01 to be considered for adoption at the February 3 meeting was seconded by Supervisor Cooney.

Supervisor Fisher questioned why the Board was being requested to authorize the advertisement of this particular ordinance to be considered for adoption when Ordinance 2019-01 directing the Dauphin-Middle Paxton Joint Public Safety Authority to "immediately cease all activities" was adopted over his objections during the June 3, 2019 meeting without any prior Board authorization to either prepare and/or advertise that ordinance to be considered for adoption.

The motion to advertise Ordinance 2020-01 to be considered for adoption at the February 3 meeting was withdrawn by Supervisor Smith.

Reports

Engineer – Light-Heigel & Associates, Inc.

A written report for the month of December 2019 was presented.

Roadmaster – Robert Hofer

A written report dated January 6, 2020 was presented.

Zoning Officer/Codes Enforcement Officer

A written report dated December 30, 2019 was presented.

Emergency Management Coordinator – Robert Rusbatch

A written report for the month of December was presented.

Manager – Julie Ann Seeds

A written report dated January 6, 2020 was presented. Manager Seeds also reported the December 10 and 18 informational meetings introducing the proposed On-Lot Sewage Management Program Ordinance were well attended and distributed a copy of the news article published in the December 31, 2019 edition of the Upper Dauphin Sentinel reporting on the December 18 meeting held at the Fishing Creek Community Center. She noted that rumors around the proposed ordinance were squelched and resident questions and concerns presented at those meetings appear to have been adequately addressed.

Motion by Supervisor Smith for the Township to locate, pump and inspect the Fishing Creek Community Center on-lot septic system consistent with the requirements of the proposed ordinance was seconded by Supervisor Evans. *Motion passed unanimously.*

Committees/Authorities/Organizations

- *Dauphin-Middle Paxton Joint Park Authority* – Supervisor Cooney reported no meeting was held during December.
- *Dauphin-Middle Paxton Joint Public Safety Committee* – Supervisor Cooney reported the Committee did not meet during the month of December. However, Manager Seeds reported a meeting of the Dauphin-Middle Paxton Joint Public Safety Authority was held on December 16 to execute a Certificate Requesting Termination to be filed with the Secretary of the Commonwealth.
- *Capital Region Council of Governments (CapCOG)* – A written report dated January 6 was presented by Supervisor Fisher.
- *Dauphin-Middle Paxton Fire Company Oversight Committee* – A written report dated January 6 was presented by Supervisor Fisher.
- *Zoning Ordinance Update Committee* – Manager Seeds reported she was attempting to schedule a Committee meeting during the current month.

Review/Approval of Bills

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

Executive Session

Motion by Supervisor Smith to enter into executive session at 8:44 PM to discuss personnel matters was seconded by Supervisor Sudia. *Motion passed unanimously.*

The Board reconvened the regular monthly business meeting at 9:02 PM.

Motion by Supervisor Cooney to amend the *Employee Handbook* to add the sentence “Not to do so properly will be considered an act of dishonesty which will result in immediate discharge.” immediately following the first sentence in the section pertaining to Recording Time Worked found on page 19 was seconded by Supervisor Smith. *Motion passed unanimously.*

The Board also requested Manager Seeds prepare a Social Media Policy for review by the Personnel Committee and subsequent consideration by the Board to be incorporated into the *Employee Handbook*.

Information Items/Letters Received

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

Motion by Supervisor Smith to ban smoking in the vicinity of the Municipal Building main entrance in response to a recent resident complaint was seconded by Supervisor Cooney. *Motion passed unanimously.*

Board Member Comments

Supervisor Fisher commented that the common theme brought to his attention by several residents while attending the On-Lot Sewage Management Ordinance informational meetings was the difficulty experienced in obtaining returned calls from the Township office. Even more acute was obtaining return calls from our Township Engineer, Light-Heigel & Associates, Inc.

Adjournment

There being no further business, the meeting was adjourned at 9:17 PM upon a motion by Supervisor Smith, seconded by Supervisor Sudia. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Assistant Secretary