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Middle Paxton Township

BOARD OF SUPERVISORS

ANNUAL REORGANIZATION AND MONTHLY BUSINESS MEETING MINUTES

January 3, 2023

Call to Order

The January 3, 2023 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 unable to attend due to prior commitments.

Pledge of Allegiance

The meeting was opened with the Pledge of Allegiance.

- ANNUAL REORGANIZATION MEETING -

2023 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 unanimously.*

Election of the Vice-Chairman of the Board

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

Appointment of the Township Secretary

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

Appointment of the Township Treasurer

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

Appointment of the Township Assistant Secretary

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

Appointment of the Township Assistant Treasurer

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

Appointment of the Delegate and Alternate to the Capital Region Council of Governments

Motion by Supervisor Evans to appoint Supervisor Fisher as the delegate and Manager Julie Ann Seeds as the alternate delegate to the Capital Region Council of Governments was seconded by Supervisor Smith. *Motion passed unanimously.*

Resolution 2023-01 Appointments

Motion by Supervisor Smith to adopt *Resolution 2023-01 Appointments* establishing the appointments to various township positions, boards, commissions and committees for the year 2023 was seconded by Supervisor Cooney. *Motion passed unanimously.*

- MONTHLY BUSINESS MEETING -

Public Comments

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

Public Hearing

Public notice that the Board of Supervisors will consider enactment of Ordinance No. 2022-02 Amending, Modifying and Changing the Township of Middle Paxton Zoning Ordinance, as well as the Ordinance of Definition to reduce the front yard setback requirement for *Single Family Attached Dwelling with Integral Garage* in the Medium Density Residential (R-2) and High Density Residential (R-3) Zoning Districts was appropriately advertised pursuant to Zoning Ordinance Section 1809.

Tim Mellott with *Mellott Engineering* and Joel McNaughton, both representing *The McNaughton Company*, presented the proposed text amendment to the Zoning Ordinance and Ordinance of Definition in conjunction with their desire to develop the 59.52 acre tract of land (tax parcel #43-022-026) located north of Stony Creek Road and south of Delwood Avenue as a single family attached dwelling unit (townhouse) community consisting of approximately 114 dwelling units, private clubhouse, community pool, playground and nature trail to be known as *The Townes at Stoney Creek*.

Supervisor Smith invited public comments after the presentation by Messrs. Mellott and McNaughton. No public comments were presented at that time.

Supervisor Fisher noted that while the proposed text amendment to the Ordinance of Definition, Section B stated the integral garage "*shall not be converted into living quarters*

of any kind", it did not state "or used for any purpose other than the storing of vehicles" as was stated in the fourth Whereas statement in Ordinance No. 2022-02. He also noted Ordinance 2022-02 did not include a "requirement whereby a minimum of four (4) parking spaces external and internal to the single family dwelling must be maintained" as stated in the Board's motion to prepare and advertise an ordinance to amend the current Zoning Ordinance and recorded in the October 3, 2022 meeting minutes.

Ryan Evans commended on the proposed parking requirements and hearing no further public or Board member comments, Supervisor Smith closed the public hearing.

Motion by Supervisor Cooney to adopt Ordinance 2022-02 was seconded by Supervisor Sudia. *Motion failed with Supervisors Cooney and Sudia voting AYE and Supervisors Smith, Fisher and Evans voting NAY.*

Approval of Minutes

Motion by Supervisor Sudia to approve the minutes from the December 5, 2022 Monthly Business meeting was seconded by Supervisor Cooney. *Motion passed with Supervisor Smith abstaining due to having been absent from that meeting.*

Motion by Supervisor Sudia to correct the wording of the motion made by Supervisor Evans following the close of the December 20, 2022 Executive Session to state that any "employee leaving early to receive one (1) day time off, without pay, for leaving work early and not clocking out; falsifying their time sheet yet again" and approve the minutes from the December 20, 2022 Workshop meeting as corrected was seconded by Supervisor Smith. *Motion passed unanimously.*

Treasurer's Report/Monthly Financial Statement

The December monthly Treasurer's Report showed the total of the *PLGIT Prime* State Account (Liquid Fuels Fund) \$680.03; *Mid Penn Bank* Fire Hydrant Account \$6,629.40; *Mid Penn Bank* Escrow Account \$179,066.55; *PLGIT Prime & Term* Fire Company Vehicle/Equipment Fund \$197,075.96; *PLGIT Prime* DCIB-G Fund \$658,447.18; *PLGIT Prime* General Fund (Building, Equipment, Parks & Rec) \$502,719.62; *PLGIT Prime & Class Term* Reserve Account (Capital & Sewer) \$503,873.01; *PLGIT Prime* American Rescue Plan Act (ARPA) Fund \$543,194.78; *PLGIT Prime* Public Safety Account \$404,496.15; *Mid Penn Bank* General Operating Account \$354,553.86; *Mid Penn Bank* Money Market Account \$92.59; *Mid Penn Bank* Public Safety Account \$36,174.07; *Mid Penn Bank* Capital Reserve/Sewer Account \$49,718.90; and *Mid Penn Bank* FEMA Grant Account (Flood Mitigation Assistance Program) \$1.00 to be **\$3,436,723.10** as of December 31, 2022.

Motion by Supervisor Smith to accept the December 2022 Treasurer's Report to be filed for audit was seconded by Supervisor Cooney. *Motion passed unanimously.*

Agenda Items

Resolution 2023-02 Establishing a Fee Schedule for 2023

Motion by Supervisor Evans to adopt *Resolution 2023-02 Establishing a Fee Schedule for 2023* was seconded by Supervisor Fisher. *Motion passed unanimously.*

Red Hill Road Bridge/Culvert Replacement Project Status

HRG email correspondence dated January 3, 2023 from Ryan Hostetter, PE noted HRG was pursuing acquisition of the remaining Right-of-Way (ROW) clearances required for the project pursuant to the December 20, 2022 actions of the Board.

Time Extension Letter for Final Minor Subdivision Plan for Gary T. & Nancy L. Deimler

A January 3, 2023 written grant of extension of plan review time until February 7, 2023 to allow additional time for outstanding issues to be resolved on the *Final Minor Subdivision Plan for Gary T. & Nancy L. Deimler* was received from Melham Associates, PC.

Motion by Supervisor Fisher to accept the grant of extension of plan review time until February 7, 2023 for *the Final Minor Subdivision Plan for Gary T. & Nancy L. Deimler* was seconded by Supervisor Evans. *Motion passed unanimously.*

Employee Handbook Non-Disclosure Policy

Motion by Supervisor Fisher to adopt and incorporate the *Non-Disclosure Policy Setting Forth the Appropriate Process for the Disclosure of Township Business* as prepared by special counsel *Eckert Seamans Cherin & Mellott, LLC* into the *Employee Handbook* was seconded by Supervisor Sudia. *Motion passed unanimously.*

Reports

Township Engineer – Light-Heigel & Associates, Inc.

A written engineering report for the month of December was presented. Supervisor Smith requested that any questions from the Board pertaining to items listed in the report be presented to Manager Seeds.

Public Works – Roadmaster Robert Hofer

A written activity report dated January 3, 2023 was presented. Supervisor Smith 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 December was presented. Supervisor Smith 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 December was presented. Supervisor Smith 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 December was presented.

Committees/Organizations

No reports were presented inasmuch as no meetings were held during the month of December.

Review/Approval of Bills

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

Informational Items/Letters/Emails Received

Manager Seeds presented several items deemed to be of interest to the Board. She also noted that PSATS would be paying an annual dividend to townships based upon their low rate of Unemployment Compensation claims.

Board Member Comments/Announcements

The Board acknowledged the pending retirement of Robert (Rusty) Rusbatch as Fire Chief on January 25 and intends to recognize Rusty for his 30 years of dedicated service to the Dauphin-Middle Paxton Fire Company No. 1.

Adjournment

There being no further business, the meeting was adjourned at 8:24 PM upon a motion by Supervisor Smith, seconded by Supervisor Evans. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Assistant Secretary