



**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

July 6, 2021

**Call to Order**

The July 6, 2021 monthly business meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:01 PM by Supervisor and Chairman Jeffery Smith in the Township meeting room. Also present were Supervisor and Vice-Chairman Mike Sudia; Supervisor and Treasurer Wilbur Evans; Supervisor and Assistant Secretary James Fisher; Supervisor Larry Cooney; Township Manager, Secretary and Assistant Treasurer Julie Ann Seeds; and Ed Fisher representing the Township Engineer, *Light-Heigel & Associates, Inc.* Township Solicitor Steve Stine was absent.

**Pledge of Allegiance**

The meeting was opened with the Pledge of Allegiance.

**Public Comments**

Supervisor Smith invited comments from those in attendance who were not listed on the meeting agenda.

Ryan Evans, 1211 Clarks Valley Road representing the Clarks Creek Watershed Preservation Association (CCWPA) questioned why their organization was not listed on the agenda when CCWPA had requested to be included as an agenda item. Supervisor Smith responded that all parties intending to comment on the Pocono Business Park, LLC Application for Zoning Amendment will be invited to do so when that item comes up on the agenda.

Jim Kopenhaver, 1511 Miller Road presented the Board with a *Patriot-News* article descriptive of legislation signed by Governor Wolf on June 30 updating the state's Sunshine Act requiring state government agencies, school districts and municipalities to post their meeting agendas on their websites 24 hours in advance for public review.

## Approval of Minutes

Motion by Supervisor Evans to approve the minutes from the June 7, 2021 Monthly Business Meeting with the addition of the year 2021 to be included in the header of the minutes was seconded by Supervisor Smith. *Motion passed unanimously.*

## Treasurer's Report/Monthly Financial Statement

The June monthly Treasurer's Report showed the total of the *PLGIT Prime* State Account (Liquid Fuels Fund) \$241,208.15; *Mid Penn Bank* Fire Hydrant Account \$11,171.35; Fiduciary Funds (Escrow & Fire Co. Vehicle Replacement Accounts) \$511,612.18; *PLGIT Prime* General Fund (Building, Equipment, Parks & Rec Accounts) \$243,001.92; *PLGIT Term* Reserve Account (Capital & Sewer) \$548,990.40; *Mid Penn Bank* Money Market Account \$378,465.66; *Mid Penn Bank* General Fund (Public Safety & Operating) \$977,948.55; and *Mid Penn Bank* Public Funds Account (FEMA Flood Mitigation Assistance Grant Program) \$1.00 to be **\$2,912,399.21** as of June 30, 2021.

Manager Seeds reported having received notice from PA DCED that American Rescue Plan Act (ARPA) funds in the amount of \$268,214.86 were scheduled to be paid via ACH on July 7. ARPA funds deposited to the township's General Fund will be transferred to a separate account.

Manager Seeds distributed statements for Revenues & Expenditures for January through May 2021, as well as January through May 2020 for comparison indicating Earned Income Tax (EIT) revenues were approximately 5% higher in 2021.

Motion by Supervisor Smith to accept the June 2021 Treasurer's Report to be filed for audit was seconded by Supervisor Sudia. *Motion passed unanimously.*

## Agenda Items

### Girl Scout Silver Award Proposed Project Presentation

Girl Scout troop 10101, Service Unit 196 leader Tiffany Strahan introduced scouts Victoria Alleman and Brooke Whisler to present the troop's request to construct a Music Fence at Hagy Park to complete their Silver Award. The presentation included photographic examples of a music fence intended for disabled children who may not be able to fully enjoy the playground equipment at Hagy Park to be able to have fun and make music with a variety of materials attached to the music fence.

Ms. Alleman and Ms. Whisler explained that the music fence would need to be placed near the paved walking trail close to the playground area to facilitate wheel chair access. Girl Scout troop 10101 committed to being responsible to install and maintain the music fence and did not request any assistance from the township other than designating an approved site to place the music fence.

Motion by Supervisor Smith to approve the Silver Award project proposed by Girl Scout Troop 10101 with the proposed music fence to be placed at Hagy Park in a site identified by the township's engineer was seconded by Supervisor Evans. *Motion passed unanimously.*

The Board commended Ms. Alleman and Ms. Whisler on their Silver Award presentation and assured them of the township's full cooperation to enable Troop 10101 to successfully complete their project commitment.

#### Hagy Park Athletic Field Condition

Manager Seeds presented an estimate from All Phase Landscaping for restoring approximately 140,000 square feet of the Hagy Park athletic field which has deteriorated over the past couple of years due to an invasive weed that infiltrated the playing field leaving turfs of grass and bare spots when it dies off early in the season.

It was the consensus of the Board to prepare a set of specifications detailing the work necessary to restore the Hagy Park athletic field and to obtain additional quotations for review during the next Board meeting.

#### HEIM Company Payment Request for HVAC System and Electrical Service Upgrade

Manager Seeds presented HEIM Company invoice #21933-2 in the amount of \$20,466.03 as the final bill for completing contracted work to include installation of HVAC systems and the 400 AMP electrical service upgrade at the Fishing Creek Community Center. She noted that the total project cost of \$66,728.90 was less than the \$74,446 estimated cost approved by the Board on December 15, 2020.

Motion by Supervisor Fisher to pay HEIM Company \$20,466.03 for the contracted work completed at Fishing Creek Community Center as represented by Invoice #21933-2 was seconded by Supervisor Cooney. *Motion passed unanimously.*

#### Clarks Valley Zion Evangelical Congregational (CVZEC) Church Escrow Release Request

Light-Heigel & Associates, Inc. correspondence dated June 29, 2021 stated the CVZEC Church site development project E&S controls are in place, the infiltration basin is complete and the light pole standards are on site and recommended the township release \$96,900 of the improvement guarantee while retaining \$107,308 of the improvement guarantee until additional project work is completed.

Motion by Supervisor Fisher to release \$96,900 of the improvement guarantee for the CVZEC Church site development project and retain \$107,308 of the improvement guarantee until additional project work is completed and inspected was seconded by Supervisor Smith. *Motion passed unanimously.*

#### Pocono Business Park, LLC Application for Zoning Amendment

Manager Seeds reported that Pocono Business Park, LLC submitted a written request for their rezoning application to be tabled temporarily. The Board was also made aware of the Planning Commission's June 14 unanimous motion to recommend the Board of Supervisors does not consider or take an action on the proposed zoning amendment.

Supervisor Smith invited comments from members of the Clarks Creek Watershed Preservation Association (CCWPA), Eric Epstein and Gene Stilp who had previously requested to be on the agenda to speak to the issue of the Pocono Business Park, LLC application for zoning amendment, as well as others in the audience who also intended to present comments on that topic.

The following individuals addressed the Board citing their concerns and/or objections to the Pocono Business Park LLC petition to rezone a portion of the property identified as Dauphin County Tax Parcel ID No. 43-020-029 from the Commercial-Office District to the Commercial-Industrial District to permit construction of a proposed warehouse:

- Ryan Evans, 1211 Clarks Valley Road representing CCWPA presented the Board a petition entitled *Stop the Hagy Farm Warehouse* signed by 1,143 individuals with 405 signatures from the 17018 zip code and 63 signatures from the 17112 (Fishing Creek Valley) zip code before beginning his comments.
- Paula Zankel, 321 Clarks Valley Road and CCWPA president
- Eric Epstein, 4100 Hillsdale Road, Harrisburg spoke on his own behalf as a Central Dauphin School Board member representing Region 2 which includes Middle Paxton Township and Dauphin Borough.
- Gene Stilp, 1550 Fishing Creek Valley Road placed a large *Stop the Warehouse* sign with signatures of individuals in attendance at the meeting on the reverse intended as a petition directly in front of the Board dais and was requested by Supervisor Smith to remove the sign from that location prior to presenting his comments.
- David Rakocy, 420 River Road
- Donna DeGrandcamp, 1021 Hecks Drive
- Larry Hochendoner, 2121 Clarks Valley Road
- Tobias Kautz, 16 South Road
- Patty Smith, 4218 Kirkwood Road, Harrisburg representing Rock the Capitol
- Kevin Macomber, 1140 Riverview Road
- Storm Fuhrman, 1621 Fuhrman Lane
- Lisa Neiter, 6141 Hocker Drive, Harrisburg representing the Swatara Action Team
- Debra Noles, 6880 Hocker Drive, Harrisburg representing the Swatara Action Team
- Robin Fry, 710 Cypress Drive
- Dave Seace, 799 Forest Lane
- Bob Good, 1121 Hagy Lane
- Kyle Kuntz, 1340 Lyter Road
- Michael Tuckey, 5875 Gensmer Lane, Harrisburg representing the Swatara Action Team
- Tracy Klinger, 111 Mountain Road
- Doug Snaeder, 418 Erie Street
- William Maiser, 1100 Mountain Road also commented on the proposed restoration of the Hagy Park athletic field, a previous agenda item.
- Brett Zankel, 321 Clarks Valley Road
- Amanda Potteiger, 700 Stony Creek Road
- Joe Dux, 1130 Hecks Drive
- Sam McElwee, 731 Sam Hill Lane

Following the conclusion of the above public comments and at the request of Supervisor Sudia, the Board took a 10 minute recess before reconvening the meeting.

Jones Masonry Restoration Corp. – Public Works Garage Masonry Repair Estimate  
Motion by Supervisor Fisher to award a contract to Jones Masonry Restoration Corp. in the amount of \$9,500.00 to perform the masonry repairs specified in their May 17, 2021 proposal was seconded by Supervisor Evans. *Motion passed unanimously.*

### Hagy Park Athletic Field Condition – Agenda Item Revisited

Supervisor Smith invited Mr. William Maiser to expand upon his recommendation pertaining to the proposed restoration of the Hagy Park athletic field previously introduced during his public comments. Mr. Maiser recommended an expert in the science of soil management, i.e. an agronomist such as JAMCO, a firm he said was listed as a COSTARS vendor, be retained to advise the township and prepare proposal specifications for the work required to restore the Hagy Park athletic field.

## **Departmental Reports**

### Township Engineer

Light-Heigel & Associates, Inc. submitted a written report of items and activities completed during the month of June.

### Public Works

Road Master Robert K. Hofer II submitted a written report dated July 6.

### Zoning & Codes Enforcement

Zoning Officer Ed Fisher and Assistant Zoning Officer Julie Ann Seeds submitted a written report dated June 30. Mr. Fisher also reported the Zoning Hearing Board approved a special exception for the Harrisburg Country Club to construct a shooting range and that a Zoning Hearing is scheduled for July 14 with the applicant requesting a use variance for a detached garage conversion into an in-law apartment at 5525 North Front Street.

### Emergency Management Coordinator

EMC and Fire Chief Robert Rusbatch reported the Dauphin County declaration of disaster emergency pertaining to the Coronavirus COVID-19 pandemic expired as of June 30 and that he was wrapping up the required reporting under that declaration. He also distributed the fire company's incident reports for May 24 through June 19, as well as for January 1 through June 30.

Mr. Rusbatch distributed a specification for the standard Bureau of Forestry Wildfire Danger Rating sign and requested permission for DCNR to erect such a sign in front of the fire station which the fire company would maintain and post current fire danger ratings.

Motion by Supervisor Smith to permit DCNR to install their standard Wildfire Danger Rating sign in front of the fire station in accordance with the requirements of the Zoning Ordinance was seconded by Supervisor Evans. *Motion passed unanimously.*

Mr. Rusbatch also submitted written correspondence dated June 23 from the fire company requesting a transfer of funds in the amount of \$7,000 from the township's PLGIT Prime Fire Company Equipment Fund to the fire company's general fund to replace the out-of-service generator and halogen scene lighting on Engine 38 with a 5,000 watt inverter and LED scene lighting.

Motion by Supervisor Smith to transfer \$7,000 from the township's PLGIT Prime Fire Company Equipment Fund to the fire company's general fund was seconded by Supervisor Sudia. *Motion passed unanimously.*

Supervisor Smith reported he and Manager Seeds met with fire company officials to discuss their plans to conduct BINGO games beginning in September as a fund raiser and encouraged those in the audience who would be so inclined to volunteer their time to assist the fire company in that endeavor.

#### Sewage Enforcement Officer

No report was presented.

#### Township Manager

Manager Seeds submitted a written report summarizing items and activities completed during the month of June, as well as project items remaining to be addressed in the future. She reported that Scott Eisenhart accepted the new position of Administrative Assistant and started his employment with the township effective this date. She also reported candidates to fill the vacant position of part-time Clerk/Receptionist were being scheduled to be interviewed on Friday, July 9.

### **Committee/Organization Reports**

#### Dauphin-Middle Paxton Joint Park Authority

Supervisor Cooney reported the Authority's recently completed annual audit will be submitted to the township.

#### Capital Region Council of Governments (CapCOG)

Supervisor Fisher submitted a written report dated July 6.

#### Dauphin-Middle Paxton Fire Company Oversight Committee (aka Joint Fire Commission)

Supervisor Fisher submitted a written report dated July 6.

#### Zoning Ordinance Update Committee

Supervisor Evans reported a committee meeting was held on June 24 to review the draft Ordinance of Definitions. The committee's recommendations will be submitted to the township's consultant EP&D for a revised draft and future meetings will be scheduled to complete a revised draft of the Zoning Ordinance.

#### Dauphin County Tax Collection Committee

No report was presented.

### **Approval/Payment of Bills**

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

### **Informational Items/Correspondence Received**

Manager Seeds presented items of general interest and distributed copies of recent correspondence received by the township. Board members also acknowledged having individually received June 28 correspondence from Bob and Kathy Fisher, 1121 Miller Road requesting the Board to oppose the Pocono Business Park, LLC rezoning application.

## **Board Member Comments/Announcements**

Supervisor Sudia inquired as to the operational status of the township's solar system and was informed that HEIM Company was preparing a proposal to assume responsibility for system monitoring and maintenance.

Motion by Supervisor Fisher to pay the registration fee for any supervisor or administrative staff member requesting to attend the PSATS Centennial Celebration Dinner and Annual Business Meeting scheduled for October 14 and 15 at the Hershey Lodge was seconded by Supervisor Smith. *Motion passed unanimously.*

Supervisor Smith thanked those residents remaining in the audience at the conclusion of the meeting for attending and actively participating in the business matters brought before the Board.

## **Adjournment**

There being no further business, the meeting adjourned at 9:04 PM upon a motion by Supervisor Smith, seconded by Supervisor Cooney. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

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James H. Fisher, Assistant Secretary