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Middle Paxton Township

BOARD OF SUPERVISORS

MONTHLY BUSINESS MEETING MINUTES

June 5, 2023

Call to Order

The June 5, 2023 monthly business meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:00 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; Township Solicitor Steve Stine; and Jacob Hoffman representing the Township Engineer, Herbert, Roland & Grubic, Inc. (HRG).

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. No comments were presented.

Approval of Minutes

Motion by Supervisor Sudia to approve the minutes from the May 1 Monthly Business meeting was seconded by Supervisor Evans. *Motion passed unanimously.*

Treasurer's Report/Monthly Financial Statement

The May monthly Treasurer's Report showed the total of the *PLGIT* Liquid Fuels Fund \$693.64; *Mid Penn Bank* Fire Hydrant Account \$13,116.29; *Mid Penn Bank* Escrow Account \$207,666.55; *PLGIT* Fire Company Vehicle/Equipment Fund \$263,728.55; *PLGIT* DCIB-G Fund (Potato Valley Road Improvements) \$671,708.08; *PLGIT* General Fund (Building, Equipment, Parks & Rec) \$512,844.22; *PLGIT* Capital Reserve & Sewer Account \$560,518.59; *PLGIT* American Rescue Plan Act (ARPA) Fund \$554,134.53; *PLGIT* Public Safety Account \$412,642.56; *Mid Penn Bank* General Operating Account \$300,979.28; *Mid Penn Bank* FEMA Grant Account (Flood Mitigation Assistance Program) \$1.00 to be **\$3,498,033.29** as of May 31, 2023.

Manager Seeds reported the \$200,000 PLGIT Term investment in the Capital Reserve & Sewer Fund (interest rate of 3.43%) will reach maturity on June 16 and the \$150,000 PLGIT Term investment in the Fire Company Equipment Fund (interest rate of 5.09%) will reach maturity on June 6. The current *PLGIT* interest rate sheet indicates a PLGIT Term interest rate of 5.59% for either 180 or 270 day maturity investments and Manager Seeds recommended reinvesting the aforementioned account funds for a 270 day period to lock in the interest rate increase on account value earnings.

Motion by Supervisor Fisher to accept the May Treasurer's Report to be filed for audit and to reinvest the maturing PLGIT Term funds for a 270 day period was seconded by Supervisor Smith. *Motion passed unanimously.*

Agenda Items

Revised Draft On-Lot Sewage Management Program

Rick Roadcap inquired whether the written comments concerning the draft *Ordinance Adding an On-Lot Sewage Management Program Governing Municipal Management of On-Lot Sewage Disposal Facilities* he submitted after the April 18 Board meeting were considered to be incorporated in the revised draft ordinance. Supervisor Smith noted that Mr. Roadcap's comments were taken into consideration by the Board and requested Supervisor Fisher highlight the additional revisions being proposed to the draft ordinance which had been approved by the Board at the April 18 meeting.

Supervisor Fisher reviewed the proposed additional revisions highlighted in yellow in the copy of the revised draft ordinance distributed to the Board incorporated within the following sections:

- Section 5.
- Section 7. Subsection A.
- Section 7. Subsection D.
- Section 10. Subsection C.
- Section 10. Subsection E.
- Section 10. Subsection F.
- Section 12. Subsection B.
- Section 12. Subsection C. (to be deleted in its entirety)

Mr. Roadcap questioned whether page 6A appended to his comments was incorporated in Section 7. Subsection B. whereby it was suggested the first cycle of pumping for each homeowner would not require documentation of inspection be submitted to the Township. Supervisor Fisher stated that the proposed ordinance was solely intended to protect the groundwater of the Township to ensure a safe source of potable water for its residents and that any delay in reporting a potential malfunctioning system would place residents at risk of groundwater contamination.

Supervisor Fisher explained the required pumping/inspection cycle for the first of the four (4) Sewage Management Districts within the Township was not anticipated to be initiated until the beginning of 2024. Furthermore, Supervisor Fisher stated that the Board would not be fulfilling its obligation under the Township Code to ensure the health, safety and welfare of the citizens of the Township, as well as the requirements under the Pennsylvania Sewage Facilities Act (Act 537 Plan) by delaying documentation of the initial 4-year pumping/inspection cycle.

It was the consensus of the Board to submit the proposed revised ordinance to the Township Solicitor for final review before advertising the proposed ordinance for a public hearing.

MPT-103 McKelvey Road Bridge Rehabilitation Options

As part of the Dauphin County Small Bridge Program, the County Engineer recommended the Township address the approach guide rail, structure mounted guide rail, the approach shoulders and the approach clearance signs to Township Bridge MPT-103 which carries McKelvey Road over a tributary to Clarks Creek.

At the Township's request, HRG provided a planning level cost estimate for two options. Option 1 would be to completely replace the existing structure in order to widen the two travel lanes and provide two shoulders at a preliminary replacement cost of \$608,000 and Option 2 would be to perform the maintenance items listed in the County's inspection report at a preliminary rehabilitation cost of \$150,000.

Motion by Supervisor Smith authorizing HRG to investigate grant opportunities such as the Dauphin County Transportation Infrastructure Safety Improvement Program to fund either replacement or rehabilitation of the MPT-103 McKelvey Road Bridge was seconded by Supervisor Sudia. *Motion passed unanimously.*

Johnny A. & Carol A. Kelly House Raising Project, 1804 Towpath Road

The budget amendment request for the Flood Mitigation Assistance (FMA) project entitled *FMA 2019 Middle Paxton Township Dauphin County Elevation Project* pertaining to the residential structure located at 1804 Towpath Road and owned by Johnny A. & Carol A. Kelly has been approved and PEMA recommended the township rebid the project.

At the Township's request, Light-Heigel & Associates, Inc. provided a firm fixed-price quote dated May 19, 2023 to revise the Kelly house raising plan and associated bid specifications, as well as to manage the project.

Motion by Supervisor Fisher to award a contract to Light-Heigel & Associates, Inc. in the amount of \$5,652.00 to complete the scope of work specified in their quote dated May 19, 2023 contingent upon the scope of work being verified to include advertising for bids, issuing any required bid addenda, reviewing bids received and making a recommendation for award was seconded by Supervisor Smith. *Motion passed unanimously.*

The McNaughton Company – The Townes at Stoney Creek

Email correspondence dated June 5, 2023 from James G. Strupe, Jr., Esq. representing The McNaughton Company requested their revised Zoning Ordinance text amendment proposal to reduce the front yard setback requirements for Medium Density Residential District (R-2) and High Density Residential District (R-3) submitted for the Board's consideration at this meeting be tabled.

Declaration of Consolidation of Previously Subdivided Lots

Applicants Michael C. & Tracey E. Sudia requested the Declaration of Consolidation of Previously Subdivided Lots intended to consolidate and combine parcel No. 43-046-102 and parcel No. 43-046-103 submitted for the Board's consideration at this meeting be tabled.

Vanguard Development Group, Inc. – River View at Middle Paxton

Vanguard Development Group, Inc. submitted proposed street names for the *River View at Middle Paxton Land Development Plan* together with alternative names should the Board consider their preferred names too similar to existing street names.

Motion by Supervisor Smith for the *River View at Middle Paxton Access Drive A* to be known as *Appalachian Terrace*, *Access Drive B* to be known as *Highland Terrace* and *Access Drive C* to be known as *Boone Trail* was seconded by Supervisor Sudia. *Motion passed unanimously.*

Resolution No. 2023-05 – Transportation Infrastructure Safety Improvement Program (TISIP)

Motion by Supervisor Smith to adopt Resolution No. 2023-05 authorizing the filing of an application for a Dauphin County Transportation Infrastructure Safety Improvement Program (TISIP) grant request of \$262,600 to be used for the Potato Valley Road Stream Relocation/Enclosure Project and authorizing HRG to prepare and submit the TISIP grant application at a cost of \$3,300 was seconded by Supervisor Cooney. *Motion passed unanimously.*

CapCOG Auction Items

It was the consensus of the Board authorizing Manager Seeds to send items to the annual CapCOG auction being held on July 19 that are determined by the Road Foreman to be obsolete or having no usable value to the Township.

2023-2024 Dauphin County Local Share Municipal Grant – Proposed Project Applications

It was the consensus of the Board authorizing Manager Seeds to prepare grant applications for the following projects to be submitted for consideration under the Dauphin County Local Share Municipal Grant program (commonly known as Gaming Grants):

- Annual Debt Service for the Red Hill Road Bridge/Culvert Replacement Project DCIB Loan (\$124,000)
- Annual Debt Service for the Potato Valley Road Improvement Project DCIB-G Loan (\$40,000)
- Engineering/Site Design/Architectural Plans for the proposed Fire Company addition to the municipal building apparatus bay (currently estimated at \$250,000)
- Feasibility Study/Site Design for a new (joint) municipal public works building (currently estimated at \$150,000)
- MPT-103 McKelvey Road Bridge Rehabilitation Options (\$608,000 or \$150,000 depending upon grant funding availability)

Motion to Ratify the Separation Agreement with Roadmaster

Motion by Supervisor Smith to ratify the Separation Agreement and General Release entered into the 18th day of May 2023 by and between the Township and Roadmaster was seconded by Supervisor Cooney. *Motion passed with Supervisor Evans voting NAY.*

Reports

Township Engineer - Herbert, Roland & Grubic, Inc. (HRG)

A written engineering report dated June 1 was presented. Jacob Hoffman provided a brief summary of engineering services provided by HRG during the month.

Public Works – Road Foreman Jeff Warfel

A written activity report dated June 5 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 May 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

A written activity report for the month of May was presented. EMC Rusbatch noted that revisions would be made to the Middle Paxton Elementary School evacuation plan based upon an after action report of the recent evacuation drill.

Sewage Enforcement Officer – Brian S. McFeaters

A written activity report for the month of May 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 dated May 31 was presented in which Manager Seeds summarized activities accomplished during the month together with a list of upcoming activities anticipated for the month of June. Manager Seeds reported there was nothing on the agenda for the June Planning Commission meeting which will be canceled, but there is a Zoning Hearing Board meeting scheduled for June 21.

Manager Seeds also reported the Pocono Business Park, LLC. Land Use Appeal from the Township's deemed denial of its Application for Curative Amendment to rezone an approximate 38-acre portion of a 137-acre parcel identified as Parcel No. 43-020-039 from Commercial-Office to Commercial-Industrial was denied in a decision issued on May 25 by Dauphin County Court of Common Pleas Judge Andrew H. Dowling.

Committees/Organizations

- *Dauphin-Middle Paxton Joint Park Authority* – Supervisor Cooney reported a \$250,000 grant application was submitted to DCED on May 31 to help fund projects identified under the Master Site Plan.
- *Capital Region Council of Governments (CapCOG)* – A written report dated June 5 was presented with several items of note summarized by Supervisor Fisher.
- *Dauphin-Middle Paxton Fire Company Oversight Committee* – A written report dated June 5 was presented with several items of note summarized by Supervisor Fisher.
- *Dauphin County Tax Collection Committee* – Manager Seeds who chairs the DCTCC submitted a written report providing a synopsis of the May 17 meeting. She noted second quarter 2023 EIT collections were trending 4.8% higher over the second quarter of 2022 and that Keystone Collections recovered \$1,155,020 in delinquent taxes during the first four months of 2023.

Review/Approval of Bills

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

Informational Items/Letters/Emails Received

Manager Seeds reported May 18 correspondence from Capital Region Water (CRW) indicated they will be performing proactive maintenance within their primary transmission main (pipeline) right-of-way that may include clearing of vegetation, warning sign installations, valve inspections infrastructure improvements and painting from the DeHart Dam Reservoir to the City of Harrisburg. CRW will also be hosting a DeHart Dam Day event on Saturday, June 10 offering stakeholders an opportunity to tour the DeHart property and participate in a litter collection to clean up the surrounding area.

Correspondence was also received from the Township's Auditing Committee chairperson, Sherry Mutzabaugh, confirming the successful completion of the Audit of Township records for the Year 2022 without any reported findings. The auditors also established an hourly wage of \$25 should elected supervisors be needed on the workforce.

Manager Seeds reported the FCC released updates to the National Broadband Map identifying unserved homes and businesses lacking access to high-speed broadband. Interested parties can view the map: www.broadbandmap.fcc.gov/home and if map data is deemed to be inaccurate, submit challenges to that data via the FCC's Broadband Data Collection website.

Board Member Comments/Announcements

On behalf of the Board, Supervisor Fisher commended the Auditing Committee for their diligence and efforts to once again undertake and complete the annual audit of Township records noting that our elected auditors serve in that capacity while being compensated at the rather insignificant sum of \$10/hr. established under the Township Code. No other comments were presented.

Adjournment

There being no further business, the meeting was adjourned at 8:03 PM upon a motion by Supervisor Sudia seconded by Supervisor Cooney. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Assistant Secretary