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*Middle Paxton Township*

**BOARD OF SUPERVISORS**

MONTHLY BUSINESS MEETING MINUTES

March 2, 2020

**Call to Order**

The March 2, 2020 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 Treasurer Wilbur Evans; Supervisor and Assistant Secretary James Fisher; Supervisor Larry Cooney; Township Manager, Secretary and Assistant Treasurer Julie Ann Seeds; Solicitor Steve Stine; and Ed Fisher representing the Township Engineer, *Light-Heigel & Associates, Inc.* Supervisor and Vice-Chairman Mike Sudia 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.

Don Morse, 1011 Hecks Drive, expressed concern over his observation of the unsafe speed of vehicles traveling on Hecks Drive and Hagy Lane which are currently posted at a 35 mph speed limit. He suggested the "rolling method" be used versus the 85<sup>th</sup> percentile method when determining an allowable speed limit for residential streets. He also noted the planned *River View at Middle Paxton* development will increase traffic on those neighborhood streets and suggested the Board consider reducing the speed limit to 25 mph and/or deploying traffic calming devices.

The Board agreed to revisit this topic at its next meeting after having had the opportunity to further investigate the characteristics of those streets and the surrounding neighborhood. It was noted that the Board has the option of designating a "residential neighborhood" whereby the vehicle code permits posting a 25 mph speed limit on those streets without conducting a speed study.

## Approval of Minutes

Motion by Supervisor Cooney to approve the minutes from the February 3, 2020 monthly business meeting was seconded by Supervisor Fisher. Supervisor Evans objected noting that the February 3 minutes did not include the Solicitor's comments pertaining to Supervisor Fisher's stated objections to enacting Ordinance 2020-01. Supervisor Smith requested any suggested corrections or additions to the February 3 minutes be presented and hearing none, called for the vote. *Motion failed to be approved with Supervisor Evans voting NAY and Supervisor Smith abstaining from voting due to having been absent from that meeting.*

Motion by Supervisor Evans to table action on the February 3 minutes until next month was withdrawn when Supervisor Fisher pointed out that a motion to table an action must be made prior to the action being voted upon. The February 3 minutes will once again be placed upon the table for action during the April 6 meeting when all Board members are anticipated to be present.

## Treasurer's Report/Monthly Financial Statements

Manager Seeds presented the monthly Treasurer's Report showing the total of the *PLGIT/Prime* State Account (Liquid Fuels) \$20,294.44; *Mid Penn Bank* Fire Hydrant Account \$6,305.44; Fiduciary Funds (Escrow & Fire Co. Vehicle Replacement) \$172,549.83; *PLGIT/Prime* General Fund (Building, Equipment, Parks & Rec) \$241,991.15; *PLGIT/Term* Reserve Account (Capital & Sewer) \$792,603.19; *Mid Penn Bank* Money Market \$100,339.30 and *Mid Penn Bank* General Fund (Public Safety & Operating) \$578,985.45 to be **\$1,913,068.80** as of February 29, 2020.

Manager Seeds also distributed the January through December 2019 Profit & Loss statement showing a net income of \$275,355.47 at year's end. She reported the auditors were meeting to complete the audit of all 2019 accounts.

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

## Agenda Items

### Potato Valley Road Bridge Replacement and Roadway Realignment Project Status

Manager Seeds presented the HRG project status report dated March 2. She noted that construction continued through the past month versus a scheduled shut down as a result of the relatively mild winter weather and that the project remains on schedule for June 30, 2020 completion.

### Preliminary/Final Subdivision Plan for 2021 Fishing Creek Valley Road

Robert E. Shaffer, Jr. P.E. with ACT ONE & Associates representing the Applicant, Randall Grassmyer, presented the *Preliminary/Final Subdivision Plan for 2201 Fishing Creek Valley Road* dated January 21, 2020 (King Drive Corporation, owner of the real estate shown and described therein). The purpose of the proposed subdivision plan is to recreate Lot #2 (previous parcel 43-040-106) that once existed for the restaurant/banquet hall building on the south side of Fishing Creek Valley Road and join the portion of Lot #2 located on the north side of Fishing Creek Valley Road to be described in common on one recorded deed and be owned in fee as one parcel.

ACT One & Associates correspondence to the Board dated February 18, 2020 offered responses to Dauphin County Subdivision/Land Development Review Report No. 20-023 and Light-Heigel & Associates, Inc. correspondence dated February 6, 2020 and included an incomplete copy (pages 1 and 3) of a draft Declaration of Easement between King Drive Corporation and The Manor at Mountainview, LLC pertaining to a sanitary sewer easement to Lot #1. Light-Heigel & Associates, Inc. correspondence to the Board dated February 28, 2020 provided follow-up comments from their February 6 review of the subject plan. Manager Seeds reported the Planning Commission recommended the proposed Preliminary/Final Subdivision Plan and requested waivers be presented to the Board for approval during its February 10 meeting.,

Mr. Shaffer explained that no deeds were created from an approved May 1, 2006 subdivision plan by King Drive Corporation that combined all parcels approved under an October 9, 2001 subdivision plan by King Drive Corporation. Applicant proposes to add a note to the proposed Preliminary/Final Subdivision Plan whereby a Declaration of Termination will be recorded terminating the May 1, 2006 subdivision plan with the subject property descriptions reverting to the October 9, 2001 subdivision plan.

Stanley J. A. Laskowski, Esq. counsel for King Drive Corporation addressed the Board and confirmed the intent of his client to execute and record the Declaration of Termination as a condition of Preliminary/Final Subdivision Plan approval. Angelique Grassmyer also addressed the Board concerning the plans for use of the property currently situated on Lot #2 intended to be deeded to The Manor at Mountainview, LLC.

Motion by Supervisor Cooney to grant the requested seven (7) waivers described in ACT ONE & Associates correspondence to the Board dated January 21, 2020 and approve the *Preliminary/Final Subdivision Plan for 2021 Fishing Creek Valley Road* dated January 21, 2020 subject to: 1) the *Declaration of Easement* for the sanitary sewer force main and absorption areas on Lot #1 being submitted to and approved by the Township Solicitor prior to being signed and recorded; 2) Applicant/Owner satisfying all review comments contained in Light-Heigel & Associates, Inc. correspondence to the Board dated February 28, 2020; 3) the understanding that no lot lines on the subject Preliminary/Final Subdivision Plan dated January 21, 2020 can be changed without the plan being resubmitted to the Planning Commission for review; 4) Applicant/Owner satisfying all review comments contained in the Dauphin County Subdivision/Land Development Review Report No. 20-023; and 5) the *Declaration of Termination* of the May 1, 2006 subdivision plan being recorded and a corresponding notation being entered into the notes listed on the subject Preliminary/Final Subdivision Plan was seconded by Supervisor Smith. *Motion passed unanimously.*

#### Preliminary/Final Land Development Plan for Zion Evangelical Congregational Church

Correspondence dated February 24, 2020 to the Board signed by William A. Burch & Associates Agent for Zion Evangelical Congregational Church requested a time extension until June 8, 2020 on the *Preliminary/Final Land Development Plan for Zion Evangelical Congregational Church* submitted on June 11, 2019 to provide additional time for NPDES Permit approval and to address the Township Engineer's comments.

Motion by Supervisor Smith to accept the Applicant's grant of a time extension until June 8, 2020 on the *Preliminary/Final Land Development Plan for Zion Evangelical Congregational Church* was seconded by Supervisor Evans. *Motion passed unanimously.*

### Proposed On-Lot Sewage Management Program

The Board reviewed the draft Ordinance being prepared for *Adding an On-Lot Sewage Management Program Governing Municipal Management of On-Lot Sewage Disposal Facilities*. The draft ordinance distributed for review incorporated a limited number of changes suggested during the Board's informational session held on February 24 with the Township's Sewage Enforcement Officer and Solicitor to review the various requirements and provisions of the proposed program and ensure compliance with Act 537. The Board requested the definition of "Malfunction" (Section 2.M.) be modified to fully incorporate elements of PADEP's corresponding definition.

Motion by Supervisor Fisher to advertise the proposed Ordinance *Adding an On-Lot Sewage Management Program Governing Municipal Management of On-Lot Sewage Disposal Facilities* was seconded by Supervisor Cooney. *Motion passed unanimously.*

### Request for Speed Limit Posting of Streets in Fishing Creek Estates

Manager Seeds reported having received requests for the streets within Fishing Creek Estates (Hickory Hollow Road, Pine Needles Drive, Mountainview Drive and Mountain Ridge Lane) be posted to limit speeding being observed by residents.

Motion by Supervisor Fisher to designate Fishing Creek Estates as a "residential neighborhood" and direct the Solicitor to prepare and advertise an ordinance establishing a speed limit of 25 mph for those named streets within the subject development was seconded by Supervisor Smith. *Motion passed unanimously.*

### 2020 Hourly Rates for Trackhoe Equipment and Operator Engagements

Written quotes were received from Robinson's Excavating & Mulch LLC, B.R. Mutzabaugh Jr., Inc. and Keystone Contracting, Inc. for trackhoe equipment and operator engagements on an hourly rate basis during calendar year 2020.

Motion by Supervisor Smith to engage Robinson's Excavating & Mulch LLC at an hourly rate of \$105.00 when trackhoe equipment and an operator are required to supplement Roadcrew operations based upon the Roadmaster's recommendation was seconded by Supervisor Evans. *Motion passed unanimously.*

### Municipal Property Improvement and Maintenance Quotes

- N.A.S. Contracting, LLC estimate No. E2020001 to provide all materials and install 4 new LED high bay 18,000 lumen 5000K light fixtures in the salt shed to replace the defective lighting fixtures at a total cost of \$1,410.00 was distributed to the Board.

Motion by Supervisor Cooney to award N.A.S. Contracting, LLC a contract in the amount of \$1,410.00 for the work described in their estimate No. E2020001 was seconded by Supervisor Evans. *Motion passed unanimously.*

- B.R. Mutzabaugh Jr. Inc. estimate No. 338 to provide annual landscape services and spraying of weeds on the municipal building campus at a total cost of \$2,323.00 was distributed to the Board.

Manager Seeds suggested the Township's summer seasonal workers be assigned to perform those services including the spraying of weeds with a product called

*FoamStream* that is not a herbicide requiring a license for application. The Board recommended the proposed landscape services be assigned to our summer seasonal workers as suggested by Manager Seeds.

#### Proposed Hagy Park Rental Agreement

A draft rental agreement between the Township and the Dauphin Athletic Association (DAA) for use of the Hagy Park playing fields, concession stand and restroom facilities during the 2020 softball and soccer seasons was distributed to the Board.

Motion by Supervisor Cooney to approve the proposed Hagy Park Rental Agreement contingent upon it being reviewed by the Township's Solicitor was seconded by Supervisor Evans. *Motion passed unanimously.*

#### Dauphin Area Senior Transit (DAST)

Manager Seeds reported the Finance Committee had reviewed the DAST offer to sell the Township their 2012 Toyota Sienna van at the reported trade-in value of \$8,500 which was determined comparable to *Kelley Blue Book* private party "good condition" fair purchase price ranges. The DAST offer letter to the Finance Committee included a copy of the vehicle service history records noting the current vehicle mileage as being 93,111.

Manager Seeds also reported the Township's 2005 Chevrolet Venture van with its 118,767 current mileage (previously purchased from DAST when they acquired the 2012 Toyota Sienna) was beginning to show signs of rust, as well as other maintenance issues that will need to be addressed.

Motion by Supervisor Cooney to purchase the 2012 Toyota Sienna van from DAST at a price of \$8,500 and dispose of the Township's 2005 Chevrolet Venture van at the annual CapCOG municipal auction was seconded by Supervisor Fisher. *Motion passed with Supervisor Smith voting NAY.*

#### Draft Employee Handbook Policies and Job Description

Manager Seeds distributed draft policy guidelines for online and social media communications, as well as a policy regarding intoxicants (alcohol and intoxicating drugs) in the workplace to the Board to be considered as additions to the Employee Handbook. She also distributed a draft Administrative job description for the Board's consideration.

Motion by Supervisor Fisher to refer the proposed social media and intoxicants in the workplace policies, as well as the proposed Administrative Assistant job description to the Personnel Committee for their review and recommendations was seconded by Supervisor Smith. *Motion passed unanimously.*

#### Improvement Guarantee Matter for Subdivision Plans

Manager Seeds reported issues have been presented pertaining to improvement guarantees for the Mockingbird Road Extended and Spruce Drive/Larch Circle subdivision plan, as well as the Holly Hills Phase IV subdivision plan.

Motion by Supervisor Smith to direct the Township's Solicitor and Engineer to review all available documentation pertaining to the improvement guarantees for the Mockingbird Road Extended and Spruce Drive/Larch Circle subdivision plan and Holly Hills Phase IV

subdivision plan and make recommendations to the Board on addressing the reported issues was seconded by Supervisor Fisher. *Motion passed unanimously.*

## **Reports**

### Engineer – Light-Heigel & Associates, Inc.

A written report of items and activities completed during the month of February was presented.

### Roadmaster – Robert Hofer

A written report dated March 2 was presented.

### Zoning Officer – Ed Fisher

A written report dated February 27 was presented.

### Emergency Management Coordinator – Robert Rusbach

A written report for the month of March was presented.

### Manager – Julie Ann Seeds

A written report dated March 2 was presented. The Board commended the Township Manager and staff for the excellent presentation of the recently published Spring edition of the *Middle Paxton Digest*.

Supervisor Fisher recommended pricing be obtained for a trailer capable of transporting the Township's wheel loader or backhoe to work sites versus equipment being driven to remote work locations throughout the Township in order to minimize wear on those pieces of equipment, excess fuel consumption and the inherent risk to equipment operators being required to travel on highways such as S.R. 22/322, S.R. 225, S.R. 325 and S.R. 443.

### Committees/Organizations

- Dauphin-Middle Paxton Joint Park Authority

Supervisor Cooney reported the Authority intended to rework the walking trail through the park this spring.

- Dauphin-Middle Paxton Joint Public Safety Committee

Supervisor Cooney reported a meeting of the committee would be scheduled and Solicitor Stine reported Ordinance 2020-01 and the corresponding Certificate Requesting Termination of the Dauphin-Middle Paxton Joint Public Safety Authority had been filed with the State Corporation Bureau.

- Capital Region Council of Governments (CapCOG)

A written report dated March 2 was presented by Supervisor Fisher.

- Dauphin-Middle Paxton Fire Company Oversight Committee

A written report dated March 2 was presented by Supervisor Fisher. Supervisor Evans requested the Fire Company be thanked for having invited Township officials to their annual awards banquet held recently at the Harrisburg Country Club.

- Zoning Ordinance Update Committee

Manager Seeds reported the committee met on February 27 to complete its review of Article 18 (Administration and Enforcement) and the Ordinance of Definitions. Another committee meeting will be scheduled during March to continue the Zoning Ordinance update project.

## **Review/Approval of Bills**

The listing of vendor bills for the March meeting was distributed to the Board for review/approval.

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

## **Executive Session**

Not required.

## **Information Items/Letters Received**

Manager Seeds had nothing of interest to report.

## **Board Member Comments**

In the interest of public safety, proper and timely mail delivery and with the concurrence of the Dauphin Postmaster, Supervisor Fisher recommended the Township initiate either an address change (beginning at 1800) or road name change for those residences on Miller Road Extended. He explained Miller Road address numbering ends at 1771, while addresses on Miller Road Extended duplicate Miller Road addresses ranging from 1751 to 1760. Deliveries intended for Miller Road Extended residences are routinely being made to Miller Road addresses. He expressed his concern for delays with EMS, Fire and/or law enforcement dispatches being encountered due to the duplication of address numbering.

Motion by Supervisor Fisher for the Township to assign new address numbers beginning at 1800 for those residences located on Miller Road Extended from Mountain Road (S.R. 325) to Capp Lane was seconded by Supervisor Smith. *Motion passed unanimously.*

Supervisor Fisher recommended the Planning Commission be made aware of PSATS *Township Planning Association* membership benefits including a free subscription to the *Pennsylvania Township News* (full-membership only); discounted member rates on professional development classes for planning officials; free subscription to the *Township Planner* and the *PSATS News Bulletin*; and online access to the planner discussion group, sample ordinances, resolutions and more in the "Members Only" section of the PSATS website. Should Planning Commission members be interested in this offering, full-membership status for the chairperson would be \$125/year, while partial-membership for all other members would be \$50/year.

## **Adjournment**

There being no further business, the meeting was adjourned at 9:09 PM upon a motion by Supervisor Smith, seconded by Supervisor Cooney. *Motion passed unanimously.*

Respectfully submitted,

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James H. Fisher, Assistant Secretary

**SIGNATURE ON FILE AT TOWNSHIP OFFICE**