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Middle Paxton Township

BOARD OF SUPERVISORS

MONTHLY BUSINESS MEETING MINUTES

March 6, 2023

Call to Order

The March 6, 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 Treasurer Wilbur Evans; Supervisor and Assistant Secretary James Fisher; Township Solicitor Steve Stine; and Jacob Hoffman representing the Township Engineer, Herbert, Roland & Grubic, Inc. (HRG). Supervisor and Vice-Chairman Mike Sudia, Supervisor Larry Cooney and Township Manager, Secretary and Assistant Treasurer Julie Ann Seeds were absent.

Pledge of Allegiance

The meeting was opened with the Pledge of Allegiance.

Supervisor Smith announced the Board held an executive session immediately prior to the Monthly Business meeting to discuss matters pending litigation and obtain legal advice from the solicitor.

Public Comments

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

Mike Kraft informed the Board of the consumer fireworks display limitations within 150 feet of animal housing facilities or fenced areas and the increased penalties associated with a recent amendment to Pa. C.S. Title 3; Chapter 1100. Mr. Kraft presented a tri-fold publication of the *Pennsylvania Equine Council* detailing those limitations which he requested be published in the township's newsletter, as well as posted on the township website.

Supervisor Smith introduced Jacob Hoffman representing HRG to the audience announcing that HRG has been engaged as the new township engineer.

Approval of Minutes

Motion by Supervisor Evans to approve the minutes from the February 6 Monthly Business meeting was seconded by Supervisor Smith. *Motion passed unanimously.*

Motion by Supervisor Smith to approve the minutes from the February 21 Monthly Workshop meeting was seconded by Supervisor Evans. *Motion passed unanimously.*

Treasurer's Report/Monthly Financial Statement

The February monthly Treasurer's Report showed the total of the *PLGIT Prime* State Account (Liquid Fuels Fund) \$685.04; *Mid Penn Bank* Fire Hydrant Account \$6,765.78; *Mid Penn Bank* Escrow Account \$190,616.55; *PLGIT Prime & Term* Fire Company Vehicle/Equipment Fund \$197,429.16; *PLGIT Prime* DCIB-G Fund \$663,387.39; *PLGIT Prime* General Fund (Building, Equipment, Parks & Rec) \$506,491.43; *PLGIT Prime & Class Term* Account (Capital Reserve & Sewer) \$555,314.48; *PLGIT Prime* American Rescue Plan Act (ARPA) Fund \$547,270.27; *PLGIT Prime* Public Safety Account \$407,531.01; *Mid Penn Bank* General Operating Account \$339,765.74; *Mid Penn Bank* Public Safety Account \$0.00; *Mid Penn Bank* FEMA Grant Account (Flood Mitigation Assistance Program) \$1.00 to be **\$3,415,257.85** as of February 28, 2023.

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

Agenda Items

Potato Valley Road Improvement Project – Tree Removal Bids

Motion by Supervisor Fisher to award a contract to *Kline's Tree Service*, deemed to be the lowest responsible bidder, in the amount of \$18,900 to remove the trees required for the township to proceed with the Potato Valley Road Improvement project was seconded by Supervisor Evans. *Motion passed unanimously.*

2023 Road Repair Project Bid Results

Motion by Supervisor Fisher to award a contract to *Russell Standard Corp.*, deemed to be the lowest responsible bidder, in the amount of \$143,775 or \$3.33 per square yard for seal coat work and \$0.93 per square yard for fog seal work was seconded by Supervisor Smith. *Motion passed unanimously.*

Custer Development Company – Fishing Creek Estates Sewer Treatment Agreement

Stan Custer representing *Custer Development Company* and David Schirmer representing the *Fishing Creek Estates Homeowners' Association* presented a request for the township to sign as Joinder to the Sewer Treatment Agreement between the *Fishing Creek Estates Homeowners' Association* and *Custer Development Company* and to release the *Custer Development Company* \$50,000 Letter of Credit held by the township following transfer of ownership and responsibility, as well as full operational control, management and responsibility for the sewage treatment facility and access road to the *Fishing Creek Estates Homeowners' Association*.

Supervisor Fisher noted the Agreement was between the *Fishing Creek Estates Homeowners' Association* and *Custer Development Company*, that the township was not a named party to the Agreement and stated his objections to the township signing the Agreement as Joinder.

Motion by Supervisor Smith to release the *Custer Development Company* \$50,000 Letter of Credit held by the township was seconded by Supervisor Evans. *Motion passed unanimously.*

Supervisor Fisher once again voiced his objections to the township signing the Agreement as Joinder without the Board having entertained a motion, second and voting to do so.

Reapprove – Preliminary/Final Subdivision Plan for 2201 Fishing Creek Valley Road

The Board approved the *Preliminary/Final Subdivision Plan for 2201 Fishing Creek Valley Road* at its August 1, 2022 Monthly Business meeting, however, the applicant's engineer failed to record the plan with Dauphin County within the required 90-day period from the date of approval.

Motion by Supervisor Smith to reapprove the *Preliminary/Final Subdivision Plan for 2201 Fishing Creek Valley Road* subject to all conditions stated in the initial approval motion of August 1, 2022 was seconded by Supervisor Evans. *Motion passed unanimously.*

Susquehanna Township Proposal for Mulch Grinding

Motion by Supervisor Smith to accept a March 1, 2023 proposal by Susquehanna Township to process woody waste onsite at the township's brush site for a daily rate of \$1,000 with the quoted rate to include labor for an operator and loader, mulch processor, fuel and miscellaneous maintenance items was seconded by Supervisor Evans. *Motion passed unanimously.*

Reports

Township Engineer

Light-Heigel & Associates, Inc. – A written engineering report for the month of February was presented. Supervisor Smith summarized items and activities reported as having been completed during the month.

Herbert, Roland & Grubic, Inc. (HRG) – A written engineering report dated March 3 was presented. Jacob Hoffman summarized services initiated to provide a seamless and rapid integration of HRG into the township's daily operations following the township's action to engage HRG as township engineer on February 21.

Public Works – Roadmaster Robert Hofer

A written activity report dated March 6 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 February 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 February 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

No report was presented.

Committees/Organizations

- *Dauphin-Middle Paxton Joint Park Authority* – Supervisor Fisher summarized an email from Supervisor Cooney reporting the Authority held a public meeting at the township's Joint Municipal Building on February 13 for a final review of the proposed Master Site Plan. Once finalized and printed, a copy of the final plan will be forwarded to the Board and the Authority will start the grant request process. It was noted that most of the grant funds will require a match from the Authority with DCNR grants allowing ARPA funds to be used for matching purposes.
- *Capital Region Council of Governments (CapCOG)* – A written report dated March 6 was presented with action items summarized by Supervisor Fisher.
- *Dauphin-Middle Paxton Fire Company Oversight Committee* – A written report dated March 6 was presented with action items summarized by Supervisor Fisher.
- *Dauphin County Tax Collection Committee* – No report was presented.

Review/Approval of Bills

Motion by Supervisor Smith to pay all vendor bills listed for the March 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

No items were presented.

Board Member Comments/Announcements

Supervisor Evans reported having attended the open house for Representative Joe Kerwin's recently opened Linglestown legislative district office and bringing to Representative Kerwin's attention the difficulty the township has experienced in its continuing requests to PennDOT for replacing the burnt out street light at the intersection of Hagy Lane and Allegheny Street.

Supervisor Fisher reminded the Board of the April 23-26 PSATS 2023 Educational Conference & Exhibit Show and Parade of Flags at the beginning of Monday's opening general session recognizing member townships, as well as the Tuesday evening Legislative Grassroots Reception with our elected state senators and representatives.

Adjournment

There being no further business, the meeting was adjourned at 7:40 PM upon a motion by Supervisor Smith, seconded by Supervisor Evans. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Assistant Secretary