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Middle Paxton Township

**BOARD OF SUPERVISORS
REGULAR MONTHLY MEETING MINUTES
May 6, 2013**

Call to Order

The May 6, 2013 regular monthly meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:00 PM by Chairman Andrew Megonnell in the Township meeting room. Also present were Supervisor James Fisher, Vice Chairman and Secretary; Supervisor Richard Peffer, Treasurer; Supervisor Mitchell Rissinger; Supervisor Mary Jane Davis; Julie Seeds, Township Manager and Assistant Secretary/Treasurer; Steve Stine, Township Solicitor; and Ed Fisher, Township Engineer. **Note:** Supervisor Davis was later excused from the meeting at 7:50 PM.

Pledge of Allegiance and Public Comments

Following the Pledge of Allegiance, public comments were requested from those in attendance.

Ron Hull of 910 Sprucewood Avenue thanked the Township and Road Master Robert Hoffer for installation of the scoreboard and flag poles at the Dauphin-Middle Paxton Community Park that was completed in time for baseball opening season. Mr. Hull also reported that Dauphin Recreation Association (DRA) had approached the Joint Park Authority concerning acquisition of DRA property with DRA maintaining responsibility for continued pool operations. Mr. Hull questioned whether the Township and Borough must approve any land acquisition by the Joint Park Authority inasmuch as DRA was informed that was the case. The Board of Supervisors requested its solicitor review the Articles of Incorporation and Ordinance which established the Joint Park Authority to determine whether any such requirement was stated therein.

Approval of Minutes

Chairman Megonnell requested a motion to approve the minutes from the April 1, 2013 regular monthly meeting. Motion made by Supervisor Rissinger to approve the minutes from the April 1, 2013 regular monthly meeting was seconded by Supervisor Davis. *Motion passed unanimously.*

Treasurer's Report/Monthly Financial Statement

Julie Seeds, Assistant Secretary/Treasurer, presented the Treasurer's Report and reported the total of designated and undesignated funds was \$2,002,519.12 at the end of April. Ms. Seeds reported Mid Penn Bank has provided notice that Money Market Account interest rates for Township accounts would be decreased from 0.85% to 0.30%.

Motion made by Supervisor Rissinger to move the Equipment Fund (Money Market Account# 9135) and New Building Fund (Money Market Account# 9093) from Mid Penn Bank to another banking institution offering a rate of interest better than 0.50% was seconded by Supervisor Davis. *Motion passed unanimously.*

Ms. Seeds reported the Centric Bank CD# 1550 in the amount of \$126,980.97 was transferred to the Centric Bank General Checking Account# 3935 upon having reached maturity as approved by the Board of Supervisors during the April 1 meeting.

Ms. Seeds provided a profit and loss statement indicating the Township operated at a loss of \$35,377.27 during the month of April due primarily to a reduction in earned income tax (EIT) returns. EIT income is anticipated to increase as first quarter returns are collected and remitted.

Motion made by Supervisor Davis to approve the Treasurer's Report and Monthly Financial Statement to be filed for audit was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Agenda Items

Fort Hunter Time Extension #5

HRG, Inc. on behalf of the Dauphin County Commissioners submitted a request for another 6-month extension to allow continued work on the Fort Hunter Station Adaptive Reuse Project before resubmitting their application to the Zoning Hearing Board. Motion made by Supervisor Rissinger to grant another 6-month extension for the Fort Hunter Station Adaptive Reuse Project was seconded by Supervisor Davis. *Motion passed unanimously.*

Resolution 2013-04 Municipal Pension Plan - Chief Administrative Officer Appointment

Ms. Seeds reported the Municipal Pension Plan Funding Standard and Recovery Act 205 of 1984 requires pension reports be prepared under the supervision and direction of the Chief Administrative Officer of the Municipality. Motion made by Supervisor Davis to adopt Resolution 2013-04 appointing the Township Manager as Chief Administrative Officer of its Non-Uniformed Pension Plan was seconded by Supervisor Fisher. *Motion passed unanimously.*

Fire Truck – PEMA Loan Agreement

Ms. Seeds reported having received a request from the Dauphin-Middle Paxton Fire Company to cosign the fire company's \$110,000 PEMA Loan Application for funds necessary to purchase the KME pumper/tanker. The Township is required to cosign the PEMA loan application inasmuch as the Township is providing at least 20% of the total project funding by entering into a separate \$125,000 commercial loan agreement to complete the purchase under the terms of the Dauphin County Local

Share Municipal Grant Program agreement. It was the consensus of the Board that the Solicitor should first review the entire PEMA Loan Application once it was complete before the Township Manager executes the PEMA Loan Application on behalf of the Township.

Gaming Grant Agreement – Fire Truck

Ms. Seeds reported having executed the Gaming Grant Agreement received under the Dauphin County Local Share Municipal Grant Program. It was also determined that KME Fire Apparatus was able to quote the Custom Predator Severe Service X-MFD Pumper Tanker under the COSTARS program, but not yet determined whether the Township or fire company was authorized to make the purchase under the terms of the Gaming Grant Agreement. The Board requested Ms. Seeds contact the Dauphin County Department of Community and Economic Development (DCED) to determine whether the Township or fire company was authorized to be the purchaser under the terms of the Grant Agreement.

Spectra Energy/Texas Eastern Agreement – Ibberson Property

Michael Long and David Shipe, Right-of-Way agents assigned to Texas Eastern Transmission, presented a Temporary Workspace Permit (TWP) pertaining to entry onto the Ibberson Park property for installation of a 36" diameter pipeline. Solicitor Stine had reviewed the previous Right-of-Way (ROW) agreements dated 1954, 1958 and 1962 permitting previous pipeline installations and those ROW agreements were confirmed as being correct. The following revisions to the TWP conditions were requested before that agreement would be considered for execution by the Township:

- The Township should be compensated in the event environmental erosion and sedimentation control devices be required outside of the TWS and provisions for such compensation should be stated within the TWS (condition #1);
- The calculation of compensation for damages to growing crops, timber or fences should be clearly spelled out (condition #5); and
- The clause "insofar as is practicable" should be struck (condition #5).

The TWP was requested to be redrawn by Texas Eastern Transmission and submitted to the Township's solicitor for review prior to the June meeting.

Jens Damgaard – New road name for private road parallel to River Road

Ms. Seeds presented a request from Jens Damgaard to name a private road accessing four lots across the canal that runs parallel to River Road. Mr. Damgaard submitted Pentti Lane, Magnolia Lane or Lock Gate Lane as suggested names. Motion by Supervisor Rissinger to name the private road Pentti Lane was seconded by Supervisor Fisher. *Motion passed unanimously.*

Meeting Room Rental Rates

Ms. Seeds reported the Township was receiving additional requests for use of the Municipal Building meeting room by various parties and presented meeting room use agreements currently in effect for Susquehanna Township and Lower Paxton Township as guidelines. The Board indicated those use conditions with which it concurred and requested a draft meeting room use agreement be compiled and presented for Board action at the June meeting.

Reports

Emergency Management Coordinator – Robert Rusbatch – No report was presented

Dauphin-Middle Paxton Joint Park Authority – No report was presented.

Solicitor – Steven Stine, Esquire

Solicitor Stine reported the Township's appeal of the Zoning Hearing Board Decision Granting Appeal, with Reservations, from Zoning Officer's Determination Regarding Yard Adjustment Regulations in Case No. 2013-1 (appellant Jennifer Lynn Maldonado, a/k/a Jennifer Del Sol residing at 440 River Road) has been filed with the Dauphin County Court of Common Pleas.

Engineer – Ed Fisher – See attached report.

Engineer Fisher completed draft bid specifications for re-roofing the Fishing Creek Community Building and requested input from the Board regarding options for roofing materials. It was the consensus of the Board that the base option should be architectural shingles with option #1 being designer slate style shingles and option #2 being standing seam metal roofing material.

A proposed change order in the amount of \$750.00 for the municipal building parking lot paving contractor to repair the electric line paving trench for the fire company sign was presented for the Board's consideration. A motion by Supervisor Fisher to approve the parking lot change order was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Parking lot line painting quotes were also being requested based upon the previously approved plan.

Road Master – Robert Hofer - See attached report.

Mr. Hofer also reported he was requesting quotes from landscapers for over seeding and treatment of the municipal building lawn and that the road crew will be tasked with planting the additional trees and shrubs that were anticipated to be delivered to complete the municipal building landscape.

The Board requested that quotes be obtained for a trailer that could be used to haul all of the Township's mowing equipment from site to site.

Zoning and Codes Enforcement Officer – Alicia Riegel-Kanth – See attached report.

Manager's Report– Julie Seeds

Ms. Seeds reported:

- An amicable solution was obtained with the property owner affected by the Linden Lane cul-de-sac having been paved beyond the subdivision right-of-way. A deed of dedication was being prepared for that portion of the Childe property to be dedicated to the Township that should enable the Township to accept dedication of Linden Lane.

- A loss control meeting was scheduled with Penn Prime to compile loss control measures necessary to be adopted by the Township no later than July 1. Those measures should be incorporated in an employee manual intended to be presented for adoption at the June meeting.
- No further discussions have occurred to date with the Borough of Dauphin regarding the proposed maintenance agreement for the Borough's portion of Stony Creek Road nor has the Borough responded to the Township's suggestion to enter into discussions leading to a DCED feasibility study of a proposed municipal merger.

Review/Approval of Bills

Motion made by Supervisor Fisher to pay the April 2013 General and New Municipal Building bills presented for payment was seconded by Supervisor Rissinger. *Motion passed unanimously.*

Information Items/Letters Received

Ms. Seeds reported having received the following correspondence:

- A Liquid Fuels check in the amount of \$142,195.29 was received and deposited; and
- A letter was received from Shirley Kanoff thanking the Township for assisting Dauphin Area Senior Transit (DAST) in their operations throughout the year.

Executive Session

The Board recessed into executive session at 9:14 PM to discuss matters pending litigation and employee matters upon a motion by Supervisor Fisher, seconded by Supervisor Rissinger. *Motion passed unanimously.*

The Board reconvened into regular session at 9:42 PM and took no actions regarding items discussed during executive session.

Board Member Comments

Supervisor Rissinger reported that a township resident was performing community service at Hagy Park under his direct supervision. Supervisor Rissinger also reported that the proposed appointments to the Parks and Recreation Board are still under review and that additional applicants are being solicited.

Adjournment

There being no further business, the meeting was adjourned at 9:57 PM upon a motion by Supervisor Fisher, seconded by Supervisor Peffer. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Secretary