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*Middle Paxton Township*

**BOARD OF SUPERVISORS**

REGULAR MONTHLY MEETING MINUTES

November 2, 2015

**Call to Order**

The November 2, 2015 regular monthly meeting of the Middle Paxton Township Board of Supervisors was called to order at 7:01 PM by Chairman Andrew Megonnell in the Township meeting room. Also present were Supervisor James Fisher, Vice-Chairman and Secretary; Supervisor Jeffery Smith, Treasurer; Supervisor Mitch Rissinger; Supervisor Richard Pepper; Julie Ann Seeds, Township Manager and Assistant Secretary/Treasurer; Steve Stine, Township Solicitor; and Ed Fisher, Township Engineer.

**Pledge of Allegiance**

The meeting was opened with the Pledge of Allegiance.

**Public Comments**

Chairman Megonnell invited public comments from those in attendance who were not listed on the meeting agenda.

Ron Hull, a member of the Dauphin-Middle Paxton Joint Park Authority, reported Dauphin Recreation Association (DRA) has provided the Authority with all requested information to perform their due diligence regarding the proposed transfer of DRA property to the Authority and that the Authority intended to take action on the proposed land transfer and subsequent lease-back agreement to DRA for continued pool operations at their November 23<sup>rd</sup> meeting.

**Approval of Minutes**

Chairman Megonnell requested a motion to approve the minutes from the October 5, 2015 regular monthly meeting. Motion by Supervisor Smith to approve the minutes from the October 5, 2015 regular monthly meeting was seconded by Supervisor Rissinger. *Motion passed unanimously.*

## **Treasurer's Report/Monthly Financial Statement**

Julie Ann Seeds, Assistant Secretary/Treasurer, presented the monthly Treasurer's Report showing the total of Fiduciary Accounts \$115,791.95, State Accounts \$202,862.75 and General Accounts \$1,419,308.32 to be \$1,737,963.02 as of October 31, 2015. Township Manager Seeds reported the \$73,448.47 balance on the Mid Penn Bank loan for the fire company's KME pumper/tanker was satisfied as of October 9<sup>th</sup> via electronic payment from Dauphin County under the awarded Gaming Grant. Township Manager Seeds also reported having received notice from Centric Bank that the interest being paid on the General Reserve Account #3935 would be reduced from 0.8% to 0.65% effective December 1, 2015.

Motion by Supervisor Smith to accept the October 2015 Treasurer's Report to be filed for audit was seconded by Supervisor Rissinger. *Motion passed unanimously.*

## **Agenda Items**

### Preliminary Subdivision and Land Development Plan for River View at Middle Paxton

Eric Clancy, a principal with LDI Associates Dauphin LLC, presented the *Preliminary Subdivision and Land Development Plan for River View at Middle Paxton* (revised October 26, 2015).

In addition to members of the Board, the following residents directed questions and comments regarding the preliminary plan to Mr. Clancy:

- John Scheidler, 1120 Hagy Lane
- Ed McGeehan, 1051 Hecks Drive
- David Bergdoll, 721 Adams Lane
- Dawn Freeland, 1251 Maple Avenue
- Issac Tressler, 431 Vesta Drive
- Riitta Lukkari, 410 River Road
- Wilbur Evans, 111 Affection Road
- Sam McElwee, 731 Sam Hill Lane
- Lisa Good, 1121 Hagy Lane

### Hagy/Hecks Concerned Citizens Action Committee

Joe Dux, 1130 Hecks Drive, representing the committee, directed comments to the Board and Mr. Clancy pertaining to correspondence dated October 27, 2015 which provided a summary of alleged plan deficiencies and was distributed to the Board prior to the meeting. The Committee's concerns and comments were based upon the Owner/Developer's preliminary plan submitted to and reviewed by the Township's Planning Commission on October 12, 2015.

Township Engineer Ed Fisher noted the majority of the outstanding comments listed in his August 10 and October 9, 2015 review letters pertaining to the preliminary plan requirements under the Township's Zoning Ordinance and Subdivision and Land Development Ordinance (SALDO) had been satisfied by the Owner/Developer in their October 26, 2015 plan revision submitted to the Board.

Plan review comments that have been satisfied, as well as those partially satisfied and still outstanding are detailed in his October 30, 2015 correspondence to the Board. The Board inquired whether the Owner/Developer had prepared a response to the Township Engineer's October 30 correspondence noting items not yet satisfied, whereupon Mr. Clancy stated they had not received the Township Engineer's October 30 review comments.

Supervisor Smith requested the Owner/Developer grant the Board a 90-day time extension for the preliminary plan approval process whereupon Owner/Developer's legal counsel, Attorney Tom Scott, declined to grant that request.

Motion by Supervisor Smith to disapprove the *Preliminary Subdivision and Land Development Plan for River View at Middle Paxton* based upon the Owner/Developer's failure to meet all conditions of the Township Engineer's review comments dated October 30, 2015 including inadequate sight distances for Access Road C, proposed conveyance of an existing Township Right-of-Way consisting of 2.04 acres indicated to be combined with land of the Owner/Developer, and outstanding stormwater issues was seconded by Supervisor Peffer.

Supervisor Fisher requested an immediate recess to conference with the Township Solicitor in executive session, whereupon Chairman Megonnell called for a 10-minute recess for the Board to conference with its Solicitor regarding the legal implications of the motion under consideration.

Upon reconvening, the Board requested the Owner/Developer grant the Board a time extension for the preliminary plan approval process until the Board's December 21, 2015 workshop meeting. Upon receipt of a handwritten grant of time extension until December 21, 2015 for the preliminary plan approval process presented by the Owner/Developer's legal counsel, Supervisor Smith withdrew his motion pending action before the Board.

Motion by Supervisor Fisher to accept the Owner/Developer's grant of time extension until December 21, 2015 for the preliminary plan approval process on the *Preliminary Subdivision and Land Development Plan for River View at Middle Paxton* was seconded by Supervisor Rissinger. *Motion passed unanimously.*

#### Stony Creek Road 'S' Curve Project – Final Design Drawings

Township Engineer Ed Fisher presented an engineering drawing for the proposed Stony Creek Road "S" Curve Project. It was the Board's consensus to include proposed improvements to manage stormwater emanating from Killinger Road in a second project phase. The project engineering drawing to widen Stony Creek Road by two (2) feet immediately prior to Stone Glen Road through Huffman Drive was reviewed by the Board, as well as residents Rick Roadcap, 1321 Stony Creek Road, and Howard Clemm, 1311 Stony Creek Road. Mr. Roadcap reminded the

Board of his previous request for the speed limit to be reduced to 25 MPH through the 'S' curve.

Motion by Supervisor Rissinger to solicit bids for the Stony Creek Road 'S' Curve Project to widen the roadway during 2016 in preparation for a final overlay proposed during 2017 and conduct a speed study through the 'S' curve beginning at the Stone Glen Church and ending at the Stoney Valley Service Center prior to roadway widening was seconded by Supervisor Smith. *Motion passed unanimously.*

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

Township Manager Seeds presented an Alignment Study completed by HRG for the Potato Valley Road Bridge and Roadway Realignment Project. The study included a comparison matrix for an alternative alignment that uses the existing bridge to maintain traffic through construction versus the "as proposed" alignment which would require traffic to be detoured during construction. The alternative alignment would result in a design speed of 25 MPH versus 35 MPH, require 950 feet versus 750 feet of roadway construction, increase the size of the bridge from 1,625 SF to 1,865 SF and increase estimated construction costs by \$400,000. In recommending the "as proposed" alignment, HRG proposes to minimize impact on school buses by scheduling construction during late spring and summer of 2017, as well as investigating provisions for a temporary truck turnaround area at the top of the hill or adjacent to the bridge.

Motion by Supervisor Rissinger for HRG to proceed with the "as proposed" alignment for the *Potato Valley Road Bridge and Roadway Realignment Project* was seconded by Supervisor Fisher. *Motion passed unanimously.*

#### Request for Elizabeth Avenue Speed Limit Posting

Township Manager Seeds reported having received a request for posting a speed limit on Elizabeth Avenue from parents with school aged children waiting for school buses. A citizen complaint had been filed with the Pennsylvania State Police (PSP) regarding excessive speeds on Elizabeth Avenue, but the PSP investigating officer noted the permitted speed limit for Elizabeth Avenue to be 55 MPH under PA Code Title 75, Section 3362 inasmuch as a speed limit was not posted.

Motion by Supervisor Smith to conduct a speed study on Elizabeth Avenue and provide Dauphin Borough notification of that study and a request for the Borough to participate in the cost of the speed study was seconded by Supervisor Rissinger. *Motion passed unanimously.*

#### 2016 Budget Discussion

Township Manager Seeds distributed a preliminary draft of the 2016 General Fund Budget and year-to-date statements noting the 2016 budget account numbers do not match the previous year budget since *QuickBooks* has now been updated to

match DCED's chart of accounts. Township Manager Seeds advised the Board a workshop meeting would be needed on Tuesday, November 17 in order to finalize the budget to be advertised for 30-days prior to adoption at the December 21 workshop meeting.

## **Reports**

Solicitor – Steve Stine, Esq.

No report was presented.

Engineer – Ed Fisher, P.E.

See attached report.

Road Master – Robert Hofer

See attached report.

Zoning and Codes Enforcement Officer – Julie Seeds

See attached report.

Emergency Management Coordinator – Robert Rusbatch

Mr. Rusbatch reported he continues to meet with the emergency planning team in preparation for the May-July 2016 closure of Route 11/15 and diversion of traffic to Routes 22/322.

Manager's Report – Julie Seeds

See attached report.

## Committee/Organization Reports

- Dauphin-Middle Paxton Joint Park Authority – No report was presented.
- Dauphin-Middle Paxton Joint Public Safety Authority – Chairman Megonnell reported the Authority continues to solicit buyer interest in the abandoned house required to be removed from the Authority's property and intends to solicit bids for demolition during 2016 should a sale not be deemed feasible.
- Capital Region Council of Governments (CapCOG) – Supervisor Fisher reported he attended the October 19<sup>th</sup> meeting and noted the following items:
  - State Senator Patricia Vance provided comments on the state budget delay, discussed parameters for state pension reform and the need for mental health programs.
  - HRG presented the benefits received by the Borough of Middletown from having entered into a 50-year sewer system lease to United Water as an example of public/private partnerships.
  - Morton Salt was the only bidder for the 2015-2016 road salt contract entered into with CapCOG with pricing at \$93.40/ton delivered 5 business days ARO with no min or max purchase requirement (COSTARS salt pricing ranges from \$84-86/ton with municipalities committed to purchasing 60% of their estimated order).

## **Review/Approval of Bills**

The listing of vendor bills for October was distributed to the Board for review/approval. Motion by Supervisor Rissinger to pay all vendor bills listed for October upon clarification of bills in the amount of \$1,278.93 and \$756.31 for Truck #1 inspection and repairs presented by Warren's Truck & Auto was seconded by Supervisor Smith. *Motion passed unanimously.*

## **Information Items/Letters Received**

Township Manager Seeds presented items of general interest, as well as recent correspondence received by the Township that did not require Board action. The Dauphin County Gaming Grant hearing is scheduled for 5:30 PM on Wednesday, November 18 to review the Township's grant application.

## **Board Member Comments**

No comments were presented.

## **Executive Session**

Not required.

## **Adjournment**

There being no further business, the meeting was adjourned at 9:40 PM upon a motion by Supervisor Smith, seconded by Supervisor Rissinger. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

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James H. Fisher, Secretary