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*Middle Paxton Township*

**BOARD OF SUPERVISORS**

MONTHLY BUSINESS MEETING MINUTES

September 16, 2021

**Call to Order**

The September 16, 2021 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 Ed Fisher representing the Township Engineer, *Light-Heigel & Associates, Inc.*

**Pledge of Allegiance**

The meeting was opened with the Pledge of Allegiance. Immediately following, Supervisor Smith reported that an executive session of the Board of Supervisors was held on Thursday, September 9 to obtain legal advice from the Township Solicitor.

**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 Smith to approve the minutes from the August 2, 2021 Monthly Business Meeting was seconded by Supervisor Evans. *Motion passed unanimously.*

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

The August monthly Treasurer's Report showed the total of the *PLGIT Prime* State Account (Liquid Fuels Fund) \$185,696.85; *Mid Penn Bank* Fire Hydrant Account \$10,559.81; Fiduciary Funds (Escrow & Fire Co. Vehicle/Equipment Fund Accounts) \$360,717.98; *PLGIT Prime* General Fund (Building, Equipment, Parks & Rec Accounts) \$243,018.67; *PLGIT Term* Reserve Account (Capital & Sewer) \$549,028.24; *Mid Penn Bank* Money Market Account \$378,755.01; *Mid Penn Bank* General Fund (Public Safety & Operating) \$997,027.33; and

Mid Penn Bank Public Funds Account (FEMA Flood Mitigation Assistance Grant Program) \$1.00 to be **\$2,724,804.89** as of August 31, 2021.

Manager Seeds reported the Fire Company Vehicle/Equipment Fund account was transferred from PLGIT to Mid Penn Bank on September 2 as indicated on the transaction report for Mid Penn Bank account 1564. Manager Seeds also reported the first compliance report to DCED under the American Rescue Plan Act (ARPA) funding was due on October 31 and distributed a copy of ARPA *frequently asked questions* provided by Zelenkofske Axelrod LLC, a CPA firm retained to assist the township in administration of those funds.

Motion by Supervisor Fisher to accept the August 2021 Treasurer's Report to be filed for audit was seconded by Supervisor Smith. *Motion passed unanimously.*

## **Agenda Items**

### Pocono Business Park LLC

Supervisor Smith presented Pocono Business Park LLC correspondence dated September 10, 2021 stating it was withdrawing its application for the Zoning Amendment filed on its behalf by Salzman Hughes, P.C. Attorneys at Law on March 11, 2021.

### Clarks Valley Zion Evangelical Congregational (CVZEC) Church Escrow Release Request

Light-Heigel & Associates, Inc. correspondence dated September 14, 2021 indicated having reviewed the CVZEC Church request for release of an additional \$47,508 for having completed E&S controls, infiltration basin and paving work. They recommended the township release \$41,171 and retain \$12,134 of the improvement guarantee until all remaining project work is complete and performance of the infiltration basin is achieved.

Motion by Supervisor Fisher to release an additional \$41,171 of the improvement guarantee for the CVZEC Church site development project and retain \$12,134 of the improvement guarantee until the Township Engineer determines all remaining project work is complete was seconded by Supervisor Evans. *Motion passed unanimously.*

### Well Isolation Distance Waiver Request – 331 Lakewood Drive

A well isolation distance waiver request dated September 14, 2021 was received from Nelson L. Ziegler Excavating, Inc. pertaining to the Dalton Jones property located at 331 Lakewood Drive stating that correction of a malfunctioning on-lot sewage disposal system requires installation of a *Norweco* aerobic septic tank and UV light system with an at-grade absorption area that will encroach upon the regulated isolation distance of 100 feet to their existing well water supply.

Mr. Dalton Jones personally presented the waiver request noting that the maximum distance that can be obtained between his existing well and the only area on the lot deemed suitable by the Township Sewage Enforcement Officer (SEO) for installation of the replacement system is approximately 20 feet due to the restrictions of lot size and required isolation distance to an adjacent neighbor's well.

Motion by Supervisor Fisher to approve a waiver of the regulated 100 feet well isolation distance contingent upon execution of a hold-harmless and indemnification agreement prepared by the Township Solicitor being properly executed, recorded and affixed to the property deed of record and receipt of SEO correspondence validating the aforementioned waiver request was seconded by Supervisor Smith. *Motion passed unanimously.*

### Hagy Park Athletic Field Restoration Bid Results

Bids were received for aeration, top-dressing, seeding and the application of fall fertilizer and lime for approximately 140,000 sq. ft. of the athletic field playing surface from *Tomlinson & Bomberger* in the amount of \$13,985.50 and *All Phase Landscaping* in the amount of \$14,134.00.

Motion by Supervisor Smith to accept the *Tomlinson & Bomberger* bid in the amount of \$13,985.50 for aeration, top-dressing, seeding and application of fall fertilizer and lime for approximately 140,000 sq. ft. of the Hagy Park athletic field playing surface was seconded by Supervisor Evans. *Motion passed unanimously.*

### Municipal Building Parking Lot ADA Compliance

Manager Seeds reported the township would be unable to complete the corrective action for the current handicap parking spaces in front of the municipal building main entrance for the building to be deemed handicap accessible by the Dauphin County Bureau of Elections in advance of the November 2<sup>nd</sup> General Election. She suggested an immediate solution would be to designate temporary handicap parking spaces to the north of the building entrance concrete sidewalk during the November 2<sup>nd</sup> General Election.

The Board concurred with the recommended temporary handicap parking solution during the November 2<sup>nd</sup> General Election with the concurrence of the Fire Company since the proposed temporary handicap parking area would impede use of the Fire Company's left rear bay door. Light-Heigel & Associates, Inc. was directed to issue bid specifications for the necessary corrective action to bring the current handicap parking spaces into ADA compliance.

### Final Minor Subdivision Plan for Sean & Elizabeth Miriello Time Extension

A September 14, 2021 written grant of extension of plan review time until December 31, 2021 to allow time to resolve outstanding issues pertaining to the Final Minor Subdivision Plan for Sean & Elizabeth Miriello was received from Melham Associates, PC.

Motion by Supervisor Fisher to accept the grant of extension of plan review time until December 31, 2021 for the Final Minor Subdivision Plan for Sean & Elizabeth Miriello was seconded by Supervisor Smith. *Motion passed unanimously.*

### HRG Potato Valley Road Wetland Mitigation Monitoring Report & Recommendations

The HRG Potato Valley Road Wetland Mitigation Monitoring Report dated May 2021 describes the wetland mitigation area as performing well for its stage of succession, but recommended the poison hemlock found within the mitigation area be manually removed or selectively sprayed inasmuch as it is listed on PA DCNR's invasive species list.

Motion by Supervisor Smith for a member of the township road crew to obtain pesticide application certification required to handle and apply weed killer to weeded areas throughout the township was seconded by Supervisor Sudia. *Motion passed unanimously.*

The Board requested staff to obtain quotes from a licensed commercial firm to eliminate the poison hemlock from the Potato Valley Road wetland mitigation area.

Applied Micro Systems, LTD Software for On-lot Sewage Management Program Tracking  
Manager Seeds presented a proposal dated August 10, 2021 from Applied *Micro Systems, LTD* (AMS) for a software solution to manage the township's proposed on-lot sewage management program. The AMS software solution has an abundance of options providing a full suite of management reports and tracking.

Supervisor Fisher noted the Board's March 2, 2020 motion to advertise the proposed *Ordinance Adding an On-Lot Sewage Management Program Governing Municipal Management of On-Lot Sewage Disposal Facilities* was still on the books despite that action having been delayed due to COVID-19 mitigation restrictions on meeting room capacity required for a public hearing on the proposed ordinance.

Motion by Supervisor Fisher to acquire the AMS software program for a total first year cost of \$2,895 including system licensing, conversion of resident data, program customization, installation, training and user support was seconded by Supervisor Sudia. *Motion passed unanimously.*

#### Dauphin 250<sup>th</sup> Anniversary Celebration

Cheryl Cuddy co-chair of the Dauphin 250<sup>th</sup> Anniversary Celebration Committee described the various celebration activities to take place on Saturday, October 16<sup>th</sup> at the old Dauphin School grounds and gazebo in the town square in conjunction with the Dauphin-Middle Paxton Historical Society's annual Community Day.

Ms. Cuddy requested township assistance in making a request to PPL to enable placement of *Hometown Hero* banners on power poles within the township, as well as a \$2,500 contribution to help offset costs of celebration associated security, fireworks display, music performances, etc. during the one-day event that was postponed from 2021 due to the COVID-19 pandemic mitigation restrictions.

Motion by Supervisor Smith to provide a \$2,500 contribution to the Dauphin 250<sup>th</sup> Anniversary Celebration Committee was seconded by Supervisor Evans. *Motion passed unanimously.*

The Board also requested staff to assist the committee in obtaining permission from PPL to enable placement of *Hometown Hero* banners on power poles within the township.

#### Employee Pension Plan Minimum Municipal Obligation for 2022 Budget

Motion by Supervisor Smith to certify the calculations of the Middle Paxton Township Employee Pension Plan Financial Requirement and Minimum Municipal Obligation for the 2022 Municipal Budget totaling \$24,843 to be deposited into the Plan's assets by December 31, 2022 was seconded by Supervisor Fisher. *Motion passed unanimously.*

## **Departmental Reports**

### Township Engineer

Light-Heigel & Associates, Inc. submitted a written report of items and activities completed during the month of August. Ed Fisher reported DEP permits were being prepared to facilitate replacement of McKelvey Road culverts damaged during recent major storms. He also recommended the Board defer the site improvement guarantee for the *Preliminary/Final Minor Subdivision and Land Development Plan for Jeffrey C. Smith* until such time a building permit is requested.

Motion by Supervisor Fisher to defer the site improvement guarantee for the *Preliminary/Final Minor Subdivision and Land Development Plan for Jeffrey C. Smith* until a building permit is requested was seconded by Supervisor Smith. *Motion passed unanimously.*

#### Public Works

Roadmaster Robert K. Hofer II submitted a written report of items and activities completed during the month of August. September 14, 2021 email correspondence from Anna Marie Sossong, 71 Briardale Road, following a visit to her property by the Roadmaster and a representative of Light-Heigel & Associates, Inc. outlined issues regarding maintenance of an alleged easement through which stormwater flows across her property from Briardale and Creek Roads to Clarks Creek. The Board requested Township Solicitor Stine address the issues raised in Ms. Sossong's correspondence.

#### Zoning & Codes Enforcement

Zoning Officer Ed Fisher and Assistant Zoning Officer Julie Ann Seeds submitted a written report of items and activities completed during the month of August.

#### Emergency Management Coordinator

EMC Robert Rusbatch submitted a written report and a September 13 email update regarding the township's Wednesday, September 1, 2021 Declaration of Disaster Emergency pertaining to Tropical Storm Ida. The Board expressed its appreciation to EMC Rusbatch and the Dauphin-Middle Paxton Fire Company No. 1 for their efforts in responding to events and protection of the public during Tropical Storm Ida.

#### Sewage Enforcement Officer

SEO Brian S. McFeaters submitted a written activity report for the month of August.

#### Township Manager

Manager Seeds submitted a written report summarizing items and activities completed during the month of August, as well as projects and matters currently being addressed. She also reported the township office would have to be closed all day on Wednesday, September 22 while *Higher Information Group* would be in the process of installing the new server and computer system.

### **Committee/Organization Reports**

#### Dauphin-Middle Paxton Joint Park Authority

Supervisor Cooney reported the Dauphin Recreation Association (DRA) will hold a public meeting regarding the proposed Dauphin Pool renovation at 7 PM on Tuesday, September 21<sup>st</sup> at the St. Matthew Church Parish Activity Center. DRA's consultant, Aquatic Facility Design, will present a proposal to rehab and renovate the pool to fix current issues, improve accessibility and provide added features for the enjoyment of the community.

#### Capital Region Council of Governments (CapCOG)

Supervisor Fisher submitted a written report dated September 16.

#### Dauphin-Middle Paxton Fire Company Oversight Committee (aka Joint Fire Commission)

Supervisor Fisher submitted a written report dated September 16. Supervisor Smith reminded the audience that the fire company would be holding its inaugural BINGO night

on Thursday, September 30<sup>th</sup> and was seeking assistance from the community to continue BINGO fund raisers during subsequent Thursday nights.

Zoning Ordinance Update Committee

No report was presented.

Dauphin County Tax Collection Committee

Supervisor Evans reported the DCTCC was scheduled to meet at 6:30 PM on Thursday, September 22<sup>nd</sup> in the township's meeting room.

**Approval/Payment of Bills**

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

**Informational Items/Correspondence Received**

Copies of recent correspondence received by the township were included in the Board's meeting folder. Photographs of the recently completed Music Fence erected at Hagy Park by Girl Scout Troop 10101 as its Silver Award Project were also distributed to the Board. The music fence is intended for disabled children who may not be able to fully enjoy the playground equipment at Hagy Park to be able to have fun and make music with a variety of materials attached to the music fence.

The Board commended Girl Scout Troop 10101 for having successfully completed its Silver Award Project and expressed its appreciation for the handicap accessible addition to the Hagy Park playground area for the enjoyment of our youth.

**Board Member Comments/Announcements**

Supervisors Sudia and Cooney commended the road crew for their efforts to maintain and restore damaged township roadways during the back-to-back Wednesday storms including Tropical Storm Ida on September 1<sup>st</sup>.

Supervisor Fisher recommended purchase of a weather-proof outside bulletin board to be placed on the outside wall to the right of the municipal building entrance doors for posting office hours, meeting notices and agendas, etc. noting that ARPA funds could be used to offset that cost.

**Adjournment**

There being no further business, the meeting adjourned at 8:15 PM upon a motion by Supervisor Smith, seconded by Supervisor Sudia. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

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James H. Fisher, Assistant Secretary