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Middle Paxton Township

BOARD OF SUPERVISORS

MONTHLY BUSINESS MEETING MINUTES

September 8, 2022

Call to Order

The September 8, 2022 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; and Ed Fisher representing the Township Engineer, Light-Heigel & Associates, Inc. Supervisor and Vice-Chairman Mike Sudia and Township Solicitor Steve Stine were absent.

Pledge of Allegiance

The meeting was opened with the Pledge of Allegiance.

Supervisor Smith announced there was an executive session held immediately prior to this monthly business meeting to discuss a personnel matter and matters pending litigation.

Public Comments

Supervisor Smith invited comments from those in attendance regarding items not listed on the published meeting agenda. No comments were presented.

Approval of Minutes

Motion by Supervisor Evans to approve the minutes from the August 1, 2022 Monthly Business meeting was seconded by Supervisor Cooney. *Motion passed unanimously.*

Motion by Supervisor Smith to approve the minutes from the August 18, 2022 workshop 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) \$242,121.55; *Mid Penn Bank* Fire Hydrant Account \$7,171.62; *Mid Penn Bank* Fiduciary Funds (Escrow & Fire Co. Vehicle/Equipment Accounts) \$421,007.75; *PLGIT Prime* General Fund (Building, Equipment, Parks & Rec Accounts) \$495,845.76; *PLGIT Prime & Term* Reserve Account (Capital & Sewer) \$501,017.72; *PLGIT* American Rescue Plan Act (ARPA) Funds \$269,749.10; *PLGIT* Public Safety Account \$400,868.33; *Mid Penn Bank* Money Market Account \$129,555.69; *Mid Penn Bank* General Fund (Public Safety & Operating) \$209,682.00; *Mid Penn Bank* Reserve Account (Capital & Sewer) \$49,580.41; and *Mid Penn Bank* FEMA Grant Account (Flood Mitigation Assistance Program) \$1.00 to be **\$2,726,600.93** as of August 31, 2022.

Manager Seeds reported the second and final payment of the American Rescue Plan Act (ARPA) funds in the amount of \$269,062.68 was anticipated to be direct deposited tomorrow. She also reported the Finance Committee would be meeting to make a recommendation on reinvesting the *PLGIT Prime* funds in the Reserve Account having a term ending 9/13/2022, as well as to discuss future ARPA fund projects.

Motion by Supervisor Smith to accept the August 2022 Treasurer's Report to be filed for audit was seconded by Supervisor Cooney. *Motion passed unanimously.*

Agenda Items

Ordinance 2022-02

PFM Financial Advisors LLC Managing Director Scott Shearer outlined the parameters of the \$664,000 General Obligation Note under the Dauphin County Infrastructure Bank (DCIB) Program to fund the capital project for improvements to Potato Valley Road including base repair, paving, widening, stream relocation, stream restoration, tree removal and culvert replacement. The DCIB term of financing is 20 years at a net interest rate of 1.74% resulting in an average net fiscal year debt service of \$39,658.

Attorney David Unkovic with McNees Wallace & Nurick, serving in the capacity of DCIB Program bond counsel, reviewed the terms of the required ordinance authorizing the issuance of a general obligation note for the incurrence of non-electoral debt for the township to undertake the aforementioned capital project.

Motion by Supervisor Smith to adopt Ordinance 2022-02 Authorizing the Issuance of a General Obligation Note in the Principal Amount of \$664,000 to fund the capital project for improvements to Potato Valley Road was seconded by Supervisor Fisher. *Motion passed unanimously.*

Red Hill Road Bridge/Culvert Replacement Project Status

Manager Seeds presented the HRG September 8 status report indicating HRG would be finalizing the contract documents for the township's review in the upcoming month, as well as completing the one remaining ROW acquisition. Advertisement for bids is re-scheduled for November with project award and construction notification to proceed during January 2023.

Richard Davis - Driveway Pipe Issues at 609 Stoney Creek Drive

Although having submitted a request to be on the agenda to discuss replacement of a drainage pipe under his driveway, Mr. Davis was not present during the meeting.

Municipal Solid Waste & Recycling Collection

Manager Seeds reported *Waste Management of Pennsylvania, Inc.* and *Valley Waste Solutions, Inc.* submitted bids in response to the revised and reissued Middle Paxton Township Municipal Solid Waste Collection and Disposal and Recyclables Collection invitation to bid for a 2-year (October 1, 2022 through September 30, 2024) period of performance. No bids had been received on August 11 in response to the township's invitation to bid for a 5-year period of performance.

Valley Waste Solutions, Inc. submitted a base program total bid amount of \$3,289,216.80 for the 2-year period and *Waste Management of Pennsylvania, Inc.* submitted a base program total bid amount of \$2,711,016.00 for the 2-year period.

Motion by Supervisor Fisher to enter into agreement with *Waste Management of Pennsylvania, Inc.* effective October 1, 2022 granting the contractor the exclusive right and obligation to collect and dispose of municipal solid waste and collect and deliver recyclable materials from township residential establishments was reluctantly seconded by Supervisor Smith inasmuch as the monthly cost to maintain the current level of residential service represents a considerable increase from current contract rates. *Motion passed unanimously.*

Addition to the Agenda – Land Lease Agreement with Cellco Partnership d/b/a Verizon Wireless

Manager Seeds distributed a proposed Land Lease Agreement with Cellco Partnership d/b/a Verizon Wireless that was not listed on the meeting agenda.

Motion by Supervisor Smith to add an agenda item to enable the Board to take action on the proposed Land Lease Agreement with Cello Partnership d/b/a Verizon Wireless was seconded by Supervisor Cooney. *Motion passed unanimously.*

Manager Seeds noted the lease agreement had been fully reviewed by Solicitor Stine and would permit Verizon Wireless to install, maintain and operate communications equipment upon a portion (approximately 10,000 square feet) of township property located to the north of the upper maintenance garage. Verizon Wireless proposes to construct a 50' x 50' telecommunications compound to include a 150' monopole antenna tower, equipment storage and backup generator inside a 100' x 100' fenced area within the township's brush and roadway material storage site.

Motion by Supervisor Smith to enter into a Land Lease Agreement with Cellco Partnership d/b/a Verizon Wireless which would be deemed null and void should a corresponding site plan not be presented to the Board for review and approval was seconded by Supervisor Cooney. *Motion passed unanimously.*

Time Extension for Final Minor Subdivision Plan over lands of WRTR Properties, LLC

A September 1, 2022 written grant of extension of plan review time until the December 2022 Supervisors meeting to allow additional time to resolve review comments pertaining

to the Final Minor Subdivision Plan over lands of WRTR Properties, LLC was received from Burget & Associates, Inc.

Motion by Supervisor Fisher to accept the grant of extension of plan review time until the December 2022 Supervisors meeting for the *Final Minor Subdivision Plan over lands of WRTR Properties, LLC* was seconded by Supervisor Evans. *Motion passed unanimously.*

Stormwater Escrow Release Requests

- Crescent, LLC for 5208 Mountain View Drive (Lot 70 Fishing Creek Estates)

Motion by Supervisor Smith to release the Improvement Guarantee in the amount of \$5,500 held for the Crescent, LLC property located at 5208 Mountain View Drive (Lot 70 Fishing Creek Estates) pursuant to Light-Heigel & Associates, Inc. correspondence dated August 8, 2022 indicating the required stormwater facilities have been completed in general conformity with the approved plan was seconded by Supervisor Evans. *Motion passed unanimously.*

- Crescent, LLC for 5209 Mountain View Drive (Lot 51 Fishing Creek Estates)

Motion by Supervisor Smith to release the Improvement Guarantee in the amount of \$5,500 held for the Crescent, LLC property located at 5209 Mountain View Drive (Lot 51 Fishing Creek Estates) pursuant to Light-Heigel & Associates, Inc. correspondence dated August 8, 2022 indicating the required stormwater facilities have been completed in general conformity with the approved plan was seconded by Supervisor Evans. *Motion passed unanimously.*

Chestnut Hill Phase 1 Improvement Guarantee Reduction Request

Motion by Supervisor Fisher to reduce the bond amount held for the site improvement of Phase 1 for the Chestnut Hill subdivision from \$323,398.32 to \$71,492.18 pursuant to Light-Heigel & Associates, Inc. correspondence dated September 7, 2022 indicating the erosion and sediment controls, roadway construction, base paving, stormwater facilities and landscape screening have been completed in conformance with the approved plans was seconded by Supervisor Smith. *Motion passed unanimously.*

Employee Pension Plan Minimum Municipal Obligation (MMO) for 2023 Municipal Budget

Motion by Supervisor Smith to certify the calculations of the Middle Paxton Township Employee Pension Plan Financial Requirement and Minimum Municipal Obligation (MMO) for the 2023 Municipal Budget totaling \$22,394 to be deposited into the Plan's assets by December 31, 2023 was seconded by Supervisor Cooney. *Motion passed unanimously.*

Reports

Township Engineer – Light-Heigel & Associates, Inc.

A written engineering report for the month of August was presented.

Public Works – Roadmaster Robert Hofer

A written activity report dated September 1, 2022 was presented. Supervisor Smith requested that any questions from the Board pertaining to items listed in that 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 August was presented. Supervisor Smith requested that any questions from the Board pertaining to items listed in that report be presented to Manager Seeds.

Emergency Management Coordinator – Robert Rusbatch

Manager Seeds reported FEMA and PEMA obligated funding for damages attributed to the 2021 Hurricane Ida storm was anticipated to be received in the near term.

Sewage Enforcement Officer – Brian McFeaters

A written activity report for the month of August was presented. Supervisor Smith requested that any questions from the Board pertaining to items listed in that report be presented to Manager Seeds.

Township Manager – Julie Ann Seeds

A written activity report for the Month of August was presented. Manager Seeds highlighted several items included in her written report.

Committees/Organizations

- *Dauphin-Middle Paxton Joint Park Authority* – Supervisor Cooney reported the Authority has scheduled a public meeting for September 26 to present Master Site Plan preliminary design options.
- *Capital Region Council of Governments (CapCOG)* – A written report dated September 8 was presented by Supervisor Fisher.
- *Dauphin-Middle Paxton Fire Company Oversight Committee* – A written report dated September 8 was presented by Supervisor Fisher.
- *Zoning Ordinance Update Committee* – Manager Seeds reported the committee met on August 22 and completed its final review of the draft ordinance. The final draft of the proposed Zoning Ordinance update will be presented to the Planning Commission for their review once the committee's recommended revisions are fully incorporated in the final draft.
- *Dauphin County Tax Collection Committee (DCTCC)* – Supervisor Evans reported the DCTCC did not meet during the prior month.
- *Parks & Recreation Committee* – Manager Seeds reported email correspondence has been issued to members of the committee to determine their availability for a September meeting date.

Review/Approval of Bills

Motion by Supervisor Smith to pay all vendor bills listed for the September meeting including the *Schirmer Construction, LLC* final invoice in the amount of \$29,643.91 for the contracted work for the archive room buildout, the *Russell Standard* invoice in the amount of \$249,476.59 for completion of the 2022 roadway chip seal and fog seal projects and to authorize payment of all recurring monthly expenses upon receipt to avoid late-charge penalties was seconded by Supervisor Cooney. *Motion passed unanimously.*

Informational Items/Letters/Emails Received

No items were presented.

Board Member Comments/Announcements

No comments were presented.

Adjournment

There being no further business, the meeting was adjourned at 8:06 PM upon a motion by Supervisor Smith, seconded by Supervisor Cooney. *Motion passed unanimously.*

Respectfully submitted,

SIGNATURE ON FILE

James H. Fisher, Assistant Secretary