

**Upper Paxton Township Board of Supervisors
Regular Monthly Meeting
June 13, 2012**

Those in attendance: Ron Hepner, Joseph Snyder, and John Orr, Supervisors, Betty Warfel, Secretary/Treasurer; Peter Howland, Esquire; and Randy Witmer.

The meeting was called to order by Chairman Ron Hepner at 7:00 p.m. All present recited the Pledge of Allegiance to the flag.

Public Comments: None

Minutes of the May 9th Regular Monthly Meeting were reviewed by the Supervisors. Joe Snyder made a motion to accept the meeting minutes of the May monthly meeting as presented. Second by John Orr. All in favor, motion carried.

Treasurer Warfel presented a financial statement and list of bills for payment. Following review of the treasurer's report, Joe Snyder made a motion to pay all the bills as presented. Ron Hepner seconded the motion. With all in favor, motion carried.

Old Business:

Progress on Acceptance of the Early Bird/Night Owl Storage Land Development Plan: Chairman Hepner stated that no further information had been received since Monday's Workshop meeting. Representatives from Early Bird/Night Owl have not contacted the Township office in the interim. Concerns that were requested by the Supervisors have been addressed in the revised Plan. No correspondence containing either acceptance or denial of the plan by DEP has been received. The deadline for the Board's acceptance of the plan had been extended 90 days, which will occur on June 17th. The Operation and Maintenance Agreement Stormwater Management Best Management Practices dated March 7, 2012, was reviewed by Supervisors and Attorney Howland. This Agreement should be in the name of the record title holder for the property – whether that be Lenker & Knorr or Early Bird/Night Owl Storage. John Orr reiterated his earlier concern that the retention ponds need to contain a permeable base. John Orr moved that the Early Bird/Night Owl Land Development Plan be approved with the condition that the Board is given an assurance that the stormwater retention basins will infiltrate stormwater and subject to any additional provisions deemed necessary by the Department of Environmental Protection and Dauphin County Conservation District reviews, pursuant to Chapter 26, Section 562(c), of the Township's Code of Ordinances. Ron Hepner seconded the motion. With all in favor, motion carried. Written notification of the Board's decision will be prepared and mailed to Donald Lenker and Ronald Knorr.

Burned Out One-half Duplex House in Lenkerville: Clean-up activity appears to be taking place at the property; however, the extent of the cleanup and repair work is unknown. Chairman Hepner observed broken glass and debris during a site visit. Hepner and Secretary Warfel will prepare correspondence addressed to both owners of the property requesting that they attend the next township meeting and provide an update on the progress of the clean-up. The letter will contain provisions of the sections of the Township's Code of Ordinances that are being violated at the present time.

Mobile Home Issue at Rabbit Hill Estates: Complaints have been received about the hazardous conditions posed by the rundown condition of the uninhabited mobile home in this subdivision. The garage door is missing and allows vermin to enter the home. The grass is not mowed. Supervisors instructed Randy Witmer to notify the trailer's owner that he is in violation of the Township's nuisance and dangerous property ordinances.

New Business:

Complaints regarding ATV Activity on the Township's Lenkerville Property: Supervisors have received numerous reports of excessive noise due to ATV activity at the residence of Scottie Long at 425 First Street in Lenkerville, a/k/a Parcel 65-029-0001. Long's property covers less than ¼ acre and is completely surrounded by the Township's property. Supervisors have talked to individual who represented himself as the property's owner regarding the complaints; however, this person proved not to be the real owner. State police have advised neighbors that criminal trespass cannot be charged if the Township's property has not been posted as "No Trespassing". The ATV activity is causing erosion on the Township's property because the grass and shrubs have been torn up by the vehicles. Allegations of trees having been cut down on the Township's property have also been made. Maps, ownership documentation, and photos of the property and erosion were reviewed. A portion of the Long house appears to be situated on the Township's land. One option for curtailing the ATV activity would be to adopt an Ordinance forbidding operation of any ATV on Township property and posting the property. Correspondence will be prepared requesting that Mr. Long come to the Township office to review the maps indicating the small size of his property and to discuss the issue of the damage and erosion that the ATV activity has caused on the Township's property.

Possible Transfer or Sale of the Township's Land in Lenkerville: Supervisors proceeded to discuss the possibility of transferring Parcel 65-028-022 to the Millersburg Area Authority. Attorney Howland informed the Board that there would not be any legal issue with the Supervisors transferring ownership of this parcel to another municipal entity or authority. A sale of the parcel would require advertising and bidding. There appears to be no reason to maintain or any possible use for this piece of land by the Township. John Orr explained that the Township came into ownership of the land from Robert Travitz, former owner of the Berry Springs Water Company, as an intermediary between Mr. Travitz and the Millersburg Area Water Authority for the purchase of the water company. The Township has derived no real benefit from the ownership of this piece of property. Following discussion, Chairman Hepner stated that he will approach Jere Troutman to determine if the Millersburg Area Authority would be interested in having the land transferred to their entity.

Purchase of a New Mower: The Board continued discussion on the possible purchase of a new mower. Chairman Hepner provided information on mowers which he had obtained since Monday's workshop meeting. Another avenue that could be pursued would be to put the roadside mowing out for bid. When purchasing a mower, the type of mount will need to be considered. Randy Witmer suggested that Schreffler's in Pitman may have an HS106 mower at a reasonable price. John Orr requested that this purchase be put on hold until the fall due to budgetary restraints. Chairman Hepner will continue to gather information for consideration.

Grass Cutting Ordinance: Joe Snyder stated that he would like to have the Supervisors move forward with the preparation of a Grass Cutting Ordinance. Attorney Howland advised that with proper notification to the property owner, the Township could mow the grass and bill the owner for this

service. If the owner declines to pay the Township's bill, a municipal lien could be placed against the property. John Orr requested that Randy Witmer prepare a standard letter to send to residents who need to cut their grass.

Ownership of the riverbank at Millersburg Riverfront Park: Pursuant to the inquiry made by representatives of Millersburg Borough at Monday's workshop meeting, Supervisors proceeded to discuss the issue of ownership of the Susquehanna riverbank at Riverfront Park. Stabilization of the riverbank will be a very costly process. Determination of the exact line between the Borough and Township's portion of the riverbank would be a very difficult, if not impossible, task.

Repair Work for Woodside Station Road: Roadmaster Erdman has advised that Justin Challenger, of the DCCD, suggested that the Township apply for Dirt & Gravel Road Grant Money to make repairs needed to have this portion of the road remain on the Municipal Services list.

Dirt & Gravel Road Grant for Water Company Road: The final inspection has been completed. If the work is acceptable, the remaining grant money will be released in the near future.

Isle of Q Road Project: Hammakers' East will begin this project on July 17th.

Public Comments: None

With no further business to be discussed, Ron Hepner made the motion to adjourn. John Orr seconded the motion. With all in favor, meeting adjourned to Executive Session at 8:55 p.m.

Respectfully submitted,

Betty A. Warfel, Secretary