

**Upper Paxton Township Board of Supervisors
Emergency Meeting
August 22, 2024**

Those in attendance: Robert Stoner, Bob Coleman, and Rich Wiest; Supervisors, Luanna Zimmerman; Secretary/Treasurer, Brian Cole, Joe Underkoffler, Rod Lebo, Rhonda Lebo, Kayla Specht, Doug Moran, Elaine Moran, Sean Grimm (Municipal EMA), Frank Klinger, Nick McCarron (Millersburg Area Authority), Tanner Stroup & Jerry Duke (Tri-County Regional Planning Commission), Keith Heigel & Mike Keffer (Light-Heigel), Brent Boyer, Skylar Hoffman, James Whittall & Chris Dietz (Millersburg Borough), Lee Bzdil, Donald Haris, Eric Petery & Dan Troutman (Millersburg Area School District), John Fulponi (Senator Rothman's Office), Matt Stoneroad (Representative Kerwin's Office), Alex Whittington (Dauphin County Conservation District), Jaime Santiago, Scott Bargo & Eric Boozel (PennDOT).

The meeting was called to order by Chairman Stoner at 9:00 a.m. All present recited the Pledge of Allegiance to the Flag.

Public Comments: None

Old Business:

1. Chairman Stoner read an opening statement declaring that this meeting is to address recent stormwater issues and Tanner Run on various levels of concern. He gave a brief description of where Tanner Run is located within Millersburg Borough and Upper Paxton Township. Stoner said that this area received flooding on 8-9-2024 & again on 8-18-2024.

Nick McCarron, with the Millersburg Area Authority, said that with the last two rainstorms the public sewer near the sink hole located at 544 State Street, Millersburg, PA, 17061, received a lot of infiltration and with the amount of water that was going down the line, it could have compromised the sewer line. He said that something needs to be done rather quickly. McCarron said the issue is not urgent, but it needs to be addressed.

Discussion was had as to where other flooding was located. Jame Whittall, Millersburg Borough Manager, said that there was localized flooding north of Seal Park behind the little league field. Rodney Lebo asked how much water the School District's stormwater system can handle. Eric Petery, representing the Millersburg Area School District, said that he was not sure of the number of gallons the system can handle. Petery said the school's engineers are coming to check grades and make sure the system is working properly. Brett Boyer, Millersburg Borough Councilman, said that some of the rainwater appears to be moving past the school's stormwater system. Jerry Duke, with Tri-County Regional Planning Commission, said the engineers for the school designed the system to handle a large storm and the system was also designed to take on the stormwater for the recent improvements the school made. Duke also said that he had worked with Millersburg Borough to obtain grant money for stormwater management in Seal Park, however; no funding was received. He suggested that Tanner Run and these flooding issues could be part of Dauphin County's Hazard Mitigation Plan for the future. Sean Grimm, Municipal Emergency Management Agent, said that he reported this to Dauphin County and PEMA. Grimm said he was glad to see everyone gathered today to address this situation that has been going on since the 1970s.

Robert Stoner asked Frank Klinger, property owner of 544 State Street, Millersburg, if the pipe on his property was broken. Klinger replied that it most definitely is broken. Stoner then stated that the Bradenbaugh Field located below Klinger's property was flooded badly twice.

Chris Dietz, Millersburg Borough Councilman, said this has been a long-term issue and the Millersburg Borough has an active emergency permit to maintain the piping under the Ark Safety building making sure that part of Tanner Run structure maintains its integrity. He said he knows this issue is challenging for the municipalities because there is no right-of-way for municipalities on private property. Dietz also said there are short-term and long-term issues here. He posed the question of placing "Jersey Barriers" at Bradenbaugh Park to protect the ball field from future flooding and to direct stormwater to the existing creek bed. He also said he knows it is difficult to find funding for projects like this.

Chairman Stoner asked how stormwater on the northern end of Tanner Run could be collected. Jerry Duke said there are procedures to go through to be able to do work on private property but then the pipes become the responsibility of the municipality forever. Chris Dietz said that we seem to be getting 100-year storms on a regular basis. Dietz said he believes that when you build to code it should be done bigger than required.

Frank Klinger said that the pipe at his building located at 544 State Street, Millersburg was not engineered. He also said that the recent storms washed out the concrete culvert at his building. Robert Stoner asked Klinger if he'd be willing to lose his parking lot. Klinger replied that it is currently useless. Bob Coleman said that he has concerns about digging in streams without first obtaining permits. He also said that when someone is working in a stream their equipment needs to be environmentally friendly. Coleman posed the question as to who should be applying for a permit to do work within a stream. Alex Whittington, Dauphin County Conservation District, said that there can be multiple people/entities listed as applying for the permit. Bob Coleman said that his position on this is that landowners need to take responsibility for their property. He said, "otherwise everyone that has water issues is going to be calling the municipality to solve their water issues". Coleman also stated that he does not know how a municipality can be responsible for private properties. Coleman said that in the past the Township had no legal permission to take care of a problem on private property. Robert Stoner said that he would like to find a balance with this issue. Alex Whittington suggested looking at the deed for the property located at 544 State Street, Millersburg, to see if it addresses stormwater. Permits and PA DEP were discussed. Nick McCarron said the Millersburg Area Authority has a prescriptive easement/legal right to do a repair on private property.

Joe Underkoffler said that he believes the immediate solution is to get the channel open and direct the water to where it is to flow and that an emergency permit should be applied for as soon as possible. He said he thinks a retention pond needs to be installed on the northern end of Tanner Run and at Seal Park. He also suggested that Solicitor Howland get involved.

Brett Boyer asked who the point of contact would be for this topic going forward. Chairman Stoner directed him to contact the Township office and said that Luanna Zimmerman would notify the Township Supervisors.

Public Comments: None

With no further business on the agenda Robert Stoner made a motion to adjourn the meeting at 10:12 a.m. Second by Bob Coleman. With all in favor, motion carried.

Respectfully submitted,

Luanna Zimmerman,
Secretary/Treasurer