

**Upper Paxton Township Board of Supervisors  
Regular Monthly Meeting  
August 14, 2013**

Those in attendance: Ron Hepner, John Orr and Joseph Snyder, Supervisors; Betty Warfel, Secretary/Treasurer; Peter Howland, Esquire; Jeff Wilhelm and Tom Shaffer.

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:** Jeff Wilhelm addressed the Board requesting an update on progress of the possible sewage issue which appears to begin on a neighboring property and seeping onto his land. SEO Brian McFeaters has performed dye tests and had dug holes at several locations on the Chubb property. McFeaters advised Wilhelm that he has encountered blacktop from an old roadway and only observed clear water. No other adjoining properties along Neagley Road were tested. Neither Zoning Officer Witmer nor the Supervisors have received a report from Brian McFeaters. Wilhelm provided photographs of dirty water running onto his property from the holes that were dug, standing water and high grass resulting from the alleged sewage runoff. Chairman Hepner advised Wilhelm that he will check with Brian McFeaters and report any finding back to him. Wilhelm also inquired what steps the Township was planning to take to correct the additional stormwater runoff coming into his swale as a result of PennDot raising the surface of Route 25. Roadmaster Erdman has looked at the area and made a suggestion on how to remedy the situation. Hepner advised that the Township has numerous areas with stormwater runoff issues and that Supervisors will look at the problem area and decide how to handle the issue.

**Approval of Minutes:** Minutes of the July 10<sup>th</sup> monthly meeting and the July 24<sup>th</sup> workshop meeting were reviewed by the Supervisors. Joe Snyder made a motion to accept the minutes of the July meetings. Second by Ron Hepner. All in favor, motion carried.

**Financial Report:** Treasurer Warfel presented a monthly financial statement and list of bills for payment. Following review of the treasurer's report, John Orr made a motion to pay all the bills as presented. Joe Snyder seconded the motion. With all in favor, motion carried.

**Old Business:**

1. Supervisors have not had the opportunity to discuss the revised Personnel Policy with employees. This item was put on hold until a meeting with employees can be scheduled.
  
2. The Board proceeded to discuss the engineering and construction document proposal received from Buchart Horn with respect to the following proposed projects: (a) Green Street – engineering design cost \$1,950 and document preparation \$5,450. Bill Burch would need to survey the area. An electronic file would have to be submitted to Buchart/Horn to do the design work. (b) River Road – engineering design cost \$1,720 and document preparation \$5,430. This project replaces a pipe under a gravel road. At some points, the pipe is 20' below the road surface. Due to the depth of the pipe and the equipment required to dig up the area, an outside contractor would need to be hired to do this work. Another option would be to re-line the pipe. This option may not prove to be cost effective. (c) Charles Road – engineering design cost \$3,430 and document preparation \$7,770. Bill Burch would need to perform survey work and submit an electronic drawing file to Buchart/Horn to do the design

work. Supervisors proceeded to review the design prepared by Bill Burch which consisted of correction by paving and does not include the use of inlets. John Orr explained an alternative design utilizing grading, creating a crown in the road, inlets and an infiltration trench. The Buchart/Horn estimate does not include surveying and piping costs. Another alternative plan would be to rip up the current road surface and place the paving out for bid. Supervisors will contact Donna Hepler with a proposal to place an infiltration within the right-of-way at her property. John Orr suggested that the Board work out a plan and have a proposal ready for discussion at the August workshop meeting.

3. Supervisors reviewed the proposed Comcast Franchise Agreement. Attorney Howland pointed out that the Agreement has a 30-year term. Howland suggested that the Board consult with neighboring municipalities to determine if other contracts are up for renewal. The definition of gross revenues is an important point to be considered when entering into this Agreement. Provisions of Section 12 regarding competitive equity with other Video Service Providers were discussed. Supervisors were concerned about Section 11.3 regarding removal of wire from an abandoned system and are not willing to have this become the responsibility of the Township. The Board would rather enter into an Agreement with a 5-year term instead of a 15-year term. The Township would also like to negotiate more free services and hookups for the Township facility. Another consideration would be the cost of audit costs should a future Board of Supervisors institute a fee on customers. Attorney Howland will contact Kristen Ritchey and discuss the Board's question with her. Supervisors will put a decision on this matter on hold until the answers to their questions are answered.

4. Ron Hepner and Joe Snyder attended the meeting with Congressman Barletta arranged by representatives from Millersburg Borough to discuss the erosion problem on the riverbank. Dauphin County Commissioners presented a check to the Borough's representatives. Barletta also visited the area on State Street at the Cathy's Critters/carwash which experiences heavy flooding during storms. Hepner and Snyder also attended a meeting with representatives from the Tri-County Planning Commission and Millersburg Borough to discuss a proposed plan for a new access road to the MYO Park. The plan would provide a level railroad crossing, not a bridge, from the Hardee's property. Funding for the high cost of this proposed project may be a prohibitive factor.

5. The first township newsletter is moving toward publication. Various articles were reviewed and will be proofed. Printing and mailing costs will be obtained. Mailing should take place in mid-September.

6. Road Maintenance and Administration questionnaires have been distributed to employees. Responses should be returned to John Orr 3 to 4 days before the August 24<sup>th</sup> workshop meeting. The responses will need to be reviewed and considered prior to preparing the 2014 budget.

### **New Business**

1. Attorney Howland explained the progress made in the lawsuit regarding the Upper Dauphin Income Tax office. The Complaint was filed, Responses were received, and Preliminary Objections are being filed. Howland plans to attend the Oral Argument set for August 21<sup>st</sup>.

2. Supervisors reviewed the Capital Blue Cross early renewal offer provided by Robert Pease of Deibler, Straub & Troutman. The purpose of this offer is to allow extra time for small groups to look at the possible effects of the new health care reform legislation on their businesses and assess future

needs. Figures contained in the proposal do not appear to be correct. Secretary Warfel will contact Pease and request a new quote for consideration.

3. Chairman Hepner provided the results of the power audit and the E-Power Direct Discount Participation Agreement from PPL Electric Utilities for consideration by the Board. The proposal includes replacement of the ballast and lamps in the Garage. The projected annual savings are \$1,580.20. The contractor for this proposal is Lenape Solar, LLC, 140 S. Second Street, Sunbury, PA 17801. Joe Snyder made a motion that the Board accept the E-Power Direct Discount Participation Agreement. Second by John Orr. With all in favor, motion carried.

4. Gilbert Hirschel, of the Dauphin County Conservation District, has scheduled a Community Assisted Visit with Randy Witmer, Zoning Officer, on September 24<sup>th</sup> to discuss the Township's participation in the National Flood Insurance Program.

5. The Annual Township Convention will be held at the Halifax Ambulance & Rescue Building will be held on Thursday, October 3<sup>rd</sup> at 5 p.m. Ron Hepner and John Orr expressed an interest in attending this event.

6. Peter Howland presented the results of his research regarding the responsibilities and liabilities of trees situate in the Township's rights of way. An ordinance could be developed to address this issue. If an ordinance is enacted, the township would be responsible for inspecting all trees on all Township roadways. Howland will continue to research this matter. Supervisors will take this recommendation under consideration.

7. Tom Shaffer advised that the over-the-road diesel tank located in the maintenance building is less than 500 gallons and is small enough to meet legal standards for the Township's use. Access to fuel is necessary during emergency situations when Reed's is not open to purchase fuel.

**Public Comments:** None

With no further business on the agenda to be discussed, Ron Hepner moved to adjourn. Second by John Orr. With all in favor, meeting adjourned at 9:25 p.m.

Respectfully submitted,

Betty A. Warfel, Secretary