

**Upper Paxton Township Board of Supervisors
Regular Monthly Meeting
February 12, 2014**

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

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

Public Comments: None

Approval of Minutes: Minutes of the January 6th Reorganizational meeting, January 8th monthly meeting and the January 22nd workshop meeting were reviewed by the Supervisors. John Orr made a motion to approve the minutes of all of the January meetings. Second by Joe Snyder. With all in favor, motion carried.

Financial Report: Treasurer Warfel presented a monthly financial report and list of bills for payment. Upon review of these documents, John Orr made a motion to approve the Treasurer's report and pay the list of bills as presented. Second by Ron Hepner. All in favor, motion carried.

Old Business:

1. John Brabits, Assistant Emergency Management Coordinator, addressed the Board to explain the Resolution which sets forth provisions of the Upper Paxton Township/Millersburg Borough Emergency Operations Plan for the prevention and minimization of injury and damage caused by a major emergency or disaster. This plan provides prompt and effective emergency response procedures to be followed in the event of a major emergency or disaster. The Promulgation states that this plan supersedes previous plans developed for response to a major emergency or disaster. Following review, John Orr made a motion that the Board approve and execute the Resolution and Promulgation for the 2014 Emergency Operations Plan for Upper Paxton Township/Millersburg Borough. Second by Joe Snyder. With all in favor, motion carried.

2. John Brabits also informed the Board that the Township will be experiencing a major snow event on or about February 13th. In preparation for this event, a Declaration of Disaster Emergency was presented for the Supervisors' review. In preparation for this major snow event, Ron Hepner moved to execute the Declaration of Emergency in the event the major snow emergency situation occurs. Second by John Orr. All in favor, motion carried.

3. Supervisors reviewed documentation with respect to participation in the DGS Statewide Contract for Sodium Chloride (Road Salt) for the August 2014-July 2015 season. After discussion with the Roadmaster, a decision to contract for 200 tons of salt was approved. John Orr made a motion to enter into the DGS Statewide Contract for August 2014-July 2015. Second by Joe Snyder. All in favor, motion.

4. Secretary Warfel presented a proposed advertisement for Spring Cleanup Day, April 12th for the Board's review and approval. The disposal charge for tires will

remain the same as last year, \$3 each (larger tires will have an additional charge) and tires on wheels, \$5. Keystone Mobile Shredding will provide document shredding services from 9:00-11:00 a.m. This service is for personal paperwork only – not for business shredding purposes. Cash donations will be accepted to help cover the shredding cost. Volunteer help is needed for this event. Details of this article will be available on the township's website.

5. Attorney Howland presented a proposed Tax Collector's Fees Ordinance and Resolution for review. The fees included in this Ordinance are those charged for preparation of tax certifications, fees for payment checks returned for insufficient funds, and fees for duplicate tax bills. The Resolution sets forth current fees the Tax Collector is allowed to charge. John Orr made a motion that we advertise this Tax Collector's Fees Ordinance for adoption at the March 12th monthly meeting. Second by Joe Snyder. With all in favor, motion carried.

New Business

1. Supervisors reviewed a correspondence received regarding the alleged loud music emanating from the Zumba classes being operated by Movements 360 held at the Cinema Supply Center building in Lenkerville. The complainants requested that the Township enact a noise ordinance to deal with this type of issue. Following receipt of the correspondence, Chairman Hepner contacted other neighbors to determine the extent of the noise problem. Supervisor Orr also made several visits to the vicinity during class times to experience the noise level of the music. Supervisors discussed the pros and cons of developing a noise ordinance. Attorney Howland advised that this situation appears to be more of a private nuisance rather than a public nuisance. Supervisors will hold personal conversations with Jessie Stipe, owner of Movements 360, and the complainants in an attempt to find an acceptable solution to the matter.

2. John Orr has spoken with Roadmaster Erdman regarding a complaint of loose stones on Berry Mountain Road. Since the paving was done in the fall, the stones did not settle as would happen in warmer weather. Orr will explain the situation to the complainant.

3. Bonnie Kent, of Upper Dauphin Human Services, contacted Chairman Hepner to advise that Ladies Night Out will be held at Grace United Methodist Church on March 21st. Due to an anticipated large turnout for the event, Kent requested that the township sanction parking alongside Medical Road and provide traffic control. Following discussion of the hazards associated with cars parking alongside this heavily traveled roadway, Supervisors decided that although there is no restriction on roadside parking, the Board will not sanction it during the event. The Township will also not provide traffic control. They will inform Kent that although roadside parking is not prohibited, attendees of the event will be putting themselves at risk by choosing to do so.

4. Supervisors directed Tom Troutman that he will not be required to attend a meeting to give a presentation of the Township's insurance policy renewal terms since no major premium increases are anticipated in the coming year.

5. Attorney Howland will review the Township's policy regarding the health insurance deductible provisions.

6. Joe Snyder posed a question regarding William Burch's qualifications to act as the Township's alternate Engineer. A discussion of the qualifications required for various types of engineering services ensued. Provisions of the 2nd Class Township Code will be reviewed with respect to this inquiry.
7. Supervisors will hold an Executive Session on Tuesday, February 18th to discuss personnel matters. Supervisors discussed several points of employment law with Attorney Howland.
8. With respect to the proposed Comcast Franchise Agreement, Peter Howland reported that Comcast is not willing to compromise on the provision regarding payment of attorneys' fees in the event of a legal issue. Supervisors directed Howland to proceed with finalization of the Agreement.
9. Attorney Howland also provided two articles relating to the provisions of the prevailing wage law. At the present time, no clear answer appears to be available from PennDot or the Department of Labor and Industry as to whether the \$100,000 provision is to be applied to one singular project or several projects bid as one group. This \$100,000 provision only applies to roadwork. A \$25,000 ceiling applies for construction projects.
10. No further cleanup work has been performed at the D&S Recycling site. Attorney Howland will prepare correspondence for signature by the Supervisors addressed to the property owner and Owen Erdman requesting that they continue to cleanup at the site.

Public Comments: None

With no further business on the agenda, Ron Hepner moved to adjourn. John Orr seconded the motion. With all in favor, motion carried. Meeting adjourned at 9:10 p.m. Supervisors will enter into Executive Session at 8:30 a.m. on Tuesday, February 18th to discuss personnel matter.

Respectfully submitted,

Betty A. Warfel,
Secretary