

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

Those in attendance: Ron Hepner, John Orr, and Robert Stoner, Supervisors; Betty Warfel, Secretary/Treasurer; Peter Howland, Esquire; Luanna Zimmerman, Manager; and William Burch.

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:** Bill Burch inquired whether the Supervisors would be approving the Masser Subdivision Plan. The purpose of the revision is to increase the lot size to 10 acres in order to have the land retained in the Clean and Green Program. There are no comments on the plan from Dauphin County. The Dauphin County Planning Commission will review the plan at its December meeting. The Board will review the plan at the December monthly meeting.

**Approval of Minutes and Financial Report:** Minutes of the October 8th monthly meeting, the October 22nd workshop meeting, and the October 28<sup>th</sup> Special Budget Preparation meeting were reviewed by the Supervisors. Treasurer Warfel presented a monthly financial report and list of bills for payment. John Orr made a motion to approve the minutes of the October monthly, workshop, and special budget preparation meetings. Second by Robert Stoner. With all in favor, motion carried. Upon review of financial documents, Ron Hepner made a motion to pay the bills and approve the Treasurer's report as presented. Second by Robert Stoner. With all in favor, motion carried.

**Old Business:**

1. Peter Howland reported on a discussion he had with Skip Memmi and Will Gordon regarding amendments to the Land Bank Memorandum of Understanding. Frank Clark, Esquire, informed Howland that the Millersburg School Board has approved the Memorandum of Understanding in order to participate in the Dauphin County Land Bank. Concerns included provisions that provide for leasing agreements for the renovated properties and possible maintenance costs incurred by the Township when a property is vacant. This matter is on hold for the time being.

2. Ron Hepner reported on a discussion which was held with Mr. and Mrs. Beitman and other residents of Landis Drive regarding possible modifications that could be made to increase safety at this intersection. Options include: (1) moving the Beitman residence if grant monies could be obtained to cover the cost; (2) remove the trees in front of the Beitman home; (3) making Landis Drive a one-way road; (4) placing a "no left turn" sign; or (5) installing a flashing light to warn motorists of a dangerous intersection. Mr. and Mrs. Beitman and other residents were opposed to options 2, 3, 4 and 5. Ron Hepner will draft a letter to PennDot District 8 to advise officials of the site distance issue at this intersection and request a meeting to discuss options that the State might suggest to improve the intersection.

3. Supervisors proceeded to discuss a proposed ordinance to establish additional safeguards and criteria for a special exception for a kennel use. Attorney

Howland provided research materials including legal cases and 2008 Dog Kennel State Law. Discussion ensued regarding setting limits on the number of dogs and property boundaries that could be included in the ordinance. In his opinion, Howland advised that the proposed ordinance could be defensible should the provisions be challenged in court. A constitutional challenge to the provisions could result in substantial legal fees being incurred by the Township. If provisions setting forth obtaining an annual license and performing inspections would be included, this would increase Township administrative costs. Under the "Pending Ordinance Doctrine", no special exception applications could be approved until the ordinance is approved. Supervisors could require that a kennel operator have a State issued license in place before the Zoning Hearing Board would grant approval. Supervisors will seek further input from residents who are opposed to the establishment of new dog kennels. Manager Zimmerman will contact the Lancaster County Planning Commission to obtain more ordinances for the Supervisors' review.

4. Marty Sowers, of Light-Heigel, is preparing a list of zoning violations at the DS Recycling site on Route 25. Sowers will notify Owen Erdman of the violations and inform him of a deadline for bringing the property into compliance. Township officials have also contacted DEP regarding possible activity that would be in violation of State Law.

5. Ron Hepner reported that Mr. Rehab has scheduled work to be done on the River Road pipe for Thursday, November 20<sup>th</sup>. This work was not eligible for Dirt & Gravel Roads grant money for the current year. An application for D&G roads grant money will be submitted in 2015 for the pipe on Summers Road.

### **New Business**

1. Chairman Hepner reported on a discussion he had with Doug Troutman regarding an unopened alley in Lenkerville known as Berry Alley. Vandals have defaced a Township sign and a shed in this area. Hepner informed Troutman that he could post "No Trespassing" signs, but he could not place a chain across the alley which provides access to other properties and provides emergency vehicle access. The alley is not maintained or plowed by the Township. The Township could vacate the alley and the property owners would receive ownership with easement rights.

2. Supervisors reviewed the proposed 2015 budget. Ron Hepner suggested an increase in line item 437 for the purchase of tires. Line item 310.20 was increased to cover this additional expense. With no further changes required, Ron Hepner made a motion to advertise the proposed 2015 budget for approval at the December 10<sup>th</sup> monthly meeting. Second by Robert Stoner. With all in favor, motion carried.

3. Dauphin County Commissioners will hold a meeting in Halifax on November 20<sup>th</sup> at 6:30 p.m., to discuss how to hold down the cost of flood insurance for municipal residents. A second meeting is also scheduled on another date and at another location. John Orr and Robert Stoner will plan on attending one of these informational meetings.

4. Supervisors reviewed correspondence received from Light-Heigel requesting that the firm continue to be retained to administer zoning matters for 2015. Approval of a Zoning Officer will be made at the 2015 Reorganizational meeting.

5. A request from the Humane Society of Greater Harrisburg requesting that the Township enter into a contract for 2015 was reviewed and discussed. A decision regarding participation in a contract will be made at a future date.

6. Supervisors discussed the materials remaining in the Township's compost center after W.W. Pallet ground up the brush piles. Guidelines stating that all materials must be removed will be prepared to be included in any contract the Township would enter into in 2015.

**Public Comments:** None.

With no further business to be discussed, Ron Hepner moved to adjourn. Second by Robert Stoner. All in favor, meeting adjourned at 9:20 p.m.

Respectfully submitted,

Betty A. Warfel,  
Secretary