

**Upper Paxton Township Board of Supervisors
Regular Monthly Meeting
March 11, 2015**

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

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 and Financial Report: Minutes of the February 11th monthly meeting and the February 25th workshop meeting were reviewed by the Supervisors. John Orr made a motion to approve the minutes of the February monthly and workshop meetings. Second by Robert Stoner. With all in favor, motion carried. Treasurer Warfel presented a monthly financial report and list of bills for payment. Upon review of financial documents, John Orr made a motion to accept the Treasurer's report as presented and pay the bills. Second by Robert Stoner. With all in favor, motion carried

Old Business:

1. Supervisors proceeded to review a list of proposed permit fees. Discussion ensued regarding definitions of various types of proposed applications, i.e., signs and outdoor advertising signs, decks, etc. Some of the permits will have a flat fee and some of the fees will be based on a flat fee plus square footage. Subdivision application fees will remain the same as set forth in the current ordinance. Fees for the new Stormwater Management Site Plan and Report Submission Application are also included in this Fee Schedule. Ron Hepner made a motion to adopt the proposed permit fee schedule by Resolution and have these fees go into effect immediately. Second by John Orr. With all in favor, motion carried. Secretary Warfel will prepare a Secretary's Certificate setting forth the Board's Resolution setting the permit fees. Manager Zimmerman will provide the new permit fee schedule to Marty Sowers of Light-Heigel.

2. John Orr reported on research he has conducted regarding restrictions which may have been placed on monies being held in the Special Reserve Accounts. The Special Reserve checking account was established in 1992 with its purpose to deposit the dumping fees received from Chamber's Landfill, Inc., in an interest-bearing account. In accordance with the 1998 Agreement with Dauphin Meadows, the Upper Paxton Township Environmental Preservation Association was formed and a trust fund established to be funded by continuing contributions on a per-ton basis when and if the Landfill Expansion permit would be granted. This group would be an enforcement agency in the event that Dauphin Meadows would be in violation of the Agreement. Only an initial deposit of \$5,000 was ever made to fund this group. Neither of these Agreements appears to place restrictions on the use of the Special Reserve funds currently being held as a capital reserve by the Township. There does not appear to be any written documentation setting forth the condition that monies are being held in reserve to provide emergency assistance in the event of a catastrophe at the landfill. Attorney Howland advised that Supervisors could change the stated use of a portion of funds currently held in a capital account by Resolution. The Township could maintain

more than one capital reserve account as long as the purpose is set forth in a Resolution. Supervisors also discussed correspondence received from Foreman & Caraciolo, PC., Attorneys at Law, providing information with respect to a trust being maintained at M&T Bank in accordance with the 1999 Post-Closure Trust Agreement. This trust was established to assure funds are available for remedial measures and emergency actions which may be necessary to prevent or abate adverse effects on the environment after closure of the Dauphin Meadows Landfill. Orr will continue to conduct research on this matter.

3. Secretary Warfel presented a list of vendors to be set up for on-line bill pay at Mid Penn Bank. Following review of the nine accounts on the list, Ron Hepner made a motion to approve the list of vendors for on-line bill pay services. Second by Robert Stoner. All in favor, motion carried. Warfel also reported that Mid Penn Bank will accept two audits as proof of incorporation for the credit card application.

New Business

1. Supervisors proceeded to discuss a request from the Millersburg Fire Company to hold hazmat training at the Upper Paxton Township Municipal Building on April 12th. Ron Hepner moved to send formal approval to the Millersburg Fire Company to hold its hazmat classes at the Upper Paxton Township Municipal Building. Second by John Orr. With all in favor, motion carried. Luanna Zimmerman will prepare this correspondence.

2. The Board reviewed a proposed Stormwater Management Site Plan and Report Submission Application. A discussion of the Township's responsibility for inspecting the retention ponds under the current Stormwater Management Ordinance ensued. Maintenance of the ponds is the responsibility of the landowner. The two fees which are included in this application process are the Township's application fee and the Engineer's fee (for review of the plan and inspections which may be required). Following review, John Orr made a motion to adopt the Stormwater Management Site Plan Report Submission Application. Second by Robert Stoner. All in favor, motion carried.

3. Preparation of the next issue of the township newsletter continues.

4. The Millersburg Borough Memorial Day parade route may cause traffic to be detoured through the Township.

5. Attorney Howland reported that the Bankruptcy Court has approved the sale of the burned out Wertz property on Maple Street.

6. In response to Howland's inquiry, Supervisors advised that the Board has no objection to Millersburg Borough's proposed Docking Ordinance.

7. Supervisors requested that Attorney Howland conduct research into whether a Barking Dog Ordinance will need to be adopted in the event a dog kennel is established in the Township and neighboring residents would lodge complaints about noise emanating from the facility. This type of ordinance may not be applicable if a kennel is deemed to be an agricultural use.

8. Manager Zimmerman requested that the Supervisors continue to review the group health plan renewal documents for approval at the March workshop meeting.

9. Robert Stoner has begun preparations for the Township's 250th anniversary celebration. Volunteers to help with this event will be contacted. Stoner will prepare a news article containing further information on the planning process.

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 8:25 p.m.

Respectfully submitted,

Betty A. Warfel, Secretary