

**MINUTES
REORGANIZATION MEETING**

**SOUTH MIDDLETON TOWNSHIP BOARD OF SUPERVISORS
520 PARK DRIVE
BOILING SPRINGS, PA. 17007**

JANUARY 4, 2010

PRESENT: TOM FALEY, RON REEDER, RICK REIGHARD, BRYAN GEMBUSIA, DUFF MANWEILER - SUPERVISORS; Richard Mislitsky – Solicitor; Barbara Wilson - Manager; Jarrett Sweeney – Assistant Manager; Brian O’Neill – Engineer, Sandy Quickel – Recording Secretary; Doug & Helen Gale, Tom Merlie, Mary Zeigler, Paul Slifko, Don Isabella, George Coughlin, Tom Stang, Ben Woods, Linda Franz – “The Patriot News”, Greg Gross – “The Sentinel”.

Chairman Gembusia called the meeting to order at 5:00 PM.

PLEDGE OF ALLEGIANCE:

Chairman Gembusia led the audience in the pledge of allegiance.

MOMENT OF SILENCE:

A moment of silence was observed.

OPENING ANNOUNCEMENTS:

Chairman Gembusia stated that the meetings are tape recorded & to turn off cell phones. He thanked the Board for allowing him to serve as Chairman for 2 of his 6 years in office. He asked for a nomination for Temporary Chairman.

TEMPORARY CHAIRMAN:

Tom made a motion to nominate Rick Reighard as Temporary Chairman for 2010. Duff seconded, & the vote in favor was unanimous. Rick asked for a nomination for Chairman.

CHAIRMAN, BOARD OF SUPERVISORS:

Rick made a motion to nominate Tom Faley as Chairman for 2010. Duff seconded, & the vote in favor was unanimous.

VICE CHAIRMAN:

Tom made a motion to nominate Rick Reighard as Vice Chairman for 2010. Bryan seconded, & the vote in favor was unanimous.

SECRETARY:

Tom made a motion to appoint Sandra Quickel as Secretary for 2010. Bryan seconded, & the vote in favor was unanimous.

ASSISTANT SECRETARY:

Tom made a motion to appoint Barbara Wilson as Assistant Secretary for 2010. Rick seconded, & the vote in favor was unanimous.

TREASURER:

Bryan made a motion to appoint Barbara Wilson as Treasurer for 2010 & setting the bond at \$2 Million Dollars. Tom seconded, & the vote in favor was unanimous.

ASSISTANT TREASURER:

Rick made a motion to appoint Jarrett Sweeney as Assistant Treasurer for 2010. Tom seconded, & the vote in favor was unanimous.

OPEN RECORDS OFFICER:

Tom made a motion to appoint Sandra Quickel as Open Records Officer for 2010. Bryan seconded, & the vote in favor was unanimous.

ASSISTANT OPEN RECORDS OFFICER:

Ron made a motion to appoint Barbara Wilson as Assistant Open Records Officer for 2010. Bryan seconded, & the vote in favor was unanimous.

SOLICITOR:

Tom made a motion to appoint Richard Mislitsky as Solicitor for 2010 at the rate of \$120.00/hr. Rick seconded, & the vote in favor was unanimous.

ENGINEER:

Tom made a motion to appoint Brian O’Neill as Engineer for 2010 and consultant engineers, as needed. Bryan seconded, & the vote in favor was unanimous.

VACANCY BOARD CHAIRMAN:

Ron made a motion to appoint Tony Gonzalez as Vacancy Board Chairman for 2010. Bryan seconded, & the vote in favor was unanimous.

ALTERNATE S.E.O.:

Tom made a motion to appoint Edward Elbel as first alternate S.E.O., & Brian O’Neill as second alternate S.E.O. for 2010. Bryan seconded, & the vote in favor was unanimous.

EARNED INCOME TAX/TAX COLLECTOR:

Central Tax Bureau of PA as Earned Income Tax/OPT Tax Collector with a 1.70% commission by agreement for 2010. Tom made a motion to appoint Central Tax Bureau of PA as the EIT tax collector. Rick seconded, & the vote in favor was unanimous.

DEPOSITORY FOR TOWNSHIP FUNDS:

Tom made a motion to approve Susquehanna Bank, P.L.G.I.T., & Orrstown Bank as depositories for township funds for 2010. Bryan seconded, & the vote in favor was unanimous.

PLANNING COMMISSION APPOINTMENTS:

Duff Manweiler – term expires 12/31/09 (elected as Supervisor)

Ron made a motion to appoint Ron Hamilton to the Planning Commission with 4-year term to expire on 12/31/13. Bryan seconded, & the vote in favor was unanimous.

Richard Mislitsky – Planning Commission Solicitor

Rick made a motion to reappoint Richard Mislitsky as Planning Commission Solicitor for 2010 at a rate of pay of \$120.00/hour. Bryan seconded, & the vote in favor was unanimous.

ZONING HEARING BOARD APPOINTMENTS:

Michael Scherer – term expire 12/31/11 (resigned)

Tom made a motion to appoint Steve Wilkins as an Alternate Member to the Zoning Hearing Board to fill the unexpired term to expire on 12/31/11. Bryan seconded, & the vote in favor was unanimous.

Victor Neubaum as Zoning Hearing Board Solicitor

Tom made a motion to reappoint Victor Neubaum as Zoning Hearing Board Solicitor for 2010 at a rate of pay of \$100.00/hour. Bryan seconded, & the vote in favor was unanimous.

BUILDING CODE APPEALS BOARD SOLICITOR:

Michael Scherer – Solicitor (2009 rate \$110.00/hr)

Bryan made a motion to reappoint Michael Scherer as Building Code Appeals Board Solicitor for 2010 at a rate of pay of \$110.00/hour. Tom seconded, & the vote in favor was unanimous.

LETORT REGIONAL AUTHORITY:

David Baric – term expires 12/31/12 (resigned)

Tom made a motion to appoint Tricia Naylor to the Letort Regional Authority to fill the unexpired term to expire on 12/31/12. Rick seconded, & the vote in favor was unanimous.

EMERGENCY SERVICES COMMITTEE CHAIRMAN:

Tim Yingst as Emergency Services Committee Chairman for 2010.

Ron made a motion to reappoint Tim Yingst as EMS Committee Chairman for 2010. Bryan seconded, & the vote in favor was unanimous.

EMERGENCY SERVICES CO-ADMINISTRATORS:

Ron made a motion to reappoint Ron Hamilton & Randy Watts as Emergency Services Co-Administrators for 2010. Rick seconded, & the vote in favor was unanimous.

AGRICULTURAL SECURITY AREA CHAIRMAN:

Gene Heyman as Agricultural Security Area Chairman for 2010 (no term limit).

Tom made a motion to reappoint Gene Heyman as Agricultural Security Area Chairman for 2010. Rick seconded, & the vote in favor was unanimous.

RECREATION BOARD APPOINTMENT:

Tammy Eads – term expires 12/31/09

Tom made a motion to reappoint Tammy Eads to the Recreation Board for a 5-year term to expire 12/31/14. Rick seconded, & the vote in favor was unanimous.

Cheryl McMahon – term expires 12/31/09 (not seeking reappointment)

Tom made a motion to appoint Andrea Ciccocioppo to the Recreation Board for a 5-year term to expire 12/31/14. Rick seconded, & the vote in favor was 4 – 1 (Ron was opposed).

Duff Manweiler – term expires 12/31/09 (elected as Supervisor). This position will be eliminated.

S.M.T.M.A. BOARD APPOINTMENT:

Ron Hamilton - term expires 12/31/09

Tom made a motion to reappoint Ron Hamilton to the SMTMA Board with a 5-year term to expire 12/31/14. Ron seconded, & the vote in favor was unanimous.

AUDITOR:

Wayne Schwartz – term expires 12/31/09

Bryan made a motion to appoint Michael Berk as Auditor with a 6-year term to expire 12/31/15. Rick seconded, & the vote in favor was unanimous.

VOTING DELEGATE TO STATE ANNUAL CONVENTION:

Tom made a motion to appoint Barb Wilson as the Voting Delegate for 2010. Bryan seconded, & the vote in favor was unanimous.

PUBLIC INPUT:

There was no public input.

BID AWARD – Solid Waste & Recycling Contract:

Tom stated that the bid award was delayed until this meeting to further review the bids. Interstate Waste Services (IWS) was the low bidder. Tom made a motion to award the Solid Waste/Recycling Contract to IWS starting March 1, 2010. It was noted that IWS has ordered more trucks & toter carts. Barb will meet with a representative from the new company next week. Rick suggested asking them for a timeframe for delivering the carts & a pickup schedule. Rick & Tom will also attend that meeting. Rick seconded. It was noted that if the new hauler performs poorly, the Township can select another hauler due to a provision in the contract. Doug Gale asked if Waste Management's tags will be accepted by the new hauler. He was told no. Mr. Gale suggested placing a notice on the website stating this situation & to warn residents not to purchase many tags since they cannot be transferred.

#08-03 WHEATSTONE, PHASE II – Final Subdivision:

The applicant proposes to construct the second phase of this development. There will be 32 single family lots along Springville Road between Misty Meadows & Lindsey Road. The expiration date for the plan expires on 1/14/10. The developer submitted a time extension, but the Board did not act on the extension at the last meeting. Tom made a motion to deny the time extension. Bryan seconded. Solicitor Mislitsky stated that at this point there is no legal reason to deny the plan. The vote in favor was unanimous. Tom stated that the 32 lots will intersect with Lindsey Road, which is a small/narrow road. One condition for approval is to improve Lindsey Road. There are 14 proposed conditions for approval for this plan. Brian read the comments. Comment #1 – applicant must comply with the Lindsey Road improvement agreement dated 6/6/05. The developer will use the \$25,000 designated for the signal at Springville Road & Forge Road for reconstruction of Lindsey Road from Springville to Ridge Road. Comments #2 – Section 1807(3)(a) states the plan notes state that the minimum distance

from a driveway to a street intersection is 40 feet. The note needs revised to state: Access drives shall not cross the

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street right-of-way lines within 50 feet of the street right-of-way line of an intersecting street & in no case less than 10 feet from the point of tangency when the street lines are joined by a curve. Comment #3 – Section 706i(5)(a) – Plan notes state that the minimum distance from a driveway to a street intersection is 40 feet. The note needs revised to state: Access drives shall not cross the street right-of-way lines within 50 feet of the street right-of-way line of an intersecting street & in no case less than 10 feet from the point of tangency when the street lines are joined by a curve. Comment #4 – Lindsey Road improvements will commence within 90 days, unless deadline is extended by the Board. Comment #5 – Section 709 – street lights shall be shown on the plans. Comment #6 – Section 501b(34) A restrictive access agreement was drafted to ensure that the construction vehicle traffic did not use the side roads to cut between Forge Road & Springville Road, similar to the agreement for Misty Meadows. This should be signed by the contractors & submitted to the Township prior to commencing earthwork activities. Comments 7 thru 14 are the standard post-approval comments. Tom made a motion to approve #08-03, subject to the applicant's acceptance of the 14 conditions. Bryan seconded. There was no public input. The vote in favor was unanimous.

MINUTES: 12/17/09:

Rick mentioned a change to the minutes regarding the discussion on an issue at the Boiling Springs Fire Company. Rick made a motion to approve the minutes, as revised. Tom seconded, & the vote in favor was unanimous.

SOLICITOR REPORT:

No report was given.

ENGINEER'S REPORT:

No report was given.

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

No report was given.

MANAGER'S REPORT:

Pamela Scott, 109 Third Street, has requested a handicapped parking spot at her residence. The Road Superintendent has inspected the area & advised that 1 handicapped spot would work. Rick made a motion to approve the handicapped parking spot with the condition that the Township is notified when the parking spot is no longer required. Tom seconded, & the vote in favor was unanimous.

David Baric has resigned his position from the Letort Regional Authority. Rick made a motion to accept the resignation with thanks. Ron seconded, & the vote in favor was unanimous.

Barb stated that she & Sarah (P&R Supervisor) agreed that 1 position on the P&R Board can be eliminated. Tom stated that he would not vote on issues so that will reduce the number on the Board to 7 members. Rick made a motion to eliminate 1 position on the P&R Board. Ron seconded, & the vote in favor was unanimous.

BILLS FOR PAYMENT:

Bryan made a motion to pay the bills, as submitted. Rick seconded, & the vote in favor was unanimous.

The 2010 Liaison Appointments were made as follows:

- SMSD – Duff
- Emergency Services – Bryan & Ron
- SMTMA – Rick
- Carlisle Regional Representatives – Barb
- Planning Commission – Rick
- Finance/Personnel – Ron & Duff
- Road Dept. – Tom
- Recreation – Tom
- Citizen’s Advisory Committee – Tom
- Farmland Preservation – Duff
- Capital Region COG – Rick & Barb
- Building Committee – Ron & Rick
- PSATS Convention Delegate – Barb
- Boiling Springs Liveable Community Delegate – Rick
- FOCCA (Future of Cumberland County Agriculture) – Ron
- Voting District Realignment – Tom & Rick
- Act 32 Delegate – Bryan & Barb

Bryan made a motion to approve the 2010 Liaison Appointments. Rick seconded, & the vote in favor was unanimous.

SUPERVISOR’S DISCUSSION:

Rick asked if the YMCA held their race on New Year’s Day since there was snow. Duff replied no & that it will not be rescheduled. Rick asked if another Board member volunteered to split a seminar with him. He was told no. He asked if there was any progress with placing signs on Bucher Hill Road. He was told no.

Tom welcomed Duff onto the Board.

Duff noted the discussion at the December meeting regarding P& R staff citing people not keeping dogs on leashes at the parks. He feels this issue needs to be resolved, & that the Codes Department is too busy to do this. He would like the Parks Supervisor to be able to cite people. Ron feels the State Police should ticket the people, & that the Township staff should confront violators, not staff mowing grass. Duff said that he prefers the Parks Supervisor enforce it. Barb stated that the Township has a leash law ordinance for the parks, but it is not recent. It was suggested that the Solicitor review the ordinance & speak to the Recreation Director about this. Mary Zeigler asked who is responsible if a dog in the park bites someone. Bryan stated that it is the pet owner’s responsibility. Barb added that dogs running loose are covered by state law &

the dog warden would address this issue. The ordinance will be reviewed before any action is taken.

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PUBLIC INPUT:

School Board member Paul Slifko introduced their new member, Tom Merlie, to the Board.

Mary Zeigler asked who pays for the street lights on Lindsey Road. Barb replied that any lights approved on a plan by the Board are paid for by the Township. If an individual installs a light, they will be responsible for the cost.

Doug Gale asked if the Township knows how many street lights they are responsible for. He stated that the light in the Mayapple Development is paid for by the Homeowner Association. Barb stated that the Township has a list of all lights in the Township.

ADJOURNMENT:

Ron made a motion to adjourn the meeting at 5:50 p.m. Tom seconded, & the vote in favor was unanimous.

WITNESS:

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Sandra A. Quickel, Township Secretary

Thomas E. Faley, Chairman

Walter G. Reighard, Vice Chairman

Ronald L. Reeder

Bryan A. Gembusia

R. Duff Manweiler

