

**MINUTES  
REORGANIZATION MEETING**

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

**JANUARY 5, 2009**

**PRESENT:** TOM FALEY, RON REEDER, JIM BAKER, RICK REIGHARD, BRYAN GEMBUSIA – (absent) - SUPERVISORS; Richard Mislitsky – Solicitor; Barbara Wilson - Manager; Jarrett Sweeney – Assistant Manager; Sandy Quickel – Recording Secretary; Bob Cairns, Doug & Helen Gale, Sandra Diehl, Randy Watts, Erica Schenbale, Michael & Carla Arnold.

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

**PLEDGE OF ALLEGIANCE:**

Chairman Reighard led the audience in the pledge of allegiance.

**MOMENT OF SILENCE:**

A moment of silence was observed.

**OPENING ANNOUNCEMENTS:**

Chairman Reighard announced that a temporary chairman & temporary secretary would be appointed. He asked for nominations.

**TEMPORARY CHAIRMAN:**

Jim made a motion to nominate Tom Faley as Temporary Chairman for 2009. Ron seconded, & the vote in favor was 4 - 0. Jim made a motion to nominate Sandra Quickel as Temporary Secretary for 2009. Ron seconded, & the vote in favor was 4 to 0. Tom asked for a nomination for Chairman.

**CHAIRMAN, BOARD OF SUPERVISORS:**

Ron made a motion to nominate Bryan Gembusia as Chairman for 2009. Tom seconded, & the vote in favor was 4 to 0.

**VICE CHAIRMAN:**

Ron made a motion to nominate Rick Reighard as Vice Chairman for 2009. Rick seconded, & the vote in favor was 4 to 0.

**SECRETARY:**

Jim made a motion to appoint Sandra Quickel as Secretary for 2009. Tom seconded, & the vote in favor was 4 to 0.

**ASSISTANT SECRETARY:**

Jim made a motion to appoint Barbara Wilson as Assistant Secretary for 2009. Tom seconded, & the vote in favor was 4 to 0.

**TREASURER:**

Jim made a motion to appoint Barbara Wilson as Treasurer for 2009 & setting the bond at \$2 M. Tom seconded, & the vote in favor was 4 to 0.

**ASSISTANT TREASURER:**

Jim made a motion to appoint Jarrett Sweeney as Assistant Treasurer for 2009. Tom seconded, & the vote in favor was 4 to 0.

**OPEN RECORDS OFFICER:**

Tom made a motion to appoint Sandra Quickel as Open Records Officer for 2009. Jim seconded, & the vote in favor was 4 to 0.

**SOLICITOR:**

Tom made a motion to appoint Richard Mislitsky as Solicitor for 2009 at the rate of \$115.00/hr. Jim seconded. Tom said he wants to keep the rate of pay in-line with the ZHB's Solicitor. Barb noted that Mr. Mislitsky did not receive a raise last year. The vote in favor was 3 to 1 (Rick was opposed).

**ENGINEER:**

Jim made a motion to appoint Brian O'Neill as Engineer for 2009 and consultant engineers, as needed. Tom seconded, & the vote in favor was 4 to 0.

**VACANCY BOARD CHAIRMAN:**

Jim made a motion to appoint Tony Gonzalez as Vacancy Board Chairman for 2009. Tom seconded, & the vote in favor was 4 to 0.

**ALTERNATE S.E.O.:**

Tom made a motion to appoint Edward Elbel as first alternate S.E.O. for 2009. Jim seconded, & the vote in favor was 4 to 0.

**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 2009. Jim made a motion to appoint Central Tax Bureau of PA as the EIT tax collector. Tom seconded, & the vote in favor was 4 to 0.

**DEPOSITORY FOR TOWNSHIP FUNDS:**

Tom made a motion to approve Susquehanna Bank, P.L.G.I.T., Orrstown Bank, & Harris Bank as depositories for township funds for 2009. Jim seconded, & the vote in favor was 4 to 0.

**PLANNING COMMISSION APPOINTMENTS:**

Phyllis Givler – term expires 12/31/08

Tom made a motion to reappoint Phyllis Givler to the Planning Commission with 4-year term to expire on 12/31/12. Ron seconded, & the vote in favor was 4 to 0.

Richard Mislitsky – Planning Commission Solicitor

Tom made a motion to reappoint Richard Mislitsky as Planning Commission Solicitor for 2009 at a rate of pay of \$115.00/hour. Jim seconded, & the vote in favor was 4 to 0.

**ZONING HEARING BOARD APPOINTMENTS:**

Paul Heishman – term expire 12/31/08

Ron made a motion to reappoint Paul Heishman to the Zoning Hearing Board with a 5-year term to expire on 12/31/13. Tom seconded. Jim suggested considering other applicants that apply for various open positions. It was suggested looking at replacing the alternate with a new person & moving the current alternate person to the permanent position. Ron withdrew his motion & Tom withdrew his second. Jim made a motion to appoint Steve Trostle to the Zoning Hearing Board with a 5-year term to expire on 12/31/13. Tom seconded. The vote in favor was 3 to 1 (Ron was opposed).

Michael Scherer (alternate) term expires 12/31/08

Tom made a motion to reappoint Michael Scherer as an alternate member to the Zoning Hearing Board with a 3-year term to expire 12/31/11. Jim seconded, & the vote in favor was 4 to 0.

Victor Neubaum as Zoning Hearing Board Solicitor

Jim made a motion to reappoint Victor Neubaum as Zoning Hearing Board Solicitor for 2009 at a rate of pay of \$100.00/hour. Tom seconded, & the vote in favor was 4 to 0.

**BUILDING CODE APPEALS BOARD SOLICITOR:**

Michael Scherer – Solicitor (2008 rate \$110.00/hr)

Jim made a motion to reappoint Michael Scherer as Building Code Appeals Board Solicitor for 2009 at a rate of pay of \$110.00/hour. Tom seconded, & the vote in favor was 4 to 0.

**LETORT REGIONAL AUTHORITY:**

No terms expire.

**EMERGENCY SERVICES COMMITTEE CHAIRMAN:**

Tim Yingst as Emergency Services Committee Chairman for 2009

Jim made a motion to reappoint Tim Yingst as EMS Committee Chairman for 2009. Tom seconded, & the vote in favor was 4 to 0.

**EMERGENCY SERVICES CO-ADMINISTRATORS:**

Jim made a motion to reappoint Ron Hamilton & Randy Watts as Emergency Services Co-Administrators for 2009. Tom seconded, & the vote in favor was 4 to 0.

**AGRICULTURAL SECURITY AREA CHAIRMAN:**

Gene Heyman as Agricultural Security Area Chairman for 2009 (no term limit).

Jim made a motion to reappoint Gene Heyman as Agricultural Security Area Chairman for 2009. Tom seconded, & the vote in favor was 4 to 0.

**RECREATION BOARD APPOINTMENT:**

Eric Vorodi – terms expires 12/31/08

Jim made a motion to reappoint Eric Vorodi to the Recreation Board for a 5-year terms to expire 12/31/13. Tom seconded, & the vote in favor was 4 to 0.

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

Doug Glass - term expires 12/31/08 (not seeking reappointment)

Jim made a motion to appoint Craig Wilson to the SMTMA Board with a 5-year term to expire 12/31/13. Tom seconded, & the vote in favor was 4 to 0.

**VOTING DELEGATE TO STATE ANNUAL CONVENTION:**

Tom made a motion to appoint Barb Wilson as the Voting Delegate for 2009. Jim seconded, & the vote in favor was 4 to 0.

**AUDITOR:**

No terms expire.

**MINUTES: 12/18/08:**

Tom made a motion to approve the minutes, as written. Ron seconded, & the vote in favor was 4 to 0.

**#07-12C MORGAN'S CROSSING – Conditional Use Public Hearing:**

The Chairman opened the hearing & stated that the applicant has granted a 45 day time extension to render a decision. The 45-day time period will not begin until 2/12/09. Tom made a motion to accept the time extension. Ron seconded, & the vote in favor was 4 to 0. The hearing was closed.

**#08-01C RESIDENTIAL HOMES (Jefferson Court II) – Conditional Use Public Hearing:**

The Chairman opened the hearing & stated that the applicant has granted a 45 day time extension to render a decision. The 45-day time period will not begin until 2/12/09. Tom made a motion to accept the time extension. Ron seconded, & the vote in favor was 4 to 0. The hearing was closed.

**PUBLIC INPUT:**

Sandra Diehl, Union Quarries, had questions on the procedure for the Morgan's Crossing Conditional Use Hearing. She stated that the Township sent a letter to DEP & asked if a response was received from them. She was told no. She asked if any changes were made to the plan & if any parties met with Township staff. Mr. Mislitsky stated that only the Arnolds asked for party status & have not met with staff.

**SOLICITOR REPORT:**

No report was given.

**ENGINEER'S REPORT:**

The applicant for Summerfields, Phase 1 (#01-39) requested a release in security. Two items remain to be corrected. Ron made a motion to deny the security release. Tom seconded, & the vote in favor was 4 to 0.

**PLANNING/ZONING/CODES ENFORCEMENT REPORT:**

No report was given.

**MANAGER’S REPORT:**

Tom made a motion to approve Resolution #09-01 approving the Open Records Right-to-Know Policy. Ron seconded, & the vote in favor was 4 to 0.

The Board is invited to Union Fire Company’s banquet on February 7 at 6:00 p.m.

Consensus was given to meet with County officials regarding future development of the Township.

Contact Barb to rsvp if you want to attend the Elected Officials Leadership Summit will be held February 6 in Harrisburg. The Elected Officials Reception will be held January 26 at Allenberry. Tom & Jim will both attend with their spouses.

Registration is needed by January 22 to attend the PSATS convention.

**BILLS FOR PAYMENT:**

Jarrett stated that these bills were the last bills to be paid from the budget in 2008 & also the Solicitor’s bill was submitted. Jim made a motion to pay the bills. Tom seconded, & the vote in favor was 4 to 0.

**The 2009 Liaison Appointments were made as follows:**

- SMSD – Jim
- Emergency Services – Bryan & Ron
- SMTMA – Rick
- Carlisle Regional Representatives – Barb
- Planning Commission – Bryan
- Finance/Personnel – Ron & Bryan
- Road Dept. – Tom
- Recreation – Tom
- Citizen’s Advisory Committee – Tom
- Farmland Preservation – Jim
- 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

Jim made a motion to approve the 2009 Liaison Appointments. Tom seconded, & the vote in favor was 4 to 0.

**SUPERVISOR’S DISCUSSION:**

Ron mentioned an article dated December 2008 regarding information on streets & bikes.

Tom suggested setting an agenda for the joint meeting with the Municipal Authority.

Jim mentioned someone that is having personal problems & that there may be a lot of people going through tough times. He said that public input was not listed at the beginning of the agenda.

Rick agreed that volunteers, active service people, or with hardships should be given a discount on permit costs, other services, etc.

Tax Collector, Bob Cairns, discussed the proposed decrease in pay by the County for tax collectors. He attended a hearing on December 15. The County wants to pay the tax collector 85 cents per bill. He said he was the only tax collector in the county that receives a salary from the school district & a commission from the Township. He noted that tax collectors did not have any input on this issue. They were also promised new computer software & training, but have not received either. The new compensation needs to be in place by February 15, 2009. Tom asked why that date was chosen. Mr. Cairns said that there is only one time to change every four years before the primary election in case the tax collector decides not to run for re-election. He feels this would not be fair to him especially since he stepped into an emergency situation due to the issue with the previous tax collector. Tom asked Mr. Cairns if he has spoken with the County & School District about this issue. He said that he will be presenting his case to both entities. He also wants to know how the County arrived at the 85 cents figure. Tom made a motion to keep the tax collector's compensation the same (5% commission). Jim seconded, & the vote in favor was 4 to 0. Tom made a motion to notify the County expressing the concerns of the Township's tax collector. Jim seconded, & the vote in favor was 4 to 0. Rick thanked Mr. Cairns for an exceptional job. Tom said that he has not received any calls with complaints.

Rick asked about the agreement with COR Construction. Mr. Mislitsky stated that a meeting will be held with them at 10:00 am. on Friday. He feels there is one issue on the agreement that needs addressed.

**PUBLIC INPUT:**

There was no further public input.

**ADJOURNMENT:**

Ron made a motion to adjourn the meeting at 6:20 p.m. Jim seconded, & the vote in favor was 4 to 0.

**WITNESS:**

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Sandra A. Quickel, Township Secretary

**SOUTH MIDDLETON TOWNSHIP  
BOARD OF SUPERVISORS:**

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Bryan A. Gembusia, Chairman

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Walter G. Reighard, Vice Chairman

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James N. Baker

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Ronald L. Reeder

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Thomas E. Faley