

MINUTES

SOUTH MIDDLETON TOWNSHIP 520 PARK DRIVE BOILING SPRINGS, PA. 17007

OCTOBER 29, 2008

PRESENT: RICK REIGHARD, BRYAN GEMBUSIA, JIM BAKER, RON REEDER – (Absent), & TOM FALEY – (Absent) – SUPERVISORS; Richard Mislitsky – Solicitor; Barbara Wilson – Manager; Jarrett Sweeney – Assistant Manager, Brian O’Neill – Engineer, Tim Duerr – Zoning Officer, Sandy Quickel – Recording Secretary, Attorney Kurt Williams, Alicia Angelini, Andrea Ciccocioppo - “The Sentinel”, Linda Franz – “The Patriot News”.

The meeting was called to order at 6:00 p.m. by Chairman Reighard.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Chairman Reighard.

MOMENT OF SILENCE:

A moment of silence was observed.

OPENING ANNOUNCEMENTS:

Chairman Reighard noted that Tom Faley teaches on Wednesday & may not be in attendance. He also noted that Ron Reeder will be absent due to another obligation. Mr. Reighard noted the plaque presented to the Township from the YMCA on the George B. Stuart Athletic Fields.

MINUTES: 10/09//08 (Regular Meeting)

Jim made a motion to approve the minutes. Bryan seconded, & the roll call vote in favor was 3 to 0. Jim noted that he left the meeting early.

10/15/08 (Joint Meeting)

Rick stated that he & Ron attended the joint meeting. Rick made a motion to approve the joint meeting minutes. Bryan said that he was not in attendance, but would second the motion. Jim felt he shouldn’t vote on them since he was not in attendance. After a short discussion, the roll call vote in favor was 3 to 0.

PUBLIC INPUT:

There was no public input.

#08-07C WESTMOORELAND – Conditional Use Public Hearing:

Attorney Mislitsky opened the hearing. The applicant has granted the Township a time extension until November 13, 2008 to hold the hearing. The hearing was closed.

#08-08C CARLISLE FARMER’S MARKET – Conditional Use Public Hearing:

Attorney Mislitsky opened the hearing. The applicant has granted the Township a time extension until November 13, 2008 to hold the hearing. The hearing was closed.

PA. FISH & BOAT COMMISSION – Children’s Lake Discussion:

Brian stated that a meeting was held with representatives from the PA Fish & Boat Commission. The discussion centered on the Commission pulling the gates at the lake & causing the race to drain. The F&B Commission plan on doing the following: installation of a low-head stone-earthern berm in the head race to partition the water flow from the lake, construction of a permanent concrete weir to replace the rock spillway, installation & placement of signage designed to discourage or eliminate heavy truck traffic over the existing roadway, & to allow the Township to be the single point of contact for all maintenance & improvement efforts for the lake. The F&B Commission will secure all permits required for the improvements. Also, they would like to convey ownership of the lake over to the Township. Jim felt that this would be a great idea. The Board requested that Barb contact the Fish & Boat Commission in response to their recent correspondence

EMERGENCY SERVICES REPORT:

The report was accepted, as submitted.

RECREATION REPORT:

The Parks & Recreation Board recommended purchasing a restroom/concession/pavilion building kit through state contract at a cost of \$127,345. Jim made a motion to approve purchasing the building kit as recommended. Bryan seconded, & the roll call vote in favor was 3 to 0.

The P&R Board discussed adopting a smoke-free policy for the parks. Bryan questioned the legality of making an outdoor facility smoke-free. It was decided to wait until the full board is present for future discussion. Rick asked about a naming policy for P&R facilities. He was told that this policy is not ready for adoption.

ROADMASTER REPORT:

The report was accepted, as submitted.

SOLICITOR REPORT:

The Solicitor commented on the road maintenance agreement with the Church of God/St. Patrick’s Church. He suggested not approving the agreement as submitted. No action was taken at this time.

ENGINEER REPORT:

Harry Fox is requesting a waiver in regards to financial security for plan #07-22. This plan was approved in June for 4 lots off of Red Tank Road with a shared access drive. The plan calls for improvements on each lot. Mr. Fox would like those improvements to be made part of the building permit process so he does not have to bond them & would be too costly. He is also asking for reapproval of the plan since this issue has not been worked out. Jim made a motion to deny the waiver request. Bryan seconded, & the roll call vote in favor was 3 to 0. Jim made a motion to reapprove the plan subject to original conditions. Bryan seconded, & the vote in favor was 3 to 0.

The applicant for St. Patrick’s Church Activity Center (#08-22) is requesting an additional 90 days to meet conditions of plan approval. The new deadline would be February 16, 2009. Jim

made a motion to approve the time extension, as requested. Bryan seconded, & the roll call vote in favor was 3 to 0.

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

Jim made a motion to approve a time extension until November 28, 2008 to take action on the Trammel Crow Services, Inc./Sparks Tract Final Subdivision & Final Land Development Plans. Bryan seconded, & the roll call vote in favor was 3 to 0.

Jim made a motion to approve a 30-day time extension for the York Road Professional Offices, LLC (Jonathan Park PRD) to hold a public hearing. Bryan seconded, & the roll call vote in favor was 3 to 0.

Consensus was given to advertise ordinances for Wind Energy Facilities & Burning (outdoor furnaces).

MANAGER REPORT:

Mr. Griffin was to be present to discuss waiving his application fees to the Zoning Hearing Board, but is ill & would not be in attendance.

The vehicle use policy has been revised. One change involved winter driving of township vehicles. Emergency services vehicles will be exempt from this policy. Jim commented that he sees the EMS vehicles all over the surrounding areas. Jim made a motion to approve the vehicle use policy. Bryan seconded, & the roll call vote in favor was 3 to 0.

The Township has received the Humane Society Contract for 2009. Optional Emergency Service & pick up service is new in the contract this year. Barb recommended approving the contract accepting both options. Bryan made a motion to approve the contract, as submitted. Jim seconded, & the roll call vote in favor was 3 to 0.

An agreement from Dickinson Township has been received regarding the maintenance agreement for the A.C. Kuhn property. Attorney Kurt Williams was present for this issue. This is a warehouse plan located in Dickinson Township that went to court. SMT has spent time & effort working on a compromise solution so the residents would not have to endure trucks on Alexander Springs Road. The solution was to provide an entrance on Commerce Drive through the Whirlpool cul-de-sac. SMT agreed to this condition based on that the roadway extending into the warehouse was private. No maintenance responsibilities would be incurred by SMT. However, Dickinson Township required the road to be public & changed the agreement to state that we would need to forfeit our liquid fuels month for this section of the road. That amounts to \$192.00/year. Barb stated that the Penn DOT representative has a problem with exchanging the liquid fuels monies, & that they would prefer the road remain a private drive. Jim made a motion to approve the revised agreement. Bryan seconded, & the roll call vote in favor was 3 to 0.

Barb suggested moving the December 11 Board of Supervisors meeting to December 18. This would allow action on plans from the December 16 Planning Commission meeting. Also, it was suggested to change the time for the Reorganization meeting from 6:00 pm to 5:00 pm. Consensus was to wait until the full Board is present to make these changes.

PUBLIC INPUT:

There was no public input.

DOG PARK – Discussion:

Rick mentioned that this issue was brought up at the joint meeting. Carlisle Borough will be asking for financial contributions from other municipalities. He questioned helping financially with another municipalities' land. He feels that ownership of the park is a concern. Barb also mentioned that the Borough asked about South Middleton Township handling the maintenance of the park. She pointed out that the Township has one full-time park person & over 300 acres of our own parks to maintain. Bryan questioned the issue of liability. Mr. Mislitsky stated that liability would be the landowner's responsibility. Barb noted that \$5,000 has been budgeted for this item. Rick suggested waiving the fees for a land development plan instead of providing a donation.

SUPERVISORS' DISCUSSION:

Jim noted the Saving the South Mountain event. Rick stated that he will attend.

Rick asked about the traffic signal problem at Westminster Drive. Brian said that PERCS checked the signal, & that it is working correctly. The timing will be changed to a different pattern to see if a new pattern works better. Once a new pattern is found that works, we will revise our Penn DOT permit.

BILLS FOR PAYMENT:

Bryan made a motion to pay the bills. Jim seconded, & the roll call vote in favor was 3 to 0.

ADJOURNMENT:

Jim made a motion to adjourn the meeting at 6:45 p.m. Bryan seconded. Jim thanked the Board for their donation to the VFW for the Halloween Parade. The roll call vote in favor was 3 to 0.

WITNESS:

Sandra A. Quickel, Secretary

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Walter G. Reighard, Chairman

Bryan A. Gembusia, Vice Chairman

Ronald L. Reeder, Member

James N. Baker, Member

Thomas E. Faley, Member

