

MINUTES

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

DECEMBER 19, 2013

PRESENT: BRYAN GEMBUSIA, TOM FALEY, DUFF MANWEILER, RICK REIGHARD, RON HAMILTON – SUPERVISORS, Richard Mislitsky – Solicitor, Cory Adams – Manager, Brian O’Neill – Engineer, Tim Duerr – Zoning Officer, Sandy Quickel – Recording Secretary, Tom Stubits, Del Hawbaker, Bob & Timi Cairns, Steve Mellen, Jose Diaz, Doug & Helen Gale, Cindy Dunbar, Nita Cook, Bette Szablewski, Jennifer Varner, Amy Myers.

Chairman Gembusia called the meeting to order at 6:00 p.m.

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 announced that the meetings are recorded & to turn off cell phones.

MINUTES: November 26, 2013 (Regular Meeting):

Tom made a motion to approve the minutes. Rick seconded, & the vote in favor was unanimous.

PUBLIC INPUT:

Tom Stubits, 6 Southern Cross Drive, commented on the road conditions of Southern Cross Drive. He said the road is cracked and crumbling. He was told by the previous Road Superintendent that the road would be oil & chipped in 2011, but nothing has been done yet. Mr. Stubits spoke to the current Road Superintendent who agreed to look at the road. Mr. Stubits also met with the Township Manager, but nothing has been done yet. Tom stated that next summer; this area will be oiled & chipped in order to save some wear on the road.

TAX COLLECTOR ROBERT CAIRNS RECOGNITION – (Resolution #19):

Cory read Resolution #19 recognizing Mr. Cairns for his many years of service as Tax Collector. Bryan presented Mr. Cairns with the resolution and thanked him for his service. Mr. Cairns thanked the Board and staff for the office space and working with him.

DISCUSSION – IRON FURNACE:

Cory stated that SMTMA approved the transfer of the deed for ownership of the Iron Furnace from the Municipal Authority to the Township. The deed is ready for the Board to sign. One stipulation in the deed states that if the Township no longer wants to own the furnace, the ownership will transfer back to the Municipal Authority. Ron made a motion to approve the deed transfer of the Iron Furnace to the Township for \$1.00. Rick seconded, & the vote in favor was unanimous.

#2013-0009 CARLISLE CHURCH OF THE BRETHERN IN CHRIST CHURCH – Conditional Use Public Hearing:

Mr. Mislitsky opened the hearing. The Church, located at 1155 Walnut Bottom Road, is requesting conditional use approval for the purpose of constructing several building expansions & additional parking facilities. This is a revision to the Conditional Use approved in 2006. Tim explained that the project will be in phases. The first phase is built. Brian noted that the plan approved in 2006 was to be phased over 20 years. Due to changes with the Wenger development plan, the Church needed to revise their plan. They are asking for new 20-year timeframe. One issue with stormwater management involves the use of pervious pavement. This pavement should be vacuumed twice a year. An agreement for maintenance of this pavement will be needed. No public input was given.

Rick made a motion to approve #2013-0009, subject to the applicant's acceptance of staff comments, approval of a new 20 year timeframe from December 19, 2013, & the Township Solicitor's satisfactory review of the language regarding the stormwater management agreement. Tom seconded, & the vote in favor was unanimous. The hearing was closed.

#2013-0012 ST. PATRICK'S CATHOLIC CHURCH – Final Minor Subdivision:

The applicant proposed to combine a one-acre lot next to the Church to create a single 31.848 acre lot. Steve Mellen, representing the Church, stated that the existing house will be demolished. There are five waiver requests.

Modifications: Preliminary Plan, Stormwater Management Plan, Erosion & Sedimentation Plan, Grading Plan, & Landscape Plan. Tom made a motion to approve the modification requests. Duff seconded, & the vote in favor was unanimous.

Tom made a motion to approve #2013-0012, subject to the applicant's acceptance of staff comments. Duff seconded, & the vote in favor was unanimous.

EMERGENCY SERVICES REPORT:

No report was given.

RECREATION/PARKS REPORT:

Rick questioned a comment on the Parks & Facilities report. He asked about work performed by L&M Mechanical. They replaced the diesel & gas pumps. Cory stated that parts on the pumps were defective and had to be replaced.

ROAD SUPERINTENDENT REPORT:

The report was accepted, as submitted.

SOLICITOR REPORT:

Mr. Mislitsky requested an Executive Session to discuss possible litigation.

ENGINEER REPORT:

A request was received from a resident at 104 Creekview Drive requesting an exception to the requirement to have her septic tank pumped every three years. Brian outlined the reasons for denial in the past for this request. This resident was previously located in Dickinson Township,

but due to the Dickinson/South Middleton Townships boundary issue, the property is now in South Middleton. Rick asked what Dickinson's requirements are for this issue. Brian said they have the same requirement – every three years. Bryan asked if the resident is over 65 years of age, could they receive a letter from the Township stating the systems is due for pumping three years earlier so they would be able to save up for the payment. Duff suggested contacting the septic haulers to see if they could charge half the price if there is a hardship case. This issue will be further reviewed. Rick made a motion to deny exception to the OLDS Ordinance. Ron seconded, & the vote in favor was unanimous.

Brian updated the Board on phone calls received regarding odor from the Martin duck farm. The farmer is approved for spreading manure in the spring and fall.

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

No report was given.

MANAGER REPORT:

Tom made a motion to approve Resolution #20 approving the Junior Township Supervisor Program. Duff seconded, and the vote in favor was unanimous. Duff commented on Item #10 – The Junior Township Supervisor shall not receive compensation, but may be reimbursed for actually incurred expenses. This sentence will be deleted.

The Township currently has \$232,316.67 designated towards Open Space & Conservation in the Capital Reserve fund. To address the needs in the Recreation & Parks Departments, the Township proposes to reclassify the Open Space & Conservation category to "Parks & Recreation/Green Space." Duff mad a motion to re-designate the Open Space & Conservation Account to the "Parks & Recreation/Green Space" account. Bryan seconded, & the vote in favor was unanimous.

A slight change to the 2014 meeting schedule includes the Parks & Recreation Board will meet at 7:00 pm instead of 6:30 pm. The Board of Auditors will meet on January 7 at 6:00 pm. Duff made a motion to approve the 2014 Township Meeting Schedule as revised. Tom seconded, & the vote in favor was unanimous.

Staff is reviewing the provision of the Parks & Facilities Ordinance. Amendments will be forthcoming.

The newsletter has been mailed to residents.

Reorganization meeting is January 6 at 6:00 p.m.

There is a minor change to the 2014 Holiday Schedule. Since Christmas falls on Thursday next year, it was suggested combining the two half days and be closed on Friday, December 26. The office would be open all day on Christmas Eve and New Year's Eve. Duff made a motion to approve the amended 2014 Township Holiday schedule. Ron seconded, & the vote in favor was unanimous.

The Township received the 2013 bridge inspection report. Bridges inspected were: Race Street, Bonnybrook Road, Pine School Road, and Ladnor Lane.

PUBLIC INPUT:

Doug Gale, Derbyshire Drive, commented on the issue regarding a warehouse plan in Dickinson Township.

SUPERVISORS' DISCUSSION:

Bryan stated that he met with Max Marbain's widow, Mary Ann, & Ken from Marbain's office regarding the ongoing issue at Summerfield. The Marbain representatives said the mailbox issue will be fixed next spring so water does not pool at the mailbox. It was suggested that the Township Engineer meet with Ken to look at the issue. Duff feels more rain is needed to determine if the situation is corrected. Duff also stated that since John Madden was hired by Marbain's to fix the issue; he should attend the meeting with Ken & Brian.

2014 REAL ESTATE FIRE TAX RATE – Resolution #21 of 2013:

Rick made a motion to approve Resolution #21 approving the Real Estate Fire Tax Rate for 2014. Ron seconded, & the vote in favor was unanimous.

2014 CABLE FRANCHISE FEE – Resolution #22 of 2013:

Duff made a motion to approve Resolution #22 approving the Cable Franchise Fee for 2014. Rick seconded, & the vote in favor was unanimous.

2014 BUDGET – Resolution #23 of 2013:

Duff made a motion to approve the Budget for 2014. Ron seconded, & the vote in favor was unanimous. Rick seconded, & the vote in favor was unanimous.

BILLS FOR PAYMENT:

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

Tom made a motion to adjourn to Executive Session at 7:12 p.m. to discuss a possible litigation issue. Duff seconded, & the vote in favor was unanimous.

EXECUTIVE SESSION:

Rick made a motion to adjourn Executive Session at 7:45 p.m. Tom seconded, & the vote in favor was unanimous.

ADJOURNMENT:

Ron made a motion to adjourn the meeting at 7:47 p.m. Tom seconded, & the vote in favor was unanimous.

ATTEST:

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Sandra A. Quickel, Secretary

Bryan A Gembusia, Chairman

Thomas E. Faley, Vice Chairman

Walter G. Reighard, Member

R. Duff Manweiler, Member

Ronald P. Hamilton, Member