

MINUTES

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

MARCH 26, 2009

PRESENT: BRYAN GEMBUSIA, RICK REIGHARD, RON REEDER, JIM BAKER, TOM FALEY – SUPERVISORS; Richard Mislitsky – Solicitor, Barbara Wilson – Manager; Jarrett Sweeney – Assistant Manager, Brian O’Neill – Engineer, Tim Duerr – Zoning Officer, Sandy Quickel – Recording Secretary, Attorney Charles Shur, Mary Zeigler, Randy Watts, Dan Demsko, Shannon Brennan, Jim Miller, Pat Higgins, Phyllis Givler, Doug & Helen Gale, Bob Beers, Bob Geist, Frank Burrows, William Kennedy, Tina Hoyaux, Andrea Ciccocioppo - “The Sentinel”, Linda Franz – “The Patriot News”.

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

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Chairman Gembusia.

MOMENT OF SILENCE:

A moment of silence was observed for the 2 injured West Pennsboro road crew workers (David Wickard & Richard Yocum) hit by a vehicle.

OPENING ANNOUNCEMENTS:

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

MINUTES: 03/12/09 (Regular Meeting)

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

PUBLIC INPUT:

Randy Watts noted an erosion problem in Indian Hills (200 block of Shirley Lane).

#09-02C McCANN SCHOOL OF BUSINESS – Conditional Use Public Hearing:

The Solicitor opened the hearing & stated procedure. The request for a stenographer was waived. Attorney Charles Shur, Pat Higgins, Shannon Brennan, Jim Miller & Dan Demsko were present. Mr. Shur stated that the business will be located in the existing Sprint building at 346 York Road in the C-2 zoning district. The school will encompass 33,000 s.f. There will be interior renovations to the building. Mr. Mislitsky asked the audience if anyone is in opposition of the project. No one replied. Tom asked for the locations of other schools. Ms. Brennan replied that other school locations are: Pottsville, Hazle Township, Sunbury, Dickson City & Allentown. Tom feels this will help the economy, they will pay taxes, & will provide great training for people. He asked when they plan to be in operation. He was told the fall of 2009. They anticipate 500 students & 62 faculty members. An Associates Degree or a Diploma Program will be offered. Mary Zeigler urged the Board to approve the plan. Four waivers were requested: 1) Section 1622(2) minimum lot size for a college is 35 acres. The existing lot is 15 acres; 2) Section 1622(3)(c) minimum setback for parking areas is 100 feet. The existing parking lot encroaches into this setback; 3) Section 1622(3)(a) the school is required to be

landscaped per Section 711 of the Subdivision & Land Development Ordinance. The site has extensive landscaping; 4) Sections 1622(3)(b) & 1607(4) the school & commercial center use must be screened from the existing residential uses & districts. Though there is existing screening on the property, it may not comply with the strict requirements of Section 711 of the Subdivision & Land Development Ordinance. The applicant may wish to request relief or otherwise demonstrate such screening complies with the ordinance. Tom made a motion to approve the modifications. Rick seconded, & the vote in favor was unanimous. Rick asked about the use for the remaining 12,000 s.f. of the building. Mr. Higgins said that they may lease the remaining 12,000 s.f. to a tenant, but do not have one at this time. Tom made a motion to approve #09-02C, subject to staff comments. Rick seconded. Jim told the applicants that the Township has a good staff & to call them if they have questions. Ron asked about the Uniform Construction Code requirements for handicapped parking. Tim said that they have been addressed. The vote in favor was unanimous. The hearing was closed.

**#09-05C NEW CINGULAR WIRELESS PCS, LLC d/b/a AT&T Mobility c/o Bechtel
Telecommunications – Conditional Use Public Hearing:**

The Solicitor opened the hearing. There was no stenographer present. The applicant requested the plan be tabled due to waiting for a structural report. Jim made a motion to table the plan until April. Tom seconded, & the vote in favor was unanimous.

EMERGENCY SERVICES REPORT:

The report was accepted as submitted.

RECREATION/PARKS REPORT:

Tom stated that the Naming Policy has been resubmitted to the Board for action & will be discussed on the Manger's Report.

ROADMASTER REPORT:

Street sweeping will begin the second week in April. Randy Watts pointed out a work zone issue with Township vehicles. He said he sees trucks along the roads without the proper signage noting that you are entering a work zone area. Also, he noted that there are no lights flashing on the trucks & safety vests on the works. Barb stated that one of the roadcrew employees was reprimanded on that issue. Bob Beers stated that while trimming around the Nells Grocery Store, the roadcrew had lights on, but this area is very narrow & cars may come upon them due to not seeing posted work signs. Barb will take with the entire group about safety on Friday. Tom pointed out that the roadcrew plowed only 2 times, but the Township didn't save any money due to the numerous times salting/anti-skidding due to ice events.

SOLICITOR REPORT:

There was no report was given.

ENGINEER REPORT:

Carlisle Hotel Partners (#06-18) has requested a security release. Brian stated that as-built plans have not been received. Jim made a motion to deny the security release. Ron seconded, & the vote in favor was unanimous.

The following plans are awaiting DEP approval & the developers have submitted time extensions to the Board:

Trammel Crow Subdivision (#06-25) until 12/31/09

Sparks Tract Lots 2 & 3 (#08-11) until 12/31/09

Rick made a motion to approve the time extensions as submitted. Tom seconded, & the vote in favor was unanimous.

The issue of the installation of interior street lights within Forgedale Crossing & Netherby Developments was discussed. A copy of the development drawing was included for review. Met-Ed has several options for installing lights. The one option (#4) allows a decorative light pole within the development. The developer would cover the installation cost of \$1,200, but then the Township will assume monthly costs for repairs, replacement or maintenance of the pole. S&A Homes has placed a stake in the ground for a street light. Tom made a motion to keep interior street lights in Forgedale Crossing & Netherby. Rick seconded. Ron does not want the Township to replace a \$1,200 pole. Rick suggested moving the one light down a street to cover a 4-way intersection. Tom amended his motion to approve Option #4 for the installation of regular utility poles. Rick seconded. Jim said that interior lights help with safety issues. Tom agreed. Rick asked for comments from the Emergency Service representatives. Ron Hamilton said that are beneficial if a fire hydrant is located in the area. The vote in favor was unanimous.

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

Cosma Peters, 3 Ridgeway Drive, has requested a waiver from the 35 ft. rear yard building setback approved on the Greenfield Phase 1 plan. She would like to construct a covered patio 28 ft. from the side property line. Jim made a motion to approve the waiver as requested. Tom seconded, & the vote in favor was unanimous.

The decisions for the Morgan's Crossing & Jefferson Court II Conditional Uses are ready for signing.

MANAGER REPORT:

The Parks & Recreation Board's Naming Policy has been revised & submitted for approval. Tom made a motion to approve the Naming Policy. Jim seconded. Doug Gale asked if something is named for someone, does that person have to be deceased. He was told yes. Mary Zeigler asked if the Board has the final authorization on the name. She was told yes. The vote in favor was unanimous.

Carol Rau has requested permission to set up canopies & bike racks in Spring Meadows Park & to paint directional markers on Township roads for their annual triathlon. Tom made a motion to approve the request with direction from Township staff, & the group assuming responsibility for traffic control & all liability for the event. Jim seconded, & the vote in favor was unanimous.

Old files have been compiled for disposal according to the state Records Retention Schedule. Tom made a motion to approve Resolution #09-08 approving the disposal of records. Jim seconded, & the vote in favor was unanimous.

Action was delayed on the request to use the trail for the Tour de Cure bike-a-thon. More information is needed from the organizers regarding liability issues & traffic control. Barb has contacted them for the information.

PUBLIC INPUT:

Mary Zeigler commented on an issue with the South Middleton Fire Company. She would like to meet with 2 Board members after the meeting to discuss these problems. She introduced Tina Hoyaux, a firefighter, who mentioned problems with women on the fire company. She also requested meeting with 2 Board members to discuss this issue.

SUPERVISORS' DISCUSSION:

Rick stated that he attended a seminar on the Appalachian Trail Initiative. Ron Reeder & Planning Commission member, Tony Gonzalez also attended. Discussion included an overlay district around the trail & consisting of a 300 ft. buffer. Tim said he is working on an ordinance on this topic. Brian said that South Middleton will not have as much development pressure as other municipalities. Rick also noted that there will be discussion at the next Municipal Authority meeting on Dickinson Township's request for water/sewer service. He will also ask the Municipal Authority if they will repair the Iron Furnace. Tom would like to see the Furnace preserved. Jim does not want to see the Iron Furnace parking lot paved.

Ron also commented on the Appalachian Trail Initiative & feels a 300 ft. buffer would be a problem for Dickinson Township – he would like to see a 150 ft. buffer.

BILLS FOR PAYMENT:

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

ADJOURNMENT:

Rick made a motion to adjourn the meeting at 7:12 p.m. Tom seconded, & the vote in favor was unanimous.

WITNESS:

Sandra A. Quickel, Secretary

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Bryan A. Gembusia, Chairman

Walter G. Reighard, Vice Chairman

Jim Baker, Member

Ronald L. Reeder, Member

Thomas E. Faley, Member