

MINUTES

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

MARCH 27, 2008

PRESENT: BRYAN GEMBUSIA, TOM FALEY, RON REEDER, JIM BAKER, & RICK REIGHARD (absent) – SUPERVISORS; Richard Mislitsky – Solicitor; Barbara Wilson – Manager; Jarrett Sweeney – Assistant Manager, Brian O’Neill – Engineer; Tim Duerr – Zoning Officer, Sandy Quickel – Recording Secretary, Michael & Carla Arnold, Ryan Leppo, Bruce Barner, Doug & Helen Gale, Tom Nehilla, Attorney Craig Adler, Pam Fisher, Ron Hamilton, Lou Capozzi, Howard Phillips, Frank Burrows, Bob Geist, Bob Grochaski, Charlie Mallios, Chris & Mary Zeladonis, Mark Juliana, Donald & Cathy Baker, John Anderson, Richard Cummins, Andrea Ciccocioppo - “The Sentinel”, Linda Franz – “The Patriot News”.

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

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Vice Chairman Gembusia.

MOMENT OF SILENCE:

A moment of silence was observed.

OPENING ANNOUNCEMENTS:

Vice Chairman Gembusia noted that the meetings are recorded, & to turn off cellular phones.

MINUTES: 03/01/08 (Workshop Minutes)

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

03/13/08 (Regular Meeting)

Brian O’Neill noted that the Allen Distribution plan should be listed as a Preliminary plan, not a Final Land Development plan. Tom made a motion to approve the minutes, as amended. Ron seconded, & the vote in favor was 4 to 0.

PUBLIC INPUT:

There was no input given.

#07-01R DEER VALLEY ASSOCIATES – Rezoning Request Public Hearing:

Solicitor Mislitsky opened the hearing. A court stenographer was present. The applicant will withdraw the current plan & resubmit a new plan. The applicant requested the \$3,500 be turned over & applied to the new plan. Bruce Barner, West Pine Street, made several comments. A new hearing will be held in the future. Tom made a motion to apply the \$3,500 fee towards the new plan submission subject to withdrawing the original plan. Ron seconded, & the vote in favor was 4 to 0. The hearing was closed.

#06-11C GEORGETOWNE – Conditional Use Public Hearing:

Solicitor Mislitsky reconvened the hearing. A court stenographer was present. The applicant has granted the Township a 120-day time extension. The next hearing will be on May 8. The hearing was closed.

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

Solicitor Mislitsky reconvened the hearing. A court stenographer was present. The plan was tabled until the traffic study is submitted & reviewed. The next hearing will be on May 8. The hearing was closed.

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

Solicitor Mislitsky reconvened the hearing. A court stenographer was present. The plan was tabled until the traffic study is submitted & reviewed. The next hearing will be on May 8. The hearing was closed.

EMERGENCY SERVICES REPORT:

The report was accepted as submitted.

RECREATION REPORT:

No report was given.

ROADMASTER REPORT:

Jim asked if the Township is responsible for fixing a pothole in the M&T Bank parking lot along Forge Road. He was told that a letter can be sent to the property owner to repair the pothole. He also noted a sinkhole at St. Pat’s Church.

SOLICITOR REPORT:

The Solicitor will be on vacation from April 22-29.

ENGINEER REPORT:

Several months ago, Doug Baker, presented a sketch for a baseball training facility to be built on his property along York Road (across from Mayapple Drive). The Subdivision & Land Development Ordinance requires any new development within 1000 ft. of an existing water & sewer lines to connect to them. There is a line that is close to Mr. Baker’s property, but it is on the other side of York Road. Penn DOT will require that he bore underneath the road, instead of open trenching, thus increasing the costs of the planned facility. Mr. Baker is requesting a waiver of the requirement to hook up to the water & sewer. He would like to install a holding tank until he is able to connect to the sewer. Brian said there is a holding tank ordinance that allows a holding tank for commercial uses if the usage is less than 800 gallons per day. This facility would meet that criteria. Tom feels this request is reasonable. He suggested that Mr. Baker hooks up as soon as possible. Brian expressed Mr. Reighard’s concern if the facility doubles in size or installs showers & exceeds the 800 gallon a day limit. It was suggested to require Mr. Baker to submit a pumping record which will show how many gallons are being pumped.

Tom made a motion to approve the waiver request allowing Mr. Baker to not having to hook up to the sewer line until the time the line comes within 1000 feet down the northern side of York

Road (then hook-up must occur), & subject to submitting a pumping record. Jim said to make sure Mr. Baker knows how much the usage fees will cost because commercial rates are expensive. Ron seconded, & the vote in favor was 4 to 0.

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

The applicant for the Group & Group/Midway Storage Conditional Use plan has granted a 49-day time extension to the Township to begin the public hearing. Tom made a motion to approve a 49-day time extension. Ron seconded, & the vote in favor was 4 to 0.

The applicant for the Walnut Bottom Grove Conditional Use plan has granted a time extension to the Township until April 24 to begin the public hearing. Tom made a motion to approve a time extension until April 24. Ron seconded, & the vote in favor was 4 to 0.

Richard Johnson is requesting the Board waive the fee for a Zoning Hearing Board application. He is applying to get clarification on a variance request previously granted. Staff has no problem granting the waiver request based on the justification. Ron made a motion to approve a waiver of the Zoning Hearing Board fees. Jim seconded, & the vote in favor was 4 to 0.

The applicant for the Trammel Crow subdivision plan has granted the Township a time extension until June 8 for action on the plan. Jim made a motion to grant the time extension until June 8. Tom seconded, & the vote in favor was 3 to 1 (Ron abstained because he is Dickinson Township's Manager).

MANAGER REPORT:

The Meeting Rules of Conduct has been revised. Tom made a motion to approve Resolution #08-02 adopting the Meeting Rules of Conduct. Ron seconded, & the vote in favor was 4 to 0.

A triathlon will be held on August 16 in the Township. The organizer has asked to set up canopies in Spring Meadows Park & to mark designated roadways on the route. Consensus was given to allow the canopies & road markings as requested.

RSVP's are due by June 20 to attend the Summerfair Parade on July 3.

The Borough of Mechanicsburg is requesting permission to use the Special Fire Police for specified events in their municipality. Tom made a motion to approve Mechanicsburg Borough's request. Jim seconded, & asked which insurance coverage would cover the workers. Barb said they would be covered under South Middleton's insurance policy. The vote in favor was 4 to 0.

The company that will be spraying for gypsy moths asked to reload their spray in the park. Staff feels the best place is at Spring Meadows Park. They can land in the field in front of the cell tower. Spraying will occur during weekdays & before noon. The chemicals are not to be harmful to people & surroundings. The Solicitor suggested the spraying company state in writing that the chemicals will be safe for humans, for the Township to be named as an additional insured & an indemnification for the Township to be held harmless. Bryan made a motion to approve the request to stage the spraying at Spring Meadows Park subject to receiving a letter from the spraying company that the chemicals are safe for humans. Tom seconded. Jim also asked that the company not fly over the school buildings. Tom Arnold, Petersburg Road, asked to have the

chemical list read aloud. He asked if the list covers human health, not aquatic life. He was told yes. The vote in favor was 4 to 0.

PUBLIC INPUT:

Andrea Ciccocioppo asked if the residents will be notified when the spraying occurs. She was told that some sort of notification will be done (possibly in the newspaper). The spraying is to occur 3 days in May.

SUPERVISORS' DISCUSSION:

Jim mentioned that he attended the school board meeting & noticed how pleasant their meetings are. He apologized to Bryan for shouting to him at the last meeting. Bryan also apologized for his behavior. Jim told Andrea Ciccocioppo (The Sentinel) that the Township's meetings are not listed in the paper with other municipality's meetings. Jim asked who was responsible for the Mayapple Drive street name signs. He said they need maintenance. He was told that the signs are the homeowner's responsibility. Doug Gale, Derbyshire Drive, told Jim to contact Marti Green.

BILLS FOR PAYMENT:

Tom made a motion to pay the bills. Ron seconded, & the vote in favor was 4 to 0.

ADJOURNMENT:

Ron made a motion to adjourn the meeting at 6:57 p.m. Tom seconded, & the vote in favor was 4 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

