

MINUTES

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

MARCH 29, 2007

PRESENT: TOM FALEY, RON REEDER, JIM BAKER, BRYAN GEMBUSIA, & RICK REIGHARD – SUPERVISORS; Richard Mislitsky – Solicitor; Barbara Wilson – Manager; Jarrett Sweeney – Assistant Manager, Brian O’Neill – Engineer; Tim Duerr – Zoning Officer, Sandy Quickel – Recording Secretary, Ron Hamilton, Bony Dawood, Kiran Patel, Mayur Patel, Del Hawbaker, Linda Larson, Ray Tennyson, Doug & Helen Gayle, Attorney Ivo Otto, Dick Cummins, Bill Brown, Bob Beers, Frank Burrows, Howard Phillips, Bob Geist, Chris Gulotta, Don & Cathy Baker, Pam Fisher, Marti Green, Tom Benjey, Liz Knouse, Tom Whitcomb, Dick Moore, John Anderson, Eric Edstrom, Attorney Nathan Wolf, Ray & Betty Jones, Claire Brehm, Attorney Jim Hughes, Brian Evans, Jane Ewing, Kurt Williams, Charles Breslin, Morgan Price, Darcie Frye, Drew Stoken, Debra Taylor, Dr. Philip Carey; Tom Wilkins, Bill Webber, Susan Greenbaum, Charles Hersh, Andrea Ciccocioppo – “The Patriot News”, Heather Stauffer - “The Sentinel”.

The meeting was called to order at 6:03 p.m. by Chairman Faley.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Chairman Faley.

MOMENT OF SILENCE:

A moment of silence was observed.

OPENING ANNOUNCEMENTS:

Tom noted that the meetings are recorded.

MINUTES: 03/08/07 Regular Meeting

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

#05-08C CARLISLE FORGE – Conditional Use Public Hearing:

Mr. Mislitsky reconvened the hearing. A court stenographer was present. The hearing transcript will be the official record. The next hearing will be on May 10, 2007. The hearing was closed.

(BREAK)

SOLICITOR REPORT:

It was suggested an amendment to the Zoning Ordinance regarding criteria when handling conditional uses. Tom made a motion to approve advertising an amendment on this issue. Rick seconded, & the vote in favor was unanimous.

Regarding the Right to Know Request, Mr. Mislitsky told Tom Benjey to contact Barb Wilson to review the records he requested. He also stated that the issue with the Griffins was to be worked out with Barb Wilson.

On the Captax issue, Bryan made a motion to send a copy of the audit report to State Auditor General Jack Wagner. Ron seconded, & the vote in favor was unanimous.

ENGINEER REPORT:

Regarding the Forgedale Crossing plan, S & A Homes has asked the Township to take a position on whether or not we want the turn lane on Forge Road. They have asked the Township to write a letter to PennDOT stating that we do not want the turn lane. The turn lane is just under the criteria for having one installed. PennDOT is asking for additional data to determine if one should be required at their proposed traffic levels. Brian's recommended sending a letter stating the following:

1. The residents in the vicinity would be negatively affected & do not want the turn lane.
2. If the turn lane is unwarranted, even marginally, the Township supports not installing it.
3. If the turn lane is warranted, even marginally, the Township supports the installation.

Ron questioned the liability if the turn lane is not warranted & an accident occurs. He feels the Township should remain neutral on this issue, & that it is a PennDOT road, & they should make the decision. Consensus was given to send the letter as recommended, but in statement #3 remove the wording "even marginally".

The following plans have requested re-approval:

Carlisle Crossing, Lot #8 (#06-08)

Carlisle Church of the Brethren in Christ Church (#06-20)

Michael Marhevka (#05-31) with a request for 180 days to meet conditions of plan approval.

Netherby, Phase 2 (#05-17)

Jim made a motion to re-approve the plans, as requested. Ron seconded, & the vote in favor was unanimous.

Carlisle Church of the Brethren in Christ Church (#06-20) has requested a waiver of 50% of the recreation fees. This request has been approved in the past. Jim made a motion to approve the modification. Tom seconded, & the vote in favor was unanimous.

Around June 11th, the big humpback bridge on Mountain Road will be closed for repairs.

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

Chris Gulotta of the Redevelopment & Housing Authority has submitted an RFP & Scope of Work for the zoning study & model ordinance for the historic preservation of the Village at Boiling Springs. Five members have been recommended to be on an advisory committee. They are Tim Duerr, Mary Ann Taylor, Jim Barnes, Rick Reighard & Tom Huff (PC mbr). Bryan asked about any restrictions in the deeds or agreements. Mr. Gulotta said he would have to

research that issue. Jim suggested asking Dick Tritt to be on the advisory committee as well. Mr. Gulotta does not have a problem with using Mr. Tritt as a consultant as needed. Bryan made a motion to approve the RFP & advisory committee of 5 members as mentioned. Ron seconded, & the vote in favor was unanimous.

Gale Riddle is requesting a waiver from the 30 ft. side yard building setback approved on the Sunrise Meadows, Phase 1 plan for the purpose of constructing a garage 26 ft. from the side property line. Rick feels there is plenty of room for the construction. Ron asked if he should apply to the Zoning Hearing Board. Tim replied no, because the ordinance is less stringent. Brian stated that it meets zoning requirements. Ron made a motion to deny the waiver request. Bryan seconded, & the vote in favor was 4 to 1 (Jim voted nay).

Tom made a motion to approve a 60 day time extension for the Traditions of America at Boiling Springs Conditional Use. Jim seconded, & the vote in favor was unanimous.

MANAGER REPORT:

Action was deferred at this time to act on an indemnification agreement for work on the Letort Trail.

Carlisle Borough is applying for a DCNR grant to develop a linear park at the Exel property. They are asking the Township for a letter of support. The Township is not applying for any DCNR grants for this year. Bryan made a motion to approve the letter of support for Carlisle Borough's application for DCNR funds. Ron seconded. Rick questioned who is responsible for maintenance. Barb replied that the Borough has the maintenance responsibility, & that the Township does not own any of the land. Tom stated that this is another attempt to work together as a team. Rick suggested tabling action on this request at this time. Bryan & Ron withdrew their motion & second. Jim made a motion to table action on this request at this time. Ron seconded, & the vote in favor was unanimous.

Barb reported that Sarah Colondrillo, Recreation Supervisor, had a baby boy recently.

#06-14 FORGEDALE CROSSING, SECTION 7 – Final Subdivision:

This plan was tabled.

#06-21 CARLISLE FORGE – Final Minor Subdivision:

This plan was tabled.

EMERGENCY SERVICES REPORT:

The report was accepted, as submitted.

RECREATION REPORT:

No report was given.

ROADMASTER REPORT:

The report was accepted, as submitted.

S.M.T.M.A. REPORT:

No report was given.

PUBLIC INPUT:

There was no public input.

#06-20C TRAMMEL CROW SERVICES, INC. (Sparks Tract Lot #3) – Conditional Use Public Hearing:

The hearing was reconvened by Attorney Clayton Wilcox at 7:30 p.m. A court stenographer was present & the transcript will be the official record of the hearing. The next hearing date will be April 12th. The hearing was closed at 10:10 p.m.

SUPERVISORS’S DISCUSSION:

Rick mentioned issues discussed at the PSATS meeting. He also mentioned meeting tomorrow with SMTMA to discuss working on the Act 537 plan. Rick noted Jim’s attendance record of the last 3 years at the SMTMA’s meetings. He volunteered to take over the liaison position because Jim doesn’t attend. Bryan made a motion to approve Rick as the SMTMA liaison. Jim seconded, & the vote in favor was unanimous. Rick also suggested a proposed format to track issues/complaints & will work with staff to set up a format.

BILLS FOR PAYMENT:

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

ADJOURNMENT:

Rick made a motion to adjourn the meeting at 10:15 pm.

WITNESS:

Sandra A. Quickel, Secretary

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Thomas E. Faley, Chairman

Ronald L. Reeder, Vice Chairman

Bryan A. Gembusia, Member

James N. Baker, Member

Walter G. Reighard, Member

