

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

MAY 12, 2005

PRESENT: RON REEDER, TOM FALEY, JIM BAKER, PHYLLIS GIVLER & BRYAN GEMBUSIA – SUPERVISORS; Richard Mislitsky – Solicitor; Barbara Wilson – Manager; Tim Duerr – Planning/Zoning/Codes Enforcement Officer; Sandy Quickel – Recording Secretary; Jarrett Sweeney – Assistant Manager; Harry Roth; Cynthia Adams; Tom & Ann Benjey; Ron Hamilton; Rick Reighard; Dick Cummins; Howard Phillips; Bob Geist; Bruce & Connie Lowe; Martha Green; John Rovegno; Aaron Rovegno; Doug Glass; George Stapleton; Paul & Sandra Slifko; Valerie Long; John Anderson; Attorney Nathan Wolfe; John Hilton – “The Sentinel”; Andrea Ciccocioppo - “The Patriot News”.

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

PLEDGE OF ALLEGIANCE:

Chairman Tom Faley led the audience in the pledge of allegiance.

MOMENT OF SILENCE:

A moment of silence was observed.

OPENING ANNOUNCEMENTS:

The Board & staff members introduced themselves. Barb announced that Engineer Brian O’Neill & wife recently had a baby boy.

PRESENTATION – Boiling Springs Civic Association

BSCA member, Cynthia Adams, presented a \$20,000 check to the Supervisors toward a pavilion at Spring Meadows Park. This will cover one-half of the cost. The Township will be applying for a grant for the other half. Ms. Adams said that a plaque will be installed onto the pavilion when completed. Mr. Faley thanked Ms. Adams on behalf of the Board.

MINUTES: 04/28/05 (Regular Meeting)

Bryan made a motion to approve the minutes, as written. Phyllis seconded, & the vote in favor was unanimous.

ORDINANCE #05-06 ZONING ORDINANCE AMENDMENT – (Neighborhood District) – Public Hearing:

Mr. Mislitsky opened the hearing & stated the procedure. He stated that this ordinance was submitted by Cox Developers & the parcel is along the Walnut Bottom Road. There was some question as to whether proper notification was given. Mr. Mislitsky stated that the notice was properly advertised. Attorney Nathan Wolf gave a brief update on the history of the proposed ordinance. Mr. Wolf represents a resident who lives along Walnut Bottom Road. He feels that this amendment would not be consistent with the zoning ordinance, & that an anchor store is not needed. Mr. Wolf introduced Harry Roth, a community planner, who presented a slide presentation & discussed 3 successful neighborhood developments. Tom suggested no action be taken since the Township will be reviewing the comprehensive plan. The proposed ordinance

would increase the residential coverage to 70% instead of 60% as depicted on the first proposed amendment. Ron asked Mr. Roth if both stories of the 2-story buildings are utilized. Mr. Roth said that some are office & storage spaces with very little retail space. Ron also asked as to the amount of foot traffic as opposed to vehicular traffic. Mr. Roth explained that these types of centers are not meant to draw traffic from far away. Most travelers will stop as a matter of convenience on their way home. Phyllis asked which of the 3 developments Mr. Roth showed would match a village type plan. He said it would be the Olde Hickory development. Phyllis said she was not ready to vote on this amendment at this time. Bryan feels that this type of concept can be accomplished. He asked if the Board should deny the proposed ordinance amendment. He feels the proposed amendment would increase residential counts for the school district. The Solicitor stated that the Board does not have to take any action on the amendment.

Mr. Wolf feels that an anchor store would draw more traffic to that area. Mr. Mislitsky stated that he is not sure that Mr. Cox knew this was to be on the agenda for discussion. Tom asked if the notice was properly advertised. He was told that it was properly advertised. Mr. Mislitsky suggested notifying the developer that he should come before the Board if he wants to make a presentation. Jim feels that the plan is viable & more neighborhood districts are needed, & would keep traffic down. Ron suggested continuing the hearing, but to notify Mr. Cox that Board consensus was not favorable of this ordinance amendment. Public input was taken. Dick Cummins, Greenfield Development, feels the Board should deny the ordinance. Mr. Wolf stated that he verified the hearing date, & that the developer should also be responsible for verifying the date. The developer was at the last Planning Commission meeting & could have asked for verification of the hearing date. Both Mr. Mislitsky & Barb Wilson suggested continuing the hearing until the applicant was present. George Stapleton, Lindsey Road, noted that these projects were from the 1970's & 1980's & asked if there were any current projects. Mr. Roth stated that the projects he showed have been in existence for years.

Jim made a motion to not consider the ordinance amendment, as submitted. Tom seconded, & the vote in favor was unanimous. The hearing was closed.

EMERGENCY SERVICES REPORT:

The report was accepted, as written. Ron Hamilton recommended implementing a burn ban due to the dry conditions. Jim made a motion to ban burning at the Emergency Services Co-Administrator's recommendation. Ron seconded, & the vote in favor was unanimous.

RECREATION REPORT:

The report was accepted, as written. Barb added that the Annual Hampden Soccer Tournament will not be held at the park on Memorial Day weekend because of the number of teams registered for the tournament this year.

ROADMASTER REPORT:

The report was accepted, as written.

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

It was noted that the Municipal Authority is still working on the sewer line projects in the Walnut Bottom Road area.

SOLICITOR REPORT:

Ron questioned Item III on the report. Verizon intends to install a pervasive network of fiber optics in the Township. Ron asked if this is for the wireless network or the land-line. Mr. Mislitsky said he would find out the answer to this question.

ENGINEER REPORT:

Tim reported a security release for the Dr. Yorkgitis plan. Tom made a motion to release the security, as recommended. Ron seconded, & the vote in favor was unanimous.

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

Bryan made a motion to approve a 90-day time extension for the Carlisle Reformed Presbyterian Church Final Minor Land Development plan to meet conditions of plan approval. Phyllis seconded, & the vote in favor was unanimous.

Bryan made a motion to approve a 90-day time extension for the Carlisle Church of the Brethren in Christ Final Minor Land Development plan to meet conditions of plan approval. Phyllis seconded, & the vote in favor was unanimous.

Bryan made a motion to approve a 90-day time extension for the David D. & Jody L. Boore Final Minor Land Development plan to meet conditions of plan approval. Phyllis seconded, & the vote in favor was unanimous.

Bryan made a motion to approve a 90-day time extension for the Stonehedge Lot C2 Final Minor Land Development plan to meet conditions of plan approval. Phyllis seconded, & the vote in favor was unanimous.

Conditional Use Decisions are ready for signing for Global Renewal, West Shore Properties & Boiling Springs High School.

A planning module needs to be submitted for the Leaman farm property. Ron made a motion to approve Resolution #05-14 forwarding the planning module to DEP for the Leaman farm. Bryan seconded, & the vote in favor was unanimous.

MANAGER REPORT:

The Foundry Day Committee has submitted a revised bus route for that day's event. Ron made a motion to approve the signage & route as indicated. Tom seconded, & the vote in favor was unanimous.

Additional old records are ready for disposal. Phyllis made a motion to approve Resolution #05-13 to dispose of the old records, as indicated. Ron seconded, & the vote in favor was unanimous.

(BREAK)

PUBLIC INPUT:

Paul Slifko, SMSD President, reported that the school received the engineer's report on the bore drillings that were done on the parking lot. Barb mentioned that the traffic engineer's RFP was received, but did not include review of all the intersections we discussed in a previous meeting

with SMSD staff. Mr. Slifko stated that this was a different issue. A traffic study will be completed. Barb sent a letter to the Superintendent as to what intersections need to be studied.

Marti Green, Mayapple Development, said that the Mayapple residents have met with the developer of the proposed Carlisle Forge Development. She stated that she does not know how the development will be affected by the ordinances. The residents liked the plan with a village concept. The developer has also provided a lot of green space.

SUPERVISORS' DISCUSSION:

Jim noted that the work done on the clock tower looks nice. Also, there will be a golf tournament in honor of his brother Dave Baker. Jim introduced Charlie Bousilman who spoke on a few issues including the warehouse issue. He feels that the people have spoken on that issue, & that the parcel could be turned over to development & to hope that the developer does the best scenario for the Township.

Ron mentioned that he spoke to SMSD Superintendent Sanker regarding consideration to waiving the realty transfer tax on the Leaman farm which the Township will purchase for \$425,000. A formal request will be sent to the school after settlement occurs. Ron made a motion to request that South Middleton School District waive their portion of the realty transfer tax. Bryan seconded, & the vote in favor was unanimous.

BILLS FOR PAYMENT:

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

Jim requested an Executive Session to discuss land acquisition. There will be no action taken. Jim made a motion to adjourn the regular session & go into executive session at 7:19 p.m. Phyllis seconded, & the vote in favor was unanimous.

EXECUTIVE SESSION:

The topic of discussion was land acquisition. No decisions were made. Ron made a motion to adjourn the executive session at 7:22 p.m. & to reconvene the regular session. Bryan seconded, & the vote in favor was unanimous.

ADJOURNMENT:

Ron made a motion to adjourn the meeting at 7:23 p.m. Bryan seconded, & the vote in favor was unanimous.

WITNESS:

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Thomas E. Faley, Chairman

Bryan A. Gembusia, Vice Chairman

Phyllis W. Givler

James N. Baker

Ronald L. Reeder