

MINUTES

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

MAY 14, 2009

PRESENT: BRYAN GEMBUSIA, RICK REIGHARD, RON REEDER, JIM BAKER, TOM FALEY- (Absent) – Supervisors, Richard Mislitsky – Solicitor, Barbara Wilson – Manager, Jarrett Sweeney – Assistant Manager, Brian O’Neill – Engineer, Sandy Quickel – Secretary, Christopher Raup, Glenn Raup, Bill Hartman, Glenn Buffington, Cindy Dunbar, Doug & Helen Gale, Bob Beers, Bob Geist, Bill Bashore, Eric Johnson, Sarah Tandle, Mark Juliana.

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 stated that the meeting is recorded & to turn off cell phones.

MINUTES: 04/30/09 Regular Meeting:

Rick made a motion to approve the minutes. Ron seconded. Jim pointed out that even though he seconded the motion regarding the fire police issue, he voted against it. Rick amended his motion to include this change. Ron seconded, & the vote in favor was 4 to 0.

05/04/09 Road Projects Bid Opening Meeting:

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

PUBLIC INPUT:

Doug Gale, Derbyshire Drive, stated that the grass at the Sprint building on York Road is very high & asked if there was an ordinance for grass height. He was told yes, & that the height limit is 12 inches. Bryan quoted an article submitted by Bob Beers. It was questioned whether an ordinance could be drafted so that a violation letter/citation could be sent to the lien holder of a property.

Bill Hartman representing the VFW requested the standard street closures for the Memorial Day Parade. He also asked for a donation for the parade. He stated that last year the Township donated \$300. The Solicitor pointed out that there is a legal issue with donating money with public funds. Jim made a motion to donate \$300 towards the Memorial Day Parade. Rick asked Jim to amend his motion to \$350. Jim amended the motion to donate \$350. Rick seconded, & the vote in favor was 4 to 0. Jim made a motion to close the streets for the Memorial Day Parade. Bryan seconded, & the vote in favor was 4 to 0.

ORDINANCE #07 of 2009 Subdivision & Land Development Amendment (requirements – new construction within floodplain areas) – Public Hearing:

Mr. Mislitsky opened the hearing & stated the procedure. Brian explained that this adds the provision of maintaining topsoil on site. Also, changes were incorporated as per the revised FEMA map. There was no public input. Jim made a motion to approve Ordinance #07 of 2009 as presented. Ron seconded, & the vote in favor was 4 to 0. The hearing was closed.

ORDINANCE #08 of 2009 Zoning Amendment (side/rear yard building setbacks in C & I Zoning districts) – Public Hearing:

Mr. Mislitsky opened the hearing & stated the procedure. Brian explained that this just incorporates a language change. There was no public input. Rick made a motion to approve Ordinance #08 of 2009. Ron seconded, & the vote in favor was 4 to 0.

BID AWARD – Paving Projects:

The bid amounts are as follows:

Whiskey Springs, Ridge, & Petersburg (oil & chip	\$51,840.00
Frost Road	\$64,021.88
Whiskey Springs Road	\$72,508.50
Pine School Road	\$35,945.00
S. Middlesex Road	\$30,477.60

Wilson Paving was the low bidder on each bid. Barb stated that the oil & chip project for \$51,840.00 can be paid for out of the maintenance account in the Liquid Fuels Fund. A decision needs to be made to pave one-half of Frost Road or to pave the entire road. Ron said it is too difficult to do only one-half of a road, & is concerned about safety with a partially widened road. He wants all of Frost Road paved, & suggested delaying the Whiskey Springs Road project. He said that this road needs major drainage work done to it before more paving is done. Rick made a motion to award the bids as discussed to Wilson Paving. Ron seconded, & the vote in favor was 4 to 0.

#08-03 WHEATSTONE – PHASE II – Final Subdivision:

This plan was tabled.

#08-32 CHRISTOPHER RAUP – Final Minor Subdivision:

Sarah Tandle represented this plan. Christopher Raup & Glenn Raup were present. Mr. Raup proposes to subdivide approximately a 22 acre lot into 2 lots. The property is located along Autumn Drive. The new lots will be a 3 acre lot & a 19 acre lot. Jim asked if public water will serve the property. He was told yes. The site will have on-lot septic systems.

Modifications: Preliminary Plan, Stormwater Management Plan, Landscape Plan, Erosion & Sedimentation Plan, Street Trees (Lot 1), Access spacing, Upgrade Existing Road, Financial Security, & Ordinance #02-2000 – EIA report for plans with on-lot septic systems. Jim made a motion to approve the modifications. Rick seconded, & the vote in favor was 4 to 0.

Jim made a motion to approve #08-32, subject to the applicant's acceptance of staff comments. Rick seconded, & the vote in favor was 4 to 0. Ms. Tandle requested an additional 90 day time extension to meet the conditions of plan approval. This would be 180 days total. Mr. Raup said that he is trying to secure the finances for the project. Rick suggested waiting to see what Mr. Raup meets the conditions of plan approval in the 90 day time period. Mr. Raup agreed.

#09-02 MORGAN'S CROSSING – Final Minor Subdivision:

Eric Johnston, Bill Bashore, & Glenn Buffington were present for this plan. The applicant proposes to subdivide a 6.52 acre parcel from the proposed Morgan's Crossing property & combine it with the Union Quarry property. Mr. Johnston said an agreement of sale has been reached between the developer & Union Quarries.

Modifications: Sidewalks, Curbs & Gutters, Preliminary Plan, Letort Regional Authority Review, Stormwater Management Plan, Grading Plan, & Landscape Plan. Jim made a motion to approve the modifications. Ron seconded, & the vote in favor was 4 to 0.

Rick made a motion to approve #09-02, subject to the applicant's acceptance & the Township receiving a copy of the agreement of sale. Ron seconded, & the vote in favor was 4 to 0.

SOLICITOR REPORT:

No report was given.

ENGINEER REPORT:

The streets were offered for dedication in the fall for Indian Hills, Section 3, but several deficiencies required additional work. The work has been completed & only sidewalks remain to be built. Rick made a motion to approve Resolution #09-14 accepting the streets for dedication in Indian Hills, Section 3 (#02-02) (Shirley Lane, Evergreen Drive, & Chestnut Drive), & to enter into the 18 month maintenance period. Bryan seconded, & the vote in favor was 4 to 0.

The streets for Meadowood (#00-09) have been constructed for sometime, but were not dedicated until the issue with the stormwater was resolved. Ron made a motion to approve Resolution #09-15 accepting the streets for dedication & to allow the 18 month maintenance period to be retroactive. Rick seconded, & the vote in favor was 4 to 0.

The applicant for Second State Enterprises (#07-11) has requested a security release. As-builts have not been submitted. Rick made a motion to deny the security release. Ron seconded, & the vote in favor was 4 to 0.

The applicant for the Carlisle Church of the Brethren in Christ Church (#06-20) has requested a security release. As-builts have been submitted, nothing is being dedicated & there is no maintenance period. Jim made a motion to approve the security release. Rick seconded, & the vote in favor was 4 to 0.

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

The applicant for Lot #10 Hillmount Final Minor Land Development is requesting reapproval of the plan in order to satisfy conditions of plan approval. Rick noted that the plan expired in October of 2008. Rick made a motion to reapprove the plan, & asked that the developer submit an extension in a more timely manner. Ron seconded, & the vote in favor was 4 to 0

MANAGER REPORT:

The Midget Football Corporation is seeking a Small Games of Chance license as a civic & service organization. Rick made a motion to approve Resolution #09-16 approving the Midget Football Corporation' small games of chance license. Jim seconded, & the vote in favor was 4 to 0.

The Central PA Conservancy sent notification of a meeting to be held on May 20th relative to their application to designate parts of Cumberland & Franklin counties as Forest Legacy areas.

The Senior Expo will be May 21 at the SM Firehouse.

The Yellow Breeches Creek Water Trail signs have been sent to us for posting. The Board agreed to have our staff erect them.

PUBLIC INPUT:

There was no public input.

SUPERVISORS' DISCUSSION:

Rick asked if there was an update on the building project regarding the DEP permit. Rick stated that there is a problem with people fencing dogs in at the tennis courts. Bob Beers asked if there was a leash ordinance. There is a state dog leash law.

Rick attended the SMTMA meeting. A water cad system was discussed. The Municipal Authority is having problems securing right-of-ways in the Carlisle Crossings development. Also, the proposed walkway at the Spring Meadows Park lies over the wellhead protection area. It was suggested to review an alternative plan other than pretreated lumber for the footings.

Jim has tickets to the Bubbler Foundation dinner. He also noted that the B.S. Civic Association helped a person/family in need. He suggested that the Township be aware of any person(s) having personal problems.

BILLS FOR PAYMENT:

Jim made a motion to pay the bills, & to include a check for \$10,750 for paid personnel for SM Fire Company, if documentation is received. Ron seconded, & the vote in favor was 4 to 0.

ADJOURNMENT:

Rick made a motion to adjourn the meeting at 6:50 pm. Bryan seconded, & the vote in favor was 4 to 0.

ATTEST:

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Sandra A. Quickel, Secretary

Bryan A. Gembusia, Chairman

Walter G. Reighard, Vice Chairman

Ronald L. Reeder, Member

James N. Baker, Member

Thomas E. Faley, Member