

MINUTES

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

JUNE 30, 2011

PRESENT: TOM FALEY, RICK REIGHARD, RON REEDER, BRYAN GEMBUSIA, DUFF MANWEILER – SUPERVISORS; Richard Mislitsky – Solicitor, Barbara Wilson – Manager, Jarrett Sweeney – Assistant Manager, Brian O’Neill – Engineer, Tim Duerr – Zoning Officer, Sandy Quickel – Recording Secretary, Bill Brown, Ron Hamilton, Attorney Jim Hughes, Brian Evans, Randy Sounders, Carol Shetter, Cindy Dunbar, Bob Beers, Bob Geist, Doug & Helen Gale, Janet Nelson, Marti Green, Andrew Mele, April Hutchinson – “The Patriot News”, & Joe Cress – “The Sentinel”.

The meeting was called to order at 6:05 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 for the passing of Ron Jumper, retired road crew employee of 33 years of service to the Township.

OPENING ANNOUNCEMENTS:

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

MINUTES: 06/09/11 (Regular Meeting)

Rick made a motion to approve the minutes. Bryan seconded, & the vote in favor was 4 to 0. (Tom was absent at this meeting)

06/21/11 (Road Materials Bid Opening)

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

BID AWARD – Road Materials:

Duff made a motion to award the road materials bids to the individual companies, as recommended by the Road Superintendent. Tom seconded, & the vote in favor was unanimous.

PUBLIC INPUT:

There was no public input.

MAYAPPLE – FINAL PRD (modification) – Public Hearing:

Solicitor Mislitsky opened the hearing & stated the procedure. A court stenographer was present. Randy Souders represented the applicant. Mr. Souders stated that the modification is to place a new sign at the Mayapple Golf Links/Fiddlers Restaurant. Tom stated that he received a call from Ken Keiber, President of the Mayapple Homeowner’s Association, stating that a survey was taken of the residents & 52 people were in support of the new sign & 4 were opposed to the sign. Bill Brown, Derbyshire Drive, stated that 130 surveys were sent to homeowners & a

committee was formed to work with the applicant (Charlie Mallios) on this issue. Mr. Mislitsky entered Mr. Ken Keiber's letter dated June 22, 2011 into the record. Tom made a motion to approve the sign, as submitted. Bryan seconded. Tom asked when the sign will be installed. Mr. Souders said that he will apply for a permit & contact the sign company to proceed. He estimates 90 days until completion of the project. Rick asked if the sign will have internal lighting. Mr. Souders replied yes. Tim asked if the 2 signs currently at the site will be removed. Mr. Souders answered as far as he knows. Tom amended his motion to approve the sign, subject to removing the 2 other signs currently on the site. Bryan seconded, & the vote in favor was unanimous. The hearing was closed.

Regarding the weed issue at the golf course, Duff told Janet Nelson to have her husband call him. He would like to meet with other parties to discuss this. Marti Green also commented about the tall grass.

#06-25 TRAMMEL CROW (SPARKS TRACT) – Final Subdivision:

Attorney Jim Hughes & Engineer Brian Evans were present. The applicant proposes to re-subdivide 4 lots that are on the border between Dickinson Township & South Middleton Township. There are 4 existing lots. Lot A is 192.20 acres with a farmhouse & barn (Sparks farm). Lots B, C, & D are just over an acre each & contain residential lots along Ames Drive. Mr. Hughes stated the applicant has no concerns with staff comments, & there is 1 waiver request. Tom stated that this plan proposes a 1.26 million s.f. warehouse that will be in Dickinson Township & that they have approved the office building, parking lot, & stormwater management pond associated with the warehouse. South Middleton will connect sewer service to the office portion, with water service to both portions. Rick asked if there was still an issue with the berm. Mr. Hughes replied no. There was no public input.

Modification: Final Plan shall conform to Preliminary Plan in all aspects. Ron made a motion to approve the modification. Tom seconded, & the vote in favor was unanimous.

Duff made a motion to approve #06-25 subject to the applicant's acceptance of staff comments. Tom seconded, & the vote in favor was 4 to 0 (Ron abstained due to a conflict of interest since he is the Manager at Dickinson Township).

#08-11 SPARKS TRACT, LOTS 2 & 3 (TRAMMEL CROW) – Final Land Development:

Attorney Jim Hughes & Engineer Brian Evans were present. The applicant proposes to construct a 42,250 s.f. office, employee parking area, entrance drives & a stormwater management pond within South Middleton. These facilities will support a 1.26 million s.f. of warehousing located in Dickinson Township. Sixteen acres of the 106 acre site are in SMT. Mr. Hughes commented on 1 of the staff's comments. He said there should be an agreement to formalize the voluntary infrastructure improvement contribution. Tom commented on receiving approximately \$16,000 to \$18,000 toward recreation fees. Mr. Hughes said that money is not covered under this agreement. Tom said the funds will be used for road improvements, traffic signals, etc. Mr. Mislitsky asked if the agreement was signed. Mr. Hughes replied no. Brian noted that the agreement needs to be finalized as for the amount & the distribution of the payments. Rick asked if Dickinson Township waived the recreation fees. He was told no – they will total \$91,000 for recreation fees. Barb asked Mr. Hughes if he wanted to address payment of recreation fees. Mr. Hughes asked if they could delay payment of recreation fees for 30 days

after the plan is recorded. Tom asked when construction will begin. He was told as soon as possible. He also asked if there are any tenants for the building. Andrew Mele, Trammel Crow representative, said not at this time. There was no public input.

Modification: Final Plan shall conform to Preliminary Plan in all aspects. Bryan made a motion to approve the modification. Tom seconded, & the vote in favor was 4 to 0 (Ron abstained due to a conflict of interest since he is the Manager at Dickinson Township).

Tom made a motion to approve #08-11, subject to the applicant's acceptance of staff comments, & subject to receiving payment of recreation fees 30 days after recording of the plan. Duff seconded, & the vote in favor was 4 to 0 (Ron abstained due to a conflict of interest).

EMERGENCY SERVICES REPORT:

The report was accepted, as submitted. Ron Hamilton noted anyone using fireworks should keep water nearby due to dry conditions.

RECREATION/PARKS REPORT:

No report was given.

ROAD SUPERINTENDENT REPORT:

The report was accepted, as submitted.

SOLICITOR REPORT:

The report was accepted, as submitted.

ENGINEER REPORT:

The applicant for the Allegany Optical plan (#2009-0022) has requested release of security in the amount of \$5,000. The corrections to the pond have been completed & inspected. Bryan made a motion to approve the security release in the amount of \$5,000. Ron seconded, & the vote in favor was unanimous.

The applicant for the Netherby, Phase 1 plan (#03-19) has requested release of security. The 18-month maintenance period ended in February of 2011. Rick made a motion to approve the release of security. Bryan seconded, & the vote in favor was unanimous.

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

Yellow Breeches EMS is requesting a waiver from the requirement to obtain land development approval for constructing a 974 s.f. addition onto their existing building. There will not be any additional impervious cover created. They have also applied to the Zoning Hearing Board for a front & side yard building setback variance in order to construct the addition, & are asking for a waiver from the ZHB fees. Ron asked if the addition will face Park Drive. Tim replied yes. Ron Hamilton asked if YB EMS has signed the service contract with the Township. He was told no. Duff suggested no action be taken until the agreement is received. Bryan made a motion to approve the waiver of the ZHB fees & a waiver of the requirement to submit a land development plan subject to the submitting the service agreement to the Township. Ron seconded, & the vote in favor was unanimous.

The Anthony Quickel sewage planning module can be forwarded to DEP for approval. Ron made a motion to approve Resolution #12 of 2011 forwarding the Quickel sewage planning module to DEP. Duff seconded, & the vote in favor was unanimous.

Consensus was given to advertise the P.R. Hoffman Conditional Use plan for July 28, 2011.

MANAGER REPORT:

SMTMA has agreed to buy the generator that the Township has for sale. They will contribute \$10,000 of in-kind services for payment. It is not known the details of the arrangements for services. Ron Hamilton stated that Bob Kissinger has been on vacation & he will provide more information to the Township at the next meeting.

The Carlisle Family Y has requested street closures (Alexander Spring Road, Alexandra Court & Commerce Avenue) for their 6th annual 5K walk & run. Rick made a motion to approve the street closures, as indicated. Tom seconded, & the vote in favor was unanimous.

Old records have been prepared for disposal, as listed on the prepared list. Ron made a motion to approve Resolution #2011-0011. Duff seconded, & the vote in favor was unanimous.

PUBLIC INPUT:

There was no public input.

SUPERVISORS' DISCUSSION:

Ron thanked the Board members for waiting for him before starting the meeting.

Duff requested an Executive Session to discuss possible litigation. No decisions will be made.

Rick said that he will be absent at the next meeting.

BILLS FOR PAYMENT:

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

Ron made a motion to adjourn the regular meeting & convene the Executive Session at 6:50 pm. Tom seconded, & the vote in favor was unanimous.

ADJOURNMENT:

Rick made a motion to adjourn the meeting at 6:45 p.m. Bryan seconded, & the vote in favor was unanimous.

WITNESS:

Sandra A. Quickel, Secretary

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Thomas E. Faley, Chairman

Walter G. Reighard, Vice Chairman

Ronald L. Reeder, Member

Bryan A. Gembusia, Member

R. Duff Manweiler, Member