

## MINUTES

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

JULY 31, 2008

**PRESENT:** RICK REIGHARD, BRYAN GEMBUSIA, TOM FALEY, RON REEDER, JIM BAKER – SUPERVISORS; Richard Mislitsky - Solicitor; Barbara Wilson – Manager; Jarrett Sweeney – Assistant Manager, Tim Duerr – Zoning Officer, Sandy Quickel – Recording Secretary, Chris Dellinger, Attorney Jim Hughes, Bart Carpenter, Ron Hamilton, Bob Beers, Jim Grove, Dr. Robert H. Davis, Ken Bream, Doug Baker, Larry & Geri Babitts, Mary Zeigler, Carol Shetter, Doug & Helen Gale, Jessica McCauley, Jim & Connie McHugh, Mark Ritter, Bill Brown, Martha Green, Mark Juliana, Ron Smith, Rick Thomas, Janet Hosey, Tony Gonzalez, Eric Edstrom, James Hutcheson, Kurt Uhler, Jim Barnes, Andrea Ciccocioppo - “The Sentinel”, Linda Franz – “The Patriot News”.

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

#### **PLEDGE OF ALLEGIANCE:**

The pledge of allegiance was led by Chairman Reighard.

#### **MOMENT OF SILENCE:**

A moment of silence was observed.

#### **OPENING ANNOUNCEMENTS:**

Chairman Reighard noted that the meetings are recorded, & to turn off cellular phones. He also noted that Township Engineer Brian O’Neill was absent due to surgery & is doing well.

#### **MINUTES: 06/12/08 (Regular Meeting)**

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

#### **PUBLIC INPUT:**

A resident at 1 Derbyshire Drive commented about rumors regarding the Mayapple Golf Course. He asked if there will be an additional building, & said a parking lot would be across from his house. Tim stated that no plans have been submitted, & that a PRD is very specific about what is permitted.

Marti Green, Derbyshire Drive, commented that she has had a good talk with the new owner (Charlie Mallios) of the Mayapple Golf Course regarding future plans for the clubhouse/golf course. She was told by Mr. Mallios that he understands the PRD concept, & that he will talk to the homeowners associations when he has a plan to discuss with them.

#### **#08-03C WALNUT BOTTOM GROVE, LLC – Conditional Use Public Hearing:**

Mr. Mislitsky opened the hearing & stated the procedure. A court stenographer was present & the transcript will be the official record. The hearing was closed. Public input was taken. Marti Green, Derbyshire Drive asked if there was a difference in the density in the wellhead zones for

both plans. Mr. Dellinger stated that it is identical in both plans. Mary Zeigler, Allen Street, asked Tim Duerr which plan he prefers. Tim said that he could not answer that, but did state that plan #1 has more open space. There was no other input. The hearing was reopened. The next hearing will be August 14, 2008. The hearing was closed.

**(BREAK)**

**#08-07C WESTMOORELAND – Conditional Use Public Hearing:**

Mr. Mislitsky opened the hearing. This plan was tabled until August 28, 2008. The hearing was closed.

**#08-08C CARLISLE FARMER’S MARKET – Conditional Use Public Hearing:**

Mr. Mislitsky opened the hearing. This plan was tabled until August 28, 2008. The hearing was closed.

**#08-09C BASES LOADED ADVANCED TRAINING CENTER – Conditional Use Public Hearing:**

Mr. Mislitsky opened the hearing & stated procedure. A court stenographer was present. There was no public input. Tom made a motion to approve #08-09C, subject to staff comments. Ron seconded, & the vote in favor was unanimous. The hearing was closed.

**DISCUSSION – LETORT TRAIL/URBAN GREENWAY PLAN (Resolution #08-07):**

Eric Edstrom, 400 Front Street, & a Trout Unlimited member was present. He said that this plan was presented to the Planning Commission on July 15. A 2 paragraph amendment was proposed to the resolution before the Board. The Planning Commission approved the plan. He introduced Trout Unlimited President Jim Hutcheson. Mr. Hutcheson stated that the Letort Stream is a historic treasure, & it is returning to a spawning ground for wild trout. He stated that the trail stretches from Bonnybrook Road to behind the Carlisle Elementary School. It is currently a pedestrian trail & it is Trout Unlimited’s hope that it remains only a pedestrian trail. He said that the plan before the Board is for a comprehensive Cumberland County wide system of connecting trails for pedestrian & bicyclist uses. However, Trout Unlimited feels that this trail remain a pedestrian trail. As an organization, we support the plan, but we ask that you qualify your support by pointing out the importance of the Letort Nature Trail as a pedestrian trail & to help keep it that way. Tom said that the resolution states “maintain in its current natural state” – not improvements such as paving. He said that he supports the resolution. Rick asked if what is described in the amendment is sufficient to cover all of the area. Mr. Hutcheson said yes. Rick asked if there are other areas the Board should feel strongly about. Mr. Hutcheson said that as a Trout Unlimited representative, this is their main concern. He is concerned with the quality of the area around the Letort. Barb asked if the two other amendments being added to the resolution would be asked of other municipalities to also include them. Mr. Hutcheson said that there is only one Letort Nature Trail & it is entirely in South Middleton. Barb said she thought it extends into Carlisle Borough. Hr. Hutcheson said he did not think so, but was not certain. He said he would ask the Borough to include this amendment. Barb noted that when the trail was improved, it was done as a joint project with Carlisle Borough, Carlisle School District & South Middleton. Tom made a motion to approve Resolution #08-07. Ron seconded, & the vote in favor was unanimous.

**DISCUSSION – BUILDING PROJECT:**

Rick stated the 2 decisions that need to be decided: 1) decide to bid the project (renovations & new building; & 2) securing financing for the project. Rick asked the Board for their thoughts. Tom feels that we are in tough economic times & that costs keep going up. He said he as reviewed the situation in the garage & that the vehicles are parked bumper to bumper. He suggested doing the project in 3 phases. He said that since there is \$1.2 million in the building reserve account, he would like the garage area to be done first since it can be completed for \$974,000. Tom also does not see the need for a secure vault area since the Township is not a bank. He would like to hold off on the renovation because a police force may be needed in the future. Rick noted that there is a space for a sub-station for police if needed. Rick noted that the \$974,000 includes renovations to the garage area & would not include a workshop area for the roadcrew. It would not include any site work. Tom said the current shop area could still be used for storage of records, & added that he has documents in his unheated garage & the documents are fine. Rick said that the biggest problem is getting access to the documents because of where they are stored. Barb added that some of the older documents are hard to read due to humidity in the garage.

Bryan & Ron had no comments.

Jim feels that the reserve money should be used first, but that it is a poor time to borrow money. He added that his vehicles sits out for years & is not deteriorating. He would like to look at other alternatives. He also said that police may be an issue in the future. Public input was taken.

Jim Grove, Greenfield Drive, suggested moving the office/garage to the center of the Township to save driving time & costs. He feels that the Township should buy land & build a new building. He also commented on the state police issue, using solar panels, & stated that he does not support the project. Barb pointed out that the current location of the Township office is approximately centered in the Township, & that the State Police must stay closer to I-81.

Mary Zeigler, Allen Street, said that she heard that when the Township office moved from Mill Street to the current facility, it was chosen because it was the center of the Township. She said buying land would be too expensive.

Jim Barnes, Front Street, commented on using solar panels & geo-thermal cooling/heating. Barb said that the geo-thermal units are very expensive, but is being considered. Mr. Barnes asked if computers & other equipment eliminate the need for paper documents. He was told that papers can be microfilmed, but an original copy must be kept according to state law.

Larry Babitts, Countryside Drive, commented that he feels it is a bad time to borrow money especially with gas/fuel prices up. He wondered if the garage is of adequate size, or if the Township has too many vehicles. He asked what this building project will do for the average citizen. Rick explained that it will not affect taxes. Rick added that the Township has the highest road mileage in the County. Barb said that the proposed project will help to keep the employees safe; trucks can be stored in a heated area allowing the road crew to respond to treating the roads sooner in snowstorms instead of cleaning off the trucks. Mr. Babitts said he is happy with the services provided by the Township. Rick added that there are 3000+ approved building lots in the Township & infrastructure is needed to support more homes/traffic.

Carol Shetter, Gutshall Road, feels the project should be done now before costs go any higher. She feels the employees should have safe areas to work.

Doug Baker, York Road, feels the Township should proceed with the project. He said he would have no problem paying \$100 per person for his family for state police coverage if required.

Janet Hosey, E. Hunter Road, feels the economy is shaky, there are foreclosures happening, & people are losing jobs. She thinks that the Township needs to separate their wants from their needs. She also suggested using passive solar for energy efficiency.

Bob Beers, Clifton Terrace, said that when he is at the Township requesting copies or information on a plan, it is difficult to access some files & then there is no place to look at them. He also pointed out the computer system equipment is in tight quarters. He feels the project should proceed forward.

Ken Bream, Baltimore Pike, thinks the renovation project for storage should be done. He has a problem with the proposed public works building. He questioned needing the number of vehicles, & suggested a less expensive type building to store the vehicles. He noted that Pa DOT parks their trucks outside. Ron Smith said that the PaDOT trucks are always frozen & need cleaned off. They also replace their trucks every 3-5 years. The Township trucks are a lot older (some 20 yrs), plus if they are parked outside, the brake cylinders freeze up. The proposed building's temperature would be between 45-50 degrees inside. He also added how difficult it is to hook up plows to the trucks in the dark & in freezing temperatures. Mr. Bream said that school buses are parked outside. Barb added that Pa DOT works 8 hour shifts in snow storms & occasionally take the trucks home with them. They also have more men to rotate shifts.

Kurt Uhler, Parks Supervisor, stated that the Parks Department is separate from the Road Department, & that he has several mowers & other equipment that needs to be stored inside. He said that the parkland has increased from 40 acres to 300 acres since he came to work here 10 years ago.

Jim Grove said that it only snows 3-4 times a year, & feels that the Township doesn't need that many trucks. He asked if the Township receives any revenue from the warehouses. Ron said that the Township does not have a property tax. The school district receives money from property taxes.

Mary Zeigler said that she has seen road crew employees (in the middle of the night) get out to remove limbs so traffic can get through on the roads. She said that they deserve a better facility. She asked why residents do not attend school board meetings when the school always raises taxes. The residents want to blame the Township for the taxes.

Tony Gonzalez, Baltimore Pike, Planning Commission & Building Committee Member, said that physical security of the building & for staff needs to be done. He also said that 50 degrees for the garage temperature is not unreasonable

Jim Barnes added that he has no problem with or without a new building being constructed, & feels that those 3,000+ lots will be built eventually.

Ken Bream clarified that the road crew does a good job, & that sometimes the Township roads are cleared before State roads.

Larry Babitts said that he has never had bad service from the Township. He also feels the Township needs to separate the needs from the wants. Ron stated that the building wish list was long & items were cut from it. The Township is also trying to plan 10-15 years out, & that there are not too many trucks for the road mileage and parkland we maintain.

Rick stated that this project did not start because we wanted a garage – we need the space. Also, energy will always be a concern, & the Township will have more equipment someday. The project should serve the Township 10-15 years down the road.

Bryan made a motion to let bids for the building project. Ron seconded. A roll call vote was taken & the vote was 3 to 2 (Jim & Tom were opposed).

Bryan made a motion to secure financing options for the project. Ron seconded. A roll call vote was taken & the vote was 3 to 2 (Jim & Tom were opposed).

Rick requested that the garage not be heated. He suggested a provision in the bid for a line to be installed in the wall for overhead heaters. Ron asked as the heating could be bid as an option. Consensus was given to do this.

**EMERGENCY SERVICES REPORT:**

The report was accepted, as submitted.

**RECREATION REPORT:**

The report was accepted, as submitted.

**ROADMASTER REPORT:**

The report was accepted, as submitted. Rick asked about the installation of a “No Tractor-Trailers” sign at the bottom of Bucher Hill Road. Road Superintendent Ron Smith said the signs were placed to prevent trucks from traveling over the small humpback bridge. One is at the entrance near the pool & the other sign is at the boat launch area.

**SOLICITOR REPORT:**

Consensus was given to the Solicitor to send a letter to the Boundary Commission regarding the Dickinson/South Middleton Township boundary dispute.

**ENGINEER REPORT:**

There was no report.

**PLANNING/ZONING/CODES ENFORCEMENT REPORT:**

The Glenn & Sharon Glass subdivision straddles the Huntington/Dickinson/South Middleton Township boundary. The portion proposes for subdivision in entirely within Huntington Township. The applicant is requesting a waiver of a submitting a subdivision plan & associated fees in South Middleton Township. Tim has reviewed the plan for compliance with SMT ordinances & the surveyor has made minor revisions to the plan. Bryan made a motion to waive

the submission of a plan. Tom seconded, & the vote in favor was 4 to 1 (Ron abstained due to being Dickinson Township's Manager).

The following Sewage Planning Modules were presented for approval:

Resolution #08-08	Parkview at Boiling Springs
Resolution #08-09	Sparks Tract (Trammel Crow)
Resolution #08-10	Traditions of America at Boiling Springs
Resolution #08-11	Orchards at Marsh Run

The Orchards at Marsh Run resolution should be approved subject to SMTMA approval. Jim made a motion to approve Resolutions #08-08, #08-09, & #08-10 to forward the modules to DEP. Ron seconded, & the vote in favor was unanimous.

Ron made a motion to approve Resolution #08-11 to forward the modules to DEP subject to SMTMA approval. Bryan seconded, & the vote in favor was unanimous.

Jim made a motion to reapprove the Allen Distribution plan #07-12 in order to meet conditions of plan approval. Tom seconded, & the vote in favor was 4 – 1 (Ron abstained due to being the Dickinson Township Manager).

Jim made a motion to grant a time extension until September 11, 2008 on the Trammell Crow Services, Inc./Sparks Tract Final Subdivision & Land Development plans. Bryan seconded, & the vote in favor was 4 – 1 (Ron abstained due to being the Dickinson Township Manager).

The Group & Group Conditional Use Decision is ready for signatures.

The applicant for the West Mooreland Conditional Use plan has granted a time extension until August 28, 2008 to hold a hearing. Ron made a motion to approve the time extension. Rick seconded, & the vote in favor was unanimous.

Consensus was given to advertise a conditional use hearing for the Cellco Partnership d/b/a Verizon Wireless Conditional Use plan.

The Township's Building Code Department has received a rating of 4 from the ISO (Insurance Services Office) for commercial & residential properties. This rating is up from 7 from 4-5 years ago. The rating scale is 1-10 (10 is less than the minimum recognized protection). The review process looks at the building codes & certifications of inspectors.

#### **MANAGER REPORT:**

The fireworks committee chairman has asked for a \$2,500 commitment from the Township towards the Labor Day fireworks. Tom made a motion to approve the \$2,500 request. Bryan seconded, & the vote in favor was unanimous.

The Township has discussed using procurement cards (similar to a credit card) for certain purchases. It will save money processing checks as well as earning rebates on the use. To start, the cards will be used for petty cash purchase, program supplies, etc. Ron made a motion to

approve Resolution #08-12 approving the use of procurement cards. Bryan seconded, & the vote in favor was unanimous.

The Harrisburg Regional Chamber & CREDC are holding an elected officials reception on September 23 at the Capitol. Please RSVP if anyone wishes to attend.

Supervisor Gembusia will be submitting a bill for a total of 20 hours for updating the computer system.

**PUBLIC INPUT:**

There was no public input.

**BILLS FOR PAYMENT:**

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

**SUPERVISORS' DISCUSSION:**

Jim said that the Mt. Holly Springs Fire Police worked Super Saturday. He said that they were paid & are insured. He also thanked Tim Stout for updates on ZHB cases. Jim also noted that Dr. Davis will receive the Purple Heart award at a ceremony & if anyone wants tickets to let him know.

Ron said that the RESTF committee is moving forward. There will be a meeting on August 16 for a final report.

Bryan said that a grant has been applied for the Boiling Springs Livable Community. He suggested proceeding with work on the sidewalks, crosswalks, & lighting issues. He did point out that the plan has some deficiencies & wants to look at those issues with the committee, & does not want this to turn into a HARB.

Rick suggested a workshop meeting. He would like to discuss the Boiling Springs Livable Community, wind turbine ordinance, outdoor furnace ordinance & substantive comments/definitions on the plan review memos. Ron suggested the workshop be held on August 9<sup>th</sup> at 8:00 a.m. Rick also asked if anyone has heard back from Dickinson College regarding their conditional use decision. He was told no.

Jim Barnes, Front Street, thanked the Board for action on the Boiling Springs Livable Community. He asked if he should bring suggestions to the workshop. He was told yes.

**ADJOURNMENT:**

Tom made a motion to adjourn the meeting at 9:40 p.m. Rick seconded, & the vote in favor was unanimous.

**WITNESS:**

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Sandra A. Quickel, Secretary

**SOUTH MIDDLETON TOWNSHIP  
BOARD OF SUPERVISORS:**

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Walter G. Reighard, Chairman

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Bryan A. Gembusia, Vice Chairman

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Ronald L. Reeder, Member

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James N. Baker, Member

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Thomas E. Faley, Member