

MINUTES

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

AUGUST 14, 2008

PRESENT: RICK REIGHARD, BRYAN GEMBUSIA, TOM FALEY, RON REEDER, JIM BAKER – (absent) - Supervisors, Richard Mislitsky – Solicitor, Barbara Wilson – Manager, Jarrett Sweeney – Assistant Manager, Brian O’Neill – Engineer, Tim Duerr – Zoning Officer, Sandy Quickel – Secretary, Carson Ritchie, Attorney Kurt Williams, Charles Smith, Marc DeSouza, Tom Houf, Dave Nesbit, Bob Beers, Attorney Jim Hughes, Attorney Chris Houston, Eric Edstrom, Doug & Helen Gale, John Greenbaum, Joel Snyder, Eleanor Hartman, Bill Hartman, Wayne Fry, Vern Graham, Cheryl Miller, Jon McNatt, Ruth McNatt, Donald & Cathy Baker, Joe Fay, Carol Shetter, John Anderson, Susan Greenbaum, Mark Juliana, Vern Graham, Pennsylvania State Police Lt. Jim Scott, Andrea Ciccocioppo – “The Sentinel”, Linda Franz - “The Patriot News”.

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

PLEDGE OF ALLEGIANCE:

Chairman Reighard led the audience in the pledge of allegiance.

MOMENT OF SILENCE:

A moment of silence was observed.

OPENING ANNOUNCEMENTS:

Chairman Reighard noted that Supervisor Baker is ill & would not be in attendance. He introduced Pennsylvania State Police Lt. Jim Scott.

Lt. Scott said he was present to address any issues that the public may have. He said that state police services will not be affected no matter what legislation is passed. He also said that the State Police receive their salary through the Dept. of Motor Vehicles. Lt. Scott said that the State Police responded to 3,100 incidents in the Township this year to date. Tom said that he appreciates the professionalism from the troopers, & commended their response time on incidents. Rick asked what the cost of a fine is if someone runs a stop sign or traffic signal. He was told that the fine is \$25.00, but additional county costs are added on top of that amount. Rick also asked if the police are seeing an increase in the amount of cars running traffic signals. He replied yes. Carol Shetter asked when you have to stop for someone at curbside or at a crosswalk. She was told that traffic must stop for the person when they are standing in the crosswalk waiting to cross.

MINUTES: 07/31/08 Regular meeting:

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

PUBLIC INPUT:

Bill Hartman discussed the issue with fire police coverage. He cited a previous problem with a lack of fire police coverage at the Memorial Day Parade & Halloween Parade. Tom stated that

the VFW was set to cancel the Memorial Day Parade because of this issue. He said that this parade is important, but that you shouldn't have to pay organizations to help with this parade. Ron added that payment to the fire police is a budget issue, & that they are a subsidiary of the fire company. According to law, if the fire police are paid, they are not covered under the Township's worker's compensation insurance.

Eleanor Hartman asked if the Township can get temporary worker's compensation coverage even if the person is not a Township employee. She was told no.

For an Eagle Scout project, Boy Scout, Jonathan McNatt, approached SMTMA regarding installation of an informational sign in the Bubble Park owned by SMTMA. The sign would be similar to the sign in Spring Meadows Park. SMTMA advised him to check with the Township because of the sign ordinance. Tim said that the ordinance may not require a permit for this type of sign. The sign placement would have to be checked so it doesn't interfere with sight distance. A resolution will be done approving this project at the next meeting.

DISCUSSION – Letort Trail/Urban Greenway Plan (Resolution #08-13):

Attorney Chris Houston, Chairman – Letort Regional Authority (LRA), explained that the Resolution previously approved by the Board on July 31 included language that the LRA was unaware of. The language was inserted by the Cumberland Valley Chapter of Trout Unlimited. Mr. Houston said that the 2 groups are working on language & will have a new resolution for approval for the next meeting.

#06-11C GEORGETOWNE – Conditional Use Public Hearing:

Mr. Mislitsky reconvened the hearing. There was no discussion & the applicant was not present. A time extension was submitted to the Township until September 11, 2008. Ron made a motion to approve the time extension until September 11, 2008. Tom seconded, & the vote in favor was 4 to 0. The hearing will be continued on September 11, 2008. The hearing was closed.

#07-12C MORGAN'S CROSSING – Conditional Use Public Hearing:

Mr. Mislitsky reconvened the hearing. There was no discussion & the applicant was not present. A time extension was submitted to the Township until September 11, 2008. Bryan made a motion to approve the time extension until September 11, 2008. Ron seconded, & the vote in favor was 4 to 0. The hearing will be continued on September 11, 2008. The hearing was closed.

#08-01C RESIDENTIAL HOMES (JEFFERSON COURT II) – Conditional Use Public Hearing:

Mr. Mislitsky reconvened the hearing. There was no discussion & the applicant was not present. A time extension was submitted to the Township until September 11, 2008. Tom made a motion to approve the time extension until September 11, 2008. Bryan seconded, & the vote in favor was 4 to 0. This hearing will be continued on August 14, 2008. The hearing was closed.

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

Mr. Mislitsky reconvened the hearing. The last hearing was held on July 31, 2008. A court stenographer was present, & the transcript will be the official record. The plan was approved. The hearing was closed.

(BREAK)

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

This plan was tabled.

#08-15 THE ORCHARDS AT MARSH RUN, PHASE 1 – Preliminary Land Development:

The applicant proposes Phase 1 of the Life Care Community previously approved through a conditional use plan. Phase 1 consists of 277 units (88 cottage units, 144 apartments, 30 assisted living beds & 15 skilled care beds). The Solicitor asked the representatives if they had any problems with staff comments. Joel Snyder & Carson Ritchie were present. They did not. Marsh Drive will be widened, & an overlay of the entire width of the road from Holly Pike to Rockledge Drive will be completed.

Modifications: Landscape Architect certify in lieu of Engineer or Surveyor, Traffic Impact Study, Roadway improvements (2 ft. widening & overlay in lieu of ordinance requirements), Street horizontal curves, Private streets, & Infiltration requirement. Bryan made a motion to approve the modifications. Ron seconded, & the vote in favor was 4 to 0.

Bryan made a motion to approve #08-15, subject to the applicant's acceptance of staff comments. Ron seconded, & the vote in favor was 4 to 0.

#08-19 L.I.T. INDUSTRIAL LIMITED PARTNERSHIP – Preliminary Land Development:

The applicant proposes to construct a truck drop-off lot on the Pinto property at the intersection of I-81 & Allen Road. There will be 465 parking spaces, & a gated emergency access will be located on the Westside. Tom asked Mr. Nesbit about the deer issue. Mr. Nesbit said that he contacted a person to relocate the deer, but that person was told that he could not sedate the deer. The Game Commission does not encourage sedating deer & there is no funding available to assist with this issue. Ron asked if the owner would allow a limited number of bow hunters to hunt the deer. Mr. Nesbit said he is the equitable owner, & that the current owner is adverse to this idea due to liability issues. There are no modification requests.

Bryan made a motion to approve #08-19, subject to the applicant's acceptance of staff comments, & satisfactory review of the lease agreement. Ron seconded, & the vote in favor was 4 to 0. Mr. Nesbit agreed to submit the agreement to the Township.

SOLICITOR REPORT:

No report was given.

ENGINEER REPORT:

The following security releases were submitted:

Walnut Bottom Medical Center LLC (#05-04), Lot 11 McCoy Business Center (#05-06), Premier Plaza (#03-27 & #04-04), & Dawn Commons (#05-42). Ron made a motion to approve the security releases. Bryan seconded, & the vote in favor was 4 to 0.

BILLS FOR PAYMENT:

Ron made a motion to pay the bills. Tom seconded, & the vote in favor was 3 to 0 (Bryan abstained due to his payment for computer services on the bill list).

ADJOURNMENT:

Ron made a motion to adjourn the meeting at 7:55 p.m. Tom seconded, & the vote in favor was 4 to 0.

ATTEST:

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Sandra A. Quickel, Secretary

Walter G. Reighard, Chairman

Bryan A. Gembusia, Vice Chairman

Ronald L. Reeder, Member

James N. Baker, Member

Thomas E. Faley, Member