

## MINUTES

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

AUGUST 9, 2007

**PRESENT:** TOM FALEY, RON REEDER, JIM BAKER, RICK REIGHARD, BRYAN GEMBUSIA, - Supervisors, Barb Wilson – Manager, Jarrett Sweeney – Assistant Manager, Richard Mislitsky – Solicitor, Brian O’Neill – Engineer, Tim Duerr – Zoning Officer, Sandy Quickel – Secretary, Linda Larson, Mark Scheibel, Joel Snyder, Attorney Hubert Gilroy, Carson Ritchie, Bob Geist, Bob Beers, Doug & Helen Gale, Bob Griffin, Steve Mellen, Tom Benjey, Paul Slifko, Marti Green, Cindy Dunbar, Ronald & Heidi Stadnicki, Patrick Hickey, John Hilton – “The Sentinel”, Andrea Ciccocioppo – “The Patriot News”.

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

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

Chairman Faley led the audience in the pledge of allegiance.

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

A moment of silence was observed for resident Bob Aunkst who recently passed away. Mr. Aunkst assisted with elections at one of the voting precincts & was a Township Constable.

#### **OPENING ANNOUNCEMENTS:**

Chairman Faley noted that the meeting is recorded.

#### **MINUTES: 07/26/07 Regular meeting**

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

#### **#07-06C ORCHARDS AT MARSH RUN – Conditional Use Public Hearing :**

Mr. Mislitsky opened the hearing & stated the procedure. A court stenographer was present & the transcript will be the official record. Jim made a motion to approve #07-06C, subject to staff comments & subject to the satisfactory negotiations for a contribution towards traffic/roadway improvements on Marsh Drive. Tom seconded, & the vote in favor was unanimous. The hearing was closed.

#### **#07-07C ST. PATRICK’S CHURCH – Conditional Use Public Hearing:**

Mr. Mislitsky opened the hearing & stated the procedure. A court stenographer was present & the transcript will be the official record. Rick made a motion to approve #07-07C, subject to staff comments, satisfactory negotiations for a contribution towards traffic/roadway improvements on Marsh Drive, subject to granting relief of the wellhead protection requirements, & subject to the applicant accepting the recommendations of the Church of God’s geotechnical study & assuming all liability if any problems occurs in the future. Bryan seconded, & the vote in favor was unanimous. The hearing was closed.

**(BREAK)**

**PUBLIC INPUT:**

Mark Scheibel, Westgate Development, asked about issues with Phases 5, 6, & 7 of the Westgate Development. Brian noted that the pond is a detention pond, not a retention pond. Mr. Scheibel stated that the pipe was set at the wrong height at the pond. Brian said that he has sent a letter to Mr. Scheibel today explaining the location of the pond & these issues. The location of the pond is seen on the preliminary plan in 1993. Brian said that the pond will not be holding water for a long time period. Brian was directed to revisit the site for an update.

Bob Griffin, West First Street, commented on the dangerous condition at the Marsh Drive & Rt. 34 intersection. He asked if the state could locate a traffic signal like the one installed at Rt. 34 & 174. Tim said that the Township would need to pay for that particular signal if the state will not install it.

**#06-14 FORGEDALE CROSSING, SECTION 7 – Final Subdivision:**

This plan was tabled.

**#07-02 LINDSAY D. OSBORN – Final Minor Subdivision:**

This plan was tabled.

**SOLICITOR REPORT:**

Ron suggested proceeding forward with ECSi's contract to study the possibility of Regional Emergency Services. The Township was named applicant for & recipient of a matching DCED grant. Mr. Mislitsky cannot comment on whether or not being the sole named applicant poses any problems. After reviewing the contact, the Solicitor suggested amending or drafting a new Intermunicipal Agreement.

Regarding the Parkview Conditional Use plan (Springville Road & Rt. 174), the applicant has not proceeded with applying for a Highway Occupancy Permit (HOP). It was suggested requesting the applicant to apply for the permit. Jim said he does not want to push them on the project. Brian said that they cannot proceed without the HOP. Ron made a motion to direct the applicant for the Parkview Conditional Use plan to submit for a HOP as part of the conditional use process & ask them for their response on this issue. Bryan seconded, & the vote in favor was unanimous.

**ENGINEER REPORT:**

At a previous meeting, action was delayed on reapproving several plans in order to receive more information from the applicant. Three of the seven plans have responded & have asked for reapproval.

Carlisle Regional Medical Offices Subdivision plan #05-03

Carlisle Regional Medical Offices Land Development plan #05-12

West Shore Properties plan #05-16

Ron made a motion to accept plan reapprovals as listed with the condition that the 5-year protection is taken from the original date of approval. Bryan seconded, & the vote in favor was unanimous.

The process to update the Act 537 plan is continuing. A consultant is ready to be hired to complete the mapping & compile the Act 537 plan. \$20,000 has been budgeted for this project.

Skelly & Loy have submitted a proposal for \$18,948.68. Rick made a motion to hire Skelly & Loy as consultant on the Act 537 plan per their July 9, 2007 proposal. Tom seconded, & the vote in favor was unanimous.

The developer has requested dedication of the roads in Summerfield, Phase 1 & Eastgate Drive. Brian recommended accepting the roads for dedication & beginning the maintenance period. Bryan made a motion to approve Resolution #07-17 accepting Eastgate Drive for dedication & approving Resolution #07-18 accepting Summerfield Drive & portions of Brighton, Touchstone, & Merrihill Drives for dedication. Ron seconded, & the vote in favor was unanimous.

Brian reported that a traffic study indicated that a 4-way stop is warranted at the Rockledge/Marsh Drive intersection. Tom made a motion to authorize advertising an ordinance for a 4-way stop intersection at this intersection. Rick seconded, & the vote in favor was unanimous.

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

Consensus was given to advertise a zoning ordinance amendment regarding maximum lot size for a single unit/use.

The applicant for Parkview at Boiling Springs Conditional Use plan has granted the Township a time extension until October 25, 2007 to provide additional information on traffic concerns. Ron made a motion to approve the time extension to October 25, 2007. Bryan seconded, & the vote in favor was unanimous.

**MANAGER REPORT:**

The Cumberland County convention is scheduled for October 4<sup>th</sup> at Penn Township Fire Hall from 8:00 – 4:00. Anyone interested in attending should notify Barb. Rick said he would attend.

Invitations to the local public officials' receptions have been received from the Harrisburg Regional Chamber & CREDC. The date is August 29<sup>th</sup> at 5:30 p.m.

A drought watch has been issued for Cumberland County & 57 other counties. Water reduction is encouraged.

**SUPERVISORS' DISCUSSION:**

Jim said he stopped by Dickinson Township the other day, & was interested in their meeting & it lasted 15 minutes, & we were out of there, which was really nice. While he was there, he picked up a copy of their dog ordinance. Jim said that Bryan jokingly said we would make Jim the dog officer a couple of weeks ago. Jim offered to do the following – if someone calls in a complaint to our office & says a dog is barking, Jim will personally go out & check it & verify it is barking. He will come back & warn the person, & if he does it again, he will go out & give him a ticket of some kind. If he goes to the District Justice, he will come in – he doesn't think we need to hire any lawyers. He will handle the complaints if the Board appoints him. Jim suggested that Tim review Dickinson Township's ordinance & make recommendations. Bryan said that he spoke to the District Justice, & she said she can enforce a dog ordinance. Ron said that a Supervisor should not have to enforce this issue. Jim said that Dickinson Township's ordinance has been in

place since 1983. Bryan asked Jim to find out how many incidents were enforced. Jim agreed to speak to the District Justice.

Rick asked Jim what the deal was on the 15 minute meeting he commented about. Jim said that was their Township meeting. It lasted only 15 minutes – it was a short one. Rick asked Jim if that is an objective you want us to have. Jim said he would rather spend 15 minutes than 2-3 hours – yes he would. Rick said we were elected to do this job – we need to spend whatever time we need to spend. Rick said that when he comes here, he's coming here with the idea that he could be here 3-4 hours depending on what needs done. Jim said work expands to fit the time allowed for – that's one of these guy's rules. Ron said that we are not in the condition that Dickinson Township is in so he thinks we need to drop that issue. Tom recommended dropping the issue – we do strive, but it may not show, but we strive to keep the meetings short. Rick said that the people out in the audience are willing to sit here for the length of our meetings because they feel it is important. He thinks we should feel it is important too. Jim said he did not say it wasn't important.

Back to the discussion on the dog ordinance, Jim was directed to get the requested information before any action is taken.

Jim mentioned that the Unitarian Church is purchasing an air quality monitor for \$15,000. He feels the Township should purchase one too to monitor the air quality. He noted that water quality is monitored & feels the air should be monitored. Jim said the monitor is portable & can be moved around. Tom agreed that this is a good point. A question was raised as to what to do with the data. Bob Griffin suggested speaking with an expert before purchasing the equipment & that the Township does not have anyone to read the data. Bryan asked Jim if he would ask the church to borrow or rent the monitor. Jim agreed to do so. Rick asked Paul Slifko if the school district would be interested in a monitor. Mr. Slifko said that this was discussed before, but the board showed no interest in purchasing one, but he said he would bring this issue up again at their next meeting. Rick asked if the school board would split the cost with the Township, if interested.

Rick asked about an invoice sent to the Township by the Mt. Holly Springs Borough regarding Fire Company 36. Barb said that the Borough rescinded the invoice. Another meeting will be held with the Municipal Authority regarding proceeding with the Act 537 plan. A joint meeting was held this morning with Monroe Township to look at their future plans. A joint municipal meeting will be held on Friday morning with Carlisle Borough, North Middleton, Middlesex & South Middleton Townships. Rick also asked about vehicles parking along Sprint Drive & Alexander Spring Road & if they are hospital employees. Brian said that there is no-smoking on hospital grounds, so people go out to their cars to smoke. There is adequate parking at the hospital facility.

**BILLS FOR PAYMENT:**

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

**ADJOURNMENT:**

Ron made a motion to adjourn the meeting at 7:58 p.m. Rick seconded, & the vote in favor was unanimous.

**ATTEST:**

**SOUTH MIDDLETON TOWNSHIP  
BOARD OF SUPERVISORS:**

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Sandra A. Quickel, Secretary

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Thomas E. Faley, Chairman

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Ronald L. Reeder, Vice Chairman

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Bryan A. Gembusia, Member

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James N. Baker, Member

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Walter G. Reighard, Member