

## MINUTES

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

SEPTEMBER 12, 2013

**PRESENT:** BRYAN GEMBUSIA, TOM FALEY, RON HAMILTON, RICK REIGHARD, DUFF MANWEILER – SUPERVISORS, Richard Mislitsky – Solicitor, Cory Adams – Manager, Jarrett Sweeney – Assistant Manager, Brian O’Neill – Engineer, Tim Duerr – Zoning Officer, Sandy Quickel – Recording Secretary, Cindy Dunbar, Doug & Helen Gale, Ronald Dorshimer, Jennifer Varner, Mike Berk, Dr. Alan Moyer, Mary Zeigler, Michael Garland, Sally Blauch, Elaine Engle, Angela Stever, Bronwyn Stever, Amy Myers, Carol Shetter.

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

#### **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 announced that the meetings are recorded & to turn off cell phones.

Bryan introduced the new South Middleton School District Superintendent Dr. Alan Moyer. Dr. Moyer stated that it is great to be a part of South Middleton. He thanked Cory for bringing issues to his attention and working with him on them. Dr. Moyer said he would like to have quarterly meetings with the Supervisors and staff, and is willing to assist the Township with working on their mutual relationship. Tom stated that it is great to have Dr. Moyer at the school, and the quarterly meetings are a great idea. Bryan thanked Dr. Moyer for introducing himself to the public.

#### **MINUTES:** August 29, 2013 (Regular Meeting):

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

#### **PUBLIC INPUT:**

Mike Garland, 107 Second Street, submitted a letter noting several concerns in the Village area. Mr. Garland noted traffic and parking concerns along the Village streets since parking occurs on both sides of the street. He said his aunt’s parked car was hit on Fourth Street, and feels that the Village streets should be made one-way streets (alternating every other street). Mr. Garland feels that since Race Street is a one-way street, the stop intersection could be changed to “stop except right-turn only”. He said you would only stop if you were turning left. Other concerns raised by Mr. Garland were parking too close to intersection, cars parking on the lake-side of Front Street, and issues with alleys and enforcement of access to the alleys. Brian commented on Mr. Garland’s concerns. Brian said that there shouldn’t be any engineering issues with one-way streets, but the residents should be surveyed on whether they want the streets one-way. Also, there is the concern for increased State Police presence. Brian said there is the problem with

catching the offenders since it happens infrequently. As for speed bumps, there is a liability issue. Cory said he spoke with Lt. Mays and that they have done safety checks – one recently on Rt. 174 and Springville Road in addition to ones conducted recently on Park Drive. Brian explained the history of the alleys which were originally laid out when Boiling Springs was created. Brian stated that he and the Road Superintendent will review the parking too close to intersections situations. He said that the Vehicle Code prohibits no parking within 30 feet of a stop sign. The State Police can cite cars parked too close. Brian added that parking is restricted on Front Street, but there was one incident with a bus parking along the lake-side of Front Street. The signage was confusing and caused this issue. New signs have been placed along that side of the road.

Elaine Engle, 208 West First Street, stated that there is difficulty crossing the street from the Tavern to the lake. She feels crosswalks are needed there. Ms. Engle feels that High Street should be made a one-way street. She stated there are no sidewalks on the one side. Brian cautioned that by making a street one-way, the speed of the vehicles may increase.

Ron Dorshimer, 56 Gladwyn Drive, asked if the Township received a letter from John Madden reviewing the drainage issue at Summerfield. Duff stated that there was a meeting two weeks ago, but the letter has not been received. Brian stated that through the meeting held between the Township, Marbain, and John Madden, it was discussed more pipes may be needed and an additional inlet installed near the mailbox. Mr. Dorshimer asked about an easement on the property. Bryan replied that it is probably a drainage easement. Bryan said that financial security can be held for awhile, but not indefinitely. Brian will check with Engineer John Madden and let Mr. Dorshimer know the details of the work to be done.

Mary Zeigler, 331 Allen Street, commented on the August 8<sup>th</sup> meeting minutes. She noted the sentence where it said “neighbors are afraid of her” and it should read “him” not her. Bryan said the minutes were changed to reflect that statement. Ms. Zeigler asked why the Board didn’t catch that before the minutes were approved. Cory said that several people proofread the minutes before they are approved. Ms. Zeigler said she feels she does not have the support of the Township in relation to citing other neighbors for similar issues. She also said she liked the length of time Tracy Jones spoke about issues at a previous meeting. Ms. Zeigler also commented that she would have appealed her violation if there were papers to fill out. Cory stated that Ms. Zeigler was not cited by the Township. Any citations would be handled through the District Justice. Ms. Zeigler said she doesn’t want others treated unfairly.

**SOLICITOR REPORT:**

Mr. Mislitsky reported that he has met with Attorney George Asimos regarding the Trammel Crow plan. The applicant has paid \$242,000 owed to South Middleton for the completed warehouse. Cory has notified the applicant that all approvals for the warehouse plan approved by Dickinson Township are still in effect as long as no changes are made on the plan. The warehouse is now partially located in South Middleton due to the boundary change

**ENGINEER REPORT:**

The report was addressed under Mr. Garland’s public input.

John Bixler has submitted a request for a waiver of the requirement to submit a conditional use plan in the Wellhead Protection District in order to proceed with a two-lot subdivision plan on West Springville Road. One lot contains the existing dwelling of this minor subdivision. Rick made a motion to waive the requirement for submittal of a conditional use plan in the Wellhead Protection District. Ron seconded, & the vote in favor was unanimous.

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

The applicant for the Kenneth and Doris Bream Final Minor Subdivision plan is granting a 90-day time extension for action on the plan. The extension is due to DEP's delay in approving the sewage planning module. Tom made a motion to approve the 90-day time extension. Rick seconded, & the vote in favor was unanimous.

The Kenneth and Doris Bream sewage planning module has been reviewed and is in conformance with the comprehensive plan and land use ordinances. The module was held up for issued related to the spade foot toad and new DEP criteria. DEP is requiring a new resolution be approved and forwarded. Tom made a motion to approve Resolution #2013-15 and forward to DEP. Rick seconded, & the vote in favor was unanimous.

The Leslie Ball Conditional Use decision is ready for signing.

**MANAGER REPORT:**

Cory reported that the Township will be changing to a different Health Insurance carrier. The new plan will be with Capital Blue Cross. The new plan will be less expensive than the current plan. There will be slight increases involving co-pays on prescriptions and visits to a specialist. The only major change involves an increase for out-of-pocket payments to non-network providers. Duff made a motion to approve the new health insurance plan. Tom seconded, & the vote in favor was unanimous.

The Township would like to sell the 1987 Ford Ranger. Bryan made a motion to sell the Ranger. Tom seconded, & the vote in favor was unanimous.

In regard to the sewage issue at the Bonnybrook Trailer Park, DEP has sent John Sopensky a letter requesting he provide a corrective action plan to eliminate sanitary sewer overflows on site. He has until October 1, 2013 to provide this information to DEP.

Staff and Mr. Mislitsky met with representatives from Dawood & Penn DOT at the newly-aligned intersection at Rt. 174/West Springville Road to discuss the completed work. According to Penn DOT, the sight distance of the new intersection was an improvement over the previous design and meets all sight distance requirements. Dawood will review the idea of adding new signage and possibly performing a traffic study to reduce the speed limit to 25 mph on Rt. 174.

The completed work on Walnut Street does not meet Penn DOT specifications due to the bump that is still in the road, compaction issues, and lack of bituminous temperature tests. Ron stated that core samples may be taken from the road, and that there is a 2 year warranty period. Rick questioned if the road should be remilled.

The SMTMA is redrafting the deed and easement for the transfer of the Furnace property to the Township. It should be ready for SMTMA's approval at their Board meeting on October 14.

The Bubbler Foundation expressed their thanks to Township staff, Sarah Colondrillo, Donna Ludwig, Vicki Shatto for the Rubber Ducky Regatta at Super Saturday. Cory also thanked Road Superintendent Russ Yinger and the entire road crew for their assistance on Super Saturday.

The Borough of Carlisle presented their consolidated annual performance and evaluation report for the period of July 1, 2012 – June 30, 2013.

The Senior Expo will be held on September 18 from 1:00 pm to 4:00 pm at the Public Works Building.

**PUBLIC INPUT:**

Cindy Dunbar, Adams Road, noted that her health insurance carrier (Blue Cross) will not allow her to get a flu shot at the Senior Health Expo.

Mary Zeigler stated that a shingles shot cost \$250.00.

Michael Garland questioned the process to bring issues to the Civic Association's attention. Tom said that Tracy Jones can help – she is a member of the Civic Association. Rick asked Mr. Garland if he is a member of the Civic Association. Mr. Garland replied no. Duff said he is in favor of enhancing the downtown Boiling Springs area. Bryan feels the homeowners in that area should be petitioned to see if they want one-way streets. Duff agreed, & noted that this issue was discussed years ago and the issue died.

**SUPERVISORS' DISCUSSION:**

Ron commented on the train/tractor-trailer accident at Rt. 74 and Creek Road in Monroe Township. The road is still closed. There were no injuries or hazardous spills in the accident.

Rick asked what the weight limit is for the Ege Bridge. Cory said he would contact the County to find out since we were not notified of the weight limit change. Rick asked if the weight limit was lowered, are the agricultural equipment/vehicles still exempt.

Tom commented on the Walnut Street paving project.

Duff stated that he, Brian, and Cory met with Dean Clepper, Ron Miller, Robert DeSalviano and Bony Dawood regarding the concerns expressed by residents in Indian Hills over the construction at the Parkview Development. Concerns included speeding of heavy equipment, dust, wooded area, and early/late hours working. Brian stated that when reviewing the plan, the nine wooded lots are owned by Bony Dawood, not Ryan Homes. Rick asked about the extended working hours. Duff stated that the Township has no control over the hours, but the crews are working 7:00 a.m. to 7:00 p.m. seven days a week. Brian noted that the excavator was not working on Sundays, but the builder was. Duff suggested reviewing two ordinances. One ordinance involves having limited control over construction work hours. The other ordinance deals with driveway access spacing. Brian said that the ordinance does not address how close the driveway can be to a street. Brian will review these ordinances.

**BILLS FOR PAYMENT:**

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

**ADJOURNMENT:**

Tom made a motion to adjourn the meeting at 7:20 pm. Ron 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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Bryan A Gembusia, Chairman

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Thomas E. Faley, Vice Chairman

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Walter G. Reighard, Member

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R. Duff Manweiler, Member

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Ronald P. Hamilton, Member