

**MINUTES
REORGANIZATION MEETING**

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

JANUARY 3, 2005

PRESENT: RON REEDER, TOM FALEY, PHYLLIS GIVLER, JIM BAKER, BRYAN GEMBUSIA - SUPERVISORS; Barbara Wilson - Manager; Richard Mislitsky – Solicitor; Sandy Quickel – Township Secretary; Stephen Smith; Ron Hamilton; Cumberland County Commissioner Rick Rovegno; Martha Green; Pam Fisher; Andrea Ciccocioppo – “The Patriot News”.

Chairman Reeder called the meeting to order at 6:00 PM.

PLEDGE OF ALLEGIANCE:

Chairman Reeder led the audience in the pledge of allegiance.

MOMENT OF SILENCE:

A moment of silence was observed.

OPENING ANNOUNCEMENTS:

The Board of Supervisors & staff members introduced themselves.

TEMPORARY CHAIRMAN:

Ron made a motion to appoint Barb Wilson as Temporary Chairman for 2005. Phyllis seconded, & the vote in favor was unanimous. Barb asked for a nomination for Chairman.

CHAIRMAN, BOARD OF SUPERVISORS:

Bryan made a motion to nominate Tom Faley as Chairman for 2005. Ron seconded. Jim stated that Phyllis has been on the Board several years & feels that the position should be rotated & that she should be Chairman. Phyllis thanked Jim for his support, but stated that due to health concerns, she did not want the Chairmanship. The vote in favor was 4 to 1 (Jim was opposed).

VICE CHAIRMAN:

Tom made a motion to nominate Bryan Gembusia as Vice Chairman for 2005. Ron seconded, & the vote in favor was unanimous.

DISCUSSION:

Cumberland County Commissioner Rick Rovegno was present to discuss the issue of tourism in the surrounding counties. He explained that the county wants to cooperate with the surrounding counties.

There are currently 45 tourist agencies in operation, but only 1 agency can represent a county. Jim made a motion to approve Resolution #05-01 to support the Cumberland Area

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Economic Development Corporation as the tourist development agency for Cumberland County. Bryan seconded, & the vote in favor was unanimous.

SECRETARY:

Sandra Quickel as Secretary for 2005.

ASSISTANT SECRETARY:

Barbara Wilson as Assistant Secretary for 2005.

TREASURER:

Barbara Wilson as Treasurer for 2005 & setting the bond at \$2 million dollars.

ASSISTANT TREASURER:

Jarrett Sweeney as Assistant Treasurer for 2005.

Ron made a motion to approve the Secretary, Assistant Secretary, Treasurer & Assistant Treasurer positions. Bryan seconded, & the vote in favor was unanimous.

SOLICITOR:

Richard Mislitsky as Solicitor for 2005 at the rate of \$107.50/hr.

ENGINEER:

Brian O'Neill as Engineer for 2005 and consultant engineers, as needed.

Ron made a motion to appoint Brian O'Neill as Township Engineer for 2005, & to appoint Richard Mislitsky as Solicitor for 2005. Phyllis seconded, & the vote in favor was unanimous.

VACANCY BOARD CHAIRMAN:

Barry Ciccocioppo as Vacancy Board Chairman for 2005. Tom made a motion to appoint Barry Ciccocioppo as Vacancy Board Chairman for 2005. Phyllis seconded, & the vote in favor was unanimous.

ALTERNATE S.E.O.:

Edward Elbel as alternate S.E.O. for 2005. Tom made a motion to appoint Edward Elbel as alternate S.E.O. for 2005. Bryan seconded, & the vote in favor was unanimous.

EARNED INCOME TAX/OPT TAX COLLECTOR:

Central Tax Bureau of PA as Earned Income Tax/OPT Tax Collector with a 2% commission by agreement for 2005. Ron made a motion to appoint Central Tax Bureau of PA as the EIT/OPT collector for 2005. Phyllis seconded, & the vote in favor was unanimous.

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DEPOSITORY FOR TOWNSHIP FUNDS:

Legg Mason, P.L.G.I.T., Orrstown Bank, Waypoint, M&T, PNC, Commerce Bank, MidPenn, W.H. Newbold's, & F&M Bank as depositories for township funds for 2005. Ron made a motion to approve the depositories for Township funds. Bryan seconded, & the vote in favor was unanimous.

PLANNING COMMISSION APPOINTMENTS:

Rick Reighard – term expires 12/31/04 (new term to expire 12/31/08)

Richard Mislitsky as Planning Commission Solicitor for 2005 at a rate of \$107.50/hr.

Tom made a motion to appoint Rick Rieghard to the Planning Commission, & reappoint Richard Mislitsky as Planning Commission Solicitor for 2005.

ZONING HEARING BOARD APPOINTMENTS:

Gene Heyman – term expires 12/31/04 (new term to expire 12/31/07)

James Brantner – term expires 12/31/04 (new term to expire 12/31/07)

Victor Neubaum as Zoning Hearing Board Solicitor at a rate of \$95/hour for 2005.

Ron made a motion to reappoint Gene Heyman & James Brantner to the Zoning Hearing Board, & reappoint Victor Neubaum as Zoning Hearing Board Solicitor for 2005. Phyllis seconded, & the vote in favor was unanimous.

LETORT REGIONAL AUTHORITY:

No terms expired.

EMERGENCY SERVICES COMMITTEE CHAIRMAN:

Tim Yingst as Emergency Services Committee Chairman for 2005. Ron made a motion to reappoint Tim Yingst as EMS Committee Chairman for 2005. Bryan seconded, & the vote in favor was unanimous.

FIRE/RESCUE ADMINISTRATOR:

Phyllis made a motion to reappoint Ron Hamilton & Doug Glass as Fire/Rescue Co-Administrators for 2005. Ron seconded, & the vote in favor was unanimous.

AGRICULTURAL SECURITY AREA CHAIRMAN:

Gene Heyman as Agricultural Security Area Chairman for 2005 (no term limit).

RECREATION BOARD APPOINTMENT:

Tammy Eads - term expires 12/31/04 (new term to expire 12/31/09).

Cheryl McMahon – term expires 12/31/04 (new term to expire 12/31/09).

Ron made a motion to reappoint Tammy Eads & Cheryl McMahon to the Recreation Board for 2005.

Tom seconded, & the vote in favor was unanimous.

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S.M.T.M.A. BOARD APPOINTMENT:

John Keck - term expires 12/31/04 (he is not seeking reappointment). Bryan made a motion to appoint Ron Hamilton to the SMTMA Board (term to expire 12/31/09). Ron seconded. Jim feels that someone else should be appointed since Mr. Hamilton has 2 other appointments. Ron stated that the position was advertised for applicants to apply. The vote in favor was 4 to 1 (Jim was opposed).

VOTING DELEGATE TO STATE ANNUAL CONVENTION:

Ron made a motion to appoint Phyllis Givler as the Voting Delegate for 2005. Tom seconded, & the vote in favor was unanimous.

AUDITOR:

No terms expired.

The 2005 Liaison Appointments were made as follows:

SMSD – Jim & Phyllis (Tom – alternate)

Emergency Services – Phyllis & Ron

SMTMA – Bryan

Carlisle Regional Representatives – Barb

Planning Commission – Phyllis & Tim D.

Finance/Personnel – Ron & Bryan (Phyllis – alternate)

Road Dept. – Jim & Tom

Recreation – Tom

Citizen’s Advisory Committee – Bryan & Barb (Tom – alternate)

Statewide Building Code – Ron & Phyllis

Farmland Preservation – Jim & Phyllis – (Bryan – alternate)

Summerfair - Phyllis

Ron made a motion to approve the liaison appointments as listed. Tom seconded, & the vote in favor was unanimous.

MINUTES: 12/16/04 Regular Meeting

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

ORDINANCE #05-01 (STREET CUT & DRIVEWAY PERMIT) – Public Hearing:

Mr. Mislitsky opened the hearing. Barb stated that this ordinance has been revised to insert into the ordinance that limestone is to be used as backfill when performing a street cut or driveway permit. There was no public input. Tom made a motion to approve Ordinance #05-01, as written. Bryan seconded, & the vote in favor was unanimous. The hearing was closed.

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ORDINANCE #05-02 (EARNED INCOME TAX) – Public Hearing:

Mr. Mislitsky opened the hearing. This ordinance will allow for reimposing & amending tax for the general revenue purposes on earned income on residents & non-residents. The Township will have an agreement with the tax collection agency. There was no public input. Ron made a motion to approve Ordinance #05-02, as written. Bryan seconded, & the vote in favor was unanimous. The hearing was closed.

SOLICITOR REPORT:

There will be a meeting this Thursday regarding land acquisition.

All parties in the Keystone hearings have filed petitions to intervene except Middlesex Township who filed a Notice of Intervention.

An Executive Session is needed to discuss litigation.

ENGINEER REPORT:

No report was given.

PLANNING/ZONING/CODES ENFORCMENT REPORT:

Barb presented this report. The applicant for Forgedale Crossing Section 5 Final Subdivision is requesting plan reapproval. Ron made a motion to reapprove plan #04-18. Phyllis seconded, & the vote in favor was unanimous.

Brian sent correspondence to the Board from the Planning Commission on their recommendation regarding the Neighborhood District text amendment. The Board agreed with the recommendation.

Staff has revised the MDIA agreement. This will allow the Township discretion on which commercial/industrial projects will be reviewed & inspected by MDIA & which projects will be handled by the Township. MDIA is agreeable to the revised agreement. Ron made a motion to approve the revised MDIA Construction Inspection Agreement. Phyllis seconded, & the vote in favor was unanimous.

MANAGER REPORT:

The Elected Officials Reception will be hosted by the Chamber of Commerce on Monday, January 31st from 5:00 to 7:00 p.m. Please respond if anyone wants to attend.

Please respond no later than January 7th if any Board members want to attend the state convention held in Hershey.

Tom made a motion to appoint Jarrett Sweeney as Assistant Township Manager at the same rate of pay previously set with his other job titles. Bryan seconded. Jim said that the Township had previously talked about in the past that the Township Engineer is appointed as

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Assistant Township Manager. He speaks to the Engineer when the Manager is absent. The vote in favor was 4 to 1 (Jim was opposed).

BILLS FOR PAYMENT:

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

#04-33 LARRY L. & JONIETTA E. WARNER – Final Minor Subdivision:

Pam Fisher represented this plan. Barb stated for the record that her son works for the consultant who prepared this plan. Pam stated that this is a lot addition for Mr. Warner's son's lot. There will be no new building lots. The property is along Petersburg Road.

Modifications: Preliminary Plan; Stormwater Management Plan; Erosion & Sedimentation Plan; Prohibits further subdivision of lots on rural residential lane & Road access (upgrade existing road). Ron made a motion to approve the modifications. Phyllis seconded, & the vote in favor was unanimous.

Phyllis made a motion to approve #04-33, subject to the applicant's acceptance of staff comments. Bryan seconded, & the vote in favor was unanimous.

SUPERVISORS' DISCUSSION:

Phyllis encouraged everyone to read "The Sentinel's" recent editorial regarding the Township.

Ron thanked the four other Board members for their support in 2004 while he was Chairman.

Jim commented on how fast the Carlisle Crossing plan is proceeding.

Tom mentioned that Duff Manweiler agreed to help with the fireworks event. Tom made a motion to approve Duff Manweiler helping with the fireworks event. Bryan seconded, & the vote in favor was unanimous.

PUBLIC INPUT:

There was no public input.

EXECUTIVE SESSION:

Ron made a motion to adjourn the regular session to Executive Session at 6:35 p.m. Phyllis seconded, & the vote in favor was unanimous. The topic of discussion will be litigation. No decisions were made.

Phyllis made a motion to adjourn Executive Session & return to the regular session at 7:00 p.m. Jim seconded, & the vote in favor was unanimous.

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ADJOURNMENT:

Bryan made a motion to adjourn the meeting at 7:00 p.m. Ron seconded, & the vote in favor was unanimous.

WITNESS:

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Thomas E. Faley

Bryan A. Gembusia

James N. Baker

Ronald L. Reeder

Phyllis W. Givler

