

## MINUTES

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

**JANUARY 24, 2019**

**PRESENT:** BRYAN GEMBUSIA, TOM FALEY, RICK REIGHARD, RON HAMILTON, DUFF MANWEILER - SUPERVISORS, Cory Adams – Manager, Jarrett Sweeney – Assistant Manager, Tim Duerr – Zoning Officer, Sandy Quickel – Recording Secretary, Bryan Salzman – Solicitor, Brian O’Neill – Engineer, John Madden, Jerry & Velma Miller, Carol Shetter, Michael Coyle, Mark Eyer, Shelly Capozzi, Mike Berk, Doug & Helen Gale, William Gay, Tim & Jeannie Berndt, John Weidner, Ron Carlson, Senator Mike Regan, Phyllis Zimmerman – “The Sentinel”.

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

**PLEDGE OF ALLEGIANCE:**

The pledge of allegiance was led by Chairman Gembusia.

**MOMENT OF SILENCE:**

A moment of silence was observed.

**OPENING ANNOUNCEMENTS:**

Chairman Gembusia announced that the meeting is recorded and to turn off cellular phones. He also announced that an Executive Session was held from 4:30 – 6:00 pm to discuss litigation and real estate.

**MINUTES: 01/07/19 (Reorganization Meeting):**

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

**PUBLIC INPUT:**

Mark Eyer, 283 Tanger Road, thanked the Board for fixing the drainage issue at Red Tank Road and Mountain Road. Cory said he spoke with the Cumberland County Conservation District and they may have some ideas to help with that issue.

Senator Mike Regan presented a Citation to Tom Faley. He read the Citation commending Tom for his years of service.

**ORDINANCE #2019-01 (Zoning Ordinance Amendment – Activities in the Commercial General Zoning District) – Public Hearing:**

Bryan G. opened the hearing. Tim explained that this ordinance will allow outside dining/entertainment in the Commercial General Zoning District. The Planning Commission tabled the ordinance for more review time. There was no public input. Ron made a motion to table until the February 28, 2019 meeting after the Planning Commission and Cumberland County Planning Commission further review the ordinance. Rick seconded, and the vote in favor was unanimous. The hearing was closed.

**BID AWARD – Municipal Solid Waste & Recycling Contract:**

Rick stated that only two companies (Advanced Disposal and Waste Management) bid on the contract. Advanced Disposal (A.D.) was the lowest bidder. Cory said the two options were to 1) extend the current contract for a 1-year extension; or 2) award a new 3-year contract to Advanced Disposal. There were several complaints in 2018 on A.D., but have been doing a better job. Cory said he spoke to other municipalities that have A.D. and received good comments on them. In the new contract, the penalties are stronger. The penalties would involve number of complaints, missed pickups, customer service failure, etc. Rick made a motion to award a new 3-year contract to Advanced Disposal, subject to staff and solicitor review. The new contract will begin March 2, 2019. Tom seconded, and the vote in favor was unanimous.

**#2018-0020 KEE MEDICAL SERVICE, LLC – Preliminary/Final Land Development:**

John Madden was present to address this plan. The applicant proposes to construct a 11,950 s.f. medical supply and service business on a 2.1 acre lot at 1773 W. Trindle Road (I-1, District). Tim said the lot is next to the USA Spares building. Mr. Madden said the applicant has the NPDES permit, but will need the Highway Occupancy Permit. There are six modification requests. Duff mentioned the issue of installing islands in the parking lot and causing problems with snow removal. He does not want islands in small parking lots, plus the cost to small business owners. A separate modification request, Section 706(f) – islands every 10 parking spaces will be submitted by the applicant. Duff made a motion to approve the modification of Section 706(f). Tom seconded, and the vote in favor was unanimous. The other modifications include: A waiver of Preliminary Plan; EIA Report because a previous EIA report was performed for the adjacent properties; Landscape Architect to seal the final landscape plan; Access spacing on an Urban Collector; Sidewalk construction until Trindle Road is improved; and curb installation due in part to limited curb existing on other parcels adjacent to the subject property. Rick made a motion to approve these six modifications. Tom seconded, and the vote in favor was unanimous.

Rick made a motion to approve #2018-0020, subject to staff comments. Ron seconded, and the vote in favor was unanimous.

**EMERGENCY SERVICES REPORT:**

Ron commended the firefighters for making a good stop and saving Christmas presents at a fire on Christmas Eve at 414 Pine Road.

**RECREATION REPORT:**

There was no report.

**PUBLIC WORKS REPORT:**

The report was accepted, as presented.

**SOLICITOR REPORT:**

There was no report.

**ENGINEER REPORT:**

Brian received a revised cost estimate that proposed to reduce the amount of required security for Parkview at Boiling Springs Phase 3. It is based upon some grading and storm drains that have

been completed. So, it is not a reduction in security, but it lowers the amount of required financial security. Tom made a motion to establish the amount of financial security for Parkview at Boiling Springs Phase 3 (#20180018) in the amount of \$474,307.17. Duff seconded, and the vote in favor was unanimous.

The Township asked RETTEW to contact DEP to determine the requirements needed to submit a permit for on a dry hydrant on the Yellow Breeches Creek (by the Craighead House). DEP has indicated that a “small projects” permit can be submitted. Several items have to be completed and submitted. The estimated fee to provide the small project permit would be \$13,105.00. Ron suggested tabling this decision to further study the issue.

**COMMUNITY DEVELOPMENT REPORT:**

Tim stated that the developer for the Morgan’s Crossing & Jefferson Court II has submitted a revised phasing plan for both developments. Ron made a motion to approve the phasing plan subject to the condition that the plans be subject to changes in the SALDO. Rick seconded, and the vote in favor was unanimous.

Staff is requesting a waiver from the submission of a land development application for the Township’s new proposed salt shed. Plans and stormwater calculations have been received that addresses the land development issues. Rick made a motion to approve the waiver of land development for the salt shed. Duff seconded, and the vote in favor was unanimous.

**MANAGER REPORT:**

The final settlement agreement relating to the Amerifreight suit is ready for approval. Duff made a motion to approve the Amerifreight Settlement Agreement. Rick seconded, and the vote in favor was unanimous.

The Township and Cumberland County is executing a Land Partnership grant agreement. This grant is for \$15,000 and is to be used to offset the cost of installing a walking trail between the School District campus and Sheeley Lane across property owned by Joseph and Elizabeth Carbine (19 Sheeley Lane). The trail will make it easier for pedestrians to access the school campus and Spring Meadows Park. The Township is finalizing the agreement with the Carbines. Tom made a motion to approve the County Land Partnership Agreement subject to the completion of the Carbine Agreement. Rick seconded, and the vote in favor was unanimous.

Staff is working on a DEP 902 Recycling Grant application. The Township was required to have a conference meeting with DEP’s local regional recycling coordinator. From the meeting, it was recommended that the Township make some minor changes to the current MSW/Recycling Ordinance. The changes will include grammar issues, updating definitions, and adding a provision prohibiting the depositing of electronic covered devices for pick up. Consensus was given to advertise a revised Municipal Solid Waste/Recycling Ordinance for February 14, 2019.

The Township has received the proposed update to the Borough of Carlisle’s comprehensive plan to review.

Cory is finalizing a draft ordinance that will address identifying and protecting champion/heritage trees.

The December 2018 State Police Arrest Report is attached.

Cory noted his recent appointments to the PMRS and CapCOG Boards.

The Township met with representatives of the Saint John's Luthern Church, Walnut Street, Boiling Springs, to discuss building a municipal parking lot on their property. Construction will begin in the spring.

**PUBLIC INPUT:**

Tim Berndt, 5A Palms Court, asked if Westminster Drive would be repaved in the spring. Bryan G. replied yes. Mr. Berndt also asked about the increase in the sewer/water prices. Bryan G. noted that the SMTMA Board approved the rate increase. Duff said the increase would help reduce their debt in the future. Mr. Berndt asked if there would be another increase in 2020. Bryan G. said probably, but it will be close to leveling off the debt. Duff said \$330,000 was saved by reissuing their debt.

Shelly Capozzi, 1655 Holly Pike, thanked the Board for her reappointment to the Zoning Hearing Board. She also congratulated Tom Faley on his recognition from Senator Regan.

Carol Shetter, 647 Gutshall Road, commended the Road Crew on a great job with the recent snow storm.

**SUPERVISORS DISCUSSION:**

Ron stated that there are several roads in the Township are closed for flooding.

**BILLS FOR PAYMENT:**

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

**ADJOURNMENT:**

Rick made a motion to adjourn at 6:45 pm. Ron seconded, and the vote in favor was unanimous.

**WITNESS:**

Sandra A. Quickel  
Sandra A. Quickel, Secretary

**SOUTH MIDDLETON TOWNSHIP  
BOARD OF SUPERVISORS**

Bryan A. Gembusia  
Bryan A. Gembusia, Chairman

Thomas E. Faley  
Thomas E. Faley, Vice Chairman

Walter G. Reighard, III  
Walter G. Reighard, Member

R. Duff Manweiler  
R. Duff Manweiler, Member

Ronald P. Hamilton  
Ronald P. Hamilton, Member