

**MINUTES  
REORGANIZATION MEETING**

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

**JANUARY 4, 2021**

**PRESENT:** BRYAN GEMBUSIA, RICK REIGHARD, DUFF MANWEILER, RON HAMILTON, SHELLY CAPOZZI - SUPERVISORS; Cory Adams – Manager, Jarrett Sweeney – Assistant Manager, Brian O’Neill – Engineer, Sandy Quickel – Recording Secretary, Bryan Salzmann – Solicitor.

**NOTE:** This meeting was simulcasted via Zoom. Those observing the meeting from the public remotely will not be included in the minutes unless they made a comment during the meeting.

Chairman Gembusia called the meeting to order at 6:02 PM.

**PLEDGE OF ALLEGIANCE:**

Chairman Gembusia led the pledge of allegiance.

**MOMENT OF SILENCE:**

A moment of silence was observed.

**OPENING ANNOUNCEMENTS:**

Chairman announced that the meeting is recorded, is broadcast through Zoom, & to turn off cell phones.

**TEMPORARY CHAIRMAN:**

Bryan made a motion to nominate Sandy Quickel as Temporary Chairman. Ron seconded, and the vote in favor was unanimous. Sandy asked for a nomination for Chairman for 2021.

**CHAIRMAN, BOARD OF SUPERVISORS:**

Rick made a motion to nominate Bryan Gembusia as Chairman for 2021. Shelly seconded, & the vote in favor was unanimous.

**VICE CHAIRMAN:**

Rick made a motion to nominate Shelly as Vice Chairman for 2021. Ron seconded, & the vote in favor was unanimous.

The following appointments were made:

**MANAGER – CORY ADAMS**

**SECRETARY – SANDY QUICKEL**

**ASSISTANT SECRETARY – CORY ADAMS**

**TREASURER – JARRETT SWEENEY with \$2 million bond**

**ASSISTANT TREASURER – CORY ADAMS with \$2 million bond**

**DIRECTOR OF PLANNING/ZONING OFFICER – TIM DUERR**

**ROADMASTER – RUSS YINGER**  
**SOLICITOR AND SOLICITOR RATE – SALZMANN HUGHES - \$150.00/hr**

**OPEN RECORDS OFFICER - SANDY QUICKEL**  
**ASST. OPEN RECORDS OFFICER – ALLISON EARNST**  
**ENGINEER - BRIAN O’NEILL & CONSULTANTS AS NEEDED**  
**BUILDING CODE OFFICIAL (BCO) – WILLIAM COULSON**  
**ALTERNATE BCO - TIM DUERR**  
**VACANCY BOARD CHAIRMAN – TONY GONZALEZ**  
**PRIMARY S.E.O.-VINCE ELBEL**  
**ALTERNATE S.E.O. - JIM MAUN – 1<sup>ST</sup> ALT, BRIAN O’NEILL – 2<sup>ND</sup> ALT**  
**EARNED INCOME TAX & LST TAX COLLECTOR – CUMBERLAND CTY TAX BUREAU**  
**DEPOSITORY FOR TOWNSHIP FUNDS – ORRSTOWN BANK, CETERA, MEMBERS FIRST CREDIT UNION**  
**PLANNING COMMISSION MEMBER – BRIAN ENGLE - term to expire 12/31/24)**  
**PLANNING COMMISSION SOLICITOR/RATE - SALZMANN HUGHES - \$150.00/hr**  
**ZONING HEARING BOARD MEMBER – MARK GALBRAITH - Term to expire 12/31/25)**  
Resolution #2021-01  
**ZONING HEARING BOARD SOLICITOR – MICHAEL SCHERER - \$130.00/hr**  
**UNIFORM CONSTRUCTION CODE APPEALS BOARD MEMBER APPOINTMENT-**  
None  
**UNIFORM CONSTRUCTION CODE APPEALS BOARD SOLICITOR – CHRIS RICE - \$130.00/HR**  
**EMERGENCY MGT. COORDINATOR & EMS ADMINISTRATOR – RON HAMILTON**  
with a \$6,000 year stipend and use of Township vehicle & gas.  
**DEPUTY EMERGENCY MGT COORDINATOR – JUSTIN SHAULIS**  
**EMERGENCY SERVICES CO-ADMINSTRATORS – RON HAMILTON & BILL COULSON**  
**EMERGENCY SERVICES COMMITTEE – RON HAMILTON, TIM YINGST, BRIAN HAMILTON, & BILL COULSON**  
**AGRICULTURAL SECURITY AREA CHAIRMAN – GENE HEYMAN**  
**PARKS & RECREATION BOARD MEMBER – SAM GLESNER – term expires 12/31/25**  
**PARKS & RECREATION SMT BOS REPRESENTATIVE – DUFF MANWEILER**  
- term to expire 12/31/21  
**PARKS & RECREATION SMSD REPRESENTATIVE – JOHN GREENBAUM – term to expire 12/31/21**  
**S.M.T.M.A BOARD APPOINTMENT – STEVE AICHELE - term to expire 12/31/25**  
**AUDITOR – SMITH ELLIOTT KEARNS (Resolution #2021-02)**  
**VOTING DELEGATE TO STATE ANNUAL CONVENTION – CORY ADAMS**  
**DELEGATE TO CapCOG – CORY ADAMS, ALTERNATE – JARRETT SWEENEY**

Shelly made a motion to appoint the above listed appointments. Duff seconded, & the vote in favor was unanimous.

Duff made a motion to approve Resolution #2021-01 (ZHB appointment – Mark Galbraith). Ron seconded, and the vote in favor was unanimous.

Ron made a motion to approve Resolution #2021-02 (Auditor appointment – Smith Elliott Kearns). Rick seconded, and the vote in favor was unanimous.

**PUBLIC INPUT:**

There was no public input.

**ADJOURNMENT:**

Shelly made a motion to adjourn the Reorganization meeting, and adjourn the regular meeting. Ron seconded, and the vote in favor was unanimous.

**MINUTES: 12/17/20**

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

**SOLICITOR REPORT:**

No report was given.

**ENGINEER REPORT:**

Brian O. discussed the Connector Road Financial Security plan #2016-0016. Previously, the Board granted a time extension until January 21, 2021 to submit financial security. The developer is waiting for PennDOT approval for their performance bond in the amount of \$3,323,000 to cover the improvement costs. Also, the developer has completed a large portion of the interior portion of the roadway. The developer will need to post a letter of credit in the amount of \$522,073.96 by January 21, 2021, as well as get PennDOT approval of the bond. If the bond is not approved by that date, they will need to ask the Board for another time extension or post a letter of credit in the full amount of \$3,754,073.96. Rick asked what work was completed in the middle portion of the road. Brian O. replied everything is done except the wearing course. Rick feels that if nothing is done by January 15, 2021, the developer should not come to the meeting on January 21, 2021. Duff asked if the deadline date for financial security submittal should be changed to January 19, 2020 at noon (two days before the meeting). Duff made a motion to approve a reduction in security in the amount of \$2,370, 926.04. Rick seconded. The vote in favor was 4-0 (Shelly abstained due to a conflict). Solicitor Salzman suggested contacting PennDOT to check on the progress of the project.

Duff withdrew his previous motion. He made another motion to approve a reduction in security in the amount of \$2,370,926.04, and subject to receiving a letter of credit by January 15, 2021 and PennDOT approval by January 19, 2021 at noon. Rick seconded, and the vote in favor was 4 to 0 (Shelly abstained).

The applicant for the Akash Patel (1501 Commerce Avenue) plan #2018-0023 requested a release in security last September. An inspection revealed that the majority of the landscaping had died. The Board voted to retain \$16,600 to replace the landscaping and \$2,882.00 for the utility trenches. Ron made a motion to approve a reduction in the security in the amount of

\$16,600.00 for Akash Patel (1501 Commerce Avenue) Plan #2018-0023. Duff seconded, and the vote in favor was unanimous.

The BLS Associates plan (#87-29) subdivided the lots on the corner of Alexander Spring Road and Walnut Bottom Road in 1987. Records are not complete from this time, so it can't be determined whether the dedicated rights-of-way were accepted. Duff made a motion to approve Resolution #2021-03 accepting right-of-way along Alexander Spring Road and Walnut Bottom Road. Ron seconded, and the vote in favor was unanimous.

The Stormwater Management Operations and Maintenance Agreement for UPS Distribution Center Lot 3 (plan #2019-0021) has been submitted. Duff made a motion to approve the Stormwater Management Operations and Maintenance Agreement for plan #2019-0021. Shelly seconded, and the vote in favor was unanimous.

Duff submitted an ordinance from Lancaster County regarding trees. Brian O. will begin working on an amendment to both ordinances that incorporates information regarding trees.

**COMMUNITY DEVELOPMENT/ZONING REPORT:**

No report was given.

**MANAGER'S REPORT:**

**2021 LIAISON APPOINTMENTS:**

- SMSD – Shelly
- Emergency Services – Ron
- Carlisle Regional Representatives – Cory
- Planning Commission – Rick
- Finance/Personnel – Rick & Duff
- Road Dept. – Ron & Rick
- Recreation – Duff
- Capital Region COG – Cory
- PSATS Convention Delegate – Cory
- Act 32 Delegate – Bryan

**Currently Inactive:**

- Citizen's Advisory Committee – TBD
- Farmland Preservation – Duff
- Boiling Springs Liveable Community Delegate – Rick

SMTMA – Bryan and Duff are Board members

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

A new hire (Robert Gettys) for the part-time compost site position and snow plow driver (if needed) needs to be approved. Rick made a motion to hire Robert Gettys for this position. Ron seconded, and the vote in favor was unanimous.

Consensus was given to advertise the Tax Collector Ordinance which will levy fees for certain requests/certifications.

**SUPERVISORS DISCUSSION:**

Ron hoped everyone had a good holiday.

Rick and Shelly both wished all a Happy New Year.

Duff mentioned talking to the school district regarding field usage.

**PUBLIC INPUT:**

Tim Berndt, Palms Court, asked about the incident at the compost site. Ron explained that the mulch pile had spontaneous combustion and caught fire. The fire company was there two days to contain the fire.

**ADJOURNMENT:**

Duff made a motion to adjourn the meeting at 6:31 pm. Ron seconded, & the vote in favor was unanimous.

**WITNESS:**

**SOUTH MIDDLETON TOWNSHIP  
BOARD OF SUPERVISORS:**

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Sandra A. Quickel, Township Secretary

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Bryan A. Gembusia, Chairman

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Shelly L. Capozzi, Vice Chairwoman

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Walter G. Reighard, Member

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Ronald P. Hamilton, Member

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R. Duff Manweiler, Member

