

MINUTES

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

FEBRUARY 11, 2020

PRESENT: BRYAN GEMBUSIA, RICK REIGHARD, DUFF MANWEILER, RON HAMILTON (Via Zoom), SHELLY CAPOZZI – SUPERVISORS, Cory Adams – Manager, Jarrett Sweeney – Assistant Manager, Tim Duerr – Zoning Officer, Brian O’Neill - Engineer, Sandy Quickel – Recording Secretary, Bryan Salzman (via Zoom) – Solicitor, Alan Galbraith, Chris Fisher, Justin Doty, Philip Garland, Denise MacIvor, Doug Brehm.

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

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 meeting is recorded. An Executive Session was held at 5:00 pm to discuss Real Estate and possible litigation.

MINUTES: 01/ 21/21 (Regular Meeting):

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

PUBLIC INPUT:

Doug Gale, Derbyshire Drive, asked about the delay in trash collection. His pickup day is Wednesday, and the recyclables were not picked up as of Thursday. Cory stated that there has been delays with the service. Mr. Gale said there was no notification of the delay. Staff will follow-up with the trash hauler.

ORDINANCE #2021-02 No Truck Trailers over 45 feet long (Alexander Spring Road) – Public Hearing:

The hearing was opened. Brian O. explained the ordinance. He stated that improvements will be made at the intersection of Walnut Bottom Road and Alexander Spring Road due to tractor trailers damaging the intersection (hitting the traffic signal pole, curbing, etc). Once the improvements are made, the Township still does not want trucks to continue turning onto Alexander Spring Road. This ordinance will prohibit trucks over 45 feet from using Alexander Spring Road. The hearing was closed. There was no public input.

Shelly made a motion to approve Ordinance #2021-02, as presented. Duff seconded, and the vote in favor was unanimous.

ORDINANCE #2021-03 No Vehicles greater than 10 tons (Pine School Road) – Public Hearing:

The hearing was opened. Brian O. explained the ordinance. He said that this ordinance will prohibit vehicles with a weight greater than 10 tons from operating over a bridge on Pine School Road. The hearing was closed. There was no public input.

Duff made a motion to approve Ordinance #2021-03, as presented. Rick seconded, and the vote in favor was unanimous.

#2020-0033 MORGAN’S CROSSING PHASE II - Final Subdivison and Land Development:

Phil Garland was present for this plan. The applicant is proposing subdividing 24 lots for single family development as part of Phase II. The property is located on Petersburg Road. There are no modifications.

Rick made a motion to approve plan #2020-0033, subject to staff comments. Shelly seconded, and the vote in favor was unanimous.

#2020-0036 FORGEDALE CROSSING SECTION 10A – Final Subdivision:

This plan was tabled.

#2020-0037 WESTMINSTER DRIVE LOT 10 – Final Minor Land Development:

Doug Brehm was present for this plan. The applicant is proposing to construct a 9,750 s.f. commercial building for a pottery retail business located on Westminster Drive. Mr. Brehm said the owner will sell pottery and accessories. Rick asked if the store will be a retail outlet. Mr. Brehm said yes. Rick asked if there will be an active kiln/classes. Mr. Brehm replied no.

Modifications: Preliminary Plan, EIA Report, Landscape Plan certified by a Landscape Architect, Sidewalks, Curbs & Gutters, & Building Area Landscaping (one tree for every 2000 s.f. of building). Rick made a motion to approve the modifications. Shelly seconded, and the vote in favor was unanimous.

Shelly made a motion to approve plan #2020-0037, subject to staff comments. Duff seconded, and the vote in favor was unanimous.

SOLICITOR REPORT:

Mr. Salzmann reported on the Children’s Lake project for the dam restoration and enhancements around the lake. The lake is on state-owned land and the state will bid the project. DGS and the Fish & Boat Commission have the plans. DEP will be issuing the permit for the work.

ENGINEER REPORT:

A resolution was drafted to allow the Township Engineer to act on behalf of the Township for permitting of engineering work. Duff made a motion to approve Resolution #2021-06. Rick seconded, and the vote in favor was unanimous.

Rick made a motion to approve the Stormwater Management Operations & Maintenance Agreement for the Hnizda Subdivision plan #2020-0013 and the Welubhi Housing Group plan #2020-0025. Shelly seconded, and the vote in favor was unanimous.

The Goddard School is proposing to convert the old State Police Barracks (Alexander Spring Road & Commerce Avenue) into a preschool facility. They are proposing two playgrounds where there is currently the vehicle impoundment area and parking. They also are proposing a building addition in part of the existing parking. There will be no increase in impervious coverage, so the existing stormwater management facilities are adequate. A plan should still be recorded of what they are proposing. Shelly made a motion to approve the waiver of land development for Goddard School, conditioned upon recording a plan. Duff seconded, and the vote in favor was unanimous.

The applicant for the Summerbridge (commercial phase) has submitted an as-built survey. Brian O. has inspected the site and noticed no deficiencies. Duff made a motion to release the security for the Summerbridge (commercial phase) plan #2018-0024. Rick seconded, and the vote in favor was unanimous.

The Olde Forge Station Phase 2 plan has reached the end of the 18-month maintenance period and nothing needs to be addressed. The streets are finished and an as-built survey was submitted. Rick made a motion to approve release of security for Olde Forge Station Phase 2 (plan #2010-0014). Shelly seconded, and the vote in favor was unanimous.

The UPS Distribution Center Lot 3 plan involves the construction of a parking lot and a re-configured entrance to the UPS warehouse on Ames Drive. They have submitted a request for a security release. An inspection of the site showed they have not removed their erosion control measures around the perimeter of the site. They will have to remove this, then topsoil and seed the areas. The applicant agreed they would be willing to keep \$10,000 in security for those items. Shelly made a motion to approve a reduction of security in the amount of \$421,803.89 for the UPS Distribution Center Lot 3 (Plan #2019-0021). Duff seconded, and the vote in favor was unanimous.

Ron asked if the new bridge on the Pine School Road would allow for fire apparatus. Brian O. replied yes.

Rick commended the work completed for the road management study. This study determined the condition of the roads.

COMMUNITY DEVELOPMENT REPORT:

The applicant for JJC Investment Conditional Use has granted a time extension until May 13, 2021 to hold the public hearing on their plan. Duff made a motion to approve the time extension. Rick seconded, and the vote in favor was unanimous.

The applicant for the Cumberland Crossing Apartments Conditional Use has granted a time extension until April 30, 2021 to hold the public hearing on their plan. Ron made a motion to approve the time extension. Duff seconded, and the vote in favor was unanimous.

The applicant for the David & Carol Adams Final Subdivision Plan has granted a 90-day time extension to act on their plan. The new deadline will be June 11, 2021. Rick made a motion to approve the time extension. Shelly seconded, and the vote in favor was unanimous.

The Georgetowne Conditional Use public hearing will be schedule for March 11, 2021.

Wendy Glazewski has requested an extension of the 3-year requirement to pump her septic. Ms. Glazewski said the property has been vacant for 2 years. Staff recommends a 2-year extension be granted. The new deadline will be 12/31/22. Bryan G. made a motion to approve the time extension. Duff seconded, and the vote in favor was unanimous.

The applicant for the Carlisle Farmers Market Conditional Use is requesting a 2-year time extension on the conditional use approval for the plan. The plan had received a previous 2-year extension in 2019. Attorney Chris Fisher was present to discuss this issue. Mr. Fisher said that the property is for sale. It was under contract, but the applicant pulled out due to not being able to make the site work for his project due to the proposed road through the property. Rick noted that the building is to be demolished. Mr. Fisher said he was not aware of that – he said that the property has been boarded up and the tenants have moved out. Duff asked Mr. Fisher if the applicant would agree to a one-year extension. Mr. Fisher agreed to a one-year extension. Duff said that everyone wants the property improved. Rick made a motion to grant a one-year time extension. Duff seconded, and the vote in favor was unanimous.

MANAGER REPORT:

The 2021 emergency services agreements between the Township and Citizen's Fire Company, Yellow Breeches EMS, and Cumberland Goodwill EMS have been signed by the individual companies. Rick made a motion to approve the 2021 emergency services agreement with the above listed companies. Shelly seconded, and the vote in favor was unanimous.

Duff made a motion to approve the Cumberland County Land Partnership Grant for the Active Transportation Study. Rick seconded, and the vote in favor was unanimous.

Shelly made a motion to appoint Andrew Dapkins to the Parks and Recreation Board. He will fill an unexpired term to expire on 12/31/21). Duff seconded, and the vote in favor was unanimous.

A joint meeting was held on February 5, 2021 with the Township and the SMTMA to discuss items of mutual interest.

Waste Management is requesting a meeting with the Township to discuss revisiting the trash and recycling contract. In March of this year, we will be entering into the final year of the three-year contract.

PUBLIC INPUT:

There was no public input.

SUPERVISOR’S DISCUSSION:

Ron confirmed that the recycling was not picked up on his route. Shelly also said that her trash still hasn’t been pickup up.

Duff mentioned that the Park & Recreation Board feel that the Leaman Park should be a passive park. It was also suggested to plant trees in that area.

BILLS FOR PAYMENT:

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

ADJOURNMENT:

Rick made a motion to adjourn the meeting at 6:58 pm. Shelly seconded, and the vote in favor was unanimous.

ATTEST:

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Sandra A. Quickel, Secretary

Bryan A Gembusia, Chairman

Shelly L. Capozzi, Vice Chairwoman

Walter G. Reighard, Member

R. Duff Manweiler, Member

Ronald P. Hamilton, Member