

MINUTES

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

MARCH 11, 2021

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 - Solicitor, Scott Akens, Jerry & Velma Miller, Roy Gottshall.

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, personnel, and possible litigation.

MINUTES: 02/25/21 (Regular Meeting):

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

PUBLIC INPUT:

There was no public input.

#2020-0034 JJC INVESTMENT PROPERTIES, LLC – Conditional Use Public Hearing:

Bryan G. opened the hearing. Tim stated that the applicant wants to table the plan tonight and to place the plan on the April 8, 2021 meeting. The hearing was closed.

Rick made a motion to table the hearing until April 8, 2021. Duff seconded, and the vote in favor was unanimous.

ORDINANCE #2021-04 PMRS Pension Plan – Public Hearing:

The hearing was opened. Cory explained that this ordinance adheres to new IRS terms and defines part-time employment. This is strictly housekeeping items for PMRS. There were no questions. The hearing was closed.

Duff made a motion to approve Ordinance #2021-04 as presented. Shelly seconded, and the vote in favor was unanimous.

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

The applicant proposes to reconfigure Section 10 of the previously approved Preliminary Plan. Section 10 contained 33 lots and the completion of a loop of Forgedale Drive. The new proposed Section 10A expands construction westward, extending Berkshire Drive west. This section proposes 23 lots. The applicant agreed to move two fire hydrants.

Modification: Final Plan to conform to Preliminary Plan in all aspects. Shelly made a motion to approve the modification. Rick seconded, and the vote in favor was unanimous.

Rick made a motion to approve plan #2020-0036, subject to staff comments. Duff seconded, and the vote in favor was unanimous.

SOLICITOR REPORT:

Mr. Salzman reported that the Agreement of Sale between the Business Airport of Carlisle, Inc. and the Township has been prepared. The airport is located on 123 acres of land situated between the airport and I-81 and land on the other side of Petersburg Road. The sale price is \$3.5 million. Two appraisals were completed. The first appraisal concurred with the \$3.5 million. The second appraisal concurred with the same value. A \$5,000 deposit will be made. The Township will have 180 days to inspect and review the site. GMS will pursue a grant in the amount of \$3 million to assist the Township with the purchase. Rick thanked the Solicitor and staff for their work on this issue. Duff made a motion to enter into an Agreement of Sale with the Business Airport of Carlisle, Inc. and the Township dated March 9, 2021. Shelly seconded, and the vote in favor was unanimous. Mr. Salzman suggested working with two consultants from New Garden Township. The first person is the Solicitor, Vince Pompo as Special Counsel at a rate of \$250/hour. The second person is New Garden Township Aviation Director, Jon Martin at a rate of \$160/hour. Mr. Pompo and Mr. Martin can help the Township with requesting certain documentation to review and with the operation of a municipal airport.

Shelly made a motion to engage into a contract with New Garden Township Solicitor Vince Pompo (Lamb McErlane) as Special Counsel at a rate of \$250/hour. Rick seconded, and the vote in favor was unanimous.

Rick made a motion to engage into a contract with New Garden Township Aviation Director Jon Martin at a rate of \$160/hour. Duff seconded, and the vote in favor was unanimous.

The Drive Core litigation case against the Township has been dismissed.

ENGINEER REPORT:

Regarding the Connector Road financial security, the developer submitted a letter of credit to cover the interior portion of the road. Penn DOT has approved the bond as financial security for the two intersections at each end of the road. The Board should approve the Rider before the Township signs it. The Solicitors office has reviewed it and was approved by them. Duff made a motion to approve the multiple obliges rider for plan #2016-0016. Rick seconded, and the vote in favor was 4 to 0. (Shelly abstained due to a conflict of interest).

WBCM is designing the replacement of a bridge on Pine School Road. There are two bridges in close proximity to each other. The other bridge was inspected at the same time and repairs were recommended. It was decided to have the contractor to complete the repairs since they will be working on the other bridge. WBCM amended their contract to include the extra work. Rick made a motion to approve the amended contract with WBCM for the Pine School Road Bridge replacement to a total fee of \$74,917. Shelly seconded, and the vote in favor was unanimous.

The Township applied for a grant for the Front Street improvements along the lake. The committee that awards the grants would meet on March 23, 2021. However, they are not meeting on that date, but will meet on May 25, 2021.

The Township has received its MS4 Permit. Kelly applied for it four years ago. Cory commended Kelly for a great job with her work with MS4.

COMMUNITY DEVELOPMENT REPORT:

The applicant for the Cumberland Crossing Cottages Expansion project has granted a time extension to act on the plan. The new deadline is May 28, 2021. Rick made a motion to approve the time extension as requested. Duff seconded, and the vote in favor was unanimous.

The applicant for Union Quarries is requesting a waiver for submitting a land development plan in order to construct a 30 ft x 70 ft office building in the location currently occupied by a mobile home used as a caretaker quarters. The new office will be an accessory to the present operation of the quarry. Union Quarry representative, Scott Akens, said there will not be a caretaker facility in the new office building. Duff made a motion to approve the land development waiver subject to submitting a site development plan for recording. Rick seconded, and the vote in favor was unanimous.

Shelly made a motion to approve Resolution #2021-07 approving a revised fee schedule. Rick seconded, and the vote in favor was unanimous. Ron added that there is a fee for providing a fire report. There will be no charge to the public, but a charge will be imposed if an Insurance Company requests a report.

MANAGER REPORT:

Cory stated that the Union Fire Company Service Agreement has been finalized and ready for approval. Shelly made a motion to approve the agreement with Union Fire Company. Rick seconded, and the vote in favor was unanimous.

The 2021 PSATS Conference has been cancelled (due to COVID-19 restrictions) for April, but is rescheduled for October.

PUBLIC INPUT:

Tim Berndt, Palms Court, commented on a possible blighted property on York Road. The property in question is the vacant WI00 radio station. Tim said it is boarded up. There may also be a squatter staying there. Mr. Berndt expressed safety concerns since there was a previous fire at the site. Rick asked if the property could be a fire training site. Ron said no, there was too much damage from the previous fire. He feels the property should be demolished.

SUPERVISOR’S DISCUSSION:

Ron noted that there have been several brush fires and stressed not to burn anything.

Rick noted that the barn on the proposed Georgetowne property has people hanging out, and that the Sheriff had to get rid of them. Also, he said the barn foundation is deteriorated. Rick also commented about the problems with trash/recycling service. He suggested meeting with the hauler to discuss these issues. Shelly added that she can’t pay her trash bill on-line. Bryan G. said he has received some complaints.

Duff said that Foundry Day has been cancelled. However, other events such as Day at the Lake, Movie in the Park, and concerts will run as scheduled.

BILLS FOR PAYMENT:

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

ADJOURNMENT:

Shelly made a motion to adjourn the meeting at 6:40 pm. Duff 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