

MINUTES

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

AUGUST 26, 2021

PRESENT: BRYAN GEMBUSIA, RICK REIGHARD, RON HAMILTON, SHELLY CAPOZZI, DUFF MANWEILER – (absent) - SUPERVISORS, Cory Adams – Manager, Jarrett Sweeney – Assistant Manager, Tim Duerr – Zoning Officer, Brian O’Neill – Engineer, Sandy Quickel – Recording Secretary, Bryan Salzmann – Solicitor, Scott Akens, Attorney Steve Feiniur, Doug Gale, Nicholas Pallante, Ryan Rhoades, Jon Collins, Jim Collins, Mike Meredith, Carol Shetter, Lou Capozzi, Ralph Vorhees, Linda Larson, 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 noted that an Executive Session was held from 5:00 to 6:00 pm to discuss real estate, personnel, and litigation.

MINUTES: 08/12/2021 (Regular Meeting):

Shelly made a motion to approve the minutes. Ron seconded, and the vote in favor was 3 to 0. (Bryan abstained since he was absent at this meeting).

PUBLIC INPUT:

Doug Gale, Derbyshire Drive, commented on the problems with Mayapple Drive being closed for paving. He claims there were no flaggers and had to drive around the cones. He also said that York Road was closed at Derbyshire. Bryan G. asked if these would be the Road Crew. Cory replied they would be the paving contractor’s workers.

Mr. Gale also noted something in the August 12, 2021 minutes that he said at the last meeting during the Carlisle Airport discussion. The change will be reflected in the minutes.

Carol Shetter, Gutshall Road, commended the Road Crew for sweeping Gutshall Road after a recent storm.

#2021-0020 LOU & SHELLY CAPOZZI – Sketch:

Vice Chairperson, Shelly Capozzi, noted that she will abstain from any comments on this plan. Ryan Rhoades presented the sketch plan. The applicant proposes to construct a three-story, 60-unit multi-family apartment building on three acres on Eastgate Drive. The units will consist of 2-3 bedrooms, an outdoor patio area, and an indoor pool. Rick told Mr. Rhoades that he did a

great job with the sketch plan – it shows a lot of detail. Bryan G. also commented that it is a good use for that area. Consensus was given to proceed with the plan.

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

The hearing was opened. A court stenographer was present and the transcript will be the official record. After testimony by the applicant, the applicant’s attorney requested continuing the hearing until September 30, 2021. The Board agreed. The hearing will resume on September 30, 2021.

EMERGENCY SERVICES REPORT:

The report was accepted, as submitted.

RECREATION REPORT:

No report was given.

PUBLIC WORKS/ROAD REPORT:

Bryan G. noted that the Township has a new truck that will pick up leaves along the roadways. Cory stated that there is a demonstration on the website on how the truck will gather the leaves. The leaves do not have to be bagged for pickup. Doug Gale, Derbyshire Drive, asked how the process will work. He feels the leaves will blow away and be scattered everywhere.

Cory thanked the Road Crew for their help with the “Day at the Lake” event. Rick added that they also helped with the “National Night Out” event.

SOLICITOR REPORT:

Attorney Salzman stated that a lease with Life Lion needs approval prior to closing on purchasing the Carlisle Airport. The lease will be for five years. Ron made a motion to approve the lease with Life Lion, subject to the Manager’s and Solicitor’s review and subject to closing on the Carlisle Airport. Rick seconded, and the vote in favor was 4 to 0.

A temporary construction easement for the Children’s Lake Furnace parking lot needs to be approved. The parking lot will be used as a staging area when the construction improvements begin at the lake. Rick asked if photographs will be taken of the area before the work begins. Brian O. stated that is a good idea and will take photographs. Shelly made a motion to approve the temporary construction easement. Ron seconded, and the vote in favor was 4 to 0.

ENGINEER REPORT:

The developer for Morgan’s Crossing Phase 1 development has submitted a deed of dedication and a request for a security reduction. The roads are complete, and an as-built plan has been submitted. They are asking for a reduction in security. Rick made a motion to approve Resolution #2021-19 accepting the streets in Morgan’s Crossing Phase 1 for dedication and to reduce the financial security. Shelly seconded, and the vote in favor was 4 to 0.

The developer for the Netherby Phase 3A & 3B (Plan #08-14). The developer has not submitted an executed deed of dedication. Ron made a motion to approve Resolution #2021-20 accepting the streets in Netherby Phases 3A & 3B for dedication, subject to receiving an executed deed by August 31, 2021. Rick seconded, and the vote in favor was 4 to 0.

The USA Spares (plans #09-03 & #20190023) involving the construction of a building additional and parking lot at 1729 West Trindle Road was never released. Everything is complete for both plans, and they have submitted an as-built survey. Shelly made a motion to approve release of security for plan #'s 09-03 & 20190023 for USA Spares. Ron seconded, and the vote in favor was 4 to 0.

COMMUNITY DEVELOPMENT REPORT:

The Iron Forge Storage Conditional Use Decision has been drafted and submitted for signatures.

A revised job description for the Community Development Coordinator has been submitted for approval. Rick made a motion to approve the job description as revised. Shelly seconded, and the vote in favor was 4 to 0.

MANAGER REPORT:

Staff has compiled some obsolete records/files to be disposed of according to the State's Open Records Law and Retention schedule. Ron made a motion to approve Resolution #2021-18 to dispose of the records. Rick seconded, and the vote in favor was 4 to 0.

According to the SMT Municipal Authority, there are 11 properties in arears in the Westgate Development that have not paid their bill for stormwater management in that development. Rick made a motion to authorize the SMT Municipal Authority to notify the Westgate homeowners that have overdue bills that the Solicitor will take action against the outstanding bills. Shelly seconded, and the vote in favor was 4 to 0.

Cumberland Valley Trout Unlimited have completed Phases III and IV of the habitat/stream restoration project in the Yellow Breeches Creek near the Wittlinger Preserve.

PUBLIC INPUT:

Ralph Vorhees, Boxwood Lane, appeared again to state that his billing issue with Waste Management (WM) has not been settled. He has received another past due notice stating that his account is 60 days past due. Mr. Vorhees spoke to a WM staff member in another state. She was to send him information on his account, which he claims he has not received yet. Cory advised Mr. Vorhees that the Township has been in contact with WM regarding his account and they (WM) are working on it.

SUPERVISORS DISCUSSION:

Shelly noted that South Middleton School District started classes on Wednesday. The first school football game is this Friday.

BILLS FOR PAYMENT:

Rick made a motion to pay the bills. Shelly seconded, and the vote in favor was 4 to 0.

ADJOURNMENT:

Rick made a motion to adjourn at 7:25 pm. Shelly seconded, and the vote in favor was 4 to 0.

WITNESS:

Sandra A. Quickel, Secretary

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Bryan A. Gembusia, Chairman

Shelly L. Capozzi, Vice Chairperson

Walter G. Reighard, Member

R. Duff Manweiler, Member

Ronald P. Hamilton, Member