

MINUTES

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

OCTOBER 14, 2021

PRESENT: BRYAN GEMBUSIA, RICK REIGHARD, DUFF MANWEILER, RON HAMILTON, SHELLY CAPOZZI – SUPERVISORS, Cory Adams – Manager, Jarrett Sweeney – Assistant Manager, Tim Duerr – Zoning Officer, Brian O’Neill – Engineer, Sandy Quickel – Recording Secretary, Bryan Salzmann - Solicitor, Attorney Stephen Feinour, Carol Shetter, Tim Berndt, Phil Garland, Joann Coslett, Scott Akens, Jim Collins, Cynthia Thompson, Lin Anderson, Rachel Andreoli, Letty McDough, Don Pratt, Linda Larson, Phyllis Zimmerman (The Sentinel).

Chairman Gembusia called the meeting to 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 and to turn off cell phones. He said there was an Executive Session from 5:00 to 6:00 pm to discuss real estate and possible litigation.

MINUTES: 09/30/21 (Regular Meeting):

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

PUBLIC INPUT:

Tim Berndt, Summerbridge Development, asked about the Township’s portion of the COVID-19 funding. He said he thought it was between \$1-2 million. Mr. Berndt asked what the Township plans to do with the money. Mr. Berndt suggested talking to the EMS companies to see what they may need. He noted that Yellow Breeches EMS has purchased a new ambulance. Ron said that they purchased that themselves possibly with funding previously provided to them from the Township. Mr. Berndt asked if the Township has started the budget process. Duff said the budget process has not reached the Board level yet.

Phil Garland, Morgan’s Crossing developer, was present to discuss the posting of financial security for Phase 3 of this plan. The Township usually only accepts Letter of Credits (LOCs) for financial security. However, Mr. Garland had previously submitted a bond for Phases 1 & 2. He said he would submit a LOC for future phases, but wants to submit a bond for Phase 3. Attorney Salzmann said his office will provide a short form agreement stating that a bond will be provided for Phase 3 of this plan, but Mr. Garland will provide a LOC for any future development. Mr. Garland agreed. Duff made a motion to accept a bond for Morgan’s Crossing Phase 3 only with

an agreement that Mr. Garland will provide a LOC for any future development, and that this is not something the Township does very often and will not be accepting a bond again. Rick seconded, and the vote in favor was unanimous.

Cynthia Thompson, Amelia Given Library, was present to explain the Library's request for funding from the Township. She presented their 2021 fact sheet and explained how COVID-19 has affected their funding and programs.

#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 the testimony concluded, the hearing was closed. A decision will possibly be rendered at the October 28 2021 meeting.

SOLICITOR REPORT:

No report was given.

ENGINEER REPORT:

Brian O. reported that Rettew Associates has submitted a contract to perform a Phase 1 Environmental Site Assessment (ESA) on the Fair Oaks School. The report identifies potential or existing environmental contamination liabilities. The cost to perform the study is \$9,950. Ron made a motion to approve the contact with Rettew Associates for the ESA study in the amount of \$9,950. Shelly seconded, and the vote in favor was unanimous.

COMMUNITY DEVELOPMENT REPORT:

The applicant for the Georgetowne plan #2020-0021 has granted a time extension to the Board until December 31, 2021 to act on the plan. Ron made a motion to approve the time extension until December 31, 2021 for the Georgetowne plan. Duff seconded. Rick asked how many time extensions this plan has received. Tim replied there has been six since last year. The vote in favor was 4 to 1 (Rick voted no).

MANAGER REPORT:

Cory stated that the legal description of the Fair Oaks Agreement of Sale did not close due to an issue in the recording of the deed. The Seventh Day Adventists have agreed to allow the Township to obtain an updated legal and survey of the property, which will be paid for by the Township. The cost to do this research will be credited towards the purchase price. If the sale does not close, the seller will reimburse the Township the cost of this survey. Duff made a motion to approve the First Amendment to the Fair Oaks Agreement of Sale. Rick seconded, and the vote in favor was unanimous.

Three items were added to the agenda:

SMTMA is seeking the Township's approval to extinguish the easement at the Furnace Park property that used to house its water line. The easement is no longer needed. Shelly made a motion to amend the Agenda to consider this matter. Duff seconded, and the vote in favor was unanimous. Ron made a motion to approve the Easement Extinguishment. Shelly seconded, and the vote in favor was unanimous.

Related to the same project, SMTMA is seeking an easement and right-of-way from the Township for the Authority's new water line which will run through the Furnace Park property. Rick made a motion to amend the Agenda to consider this matter. Ron seconded, and the vote in favor was unanimous. Duff made a motion to approve the Easement and Right-of-Way. Rick seconded, and the vote in favor was unanimous.

A local Girl Scout Troop is working with Keep Pennsylvania Beautiful to adopt Marsh Drive. They are requesting the Township provide the sign post, install the sign, provide trash disposal and loan of safety signs for cleanup days, if needed. Shelly made a motion to amend the Agenda to consider this matter. Duff seconded, and the vote in favor was unanimous. Ron made a motion to approve the Adopt a Highway Request. Shelly seconded, and the vote in favor was unanimous. Brian O. will research if the sign they are proposing is Penn DOT approved.

Cory reminded the Board that a name needs to be picked for the Connector Road since the Township will be applying for a traffic signal permit through Penn DOT.

PUBLIC INPUT:

There was no public input.

SUPERVISOR'S DISCUSSION:

Rick asked Cory how the attendance was at the PSATS meeting. Cory replied that there were at least 400 attendees.

BILLS FOR PAYMENT:

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

ADJOURNMENT:

Duff made a motion to adjourn the meeting at 7:30 pm. Rick 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