

Middleton Township Board of Supervisors September 29, 2016

The workshop meeting of the North Middleton Township Board of Supervisors was held at the Township Municipal Building, 2051 Spring Road, and Carlisle PA on September 29, 2016. Chairman James Hare called the meeting to order at 6:00 p.m. Board members present were Supervisor Robert Reisinger, Supervisor Pat McDowell, Solicitor Mark Allshouse, Manager Deborah Ealer, Interim Police Chief Gary Carver, and Recording Secretary Lori Coleman. Supervisor Harry Kelso and Supervisor David Smith were not in attendance. Visitors: see attachment.

Residents

Kim and Scott Rhoades of 191 Union Hall Road were before the board to discuss their parcel of land located off Longs Gap Road. Ms. Rhoades mentioned approaching the board last year about renting a few acres of the property to a company for temporary storage. She was denied the request since it was considered a drop lot. Since that time, Ms. Rhoades was approached by a logging firm seeking temporary use of 5-6 acres while they complete work on the Turnpike. Ms. Rhoades contacted Mr. Borda with the request and left a copy of the letter with him. Mr. Borda contacted Ms. Rhoades a few days later informing her the request would be denied since it was considered a contractors office and storage yard. Mr. Borda directed Ms. Rhoades to discuss the issue with the supervisors if she was unsatisfied. Ms. Rhoades did not want to proceed further to seek a variance or special exemption if it would not be granted. Ms. Rhoades noted the current business has been at the site since 1971. She was instructed by Mr. Borda that the property can only be used for uses such as a church, bank, etc. which she felt was not feasible. She added that she cannot even store her own equipment on the lot according to Mr. Borda. The equipment is currently stored on another lot of the property. The property was all on one deed and zoned the same. Ms. Rhoades was seeking answers to her questions. Solicitor Allshouse verified they park equipment on one section of the property and the potential renter would park their equipment on another location. Ms. Rhoades agreed. Solicitor Allshouse felt the issue was trying to put two separate uses on the same tract. She asked what was it hindering for renting the lot for 4-6 months. She noted various trucks used the road. Solicitor Allshouse noted if the board granted the request to her for 4-6 months, thus the next person might seek the same request for a year, and so on. Ms. Rhoades added the property has always had two uses. Solicitor Allshouse explained it was not permitted under the zoning ordinances. Ms. Rhoades was concerned why she was paying commercial property taxes when she cannot utilize the entire property. She felt it was devaluing the property. Solicitor Allshouse asked various questions so he could gather information to be discussed further with Mr. Borda. He would provide Ms. Rhoades a legal opinion once the information was reviewed. Secondly, Ms. Rhoades questioned why Mr. Borda was not familiar with the township very well. Supervisor Reisinger noted he was hired by his qualifications. She also mentioned her difficulty dealing with Mr. Borda, and how she felt some residents get away with stuff why others receive special treatment. Solicitor Allshouse explained Mr. Lao is the Codes Enforcement Officer and Mr. Borda is the Zoning Officer. Supervisor Reisinger inquired if the property in question abutted a residential area or was it a wooded area. Mr. and Mrs. Rhoades noted there were a few homes nearby but it was mainly wooded. She presented photos of the area to the board, and would forward copies to Solicitor Allshouse.

Then, Ms. Rhoades mentioned the junk yard that was permitted on the corner of McClures Gap Road and Willow Road. She did tell Mr. Lao about the issue, but nothing was done. Mr. Rhoades said the owner moved from the property and then returned over a year later.

Subdivision and Land Development

No plans were discussed.

North Middleton Authority

a. September Manager's Report

Supervisor Hare presented Manager Lee Koch's report to the board.

b. August Minutes

Supervisor Hare presented the minutes to the board.

Solicitor

No items were presented.

New Business

a. Manager

1. 15 day extension request for Brubaker Subdivision- expires 01/14/2017

Ms. Ealer presented a 15 day extension request for the Brubaker Subdivision. It would extend the subdivision out to January 14, 2017. The item was added to the consent agenda.

2. 90 day extension for Gerald Orris- expires 02/01/2017

Ms. Ealer presented a 90 day extension request for the Gerald Orris property. It would extend the plan to February 1, 2017. The item was added to the consent agenda.

3. 90 day extension for Fredrick Court- expires December 31, 2016

Ms. Ealer presented a 90 day extension request for Fredrick Court. It would extend the plan to December 31, 2016. The item was added to the consent agenda.

4. Child Support onetime \$50 fee for employers

Ms. Ealer noted receipt of information for Act 64 which is a \$50 one-time fee employers may deduct for reimbursement to comply with the income withholding order. It was not a mandatory fee. Supervisor Hare asked if the township was previously charging the 2% fee. Ms. Ealer replied no. The board decided to not charge the fee.

5. Larry Snyder resignation

Ms. Ealer presented a resignation letter from Larry Snyder. The item was added to the consent agenda.

6. Appointment of Michael Chestnut to NMT Fire Police

The NMT Fire Company requested the board approve Michael Chestnut to become a member of the NMT Fire Police. He has been a member of the fire company since 2011. The item was added to the consent agenda.

7. \$5000 easement payment

Ms. Ealer noted receipt of the \$5000 payment from Sunoco for the easement. She asked if the board wanted to use the funds for anything specific. The funds could be placed into the capital projects or general fund. The board decided to discuss the placement of the funds during the budget process.

8. Rt. 11/ Cavalry Road traffic signal

Ms. Ealer noted the work to be completed at the intersection would cost \$2100 and was not a current safety issue. She was seeking direction from the board. Supervisor Reisinger recommended the item be discussed during a budget workshop.

9. Spousal Health Insurance Coverage

Supervisor Kelso asked the item be added to the agenda. If an employee's spouse has insurance, they can be placed on the Township's insurance to have double coverage. A suggestion was offered to change the policy to have the spouse utilize their current employers insurance instead of the townships. Ms. Ealer noted it only affects non-uniform employees, and was a policy decision. Supervisor Reisinger was seeking additional information, facts and figures before a decision could be made. The topic was tabled.

10. Broker of Record letter for Selective

Ms. Ealer noted working on alternative insurance bids through Selective. She was seeking a broker of record letter to indicate to Selective that they were working with a designated insurance agent. The board supported her request to select a particular insurance agent for the broker of record letter.

11. Cumberland County Future Land Use Map

Ms. Ealer referenced a letter from Jack Kelly of the Cumberland County Planning Commission indicating they were updating the Future Land Use map of the 2011 Comprehensive Plan. A draft map was sent for the township's review and a request for any comments. Solicitor Allshouse noted they were seeking for the township to review the changes between the draft map and 2011 Future Land Use map, opportunity areas, the townships land use plan, etc. Ms. Ealer would have Mr. Borda review the map.

Interim Police Chief**a. Appointment of Part Time Officers – Jeffrey Kolodzi and Sean Patrick Sullivan**

Interim Police Chief Gary Carver introduced two officers that he was recommending part time employment for the department. Jeff Kolodzi and Sean Sullivan introduced themselves to the board and reviewed their previous employment and background experience. Supervisor Reisinger moved to approve the hiring of Jeffrey Kolodzi and Sean Sullivan as part-time officers for the NMT police department at the part-time wage as established by the current police contract and under the 6 month probationary period as per the township policy. Supervisor Hare seconded the motion, and the motion carried.

Board

No topics discussed.

Engineer**a. Elevation and final grade inspections**

Doug Brehm of Brehm-Lebo Engineering was present to discuss the drainage and grading issues in new and established subdivisions. Mr. Brehm noted there is a set fee for drainage inspections on the construction side. General inspections are also completed for developments. About 4 years ago, the township decided to monitor the installation of infiltration beds, and a fixed fee was set at \$300. After a few years, Mr. Brehm noted it

costs his firm a little more than \$300 to complete the inspection. Mr. Brehm reviewed the inspection process with the board, and requested the fees be increased from \$300 to \$350. Another area he was asked to review was the grading. Mr. Brehm noted they normally do not complete the grading check since it is completed after they are gone. Because of no follow-up, they are finding this is where problems are occurring since the developer is not following the drainage plan. Mr. Brehm referenced Old Coach Lane, Meadowbrook Farms, and the usage of sump pumps as recent issues. Mr. Brehm discussed two things to consider: 1) drainage inspections are for special proposed items such as infiltration beds on the lots, and 2) grading inspections would assure the lots are correct. Mr. Brehm noted the most important part was getting the foundation set at the correct height, and everything flows from there. He asked the board to consider increasing the fee to \$350 on the drainage inspections and consider having them review the grading on homes. Supervisor Hare noted the fee would be paid by the builder and eventually passed to the homeowner. He added at least they are guaranteeing to the homeowner that the grade is correct. Mr. Brehm reviewed the process completed by South Middleton before a permit is issued. He added a discount could be established for a drainage and grading inspection. Mr. Brehm reviewed issues he has faced in the past with changes in layouts of units and grading problems. Supervisor Reisinger inquired about an escrow account instead of a fee. Mr. Brehm noted it was more of a convenience issue to have the fee paid up front. Ms. Ealer noted the issue could be discussed during the budget process. Solicitor Allshouse noted once the fee schedule is reviewed, then they can determine if an ordinance change is required.

Old Business

a. Budget Workshops

Ms. Ealer noted the upcoming budget meetings were for the full board.

b. Upcoming Meetings

Solicitor Allshouse said he will not be present for the November 3rd meeting, and potentially the November 21st meeting.

Executive Session

An executive session would be held following the meeting to discuss a personnel matter. No vote would be taken.

Adjournment

Supervisor McDowell moved to adjourn the meeting at 7:09 p.m. Supervisor Reisinger seconded the motion, and the motion carried.

Respectfully submitted,

Deborah Ealer
Township Secretary

Lori Coleman
Recording Secretary