

**North Middleton Township Board of Supervisors
January 26, 2017**

The meeting of the North Middleton Township Board of Supervisors was held at the Township Municipal Building, 2051 Spring Road, Carlisle PA on January 26, 2017. Chairman Robert Reisinger called the meeting to order at 6:00 p.m. Board members present were Vice Chairman Harry Kelso, Supervisor Pat McDowell, Supervisor David Smith, Solicitor Mark Allshouse, Manager Deborah Ealer, Police Chief Gary Carver and Recording Secretary Lori Coleman. Supervisor James Hare was not in attendance.

Visitors: see attachment.

Subdivision and Land Development

- a. Final Minor Subdivision 16-05: Combining Lots 113/114 Village at North Ridge**
Lee Bothell of Alpha Consulting Engineers, Inc. was present to review the plan with the board. Ms. Ealer noted the developer has a buyer that wants to combine the lots and build a home for their in-laws. She noted they were seeking to combine lots 113 and 114. Solicitor Allshouse noted the Planning Commission approved the waiver for the preliminary plan and recommended approval of the plan. Doug Brehm of Brehm Lebo Engineering mentioned two comments from his January 17, 2017 memo to the township that have to do with drainage and grading around the units. Ms. Bothell noted they will comply with the comments as listed in the memo. Supervisor Reisinger noted his employer has completed consulting work for the developer and if there was a conflict of interest in any way he would abstain from the vote. Solicitor Allshouse felt he should abstain from the vote. The item was added to the consent agenda for next week.

North Middleton Authority

- a. January Manager's Report**
Supervisor Reisinger presented Manager Lee Koch's report to the board.
- b. December Minutes**
Supervisor Reisinger presented the December minutes.

Solicitor

- a. Conditional Use Application for Mama's Cookies 817 Newville Road**
Solicitor Allshouse presented the Conditional Use application from Jennifer Acuna for Mama's Cookies. She is represented by Andrew Reese of Madden Engineering. Solicitor Allshouse noted the next step was to schedule the hearing for February. He added the applicant was seeking to create a bakery on the Newville Road right past the Rustic Tavern. The applicant provided a business plan with the application. After some discussion, Supervisor Smith moved to schedule and advertise the conditional use hearing for February 23, 2017 at 6:30 p.m. Supervisor Kelso seconded the motion, and the motion carried.

New Business

- a. Manager**
 - 1. 2016 Per Capita Exoneration of Barbara Matter: 1310 duplicates, \$14,410 (penalty)**

2. **2016 Real Estate Tax Exoneration of Barbara Matter-166 duplicates \$8,724.41 (penalty)**
3. **2016 Fire Tax Exoneration of Barbara Matter- 166 duplicates \$5,116.37 (penalty)**
4. **2016 Streetlight Tax Exoneration of Barbara Matter- 166 duplicates \$832.94**
5. **2015 Interim Real Estate Tax Exoneration of Barbara Matter –duplicates \$48.60 (penalty)**
6. **2015 Interim Fire Tax Exoneration of Barbara Matter – 2 duplicates \$36.51 (penalty)**

Ms. Ealer reviewed items 1 through 6 in reference to the exoneration of Tax Collector Barbara Matter from collecting the outstanding taxes. She noted the unpaid taxes would be turned over to a collection agency. The items were added to the consent agenda for next week.

7. Workman's Compensation for NMTVFC

Ms. Ealer presented a spreadsheet for the board to review for the workman's compensation insurance for volunteer fire fighters. As a municipality, Ms. Ealer noted the township is required to provide workman's compensation for the volunteer fire fighters. From 2006 through 2013, the coverage was provided by Susquehanna Municipal Trust. In 2011, a Cancer Presumption bill was passed by the legislature, so workman's compensation companies decided to no longer cover volunteer fire fighters starting in 2013. Ms. Ealer pointed out the effects of the bill are reflected in the spread sheet starting in 2013 in which SWIF became the only company offering coverage. In ten years' time from 2006 to 2016, the cost of workman's compensation insurance has increased 652%. Ms. Ealer was seeking permission from the board to contact Representative Steven Bloom and Senator John Eichelberger concerning the rising cost. Supervisor Reisinger felt the township should investigate the use of shared services among neighboring communities concerning fire services. The board supported Ms. Ealer contacting the local representatives.

8. Mountain View Estates- expires 03/01/2017; Phase 2 time extension to 04/01/2017

Ms. Ealer presented a 30 day time extension request for Mountain View Estates. The item was added to the consent agenda for next week.

9. 2016 Year End Budget

Ms. Ealer reviewed her memo to the board. She noted the township ended the year in the black. She mentioned the \$24,878 FEMA grant which offset some expenses from the snow storm in January 2016, amusement tax revenues continue to drop due to a decrease in car show attendance, lower general government/administrative expenses, police department payroll costs were under budget due the department not having a Chief for part of 2016, police operating expenses were lower, but the police legal fees were over budget due to grievances and CBA. Supervisor Kelso discussed funding for the fireworks that are displayed at the Carlisle Fairgrounds. He noted the costs could be split three ways between the township, Borough of Carlisle, and the Summerfair committee. Supervisor Kelso said the amount would be around \$5000-\$6000. Supervisor Reisinger pointed out the fireworks are located in the township, and many people enjoy the patriotic theme. He felt the township should provide the support. He added many of the residents from neighboring municipalities attend the fireworks display. Solicitor Allshouse suggested sending a letter to Carlisle Borough indicating

the amount of the contribution from North Middleton with a line stating that North Middleton encourages other municipalities to offer their support for the benefit the fireworks offer to their citizens. He suggested carbon copying the letter to neighboring municipalities. The item was added to next week's agenda for further discussion. Officer Matt Johnston mentioned the coverage the police department provides due to the large amount of attendees.

b. Police Chief

No items were discussed.

c. Board

Supervisor Reisinger reminded the board members to complete their ethics form and submit to the township.

d. Engineer

No items were reviewed.

Old Business

a. Final grade inspections for new homes

Ms. Ealer noted the topic was discussed during the budget process. Most subdivisions are approved with notes and the builder is required to grade the property as per the plans. Ms. Ealer said most properties are graded by a landscaper. Ms. Ealer indicated two inspections would occur; the first one when the property is staked out and the second during the final approval. Mr. Brehm wanted to make sure the builder is following the plan. The main work would occur with the Villages, Brubaker and Mountain View developments. Solicitor Allshouse discussed previous issues that have occurred in the past. Mr. Brehm is encouraging the builder to build correctly from the beginning. Supervisor Reisinger noted his issue with charging an additional fee when a builder is to be building a home properly. Solicitor Allshouse mentioned the potential of the builder changing the plan or the subsequent owner changing the elevation. With all the ordinances and requirements, Supervisor Reisinger questioned the need for another penalty to make sure the builder is doing what he is supposed to be doing. Mr. Brehm stated the township can enforce via the current ordinances and requirements, but he was asked to complete the review of the grading and drainage. Each inspection and grading visit would be \$350, a total of \$700 for both. Supervisor Kelso felt the buyer would not have an issue with paying the \$700 to assure everything was completed according to the plans. Supervisor Reisinger inquired who would be responsible 3-4 years down the road if the home owner gets water in their basement. Mr. Brehm was unsure. Solicitor Allshouse said as long as the grading is certified to the plan, then the township is fine. Mr. Brehm noted he provides a certification letter in South Middleton. Supervisor Reisinger did not want the township to be responsible for any issues. He wanted to see a recommendation on the wording that would be provided for the inspections. Ms. Ealer noted it would have to be completed via ordinance. She would provide some samples for the board to review. Mr. Brehm noted they basically complete a field inspection report and sign it.

b. Brubaker property

Supervisor Reisinger added his company has done some work for the Brubaker property through Madden Engineering and Bottom Line Contracting.

Executive Session

An executive session would be held following the meeting to discuss a potential litigation issue.

Adjournment

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Deborah Ealer
Township Secretary

Lori Coleman
Recording Secretary