

## **North Middleton Township Board of Supervisors**

### **April 6, 2017**

The meeting of the North Middleton Township Board of Supervisors was held at the Township Municipal Building, 2051 Spring Road, Carlisle PA on April 6, 2017. Chairman Robert Reisinger called the meeting to order at 6:00 p.m. Board members present were Vice Chairman Harry Kelso, Supervisor James Hare, Supervisor Pat McDowell, Supervisor David Smith, Solicitor Mark Allshouse, Manager Deborah Ealer, Corporal Jim Peterson and Recording Secretary Lori Coleman.

Visitors: see attachment.

#### **Public Comment**

Greg Shank of 1021 Enola Road offered a few comments to the board.

- He thanked the board for the new municipal directory and map.
- Mr. Shank questioned if the street sweeping was still being completed in the rural areas of the township. If so, he felt it was not necessary since it creates rows of mud.
- In reference to the tar and chipping of the township roads, Mr. Shank had an issue with the runoff of the residue entering the local streams. He mentioned salt and calcium entering the creeks, and the current standards the state is mandating on boroughs and municipalities.
- Mr. Shank discussed the large amount of snow that was pushed onto Rt. 34 when the Turnpike road was plowed. He noted contacting the state to point out to them that a barrier should be installed so the snow does not fall onto Rt. 34. They thanked him for bringing it to their attention.
- Supervisor Reisinger added the township is under MS4 requirements, and the township is developing a committee to address the issues. He would be glad to add Mr. Shank to the committee as a volunteer if he is interested. At a meeting last year, Mr. Shank did bring to the boards attention the disbursement of municipal waste being spread on township properties without the knowledge of what was being spread. He felt a permit should be required.

#### **Subdivision and Land Development**

##### **a. Steve Johansen/Lee Bothell- Mountainview Estates Phase II**

Mr. Johansen noted they were seeking to redesign a few things in Phase II. He mentioned a meeting with County Conservation to discuss a solution that Alpha developed. With the piece of adjoining ground being sold and no longer a part of the project, Mr. Johansen noted the cul-de-sacs became too long and out of compliance with the township code. After working with the township and Brehm-Lebo Engineering, a solution was developed. Mr. Johansen stressed he was willing to work with the township to see the plan through. He was asking the board to permit them to move forward with Phase II, and they could work together to work find a solution. Supervisor Kelso asked if the property sold was in Phase II. Mr. Johansen said it was not part of any of the phases for Mountainview Estates. Supervisor Kelso asked if the area affected will have to be redesigned. Mr. Johansen reviewed the plan with the board. Doug Brehm of Brehm Lebo Engineering discussed a meeting that reviewed the revised plan. Mr. Brehm said waivers were granted for the longer cul-de-sacs with the understanding the road would get built. With the proposed changes, Mr. Brehm felt it was the best solution. Mr. Brehm supported

the changes, and the Conservation District considered it a mild modification so long as the plan follows what was shown that day. Mr. Brehm added they will have to file a revised plan, E&S plan, and a permit for the stream crossing. Mr. Brehm noted the township needs to determine how they would like to reprocess a preliminary plan, and then provide guidance to them (engineer) on what ordinance they should follow. Mr. Brehm added Lee Koch of North Middleton Authority should also weigh in with any comments. Ms. Ealer said Lee Koch conceptually has no issues. Solicitor Allshouse noted the developer would have to complete an amended preliminary plan delineating the areas of change. Mr. Johansen stressed they plan to honor any prior agreements. Supervisor Reisinger questioned the location of a pump station, and noted an agreement with NMA about the replacement of a line. He added it was to be completed before Phase II is started. Mr. Johansen said his staff was currently reviewing the agreement to determine how it can be restructured and honor it. Supervisor Reisinger noted the agreement was completed in 2009. He added the issue was the timing since it has to go through DEP and it is not a quick process. Supervisor Reisinger suggested he coordinate with Mr. Koch to assure the line is being completed. Mr. Brehm verified they would need to see an overall preliminary plan, so they could review the stormwater for the changes. He felt Phase II should not proceed until this issue is resolved. Supervisor Reisinger asked if any of the board members had an issue with the plan being reviewed under the old ordinance instead of the new. No concerns were presented. The board's consensus was to proceed with the change on the Phase under the old ordinance and resolve the issue with NMA.

### **Engineer's Report**

#### **a. Draft Final Grading Inspection Ordinance**

Mr. Brehm prepared a grading ordinance for the board. He referenced Section 113 which reviews the inspections. Solicitor Allshouse did review the ordinance. The board's next step was to authorize him to do a final review and advertise the ordinance for the next meeting. Thus, Supervisor Kelso moved to authorize Solicitor Allshouse to proceed forward to advertise the ordinance for the next meeting. Supervisor Hare seconded the motion. Ms. Ealer asked that the fees be included and that they could be updated via resolution. Mr. Brehm noted it was a \$300 flat fee. Solicitor Allshouse noted the fees would be \$300 subject to change by resolution.

#### **b. Excess Maintenance Agreement- Sunoco**

Solicitor Allshouse said he reviewed the agreement. He said it closely follows the PennDOT requirements to repair roads. Mr. Brehm reviewed some details of the agreement. Supervisor Reisinger questioned Option A and Option B. Solicitor Allshouse clarified some details of the options. Supervisor Smith moved to approve the proposed Excess Maintenance Agreement, and Supervisor McDowell seconded the motion. The motion carried.

### **North Middleton Authority**

#### **a. March Manager Report**

Supervisor Reisinger presented the report.

#### **b. February Minutes**

Supervisor Reisinger presented the February minutes. He added the Authority sent out letters for a potential project. Some of the responses are good and others are bad.

**Consent Agenda**

- a. **Meeting Minutes: 02/23/17 workshop meeting; 02/23/17 Mama's Cookies Conditional Use Hearing; 03/02/17 Action Meeting**
- b. **Payment of the bills: 03/06/17, 03/20/17, 04/03/17**
- c. **Tax Collector Reports: 2017 reports numbers 1-4; February 2017 report; interim reports 32-33**

Supervisor Hare moved to approve the consent agenda, and Supervisor McDowell seconded the motion. The motion carried.

**Business of Township Officials****a. March Report**

Ms. Ealer presented her report to the board.

**b. Financial Report**

Ms. Ealer presented the financial report to the board.

**c. Orrstown Bank- Cash Management Agreement**

Ms. Ealer noted Orrstown is closing the local branch on Rt. 34 at the end of the month. The township precipitated meetings with other local banks to take in proposals. Orrstown Bank submitted the best proposal with rates as well as services. They have offered electronic banking services at no extra cost. Orrstown will provide an optical reader and software to deposit checks directly from the township office. In order to implement the electronic services option, the township would have to enter into a cash management agreement. Solicitor Allshouse did review the agreement. Supervisor Kelso moved to enter the Cash Management Agreement with Orrstown Bank, and Supervisor McDowell seconded the motion. The motion carried.

**d. New Waste Contract**

Ms. Ealer discussed the new waste contract in which the township decided to work with Middlesex Township to secure a joint bid. The township contract ends on September 30<sup>th</sup>. The Middlesex contract expires March 31, 2018. The township does have a one year extension that could be used, but Solicitor Allshouse noted the contract could not be extended for just 6 months. At this time, Ms. Ealer noted the township would have to bid a trash contract for 6 months with an end date of March 31, 2018. During this time, Ms. Ealer would work with Middlesex Township to determine the details for the joint contract. Ms. Ealer recommended the 6 month contract remain the same with no extension. If any changes are made in the current contract, the waste hauler would add the cost of a large recycling container in the contract price in which the residents would end up paying for the container for two cycles. It would be more cost effective for the residents to leave the current contract as is for a 6 month bid. She felt the new April 1, 2018 contract could have the new large recycle container included. Supervisor Smith verified Middlesex was willing to work with the township. Ms. Ealer agreed since the residents have the potential to see a lower price. Supervisor Reisinger asked about entertaining a 6 month option with the current hauler. Solicitor Allshouse said no since the township originally bid a 1 year extension on the current contract. Supervisor Reisinger questioned when a decision was needed. Ms. Ealer said a decision should not be made any later than the May action meeting. Supervisor Reisinger inquired if the bid could be completed via Pennbid. Ms. Ealer verified it could be completed via that option.

**e. Resolution 2017-02-Disposition of Police Records**

Ms. Ealer presented the resolution to the board. She noted it was in compliance with the townships record disposition policy. Supervisor Smith moved to approve Resolution

2017-02 and Supervisor McDowell seconded the motion. Supervisor Reisinger asked if it was in compliance with the police department's policy. Corporal Peterson concurred it was in compliance with the crimes code.

**f. Frederick Court Time Extension to July 30, 2017**

Ms. Ealer presented a time extension request for Fredrick Court until July 30, 2017.

Supervisor Kelso moved to grant the time extension request for Fredrick Court to July 30, 2017. Supervisor McDowell seconded the motion, and the motion carried.

**g. Rails to Trails Letter of Support**

Ms. Ealer noted the Cumberland Valley Rails-to-Trails was seeking a letter of support for their grant application. The application was for a 50-50 match to extend the trail from Mt. Rock Road to Green Hill Road. Supervisor Kelso moved to approve the signature of the letter of support for the Cumberland Valley Rails-to-Trails project. Supervisor McDowell seconded the motion, and the motion carried.

**h. State Liquid Fuels Budget Update**

When the 2017 budget was approved, the township was working with North Middleton Authority, Middlesex Township, and Middlesex Township Municipal Authority on a VacCon truck. Since that time, Middlesex had decided to no longer be a partner on the purchase. The truck was to be utilized to expedite the responsibilities under the 2018 MS4 permit in cleaning and maintaining the storm sewer systems township wide. Mr. Zook reallocated some of the funds in the Liquid Fuels account for the purchase. The truck was to be purchased via state contract. Supervisor Hare moved to approve the transfer of funds from the liquid fuels account for the purchase of the 2017 VacCon truck, and Supervisor Smith seconded the motion. The motion carried.

**i. Central Pennsylvania Conservancy**

Ms. Ealer presented a letter from the Central Pennsylvania Conservancy. They were seeking a letter of support from the township for their grant application to purchase the Windemaker tract which is located next to the State Game Lands. Supervisor McDowell moved to approve the letter of support to the Central Pennsylvania Conservancy for the purchase of Windemaker tract. Supervisor Kelso seconded the motion, and the motion carried. Supervisor Reisinger recommended sending a letter of thanks to the owner of the property.

**j. Executive Session**

Ms. Ealer requested an executive session for two personnel matters. No vote would be taken.

**k. Cavalry Road/Rt. 34 traffic light**

Supervisor Hare asked for an update on the traffic lights. Ms. Ealer will contact Representative Steven Bloom's office.

**Police Chief**

**a. March Report**

Corporal Jim Peterson presented the March report. He noted things were going well. He discussed the addition of printers in the police cars. Supervisor Kelso questioned how many times Narcan was used. Corporal Peterson mentioned several times.

**Solicitor's Report: Mark Allshouse**

**a. March Report**

Solicitor Allshouse presented his report to the board.

**New Business**

**a. MS4- update- Supervisor Reisinger**

Supervisor Reisinger mentioned a meeting with staff and the HRG engineer. Overall, staff was doing a good job with mapping. The process was moving along very well and they should hit the target time frame.

**Old Business**

No issues were presented.

**Executive Session**

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

**Adjournment**

The meeting was adjourned at 6:57 p.m.

Respectfully submitted,

Deborah Ealer  
Township Secretary

Lori Coleman  
Recording Secretary