

North Middleton Township Board of Supervisors April 27, 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 27, 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, Police Chief Gary Carver and Recording Secretary Lori Coleman.

Visitors: see attachment.

Subdivision and Land Development

a. Plan no. 17-02 Miller Final Minor Subdivision Plan- expires –May 30, 2017

Supervisor Reisinger said his company currently works with Burget & Associates, Inc. so he is recusing himself from participation on the plan. Ms. Ealer presented the minor final subdivision plan to the board. She indicated it is due to expire on May 30, 2017. The property is approximately 108 acres, located on the east and west sides of 3150 Waggoners Gap Road, and bisected by Millwick Road. Ms. Ealer added a small portion of the property lies in Lower Frankford Township, and they have approved the plan. On April 4th, the Planning Commission recommended approval of the plan with six waivers contingent upon all the county and engineering comments being addressed. Supervisor Kelso verified the Planning Commission did review the plan at the last meeting. Benjamin Kirk of Burget & Associates was present this evening to address any questions by the board. Supervisor Kelso inquired if the Millers were still living in the home. Mr. Kirk verified the grandfather and grandson were living at the residence. Supervisor Hare asked why they were subdividing the property. Mr. Kirk thought they were dividing the property between family members. The plan was added to the consent agenda for next week.

North Middleton Authority

a. April Manager Report

Supervisor Reisinger presented the report.

b. March Minutes

Supervisor Reisinger presented the March minutes. Supervisor Reisinger noted the Authority sent out a survey to select residents on Long Gap Road concerning the extension of water service. The Authority received about 120-150 responses. Four residents were present at the last monthly meeting and expressed they were against the extension since they currently had good well water. Overall, Supervisor Reisinger noted the survey indicated 75% of the residents were against water service versus 25% in support of. Once all the information is gathered, the Authority is going to review the economics of the project. The request for water was initiated by the Carlisle School District for Crestview Elementary. Supervisor Kelso asked if state aid was available. Because of the size of the township, population and economics, Supervisor Reisinger noted it was not available. He added the potential project was in the study stages.

Solicitor

No report presented.

New Business**a. Manager****1. Nobue Sheller- Spring Road Property**

Ms. Ealer reviewed a letter from the Cumberland County Aging Services Department asking the board to consider purchasing the 3 lots, presently owned by Nobue Sheller at 2056 Spring Road. The property is across the street from the fire house. The County is proposing the Township purchase the property for the past due taxes in the amount of \$3530.57. As well as forgiving the lien on the property that was placed on the property by the Township to cover the cost of demolishing the house.

Ms. Ealer said the ordinance violations began in 2007. The Township continued to work with Ms. Sheller and family members to address the violations. In 2011, the Codes Department contacted the Cumberland County Department of Aging due to deplorable living conditions of the home. During that time, the Office of Aging was unable to make contact with Ms. Sheller. In 2011, the NMT Police Department received a call from Ms. Sheller concerning a potential burglary at her home. It was determined a trespasser was not present. The officer observed the ceiling falling down and black mold growing on it. Ms. Sheller did later meet with the Office of Aging. It was later determined the home was unfit for human habitation. In March 2012, the County Office of Aging became Ms. Sheller's permanent, plenary guardian. In September 2012, the board approved moving forward with the demolition of the home. The inspection did reveal asbestos which was removed. On November 12, 2012, the structure was demolished and the debris was removed. The lots were then placed on the market for sale. Overall, Ms. Ealer noted the board could do nothing and wait for the sale of the lots, or the board could purchase the property, pay the taxes, and write off the lien. Solicitor Allshouse said the township could purchase the property for \$3530.57 plus closing costs. If the property goes up for tax sale, then the township would lose all the liens. Supervisor Reisinger noted the township could buy the property and try to sell it. Solicitor Allshouse added it could also be used for another use like an impound lot for the police department. The board discussed the foundation of the previous residence, and if it was filled in. Supervisor Hare felt the township should not buy the property. Solicitor Allshouse stressed if the property goes to tax sale, then the township will not recover any of the lien money. Supervisor Kelso questioned if the basement was filled or removed. Solicitor Allshouse recommended contacting the subcontractor that completed demolition to check the contents of the ground. Supervisor Reisinger said he would do a little more research on the property.

2. Solid Waste Contract

Ms. Ealer was working with Middlesex Township on a joint solid waste contract. The township contract ends on September 30th and Middlesex Township's contract expires March 31, 2018. Ms. Ealer said the township would have to bid a trash contract for 6 months with an end date of March 31, 2018. One of the comments offered on the current contract was to change the start time from 5:00 am to 6:00 am. The waste and recycling containers would remain the same for the 6 month contract. Ms. Ealer was seeking approval from the board to move ahead with the 6 month contract. She noted the cost to advertise the contract would be approximately \$500-\$750. Supervisor Smith expressed his concern with Middlesex Township possibly changing their mind to work together with the township or terms of the contract. Ms. Ealer said their

elected officials are very positive with working with North Middleton. She added each municipality will have their own contract with the winning hauler. Supervisor Hare agreed the presentation at the CAPCOG indicated each township would have their own contract. The item was added to the consent agenda.

3. Dennis Hurley-Private Lane Name

Ms. Ealer noted Mr. Hurley had a subdivision approved in 2008/2009. In 2016, he contacted township staff regarding the addressing of two lots just off Waggoners Gap Road. PennDOT did issue an HOP permit to Mr. Hurley. The permit was for a driveway which was to be shared by two property owners. Mr. Hurley asked Ruben Lao to issue street address numbers for both of the lots. For safety reasons as well as postal delivery and utility identification, the address numbers were listed using the Waggoners Gap address. On March 24, 2016, Mr. Hurley sent a letter to Ruben Lao requesting a private street to be called Hurley Lane. Since he did not hear back from Mr. Lao, Mr. Hurley purchased a street sign (Hurley Lane). Mr. Hurley is requesting the name be changed from Waggoners Gap to Hurley Lane. Mr. Hurley cites several instances in the township of other lanes as per his letter. Mr. Lao recommended not changing the name due to safety reasons since it would be a part of nonconforming address issues. Ms. Ealer did check and review the plan so it is considered a driveway. Solicitor Allshouse said no to changing the name, because the EMS and police would never find it. He also stressed it is a driveway. He recommended not setting a precedence, because any developer that puts a driveway off the drive will want to name it as they see fit. Chief Carver added private roads are not listed on the county map. The board decided to take no action and leave the description as is. Supervisor Reisinger agreed it made sense not to make the change due to being a public safety issue. Ms. Ealer will send a response to Mr. Hurley.

4. Mariner 2 Update

Ms. Ealer discussed a meeting with representatives from Sunoco for an update on the Mariner 2 project. Ms. Ealer said Sunoco has divided the work up into 7 sections of 50 miles each. Precision is the contractor for all 7 sections of the project. The work has begun and will progress from east to west. The pipeline will be constructed in an assembly line fashion. The 20" line will be installed first, then the 16" line. The 20" line is slated to be completed by November 17 and Spring 2018 for the 16" line. Ms. Ealer noted Sunoco will be putting out weekly updates and the township will be posting the information on the website and Facebook page. Ms. Ealer reviewed the map with the board. She added Precision will be hiring some local workers to work on the project.

5. APMM Conference

Ms. Ealer asked the board to attend the Association of Pennsylvania Municipal Managers conference in Bedford Pa. She noted it was excellent for professional development of municipal managers. She reviewed the agenda with the board. The cost for the conference was \$185. The board supported Ms. Ealer attending the conference.

6. Executive Session

Ms. Ealer requested an executive session to discuss 3 matters of potential litigation.

Police Chief**1. Carlisle Productions contract**

Chief Carver noted the current contract expired. He mentioned a meeting next week with Chief Landis of the Borough of Carlisle to discuss a joint venture since the property is split between the Township and Borough. Solicitor Allshouse suggested contacting Carlisle Productions to indicate to them that North Middleton was proposing a joint contract with the Borough of Carlisle. This way they can have a contract already prepared for him to review and the board could approve it at the May 4th meeting.

2. Donation of Vests to Cumberland Goodwill EMS

Chief Carver said he would like to donate some expired vests to Cumberland Goodwill EMS. Solicitor Allshouse noted the manufacturer's specs are expired. Cumberland Goodwill EMS is interested in the vests. Solicitor Allshouse noted he could prepare an indemnification agreement stating the NMT Police Department is going to donate the expired vests to Cumberland Goodwill but if anyone gets hurt, then the township cannot be held accountable. They are being gifted as is. Supervisor Smith moved to authorize Solicitor Allshouse to prepare the indemnification agreement for the donation of the expired vests to Cumberland Goodwill EMS. Supervisor McDowell seconded the motion, and the motion carried.

Board**a. Mike Swartz old property**

Supervisor Smith mentioned the selling of cars on the property. Solicitor Allshouse noted Mr. Lao was working on the issue.

b. County Meeting

Supervisor Kelso asked if anyone was attending the county meeting on May 17th at 7:00 am. He noted the 911 radio project and electronics recycling was going to be discussed.

Engineer

No report presented.

Executive Session

An executive session would be held following the meeting to discuss three potential litigation issues and one personnel matter.

The meeting was adjourned at 7:03 p.m.

Respectfully submitted,

Deborah Ealer
Township Secretary

Lori Coleman
Recording Secretary