

North Middleton Township Board of Supervisors July 27, 2017

The workshop meeting of the North Middleton Township Board of Supervisors was held at the Township Municipal Building, 2051 Spring Road, Carlisle PA on July 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.

Visitors: Debra Wharam- Virginia Avenue

Ms. Wharam has lived on the end unit townhouse of 186 Virginia Avenue since 1985. In early 2000, the house beside her townhome (184) was purchased by Fiona Miller. Things started out well for the first few years, but then the property began going downhill. A few years later, Ms. Miller moved from the property to another property on Basin Hill Blvd, and decided to rent the townhouse. Since that time, Ms. Wharam noted the upkeep of the property has declined. Ms. Wharam introduced Mamut Yusef and Akbar Vermani that reside at 182 Virginia Avenue. Ms. Wharam said Ms. Miller also purchased 180 Virginia Avenue via short sale and is currently renting the townhouse. With the increased issue of blight on the properties, Ms. Wharam decided to contact Codes Officer Ruben Lao and asked him visit the properties. Last summer, the fascia on the back of one of the townhomes began to fall off, and started to pull on the spouting. The building materials fell and are currently laying in the yard. Mr. Lao did visit and reviewed both of Ms. Miller's properties. Ms. Wharam noted Mr. Lao told her that North Middleton does not have any property maintenance codes on the books. She was stunned. Mr. Lao suggested she and a few of the neighbors address the board with their concerns. Ms. Wharam was seeking help from the board to address the issue of blight. Ms. Wharam stressed the blight properties were ruining the value of their homes. Mr. Lao did contact Ms. Miller about the property concerns.

Supervisor Reisinger noted the township has various codes to address a lot of things. He felt some of issues Ms. Wharam described this evening can be addressed through the codes system. Supervisor Reisinger said he would like to have a discussion with Mr. Lao on how he is addressing the codes in reference to their concerns. Supervisor Reisinger noted the township has discussed maintenance codes but interpretation can be very wide. Donald Orth of 1836 Mary Lane referenced the fascia that would swing back and forth for months until it fell off. Mr. Orth said it was an easy item to repair. Mr. Yusef said the first few years were good, but then the neighbors stopped cleaning up their pet waste. Mr. Yusef noted he cannot even use his back deck due to the very bad smell. Ms. Wharam added Mr. Lao did discuss cleaning up the pet waste with the tenants. Ms. Wharam noted Ms. Miller is not aware of what is going on in her rented properties. Supervisor Reisinger said Ms. Miller does have responsibilities since she is the owner. Supervisor Reisinger thanked everyone for coming in tonight and they were going to discuss their concerns with Mr. Lao. The board understands their predicament and they would work with Mr. Lao to utilize the tools the township has available to help their situation. Mr. Lao will then contact Ms. Wharam with an update.

Subdivision and Land Development**Mountain View Estates Phase II - #16-06 expires 08/31/16**

Doug Brehm of Brehm-Lebo Engineering said the final plan had gone through a few reviews, and the Planning Commission recommended approval with the satisfaction of any outstanding comments. Mr. Brehm noted they resubmitted a revised plan a week ago. Mr. Brehm mentioned the offsite sewer situation (Wertz Run interceptor). Lee Bothell of Alpha Consulting Engineers introduced Tom Scully, Steve Johansen and Jon Andrews. Ms. Bothell noted they addressed the outstanding issues with the revised plan dated July 14th. The only outstanding item was the 4 street lights they agreed to add to the plan. Ms. Bothell mentioned changing the phasing locations. As for the Wertz Run interceptor, Ms. Bothell said they were going through the application process. A draft was forwarded to Mr. Koch for his approval before it can be sent to DEP. Supervisor Reisinger noted an issue with the NMA agreement. He asked if it was resolved. Mr. Johansen responded yes. Ms. Bothell said the agreement is still in place and requires an addendum. Ms. Ealer added she was working on the interceptor agreement with Mr. Koch. She noted the item could be added to the consent agenda for next week. The board decided to vote on the item this evening. Supervisor Smith moved to approve the following waiver requests for the Mountainview Estates Phase II plan: 180.15(G) size of the phase containing a minimum of 25% for the overall development, and 180.33 N(4) pertaining to the street intersection horizontal vertical alignment. Supervisor McDowell seconded the motion, and the motion carried. Then, Supervisor Smith moved to approve the Mountainview Estates Phase II plan contingent upon all the conditions listed in the Brehm-Lebo memo dated July 21, 2017, and NMA agreement. Supervisor McDowell seconded the motion, and the motion carried.

Frederick Court- #16-03 expires 08/11/17

Andrew Reese of Madden Engineering was before the board to review the Frederick Court plan. He reviewed the Brehm-Lebo comments concerning the traffic study and lighting plan. Mr. Reese discussed the emergency access easement and professional engineering statement. Mr. Brehm mentioned the residents concern of increased traffic and speeding. George Avenue is not posted so Brehm-Lebo asked their traffic engineer to put something in the traffic study to justify posting it at 25mph. The signs would be purchased by the developer and the township would install them. Supervisor Kelso asked if the township would receive a copy of the traffic study. Mr. Reese noted it was already provided. Supervisor Kelso verified with Mr. Reese that the turnaround was at the end of George Avenue. Mr. Brehm stated the plan this evening was the preliminary plan so the board would see the final. Supervisor Kelso asked if Mr. Reese had met with the Fire Chief concerning the turning radius. Mr. Reese said he did not but would be willing to work with him. Supervisor Kelso mentioned the drop off area. Mr. Reese said they could trim trees and clean up the area to increase the radius. He added they may have to work with the neighboring property owner. Mr. Reese verified the emergency access would be gated. Supervisor Kelso asked about any problems with traffic to Rt. 34. Mr. Reese said the traffic study indicated no issues. Then, Supervisor McDowell moved to approve the following waiver requests for the Frederick Court preliminary plan: 175-12.A(1) runoff volume increase, and 180.24.B(37) two points of ingress and egress. Supervisor Hare seconded the motion, and the motion carried. Supervisor Hare moved to approve the preliminary plan for Frederick Court contingent upon the comments in the Brehm-Lebo letter dated July 21, 2017. Supervisor Smith seconded the motion and the motion carried.

Greg Shank- 1021 Enola Road

Mr. Shank mentioned attending a meeting with Representative Steve Bloom in which a discussion occurred about the amount of Narcan injections that were being utilized by the local EMS and Police Departments to fight overdoses. He added the type of opioids that are being used now require EMS and police officers to wear masks and special gloves. He inquired to Chief Carver if the department was taking the appropriate precautions. Chief Carver said the department has upgraded to protective gloves, and each car has protective equipment.

Secondly, Mr. Shank inquired about the two bridges on Cranes Gap and Wagner Drive. He asked if they were in the regular plan and who paid for them. Supervisor Reisinger noted the township has a regular plan and budget for road and bridge replacements. Mr. Shank wondered if the excessive usage of trucks on the road contributed to the damage of the bridges. Supervisor Kelso asked how often bridges are inspected. Ms. Ealer noted the township does not have bridges but rather culverts. Zachary Zook completes a review once a year.

Old Business**a. Fair Districts PA**

Linda Figueroa of 18 Parker Springs Avenue asked if the board has made a decision. Supervisor Reisinger noted the board had no further discussion on the issue. Ms. Figueroa mentioned a meeting with Representative Steve Bloom in which he cited a concern with bipartisanship. She said Representative Bloom has contacted the person in charge of Fair Districts PA and he has become more interested. Supervisor Reisinger noted the board had no questions for her at this time. Supervisor Kelso verified the PA Constitution would be changed. Ms. Figueroa noted it had to go through the legislature.

North Middleton Authority**a. July Manager Report**

Supervisor Reisinger presented the Manager's report.

b. June Minutes

Supervisor Reisinger presented the June minutes.

Solicitor

Solicitor Allshouse informed the board that he would be most likely heading to the northern Rockies to fight forest fires. He may miss the action meeting next week, but should be back for the August workshop meeting.

New Business**a. Manager****1. 2nd Quarter Budget**

Ms. Ealer indicated the township was in good shape. She pointed out the car show amusement tax continues to drop.

2. Intersection at Claremont and Post Road

Ms. Ealer shared a letter from Ruth March about the intersection. Ms. March indicated traffic is getting backed up in the late afternoon while trying to make a left onto Claremont Road from Post Road. She asked the township to consider installing a 3-way stop sign similar to the intersection of Army Heritage and Claremont Road.

Post Road is a township road and Claremont is a state road. Ms. Ealer said the township could pursue PennDOT to make the intersection a 3-way stop. Linda Figueroa noted the homeowners in Parker Springs have seen increased traffic due to the cut through traffic. She added it was a very narrow street with not much parking. Once the road is dedicated, she felt the police department could provide an added presence to deter the cut through traffic. Mr. Shank observed a traffic event in which Officer Peterson had to address the traffic on Post Road to allow access on Claremont Road because it was backed-up all the way to Rt. 11. Mr. Shank felt the additional traffic on Claremont Road was heading to the Cumberland County recycling site. Supervisor Reisinger said the board asked for a traffic study many years ago, but PennDOT felt it was not warranted. Ms. Figueroa recommended using Representative Steve Bloom's office for assistance. Ms. Ealer asked if the board wanted her to pursue the 3-way stop. The board agreed to send a request to PennDOT. Supervisor McDowell noted the sides of Post Road are not marked. If they were marked, they might provide better vision for drivers during the evening hours.

3. Approved Codes Services, Inc.

Ms. Ealer reviewed a letter from Approved Codes Services, Inc. seeking to change the three commercial rates to one rate of \$20.00 per \$1000 of constructions costs with a \$190.00 minimum. Ms. Ealer proposed the change to Mr. Borda and he is in agreement with the proposal. Ms. Ealer reviewed a few examples with the board. Thus, Supervisor Smith moved to approve the request from Approved Codes Services, Inc. to go from the three tiered structure to the single tier structure for commercial building permit fees. Supervisor Kelso seconded the motion, and the motion carried.

4. Resolution 2017-04 – Authorization for Robert Reisinger to sign the Green Light Go Grant Agreement

Ms. Ealer presented the resolution to the board. Once she receives the signature, she would move forward with development and engineering for the project. Supervisor Hare mentioned a discussion of a left arrow for the southbound lanes. He was instructed by the Cumberland County supervisor of PennDOT to send a letter to PennDOT requesting the change once the township received the grant approval. Ms. Ealer asked Supervisor Hare to provide her with the contact information of the supervisor and she would discuss the process with him. The item was added to the consent agenda for next week.

5. Waste Contract Bid

Ms. Ealer noted the 6 month bid prices were \$3 per month more than the current rates. She verified the bid price could be rejected. If rejected, the board could take a one year extension and the township would have to rebid the contract again next year. Supervisor Reisinger noted his concern of increasing the fees by \$3 in hope that the township gets a lower price in March. After some discussion, Supervisor Kelso moved to award the 6 month waste contract to Advanced Disposal, and Supervisor Hare seconded the motion. The motion carried with a 3-2 vote. Supervisor Smith and Supervisor Reisinger voted nay.

6. Yorwick Road project

Ms. Ealer presented a grant application from Zachary Zook which was submitted to the Cumberland County Conservation District. The project is proposed for the 2018

construction year. The grant is specifically geared toward low volume roads. The entire project will be \$17,780. Mr. Zook requested \$8921. Supervisor McDowell moved to approve the execution of the grant from the Cumberland County Conservation District, and Supervisor Kelso seconded the motion. The motion carried.

7. Nobody's Cats

Ms. Ealer provided information on the organization called Nobody's Cats which provides traps for residents to use by putting down a \$60 deposit. The organization located in Camp Hill will spay, neuter or and provide basic care to the feral cat. A little piece of the cat's ear is removed to show that the cat is already neutered and does not need to be trapped again. The cost is \$30 per cat, and then the cat is released to the same individual who trapped the cat. Ms. Ealer noted the township currently pays \$137.50 per cat and the cats are normally adopted. With Nobody's Cat organization, the person that trapped the cat is responsible for the fee. Ms. Ealer said the township can pay for the fee. Supervisor Smith verified the township would be responsible for the fee if the person did not pay for the cat, and the cat is returned back to the place it was trapped. Ms. Ealer agreed. Supervisor Hare suggested discussing the issue for the 2018 budget. Supervisor Reisinger noted it was good information for public awareness.

Police Chief

Chief Carver said Officer Sease would be returning to duty on August 9th.

Board

Supervisor Hare mentioned a presentation at the recent CAPCOG meeting by Benecard. The company provides discounted savings on prescriptions. He gave the information to Ms. Ealer to review.

Engineer

No report offered.

Executive Session

Supervisor Reisinger requested an executive session to discuss a personnel issue. No vote would be taken.

Adjournment

The meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Deborah Ealer
Township Secretary

Lori Coleman
Recording Secretary