

North Middleton Township Board of Supervisors February 5, 2009

The meeting of the North Middleton Township Board of Supervisors was held at the Township Municipal Building, 2051 Spring Road, Carlisle PA on February 5, 2009. Chairman Robert Reisinger called the meeting to order at 6:00 p.m. Board members present were Vice Chairman Harry Kelso, Supervisor Robert H. Shearer, Supervisor Richard A. Bucher, Supervisor James E. Hare, Solicitor Mark Allshouse, Manager Deborah A. Ealer, Police Chief Jeffrey Rudolph and Recording Secretary Lori A. Coleman.

Visitors: see attachment #1.

The Pledge of Allegiance to the American Flag opened the meeting.

Public Comment/Hearing of Visitors

Ella Jean Nichols noted members of Boy Scout Troop 173 at the Carlisle Barracks were currently working on their communications badge. They were present this evening to observe how communication occurs during the meeting this evening. Members present were: Chris Kaufman, Michel Gould, Chris Hathcox, Robert Martin, Gino Verderne, Christ Mekhail and Brian Mekhail.

Don Adams Subdivision revision

Codes Enforcement Officer Paul Fegley stated the owner had already received approval for the subdivision plan. Mr. Adams is currently living out of state and is trying to sell the property. The proposed purchaser of the property noticed a 300ft frontage existed on the approved subdivision of which he would like removed. Mr. Fegley stated the frontage was to provide a suitable area for a HOP in case the entrance for the driveway could not be located at the center of the post that met Rt. 944. Mr. Fegley stated if Mr. Adams could produce an HOP that was center on the panhandled part of the lot and provide some drawings showing that the piece of ground on a project that is to be recorded, he would present it to the board. Mr. Fegley reviewed the finished drawing with the board. Mr. Fegley stated they were seeking a reduction of 300ft and pointed out a clear site distance was available as provided by the HOP. Greg Lebo of Brehm-Lebo Engineering stated he reviewed the change and everything looked fine. He recommended getting a copy of the HOP. Solicitor Allshouse noted reviewing the information and his comments were addressed by the engineer. He viewed this as a small change. Thus, Supervisor Kelso moved to approve the Don Adams subdivision revision #08-05, and Supervisor Shearer seconded the motion. The motion carried.

Consent Agenda:

- a. Meeting Minutes: October 29, 2008 budget meeting; November 12, December 10, January 15 Motor Freight Conditional Use; December 22 Workshop; December 22 Joint NMA; January Reorganization, January 5 Action, January 5 Ordinance 2008.11 hearing; January 5 Ordinance 2007.01 hearing
- b. Tax Collector Reports: reports 58-61; 2007 real estate
- c. Payment of the bills: 01/16/09, 02/05/09
- d. Bennington –site triangle
- e. Creek Road signage

- f. Pictometry
- g. Newsletters

Supervisor Reisinger noted the Reorganization minutes and January 5, 2009 action meeting minutes should be removed from the agenda. Supervisor Bucher noted the agenda listed the January 5 public hearing for Ordinance 2008.1 incorrectly. It should be listed as Ordinance 2008.11. He also requested Pictometry be removed since he had a question for Ms. Ealer concerning how often the software was updated. Ms. Ealer stated the county does not know how often the software will be upgraded. Then, Supervisor Shearer moved to approve the consent agenda, and Supervisor Bucher seconded the motion. The motion carried.

Supervisor Shearer moved to approve the Reorganization meeting minutes with the following changes. Supervisor Bucher seconded the motion, and the motion carried.

- Page 1, Chairman of the Board vote for Supervisor Kelso, change from 3-2 to 2-3
- Page 1, Chairman of the Board vote for Supervisor Reisinger, change nominated/seconded by from Hurley/Shearer to *Shearer/Reisinger*

Supervisor Kelso moved to approve the January 5, 2009 Action meeting minutes with the following change. Supervisor Shearer seconded the motion, and the motion carried.

- Change Header from December 22, 2008/Workshop Meeting to *January 5, 2009/Action Meeting*

Supervisor Bucher asked if the cost for the software was a onetime charge and if it was updateable. Supervisor Shearer noted the issue was not a time dated item. The board noted the issue could be tabled until more information can be provided. Ms. Ealer stated she did contact the county and they were unsure of how often the software would be updated. She asked what additional information the board was seeking. Supervisor Bucher asked when the updates would occur so the Township would have the latest pictography. Ms. Ealer indicated the software was at no cost to the Township. The Township would only have to purchase the 1 TB USB hard drive at a cost of \$190.00. Supervisor Bucher wanted to make sure the software would be used for the long term. Supervisor Kelso mentioned reviewing the software website with Mr. Fegley, and added it would be useful for the codes department. He noted the county planned to use the software for their reassessment since it was very detailed. Thus, Supervisor Kelso moved to approve the purchase of the 1 TB USB hard drive for the Pictometry software, and Supervisor Hare seconded the motion. The motion carried.

Business of Township Officials

Township Manager

1. January Report

Ms. Ealer presented her January report to the board.

2. Financial Report

Ms. Ealer presented the financial report to the board.

3. Howell Preliminary / Final Subdivision

Ms. Ealer noted the plan was discussed last week. First, Supervisor Bucher moved to approve the waiver for Section 180-15A for the #08-08 Howell preliminary final

(revised) subdivision plan. Supervisor Shearer seconded the motion, and the motion carried. Second, Supervisor Bucher moved to approve the #08-08 Howell preliminary final (revised) subdivision plan contingent upon all township engineering comments being satisfied. Supervisor Kelso seconded the motion, and the motion carried.

4. Spring Road Family Practice

Ms. Ealer noted the plan was reviewed last week. Four waivers are requested. First, Supervisor Kelso moved to approve the waiver for Section 180-15.A to review the plan as a preliminary/final, and Supervisor Bucher seconded the motion. The motion carried. Second, Supervisor Shearer moved to approve the waiver for Section 180-36 for construction of sidewalks, and Supervisor Bucher seconded the motion. The motion carried. Third, Supervisor Bucher moved to approve the waiver for Section 180-37 for construction of curbs and gutters, and Supervisor Shearer seconded the motion. The motion carried. Fourth, Supervisor Kelso moved to approve the waiver for Section 180-81 for the submission of E&S plan to Cumberland County Conservation District, and Supervisor Shearer seconded the motion. The motion carried. Finally, Supervisor Shearer moved to approve the preliminary/final subdivision/land plan for Spring Road Family Practice #08-07, and Supervisor Bucher seconded the motion. The motion carried.

5. 2008 Budget

Supervisor Kelso stated he reviewed the information provided by Ms. Ealer. He pointed out the Township actually ended up in the black which he felt was really good.

Chief of Police

Police Chief Jeffrey Rudolph presented the 2008 end of year report to the board. He referenced a few of the charts at the end of the report. He also provided the board with his January report. Supervisor Reisinger asked Chief Rudolph if he saw any significant increase in any category. Chief Rudolph mentioned an increase in accidents, but noted the increase in traffic and population of the Township. He also mentioned an increase in assaults and drug investigations. Supervisor Kelso inquired how funds are recouped from confiscated items. Chief Rudolph stated it was via asset forfeiture which is operated through the district attorney's office. He noted if the court decides the property should be forfeited, then they turn around and sell the merchandise. By law, the county receives the funds. Chief Rudolph noted he usually asks for equipment from the funds. Supervisor Shearer asked if there was a particular area with accidents. Chief Rudolph mentioned Newville Road, Rt. 34 and Rt. 74. Since integrating the state police in some of the patrolling, Supervisor Bucher asked how it was working. Chief Rudolph felt it was going very well. Also, Supervisor Bucher asked Chief Rudolph if he was seeing an increase in higher profile crimes. Chief Rudolph agreed they were increasing. Supervisor Bucher asked if there was anything the supervisor's could do from his perspective. Chief Rudolph noted it was the police department's duty to get a handle on it. He mentioned the department can always use more officers. Supervisor Hare mentioned the increase in drug arrests, and asked if a problem existed in the Township. Chief Rudolph replied a drug problem existed everywhere and it was increasing in the township. He noted the department was persistent and was working with the drug task force. Supervisor Bucher asked Chief Rudolph if he thought the increase in crimes was economically related. Chief Rudolph noted the crimes change month to month.

Public Hearing for Ordinance 2009-01 Appointment of a New Tax Collector @ 6:30 p.m.
See attachment.

Solicitor's Report: Mark Allshouse

a. January Report

Solicitor Allshouse presented his January report to the board.

New Business

a. 2008 Robin Sollenberger exonerations

Ms. Ealer noted the board exonerates the Township Tax Collector Robin Sollenberger from collecting the delinquent Real Estate, Per Capita and Street Light Taxes for the Township every year. Ms. Ealer noted are then turned over to a collection agency to be collected. She was seeking a motion from the board. Supervisor Shearer asked how the numbers compared to the previous year. Ms. Ealer noted she did not do a comparison. Supervisor Shearer questioned the \$5.00 tax and what were the results of getting the funds. Ms. Ealer noted the Township utilizes Statewide Tax Recovery to collect the tax of which the township does not pay a fee to them to collect the back taxes. Once the funds are collected, they are turned over to the township. Supervisor Shearer noted he would like to see a comparison. Thus, Supervisor Bucher moved to exonerate Tax Collector Robin Sollenberger from collecting the delinquent 2008 Real Estate, Per Capita and Street Light Taxes for the Township. Supervisor Kelso seconded the motion, and the motion carried.

b. Statewide Tax exoneration request

Ms. Ealer noted Statewide Tax Recovery attempted to collect taxes from the individual listed, and questioned if the Township would exonerate him. The individual is in the military. Thus, Supervisor Hare moved to exonerate the individual as listed in the December 29, 2008 memo from Annette McKillip. Supervisor Kelso seconded the motion, and the motion carried.

c. Resignation

Supervisor Reisinger noted receipt of a letter of resignation from James Hare from the Zoning Hearing Board dated January 2, 2009. Solicitor Allshouse noted the resignation became effective prior to this evening. Ms. Ealer added she did have a few interested individuals for the position. She recommended discussing the issue at the next workshop meeting. Supervisor Bucher moved to accept the resignation of James Hare from the Zoning Hearing Board, and Supervisor Kelso seconded the motion. The motion carried. Supervisor Reisinger thanked Mr. Hare for his service on the Zoning Hearing Board.

Public Hearing for Ordinance 2009-02 – Flood Plain Ordinance @6:45 p.m.

See attachment.

2008 Budget

Supervisor Kelso asked Ms. Ealer how often the motor freight terminal hearing expenses were billed. Ms. Ealer noted the billing was recently sent.

Adjournment

Supervisor Kelso moved to adjourn the February 5, 2009 Board of Supervisors meeting at 6:51p.m. Supervisor Bucher seconded the motion, and the motion carried.

Respectfully submitted,

Deborah Ealer
Township Secretary

Lori A. Coleman
Recording Secretary