

North Middleton Township Board of Supervisors March 26, 2009

The workshop meeting of the North Middleton Township Board of Supervisors was held at the Township Municipal Building, 2051 Spring Road, Carlisle PA on March 26, 2009. Chairman Robert Reisinger called the meeting to order at 6:00 p.m. Board members present were Vice Chairman Harry Kelso, Supervisor Richard A. Bucher, Supervisor Robert H. Shearer, Supervisor James E. Hare, Solicitor Mark Allshouse, Manager Deborah A. Ealer, and Recording Secretary Lori A. Coleman.

Visitors: see attachment #1.

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

Subdivision and Land Development

Keystone Arms

Ms. Ealer mentioned discussion concerning the January 29, 2009 meeting minutes. Brian Engle of Rettew was before the board to discuss the Keystone Arms development. Supervisor Reisinger questioned his comment from the minutes on whether the developer "will or will not" have to follow all the regular procedures for the change. After a discussion with Solicitor Allshouse, Mr. Reisinger noted they could be handled expeditiously. Then, he discussed the issue with Dave Marschka to determine what he was seeking. Supervisor Reisinger added the plans could be reviewed this evening, and action could be taken at the next meeting. Mr. Engle noted they went out and surveyed the two intersections as they were currently installed to revise the LD plans and record the necessary sheets. He indicated the cover sheet would be revised and sheet 8A would be added to the plans. Mr. Engle described the information on sheet 8A. Greg Lebo of Brehm-Lebo Engineering noted he had not looked over the changes. Supervisor Bucher questioned the fire department issue. Mr. Engle noted the changes were related to unit changes on Post Road which were going from a parking lot condition to a driveway condition. Mr. Engle noted Keystone Arms had not decided to move forward with that issue at this time. Supervisor Reisinger verified the change was only for the left turn off Post Road. Mr. Engle added a cover letter was with the plans indicating TPD will be submitting the HOP to PennDOT. Supervisor Kelso asked if the second driveway was currently installed. Mr. Engle stated it was currently being used as a right turn in / right turn out. PennDOT has agreed to allow that as a full movement in. The second driveway would have a left turn in and right turn in, but only a right turn out. He noted the change will permit them to market the front commercial properties. Supervisor Bucher questioned if it would be confusing without a left turn out. Mr. Engle noted the pork chop would be reconfigured and signage will be available. Supervisor Kelso asked about the timing of the light at the intersection of Rt. 11 and Post Road. Mr. Engle noted he would check with TPD. Supervisor Reisinger indicated the board would like the request to go to PennDOT. Mr. Lebo inquired about an agreement to go back to the original plan if a traffic issue occurs. Solicitor Allshouse noted the board could get an agreement stating that if the Board of Supervisors pass the change to the plan and there becomes a traffic issue with regard to stacking / backing up as determined by engineering, then the township would provide written notice to the developer who would be required to fix the problem. Mr. Engle noted Mr. Marschka indicated he would agree to the conditions. Solicitor Allshouse noted the agreement could be a condition of approval in which the detailed language could be worked out. Solicitor Allshouse asked the

board to provide him with some language for the agreement. Supervisor Reisinger asked the board if it was ok for Solicitor Allshouse to work with the engineer to develop the appropriate language for the agreement. The board supported the request. The issue was added to the agenda for next week.

North Middleton Authority

a. February Minutes

Supervisor Reisinger presented the minutes to the board.

b. Manager's Report

Supervisor Reisinger presented the report to the board.

Solicitor's Report

Solicitor Allshouse noted his report will be available next week.

New Business

a. Municipal Records Retention Resolution

Ms. Ealer mentioned working on a record retention policy based on the Municipal Records Manual dated 1990. She recommended adopting the new Municipal Records Manual dated December 16, 2008 which could be adopted via resolution. She noted the township would follow the guidelines established for information that is to be retained on a permanent basis as well as what can be destroyed after its useful life. She reviewed some items that can be destroyed. Prior to any destruction of records, Ms. Ealer added the board would review a list of the items being proposed to be destroyed. The board would approve the list prior to the destruction of the items. Supervisor Bucher asked if the resolution mirrors the open record policy. Ms. Ealer agreed. He asked if the Township was getting rid of items. Ms. Ealer noted items were being stored in boxes for the past 11 years. Supervisor Shearer verified the items would be shredded. Ms. Ealer agreed. The board directed Solicitor Allshouse to prepare the resolution.

b. Joint Meeting with Authority – April 15 at 5:00 PM

Ms. Ealer verified the joint meeting date of April 15th at 5:00 PM with the board.

c. Members First Membership

When reviewing CD rates, Ms. Ealer noted Members 1st had better rates than Orrstown Bank. She recommended opening a membership with Members 1st. Supervisor Reisinger felt it was good to shop around to get the best rate. The board supported her suggestion.

d. PA Builders Association Letter

Ms. Ealer reviewed the Pennsylvania Builders Association memo with the board. They were seeking support from the township in their fight against mandatory fire sprinklers for townhomes and one and two family dwellings with respect to the new ICC codes. As an example, Ms. Ealer noted for a \$150,000 home about \$4000 is added to the cost for the fire sprinkler system. She did check with Lee Koch and he was not sure about the requirement but felt it could put a strain on the current system. After checking with a few municipalities, Ms. Ealer noted SMT was not responding, and BOC and Middlesex were unaware of the new code. After some additional research, Ms. Ealer noted the new code would not be implemented via legislative process. It would be before and reviewed by an advisory committee of which PSATS has a seat on the committee. Supervisor Hare asked

when the new book would be published. Ms. Ealer felt it would be published by the end of the year. Supervisor Hare asked if it would be required or could the township take exception to the new code. Ms. Ealer stated it would be required. Supervisor Bucher asked what PSATS stance was. Ms. Ealer said they had not made a decision on how to respond. Overall, the board directed Ms. Ealer to write a letter to not support the new code.

e. Wind Turbine Ordinance

Ms. Ealer noted the board does have information concerning alternative energy sources in Section 204-25.E. As it is written, it is permitted in any zone. She provided some background information to the board with a Rural Pennsylvania study, information from PSATS and a sample ordinance from South Middleton Township. She reviewed some details from the SMT ordinance. Supervisor Bucher reviewed the sample ordinance and mentioned his concern with Section 14.a.vii. that requires 5 acres or more. He also mentioned Section 14.a.viii which sets a maximum dBA level. Supervisor Hare did caution about the many kinds of turbines that can be used with new technology. Supervisor Reisinger suggested the board review the information and discuss it at the next workshop meeting. Supervisor Bucher asked if PSATS had any information online. Ms. Ealer noted it was pretty new and not much information was available yet. Supervisor Reisinger mentioned attending a BOC meeting in which a session was held on the topic. He noted grant funding was available for municipal use. Supervisor Reisinger noted if the PPL rates increase, then it will become very attractive for residents.

f. Authorization to Bid Road Materials for 2009

Ms. Ealer reviewed a memo from Lester Bricker seeking to bid road materials for 2009. The issue was placed on the consent agenda.

g. Utility Body Purchase

Ms. Ealer reviewed a memo from Mr. Brickner concerning the utility body purchase. She noted he was under budget. The issue was placed on the consent agenda.

h. Update on Rt. 34 Bridge Project

Ms. Ealer mentioned conversation with a few individuals on how to get information out to the public and businesses. She suggested a public meeting. PennDOT has offered to write a comprehensive news release. She noted the bid was out and will be awarded on April 9th. The contractor can begin prep work on May 11th and the bridge will close on June 11th. Ms. Ealer noted she would place the drawings out in the lobby for public review. Supervisor Reisinger asked the board if they felt a public meeting should be held. Supervisor Bucher supported a public hearing. Ms. Ealer noted PennDOT would not be present, and she would be the contact person for information. The board decided to have a public meeting and directed Ms. Ealer to set the date. Mr. Lebo asked if Ms. Ealer had a copy of the bid package. She indicated she did not.

i. West Pennsboro incident

Ms. Ealer noted two West Pennsboro public works staff were hurt on the job yesterday. She noted calling the manager and offered any help the township could provide to the municipality in whatever capacity. She noted the two workers would have a long recovery.

Old Business**a. Task List**

--Supervisor Bucher questioned the RFP for the subdivision and land development zoning ordinance updates. Ms. Ealer noted funding was not available at this time to complete the study.

--Supervisor Bucher questioned if the uniform contract was union or nonunion. Ms. Ealer stated it was union.

--Supervisor Bucher questioned the GIS software, and the performance measure to review and secure updated estimates to incorporate into the 2010 budget. Ms. Ealer noted they started doing some of the work in-house. She added NMA was working with CET whom has background knowledge of the software. Supervisor Bucher recommended working with NMA as a joint effort. Supervisor Reisinger noted he could talk to the NMA board about cost sharing. He also recommended having Ms. Ealer coordinate with Mr. Koch to determine how to have a joint effort.

--Supervisor Bucher verified the website was redesigned. Ms. Ealer stated it was work in progress.

--Supervisor Bucher asked about the joint recycling project with Middlesex Township in reference to DEP reviewing their burning ordinance. Ms. Ealer noted the issue was resolved.

b. Weight Restrictions

Mr. Lebo provided a draft document to the board concerning the weight limit and condition of Creek Road. He recommended posting a weight limit of 18 ton which would eliminate concrete trucks and big tri-axle dump trucks. The only exception would be for local deliveries which is monitored by the Pennsylvania code. He added coring was not completed but the proper documentation was available in the report. In addition, Mr. Lebo mentioned his concern with a detour route. He suggested speaking with Mr. Brickner to determine a good route for trucks.

c. Upcoming Meetings

Supervisor Reisinger reviewed the list of upcoming meetings.

d. Executive Session

Supervisor Reisinger indicated an executive session would be held following the meeting to discuss some personnel matters.

Adjournment

Supervisor Kelso moved to adjourn the March 26, 2009 meeting of the Board of Supervisors at 7:03 p.m. Supervisor Shearer seconded the motion, and the motion carried.

Respectfully submitted,

Deborah A. Ealer
Township Secretary

Lori A. Coleman
Recording Secretary

