

TOWNSHIP OF SOUTHAMPTON MINUTES  
FOR THE REGULAR MEETING OF THE BOARD OF SUPERVISORS  
SOUTHAMPTON TOWNSHIP MUNICIPAL BUILDING

5:00 p.m.

September 27th, 2022

**MEMBERS PRESENT**

Samuel Cressler – Chairman  
Randy Brenize – Vice Chairman  
Roger Hall

**OTHERS PRESENT**

Melissa Kelso Esq. – Township Solicitor  
Kathy Durf – Secretary/Treasurer  
Jamie White – Code Enforcement  
Maria Misner – Planning/Zoning

**VISITORS PRESENT**

Kurt Williams – Salzmann Hughes  
Dave Thomas – Matrix

**Chairman Cressler called the September 27th meeting to order at 5:00 p.m. and announced the meeting was being recorded.**

**PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

**VISITOR REMARKS**

**APPROVAL OF MINUTES FOR THE REGULAR MEETING OF SEPTEMBER 13TH, 2022**

MOTION: Supervisor Brenize moved to approve the minutes of the September 13th meeting as presented. Supervisor Hall seconded the motion which passed unanimously.

**OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

Conditional Use – Woods Road

Supervisor Brenize heard a lot of comments from residents not wanting truck traffic on Woods Road. He would like to see the traffic on Olde Scotland Road. PennDOT and the Township engineer recommended that the optimization of the signal at I-81 be a part of the conditional use approval.

There was lengthy discussion regarding the signal optimization and how it should be implemented.

Solicitor Williams stated Matrix could make a contribution to the Township to have the traffic study completed when it sees fit and proceed with the optimization process.

Supervisor Brenize asked why the entrance cannot be on Olde Scotland Road?

Dave Thomas replied it would be preferable, since it is more cost effective to access from Olde Scotland Road rather than improve the intersection and Woods Road, but it is a grading issue, plus the stormwater had to be located in that area.

Solicitor Williams recalled that during the hearing, Matrix provided testimony that there could be four independent lots along that stretch of Woods Road. They also provided testimony that the Woods/Olde Scotland intersection and Woods Road will be improved by two expert witnesses. There was no expert from any other person or party as far as the traffic hazards or problems were concerned. It was all conjecture, speculation and public statements of concern.

Mr. Williams continued, the court is going to look at the conjecture and speculation in comparison with expert testimony from a traffic expert and the signal timing should solve the issues. The public statements of concern have very little legal concern. It is the building that is proposed and the traffic that it generates that will be looked at.

Supervisor Brenize said he wanted to see it on Olde Scotland Road.

MOTION: Solicitor Brenize moved to approve the conditional use with the conditions that the truck traffic remain on Olde Scotland Road and Matrix must make a financial contribution to optimize signal timings for the interstate. Proper screening on woods road as recommended.

Supervisor Cressler asked Solicitor Kelso what legal concern and impact will there be to the Township if there is a legal battle?

Solicitor Kelso stated there would be legal fees, and it could be unfeasible because it would be appealed. The courts would look back at what was presented at the public hearing and ask if this is reasonably related to the health, safety and welfare of the Township. It is necessary?

Mr. Williams stated it comes down to is it a reasonable condition? Is it unreasonable? He feels it is not unreasonable for the applicant to want to come out

on a road with better access especially if the road has been improved. They did look at the Olde Scotland Road entrance and it was just not feasible.

Supervisor Hall said he would like to see it on Olde Scotland Road as well, but he is not sure it is feasible.

Supervisor Cressler asked Solicitor Kelso her opinion.

Solicitor Kelso replied that based upon the conditional use hearing, she felt it would be an uphill battle if it went to court.

The motion died for lack of second.

Supervisor Cressler asked what is the next best option to address the traffic?

Solicitor Williams replied extra markings on the road and the corrugated concrete pork chops will direct all truck traffic to the right. The Township would allow Matrix to place signs in the right-of-way on the other side of Woods Road directing truck traffic to I-81.

MOTION: Supervisor Cressler moved to approve the Conditional Use with the conditions of using corrugated concrete pork chops at exits, the Township will grant permission to put additional signage and markings on the road directing trucks towards the interstate and Matrix will submit \$10,000 to go towards the optimization of the signal lights at the appropriate time, plus the additional screening as shown, Supervisor Hall seconded the motion. The motion passed. Supervisor Brenize opposed the motion due to allowing truck traffic on Woods Road.

#### Act 57 Tax Resolution

Solicitor Kelso provided the supervisors with a sample resolution required by PA law, that requires all municipalities, school district, and counties that levy a real estate tax to adopt a resolution or ordinance directing their tax collector to implement the act's provisions for the tax years beginning on or after January 1, 2023. There is a window between October 10<sup>th</sup> and January 9<sup>th</sup>, 2023 to enact the resolution.

#### Health Insurance Renewal

Kathy Durf reached out to PCI Health Insurance who has the Township's Highmark Blue Shield – Premier Balance PPO \$0 Platinum A health plan and Davis Vision Insurance. Dental is through PSATS Trustees Insurance Company with Aetna. There is a 3.47 percent increase with current PCI plan.

MOTION: Supervisor Brenize moved to approve same health care and vision through PCI and dental through PSATS. Roger seconded the motion which passed unanimously.

#### Preliminary Budget Workshop

Supervisor Cressler stated that it is time to have a budget workshop.

MOTION: Supervisor Cressler moved to advertise a preliminary budget meeting to be held on October 12<sup>th</sup> at 9:00 am. Supervisor Brenize seconded the motion which passed unanimously.

#### Park & Rec Cooperation Costs

Randy reported that Southampton Cumberland, the Borough of Shippensburg, Shippensburg Township, Southampton Franklin and Hopewell are coordinating a regional park and rec program and want to hire consultant to help with the efforts. They are asking all participants to pitch in for the fees.

MOTION: Supervisor Brenize moved to spend up to \$1,000 to hire a park and rec consultant. Supervisor Hall seconded the motion which passed unanimously.

### **SUBDIVISION AND LAND**

#### SD2022-014 – Mark Smith – Stormwater Plan (Revised)

Maria reported that the stormwater plan previously approved was for 6,000 s.f. When Mark applied for his permit, it was for 8,000 s.f. The plan went back through the review process. Martin & Martin said the previously approved stormwater was sufficient for the extra 2,000 s.f.

MOTION: Supervisor Cressler moved to approve the stormwater plan for SD2022-014 - Mark Smith. Supervisor Brenize seconded the motion which passed unanimously.

#### SD2022-17 Elvin Leid Land Development Plan

Maria Misner reported that Mr. Leid is putting in two poultry barns. According to Tim Cormany's letter of September 8<sup>th</sup> and Joe Miller's letter of September 20<sup>th</sup>, outside agency approvals and financial security are still needed in the amount of \$69,973.61. The Planning Commission recommend approval contingent upon outside agency approvals and financial security.

MOTION: Supervisor Cressler moved to approve the Modification of Plan Scale and approve the final Land Development Plan for Elvin Leid pending Conservation District approvals and obtaining financial security. Supervisor Brenize seconded the motion which passed unanimously.

SD2022-021 – Merle & Sarah Newswanger – Stormwater Waiver Request

According to the letter dated September 23, 2022 from Adam Culler of Dennis Black's Office, Mr. Newswanger is planning on building two buildings amounting to 9,400 s.f. of additional impervious surface. The runoff will have minimal negative impacts due to the large vegetated fields surrounding the project.

MOTION: Supervisor Cressler moved to waive the stormwater requirements; however, if the proposed methods are proven to be insufficient, further methods of stormwater control may be required. Supervisor Hall seconded the motion which passed unanimously.

**AGENDA AMENDED ITEMS**

There were no agenda amended items.

**REPORTS OF TOWNSHIP OFFICIALS AND AGENCIES**

Code Enforcement – Jamie White

Mr. White reported that there is one repeat offender, 10642 Mapleton Road for weeds.

Kate Hall -2395 Lindsay Lot Road, finally made contact after ten weeks. She claims she had mandatory access problems with this property but is still the owner. Jamie questioned if the filing should take place. Solicitor Kelso replied that she is still responsible for the outside of the property and a service was completed. Ms. Hall still needs to pay.

Solicitor Kelso

Carl Bert said the subdivision plans were finished; however, the changes to the easements and maintenance details were not addressed. She resent the explicit, detailed changes from her June email last week and has he has not responded.

Supervisor Cressler will follow-up.

Secretary/Treasurer – Kathy Durf

Kathy reported that Brad Wyrick asked if he could put lines in the pond at Furnace Run Park for snapping turtles.

The Supervisors and Solicitor felt this activity falls into the general “no hunting and trapping” category of the rules for Furnace Run Park, so he would not be permitted to catch turtles.

Kathy Durf reported that State Farm Insurance still has not paid the invoice for the guide rails damaged from an accident on Mt. Rock Road in March 2022.

Solicitor Kelso will respond.

**ACTION ON PAYING BILLS**

MOTION: Supervisor Brenize moved to pay the general fund in the amount of \$107,312.67. Supervisor Hall seconded the motion which passed unanimously.

The meeting was adjourned by Supervisor Cressler at 6:01 p.m.

Respectfully Submitted  
Maria Misner  
Planning/Zoning/Recording Secretary