MIDDLESEX TOWNSHIP
SUPERVISORS ORGANIZATIONAL MEETING
4 JANUARY 1999

OFFICIALS PRESENT:	SUPERVISORS:	Robert Eppley
		Joe Capuano
		Chuck Shughart
	SOLICITOR:	Keith Brenneman
	ENGINEEER:	Bud Grove
	POLICE CHIEF:	Barry Sherman
	ZONING OFFICER:	Mark Carpenter
	SECRETARY:	Mary Justh
	RECREATION:	Debbie Vogel - Absent

CALL TO ORDER AND PLEDGE TO THE FLAG
Robert Eppley called the meeting to order at 7:02 PM in the Municipal Building.
Tracey Gleim then led the assembly in the pledge to the flag.

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN
Mr. Eppley turned the meeting over to Mr. Brenneman who accepted nominations for chairman. Mr. Capuano moved to nominate Mr. Eppley. Mr. Shughart seconded the motion, the motion carried unanimously. As there were no other nominations, Mr. Brenneman closed the nominations and called for a vote. Mr. Eppley was elected unanimously, after which Mr. Brenneman turned the meeting over to the Chairman who asked for nominations for Vice-chairman. Mr. Capuano nominated Mr. Shughart: Mr. Eppley seconded the motion, which was then approved by all three. After determining that there were no other nominations, Mr. Eppley closed the nominations and called for a vote. Mr. Shughart was elected unanimously.

The following appointments were approved by motions made, seconded and approved as indicated:
APPOINTMENTS

POSITION	APPOINTEE	MOTION	SECOND	VOTE
Secretary/Treasurer	Mary G. Justh	Shughart	Capuano	unan.
Solicitor (BOS)	Snelbaker, Brenneman & Spare	Capuano	Shughart	unan.
Solicitor (PC)	Snelbaker, Brenneman & Spare	Shughart	Capuano	unan.
Solicitor (ZHB)	Edward Harker	Capuano	Shughart	unan.
Engineer	Grove Associates	Shughart	Capuano	unan.
Sewage Enforcement Officer	Vince Elbel	Capuano	Shughart	unan.
Zoning Officer	Mark Carpenter	Shughart	Capuano	unan.
Zoning Hearing Board (reg.)	Joan Pattison	Capuano	Shughart	unan.
Zoning Hearing Board (alt)	Dale McLane	Capuano	Shughart	unan.
Municipal Authority Member	John Kohler	Shughart	Capuano	unan.
Recreation Advisory Board	Robert Eppley, Jr.	Capuano	Shughart	unan.
Reappointment	Aimee Wagner			
	Timothy Moses			
	Bob Snyder			

Mr. Capuano made a motion to Reorganize the Recreation Advisory Board back to seven according to the 2nd Class Township code. Seconded by Mr. Shughart and carried unanimously. As part of the reorganization of the Recreation Board the following will be dropped from the Board; Kirk Weary, Frank Reasner, and Terry Barrick.

Vacancy Board Member	Mary G. Justh	Shughart	Capuano	unan.
Nominee for Delegate to Tri-state Reg. Plan.	Chuck Shughart	Capuano	Eppley	unan.
Depositories for Funds	Financial Trust York Federal	Shughart	Capuano	unan.
Road Superintendent	Robert Eppley	Capuano	Shughart	unan.
PSATS Voting Delegate	Robert Eppley	Shughart	Capuano	unan.
Delegate to Cumb. Co. Solid Waste Auth.	Chuck Shughart	Capuano	Eppley	unan.
BOS Representative to the Mun. Authority	Joe Capuano	Shughart	Eppley	unan.

RESOLUTIONS

Resolution 99-1 - Mr. Capuano introduced Resolution 99-1, identifying Robert Eppley and Mary Justh as persons having access to the Township bank deposit box. The resolution was seconded by Mr. Shughart and passed unanimously.

Resolution 99-2 - Mr. Shughart introduced Resolution 99-2, identifying all three supervisors as well as the Secretary/Treasurer as signatories for Township funds. The resolution was seconded by Mr. Capuano and passed unanimously.

Resolution 99-3 - Mr. Capuano introduced Resolution 99-3, wherein the Township agrees to reduce the required member contribution to the police pension plan from 5% to 4% for 1999. Seconded by Mr. Shughart and passed unanimously.

ESTABLISHMENT OF SALARIES

On a motion by Mr. Capuano that was seconded by Mr. Shughart and passed unanimously; the Board approved employee salaries as established in the approved Budget for 1999.

APPROVAL OF MINUTES

On a motion by Mr. Shughart which was seconded by Mr. Capuano, the Board voted unanimously to approve the minutes of 2, 18 and 29 December 1998.

AUTHORIZE PAYMENT OF BILLS

On a motion by Mr. Shughart, seconded by Mr. Capuano and passed unanimously, the Board approved payment of bills represented by the bill list of December, summarized as follows:

General Fund: checks #7910 through #8009, inclusive, for a total of $172,748.23
Sewer Fund: check #279 for $156.09 Payroll #25
Pension Fund: check #179 for $139.00
Escrow Fund: checks #168 thru #170 for $1,580.00
Rec Program Fund: Checks #168 thru #172 for $3,778.00
Payroll #25 for $21,786.20
Payroll #26 for $27,037.00

CITIZEN PARTICIPATION - none

REPORTS

ENGINEER: Mr. Zack Bond has contacted Grove Associates concerning **Appaloosa Way in the Ridings.** On the 28th of December Zack Bond requested an inspection of Appaloosa Way per an agreement dated September 19, 1997. Based on the inspection and a review of the agreement the maintenance security of $9,966.17 will remain in effect until Dec. 31, 2000. Mr. Capuano made a motion to release the security of $87,350.85 upon receipt of the maintenance security of $9,966.17. Mr. Shughart made a second and the motion passed unanimously.

Mr. Grove indicated that the **Keen Shop Addition** inspection is complete, and therefore the security in the form of a CD should be released. Mr. Capuano made a motion to release the Maintenance Security as recommended by Bud Grove. With second from Mr. Shughart the motion passed unanimously.

POLICE: Presented by Chief Sherman and ordered to file.

ZONING: Presented by Mark Carpenter and ordered to file. Mr. Carpenter is now working on the 4th zone with respect to zoning violation enforcement letters.

MUNICPAL AUTHORITY: Mr. Capuano had no report at this time, because the Municipal Authority is still waiting for the study on Ironstone Ridge.

RECREATION: Presented by Bob Snyder and ordered to file.

FIRE/EMC: Presented by Ed Beam and ordered to file. Chief Ed Beam asked the Supervisors to consider adoption of a resolution for the Municipal Emergency Operations Plan Review, Maintenance and Concurrence. There are no changes to the plan at this time, but there will be changes in the near future. Mr. Shughart made a motion to accept resolution 99-4 for the MEOP. With a second from Mr. Capuano the motion passed unanimously.

SECRETARY: Mrs. Justh had no report at this time.

OLD BUSINESS

(#98022) Petro/All American Stopping Center Final Land Development Plan was presented by Mr. Akens and Mr. Mitstifer. Mr. Grove indicated that the plans be approved, since Mr. Akens has been in contact and revisions for additional inlets and storm pipes have been addressed. Mr. Carpenter indicated that the County Planning Commission was satisfied with adjustments to the plan. Mr. Capuano made a motion to approve the waivers as follows; 1. 501 Preliminary Plan, 2. 708 Driveways, 3. 709 Sidewalks, 4. 715 Utility Easement, 5. 718 Environmental Impact Assessment Report and 6. 1201 Landscaping. Mr. Shughart seconded that the motion and it carried. Mr. Capuano made another motion to approve the plan on the Engineer's recommendation provided all of Mr. Grove's commends have been satisfied. Seconded by Mr. Shughart and passed unanimously. Mr. Bud Mitstifer told the Supervisors that he would like to make a $200.00 contribution toward the Township's Easter Egg Hunt on April 2nd. The Supervisors graciously accepted on behalf of Debbie Vogel, the Rec. Director.

NEW BUSINESS

Revised Grading and Site Plan for Shady Lane Warehouse (For Consideration Only If Redco Court Access Is Rejected) Mr. Keith Brenneman stated that this came to his attention by way of a copied letter from Mr. Dale Shughart. Mr. Brenneman continued by stating the fact that on October 30th the Board had denied a plan for Shady Lane of Triple Crown. At that time Mr. Brenneman recommended that the revised plan be submitted to the Planning Commission which would access through Redco Court. Mr. Brenneman felt that the plan had substantial revisions, and needed to go back to the Planning Commission, and be treated as a new plan. When it is treated as a new plan filing fees are part of the requirements of the Ordinance and the appropriate number of copies must be submitted. Based on Mr. Brenneman's direction Mr. Carpenter sent a letter to advise Mr. DiSanto of the filing fees and number of copies needed. The letter did not bring a response from Mr. DiSanto and technically the Plan was not properly submitted. Mr. Brenneman has no objections to Mr. Shughart's request, on behalf of his clients, asking that the Supervisors make a formal decision denying that Plan before the 90 days has passed. Mr. Brenneman does not think action is required, but out of an abundance of caution he requests that a motion be made.

Mr. Capuano asked if the Plan has not been submitted, why must we vote.

Mr. Shughart suggested that Mr. DiSanto may have thought that the Plan was actually submitted and being considered as an alternate plan not a new plan, so before the time expires we need to act on it. Whether it was in fact filed properly or not.

Mr. Capuano evaluated the problem this way, the Supervisors are to take action on a Plan that has not yet been formally submitted.

Mr. Shughart made a motion with regards to the Revised Grading and Site Plan for the Shady Lane Warehouse prepared by R. J. Fisher dated July 30, 1998, that the Plan should be denied. The Plan submitted on October 30, 1998 was a revised plan with substantial revisions and therefore a new plan. That plan was not filed appropriately with the correct number of copies or the required fees, and also based on Mr. Grove's memorandum of October 21, 1998, and the fact that the proposed use is no longer permitted in the Light Industrial District, the Plan should be denied. Mr. Eppley seconded the motion, Mr. Capuano abstained, the motion passed.

Mr. Eppley acknowledged the 1999 Auditors in the audience.

There being no further business to come before the Board, the meeting was adjourned at 7:51 PM.