

**MIDDLESEX TOWNSHIP
REORGANIZATIONAL MEETING
January 6, 2021**

OFFICIALS PRESENT:	SUPERVISORS:	Chairman Donald S. Geistwhite, Jr. William H. Goodhart
	SOLICITOR:	Keith O. Brenneman
	PUBLIC SAFETY	
	DIRECTOR:	Chief Steve D. Kingsborough
	ZONING OFFICER:	Mark D. Carpenter
	ASST. CODES ENFORCEMENT/	
	MS4 COORDINATOR:	Gerald Steigleman
	ROADMASTER:	Zachary L. Zook
	FIRE / EMC:	Chief Edwin Beam
	MANAGER:	Eileen M. Gault
OFFICIAL ABSENT:	VICE-CHAIRMAN	Steven Larson
	ENGINEER:	Bud Grove

Township Manager Mrs. Gault reminded those in attendance via teleconference that the meeting is being recorded.

CALL TO ORDER AND PLEDGE TO THE FLAG: Mr. Geistwhite called the meeting to order at 7:05 p.m. in the Middlesex Township Municipal Building.

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN: The meeting was turned over to the Solicitor Mr. Brenneman with the first order of business being the election of the Chairman and Vice-Chairman of the Board of Supervisors. Mr. Brenneman then asked for nominations for Chairman. Mr. Goodhart nominated Mr. Geistwhite as Chairman. There being no further nominations, the nominations were declared closed. It was unanimously agreed to appoint Mr. Geistwhite as Chairman. Mr. Brenneman then asked for nominations for Vice-Chairman. Chairman Geistwhite nominated Mr. Larson as Vice-Chairman. There being no further nominations, the nominations were declared closed. It was unanimously agreed to appoint Mr. Larson as Vice-Chairman.

PUBLIC HEARING – CONDITIONAL USE APPLICATION FOR CUMBERLAND PRESERVE – A TRADITIONAL NEIGHBORHOOD MASTER DEVELOPMENT PLAN AT 121 COUNTRY CLUB ROAD IN THE UDA OVERLAY ZONING DISTRICT: Chairman Geistwhite turned the meeting over to Township Solicitor Mr. Brenneman. Mr. Brenneman stated that the public hearing is for the request of 121 Will Farm, LLC for a conditional approval to permit the development of Cumberland Preserve, a residential development in Middlesex Township in the UDA (Unified Development Area) Overlay District as well as Middlesex Township's RF (Residential Farm) and RC (Residential Country) Districts. Mr. Brenneman then gave a summary of the procedures followed prior to the hearing and the procedures to be followed during the hearing. Prior to Will Farm presenting its evidence in support of its request, Mr. Brenneman identified and marked 10 exhibits for the hearing. Mr. Brenneman then turned the meeting over to counsel for the applicant, Mr. Esch McCombie, Esquire of McNees, Wallace & Nurick. Also present are Mr. Douglas Gosik, Mr. Andrew Williams and Mr. Nick Greyschok. The applicant's evidence and testimony were presented through Mr. Douglas S. Gosik, P.E. of Williams Site Civil, LLC. Mr. Gosik testified that he prepared and submitted the application to the Township, complying with all the ordinance criteria applicable for the proposed residential development. Mr. Gosik further noted that Cumberland Preserve is proposing the following:

2.2 residential units per acre even though 2.5 are allowed, 48% of open space exceeding the 45% minimum requirement for traditional neighborhood development standards, traffic would not adversely impact the level of service at intersections identified in the traffic study and there will be no on street parking on the proposed collector streets in the development.

Mr. Troy Wilkinson, 105 Country Club Road questioned how high the berms will be. Mr. Gosick responded that the berms will be a minimal height, with some being up to 6 ft. high and even without berms there will be screening with vegetation. Mr. Wilkinson also asked about stormwater runoff. Mr. Gosick stated that there is a perimeter swale around the North West side of the property that will flow towards a basin.

Ms. Sara Andrel, 107 Country Club Road, questioned whether the traffic study was conducted after COVID and was another access considered. Mr. Gosick responded that it was after COVID and that a formula is used with adjustments made to the traffic count. He stated that the area is landlocked so there is no direct access to any other right of way.

Mr. Brenneman asked if anyone present had any comments in opposition or support of the proposal. With the testimony concluded, the questioning and comment period concluded, Mr. Brenneman stated that the Supervisors could make a motion to either approve or deny the conditional use application of Cumberland Preserve.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the conditional use application of Cumberland Preserve.

Chairman Geistwhite declared the hearing closed.

APPOINTMENTS:

Manager/Secretary/Treasurer: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mrs. Eileen M. Gault as the Manager/Secretary/Treasurer.

Zoning Officer: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mark D. Carpenter as the Zoning Officer.

Solicitor to Board of Supervisors: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint the Law Office of Keith O. Brenneman, P. C. as the Solicitor to the Board of Supervisors.

Solicitor to Planning Commission: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint the Law Office of Keith O. Brenneman, P. C. as the Solicitor to the Planning Commission.

Solicitor to Zoning Hearing Board: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Jennifer B. Hipp of Bogar & Hipp Attorneys at Law as the Solicitor to the Zoning Hearing Board.

Engineer: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mr. Bud Grove – Skelly & Loy, LLC as Township Engineer at the rate of the submitted fee schedule.

Sewage Enforcement Officer: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mr. Vince Elbel as the Sewage Enforcement Officer.

Assistant Sewage Enforcement Officer: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mr. Jim Maun as the Assistant Sewage Enforcement Officer.

Zoning Hearing Board: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mr. Scott Shirey to the Zoning Hearing Board, term to expire January 1, 2026.

There are (3) alternate vacancies with 3-year terms expiring January 1, 2022, January 1, 2023 & January 1, 2024.

Planning Commission Member: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mr. Michael Buchanan to the Planning Commission, term to expire January 1, 2025.

There is a vacancy with a 4-year term to expire January 1, 2026.

Recreation Board: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Ms. Tammy Eberts to the Recreation Board, term to expire January 1, 2026.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mrs. Beth Herbster to the Recreation Board, term to expire January 1, 2026.

Letort Regional Authority: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mr. J. Dave Price to the Letort Regional Authority, term to expire January 1, 2025.

Municipal Authority: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mr. Peter Lusardi to the Municipal Authority, term to expire January 1, 2026.

Cumberland County Tax Bureau (CCTB Delegate): On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mrs. Eileen M. Gault as the CCTB Delegate.

CCTB Alternate: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mr. Donald S. Geistwhite, Jr. as the CCTB Alternate.

Administrator PMRS, AFLAC and New York Life Insurance: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mrs. Eileen M. Gault as the administrator for PMRS, AFLAC and New York Life Insurance.

Depositories for Funds: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Orrstown Bank and Member's 1st as depositories for funds.

BOS Representative to the Municipal Authority: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mr. Donald S. Geistwhite, Jr. as the BOS Representative to the Municipal Authority.

Building Committee: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mr. Steven Larson and Mr. Donald S. Geistwhite, Jr. to the Building Committee.

Cumberland Perry Task Force: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mr. Mark D. Carpenter to the Cumberland Perry Task Force.

Cumberland Perry Task Force (Alternate): On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mr. William H. Goodhart to the Cumberland Perry Task Force as an alternate.

Vacancy Board Member: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to appoint Mrs. Eileen M. Gault as the Vacancy Board Member.

RESOLUTIONS:

2021 – 1 Identifying All Three Supervisors and Manager/Secretary/Treasurer as Signatories for Township Funds at Orrstown Bank: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to adopt Resolution 2021 - 1 identifying all three Supervisors and the Manager/Secretary/Treasurer as signatories for the township funds at Orrstown Bank.

2021 – 2 Identifying Two Supervisors (Mr. Larson and Mr. Goodhart) and Manager/Secretary/Treasurer as Signatories for Township Funds at Member's 1st: With Mr. Larson's absence and Chairman Geistwhite recusing himself from this proposed resolution, this matter has been tabled until the January Workshop Meeting.

2021 – 3 Reducing Member Contribution to Police Pension Plan from 5% to 0%: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to adopt Resolution 2021 - 3 reducing member contribution to the Police Pension Plan from 5% to 0%.

2021 – 4 Promulgation: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to adopt Resolution 2021 - 4 certifying that a biennial review of the Middlesex Township Emergency Operations Plan has been done and updates have been made in accordance with the Pennsylvania Emergency Management Services Code.

2021 – 5 Disposition of Specific Public Records: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to adopt Resolution 2021 - 5 authorizing the disposition of specific public records in accordance with the Pennsylvania Historical and Museum Commission's Retention and Disposition Schedule for Records of Pennsylvania Municipalities.

2021 – 6 Establishing Fees and Charges: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to adopt Resolution 2021 - 6 establishing fees and charges authorized by various ordinances and statutes for administration of township business.

ESTABLISHMENT OF UNIFORM AND NON-UNIFORM SALARIES PER 2021 BUDGET: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to establish the uniform and non-uniform salaries based on the 2021 budget.

PUBLIC COMMENT: Mr. Stanley Tarka, 210 N. Old Stonehouse Road, asked for clarification of a vacancy board member. Mr. Brenneman responded that the Second-Class Township Code requires the Board of Supervisors to fill certain vacancies within 30 days. If that is not done, then the vacancy board which consists of the Board of Supervisors and the member appointed have that decision to make within an additional 15 days.

APPROVAL OF MINUTES: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the minutes of November 4, 2020.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the minutes of December 2, 2020.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the minutes of December 18, 2020.

AUTHORIZE PAYMENT OF BILLS: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to authorize the payment of the bills for January 2021.

REPORTS:

Solicitor – No report.

Engineer – Absent. Mr. Grove submitted a letter requesting re-appointment and the 2021 fee schedule which has a slight increase.

Director of Public Safety – Chief Kingsborough submitted the December report and the annual (2020) police report. Reports entered into record. Chief Kingsborough stated that the figures on the report of the calls from Cumberland County Control are not a true representation yet of what the department handles because of a change to a new dispatching & CAD system.

Zoning – Mr. Carpenter discussed and submitted the monthly Zoning Report. Report entered into record. He reported that there is a lot of interest in solar roofing.

Codes Enforcement – Mr. Steigleman discussed and submitted the monthly Codes Enforcement Report. Report entered into record.

Roadmaster – Mr. Zook discussed and submitted the monthly Highway Department Report. Report entered into record. The Roadmaster reported Wolfs Bridge did open up in December.

Municipal Authority – Chairman Geistwhite reported that in October of 2020 the Authority made the final payment on its outstanding debt in the amount of \$923,970.23 to First National Bank. The Authority also flushed all gravity sewer lines located along US Route 11 from the PA Turnpike to the Appalachian Trail Bridge.

Recreation/Recycling Coordinator – Mrs. Jumper submitted the monthly Recreation Director Report. Report entered into record. The Township Manager briefly discussed how successful the Tree

Lighting Event was and she thanked on behalf of Mrs. Jumper the Police Chief and the Roadmaster for their help as well. The Supervisors thanked everyone that was involved in making this event happen.

Fire/EMC – Chief Beam discussed and submitted the monthly Fire Chief Report. Report entered into record. Mr. Tarka, attending via teleconference, asked if everyone had their vaccine. Chief Beam stated that the County is working on a plan and that it has not been distributed as of yet that he is aware of. First responders are at the top of the list.

Manager – The Manager provided the CCTB tax comparison showing the difference of last year to this year with regards to LST and EIT. Under the current situation, the Township is doing well with a slight decrease in LST revenue.

The audit will begin on Saturday, January 9, 2021 and will continue the remaining Saturday's of the month and longer until completed.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to remove from probation status the Director of Public Safety / Police Chief Steven D. Kingsborough.

OLD BUSINESS:

Preliminary / Final Major Land Development Plan for U-Gro Learning Centre at 1151 Harrisburg Pike: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the waivers of the following sections of the Middlesex Township Stormwater Management Ordinance No. 6 – 2021 (SWMO) and the Middlesex Township Subdivision and Land Development Ordinance No. 8 – 90 (SLDO) for the Preliminary / Final Major Land Development Plan for U-Gro Learning Centre at 1151 Harrisburg Pike.

1. [SLDO 707.A.1.] – Requirement for installation of sidewalks, with required note on plan.
2. [SLDO 708.A.] – Requirement for installation of curbing, with required note on plan.
3. [SLDO 711.D.4.g.] – Requirement for Site Lighting illumination projected from any property onto a non-residential use to at no time exceed one footcandle.
4. [SLDO 716.B.] – Requirement for retaining wall design calculations, to be deferred until building permit review, with condition that Township Engineer review the design to determine if it alters approved site planning.
5. [SLDO 719.C.6.a., 719.C.15.a., 719.C16.e.] – Requirements for landscape street trees along Shady Lane, on-lot trees and parking lots plantings, to allow reductions and alternate locations.
6. [SWMO 303.H.18.] – Requirement for stormwater infiltration practices to be designed to infiltrate the stored volume within 48 hours, to instead allow up to 72 hours storage.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the Preliminary / Final Major Land Development Plan for U-Gro Learning Centre at 1151 Harrisburg Pike, subject to the following conditions.

1. That the applicant satisfies all comments of the Township Engineer, Bud Grove of Skelly & Loy, Inc. in written review dated 12-16-2020 in a manner acceptable to the Township Engineer, subject to his final review.
2. That the applicant satisfies all comments of the Cumberland County Planning Department, in written report dated 11-6-2020 for plat number 20-143, subject to final review by the Township.
3. That the applicant satisfies all comments of the Middlesex Township Municipal Authority (MTMA), in written report by Max E. Stoner PE, dated 12-14-2020, subject to his final review.
4. That the applicant considers and satisfies, where feasible, comments of the Letort Regional Authority Chairman, Andrew C. Parker, dated 12-19-2020.

5. That the applicant obtains an NPDES Permit for the development project on this plan, prior to the Township signing and releasing the plan for recording.
6. That the applicant prepares a Stormwater Management Operation and Maintenance plan for the development, in accordance with SWMO Article V and SWMO Sections 302.F. 303.C.9., in a form acceptable to the Township Engineer and the Township Solicitor.
7. That the applicant enters into a developer's agreement with Middlesex Township regarding required improvements and posts financial security for required improvements for this plan with the Township in an amount acceptable to the Township Engineer and form acceptable to the Township Solicitor, prior to the plans being signed by the Township and released for recording.
8. That per Section 705.E.2.b. of the Subdivision and Land Development Ordinance No. 8 – 90, as amended, the applicant pays to Middlesex Township the required fee in lieu of dedication of park and recreation areas for the non-residential land development of \$1,000 per acre of disturbed land, prior to the plans being signed by the Township and released for recording.

NEW BUSINESS:

Request for release of improvement security Final Major Land Development Plan of proposed Northpoint Warehouse at 1700 Harrisburg Pike: Mr. Carpenter reported that an As-Built Plan has been submitted and Township Engineer Mr. Grove should have a recommendation at the Workshop Meeting.

EXECUTIVE SESSION: On the motion of Chairman Geiwshite, seconded by Supervisor Goodhart, it was unanimously agreed to adjourn the meeting at 8:20 p.m. to Executive Session to discuss a personnel matter. The Board reconvened at 8:32 p.m.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to reduce the Amusement Tax fee for Sports Emporium for the 2021 year to 50%.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to authorize the Director of Public Safety to purchase a new police vehicle and the equipment to outfit the vehicle.

There being no further business, the meeting adjourned at 8:34 p.m.