

**MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
March 4, 2009**

OFFICIALS PRESENT:	SUPERVISORS:	Vic Stabile Don Geistwhite Steve Larson
	SOLICITOR:	Keith Brenneman
	ENGINEER:	Bud Grove
	POLICE:	Chief Barry Sherman
	ZONING OFFICER:	Mark Carpenter
	RECREATION:	Denise Jumper
	FIRE CHIEF:	Ed Beam
	SECRETARY:	Mary Justh

CALL TO ORDER AND PLEDGE TO THE FLAG – Chairman Vic Stabile called the meeting to order at 7:00 AM at the Middlesex Township Building with Police Chief Barry Sherman leading the pledge to the flag.

A PUBLIC HEARING ON ORDINANCE - 3-2009 Floodplain District Ordinance

Amendments – Chairman Stabile turned the meeting over to Township Solicitor Keith Brenneman. Mr. Brenneman noted that this was the time and place for the public hearing to amend the Township Zoning Ordinance by Article 13 as mandated by FEMA and the Pennsylvania Department of Community and Economic Development and were required to be enacted by the Board of Supervisors effective March 16, 2009. Mr. Brenneman entered several items as exhibits and stated that there was a minor change to the Ordinance that does not require it to be re-advertised. At the conclusion of the testimony Mr. Brenneman turned the meeting over to Mr. Stabile. .

PUBLIC COMMENT – Ms. **Julie Johnsen** told the Board that she was outraged about the fact that the demolition of her property had began. Mr. Stabile stated that she had from December until now to get her things out of the house. Chief Sherman stated that demolition will begin at 7:00 AM on Friday morning and she should stay off the premises until April 18th when the lot is cleared. Mr. Stabile stated that the property will be more valuable after we are finished. Mr. Stabile asked Mrs. Justh to have the minutes reflect that Ms. Johnsen has been advised that demolition will begin on Friday morning at 7:00 AM and she will only be allowed on the property tomorrow after that she will not be allowed on the property until the demolition is complete, because of the liability. After the cleanup has been complete the property will be turned back over to her. Ms. Johnsen stated that she will be getting a reassessment of the property as soon as the house is removed.

Mr. **Ken Deitch** stated that he had talked with Chief Sherman and Mr. Carpenter about an appraisal of his property because of the site distance at the intersection of Trindle Road and South Middlesex Road. Mr. Stabile asked Mr. Brenneman what this should be considered. Brenneman stated that it would be considered a site easement for the benefit of the Township and that an appraisal would need to be completed. Mr. Brenneman stated that Mr. Grove would

need to determine the specific easement area that needs to remain open, because the easement area would include the intersection but an area including the structure as well. Mr. Stabile made a motion to authorize the Township Engineer to go out to 1601 Trindle Road, property owned by Mr. Deitch, and determine what the necessary area would be if the Township were to proceed by agreement or condemnation for a site easement. This would allow the township, once an area is determined, to have an appraisal completed in accordance with applicable codes to determine the proper value of the property. Mr. Geistwhite seconded the motion and it passed unanimously.

Mr. Larry Rowdy stated that the written agreement with the War College states second response, rather than first response to calls in Middlesex Township. Mr. Stabile explained that this had to do with protocol and that they will treat the important calls as first response, but not call box calls. Mr. Stabile explained that Union Fire Company contacted the Commander at the War College and asked them to not provide any service to Middlesex Township, but the War College will respond on first response and will do a fine job according to Mr. Stabile. Mr. Geistwhite explained why the Board is so dissatisfied with Union Fire Company and how they are trying to raise money for a museum and other things at the expense of Middlesex Township residents. Fire Chief Ed Beam explained how the War College will respond to the calls and everyone is satisfied with the response on a recent brush fire.

APPROVAL OF MINUTES – 30 January and 4 February – Mr. Geistwhite made a motion to accept the minutes of 30 January and 4 February. Mr. Larson seconded the motion and it passed unanimously.

AUTHORIZE PAYMENT OF BILLS – February Bill List – Mr. Geistwhite made a motion to authorize payment on the February bill list. Mr. Larson seconded the motion and it passed unanimously.

REPORTS

Solicitor – Mr. Brennenman will have a fee schedule for the Board to review at the Workshop Meeting at the end of the month.

Engineer – Mr. Grove explained that there are some additional questions concerning the Petro Report. Mr. Stabile is still concerned about the issue over at the Petro. Mr. Grove is also concerned about the overflow and how often will there be an overflow. Mr. Grove wants a sample of what is going out and the concentration of chemicals. What is the design of the pond and can it handle a first flush storm, a 2 year storm.

Police – Ordered to File

Zoning – Ordered to File

Recreation – Ordered to File

Fire/EMC – New Kingstown Fire Company presented a trophy to the Board of Supervisors for the continued support of the Fire Company.

Municipal Authority – Mr. Geistwhite reported that they are getting ready to test the well again, just waiting for a window of opportunity. MTMA also applied for a grant for the well and well house awaiting to hear. Mr. Stabile asked how things were going with the Borough and MTMA.

Secretary - None

OLD BUSINESS

3-2009 Floodplain District Ordinance Amendments – Mr. Geistwhite made a motion to adopt Ordinance 3-2009 amending the Floodplain District to comply with the State and National Flood Insurance. Mr. Larson seconded the motion and it passed unanimously.

Rutter's Farm Store Reduction of Security Request – Mr. Stabile made a motion to accept the Engineer's recommendation to reduce the Rutter's Farm Store Security from \$301,671.15 to \$46,189.66. Mr. Geistwhite seconded the motion and it passed unanimously.

NEW BUSINESS

Ordinance 4-2009 Electing to Change the Provisions of PMRS Options Agreement and Resolution – Mr. Geistwhite made a motion to adopt Ordinance 4-2009 Electing to Change the Provisions of PMRS Options Agreement and Resolution. Mr. Larson seconded the motion and it passed unanimously.

Ordinance Permitted Uses in the Commercial Highway Districts – Mr. Stabile stated that this is to address the use proposed in the CH District by Truck Stop Ministries. Mr. Brenneman explained that the proposed ordinance would amend the Zoning Ordinance and we need to have a Public Hearing in order to adopt this Ordinance. Mr. Brenneman explained that the use would be excluded in tents and awnings, for the purpose of providing ministry as a chapel, or place of worship, and must be accessory to a truck stop or travel plaza in the CH District, must be a fixed location, and cannot be used as living, sleeping or overnight accommodations. Mr. Brenneman placed this in the permitted use section so that the need for land development can be addressed by the Board. An applicant must come in first and request a waiver of the land development plan if a waiver of that requirement is desired. Mr. Stabile made a motion to advertise the Ordinance for public hearing on May 6th. Mr. Geistwhite seconded the motion and it passed unanimously. Mr. Brenneman explained the statutory time limitation for submitting and advertising ordinances and advertising the Act 39 notice.

Mr. Geistwhite made a motion to adjourn the meeting at 8:18 PM. Mr. Larson seconded the motion and it passed unanimously.