

**MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
March 5, 2008**

OFFICIALS PRESENT:	SUPERVISORS:	Vic Stabile Don Geistwhite Steve Larson
	SOLICITOR:	Keith Brenneman
	ENGINEER:	Bud Grove
	POLICE:	Chief Barry Sherman
	ZONING OFFICER:	Mark Carpenter
	SECRETARY:	Mary Justh

CALL TO ORDER AND PLEDGE TO THE FLAG

Mr. Vic Stabile called the meeting to order at 7:05PM in the Middlesex Twp Building, with Bob Horning leading the pledge to the flag.

PUBLIC COMMENT – Fire Chief Ed Bean introduced Amy Myers of Union Fire Co. Ms. Myers stated that the fire company is having some financial limitations this year, but will not be compromising essential services. She did present a list of call volumes from the fire company. Bob Horning of New Kingstown Fire Company presented a plaque for the support that is given to the fire company from the Township.

APPROVAL OF MINUTES – Minutes 7 & 25 January and 6 & 29 February. Mr. Geistwhite made a motion to accept the revised minutes of January 7 and 6 and 29 February. Mr. Larson seconded the motion and it passed unanimously. Mr. Larson made a motion to accept the minutes of January 25 and it was seconded by Mr. Stabile and passed unanimously.

AUTHORIZE PAYMENT OF BILLS – February Bill List. Mr. Geistwhite made a motion to pay the bills for February and Mr. Larson seconded the motion and it passed unanimously.

REPORTS

Solicitor – Mr. Brenneman stated that he will have an ordinance for the Manager position to be reviewed at the next meeting.

Engineer – None

Police – Ordered to file.

Zoning - Mr. Carpenter reported that the trucking company has moved as well as the massage parlor from out on the Harrisburg Pike. Mr. Stabile asked about firewood on Shover Drive. Mr. Carpenter reported that he has contacted the owners and he is concerned with the fact that they are located in the flood plan. Mr. Geistwhite asked

about the Julie Johnsen property. The Supervisors want the matter of Julie Johnsen added to the March 28th agenda.

Recreation – Ordered to file.

Fire/EMC – Ordered to file.

Municipal Authority – Mr. Geistwhite reported that the well house is still under construction. The water line down South Middlesex Road was on hold due to inclement weather. They will soon be working on water and sewer to Trindle Road under the PA Turnpike. The MTMA will be refinancing their bonds.

Secretary - Nothing

OLD BUSINESS

Rutter's Farm Market – DEP Planning Module Exemption – Mr. Geistwhite made a motion to approve the Rutter's Farm Market DEP Planning Exemption Module subject to DEP approval and authorizing Mrs. Justh to execute on behalf of the Board. Mr. Larson seconded the motion and it passed unanimously.

Rutter's Farm Market – Preliminary/Final Land Development Plan – Mr. Neal Metzger and Mr. Tim Rutter presented the Rutter's farm store plan. Mr. Stabile made a motion to grant the 5 waivers as listed on the LSC Design letterhead and as listed on the face of the Preliminary/Final Land Development plan of CHR Corp. Mr. Geistwhite seconded the motion and it passed unanimously. Mr. Stabile then moved that the Preliminary/Final Land Development Plan of CHR Corp. dated December 14, 2007, last revised March 3, 2008 be approved subject to the following conditions; 1. that the applicant satisfy the Cumberland County Planning Review Comments of January 23, 2008, 2. that the applicant satisfy the Township Engineer Comments of February 23, 2008, 3. that the applicant satisfy the Township Planning Commission comments of January 19, 2008 by Chairman, Larry Claycomb, 4. that satisfactory Traffic Signal Construction and Maintenance Agreement be developed, agreed upon and executed among the developer, Giant and the Township by way of the Township Solicitor, and 5. that a developer's agreement and financial security for public improvements be agreed upon between Rutter's and executed in a form and amount satisfactory to the Township Engineer. Mr. Geistwhite seconded the motion and it passed unanimously.

Mr. Stabile asked Mr. Carpenter about **flood plain maps** and if any of the changes to the maps will affect residents in the township. Mr. Carpenter stated that is why he provided an article in the newsletter and the following streets are affected Clemson, Mill Road, Wolfs Bridge and Shover Drive by the flood plain changes. Mr. Stabile suggested contacting the 10 residents by phone to notify them about the flood map changes.

NEW BUSINESS

Amending Ordinance 13-2007 Regulating Outdoor and Open Burning – Mr. Brenneman stated that he prepared this ordinance as a result of the last workshop meeting. The ordinance is written for people with less than the 3 ¼ acres, who would be required to obtain an easement from the legal owners of adjoining property to have the required 3 ¼ acres. The ordinance proposes the existing ordinance will be amended as follows: 1. The easement area shall be specifically for purposes of allowing the use of an outdoor wood-fired boiler; 2. The easement area shall be of a uniform equal distance from both side yard, rear yard and where applicable, front yard property boundaries of the property for which benefit the easement is granted; 3. The area of the lot upon which the boiler is to be utilized together with the area of the easement granted by the adjoining property owner or owners shall be no less than 3.25 acres; 4. The easement shall be documented by an easement instrument that shall be recorded in the office of the Recorder of Deeds for Cumberland County, which instrument shall describe and/or depict the dimensions of the easement area which specific reference to the boundaries of the property benefiting from the easement; 5. The easement granted shall run in perpetuity unless it is extinguished by mutual recorded agreement executed by the owners of the property receiving the benefit of the easement and the owners of the property that had granted the easement, or their respective successors and/or assigns in title, provided that the boiler is first removed from the property and prior notice thereof is given to the Township; 6. The easement instrument shall be approved by the Township Solicitor prior to recording and once recorded, evidence of recording shall be provided the Township; 7. The boiler cannot be constructed, erected or placed on the property prior to the recording of the easement instrument. Upon approval and recording of the easement instrument, the boundaries of the easement area shall be considered the lot lines of the lot on which the boiler is placed, only for the limited purposes of the setback requirements from rear and side lot lines as specified in Section 7.d, below; however, no boiler may be constructed, erected or placed within any easement area granted. Mr. Stabile recommended that the proposes ordinance include the requirement that no boiler be located less than 500 feet from the nearest residential structure not on the lot where the boiler will be placed so that even with the easement area, the protection that the current ordinance provides would still be applicable. Mr. Geistwhite made a motion have to Mr. Brenneman have the Burning Ordinance Amendments advertised for enactment at the Workshop Meeting on March 28th with the addition of 500 feet condition noted by Mr. Stabile. from any residential structure. Mr. Larson Seconded the motion and it passed unanimously.

Personnel Manual – Discussion followed on the draft personnel manual.

A motion by Mr. Geistwhite to adjourn the meeting at 9:00 PM was seconded by Mr. Larson.