

**MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
March 7, 2007**

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

Chairman Chuck Shughart called the meeting to order at 7:04 PM in the Middlesex Twp Building, Fire Chief Ed Beam lead the pledge to the flag.

PUBLIC HEARING - A PUBLIC HEARING AMENDING THE ZONING MAP AS PROVIDED UNDER SECTION 3.02 OF SAID ORDINANCE AND BY REZONING A PORTION OF THE RC-RESIDENTIAL COUNTRY ZONING DISTRICT TO VC – VILLAGE CENTER ZONING DISTRICT– Chairman Shughart turned the meeting over to Township Solicitor Keith Brenneman. Mr. Brenneman noted that this was the time and place for the public hearing on a request to rezone property at 2881 and 2891 Spring Road. Applicants requested that the property, which is partially located in the RC-Residential Country be zoned entirely Village Center. This hearing has been properly advertised two times in the Sentinel on February 20th and 27th. The Ordinance was provided to the Cumberland County Planning Commission and the Middlesex Township Planning Commission 30 days prior to the hearing. Mr., Brenneman entered several items as exhibits. Mr. Richard Decker, of 2830 Spring Road, asked several questions about the rezoning of the property. At the conclusion of the hearing Mr. Brenneman turned the meeting back over to Mr. Shughart concluding the hearing.

PUBLIC COMMENT – Mr. Keith Rich presented a proposal to build dugouts for the Middlesex Youth Baseball fields. They would be concrete block with a roof and seating for the baseball players. There would be helmet and bat hooks on the wall for the equipment. The Chief will be looking at it along the way and subject to his approval. Mr. Stabile made a motion to approve the construction of dugouts at the park subject to the Chief's approval. Mr. Geistwhite seconded the motion and it passed unanimously.

Mr. Jim McClafferty commended the highway department on the snow removal in the Township.

APPROVAL OF MINUTES – Minutes 7 & 23 February – Mr. Geistwhite made a motion to approve the minutes of 7 and 23, seconded by Mr. Stabile and passed unanimously.

AUTHORIZE PAYMENT OF BILLS - per bill list for February – Mr. Geistwhite made a motion to pay the bills for February. The motion was seconded by Mr. Stabile and passed unanimously.

General Fund Ck#18564 thru Ck#18650

\$ 68,298.44

Escrow Fund Ck#45134
Payroll #3 & #4

\$ 15,031.19
\$ 70,263.22

REPORTS

Solicitor – No Report

Engineer – No Report

Police – Ordered to File

Zoning – Ordered to File

Recreation – Ordered to File

Fire/EMC – Ordered to File – Fire Chief Ed Beam stated that there is an Agreement with the Fire Police for the Supervisors to sign and agree with for mutual aid. Solicitor Brenneman explained that there will be an ordinance coming to the municipalities that will need to be enacted with respect to this agreement. Fire Chief Beam explained the KNOX box and how it works for locked buildings. A key code is released from County Control to give permission to unlock doors. Mr. Brenneman stated that he has a sample ordinance concerning this item. New Kingstown gave an award to Ed Beam, recognizing him with a Memorial Award. The Supervisors were proud to endorse the granting of that award.

Municipal Authority – Mr. Geistwhite gave a brief report on the Municipal Authority well and stated that they are still awaiting confirmation from the Susquehanna River Basin.

Secretary – Mrs. Justh reported that she corrected the minutes and the Ordinance number from last meeting. Also, she reported that there are thank you notes in the back of the folders for the Supervisors.

OLD BUSINESS

Ordinance 3 – 2007 Amending Ordinance #3-89 by Amending the Zoning Map – Mr. Geistwhite made a motion to adopt Ordinance 3 – 2007 Amending Ordinance #3-89 by Amending the Zoning Map. Mr. Stabile seconded the motion and it passed unanimously.

Kensington – Preliminary Subdivision Plan Request for Extension of Review Time – Mr. Stabile made a motion to grant the Kabro request for a time extension to April 11, 2007 as requested in his letter of February 22, 2007. Mr. Geistwhite seconded the motion and it passed unanimously.

Heavy Duty Tires Preliminary/Final Land Development Plan – Mr. John Madden from Madden Engineering presented the plan. Mr. Grove stated that there were 7 waiver requests 1. Minor Plan, 2. Sidewalks, 3. Curbs, 4. Street Trees, 5. Traffic Study, 6. Environmental Impact Assessment Report, and 7. Off-Street Parking Requirements. Mr. Shughart asked the manager some questions concerning the operation of the plant and how often the tires are rotated off the property Mr. Brenneman stated that removal of trailers would be a condition of occupancy. Mr. Stabile made a motion on the Preliminary/Final Land Development plan dated 11/11/06 revised on 2/28/07 to grand the 7 waivers as noted on the face

of the plan. Mr. Shughart seconded the motion and it passed unanimously. Mr. Stabile made a motion to approve the plan subject to the applicant complying with the all of Mr. Grove's comments of 3/5/07. Comments being #8, #10, and #11 provided all conditions of the lighting are met to the satisfaction of Mr. Grove and comment #9 being withdrawn. Mr. Geistwhite seconded the motion and it passed unanimously.

Sheetz Inc., 1098 Harrisburg Pike – Special Exception and/or Variances – Mr. Carpenter stated that the Sheetz of 1098 Harrisburg Pike will be presenting a plan before the Zoning Hearing Board on April 11, 2007. They are asking for a variance and special exception to reduce the impervious, moving the fueling canopy, creating a larger Sheetz store and carwash.

Sheetz Inc, Trindle Road and Army Heritage Drive, Special Exception and/or Variances – Mr. Carpenter explained that the canopy would be within the 75' setbacks. The service station driveway would be too close to the property line, because of the distance to the intersection it would be located back on the property line. There were some questions about lighting. Mr. Grove stated that they need to meet the Ordinance requirements. Discussion followed concerning the runoff and contamination of the ground in the area of our wellhead. Mr. Stabile asked Mr. Grove if he would help us take a position with the Zoning Hearing Board on this matter. The hearing for the Sheetz store will be on April 11, 2007 at 7:00 PM.

Lane Enterprises –Inc. – Request for Zoning Amendment – Map Change – Mr. Shughart made a motion to table the Lane Enterprises Inc. request for Zoning Amendment was tabled until the next meeting at the end of the month. Mr. Geistwhite seconded

NEW BUSINESS

Release of Maintenance Security for ABF – Mr. Stabile made a motion accept the Township Engineer's recommendation of March 7, 2007 for release of security for ABF Inc. Mr. Geistwhite seconded the motion and it passed unanimously.

Keystone Arms Release of Security #2 – Mr. Stabile made a motion to accept the engineer's recommendation of March 7, 2007 for Keystone Arms to reduce security in the amount of \$471,381.17. The motion was seconded by Mr. Geistwhite and passed unanimously. Mr. Grove questioned whether this was #2 or still #1. It should be called #1

Release of Security for Best Western Carlisle Pike – The Township has received a written request from Bernard L. Wash Baugh II, dated February 23, 2007 requesting release of improvement security for the above referenced project. After consideration of the recommendation the Township Engineer, the request for release of all improvement security was questioned because they planted landscape shrubs rather than the 22 trees that were required. They did provide an as-built to Mr. Grove. The Board of Supervisors did not agree to waive or eliminate the trees that are required to be planted as part of the approved plan. After consideration of the recommendation of the Township Engineer, Mr. Stabile made a motion to deny the request as stated to the Township but instead will retain (10) percent of the estimated cost of all improvements, or \$15,209.94, in accordance with Article XIII, Section 1301.j. of the Township Subdivision and Land Development Ordinance, No. 8-90 as amended and will not agree to waive or eliminate the 15 trees that are required to be planted as part of the approved plan. Mr. Geistwhite seconded the motion and it passed unanimously.

PMRS Sample Ordinance and Agreements to Change Police Pension Benefits – Mr. Geistwhite made a motion to authorize Mr. Brenneman to advertise the Ordinance for the change to Police Pension Benefits. Mr. Stabile seconded the motion and it passed unanimously.

Rt. 944 and Sunnyside Drive Street Light – Mrs. Justh reported that she had talk to Mr. Dennis Harmon of PPL and there would be on cost or maintenance associated with the placement of a street light at Rt. 944 and Sunnyside Drive in the Township for lamination of that intersection. The only cost would be of the electric. Mr. Geistwhite made a motion to approve placement of street light at that intersection. Mr. Shughart seconded the motion and it passed unanimously. Mrs. Justh was directed to contact Mr. Harmon about placement of the street light.

The meeting was adjourned at 8:43 PM to Executive Session for personnel matters, no action taken.