

MIDDLESEX TOWNSHIP SUPERVISORS MEETING

April 7, 2004

OFFICIALS PRESENT: SUPERVISORS: Chuck Shughart, Chairman
Vic Stabile, Vice Chairman
Donald Geistwhite
SOLICITOR: Keith Brenneman
ENGINEER: Bud Grove
POLICE: Chief Barry Sherman
FIRE: Chief Ed Beam
ZONING OFFICER: Mark Carpenter
SECRETARY: Mary Justh

CALL TO ORDER – Chairman Chuck Shughart called the meeting to order 7:00 p.m. at the Middlesex Township Building.

PLEDGE TO THE FLAG – Libby Gibson led the assembly in the Pledge to the Flag.

APPROVAL OF THE MINUTES – Mr. Stabile moved to approve the March 3 regular meeting minutes as well as the March 26 workshop meeting minutes. Mr. Geistwhite seconded the motion and it passed unanimously.

AUTHORIZE PAYMENT OF BILLS – Mr. Stabile made a motion to approve payment of bills for March. Mr. Geistwhite seconded the motion and it passed unanimously.

General Fund Checks #15116 - #15219	\$85,940.98
Escrow Fund Checks #242 - #244	\$ 3,388.12
Transfer for Payroll #6 - #7	\$59,315.60

PUBLIC COMMENT – Mr. Eppley asked the Supervisors about the status of making Mrs. Justh the Township Manager. Mr. Stabile replied they are in the process of getting the paperwork to take a look at it.

REPORTS:

Solicitor: Mr. Brenneman asked for authority by motion to file a civil complaint against Robbins Transportation due to their non-payment of traffic signal damages. Mr. Stabile made a motion for Mr. Brenneman to file the civil complaint. Mr. Geistwhite seconded the motion and it passed unanimously.

The Supervisors asked Mr. Brenneman to draft a letter to the Zoning Hearing Board for a special exception at the request of WFO Promotions in regards to them holding car shows at the Eagles Fairgrounds.

Engineer: Nothing to report.

Police: Ordered to file.

Zoning Officer: Ordered to file.

Recreation: Ordered to file.

Fire: Ordered to file.

Municipal Authority: Ordered to file.

Secretary: Nothing to report.

OLD BUSINESS

(#04-3) Tony E. Neidigh Final Minor Subdivision Plan – The Zoning Hearing Board has approved the lot configuration and technical comments have been satisfied. Mr. Stabile made the following three motions in connection with the Tony E. Neidigh Final Minor Subdivision Plan dated January 23, 2004 and revised April 7, 2004: Motion 1) To grant the five waivers requested as noted on the face of the plan. Mr. Geistwhite seconded this motion and it passed unanimously. Motion 2) To recommend that DEP approve the Planning Exemption Module application. Mr. Geistwhite seconded this motion and it passed unanimously. Motion 3) To approve the Tony E. Neidigh Preliminary/Final Subdivision Plan. Mr. Geistwhite seconded this motion and it passed unanimously.

(#04-5) Matthew and Beverly Strohm Preliminary/Final Subdivision Plan, Lot Addition - The land will be combined as one lot to consist of 4 acres. Mr. Grove and Mr. Carpenter have both provided comments to Mr. Akens regarding the plan. Mr. Akens has addressed the comments from Mr. Grove and Mr. Carpenter and requested three waivers. The Planning Commission has recommended in favor of the plan. Mr. Stabile made the following two motions in connection with the Matthew and Beverly Strohm Preliminary/Final Subdivision Plan dated February 23, 2004, revised March 25, 2004: Motion 1) To grant the three waivers requested on April 7, 2004 as noted on the face of the plan. Mr. Geistwhite seconded this motion and it passed unanimously. Motion 2) To approve the Matthew and Beverly Strohm Preliminary/Final Subdivision Plan. Mr. Geistwhite seconded this motion and it passed unanimously.

(#04-2) Second State Enterprises Preliminary/Final Subdivision and Land Development Plan – The Supervisors discussed Mr. Grove's comments of April 7, 2004 with the Developer. The Planning Commission has recommended in favor of the plan. Mr. Stabile made the following three motions in connection with Second State Enterprises Preliminary/Final Subdivision and Land Development Plan dated December 31, 2004 and revised March 31, 2004: Motion 1) To grant the six waivers requested as noted on the face of the plan. Mr. Geistwhite seconded this motion and it passed unanimously. Motion 2) To recommend that DEP approve the Planning Exemption Module application. Mr. Geistwhite seconded this motion and it passed

unanimously. Motion 3) To approve the Second State Enterprises Preliminary/Final Subdivision and Land Development Plan subject to the following conditions: a) That the applicant comply with Mr. Grove's comments dated April 7, 2004; b) That the applicant meet the lighting requirements of the Zoning Ordinance; c) That the applicant not remove any trees in the access drive sight triangle on Shady Lane until the access drive is constructed and prior approval of the Supervisors is obtained; and d) That the proper bonding agreement for public improvements be posted in an amount and form acceptable to the Township Engineer and the Township Solicitor. Mr. Geistwhite seconded this motion and it passed unanimously.

(#04-6) Keystone Arms Final Subdivision Plan and Final Land Development Plan – Keystone Arms has addressed Mr. Grove's comments on the plan. Mr. Stabile made the following two motions in connection with **Keystone Arms Final Subdivision Plan** dated February 27, 2004: Motion 1) To grant the six waivers requested as noted on the face of the plan pertaining to Middlesex Township. Mr. Geistwhite seconded this motion and it passed unanimously. Motion 2) Mr. Stabile made a motion to approve the Keystone Arms Final Subdivision Plan subject to the following five conditions; 1) That the issue of storm water discharge onto the Carlisle Motel property and back onto the applicant's property be subject to Mr. Grove's review, the applicant's research, and the approval of the Municipal Authority; 2) MTMA approval of the plan; 3) That bonding as well as execution of the Developer's agreement be subject to the Solicitor's approval; 4) That the Developer pay the \$65,000 recreation fee in lieu; and 5) That DEP approve the Sewage Planning Module. Mr. Geistwhite seconded this motion and it passed unanimously.

Mr. Stabile made the following two motions in connection with **Keystone Arms Final Land Development Plan** dated January 2004 (noted with a revision dated prior to recording): Motion 1) To grant the six waivers requested as noted on the face of the plan pertaining to Middlesex Township. Mr. Geistwhite seconded this motion and it passed unanimously. Motion 2) Mr. Stabile made a motion to approve the Keystone Arms Final Subdivision Plan subject to the following five conditions; 1) That the issue of storm water discharge onto the Carlisle Motel property and back onto the applicant's property be subject to Mr. Grove's review, the applicant's research, and the approval of the Municipal Authority; 2) MTMA approval of the plan; 3) That bonding as well as execution of the Developer's agreement be subject to the Solicitor's approval; 4) That the Developer pay the \$65,000 recreation fee in lieu; and 5) That DEP approve the Sewage Planning Module. Mr. Geistwhite seconded this motion and it passed unanimously.

Resolution 2004-9 Recognizing Kathy Holtry's Service on the Planning Commission – Mrs. Holtry has served on the Planning Commission as a member from June of 1990 to March of 2004. Mrs. Holtry served as Chairman of the Planning Commission from June of 1995 to April of 2004. Chairman Shughart read the Resolution and Mr. Stabile made a motion to grant Resolution 2004-9 recognizing Mrs. Holtry's service to the Planning Commission. Mr. Shughart seconded the motion and it passed unanimously.

NEW BUSINESS

Application of Zoning Officer, Mr. Carpenter, for registration with Pennsylvania Department of Labor and Industry as current Code Administrator to administer Pennsylvania Uniform

Construction Code – Mr. Carpenter requested permission from the Supervisors to register with the Pennsylvania Department of Labor and Industry as current Code Administrator to administer Pennsylvania Uniform Construction Code. Mr. Stabile made a motion to approve Mr. Carpenter's request to register with the Pennsylvania Department of Labor and Industry as current Code Administrator to administer Pennsylvania Uniform Construction Code. Mr. Shughart seconded the motion and it passed unanimously.

Cornerstone Development – Mr. Stabile discussed the possibility of rezoning the Cornerstone Development area for conservation design due to the request of Mark Cummings, the developer. After discussion, Mr. Stabile asked Mr. Carpenter to contact Mr. Cummings and inform him that the Supervisors are favorably considering a conservation design and to also research similar ordinances of this design.

Memorandum from Ronald R. Powell of Benatec – Chief Sherman discussed the Memorandum from Ronald R. Powell of Benatec regarding Wolf's Bridge. Chief Sherman stated that if the Township wants the bridge to get built, then those persons listed in the Memo from Mr. Powell must be written letters to this effect. Mr. Geistwhite made a motion for Mrs. Justh to draft the necessary letters. Mr. Shughart seconded the motion and it passed unanimously.

Chief Sherman notified the Supervisors that approximately \$5,000 worth of **damages has occurred to Deer Lane** due to construction vehicles traveling the road. Chief Sherman asked for permission to work with Mr. Grove to get Deer Lane bonded. Mr. Stabile made a motion for a study to be done on Deer Lane. Mr. Shughart seconded the motion and it passed unanimously.

Chief Sherman also asked to work with Mr. Grove to get a **speed limit posted on Shady Lane**. Mr. Stabile made a motion for this purpose. Mr. Geistwhite seconded the motion and it passed unanimously.

Mr. Stabile asked Mrs. Justh to write a **letter to Carlisle Productions** thanking them for the season passes, but under the State Ethics Act, the Supervisors cannot accept any gratuities.

Mr. Shughart made a motion to adjourn the meeting at 8:45 p.m. Mr. Stabile seconded the motion and the meeting was adjourned.