

**MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
May 6, 2009**

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 7:00pm in the Middlesex Twp Building, with Supervisor Geistwhite leading the pledge to the flag.

A PUBLIC HEARING ON ORDINANCE - 5-2009 Permitted Uses in the Commercial Highway District – 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. Mr. Brenneman entered seven items as exhibits and then proceeded to go over the comments from Cumberland County Planning Department. Mr. Brenneman asked Mrs. Justh to correct O to Q in Section 10.03 when and if it is adopted. At the conclusion of the hearing Mr. Brenneman turned the meeting over to Mr. Stabile.

PUBLIC COMMENT – None

APPROVAL OF MINUTES – Minutes 1 April. Mr. Geistwhite made a motion to accept the minutes of 1 April. Mr. Larson seconded the motion and it passed unanimously.

AUTHORIZE PAYMENT OF BILLS – April Bill List – Mr. Geistwhite made a motion to approve paying the bills for April. Mr. Larson seconded the motion and it was approved unanimously.

REPORTS

Solicitor – Mr. Brenneman reported that the Wagner Drive weight limitation ordinance has been advertised.

Engineer – Mr. Grove sent over the report on Wagner Drive weight limitation. Mr. Grove also reported that there was a meeting with South Middleton about the intersection of South Middlesex Road and Trindle Road and they wanted time to place this on the official map. Rather than send a letter to PennDOT now we need to take it in steps. Mr. Stabile asked Mr. Brenneman to find out how the use of an Official Map can

help them to get these kinds of improvements accomplished. Chief Sherman reported on how South Middleton when told to put up a traffic signal you have a time period of two years to complete the work that gives them more time to pay for it and then if the light warrants changes you have an additional 2 years. Mr. Geistwhite made a motion to send a letter to PennDOT to lower the speed limit at South Middlesex and Trindle Roads. Mr. Larson seconded the motion and it passed unanimously.

Police – Ordered to File – Chief Sherman reported on an accident to his vehicle while he was sitting at the light at Rutter's. Chief Sherman also reported on the fact that Carlisle Productions decided not to give Middlesex Township the money that is usually allotted to us for police services. They have been doing this since the gate was closed earlier, thus forcing the people to go toward motels in Middlesex Township. Mr. Stabile asked that everything be documented concerning the car show, and he finds Carlisle Productions lack of cooperation to be very disappointing. Mr. Stabile made a motion to authorize the Township Solicitor to write letters to the newspapers, Cumberland County Commissioners and the Public Safety Director. Mr. Geistwhite seconded the motion and it passed unanimously.

Fire/EMC – Ordered to File – Mr. Stabile addressed some questions concerning a letter that Fire Chief Ed Beam needed signed by Mr. Stabile to the County Public Safety Director. Mr. Geistwhite also had some questions for Fire Chief Ed Beam and also thanked the New Kingstown Fire Company for the fine work that they do.

Zoning – Mr. Carpenter explained to the Board what a hazard it is to have a street sign up that does not address an actual street and it is causing problems with MSAG Mapping. Mr. Stabile thinks that there is a legal issue here that needs to be considered. After much discussion it was decided that Mr. Brenneman will research this issue.

Recreation – Mrs. Justh reported that Mrs. Denise Jumper received notification from the Fish and Boat Commission that her application for a grant was denied. The Board of Supervisors would like her to reapply.

Municipal Authority – Mr. Geistwhite reported that the Authority is waiting for a final report from ARM and that will be filed with the Susquehanna River Basin. Trees are being planted at the well site. There will be a new Agreement drafted for all the partners and Mr. Brenneman is working on that with input from Mr. Larry Zimmerman. .

Secretary – Mrs. Justh reported on a new computer system and she would like to go with Safe Choice. Mr. Stabile asked Mrs. Justh to talk to Kutztown and find out from Munis about the pro rata refund on our contract. Mr. Stabile asked Mrs. Justh to find out all these things by the next meeting.

OLD BUSINESS

Ordinance 5-2009 - Permitted Uses in the Commercial Highway District – Mr. Geistwhite made a motion to adopt Ordinance 5 -2009 as amended Section 10.03 of article O to Q. Mr. Larson seconded the motion and it passed unanimously.

Heavy Duty Tire and Tread – Improvement Security – Township Engineer, Mr. Grove stated that after a site inspection it is premature to release the security. Mr. Stabile made a motion based on the recommendation of the Engineer on May 5, 2009 that the Township deny the release of security for Heavy Duty Tire and Tread at this time. Mr. Larson seconded the motion and it passed unanimously.

NEW BUSINESS

Carlisle Sports Emporium – Indoor Sports Fields – Mr. Don Coffee, Cumberland County Economic Development, Keith Plasterer Carlisle Sports Emporium, Dave Moronic of Redco Sports, and Steve McGrath of Air Structures American Technologies presented the request for consideration to the Board to allow a structures height where the Sports Emporium is located to go as high as 65 ft. Mr. Keith Plasterer spoke about the way this would enhance his business. Mr. Mike Moronic spoke to the Board about the proposed facility. The facility would have 2 domes at a height of 65 ft. Mr. Steve McGrath gave an explanation of his products and locations in other areas that he has built. The grass is synthetic and the dirt is coconut shells it is 100% lead free and 100% recycled. The base is a shock pad over the stone base and it is great for drainage. Mr. Stabile and Mr. Geistwhite asked several questions about lighting. Mr. Stabile stated that the Board will be willing to work with them to try and accomplish the height requirement that they are looking for. Mr. Plasterer questioned the speed of the traffic on the South Middlesex Road. Mr. Stabile told Dave Moronic that the Board will consider the change at the May 29th Meeting. Mr. Brenneman explained that at the workshop meeting in July we could have a hearing on the ordinance changes. Mr. Grove told them not to sink any money into a Land Development Plan.

Heritage Business Center – Plan Review Time Extension – Mr. Stabile made a motion to approve the time extension for the Preliminary/Final Land Development Plan for Heritage Business Center as requested in a May 5, 2009 letter from Madden Engineering Services, Inc. until August 7, 2009. Mr. Geistwhite seconded the motion and it passed unanimously.

Skills of Central PA – 55 Shellbark Court – Mr. Brenneman addressed the Board concerning the petition received by residents on Shellbark Court concerning their opposition to the use of Skills of Central PA of the property at 55 Shellbark Court as a residential home for four disabled persons. Mr. Brenneman noted that the Zoning Ordinance defines a family for purposes of the use of a single family dwelling unit as being four unrelated individuals. Skills proposes to have four unrelated individual with special needs reside together and had two staff persons, not residing at the residence, be present 24 hours each day. Mr. Brenneman indicated that Mr. Carpenter's determination concerning Skills' use was sound and appropriate given the ordinance, a previous decision of the Court of Common Pleas of Cumberland County, appellate case law and

the federal Fair Housing Act. What is requested in the petition the Board cannot do since it has no authority by law to overturn a decision by the Zoning Officer and should not do due federal law. Mr. Stabile suggested that Mr. Brenneman address the individuals that signed the petition and that the use, is allowed under the township Zoning Ordinance and protected under federal law.

Thumma Property – Mr. Stabile explained that General McCarthy was trying to sell his property and the Thumma property leaves something to be desired. Mr. Carpenter granted 60 days for demolition of the old house. Mr. Gleim will be back and take it down at that time. .

WSTB Resolution 2009-9 – Mr. Stabile asked Mrs. Justh to talk to Robin Hermansen and see if she will be the alternate for the Cumberland County Tax Collection Committee and bring it back to the Workshop Meeting on May 29th.

Recreation Board Appointment – Beth Herbster – Mr. Geistwhite made a motion to appoint Beth Herbster as a member of the Recreation Board. Mr. Larson seconded the motion and it passed unanimously.

Bridge List – Mr. Carpenter reported that he got the list of bridges in the County and where Wolfs Bridge is on the list as far as repairs is concerned.

Flying “J” – Mr. Stabile asked about a letter from Flying “J” and how the clean up is going.

Mr. Carpenter will call **Kirk Stoner** to attend a meeting about the County bridges.

Mrs. Justh reported that **Al Timko** will be attending the Workshop Meeting at the end of May.

Executive Session - The meeting was adjourned at 10:15 pm on a motion by Mr. Geistwhite and seconded by Mr. Larson to Executive Session with no action being taken.