

**MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
June 6, 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 7:00 PM in the Middlesex Twp Building, with Chuck Shughart leading the pledge to the flag. Mr. Stabile asked that the gathering recognize the anniversary date of D Day Invasion and the sacrifice that those soldiers made.

A PUBLIC HEARING ON REZONING A PORTION OF THE RF-RESIDENTIAL FARM ZONING DISTRICT AND VC-VILLAGE CENTER TO LI – LIGHT INDUSTRIAL - 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 by Lane Enterprise to rezone land from RT-Residential Farm to RT-Residential Towne. This hearing has been properly advertised two times in the Sentinel May 9th and May 16th, with the full text of the Ordinance being provided to the Sentinel and the Cumberland County Commissioner's Office as required by law. The Ordinance was provided to the Cumberland County Planning Commission and the Middlesex Township Planning Commission 30 days prior to the hearing. Mr. Brenneman asked Mr. Carpenter if written notice was provided to Lane Enterprises and if the property had been posted. Mr. Brenneman entered several items as exhibits. Attorney Linus Fenicle gave a brief statement of what they are asking to be considered by the Supervisors. There were no other comments from the public. Mr. Brenneman turned the meeting over to Mr. Shughart. Mr. Shughart closed the hearing.

PUBLIC COMMENT – None

APPROVAL OF MINUTES – Minutes 2 & 25 May – Mr. Geistwhite made a motion to approve the minutes of 2 May, seconded by Mr. Stabile and passed unanimously. Mr. Geistwhite made changes to the minutes of 25 May as follows; County Tax Collections – *change to legality of whether the County can collect. Also, add Township to Dickinson where Mr. Stabile made a motion.* Mr. Shughart made a motion to approve the minutes with those changes and seconded by Mr. Geistwhite.

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

General Fund Ck#18843 thru Ck#18929	\$ 74,500.38
Escrow Fund Ck#45138 thru Ck#45139	\$ 14,575.72
State Fund Ck#35224 thru Ck#35228	\$ 15,195.59
Payroll #9 & #10	\$ 91,912.40

REPORTS

Solicitor – No Report

Engineer – Mr. Grove mentioned that he is working on a Lighting Ordinance and Karst Features Ordinance.

Police – Ordered to File

Zoning – Ordered to File

Recreation – Ordered to File

Fire/EMC – Ordered to File

Municipal Authority – Mr. Geistwhite gave a brief report about the progress on the well and the driveway that the township is building to the well site.

Secretary – Mrs. Justh reported that the updated traffic signal permit to place the “Do Not Block Intersection” signs up.

OLD BUSINESS

MTMA (Well Site 1 & 2) Preliminary/Final Subdivision Plan

Preliminary/Final Land Development Plan – Mr. Stabile made a motion with respect to the Middlesex township Municipal Authority Preliminary Final/Subdivision Plan Preliminary/Final Land Development Plan dated 5/1/07, revised on 5/17/07 that the 2 waivers requested on the face of the plan note #9 be approved. Mr. Geistwhite seconded the motion and it passed unanimously. Mr. Stabile made a motion subject to conditions that the Municipal Authority comply with the Cumberland County Planning Commission comments under dated of 5/17/07. Mr. Geistwhite seconded the motion and it passed unanimously.

Cumberland Knoll Preliminary Subdivision Plan – After some discussion about the width of the roadway, 2 – eleven foot lanes, 2 - 4 foot right of ways, this will be addressed at Final Plan approval. This issue will have to be addressed before the final plan is approved according to Mr. Stabile. Mr. Grove does not like to move center lines, it will have issues later on. Mr. Brenneman suggested that Mr. Grove’s letter be used for the basis of approval. Mr. Stabile made the following motion in connection with the preliminary subdivision plan for Cumberland Knoll, dated October 27, 2006, last revised March 9, 2007; to first move that the five waivers be granted as requested by the applicant, as recommended by the planning commission, and as noted on the face of the plan; as well as granting the sixth waiver requested by the applicant in writing on June 6,

2007, regarding the preliminary landscape plan, which also will have to be noted on the face of the plan itself. Mr. Geistwhite seconded the motion and passed unanimously. Mr. Shughart asked why he only saw four waivers listed on the plan. Mr. Grove noted that this is not the most recent plan. Mr. Stabile made a motion in connection with the same plan that the preliminary subdivision plan for Cumberland Knoll be subject to the following conditions: 1. That the applicant and the municipal authority complete the execution of their agreement regarding the sewer and water capacity for the project. 2. That the applicant provides three complete copies of the approved preliminary plan to the Township. 3. That the comments of the Township Engineer dated May 16, 2007, consisting of two memos dated May 16, 2007, be satisfied as already indicated and agreed to by the applicant in their June 6, 2007 letter, with the exceptions that, first, with respect to comment number 3 on page 3, of the applicant's June 6, 2007 letter regarding the road, that the condition now be for preliminary plan approval, that the improvements to Country Club Road be required on the entire length adjacent to the applicant's property, which are to include two eleven foot wide travel lanes and two four foot wide stabilized shoulders and drainage gutters on each side of Country Club Road to the extent that the improvements can be done within available right-of-way as permitted by law and also those that are reasonably consistent with physical constraints on the road all of which are to be decided in detail specifically as to the improvements to be made to be agreed upon between the township and the applicant at the time of final plan approval for the first phase of the project were among other things, the timing of the roadway improvements the appropriate security and the extent of the improvements all to be agreed upon at the time of final plan approval. Mr. Geistwhite offered a correction to proposed condition 1, in that the municipal authority agreement is just for sewer capacity, not for water capacity. Mr. Stabile agreed to amend the proposed condition 1 of the motion. 4. With respect to this last condition, which addresses The Township Engineer's two memo comments of May 16, 2007 as addressed and responded to by the applicant, the final one then would be with respect to comments 13 and 14 addressed at page 4 of the applicant's June 6, 2007 letter regarding stormwater design; that as a condition of preliminary plan approval, the Township Engineer reserves the right to review stormwater design at the time of final plan approval. Responding to a question by the applicant's attorney Steven Weingarten, Mr. Stabile amended the last proposed condition to be worded as follows, "that as a condition of preliminary plan approval, the township through it's engineer, reserves it's right to determine the adequacy of R J Fisher & Associates stormwater design at the time of final plan approval". Attorney Steven Weingarten proposed a minor clarification to the last proposed condition regarding the township engineer's two review memoranda of May 16, 2007, as addressed in accordance with "or as amended by" the applicant's June 6, 2007 response letter. Mr. Stabile agreed to amend condition 4 of the proposed motion. The township proceeding with the Township Engineer's two May 16, 2007 memos, are accepting the applicant's comments, revisions or clarifications in the applicant's June 6, 2007 letter, with the exception of those three topics that have been covered and have been agreed upon. Mr. Geistwhite seconded the motion. Township Solicitor, Keith Brenneman asked the applicant's attorney Mr. Weingarten, if those conditions of preliminary plan approval are acceptable to your client? Mr. Wiengarten answered yes, they are. The motion passed by unanimous vote in favor.

David J. Raudabaugh Final Subdivision Plan – Mr. Carpenter stated that the Planning Commission approved the plan and received comments from them as well as the comments from Cumberland County Planning commission and Mr. Grove's comments. Mr. Stabile made a motion on the David J. Raudabaugh Final Subdivision Plan dated 4/12/07 that the 3 waivers noted on the face of the plan be granted as noted by the Middlesex Township Planning Commissions. Mr. Geistwhite seconded the motion and it passed unanimously. Mr. Stabile made a second motion in connection with that same plan that the applicant satisfy the 3 comments of the Cumberland County Planning Commission in the letter dated 5/17/07 and satisfy the Township Engineer's 7 comments of 5/29/07, that Planning Commission comments 3 and 4 be satisfied from the 5/29/07 meeting, bearing and distances describing or delineating the boundaries of the stormwater, that the same plan notes that appear on the various sheets of the plan be numbered the same on each plan sheet, and the plan be subject to a developer's agreement with the Township regarding public improvements and post financial security that acceptable to the Township Engineer and Township Solicitor. Mr. Geistwhite seconded the motion and it passed unanimously.

Filson Water Release of Security – Mr. Grove recommended that all security be released after a repair is made to a mortar seal around the outlet end of the driveway culvert at its interface with the endwall. Mr. Geistwhite made a motion to release security for Filson Water after the repair to the mortar seal has been completed. Mr. Stabile seconded the motion and it passed unanimously.

NEW BUSINESS

Ordinance 5-2007 Amending Zoning Ma by Rezoning a Portion of the RT & VC to LI – Mr. Stabile made a motion to adopt Ordinance 5 -2007 amending our Ordinance 3-89 by amending the zoning map a portion of Residential Town and Village Center to Light industrial as requested by Lane Enterprises. Mr. Geistwhite seconded the motion and it passed unanimously.

Special Fire Police Mutual Aid Ordinance – Mr. Geistwhite made a motion for Mr. Brenneman to draft and advertise an Ordinance for the Special Fire Police Mutual Aid Ordinance to be enacted. Mr. Stabile seconded the motion and it passed unanimously.

The Supervisors adjourned at 8:28 to Executive Session. Executive Session was adjourned at 8:52 with no further action being taken.