

**MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
June 7, 2017**

OFFICIALS PRESENT: **SUPERVISORS:** Chairman Donald S. Geistwhite, Jr.
Vice-Chairman Steven L. Larson
William H. Goodhart
 SOLICITOR: Keith O. Brenneman
 DIRECTOR OF
 PUBLIC SAFETY: Barry L. Sherman
 ZONING OFFICER: Mark D. Carpenter
 FIRE CHIEF: Ed Beam
 MANAGER: Eileen M. Gault

OFFICIALS ABSENT: **ENGINEER:** Bud Grove

CALL TO ORDER AND PLEDGE TO THE FLAG: Chairman Donald S. Geistwhite, Jr. called the meeting to order at 7:00 p.m. in the Middlesex Township Building, leading the pledge to the flag.

PUBLIC COMMENT: None

APPROVAL OF MINUTES: On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve the minutes of April 28, 2017.

On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve the minutes of May 3, 2017, with Chairman Geistwhite abstaining since he was absent from the meeting.

On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve the minutes of May 26, 2017.

AUTHORIZE PAYMENT OF BILLS: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to authorize the payments of the May 2017 bills.

REPORTS:

Solicitor – No report.

Engineer – Absent. No report.

Police – Mr. Sherman submitted the monthly Police Report. There was a brief discussion of the report. Report entered into record.

Zoning – Mr. Carpenter submitted the monthly Zoning Report. There was a brief discussion of the report. Report entered into record.

Recreation/Recycling Coordinator – Mrs. Jumper submitted the monthly Recreation Report. Report entered into record. The Township Manager reported that the Summer Playground Program started on Monday and is completely full.

Fire/EMC – Mr. Beam submitted the monthly Fire/EMC Report. There was a brief discussion of the report. Report entered into record. Mr. Beam reported that he had been subpoenaed to give depositions for a Pittsburgh law firm on May 26, 2017 with regards to the fatal bus crash on the turnpike in 2013 and wanted the Board to be aware.

Municipal Authority – Chairman Geistwhite reported that all is going well with the Authority. They are currently in the process of replacing air conditioning in the building.

Manager – Mrs. Gault reported that there is another delay with the Wolf Bridge Closure. There is a Memorandum of Agreement with PennDot and the FHWA that was sent to PennDot in early May and is now with the FHWA waiting execution. Whenever federal funds are involved there are a lot of issues involved.

OLD BUSINESS:

Sheely Planning Module: Mr. Ron Lucas, representative of Stanley and Laurel Tarka, owners of the adjacent property to the Sheely's, presented his case in opposition to the planning module. The concern is the possible impact a proposed on-lot septic system has on the water quality of a spring that supplies water to the Tarka's residence. Both parties have experts involved that have provided Hydrogeological studies which are conflicting. Township Solicitor Mr. Brenneman stated that this is a difficult decision for the Board to make and does not feel they are qualified to decide which expert is correct. His recommendation to the Board is to approve the Resolution and to submit the module and all reports to DEP. Mr. Brenneman will draft a letter to DEP to include with the submission making it clear that DEP should consider all conflicting reports when reviewing the planning module. All parties will be copied on letter to DEP.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the revised Planning Module and submit it to DEP with the cover letter and all conflicting reports for review and action by DEP.

MS4 Update – Carrol Ehrhart – Skelly & Loy: Carrol Ehrhart presented an update on the MS4 (municipal separate storm sewer system) giving a brief overview of the program and how it relates to the Clean Water Act of the 1970's which mainly dealt with industrial waste and sanitary sewage. The second phase of the runoff is rainwater and treating it as effluent. This is an unfunded mandate that is regulated by the EPA. Ms. Ehrhart presented the projects with an estimated cost of \$1.4 - \$2.4 million dollars in order to be in compliance. Utilizing the Township staff for construction will allow for a 30% savings. The Township will be obligated with this permit to install their projects within a 5 year period beginning March 2018 and completion by March 2023. The draft PRP (pollutant reduction plan) will be ready for public review by the July Supervisors Meeting.

NEW BUSINESS:

Citizen request to amend Zoning Ordinance to allow Chickens in Meadows Development: The citizens of the Meadows Development were present to request to amend the

Zoning Ordinance to allow chickens in the RC (residential country) zones. There were also citizens in opposition to this request. Following are the comments:

Wesley Beard, 129 Briar Patch Drive, presented opinions and a petition of over 100 residents signatures in support for keeping backyard hens in the RC zones. He stated a few benefits among others to having chickens, is they eat insects and weeds and provide a natural fertilizer in the form of organic manure. Mr. Beard would like to address the HOA (homeowner association) on the matter, but wanted to address the Board of Supervisors prior to doing so.

John Walker, 40 Wheatfield Drive, spoke on behalf of the HOA (homeowner association) President. He stated that the HOA was contacted by concerned citizens about neighbors in the community wanting to own chickens in their backyard. These objective homeowners do not support any chicken and poultry being housed next to them due to the potential of odors, noise, loose chickens on property, attraction of predatory animals and the potential of diseases.

Township Solicitor Mr. Brenneman questioned whether the Board of the HOA has taken a position on this matter and stated that if the Board of Supervisors were inclined to make a zoning amendment to allow chickens, it is still not permissible until HOA bylaws are changed.

Jens Thompson, 29 Teaberry Drive, was present in support of the zoning amendment change to allow chickens and presented his opinions.

Ed Melville, 168 fieldstone drive, was present in opposition of the zoning amendment change and presented his opinions.

Patty Ziegler, 120 briar patch, questioned when the HOA meetings are.

Valerie Rowader, 36 Golden Rod Drive, has lived in the Meadows for 21 years, has had chickens for 3 years and has never seen anything enforced bylaws. She is asking the Board to consider zoning more areas in Middlesex Township so more people can enjoy backyard hens.

Patsy Harder, 139 fieldstone drive, stated that it seems as though neighbors are going backwards by having chickens before getting permission to do so.

Andy Harder, 139 Fieldstone drive, is in opposition of backyard chickens and knows the ordinance doesn't allow chickens and would like to know who enforces the law and what will be done.

Wayne Stolfus, 32 Teaberry Drive, submitted for the record a CDC Report on diseases associated with owning chickens.

Mr. Beard wanted to re-clarify that he is asking the Board's consideration to amending the Zoning Ordinance not only for the Meadows Development but for other zoning areas in Middlesex Township. He will address the HOA as a separate issue.

Chairman Geistwhite stated that the Board of Supervisors will ask the Zoning Officer to look into the chicken issue at the Meadows Development. They are not in a position to say if they are for or against at this point. The Board will have the PC (planning commission) review the ordinance and make recommendations.

Resolution 2017 – 7 Agricultural Security Area – Ross H. Failor and Dolores Failor:

On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to adopt Resolution 2017 – 7 accepting land of Ross H. and Dolores Failor in the Agricultural Security Area.

There being no further business, on the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to adjourn the meeting at 8:15 p.m.