

MIDDLESEX TOWNSHIP
AGENDA
June 7, 2006
7:00 PM

OFFICIALS PRESENT:	SUPERVISORS:	Chuck Shughart Victor Stabile Don Geistwhite
	SOLICITOR:	Keith Brenneman
	ENGINEER:	Bud Grove
	POLICE CHIEF:	Barry Sherman
	ZONING OFFICER:	Mark Carpenter
	SECRETARY:	Mary Justh
	RECREATION:	Denise Jumper – Absent

CALL TO ORDER AND PLEDGE TO THE FLAG

Chuck Shughart called the meeting to order at 7:04 PM in the Municipal Building. Ms. Leah Farr led the assembly in the pledge to the flag.

PUBLIC COMMENT – None

APPROVAL OF MINUTES – Mr. Stabile made a motion to approve the minutes of 31 March, 5 & 28 April, 3 & 19 May, as amended made by Solicitor Brenneman and Supervisor Geistwhite. The motion was seconded by Mr. Geistwhite and passed unanimously.

AUTHORIZE PAYMENT OF BILLS – Mr. Geistwhite made a motion to pay the May invoice per the bill list for May. Mr. Stabile seconded the motion and it passed unanimously.

REPORTS

Solicitor – Mr. Brenneman reported that there is an ongoing matter that he has been working on.

Engineer – Mr. Grove reported to the Supervisors on the PA Turnpike plans, distributing his memo dated 6/7/06. The three area of concern are 1. traffic, 2. storm water and 3. lighting. Mr. Grove's concern is that the pipe is Zizzy's responsibility. What happens if he can't afford to maintain the pipe. Mr. Grove would like the Turnpike Commission to assume maintenance responsibilities. Mr. Grove understands that some years ago Mr. Zizzy took it upon himself to fill in the drainage swale on his property against the recommendation of the engineer at the time. Mr. Stabile stated that caution will need to be used with the construction. Mr. Grove stated that the lighting has not changed according to the plan. Mr. Stabile made a motion to approve with conditions the most recent set of drawings submitted by the Turnpike Commission for the reconstruction of the Carlisle Interchange in Middlesex Township. The drawings are more than Land Development plan drawings; they are a complete set of drawings that

include construction design. What is proposed by this motion to be approved is that part of the 700 pages of drawings that would normally be considered part of Land Development plan review. The drawings are approve subject to the following conditions: First, that the Turnpike Commission be aware of and be cautioned about the drain pipe that will carry the runoff from the Turnpike property through the existing pipe on the Zizzi property with respect to erosion and sedimentation control during construction and generally after construction so that the pipe does not become clogged; Second, that the lighting on the plan drawings conforms to our ordinance to the extend that we prohibit indirect glare off of their property and upward, and that is the provision of the ordinance that we want them to be sensitive to and we will attempt to enforce, if it becomes problematic. The motion is being made to approve these plans with a waiver in all other regards with respect to any other Land Development requirements or fees that would be paid by an applicant and the motion is being made with the caveat that we are sensitive to the Turnpike's legal position, that it feels it may not be subject to local ordinance regulation and at the same time that we feel that they are, and that our action this evening is being done in order to comply with and satisfy our obligation under the Municipalities Planning Code with a reservation of and without waiver of any legal rights or positions that the Turnpike or the Township may want to assert, which is all to say that should any issues arise between us, that both parties have not prejudiced their respected legal positions. Mr. Geistwhite seconded the motion and it passed unanimously.

Police – Report ordered to file. Discussion followed concerning the custom car show and problems that were incurred by the police department, even with 22 uniform officers working. Mr. Stabile questioned the use of fines against the hotel managers for booking over occupancy for the rooms. The problems were at Super 8, Econo Lodge and Roadway Inn according to Chief Sherman.

Zoning – Report ordered to file. Mr. Carpenter reported on Dwayne McClintock on Beagle Club Road. Mr. Stabile asked if Mr. Carpenter had heard from PennTerra. Mr. Carpenter stated that they had not been in contact with him. Mr. Carpenter stated that they have 20 years for the UDA before they have to reapply.

Recreation – Report ordered to file.

Fire/EMC – Report ordered to file.

Municipal Authority – No report

Secretary – No report.

OLD BUSINESS

Commercial Lot #165 for Keystone Arms Final Land Development Plan - Mr. John Snyder, Mr. Sean Delaney and Mr. Dave Marschka presented the Keystone Arms Preliminary/Final Land Development Plan for the Commercial Lot #165. This is a revised final plan, with two driveways rather than three. Mr. Grove needs to see the revised plan. Lighting for this lot will be private, with 39.4% impervious area and will

have no access to Keystone Arms. Mr. Grove commented that this does not need to go to the Planning Commission. Waivers will be for Preliminary/Final and Sidewalks along Rt. 11. After some discussion Mr. Shughart stated that he is in favor for sidewalks on Rt. 11. Mr. Stabile made a motion with respect to the final revised Land Development Plan for Keystone Arms dated 3/6/06 revised 6/5/06, Lot 165 to approve the 2 waivers, Preliminary/Final and Sidewalks. Mr. Geistwhite seconded the motion and it passed unanimously. Mr. Stabile made another motion to approve subject to the following 8 conditions; 1. Final revision date of 6/5/06 be placed on the plan, 2. that the plan be revised to Preliminary/Final Plan, 3. that the plan be subject to the township Engineer's final review approval, 4. that the applicant pay the applicable recreation fee, 5. that the applicant comply with the county comments of 4/20/06, 6. that the applicant comply with the MTMA comments of 6/1/06, 7. that the plan be condition on the DEP planning module for additional flows, and 8. that an acceptable agreement between the applicant and the township be executed with regard to the bond and security for the bondable new improvements on the plan.

NEW BUSINESS

Knight Transportation Waiver of Land Development Plan Requirements – Ms. Pam fisher, Mr. Brian Lewis and Anthony Miller presented a sketch of the property on Rt. 11 known as SOCO. Ms. Fisher was asking for a waiver of the land Development process. The already received a variance for a 6' fence along the property. After some discuss about run off from the parking lot, Mr. Stabile made a motion in connection with the site plan for Knights dated 6/2/06, requesting waiver any further Land Development and waive any further Land Development. Mr. Geistwhite seconded the motion and it passed unanimously. Mr. Stabile made a second motion in connection with the Knight Plan dated 6/2/06 that the site plan be accepted with the following conditions to be treated as a Land Development Plan through the waiver of the Land Development Plan that was just approved, 1. that the title block be revised for recording, 2. that the submission fees be paid, 3. that notes be added indicating the special exception that have been granted in connection with the proposed plan, 4, that the traffic letter be submitted to the Zoning Hearing Board be submitted with the plan, 5. that the applicant note the changes to existing buildings on the plan through being removed or changed by example, 6. that any lighting existing or current lighting conform to the Township Ordinance, 7. that a written waiver request be submitted. Mr. Geistwhite seconded the motion and passed unanimously.

Alternate Position on the ZHB – Phillip J. W. Miles – Mr. Stabile made a motion to table the decision to appoint Phillip Miles at this time. Mr. Geistwhite seconded the motion and it passed unanimously.

Drug & Alcohol Agreement for 2006 – 2007 – Mr. Stabile made a motion to approve the Drug and Alcohol Agreement for 2006-2007. Mr. Geistwhite seconded the motion and it passed unanimously.

Resolution 2006-4 PUC Request for Army Heritage Drive – Mr. Stabile made a motion to adopt Resolution 2006-4 requesting that PennDOT apply to the PUC on behalf of the Township to upgrade the railroad crossing on Army Heritage Drive.

Police Peddler's Fees – After a brief discussion Mr. Geistwhite made a motion to increase the Peddlers permits from 5 to \$50 a week and \$25.00 a year to \$100.00. Mr. Stabile seconded the motion and it passed unanimously.

2005 Annual Report of Municipal Authority- Mrs. Justh told the Supervisors that a new Annual Report had been received from the Municipal Authority and would be available for their inspection.

The meeting was adjourned at 8:37 to Executive Session.