

**MIDDLESEX TOWNSHIP
WORKSHOP MEETING
June 27, 2008**

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

Chairman Vic Stabile called the meeting to order at 7:30am in the Middlesex Township Building.

PUBLIC COMMENT – Mr. Ron Jones, representing Roadway asked the Board if it would be a problem for him to email PENNDOT about the timing of the traffic light. Mr. Stabile reassured Mr. Jones that what ever is needed, the Board is good with adjusting the timing.

IRON STONE RIDGE ROLL OFF FOR LEAVES – Mrs. Justh explained York Waste will provide 2 roll offs for the Iron Stone Ridge area for leaves in the fall. This is for leaves only and will be taken to South Middleton to the composting site. South Middleton will accept 2 roll offs, but time wise it must be set up with them. The Board was pleased that this will not cost the Township anything for the 2 roll offs.

PETRO – Mr. Funk came before the Board about the water in the detention pond and the water that comes from the pond onto his property. He presented a jar of water taken at 7:15 today that has a foul petroleum odor and when it rains it over flows onto Mr. Funk's property. Mr. Grove stated that it needs to be inspected by him to find out what devices are in place. DEP also wants to do an inspection. Mr. Funk asked about why there is not a chain link fence around the entire pond. Mr. Grove needs more information from Mr. Carpenter about Flying J.

JP & DR ASSOCIATES – CUMBERLAND TRUCK SECURITY – Mr. Grove stated that all the trees are there, they are just not in the right places. Request for security will be denied if the landscaping is not in place. The placement of the trees was shown on the plan. Mr. Geistwhite made a motion to accept the reduction of the security in the amount of \$4,827.00 and the placement of the trees on the property as stated on the plan. If this is not accepted the Board will not reduce the security. Mrs. Justh will send a formal letter to the applicant stating that the Board reviewed their request and the Engineers recommendation and Supervisors decision is to reduce it by \$4,827.00 and if this is not acceptable to them, then the request is denied. Mr. Larson seconded the motion and it passed unanimously.

CUMBERLAND RECYCLING ZHB APPLICATION – Mr. Carpenter explained that the last time they were here the Board seemed in favor of the plan. Mr. Stabile explained that the plan was more acceptable to the Board after they were at the last meeting and Mr. Carpenter should let the Zoning Hearing Board know that the Boards has not objection..

CUMBERLAND COUNTY PUBLIC SAFETY BUILDING TIME EXTENSION – Mr. Geistwhite made a motion to grant the Cumberland County Public Safety Building Time Extension to September 10, 2008. Mr. Larson seconded the motion and it passed unanimously.

CARLISLE SPORTS EMPORIUM TIME EXTENSION – Mr. Carpenter explained that the Carlisle Sports Emporium needs to go to the Zoning Hearing Board because they are encroaching on a side lot line. Mr. Geistwhite made a motion to grant a time extension until October 12, 2008 for the Carlisle Sport Emporium Plan. Mr. Larson seconded the motion and it passed unanimously. Discussion followed about Camping world and permits they are waiting for from DEP.

REAPPOINTMENT OF MICHAEL BUCHANAN & RODNEY GROFF – PLANNING COMMISSION – Mr. Geistwhite made a motion to reappoint Mr. Michael Buchanan and Mr. Rodney Groff to the Planning Commission. Mr. Larson seconded the motion and it passed unanimously.

RESOLUTION 2008-12 ESTABLISHING THE TERMS OF THE MEMBERS OF THE BOARD OF APPEALS WITH RESPECT TO PA UCC – Mr. Geistwhite made a motion to adopt Resolution 2008-12 Establishing the Terms of the Members of the Board of Appeals with Respect to PA UCC. Mr. Larson Seconded the motion and it passed unanimously. Mr. Brenneman stated that there is no reason to have a meeting of the Appeals Board and when they need to be activated a Solicitor will be required.

ORDINANCE TO ENTER INTO AN INTERGOVERNMENTAL COOPERATIVE AGREEMENT – Mr. Brenneman explained that we need to find out if North Middleton has accepted the terms of the agreement and when they have Mrs. Justh should notify Mr. Brenneman so we can move forward with the Ordinance and the Intergovernmental Agreement. Mr. Geistwhite complemented Mrs. Jumper, Mrs. Justh and Chief Sherman on the work done to get the grant application finished on time. Mr. Brenneman asked that these be placed on the agenda for the next workshop meeting.

INTERGOVERNMENTAL COOPERATIVE AGREEMENT – Next workshop meeting.

BURNING ORDINANCE REVISIONS – Mr. Stabile explained why the dates needed to be changed, because of the extremely cold spring and a call from Mr. Ralph Dietch. Mr. Geistwhite made a motion to adopt 5 - 2008 with respect to the time period during which outdoor wood fired boilers may be utilized. Mr. Larson seconded the motion and it passed unanimously.

VERIZON UPDATE – After some discussion Mr. Stabile asked Mr. Brenneman to contact Mr. Todd Darlington from Verizon about when and how they will expand in Middlesex Township. Mr. Brenneman will come back to the Board by the next meeting.

JULIE JOHNSEN VACANT PROPERTY – JULIE JOHNSEN VACANT PROPERTY – Mr. Carpenter reported that he had issued an enforcement notice and posted and condemned the property at 22 South LeTort Drive. He further noted that he had gained access to the property for inspection by a search warrant that was issued. Both Julie Johnsen and her daughter Jasmine, who are the owners of the property, were present. Jasmine indicated that she was represented by an attorney. Both Julie Johnsen and her daughter indicated they had received the enforcement notice and requested that copies of the search warrant obtained by the Township and the notice that was posted on the property be provided to them. Mr. Stabile indicated that copies of those documents will be provided to them. Julie Johnsen raised questions concerning the enforcement notice that was given. After confirming with Mr. Carpenter and Mr. Brenneman that the notice was in order and clear, Mr. Stabile asked Julie Johnsen to seek counsel from an attorney concerning the notice she received since it dealt with her legal rights as an owner of the property. Mr. Stabile also indicated that the Township's door was always open to both Ms. Johnsen and her daughter to make comment to the Board of Supervisors and discuss the matter at any public meeting of the Board and that the matter will remain on the Township's meeting agenda until it is resolved. Mr. Stabile also noted several times that it was the Board's preference, as it has always been, that Ms. Johnsen and her daughter voluntarily address the condition of the property as opposed to having the Township take efforts to address it and would prefer that Ms. Johnsen take action to comply with the enforcement notice rather than have the Township take action to ensure compliance. Mr. Stabile repeated his request several times of Ms. Johnsen to obtain the advice of an attorney to assist her. Mr. Brenneman also made the same request. Mr. Stabile also indicated that as property owners in the Township, that Ms. Johnsen and Jasmine had the right to address the Board with their comments and concerns and invited them to do so at any time in the future.

LETTER FROM MARGARET FLATLEY-CARPENTER – Mr. Larson made a motion to increase Margaret Flatley-Carpenter's meeting pay from \$60.00 to \$75.00 per meeting. Mr. Geistwhite seconded the motion and it passed unanimously.

DRAFT ZONING ORDINANCE RELATING TO HEIGHT AND SET BACK RESTRICTION – Mr. Brenneman gave the Supervisors his thought on the Ordinance of potential uses and tried doing a sliding scale adjustment for this type of use. Mr. Brenneman provided changes to Mr. Carpenter to this ordinance. Mr. Stabile suggested that this should be done before we have a situation. Mr. Brenneman stated that they would have something for the next workshop meeting. Mr. Geistwhite asked Mr. Grove about the ordinances that need revisions Mr. Stabile asked if the County has already done some of the work for us. Mr. Carpenter stated that the County is doing the ordinance for zoning and land development.

DRAFT CONSERVATION DESIGN SUBDIVISION AND ZONING ORDINANCE

AMENDMENTS – Mr. Carpenter stated that in order to get the grant money for the Ordinance. Before the Supervisors is a working draft that needs to be approved. Mr. Grove stated that what you have with this is open space and cluster development. Some discussion followed about the number of units that would be permitted. The Planning Commission may have the final draft ready at the next meeting. Mr. Carpenter will get a draft to Mr. Morrison, Mr. Grove and to Mr. Brenneman. Mr. Stabile asked Mr. Carpenter to do an overview of the ordinance so that the public will be able to understand it.

MEETING SCHEDULE FOR JULY AND AUGUST – Mr. Stabile made a motion to hold the July Workshop Meeting scheduled for July 25th on August 1st. Mr. Larson seconded the motion and it passed unanimously.

RESOLUTION 2008–13 ADOPTION OF A NON-UNIFORM EMPLOYEE HANDBOOK – Mr. Stabile made a motion to adopt the new Non-Uniform Employee Handbook. Mr. Geistwhite seconded the motion and it passed unanimously.

Mr. Stabile read a letter from **Mr. George Wert** concerning the pumping of his septic tank. Mr. Brenneman stated that it will come to him when it has not been pumped. Mrs. Justh made the Supervisors aware of the increase to the mileage reimbursement rate of **\$.58.5 per mile** effective July 1, 2008.

Mr. Stabile made a motion for the approve and execute an easement and right of way agreement dated June 21, 2008 between with **Larry C. Willier, Barbara S. Willier and Middlesex Township**. Mr. Geistwhite seconded the motion and it passed unanimously.

The Board went into budget discussion and where the township is at the middle of the year.

Mr. Geistwhite made a motion to adjourn to executive session at 9:35 am with not further action being taken. The motion was seconded by Mr. Larson and it passed unanimously.

