

**MIDDLESEX TOWNSHIP  
SUPERVISORS MEETING  
JULY 7, 1999**

|                    |                 |                                                         |
|--------------------|-----------------|---------------------------------------------------------|
| OFFICIALS PRESENT: | SUPERVISORS:    | Robert Eppley - Absent<br>Joe Capuano<br>Chuck Shughart |
|                    | SOLICITOR:      | Keith Brenneman                                         |
|                    | ENGINEER:       | Bud Grove                                               |
|                    | POLICE:         | Chief Barry Sherman                                     |
|                    | ZONING OFFICER: | Mark Carpenter                                          |
|                    | RECREATION:     | Debbie Vogel - Absent                                   |
|                    | FIRE CHIEF:     | Ed Beam                                                 |
|                    | SECRETARY:      | Mary Justh                                              |

**CALL TO ORDER AND PLEDGE TO THE FLAG**

Vice Chairman Charles Shughart called the meeting to order at 7:01 PM in the Middlesex Township Municipal Building. Mr. Shughart then led the assembly in the pledge to the flag.

**APPROVAL OF MINUTES**

On a motion by Mr. Capuano, seconded by Mr. Shughart the minutes of 2 and 25 June were approved.

**AUTHORIZE PAYMENT OF BILLS**

On a motion by Mr. Capuano, seconded by Mr. Shughart, approval was given for payment of bills represented by the bill list for June, summarized as follows:

|                                       |              |
|---------------------------------------|--------------|
| General Fund Checks # 8541 thru #8658 | \$ 76,137.07 |
| Non-Uniform Pension #184              | 20.00        |
| Escrow #184                           | 510.28       |
| Transfer to Payroll #12,13            | 52,942.73    |

**CITIZEN PARTICIPATION** – Middlesex Township resident Sharon Stover asked the Supervisors what needed to be done so that the Girls Softball Association will use the park softball fields. Supervisor Shughart told Mrs. Stover that the Reaction Director Debbie Vogel will get in touch with the Softball Association for a cost estimate of what is needed to help with budgeting for next season softball field maintenance.

**REPORTS**

SOLICITOR: No report at this time.

ENGINEER: Two minor items – Per Mr. Grove, the Harmony Hall inspection was conducted earlier today and security should not be released at this time. The other item was security for the Giant Foods traffic signal. Mr. Grove referred this to Mr. Brenneman. Mr. Brenneman stated the security is no longer needed for Giant.

**POLICE:** Report ordered to file. Mr. Capuano told Chief Sherman that the percentage of arrests the police department has during the month is remarkable.

**ZONING:** Report ordered to file. Mr. Shughart questioned Mr. Carpenter with regards to the Dana Corporation occupancy of Whirlpool and the number of employees they will be hiring.

**RECREATION:** Presented by Bob Snyder and ordered to file. A movie will be held at the Park on Friday July 9<sup>th</sup>. A Senior report was also read by Mr. Snyder, and they will have a picnic on July 19<sup>th</sup> at 6:00 PM at the township pavilion.

**FIRE/EMC:** Report presented by Chief Beam and ordered to file. Chief Beam reported that the water table is low and individuals should refrain from watering lawns and washing cars. Chief Beam told the Supervisors that the use of fireworks should be discontinued in the Township and only burning in containers, not open burning, should be allowed. Mr. Capuano made a motion to enact a burning ban on open burning in the Township. Mr. Shughart seconded the motion.

**MUNICIPAL AUTHORITY** – No report at this time.

**SECRETARY:** No report at this time.

#### **OLD BUSINESS**

**GIANT FOOD STORES, INC./TRIPLE CROWN – MUTUAL GENERAL RELEASE OF ALL CLAIMS** - Mr. Brenneman requested that the Board take action on this release tonight. Mr. Capuano made a motion to approve the execution of the Giant, Triple Crown and Middlesex Township release agreement. Mr. Shughart seconded the motion.

**JACK C. BEITZEL /CEDAR ROAD AGREEMENT** – Mr. Brenneman wrote an agreement to accept Cedar Road for dedication earlier than the Ordinance allows. Mr. Capuano made a motion to accept the Jack Beitzel Agreement. Mr. Shughart seconded the motion. Mr. Shughart asked how the security was being handled. Mr. Brenneman and Mr. Grove indicated that the security arrangements were made.

**MEMORANDUM OF UNDERSTANDING – US ARMY MUSEUM** - No motion made, no action taken.

**TOWNSHIP/MUNICIPAL AUTHORITY MAINTENANCE AGREEMENT** – Mr. Capuano made a motion to execute the agreement between the Township and Municipal Authority. Mr. Shughart seconded the motion. Mr. Brenneman explained that at some point and time, two Supervisors will need to be appointed to serve on the committee for the maintenance fund.

**FEASIBILITY STUDIES TO PROVIDE SEWER SERVICE TO HOLLOWBROOK ROAD AND CLEMSON DRIVE AREAS** - Mr. Capuano explained to the gathering, that at this time the Township was not directing the Authority to construct any sewer lines along Clemson or Hollowbrook. A study needed to be done because some homes in the area are having

problems. Mr. Kessler gave a brief history of his problem and what led to the fact that a buyer for his house had decided not to buy his property. Vince Elbel, the Sewer Enforcement Officer for Middlesex Township, told Mr. Kessler that this area has a serious septic problem, because of the soil type. Mr. Capuano explained that Act 537 requires certain things be done when it is discovered that the Township has malfunctioning septic systems. The township had to do a study in Carlisle Springs, Fetrow Acres, and Ironstone Ridge, but all of these areas are too costly to sewer at this time as well as Clemson and Hollowbrook. The Municipal Authority would be losing money every year if we were to sewer these areas. Mr. Capuano explained that it would take a developer to provide a substantial amount of money to get sewer and water on Clemson or Hollowbrook. Mr. Shughart explained that the Comprehensive Plan has been started and will be finished possibly by the end of the year and we need to get those results back before we make any long range changes. Mr. Kessler explained that the subdivision plans on the south side are perking on large lots. Mr. Capuano explained that the out dated zoning ordinances are the reason we have the system we have with the south side requirement of big lots. Mr. Capuano mentioned that the problem on Clemson is poor soil and that DEP would rather not have on lot sewer at all. Mr. Capuano it would take one developer to come in the area and help pay for sewer in that area. Mr. Capuano mentioned that the next newsletter could have an explanation of the On-Lot and how it could affect the residents. Mrs. Gibb explained that EDLU Corporation owns land on Wolfs Bridge Road and would like to subdivide into ½ acre lots, but until we have sewer and water they will not build this development. According to Mr. Carpenter this is not an approved subdivision. Mr. Shughart explained that all of these things are being considered in the Comprehensive Plan. Mr. Carpenter gave an explanation about how a septic system can fail, as did Mr. Grove. Mr. Kessler stated that all tests indicate that a system would fail in this area according to the SEO and the only way this can be corrected is with a sand mound. Mr. Capuano asked how can this be overcome? Mr. Capuano asked if it would be better to have a sand mound? Mr. Grove stated that probably would not be better. Mr. Kessler asked if developers come into the area would that help to get sewer and water in the area? Mr. Capuano explained that he would look favorably on that as a solution to the problem. Mr. Kessler thanked the Supervisors for listening to his problem.

## **NEW BUSINESS**

**DILLON HOT AIR BALLOON SERVICES, INC. LETTER** -- Mr. Capuano explained why a letter was mailed to him concerning the use of the park to launch a commercial hot air balloon. Mr. Dillon responded that he has been using the facility for several years. The reasons for not allowing the launch as stated in the letter were safety to park users, permission had not been granted, disrupting a ball game, and the danger of open propane flame. Mr. Capuano had asked the Recreation Director if permission was given to launch his balloon. Mr. Capuano had another problem with using public land for a commercial enterprise. Mr. Dillon explained that he has given free rides to employees from time to time as compensation. Mrs. Justh explained that the free ride was given as a prize at the fall festival and it just so happened that it was a police officer the won. It was not a gratuitous act for allowing balloon launches. Mr. Shughart suggested that a yearly agreement should be drawn up between the Township and Mr. Dillon. Mr. Shughart suggested that a written request be sent to the Township Office for consideration. Mr. Shughart and Mr. Capuano agreed to allow Mr. Dillon use of the park until the Supervisors meet again at the end of the month.

Mr. Capuano made a motion to adjourn the meeting at 8:30, seconded by Mr. Shughart.