

# MIDDLESEX TOWNSHIP SUPERVISORS MEETING

*July 7, 2004*

|                    |                 |                                                                                      |
|--------------------|-----------------|--------------------------------------------------------------------------------------|
| OFFICIALS PRESENT: | SUPERVISORS:    | Chuck Shughart, Chairman<br>Vic Stabile, Vice Chairman<br>Donald Geistwhite (Absent) |
|                    | SOLICITOR:      | Keith Brenneman                                                                      |
|                    | ENGINEER:       | Bud Grove                                                                            |
|                    | POLICE:         | Chief Barry Sherman                                                                  |
|                    | FIRE:           | Chief Ed Beam (Absent)                                                               |
|                    | ZONING OFFICER: | Mark Carpenter                                                                       |
|                    | SECRETARY:      | Mary Justh                                                                           |

**CALL TO ORDER** – Chairman Chuck Shughart called the meeting to order at 7:00 p.m. at the Middlesex Township Building.

**PLEDGE TO THE FLAG** – Mark Carpenter led the assembly in the Pledge to the Flag.

**APPROVAL OF THE MINUTES** – Chairman Shughart asked for a motion to approve the June 2 regular meeting minutes as well as the June 25 workshop meeting minutes. Mr. Stabile made the motion and Chairman Shughart seconded it and the motion passed unanimously. Later in the meeting, Mr. Stabile made a motion to rescind approval of the minutes of June 25. Chairman Shughart seconded the motion and it passed unanimously.

**AUTHORIZE PAYMENT OF BILLS** – Chairman Shughart asked for a motion to approve the payment of bills for June. Mr. Geistwhite made the motion and Chairman Shughart seconded it and the motion passed unanimously.

|                                     |             |
|-------------------------------------|-------------|
| General Fund Checks #15390 - #15467 | \$74,659.15 |
| Transfer for Payroll #12 and #13    | \$71,947.93 |
| Escrow Fund Check #259              | \$ 4,563.00 |
| State Fund Checks #170 - #175       | \$40,045.18 |
| Non-uniform Pension Fund            | \$ 20.00    |

**PUBLIC COMMENT** – Mr. Michael Cekovic of 15 Teaberry Drive in the Meadows met with the Supervisors to request the Township take over three common areas there, two of them with water retention ponds. The Developer had led homeowners there to believe that recreation areas would be created here, but Zach Bond of Taylor Trust collects the assessment fees of \$35 a year from the homeowners to maintain these areas that are currently unsuitable for recreation. The Supervisors asked Chief Sherman and Mr. Carpenter to inspect the site. Mr. Carpenter will take a look at the original land development plan to see if a recreation area was planned for this area.

Mr. Robert Gardner of 172 North Middlesex Road complained to the Supervisors of a nearby property that has not been maintained to the point of overgrowth and siding coming off a barn

located there. Mr. Carpenter has made numerous attempts to contact the owner and has been unable to find a forwarding address. The Supervisors determined that action needs to be taken on the property and instructed Mr. Carpenter to inspect the property and enact the appropriate measures to ensure it gets cleaned up. The Supervisors asked Mr. Brenneman to research the next action, should it become necessary.

## **REPORTS:**

Solicitor: Nothing to report.

Engineer: Nothing to report.

Police: Ordered to file.

Zoning Officer: Ordered to file. After discussion, the Board of Supervisors authorized Mr. Carpenter to refer the matter of the neglected property at 22 South Letort Drive to the Planning Commission for recommendation on possible referral to the Cumberland County Blighted Property Reinvestment Board.

Recreation: Ordered to file.

Fire: Ordered to file.

Municipal Authority: Ordered to file.

Secretary: Ordered to file. Mr. Matt Waters has requested an extension on the pumping of his septic tank. The Supervisors asked Mrs. Justh to find out the location of the property and the length of the requested extension, as this was not provided in the letter.

## **OLD BUSINESS**

**Reduction in Worthington Development Security for Meadowbrook Farms Phase 3** – Mr. Grove has reviewed the request for reduction in Worthington Development security for Meadowbrook Farms Phase 3. He recommends releasing 131,831.58. This leaves a balance of \$258,738.27. Mr. Stabile made a motion to release the amount of \$131,831.58 as indicated in Mr. Grove's memo of July 7, 2004. Mr. Shughart seconded the motion and it passed unanimously.

Mr. Grove informed the Supervisor's that Meadowbrook Farms has requested approval of the legal descriptions in Phase 1 and 2. Mr. Grove has submitted reports dated July 6 and 7 to the Supervisors as well as Meadowbrook Farms. The Developer needs to correct the plats and legal descriptions precedent to obtaining approval from the Supervisors.

**Urban County Designation** – Mr. Tom Fields, Community Development Director, presented information to the Supervisors regarding the application Cumberland County has made for Urban

County designation in order to obtain additional HUD funding. After the presentation, Mr. Stabile made a motion to approve the Township to be included in the Urban County designation and authorized Mrs. Justh to send the letter of application. Chairman Shughart seconded the motion and it passed unanimously.

## **NEW BUSINESS**

### **(#04-8) Kenneth A. & Mildred E. Walker Preliminary/Final Subdivision Plan** – Mr.

Carpenter explained to the Supervisors that the Zoning Hearing Board has granted the requested variances for the Kenneth and Mildred Walker Preliminary/Final Subdivision Plan. Mr. Walker met with the Planning Commission and has obtained their recommendation.

Motion #1: Mr. Stabile made a motion to grant the eight waivers on the Kenneth A. & Mildred E. Walker Preliminary/Final Subdivision Plan dated May 24, 2004 with a revision date to be provided at a later time. Chairman Shughart seconded the motion and it passed unanimously.

Motion #2: Mr. Stabile made a motion to approve the Kenneth A. & Mildred E. Walker Preliminary/Final Subdivision Plan dated May 24, 2004 noted with a revision date at a later date subject to the following conditions: a) That a revision date be noted on the face of the plan; b) That the applicant's depiction of the driveway for Lot #1 exiting onto Spring Road be consistent with Penn Dot application.

**(#04-11) Best Family Limited Partnership Preliminary/Final Subdivision Plan** – This plan is a lot addition to an existing lot. The lot may need to be re-surveyed in order to have the plans recorded as a consolidated plan and prepare a deed of consolidation. Mr. Stabile made a motion to grant the seven waivers on the face of the Best Family Limited Partnership Preliminary/Final Subdivision Plan dated April 20, 2004. Chairman Shughart seconded the motion and it passed unanimously.

Motion #2: Mr. Stabile made a motion to approve the Best Family Limited Partnership Preliminary/Final Subdivision Plan dated April 20, 2004 with the following conditions: a) That the applicant satisfy the plan deficiencies comments 1 through 4 as noted in the Engineer's comments on June 26; and b) That, as referenced on page two of the plan, deed consolidation be prepared prior to plan recording. Chairman Shughart seconded the motion and it passed unanimously.

**(#04-14) George E. Anderson & Letort Evangelical Church** – Mr. Carl Risch, Attorney, represented the plan. The Letort Evangelical Church has acquired 2.38 acres and wants to create more space for the cemetery, as well as make plans to eventually divide the church from the cemetery. The church was granted a special exemption to use the land for a cemetery. Mr. Brenneman has noted that the deeds of consolidation are acceptable.

Motion #1: Mr. Stabile made a motion to grant the three waivers on the face of the George E. Anderson & Letort Evangelical Church Preliminary/Final Subdivision Plan dated June 2, 2004. Chairman Shughart seconded the motion and it passed unanimously.

Motion #2: Mr. Stabile made a motion to approve the George E. Anderson & Letort Evangelical Church Preliminary/Final Subdivision Plan dated June 2, 2004 on the condition that prior to submitting the plan for recording that there is an allowance of vertical datum per USGS requirements. Chairman Shughart seconded the motion and it passed unanimously.

Motion #3: Mr. Stabile made a motion to approve the George E. Anderson & Letort Evangelical Church Preliminary/Final Subdivision Plan dated June 2, 2004 subject to 1) the applicant place two notes on the face of the plan per applicant's letter dated June 30; and 2) the applicant satisfy the Township Engineer's comments 1 to 3 on plan deficiencies under cover of June 26, 2004. Also, the Township request's that the applicant consider providing a key plan as described in our Engineer's comments of June 26, 2004. Chairman Shughart seconded the motion and it passed unanimously.

**Pennsylvania Uniform Construction Code Municipal Election Form** – Mr. Carpenter presented the Supervisor's with the Pennsylvania Uniform Construction Code: Municipal Election Form and informed them it must be submitted to the State. Mr. Stabile made a motion to submit the form to the Pennsylvania Department of Labor and Industry for enforcement of the enactment naming Mr. Carpenter as the Building Codes Official. Chairman Shughart seconded the motion and it passed unanimously.

**Appointment of Third Party for Administration of Electrical Codes Enforcement** – The Supervisors reviewed the electrical bids received by the Township and discussed current inspection procedures with the Township Building Codes and Zoning Officer, Mr. Carpenter. Afterwards, the Supervisors spoke with David Morris, a representative from Commonwealth Code Inspection Services, Inc. Mr. Stabile made a motion that, for purposes of meeting our obligations under the Pennsylvania Uniform Construction Code, the Township appoints Commonwealth Code Inspection Services, Inc. as the electrical inspection company for Middlesex Township subject to the Solicitor's review of their form of agreement with provisions that the three companies that also submitted proposals be notified that they are welcome to come back and explain their proposals in order to be considered as electrical inspectors for the Township. Chairman Shughart seconded the motion and it passed unanimously. Mrs. Justh was asked to send the appropriate letters.

**Discussion about Appointment of Solicitor for Building Code Board of Appeals** – After discussion with Mr. Carpenter and the Township Solicitor, the Supervisors asked Mr. Brenneman to research possible leads to locate a Solicitor for the Building Code Board of Appeals.

**Pennsylvania Uniform Construction Code Resolution** – Solicitor Brenneman has prepared resolution 2004-13 regarding the Pennsylvania Uniform Construction Code. Mr. Carpenter has designed a fee schedule for the inspections. Motion #1: After discussion of revisions necessary in the agreement, Mr. Stabile made a motion to adopt Resolution 2004-13, inserting Commonwealth Code Inspection Services, Inc. and their fee schedule, subject to Solicitor Brenneman's review and approval of the agreement. Chairman Shughart seconded the motion and it passed unanimously. Motion #2: Mr. Stabile made a motion pursuant to the Solicitor's review and approval of the agreement from Commonwealth Code Inspection Services Inc., that

regarding establishment of fees within Resolution 2004-13: 1) Paragraph 3 – The Township names Commonwealth Code Inspection Services Inc. as the inspection company for Middlesex; 2) That Commonwealth Code Inspection Services Inc. fee schedule be incorporated into the resolution under paragraph 4, previously recommended under proposal of June 30, 2004. Chairman Shughart seconded the motion and it passed unanimously.

Chief Sherman asked for the Supervisors to sign an agreement in regards to an extension of the Tobacco Enforcement program, which provides funding for the police to target businesses selling tobacco products to underage customers. Solicitor Brenneman reviewed the agreement and Mr. Stabile made a motion to approve and sign the agreement. Chairman Shughart seconded the motion and it passed unanimously.

**Major Medical and Hospitalization Insurance for Employees** – Mrs. Justh submitted a proposal from Highmark Blue Shield regarding the rate increases for health insurance for employees. Due to rate increases, Mrs. Justh conducted a review of other companies and their rates and Highmark Blue Shield is the most cost effective for the Township. Mr. Stabile made a motion to accept the increased premium for the period of September 1, 2004 through August 31, 2005, as indicated in the memorandum of June 30, 2004.

The Supervisors reviewed an agreement drawn by Solicitor Brenneman pursuant to a request to provide health insurance to part-time employees, provided they pay for the coverage themselves. After discussion, the Supervisor's asked Mr. Brenneman to make some revisions to the agreement and determined that since more research is needed on this issue, it will be discussed at the next meeting.

Chairman Shughart made a motion to adjourn the meeting at 9:16 p.m. Mr. Geistwhite seconded the motion and the meeting was adjourned for Executive Session.