

**MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
July 7, 2021**

OFFICIALS PRESENT:	SUPERVISORS:	Chairman Donald S. Geistwhite, Jr.
	VICE-CHAIRMAN	Steven Larson
		William H. Goodhart
	SOLICITOR:	Keith O. Brenneman
	PUBLIC SAFETY	
	DIRECTOR:	Chief Steve D. Kingsborough
	ZONING OFFICER:	Mark D. Carpenter
	ASST. CODES ENFORCEMENT/	
	MS4 COORDINATOR:	Gerald Steigleman
	ROADMASTER:	Zachary L. Zook
	FIRE / EMC:	Chief Edwin Beam
	MANAGER:	Eileen M. Gault
OFFICIALS ABSENT:	ENGINEER:	Bud Grove

CALL TO ORDER AND PLEDGE TO THE FLAG: Mr. Geistwhite called the meeting to order at 7:10 p.m. and lead the pledge to the flag in the Middlesex Township Municipal Building.

PUBLIC HEARING: FOR PURPOSES OF RECEIVING PUBLIC COMMENT ON AND CONSIDERING AN ORDINANCE WHICH WOULD AMEND THE MIDDLESEX TOWNSHIP ZONING ORDINANCE TO ADD INSTITUTIONAL DISTRICT AND AMEND THE ZONING MAP BY REZONING CERTAIN TRACTS OF LAND TO INSTITUTIONAL: Chairman Geistwhite announced that the first order of business is a Public Hearing in which he then turned the meeting over to Special Counsel Attorney Steven Stine. Mr. Stine stated that the public hearing is for the purpose of considering an ordinance which would amend the Middlesex Township Zoning Ordinance Amending Article II to provide a definition of “Long Term Care Facility”, Amend Article III to add Institutional District (INS) adding a new Article XXXIII and amend the Zoning MaP by Rezoning certain tracts of land to Institutional. Mr. Stine then gave a summary of the procedures followed prior to the hearing. Mr. Stine then turned the hearing over to Attorney Ronald M. Lucas, Special Counsel for the applicant, Cumberland County. Mr. Lucas stated that the application submitted by the applicant Cumberland County, currently owns multiple parcels of land located in Middlesex Township, some of which is bisected with Carlisle Borough/North Middleton Township to the West. The property within Middlesex is currently zoned as Residential Farm, bordered by the Light Industrial District, Village Center District and the Residential Farm District. The current use of the property is for various institutional uses run by the County, including the Cumberland County Prison, the Cumberland County Emergency Services Building, the County Redevelopment and Housing Authority Apartments and the Cumberland County Nursing Home Facility. The current zoning of the property does not allow for institutional uses except as operated by government entities. Further, the Township Zoning Ordinance does not currently provide for a zoning district that expressly permits institutional uses such as those that exist on the property. The applicant is proposing a zoning text amendment creating an Institutional District that would allow for institutional uses and establish lot area, building, yard and parking requirements and a zoning map change to include the entire property within the newly created Industrial District. A proposed draft ordinance providing for both the text amendment and zoning map change was included with the application.

Mr. Stine asked if the Supervisors had any questions or comments for the applicant, in which the Supervisors had none. He then addressed the audience for any questions of the applicant.

Glenda Farner, 12 Shoemaker Lane, Silver Spring Township, worked at the nursing home for many years and is interested in the provisions and maintenance of the cemetery. Mr. Lucas reported that cemetery's are not a permitted use, but would be grandfathered in the Institutional District.

Mike Coxen, 17 Country Club Road, Middlesex Township, stated that they have heard the what and the where, but what is the why? Mr. Lucas reported that the why is consistent with future planning for the County.

Richard Roven, 112 Spring Farm Circle, South Middleton Township, asked if there is anything on the County facilities under the current zoning, that can't be continued if the zoning were not changed? Does the Institutional Zone proposed permit for agricultural operations? Mr. Lucas replied if the facility is not permitted in the Residential Farm District, it would be allowed to continue as a non-conforming use. Ownership of the land is not relevant to the zoning. The same agricultural uses are permitted as in the Residential Farm District.

Attorney William Cluck, on behalf of the Citizens Saving Claremont opposing the rezoning, stated that the hearing was invalid and should not be going forward due to the inadequate Public Notice under the Municipal Planning Code Section 609, Section 610. Mr. Lucas responded that the Public Notice clearly states a public hearing at this location, time, and date for purposes of receiving public comment.

Morgan Plant, 322 S. West Street, Carlisle, lobbyist and member of Citizens Saving Claremont. Morgan expressed her concern of the lack of transparency of the County Commissioners with regards to the Claremont Nursing Home.

Mark Price, 778 W. South Street, Carlisle, Labor Economist, is under the impression that the Board of Supervisors can stop the rezoning process.

Lawrence Lahr, 1428 Alexander Ave, Chambersburg, adding a new zoning district to a township is a big deliberation and changes everything around it. There is no requirement that a Zoning Ordinance has to be consistent with a Comprehensive Plan.

Attorney Stine asked if there were anymore comments on the Public Hearing. There being none, he suggested the Chairman declare the hearing closed. Chairman Geistwhite declared the hearing closed.

PUBLIC COMMENT: Mr. Stanley Tarka, 210 N. Old Stonehouse Road, expressed his concern of change to the fireworks law that was enacted in 2017. With fireworks going off everywhere, Mr. Tarka was wondering who came in for the permits, with regards to the Ordinance. He requested that the Supervisors go back to the State Legislature to review the law.

Mr. Tarka stated the service with Waste Management has declined to a point of being unacceptable.

ORDINANCE 2 – 2021: PROPOSED ADOPTION OF ORDINANCE 2 – 2021, AMENDING MIDDLESEX TOWNSHIP ZONING ORDINANCE 3 – 89, AMENDING ARTICLE II TO PROVIDE A DEFINITION, AMENDING ARTICLE III TO ADD INSTITUTIONAL DISTRICT, AMENDING THE ZONING ORDINANCE BY ADDING A NEW ARTICLE AND AMENDING THE ZONING MAP BY REZONING CERTAIN TRACTS OF LAND TO INSTITUTIONAL: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to adopt Ordinance 2 – 2021, amending Middlesex Township Zoning Ordinance 3 – 89, amending Article II to provide a definition, amending Article III to add Institutional District,

amending the Zoning Ordinance by adding a new article and amending the Zoning Map by rezoning certain tracts of land to Institutional.

WASTE MANAGEMENT: Chairman Geistwhite commended Mr. Daniel Nickel, previous employee of Advanced Disposal for all his hard work and being responsive about any issues with the trash hauling. Mr. Nickel was present with Waste Management Representative Mr. Tom Stang. There was some discussion about the different issues with regards to the lack of customer service and the lack and inconsistent communication to the residents about any delays with trash collection, to name a few. Waste Management acknowledges the issues and are working on correcting them. The Supervisors thanked Mr. Nickel and Mr. Stang for attending the meeting and are pleased to know they are aware of the issues and are diligently working to resolve them.

MS4 / STORMWATER: Mr. Steigleman reported that project #9 at Appalachian Drive is completed. Project #6 at Wolfs Bridge Road will begin next week sometime.

APPROVAL OF MINUTES: On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to approve the minutes of May 5, 2021.

On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to approve the minutes of June 25, 2021.

AUTHORIZE PAYMENT OF BILLS: On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to authorize the payment of the bills for July 2021.

REPORTS:

Solicitor – No report.

Engineer – Absent. No report.

Director of Public Safety – Chief Kingsborough discussed and submitted the monthly police report. Report entered into record.

Zoning – Mr. Carpenter discussed and submitted the monthly Zoning Report. Report entered into record.

Codes Enforcement – Mr. Steigleman discussed and submitted the monthly Codes Enforcement Report. Report entered into record.

Roadmaster – Mr. Zook discussed and submitted the monthly Highway Department Report. Report entered into record.

Fire/EMC – Chief Beam discussed and submitted the monthly Fire Chief Report. Report entered into record. Chief Beam briefly discussed an issue that occurs when the 911 Center goes down and is unable to take phone calls. When this happens, Chief Beam has a plan in place and is working on an article for the newsletter.

Recreation/Recycling Coordinator – Mrs. Jumper submitted the monthly Recreation Director Report. Report entered into record.

Municipal Authority – Chairman Geistwhite reported that everything is going well at the Municipal Authority.

Manager – Mrs. Gault provided the CCTB tax comparison showing the difference of last year to this year with regards to LST and EIT distribution to Middlesex Township. She also reported that she has started to review the 151-page final ruling from the Department of Treasury regarding the ARP Funds. She is requesting that after everyone has a chance to review the document, there is some discussion at the Workshop Meeting as to how to proceed. Township Solicitor Mr. Brenneman suggested the idea that Mr. Tarka mentioned regarding using a consulting firm to handle the ARP Funds is a good idea. This cost is allowed with the ARP Funds.

OLD BUSINESS:

Motion to authorize the execution of the Improvement Modification Agreements with the property owners of Appalachian Estates: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to authorize the execution of the Improvement Modification Agreements with the property owners of Appalachian Estates.

Request for extension of review time for Final Minor Lot Addition and Subdivision Plan for Dirk J. & Babette L. Madison and Victor J. & Shirley A. Madison: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the request of Christopher E. Hinkle of Burget & Associates, Inc., on behalf of the applicant, to grant an extension of the maximum time period for action on the Final Minor Lot Addition and Subdivision Plan for Dirk J. & Babette L. Madison and Victor J. & Shirley A. Madison until October 8, 2021.

NEW BUSINESS:

None.

There being no further business, on the motion of Chairman Geiwshite, seconded by Supervisor Goodhart, it was unanimously agreed to adjourn the meeting at 8:50 p.m.