

**MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
September 7, 2011**

OFFICIALS PRESENT: **SUPERVISORS:** Chairman Victor P. Stabile
Vice-Chairman Donald S. Geistwhite, Jr.
Steve Larson
 SOLICITOR: Keith O. Brenneman
 POLICE: Chief Barry Sherman
 ZONING OFFICER: Mark Carpenter
 MANAGER: Eileen Gault
 FIRE CHIEF: Ed Beam

OFFICIALS ABSENT: **ENGINEER:** Bud Grove

CALL TO ORDER AND PLEDGE TO THE FLAG: Chairman Stabile called the meeting to order at 7:05 p.m. in the Middlesex Township Building, with Mr. Bill Goodhart leading the pledge to the flag.

PUBLIC HEARING: Chairman Stabile turned the meeting over to the Township Solicitor Keith Brenneman. Mr. Brenneman reported that the public hearing is on the proposed Township Zoning Ordinance to provide among other amendments for National Fraternal or Benevolent Organization use in LI Districts. Mr. Brenneman gave a summary of the procedures followed prior to the hearing. Reviews and comments were provided by the Middlesex Township Planning Commission and the Cumberland County Planning Department with recommendations for approval of the ordinance. Mr. Brenneman then turned the hearing over to Chairman Stabile for public comment. Mr. Stabile stated that the definition of National Fraternal or Benevolent Organizations often times referred to as Lodges is not meant to indicate in any manner whatsoever that the use being proposed should permit any sort of living arrangements or residence as a part of its use or definition. There being no further questions or comments, Chairman Stabile turned the meeting over to Mr. Brenneman to close the hearing. At the direction of the Chairman, Mr. Brenneman declared the hearing closed.

PUBLIC COMMENT: None.

APPROVAL OF MINUTES: On the motion of Mr. Geistwhite, seconded by Mr. Larson, it was unanimously agreed to approve the minutes of August 3, 2011. On the motion of Mr. Stabile, seconded by Mr. Larson, it was unanimously agreed to approve the minutes of August 26, 2011 with Mr. Geistwhite abstaining since he was not present for the meeting.

AUTHORIZE PAYMENT OF BILLS: On the motion of Mr. Geistwhite, seconded by Mr. Larson, it was unanimously agreed to authorize the payments of the August 19, 2011 and September 7, 2011 bills.

REPORTS:

Solicitor: No Report.

Engineer: Absent.

Police: Chief Sherman reviewed his report for the month of August.

Zoning: August report entered into record. Mr. Carpenter reported that Steve Heitsch of Carlisle Borough is in the early stages of applying for a grant with DCED to get Solar Panels at the Wastewater Treatment Plant and would like for Mr. Carpenter to write a letter certifying that the concept is within compliance of the Comprehensive Plan. After much discussion, on the motion of Mr. Stabile, seconded by Mr. Geistwhite, it was unanimously agreed to authorize Mr. Carpenter, subject to review by Mr. Brenneman, to send a letter to the Borough in response to their request, indicating that the use of solar panels is a permitted use in the Zoning District where the Treatment Plant is located, that the use is consistent with the Comprehensive Plan and is addressed in the Land Development Ordinance, but with providing such a letter the Board of Supervisors are in no way indicating any approval of any project or anticipated plans nor is the Board vesting any rights to the Borough of Carlisle in the Township Zoning or Land Development Ordinance.

Recreation/Recycling Coordinator: Entered into record. Mr. Stabile mentioned that upon proofreading the Newsletter noticed that the Pumpkin Carving Event has been changed and is now being held at Hayman Farms and that he had to clarify that the fees are to be collected by Middlesex Township for use of the Hayman Farms at a discount for such event.

Fire/EMC: Mr. Beam reviewed his report for the month of August stating that some of the calls received were a result of storm damages. He then reported that since the Fire Fund Drive began in July there has been a good response with over \$13,000.00 in donations received thus far. Mr. Beam then reported that he has yet to hear back from Ed Whalen from Flying J regarding the truck parking issue.

Municipal Authority: Mr. Geistwhite reported that the Pine Hill Water/Sewer Extension is nearly completed. All the pipe work is completed with the testing of the line remaining. Well #1 is still pumping 390,000 gallons per day.

Secretary: Mrs. Gault requested authorization from the Board of Supervisors to change the current twelve (12) checking accounts from Repurchase Agreement Accounts into Non-Profit Accounts. There will be no change to the account numbers nor will the accounts be affected except that they will draw more interest in a Non-Profit Account and will make it easier to reconcile the bank statements. On the motion of Mr. Geistwhite, seconded by Mr. Larson, it was unanimously agreed to authorize Mrs. Gault to change the twelve (12) checking accounts with Orrstown Bank to earn the interest rate currently payable to Non-Profit Organizations which is currently a higher interest rate than how they are presently structured where they sweep on a daily basis to a Repurchase Agreement Account.

Mrs. Gault reported that she had received an e-mail from the Cumberland Valley Visitors Center who is looking to assemble a task force of community leaders to readdress an issue that began approximately five (5) years ago to put in place a car only exit ramp at the K Street exit from the Turnpike. Mr. Geistwhite has volunteered to represent the Township on this task force. On the motion of Mr. Stabile, seconded by Mr. Larson, it was unanimously agreed to appoint Mr. Geistwhite as the Township Liason to the Carlisle Fairgrounds Project.

Mr. Stabile mentioned to the Supervisors that he had spoken to Mrs. Gault earlier regarding the current issues that some of the residence are having with going to the old website unaware that the new one is up and running. Mrs. Gault had informed the Board that there has been a problem

with the individual that handled the old website not responding to calls or even letters sent by other Municipalities that are having the same issues. Mrs. Gault stated that the new website address had been put on the front page of the newsletter and that they will continue to do so to help resolve this matter.

OLD BUSINESS:

Proposed Adoption of Ordinance No. 8 – 2011 Text Amendment allowing National Fraternal or Benevolent Organization uses in the LI (Light Industrial) District: On the motion of Mr. Stabile, seconded by Mr. Geistwhite, it was unanimously agreed to adopt Ordinance No. 8 – 2011 amending Ordinance No. 3 – 1989 to provide for among other things for National Fraternal or Benevolent Organizational uses in the Light Industrial District.

Tex Visions Lot 6A Pine Hill Industrial Park Preliminary and Final Land Development Plans: Present were Steve Quigley and Betsy Davison of HE Black to request a conditional approval for the preliminary plan for Tex Vision and a final for Phase 1. On the motion of Mr. Stabile, seconded by Mr. Geistwhite, it was unanimously agreed to with respect to the Preliminary Land Development Plan for Pine Hill Industrial Park Lot 6A submission date of 3/28/2011 last revised 7/19/2011 that the Supervisors grant the four (4) waiver request as noted on the face of the plan 1) for the Conservation Analysis and Environmental Assessment Report, 2) the access drive with an excess of thirty-five (35) feet, 3) the one (1) tree per thousand square foot building to reduce it from 84 to 51 trees, 4) and to reduce a minimum velocity in the Southwest pipes the minimum slopes and swells as fully described on the face of the plan.

On the motion of Mr. Stabile, seconded by Mr. Geistwhite, it was unanimously agreed in connection with the same plan dated 3/28/2011 last revised 7/19/2011 to approve the Preliminary Land Development Plan on the following conditions: 1) that an agreement satisfactory in form to the Developer Mr. Lutz and Middlesex Township be reached with respect to the traffic impact costs to be contributed by the Developer Mr. Lutz as reflected in the minutes of 8/26/2011, 2) that the applicant satisfy the Planning Commission comments of 6/27/2011, 3) that the applicant satisfy the Cumberland County Planning Commission comments in connection with the plan, 4) that the applicant satisfy the Township Engineer comments of 6/27/2011, 5) that the applicant submit for approval to DEP the NPDES permit application in connection with the plan.

At this time the Township Solicitor Mr. Brenneman asked Mr. Steve Quigley whether the five (5) conditions were acceptable to the applicant at which time Mr. Quigley confirmed that the conditions are acceptable.

On the motion of Mr. Stabile, seconded by Mr. Geistwhite, it was unanimously agreed to with respect to the Final Land Development Plan Pine Hill Industrial Park Lot 6A, submitted 3/28/2011 last revised 7/19/2011 to approve the request of the four (4) waivers as noted on the face of the plan.

On the motion of Mr. Stabile, seconded by Mr. Geistwhite, it was unanimously agreed to with respect to the Final Land Development Plan Pine Hill Industrial Park Lot 6A, submitted 3/28/2011 last revised 7/19/2011 to approve subject to the following conditions: 1) that an acceptable agreement is reached between the Developer Mr. Lutz and Middlesex Township with regards to the terms contained in the minutes of 8/26/2011, 2) that the applicant satisfy the Planning Commission comments and conditions with respect to the plan, 3) that the applicant satisfy the Cumberland County Planning Commission comments in connection with the plan, 4)

that the applicant satisfy the comments of the Township Engineer for final plan submission dated 6/27/2011, 5) that the applicant provide and post the appropriate financial security for public improvements in an amount to be agreed upon between the applicant and the Township Engineer, 6) that a development agreement be reached between the applicant and Middlesex Township in a form satisfactory to the applicant and Middlesex Township Solicitor, 7) that the applicant receive DEP approval of the NPDES permit submission, 8) that the applicant record its Subdivision Plan for Lot 6A prior to the recording of the Land Development Plan which action is being taken on this evening.

At this time the Township Solicitor Mr. Brenneman asked Mr. Steve Quigley whether the eight (8) conditions were acceptable to the applicant at which time Mr. Quigley confirmed that the conditions are acceptable.

Tex Visions Lot 6A Pine Hill Industrial Park Traffic Impact Agreement: This agreement is part of the discussion from the 8/26/2011 meeting and will include terms that state if as a result of Pine Hill improvements would require condemnation that will have to be addressed if not it will not be the responsibility of Pine Hill.

Meadowbrook Farms Phase IV – Request for release of Improvement Security: On the motion of Mr. Stabile, seconded by Mr. Geistwhite, in connection with the 8/18/2011 request of Meadowbrook Farms Phase IV for dedication of Old Coach Lane of that subdivision and the request to release all Improvement Security and to establish a Maintenance Bond Security, it was unanimously agreed to deny the request on the basis that the applicant although requested has yet to provide Middlesex Township the necessary documentation for the Township to accept dedication of the roads and to establish the appropriate Maintenance Security.

NEW BUSINESS:

York Waste Contract Extension: Mrs. Gault informed the Supervisors that she has sent a letter to York Waste informing them that the six (6) months prior to the expiration of the initial term agreement was approaching. Mrs. Gault had sent the letter via e-mail to Mr. Don Isabella who replied that he was away from the office attending to some family matters. Mr. Isabella stated that York Waste does wish to exercise the first of the two (2) extension options and will respond in a more formal manner upon his return to the office. Mr. Larson reported that he is still receiving a bill that has the old rate and would like this matter resolved prior to the Supervisors acting on this extension.

Energy Bid Comparison: Mrs. Gault presented four (4) rate comparisons for energy suppliers. The lowest rate is from Hudson Energy. The current energy contract is with Liberty Power and expires on January 1, 2011. The Supervisors have asked Mr. Brenneman to review the contract from Hudson Energy and compare it to the current contract. This matter has been tabled until the Workshop Meeting on September 30, 2011.

Chief Sherman mentioned the opening of the Compost Site today at 3 p.m. He then discussed the hours of operation and that the Highway Department of Middlesex Township and North Middleton Staff are currently manning the facility.

Chief Sherman then requested authorization to obtain a new vehicle through the Co-Star Program to be utilized by the Zoning Officer Mr. Carpenter since the current vehicle is eleven (11) years old and was previously utilized by the Police Department. On the motion of Mr.

Stabile, seconded by Mr. Geistwhite, it was unanimously agreed to authorize Chief Sherman to purchase a new vehicle through the Co-Star Program to be utilized by the Zoning Officer and Staff.

On the motion of Mr. Geistwhite, seconded by Mr. Stabile and there being no further business, it was unanimously agreed to adjourn the meeting at 9:02 p.m.