

MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
October 2, 2002

OFFICIALS PRESENT:	SUPERVISORS:	Robert Eppley Chuck Shughart Vic Stabile
	SOLICITOR:	Keith Brenneman
	ENGINEER:	Bud Grove
	POLICE:	Chief Barry Sherman
	ZONING OFFICER:	Mark Carpenter
	RECREATION:	Eileen Ettleman - Absent
	FIRE CHIEF:	Ed Beam
	SECRETARY:	Mary Justh

CALL TO ORDER AND PLEDGE TO THE FLAG – Chairman Robert Eppley called the meeting to order at 7:07 PM at the Middlesex Township Building with Mark Carpenter leading the pledge to the flag.

A PUBLIC HEARING ON ORDINANCE 5-02 UNIFIED DEVELOPMENT OVERLAY

AREA – Chairman Eppley turned the meeting over to Township Solicitor Keith Brenneman. Mr. Brenneman noted that this was the time and place for the public hearing on an ordinance to amend the Township Zoning Ordinance with the Unified Development Overlay Ordinance. This hearing has been properly advertised two times in the Sentinel on September 17th, 2002 and September 24th, 2002 with the full text of the Ordinance being provided to the Sentinel. The Ordinance was proved to the Cumberland County Planning Commission and the Middlesex Township Planning Commission. Mr. Carpenter stated that the property was posted on September 9th. Notices were mailed out to all property owners on August 30, 2002. Mr. Brenneman stated that both the Township Planning Commission and the Cumberland County Planning Commission considered the request and agreed with the rezoning. The current county records were used to locate the mailing list according to Mr. Carpenter. Exhibit 1 was the text of the Ordinance as it was advertised, Exhibit 2 is the Proof of Publication, Exhibit 3 is a copy of a letter dated August 30, 2002, Exhibit 4 is sketch of the overlay area map, Exhibit 5 is a letter from the Cumberland County Planning Commission with recommendations, Exhibit 6 is a document of changes to the ordinance, and Exhibit 7 is the full text of the ordinance with errors corrected, and Exhibit 8 is a letter from Sam Conrad. At the conclusion of the testimony Mr. Brenneman turned the meeting over to Mr. Eppley and Mr. Stabile made a motion to close the hearing seconded by Mr. Shughart and it passed unanimously.

APPROVAL OF MINUTES - Mr. Shughart made a motion to approve the minutes of August 30 and September 4 and 18. Mr. Stabile seconded the motion and it passed unanimously.

AUTHORIZE PAYMENT OF BILLS

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

General Fund Checks #13131 thru #13222	\$ 74,825.14
Escrow Fund Check #208	620.50
Transfer for Payroll #19 & #20	63,255.80

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PUBLIC COMMENT – None

REPORTS

SOLICITOR: None.

ENGINEER: None

POLICE: Ordered to file.

ZONING OFFICER: Ordered to file.

RECREATION: Ordered to file.

FIRE/EMC: Ordered to file. Discussion followed on an incident at Flying “J”. It was determined that this should be on the agenda for the workshop meeting.

MUNICIPAL AUTHORITY: No report

SECRETARY: No report

OLD BUSINESS

ABF APPLICATION FOR ZONING ORDINANCE AMENDMENT – Mr. Ron Lucas was in attendance representing ABF. Mr. Stabile asked Mr. Lucas some questions on the lighting that will be used on the addition. There was also discussion on traffic and the impact on Rt. 11, and what would determine a change in use. Mr. Stabile made a motion to approve the application for the zoning ordinance amendment submitted by ABF Freight Systems Inc. under date of June 17th, 2002. Mr. Shughart seconded the motion and it passed unanimously.

ORDINANCE 4 -02 AMENDING ZONING MAP BY REZONING PORTION OF CH-COMMERCIAL HIGHWAY TO IG-INDUSTRIAL GENERAL – Mr. Stabile made a motion to adopt Ordinance 4-02 which has been duly authorized and published for tonight's consideration to amend the zoning maps in order to rezone a portion of the Commercial Highway to the Industrial General as fully described in that ordinance. Mr. Shughart seconded the motion and it passed unanimously.

ABF DEVELOPMENT AGREEMENT – Mr. Stabile made a motion that we accept and execute the Settlement and Development Agreement dated October 1, 2002 which has been proposed between ABF Freight System Inc., Middlesex Township and Transport Realty Inc. in the form that has been tendered to us today with original execution by ABF, identified by SLI297052 version 1/64000.001. Mr. Shughart seconded the motion and it passed unanimously.

ABF PRELIMINARY/FINAL LAND DEVELOPMENT PLAN – After some discussion Mr. Stabile made a motion that we grant the 9 waivers as requested in a letter dated September 30, 2002 from HRG: 1. 705A.3b., 01d, 501u Dedication of Recreational Space or Fee in lieu. \$12,000 agreed amount. 2. 502d, 601d Submission of an Environmental Impact Assessment Report. 3. 1003r. Minimum slope for storm sewer pipes of .50%. 4. 1203o.4 – Landscaping for off street parking area. 5. 305 Submission of Preliminary Plan. 6. 501dd, 709 Sidewalk along Harrisburg Pike. 7. 501dd.710 Curbing along Harrisburg Pike. 8. 501dd. 1203f Street Trees

along Harrisburg Pike. 9. 602c. 1003 Stormwater Analysis Method. Mr. Shughart seconded the motion and it passed unanimously. Mr. Stabile made another motion to approve the Preliminary/Final Land Development Plan for the eastern terminal building for ABF Freight dated August 26, 02 last revised September 25, 02 with the following conditions that applicant satisfy comments 1, 2 and 3 provided by the Township Engineer under date of October 2, 2002. Further that applicant add to the face sheet of the plan the waiver requests that were just approve. Mr. Shughart seconded the motion and it passed unanimously.

ADOPTION OF ORDINANCE 5- 02 UNIFIED DEVELOPMENT AREA – Mr. Stabile made a motion to adopt Ordinance 5-02 for the Unified Development Area Overlay District with the proviso that the text on page 11 section 16.05 d1 that the language be changed for clarification to state “the total area of all lots set aside for uses identified in section 16.05 a 2 a. within the UDA Development shall not exceed 3% of the gross land area.” Mr. Shughart seconded the motion and it passed unanimously.

GP ORDINANCE – Mr. Grove introduced Mr. Mark Koellner from BL Tethys. Mr. Grove suggested that Mr. Koellner and Mr. Grove work together to look at the GP Ordinance to look at what things are good and what components can be enforced and administered by other agencies. There is a scope of 6 items as listed. Mr. Stabile and Mr. Mark Koellner negotiated a lump some figure and some specific items to be included on the report. Mr. Brenneman asked for some wording changes with regard to the contract. Mr. Grove is hopeful that it will be ready for the workshop meeting at the end of the month. Mr. Stabile stated that Mr. Eppley may sign on behalf of the Township. Mr. Stabile made a motion that on the advice of the Township Engineer, he be permitted to subcontract with BL Companies, specifically Mark Koellner, to provide us professional services in connection with the Groundwater Protection Ordinance. That the letter of proposal be revised to reflect what was agreed to tonight, clarifying the scope, to include review of present ordinance and our proposed ordinance, to devise solutions to water problems in the Township and particular surface water contamination. Then they will give us a report on solutions to that problem and will be able to tell us what things in our ordinance that will need to be resolved. Mr. Shughart seconded the motion and it passed unanimously.

REDUCTION OF GIANT FOODS PARKING LOT LETTER OF CREDIT – Mr. Grove recommended that all funds be released. Mr. Shughart made a motion to release the funds. The motion was seconded by Mr. Stabile and passed unanimously.

MACNAMARA TREE FARM - WAGNER DRIVE – Mr. Stabile brought the problem to the attention of the other Supervisors, but Mr. Carpenter requested that an enforcement letter be mailed to Mr. MacNamara from Mr. Brenneman.

RESOLUTION 2002-8 ESTABLISHING THE WEST SHORE TAX BUREAU AS THE TOWNSHIP COLLECTION AGENT – Mr. Shughart made a motion to adopt resolution 2002-8 and appointed Mrs. Mary Justh as Board Member to the West Shore Tax Bureau and Mr. Robert Eppley as alternate.

ADOPTION OF THE 2003 WEST SHORE TAX BUREAU BUDGET – Mr. Shughart made a motion to adopt the 2003 West Shore Tax Bureau Budget. Mr. Stabile seconded the motion and it passed unanimously.

Mr. Eppley asked Mr. Carpenter about the man wanting to purchase a **13 acre farm on West Middlesex Drive** for a horse barn. Mr. Eppley asked if they train horses at that location would that be considered a commercial use?

Mr. Stabile asked about the Reiff property on 944. Mr. Carpenter was asked by the surveyor for a copy of all Township records concerning the property. Mr. Carpenter stated that the right to know law is the reason he is going to look for the files. Mr. Shughart asked what would happen if Mr. Carpenter missed some information. Mr. Stabile asked Mr. Carpenter to collect all the information on the Reiff property and together with Mr. Brenneman have an enforcement letter, if he is in violation, ready for the workshop meeting. Mr. Carpenter will be back from vacation and he will be here for the meeting on October 25th.

The meeting was adjourned at 9.32 PM on a motion by Mr. Shughart and seconded by Mr. Stabile.