

**MIDDLESEX TOWNSHIP
WORKSHOP MEETING
October 31, 2008**

OFFICIALS PRESENT:	SUPERVISORS:	Vic Stabile Don Geistwhite Steve Larson - Absent
	SOLICITOR:	Keith Brenneman
	ENGINEER:	Bud Grove
	POLICE:	Chief Barry Sherman
	ZONING OFFICER:	Mark Carpenter
	SECRETARY:	Mary Justh

Chairman Vic Stabile called the meeting to order at 7:33am in the Middlesex Township Building.

PUBLIC COMMENT - None

SURPLUS VEHICLE BID – Chief Sherman stated that the highest bid for the John Deere tractor was from Brian Moore at \$1,401.15. Mr. Geistwhite made a motion to accept the high bid of \$1,401.15 from Brian Moore for the John Deere Tractor. Mr. Stabile seconded the motion and it passed unanimously. Chief Sherman stated that the highest bid for the Blazer was from William Clemens of Phoenixville, PA and he bid \$1,259.32. Mr. Geistwhite made a motion to accept the high bid of \$1,259.32 from William Clemens. Mr. Stabile seconded the motion and it passed unanimously. Chief Sherman explained that Richard Holmes that was to purchase the 2003 Ford, could not come up with the funds. Mr. Stabile made a motion to reject any and all bids and rebid the 2003 Ford Crown Victoria. Mr. Geistwhite seconded the motion and it passed unanimously. Chief Sherman would like to put up for bid some lights and excess office and computer equipment. Mr. Stabile made a motion to put up for bid the equipment and Mr. Geistwhite seconded the motion and it passed unanimously.

SHEETZ TRINDLE ROAD DRAINAGE SYSTEM AGREEMENT – Mr. Brenneman explained that this was a condition of the plan approval and it was also part of the HOP and it is an agreement for 99 years, with an escrow, at their expense, and we maintain it. Mr. Geistwhite made a motion to authorize signing the agreement between the developer and Middlesex Township for the Drainage System on Trindle Road. Mr. Stabile seconded the motion and it passed unanimously. Mr. Stabile made a motion to execute the application for Highway Occupancy Permit to run a parallel underground pipe for SR641 Segment 490. Mr. Geistwhite seconded the motion and it passed unanimously.

SHENTEL ZONING HEARING BOARD APPLICATION – Mr. Carpenter explained that they applied for a cellular tower on the park property. They are applying for a variance on the township property and it will allow township coverage for our radios. Mr. Stabile asked that the Zoning Hearing Board be informed that the Supervisors are very much in favor of the application for the tower.

CUMBERLAND RECYCLING FACILITY PRELIMINARY/ FINAL LAND

DEVELOPMENT PLAN – The Board discussed the design of the project, questioning the lighting on the property and spill over from the lighting. Mr. Stabile asked about landscaping. They have addressed Mr. Grove's comments and Cumberland County comments and they will have impervious comments addressed for Wednesday night.

PAUL E. SHUMAN & HARRIET M. CONRAD PRELIMINARY/FINAL

SUBDIVISION PLAN – Mr. Carpenter mentioned that this is a one lot subdivision and should be titled as Preliminary/Final. They are dividing off the land of the farm, so that the house will be a stand alone lot. County comments do not need to be a condition of the approval, because they have all been addressed. Mr. Grove will receive a plan today to check before the meeting on Wednesday night. Mr. Vince Elbel needs to certify the non-building waiver.

NORTH MIDDLETON TOWNSHIP COMPREHENSIVE PLAN – Mr. Carpenter stated that the Planning Commission has looked at it and if the Board agrees upon it, Mr. Carpenter will send a letter to North Middleton.

PROPOSED ZONING ORDINANCE AMENDMENTS CONCERNING SCHOOLS, PLACES OF WORSHIP AND CEMETERY USES

– Mr. Stabile asked if the Planning Commission looked at it. Mr. Carpenter told the Board that Mr. Claycomb had worked out the scale. Mr. Claycomb explained how the sliding scale worked for the proposed zoning Ordinance Amendment. Mr. Carpenter explained that you can have more coverage as you increase your acreage, but it is still in draft form. Mr. Stabile asked if Mr. Brenneman was aware of what the Board wanted when they asked him to write this Ordinance. Mr. Stabile asked if it accomplishes that. Mr. Carpenter stated that Mr. Kelly from the county thought that the parking would be adequate for the uses even overflow parking. Mr. Claycomb thought that maybe grass pavers could be used. Mr. Stabile stated that the Board wanted the Ordinance to allow the institutions to be harmonious with surrounding area and character of the Township. Mr. Claycomb asked about fire halls and parking, but since we do not have any fire halls, we should not worry about it. Mr. Grove thought it was good. Mr. Stabile asked Mr. Brenneman to put this in Ordinance form. Mr. Stabile made a motion to authorize Mr. Brenneman to advertize the Ordinance to be on the agenda for Public Hearing on February 4th so that residents can attend. Mr. Geistwhite seconded the motion and it passed unanimously.

CUMBERLAND COUNTY STORMWATER PLAN ADVISORY COMMITTEE

– Mr. Larry Claycomb is the Township representative to the Cumberland County Stormwater Advisory Committee and he wanted to update the Board. This is being done all over the county under ACT 167 and Skelley and Loy is the firm that is doing the study. They have identified all the obstacles to the stormwater flow and all 607 culverts under the roadways and they measured everyone of them to determine the watersheds. They will have a model of all the stormwater and allow them to look at the County Comprehensive Plan and all of the use so that they will have this as a computerized model and watersheds for 2 year rain events up to 100 year rain events and into the future. Mr. Stabile stated that he gets a disconnect and asked how this will allow this municipality to get into any changes that we do. Mr. Grove

explained that instead of watersheds it will be County wide Act 167 Ordinance. This County Wide Ordinance will give you standards and some will be at different release rates for the watershed. Mr. Stabile asked about the DEP Ordinance. Mr. Grove already has DEP's model Ordinance and explained that it has been in existence for quite some time. It is not new and what DEP hopes to establish is predevelopment runoff rates. Karst areas are different than other areas and it is an issue that is extremely critical and Mr. Grove has talked to Mr. Kelly at the County about this. Mr. Grove explained that a lot of times they look at the property and see row crops, but they need to study the history of the property. Mr. Grove told the Board that we will get a chance to look at and comment on this Ordinance. Mr. Claycomb stated that we will get the draft in about a year and we will have a period to respond and finalize before 2010. Discussion followed on the rates and how to use unpublished numbers. Mr. Stabile asked Mr. Claycomb if he will you have the chance to make that point about karst land? Mr. Grove stated that DEP instructs everyone to infiltrate, and not everyone should. Mr. Stabile asked why DEP is always opposite everyone else. Mr. Geistwhite asked about Kabro and if anyone has heard about the plan. DEP has 4 months to comment on everything before them according to Mr. Carpenter. Mr. Claycomb asked the Board what the Planning Commission should work on next. Mr. Carpenter stated that they are working on the comments for the Conservation Design Ordinance. Mr. Grove asked to see the responses to cut down on the review time.

YORK WASTE LEAF COLLECTION ESTIMATE – Mrs. Justh is waiting for Mr. Don Isabella to get back about disposal of the leaves. Mr. Geistwhite told Mrs. Justh to call him so he can make sure Mr. Stabile reads the newsletter immediately. Mrs. Justh was given permission to move forward with York Waste about Township wide leaf pickup and roll off for Iron Stone Ridge. Mr. Stabile made a motion to work with York Waste to get a Township wide leaf collection and roll off for Iron Stone Ridge. Mr. Geistwhite seconded the motion and it passed unanimously. Mr. Stabile questioned the leaf burning issue and how that will affect the Township if we don't do the leaf pickup.

FLYING J & PETRO TRUCK STOPS – Mr. Grove inspected both truck stops and basically nothing has been done to correct the problems. They are to be doing daily, weekly, and monthly reports. We are still waiting for an answer from DEP. Mr. Stabile asked Mr. Brenneman to write a letter to Flying "J". Mr. Geistwhite suggested that the letter go to both Flying "J" locally and to Utah. Mr. Stabile stated that where Petro was concerned, it is important that the petroleum laden detention pond must be remedied before a pollution event affects the Letort Stream, which is a quality stream. This needs to be on the agenda for the December regular meeting and ask DEP if they would like to attend, also, copy Senator Pat Vance and Representative Will Gabig on the letters to DEP, and contact Petro and their Corporate Office. Mr. Stabile hopes that when this letter gets to DEP, that they can see that there is a problem by looking at the water sample and you can smell the diesel in it. Mr. Stabile told the Board that if we can't get DEP to act on this, we will declare it a nuisance. Mr. Stabile asked Mr. Brenneman to check on a bill that affects truck fueling maybe in West Hanover Township.

BUDGET ESTIMATE FOR NEW SLDO – Mr. Grove explained that this is a budget estimate, we will work with whatever the budget is for this. Mr. Grove stated that they have

looked at a number of sample Ordinances. Mr. Carpenter explained that the Subdivision and Land Development Ordinance is lacking. Mr. Grove stated that he would have 2 people working on this. Mr. Grove asked for a budget number and we will try to work with it. Mr. Claycomb stated that the Planning Commission has been rather successful with asking the developer's to do certain things. Mr. Carpenter stated that he will be getting \$11,000.00 from grants. Mr. Stabile stated that we need to put this money in a separate place to keep toward this project. Mrs. Justh told the Board that there is extra money under engineering, but Mr. Stabile doesn't want to count on it, because of the uncertain economy.

VERIZON CONTRACT – Mr. Brenneman stated that he will be meeting with a representative from Verizon. It is impossible to extend their service to other parts of the Township other than what is highlighted on the paperwork that was provided to the Supervisors. Mr. Geistwhite explained that he has changed to Comcast, because of a combination price for phone and cable TV. After some discussion about the franchise fee and availability of Verizon in the Township, Mr. Brenneman stated that their really isn't much we can ask for from them. Mr. Brenneman will get an agreement to the Board.

RIGHT TO KNOW LAW – Mr. Brenneman stated that the Right-To-Know-Law goes into effect on January 1st, 2009 and the Board has always followed the State Museum Board of Commission Retention Policy, for how long you keep documents. You need to have a Resolution and an Administrator, Mary. You need to have it for January 1 and it will be a bare bones policy.

ORDINANCE 12-2008 AMENDING ORDINANCE 13-2007 THE BURNING ORDINANCE – Mr. Brenneman told the Board that both of these need to be amended and you will be allowed open burning on 3.25 acres as long as it is an agricultural operation for clearing and grubbing. Mr. Brenneman stated that this is the most liberal policy that DEP would allow.

ORDINANCE 13-2008 AMENDING ORDINANCE 2-99 THE SOLID WASTE & RECYCLING – Mr. Brenneman stated that this change is about recycling where 200 or more people are in attendance and Mrs. Justh stated that containers were placed at the Fall Festival this year. This Ordinance also requires certain items be recycled. Mr. Brenneman will take these over to DEP for approval. Mr. Stabile made a motion to authorize Mr. Brenneman to take Ordinance 12-2008 Amending the Burning Ordinance and Ordinance 13-2008 Amending the Solid Waste and Recycling Ordinance to DEP for approval and advertise them for a hearing prior to the end of the year. Mr. Geistwhite seconded the motion and it passed unanimously.

DRAFT FLOODPLAIN MANAGEMENT ORDINANCE – Mr. Stabile explained that this Floodplain Management Ordinance was sent to his house and they would not leave it at the house without someone to sign for it. Mr. Brenneman gave the Board a draft copy of the Ordinance, and he would like to proceed to giving it to DCED promptly, because most of it is mandatory. Mr. Geistwhite made a motion to authorize Mr. Brenneman to take and have it approved by DCED to have it scheduled for the regular hearing on February 4th of 09 or earlier. Mr. Stabile seconded the motion and it passed unanimously.

CARLISLE SPECIAL FIRE POLICE VEHICLE – Mr. Geistwhite addressed a letter from Carlisle Special Fire Police and the purchase of a vehicle to carry equipment. They should get a van donated from someone or at least a used one to use. Mr. Stabile made a suggestion that Mrs. Justh write a letter thanking them for their request, but unfortunately under the current economic climate and our current budget constraints we are unable to make any contributions at this time.

JULIE JOHNSEN VACANT PROPERTY – Mr. Brenneman stated that a Civil Complaint has been filed and no agreement has been reached. Mr. Stabile stated that a Complaint has been filed with Cumberland County Court since she has not signed an agreement and there will be a Hearing at the Court of Common Pleas, because she will be required to answer. It is Docket No. 2008-6438.

RECREATION BUILDING USE – Mr. Stabile asked Mr. Brenneman if it is legal to keep fund raising groups from using the Recreation Building? Mr. Stabile asked Mrs. Justh to write a letter thanking them for their request, but the Supervisors as a matter of policy are dedicated to the use of the facility being non-fundraising events. If you would like to use the facility in the future for non-fundraising events please contact the Township. Mr. Geistwhite asked if Mrs. Jumper is working on the fee schedule for Recreation.

Mr. Stabile asked Mr. Carpenter how things are going since Mr. Kepner is no longer employed as the Codes Official. Mr. Carpenter stated in April 2009 he will need to be certified in the Commercial Codes and if he is certified in Commercial he will be certified in Residential. Mr. Carpenter asked how long it will be before the economy picks up. Mr. Carpenter asked if they would hire someone for the Spring, it should work out. He also requested that he be included in the selection of a person. Mr. Brenneman stated that a case has determined that rather than a Township list of third party inspectors you need to allow the homeowner to choose their inspector.

2009 BUDGET – Discussion followed on the preliminary Budget. Mrs. Justh stated that this needs to be advertised by the end of November for adoption at the end of December. Mr. Stabile stated that the budget total is \$2,491,540.00 for 2009. Mr. Stabile asked Mrs. Justh to explain a few line items on the budget concerning the UCC Fund and the General Fund. Mr. Stabile asked Mrs. Justh about the Junk License. Mr. Carpenter is to collect the Junk License per Mr. Stabile. Mrs. Justh and Chief Sherman have talked to Comcast about a savings for the Township and it looks favorable for a savings. Mrs. Justh reported on the Recreation Fund and the Fee in Lieu Fund. Mr. Stabile asked Mrs. Justh to wait until the workshop meeting in November to advertise the budget.

Mr. Geistwhite made a motion to adjourn the meeting at 11:40 am. Mr. Stabile seconded the motion and it passed unanimously.