

MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
DECEMBER 6, 2000

OFFICIALS PRESENT:	SUPERVISORS:	Robert Eppley Chuck Shughart Vic Stabile
	SOLICITOR:	Keith Brenneman
	ENGINEER:	Bud Grove
	POLICE:	Chief Barry Sherman
	ZONING OFFICER:	Mark Carpenter
	RECREATION:	Debbie Vogel - 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 7:01 PM. Township Engineer Bud Grove led the assembly in the pledge to the flag.

APPROVAL OF MINUTES

Supervisor Shughart made a motion to approve the minutes of November 1 and 17. Mr. Stabile seconded the motion and the minutes were approved.

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 November, summarized as follows:

General Fund Checks #10837 thru #10993	\$ 38,008.42
State Fund Check #119 thru 120	66,768.20
Transfer for Payroll #23 & #24	53,745.33

PUBLIC COMMENT – None

REPORTS

SOLICITOR: No report at this time.

ENGINEER: Mr. Grove reported that he has reviewed the **Highway Occupancy Permit from Pilot** concerning the right in and right out at the auto fueling area onto Rt. 11. Comments should be provided to PennDOT that this hopefully will alleviate some of the internal congestion. Mr. Shughart asked as cars leave Pilot won't they be pulling out into the truck turning lane. Mr. Grove indicated that they would be going into the truck turning lane, but they have examined every aspect of this request and suggest that we accept this attempt to solve the problem. Mr. Stabile suggested that a letter be written to PennDOT explaining that we are in receipt of the application and the Supervisors along with our Engineer are in agreement with their solution, but we do have a reservation about the possibility of people trying to make a left hand turn out of the auto fueling area. Upon granting the application PennDOT must insist on conditions that would eliminate that possibility of happening.

POLICE: Presented by Chief Sherman and ordered to file. Mr. Stabile asked **why bad checks** were handled by the Police. Chief Sherman explained that if the complaint comes to the police they handle it.

ZONING: Presented by Mark Carpenter and ordered to file. Mr. Stabile asked where **DANA** is with their building addition. Mr. Eppley asked what Hoss's was doing to the restaurant. Mr. Carpenter stated that the addition is to increase the entrance to the building. Mr. Carpenter went over a **memo concerning the effectiveness of having only one Planning Commission Meeting a month**. Mr. Carpenter explained that South Middleton only has one meeting a month and they have a written submission format to track the plan. Mr. Grove commented that when he served South Middleton the plan moved through much faster. The technical issues are cleaned up before they get to the Planning Commission. Mr. Stabile asked what is the workshop meeting used for at this time. Mr. Grove explained that he would benefit from the Workshop meeting by getting more time to get to know the developer and the area in Middlesex Township. Mr. Stabile asked Mr. Brenneman what if any burden would be placed on Mr. Carpenter. Mr. Brenneman stated that the procedure would be optional and not put more burden on Mr. Carpenter. Mr. Carpenter sees this as being less burdensome if he would not have to report to another meeting without the Engineer. Mr. Carpenter explained that the plans would possibly need to be in by the end of the month. Mr. Stabile asked Mr. Tracey Gleim how he feels about the possible change to the meeting schedule. Mr. Gleim told the Supervisors that the Commission would like to give it a try. Mr. Gleim also mentioned that **an opening still exists on the Planning Commission** and would like to suggest Mr. Steve Zeigler to the Planning Commission. Mr. Stabile asked Mr. Grove where he was on the corridor study. Mr. Grove explained that on the 18th of December he will have two reports ready, **first on the Country Club Road and also presenting the preliminary concepts on the corridor study**. Mr. Stabile asked Mr. Carpenter where the **Planning Commission stands on the Comprehensive Plan**. The Planning Commission has reviewed the entire text of the Comprehensive Plan and most of the future land use maps, but they are looking to Mr. Grove for some input on the Country Club Road and the corridor study and information from Gannett-Fleming on the RT District. Mr. Stabile talked to Mr. Koch of Gannett-Fleming and explained that we are trying to finish the Comprehensive Plan. The invoice from Mr. Koch can be paid, but the final amount cannot exceed \$1,500.00. Mr. Stabile explained that he talked to Mr. Koch about **wellhead protection in the RT District** and how the Township can protect and provide for these areas within the Comprehensive Plan.

RECREATION: Report presented by Bob Snyder and ordered to file. Mr. Robert Eppley thanked Debbie Vogel for the Christmas Tree Lighting.

FIRE/EMC: Report presented by Fire Chief Ed Beam and ordered to file. Chief Beam told the Supervisors that he will be getting a tour of Giant and attending a meeting about emergency preparation. Chief Beam deferred a memorandum to Mr. Brenneman concerned with billing insurance companies. Mr. Stabile asked Chief Beam about a **spill that occurred on Roadway Drive earlier in the month**. Chief Beam explained that spills in the Township are covered under Act 165. Mr. Stabile is requesting some type of accountability for these spills because the potential for contamination is there.

MUNICIPAL AUTHORITY: Mr. Stabile stated that since the well site has been denied the Authority is looking for an obtainable site.

SECRETARY: Mrs. Justh presented **Mr. Grove's professional service fees for 2001**. Mrs. Justh also mentioned several openings in the Township. **Municipal Authority, may have 2 openings**, one is a letter of resignation from Mr. Kohler and possibility Mr. Thomas Meyer whose term expires on January 1st. **There is still a Planning Commission opening and a Zoning Hearing Board Alternate opening.** Mr. Brenneman pointed out that the positions on the Municipal Authority must be vacated before an appointment can be made. Mrs. Justh pointed out the **letter from Mr. Capuano** to the Supervisors. Mr. Stabile asked Mr. Brenneman if the park is zoned for Flea Markets. Mr. Carpenter stated that he would check on the zoning for the park and see how that will affect Mr. Capuano's request. **Mrs. Justh presented the updated meeting calendar for 2001.** The Supervisors agreed that it should be advertised. Mrs. Justh pointed out that the Township is in receipt of a letter from **Mr. Dillon with a gift certificate for Recreation.** Mr. Shughart requested that **no employees may register to win the balloon ride.** Mr. Gleim asked if Mr. Capuano had indicated whether he wanted use of the park for free. Mr. Stabile explained that Mr. Capuano wanted free use of the park. Mr. Gleim indicated that Mr. Dillon is still taking off at his farm. Mr. Brenneman will take care of an **agreement with Mr. Dillon.**

(#00-16) SMALL STEPS DAYCARE PRELIMINARY/FINAL LAND DEVELOPMENT PLAN – Mr. Carpenter explained that the plan review time will expire on February 10th. Mr. Grove explained that the Planning Commission recommended that the plan be approved subject to Mr. Grove's comments. Mr. Grove's recommends that the plan be tabled. Mr. Stabile made a motion **to table** the plan based on Mr. Grove's recommendation. Mr. Shughart seconded the motion and it passed unanimously.

(#00-17) LIGHTSTYLES PRELIMINARY/FINAL DEVELOPMENT PLAN – Mr. Todd Wilson presented the Lightstyles Plan. Mr. Wilson is requesting 6 waivers not the 5 originally requesting. The street trees waiver is based on the fact that there are two trees and planting more trees may impair the sight distance. Mr. Grove reported that the plan was resubmitted on Monday, December 4th. Mr. Grove looked at the stormwater issues on the 27th and there are some minor modifications to be done to the stormwater, but we do recommend the plan be approved subject to the applicant effectively addressing the stormwater issues. Mr. Carpenter mentioned that Mr. Wilson would like to make a change to the lighting subject to Mr. Grove's review. Mr. Wilson may need to reconfigure some of the lighting since the wall packs were not considered. Mr. Grove explained that adequate security must be included for public improvements, which includes stormwater drainage and management, erosion and sediment control facilities and landscaping. Mr. Grove and applicant must agree upon the amount and Mr. Brenneman will provide the agreement. Mr. Carpenter explained that the security must be in place before plan can be recorded. Mr. Brenneman requested that all conditions be repeated to the applicant so there is no mistake as to what is required. The applicant and his representative indicated they agreed with the conditions. Mr. Stabile then made a motion to grant 6 waivers for the plan submitted on 10/30 revised 12/4 at requested in the letter of 12/4; 1. traffic impact study, 2. environmental impact study, 3. curbing 4. sidewalks, 5. preliminary/final

submission and 6. trees. Mr. Shughart seconded the motion and it was unanimously approved. Mr. Stabile then made a motion to conditionally recommend for approval the Preliminary/Final Land Development Plan submitted by Lightstyles dated 10/30 last revised 12/4 on the following conditions; that the comments under our Engineer's memorandum of 11/27 be satisfactorily complied with prior to recording, and the caveat with respect to condition #23 that it essentially be revised so that the applicant is required to reconfigure its lighting to meet existing zoning requirements, and also that the applicant comply with our Engineer's memorandum of 12/6, and that the applicant post adequate security as agreed between our Engineer and themselves for the public improvements on the site in a form satisfactory to the Township Solicitor. Mr. Shughart seconded the motion and it passes unanimously.

ORDINANCE 10-00 –PRETREATMENT PROGRAM ORDINANCE AMENDMENTS TO REVISE DISCHARGE LIMITATIONS AND REPEAL ORDINANCE NO. 9-00. Mr. Brenneman gave a brief explanation of Ordinance 10-00. Mr. Shughart made a motion to adopt Ordinance 10-00 seconded by Mr. Stabile and passed unanimously.

TEMPORARY MORATORIUM EXTENSION – Mr. Brenneman commented that the Moratorium is scheduled to end January 5th. After a brief discussion about well site protection, the comprehensive plan and a 60 day extension as apposed to a 90 day extension, Mr. Brenneman explained that the ordinance could be advertised and enacted at the December 29th meeting. Mr. Stabile noted that advertising the ordinance for enactment does not commit the Supervisors to enacting it. Mr. Stabile made a motion to advertise an ordinance extending the moratorium 60 days until March 5th. Mr. Shughart seconded the motion and it was approved unanimously.

MASTER INTERGOVERNMENTAL COOPERATION AGREEMENT – 800 MHZ PROJECT – Mr. Brenneman explained that his one concern with the agreement is when funds will be available to the Township. Mr. Brenneman stated that you need to enter into an agreement to purchase the equipment, but there is no indication when the payment from the County will come to the Township. Mr. Stabile recommended that Mr. Brenneman contact the County with these concerns about payment for the radios.

RESOLUTUION 00-14 RE-ESTABLISHING THE FOOT FRONT ASSESSMENT FOR LIGHTING IN STREET LIGHT DISTRICT 1 – Mrs. Justh explained that this resolution is an annual resolution. Mr. Brenneman suggested that the total amount of Resolution 00-14 should read \$6,410.95. Mr. Stabile made a motion that Resolution 00-14 be adopted with the change in the amount to \$6,410.95. Mr. Shughart seconded the motion and it was approved unanimously.

MUNICIPAL ANIMAL PROTECTIVE SERVICES AGREEMENT – Mrs. Justh presented the agreement concerning animal protective services. Mr. Brenneman reviewed the agreement. Mr. Stabile made a motion to pay \$1,000.00 per year on a quarterly basis of \$250.00. Mr. Shughart seconded the motion and it passed unanimously. Mr. Brenneman will check the agreement.

Mr. Eppley asked Mr. Carpenter about the **boundary line on Trindle Road with North Middleton**. Mr. Carpenter suggested that we wait until a surveyor on private property comes back with the information.

Supervisor Shughart made a motion to adjourn the meeting at 8:44 PM, seconded by Mr. Stabile.