

**MIDDLESEX TOWNSHIP
SUPERVISOR MEETING
December 7, 2022
7 p.m.**

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

CALL TO ORDER AND PLEDGE TO THE FLAG: Chairman Donald S. Geistwhite, Jr. called the meeting to order at 7:05 p.m. in the Middlesex Township Municipal Building and lead the Pledge of Allegiance.

PUBLIC COMMENT: Mr. Carroll Healy, 1243 Claremont Road was present to address the Supervisors about some issues on Claremont Road. The first issue was regarding speeding and reckless driving on Claremont Road in which Mr. Healy suggested stop signs at all intersections at Harmony Hall Road, Shady Lane and both Stover Roads. He also suggested weight limits for trucks with the exception of trash trucks. Mr. Healy addressed the noise levels from Ritner Steel, as well as Jake Brake noise and suggested fixing the noise ordinance. There is also the light pollution from Toigo Farm, cannabis odor and other businesses lighting that shine towards residences. Mr. Healy requested signage for hidden driveways that cannot be seen due to a dip in the road. There is also a hole in the pavement in front of 1245 Claremont Road that needs repaired. The Supervisors will review the list that Mr. Healy has provided.

DISCUSSION OF MS4 / STORMWATER: Mr. Zook reported that project 1 was completed which is on the west side of Sheaffer Road and Wagner Drive towards the Township line. Mr. Steigleman reported that he was notified that Flying J is dumping trash in the rear of property again and has been in contact with who will be responsible for getting the area cleaned up. The Supervisors asked Mr. Steigleman to follow up on that issue.

APPROVAL OF MINUTES: On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to approve the minutes of October 5, 2022.

On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to approve the minutes of October 14, 2022.

On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to approve the minutes of November 2, 2022.

On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to approve the minutes of November 18, 2022.

AUTHORIZE PAYMENT OF BILLS: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the payment of the December 2022 bills.

DISCUSSION OF THE FOLLOWING REPORTS:

Solicitor - No report.

Engineer – Mr. Grove reported that construction appears to be slowing down. The Burger King / Popeye project site work is almost completed with the exception of the wearing course. The Cumberland Preserve project has the roads paved and has permits for model homes.

Police - Chief Kingsborough submitted and briefly discussed the monthly Police Report. Report entered into record.

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

Codes Enforcement – Mr. Steigleman submitted and briefly discussed the monthly Codes Enforcement Report. Report entered into record. Mr. Steigleman reported that Mr. Brenneman sent a letter to the attorney for Country Manor regarding the road on Redwood Lane.

Roadmaster – Mr. Zook submitted and briefly discussed the monthly Roadmaster Report. Report entered into record. Mr. Zook reported that crack sealing was done on several roads around the Township.

Fire/EMC – Chief Beam submitted and briefly discussed the monthly Fire Chief Report. Report entered into record.

Recreation/Recycling Coordinator – Mrs. Jumper submitted the monthly Recreation Director Report. Report entered into record. Mrs. Gault reported that the Annual Tree Lighting and Santa Breakfast were once again a success. On behalf of the Supervisors, Chairman Geistwhite thanked Mrs. Jumper, the Township Staff and all the volunteers for all their hard work at the tree lighting and for the cooperation from the Police Department to deliver Santa.

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

Manager – The Manager reported that the CCTB tax comparison report for this month is showing that the Township is still doing well with the month-to-month comparison and with the calendar year to date. The Supervisors had no questions regarding the report. The Manager then reported that a letter was received from the Authority Manager, regarding the future development of warehouses in the township. With the installation of high rack storage systems in the warehouses, there is a need for high output sprinklers requiring high output fire pumps that have to be tested. This puts a tremendous strain on the Municipal Authority water system, causing a loss of pressure to homes and businesses, creating turbidity in the system and could even damage the water pipes. The Authority plans to review their rules and regulations and require the warehouses to have their own storage tanks at their facility. Mr. Brenneman stated that the Authority may ask the Township to consider doing an amendment to the Land Development Ordinance to have a requirement for the facilities. Chief Beam reported that Amazon is in the process of reviewing their system. Mr. Carpenter reported that the Township could consider amending the Building Code to adopt parts of the International Fire Code. It would help with access around buildings and also provisions that could require the tanks.

OLD BUSINESS:

Discussion and Possible Action on Preliminary Final Major Land Development Plan for Rutter's Store #64: Representatives for this project were present to discuss the plan. Mr. Joel Snyder from RGS Associates explained that the existing Rutter's has a car wash that will be torn down as well as a small portion of the building in which approximately 3,200 sq. ft. will be added. There are four (4) waivers being requested.

Mr. Steigleman mentioned that the property currently has two (2) stormwater inlets that are not functioning and need some maintenance. Mr. Snyder stated that this will be resolved.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve waivers of the following four (4) sections of the Middlesex Township Subdivision and Land Development Ordinance No. 8-2017 (SLDO); and the Middlesex Township Stormwater Management Ordinance No. 6-2011 (SWMO) for the Preliminary Final Land Development Plan for Rutter's Store #64, subject to providing written request and justification for each waiver and listing the waivers on the cover sheet of the plan set.

1. [SLDO 503.A.] – Requirement to submit a Wetland Delineation Report.
2. [SLDO 503.A.7.] – Requirement to submit a Storm Water Management Plan Addressing the requirements of SLDO Article X and the Middlesex Township Storm Water Management Ordinance.
3. [SLDO 707.A.1.] – Requirement for installation of sidewalks along Harrisburg Pike frontage, with required note on plan.
4. [SLDO 708.A.] – Requirement for installation of curbing along Harrisburg Pike frontage, with required note on plan.

On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to approve the Preliminary Final Land Development Plan for Rutter's Store #64, subject to the following seven (7) conditions:

1. That the applicant satisfies all comments and conditions of the Township Engineer, Bud Grove of Skelly & Loy, Inc. in written review dated 11/17/2022 in a manner acceptable to the Township Engineer, subject to his final review.
2. That the applicant satisfies all comments of the Cumberland County Planning Department, in written report dated 11/3/2022 for plat number 22-143, subject to final review by the Township Zoning Officer.
3. That the applicant satisfies all comments of Rory Morrison, Authority Manager of Middlesex Township Municipal Authority, in written report dated 12/5/2022, subject to his final review.
4. That the applicant satisfies comments of the LeTort Regional Authority in their memo dated 12/7/2022.
5. That the applicant enters into a developer's agreement with Middlesex Township regarding required public improvements and posts financial security for required public improvements for this plan with the Township in an amount acceptable to the Township engineer and form acceptable to the Township Solicitor, prior to the plans being signed by the Township and released for recording.
6. That per Section 710. Of the Subdivision and Land Development Ordinance No. 8-2017, as amended, the applicant pays to Middlesex Township the required fee in lieu of dedication of park and recreation areas for the commercial land development of \$1,000 per disturbed acre of proposed development land, calculated as 0.8 acres disturbed x \$1,000 per disturbed acre = \$800, prior to the plans being signed by the Township and released for recording.

7. That, when plans are released by Middlesex Township for recording at the Cumberland County Office of the Recorder of Deeds, the applicant records all plan sheets of the plan set.

Discussion and Possible Action on Final Minor Lot Addition & Lot Consolidation Plan for Pine Hill Industrial Park Lot 1 and Residual: Ms. Betsy Davidson, with H. Edward Black and Associates, was present to request approval of the plan that is proposing to shift the current lot line west and add 1.46 acres to Lot 1. This will allow for future expansion on that lot.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the Final Minor Lot Addition & Lot Consolidation Plan for Pine Hill Industrial Park Lot 1 and Residual, subject to the following conditions:

1. That the applicant satisfies all comments of the Township Engineer, Bud Grove of Skelly & Loy, Inc. in written review memo and conditions of plan approval memo, both dated 11/22/2022 in a manner acceptable to the Township Engineer, subject to his final review.
2. That the applicant satisfies all comments of the Cumberland County Planning Department, in written report dated 11/17/2022 for plat number 22-147, subject to final review by the Township Zoning Officer.
3. That the applicant satisfies any comments of the LeTort Regional Authority, subject to final review by the Township Zoning Officer.
4. That, when plans are released by Middlesex Township for recording at the Cumberland County Office of the Recorder of Deeds, the applicant records all plan sheets of the plan set.

Discussion and Possible Action on request for Extension of Review Time for Preliminary Land Development Plan for Take 5 Car Wash and Oil Change: On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to approve the request of the applicant's representative, Kenneth Hoffman of Pennoni, to grant an extension of the maximum time period for action on the Preliminary Land Development Plan for Take 5 Car Wash and Oil Change, until March 10, 2023.

Discussion and Possible Action to adopt the 2023 Budget: The 2023 Final Budget had been advertised for public review as required and was presented for approval. After a brief discussion, on the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to approve the 2023 Budget in the amount of \$4,363,566 in approximate revenues and expenses. On behalf of the Supervisors, Chairman Geistwhite thanked the staff for all their time and hard work that was spent on presenting a balanced budget.

Discussion and Possible Action to adopt Ordinance 6 – 2022 Establishing Real Estate, Fire Tax and Street Light District Assessments for 2023: On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to adopt Ordinance 6 – 2022 Establishing Real Estate, Fire Tax and Street Light District Assessments for 2023.

Discussion and Possible Action to adopt Resolution 2022 – 11 Providing Foot Frontage Assessments on property in Street Light Districts 1 and 2: On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to adopt Resolution 2022 – 11 providing Foot Frontage Assessments on property in Street Light Districts 1 and 2.

NEW BUSINESS:

Discussion and Possible Action to authorize advertisement of the 2023 Meeting Schedule: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to authorize the advertisement of the 2023 Township Meeting Schedule as presented.

Discussion and Possible Action to execute the 2023 Municipal Domestic Animal Protective Services Agreement: Township Manager Mrs. Gault asked that this agenda item is tabled since the agreement has not been received by the Township to date.

Discussion and Possible Action to execute the Cellco Partnership Tower Removal and Indemnification Agreement: Township Solicitor Mr. Brenneman reported that the Cellco Partnership received approval from the Zoning Hearing Board on the proposed special exception to allow a cell tower and a variance. The timeframe for an appeal of the decision has passed. Cellco has provided the necessary documentation as required by the Ordinance and they would like to move forward with the project. Because the cell tower will provide service in the area of the Township where the service isn't the best and provides safety for the workers that work on the property owner that is hosting the cell tower, this was added to the agenda for action.

On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to provide an action to execute the Cellco Partnership Tower Removal and Indemnification Agreement.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to execute the Cellco Partnership Tower Removal and Indemnification Agreement.

TOWNSHIP STAFF / SUPERVISOR COMMENTS: Mr. Brenneman thanked the Supervisors for a great year at Middlesex Township. Mr. Grove thanked the Supervisors for allowing them to serve the Township and hope to continue to do so in the new year.

EXECUTIVE SESSION: The meeting was adjourned to Executive Session at 8:00 a.m. for a personnel matter. The meeting reconvened at 8:09 a.m. On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the hiring of David J. Foose, as a full-time police officer of the Middlesex Township Police Department effective January 1, 2023, on the condition of successfully completing the required MOPEC Academy and a one-year probationary period following the completion of the MOPEC Academy.

There being no further business, on the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to adjourn the meeting at 8:10 a.m.