

**MIDDLESEX TOWNSHIP
SUPERVISOR MEETING**

**July 1, 2026
6:00 PM**

OFFICIALS PRESENT:	SUPERVISORS:	Chairman Donald S. Geistwhite, Jr. Vice Chairman Phil Neiderer
	SOLICITOR:	Keith O. Brenneman
	ENGINEER:	Gerald "Bud" Grove
	PUBLIC SAFETY DIRECTOR:	Chief Andrew Bassler
	FIRE / EMC:	Chief Edwin Beam
	ZONING OFFICER:	Mark D. Carpenter
	ASST. CODES ENFORCEMENT/ MS4 COORDINATOR:	Gerald Steigleman
	MANAGER/ ROADMASTER:	Zachary L. Zook
	SECRETARY/ TREASURER:	Eileen M. Gault
	DEPUTY FIRE CHIEF:	Robert Horning, Jr.

OFFICIALS ABSENT: SUPERVISOR: William H. Goodhart

CALL TO ORDER AND PLEDGE TO THE FLAG: Chairman Geistwhite called the meeting to order at 6:00 p.m. at the Middlesex Township Municipal Building, followed by the Pledge of Allegiance.

PUBLIC COMMENT: Vice-Chairman Neiderer reviewed the public comment procedures, including the three-minute speaking limit, no transferring of speaking time, and the requirement for speakers to state their name and address before commenting.

Earl Beam of Country Club Road questioned the amount of water the Country Club withdraws from the Conodoguinet Creek, expressing concern about low water levels. Vice-Chairman Neiderer explained that water withdrawals by the Country Club fall under the jurisdiction of the Middlesex Township Municipal Authority, not the Board of Supervisors.

Hilda Vasquez Rosa of Buckeye Lane expressed concerns regarding the Board's leadership, transparency, and handling of public information. She questioned the approval of the Country Manor West rezoning, stating that required compliance documentation appeared to be unavailable, and criticized the Township's responses to Right-to-Know requests as disorganized. She urged the Board to improve transparency, accountability, and communication with residents.

Frank Labatore of Mulberry Hill Road asked about the status of the Diamond Motel, describing it as an eyesore. Vice-Chairman Neiderer responded that an update would be provided during the Code Enforcement report, if possible, but noted that pending legal matters limited what could be discussed publicly. He stated that the Township is working to move the process forward as quickly as possible.

MS4 / STORMWATER PUBLIC COMMENT & UPDATES: Mr. Steigleman reported that the Pennsylvania Department of Environmental Protection (DEP) will conduct the Township's

required compliance audit on August 10. He stated that DEP provided a list of documents to be assembled in advance to facilitate the review and that inspectors will also visit selected MS4 project sites.

Mr. Zook explained that the audit is a regulatory inspection associated with the Township's MS4 permit. He noted that the Township is also preparing its annual MS4 report, which covers the reporting period ending June 30 and must be submitted by September 30.

APPROVAL OF MINUTES: On a motion by Vice-Chairman Neiderer, seconded by Chairman Geistwhite, the minutes of the June 3, 2026 and June 26, 2026 meeting were unanimously approved.

AUTHORIZE PAYMENT OF BILLS: On a motion by Vice-Chairman Neiderer, seconded by Chairman Geistwhite, the Board unanimously authorized payment of the June 2026 bills.

REPORT:

Solicitor – Mr. Brenneman reported that following the Board's June 26 meeting, an executive session was held to discuss personnel, real estate, and potential litigation matters. He stated that no action was taken following the executive session.

Engineer – Absent. No report submitted.

Police – Chief Bassler submitted the monthly Police Report, which was entered into the record. He reported that the Police Department responded to approximately 900 calls during the previous month. He also announced that three officers will begin attending the police academy on Monday.

Fire / EMC - Chief Beam submitted the monthly Fire/EMC Report, which was entered into record. Chief Beam reported repeated false fire alarms at the Holiday Inn on Harrisburg Pike, attributing them to improperly located smoke detectors and operational issues with the building's fire alarm system. He requested enforcement of the Township's ordinance by assessing fines after the two permitted false alarms. Mr. Steigleman explained that although the alarm system had been repaired, detector relocation and employee training remain unresolved. Chief Beam indicated that potential revisions to the ordinance are being discussed with the Township Solicitor.

Zoning – Mr. Carpenter submitted the monthly Zoning Report, which was entered into record. Mr. Carpenter reported that zoning activity for the month included permits for seven new homes. He noted that the final building permit was issued for Meadowbrook Farms, completing a residential development of approximately 250 homes that began in 1996. He also reported issuing a permit for renovations at the Appalachian Hotel, where more than \$1 million will be invested in upgrading the property.

Codes Enforcement – Mr. Steigleman submitted the monthly Codes Enforcement Report, which was entered into record. Vice-Chairman Neiderer asked whether there was any update that could be shared publicly regarding the Diamond Hotel. Solicitor Brenneman reported that he had invited the property owners to attend the end-of-July public meeting, but their attorney responded that they would be unavailable due to travel and requested to appear in August. The Board expressed a preference for scheduling the meeting as soon as possible, and the Solicitor agreed to coordinate an August meeting date with the owners.

Municipal Authority – Chairman Geistwhite representative to the Municipal Authority reported that work on Well No. 2 continues to progress, with the project currently awaiting permit approval from the Susquehanna River Basin Commission (SRBC).

Roadmaster/ Manager – Mr. Zook reported on development, highway, and planning activities, noting that Meadowbrook Farms and Cumberland Preserve are progressing toward road dedication to the Township in time for Liquid Fuels submission deadlines. He also updated the Board on storm sewer replacement work underway in Cloverleaf Acres and the ongoing effort to recruit residents for the Comprehensive Plan steering committee, with plans for a public kickoff event to gather community input.

Vice-Chairman Neiderer also raised concerns about school bus access in Cumberland Preserve before the start of the school year. Mr. Zook confirmed that once Elizabeth Way is accepted by the Township, school buses will be able to enter the development and safely turn around there.

Secretary/Treasurer – Ms. Eileen Gault reported that she had not yet received the monthly report from the County Tax Bureau due to the timing at the beginning of the month. She noted that the June General Fund report had been provided and indicated she had no additional items unless the Board had questions.

Vice Chairman Neiderer provided an update on the Township's ongoing review of the Local Services Tax (LST). He stated that the Township continues to evaluate how the tax may apply to workers associated with the Pennsylvania Digital One (PAX-1) project, noting that a large temporary workforce could utilize Township roads and services. He explained that the Township is working to determine how Local Services Tax revenue could be collected under those circumstances.

Recreation – Ms. Denise Jumper submitted the monthly Recreation Report, which was entered into record as well as the report from Scott Shepler for park maintenance.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Discussion and possible motion on Preliminary Land Development Plan for Pennsylvania Digital (PAX-1) Phase 2: Vice-Chairman Neiderer announced that the preliminary plans for Phase 2 and Phase 1C of the Pennsylvania Digital One (PAX-1) project would be presented together, followed by a combined public comment period.

Mr. Nick Long and Mr. Charles Courtney were present on behalf of the applicant. Mr. Courtney explained that both submissions are preliminary land development plans. He noted that Phase 2 includes additional data center buildings and that the proposed layouts, designs, and supporting information are like the previously approved plan for Phase 1B. He also stated that the requested waivers, modifications, and deferrals are generally consistent with those previously presented for Phase 1B. Mr. Long then continued with a detailed review of the proposed plans providing an overview of the project schedule, site layouts, landscaping, stormwater management, and restoration plans. He reviewed the overall project phasing, identifying the previously approved

Phase 1A substation area, the preliminarily approved Phase 1B data center campus, the proposed Phase 1C construction support area, and the future Phase 3 campus. The landscape plan was described as including stormwater basins planted with wetland seed mixes, expanded riparian buffer plantings along streams, evergreen screening, landscaped berms, and meadow plantings. The applicant also reiterated that generator yards are positioned on the west side of the buildings to maximize separation from nearby residences while meeting operational requirements for air intake and exhaust.

For Phase 1C, Mr. Long explained that the approximately seven-acre gravel area would serve as a temporary construction office and equipment laydown area. The site will include stormwater basins designed to drain within 72 hours, screening berms and landscaping along Country Club Road and the PPL right-of-way, and perimeter security fencing. Upon completion of construction, the gravel surface, access drive, fencing, and stormwater facilities would be removed, and the site restored to conditions closely resembling the existing terrain, while retaining the landscaped berms and planted trees.

Public Comment:

Robynn Eppley of Beagle Club Road asked whether the Planning Commission's draft minutes and comments had been provided to the Board of Supervisors. Vice-Chairman Neiderer confirmed that he had reviewed the information and had also discussed the meeting with Planning Commission member Jim Gehr to better understand the issues raised. Mr. Mark Carpenter stated the Planning Commission suggested that the developer consider adding natural gas service as a fuel source for the generators and recommended that the temporary construction support area be restored as closely as possible to its original condition once it is no longer needed and suggested a future community use for the Phase 1C site, such as recreational ball fields, if the developer was interested after the temporary use concluded.

Beth Legore of Teaberry Drive expressed concern that the property could otherwise be sold and used for unrelated purposes after the temporary construction operations end of the Phase 1C site. She also asked about the size, species, and long-term maintenance of the proposed street trees, including responsibility for replacing trees damaged by storms or other causes. HRG Engineer Mr. Mike Hess explained that the Township's ordinance specifies minimum planting standards, including a required tree caliper and the use of approved native trees. Mr. Carpenter added that the landscaping shown on the plans would be secured through financial security to ensure the trees are installed and successfully established. Vice-Chairman Neiderer noted that the County had recommended maintaining financial security for five years to help ensure the trees survive beyond their initial establishment period.

Kelley Brickey of Elizabeth Way asked about the number of rooftop cooling units that would be installed as part of the data center project, noting that while much attention had been given to the approximately 530 backup generators, rooftop cooling equipment could also generate noise and heat. Vice-Chairman Neiderer explained that the data center is expected to use a hybrid evaporative cooling system rather than traditional rooftop air conditioning for most buildings. He noted that only the first two Phase 1B buildings are anticipated to have rooftop cooling units due to equipment availability. Mr. Long confirmed this but said the exact number of units has not yet been determined because the buildings are still in the design phase. Vice-Chairman Neiderer added that complete information on the cooling systems, like the generators, will be available during final land development and building permit review and will be subject to applicable DEP permitting requirements.

Roberta Kribell of Sassafra Lane voiced concerns about the impacts of the data center project on nearby residents, citing limited public access to project documents and insufficient public outreach. She questioned the absence of a comprehensive 3D rendering of the completed development, asked whether a decommissioning plan would be required, and expressed concerns about noise from routine diesel generator testing as well as stormwater management and potential flooding. She also requested that Township meetings be livestreamed to improve public access. Vice-Chairman Neiderer responded that the Township is exploring livestreaming meetings as part of ongoing efforts to improve transparency and public access.

Jody Shivell of Teaberry Drive raised concerns regarding Phase 1B of the data center project due to the proximity of nearby residential areas, including Country Manor West and The Meadows. She requested that the closest neighbors receive additional consideration in the design and placement of buildings, rooftop equipment, generators, and other potential noise sources and newer technologies be considered. She also expressed concerns about future construction activity, including projected increases in workforce levels and the potential return of heavy truck traffic.

Mark Kurtz of Teaberry Drive stated that he was still trying to understand the Township's reasoning for approving the data center overlay district as a by-right use. Vice-Chairman Neiderer explained that there is currently pending litigation involving the Township related to the matter and, because the matter is active litigation, the Board cannot comment or discuss the details in a public forum.

Hilda Vasquez Rosa of Buckeye Lane asked the Roadmaster whether Country Club Road has weight restrictions for trucks and how the Township ensures that trucks traveling on the road are operating within allowable weight limits. Mr. Zook explained that Liberty Excavators, the contractor working on the project, has a bond in place with the Township that allows them to exceed the posted weight limit on Country Club Road during construction.

Earl Beam of Country Club Road asked where diesel fuel for the backup generators would be stored. Nick Long explained that there would be no central diesel storage tank, as each generator would have its own self-contained fuel tank. Jim Gehr clarified that the "fingers" discussed at the Planning Commission referred to fill pipes used by fuel trucks to refill the individual generator tanks at each building. Earl Beam also expressed concern that the berm along Country Club Road was significantly higher than the approved 12-foot height, blocking his view. Mr. Long acknowledged the berm was built a few feet higher than shown on the plans and said it could be reduced to the approved height if necessary. HRG Engineer Mike Hess said the issue would be reviewed at the next construction site meeting to determine whether the extra height was a temporary condition or needed to be corrected to match the approved plans.

Kyle Gerber of Bernheisel Bridge Road questioned whether the Board could responsibly grant preliminary approval for the data center without first reviewing 3D renderings showing its impact on the Appalachian Trail viewshed. He cited PA State Historic Preservation Office (SHPO's) determination that the project would adversely affect the trail and argued the Township has a legal duty to protect its scenic and historic values. Vice-Chairman Neiderer said the renderings were expected at the next meeting but explained that the developer would not agree to an extension and that, under state law, failure to act on the applications within the required timeframe would result in automatic approval.

Michelle DeNofa of Fieldstone Drive asked why Charlie Courtney had referenced wells in connection with the final plan. Charlie Courtney clarified that he was referring to the developer's

voluntary commitment to test and repair private wells if they are impacted by the project, not to install or operating wells on the site. He added that restrictive covenants will prohibit wells from being established on the development property.

Frank Labatore of Mulberry Hill Road expressed concern that neither the Board nor the public had seen a comprehensive 3D rendering of the proposed data center, making it difficult to understand its true scale. He also asked whether Board members had visited a comparable facility and what would happen to the site if the data center became obsolete. Vice-Chairman Neiderer replied that he and another supervisor had toured data centers in Ashburn, Virginia, and discussed the developer's decommissioning plan, explaining that equipment and hazardous materials would be removed, while the buildings would likely be repurposed rather than demolished or restored to farmland.

Viola Byerly of Country Club Road Residents raised concerns about construction hours, lighting, local employment, generator testing, diesel emissions, and health impacts. Mr. Carpenter confirmed there are currently no ordinance-based construction hour limits. Mr. Long stated temporary light towers had been removed, and remaining trailer lights were limited to motion-activated security lighting. Viola Byerly then questioned whether construction jobs were truly local; Vice-Chairman Neider responded that while not all contractors are local, many workers are within approximately 50 miles. Concerns were also raised about the potential frequency and duration of diesel generator testing. Vice-Chairman Neiderer explained that generators would likely be tested in groups rather than individually and that future DEP requirements and operating limits would provide more information. Viola Byerly also expressed concerns about noise, traffic, diesel odors, and then urged the Board to deny the project.

Andrew Dymski of Bernheisel Bridge Road raised questions regarding stormwater approvals, future cooling system designs, SRBC permitting requirements, and the independence of environmental reviews. HRG Engineer Mike Hess explained that stormwater approvals would be handled through the DEP NPDES permit process and HVAC changes would require review to ensure consistency with approved noise studies. Vice-Chairman Neiderer stated that SRBC had indicated no permit was required for municipal water use. Andrew Dymsky questioned whether the Township's zoning ordinance still required an SRBC permit and expressed concerns about the environmental review process, including consultant independence, lack of a new Environmental Impact Assessment, and limited public input regarding project impacts.

Earl Beam of Country Club Road commented that residents were previously told construction would begin at 7:00 a.m. and end by 6:00 p.m., but he stated that work crews are now starting as early as 6:00 a.m. He asked that the stated construction hours are followed.

Hilda Vasquez Rosa of Buckeye Lane questioned the use of Michael Baker as a reviewer, noting the company has an existing agreement with Middlesex Township and asking about potential conflicts. HRG's Mike Hess clarified that Michael Baker is a Township consultant, similar to HRG, and has previously reviewed traffic impact studies for Township projects. He explained that Michael Baker's role on this project was specifically to review the traffic impact study, including the proposed turn lane improvements at Country Club Road and Route 11.

Jim Gehr of Spring Road Jim Gehr questioned the status and clarity of the Master Developer Agreement, stating that discussions about its contents have been inconsistent and a draft has not been seen. He also questioned how resident and Planning Commission concerns are tracked for inclusion in the agreement. Township Solicitor Keith Breneman explained that he, Mike Hess

and Bud Grove, have been working with the applicant's attorney to develop the agreement's terms and conditions and that concerns will be considered in the final draft before being presented to the Board. Charlie Courtney clarified that the initial Master Developer Agreement will address items such as financial security and Country Club Road construction, repairs, and improvements. Additional development-specific requirements will be addressed through amendments as projects move toward final plan approval.

Arlene Darlington of Wertzville Road stated there were good comments and discussions and emphasized the need for improved communication, transparency, and project management throughout the approval process. She asked for a firm commitment from the developer regarding the timing of the requested 3D renderings. Charlie Courtney stated that the renderings were being finalized and were expected to be presented to the Planning Commission on July 13. Arlene Darlington raised concerns about delays in providing the Board with developer responses to County comments and requested improved communication of project materials. She also suggested creating a public project timeline with key milestones, deadlines, and decision dates.

Beth Legore of Teaberry Drive asked whether Board members could abstain from voting to express concerns about the project, including the lack of a new Environmental Impact Assessment, without facing legal consequences. She questioned whether abstaining or placing concerns on the record would provide a way to document disagreement. Vice-Chairman Neiderer explained that failure to act on the application would result in deemed approval under state law.

On the motion of Vice-Chairman Neiderer, seconded by Chairman Geistwhite, it was unanimously agreed to approve relief from the following sections of the Middlesex Township Subdivision and Land Development Ordinance No. 8-2017 (SALDO), and the Middlesex Township Stormwater Management Ordinance No. 6-2011 (SWMO), for the Preliminary Land Development Plan for Pennsylvania Digital 1 (PAX-1) Phase 2, subject to providing written request and justification for each relief sought and listing the relief sought on the cover sheet of the plan set.

1. [SALDO § 501.A.2.] – Modification of requirement for plan scale not smaller than one inch to one hundred feet (1"=100').
2. [SALDO § 501.A.6.] – Modification of requirement for location map scale not smaller than one inch to one thousand feet (1"=1000').
3. [SALDO § 501.C.19., § 303.J.12., § 303.K.12.] – Deferral until final plan of requirements for metes and bounds descriptions of easements.
4. [SALDO § 703.I.4.] – Waiver of requirement for depressed curb at driveway entrance openings along PA Data Drive.
5. [SLDO § 707.] – Waiver of requirements for installation of sidewalks and pedestrian paths along both sides of new interior streets, with required note on plan.
6. [SALDO § 718.D.3.A., § 718.D.4.A., § 718.D.4.B., § 718.D.4.C., § 718.D.4.D.] Modification of requirements for minimum plan scale of not more than one inch to one hundred feet (1"=100') for required maps of physical resources within the Environmental Impact Assessment Report.

7. [SALDO § 501.c.12.] – Deferral until final plan of requirements for acceptable design and phasing of Country Club Roadway Improvements with Preliminary Plan.
8. [SWMO § 302.A.13.] – Deferral until final plan of requirements to provide construction details for stormwater inlets.
9. [SWMO § 303.H.12.] – Deferral until final plan of requirements to provide Geotechnical Engineer certification of stormwater management Managed Released Concept (MRC) design.
10. [SWMO § 303.J.3.] – Modification of requirement for stormwater detention basin side slopes to not be steeper than four (4) units horizontal to one (1) unit vertical and for stormwater detention basin bottom slopes not to be less than two percent (2%).
11. [SWMO § 303.H.17.] – Modification of requirement for all stormwater infiltration practices to infiltrate the stored volume within forty-eight (48) hours.
12. [SWMO § 303.B.2.] – Modification of requirement for infiltration of surface water runoff at its source as the primary mechanism for stormwater management.
13. [SWMO § 719.B.2., § 719.B.3.] – Deferral until final plan of requirements to provide final landscaping plan.

On the motion of Vice-Chairman Neiderer, seconded by Chairman Geistwhite, it was unanimously agreed to approve the Preliminary Land Development Plan for Pennsylvania Digital 1 (PAX-1) Phase 2, subject to the following conditions:

1. That the applicant satisfies all comments and conditions of the Township Engineer, Bud Grove, P.E. in written review letter #4 of J. Michael Hess, PE of Herbert, Rowland & Grubic, Inc. dated 06/08/2026 in a manner acceptable to the Township Engineer, subject to his final review.
2. That the applicant satisfies all comments and conditions of the Township Engineer, Bud Grove, P.E. in written sound study review letter #1 of J. Michael Hess, PE of Herbert, Rowland & Grubic, Inc. dated 04/23/2026 in a manner acceptable to the Township Engineer, subject to his final review.
3. That the applicant satisfies all comments of the Cumberland County Planning Department, in written review dated 01/12/2026 for Plan Number P25-1176.
4. That a restrictive covenant be added to the plan by note stating that no water wells will be drilled on the property and that all existing water wells on the property will be properly abandoned and sealed in accordance with PA DEP regulations.
5. That per Section 710.E.2.b. 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 subdivision of \$1,000 per disturbed acre of development area, prior to the final plans being signed by the Township and released for recording.

6. That the applicant enters into a developer's agreement with Middlesex Township regarding required public improvements and posts financial security for required public improvements, as-built plans and engineering inspection fees for this plan with the Township in an amount acceptable to the Township Engineer and form acceptable to the Township Solicitor, prior to the final plans being signed by the Township and released for recording.

The applicant representatives agree to the conditions.

Discussion and possible motion on Preliminary Land Development Plan for Pennsylvania Digital (PAX-1) Phase 1-C: Mr. Nick Long and Mr. Charles Courtney were present on behalf of the applicant. They gave a brief overview of the proposed plan.

On the motion of Vice-Chairman Neiderer, seconded by Chairman Geistwhite, it was unanimously agreed to approve relief from the following sections of the Middlesex Township Subdivision and Land Development Ordinance No. 8-2017 (SALDO), and the Middlesex Township Stormwater Management Ordinance No. 6-2011 (SWMO), for the Preliminary Land Development Plan for Pennsylvania Digital 1 (PAX-1) Phase 1-C, subject to providing written request and justification for each relief sought and listing the relief sought on the cover sheet of the plan set.[SALDO § 501.A.2.] – Modification of requirement for plan scale not smaller than one inch to one hundred feet (1"=100').

1. [SALDO § 501.A.6.] – Modification of requirement for location map scale not smaller than one inch to one thousand feet (1"=1000').
2. [SALDO § 501.C.12.] – Deferral until final plan of requirements for acceptable design and phasing of Country Club Roadway Improvements with Preliminary Plan.
3. [SALDO § 501.C.19., § 303.J.12., § 303.K.12.] – Deferral until final plan of requirements for metes and bounds descriptions of easements.
4. [SALDO § 718.D.3.A., § 718.D.4.A., § 718.D.4.B., § 718.D.4.C., § 718.D.4.D.]
Modification of requirements for minimum plan scale of not more than one inch to one hundred feet (1"=100') for required maps of physical resources within the Environmental Impact Assessment Report.
5. [SALDO § 719.B.2., § 719.B.3.] – Deferral until final plan of requirements to provide final landscaping plan.
6. [SWMO § 302.A.13.] – Deferral until final plan of requirements to provide construction details for stormwater inlets.
7. [SWMO § 303.B.2.] – Modification of requirement for infiltration of surface water runoff at its source as the primary mechanism for stormwater management.

8. [SWMO § 303.H.12.] – Deferral until final plan of requirements to provide Geotechnical Engineer certification of stormwater management Managed Released Concept (MRC) design.
9. [SWMO § 303.H.17.] – Modification of requirement for all stormwater infiltration practices to infiltrate the stored volume within forty-eight (48) hours.
10. [SWMO § 303.J.3.] – Modification of requirement for stormwater detention basin side slopes to not be steeper than four (4) units horizontal to one (1) unit vertical and for stormwater detention basin bottom slopes not to be less than two percent (2%).

On the motion of Vice-Chairman Neiderer, seconded by Chairman Geistwhite, it was unanimously agreed to approve the Preliminary Land Development Plan for Pennsylvania Digital 1 (PAX-1) Phase 1-C, subject to the following conditions:

1. That the applicant satisfies all comments and conditions of the Township Engineer, Bud Grove, P.E. in written review letter #2 of J. Michael Hess, PE of Herbert, Rowland & Grubic, Inc. dated 06/08/2026 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 review dated 05/11/2026 for Plan Number P26-302.
3. That per Section 710.E.2.b. 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 subdivision of \$1,000 per disturbed acre of development area, prior to the final plans being signed by the Township and released for recording.
4. That the applicant enters into a developer's agreement with Middlesex Township regarding required public improvements and posts financial security for required public improvements, as-built plans and engineering inspection fees for this plan with the Township in an amount acceptable to the Township Engineer and form acceptable to the Township Solicitor, prior to the final plans being signed by the Township and released for recording.
5. That a note be added to the plan indicating that when the temporary construction site trailer use on PAX-1 Phase 1-C is no longer needed, the site will be returned to original grades and meadow conditions, except for areas with established berm buffers and landscaping screenings, with language of such plan note being in a manner acceptable to the Township Engineer, subject to his final review.

The applicant representatives agree to the conditions.

EXECUTIVE SESSION: There being no further business, the meeting was adjourned to Executive Session by Chairman Geistwhite at 8:22 p.m. for a personnel matter and potential property acquisition with no action taken by the Board.