

MIDDLETOWN TOWNSHIP  
DELAWARE COUNTY, PENNSYLVANIA  
APRIL 25, 2016

Minutes of the Regular Meeting of Township Council held on April 25, 2016 at 7:00 P.M. in the Township Administration Building located at 27 North Pennell Road.

Present: R. Carlson, S. Galloway, D. Helm, M. Kirchgasser, S. Powell, C. Quinn, N. Shropshire  
B. Clark, E. Janetka, Engineer, and J. Damico, Esquire

1. OPENING

Chairman, Mr. Kirchgasser, called the meeting of the Council to order at 7:00 P.M. and led recitation of the Pledge of Allegiance to the Flag.

2. COMMENTS FROM THE PUBLIC

Mr. Kirchgasser asked for comments on non-agenda items. There were no comments from the public.

3. REPORTS

A. CHAIRMAN

Mr. Kirchgasser welcomed Betty Alburger, formerly of the Daily Times, to the Council Meeting.

B. MANAGER

Mr. Clark reported on the upcoming Community Day Event on Saturday, May 14, 2016 to be held at Penn State Brandywine Campus. Mr. Clark commented on the reminder postcards at the back of the meeting room as well as volunteer registration forms.

4. PUBLIC HEARING

- A. Conditional Use Application of Granite Run Buick GMC to permit a motor vehicle parking lot on the property located at 8 S. New Middletown Road in the B-General Business Zoning District pursuant to Section 275-124C-4 of the Zoning Ordinance. (Hearing to be postponed to May 9, 2016 Council Meeting).
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Mr. Galloway made a motion to open the hearing. The motion was seconded by Mr. Carlson. The motion was carried with a unanimous vote of 7-0.

Mr. Galloway made a motion to continue this agenda item until the next Council Meeting on May 9, 2016. The motion was seconded by Mr. Helm. The motion was carried with a unanimous vote of 7-0.

5. NEW BUSINESS

A. Review of Conditional Use Application 16-1 - James McCullough and/or JT Venture LLC - 312 Lenni Road (Rocky Run Fire Company).

Mr. Carlson made a motion to deny the above referenced Application for Conditional Use for the following reasons including, but not limited to, those summarized in Exhibit "A". The Applicant and other parties to the Conditional Use Hearing shall receive findings of fact and/or conclusions based thereon explaining in further detail the reasons for the denial. Mr. Shropshire seconded the motion. Resolution 2016-47 was approved with a unanimous vote of 7-0.

B. Review of Zoning Hearing Board Application 16-3 James McCullough and/or JT Venture LLC - 312 Lenni Road (Rocky Run Fire Company).

Mr. Clark explained that this Application was filed in the alternative to the Conditional Use Application which had just been acted on. The application has been tabled periodically as the Conditional Use Application has been proceeding. It is scheduled to be presented to the Zoning Hearing Board on Wednesday night. Mr. Carlson made a motion to send the Township Solicitor to the meeting to participate and/or protest the application. The motion was seconded by Mr. Helm. The motion carried with a unanimous vote of 7-0.

C. Review of Final Amended Land Development Plan - Granite Farms Estates Building "E" Addition (New Entrance) - 1343 W. Baltimore Pike.

Mr. Clark reported that Council had previously approved Land Development Plans last year for construction of a new portico entranceway to Building "E" to reduce the number of independent living units and relocate personal care units into the building. The current application proposes the construction of an addition for a secondary entrance to the building to provide separate access to the independent living units on the upper floors of the building. The plan was presented before the Planning Commission and was reviewed and voted on to recommend approval. There are no significant outstanding issues, as the applicant has indicated they will comply with the review comments.

Mr. Joe Hanna from Chambers Associates spoke on behalf of the applicant. He stated that they have prepared a response to the review comments stating that they will comply with all comments. Mr. Janetka stated that he is comfortable with the comments. Mr. Shropshire made a motion to approve the Application. The motion was seconded by Mr. Carlson and Resolution 2016-48 was unanimously approved by a vote of 7-0.

D. Consideration for Adoption - An Ordinance amending the Middletown Township Code of Ordinances of the Township of Middletown, Delaware County, Pennsylvania, Chapter 192, Solid Waste, Article II, Municipal Solid Waste Disposal, Section 192-16 by deleting

the existing Part C and replacing it with a new Part C to authorize a new contract period of 25 years, commencing on January 1, 2017, between the Delaware County Solid Waste Authority (SWA), a Pennsylvania Municipal Authority, and Middletown Township (Municipality), and Section 192-17 by adding a new Part G reaffirming all other provisions, terms and conditions of the 1987 Ordinance.

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Mr. Clark reported that the Ordinance was introduced at the last meeting. This was done at the request of Delaware County, which processes trash at the Solid Waste Trash to Steam Plant in Chester which services all of Delaware County. Mr. Clark stated that each municipality signed on to the 25-year period plan. He stated that this 25-year period is now expiring. The County is asking each municipality to renew the plan for the next 25 years. The County has provided an Ordinance which was reviewed by the Township and Solicitor.

Mr. Galloway made a motion to adopt the Ordinance to renew the 25-year plan. Mr. Helm seconded the motion. Ordinance 767 was approved with a unanimous vote of 7-0.

#### E. Renewal of Insurance Package - Fire Companies

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Mr. Clark reported that the Township received the renewal quotation for the insurance on the two fire companies that is paid by the Township. The policy year begins May 1. The renewal premium for Middletown Fire Company is \$13,403.00 and for Rocky Run it is \$21,100.00 for a total of \$34,503. This represents a small increase over the expiring policy cost of \$33,260.00. The premium increase also reflects the addition of a chief's vehicle for Middletown Fire Company. The insurance package includes general liability and property liability on all of the fire company property, as well as coverage on their portable equipment, errors and omissions coverage, medical malpractice coverage, collision and comprehensive coverage on all of their vehicles and umbrella coverage. Mr. Clark stated that the claims history has been very good over the past several years, as reflected by the small premium increase.

Mr. Shropshire made a motion to approve the renewal of the insurance package. Mr. Quinn seconded the motion. A vote was taken and Resolution 2016-49 was approved with a unanimous vote of 7-0.

#### F. Approval of Bill List

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Mr. Kirchgasser read aloud the bill list presented for Council's consideration for approval for payment.

Mr. Carlson moved that payments under the April 25, 2016 Bill List be authorized for payment by the Finance Department:

**GENERAL FUND**

A.J. Blosenski, Inc.	March Recycling & Yard Waste	\$17,656.00
Aqua Pennsylvania	March Hydrant Bill	\$11,432.25
Kelly & Close Engineers 2/13/16 - 3/18/16	Professional Services	\$ 8,895.81
	General Fund Total	\$37,984.06

**RECREATIONAL ENTERPRISE FUND**

The Travel Authority, Inc.	Final Payment West Virginia's Best Trains	\$ 9,750.44
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**CAPITAL RESERVE**

Winchester Roofing Corp.	Garage Roof Invoice #2	\$15,885.00
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Mr. Shropshire seconded the motion to authorize payment of the Bill List by the Finance Department. A vote was taken and Resolution 2016-50 was approved with a unanimous vote of 7-0.

There being no further business, Mr. Kirchgasser adjourned the meeting at 7:20 P.M

5. ADJOURNMENT

Mr. Kirchgasser adjourned the meeting at 9:00 P.M.

Respectfully Submitted,

  
Sharon Browne, Recorder