

MIDDLETOWN TOWNSHIP  
DELAWARE COUNTY, PENNSYLVANIA

July 25, 2016

Minutes of the Regular Meeting of Township Council Held on, July 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, and C. Quinn

B. Clark, E. Janetka, Engineer, and J. Damico Esquire

---

1. OPENING

Mr. Galloway noted that he was acting in the capacity of Chairman due to the absences of Mr. Kirchgasser and Mr. Shropshire. He 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

None

3. REPORTS

A. CHAIRMAN

Mr. Galloway reported that an Executive Session was held prior to the meeting in order to discuss legal issues pertaining to Agenda Items 4a, 4b, and 4c.

B. MANAGER

Mr. Clark reminded those in attendance that the Blood Drive was scheduled to take place on Thursday, July 28<sup>th</sup>, from 2:30 PM to 7:30 PM in the Meeting Room.

Mr. Quinn motioned to amend the agenda to allow for 4B to be prior to 4A. Mr. Carlson seconded this motion and Council approved unanimously with a vote of 4-0.

4. NEW BUSINESS

B. Request for Grant of Easements - Sunoco Pipeline, LP: Various Township Properties

Jim Flandreau, Special Solicitor for the Township, reported that he has been working with Sunoco on the legal issues regarding the pipeline coming through the Township. The pipeline will be crossing Township property at 4 locations and there are also 3 Township properties to be used for road access. Therefore, a total of 7 easements are needed; 4 of which will be permanent pipeline easements and the remaining 3 will be access road easements. He informed Council that the Easement Agreements were in final form as per the Township but would need to be reviewed by Sunoco for their comments. Nevertheless, he stated that he recommended the Agreements be introduced by Council at present in the hopes that Sunoco will approve these forms and they may be considered for approval at the August 22<sup>nd</sup> meeting. Mr. Flandreau reported that one of the most significant changes made to this version was Sunoco agreeing to modify the project work area so that Sleighton Park's large soccer field would be undisturbed.

Mr. Galloway noted that Mr. Quinn was instrumental in these discussions of minimizing the disruption to the soccer field and thanked him for doing so.

Mr. Carlson motioned to introduce the Ordinance authorizing the Easement Agreements. Mr. Helm seconded this motion and Council approved the introduction unanimously with a vote of 4-0.

A. Approval of Final Subdivision Plan Sheet - Promenade at Granite Run: 1067 W. Baltimore Pike

---

Joe Riper, legal representative for the applicant, reported that the Final Land Development Plan was approved in November 2015. Demolition is currently underway and the grading permit allows for site preparation work. The applicant is also getting project financing together, which is why he is present at the meeting.

BET Investments has two entities that are 100% affiliated with the applicant and will be financing the project. In order for the one affiliate to be able to finance the apartments, the Subdivision Plan Sheet needs to be approved before the overall plan is ready for recording. Mr. Riper explained that the plan shows some details as subdivision only and are also subject to Final Land Development approval. The Declaration of Covenants, Easements, and Restrictions has been written so that whoever owns the apartment lots in the future have access to the mall property for access and utilities. Since Final Land Development Approval, there have been discussions between the Township and the applicant on the terms of the Declaration. Mr. Riper felt all issues have been resolved and requested approval of the subdivision plan for recording purposes.

Mr. Galloway asked Mr. Damico and Mr. Clark if they had any additional comments. They did not. There were no comments from the public.

Mr. Carlson motioned to approve the Subdivision Plan Sheet and the Declaration of Covenants, Easements, and Restrictions. Mr. Helm seconded this motion and Council approved Resolution 2016-67 unanimously with a vote of 4-0.

C. Clarification of Final Plan Approval Conditions - Williamson College of Trades - Dormitory Building: 106 S. New Middletown Road

---

Mr. Clark explained that the Final Plan was approved in January and that during this process, discussions took place with Williamson about a walking trail across the Williamson property connecting the Mall to the SEPTA station. He reported that Williamson conceptually agreed, but the trail plans were not finalized because the details were not able to be resolved prior to the school being ready to start construction of the dorm. The problem at present is that the Fee in Lieu is now due unless the trail is approved. He recommended allowing Williamson to take the preliminary conceptual trail plans to their Board for approval. If their Board denies the plans, then they will pay the Fee at that time. Mr. Clark noted a time line has been established for deciding this matter as stated in the draft resolution.

Mr. Galloway asked if Williamson would be responsible for paying about \$16,000 if the Township was not satisfied with the conditions of the trail layout or design. Mr. Clark said yes.

Mr. Quinn motioned to approve the resolution. Mr. Helm seconded the motion and Council approved Resolution 2016-68 unanimously with a vote of 4-0.

D. Acceptance of Renewal Proposal - Workers' Compensation Coverage

Mr. Clark reported that the proposal for workers' compensation coverage for Township employees and the volunteer fire fighters was received. \$39,035 was budgeted but the renewal came in at \$40,131. Mr. Clark recommended approval of the renewal since it is still marginally close to the budgeted amount. Mr. Quinn motioned to accept the renewal of A. J. Gallagher. Mr. Carlson seconded the motion and Council approved Resolution 2016-69 unanimously with a vote of -0.

E. Acceptance of Renewal Proposal - Property/Liability Package Coverage

Mr. Clark explained this renewal was for all other insurances except workers' compensation coverage. \$76,000 was budgeted but the renewal was only \$69,339. He noted a second payment is expected in the upcoming months for the building coverage on the Roosevelt School property. Even with that policy being added, he still expected this renewal to remain under budget. Mr. Carlson motioned to accept the renewal proposal of Montgomery Insurance Services. Mr. Quinn seconded the motion and Council approved Resolution 2016-70 unanimously with a vote of 4-0.

F. Authorize Disposal of Unneeded Records

Mr. Clark requested approval to dispose of unneeded records. This included but was not limited to documents from 1985 to 2013 pertaining to Driver records, financial statements, insurance documentation, updates to Township benefit policies, and tax appeals. Mr. Carlson motioned to authorize the disposal of records. Mr. Quinn seconded this motion and Council approved Resolution 2016-71 unanimously with a vote of 4-0.

G. Approval of Bill List

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

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

**GENERAL FUND**

<u>Vendor Name</u>	<u>Description</u>	<u>Amount</u>
A.J. Blosenski	June Recycling & Yard Waste	\$17,656.00
Aqua Pennsylvania, Inc.	June Hydrant Bills	\$11,457.50
Charles A. Higgins & Sons, Inc.	Various Invoices	\$28,322.80
	Lenni Park	\$3,396.00
		<u>\$31,718.80</u>
Chili's Inspection Services	May and June Contracted Services	\$19,635.00
	Total General Fund	\$80,467.30

**CAPITAL RESERVE**

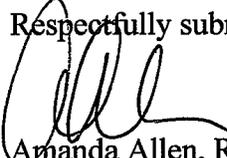
Go2Tech, Inc.	Tower Server	\$5,483.75
BNY Mellon	GOB Series 2014-Principal Payment	\$255,000.00
	GOB Series 2014-Interest Payment	\$107,281.25
		<u>\$362,281.25</u>
	Total Capital Reserve	<u>\$367,765.00</u>

Mr. Quinn seconded this motion and Council approved Resolution 2016-72 unanimously with a vote of 4-0.

6. ADJOURNMENT

Mr. Galloway adjourned the meeting at 7:18 PM.

Respectfully submitted,



Amanda Allen, Record