

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
DECEMBER 8, 2014

Minutes of the Regular Meeting of Township Council Held on, December 8, 2014 at 7:00 P.M.,
in the Township Administration Building located at 27 North Pennell Road

Present: M. Amoroso, L. Bradshaw, R. Carlson, S. Galloway, M. Kirchgasser, and C. Quinn
B. Clark, and J. Damico, Esquire

1. OPENING

Chairperson Mr. Kirchgasser's 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. APPROVAL OF MINUTES

Ms. Amoroso motioned to approve the minutes for the October 27, 2014 regular meeting. Mr. Galloway seconded this motion and Council approved unanimously, with a vote of 6-0.

3. COMMENTS FROM THE PUBLIC

Mr. Galloway introduced Russ Abrams, General Manager of the Middletown Lions semi-pro baseball team. Mr. Abrams commented that the Lions had a good year and that the team is made up of former major league players, minor league players, and college athletes. He explained that the team plays at Penncrest High School and that they are exciting to watch. Lastly, Mr. Abrams thanked the Township for its support of the team. Mr. Kirchgasser expressed that he felt the team did an outstanding job during the season and thanked Mr. Abrams for his work with the Lions.

4. REPORTS

A. CHAIRPERSON

None

B. FINANCE AND ADMINISTRATION

Mr. Carlson reported that the Finance and Administration Committee reviewed the 2015 budget, which was on the agenda.

C. ROADS, HIGHWAYS AND PUBLIC SAFETY

Mr. Carlson noted the Roads, Highways and Public Safety Committee reviewed traffic patterns at the intersection of Routes 452 and 1.

D. MANAGER

Mr. Clark commented that there are two days left for interested residents to drop off donations for the U.S. Marine Corps Toys for Tots program and that the bin would be picked up on December 10th. He noted the toys collected are distributed to children in the area.

5. NEW BUSINESS

A. Requested Waiver of Land Development Review—Nazirides—1010 W. Baltimore Pike

Mr. Nazirides and his engineer, Mr. Houtman, were present for this agenda topic. Mr. Houtman explained that the Township received the initial plans for the building permits and that Mr. Nazirides would now like to add a freezer box outside of the structure, which technically requires Land Planning approval. He explained that the proposed freezer box was relatively small and would be attached to the building with an internal entrance only and asked Township to waive the required Land Development review.

Mr. Galloway noted that after he reviewed the plan, he felt the project did not necessitate Land Planning approval.

Mr. Galloway motioned to waive the requirement for Land Development Review for the proposed freezer box. Mr. Quinn seconded this motion and Council approved waiving the Land Development Review for 1010 W. Baltimore Pike unanimously, with a vote of 6-0.

B. Acceptance of Deed of Dedication—Autumn Woods Lane

Mr. Clark noted that the land developer of Autumn Woods Lane, Joe Behrle, was present. Mr. Clark explained that there was an existing common drive way that was converted to a public street to be called Autumn Woods Lane. He reported the project is completed and the road is ready to be dedicated to the Township pending a few minor issues being addressed currently by Mr. Damico and Mr. Behrle's attorney. While this is the case, Mr. Clark stated the ordinance was ready for introduction since the items should be addressed prior to the vote for final adoption in January. Mr. Behrle noted that he expected to have the minor issues resolved prior to the January meeting.

Mr. Galloway motioned to introduce the ordinance accepting the deed of dedication of Autumn Woods Lane and Mr. Quinn seconded it. Council approved introduction unanimously, with a vote of 6-0.

C. Acceptance of Master Plan Report—Mineral Hill Area Parks

Mr. Clark stated that Ms. Bradshaw was part of a task force charged with putting a park master plan report together. He explained that several years ago, the County purchased a large portion of the former Skycrest property from Elwyn, also known as the Mineral Hill Area. Upon assumption of ownership, the County sought to develop a Master Plan for

this new site as well as for the Township's Memorial Park and the Upper Providence side of Ridley Creek, also known as the Brookwood tract, along with an adjacent open space parcel owned by Media Borough. This Master Plan report was put together with representation from all 3 municipalities, the County, and Natural Lands Trust.

Mr. Clark noted the executive summary of the Master Plan was included in Council's packet and explained that the report primarily shows that these properties would ideally work best if they were operated together with connecting trails. He noted there were recommendations for foot bridges that would cross Ridley Creek to allow interconnection of all 4 parcels. He reported that there are no significant land development plans for any of these parcels due to the report calling for the natural conditions of the property to remain as-is in order to preserve the watershed area.

Due to the fact that the report was conducted using funds from the State, each municipality involved has been requested to sign off on the findings and agree to be guided by the contents of the report when the plans develop.

Ms. Bradshaw commented that she also received assistance from Mark Bradson, Art Rothe, and Mr. Clark on this project and that all members of the task force were helpful. She described working on this project as a good experience and explained that the acceptance of the master plan allows the park to become eligible for grants.

Mr. Galloway motioned to accept the master plan report and Mr. Carlson seconded the motion. Council approved Resolution 2014-90 unanimously with a vote of 6-0.

Mr. Kirchgasser thanked Ms. Bradshaw and Mr. Bradson for participating on this task force.

D. Acceptance of Certificate of Total Completion—CVS Pharmacy—1188 W. Baltimore Pike

Mr. Clark reported that CVS has satisfied Township engineering reviews and that the required public improvements are in place. He stated that Mr. Rothe signed off on the site project completion and, upon Council acceptance, the remaining funds in escrow will be returned to CVS Pharmacy.

Mr. Carlson motioned to accept the Certificate of Total Completion and Mr. Quinn seconded this motion. Council approved Resolution 2014-91 unanimously, with a vote of 6-0.

- E. Review of Zoning Hearing Board Applications: 2014-9—Richards, 31 Carriage Drive; 2014-10—Weissenburger, 270 Lenni Road; and 2014-11—McGonigle & Company Builders, 18 N. Pennell Road
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2014-9: Mr. Clark explained that this hearing board application was received after the property owner received a violation notice for parking a commercial truck on the property. Mr. Galloway motioned to send the solicitor to the zoning board hearing to represent the Township. Mr. Carlson seconded this motion and Council approved unanimously with a vote of 6-0.

2014-10: Mr. Clark reported that the applicant has requested variances to install a shed. There is a cross-easement agreement with a neighbor and the applicant is requesting to construct the shed within 1 foot of the side property line. Council did not express a need for representation at this zoning board hearing.

2014-11: Mr. Clark reported that a contractor's business has an agreement of sale in place for this property and is requesting approval of a number of variances to install a 28' X 36' garage with 2 parking spaces for equipment and material. He noted that the property is zoned for Special Use so the office would be conforming; however, the garage construction requires a variance. Mr. Galloway asked if all litigation was concluded for the previous owner and Mr. Damico answered in the affirmative. Council did not express a need for representation at this zoning board hearing.

- F. Adoption of Fiscal Year 2015 Budget
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Mr. Clark stated that the Finance and Administration Committee, as well as all other members of Council, have been working on the draft budget since October 2014. He reported the budget has been balanced at \$4,496,989 and that if adopted, it would essentially carry forward all services from the previous year. Mr. Clark noted there were no significant changes and the total reflects a full year of collection of the local service tax. He emphasized that there is no increase to the real estate tax.

Mr. Kirchgasser stated that Mr. Clark and the Township staff and Mr. Carlson and the Finance and Administration Committee did a good job with the budget. He reported that the local service tax is not considered operating revenue and will be put aside for the capital improvements needed at the intersection of Routes 452 and 1. He also reiterated that there is no real estate tax increase for 2015.

Mr. Galloway commented that the budget allowed for a modest increase to the library, which was necessary because of the decrease in state funding. He expressed that he was proud to be able to provide this funding to the library and that the Library does an excellent job.

Mr. Galloway motioned to approve the 2015 budget. Mr. Carlson seconded this motion and Council approved adoption of the fiscal year 2015 budget as Resolution 2015-92 unanimously, with a vote of 6-0.

Ms. Bradshaw then motioned to amend agenda in order to introduce the ordinance for tax revenue and Mr. Carlson seconded this motion. Council approved amending the agenda unanimously with a vote of 6-0.

Mr. Clark explained that Council needs to set the property tax rate for 2015 even though there is no increase. Ms. Bradshaw motioned to introduce the ordinance establishing the tax rate for 2015 and Mr. Carlson seconded the motion. Council approved the introduction unanimously, with a vote of 6-0.

G. Approval of Bill List

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

Mr. Galloway moved that payments under the December 8, 2014 Bill List be authorized for payment by the Finance Department:

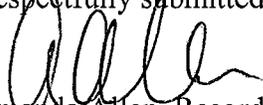
GENERAL FUND		
Independence Blue Cross	December Health Insurance	\$8,006.22
	Highway Share	\$6,730.22
	Library/Sewer Authority/Cobra Share	\$6,720.55
	Recreation Share	\$3,476.80
		\$24,933.79
Montgomery Insurance Services	December Installment	\$29,416.00
Morton Salt, Inc.	Salt	\$8,261.62
	Total General Fund	\$62,611.41
RECREATIONAL ENTERPRISE FUND		
Celebrity Limo Service	Various Trips	\$5,765.00

Mr. Quinn seconded the motion, and Council approved Resolution 2014-93 unanimously, with a vote of 5-0.

6. ADJOURNMENT

Mr. Kirchgasser adjourned the meeting at 7:20 PM.

Respectfully submitted,



Amanda Allen, Recorder