

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
September 9, 2019

Minutes of the Regular Meeting of Township Council held on September 9, 2019 at 7:00 p.m. in the Township Administration Building located at 27 North Pennell Road.

Present: Stephen Byrne, Russ Carlson, Scott Galloway, Mark Kirchgasser, Susan Powell, Walter 'Bok' Read, Norman Shropshire, Andrew Haines, Joseph Damico, Esq., Eric Janetka

1. OPENING

Chairman Mark Kirchgasser called the meeting of the Council to order at 7:00 p.m. and led in the recitation of the Pledge of Allegiance to the Flag.

Mr. Kirchgasser stated that the item on the agenda under New Business 7A, "Consideration for Approval: Ordinance 809, Refinancing of Township 2014 Obligation Bonds" needs a motion to be moved above the Approval of Minutes. Mr. Shropshire made a motion to move agenda item 7A above Approval of Minutes and Mr. Byrne seconded the motion. The motion carried 7-0.

7. NEW BUSINESS

A. Consideration for Approval: Ordinance 809, Refinancing of Township 2014 General Obligation Bonds. Christopher Bamber, CFA from PFM Financial Advisors stated that interest rates have been moving generally lower throughout 2019 and specifically through the month of August. The market is at or very near all-time lows and in terms of historic interest rates. Previous estimated bond refinance savings were projected at \$150,000 and now based on a conservative estimate of interest rates the numbers are at \$333,000.

Mr. Byrne made a motion to approve Ordinance 809, "Refinancing of Township 2014 General Obligation Bonds". Mr. Shropshire seconded the motion. The motion carried with a vote of 7-0.

Mr. Kirchgasser asked if anyone was videotaping the meeting. Mr. A.G. Ciavarelli, 301 New Darlington Road, stated he is videotaping the meeting. Mr. Kirchgasser stated based on the feedback the Township has received, it is very important to use the microphones for the video recording of meetings.

2. APPROVAL OF MINUTES

A. Approval of Draft Council Meeting Minutes – June 10, 2019 with stenographer report. Mr. Galloway made a motion to approve the minutes of June 10, 2019 and Mr. Reed seconded the motion. The motion carried with a vote of 6-0. Mr. Shropshire abstained due to his absence at the meeting.

B. Approval of Draft Council Meeting Minutes – June 24, 2019. Mr. Galloway made a motion to approve the minutes of June 24, 2019. Mr. Shropshire seconded the motion. The motion carried with a vote of 7-0.

C. Approval of Draft Council Meeting Minutes – August 12, 2019. Mr. Galloway made a motion to approve the minutes of August 12, 2019. Mr. Carlson seconded the motion. The motion carried with a vote of 6-0. Mr. Byrne abstained.

3. PUBLIC COMMENTS

James Bulkley, 15 Skyline Drive, Thornbury & Gail Hudson, 336 W Forge Road. Mr. Bulkley raised concerns regarding Forge Road and the stone coming from the quarry that is left on the roadway. Mr. Bulkley would like something done about the stone on the roadway. Mr. Kirchgasser stated that he knows that they must do dust clean up and asked Andrew Haines to reach out to Hansen.

Becky Garner, Lima Estates, raised concerns of trees along side Rose Tree Road. There are trees that are dangerously close to the road, dried out trees, and branches that stretch out to the road and scratch cars. Ms. Garner handed a picture to Mr. Haines of a log that is leaning on wires and has been there for 10 days. Mr. Galloway stated that there was a Land Planning Committee meeting earlier in the evening and discussed an ordinance for trees that are in the right of way. Ms. Garner asked what the status is regarding the paving on the northbound lane of Rt. 352. Mr. Kirchgasser stated that there has been contact with PennDOT. The southbound side from Oriole Ave through to the Clover Leaf has been addressed. PennDOT has not addressed the road conditions (potholes) from Oriole Avenue to Old Forge. Ms. Garner wanted to express thanks regarding her petition to make the video of the meetings available online.

Kelly Johnson, 711 Iris Lane, thanked council for making the videos available online and stated that the sound has improved. Ms. Johnson asked regarding the legal notice that was advertised for the institutional zoning change at Riddle Hospital. Ms. Johnson asked if it would be possible for the amendments to be posted on the Township website. Mr. Kirchgasser stated that the minimum requirement is for it to be posted in the newspaper. Mr. Haines stated that it is posted online as an agenda item on the Township website. Ms. Johnson asked for clarification on the current amendment as to why it's an amendment and not a variance because Penn State could build as tall. Mr. Kirchgasser stated they are different Institutional zoning districts.

4. REPORTS

A. CHAIRMAN

None

B. FINANCE

Mr. Carlson reported that Finance and Administration had their 2020 preparation meeting that went over revenue projections, capital planning, and pension valuation assumptions.

C. LAND PLANNING

Mr. Galloway reported that a Land Planning meeting was held to discuss some possible ordinances such as high grass, storage of snow on township streets from residents and

snow removal companies, right-of-way tree maintenance and finally a discussion on a property maintenance code to address properties that are in disrepair.

D. MANAGER

Mr. Haines reported that the Public Works team will be doing repairs on Man O War the week of September 16th to the 20th. The township will post an update on the website to inform the residents in addition to notice to the homes that will be impacted on Man O War. There will be water main access work on Printers Way (S. Loop Road). SEPTA has approval from PennDOT regarding the total road closure at the end of September and beginning of October to install the trestle; SEPTA must post 3-weeks in advance per PennDOT rules to have the total road closures.

Mariner 2 Pipeline pulled back for the 16-inch pipeline that was completed on September 6th. The 20-inch pipeline is scheduled to begin drilling May 2020 based on information at this time provided by Sunoco. The Township road paving program is expected to be completed this week. Update regarding the Sunnybrae basin revitalization project; The preliminary design is complete, and it was reviewed with township staff and the residents who live around the basin. The hope is to get the design complete this year and set for potential construction next year.

5. OLD BUSINESS: N/A

6. PUBLIC HEARING: N/A

7. NEW BUSINESS

B. Consideration for Approval: Resolution 2019-46, PECO Green Region Open Space Grant Program.

Mr. Haines stated this is an opportunity for funding to support future master planning on the pending purchase of the Sleighton Parcel. This would be the funding to support the planning team to have additional resources on those master planning efforts.

Mr. Shropshire made a motion to approve Resolution 2019-46. Mrs. Powell seconded the motion. Resolution 2019-46 carried with a vote of 7-0.

C. Consideration to Authorize: Suburban Deer Management Team – Darlington Tract.

Mr. Haines stated that Mr. Childs is here to answer any questions. Mr. Haines reported that Suburban Deer Management has operated for the prior two years and staff has not received any direct concerns with the activities. There was a request for additional notifications which Mr. Childs supported and would comply. Staff recommended authorizing the agreement for the 2019-20 hunting season, with the administrative option to grant up to three (3) 1-year extensions.

Mr. Shropshire made a motion to approve Suburban Deer Management Team – Darlington Tract as presented. Mr. Carlson seconded the motion. The motion carried with a vote of 7-0.

D. Consideration for Re-Appointment: Township UCC Board of Appeals

- 1) Mr. Michael Murphy, term expiring 12/31/2023
- 2) Mr. Redash, term expiring 12/31/2024
- 3) Ms. Sandra Baggot, term expiring 12/31/2022
- 4) Mr. Scott Erdy, term expiring 12/31/2022

Mr. Shropshire made a motion to approve the listed appointments. Mr. Carlson seconded the motion. The motion carried with a vote of 7-0.

E. Consideration for Approval: Resolution 2019-47, Master Fee Schedule.

Mr. Haines stated based on prior discussions with the Land Planning Committee and weeks of staff review, a comprehensive update to the Fee Schedule is presented for consideration. Mr. A.G. Ciavarelli asked how much more revenue it will bring into the township. Mr. Haines stated that there was an example provided that was a new construction home and the goal is for permit fees to cover incurred expenses, both for in-house and third-party professionals. Becky Garner asked Council if the 2019-47 is the entire new fee schedule. Mr. Kirchgasser stated that it is, and it will be posted on the website.

Mr. Shropshire made a motion to approve Resolution 2019-47, Master Fee Schedule. Mr. Byrne seconded the motion. The motion carried with a vote of 7-0.

F. Consideration for Introduction: Ordinance 811, Text Amendment of Chapter 167, Peddling and Soliciting.

Mr. Haines reported this concern came up several times last year and a request was made for better Township oversight of solicitations throughout the community. Ms. Merino worked with Mr. Damico on a text amendment. If it is agreed to move forward with this, an amendment for fees would also follow.

Mr. Shropshire made a motion to introduce Ordinance 811, Text Amendment of Chapter 167, Peddling and Soliciting. Mr. Reed seconded the motion. The motion carried with a vote of 7-0.

G. Approval of September 9, 2019 Bill List.

Mr. Kirchgasser read the bill list aloud.

GENERAL FUND			
Aqua Pennsylvania, Inc.	July Hydrant Bills	\$	9,375.86
A.J. Blosenski, Inc.	May Recycling/Yard Waste	\$	25,154.53
	Progress Billing Year End		
Barbacane Thornton & Co. LLP	12/31/18	\$	13,475.00
GO2 Tech.	Microphones & Audio Equip.	\$	728.97

	July Services	\$ 7,335.06
		\$ 8,064.03
Kelly & Close Engineers	Professional Services July	\$ 15,367.32
Keystone Municipal Services, Inc.	Contracted Services 7/1/19 - 8/9/19	\$ 31,150.00
Petrikin Wellman Damico	Twp. Solicitor/Billed Through 7/31/19	\$ 5,347.50
Brown & Petrosa	August Retainer	\$ 1,000.00
		\$ 6,347.50
United Inspection Agency Inc.	Electrical Inspections - July	\$ 5,600.00
	General Fund Total	\$ 114,534.24

RECREATION FUND

Curran Travel, Inc.	PA Monuments Trip	\$ 6,666.00
PNC Credit Card To G/F	Recreation Supplies	\$ 366.54
	Summer Recreation Supplies	\$ 1,341.65
	Trips	\$ 9,076.20
		\$ 10,784.39
Pa Recreation & Park Society	Summer Discount Tickets	\$ 6,217.00
Touriffic Travel	September & October Trips	\$ 25,826.00
	Recreation Total	\$ 49,493.39

CAPITAL RESERVE FUND

A.J. Jurich, Inc.	Smedley Tract Park #6	
Core Engineered Solutions, Inc.	Fuel System Replacement	\$ 53,690.55
McCormick Taylor	PA 452 & SR 1 Imp. 6/1/19 - 7/26/19	\$ 57,148.78
R.C. Titter Construction, Inc.	Renovations Township Bldg.	

	\$	20,177.40
Capital Reserve Total		
	\$	10,855.00
	\$	<u>141,871.73</u>

CAPITAL 2019 G.O. BOND - TRID

Century Engineering, Inc.	Wawa Recreational Trail	\$	19,350.00
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STATE AID FUND

Road Safety Systems, LLC	Guide Rail Improvements	\$	<u>124,605.00</u>
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Mr. Powell made a motion to approve the bill list. Mr. Carlson seconded the motion. The motion carried with a vote of 7-0.

Mr. Kirchgasser adjourned the meeting at 7:52 p.m.

Respectfully Submitted,


Megan Killian, Recorder



Item 4D.1
August Report

Middletown Township Engineer's Report

September 9, 2019

Council Meeting

MARINER 2 PIPELINE

MT100-Ea

- Drill #591 (Sleighton Park, along Valley Road, to Rocky Run) - Michels has completed pullback of the 16-inch pipeline (Drilling began around 3/25/2019). Sleighton Park driveway has been reopened on September 6, 2019.
- Hydrotesting of the 16-inch pipeline from Sleighton Park to valve station near Glenwood Elem. (aka Lenni Valve Station) has not yet been determined.
- Drilling of the 20-inch pipeline (Drill #591) is now scheduled to begin May 2020.
- Major modification of NPDES and other PADEP Permits for #620 Section of Pipeline is under review by PADEP. Estimated approval date for major modification is Fall 2019 or early 2020.
- 20-Inch diameter Drill #631 (Gun Club) is presently under re-evaluation review by PADEP. Anticipated commencement date for drilling is October 2019.
- Target commencement date for 20-inch diameter Drill #610 (Granite Farms Estates thru Franklin Mint) is mid-2020.
- Blasting on Franklin Mint property is ongoing and no issues reported thus far. Blasting has been approved by PADEP and Sunoco and it is our understanding that representatives from Sunoco are present during blasting.
- This office has reviewed the condition of the entire right-of-way and has prepared a report that has been presented to Township Staff. Minor issues identified during the review process have been forwarded to Sunoco for resolution. No significant drainage or erosion issue was identified during field inspection. Inspection was to assess the effectiveness of permanent stabilization and installed stormwater controls.

SEPTA R3-2

MT120-Bw

- Construction activity is ongoing from near the Elwyn Station to just north of the right-of-way intersection with Rt. 1. Primary construction activity occurring is between Lungren Road and Rt. 1 where there are numerous bridges and stormwater culverts being replaced. Work also includes the installation of new bridges, widening and reprofiling of tracks, and roadway improvements. None of the work

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contemplated with the R3-3 Land Development (Lenni welfare building, Wawa Station Building and Parking Garage) is underway.

TOWNSHIP GUIDERAIL PROGRAM

MT124-E

- Work has been completed by Road Safety Systems, LLC (Shamong, New Jersey). Contract amount is \$138,450.00 for installation of approximately 2,000 LF of metal guiderail (Howarth Road, E. Knowlton Road (North) and Darlington Road (East)).
- Preliminary design plan is complete for E. Knowlton Road (South), Darlington Road (West) and Valley Road. Bid letting for this work has not be scheduled. Significant utility pole relocation and tree removal is required for these projects.
- The guiderail project is for the installation and/or replacement of guiderail along 6 segments of Township roadway, including the segments associated with the recently awarded contract: Howarth Road, E. Knowlton Road (North), E. Knowlton Road (South), Darlington Road (East), Darlington Road (West) and Valley Road.

TOWNSHIP CODE AMENDMENTS

MT110 SERIES

- The following Codes are to be amended over next 36 months – Chapter 186 (Soil Erosion and Sedimentation Control), Chapter 198 (Stormwater Management), Chapter 204 (Streets and Sidewalks), Chapter 210 (Subdivision and Land Development) and Township Standards (construction standards, details and specifications).
- Chapter 198 (Stormwater Management Ordinance) – Draft Amended Ordinance is complete and has been presented to the land planning committee for review. The Ordinance will be introduced for adoption by Council in September and will then be submitted to the Township Planning Commission and County Planning Commission for review.
- Preparation of Draft revisions to Chapter 186 (Soil Erosion and Sedimentation Control), a new Chapter 77 (Building Permit Procedures) and Township Standards has begun.

STORM SEWER REPAIR – 12 GLEN RIDDLE ROAD

MT100-M

- Work is for replacement of severely deteriorating storm sewer traversing #12 Glen Riddle Road, which is within an easement that is owned and maintained by the Township.

- Design is complete for the replacement of deteriorated storm sewer and has been reviewed with the property owner. Extinguishment of an existing Township easement will be accomplished as well as the establishment of a new easement along the centerline of the relocated/repaired storms sewer.
- Easement exhibit, legal description and draft easement agreement have been completed. Extinguishment of existing easement and establishment of new easement must be accomplished prior to commencement of construction. Easement agreement is to be submitted to property owner for approval in near future.
- Draft construction plan and construction specifications are complete and under final review.
- Commencement date of construction has not been identified, but it is desired to commence work in late October if possible, weather permitting, but could be delayed until March 2020. Construction dates will be coordinated with the property owner.

STORM SEWER REPAIR – 78 FORGE ROAD

MT100-N

- Work is for installation of storm sewer collection inlet and short segment of pipe to improve a drainage issue originating from Forge Road, impacting the front of #78 Forge Road.
- Draft design plan of storm sewer replacement is complete and has been presented to Township Administration for feedback.
- A permanent easement (from an adjoining property owner – 122 W. Forge Road) will be required for grading and to install a storm sewer endwall slightly outside of the right-of-way. Approval of temporary construction access will also be necessary from the property owner (78 Forge Road) which is the owner primarily impacted by the pipe and inlet installation.

SUNNY BRAE STORMWATER BASIN REVITALIZATION

MT100-K

- Mariner East 2 Pipeline Corridor Grant Funds (\$198,472.00).
- Existing basin is located on land owned by the Township to the rear of #38 Gallant Fox Drive.
- Draft design plan of the basin revitalization is complete and is current being reviewed with Township Staff and the owners of the properties adjoining the basin area.

- It is desired to commence construction in March of 2020 so that the basin can achieve permanent stabilization prior to Summer weather conditions.
- Basin revitalization work will be offered to PADEP as a reduction of sediment in conjunction with the Township's NPDES Permit for MS4 (Pollutant Reduction Plan).

SMEDLEY PARK STAGE 1

MT100-A

- Stage 1 work (Contract amount is \$445,826.79) is complete. The site has been reviewed by the Delaware County Conservation District and is stabilized in accordance with district standards.
- Maintenance bond for the project has been received and expires on June 2, 2020.
- Survey as-built information has been obtained for the completed work and this survey information will be the basis for the Stage 2 and Stage 3 bid plans to complete the remainder of the park. The survey as-built plan is also required as a condition of the NPDES Permit Notice of Termination. Survey as-built information indicates construction was completed in compliance with the design plan and conditions of the Stage 1 contract.
- Requirements/conditions of agreement with BET (Granite Run Mall) to place fill material at Smedley Park have been fulfilled and all ground is stabilized.
- Date for letting of bid for Stage 2 and Stage 3 has not yet been scheduled. Stage 2 includes the bulk field and parking lot grading work and Stage 3 includes the installation of parking lots, driveways and trails. Stage 1 only included stormwater management controls and sediment control facilities (for Stage 2 and 3 bulk grading activity). Stage 2 and 3 can be completed at the same time if desired by the Township.

2018 CDBG – E. OLD BALTIMORE PIKE

MT102-18

- Work is for the repair and paving overlay of E. Old Baltimore Pike from the Rt. 1 on-ramp to School Lane (approximately 2,200 LF of roadway). Work includes paving base repair, repair of concrete pavement, restoration of road crown, concrete curb, milling and bituminous overlay, signage and pavement striping.
- Work is to be completed under a Delaware County 2018 Community Development Block Grant in the amount of \$130,650.00. Total project cost including Township contribution - \$143,715.00.

- Bids for the project have been opened and exceed the budget amount for the project, and have been formally rejected by Council. The project will be re-bid early January 2020. Delaware County OHCD has requested that the project be re-bid and constructed prior to end of May 2020. It is our belief that with minor changes to the contract documents and scope of work, and with the aforementioned date for let of bid (Winter), lower bid amounts will be received for the work.

MS4 NPDES PERMIT/POLLUTANT REDUCTION PLAN MT300-18

As regulated by PADEP, a Pollutant Reduction Plan (PRP) was prepared in conjunction with the Township's NPDES Permit for the municipal separate storm sewer system (MS4). The permit application and PRP was submitted for approval to PADEP in November 2017. A deficiency letter was received from PADEP in August 2018. During the fall of 2018, several meetings were held with PADEP to discuss the requested revisions to the PRP, sediment reduction calculations and required stormwater quality improvements (BMPs) proposed by the Township to meet the 10% sediment reduction requirement imposed on the Township for the 2018 to 2023 NPDES Permit term.

In January 2019, we again met with PADEP to review revisions requested and revisions made (by the Township) to the PRP mapping. Several conference calls ensued after the January 2019 meeting, in order to clarify and resolve remaining issues. In February 2019, a 4-month extension was requested from (and granted by) PADEP to June 7, 2019, to allow sufficient time to complete additional PRP mapping revisions (and review of those revisions by PADEP). On May, 2, 2019, PRP mapping was re-submitted to PADEP. PADEP has informally communicated that mapping revisions appear satisfactory but due to the large number of municipalities resubmitting revised mapping, has indicated an extension of the deadline to submit revised PRP should again be requested to allow sufficient time for their review. Therefore, we have requested such an extension to December 8, 2019, and it has been approved.

Presently, the Township is proposing streambank stabilization as the primary means to achieve the required sediment reduction; however, based on revisions requested by PADEP, the Township is assessing additional locations to complete stormwater BMPs as it is believed that streambank stabilization alone will not be sufficient to achieve the required 10% sediment reduction. This sediment reduction must be accomplished by the Township prior to the end of the current NPDES (MS4) permit term (2023).

FORGE ROAD/HANSON QUARRY PAVING REPAIRS MT105-B

- Temporary repairs made to Forge Road in front of Hanson Quarry in late 2018. Material for the repair was donated by the quarry. Repairs appear to be holding up well.
- Field information has been collected in order to prepare a permanent paving repair design including underdrain to mitigate wet conditions contributing to paving deterioration.
- Hanson Quarry has informally agreed to participate in permanent paving repairs contemplated in front of the Quarry entrance.
- Schedule for completion of permanent repairs has not been determined at this time since the temporary repair completed late last year continues to withstand truck traffic.

MIDDLETOWN TOWNSHIP 2019 ROAD PROGRAM MT105-19

- 2019 Road Program bid has been awarded to Couzins, Inc. in the amount of \$355,396.70 and work is ongoing.
- Roads to be paved:
 - Horseshoe Dr (Blacksmith Ln to Carriage Dr, including Longfellow Ln)
 - Linville Road (Knowlton Rd to North of paving seam)
 - Mt. Alverno Road (2016 paving seam to paving seam near walking path/crosswalk)
 - Knowlton Road (2016 paving seam to Longpoint Ln)
 - Carriage Drive (#16 Carriage Dr to Horseshoe Dr)
 - S. Bryn Mawr Place (Harvard Dr to 2018 paving seam)
 - Harvard Drive (S. Bryn Mawr Pl to S. New Middletown Rd)
 - Lilac Way (Cool Valley Ln to circle)
 - Rampart East (Soldier Song Ln to Rampart W.)

SUBDIVISIONS/LAND DEVELOPMENTS MT305 SERIES

- Riddle Hospital Expansion land development plan has been submitted and reviewed by Township staff/consultants and is scheduled to be reviewed for preliminary plan approval by the Middletown Township Planning Commission in September 2019. Council did not yet approve a waiver of preliminary plan approval requirements.
- SEPTA R3-3 Land Development Plan has been submitted and reviewed by Township staff/consultants and was recommended for approval by Middletown Township Planning Commission in August 2019. Council approved waiver of preliminary plan approval requirement, thus SEPTA

will be seeking final approval from Council in September 2019.

- Artis Senior Living Land Development – Plan reviews completed, and preliminary plan review and conditional use hearing is scheduled to continue at a future Council Meeting. The preliminary plan and conditional use were recommended for approval by the Planning Commission on 4/9/2019.
- 227 Howarth Road Subdivision and Land Development (Mancil Builders) – Plan was granted final approval by Council on April 22, 2019, but has not yet been recorded. Final plan was recommended for approval by the Planning Commission on 4/9/2019.
- Guss Subdivision (Howarth Road) – Conditional final approval granted by Council. Plan has not yet been recorded.
- Promenade at Granite Run Land Development - Conditional amended final approval granted by Council. Amended final plan has not yet been recorded. Construction pursuant to the approved (and recorded) final plan is on-going.
- Wawa (Riddle Ale House) - Conditional final approval granted by Council. Construction has begun, but Certificate of Occupancy will not be approved until the Promenade at Granite Run amended final land development plan is recorded.
- Darlington Pointe II Subdivision - Conditional final approval granted by Council. Plan has not yet been recorded.
- 312 Lenni Road Subdivision - Conditional preliminary approval granted by Council.
- 33 N. Middletown Road Subdivision (Convery) - Conditional final approval granted by Council. Plan has not yet been recorded.

