

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
APRIL 27, 2020

Minutes of the Regular Meeting of Township Council held on April 27, 2020 at 7:00 p.m., online as a virtual meeting during the COVID-19 Restrictions and/or Stay-At-Home Order.

Present: Stephen Byrne, Bibianna Dussling, Mark Kirchgasser, Kathleen O'Connell-Bell, Susan Powell, Walter "Bok" Read, Norman Shropshire, Andrew Haines, Joseph A. Damico, Jr., Esq., Eric Janetka

OPENING/CONVENE ONLINE MEETING: Review Virtual Meeting Rules.

Chairman Mark Kirchgasser called the meeting of the Council to order at 7:00 p.m. Mr. Haines stated there were no members of the public at the virtual meeting at the start. He stated he will check throughout to confirm any public participation.

1. APPROVAL OF MINUTES

A. Draft Township Council Minutes: March 9, 2020.

Mr. Shropshire made a motion to approve the minutes and Mrs. Powell seconded the motion. The motion carried with a vote of 7-0. Mr. Kirchgasser polled all members of Council for their votes.

B. Draft Township Council Minutes: April 1, 2020 (Emergency Meeting).

Mr. Byrne made a motion to approve the minutes and Mr. Shropshire seconded the motion. The motion carried with a vote of 7-0. Mr. Kirchgasser polled all members of Council for their votes.

2. NEW BUSINESS:

A. Approval of June 8, 2020 for New Public Hearings Date for Ordinances not Extended on the Record; Prior Public Hearing on March 23, 2020 Canceled Due to COVID-19:

1) Ordinance 818 Text Amendment to Chapter 235, Vehicles and Traffic, for Stop Signs at E. Forge Road and Painter Road.

Mr. Haines stated they were not able to extend on the record a future meeting for the Ordinance to put stop signs at Painter Road and E. Forge Road. He stated it is prudent to have on record a motion to set the hearing date and to re-advertise and have the public hearing. Mr. Haines stated this caused a delay in getting the stop signs placed. Mr. Kirchgasser stated the date certain of the Public Hearing is June 8, 2020

Mr. Byrne made a motion to approve Ordinance 818 and Ms. O'Connell-Bell seconded the motion. The motion carried with a vote of 7-0. Mr. Kirchgasser polled all members of Council for their votes.

B. Consideration to Authorize 2020 Department of Conservation and Natural Resources (DCNR) Grant Signature Page for \$1 Million Application for 81-Acre Sleighton Parcel Acquisition.

Mr. Haines stated this is a resubmission of the 2019 application. He stated DCNR felt the application was worthwhile, but 2019 was highly competitive. The Township was encouraged to resubmit the application. He stated this is an acquisition grant only to offset the purchase price of the 81-acre parcel. Mr. Kirchgasser stated this helps reduce the cost by up to a \$1 million dollars which funds can be used elsewhere.

Ms. O'Connell-Bell made a motion to approve the resubmission and Mrs. Powell seconded the motion. The motion carried with a vote of 7-0. Mr. Kirchgasser polled all members of Council for their votes. Mr. Kirchgasser asked when the Township could get feedback on this application. Mr. Haines stated possibly in July of 2020.

C. Consideration for Approval: Resolution 2020-11, Department of Community and Economic Development Watershed Restoration and Protection Program (WRPP) Stormwater Grant Application in the amount of \$296,905, Township Open Space.

Mr. Haines stated this is an open space parcel north of Highpoint Drive and south of the Franklin Mint. He stated the application needed a park name and staff utilized Highpoint Park to score well with the Grant application only. Mr. Haines stated last year when the pollutant reduction plan was adopted for MS4, there were a substantial number of items the Township needed to pursue. He stated this is designed to capture water at the end of the cul-de-sac. He stated this grant outlines the effort to find a project that has roughly a \$350,000 cost. He stated the Township is trying to receive \$297,000 from grant funds to help with the construction costs. He stated this goes toward the unfunded mandate to fulfill the pollutant reduction plan for the Township. Mr. Kirchgasser stated the utilization of the land should increase as the trail is installed along the un-named waterway that goes to the rear of the area and splits the Eric Lane and Highpoint Drive communities from the Franklin Mint.

Mr. Shropshire made a motion to approve Resolution 2020-11 and Ms. Dussling seconded the motion. The motion carried with a vote of 7-0. Mr. Kirchgasser polled all members of Council for their votes.

D. Consideration for Approval: Resolution 2020-12, Amendment of Township Fee Schedule.

Mr. Haines stated there was a comprehensive update last year and since that time a new Chapter 198 was adopted for Stormwater and staff needed to provide opportunity for appropriate fees depending on the different tiers created in the Ordinance. He stated they are also continuing to analyze actual fees for non-residential electrical needs. He stated larger projects need to have a more equitable cost. Mr. Haines stated the proposed fee structure put the Township in line with other communities, covered the Township's expenses for inspections and plan review, and was still below other municipal peers. Mr. Haines stated they had to make sure the appeal in part one matches the Municipal Planning Code of 100 days.

Mr. Read made a motion to approve Resolution 2020-12 and Ms. O'Connell-Bell seconded the motion. The motion carried with a vote of 7-0. Mr. Kirchgasser polled all members of Council for their votes.

E. Consideration for Approval: Resolution 2020-13, Act 15 of 2020 Authorized Extension of Deadlines During COVID-19 Pandemic.

Mr. Haines stated this provides the opportunity for Council to adjust the deadline for real estate taxes as was outlined and permitted by State Act 15 of 2020. He stated he worked with Mr. Visoskas and Mr. Damico in the review process. He stated this extends the real estate payment until August 31, 2020 and delays the penalty until September 1, 2020 through December 31, 2020. He stated the recycling fees and Sewer Authority fees were also aligned and extended until August 31, 2020. Mr. Haines stated over 86% of real estate taxes have already been paid to date. Mr. Visoskas stated there is approximately \$280,000 left to be paid in residential real estate.

Mr. Byrne made a motion to approve Resolution 2020-13 and Ms. Dussling seconded the motion. The motion carried with a vote of 7-0. Mr. Kirchgasser polled all members of Council for their votes.

F. Consideration to Authorize 2020 Road Improvement Program to A. F. Damon, Inc. in the amount of \$235,913.50.

Mr. Shropshire asked if there is a list of roadways to be approved. Mr. Haines stated there is a color-coded comparative on bids and a list of roads in the agenda materials. Mr. Haines stated bids are now 40-50% below estimated market values. He stated the Township will work with the contractor to expand the roadways this year. He stated they are going to maximize these rates. Mr. Haines stated it is the Township's intention to finish the half-paved roads from various AQUA projects within the Township.

Mr. Shropshire made a motion to award A.F. Damon, Inc. the road improvements contract and Ms. O'Connell-Bell seconded the motion. The motion carried with a vote of 7-0. Mr. Kirchgasser polled all members of Council for their votes.

G. Consideration for Approval: Ordinance 821, Reenactment of Ordinance 820 and July 15, 2020 Business Privilege and Mercantile Taxes.

Mr. Haines stated this is an emergency Ordinance. Mr. Damico reviewed the April 1, 2020 Ordinance which has an expiration date of 30 days. He stated Council needs to act on another emergency Ordinance to maintain the July 15, 2020 date that was adopted in the emergency Ordinance. He stated if they introduce a regular ordinance and adopt two weeks from now they will still have a delayed 30-days for the effective date, which would be a week in July and require another emergency ordinance would have to be introduced to cover time. He stated it is easiest to adopt an emergency Ordinance and in 300-days adopt another ordinance to get to the July 15, 2020 deadline to extend the Business Privilege Tax. Mr. Kirchgasser stated they are now voting to confirm the

extension through July 15, 2020.

Mr. Byrne made a motion to approve Ordinance 821 and Ms. Dussling seconded the motion. Ordinance 821 was approved with a vote of 7-0. Mr. Kirchgasser polled all members of Council for their votes.

H. Approval of April 27, 2020 Bill List.

Mr. Kirchgasser read the bill list aloud.

GENERAL FUND		
Aqua Pennsylvania, Inc.	March Hydrant Bills	\$ 9,375.86
Barbacane Thornton & Co.	Audit/Year end 12/31/19	\$ 31,450.00
Eckert Seamans Cherin & Mellott	Special Solicitor thru 2/29/20	\$ 5,817.50
Independence Blue Cross	April Health Insurance	\$ 20,014.71
Kelly & Close Engineers	Professional Serv. 1/25/20-4/3/20	\$ 36,854.55
Keystone Municipal Services	Contracted Services 3/9/20-4/3/20	\$ 17,250.00
Middletown Free Library	Q1 2020 – Library Distribution	\$ 87,500.00
Petrikini Wellman Damico	Twp. Solicitor Billed Through 3/31/20	\$ 4,935.00
Brown & Petrosa	April Retainer	\$ 1,000.00
		\$ 5,935.00
	General Fund Total	\$ 214,197.62

CAPITAL RESERVE FUND		
Burke Landscape Supply	Riding Mower & Vac Bagging System	\$ 10,131.00
Donnelly Concrete, LLC	12 Glen Riddle Road Storm Sewer	\$ 66,006.00
Knowlton Const. Supplies	Highway Supplies	\$ 9,310.00

PECO Energy Co.	Pole Relocation 760 W. Rose Tree Road	\$ 5,000.00
Pennoni Associates, Inc.	Fuel System Serv. Through 3/22/20	\$ 10,071.26
Pipe Line Plastics, Inc.	Highway Supplies	\$ 5,588.80
The Bank of New York Mellon	2019 GOB TRID - Debt Interest	\$ 71,749.00
The Bank of New York Mellon	2019 GOB Roosevelt - Debt Int.	\$ 74,925.00
		<hr/>
		\$ 146,674.00
Traffic Logix Corp.	Radar Detecting Speed Limit Signs	\$ 7,702.00
	Capital Reserve Total	<hr/> <u>\$ 260,483.06</u>

CAPITAL RESERVE 2019 G.O. BOND - ROOSEVELT

Erdy McHenry Architecture	Roosevelt Renovation	\$ 9,081.25
Kelly & Close Engineers	Roosevelt Site Improvements	<hr/> <u>\$ 11,492.40</u>
	Capital Reserve-Roosevelt Total	\$ 20,573.65

Mr. Kirchgasser adjourned the meeting at 7:30 p.m.

Respectfully Submitted,

Sharon Browne