

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA

June 10, 2013

Minutes of Regular Meeting of Township Council Held on Monday, June 10, 2013 at 7:00 PM in the Township Building, 27 N. Pennell Road

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

1. Chairperson Ms. Bradshaw opened the meeting with the Pledge of Allegiance to the Flag.

Ms. Bradshaw apologized for the delay in beginning the meeting and explained that Council had an extended discussion of a legal matter during the Executive Session prior to tonight's meeting.

2. Approval of Minutes – May 13, 2013 Regular Meeting

Mr. Galloway moved for approval of the Minutes of the May 13, 2013 Regular Meeting. Mrs. Amoroso seconded the motion, and the Minutes were approved as submitted by vote of 4-0; Ms. Bradshaw and Mr. Carlson abstained from voting because they were not present at the meeting.

3. Comments from the Public

There were no comments from the audience.

4. Reports

A. Finance and Administration: Mr. Carlson explained that Pam Baker, Senior Auditor with Barbacane Thornton & Company, planned to meet with the Committee prior to tonight's meeting to review the Audit Report for the year ended December 31, 2012. Due to the heavy rain and traffic tie-ups she was delayed getting to the Township Building, and the meeting for review of the audit report will be re-scheduled.

5. New Business

A. Elwyn/Skycrest Final Land Development Plan – East Baltimore Pike
At School Lane – Review of Active Recreation Plan

Joseph Riper, Esquire, representing Elwyn/Skycrest, explained that the Final Land Development Plan for the Skycrest townhouse development on East Baltimore Pike opposite School Lane was approved at the May 13, 2013 Council meeting, subject to a number of conditions. One condition of plan approval provides that before the plan can be finalized and released for recording, a specific delineation of the active recreation facilities must be presented to Council for approval, and funds are to be included in the Improvement Security Agreement to cover installation of the approved recreational facilities. He pointed out that aspect of the plan is more a function of the purchaser, who has his own plan for marketing the development. He consulted with Cornell Homes, the expected project developer, to discuss recommendations they might have for active recreation facilities. He noted that the development will be known as “The Reserve at Rose Tree”.

Mr. Riper introduced Christy Flynn, Land Development Manager with Cornell Homes, and explained that she basically designed the Active Recreation Facilities Plan. He noted that an informal meeting was held in his office on May 17th attended by Christy Flynn, Charles Olivo, Bruce Clark, Art Rothe, Tom Comitta and Dan Mallach to discuss the proposed active recreation facilities.

Referring to the recreation facilities plan on display, Mrs. Flynn described the location of the various recreational facilities throughout the development. She noted that following the May 17th meeting she revised the plan to incorporate the comments and suggestions discussed at the meeting. She explained that a mix of different types of active recreation facilities will be provided for residents of the development. There will be something for everyone, from singles with no children to families with several children to empty nesters. She pointed out that the recreational facilities go above and beyond the ordinance requirement for general and active recreational open space to appeal to a broad market.

Mrs. Flynn went on to say that upon entering the site the first area of active recreation will be a multi-purpose field suitable for soccer, lacrosse or field hockey. A fence will be erected around this area to contain stray balls. The field will have a 2% grade for drainage purposes, and will not be lighted, although portable lighting could be used for a special event.

Mrs. Flynn noted that Mr. Comitta suggested installing arbors in the entrance area. These are basically trestle-type structures with ivy vines or rambler roses growing over them. A decision has not been made regarding this amenity.

Moving on to the next recreational area, Mrs. Flynn pointed out the location of a gazebo, several picnic tables and some benches. This will be a less programmed area, and would be suitable for children to play kick ball or have a catch. She noted that the green areas making up the front or back yards of the townhouses are relatively small and not large enough for active recreation.

Mrs. Flynn pointed to an elongated grass strip and explained that it would include a linear playground. Mr. Clark stated that the plans were approved have been “flip flopped” to move an open space area from one side to the other to create the strip. Two bocce courts are planned for the open area to the rear of the development adjacent to County property along with some benches for spectators.

Mr. Quinn inquired about the size of the multi-purpose field. Mrs. Flynn stated the field will be approximately 150 ft. x 250 ft. Ms. Bradshaw asked if it is proposed that the field will be available for use by people outside the townhouse community. Mrs. Flynn stated it is not anticipated that sports teams will use the multi-purpose field for practice or for games. However, if a resident of the development has a child who plays on a team and wanted to use the field for a program, the Homeowners Association would decide whether that would be appropriate.

Ms. Bradshaw pointed out that the active recreation area adjoins the County Park open space. Mrs. Flynn explained that the original Skycrest plan anticipated that the developer would grant an access easement to the County to connect to a parking area in the Mineral Hill site. There was also some discussion about extending the sidewalks to the parking area. The County planned to construct a small parking area at the corner of the Mineral Hill tract adjacent to the Skycrest property. However, permits could not be issued for a parking area in that location because of stream buffer constraints. An agreement should be worked out with the County with respect to the access easement,

Mr. Damico questioned what part the retaining walls play in the recreation area and what height is proposed for the retaining walls. Mrs. Flynn replied that two retaining walls are proposed in the slope area and will be approximately 8 ft. high. Without retaining walls that area would not be suitable for recreational use.

Mr. Clark stated that if Council finds the recreation plan acceptable, Mr. Rothe, Mr. Comitta and Mrs. Flynn will come to an agreement on the cost of the various recreation facilities and the amount to be escrowed for installation. Mrs. Flynn stated she prepared a rough estimate of the costs for use as a basis for their discussion.

Mr. Galloway moved that the recreation plan as presented be approved as part of the final site plans to be recorded. Mr. Carlson seconded the motion, and the motion was approved by unanimous vote 6-0.

E. Application for Highway Occupancy Permit – Elwyn/Skycrest

Mrs. Amoroso moved to amend the agenda to consider the appointment of Stantec to act on behalf of the Township in applying for a Highway Opening Permit for the proposed signalized intersection for the Elwyn/Skycrest development. Mr. Galloway seconded the motion and the motion was approved by unanimous vote 6-0.

Mr. Clark explained that a change in PADOT’s policy now requires that the Township must appoint an agent to act on its behalf in applying for a Highway Occupancy

Permit for the signalized intersection and related improvements at the entrance to the townhouse development and School Lane. Normally Stantec would have handled the application for the permit on their own, and it is proposed that Stantec be appointed as the Township's agent. Mr. Olivo stated that a separate application will be submitted for the drainage improvements in PADOT's right-of-way.

Mr. Shropshire moved that the Township authorizes Stantec to act as the Township's agent with respect to the Highway Occupancy Permit application and to do all things necessary to obtain the Highway Occupancy Permit on behalf of the Township. The Township has elected to be provided with contemporaneous updates on the status of the permit application. Mr. Galloway seconded the motion, and the motion was approved by unanimous vote 6-0.

B. Review of Sewage Facilities Planning Module Application –
Mancill Subdivision – 294 Oak Avenue

Mr. Clark explained that the Sewage Facilities Planning Module for the 5-lot subdivision of the Mancill property located at 294 Oak Avenue has been reviewed by the Township Sewer Authority, the County Planning Department and the Township staff. An existing house on the property is not included in the application since it was connected to the public sanitary sewer system some years ago. He noted that submission of the Planning Module application to DEP was delayed while the Middletown Township Sewer Authority and Southwest Delaware County Municipal Authority worked out issues relating to capacity of the treatment plant in Aston. A Global Agreement was executed by MTSA and Southwest and has been approved by DEP. The Planning Module can now be forwarded to DEP upon Council's formal authorization for submittal.

Mr. Carlson moved that the Township Council of Middletown Township adopts and submits to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto. Mrs. Amoroso seconded the motion and Resolution 2013-56 was approved by vote of 4-0; Ms. Bradshaw and Mr. Quinn abstained from voting because of a possible conflict of interest.

C. Review of Sewage Facilities Planning Module Application –
Media Real Estate – 176 S. New Middletown Road

Mr. Clark stated that the on-lot septic system for the Media Real Estate office building at 176 South New Middletown Road has not functioned properly for some time and has to be pumped out frequently. An agreement was worked out with the Williamson School whereby a low pressure force main for the office building will cross the Williamson property to connect to a gravity sewer line located on the Williamson School property tying in to the public sewer system. This project could not move forward until DEP approved the Global Agreement between MTSA and Southwest. The Sewage Facilities Planning Module can be authorized by Council for submission to DEP.

Mr. Shropshire moved that the Township Council of Middletown Township adopts and submits to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto. Mrs. Amoroso seconded the motion and Resolution 2013-57 was approved by unanimous vote 6-0.

D. Approval of Bill List

Ms. Bradshaw read aloud the bills presented for Council's consideration for approval for payment.

Mr. Carlson moved that payments under the June 10, 2013 Bill List be authorized for payment by the Finance Department:

| <u>General Fund</u> | | |
|---------------------------------------|-----------------------------------|-------------|
| Aqua PA | Hydrant Rental | \$11,381.75 |
| Superior Plus Energy Services | April & May Fuel | 8,316.10 |
| Petrikin Wellman Damico Brown & Brown | Professional Services | 5,546.50 |
| Keystone Health Plan East | June Health Insurance | 24,291.43 |
| | Highway Share | |
| | Sewer Authority & Library Share | |
| | Recreation Share | |
| <u>Recreation Department</u> | | |
| Curran Travel | Rail & Sail New England | 6,562.00 |
| On & Off Broadway | Motown | 6,679.00 |
| TD Bank | Supplies, Transportation, Tickets | 15,376.58 |

Mr. Shropshire seconded the motion, and Resolution 2013-58 was approved by unanimous vote 6-0.

6. Adjournment

The meeting was adjourned at 7:50 PM.

Respectfully submitted,

Carolyn Doerfler
Carolyn Doerfler, Recorder

