

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
September 28, 2015

Minutes of the Regular Meeting of Township Council Held on, September 28, 2015 at 7:00 P.M.,
in the Township Administration Building located at 27 North Pennell Road

Present: M. Amoroso, L. Bradshaw, S. Galloway, M. Kirchgasser, C. Quinn, and N. Shropshire
B. Clark, E. Janetka, and J. Damico, Esquire

1. OPENING

Chairman Mr. Kirchgasser called the meeting of the Council to order at 7:14 P.M., and led recitation of the Pledge of Allegiance to the Flag.

2. SPECIAL PRESENTATION

Mr. Kirchgasser stated that Council learned at the last meeting that Bette Alburger was retiring after 37 years on staff at *Delaware County Daily Times*. He asked Ms. Alburger and her boss, Phil Heron, to come forward. Mr. Heron informed the audience that Ms. Alburger was with the newspaper for over three decades. He described Ms. Alburger as one of the most fair, accurate, and caring reporters on staff and expressed that it was both an honor and pleasure to work with her at the *Daily Times*.

Mr. Kirchgasser noted that Ms. Alburger is the main reporter for events that take place in the Township. He expressed that she has always been exceptionally fair, accurate, and patient, and that her stories are always timely.

On behalf of the Township, Mr. Kirchgasser presented Ms. Alburger, with a \$150 gift certificate for her next Parks and Recreation trip, a Linvilla Orchards gift basket, and a Proclamation that declared September 28, 2015 Bette Alburger Day.

Ms. Alburger shared that she has enjoyed covering stories in the Township and feels a great respect and admiration for both the Township and Council. She expressed that she was deeply grateful for the gift and Proclamation.

Mr. Kirchgasser thanked Ms. Alburger on behalf of the Township for her hard work and expressed that she would be missed.

3. APPROVAL OF MINUTES: August 10, 2015 Regular Meeting

Mr. Shropshire moved to approve the minutes from the August 10, 2015 regular meeting. Ms. Amoroso seconded this motion and Council approved unanimously with a vote of 6-0 (Mr. Kirchgasser abstained due to his absence at that meeting).

4. COMMENTS FROM THE PUBLIC

Chris Garriga, 416 Meadowhurst Lane, stated that he brought an issue up with the School District but also wanted to voice his concern to Council. He explained that before and after school hours for Penncrest High School, Van Leer Avenue has a lot of students walking along the side of traffic. He stated this has been a long time issue and that it is a safety concern, especially during the winter months with inclement weather conditions. He is aware students park at the mall. He expressed that with the development taking place at the mall, it may be a good idea for the Township to talk with the School District about this issue. He also stated that the high school is constructing a new field and wondered where the over flow would be located, and if it would still be the mall.

Mr. Quinn commented that this was a hard subject and one that has been ongoing for years, with students parking on side streets and at the mall. He stated that responsibility not only falls on the school to determine who can park on campus, but also on the parents of the students to decide what is right and safe for their children.

Ms. Bradshaw noted that there will eventually be a walkway constructed at the light on Rt. 352 if development occurs.

Mr. Kirchgasser explained that when the hospital purchased the land near the school, it was the hope that something would be done to alleviate this situation. Nothing came of that purchase though. He also noted that Parks and Recreation has integrated a trail network next to the mall and is hoping to get Granite Run Mall connected to the school via this trail network.

5. REPORTS

A. CHAIRMAN

Mr. Kirchgasser recognized Mr. Shropshire for the work he did on the negotiations surrounding the pending purchase of the Roosevelt School property. Mr. Shropshire thanked him and expressed that he was glad to have the Township and community support. He stated this particular parcel offers a multitude of uses for the Township and that he is excited about it.

Mr. Kirchgasser noted the environmental study has taken place. Mr. Clark confirmed this and stated that he was hoping to get the report back on the study in the following week.

B. MANAGER

Mr. Clark noted the golf outing at Edgmont Country Club was on October 6th. Currently there are 80 golfers signed up to participate. He reported that if anybody else was interested, they should contact either Debbie Timblin or Parks and Recreation to sign up.

6. NEW BUSINESS

A. Review of Conditional Use Application 15-2: Pennsylvania State University (PSU) – 25 Yearsley Mill Road (Tabled from September 14, 2015 Regular Council Meeting)

Mr. Clark explained PSU applied to build a 256 bed residential hall and a student union building. A series of public hearings took place for this application and concluded at the September 14, 2015 meeting. He noted PSU was present before Council at this meeting for a decision regarding the application.

Timothy Sullivan, attorney for the applicant, noted that his client finds the Township's proposed conditions acceptable for agenda items 6A and 6B.

Mr. Kirchgasser commented that a lot of work was done by Council and the applicant to develop conditions for this application that were satisfactory for all involved. He noted the list of conditions would be made available to the public.

Ms. Bradshaw motioned to approve the conditional use application for PSU with the conditions as noted. Mr. Shropshire seconded this motion and Council approved Resolution 2015-75 unanimously with a vote of 7-0.

B. Review of Preliminary Reverse Subdivision and Land Development Plan: Pennsylvania State University (PSU) - 25 Yearsley Mill Road (Tabled from September 14, 2015 Regular Council Meeting)

Ms. Bradshaw motioned to approve the preliminary reverse subdivision and land development plan for PSU with the conditions as listed. Mr. Shropshire seconded this motion and Council approved Resolution 2015-76 unanimously with a vote of 7-0.

Mr. Kirchgasser noted that PSU agreed to rezone the Davis Tract to I-2 and deed restrict that part of the property.

Mr. Sullivan thanked Council on behalf of the applicant and stated he would be back for the final land development plan as soon as possible.

C. Review of Design Guidelines Manual—Promenade at Granite Run—1067 W. Baltimore Pike

Joe Riper, attorney for the applicant, reported that final plans for the conversion have been submitted to the Township for review. He assured the project was to be high quality, and stated that one of the methods for this is through the use of the design guidelines.

Mr. Riper explained that while design guidelines are usually part of zoning, he was proposing these design guidelines be made a condition of approval for the land development plan.

Mr. Riper stated that he met with Mr. Comitta, Mr. Damico and Mr. Clark in the previous week and received further comments from them. Currently, the applicant is working on resolving the Township's comments. He noted that Mr. Damico suggested a procedure be put in place to assure the design guidelines were followed. To accomplish this, a review committee would be established and would consist of the Township landscape consultant, Township manager, and a Council member. The review committee would be tasked with reviewing plans prior to the permit request to assure conformity with the design guidelines. He explained the process would entail the plans being submitted and the review committee being provided a period of time to review them. The Review Committee would then advise the building applicant whether or not the plans are compliant with the design guidelines. If they are, then the developer would move forward with the permitting process. If the decision is disputed, then Council would consider the matter at a public meeting. Mr. Riper stated he still needed to put this concept into language and was hoping to present it at the next meeting. Mr. Riper also noted it would include a rendering of what the apartment buildings would look like. Mr. Kirchgasser explained that Council wanted to assure the material, content, and building quality of the structures were the high luxury the developer has expressed it would be. Mr. Riper noted that he hoped the design guidelines could assist with that.

Ms. Amoroso asked for Mr. Riper to summarize the review committee purpose once more. He stated the design guidelines would have examples with some variability. In order to assure what the developer thinks conforms actually meets the standards of the Township, the review committee would review the plans first before the developer proceeded to the permitting process. Ms. Amoroso asked what would happen if the review committee denied the plans. Mr. Riper stated that if something was objectionable, reasons would have to be provided so the issue could be rectified. He also commented that the structure of the review committee would be noted in the design guidelines. Ms. Amoroso asked if the idea was to limit Council's involvement with all the specific details. Mr. Riper stated that was accurate but noted it would only apply to the Granite Run Mall redevelopment.

Mr. Shropshire asked if it would be like an architectural review committee in a historical district and Mr. Riper answered in the affirmative. Mr. Shropshire expressed the review committee would act in an advisory role only and not be a hindrance to the project. Mr. Riper agreed, adding that making sure the procedure is in place would assure all goes according to plan.

Mr. Shropshire asked if the plan was to build the apartment building by the Acme first, then redevelop the mall, and then construct the second apartment building. Mr. Riper explained that it could take several years for the project to be completely finished and that the second apartment building would not be constructed until there was an occupancy commitment of 75% for the first building.

Mr. Riper reported a clean copy of the design guidelines would be provided to the Township. Mr. Clark noted that what was distributed to Council for this meeting was from 2 weeks prior. Mr. Riper stated that the updated copy did not have major changes; it was just cleaned up and read more smoothly.

Mr. Riper reported the demolition of the mall would ideally take place in November. Mr. Markman added that he had contractors in the mall at present to deal with asbestos issues. Then, the utilities have to be rerouted to the anchor stores. He was hoping that this would conclude by early November so demolition could begin. Demolition was expected to be a four month process. The goal is to begin building by March 2016 and he anticipated construction to take approximately 1 year. He is hoping to have a grand opening in the summer of 2017. He was also hoping to begin the construction of the apartments by March 2016.

Mr. Markman reported that the development was currently at an occupancy rate of 75% for retail and that he should be able to share more information at the next meeting. He emphasized that momentum was building.

Mr. Kirchgasser asked if the sprinklers were remaining in the anchor stores. Mr. Markman answered in the affirmative, stating only the utilities were being rerouted.

Mr. Garriga asked how many apartments would be on the site. Mr. Lieberman stated 172 in the first phase and 210 in the second phase. Mr. Garriga asked how many residents would be in the apartments and Mr. Markman stated he assumed the average would be 1.5 residents per apartment unit.

Mr. Kirchgasser requested that future presentations be in digital format. Mr. Garriga asked if there was a copy of the plans at the Library. Mr. Clark said all subdivision plans are at the Library and the Township building. He also noted that the latest design guidelines had a revision date of September 9, 2015.

Mr. Kirchgasser then noted that an executive session to discuss legal issues regarding the PSU application took place prior to the meeting.

D. Authorize Disposal of Unneeded Records

Mr. Clark explained that the State requires Council approval for the disposal of public documents. Mr. Clark requested approval for the disposal of 2005-2009 delinquent tax records, 1994-2008 upset price sale records, and 2000-2008 assessment appeal records.

Mr. Shropshire motioned to authorize the disposal of these unneeded records. Ms. Bradshaw seconded this motion and Council approved Resolution 2015-77 unanimously with a vote of 7-0.

E. Designation of Deputy Tax Collector—Act 134 of 2014

Mr. Clark explained the State legislature passed Act 134 at the end of 2014, which among other things, now requires municipalities to have a designated Deputy Tax Collector in case the elected tax collector can't work. Under the Home Rule Charter, the Tax Collection function is handled in-house by the Finance Director. Mr. Clark recommended Cathy Bradfield from the Finance Office be designated the Deputy Tax Collector. He noted that if Council approved of this recommendation, the bond company would have to sign off on the designation as well.

Mr. Quinn motioned to designate Cathy Bradfield as the Deputy Tax Collector. Ms. Amoroso seconded this motion and Council approved it unanimously with a vote of 7-0.

F. Approval of Bill List

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

Ms. Amoroso moved that payments under the September 28, 2015 Bill List be authorized for payment by the Finance Department:

GENERAL FUND		
A.J. Blosenski, Inc.	August Recycling & Yard Waste	\$17,656.00
Aqua Pennsylvania, Inc.	July Hydrant Bills	\$11,432.25
Chilis Inspection Services	August Contracted Service Building Permits	\$6,050.00
Independence Blue Cross	September Health Insurance	\$10,503.40
	Highway Share	\$9,723.27
	Cobra Share	\$821.40
	Recreation Share	<u>\$3,786.72</u>
		\$24,834.79
	Total General Fund	<u><u>\$31,352.29</u></u>

RECREATIONAL ENTERPRISE FUND

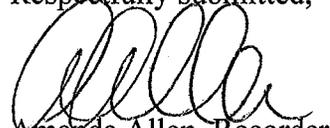
Celebrity Limo	Various September Trips	\$6,310.00
PNC Credit Card- To G/F	Summer Camp	\$931.78
	July & August Trips	<u>\$5,564.18</u>
		\$6,495.96
PA Recreation & Park Society	Summer Discount Ticket Sales	\$17,099.00
The Travel Authority	Cape Cod & Niagra Falls	\$7,897.28
	Total Recreation Fund	<u>\$37,802.24</u>

Mr. Quinn seconded this motion and Council approved Resolution 2015-78 unanimously with a vote of 7-0.

6. ADJOURNMENT

Mr. Shropshire adjourned the meeting at 7:58 PM.

Respectfully submitted,



Amanda Allen, Recorder

