

**MIDDLETOWN TOWNSHIP
BOARD OF SUPERVISORS
PUBLIC MEETING
MAY 19, 2014**

PRESENT

PAT MALLON, CHAIRPERSON	}	
H. GEORGE LEONHAUSER, VICE CHAIR	}	BOARD OF SUPERVISORS
THOMAS GALLAGHER	}	
WILLIAM OETTINGER	}	
STEPHANIE TEOLI KUHL, TOWNSHIP MANAGER		
JOSEPH PIZZO, ESQ., TOWNSHIP SOLICITOR		
WAYNE KIEFER, P. E, TOWNSHIP ENGINEER		

1. Call to Order, Pledge of Allegiance, and Roll Call. *Drew Kreiling absent.*

Mr. Mallon called the meeting to order at 7:30 p.m. After the Pledge of Allegiance, Mr. Leonhauser called roll. All Supervisors were in attendance with the exception of Mr. Kreiling.

2. Announcements, Correspondence, Awards and Reports.

- a. Next Board of Supervisors Meeting – *Monday, June 2, 2014 @7:30 p.m.*

Mr. Mallon announced that the Board met in Executive Session on Tuesday, May 6, 2014 to discuss the Chief of Police search.

Mr. Mallon also announced that PennDOT is hosting an Open House on May 29th beginning at 6:00 p.m. in the Public Hall regarding the U.S. Route 1 Frontage Road Improvement Project.

3. Public Comment. *Non-Agenda Items only.* (Maximum 30 minutes)

Scott Evans, 255 Bernick Drive, Langhorne expressed his concerns with the intersection of Alberts Way and Route 413 at the entrance to the Sturbridge Development. Before St. Mary began the construction of the Rehab Center turning left at certain times of the day was difficult, but now it is pretty much impossible especially when St. Mary's has a shift change. Mr. Evans and many of his neighbors have been turning right onto Route 413 and then turn into St. Mary's and make a U-turn.

Mr. Evans asked if there is anyway the emergency access road could be opened to the residents of Sturbridge so they could get to St. Mary's traffic signal to make a left turn.

Mr. Mallon directed the Township Manager to meet with the Chief of Police to see what potential options may be available to alleviate some of these issues.

4. **Consent Agenda Items.**

- a. Consideration of authorizing payment of May 19, 2014 Bill List in the amount of \$1,816,432.11 and Addendum to Bill List dated May 19, 2014.
- b. Consideration of approving the February 24, 2014 Minutes of the Public Meeting of the Middletown Township Board of Supervisors.

ACTION: MR. LEONHAUSER MOVED TO APPROVE CONSENT AGENDA ITEMS A & B AS LISTED ABOVE. MR. OETTINGER SECONDED. MOTION CARRIED BY A VOTE OF 4-0.

5. Consideration of awarding the 2014-2015 Consortium Fuel Contract for unleaded gasoline.

Ms. Teoli Kuhls advised that the unleaded gasoline was excluded from the award of the other fuel bids because it was rebid. There were three (3) bidders and Petroleum Traders Corp. of Fort Wayne, Indiana is recommended at a cost of not to exceed \$215,640. The amount per gallon is \$2.875.

ACTION: MR. OETTINGER MOVED TO AWARD THE 2014-2015 FUEL CONSORTIUM CONTRACT FOR UNLEADED REGULAR GASOLINE TO PETROLEUM TRADERS CORP., FORT WAYNE, INDIANA, IN THE AMOUNT OF \$215.640 ON AN AS NEED BASIS. MR. LEONHAUSER SECONDED. MOTION CARRIED BY A VOTE OF 4-0.

At this point Mr. Mallon moved to Item #7.

6. Consideration of enacting Ordinance #14-03, authorizing incurrence of debt. (Duly advertised in the *Bucks County Courier Times* on May 15, 2014; proof of publication has been received.)

Chris Bamber, Public Financial Management on behalf of Scott Shearer presented the information for the incurrence of debt. The Township maintains its AA+ rating with a stable outlook, which is an exceptional rating and is only one notch below AAA and there are very few local governments in Pennsylvania that have a AA+ or higher rating.

Mr. Bamber said over the past 6 weeks, interest rates have seen a sharp decline anywhere from .2 to .3% which may not seem like a lot, but when you are borrowing \$10 million it is a good sum of money. Patience has paid off with respect to the refinancing, bonds are currently callable and the market has moved in the Township's favor.

Mr. Bamber shared that 55 bids were received from 7 different underwriters with the winning underwriter being Janney Montgomery Scott, which is a local Philadelphia underwriter. The true interest cost by the underwriter is 1.89%

The overall financing plan or summary includes refunding the Series 2009 bonds, add additional new money and to structure the overall run rate of approximately \$2,690,000 starting in fiscal year 2015. Run rate includes all of the Township's existing debt as well as the new debt. Mr. Bamber said his firm had great success with the competitive auction and the overall market moved in the right direction allowing his firm to go out and secure a bond issue to the benefit of \$340,000 to where it was approximately 6 weeks ago.

Vince Magyar, Esq. from the firm of Hill Wallack is the Bond Counsel for the Township. Mr. Magyar presented information related to the enacting of Ordinance #14-03. The ordinance includes the refunding of the 2009 bond along with the financing of road improvements and stormwater management capital projects. The cost of issuance will be covered by the principal amount of the

bonds. As was noted earlier Mr. Magyar mentioned that this ordinance was advertised in the *Bucks County Courier Times* on Thursday, May 15th. In the event the Board determines to enact the ordinance this evening another advertisement will be published this week to announce the enactment

of the ordinance. After that is completed information will be forwarded to the Department of Community and Economic Development for the purpose of authorizing the final issuance of the bonds and closing.

ACTION: MR. MALLON MOVED TO ENACT ORDINANCE #14-03 AUTHORIZING INCURRENCE OF DEBT. MR. LEONHAUSER SECONDED. MOTION CARRIED BY A VOTE OF 3-1 WITH MR. GALLAGHER OPPOSED.

At this point Mr. Mallon moved to Item 8, Other Business.

7. Consideration of approval of the Final Minor Subdivision plan for Stonehaven Homes Inc., TMP #22-013-164-021, located on Arbutus Ave., Langhorne, PA, S/LD #13-03.

Thomas Hecker, Esq., represented the applicant John McGrath, III, who was in attendance along with Heath Dumack, Engineer for the applicant. The applicant proposes to subdivide a 38,088 square foot parcel into two residential single family dwelling lots. Lot 1 is 15,055 square feet and Lot 2 is 23,033 square feet. Public water and sewer are proposed to serve the units. The site is zoned R-2 Residential District.

The applicant was granted a zoning variance by the Middletown Township Zoning Hearing Board on September 25, 2013 to permit access through an open space width of 20 feet instead of the required 25 feet.

The applicant is requesting the following five (5) waivers from the Middletown Township Subdivision and Land Development Ordinance as follows:

1. Section 30.D.(3).(d) to not require all existing features within 200 feet of the site to be shown on the plan.

MR. MALLON MADE NOTE THAT THE TOWNSHIP SOLICITOR JOE PIZZO ARRIVED AT THE MEETING AT THIS TIME.

2. Section 415.A.(1) to allow the proposed driveway for Lot 1 to be located within approximately 35 feet of a street intersection in lieu of the 40 foot required separation.

3. Section 415.A.(4) to allow the proposed driveway for Lot 1 to be located within 3 feet of the side lot line instead of the 12 foot required separation.

4. Section 509 to not require the construction of a sidewalk along the property frontage, and

5. Section 510 to not require widening of the existing street or the construction of curb along the property frontage.

6. Section 424 of the Subdivision and Land Development Ordinance is the recreation space requirement. There is a \$2,000 contribution to the Parks & Recreation Fund that the applicant has agreed to.

7. Section 428 - Transportation Impact fees – Mr. Hecker does not believe that any Transportation Impact Fees are required.

Mr. Hecker said with regard to the additional outside agency approvals; Bucks County Planning Commission, Bucks County Conservation District, Bucks County Water & Sewer Authority, Middletown Township Fire Marshal, Middletown Township Planning Commission and the Middletown Township Environmental Advisory Council, the applicant will comply with all agency comments.

ACTION: MR. GALLAGHER MOVED TO GRANT THE WAIVERS FROM THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE FROM SECTIONS 305.D.(3).(D), 415.A.(1), 415.A.(4), 509 AND 510 FOR S/LD #13-03; GRANT FINAL MINOR SUBDIVISION PLAN APPROVAL SUBJECT TO SATISFYING ALL THE REQUIREMENTS OF THE TOWNSHIP FIRE MARSHAL AND THE TOWNSHIP ENGINEER'S REVIEW LETTER DATED MAY 14, 2014; REQUIRE A \$2,000 CONTRIBUTION TO THE PARKS & RECREATION FUND AND A \$25/LINEAR FOOT FOR 100 FEET OF SIDEWALK; THE DEEDS FOR THE NEWLY CREATED LOTS WILL BE SUBMITTED TO THE TOWNSHIP ENGINEER AND TOWNSHIP SOLICITOR FOR REVIEW AND WILL BE RECORDED AT THE SAME TIME AS THE RECORD PLAN. MR. MALLON SECONDED. MOTION CARRIED BY A VOTE OF 4-0.

At this point Mr. Mallon returned to Item #6.

8. Other Business.

Mr. Mallon advised that a meeting for the residents of Langhorne Gables to discuss potential remediation plans for the stormwater issues in that neighborhood is scheduled for Tuesday, June 3, 2014 beginning at 6:00 p.m. in the Municipal Center Public Hall.

Mr. Gallagher reminded everyone that tomorrow is Election Day, please exercise your God-given constitutional right and go to the polls and vote.

Mr. Leonhauser advised that this week is Police Memorial Week and today many officers and dignitaries came to Middletown to honor their fallen comrades, including Officer Chris Jones.

Mr. Pizzo apologized for being late this evening. His 14 year old son was involved in a playoff baseball game and fortunately they won. Mr. Pizzo said the Board should be very pleased with the performance of the team on the bond issue; including the Township Manager, Finance Director, Bond Counsel and Financial Consultant.

A three minute DVD of the Middletown Country Club was presented at this time. Mr. Mallon advised that this will be aired Sundays, Wednesdays, and Fridays at 6:00 a.m., 2:00 p.m., 4:00 p.m. and 6:00 p.m. and Tuesdays at 1:00 a.m., 6:00 a.m., 11:00 a.m. 2:00 p.m. 8:00 p.m. and 10 p.m. on the Middletown Township Public Access Channel.

Mr. Mallon advised that Langhorne Borough will be having their Memorial Day Parade on Monday, May 26, 2014 beginning at the Sooby VFW Post.

9. Other public comment. (Only if initial Public Comment exceeds the 30 minute time limit.)

10. Adjournment.

ACTION: MR. MALLON MOVED TO ADJOURN THE PUBLIC MEETING OF THE MIDDLETOWN TOWNSHIP BOARD OF SUPERVISORS AT 8:12 P.M. MR. GALLAGHER SECONDED. MOTION CARRIED BY A VOTE OF 4-0.