

**MIDDLETOWN TOWNSHIP
BOARD OF SUPERVISORS
PUBLIC MEETING
OCTOBER 7, 2019**

PRESENT

THOMAS TOSTI, CHAIRPERSON	}	
MICHAEL KSIAZEK, VICE CHAIRPERSON	}	
AMY STROUSE, SECRETARY	}	BOARD OF SUPERVISORS
GEORGE LEONHAUSER	}	
DOUG DOWNING	}	
STEPHANIE TEOLI KUHL, TOWNSHIP MANAGER		
JAMES ESPOSITO, ESQ., TOWNSHIP SOLICITOR		
ISAAC KESSLER, P.E., TOWNSHIP ENGINEER		

1. Call to Order, Pledge of Allegiance, and Roll Call.

Mr. Tosti called the meeting to order at 7:05 p.m. After the Pledge of Allegiance, Ms. Strouse called roll. All Supervisors were in attendance along with Stephanie Teoli Kuhls, Township Manager, James Esposito, Township Solicitor, Isaac Kessler, Township Engineer, several Directors and interested citizens.

2. Announcements and Special Items.

Mr. Esposito noted that the Board met in executive session to discuss litigation and personnel matters.

- a. Next Board of Supervisors Meeting - Monday, November 18, 2019 @ 7:00 p.m.
- b. Budget Workshop - Monday, October 14, 2019 @6:30 p.m.
- c. Budget Workshop - Monday, October 28, 2019 @7:00 p.m.
- d. Upcoming Events:
 - Middletown Community Foundation Biergarten at Oxford Valley Mall – Saturday, October 19th 1-5 p.m.
 - Active Shooter Training Program, Thursday, October 24th @7 p.m. at the Middletown Municipal Center
 - Firearm Safety Training, Wednesday, October 30th @7 p.m. at the Middletown Municipal Center
 - Woofapalooza 5 miler, 5K & Fun Walk, Core Creek Park, Saturday, November 3rd at 8:00 a.m.
- e. Fire Prevention Month Proclamation
- f. Police Commendations
The following Police Officers were presented commendations by Chief Joseph Bartorilla: Glenn McPherson; Christopher Viscardi, Robert Compton and Ryan Morrison

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

Paula Kearns of the Middletown Community Foundation thanked the Township for its assistance with the Beer Garden fundraiser events.

Christine Buck of Lower Orchard thanked the Township for cleaning up the Greenbelt and asked about the Township's plan to address homelessness in the community.

4. **Consent Agenda Items.**

- a. Consideration of authorizing payment of October 7, 2019 Bill List in the amount of \$1,247,305.51.
- b. Consideration of approving the September 16, 2019 Minutes of the Public Meeting of the Middletown Township Board of Supervisors.

ACTION: MS. STROUSE MOVED TO APPROVE THE CONSENT AGENDA ITEMS AS LISTED ABOVE, SECONDED BY MR. KSIAZEK. MOTION APPROVED 5-0.

5. Hearing – Zoning Amendment – Simon/Oxford Valley Mall, McStome Partnership & CRP/CT Oxford Valley Owner, LLC to amend the GB General Business District zoning use regulations.

Mr. Esposito opened the hearing on the proposed Zoning amendment. Notice was advertised in the *Bucks County Courier Times* on September 23rd and 30th; proof of publication has been received. The proposed amendment was also sent to the Planning Commissions of Middletown Township and Bucks County.

Denise Yarnoff, attorney, represented the applicant and explained that the proposal is to amend the Zoning Ordinance to allow for multi-family residential in the General Business Zoning District. Specific plans would be presented during a future Land Development process.

Scott Richardson, Vice President of Development for Simon Properties, explained the plan to transform the Oxford Valley Mall from a pure shopping destination to a retail campus that includes residential, retail, expanded food/beverage, and office facilities.

Dan Tracy, of Cornerstone Tracy explained the proposed residential property as four-story apartment buildings that would decrease the amount of impervious coverage on the property. Mr. Tracy made a presentation showing how the property would look.

Chris Jensen, P.E., of T&M Associates discussed the natural resource impact statement, noting that the proposal would enhance the green space on the property. He also noted in the comprehensive plan impact statement that the Mall was identified as an area that would be desirable for mix-use development.

Mark Roth, P.E., of McMahon and Associates noted that the traffic impact of residential development would be the same or less than it would for commercial development.

Eric Hetzel, A.I.C.P., serves as planner for the project and explained the financial impact analysis, noting that the revenue to the Township would exceed increased expenditures.

Mr. Leonhauser and Ms. Strouse asked about the traffic impact of the proposed plan, and Ms. Strouse also asked about the possibility of shuttle service to the train station. The applicant noted that traffic impacts would be further developed during the land development stage while agreeing to investigate the possibility of a shuttle.

Mr. Ksiazek asked why the applicant believes this proposal would lead to further economic development. The applicant noted that the proposed development would show their commitment to invest in the property while removing a vacant building and converting some parking area into green space. They also noted other malls with similar models. Mr. Ksiazek also asked how the financial projects are generated, which was then explained by the applicant.

Mr. Leonhauser asked for examples of malls where this has been tried before, and the applicant noted Exton Mall and Granite Run Mall.

Mr. Tosti inquired how they will work with the community, and the applicant noted that they get communities involved in the process up front.

Ms. Strouse inquired about the accuracy of the projected number of children to be added, and the applicant noted that experience shows there are usually fewer children than projected.

Mr. Downing asked if the applicant has had experience and success in the past with this type of development, and the applicant noted that similar models have worked for other properties owned by Simon. Mr. Downing also asked how the expected trip generation was calculated. The applicant noted that they compared projections for a fully occupied mall to a fully occupied residential building.

Tom Kearns, 1895 Garden Court, expressed concerns about the state of the mall.

Fred Weader, 2nd Street, expressed concerns about the traffic impact as well as the impact on school and Township services.

Natalie O'Donnell expressed that this was a big decision that could add up to 3 percent to the Township population.

Carol Simon, 630 Woodbourne Road, expressed concerns about the traffic impact.

Ed Kallo, Middletown resident noted concerns about the traffic and impact on emergency services.

Andre Hovak, Middletown resident noted concerns about the traffic impact.

Christin Buck of Lower Orchard understands the need for some development but doesn't want it to feel too urban.

Mr. Kearns asked if the construction could be shifted to other parts of the mall property.

Joe Collura of Langhorne Gardens asked if the left turn exit from the mall could be removed.

Mary Ann Johnson of Pickering Bend asked if the train station can accommodate new development.

Sara Peronto, a nurse at Jefferson Hospital Bucks County, noted that the increased population could impact medical facilities.

Mr. Esposito and Ms. Yarnoff noted that many of the resident concerns will be addressed during a future land development phase.

ACTION: MR. TOSTI MOVED TO APPROVE AND ADOPT THE PROPOSED ORDINANCE AMENDING THE PERMITTED USES AND OTHER REGULATIONS FOR THE GENERAL BUSINESS DISTRICT (GB) AT CHAPTER 500, SECTIONS 500-1701 THROUGH 500-1705, SECONDED BY MR. KSIAZEK. MOTION APPROVED 5-0.

6. Discussion of Refunding Series 2012 and 2014 Bonds and potential new debt issuance

Chris Bamber of Public Financial Management explained that the Township is able to refinance its 2012 and 2014 Bonds at a lower interest rate. He also detailed options for additional borrowing that would allow the Township to invest in capital projects without adding to its annual debt service payments.

Mr. Tosti inquired about potential rate changes in the near future, and Ms. Strouse asked Mr. Bamber to confirm that there was no change to the Township's risk assessment.

ACTION: MR. KSIAZEK MOVED TO AUTHORIZE ADVERTISEMENT OF AN ORDINANCE REFUNDING BONDS FROM 2012 AND 2014 AND ISSUING NEW BONDS IN THE RANGE OF \$1.5 MILLION TO \$5 MILLION, SECONDED BY MR. TOSTI. MOTION APPROVED 5-0.

7. Presentation of proposed 2020 Capital Projects

Department directors and staff provided a brief overview of capital requests for 2020 in the categories of Police Services, Fire Protection Services, Information Technology, Building and Grounds, Parks and Recreation, Public Works, Stormwater Management, Transportation, and Engineering.

8. Other Business.
9. Other public comment. (Only applicable if initial Public Comment period exceeds the 30-minute time limit.)
10. Adjournment.

ACTION: MR. KSIAZEK MOVED TO ADJOURN THE PUBLIC MEETING OF THE MIDDLETOWN TOWNSHIP BOARD OF SUPERVISORS AT 9:34 P.M. SECONDED BY MR. TOSTI. MOTION APPROVED 5-0.