

**MIDDLETOWN TOWNSHIP  
BOARD OF SUPERVISORS  
PUBLIC MEETING  
AUGUST 18, 2014**

**PRESENT**

|   |   |                             |
|---|---|-----------------------------|
| <b>PAT MALLON, CHAIRPERSON</b>                | } |                             |
| <b>H. GEORGE LEONHAUSER, VICE CHAIR</b>       | } |                             |
| <b>DREW KREILING, SECRETARY</b>               | } | <b>BOARD OF SUPERVISORS</b> |
| <b>THOMAS GALLAGHER</b>                       | } |                             |
| <b>WILLIAM OETTINGER</b>                      | } |                             |
| <b>STEPHANIE TEOLI KUHL, TOWNSHIP MANAGER</b> |   |                             |
| <b>JOSEPH PIZZO, ESQ., TOWNSHIP SOLICITOR</b> |   |                             |
| <b>WAYNE KIEFER, P. E, TOWNSHIP ENGINEER</b>  |   |                             |

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

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

2. Announcements, Correspondence, Awards and Reports.

Executive Session held prior to public meeting to discuss potential litigation. Mr. Pizzo advised that the Board met in Executive Session prior to the public meeting this evening for approximately 30 minutes. Present for the Executive Session were the 5 members of the Board of Supervisors, Ms. Teoli Kuhls and Mr. Pizzo. The matter discussed was a matter of prior litigation and potential litigation involving a land development and subdivision plan for what was known then as the Smolsky Tract. It is a matter that has been the subject of public comment on and off several times over the course of the past 12 months.

No official action was taken during the Executive Session. The Township Administration and the Township Solicitor's Office will be in touch with the current property owners affected by the Smolsky subdivision to discuss what the Township has directed should happen in regard to that plan.

- a. Next Board of Supervisors Meetings – September 8, 2014; September 22, 2014
- b. Recognition of Sgt. Mark Wert – Lt. Ken Mellus presented Sgt. Wert with a Plaque on his retirement and for his 33 years of dedicated service to the Middletown Township Police Department.  
State Representative Frank Farry presented Sgt. Wert with a citation from the State Senate of Pennsylvania from Senator Tomlinson and also a citation from the Pennsylvania House of Representatives.

Mr. Mallon presented Sgt. Wert with a United States Flag flown over the U.S. Capital from Congressman Mike Fitzpatrick who was unable to attend the meeting this evening.

Fire Chief of the Langhorne-Middletown Fire Company, Frank Farry along with Chief Andy Conaway of the William Penn Fire Company, Chief Chuck Fox of the Penndel Fire Company, Chief

Bob Barnes of the Parkland Fire Company and many members and volunteers of the fire companies; also the Penndel-Middletown Emergency Squad with Chief Hugh Cooperman presented Sgt. Wert with a plaque.

Sgt. Wert said he enjoyed his 33 years on the force in Middletown Township and hopes that he served the community well and tried to do the best he could and try to remember that the citizens wanted to be treated the same as we would want other police departments to treat our families.

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

Mike Hinkson, 324 Wyoming Avenue, Langhorne explained in detail the process of the stormwater remediation in his neighborhood. Mr. Hinkson has been working with Pat Duffy, Zoning Officer to complete paperwork for FEMA to try and get his home off the flood rating for homeowners insurance.

Mr. Hinkson was told by FEMA that he may not apply for the floodplain designation because he did not do the work; the Township did the work and should apply. He has left messages with State Representative Farry and Congressman Fitzpatrick asking for help in resolving this issue. Mr. Hinkson would like to sell his home within the next year and is concerned about disclosing to a prospective buyer that his homeowners insurance is \$7,000 a year and it only covers his basement and oil burner.

Mr. Hinkson is going on record to see why the Township can't get this done since the Township was the recipient of the grant. Mr. Hinkson said he is very thankful for the fact that he is no longer getting flooded and is thankful for the \$4 million that was spent by Pennsylvania to protect 7 homes in his neighborhood.

Mr. Hinkson is not asking for more money to be spent, he is requesting that somebody step up to the plate and have his property removed from an AE Floodplain designation.

Mr. Mallon directed Mr. Hinkson, Mr. Duffy and Ms. Teoli Kuhls to get together in an effort to resolve the issue and if the Board needs to exert any influence on the elected officials, the Board would be more than happy to do so on Mr. Hinkson's behalf.

Michael Daniels, 369 Snowball Drive, Levittown asked for an update on the traffic calming on Snowball Drive.

Ms. Teoli Kuhls provided the following update: It has been two (2) years since the process was initiated. The first step in the process was to have the Traffic Engineer take a look and do speed studies. The initial study came back and the neighborhood was not eligible for traffic calming. The issue was revisited about a year ago with speed studies being completed and the neighborhood does meet the criteria for the Township's Traffic Calming Policy.

It would now be up to the Board to decide to move forward with the Traffic Engineer to meet with the neighborhood group to come up with what the specific traffic calming methods would be in that neighborhood. The next step would be to develop what specific traffic calming techniques would go into the neighborhood. After that the Township Administration would be able to cost out what the individual traffic calming methods would be and the Board would then decide at budget time if we would move forward.

**ACTION: MR. LEONHAUSER MOVED TO PROCEED TO THE NEXT STEP FOR TRAFFIC CALMING ON SNOWBALL GATE DRIVE. MR. MALLON SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**

Bridget Carfagno, Woodbourne Road resident stated that she has been trying to get more streetlights and speed limit signs on Woodbourne Road from the Oxford Valley Mall to the Woodbourne Train Station. (Mr. Mallon advised that this is an agenda item that will be discussed later in the meeting at which time, Ms. Carfagno may speak.)

**4. Consent Agenda Items.**

- a. Consideration of authorizing payment of the August 18, 2014 Bill List in the amount of \$2,372,704.08.
- b. Consideration of approving the July 21, 2014 Minutes of the Public Meeting of the Middletown Township Board of Supervisors.

**ACTION: MR. KREILING MOVED TO APPROVE CONSENT AGENDA ITEMS A & B AS LISTED ABOVE. MR. LEONHAUSER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**

**5. Report on Active Shooter Drill – August 15, 2014**

Lt. Ken Mellus advised that Cairn University needed a drill to satisfy their critical incident response plan and they reached out to the Emergency Management of Middletown Township. The Middletown Emergency Management of Middletown schedules at least one drill or activity a year through the Fire Marshal's Office. There were approximately 10 meetings leading up to this exercise.

The agencies that participated in the exercise were students and staff from Cairn University, all the Fire Departments from the Skyline Fire District, a number of EMS ambulance services, the three (3) police departments that are located in this area; Middletown, Langhorne Manor Borough and Pennel Borough. Bucks County provided Command Post 800 which acted as the radio room for the exercise. There was a mass casualty unit present to deal with the wounded and the observers that came out to see how the exercise went were from Villanova, Lancaster Biblical University, Cabrini, Bucks County Community College, Haverford College and a reporter from *Bucks County Courier Times* as well as a reporter from *Levittown Now* and our own Middletown Township Lisa Berkis took the photographs.

Lt. Mellus went into great detail explaining the active shooter drill. Lt. Mellus said the objective of the exercise was that Cairn University wanted to check their response and ability to communicate a problem to their staff and students and affect a lockdown. Middletown Emergency Management wanted to test the policy they have been attempting to put in place of staging fire and EMS equipment at the Township building until called for. They also wanted to practice tactical rapid EMS response to wounded in an active shooter incident. The theory now in the country is that we are waiting too long to get care for the wounded in these situations.

Lt. Mellus said the exercise was a success in that Cairn University successfully got the information disseminated to their staff and students via RMS text and over a centrally located siren speaker system. The Township building worked as an initial staging area. EMT's entered the building with police as soon as safely possible and allowed for faster critical care.

Lt. Mellus advised that the Fire Marshal is in the process of gathering all of the information from the various participants including the students. Approximately a month from now a meeting will be held to go over what went well and what needs to be changed. Lt. Mellus said this was a learning experience and well worth the exercise.

6. Consideration of authorization to advertise bid specifications for the 2015 Solid Waste, Recyclables and Yard Waste Contract.

Debby Lamanna, Director of Parks & Recreation & Community Services advised that the solid waste and recycling contract expires at the end of 2014. The existing contract is approximately \$4.75 million a year and is a very large contract and will be looking for a three (3) year contract with two (2) additional years as optional. We are expecting that the contract will be worth over \$20 million and is one of the largest contracts that the Township enters into.

There are approximately 12,170 households that have their trash, recycling and yard waste collected. Currently the household waste service is handled by Waste Management. The proposed contract has been reviewed by the Township Manager and the Township Solicitor.

Option 1 is what the Township currently has – twice weekly curbside collection; residents provide their own containers.

Option 2 is a once weekly curbside solid waste collection and recycling using an automated system where the truck actually lifts up the container and dumps it into the truck. It allows for few people to be involved and it is reported to be quicker. In this option, the contractor, whoever that may be will provide the carts and will own them even at the end of the contract.

Option 2a is the same option once week curbside solid waste collection and recycling with the carts, but at the end of the contract, the Township would own the carts. This is a method that Bristol Township is using in their current contract. There are pros and cons to both methods. Ms. Lamanna has also met with cart manufacturers and the carts have a 10-year lifespan.

Option 2b is the same automated system, but it also includes the cost of a rewards based recycling program. The more you recycle you have the ability to receive rewards in the form of coupons for dinners; magazine subscriptions, etc. This option would have the contractors providing the carts and owning them.

Option 2c is the additional cost of the recycling rewards program, but with the Township owning the carts.

Increasing the amount of recycling is important to the Township because the Township is paid based on the amount of recycling that the residents do. This year we have received a check for over \$75,000 for materials that were recycled. It is important to encourage recycling.

Options in I-3 are additions to the basic collection - #3 is in addition to Options 1, 2, 2a, 2b & 2c is the cost of curbside collection of covered electronic devices by appointment. In Middletown Township if you have an item with Freon you can call the hauler and make an appointment for pickup. At this time there are no haulers that are doing curbside collection of covered equipment; i.e., computers, TV's, etc. It is incumbent upon the residents to take those items somewhere. It is a burden to many of the residents.

Option 3a would be a fee that would be charged to the resident for electronics pickup. In some towns if there are bulk items or Freon devices, residents pay to have those picked up.

Option 4 and 4a speak to yard waste. Option 4 is a once weekly curbside collection of yard waste in 35 gallon containers or 30 gallon biodegradable brown bags which is what we do at this time. Option 4a is the same type of yard waste collection, but to limit the collection to between April 15<sup>th</sup> and the end of November and include a special schedule for Christmas trees.

Ms. Lamanna advised that the staff is asking for approval to advertise the bid and see what type of prices come back. There is every indication that we could be in a buyer's market and that the prices could come in very well. There are two contractors who are eager to bid on this, so eager that they have been calling at least once a month for the last 6 months to find out when this would be going out to bid.

Mr. Mallon asked with regard to the size of the carts should we go to the automated process how we can create awareness within the community, because the initial push back is going to be one pickup is not going to be enough, but if they see the size of the container, one pickup might be more than enough.

Ms. Lamanna decided to the bid relatively early compared to when the Township has normally done this bid, is so that we can make a decision. The bid is due to open September 19<sup>th</sup> and once the bid is opened and awarded, it will allow the Township plenty of time to do consumer education. There are a number of fall community events that we can take the trash cans to.

**ACTION: MR. GALLAGHER MOVED TO AUTHORIZE THE ADVERTISEMENT OF BID SPECIFICATIONS FOR THE 2015 SOLID WASTE, RECYCLABLES AND YARD WASTE CONTRACT. MR. MALLON SECONDED.**

Doris Bower, Langhorne asked what happens when you put furniture out. Ms. Lamanna said it would still go out for the bulk pickup.

**MOTION CARRIED BY A VOTE OF 5-0.**

7. Consideration of authorization to purchase a 2014 Ford utility police vehicle with accessories from Milham Ford, Easton, PA in the amount of \$26,409.

Ms. Teoli Kuhls advised that this would be replacing the Chief's vehicle that is a 2004 Ford Crown Victoria with more than 170,000 miles.

**ACTION: MR. LEONHAUSER MOVED TO AUTHORIZE THE PURCHASE OF A 2014 FORD UTILITY POLICE VEHICLE WITH ACCESSORIES IN THE AMOUNT OF \$26,409.00**

FROM MILHAM FORD OF EASTON, PA. MR. KREILING SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

8. Consideration of awarding a change order to General Asphalt Paving Company to mill and pave additional roads for the Township's 2014 road paving program, Contract # DPW 14-02.

Pat Duffy, Zoning and Planning Officer brought the Board up to date on how the program is progressing with General Asphalt. Neshaminy Pointe has been fully milled and paved; with the only thing left to be done is the final seal coat and the painting of the stop bars. The Swan Pointe development is fully milled and the paving has begun with the hopes that it would be finished by the end of the week. Milling has begun in Eagles Mere and should be paving by the end of the week. Once Eagles Mere has been milled, General Asphalt is going to mill Woodbourne Road from Ellis Road to the Newtown Bypass. This will take a while because of the traffic control.

Under the \$1.5 million contract that has already been awarded Highland Gate, Apple Valley, Cider Knoll will be done last due to Big Oak Road. If the change order is approved this evening which includes more roads to hopefully get the same pricing as received on the remainder of the project included Tollgate Road, Silver Lake Development and Frosty Hollow Road. The proposal to do those areas was \$677,522.80 and is consistent with the pricing they gave to get the original contract. The contract was signed under the same requirements of the original bid, which means they are still under a 45 day clock and we are hoping all of this work is done by the end of September. Clay Avenue is also included in the mix and will be done last because it includes milling 5 inches and adding storm sewer.

**ACTION: MR. GALLAGHER MOVED TO APPROVE A CHANGE ORDER TO GENERAL ASPHALT PAVING COMPANY TO MILL AND PAVE ADDITIONAL ROADS AT A PRICE OF \$677,522.80 SUBJECT TO ALL THE STANDARDS, CONDITIONS AND REQUIREMENTS OF THE 2014 MIDDLETOWN TOWNSHIP CONTRACT #14-02 ROAD PROGRAM BID SPECIFICATIONS. MR. MALLON SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**

9. Consideration of authorization to reject all bids for the Colonial Drive Stormwater Project.

Wayne Kiefer, Township Engineer said this project has been under discussion for at least the past year and a half. The bids were opened last month with the low qualified bidder submitted a bid in the amount of \$57,243 which is nearly double of what was estimated the cost of the job to be. After discussions with Mr. Duffy, it was decided between the combination of the Public Works Department and possibly a local landscaper who is more suited to working in a residential back yard we can come up with a much better price.

**ACTION: MR. MALLON MOVED TO REJECT ALL BIDS FOR THE COLONIAL DRIVE STORM SEWER IMPROVEMENTS PROJECT. MR. KREILING SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**

10. Discussion of Proposed Grant Requests for Bucks County Redevelopment Authority Grant Program.

Ms. Teoli Kuhls advised that she has received information from the various Township Departments with regard to the Bucks County Redevelopment Authority Grant Program. The first

priority will be Police Department vehicles – 5 police utility vehicles for \$176,990 and 1 sedan at \$18,753. Public Works Department would include a large dump truck in the amount of \$137,420; a small dump truck for \$76,000 and a pickup truck for \$34,200. The vehicle category would amount of \$443,530 and would be the primary grant request to the RDA.

The next category would be the County Radio Partial purchase which has been a multi-year grant. There are three (3) items in the Police Department – in-car video cameras for all 33 police vehicles for a cost of \$211,890; new Automatic Electronic Defibrillators (AED) for each shift (10) in the amount of \$15,807. Also Phase 1 of in-car computer replacements in the amount of \$87,550. Those would be the priority grants and amounts to a little more than \$883,000 in Municipal Grants.

There are several other items on the list; i.e., patrol room updates in the amount of \$15,000 and active shooter training equipment in the amount of \$93,664.

With the Board's permission, Ms. Teoli Kuhls would move forward with the list of recommendations if there is a consensus this evening. The official action would take place when the resolutions are presented for each individual grant in September.

Penndel-Middletown Rescue Squad have submitted a request for items in the amount of \$171,230 for the following items – Sprinkler System - \$110,000; training - \$4,539; power load - \$17,346 and stretchers - \$39,345.

Hugh Cooperman, Chief of Penndel-Middletown Emergency Squad along with deputy chief Andrew Foley advised that the \$110,000 sprinkler bid was the best one that was received and that is why it was passed on for the Board to review prior to submission for a grant. When the addition was completed for the current facility he was not involved and does not know why the sprinkler system was not tended to at that time. This is in part to bring the older part of the facility up to date.

Mr. Mallon said it would be helpful for the Board if Mr. Cooperman advised what the priority would be of the proposed items. In the event that there is limited RDA funds allotted, would Penndel-Middletown be willing to co-fund some of the items. For example; perhaps the Township would apply for half from the RDA and Penndel-Middletown comes up with the other half. Mr. Cooperman said he would be interested in that on the other items, but would like to try and get 100 percent RDA funding for the sprinkler system. The following would be the priority of the remaining items: Stretchers – which would be 5 fully automatic stretchers that would provide the opportunity to minimize back injuries. The next item would be the power load and then the training would be the last item.

11. Discussion of Request for Streetlights on Woodbourne Road.

Ms. Teoli Kuhls advised that the Township received a petition from more than 100 residents requesting installation of streetlights on Woodbourne Road from the Train Station to the Oxford Valley Mall. This issue came up a year ago and didn't make it to the next step to receive consideration by the Board. Last year at this time the Township's lighting consultant designed a schematic for installation and it calls for the installation of thirteen (13) fixtures in that area and the replacement of one (1) fixture.

There was a general consensus with the Police Department that safety would be improved with streetlights in this area. If the Board would like to have the staff continue on this project, the next step would be to direct the Administration to proceed and then bring the Board a proposal for the cost.

**ACTION: MR. MALLON AUTHORIZED THE TOWNSHIP STAFF TO DEVELOP A BUDGET FOR THE STREETLIGHTS ON WOODBOURNE ROAD AND SOLICIT PRELIMINARY PROPOSALS FOR THE WORK. MR. OETTINGER SECONDED.**

Bridgette Carfagno, resident asked if there is any way the Oxford Valley Mall could be mandated to install streetlights around Middletown Boulevard.

Ms. Teoli Kuhls will check the Oxford Valley Mall development plans to see if there were streetlights that were agreed to in the plan.

**MOTION CARRIED BY A VOTE OF 5-0.**

12. Presentation of Middletown Township Website.

Ms. Teoli Kuhls made a presentation of the Township's new website. Some of the goals of the new website were to provide a more user-friendly design with an ease of navigation for the folks utilizing the website. There is a scrolling photo gallery behind the primary website and is something that can be changed seasonally.

In an effort to reach out to the community one of the newest options is a business directory. The Township has received a tremendous response from the businesses in the community. The new website is providing links to various assets in the community; i.e., Middletown Community Foundation, local sporting organizations, Middletown Country Club.

Under the Government heading all of the individual departments are listed providing a lot of information. There are separate pages for each of the Board members where you can learn about the elected officials.

Another new feature of the website is a "Request for Service" section where residents can report an issue or request a service directly. There are many maps that can be accessed on the website; i.e. zoning, floodplain, etc. Everything on the website is fully updateable by Township Staff.

Ms. Teoli Kuhls recognized Debby Lamanna and Lisa Berkis who were pivotal in helping to pull this off. It was a great team effort of all of the departments, but Debby and Lisa really provided a lot of work on this project in the past couple of months.

Mr. Mallon said this is something that has been sorely needed and it is a one-stop shop for both residents and businesses that they can go to a single site and get whatever information they might need. Mr. Mallon also commended the Township Manager, Ms. Teoli Kuhls whose vision, foresight and leadership in making sure that this project was put together and completed successfully. It is that type of future thinking that we need in order to move the Township forward.

Mr. Mallon encouraged everyone to take a look at the new website and provide their feedback. This is a single source for all of your Township information.

13. Other Business.

Mr. Mallon advised that Middletown Country Club will be participating in Patriot Golf Day, the weekend before Labor Day. This is a way to raise money through a foundation for Veterans and their families.

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

15. Adjournment.

**ACTION: MR. GALLAGHER MOVED TO ADJOURN THE PUBLIC MEETING OF THE MIDDLETOWN TOWNSHIP BOARD OF SUPERVISORS AT 9:15 P.M. MR. MALLON SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**