

**MIDDLETOWN TOWNSHIP
BOARD OF SUPERVISORS
PUBLIC MEETING
FEBRUARY 2, 2015**

PRESENT

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

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

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

2. Announcements, Correspondence, Awards and Reports.

- a. Lt. John Michniewicz Recognition

Chief Joseph Bartorilla recognized Lt. John Michniewicz for graduating from the Northwestern University School of Police Staff and Command, which is an intensive ten (10) week program taught by professional staff members of Northwestern University Center for Public Safety. The program prepares law enforcement managers for senior positions by combining academic principles with practical applications. Lt. Michniewicz's GPA was 4.0.

Mr. Mallon congratulated Lt. Michniewicz on behalf of the Board for his commitment and accomplishment and is more reinforcement that Middletown has the best Police Department in Bucks County.

Chief Bartorilla also stated that on January 5, 2015, Lt. Michniewicz celebrated his 25 year anniversary with the Middletown Police Department.

- b. Next Board of Supervisors Meeting – Tuesday, February 17, 2015 @7:30 p.m.

- c. Upcoming Events:

- a. Breakfast with the Board – Thursday, February 5, 2015, at 7:30 a.m. at the Garden of Eatin, Levittown. This is an opportunity for residents to come out and share a cup of coffee and conversation with the Board.
- b. Middletown at the Mall – Thursday, February 12, 2015, Oxford Valley Mall at 11:30 a.m. to 1:30 p.m. and is an opportunity to come and meet with various Township staff and learn what the Township does. The staff will be set up for business.

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

Bill and Tricia Shoenmann, 27 Dilworth Lane, Langhorne presented a petition to the Board of Supervisors requesting that the Board consider amending the Township's Right-of-Way Ordinance, Section 436-401. The language of the section reads:

436-401. Prohibited Acts.

The throwing, kicking or knocking of any ball, snowballs, stones or any other missile upon or into any of the public streets, alleys or sidewalks in the Township of Middletown is hereby prohibited.

Mr. Mallon stated the spirit of 436-401 Prohibited Acts is not to prevent children from having a catch in the street. The genesis of the ordinance was to prevent what took place this evening in Bensalem Township with ice being thrown off an overpass onto vehicles below. Mr. Mallon stated that the Township staff and Township Solicitor would look into this issue and report back to the Board.

Mr. Shoenmann also requested a change to Section 636-602 which prohibits placement of sports equipment in the Right-of-Way.

Mr. Pizzo said the ordinance is primarily for the passage of motor vehicles and the ordinances of the Township are adopted with the health, safety and welfare of the residents in the community. Generally speaking it is not a good idea for the Township to legislate that it is okay to have individuals playing in the same place where we are encouraging motor vehicles to be.

Mr. Pizzo stated that he and the Township Manager and staff will look into this issue and report back to the Board with their findings. In the meantime, Mr. Pizzo said that the problem on Mr. Shoenmann's street, as unfortunate as it may seem, is not a township-wide problem one way or the other.

Mr. Mallon stated that this issue will be placed on the first meeting in March, 2015.

Mike Doyle, 59 Gunning Lane, Langhorne understands what Mr. Mallon is stating with the "greater good" as the argument and if there are insurance issues there is liability the Township could incur for these activities. Mr. Doyle said there has to be a better way for the ordinance to be written to have more of a common sense aspect. Mr. Doyle requested the Township check to see if the neighboring townships have this same ordinance on the books prohibiting playing in the streets.

Resident, 139 Dilworth Lane, Langhorne has an autistic grandson that lives with him and the Shoenmann's children have been great with his grandson by inviting him to play with them. The Shoenmann children are polite and respectful and when vehicles come, they get out of the street and when pedestrians come by they move out of the way.

Mr. Mallon took a short recess to allow those interested in leaving to do so.

4. Consent Agenda Items.

- a. Consideration of authorizing payment of February 2, 2015 Bill List in the amount of \$3,767,895.82.
- b. Consideration of approving the December 15, 2014 Minutes of the Public Meeting of the Middletown Township Board of Supervisors.

- c. Consideration of authorizing the request by George School for the release from the escrow fund in the amount of \$1,971,592.48.

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

5. Consideration of the Queen of the Universe Parking Lot Request for Waivers from the Subdivision and Land Development Ordinance.

George Hyjurick was present on behalf of Queen of the Universe Parish. The request is for an additional 80 parking spaces to the east of the existing church and to the south of the existing school and old convent. In doing so there are six (6) waivers that are being requested. Roughly half of the waivers deal with primarily decreasing the amount of space that will be disturbed in an effort to maintain as much of the athletic complex as possible. The streetlight and landscaping waivers are being requested because it is the intent of the applicant to do this at a later date after funds are available.

Mr. Hyjurick advised that the Church has been able to use the other side of Trenton Road for parking at the Easter Seals building, but that has come under new ownership. The new ownership is a daycare center and their attorney and insurance carrier have recommended to them that they do not allow the Church to use the parking any longer. Also from a safety aspect, particularly on Saturday nights in the winter time, people are crossing Trenton Road to attend church and there have been quite a few near misses.

ACTION: MR. GALLAGHER MOVED TO GRANT THE FOLLOWING WAIVERS FROM THE TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE:

1. FROM SECTION 421.E.(2) TO NOT REQUIRE RAISED PLANTING BEDS WITH ONE SHADE TREE PER BED.
2. FROM SECTION 421.E.(5) TO NOT REQUIRE A 24 FOOT DRIVEWAY AISLE WIDTH FOR TWO-WAY TRAFFIC. THE APPLICANT PROPOSES A 20 FOOT DRIVEWAY AISLE WIDTH.
3. FROM SECTION 421.E.(8) TO NOT REQUIRE A 5 FOOT MINIMUM RADIUS OF CURVATURE FOR ALL CURBLINES.
4. FROM SECTION 421.E.(19) TO NOT REQUIRE A PARKING LOT SETBACK OF 30 FEET FROM THE FUTURE RIGHT-OF-WAY OF A COLLECTOR OR ARTERIAL ROAD. THE APPLICANT PROPOSES A 5 FOOT SETBACK.
5. FROM SECTION 421.F TO NOT PROVIDE LIGHTING FOR THE PARKING LOT.
6. FROM SECTION 421.J TO NOT PROVIDE TIRE STOPS IN UNCURBED AREAS.

APPLICANT WILL ALSO COMPLY WITH THE NOVEMBER 18, 2014 REVIEW LETTER BY THE TOWNSHIP ENGINEER TO THE SATISFACTION OF THE TOWNSHIP

ENGINEER AND THE DIRECTOR OF ZONING, PLANNING AND ENGINEERING. MR. MALLON SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

6. Consideration of enacting RDA Resolutions as follows:

#15-01R Acquisition of Vehicles for the Police Department in the amount of \$199,800;
#15-02R Acquisition of Public Works Vehicles in the amount of \$123,600;
#15-03R Update In-car Technology for Police Department in the amount of \$87,550;
#15-04R Acquisition of Automatic Electronic Defibrillators for Police Department in the amount of \$15,807;
#15-05R Emergency Responder Radio Replacement in the amount of \$212,000;
#15-06R Acquisition of Training Equipment for Penn-del-Middletown EMS in the amount of \$4,539; and
#15-07R Acquisition of Patient Transport Equipment for Penn-del-Middletown EMS in the amount of \$50,000.

ACTION: MR. KREILING MOVED TO ENACT RDA RESOLUTIONS AS FOLLOWS:

#15-01R ACQUISITION OF VEHICLES FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$199,800;
#15-02R ACQUISITION OF PUBLIC WORKS VEHICLES IN THE AMOUNT OF \$123,600;
#15-03R UPDATE IN-CAR TECHNOLOGY FOR POLICE DEPARTMENT IN THE AMOUNT OF \$87,550;
#15-04R ACQUISITION OF AUTOMATIC ELECTRONIC DEFIBRILLATORS FOR POLICE DEPARTMENT IN THE AMOUNT OF \$15,807;
#15-05R EMERGENCY RESPONDER RADIO REPLACEMENT IN THE AMOUNT OF \$212,000;
#15-06R ACQUISITION OF TRAINING EQUIPMENT FOR PENNDEL-MIDDLETOWN EMS IN THE AMOUNT OF \$4,539; AND
#15-07R ACQUISITION OF PATIENT TRANSPORT EQUIPMENT FOR PENNDEL-MIDDLETOWN EMS IN THE AMOUNT OF \$50,000. MR. LEONHAUSER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

7. Consideration of ratifying Resolution #15-08R Declaring a Snow Emergency and Limited State of Emergency effective January 26, 2015.

ACTION: MR. MALLON MOVED TO RATIFY RESOLUTION #15-08R DECLARING A SNOW EMERGENCY AND LIMITED STATE OF EMERGENCY EFFECTIVE JANUARY 26, 2015. MR. KREILING SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

8. Consideration of purchase of vehicles for the Police Department.

ACTION: MR. LEONHAUSER MOVED TO AUTHORIZE THE PURCHASE OF THE FOLLOWING VEHICLES THROUGH COSTARS:

- TWO (2) FORD UTILITY POLICE VEHICLES FROM MILHAM FORD, EASTON, PA AT A COST OF \$52,818.
- ASSOCIATED EQUIPMENT FOR TWO (2) FORD UTILITY POLICE VEHICLES FROM 10-8 EMERGENCY VEHICLE SERVICE, NEW HOLLAND, PA AT A COST OF \$14,487.84
- ONE (1) FORD FUSION FROM MILHAM FORD, EASTON, PA AT A COST OF \$18,753.

- TWO (2) CHEVROLET TAHOE VEHICLES FROM HONDRU FLEET, MANHEIM, PA IN THE AMOUNT OF \$69,682.88
- ONE (1) DODGE CHARGER FROM HONDRU FLEET, MANHEIM, PA IN THE AMOUNT OF \$28,535.22
- ASSOCIATED EQUIPMENT FOR ALL THREE (3) VEHICLES FROM 10-8 EMERGENCY SERVICES, NEW HOLLAND, PA AT A COST OF \$19,473.86.

MR. KREILING SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

9. Consideration of purchase of AEDs for the Police Department.

ACTION: MR. MALLON MOVED TO AUTHORIZE THE PURCHASE OF TEN (10) FRX DEFIBRILLATOR HEARTSTARTS WITH ACCESSORIES FROM V. E. RALPH AND SON, INC. FOR A TOTAL OF \$15,807.50. MR. GALLAGHER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

10. Consideration of purchase of in-car technology for the Police Department.

ACTION: MR. MALLON MOVED TO AUTHORIZE THE PURCHASE OF FIFTEEN (15) PATROL PC CORE I VALUE INTEL GENERATION 3 FIXED MOUNT COMPUTERS, ACCESSORIES, AND INSTALLATION FROM R. F. DESIGN AND INTEGRATION/PATROL PC FOR A TOTAL OF \$87,550.13. MR. KREILING SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

11. Consideration of purchase of In-car Video Cameras.

Ms. Teoli Kuhls advised that this is not an RDA grant. The Township applied for an RDA grant but did not receive one. This purchase was budgeted in the 2015 Budget and is a project that has been a long time coming and has been discussed for the last year and a half. After significant research the Police Department is recommending that we move forward implementing an in-car camera program.

ACTION: MR. GALLAGHER MOVED TO AUTHORIZE THE PURCHASE OF 35 IN-CAR VIDEO SYSTEMS FROM WATCH GUARD DIGITAL IN-CAR VIDEO AT A COST OF \$209,025. MR. MALLON SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

12. Consideration of purchase of vehicles for the Public Works Department.

Ms. Teoli Kuhls advised that the total cost for all three (3) vehicles with accessories is \$262,309.43. Of that cost \$123,600 will be funded from the 2015 RDA grant awarded to the Department of Public Works. The remaining balance of \$138,709.43 will be funded from the 2015 Road Machinery Fund.

ACTION: MR. OETTINGER MOVED TO AUTHORIZE THE PURCHASE OF THE FOLLOWING VEHICLES THROUGH COSTARS:

ONE (1) 2015 FORD SUPER DUTY F-550 DRW CHASSIS FROM HONDRU FORD, MANHEIM, PA AT A COST OF \$43,665.00

ONE (1) 2016 INTERNATIONAL DUMP TRUCK CHASSIS FROM BUCKS COUNTY INTERNATIONAL, LANGHORNE, PA AT A COST OF \$86,469.00

ONE (1) DUMP BODY FROM U. S. MUNICIPAL SUPPLY, KING OF PRUSSIA, PA
AT A COST OF \$35,860.00

ONE (1) DUMP BODY W/SNOWPLOW, SPREADER & ACCESSORIES FROM H.A.
DEHART & SON, THOROFARE, NJ AT A COST OF \$60,395.00

ONE (1) 2015 FORD SUPER DUTY F-350 SRW PICKUP TRUCK W/SNOWPLOW,
SPREADER & ACCESSORIES FROM DEJANA TRUCK & UTILITY EQUIP, KINGS PORT,
NY AT A COST OF \$35,920.43.

MR. LEONHAUSER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

13. Report on 2015 Road Improvement Program – Pat Duffy, P.E.

Mr. Duffy provided the 2015 Road Paving Program. The roads that have been selected for paving total \$3.1 Million and includes the 1-1/2” milling and 1-1/2” paving, base repair and line striping for approximately 11 miles of the following Township roads:

Pickering Bend, Moon Drive, Wellington Drive, Carlene Court, Wood Lane
Penncrest Drive, Green Ridge Road, Summit Avenue
Aspen Avenue, Virginia Avenue, Broadview Avenue, N. & S. Hawthorne Road
W. Gillam Avenue, Parkvale Ave., Arbutus Ave., Hollywood Ave.
N&S. Clearview Ave., N&S. Hazel Ave., N&S. Myrtlewood Ave., N&S. Woodbine Ave.
N&S. Canterbury, N&S. Walnut Terrace, S. Buckthorne Ave., Playwicki Street
Rosemary Ave., Rosewood Ave., Meadow Lane, Old Lincoln Highway
Redwood Ave, Clover Drive
Duxbury Drive, Parker Street, Eastbrooke Ave., Spring Street
Boxwood Lane, Boxwood Drive, Butternut Lane off of Woodbourne Road

Also included in the project costs would be Township Line Road from Langhorne/Yardley Road to Big Oak Road. (Middletown’s contribution as part of the Lower Makefield Township 2015 Paving Program; roadside grading for drainage along sections of Wood Lane and South Flowers Mill Road reconstruction and drainage improvements. South Flowers Mill Road from Maple Avenue to Route 1 will probably be handled under a separate contract as we are looking to do some major road reconstruction and a lot of drainage improvements.

The cost estimate for the 2015 Road Program is \$3.1 million. Funds for this project are being allocated from the \$5 million bond refinance issue for the Township Road Improvement Program.

ACTION: MR. MALLON MOVED TO AUTHORIZE THE PREPARATION OF BID DOCUMENTS AND THE ADVERTISEMENT OF BIDS FOR THE TOWNSHIP’S 2015 ROAD PAVING PROGRAM. MR. KREILING SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

14. Consideration of authorization to advertise the Floodplain Ordinance.

Mr. Pizzo stated that FEMA is in the process of requiring all municipalities in Bucks County to adopt new floodplain ordinances. The current floodplain and floodway regulations which are found in the Township Zoning Ordinance are going to be lifted out and will now be a standalone ordinance

consistent with the new flood insurance rate map and flood insurance study that FEMA undertook and adopted last year.

ACTION: MR. MALLON MOVED TO AUTHORIZE THE ADVERTISEMENT OF THE FLOODPLAIN ORDINANCE SCHEDULED FOR ENACTMENT AT THE PUBLIC MEETING OF THE BOARD OF SUPERVISORS ON MONDAY, MARCH 2, 2015 AT 7:30 P.M. MR. LEONHAUSER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

15. Consideration of authorization to advertise a bid for the installation of county radios.

Ms. Teoli Kuhls said the Township has purchased the County radios with funds from the RDA and we now need to do a bid for the installation of the radios

ACTION: MR. MALLON MOVED TO AUTHORIZE THE PREPARATION AND ADVERTISEMENT OF BID SPECIFICATIONS FOR THE INSTALLATION OF COUNTY 700 MHz RADIOS. MR. OETTINGER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

16. Consideration of appointing Chris McCarron to the Environmental Advisory Council for a three year term: January 1, 2015 – December 31, 2017

Ms. Teoli Kuhls advised that Mr. McCarron is currently a member of the Township's Environmental Advisory Council and is interested in serving another 3 year term.

ACTION: MR. MALLON MOVED TO APPOINT CHRIS MCCARRON TO THE ENVIRONMENTAL ADVISORY COUNCIL FOR A THREE-YEAR TERM JANUARY 1, 2015 – DECEMBER 31, 2017. MR. LEONHAUSER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

17. Other Business.

Mr. Mallon said tonight the Board approved the expenditures of almost \$700,000 in RDA funds through the hard work and efforts of the Board and Township Staff. The message here is that this Board will continue to work diligently and be fiscally responsible to rebuild the infrastructure in Middletown, both from an equipment perspective ensuring the staff has the necessary vehicles to do the job they are tasked with. From a road and safety perspective, by rebuilding roads and looking to address some of the stormwater issues that have gone unaddressed for many years.

Mr. Mallon advised that the Board met in Executive Session prior to the public meeting to discuss personnel issues. One of those issues was to bring our police staff up to the complete compliment of 54 officers. Please be considerate of your neighbors and get your vehicles off the road when a snowstorm is being forecast.

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

19. Adjournment.

ACTION: MR. MALLON MOVED TO ADJOURN THE PUBLIC MEETING OF THE MIDDLETOWN TOWNSHIP BOARD OF SUPERVISORS AT 8:55 P.M. MR. KREILING SECONDED. MOTION CARRIED BY A VOTE OF 5-0.