

**MIDDLETOWN TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
JUNE 6, 2016**

**PRESENT**

**H. GEORGE LEONHAUSER, CHAIRPERSON }  
THOMAS GALLAGHER, VICE CHAIR }  
WILLIAM OETTINGER, SECRETARY } BOARD OF SUPERVISORS  
AMY STROUSE }  
THOMAS TOSTI }  
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. Leonhauser called the meeting to order at 7:30 p.m. After the Pledge of Allegiance, Mr. Oettinger called roll. All supervisors were in attendance along with Township Manager Stephanie Teoli Kuhls, Solicitor Joseph Pizzo, Engineer Larry Young and interested citizens.

2. Announcements, Correspondence, Awards and Reports.

Mr. Pizzo noted that the board met in an Executive Session before the public meeting. In attendance were the Board of Supervisors, Ms. Teoli Kuhls, and Mr. Pizzo. Topics discussed included a personnel matter, real estate and a matter of potential litigation. No formal action was taken.

Mr. Leonhauser asked that a moment of silence be observed in honor of the anniversary of D-Day.

- a. Next Board of Supervisors Meeting – **Monday, July 11, 2016 @7:30 p.m.**
- b. Annual 4<sup>th</sup> of July Parade

Mr. Leonhauser invited the public to the annual 4<sup>th</sup> of July Parade, which begins at 9:00 a.m. on Monday, July 4<sup>th</sup> at Veterans' Park.

- c. Recognition of Volunteers for the Spring Clean Up

Alex Jakoski, chairperson of the Community Beautification Committee, presented certificates to recognize volunteers for their efforts in the April 16 cleanup event: the Harkins Family, Joseph Connelly, Paula Hoyah, and Julie and Laura Finnell.

- d. Presentation of Scholarship Awards by the Middletown Community Foundation

Bill Cowan presented scholarships from the Middletown Community Foundation to six local high school students.

e. Presentation of the Paul Sauerbry Community Service Scholarship

Julie Sauerbry Smith presented a scholarship in honor of her grandfather to a local high school student.

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

None.

4. **Consent Agenda Items.**

a. Consideration of authorizing payment of June 6, 2016 Bill List in the amount of \$1,919,318.10.

b. Consideration of approving the May 16, 2016 Meeting Minutes of the Middletown Township Board of Supervisors.

**ACTION: MR. OETTINGER MOVED TO APPROVE THE CONSENT AGENDA AS LISTED ABOVE. MR GALLAGHER SECONDED. MOTION CARRIED 5-0.**

5. Presentation on Act 10, John Molloy, PFM  
Consideration of approving Investment Policy for Middletown Township Investment Fund

John Molloy of PFM provided an overview of Act 10. He explained to the Board that the new law expanded the investments permitted for local governments and required important safeguards to protect tax payer money. Mr. Molloy provided examples of specific types of investments permitted and gave an overview of how these investments might impact the Township's Investment Fund. He further explained that revisions to the Township's Investment Policy have been proposed so that the Township may take advantage of the permitted new investments. These revisions were discussed with the Financial Advisory Committee and are proposed for the Board's consideration this evening.

Jim Jenca, Levittown, asked if the Township has considered other investment managers. Dennis Penko, Finance Director, explained that there was an RFP processes used in 2012 when PFM was selected. Mr. Tosti inquired about the possibility of issuing another RFP in the future.

**ACTION: MR. TOSTI MOTIONED TO ADOPT THE REVISED INVESTMENT POLICY AS RECOMMENDED. MS. STROUSE SECONDED. MOTION CARRIED 5-0.**

6. Consideration of enacting Ordinance #16-01 amendment to the Zoning ordinance to create a transient dwelling use. (Duly advertised in the *Bucks County Courier Times* on April 14, 2016; proof of publication has been received.)

Mr. Pizzo provided an overview of the proposed ordinance amendment. He explained that the ordinance would:

- Amend the existing definition of a family;
- Create a new definition for transient dwellings;

- Designate that transient dwellings may be permitted in the Apartment/Office, Mobile Home Park, Professional, and Commercial zoning districts;
- Amend the existing rental property ordinance to extend reporting requirements to transient dwelling uses; and
- Amend the fire safety ordinance to require annual safety inspections of transient dwellings.

Mr. Pizzo concluded that the ordinance creates a reasonable set of restrictions, is nondiscriminatory on its face, and is nondiscriminatory in its intent.

Mr. Tosti, Mr. Gallagher, and Mr. Oettinger raised questions about houses that would be grandfathered in, and Mr. Pizzo clarified that only those houses that began the process of becoming a transient dwelling prior to the ordinance being advertised in April would be grandfathered.

David Coleman of Deep Dale West expressed concern about transient dwellings in residential neighborhoods.

Susan Coleman of Deep Dale West thanked the Board for considering the ordinance and expressed concerns about the impact of transient dwellings on their residents and neighbors.

Jim Jenca of Levittown applauded the Board's efforts and encouraged them to vote in favor of this ordinance.

Lew Stetz of Snowball Gate stated that he believes owners of transient dwellings should be viewed as businesses. He also inquired what would happen if a transient dwelling were to be sold.

Joann Schaeffer of Snowball Gate thanked the Board for considering the ordinance and questions how "transient" would be defined. Mr. Pizzo noted that case law would establish how transience is determined and that the Township intends to comply with all relevant state and federal laws.

Jim Jenca of Levittown asked when the ordinance would take effect. Mr. Pizzo stated that it would be in effect five days from the date it is CARRIED by the Board of Supervisors.

Ronnie Roussos of Snowball Gate encouraged the Board to vote in favor of the ordinance.

Marjorie Stetz of Snowball Gate asked questions about the implementation of the ordinance and called for a stronger voice in Harrisburg.

Arthur Johnson of Snowball Gate inquired about the definition of a protected class.

**ACTION: MR. GALLAGHER MOVED TO ENACT ORDINANCE #16-01. MR. TOSTI SECONDED. MOTION CARRIED 5-0.**

7. Consideration of enacting Ordinance #16-04 amendment to Chapter 345. Peddling, Soliciting and Transient Businesses, of the Code of Middletown Township; establishing regulations for the creation of a no solicitation registry. (Duly advertised in the *Bucks County Courier Times* on May 20, 2016, proof of publication has been received.

Ms. Teoli Kuhls summarized the proposed ordinance that will allow residents to register with the Police Department to be added to a No Solicitation List.

**ACTION: MS. STROUSE MOVED TO ENACT ORDINANCE #16-04. MR. TOSTI SECONDED. MOTION CARRIED 5-0.**

8.
  - a. Consideration of enacting Resolution #16-09R authorizing re-submission of a grant application to the Commonwealth Financing Authority creating a Quiet Zone at the Woodbourne Road Railroad Crossing.
  - b. Consideration of enacting Resolution #16-10R authorizing the re-submission of a grant application to the Commonwealth Financing Authority for a Greenways, Trails and Recreation Program (GTRP) Grant in the amount of \$250,000 for improvements at the Firefighters' Park.

Ms. Teoli Kuhls explained that no action was taken on either grant due to the state budget delay. She requested board consideration of resolutions to authorize resubmission of both grants.

**ACTION: MR. TOSTI MOVED TO ENACT RESOLUTION #16-09R AUTHORIZING RE-SUBMISSION OF A GRANT APPLICATION TO THE COMMONWEALTH FINANCING AUTHORITY CREATING A QUIET ZONE AT THE WOODBOURNE ROAD RAILROAD CROSSING AND RESOLUTION #16-10R AUTHORIZING THE RE-SUBMISSION OF A GRANT APPLICATION TO THE COMMONWEALTH FINANCING AUTHORITY FOR A GREENWAYS, TRAILS, AND RECREATION PROGRAM (GTRP) GRANT IN THE AMOUNT OF \$250,000 FOR IMPROVEMENTS AT THE FIREFIGHTERS' PARK. MS. STROUSE SECONDED. MOTION CARRIED 5-0.**

9. Consideration of authorizing the purchase of a Network Server Replacement and Upgrade.

Lisa Berkis, Public Information Officer, provided an overview of the recommended purchase of two servers to replace the two dated servers currently in use. She explained that she worked with the township's IT consultants to seek proposals from vendors, and the best price was through GovConnection at \$16,844. Including installation, the total cost of \$29,844 is below the budgeted amount of \$30,000.

Mr. Gallagher and Ms. Strouse inquired about the possibility of using cloud-based servers. Ms. Berkis noted that all options were explored, and this purchase represented the best option for the Township. Significant discussion ensued regarding the pros and cons of utilizing a cloud-based server system.

Michael McCann of Upper Orchard Drive voiced support for exploring cloud-based servers.

ACTION: MR. GALLAGHER MOVED TO AUTHORIZE THE PURCHASE OF A NETWORK SERVER REPLACEMENT AND UPGRADE, PENDING ADMINISTRATIVE REVIEW OF THE COSTS OF A CLOUD-BASED SERVER OPTION. MS. STROUSE SECONDED. MOTION CARRIED 5-0.

10. Other Business.

Mr. Young noted that the paving program is underway and that the bid is out for the Durham Ridge improvements.

Mr. Pizzo thanked that Board, staff, and community for the support and well-wishes regarding the passing of his father.

Mr. Tosti noted that a resident questioned if the schedule for large projects can be added to the website.

Mr. Oettinger asked if the Touch-A-Truck event had been rescheduled. Ms. Teoli Kuhls noted that it has not been rescheduled.

Mr. Gallagher highlighted the United Way BKO Hunger Campaign and noted that donations help food pantries and senior centers in Bucks County. Residents can donate through [uwbucks.org/bkohunger](http://uwbucks.org/bkohunger) or at coin containers located in businesses throughout Bucks County.

11. Other public comment.

12. Adjournment.

ACTION: MR. TOSTI MOVED TO ADJOURN THE PUBLIC MEETING AT 9:35 P.M. MS. STROUSE SECONDED. MOTION CARRIED 5-0.