

**MIDDLETOWN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
AUGUST 15, 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	}	
JUSTIN GEONNOTTI, 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, Township Engineer Justin Geonnotti and interested citizens.

2. Announcements, Correspondence, Awards and Reports.
 - a. Next Board of Supervisors Meeting – Tuesday, **September 6, 2016 @7:30 p.m.**
 - b. Upcoming Events:
Tuesday, August 30, 2016 - Coffee with a Cop at Garden of Eatin,
964 Woodbourne Road, Levittown from 9 am to 11 am
 - c. 4th of July Parade – Middletown Cup Winner – Bucks County Safe Kids

Ms. Lamanna presented a trophy to Kim Everitt, Safe Kids Coalition Coordinator for the 2016 Fan Favorite Float.

- d. Swearing in of Officer Corey Huff

Chief Bartorilla provided a short biography of Officer Huff and welcomed him to the Middletown Police Department.

At this point the Chairman called for a 5 minute recess.

Mr. Pizzo advised that the Board met in Executive Session for approximately one hour prior to this evening's Public Meeting. Present for the meeting were the five Board members, Ms. Teoli Kuhls, Scott Sadowsky, Brian Shapiro, Joseph Bartorilla and Mr. Pizzo. Two matters of police personnel were discussed. One matter involved the potential promotions and the plan for promotions within the Police Department. The other one was a plan for potential hiring of officers in the

Department. No official action was taken in regard to either of the two proposals and no official action will be required of the Board of Supervisors at tonight's meeting as a result of the Executive Session.

3. Public Comment. *Non-Agenda Items only.* (Maximum 30 minutes)
None.

4. **Consent Agenda Items.**

a. Consideration of authorizing payment of August 15, 2016 Bill List in the amount of \$2,856,788.12.

b. Consideration of approving the July 11, 2016 Meeting Minutes of the Middletown Township Board of Supervisors.

c. Consideration of authorizing the Escrow Release for Empire Abrasives in the amount of \$278,280.

ACTION: MR. TOSTI MOVED TO ACCEPT AGENDA ITEMS A-C AS LISTED ABOVE. MR. OETTINGER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

5. 2017 Proposed Budget Calendar

Ms. Teoli Kuhls advised that two Budget Workshop Meetings will be held in October on October 10, 2016 and October 24, 2016 in the upstairs conference rooms 220-221 and are opened to the public. The meetings begin at 6:30 p.m.

The Public Budget Presentation will be held on November 7, 2016 with the Township Manager requesting authorization for advertisement for public inspection on November 14, 2016. There is a 20 day advertisement requirement that the proposed budget is available for public inspection. The final adoption date for the 2017 Budget would be at the December 5, 2016 public meeting.

Ms. Teoli Kuhls requested consensus of the Board for the proposed dates authorizing advertisement of the Budget Workshop meetings and the meeting adoption date. All meetings are scheduled for Monday.

6. Second Quarter 2016 Financial Report – Brian Shapiro, Finance Director

Brian Shapiro, Finance Director provided a second quarter Financial Report for 2016. The budget highlights are as follows:

- All funds on track to budget.
- Revenues on target for first six months
- Cash flow has been maintained and is strong.
- Expenses are tracking within the second quarter target

General Fund Revenue

- Operational Revenues are at 65% in the General Fund

- Real Estate Tax Revenues collections are on track – 96% collected through June
- Real Estate Transfer Tax – at 73% of budget.
- Other major tax revenues – Mercantile, Amusement and Parking begin to come in the third quarter to fourth quarter and is budgeted at \$2,250,000.

Earned Income Tax

- The 2016 Budget was \$5.5 Million and as of June 30th, \$4.3 Million has been collected at 79% of Budget.

General Fund -- Expenses

- The General Fund Expenses are at 44% of Budget, and within target of Pension Adjusted Budget.

Investment Fund

- Fund assets at the end of June 2016 were \$40,893,284 (up from \$40,042,490 at the end of December 31, 2015.)
- Net Revenue for six months - \$850,794
- The Investment fund is safely invested according to Second Class Township Code with the principal guaranteed if held to maturity.
- At June 30, 2016, the fund is invested as follows:
 - US Treasuries - 83.81%
 - US Agencies – GNMA - 10.55%
 - Certificate of Deposit - 5.45%
 - Cash - 0.19%

Mr. Shapiro stated that when the budget process begins he would be meeting with all Department Heads as it is something they have to use and maintain and wants to make sure that it meets their needs.

Ms. Strouse asked if the EIT collection at 79% of budget is normal for this time of year. Mr. Shapiro replied that since the EIT was enacted in 2014, we did not receive revenue until April or May of that year and 2015 was the first full year, so it is hard to do an accurate comparison at this time.

7. 2016 Bond Issue

Consideration of enacting Ordinance #16-06, authorizing incurrence of debt.

Jamie Schlesinger, Director of Public Financial Management, Inc. (PFM) along with Vincent Magyar, Jr., Esq. of Hill Wallach made a presentation of the 2016 Bond Issue. Mr. Schlesinger provided a market update - Rates are still low and are very volatile because of the markets in Europe, but generally speaking there are strong interest rates for Municipalities.

Ms. Teoli Kuhls reminded the Board that at their last public meeting they requested PFM to look at both the refunding as well as the additional money. What is being presented and what Mr. Magyar is going to explain in the proposed ordinance is the inclusion of the \$3.4 Million incurrence of debt. It would be a minimal impact to the annual debt service and the Township would then have the ability to use the \$3.4 Million for road infrastructure and stormwater improvements.

Ms. Strouse asked if the cost difference between the refunding as well as the additional money is substantially different. Mr. Schlesinger said the only difference is with the underwriters' discount which is based on the size of the financing.

Ms. Strouse asked if the Township has the pipeline to spend the money in the amount of time available to spend it and if contractually it can be done. Ms. Teoli Kuhls explained that the Township can handle it.

ACTION: MR. GALLAGHER MOVED TO AUTHORIZE THE 2016 BOND ISSUE FOR REFINANCE AND INCURRENCE OF DEBT. MR. TOSTI SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

Mr. Magyar advised that the Ordinance was advertised on August 11, 2016 in the *Bucks County Courier Times* and provides for the advance refunding of the 2011 Bonds that are outstanding as of August 15, 2017, also provides for various capital projects for road programs and stormwater facilities as well as payment of the cost of issuing the bonds.

The parameters of the Ordinance are as follows: Provides for a maximum amount authorized up to \$12 Million. It is important to point out that it is the intention of the Board not to issue more than \$10 Million in bonds. The maximum rate of interest on the bond is 5.5% with a minimum of 3% savings on the advance refunding portion of the bond and that the bonds mature no later than August 15, 2027.

ACTION: MR. GALLAGHER MOVED TO ENACT ORDINANCE #16-06 AUTHORIZING THE INCURRENCE OF DEBT AS ADVERTISED WITH CHANGES NOTED BY MR. MAGYAR. MS. STROUSE SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

8. Consideration of authorizing the purchase of four (4) 2017 Harley Davidson Motorcycles and authorization to amend the 2016 Budget, Capital Reserve Fund.

Chief Joseph Bartorilla made a presentation on the many benefits to the Township of having motorcycles in the Police Department. He stated that the motorcycles will come fully ready for street duty; lights, siren, lettering, etc.; with the exception of helmets that are not included in this proposal. Mr. Tosti inquired if there were any costs associated with the purchase of the motorcycles. Chief Bartorilla explained that uniforms were recently purchased.

ACTION: MR. LEONHAUSER MOVED TO AUTHORIZE THE PURCHASE OF FOUR (4) 2017 HARLEY DAVIDSON ROAD KING POLICE MOTORCYCLES AND ONE (1) ENCLOSED CARGO TRAILER FROM BRIAN'S HARLEY DAVIDSON, LANGHORNE, PA IN THE AMOUNT OF \$78,060 AND FURTHER MOVED TO AUTHORIZE AN AMENDMENT TO THE 2016 BUDGET, ALLOCATING AN ADDITIONAL \$44,070 IN THE CAPITAL RESERVE FUND FOR THIS PURCHASE. MR. TOSTI SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

9 Ash Tree Management Plan update
Consideration of authorization to advertise bid for removal of Emerald Ash Trees.

Debby Lamanna, Director of Parks, Recreation and Community Services provided an updated report on the Emerald Ash Borer damage to the trees in Middletown Township. A second evaluation of the trees indicates that a total of 244 trees are recommended to be removed by the end of 2016. These trees are of the highest hazard risk because of their location and condition. Five of the 244 trees are at the Middletown Country Club. The staff recommends including these trees in the bid and Agro Golf will pay the per tree cost established by the bid.

In-house staff can remove 45 of the identified trees by assigning a 4 man crew to work eight to ten Saturdays. It is recommended that the remaining 199 trees be removed by a contractor. The estimated cost is \$100,000.

Wood from the trees removed by the Township staff will be cut into 18 inch lengths. The logs will be piled at the Community Park on the pad of the skate park where residents may collect the logs any day between sunrise and sunset. Chain saws may be used after 7:00a.m. until dusk only.

ACTION: MR. GALLAGHER MOVED TO AUTHORIZE THE PREPARATION AND ADVERTISEMENT OF BID SPECIFICATIONS FOR THE REMOVAL OF 203 ASH TREES, ASSIGN OVERTIME CREWS TO REMOVE IDENTIFIED TREES, INVESTIGATE AND PREPARE A PROPOSAL FOR A TIMBER SALE FOR THE REMAINING ASH TREES AND CONTINUE TO MONITOR THE ASH TREES, MR. OETTINGER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

10. Durham Ridge Improvement Bid

Mr. Pizzo explained that only one bid was received from Richard T. Barrett Paving Company, Inc. They did not meet the requirements of the Township's Responsible Contractor Ordinance as Barrett Paving did not participate in an apprenticeship program.

Mr. Pizzo advised that it was the consensus of the contractors that looked at the bid but did not submit a bid was that the scope of the project was too broad to entice contractors to submit a bid. The project will be advertised as three bids; concrete work, paving and landscaping.

Mr. Tosti requested an update on where the Township stands with the bonding company. Mr. Pizzo said the Township has submitted its claim to the bonding company and have responded to their request for documentation. He has spoken to the claims Vice President assigned to this matter and they are in the midst of their investigation of the claim and he anticipates they would be done with the process by mid-September at which point they would let the Township if they are going to honor the claim and in what amount.

Mr. Pizzo also advised that the developer has turned over the capital account monies for the Homeowners Association to the Homeowners Association.

- a. Consideration of authorizing rejection of all bids for the Durham Ridge Improvement Bid.
- b. Consideration of authorizing advertisement of revised Durham Ridge Improvement Bid.

ACTION: MR. GALLAGHER MOVED TO AUTHORIZE THE REJECTION OF BIDS FOR THE DURHAM RIDGE IMPROVEMENT PROJECT. MR. OETTINGER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

ACTION: MR. GALLAGHER MOVED TO AUTHORIZE THE PREPARATION AND ADVERTISEMENT OF THREE BIDS AS FOLLOWS: ONE BID FOR CONCRETE WORK, ONE BID FOR PAVING WORK AND ONE BID FOR LANDSCAPING WORK WITH ADVERTISEMENT ON THURSDAY, AUGUST 18, 2016 AND TUESDAY, AUGUST 23, 2016 WITH A PRE-BID MEETING ON TUESDAY, AUGUST 30, 2016 AT 11:00 A.M. AND BID OPENING ON SEPTEMBER 8, 2016. MR. OETTINGER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

11. Consideration of enacting Resolution #16-12R authorizing the Township Manager to sign grant documents for the 2015 Green Light-Go Grant Program.

Ms. Teoli Kuhls explained the resolution authorizes her to sign the grant agreement documents for the Green Light-Go Program. This is a grant the Township applied for last year and we received funding in the amount of \$290,000 to install an adaptive traffic signal system on Route 1 from I-95 to Oxford Valley Road. The adaptive traffic signal is a signal system that uses video cameras to monitor real time what is going on in.

This is a 50/50 match for the grant and the Township will be budgeting for this in the 2017 budget. The Township's Traffic Engineer is currently working with PennDOT to see if PennDOT will reduce the match down to 20 percent and potentially expand the project to include a larger project area.

ACTION: MR. OETTINGER MOVED TO ENACT RESOLUTION #16-12R AUTHORIZING THE TOWNSHIP MANAGER TO SIGN GRANT DOCUMENTS FOR THE 2015 GREEN LIGHT-GO GRANT PROGRAM. MR. LEONHAUSER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

12. Consideration of enacting Resolution #16-13R Intergovernmental Agreement to participate in a Joint RDA Grant application for Towns Against Graffiti.

Ms. Teoli Kuhls explained that this is a grant that the Township participates in every year with Bensalem, Bristol, Lower Southampton and Hulmeville. Each township chips in \$5,000 and typically receives a significant RDA grant to support this program. Middletown does not have a graffiti problem because of Towns Against Graffiti (TAG).

ACTION: MR. LEONHAUSER MOVED TO ENACT RESOLUTION #16-13R INTERGOVERNMENTAL AGREEMENT TO PARTICIPATE IN A JOINT RDA GRANT APPLICATION FOR TOWNS AGAINST GRAFFITI. MR. TOSTI SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

13. Consideration of enacting Ordinance #16-05 creating a three-way stop at the intersection of Basil Road and Barnsbury Road. (Duly advertised in the *Bucks County Courier Times* on August 3, 2016; proof of publication has been received.)

Mr. Sadowsky made a brief presentation explaining the necessity of the proposed stop sign at the intersection of Basil Road and Barnsbury Road.

ACTION: MR. TOSTI MOVED TO ENACT ORDINANCE #16-05 CREATING A THREE-WAY STOP AT THE INTERSECTION OF BASIL ROAD AND BARNSBURY ROAD. MS. STROUSE SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

14. Heartwood Turn – No Parking Zone
Consideration of authorizing advertisement of an ordinance restricting parking on Heartwood Turn.

Ms. Teoli Kuhls advised that the principal of Albert Schweitzer Elementary School contacted the Police Department concerning a safety issue at their school when the children are being picked up in the afternoons after school. It was requested that a “No Parking” sign be erected on Heartwood Turn, Mondays to Fridays between 3:00 and 4:00 pm during the school year. There is only one house on Heartwood Turn so it will not have an adverse effect on many residents.

ACTION: MR. TOSTI MOVED TO AUTHORIZE ADVERTISEMENT OF AN AMENDMENT TO THE CURRENT MIDDLETOWN TOWNSHIP ORDINANCE §470-404: PARKING PROHIBITED IN CERTAIN LOCATIONS CERTAIN DAYS AND HOURS TO INCLUDE HEARTWOOD TURN, FOR BOTH SIDES OF THE STREET, MONDAY THROUGH FRIDAY, 3:00 P.M. TO 4:00 P.M. MR. OETTINGER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

15. Appointments to the Historic Preservation Commission.

Ms. Teoli Kuhls advised that Bucks County recently approached the Township regarding demolishing the Bridgetown Tannery building at the corner of Route 413 and Bridgetown Pike. Because the Tannery has status as a historic property, the Township’s Historic Preservation Commission must determine whether the building can be demolished. The County is unable to apply for a demolition permit through the Township until such a determination is made.

The Historic Preservation Commission is an inactive board and last met a number of years ago. Only two members of the last-seated board are interested in continuing to serve; George Dranginis and Jamie Waters. The Board consists of nine members who serve three-year terms. We have received applications from seven residents who would be interested in serving on the Historic Preservation Commission.

ACTION: MR. TOSTI MOVED TO APPOINT THE FOLLOWING APPLICATIONS TO THE HISTORIC PRESERVATION COMMISSION FOR A THREE (3) YEAR TERM TO EXPIRE ON DECEMBER 31, 2018:

- MARY DURKIN
- JOHN V. ALLEN
- WILLIAM APPLETON
- ROBERTA LANEY
- MARK SHUBIN

- ANTHONY SPOSATO
- DREW KREILING,
- GEORGE DRANGINIS
- JAMES WATERS

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

16. Other Business.

Ms. Strouse congratulated Officer Missy Robison on the great job she did organizing National Night Out on August 2nd.

Ms. Strouse requested that the information regarding the Township's Business Directory on the website be listed in the next Township Newsletter.

Mr. Tosti also stated that National Night Out was a huge success. He also requested an update on meeting with the owners of the Oxford Valley Mall.

Mr. Gallagher thanked Ms. Lamanna and her staff for the help they provided for the National Night out event. He also stated in light of the intense heat, residents should check on their neighbors.

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

18. Adjournment.

ACTION: MR. LEONHAUSER MOVED TO ADJOURN THE PUBLIC MEETING OF THE MIDDLETOWN TOWNSHIP BOARD OF SUPERVISORS AT 9:00 P.M. MR. TOSTI SECONDED. MOTION CARRIED BY A VOTE OF 5-0.