

**MIDDLETOWN TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
JANUARY 17, 2017**

**PRESENT**

<b>THOMAS GALLAGHER, CHAIRPERSON</b>	}	
<b>WILLIAM OETTINGER, VICE CHAIR</b>	}	
<b>H. GEORGE LEONHAUSER, SECRETARY</b>	}	<b>BOARD OF SUPERVISORS</b>
<b>AMY STROUSE</b>	}	
<b>THOMAS TOSTI</b>	}	
<b>STEPHANIE TEOLI KUHL, TOWNSHIP MANAGER</b>	}	
<b>JOSEPH PIZZO, ESQ., TOWNSHIP SOLICITOR</b>	}	
<b>LARRY YOUNG, P.E., TOWNSHIP ENGINEER</b>	}	

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

Mr. Gallagher called the meeting to order at 7:30 p.m. After the Pledge of Allegiance, Mr. Leonhauser called roll. All supervisors were in attendance along with Township Manager Stephanie Teoli Kuhls, Township Solicitor Joseph Pizzo, Township Engineer Larry Young, Building and Zoning Director, Pat Duffy, Department of Public Works Director, Rick Wendel, Chief Joe Bartorilla, Parks & Recreation Director, Debby Lamanna, Finance Director, Brian Shapiro and interested citizens.

2. Announcements, Correspondence, Awards and Reports.

- a. Next Board of Supervisors Meeting – **Monday, February 6, 2017 @7:30 p.m.**
- b. Presentation to Middletown Police Department by Joseph Szafran, Recorder of Deeds regarding Bucks County Tour of Honor

Joseph Szafran of the Bucks County Recorder of Deeds Office presented an award to the Middletown Township Police Department for support and guidance on the Tour of Honor Trip to Washington, D.C. each year for the veterans. Mr. Szafran advised that Vietnam Veterans Tour of Duty to Washington, D.C. is scheduled for June 5, 2017 and the Tour of Honor for WWII and Korean Vets is scheduled for October 2, 2017.

Mr. Tosti thanked Mr. Szafran for his efforts and stated that his father, a Navy Korean War Veteran, who passed away last year attended the Tour of Honor Trip for 2 years.

Mr. Gallagher thanked Mr. Szafran on behalf of the Township for the work he has done for veterans in Middletown Township and Bucks County.

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

**NONE.**

4. **Consent Agenda Items.**

- a. Consideration of authorizing payment of January 17, 2017 Bill List in the amount of \$2,742,987.86.
- b. Consideration of approving the December 19, 2016 and January 3, 2017 Minutes of the Public Meetings of the Middletown Township Board of Supervisors.
- c. Consideration of enacting Resolution #17-07R authorizing certain Township Officials authority to sign Township checks.
- d. Consideration of enacting Resolution #17-08R authorizing the Finance Director to receive any and all tax information and records from Berkheimer relative to collection of taxes.

ACTION: MR. LEONHAUSER MOVED TO APPROVE CONSENT AGENDA ITEMS A THRU D AS LISTED ABOVE. MR. TOSTI SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

#### 5. Zoning Ordinance Amendments

- Consideration of enacting Ordinance #17-01 Zoning Amendment to add monument displays to be permitted in the C Commercial Zoning District along the Route 1 corridor and to modify the off-premise sign regulations in the M-1 Light Manufacturing District. (Duly advertised in the *Bucks County Courier Times* on January 6 and January 9, 2017; proof of publication has been received.)
- Consideration of enacting Ordinance #17-02 proposed zoning map change of TMP #22-015-0006-002 from OR Open Recreation Zoning District to M-1 Light Manufacturing Zoning District. (Duly advertised in the *Bucks County Courier Times* on January 6 and January 9, 2017; proof of publication has been received.)

Mr. Gallagher advised that a letter was received today from Maureen Miller who has requested an extension on behalf of the residents of Middletown Township, Langhorne Manor Borough and Langhorne Borough for the Board of Supervisors to grant a 30 day extension prior to rendering a decision to allow Catalyst Outdoor Corporation to place electronic billboards on Route one Superhighway.

Mr. Gallagher stated that the Township has advertised this ordinance and if the Board were to postpone action tonight, it would have to be advertised and he does not believe the Township should incur additional costs.

Mr. Tosti inquired if this letter was received from the resident that spoke at the end of a public meeting in December and if we know what the concerns are.

Ms. Teoli advised that it is the same person and that she spoke to Ms. Miller and put her in touch with Rob Degoria of Catalyst Outdoor Corporation.

Mr. Pizzo said with regard to the rezoning, notice of this evening's hearing was mailed to all properties within a distance of 500 feet of the property under consideration for rezoning and also the property was posted along the frontage of the property as required by ordinance and the Municipalities Planning Code.

Ms. Strouse asked if the rezoning is approved this evening, would each project be approved as it is proposed or does a company have the right to build a monument display without further approval.

Mr. Pizzo said the proposed ordinance as it pertains to the construction of the monument sign would have the applicant go through a building permit process, and the requirements of the ordinance would also provide for Township review and approval of the design or the architectural features of any monument sign. The Board's final approval of the design of the monument sign would be required before a building permit is issued.

Mr. Pizzo also pointed out that this issue was vetted in front of the Township Planning Commission and also the County Planning Commission.

At this point Mr. Gallagher opened this issue to public comment.

Resident, 2118 W. Old Lincoln Highway, Langhorne is concerned how this will affect his property value. He also stated that he has spoken with a PennDOT authority who stated that sound barriers are to be installed along the stretch of the highway where the proposed billboard is intended.

Robin Grauel, 2112 Old Lincoln Highway, Langhorne is concerned about light coming into her home from the proposed billboard.

Thaddeus Bartkowski, owner of Catalyst Outdoor made a presentation showing where the monument is proposed and how the lighting will work. He explained in detail how the sign would be installed and the intensity of the lighting to be used. He also stated that the proposed signage will also be an income source for Middletown Township and the County.

Ron Knapp, 428 Parkvale Avenue, Langhorne believes this is a good idea and has seen similar monument signs in Montgomery County.

Peggy Knapp, 428 Parkvale Avenue, Langhorne stated she is in favor of the signs. She is a nurse and stated that these signs can be used for "Amber Alerts".

**ACTION: MR. LEONHAUSER MOVED TO ENACT ORDINANCE #17-01 ZONING AMENDMENT TO ADD MONUMENT DISPLAYS TO BE PERMITTED IN THE C COMMERCIAL ZONING DISTRICT ALONG THE ROUTE 1 CORRIDOR AND TO MODIFY THE OFF-PREMISE SIGN REGULATIONS IN THE M01 LIGHT MANUFACTURING DISTRICT. MR. LEONHAUSER ALSO MOVED TO ENACT ORDINANCE #17-02 ZONING MAP CHANGE OF TMP#22-015-0006-002 FROM OR OPEN RECREATION ZONING DISTRICT TO M-1 LIGHT MANUFACTURING ZONING DISTRICT. MR. TOSTI SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**

## 6. Medical Marijuana Ordinance

- Consideration of enacting Ordinance #17-03 amending Chapter 500, Zoning, of the Code of the Township of Middletown; amending and establishing definitions therein; amending the use regulations within the C Commercial, and M-1 Light Manufacturing Zoning Districts; amending off-street parking and off-street loading requirements; editing, amending and renumbering various provisions set forth in the Chapter. (Duly advertised

in the *Bucks County Courier Times* on January 6 and January 9, 2017; proof of publication has been received.)

Mr. Pizzo provided information on the proposed ordinance regulating medical marijuana in the Township. The Commonwealth approved the Medical Marijuana Act of 2016 which provides for legalization of medical marijuana within the Commonwealth. It provides to categories of Medical Marijuana uses; the first is a grower/processor use and the second is a dispensary use.

Mr. Pizzo explained in great detail that the medical marijuana profession is going to be one that will be fairly heavily licensed and regulated by the State. State law does allow the Township to determine where within their scheme of zoning they want the uses located. At an earlier meeting after some deliberation, it was the consensus of the Board that the grower processor use should be located in the M-1 Light Manufacturing District and that the dispenser use would be located in the C Commercial District. It should be noted that both uses would be Conditional Uses under both ordinances.

Mr. Pizzo also stated that this ordinance has been reviewed and vetted by both the Township Planning Commission and the Bucks County Planning Commission.

Mr. Tosti went into great detail about why he won't support this ordinance due to the fact that he believes it limits where the dispensaries can be located.

Mr. Gallagher opened this item to public comment.

Angela Y. White, Healthcare Administrator of Indiva, LLC will be looking to perhaps locate a dispensary in Middletown Township. Ms. White stated that a grower/processor from Colorado that is looking in this area and that it would provide at least 200 jobs.

Ms. Strouse thanked Ms. White and stated that the Township welcomes her application for a dispensary and thinks that what they are doing to help the community is great.

Mr. Tosti stated that he supports what Ms. White is proposing to do, he just doesn't support the proposed ordinance as it is limiting where the dispensary can be located.

Joyce Weinberg, 206 Bluebell Avenue, Langhorne explained that the Department of Health timeframe for submission of the application is February 20, 2017 thru March 20, 2017 and hopes the Board approves the enactment of the ordinance this evening.

**ACTION: MR. GALLAGHER MOVED TO ENACT ORDINANCE #17-03 AMENDING CHAPTER 500, ZONING, OF THE CODE OF THE TOWNSHIP OF MIDDLETOWN; AMENDING AND ESTABLISHING DEFINITIONS THEREIN; AMENDING THE USE REGULATIONS WITHIN THE C COMMERCIAL, AND M-1 LIGHT MANUFACTURING ZONING DISTRICTS; AMENDING OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS; EDITING, AMENDING AND RENUMBERING VARIOUS PROVISIONS SET FORTH IN THE CHAPTER. MR. LEONHAUSER SECONDED. MOTION CARRIED BY A VOTE OF 4-1 WITH MR. TOSTI OPPOSED.**

7. Consideration of enacting RDA Grant Acceptance Resolutions

- #17-01R Acquisition of Vehicles - Police Department in the amount of \$160,348;
- #17-02R Acquisition of Public Works Vehicles in the amount of \$189,471;
- #17-03R Update In-car Technology for Police Department in the amount of \$37,821;
- #17-04R Acquisition of Intoxilyzer for Police Department in the amount of \$7,825;
- #17-05R Emergency Responder Radio Replacement in the amount of \$212,000;
- #17-06R Acquisition of EMS Technology for Penn-del-Middletown EMS in the amount of \$18,359

ACTION: MR. LEONHAUSER MOVED TO ENACT THE FOLLOWING RDA GRANT ACCEPTANCE RESOLUTIONS:

- #17-01R Acquisition of Vehicles - Police Department in the amount of \$160,348;
- #17-02R Acquisition of Public Works Vehicles in the amount of \$189,471;
- #17-03R Update In-car Technology for Police Department in the amount of \$37,821;
- #17-04R Acquisition of Intoxilyzer for Police Department in the amount of \$7,825;
- #17-05R Emergency Responder Radio Replacement in the amount of \$212,000;
- #17-06R Acquisition of EMS Technology for Penn-del-Middletown EMS in the amount of \$18,359

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

#### 8. Vehicle Purchases

- Consideration of authorizing the purchase of a 2017 Ford Super Duty F-350 Pickup Truck in the amount of \$30,694 from Hondru Ford, Manheim, PA; snowplow, spreader and accessories from DeJana Truck & Utility Equipment, Kings Park, NY in the amount of \$7,595 and Federal Signal Light Bar from 10-8 Emergency Vehicle Service, New Holland, PA in the amount of \$1,565.54 for a total of \$39,854.54.
- Consideration of authorizing the purchase of a Caterpillar Model 826 M. Wheel Loader from Ransome Cat, Bensalem, PA in the amount of \$149,616.
- Consideration of authorizing the purchase of three (3) 2017 Ford Utility Police Interceptor AWD vehicles from Koch 33 Ford, Easton, PA in the amount of \$91,064.

ACTION: MS. STROUSE MOVED TO AUTHORIZE THE PURCHASE OF THE VEHICLES AS LISTED ABOVE. MR. OETTINGER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

#### 9. 4<sup>th</sup> Quarter Financial Report

Brian Shapiro, Director of Finance and Human Resources presented the 4<sup>th</sup> Quarter Financial Report.

Ms. Strouse asked that the Police Overtime Reimbursement be explained as the public probably does not understand why the Township is reimbursed for police services. Mr. Shapiro said there are various services offered to the public covering certain events; i.e., the Democratic National Convention that was held in Philadelphia, traffic patrols at Sesame Place.

Ms. Strouse appreciates the quarterly reports and values them and requested that the next time they be sent in the Board's packet prior to the meeting.

Mr. Gallagher wanted to point out that during the budget meetings everyone said he was wrong for saying we would get to the \$8 million on the Earned Income Tax; \$5.5 million was budgeted, \$6.8 million was anticipated and \$7.1 million maybe. He said what he tried to do at that time was to reduce property taxes for the residents by a couple mills. He stated that this year he will once again try to reduce property taxes.

Mr. Tosti disagreed with Mr. Gallagher's assertions.

#### 10. Consideration of authorizing adoption of the Spring Valley Farm Master Plan

Debby Lamanna, Parks & Recreation Director stated that the Township received a grant from the PA Department of Conservation and Natural Resources to undertake a master planning project for Spring Valley Farm. A master site plan is a vision for the future use and maintenance of a particular piece of property. The adoption of the plan does not translate to approval of any aspect of the plan. Ms. Lamanna explained that any actual projects created from the recommendations of a plan require construction documents, permits and approvals from the Board of Supervisors.

Ms. Lamanna also stated that adoption of the Spring Valley Farm Master Plan gives the Township access to the final payment of the grant that was awarded to the Township.

Mr. Tosti inquired if the grant funds can be used for something other than what is proposed in the master plan; i.e. ballfields. Ms. Lamanna advised that this particular property is very difficult because the topography does not allow for ballfields and we are not apply for that particular grant, we are trying to close the grant the Township has previously received.

Mr. Gallagher opened this item to public comment.

Steve Donohue, 30 Apple Valley Drive, Langhorne was a member of the park committee that worked on the master site plan. He believes this is a great plan for this property and looks to the future.

**ACTION: MR. GALLAGHER MOVED TO ADOPT THE SPRING VALLEY FARM MASTER PLAN. MR. OETTINGER SECONDED. MOTION CARRIED BY A VOTE OF 3-2 WITH MS. STROUSE AND MR. TOSTI OPPOSED.**

#### 11. Healthcare Broker Discussion

Ms. Teoli Kuhls advised the Blue Cross renew was received and includes a 20% premium increase for 2017. Healthcare broker, The HIP Group was able to negotiate a reduction in the renewal to a 13% increase in overall premium.

An RFP was issued by the Township for Healthcare Benefits Broker and received four (4) respondents: The H.I.P. Group, LLC (incumbent), CBIZ Consulting Services, Innovative Risk Solutions, and Wells Fargo Insurance (officially withdrew proposal). The Board along with the administrative staff interviewed the potential brokers. Ms. Teoli Kuhls also noted that the administration sought a proposal from the Delaware Valley Health Insurance Trust (DVHIT) for

non-uniformed employees. The DVHIT proposal included the exact level of coverage with a 5% savings over the Blue Cross proposal. It should be noted that DVHIT offers a multi-trust discount, and the Township would receive a 2% reduction on its Delaware Valley Workers Comp Trust (DVWCT) rates as well as a further 2% reduction on DVHIT rates.

Mr. Oettinger asked Ms. Teoli Kuhls if the current employers are happy with the current healthcare broker. Ms. Teoli Kuhls advised that she has informally spoken to employees one on one and all are quite pleased with the incumbent.

Mr. Tosti said during the interview process he asked for some feedback from Innovative Risk Solutions on the Medicare issue that we ran into during this past year that cost the Township \$40,000. Was there any other follow-up information provided to the Township after the quotes were originally submitted.

**ACTION: MR. OETTINGER MOVED TO APPOINT HIP GROUP, LLC AS MIDDLETOWN TOWNSHIP HEALTHCARE INSURANCE BROKER. MR. LEONHAUSER SECONDED. MR. OETTINGER AND MR. LEONHAUSER WITHDREW THE MOTION.**

**ACTION: MR. OETTINGER MOVED TO TABLE THE APPOINTMENT OF A HEALTHCARE BROKER UNTIL MORE INFORMATION IS RECEIVED. MR. LEONHAUSER SECONDED. MOTION CARRIED BY A VOTE OF 4-1 WITH MR. TOSTI OPPOSED.**

## 12. Other Business

Mr. Tosti commended the Department of Public Works employees after the last snow storm.

Mr. Gallagher directed the Administration to implement "Breakfast with the Board" to be held at the Middletown Country Club on Tuesday, February 7, 2017 @ 7:30 a.m.

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

## 14. Adjournment.

**ACTION: MR. LEONHAUSER MOVED TO ADJOURN THE PUBLIC MEETING OF THE MIDDLETOWN TOWNSHIP BOARD OF SUPERVISORS AT 9:05 P.M. MR. GALLAGHER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**