

**MIDDLETOWN TOWNSHIP  
BOARD OF SUPERVISORS  
PUBLIC MEETING  
APRIL 1, 2019**

**PRESENT**

<b>THOMAS TOSTI, CHAIRPERSON</b>	}	
<b>MICHAEL KSIAZEK, VICE CHAIRPERSON</b>	}	
<b>AMY STROUSE, SECRETARY</b>	}	<b>BOARD OF SUPERVISORS</b>
<b>H. GEORGE LEONHAUSER</b>	}	
<b>WILLIAM OETTINGER</b>	}	
<b>STEPHANIE TEOLI KUHL, TOWNSHIP MANAGER</b>	}	
<b>JAMES ESPOSITO, ESQ., TOWNSHIP SOLICITOR</b>	}	
<b>ISAAC KESSLER, P.E., TOWNSHIP ENGINEER</b>	}	

**1. Call to Order**

**National Anthem**

Led by Eddie Taminini, Teen Talent Show – Second Place Winner

**Roll Call**

Ms. Strouse called the roll, all Supervisors were in attendance along with Township Manager, Stephanie Teoli Kuhls, Township Solicitor James Esposito, Township Engineer Isaac Kessler, several Department Directors, Chief of Police and interested citizens.

**2. Announcements, Awards and Reports.**

- a. Next Board of Supervisors Meeting – Monday, April 22, 2019 @7:00 p.m.
- b. Local Government Month Proclamation
- c. Years of Service Recognitions

**15 Years**

Fire Marshal Jim McGuire

**20 Years**

Deputy Fire Marshal Scott Hoagland  
Secretary Bernadette Frisch  
Special Projects Manager Lisa Berkis  
Sergeant Matt Kroiss  
Officer Brian Reeves  
Officer Mary Alice Felt  
Officer Brian Agostino  
Secretary Anne Welz

**25 Years**

Lieutenant Steve Forman

**30 Years**

Sergeant Mike Lubold  
Detective Andy Amoroso  
Detective Greg Kneiss  
Detective Dave Denton  
Officer Jeff Swenson  
Chris Russell

**35 Years**

Officer Dennis Kucinski

d. Special Recognition – Nancy Blank, 50 Years of Service

e. Police Commendations

Kyle Gracie  
Christopher Viscardi  
Kevin Platnecky  
Dave Berry & Dexter

f. Upcoming Events:

- Sound the Alarm – Save a Life, Saturday, April 6<sup>th</sup>, 8:30 a.m. to 2 p.m.
- Middletown Shred Day - Oxford Valley Mall; Saturday, April 13<sup>th</sup>, 9 a.m. to 12 p.m.
- Earth Day – Saturday, April 27<sup>th</sup>, Core Creek Park, 11 a.m. to 2 p.m.
- Sports Block Party – Friday, May 10<sup>th</sup>, Community Park, 3:30 p.m. to 10:00 p.m.

Mr. Tosti advised that the May 11<sup>th</sup> Catie Turner Concert has been cancelled as Catie is moving forward with an exciting opportunity that will require her flexibility in Los Angeles during the month of May.

Mr. Esposito advised that an Executive Session was held prior to this evening's Public Meeting concerning litigation.

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

None

4. **Consent Agenda Items.**

- a. Consideration of authorizing payment of the April 1, 2019 Bill List in the amount of \$1,045,920.31.
- b. Consideration of approving the March 18, 2019 Minutes of the Public Meeting of the Middletown Township Board of Supervisors.

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

**5. Conditional Use Hearing**

Applicant: First International Event, LLC

Location: Oxford Valley Mall

Request for Conditional Use to permit a circus in the GB General Business Zoning District.

At this point the Conditional Use Hearing was recorded by a court reporter.

**ACTION: MR. KSIAZEK MOVED TO APPROVE THE CONDITIONAL USE APPLICATION OF FIRST INTERNATIONAL EVENT LLC, TO PERMIT A CIRCUS IN THE GB-GENERAL BUSINESS ZONING DISTRICT FOR THE PROPERTY LOCATED AT 2300 EAST LINCOLN HIGHWAY, LANGHORNE, PA 19047 WITH THE FOLLOWING CONDITIONS:**

1. Applicant will obtain and pay for coverage during all hours of operation of the circus by the Middletown Township Police Department and the Township Fire Marshal's Office;
2. Applicant will meet with and comply with all requirements of the Middletown Township Fire Marshal;
3. Applicant will carry out the project and conduct the use in strict conformance with the Application, testimony, evidence and representations of the Applicant and its representatives at the hearing;
4. Applicant will obtain all permits and approvals from any agencies that have jurisdiction over related matters, including the Township;
5. Any Township expenses that are properly part of the conditional use process will be paid to the extent not already done so;
6. Applicant will comply with the rules, regulations and ordinances of the Township, the Commonwealth of Pennsylvania, and the United States.

**SECONDED BY MS. STROUSE. MOTION CARRIED BY A VOTE OF 4-1 WITH MR. LEONHAUSER OPPOSED.**

**6. Conditional Use Hearing**

Applicant: Provco Pinegood Middletown, LLC

Location: Proposed Wawa Food Market, 639 East Lincoln Highway, Langhorne

Request for Conditional Use to permit fueling station and gasoline sale in the C Commercial Zoning District.

At this point the Conditional Use Hearing was recorded by a court reporter.

**ACTION: MS. STROUSE MOVED TO APPROVE THE CONDITIONAL USE APPLICATION OF PROVCO PINEGOOD MIDDLETOWN LLC, TO PERMIT A FUELING STATION AND GASOLINE SALE COMPONENT IN THE C-COMMERCIAL ZONING DISTRICT FOR THE PROPERTY LOCATED AT 639 EAST LINCOLN HIGHWAY, LANGHORNE, PA 19047 WITH THE FOLLOWING CONDITIONS:**

1. Applicant will comply with the Township consultants review letters and the Bucks County Planning Commission review letter;
2. Applicant will carry out the project and conduct the use in strict conformance

with the Application, testimony, evidence and representations of the Applicant and its representatives at the hearing;

3. Applicant will obtain all permits and approvals from any agencies that have jurisdiction over related matters, including the Township;
4. Any Township expenses that are properly part of the conditional use process will be paid to the extent not already done so;
5. Applicant will comply with the rules, regulations and ordinances of the Township, the Commonwealth of Pennsylvania, and the United States.

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

7. Consideration of Preliminary Land Development Plan, Provco Pinegood Middletown, LLC for proposed Wawa Food Market, 639 East Lincoln Highway, Langhorne. (S/LD #18-9, TMP #22-041-077, 078 & 079, C-Commercial Zoning District)

Edward F. Murphy, Esq. represented the applicant Provco Pinegood Middletown along with William Reardon, PE. Mr. Murphy stated the applicant is seeking preliminary plan approval to construct a 5,051 square foot Wawa Food Market with eight fueling stations and 62 parking spaces. A 7,150 square foot canopy will cover the fueling pumps for a total square footage of 12,201 square feet. An existing one-story masonry building and an existing two-story masonry building will be removed from the site. The site is served by public water and sewerage.

ACTION: MR. KSIAZEK MOVED TO GRANT PRELIMINARY LAND DEVELOPMENT PLAN APPROVAL FOR PROVCO PINEGOOD MIDDLETOWN, LLC, FOR A PROPOSED WAWA FOOD MARKET AT 639 EAST LINCOLN HIGHWAY, S/LD #18-9, WITH THE FOLLOWING CONDITIONS:

1. Conditional use approval by the Board of Supervisors for the proposed gas sales.
2. All review letter comments provided to the applicant shall be addressed.
3. Plans to show the provided park access for the Department of Public Works and any access agreement with the Township to be completed with the Township Solicitor.

SECONDED BY MS. STROUSE. MOTION CARRIED BY A VOTE OF 5-0.

8. Consideration of approving Ordinance #19-03, Trash and Recycling Ordinance

Ms. Teoli Kuhls advised that the proposed ordinance was authorized for advertisement at the March 18, 2019 Public Meeting of the Board of Supervisors. This ordinance will amend Chapter 418, Solid Waste; Recycling, of the Code of Ordinances of the Township of Middletown. This ordinance was duly advertised in the *Bucks County Courier Times* on March 25, 2019; proof of publication has been received.

Ordinance #19-03 includes a unified definition section, and adds language on single-stream recycling, yard waste, hazardous waste and proper disposal of electronics as established by the Covered Device Recycling Act (CDRA), Act 108 of 2010.

ACTION: MR. TOSTI MOVED TO ADOPT ORDINANCE #19-03 AMENDING CHAPTER 418, SOLID WASTE; RECYCLING, OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF MIDDLETOWN. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

9. Consideration of approving Ordinance #19-04, renaming Shasta Road Detective Christopher Jones Way.

Ms. Teoli Kuhls advised that the proposed ordinance was authorized for advertisement at the February 4, 2019 Public Meeting of the Board of Supervisors. This ordinance was duly advertised in the *Bucks County Courier Times* on March 25, 2019; proof of publication has been received.

**ACTION: MS. STROUSE MOVED TO ADOPT ORDINANCE #19-04, RENAMING SHASTA ROAD DETECTIVE CHRISTOPHER JONES WAY. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**

10. Consideration of awarding the Neighborhood Signage Program Bid to Forman Sign of Philadelphia

Ms. Teoli Kuhls advised that the Board authorized bidding for the proposed design on February 19, 2019. Ms. Teoli Kuhls stated that this was advertised in *Bucks County Courier Times* on March 25, 2019; proof of publication has been received.

**ACTION: MR. KSIAZEK MOVED TO AWARD THE CONTRACT FOR THE NEIGHBORHOOD SIGN PROGRAM TO FORMAN SIGN COMPANY OF PHILADELPHIA, PA, IN THE AMOUNT OF \$74,850.00 AS DISCUSSED AND PRESENTED. MR. TOSTI SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**

11. Consideration of authorizing purchase of one (1) 2019 Ford F-550 Chassis XL 4x4 SD Regular Cab from Koch 33 Ford, Easton, PA and ne (1) Custom Knapheide 11 foot Service Body from Levan Machine & Truck Equipment, Fleetwood, PA for a total of \$93,568

Eric Gartenmayer, Public Works Superintendent, stated the Public Works Department currently has 116 vehicles, plus construction and mowing equipment that is used around the Township on a daily basis. Mr. Gartenmayer is proposing the purchase of a service vehicle to ensure the Department has the proper equipment to service the Township fleet in a safe and efficient manner.

**ACTION: MR. TOSTI MOVED TO AUTHORIZE THE PURCHASE OF ONE 2019 FORD F-550 CHASSIS XL 4X4 SD REGULAR CAB FROM KOCH 33 FORD, EASTON, PA AND ONE CUSTOM KNAPHEIDE 11 FT SERVICE BODY AND ACCESSORIES FROM LEVAN MACHINE AND TRUCK EQUIPMENT, FLEETWOOD, PA FOR A TOTAL OF \$93,568.00. SECONDED BY MR. LEONHAUSER. MOTION CARRIED BY A VOTE OF 5-0.**

12. Consideration of authorizing the purchase and installation of playground equipment for Firefighters' Park

Paul Kopera, Director of Parks and Recreation stated that the Firefighters' Park is a high-use, all-season park with a great neighborhood relationship. The existing playground has reached the end of its useful life and replacement of the old equipment with a new playground and swing set is recommended.

The proposed purchase would be from Gametime, a CoStars vendor in the amount of \$66,727. By authorizing the purchase today, the Township will save 35% on the playground equipment or \$24,831.

The equipment is to be installed by a qualified playground installer. Three written quotes were received for the removal of the old equipment and installation of the new playground equipment.

ACTION: MS. STROUSE MOVED TO AUTHORIZE THE PURCHASE OF PLAYGROUND EQUIPMENT FROM GAMETIME C/O MARTURANO RECREATION IN THE AMOUNT OF \$66,727 AND TO EXECUTE A CONTRACT FOR REMOVAL OF THE OLD EQUIPMENT AND INSTALLATION OF THE NEW PLAYGROUND EQUIPMENT FROM THE PLAYGROUND PROS IN THE AMOUNT OF \$16,300. SECONDED BY MR. TOSTI. MOTION CARRIED BY A VOTE OF 5-0.

13. Consideration of appointing the Comprehensive Plan Steering Committee

ACTION: MS. STROUSE MOVED TO APPROVE THE SLATE OF NOMINEES FOR THE COMPREHENSIVE PLAN STEERING COMMITTEE AS LISTED BELOW:

- Donna Fiedler, Member of Environmental Advisory Council
- Rich Nuttall, Chair of Planning Commission
- Robin Kemmerer, Bucks County Foundation and Robin Kemmerer Assoc.
- Jim Merrill, Middletown Community Foundation and Inspire Federal Credit Union
- Jonathan Lippy, Langhorne Athletic Association, Laurel Oaks Neighborhood
- Bill Appleton, Financial Advisory Board
- Lil Schonewolf, VP Community-Health & Well-Being of Trinity Health Mid-Atlantic Region (St. Mary's)
- Cyndy Diegel, Langhorne Rotary

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

14. Other Business.

NONE.

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

Resident, 20 Highland Park Way, Levittown expressed concern about the Route 1 over development; Langhorne Square Shopping Center safety and quality of life.

16. Adjournment.

ACTION: MR. KSIAZEK MOVED TO ADJOURN THE PUBLIC MEETING OF THE MIDDLETOWN TOWNSHIP BOARD OF SUPERVISORS AT 8:38 P.M. MS. STROUSE SECONDED. MOTION CARRIED BY A VOTE OF 5-0.