

**MIDDLETOWN TOWNSHIP  
BOARD OF SUPERVISORS  
PUBLIC MEETING  
AUGUST 12, 2019**

**PRESENT**

<b>THOMAS TOSTI, CHAIRPERSON</b>	}	
<b>MICHAEL KSIAZEK, VICE CHAIRPERSON</b>	}	
<b>AMY STROUSE, SECRETARY</b>	}	<b>BOARD OF SUPERVISORS</b>
<b>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 Grace Bilardo**

**Roll Call.** Ms. Strouse called the roll and all Supervisors were in attendance along with several Department Directors and interested citizens.

2. Announcements, correspondence, awards and reports.

- a. Next Board of Supervisors Meeting – **Tuesday, September 3, 2019 @7:00 p.m.**
- b. Middletown Athletic Association U10 Softball Team Recognition

Mr. Tosti presented certificates to the following MAA U10 Girls Softball Team:

Mady Engelhardt	Deanna Porter	Isla Diviny
Ellie Miller	Devon Deshields	
Abbey Miller	Jillian Rickards	
Leah Fiedler	Ava Schnee	
Grace Bilardo	Amelia Frain	

- c. Presentation of the Middletown Cup for the July 4<sup>th</sup> Parade

Mr. Tosti presented the Middletown Cup to McHales Plumbing for their float in the July 4<sup>th</sup> parade.

Mr. Esposito advised that an Executive Session was held prior to this evening’s meeting concerning ongoing litigation and real estate issues.

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

Joseph Iwanczewski, 623 Longview Avenue, Langhorne requested relief from water problem. Mr. Kessler to go out to homeowner’s property to assess the issue and may include in the drainage program that is currently under construction.

4. **Consent Agenda Items.**

- a. Consideration of authorizing payment of August 12, 2019 Bill List in the amount of \$1,735,168.58.

- b. Consideration of approving the July 15, 2019 Minutes of the Public Meeting of the Middletown Township Board of Supervisors.
- c. Consideration of enacting Resolution #19-17R declaring a State of Disaster.
- d. Consideration of accepting the resignation of Mike Lentine from the Zoning Hearing Board.

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

5. Presentation - Pennel Middletown Emergency Squad

Andrew Foley, Chief of the Pennel Middletown Emergency Squad along with Dr. Gerald Wydro made a presentation to the Board of Supervisors and the public regarding the squads activities and challenges.

6. Consideration of approving the minor subdivision plan for 350 Durham Road, Langhorne, PA for DCIV, Inc., S/LD #19-2, TMP #22-045-111 in the R-2 Residential Zoning District.

Isaac Kessler, P.E., Township Engineer explained the project is located at 350 Durham Road, in the R-2 Zoning District. The applicant proposes to subdivide the existing lot into two lots and construct a single family home on Lot 2, which proposes driveway access to Vine Street. The existing width of Vine Street at this location is proposed to be widened to 20 feet. Vine Street is a stone paper street that dead ends at the location of Lot 2.

**ACTION: MR. KSIAZEK MOVED TO GRANT FINAL MINOR SUBDIVISION AND LAND DEVELOPMENT APPROVAL FOR 350 DURHAM ROAD, S/LD #19-2 WITH THE FOLLOWING CONDITIONS:**

1. Applicant shall comply in full with all requirements of the Middletown Township subdivision and land development ordinance and the Middletown Township Zoning Ordinance, unless relief was granted by the body having jurisdiction.
2. Construction shall adhere to the approved plans, including notes on the plans, specifically maintaining the condition of Vine Street to the satisfaction of the Township Engineer throughout the construction activity and its restoration to existing condition or better at the conclusion of work.
3. Confirmatory deeds shall be recorded at the time of plan recordation confirming the new legal descriptions for lots 1 and 2. The deeds shall be in a form acceptable to the Township Solicitor prior to recording with the Bucks County Recorder of Deeds.

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

7. Simon Properties Zoning Amendment Presentation

Denise Yarnoff, Esq., of Simon Properties along with David Della Porta and Donald Tracy, II of Cornerstone Tracy Development made a presentation. The Simon Property Group has been working over the past few years on a redevelopment of the site that would be completed in several phases.

Mr. Della Porta explained a planned apartment development that would be phased. Phase 1 would include 390 units and Phase 2 would include 210 units. Buildings are proposed at 3 to 4 stories with secured access parking garages, amenity courts, pools, fitness centers and meeting areas. Visual depictions of the plan were presented during the meeting.

Natalie O'Donnell, resident inquired how many units are proposed; the average rental cost and would there be a sidewalk to the train station.

Ms. Strouse inquired if this was intended to be a transit oriented development.

Mr. Tosti expressed an interest in overall redevelopment of the site.

Mr. Esposito reviewed the proposed ordinance, explaining that staff recommends a slight change to the ordinance, decreasing the density.

8. Consideration of authorizing advertisement of the Snowball Drive Traffic Calming Project Bid.

Mr. Sadowsky explained that the Township staff, Traffic Planning and Design (TPD) and the Citizens' Traffic Commission are recommending a solution to the speed concerns of the residents along Snowball Drive. The proposed plan would be to use line striping to create a shoulder and two 9' driving lanes. Lane narrowing has been proven to reduce speed in state and nationwide studies.

The Department of Public Works wishes to bid line striping for 15 roads that have begun to fade. Township staff recommend including both bids together.

**ACTION: MR. TOSTI MOVED TO AUTHORIZE ADVERTISEMENT OF A BID FOR THE SNOWBALL DRIVE TRAFFIC CALMING AND ROADWAY MARKINGS. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**

9. Consideration of authorizing the advertisement of an amendment to the Vehicle and Traffic Ordinance for:

- a. Establishment of a no-parking zone on Terrace Road.
- b. Establishment of stop signs at Snowball Drive intersections.

Mr. Sadowsky stated that changes were initially requested by the principal and bus drivers of Pearl S. Buck Elementary School; they wanted a solution that would improve visibility and the turn radius for buses entering and exiting the school during dismissal. The proposed plan incorporates input from the CTC, the Police Department, bus drivers, and residents of Terrace Road.

- The proposal is to establish No Parking Any Time for one car length on each corner of Terrace Road and Top Road as well as the unnamed driveway exiting the school.
- No Parking Monday through Friday from 2 p.m. to 4 p.m. on the north side of Terrace Road running the length of the Township property opposite the school entrance.

The second recommended change is to add Stop Signs to Snowball Drive at the entrances from Veterans Highway. The CTC and Police Department propose creating two-way stops at both entrances to give the right of way to motorists entering the neighborhood. Working in tandem with the Snowball Gate Traffic Calming Project, the Stop Signs would improve safety conditions for motorists entering and driving on Snowball Drive while preventing a backup of vehicle son the highway.

**ACTION: MS. STROUSE MOVED TO AUTHORIZE THE ADVERTISEMENT OF AN AMENDMENT TO THE VEHICLE AND TRAFFIC ORDINANCE TO CREATE NO PARKING ZONES ON TERRACE ROAD AND TWO (2) TWO-WAY STOPS ON SNOWBALL DRIVE. MR. TOSTI SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**

10. Consideration of authorizing the purchase of two (2) 2019 Dodge Chargers and one (1) 2019 Ford Fusion and all required equipment for each vehicle to include mobile radios, in-car computers, in-car cameras, lights, sirens, outfitting, wrap and decaling at a total cost of \$127,283.40.

Chief Bartorilla explained that the purpose of this vehicle purchase is to support a fleet Maintenance Program that will ensure the Police Department has a safe and reliable fleet at all times. Two (2) of these vehicles will be fully marked and equipped patrol units and one (1) will be an unmarked and fully equipped vehicle.

The 2019 Capital Budget included \$350,000 for police vehicles. There is \$80,000 remaining in this line item. The total cost of these vehicles, mobile radios, in-car computers, in-car cameras, equipment packages, wraps and decals is \$127,283.40. The difference between \$127,283.40 and \$80,000 would be \$47,283.40 to cover the purchase of the requested vehicles which will come from the Capital Fund.

**ACTION: MR. TOSTI MOVED TO AUTHORIZE THE PURCHASE OF TWO (2) 2019 DODGE CHARGERS AND ONE (1) 2019 FORD FUSION AND ALL REQUIRED EQUIPMENT FOR EACH VEHICLE TO INCLUDE MOBILE RADIOS, IN-CAR COMPUTERS, IN-CAR CAMERAS, LIGHTS, SIRENS, OUTFITTING, WRAP AND DECALING AT A TOTAL COST OF \$127,283.40. MR. LEONHAUSER SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**

11. Consideration of approving a contract with Creative Marketing Alliance of Princeton Junction, NJ for development and implementation of a new Township website.

Nick Valla, Management Analyst advised that the Township received eleven (11) proposals from website developers. A staff committee from several departments interviewed the top four (4) candidates. Most proposals were within the \$29,000-\$35,000 range, with two (2) outliers at \$48,500 and \$91,687. Annual maintenance fees ranged from \$2,500 to \$8,700, with two (2) outliers at \$21,500 and \$29,269.

The staff is recommending CMA for their history of creative designs, strong back-end editing capabilities and their customer service. Their location in Princeton Junction, NJ is also conducive to building a strong relationship to assure the Township's needs are met.

The 2019 Capital Fund has \$35,000 budgeted for this project. CMA proposed a design fee of \$34,700 and an annual maintenance fee of \$8,700. Following their interview, staff negotiated

the annual fee down from \$8,700 to \$4,380. The annual maintenance fee covers secure hosting, licensing, customer support and minor updates.

**ACTION:** MR. KSIAZEK MOVED TO AWARD THE CONTRACT FOR DEVELOPMENT AND IMPLEMENTATION OF A NEW TOWNSHIP WEBSITE TO CREATIVE MARKETING ALLIANCE OF PRINCETON JUNCTION, NEW JERSEY, IN THE AMOUNT OF \$34,700 WITH AN ANNUAL FEE OF \$4,380. MS. STROUSE SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

12. Consideration of awarding a contract for removal of fencing, invasive species and dead trees at the Spring Valley Farm to Fares Farhat General Construction Services of Halifax, PA, in the amount of \$87,654.32.

Paul Kopera, Parks & Recreation Director explained that the proposed work is primarily covered by a grant in the amount of \$142,500 from the Bucks County Municipal Open Space grant that required a Township match of \$47,500 to upgrade the landscaping at Spring Valley Farm. Mr. Kopera stated that this project was advertised in the *Bucks County Courier Times* on July 2 and July 8, 2019; proof of publication has been received. The Parks & Recreation Department received six (6) bids and four (4) firms checked that they met the Township's Responsible Contractor Ordinance.

<b>Company</b>	<b>Base Bid</b>	<b>Q H9</b>
Jimmy's Tree Landscape Contractors	\$76,875.00	Yes
Fares Farhat General Construction Services	\$87,654.32	Yes
Point Pleasant Tree service	\$96,999.00	NA
Bustleton Services Inc.	\$98,000.00	Yes
Joseph McIlvaine Tree and Lawn	\$103,000.00	Yes
Knight Bros., Inc.	\$109,680.00	No

Jennifer of Jimmy's Tree Landscape Contractors voiced her opinion about the Responsible Contractor Ordinance (RCO) requirements.

Mike Ferrell, resident expressed his opinion that the RCO is a great thing.

Mr. Leonhauser asked if there isn't a way to consider a waiver to the RCO.

**ACTION:** MR. TOSTI MOVED TO AWARD A CONTRACT TO FARES FARHAT GENERAL CONSTRUCTION SERVICES OF HALIFAX, PA, IN THE AMOUNT OF \$87,654.32 TO COMPLETE THE LAND CLEARING AND TREE REMOVAL PROJECT THAT INCLUDES REMOVING 650' OF METAL FENCING, INVASIVE SPECIES AND 75 DEAD TREES FROM THE TOWNSHIP OWNED SPRING VALLEY FARM. MS. STROUSE SECONDED. MOTION CARRIED BY A VOTE OF 4-1 WITH MR. LEONHAUSER OPPOSED.

13. Middletown Community Park Improvement Project

- a. Consideration of rejecting all bids for the Poured In-Place Rubberized Playground Surfacing Project.

Mr. Kopera advised that two bids were received and the low bidder did not meet the Township's Responsible Contractor Ordinance and the second bidder was over budget.

Swing Kingdom, LLC of Leola, PA	\$149,160
Recreation Resource USA of Kennett Square PA	\$ 77,908

**ACTION: MS. STROUSE MOVED TO REJECT ALL BIDS FOR THE POURED IN-PLACE RUBBERIZED PLAYGROUND SURFACING PROJECT. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**

- b. Consideration of authorizing advertisement of a bid to complete the Middletown Community Park Development Phase 2 Grant from DCNR.

The next step would be to add the poured in place rubberized surfacing project to the Middletown Community Park Development Grant from DCNR, Phase 2 bid that includes the Kickwall.

**ACTION: MS. STROUSE MOVED TO AUTHORIZE ADVERTISEMENT OF A BID TO COMPLETE THE MIDDLETOWN COMMUNITY PARK DEVELOPMENT PHASE 2 GRANT FROM DCNR. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**

14. Consideration of authorizing the purchase and installation of one new backstop and 80 feet of safety fencing at Maple Point Middle School.

Mr. Kopera advised that the Township is in the process of building a one-mile trail connecting Middletown Community Park to Core Creek Park. In order to optimize the trail's route, the Township is moving one of the school district's softball fields. The rusted chain link backstop and wooden benches have reached the end of their useful life and replacement will be of similar dimensions.

The Department of Public Works removed the old backstop and fencing in July. Four written quotes for supplying and installing one new backstop, 80 feet of safety fencing and four new player benches were received. The low bidder, Toro Fencing, has done work for the Township and does quality work.

EC Fence & Iron Works	\$16,125
True Line Fencing	\$14,000
Toro Fencing	\$11,350
Area Enclosures Inc.	\$16,140

Mr. Kopera stated that this project is part of the Bucks County Municipal Open Space Trail Project in the amount of \$470,512. The 2019 Capital Budget includes \$117,628 representing the Township's match.

**ACTION: MR. TOSTI MOVED TO AUTHORIZE THE PURCHASE AND INSTALLATION OF ONE NEW BACKSTOP AND 80 FEET OF SAFETY FENCING AT MAPLE POINT MIDDLE SCHOOL. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 5-0.**

15. Consideration of appointment to the Zoning Hearing Board (term to expire December 31, 2020).

ACTION: MS. STROUSE MOVED TO APPOINT ERNIE PEACOCK TO THE ZONING HEARING BOARD FOR A TERM TO EXPIRE DECEMBER 31, 2020. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 4-1 WITH MR. LEONHAUSER OPPOSED.

16. Other Business.

Ms. Teoli Kuhls made an announcement about the City Hall Selfie Day.

Mr. Oettinger advised that this will be his last Board of Supervisors meeting as he is resigning effective August 21<sup>st</sup>. It was his honor to serve the Township residents and work with a great Township staff. He stated that Ms. Teoli Kuhls, as Township Manager, makes the Supervisors' job easy. It was nice working with his fellow board members stating that Mr. Tosti has been very transparent since taking over as Chairperson.

Ms. Strouse said it has been a pleasure working with Mr. Oettinger. She also stated that the Citizens Traffic Commission has been working very hard on issues that have been brought to their attention.

Mr. Tosti thanked Officer Robison and the entire Police Department for a great National Night Out event. Mr. Tosti said that prior to tonight's meeting there was a groundbreaking ceremony at the Community Park for the proposed Skate Park. Construction to start immediately.

Mr. Tosti directed to Mr. Oettinger that it takes a special person to step up and do what he does in the community as a volunteer firefighter. Mr. Tosti wished Mr. Oettinger the best in the future.

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

18. Adjournment.

ACTION: MR. OETTINGER MOVED TO ADJOURN THE PUBLIC MEETING OF THE MIDDLETOWN TOWNSHIP BOARD OF SUPERVISORS AT 8:50 P.M. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 5-0.