

**MIDDLETOWN TOWNSHIP
BOARD OF SUPERVISORS
PUBLIC MEETING
JANUARY 22, 2019**

PRESENT

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

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

Chairperson Tom Tosti called the meeting to order at 7 p.m. After the Pledge of Allegiance, Ms. Strouse called roll. All Supervisors were in attendance along with Township Manager Stephanie Teoli Kuhls, Solicitor Jim Esposito, Engineer Isaac Kessler, several department directors, and interested citizens.

2. Announcements, correspondence, awards and reports.
 - a. Next Board of Supervisors Meeting – Monday, February 4, 2019 @7:00 p.m.
3. Public Comment. *Non-Agenda Items only.* (Maximum 30 minutes)

Wayne Stevens, resident of Falls Township, inquired about the possibility of getting a Wegmans at the Oxford Valley Mall.

4. **Consent Agenda Items.**
 - a. Consideration of authorizing payment of January 22, 2019 Bill List in the amount of \$617,929.38.
 - b. Consideration of approving the January 7, 2019 Minutes of the Public Meeting of the Middletown Township Board of Supervisors.

ACTION: MR. KSIAZEK MOVED TO APPROVE THE CONSENT AGENDA AS READ. MS. STROUSE SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

5. Hearing – Liquor License Transfer – Giant, Summit Square Shopping Center, Langhorne.

Mr. Esposito opened the hearing. He noted that the hearing was publicly advertised and proof of publication was received. The applicant was represented by Ellen Freeman, Esq. It was noted that the liquor license was purchased at auction from Plumstead Township. Ms. Freeman noted that Giant currently has 92 locations with a similar license, and they have had no citations or violations.

ACTION: MS. STROUSE MOVED TO APPROVE RESOLUTION #19-05R APPROVING THE TRANSFER OF A LIQUOR LICENSE TO GIANT FOOD STORES IN SUMMIT SQUARE SHOPPING CENTER IN LANGHORNE. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 4-1, WITH MR. TOSTI VOTING IN OPPOSITION.

6. Consideration of the Final Minor Subdivision and Land Development for Serban Constantine, 989 Highland Avenue, Langhorne, PA, TMP 22-017-208, S/LD #18-5, R-2 Zoning District.

Larry Burns, engineer, presented on behalf of the applicant.

ACTION: MR. KSIAZEK MOVED TO APPROVE THE FINAL MINOR SUBDIVISION AND LAND DEVELOPMENT FOR SERBAN CONSTANTINE, 989 HIGHLAND AVENUE, LANGHORNE, PA, TMP 22-017-208, S/LD #18-5 UNDER 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. CONFIRMATORY DEEDS SHALL BE RECORDED AT THE TIME OF PLAN RECORDATION CONFIRMING THE NEW LEGAL DESCRIPTIONS FOR LOT 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.

MR. TOSTI AMENDED THE MOTION TO INCLUDE THAT APPROVAL IS SUBJECT TO SATISFYING THE ENGINEER'S RECOMMENDATIONS AND THAT ALL WORK WILL STOP ON LOT 2 IF DRAINAGE ISSUES OCCUR.

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

7. Consideration of the Amended Final Land Development for The Market Place at Oxford Valley, LP, 2339 East Lincoln Highway, Langhorne, PA, TMP #22-040-026-010, S/LD #16-11

Frank Dillon, Esq., presented on behalf of the applicant. He noted that the original plan for two restaurants has changed to a Bank of America. Ms. Strouse commented that the variances were being considered for two restaurants, which were preferred by residents, as opposed to a bank. Resident Eric Nordberg expressed concern over the number of handicap spaces as well as water runoff.

ACTION: MR. TOSTI MOVED TO GRANT AMENDED FINAL LAND DEVELOPMENT FOR THE MARKET PLACE AT OXFORD VALLEY, LP, 2339 EAST LINCOLN HIGHWAY, S/LD #16-11, WITH THE FOLLOWING CONDITIONS:

1. THE APPLICANT SHALL COMPLY IN ALL RESPECTS WITH ANY OUTSTANDING COMMENTS IN THE REVIEW LETTER BY THE TOWNSHIP ENGINEER DATED JANUARY 7, 2019, UNLESS SUCH RECOMMENDATIONS WERE MODIFIED BY THE BOARD OF SUPERVISORS IN THE APPROVAL PROCESS.
2. THE 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.
3. THE APPLICANT SHALL PAY A TRAFFIC IMPACT FEE OF \$4,802.16.

4. THE APPLICANT SHALL ENTER INTO A LAND DEVELOPMENT IMPROVEMENT AGREEMENT AND A PUBLIC IMPROVEMENTS ESCROW AGREEMENT WITH MIDDLETOWN TOWNSHIP, AND SHALL POST ALL REQUIRED CONSTRUCTION, ADMINISTRATIVE, AND PROFESSIONAL ESCROWS REQUIRED THEREIN.

5. THE APPLICANT WILL ADD HANDICAP SPACES IF THE TOWNSHIP ENGINEER DETERMINES THAT THEY ARE NEEDED.

MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 4-1, WITH MS. STROUSE VOTING IN OPPOSITION.

8. Consideration of enacting RDA Grant Acceptance Resolutions

- **#19-01R** - Purchase of Police Department Vehicles – RDA Contract #2018-30
- **#19-02R** - Purchase of Parkland Fire Company Vehicle – RDA Contract #2018-31
- **#19-03R** - Purchase of William Penn Fire Company Upgrades RDA Contract #2018-32
- **#19-04R** - Purchase of Langhorne-Middletown Fire Company SCBA Equipment RDA Contract #2018-33

ACTION: MS. STROUSE MOVED TO APPROVE THE RDA GRANT ACCEPTANCE RESOLUTIONS AS LISTED ABOVE. MR. KSIAZEK SECONDED. MOTIONED CARRIED BY A VOTE OF 5-0.

9. Consideration of authorizing the purchase of four (4) Police Department Vehicles.

ACTION: MR. KSIAZEK MOVED TO AUTHORIZE THE PURCHASE OF ONE (1) 2019 CHEVROLET TAHOE PATROL SUV, ONE (1) 2019 FORD EXPLORER, ONE (1) 2019 FORD TRANSIT VAN, AND ONE (1) 2019 DODGE DURANGO WITH ASSOCIATED EQUIPMENT. MS. STROUSE SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

10. 4th Quarter Financial Report

Brian Shapiro, Director of Finances and Human Resources, provided the 4th Quarter Financial Report, highlighting the final tax revenue from 2018 and the transfer of funds to the Capital Fund from the General Fund.

11. Damaged Mailbox Replacement Policy

Scott Sadowsky, Assistant to the Township Manager presented findings from research on comparable municipalities' policies on damaged mailboxes and discussed options with the Board. Resident Susan Laconsky expressed that her mailbox was a standard mailbox that was hit by a Township plow and would cost \$150 to replace.

ACTION: MS. STROUSE MOVED TO AUTHORIZE THE ADMINISTRATION TO PROVIDE \$100 TO RESIDENTS WHOSE MAILBOXES WERE HIT BY A TOWNSHIP VEHICLE OR DAMAGED BY THE WEIGHT OF THE SNOW PUSHED BY A TOWNSHIP VEHICLE. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

12. Other Business.

Mr. Esposito noted that the Board met in an Executive Session prior to the meeting to discuss matters of litigation.

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

14. Adjournment.

ACTION: MR. KSIAZEK MOVED TO ADJOURN THE PUBLIC MEETING OF THE MIDDLETOWN TOWNSHIP BOARD OF SUPERVISORS AT 8:15 P.M., SECONDED BY MS. STROUSE. MOTION CARRIED BY A VOTE OF 5-0.