

**MIDDLETOWN TOWNSHIP  
BOARD OF SUPERVISORS  
PUBLIC MEETING  
SEPTEMBER 16, 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>DOUG DOWNING</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, Pledge of Allegiance, and Roll Call.

Mr. Tosti called the meeting to order at 7:05 p.m. After the Pledge of Allegiance, Ms. Strouse called roll. All Supervisors were in attendance along with Stephanie Teoli Kuhls, Township Manager, James Esposito, Township Solicitor, Isaac Kessler, Township Engineer, several Directors and interested citizens.

2. Announcements and Special Items

a. Next Board of Supervisors Meeting - Monday, October 7<sup>th</sup> - 7:00 p.m.

Mr. Esposito advised that an Executive Session was held prior to this evening's public meeting to discuss real estate matters.

b. Upcoming Events:

- Public Safety Day – September 21<sup>st</sup> - Oxford Valley Mall – 11 a.m. - 2 p.m.
- Middletown Community Foundation Biergarten – September 21<sup>st</sup> - Oxford Valley Mall – 1-5 p.m.
- Firefighters' Park Ribbon Cutting – Saturday, September 28<sup>th</sup> – 2 p.m.
- Middletown Community Foundation Biergarten – September 28<sup>th</sup> - Firefighters' Park – 1 -5 p.m.
- Shred Day – Saturday, September 28<sup>th</sup> - Woodbourne Road Entrance to Oxford Valley Mall – 9 a.m. – 12 noon

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

Dave Sadowl, 951 Virginia Avenue, complained about quads and dirt bikes riding on the streets in his neighborhood; Virginia Avenue, Gillam and Hulmeville Road. Mr. Sadowl suggested that a "sting" be set up and stated that he has called the police department and they do not respond.

Mr. Leonhauser stated that during the 12 years he has been on the Board he has never heard that the police don't handle the issue of dirt bikes and quads.

Mr. Tosti stated that the police do not engage in chasing after the dirt bikes as it is the policy of the department not to. Mr. Tosti requested that Mr. Sadowl provide his contact information to the recording secretary and the staff will look into this issue and get back to him.

4. **Consent Agenda Items**

- a. Consideration of authorizing payment of September 16, 2019 Bill List in the amount of \$887,292.78
- b. Consideration of approving the September 3, 2019 Minutes of the Public Meeting of the Middletown Township Board of Supervisors

- c. Consideration of approving Resolutions #19-19R – #19-28R, authorizing collection of certain taxes by Berkheimer Tax Administrators
- d. Consideration of approving Payment #1 in the amount of \$117,675.95 to James D. Morrissey, Inc. for Streambank Restoration Project

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

5. Consideration of awarding the 2020-2024 Solid Waste and Recycling Contract

Ms. Teoli Kuhls said this issue was discussed at the last meeting and the Board asked for public feedback. In the Board's packet this evening is the response from the community who have overwhelmingly requested that the solid waste collection remain the same.

Ms. Teoli Kuhls thanked Lisa Berkis and Nick Valla for the work they have put in during the past several weeks on this project.

The low bid for each pricing option submitted by Waste Management is as follows:

Manual (as-is) collection:	\$24,347,509
Automated Collection (both options)	\$24,233,209

The staff created a four minute video showing the capacity of the wheeled carts that come with automated collection, as well as the ease of use, published on the afternoon of Friday, September 6<sup>th</sup> via YouTube onto the Township Facebook page. As of the morning of Wednesday, September 11<sup>th</sup>, there were over 615 views and approximately 40 resident comments.

In response to top complaints or issues raised by the community, the staff created and posted two infographics, entitled "Trash Talk", discussing the effect on workers, as well as weather and appearance.

All residents who commented on Facebook or emailed the Township received a personal response addressing all concerns and questions. Approximately 74% of residents are opposed to the idea of automated collection; 18% are in favor of the change; and 8% were neutral.

Mr. Tosti believes that we need to stay with what the public wants.

Ms. Strouse stated that she answered some of the questions that were put on social media and the overwhelming response was that residents want trash collection to remain the same.

Mr. Leonhauser agreed that the majority of the residents want the trash collection to remain the same, but that in the future the Township may have to go to automated.

ACTION: MR. TOSTI MOVED TO AWARD THE 2020-2024 SOLID WASTE AND RECYCLING COLLECTION AND DISPOSAL CONTRACT-MANUAL COLLECTION TO WASTE MANAGEMENT, INCORPORATED AT A FIVE-YEAR COST OF \$24,347,509. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

6. Application for Inter-Municipal Liquor License Transfer - Crab Du Jour of Langhorne Inc., 1201 E. Lincoln Highway, Langhorne, PA, duly advertised in the Bucks County Courier Times on September 5<sup>th</sup> and 9<sup>th</sup>, 2019; proof of publication has been received.

The hearing was opened by James J. Esposito, Esq. The Court Reporter Transcript will be made part of Official Record.

Crab Du Jour Langhorne, Inc. has made an application to Middletown Township requesting approval of an Inter-Municipal Liquor License Transfer. Mr. Esposito advised that Inter-Municipal liquor license transfer hearings are required under the PA Liquor Code, 47 P.S. 1-101, prior to the approval of a transfer of the liquor license by the PA Liquor Control Board (PLCB). Crab Du Jour must also apply for this transfer with the PLCB. No liquor license is currently available to purchase in Middletown Township, so Crab Du Jour has entered into an agreement to purchase a restaurant liquor license that is currently located in Upper Southampton Township, Bucks County.

Mr. Leonhauser asked what the estimated opening would be. The applicant advised that it should be open for business within 90-120 days.

### *Public Comment*

Craig Jensen, 39 High Road, Levittown asked if another police officer would be hired due to the fact that this restaurant would be serving alcohol. Also requested that the fence be repaired along the back of the property.

Dave Sadowl, 951 Virginia Avenue, Langhorne said that he believes there is no need to hire another police officer for this restaurant as it served alcohol in the past and there were no problems.

Mr. Esposito closed the hearing and the normal Board of Supervisors meeting reconvened.

ACTION: MR. TOSTI MOVED TO APPROVE THE INTER-MUNICIPAL LIQUOR LICENSE TRANSFER APPLICATION OF CRAB DU JOUR LANGHORNE, INC. TO PERMIT TRANSFER OF PENNSYLVANIA LIQUOR LICENSE NUMBER R-8154 (LID 63288) FROM UPPER SOUTHAMPTON TOWNSHIP TO CRAB DU JOUR LANGHORNE, INC., IN MIDDLETOWN TOWNSHIP LOCATED AT 1201 E. LINCOLN HIGHWAY, LANGHORNE, PA MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

7. Consideration of authorizing advertisement of a hearing to be held on Monday, October 7, 2019 to discuss proposed amendments to the Zoning Ordinance - GB General Business Zoning District.

Ms. Teoli Kuhls advised that the issue before the Board this evening is to authorize the advertisement of the proposed zoning ordinance amendment to the General Business Zoning District.

Bridget Carfagno, Woodbourne Road expressed her concern about the proposed apartments and the impact it will have on the already overcrowded roadway.

Curtis McKay, Langhorne Gardens, also expressed his concern with the additional traffic this development would create.

A Middletown resident, who is also a school teacher, said that the increase in school students are causing her stress due to the size of the classes. She is also concerned about the traffic and the overall appearance of the Oxford Valley Mall.

ACTION: MS. STROUSE MOVED TO AUTHORIZE ADVERTISEMENT OF A HEARING TO BE HELD ON MONDAY, OCTOBER 7, 2019 TO DISCUSS PROPOSED AMENDMENTS TO THE ZONING ORDINANCE – GB GENERAL BUSINESS ZONING DISTRICT. MR. TOSTI SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

8. Consideration of authorizing award of the 2019 Middletown Township Handicap Ramp Program Bid.

Mr. Kessler advised that the 2019 Handicap Ramp Program has been completed per the Township's Responsible Contractor Ordinance (RCO). The bid was advertised in the Bucks County Courier Times on July 29<sup>th</sup> and August 2<sup>nd</sup>; proof of publication has been received.

The 2019 Handicap Ramp Program consists of ten (10) intersections along Hollow Road, between Highland Park Drive and Heartwood Road in the Levittown neighborhood. A total of twenty-six (26) ramps will be constructed to provide improvements in pedestrian accessibility and safety.

Mr. Sadowl, 951 Virginia Avenue, Langhorne made a statement about PennDOT handicap ramps that go to nowhere.

ACTION: MR. TOSTI MOVED TO AWARD THE BASE BID AND ALTERNATE BID NO. 1 FOR THE 2019 HANDICAP RAMP PROGRAM TO RAMOS & ASSOCIATES, INC. IN THE TOTAL AMOUNT OF \$195,210. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

9. Consideration of authorizing the purchase and installation of a 230 kW generator for the municipal building.

Ms. Teoli Kuhls advised that the generator that supplies emergency power to the Municipal Center was installed in 2001. The generator requires replacement due to poor, uneven power output that places our computers, network and other electronic equipment at risk. The location of the generator in the Police compound causes toxic exhaust fumes to enter the building when the generator is in operation.

Proposed is the replacement of the current generator with a 230 kW Cummins/Onan diesel generator. The replacement generator will be relocated to the rear of the building, near the HVAC equipment, with the exhaust directed away from the building.

The new generator will be purchased through Sourcewell, a municipal cooperative contracting agency. Cummins Sales & Service in Bristol is the authorized Cummins dealer and Sourcewell is the vendor for this area. Tangibl Consulting, LLC will provide design specifications and technical assistance for the generator and installation. The installation labor and modifications will be done in-house by our Public Works Department and will save the Township approximately \$49,000 in outside labor costs.

ACTION: MR. KSIAZEK MOVED TO AUTHORIZE THE PURCHASE AND INSTALLATION OF A 230 kW GENERATOR FOR THE MUNICIPAL BUILDING. MS. STROUSE SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

10. Consideration of awarding the 2019-2020 Consortium Rock Salt Bid

Eric Gartenmayer, Superintendent of Public Works said the 2019/2020 consortium salt bid was recently opened with Morton Salt, Inc., of Chicago, IL as the lowest bidder at the rate of \$48.50 per ton delivered.

Elma Morazzo, Garden Court, Langhorne asked why the lowest bidder is always awarded the bid.

Ms. Teoli Kuhls advised that state law requires Municipalities to award the contract to the lowest qualified bidder.

ACTION: MR. KSIAZEK MOVED TO AWARD THE 2019-2020 CONSORTIUM BID FOR ROCK SALT TO MORTON SALT INC., CHICAGO, IL AT THE RATE OF \$48.50 PER TON. MS. STROUSE SECONDED. MOTION CARRIED BY A VOTE OF 5-0.

#### 11. Presentation of the 2020 Minimum Municipal Obligation (MMO) to the Township Pension Funds

Mega Bhandary, Finance Director made a presentation of the 2020 Minimum Municipal Obligation for the Township Pension Funds in accordance with State Law (Act 205). The MMO must be certified to the municipality's governing body by the chief administrative officer by September 30<sup>th</sup> of each year.

#### 12. Consideration of approving the following 2020 RDA Grant Program Application Resolutions:

The RDA Grant applications are due to the RDA by September 30<sup>th</sup>.

- Resolution #19-29R - Police Department Vehicles
- Resolution #19-30R - Public Works Vehicles
- Resolution #19-31R - Penn-del-Middletown Emergency Squad
- Resolution #19-32R - Fire and Emergency Management Vehicle
- Resolution #19-33R - Langhorne Middletown Fire Company
- Resolution #19-34R - Police Department Vehicles

ACTION: MR. TOSTI MOVED TO APPROVE THE FOLLOWING 2020 RDA GRANT PROGRAM APPLICATION RESOLUTIONS IN THE FOLLOWING ORDER:

- Resolution #19-29R - Police Department Vehicles
- Resolution #19-30R - Public Works Vehicles
- Resolution #19-31R - Penn-del-Middletown Emergency Squad
- Resolution #19-32R - Fire and Emergency Management Vehicle
- Resolution #19-34R - Police Department Vehicles
- Resolution #19-33R - Langhorne Middletown Fire Company

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

#### 13. Other Business.

- Ms. Strouse commended the Penn-del-Middletown Emergency Squad for amending their request and stated that this is a sign of cooperation.
- Mr. Tosti advised that there will be an Active Shooter Training program on October 24<sup>th</sup> here in the Municipal Center. Also on October 30<sup>th</sup> there will be fire arm safety training held at the Municipal Center. Mr. Tosti thanked Commander Pete Feeney for his help in setting these programs up.

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

#### 15. Adjournment.

ACTION: MS. STROUSE MOVED TO ADJOURN THE PUBLIC MEETING OF THE MIDDLETOWN TOWNSHIP BOARD OF SUPERVISORS AT 7:52 P.M. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 5-0.