

**MIDDLETOWN TOWNSHIP
BOARD OF SUPERVISORS
PUBLIC MEETING
SEPTEMBER 3, 2019**

PRESENT

MICHAEL KSIAZEK, VICE CHAIRPERSON	}
AMY STROUSE, SECRETARY	} BOARD OF SUPERVISORS
GEORGE LEONHAUSER	}
DOUG DOWNING	}
STEPHANIE TEOLI KUHL, TOWNSHIP MANAGER	
JAMES ESPOSITO, ESQ., TOWNSHIP SOLICITOR	
ISAAC KESSLER, P.E., TOWNSHIP ENGINEER	

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

Mr. Ksiazek called the meeting to order in Mr. Tosti's absence. After the Pledge of Allegiance, Ms. Strouse called roll. All Supervisors were in attendance with the exception of Mr. Tosti who had a family emergency.

2. Announcements and Special Items.

- a. Next Board of Supervisors Meeting - Monday, September 16, 2019 at 7:00 p.m.
- b. Upcoming Events:
 - Middletown Community Foundation – Biergarten – Saturday, September 21, 2019-Oxford Valley Mall 1-5 p.m.
 - Firefighters' Park Ribbon Cutting – Saturday, September 28, 2019 1-5 p.m.
 - Shred Day – Saturday, September 28th @ 9-12 Woodbourne Rd Entrance to Oxford Valley Mall
- c. Proclamation: Emergency Preparedness Month

Jim McGuire, Middletown Township Fire Marshal was in attendance to receive the proclamation declaring September as Emergency Preparedness Month.

James J. Esposito, Esq., advised that an Executive Session was held this evening prior to the public meeting concerning personnel and ongoing litigation.

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

None.

4. **Consent Agenda Items.**

- a. Consideration of authorizing payment of September 3, 2019 Bill List in the amount of \$1,629,779.82.
- b. Consideration of approving the August 12, 2019 Minutes of the Public Meeting of the Middletown Township Board of Supervisors.
- c. Consideration of approving Resolution #19-18R TD Bank Signatory.

ACTION: MS. STROUSE MOVED TO APPROVE AGENDA ITEMS A THRU C AS LISTED ABOVE. MR. LEONHAUSER SECONDED. MOTION CARRIED BY A VOTE OF 3-0.

5. Consideration of accepting the resignation of Supervisor William Oettinger.

ACTION: MS. STROUSE MOVED TO ACCEPT THE RESIGNATION OF SUPERVISOR WILLIAM OETTINGER. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 3-0.

6. Consideration of appointing Douglas Downing to the Board of Supervisors for a term to expire December 31, 2019.

ACTION: MR. KSIAZEK MOVED TO APPOINT DOUGLAS DOWNING TO THE BOARD OF SUPERVISORS FOR A TERM TO EXPIRE DECEMBER 31, 2019. MR. LEONHAUSER SECONDED. MOTION CARRIED BY A VOTE OF 3-0.

7. Swearing in of Douglas Downing by District Judge Daniel Baronoski.

District Judge Daniel Baronoski presided over the swearing in of the Oath of Office to newly appointed Supervisor Douglas Downing.

8. Consideration of approving the Major Final Land Development Plan for Provco Pinegood Middletown, LLC, for a proposed Wawa Food Market at 639 East Lincoln Highway, Langhorne, PA TMP #22-041-077, #22-041-78 and #22-041-79, S/LD #18-9, in the Commercial District.

Ed Murphy, Esq., along with Bill Reardon, of Bohler Engineering presented the plan to redevelop the approximately 2.64 acre site into a proposed Wawa Food Market with gasoline sales. The project also includes the installation of paving, utilities, landscaping and stormwater management controls necessary to support redevelopment.

ACTION: MS. STROUSE MOVED TO GRANT MAJOR PRELIMINARY/FINAL 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. PENNDOT APPROVAL OF HIGHWAY OCCUPANCY PERMIT (HOP) MUST BE PROVIDED PRIOR TO THE START OF WORK FOR THE PROPERTY FRONTAGE.
2. 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. PROPER NOTIFICATION TO THE TOWNSHIP SHALL BE COMPLETED PRIOR TO ANY WORK DONE AT THE SITE, INCLUDING DEMOLITION.

MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 4-0.

9. Consideration of awarding a contract to Total Turf Golf Services in the amount of \$115,184.72 for the Middletown Country Club golf course renovation.

Mr. Duffy advised that the greens, bunkers and surrounds for golf course holes #11 and #13 will be reshaped and regraded per the golf course architect's plans and specifications. The project will be completed this year and the proposed work will greatly improve the playing conditions for the two holes.

This plan was advertised in the Bucks County Courier Times on July 5th and July 10, 2019; proof of publication has been received. Two (2) bids were received; Total Turf Golf Services bid \$115,184.72 and George Ley Golf Construction bid \$129,868.56. Total Turf Golf Services qualifies as the low bidder.

Ms. Strouse said that she will be voting against this as she is not comfortable with the overall plan of the Middletown Country Club.

Mr. Leonhauser stated that the Township needs to maintain the golf course.

ACTION: MR. LEONHAUSER MOVED TO AWARD A CONTRACT TO TOTAL TURF GOLF SERVICES IN THE AMOUNT OF \$11,184.72 FOR THE MIDDLETOWN COUNTRY CLUB GOLF COURSE RENOVATION. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 3-1 WITH MS. STROUSE OPPOSED.

10. Discussion of Solid Waste/Recycling Collection and Disposal Contract.

Lisa Berkis, Special Projects Manager explained that the current Solid Waste and Recycling Collection contract expires on December 31, 2019. This contract provides service to all residential households at a cost of \$340 per household. The Board authorized advertisement of a bid for a 5-year contract to commence January 1, 2020 for the collection and disposal of solid waste twice a week; recyclables once a week; and the curbside collection of yard waste from April 1 through January 31.

Bids were received from J. P. Mascaro & Sons and Waste Management. The low bid for each pricing option was submitted by Waste Management as follows:

Manual (as-is) collection:	\$24,347,509
Automated collection (both options)	\$24,223,209

Automated collection is \$124,300 less over the 5-year contract term. The annual cost to a homeowner for this contract will be \$399 per year for automated collection or \$401 per year for manual collection. This will represent a \$59 or \$61 increase for residents over the 2019 rates.

One significant specification in the bid was to improve customer service. Waste Management is in the process of putting together its plan to address this issue with a dedicated customer service team.

Ms. Berkis gave a presentation on automated versus manual collection:

For either option selected, the current trash/recycling program will be maintained:

- Two times/week trash collection
- One time/week recycling collection
- One bulk item collected per week
- Weekly yard waste collection (April-January)

Residents have weighed in on both sides of this issue over the past several years. Some residents are concerned about the idea of automated collection, while others welcome the change.

The benefits to automated collection include the following:

- Wheeled containers are more maneuverable and safer to residents because there is no carrying or dragging heavy trashcans.
- Homeowners will no longer have to purchase or maintain solid waste and recycling containers. The wheeled containers have a useful life of 10 years or more. The hauler will make any needed repairs or replacement, such as wheels or lids, at no cost to the homeowner or the Township.
- The capacity of the provided wheeled containers is equal to at least three regular trash cans.
- The attached lids keep out rain, rodents and pests.
- Wheeled containers lead to cleaner, healthier neighborhoods with no litter on streets after pickup.
- Recycling rates increase in communities that use automated collection.

The arguments against automated collection:

- The perception that the containers are too heavy and cumbersome
- The perception that the containers do not hold enough trash
- Storage of the containers may be difficult for residents in some townhome communities.

Steve Miller, Patty Barthel and Chuck Raudenbush of Waste Management were in attendance and made a presentation explaining the benefits of automated pickup.

Almando Carrasquillo, Laurel Oaks resident is in favor of the automated pickup.

11. Consideration of enacting Ordinance #19-06R Traffic Ordinance Amendment.

Scott Sadowsky, Assistant to the Township Manager advised that the Board authorized advertisement of an ordinance making two changes to the Vehicle and Traffic Ordinance at their August 12th public meeting. The ordinance was advertised in the Bucks County Courier Times on August 26th; proof of publication has been received.

1. The addition of stop signs on Snowball Drive at the entrance from Veterans Highway
2. Creation of no parking zones on Terrace Road at the corners of the entrances to Pearl S. Buck Elementary School; and creation of a temporary no parking zone on weekdays from 2 p.m. to 4 p.m. in front of the Township property opposite the western entrance to the school

The changes to Snowball Drive are to work in conjunction with the proposed traffic calming project on that road. The stop signs will make clear that right-of-way is given to vehicles entering the neighborhood so that they do not cause a backup onto the highway.

The parking changes on Terrace Road originated from a request from the school principal to help improve conditions for buses entering and exiting the school at dismissal. These changes were discussed with and approved by the residents who attended the July meeting of the Citizens' Traffic Commission.

ACTION: MS. STROUSE MOVED TO ENACT ORDINANCE #19-06 AMENDING THE VEHICLE AND TRAFFIC ORDINANCE TO CREATE NO PARKING ZONES ON TERRACE ROAD AND TWO (2) TWO-WAY STOPS ON SNOWBALL DRIVE. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 4-0.

- 12. Consideration of authorizing the purchase of Rescue Tools.

James McGuire, Fire Marshal explained that the 2019 Budget includes allocation for rescue equipment. The proposed purchase will include battery-operated rescue tools, lifting bags, and struts. When the daytime response crew arrives on scene before the Rescue Squad, they are required to start the patient removal process if someone is trapped. The existing equipment utilizes dated technology that was meant for multiple people to operate and it is tethered to the fire apparatus by hydraulic lines. The new equipment is portable, lighter and meant for single person operations; making it a force multiplier.

The approved 2019 budget includes \$76,090 in the Capital Fund for this purchase.

ACTION: MS. STROUSE MOVED TO APPROVE THE PURCHASE OF RESCUE EQUIPMENT FROM MUNICIPAL EMERGENCY EQUIPMENT OF HUNTINGDON VALLEY, PA IN THE AMOUNT OF \$42,875.31 AND CONTINENTAL FIRE SAFETY OF HAMILTON, NJ IN THE AMOUNT OF \$15,235.85. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 4-0.

- 13. Consideration of purchasing two (2) electric vehicle Charging Stations from ChargePoint.

THIS ISSUE WAS TABLED DUE TO ADMINISTRATIVE REVIEW.

- 14. 2020 Budget Calendar.

The following dates are proposed for the 2020 Budget Calendar:

- October 7th - BOS Meeting
- October 14th - Budget Workshop Meeting - 7 p.m.
- October 28th - Budget Workshop Meeting - 7 p.m.
- November 18th - BOS Meeting – Budget Presentation
- December 2nd - BOS Meeting
- December 16th - BOS Meeting – Consider Budget Approval

- 15. Consideration of allowing the Middletown Community Foundation, a 501C3, to host two beer gardens on Middletown Township Property.

Paul Kopera, Director of Parks & Recreation advised that the Middletown Community Foundation (MCF) has been a great asset to our community. Since its inception in 2002, the MCF has provided \$175,000 in scholarship money to college bound students, in 2018 it provided roughly \$20,000 in funds to support the Middletown PD K-9 unit, and also offers about \$4,000 annually in fee assistance to parents to send their children to Middletown’s Summer Recreation Program run by the Parks & Recreation Department.

The beer gardens are meant to be fundraisers for the MCF to continue their efforts in the community. Pop Up Beer Gardens have been very successful in the city of Philadelphia and most recently in Lower Southampton and Upper Dublin Townships. It is a different way for the people in the community to connect through events. Each event will take place with music, food trucks, and activities for young and old.

Mr. Leonhauser is against serving alcoholic beverages in Township parks.

ACTION: MR. KSIAZEK MOVED TO WAIVE ORDINANCE SECTION 337-103-(D) FOR SATURDAY 9/28 AND THURSDAY 12/12 IN ORDER FOR THE MIDDLETOWN COMMUNITY FOUNDATION TO HOST THE BEER GARDENS ON TOWNSHIP PROPERTY. MS. STROUSE SECONDED. MOTION CARRIED BY A VOTE OF 3-1 WITH MR. LEONHAUSER OPPOSED.

16. Discussion of 2020 RDA Grants applications.

MR. SADOWSKY ADVISED OF THE FOLLOWING REQUESTS FOR RDA GRANT FUNDS:

Police Vehicles	-	\$264,500
Three (3) Police Patrol Explorers	-	\$172,500
One (1) Unmarked Police Charger	-	\$30,000
One (1) Ford Transit ACO Van	-	\$30,000
One (1) Motorcycle	-	\$23,000
One (1) ATV	-	\$9,000
 Public Works Vehicles	 -	 \$270,000
One (1) Large Dump Truck	-	\$170,000
Two (2) Pickup Trucks	-	\$100,000
 Fire & Emergency Management Vehicle-	 -	 \$68,000
One (1) Ford F550 Truck with Utility Equip.	-	\$68,000
Penn-del-Middletown Emergency Squad	-	\$180,000
Cardiac Monitor Replacement	-	\$180,000
 Langhorne-Middletown Fire Company	 -	 \$40,000
SCBA Equipment	-	\$40,000

17. Municipal Separate Storm Sewer System (MS4) Presentation – Isaac Kessler, P.E.

Isaac Kessler, P.E., Township Engineer made a presentation on the MS4 program. Mr. Kessler provided a map showing what was submitted in 2017 with the Total Maximum Daily Load Report to the Department of Environmental Protection and how it compares to this year’s Annual Report and going forward. The intent and requirements for this mapping is for DEP and the Township to have a tool to identify what parts of the drainage system go to which waterways, and then how to improve the water quality in the future.

18. Other Business.

The Board welcomed newly appointed Supervisor Doug Downing.

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

20. Adjournment.

ACTION: MS. STROUSE MOVED TO ADJOURN THE PUBLIC MEETING OF THE MIDDLETOWN TOWNSHIP BOARD OF SUPERVISORS AT 8:20 P.M. MR. KSIAZEK SECONDED. MOTION CARRIED BY A VOTE OF 4-0.