

# BOARD OF SUPERVISORS REGULAR MEETING - VIRTUAL

NOVEMBER 16, 2020 | 7:00 P.M.

## PRESENT

MICHAEL KSIAZEK, CHAIRPERSON *(In Person)* }  
AMY STROUSE, VICE CHAIRPERSON *(Zoom)* }  
TOM TOSTI, SECRETARY *(In Person)* } Board of Supervisors  
ANNA PAYNE *(Zoom)* }  
DAWN QUIRPLE *(Zoom)* }  
STEPHANIE TEOLI KUHL, TOWNSHIP MANAGER *(In Person)*  
JAMES ESPOSITO, ESQ., TOWNSHIP SOLICITOR *(In Person)*  
ISAAC KESSLER, P.E., TOWNSHIP ENGINEER *(In Person)*

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

Mr. Ksiazek called the meeting to order at 7:00 p.m. Mr. Tosti called the roll and all Supervisors were in attendance along with the Township Manager, Stephanie Teoli Kuhls, Township Solicitor, James Esposito, and Township Engineer, Isaac Kessler along with several Department Directors.

2. Announcements and Special Items.

- a. Next Board of Supervisors Meeting – Monday, December 7, 2020 @ 7:00 p.m.
- b. Proclamation declaring November 28, 2020 – Small Business Saturday

Mr. Ksiazek read the proclamation declaring November 28<sup>th</sup> Small Business Saturday and urged all to patronage small business in the area.

3. **Consent Agenda Items.**

- a. Consideration of authorizing payment of November 16, 2020 Bill List in the amount of \$3,148,716.80
- b. Consideration of approving the October 5, 2020 Minutes of the Board of Supervisors and the Budget Work Session Minutes for October 19, and October 26, 2020
- c. Consideration of approving Resolution #20-30R, for Official Sewage Facilities Plan Revision for Lykon Minor Subdivision, Wilson Avenue, Hulmeville, PA
- d. Consideration of approving Resolution #20-31R, for Official Sewage Facilities Plan Revision for the Constantine Subdivision, 989 Highland Avenue, Langhorne, PA
- e. Consideration of approving Resolution #20-32R, Outdoor Dining During the Coronavirus

**Action:** *Mr. Tosti moved to approve Consent Agenda Items A thru E listed above. Ms. Strouse seconded. Carried by a vote of 5-0.*

4. Consideration of authorizing purchase of Building Control Access System from Mercury Systems, LLC (CoStars Vendor) at a cost of \$56,260.

Lisa Berkis, Special Projects Manager provided information about the Building Control Access System. The manufacturer of the current system was sold to another company in 2018 and they have ceased all support. There are no upgrades to the software and limited access to replacement parts. We have begun to experience random door access failures that require a service call for repair, with several of these failures happening on the Police side. The most recent failure was the door to the Sally Port, which could have resulted in a dangerous situation for our officers. A temporary fix has been applied to that door.

Mercury Systems, LLC, 5601 Beaver Dam Road, Bristol, PA has provided a quote in the amount of \$56,260 to replace the current system with a fully supported, upgradeable Paxton Net2 Access Control System at both the Municipal Center and the Public Works building. The Paxton System has a 5-year warranty.

Ms. Berkis stated that \$45,000 was allocated in the 2020 Capital Budget for an access system upgrade. This project is to replace the current system with a new, fully integrated, manufacturer supported system, not an upgrade. Therefore an additional \$11,260 is being requested over the 2020 budgeted amount.

***Action: Mr. Tosti moved to award the replacement of the Building Access Control System to Mercury Systems, LLC in the amount of \$56,260. Seconded by Ms. Payne. Motion carried by a vote of 5-0.***

5. Consideration of authorizing development of a Police Department Early Retirement Incentive Program (ERIP) for 2021.

Chief Joseph Bartorilla explained that an Early Retirement Incentive Program (ERIP) for participants in the Uniformed Pension Plan has been developed as part of an overall effort to reduce expenditures in the General Fund. The proposed ERIP includes the following components:

- Employee must be age 50 or older on January 31, 2020
- Employee must have at least 20 years of employment as an officer
- Employee must be eligible to retire on a non-disability retirement
- Participating officer will receive a \$100,000 cash incentive
- Officer must retire and leave full time employment with MTPD by March 31, 2021
- A decision regarding participation must be made in writing by January 31, 2021

The impact to the General Fund will be a reduction in expenditures in 2021 for salary and benefits, based upon the number of participants in the ERIP. There are 18

officers eligible for participation. Vacant department positions created from the ERIP will not be replaced for one year.

Mr. Tosti inquired if there are 18 officers in the Deferred Retirement Option Program (DROP). Chief Bartorilla said there are fewer officers in DROP.

***Action: Mr. Tosti moved to authorize advertisement of an ordinance establishing an Early Retirement Incentive Program for the uniformed pension plan. Seconded by Ms. Quirple. Motion carried by a vote of 5-0.***

6. Consideration of authorizing rejection of all bids for the 2020 Sediment Reduction Initiative - Stormwater Basin Retrofit Project.

Patrick Ennis, P.E., Director of Building & Zoning reported that bids for the 2020 Sediment Reduction Initiative-Stormwater Basin Retrofit came in higher than budgeted. The Township received a Growing Greener Grant from PaDEP in the amount of \$175,000, but unfortunately the lowest qualified bidder submitted a Base Bid of \$221,542.16. In addition, the apparent low bidder did not meet the requirements in the bid package and was therefore determined to not be qualified.

With these results, it is the staff recommendation to reject all bids due to pricing in excess of the grant and exceeding this year's budget. The staff plans to work to determine the best approach to have the project completed by the end of 2021 when the grant would expire.

***Action: Mr. Ksiazek moved to reject all bids for the 2020 Sediment Reduction Initiative-Stormwater Basin Retrofit. Ms. Strouse seconded. Motion carried by a vote of 5-0.***

7. Consideration of awarding Langhorne Gables Drainage Project.

Isaac Kessler, P.E., Township Engineer said the Langhorne Gables Drainage Improvement Project consists of constructing stormwater infrastructure improvements along Longview Avenue, Cypress Avenue and Fernwood Avenue, as well as reconstructing and improving the culvert and downstream area at Willow Avenue. The improvements are designed to convey stormwater more effectively in this low-lying area of the Township and provide improved safety and quality of life for the neighborhood.

Seven (7) bids were received, with CDU Stormwater-Maintenance & Management Systems, LLC as the lowest qualified bidder. The Township has been awarded a Pa Small Water & Sewer Program Grant in the amount of \$275,000 for this project to offset the Township costs. The balance of this project is planned within the budget for Storm Sewer and Drainage Capital Projects. It is recommended that the Board award both the Base Bid and Alternate Bid No.1 for a total amount of \$480,742.50.

Mr. Tosti commented that this project is long overdue and he thanked Mr. Kessler and the three State Representatives for their help in getting the Grant.

***Action: Mr. Tosti moved to award the Base Bid and Alternate Bid No. 1 for the Langhorne Gables Drainage Improvement Project in the total amount of \$480,742.50 to CDU Stormwater Maintenance & Management Systems, LLC. Ms. Payne seconded. Motion carried by a vote of 5-0.***

8. 2021 Budget Presentation.

Ms. Teoli Kuhls started the 2021 proposed budget presentation by recognizing the efforts of the employees in the Middletown Police Department and Department of Fire and Emergency Management, noting their work throughout the pandemic, often risking their personal health and safety for the community. She also recognized employees in all departments who adapted to new working environments and creatively developed solutions to provide service to residents.

Ms. Teoli Kuhls explained that the COVID-19 pandemic resulted in \$3 million in lost revenue to the township and an additional \$400,000 in unbudgeted expenses. She highlighted the fact that Middletown entered the crisis in a sound financial position with strong cash revenues across all funds allowing no proposed tax increase.

Adjustments made during the crisis included: revenue tracking, staffing/hiring freeze, deferral of capital expenditures, implementation of Early Retirement Incentive Program (ERIP) and minimizing operational expenditures. As a result, the overall impact to the General Fund is anticipated to be \$1.9 million as opposed to the \$3 million that was anticipated in July and August of this year.

Ms. Teoli Kuhls advised that overall the budget is balanced and includes \$36.6 million in operating expenses across all funds and \$6.4 million in capital expenditures. She then provided information concerning keeping the General Fund balanced, noting that 88% of expenditures are attributed to salary and benefits. To address the potential for a structural imbalance, the 2021 Budget includes a shift of .2 mils in Real Estate Tax from the Street Light Fund to the General Fund.

An overview was then provided of current fund balances. Ms. Teoli Kuhls explained that the 2021 Budget takes into consideration the uncertainty of the pandemic by anticipating continued impact to revenue sources during the first part of the year. In 2020, the fund balance will be reduced in the General fund by approximately \$2 million. In 2021, a transfer from the Investment Fund in the amount of \$1.1 million will be initiated to cover the continued needs due to COVID-19.

Ms. Teoli Kuhls then provided a detailed overview of General Fund Revenues

and Expenditures, and highlighted other governmental funds.

Ms. Teoli Kuhls concluded by thanking the Board of Supervisors, Department Directors and staff for their efforts in the budgeting process. She made special note of the work of Finance Director Mega Bhandary and newly promoted Assistant Manager Nick Valla.

9. Consideration of authorizing advertisement of the proposed 2021 Budget.

Mr. Ksiazek thanked the staff and his fellow Board members for the hard work in putting the budget together. He also commended Ms. Teoli Kuhls, Mr. Valla and Ms. Bhandary for all of their recommendations and hard work on the budget. Mr. Ksiazek thanked all of the Township staff for their part in the work of the budget and keeping expenses down.

Ms. Strouse had a question about the Capital Budget and echoed what Mr. Ksiazek said. A "zero" tax increase budget and holding the level of service to the standards that we have is a great accomplishment.

***Action: Ms. Quirple moved to authorize advertisement of the proposed 2021 Budget. Ms. Strouse seconded.***

Public Comment:

Virginia King, 313 White Swan Way, Swan Pointe requested that an amendment be made to the above motion including the signalization at Swift Road as a Priority 1 Project.

Donna Salvucci, 144 Pine Glen Road, Swan Pointe applauded the Township for their financial management. Ms. Salvucci asked how a resident can stay informed with projects being done throughout the year.

***Amendment to the Motion:***

***Ms. Quirple moved to amend the Budget to include signalization at Swift Road as Priority 1 Project. Ms. Strouse seconded the amendment. Motion carried by a vote of 5-0.***

10. Consideration of making appointments to the Human Relations Commission.

Ms. Payne provided background information on the proposed appointments to the Human Relations Commission:

1. Craig Meyers, 35 Hanover Court, Langhorne, Special Education Teacher at the Bucks County Technical High School. Mr. Meyers holds a Bachelor's Degree from Temple University and a Master's Degree from the University of Pennsylvania.
2. Kathleen Chalmers, 2419 Langhorne-Yardley Rod, Langhorne, Director of Human Resources for a manufacturing company and has worked on the Work Force Development Board and Bucks County Women's Advocacy Coalition.
3. David Devore, 40 Blue Flax Lane, Langhorne, the CEO of Graplon Technologies and a Visiting Scientist at Rutgers University. He is a member of the Science and Human Rights Coalition and was the founder of Bucks County SANE. He holds a Ph.D. from Rutgers University.
4. Donna Boyle, 874 Eastbrook Avenue, Langhorne, was one of the funders of the Coalition of Natives and Allies, a Native Rights Organization.
5. Andrew Laureti, 1002 Trenton Road, Langhorne, the founder of LGBTQ & Alliance, a non-profit foundation that serves the LGBTQ community in Lower Bucks County. He holds a Bachelor's and Master's Degree from American University.
6. Bernadette Barone, 139 Juniper Drive, Levittown, teacher and STEM Integration Specialist at FDR Middle School in the Bristol Township School District. She holds a Bachelor's Degree from Temple University and Master's Degrees from Holy Family University and Cabrini University.
7. Kathleen Simpson, 7 Secklepear Road, Levittown, current member of the Disabled Persons Advisory Board.

*Action: Ms. Payne moved to appoint the following members to the Human Relations Commission: Craig Meyers, Kathleen Chalmers, David Devore, Donna Boyle, Andrew Laureti, Bernadette Barone and Kathleen Simpson. Mr. Tosti seconded. Motion carried by a vote of 5-0.*

11. Public Comment.

Virginia King, Swan Pointe suggested having a page on the Township website listing local businesses.

Mr. Tosti reminded residents to stick together as a community and shop local.

12. Other Business.

Mr. Tosti asked that everyone please follow guidelines and continue to wear masks, wash hands and keep social distancing.

Ms. Quirple congratulated Nick Valla on his recent promotion to Assistant

Township Manager. She also congratulated Mega, Nick and Stephanie on the preparation of the budget. Ms. Quirple is excited that there is no tax increase this year. Ms. Quirple wished everyone a Happy Thanksgiving and to please stay safe.

Ms. Payne echoed the comments by other Board members. She stated that the suggestion by Ms. King to have small businesses listed on the Township Website is a good idea. Also wished everyone a Happy Thanksgiving.

Ms. Strouse wished everyone a Happy and Safe Thanksgiving.

Mr. Esposito advised that an Executive Session was held on October 19<sup>th</sup> and October 26<sup>th</sup> to discuss personnel matters and real estate issues.

Mr. Kessler wished everyone a Happy Thanksgiving.

13. Adjournment.

*Action: Mr. Tosti moved to adjourn the public meeting of the Middletown Township Board of Supervisors at 8:14 p.m. Ms. Payne seconded. Motion carried by a vote of 5-0.*