

# Board of Supervisors Regular Meeting

December 20, 2021 | 7:00 p.m.

## PRESENT:

TOM TOSTI, Chairperson

ANNA PAYNE, Vice Chairperson (Virtually)

DAWN QUIRPLE, Secretary

AMY STROUSE

MIKE KSIAZEK

STEPHANIE TEOLI KUHL, TOWNSHIP MANAGER

JAMES J. ESPOSITO, ESQ., TOWNSHIP SOLICITOR

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

Mr. Tosti called the meeting to order at 7:00 p.m. After the Pledge of Allegiance, Ms. Quirple called roll. Supervisors Tosti, Quirple, Strouse and Ksiazek attended in person, along with the Township Manager Stephanie Teoli Kuhls, Solicitor James Esposito. Supervisor Payne attended the meeting virtually. Engineer Isaac Kessler was not present.

### 2) Announcements and Special Items.

Next Board of Supervisors Meeting – Reorganization scheduled for Monday, January 3, 2022 @ 7:00 p.m.

Mr. Tosti also announced that COVID vaccines or boosters will be given at the Neshaminy Mall in the old H&M store near the food court from 10:00 a.m. to 4:00 p.m.

### 3) Public Comment. *Non-Agenda Items only.*

Elaine Miles, 217 Stoneybrook Court, expressed concerned about the light at the bypass at 413. Ms. Teoli Kuhls stated that the Township will look into the issue.

Cheryl Jones, 407 Parkview Ave, commented that she was opposed to the proposed stop sign at Parkview Ave at Buttonwood. Mr. Valla responded to Ms. Jones comments about the proposed stop sign location. Mr. Tosti asked that Ms. Jones leave her contact information with Mr. Valla to have the Police Department provide feedback.

Jim Miller; recognized and thanked Mr. Tosti and Ms. Strouse for their six years of service to the Township.

#### 4) Consent Agenda Items

- a) Consideration of authorizing payment of December 20, 2021 Bills List in the amount of \$861,169.03.
- b) Consideration of approving the December 6, 2021 Minutes of the Public Meeting of Middletown Township Board of Supervisors.
- c) Consideration of Payment Certificate #9 for Langhorne Gables Drainage Improvement Project, in the amount of \$110,445.02.

***Action: Mrs. Quirple made a motion to approve consent agenda Items A-C as listed above; seconded by Mr. Ksiazek. Motion carried by a vote of 5-0.***

#### 5) Consideration of approving the Opioid Lawsuit Participation Agreement.

James J. Esposito, Esq. explained to the Board of Supervisors, that a few years ago Middletown Township joined in the litigation against pharmaceutical companies for damages over the national opioid crisis. The national lawsuits were filed against distributors and manufacturers for their role in manufacturing and promoting opioid drugs. These actions were consolidated through agreement between the parties.

Mr. Esposito noted that in July, 2021, many states, including Pennsylvania, reached a settlement to resolve thousands of these lawsuits with pharmaceutical companies related to damages from opioids. He explained that after months of negotiating with the Attorney General of Pennsylvania, the attorneys representing the political subdivisions involved with the litigation have reached a proposal on the allocation of such settlement funds.

Mr. Esposito explained that under the Trust Order, fifteen percent (15%) of the settlement funds will be distributed to the State, seventy percent (70%) will be distributed to the Counties, and fifteen percent (15%) will be distributed to the litigating subdivision (which includes Middletown Township). He noted that all settlement documents needed to be submitted by January 2, 2022.

Mr. Ksiazek questioned how many litigation subdivisions there currently are. Mr. Esposito was not aware of the exact number but confirmed the surrounding counties and municipalities' participating.

Mr. Ksiazek also questioned the restrictions of how the funds can be utilized. Mr. Esposito confirmed that the Trust Order provides a list of approved uses of the funds.

***Action: Mr. Tosti made a motion for Middletown Township to participate in the proposed opioid litigation settlement, and to authorize the Township Manager to complete and execute the Pennsylvania Intrastate Allocation Participation Form, the Janssen Settlement Participation Form, and the Distributor Settlement Participation Form, and forward such forms to the Pennsylvania Attorney General's office; seconded by Ms. Quirple. Motion carried by a vote of 5-0.***

6) Consideration of enacting Ordinance #21-09 Age-Qualified Overlay.

Mr. Esposito provided an overview of the Ordinance and confirmed that all legal and advertising requirements were met.

*Action: Mr. Tosti moved to table the Ordinance and continue the agenda item to the January 18, 2022 meeting.*

Lisa Reiser, 411 Country Lane Circle, requested additional community notification about this agenda item. Mr. Esposito confirmed that the information will be listed on the Township website and that the counsel for the Save Stone Meadow Farm group has been notified.

*The motion was seconded by Mr. Ksiazek. Motion carried by a vote of 5-0.*

7) Consideration of accepting the resignation of Kristen Elder from the Financial Advisory Committee.

Mr. Tosti thanked Ms. Elder for her service to the Financial Advisory Committee.

*Action: Mr. Tosti moved to accept Ms. Elder's resignation from the Financial Advisory Committee.; seconded by Mr. Ksiazek. Motion carried by a vote of 5-0.*

8) Other Business.

James J. Esposito, Esq., Ms. Teoli Kuhls, and all members of the Board of Supervisors wished everyone Happy Holidays and a Happy New Year.

9) Adjournment.

*Action: Mr. Ksiazek made a motion to adjourn the Public Meeting of the Middletown Township Board of Supervisors at 7:18 p.m. Ms. Quirple seconded. Motion carried by a vote of 5-0.*