

## Board of Supervisors Regular Meeting

Tuesday, September 6, 2022 | 7:00 p.m.

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

Mr. Ksiazek called the meeting to order at 7:00 p.m. After the Pledge of Allegiance, Ms. Quirple called roll. Supervisors Ksiazek, Quirple, Payne, Hannah, and Kane attended the meeting, along with the Township Manager Stephanie Teoli Kuhls, Assistant Township Manager Nick Valla, Solicitor James Esposito, and Township Engineer, Isaac Kessler.

### 2) Announcements and Special Items.

- a) Next Board of Supervisors Meeting – Monday, September 19, 2022 at 7:00 p.m.
- b) Upcoming Events:
  - i) Beer Garden – Saturday, September 10, 2022 at Styer’s Orchard – Noon to 5:00 p.m.
  - ii) Litter Clean Up – Saturday, September 17, 2022 at Walter Miller Elementary School – 9:00 a.m. to 11:00 a.m.
- c) Middletown Township 4<sup>th</sup> of July “Fan Favorite” Trophy Presentation  
Representative from reigning trophy holder, McHale’s Plumbing, handed off the 4<sup>th</sup> of July trophy to the 2022 winner, The Avengers.

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

None.

### 4) Consent Agenda Items

- a) Consideration of authorizing payment of September 6, 2022 Bills List in the Amount of \$780,378.64.
- b) Consideration of approving the August 15, 2022 Minutes of the Public Meeting of Middletown Township Board of Supervisors.
- c) Consideration of approving the August 29, 2022 Minutes of the Special Capital Planning Meeting of the Board of Supervisors.
- d) Consideration of Financial Security Release #3 for 1222 W. Lincoln Highway Land Development in the amount of \$10,346.60.
- e) Consideration of approving Resolution#22-21R authorizing 2240 Durham Road Subdivision for Sewer Connection.
- f) Consideration of enacting Resolution #21-22R supporting Towns Against Graffiti (TAG) Joint Grant Submission.
- g) Consideration of enacting Resolution #21-23R authorizing Vantagepoint Retirement Health Savings Plan.

*Action: Ms. Quirple made a motion to approve consent agenda Items A-G as listed above, seconded by Ms. Payne. Motion carried by a vote of 5-0.*

### 5) Consideration of Preliminary and Final Land Development Plan for proposed construction of warehouse at E. Old Lincoln Highway Industrial Facility Northern and Southern Sites - at

1700 E. Old Lincoln Highway, S/LD #22- 05.

Attorney Mike Malloy represented the applicant, 213 Industrial LLC. He provided an overview of the project which proposes the construction of two warehouse facilities on two separate parcels in the M-1 Light Manufacturing Zoning District. He noted that the applicant has worked extensively to mitigate impact to the adjacent residential Neighborhood. Some of these changes include berming, reorientation tractor trailer parking and installing a sound barrier.

Applicant's Engineer, Paul Hughes, reviewed a Power Point presentation that provided details of the project. (Attached)

Mr. Ksiazek opened the floor for Public Comment.

Adam Landman, 1721 Second Street, noted concerns regarding the sound barrier and would like to see a wider buffer.

Susan Corleto, 1739 Third Street, expressed concern about pedestrian access, connection to public transportation, graffiti, and landscaping maintenance.

Michelle Mackay, 1921 Second Street, expressed opposition to the project primarily due to traffic impact.

Ralph Bickel, 1778 Second Street, noted concern with noise and traffic.

Jeff Ellis 362 Hulme Ave, expressed concern about the operation of a manufacturing facility on this site.

Sue Landman, 1721 Second Street commented her concern with landscaping, storm water management and traffic.

Ed Calvello 314 Hulme Ave, expressed concern of traffic.

Tracy Schuckert, 304 Hulme Ave, expressed concern of traffic and trash for two large distribution centers.

Kelly Ellis, 362 Hulme Ave, noted concern of impact of the project of water quality.

Ms. Kane requested information on the impact of the project on private wells.

Ms. Quirple requested information on the traffic impact study. Applicant's Traffic Engineer provided feedback information on the Traffic Impact Study.

Phil Wursta, Township Traffic Engineer, noted that the applicant is still working on the Traffic

Impact Study and is working to obtain PennDOT approval. He indicated that the proposed signal will accommodate some of the additional volume. He further noted that he is working with the applicant to address signal timing changes to address additional traffic. One idea is to install a traffic adaptive system. Applicant has expressed an interest to work with the Township on these concerns.

Elizabeth Bickel, 1778 Second Street, challenged the Board of Supervisors to make their decision from the resident's perspective.

Susan Corleto, 1739 Third Street, noted that the project was referred to as an Amazon project at the Township Planning Commission Meeting.

Michelle Mackay, 1921 Second Street, expressed concern about long term maintenance of the property.

Ralph Bickel, 1778 Second Street, concern about the developments impact to emergency services.

Mr. Ksiazek provided comment on the obligation of the Board of Supervisors to make sure any development application is consistent with the Township Zoning Ordinance and Subdivision and Land Development Ordinance. He noted that this applicant was granted variances by the Zoning Hearing Board and was requesting waivers that are supported by the Township Engineer. He went on to express his appreciation for the residents' concerns, especially with traffic. Although the neighborhood has been opposed to development in the area, he thinks it would be unrealistic to expect that this parcel would never be developed.

Mr. Ksiazek confirmed that if a developer presents a project that is consistent with township ordinances and with the underlying zoning of the parcel, the Board has an obligation to act.

*Action: Mr. Ksiazek made a motion to grant Preliminary/Final Land Development approval for the E. Old Lincoln Highway Industrial Site, S/LD #22-05. The motion failed for a lack of a second.*

*Ms. Hannah then made a motion to deny the Preliminary/Final Land Development for the E. Old Lincoln Highway Industrial Site, S/LD #22-05. Seconded by Ms. Quirple*

Mr. Malloy requested that the Board of Supervisors consider tabling the motion to provide an opportunity for the developer to continue to work with the township staff and residents.

*Action: Ms. Kane made a motion to table the denial motion. The motion was*

*seconded by Ms. Hannah.*

Michelle Mackay, 1921 Second Street, asked the Board of Supervisors to move forward and deny the plan.

Ralph Bickel, 1778 Second Street, asked if the property could be rezoned.

Susan Corleto, 1739 Third Street, emphasized that no decision should be made until all Traffic Impact Study has been completed.

Ms. Kane encouraged the developers to work with the residents to address noise concerns. She iterated the importance of address traffic impact.

Ms. Hannah thanked the developer for working with the neighbors but reiterated her concern regarding the safety of children of the neighborhood. She requested that all residents be involved in a meeting with the developer.

Ms. Payne asked if resident meeting with the developer could be held at the Township Building.

*Mr. Ksaizek called the question and the motion to table the denial motion carried on 4-1 vote.*

6) Discussion of Swift/Woodbourne Road Traffic Signal Bid.

Nick Valla, Assistant Township Manager explained that on May 2, 2022, the Board of Supervisors authorized preparation and advertisement of bid specifications to complete the signalization of the Swift/Woodbourne/Lower Silver Lake intersection, along with related widening and drainage improvements. Before the bid was released, Traffic Planning & Design (TPD) and Township staff engaged residents and held a well-attended informational meeting about the project on June 6th. Feedback from this meeting was overwhelmingly positive. TPD also conducted updated traffic counts in May 2022.

Two bids were received to complete this project: Scott Building Corporation \$ 937,886 and Marino Corporation \$1,046,972.

In effort to reduce the overall project cost, staff sought out an estimate for the roadwork portion of this project from James D. Morrissey, the Township's current road paving contractor, to consider as a change order to the 2022 Road Program, but the estimate would not have resulted in a significant cost savings.

*Action: Mr. Ksiazek made a motion to award the bid for the Swift Road/Woodbourne Road Signalization Project to Scott Building Corporation in the amount of \$937,886, seconded by Ms. Quirple.*

Ms. Kane noted her concern about the cost of the project.

Transportation Engineer, Phil Wursta, explained that he anticipated that any rebid of the project would result in a higher cost.

Donna Salvucci, 144 Pine Glen Road, expressed appreciation to the Board and noted her support of the expense.

*Motion carried by a vote of 5-0.*

7) Discussion of Department of Public Works (DPW) Fueling Systems Project.

Isaac E. Kessler, P.E., Township Engineer reported on the rebidding process for the Department of Public Works (DPW) Phase I Fueling Systems Project. He noted that the one bid submitted did not comply with Township bidding requirements and recommended rejecting all bids.

Ms. Kane questioned why the bidder was not compliant. Mr. Kessler explained that the bidder not meet the apprentice requirement of the Responsible Contractor Ordinance.

*Action: Mr. Ksiazek made motion to reject all bids received and opened on August 26, 2022 for the Middletown Township DPW Phase I Fueling Systems project due to there being no received qualified bids, seconded by Ms. Payne. Motion carried by a vote of 5-0.*

8) Consideration of awarding the 2022-2023 Consortium Rock Salt contract to Morton Salt, Inc. of Chicago, IL, at the rate of \$67.76 per ton.

Eric Gartenmayer, Superintendent Department of Public Works explained that the 2022 - 2023 Consortium Salt Bid was recently opened with Morton Salt, Inc. of Chicago, IL as the lowest bidder at the rate of \$67.76 per ton delivered.

*Action: Ms. Quirple made a motion to award the 2022-2023 Consortium Bid for Rock Salt to Morton Salt Inc., Chicago, IL at the rate of \$67.76 per ton, seconded by Ms. Payne. Motion carried by a vote of 5-0.*

9) Discussion of Regional Development Authority (RDA) Grants.

Ms. Teoli Kuhls introduced the agenda item explaining that there was no action required by the board at this evening's meeting but that, ideally, the board would give Ms. Teoli Kuhls an idea of its priorities for the program at its next meeting.

She then reviewed the list of proposed grant applications for the 2023 RDA Grant Program:

<b>Police Vehicles</b>	<b>\$285,000</b>
<ul style="list-style-type: none"><li>• Four (4) Marked Police Vehicles</li><li>• One (1) Unmarked Police Vehicle</li><li>• One (1) Police Motorcycle</li></ul>	
<b>Public Works Vehicles</b>	<b>\$195,000</b>
<ul style="list-style-type: none"><li>• One (1) ten-ton Dump Truck</li></ul>	
<b>Fire and Emergency Management</b>	<b>\$850,000</b>
<ul style="list-style-type: none"><li>• Rescue/Pumper Apparatus</li></ul>	
<b>Pennel Middletown Emergency Squad</b>	<b>\$65,185</b>
<ul style="list-style-type: none"><li>• Two (2) Stretchers</li></ul>	

10) Other Business.

None.

11) Adjournment.

*Action: Ms. Payne moved to adjourn the public meeting of the Middletown Township Board of Supervisors public meeting at 9:02 p.m., seconded by Ms. Quirple. Motion carried by a vote of 5-0.*