

Board of Supervisors Regular Meeting

Monday, July 17, 2023 | 7:00 p.m.

Agenda

1) Call to Order, Pledge of Allegiance

Ms. Payne called the meeting to order at 7:02 p.m.

Ms. Payne asked for a moment of silence for the families of the people missing from this past weekend's flood in Upper Makefield Township

2) Roll Call

After the Pledge of Allegiance Ms. Hannah called roll. Supervisors Payne, Ksiazek, Quirple, 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.

Ms. Hannah announced that Chief Joseph Bartorilla, Director of Building and Zoning Jim Ennis, Director of Finance Mega Bhandary, and Director of Parks & Recreation Paul Kopera were in attendance.

3) Announcements

- a) Next Board of Supervisors Meeting scheduled for Monday, August 14, 2023, at 7:00 p.m.
- b) National Night Out – Tuesday, August 1st, 5:30 p.m. - 8:30 p.m. (Municipal Center Parking lot)
- c) Movie in the Park – Wreck It Ralph – Thursday, August 3rd activities start at 6:45 p.m.; movie starts at dusk (Community Park)
- d) Flyer's Caravan – Tuesday, August 8th, 3:00 p.m. – 5:30 p.m. (Forsythia Crossing Park)

Ms. Payne congratulated the Township Manager and Finance staff for being awarded the GFOA Distinguished Budget Award for the fifth year in a row.

Ms. Payne reminded residents that Silver Lake Road is still closed due to damage from flooding.

4) Special Items

- a) Proclamation Designating July as Disability Pride Month

Ms. Hannah read the proclamation into record.

5) Public Comment. *Non-Agenda Items only.*

Tim Burns, 104 Banks Road, expressed concern regarding the traffic impact of the proposed Wawa in Newtown Township which is on the Middletown/Newtown border.

Andrew Kelly, 67 Queen Lily, shared that Waste Management has missed trash collection in the Quincy Hollow development since the beginning of the month. Stephanie Teoli Kuhls noted that staff will contact Waste Management about the issues.

6) Consent Agenda Items

- a) Consideration of authorizing payment of July 17, 2023, Bills List in the amount of \$2,916,052.70.
- b) Consideration of approving the June 12, 2023, Minutes of the Public Meeting of Middletown Township Board of Supervisors.
- c) Consideration of approving Financial Security Release #1 (Final) for 300 Woodbourne Road Land Development in the amount of \$415,476.07.
- d) Consideration of approving Financial Security Release #1 for Barner Subdivision (364 Cedar Avenue) in the amount of \$66,802.00.
- e) Consideration of approving Financial Security Release #4 for 1222 West Lincoln Highway Land Development in the amount of \$24,114.00.
- f) Consideration of approving Financial Security Release #4 for Oxford Valley Mall Multi-Family Development in the amount of \$563,549.95.
- g) Consideration of approving Financial Security Release #1 for 2440 Durham Road Subdivision and Land Development in the amount of \$86,328.00.
- h) Consideration of approving Payment Certificate #1 for the 2023 Road Program to James D. Morrissey in the amount of \$99,215.69.
- i) Consideration of approving Payment Certificate #3 for the Department of Public Works (DPW) Phase 1 (Fueling Systems) Project to Scott Building Corporation in the amount of \$445,093.07, which incorporates Change Order #1 in the amount of \$90,335.00.
- j) Consideration of allowing the Middletown Parks & Recreation Department to host three (3) Beer Gardens on Middletown Township Property.
- k) Consideration of approving Resolution #23-17R for application to Department of Community and Economic Development (DCED) Multimodal Transportation Fund (MTF) for the "Langhorne-Yardley Road/Maple Point Drive Pedestrian Crossing Project.
- l) Consideration of approving of Retirement Agreement and General Release for Officer Michael Stum.

Action: Mr. Quirple made a motion to approve consent agenda items as A-L.

Ms. Kane requested clarification on consent agenda item I – Change Order DPW Phase 1 (Fueling Systems).

Mr. Kessler provided an explanation on the change order amount listed.

Mr. Ksiazek noted that he was pleased to see consent agenda item K for the Multimodal Transportation Fund (MTF) for the “Langhorne-Yardley Road/Maple Point Drive Pedestrian Crossing Project.” He added that he is aware of many residents who have been asking for this crosswalk.

Seconded by Mr. Ksiazek. Motion carried by a vote of 5-0.

- 7) Consideration of 825 Elm Avenue Lot Consolidation Plan Approval, Langhorne, PA 19047, TMP# 22-036-335-003, S/LD#23-3, R-1 Residential Zoning District.

Engineer Robert Snyder appeared on behalf of the Applicant and explained that the applicant proposes to consolidate three (3) existing wooded lots into one (1) lot for future development of a single-family detached dwelling. Mr. Snyder added that all comments have been addressed and any future development will require separate permit plan to be reviewed and approved.

Mr. Kessler confirmed that this is a consolidation plan of one single lot.

Action: Ms. Quirple made a motion to grant approval for the 825 Elm Avenue Lot Consolidation Plan, S/LD #23-3, with the following conditions:

1. 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.

Seconded by Ms. Hannah. Motion carried by a vote of 5-0.

- 8) Consideration to authorizing a bid for the consultant for the Parks & Recreation Comprehensive Plan.

Paul Kopera, Director of Parks & Recreation explained that in 2022, the Township applied for and received funding from the Department of Conservation & Natural Resources (DCNR) for the comprehension of an updated Parks and Recreations Comprehensive Plan.

Mr. Kopera explained that the next step is to bid for the services of a qualified consulting firm to produce the updated Parks and Recreations Comprehensive Plan.

The 2023 Capital Fund includes \$55,000 from the Township to match the \$55,000 grant from the Department of Conservation & Natural Resources.

Action: Mr. Ksiazek motioned to approve for permission to proceed with the public bid of the Parks and Recreation Comprehensive Plan, in accordance with the terms of the Department of Conservation and Natural Resources Grant, seconded by Ms. Quirple. Motion carried by a vote of 5-0.

- 9) Consideration of authorizing advertisement of an ordinance to limit commercial vehicle parking and increase fine for parking violations.

Joseph Bartorilla, Chief of Police provided background that several complaints have been received over the past year either directly to the Police Department or forwarded by Township administration regarding the parking of trucks and or commercial vehicles on residential roadways. He explained that the Township's existing ordinance in Chapter 470 is vague and lacks sufficient language for police to properly enforce.

Chief Bartorilla explained that the Citizens Traffic Commission (CTC) discussed the best approach to this issue in April and July 2023, and after reviewing comparable ordinances and fines from other municipalities, the recommended language is to prohibit parking of any vehicle used for a commercial purpose on streets outside of manufacturing zoning districts between the hours of 6 PM and 6 AM.

He added that the Police Department will not be actively patrolling for violations of this ordinance once enacted, but rather respond to reports from the community. Officers will be directed to resolve violations amicably before issuing citations when possible.

Currently, fines for general violations are \$15 and snow and ice violations are \$25. Chief Bartorilla explained that the CTC and Police Department are recommending increasing those fines to \$25 and \$50, respectively. It is recommended that all parking fines are updated alongside enactment of the commercial vehicle parking ordinance.

Action: Mr. Ksiazek made a motion to authorize the Township to draft and advertise an ordinance to:

- 1. Prohibit parking of any vehicle used for a commercial purpose on streets outside of manufacturing zoning districts between the hours of 6 PM and 6 AM, with a fine of \$50 for violations,*
- 2. Increase the fine for general parking violations from \$15 to \$25 and increase the fine for snow and ice emergency parking violations from \$25 to \$50."*

Seconded by Ms. Quirple. Motion carried by a vote of 5-0.

10) Q2 Financial Report.

Mega Bhandary, Director of Finance presented the Q2 2023 Financial and Pension Presentation report providing an overview of second quarter Revenue and Expenses, a brief overview of the Investment Fund, and an update on Pension Plans.

Ms. Quirple asked Ms. Bhandary to explain the Capital Reserve increase. Ms. Bhandary responded in detail.

Ms. Kane questioned what the outlook for the rest of 2023. Ms. Bhandary responded that the expenses were in line with the budget.

Ms. Bhandary also provided an update on the Capital Projects Update broken down by categories.

Ms. Kane requested that Ms. Bhandary walk her through the Firefighters' Park and the cost that's associated with the project. Ms. Bhandary explained that there has been a change order to the proposed pickleball courts. She added that the change order will be brought to the Board of Supervisors for approval.

Ms. Kane questioned the fund reserved for a fire engine. Ms. Teoli Kuhls noted that the Township is waiting for the standard specifications to be agreed upon before starting the ordering process. She confirmed that this will be in next year's budget.

See attached full presentation.

11) Other Business.

Mr. Esposito announced that the Board of Supervisors held an executive session prior to this meeting to discuss litigation and labor matters.

Mr. Kessler provided a brief review of the rainfall and flooding from this past weekend. He also encouraged the community not to reposition or go around barriers that have been placed by the Township for the best interest of the public's safety.

Mr. Valla shared that the Middletown Community Foundation will be collecting school supplies at National Night Out on August 1st. Check Township social media for what school supplies can be donated to local students.

Ms. Hannah thanked Township staff for working on the grants that have been received by the Township which has saved a lot of money on Township projects.

Ms. Hannah also thanked Mr. Kessler on his information on how to keep the community safe in inclement weather.

Ms. Kane thanked all the First Responders this past weekend for their efforts, while putting themselves in danger to help others. She thanked them for all that they do.

12) Adjournment.

Mr. Ksiazek moved to adjourn the public meeting of the Middletown Township Board of Supervisors public meeting at 7:56 p.m., seconded by Ms. Quirple. Motion carried by a vote of 5-0