

Board of Supervisors Regular Meeting

Monday, June 12, 2023 | 7:00 p.m.

1) Call to Order, Pledge of Allegiance

Ms. Payne called the meeting to order at 7:05 p.m.

2) Roll Call

After the Pledge of Allegiance Ms. Hannah called roll. Supervisors Payne, Ksiazek, Quirple, Hannah, and Kane were in attendance at 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, Director of Parks & Recreation Paul Kopera, Chief of Fire and Emergency Services, Mark Antozzeski, and Superintendent of Public Works Eric Gartenmayer were in attendance.

3) Announcements

a) Next Board of Supervisors Meeting scheduled for Monday, July 17, 2023, at 7:00 p.m.

4) Special Items

a) Middletown Community Foundation Scholarship Presentations.

Jim Merrill, President, Middletown Community Foundation shared that the Middletown Community Foundation reviewed a total of 26 applicants and awarded 8 scholarships to graduating seniors who reside in Middletown Township. Of those 8 awards, two are endowed by community members: Bucks County Commissioner Diane Marseglia endows a scholarship in the memory of her late daughter Becky, and former Middletown Township Supervisors Tom Tosti endows a scholarship in the memory of his late father Richard.

The 2023 winners were recognized at the June 12th meeting: John Spina, Entrepreneurship, Syracuse University; Grace Irving, Biology, Washington College or UVM; Maggie Murphy, Psychology, Rider University; Grace Kussay, Pharmacy, University of South Carolina; Katie Weiner, Elementary Education & Special Education, Slippery Rock University; Hannah Yeager, Accounting or Criminal Justice, Kutztown University; The Becky Marseglia Scholarship Recipient: Susan Getz, Chemistry, University of Delaware; and The Richard Tosti Scholarship Recipient: Giavanna Martin, Automotive Collision, Automotive Training Center.

Mr. Merrill congratulated each of the student and thanked them for their dedication to community service in Middletown Township. He wished each of them the best of luck in their future endeavors.

b) Pride Month Proclamation.

Ms. Hannah read the Proclamation into record.

- c) Recognition of Louise Morris for 36 years of service as a Middletown Township Crossing Guard.

Chief Bartorilla recognized Louise Morris for 36 years of service as a Middletown Township Crossing Guard. Chief Bartorilla provided a brief background of Ms. Morris' tenure with the Township. He thanked Ms. Morris for her dedication to the community and presented a plaque of recognition.

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

Bob Feather, 96 Highland Park Way, commented on his ongoing problems with noise at Langhorne Square Shopping Center.

James Belser, 662 Valley View Road, thanked the Board for the actions taken today at 596 Langhorne Yardley Road and questioned what other actions have been taken to rectify the property's issues.

Kristine Belser, 662 Valley View Road, requested additional Township communication regarding Langhorne Yardley Road.

Linda Lokes, 640 Valley View Road, thanked the Township for removing the fence on the property at 596 Langhorne Yardley Road. Ms. Lokes requested information on future activities at the property.

Karen Dalrymple, 583 Valley View Road, thanked the Township for all they have done to help the residents. She requested information on the outstanding fines that have been issues at the property.

Patricia Taggart and Sandy Carroll, Hulmeville Conservation Committee "Save the Hill", wanted to bring to the Board's attention proposed development in Hulmeville Borough and the impact it will have to Middletown Township and the surrounding communities.

6) Consent Agenda Items

- a) Consideration of authorizing payment of June 12, 2023, Bills List in the amount of \$2,401,286.24.
- b) Consideration of approving the May 15, 2023, Minutes of the Public Meeting of Middletown Township Board of Supervisors.
- c) Consideration of approving Resolution #23-15R adopting the latest version of the PA Records Retention Manual.
- d) Consideration of approving Resolution #23-16R to approve disposition of certain records.
- e) Consideration of approving Final Security Release #1 for the Pennswood Village Additions to Pennswood Village in the amount of \$181,827.00
- f) Consideration of approving Payment Certificate #2 for the DPW Phase 1 (Fueling Systems)

Project to Scott Building Corporation in the amount of \$279,187.79.

- g) Consideration of approving Payment Certificate #3 for the Woodbourne Rd and Swift Rd Improvements to Scott Building Corporation in the amount of \$310,416.03.

Action: Mr. Ksiazek made a motion to approve consent agenda items as A-G, seconded by Ms. Kane. Motion carried by a vote of 5-0.

- 7) Zoning Hearing Board Application of GIR6 LLC for a drive-thru at Manhattan Bagel in Summit Square Shopping Center.

Julie Von Spreckelsen, attorney for the applicant, GIR6 LLC thanked the Board for allowing her to present revised plan for a drive-thru at the Manhattan Bagel in the Summit Square Shopping Center.

Ms. Von Spreckelsen noted that at the last Board of Supervisors meeting, the board voted to send Jim Esposito, Township Solicitor to attend the Zoning Hearing Board meeting to oppose the application and variances.

She explained that her Applicant redesigned the proposed drive-thru area to make it safer and more efficient for the flow of traffic through the site. She added that there is now no conflict with parking on either side of the drive-thru area.

Ms. Von Spreckelsen respectfully requested that the Board withdrew their opposition to the Zoning Hearing Board application.

Mr. Esposito confirmed that the Applicant did revise to the satisfaction of the Township staff to address the main concerns of the Township.

Action: Ms. Payne made a motion to withdraw the Board's previous vote to send the Township Solicitor to oppose the Zoning Hearing Board application of GIR6 LLC seeking a drive-thru at Manhattan Bagel in Summit Square Shopping Center based in the revisions presented, seconded by Ms. Quirple. Motion carried by a vote of 5-0.

- 8) Consideration of awarding the Department of Public Works (DPW) Phase 1A Winter Operation Project to Scott Building Corporation in the amount of \$2,531,682.50.

Issac Kessler, Township Engineer noted that the rebidding process for the Department of Public Works (DPW) Phase IA Winter Operations Project has concluded after review of the one (1) submitted bid documents opened on May 25, 2023.

Mr. Kessler briefly reiterated that the DPW Phase IA – Winter Operations Project consists of the removal of the existing salt shed, and fence, installation of a new Salt Storage Building, installation

of a new Brine Building, fence installation, concrete curb and sidewalk replacement, asphalt mill and overlay, bollard installation and other accessories. He added that also included to Phase 1A has been water service and a new fire hydrant at the relocated winter operations area of the yard.

Mr. Kessler noted that the project was reevaluated after its initial bid to identify items of the work that could be done by the Township's Department of Public Works rather than the contractor. He explained that items of significance such as the salt shed concrete slab and the salt building itself were a higher cost in the rebid however, the overall project was received at a total of \$232,815.50 less than the lowest qualified bidder from the first bidding.

Mr. Ksiazek made a comment that improving the Winter Operations Project is a necessity and thanked Mr. Kessler and Mr. Gartenmayer for their efforts to take an in-depth look at the project to see where adjustments can be made. He also added thanking the DPW team for taking on so many elements to help save the Township money.

Ms. Teoli Kuhls reminded the Board that in April, when discussing the American Rescue Plan Act (ARPA) Funding, it was recommended by staff to allocate 2023 ARPA Funds.

Ms. Kane questioned if there were any concerns with not being able to carry out any other projects that are in the Capital Plan?

Ms. Kane noted that we only received one bid so the Township can not review to look at where the competition is. Mr. Kessler added that this project is a very specialized.

Action: Ms. Quirple made a motion to award the Base Bid, Alternate Bid No. 1, and Alternate Bid No. 2 for the DPW Phase IA Winter Operations project in the total amount of \$2,531,682.50 to Scott Building Corporation, seconded by Ms. Hannah. Motion carried by a vote of 5-0.

- 9) Consideration of authorizing the purchase of one (1) Dynapac CC1000 plus roller in the amount of \$43,000.00.

Eric Gartenmayer, Public Works Superintendent, explained that the Department of Public Works currently has a roller that is 33 years old and does not function properly, lacking many safety features. He added that presently a roller is rented for projects and the new roller will be used for road repair, stonework, and to compact uneven ground.

Mr. Gartenmayer noted that funding was budgeted from the 2023 Road Machinery Fund and will be allocated for the purchase of this equipment.

Ms. Kane asked Mr. Gartenmayer to provide an explanation of the Road Machinery Fund and what the Township is permitted to use it on and what not. Mr. Gartenmayer and Ms. Teoli Kuhls explained that the Road Machinery Fund is a specific real estate tax millage that is allocated into a

fund that can only be spent on equipment for the Department of Public Works.

Action: Mr. Ksiazek made a motion to authorize the purchase of one (1) one Dynapac CC1000 Plus roller from Asphalt Care, Bensalem, PA for a total of \$43,000, seconded by Ms. Kane. Motion carried by a vote of 5-0.

10) Consideration of authorizing the purchase of a Level 3 DC-Fast Electric Vehicle Charging Station Project at the Municipal Center.

Nick Valla, Assistant Township Manager, explained that Middletown Township was awarded \$215,000 by the PA Department of Environmental Protection (DEP), over a year ago to construct four (4) Level-3 DC-Fast electric vehicle charging stations for public use at the Municipal Center. He added that this is approximate 50% of the total project cost.

Mr. Valla explained that to authorize this project, two authorizations are required: (1) authorizing purchase of the EV stations, and (2) authorizing a change order to the Road Program contract with James D. Morrissey for paving a new parking area behind the Municipal Center.

Mr. Valla explained that after extensive research, charging stations from the company Flo are recommended. He noted that compared to ChargePoint (the brand of Level 2 stations already deployed in Middletown), these stations bring more power, a lower cost, and better customer service. In addition to a 5-year warranty, these stations come with a 5-year maintenance agreement and lower annual software fees. After 5 years, the software fee is \$750 per station per year.

He noted that the total project cost for the paving change order, station purchase, and construction materials collectively amount to \$447,508, which is offset by \$430,000 budgeted in the Capital Fund and again offset by about \$215,000 of grant funding from DEP.

Ms. Kane asked Mr. Valla to walk her through the pricing of the units and the cost of the parking. Ms. Valla provided a full detailed review for both.

Action: Mr. Ksiazek made a motion to authorize purchase of four (4) 100-kilowatt Level 3 Flo electric vehicle charging stations from Rexel Energy Solutions of Taunton, Massachusetts, in an amount not to exceed \$244,200 and Change Order #1 to the 2023 Road Program contract with James D. Morrissey, Inc., of Philadelphia, PA, in an amount not to exceed \$83,350, seconded by Ms. Quirple. Motion carried by a vote 5-0.

11) Consideration of authorizing the purchase of five (5) vehicles and one (1) motorcycle for the Police

Department.

Chief Bartorilla explained that Middletown Township was awarded 2023 Redevelopment Authority (RDA) funding which includes the purchase of six Police patrol vehicles for the Police Department. This purchase would include four (4) 2023 Dodge Charger Pursuit (fully marked and equipped patrol units), one (1) 2023 Dodge Durango Pursuit (unmarked), and one (1) 2023 Harley Davidson Road King Police Motorcycle. Chief Bartorilla reviewed the vehicle and motorcycle purchases in further details.

Chief Bartorilla confirmed that the RDA awarded \$246,510.00 for Middletown Township Police Department vehicles. This request will complete the full 2023 authorized purchase of police vehicles and that the township is supplementing \$48,716.00 of the purchase through the Capital Fund.

Chief Bartorilla thanked the RDA for once again funding all the Township police vehicle purchases of the nine budget cycles he has been through.

Action: Ms. Kane made a motion to authorize the purchase of four (4) 2023 Dodge Charger Pursuit AWDs - all are to be fully marked and equipped patrol units. One (1) 2023 Dodge Durango Pursuit AWD - unmarked. One (1) 2023 Harley Davidson Road King Police Motorcycle, seconded by Ms. Quirple. Motion carried by a vote of 5-0.

12) Consideration of authorizing a Memorandum of Understanding with Teamsters Local 107 regarding 12-Hour Shifts in the Department of Fire and Emergency Management.

Ms. Teoli Kuhls explained that after many months of discussion and consideration, the Middletown Township Department of Fire and Emergency Services is poised to move to a 12-hour schedule, as contemplated during the Fire Services Study Strategic Planning process. She added that employees in the Department of Fire and Emergency Services are present at tonight's meeting and are represented by Teamsters Local 107.

Ms. Teoli Kuhls noted that the current contract does not include provisions for a 12-hour schedule, so it is necessary to execute a Memorandum of Understanding (MOU) that addresses impacted sections, which include no expansion of benefits is contemplated, only conversion of existing benefits from the current 10-hour schedule.

She noted that the 2023 approved budget anticipated and included funding for the move to 12-hour shifts.

Chief Antozzeski thanked Ms. Teoli Kuhls for bringing this forward as it has been a lot of work with the Teamsters Local 107 and management to bring everyone together, as it's been a long time coming.

Ms. Kane commented that the expanded hours made sense and would supplement the volunteer firefighters during busy hours.

*Action: Ms. Quirple move to authorize execution of a Memorandum of Understanding with Teamsters Local 107 regarding 12-hour shifts for employees in the Department of Fire and Emergency Services, seconded by Ms. Kane.
Motion carried by a vote of 5-0.*

13) Discussion of CSX/SEPTA Grade Crossing Elimination Study.

Ms. Teoli Kuhls noted that the Township was pleased to receive news that a study of the Woodbourne Road and Township Line Road crossings was one of the 63 projects were selected nationwide as part of the U.S. Department of Transportation's Federal Railroad Crossing Elimination (RCE) Grant Program.

Mr. Quirple expressed that this is fantastic news.

14) Parks and Recreation "Grooving at the Gates" Event.

Paul Kopera, Director of Parks and Recreation presented to the Board a community event that will be held in Levittown on October 14, 2023, from 12 to 5:00 p.m., replacing the July 4th Parade. The event, "Grooving at the Gates" will include food trucks, craft brewery stands, and live music.

Mr. Kopera shared that after extensive discussions regarding the parade's viability, it became clear that factors such as waning interest from parade participants and sponsors, declining attendance from the public as more people vacation on this popular summer holiday, and an overall imbalance in the cost/benefit ratio made it necessary to replace the parade with a new event.

Ms. Hannah commented that she loves that this event will be in the Levittown area.

Mr. Ksiazek commented that he and his family have always loved the parade and as much as he is disappointed to see the parade go he felt that it was the right decision for the community. He thanked Mr. Kopera for his efforts of this event.

Ms. Payne commented that she is grateful that we were able to find something to replace the parade for the Levittown residents.

15) 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. Valla, Ms. Teoli Kuhls and all members of the Board of Supervisors congratulated each of this year's MCF Scholarship winners.

Ms. Teoli Kuhls recognized the Fire and Emergency Management staff for their attendance and support. She added that she is excited for what is ahead for their department.

Ms. Hannah thanked the community members who were in attendance and spoke during Public Comment.

Mr. Ksiazek thanked Mr. Gartenmayer and the Department of Public Works staff for their assistance with Township projects especially they're in housework which helps the Township save money. Ms. Kane reiterated Mr. Ksiazek's comments and thanked the DPW workers as well.

Ms. Quirple expressed her excitement about the "Grooves at the Gate".

16) Adjournment.

Ms. Quirple moved to adjourn the public meeting of the Middletown Township Board of Supervisors public meeting at 8:47 p.m., seconded by Ms. Hannah. Motion carried by a vote of 5-0