

BOARD OF SUPERVISORS REGULAR MEETING

MONDAY, JULY 14, 2025 | 7:00 P.M.

1) Call to Order, Pledge of Allegiance

Mr. Ksiazek called the meeting to order at 7:01 p.m.

2) Roll Call

After the Pledge of Allegiance, Ms. Hannah called roll. Supervisors Ksiazek, Hannah, Kane, and Strouse were in attendance. Also present were Township Manager Eden Ratliff, Assistant Township Manager Nick Valla, Solicitor James Esposito, Township Engineer Isaac Kessler, Chief Joseph Bartorilla, Director of Building and Zoning, Jim Ennis, Director of Public Works Eric Gartenmayer, and Director of Finance, Laura Hucklebridge. Ms. Quirple attended virtually.

3) Upcoming Meetings

- a) Next Board of Supervisors Meeting – Monday, August 11, 2025, at 7:00 p.m.

4) Special Items

- a) Proclamation Designating July as Parks & Recreation Month

Ms. Strouse read the Proclamation aloud.

- b) Proclamation Designating July as Disability Pride Month

Ms. Hannah read the Proclamation aloud.

- c) Project Blue Envelope Presentation

Chief Joe Bartorilla announced the launch of Project Blue Envelope, a voluntary initiative by the Middletown Township Police Department to improve communication between law enforcement and individuals with autism during traffic stops. The program provides drivers on the autism spectrum with a marked blue envelope containing essential documents and communication tips, aiming to create safer and more predictable interactions.

Middletown joins other Police departments from around the region in adopting the program, which addresses the unique challenges individuals with autism may face in high-stress encounters.

Chief Bartorilla recognized Sergeant Matt Kroiss and Officer Melissa Robinson for leading the project, Vice Chairperson Bernardete Hannah for her support, and District Attorney Jennifer Schorn for championing countywide adoption. The program launches immediately and will be promoted on social media throughout the week.

Ms. Hannah expressed her deep appreciation for the launch of Project Blue Envelope, noting how meaningful the initiative is to her personally as a family member of someone with autism. She also thanked the Middletown Township Police Department for being proactive when she inquired about the program and shared her sincere gratitude for their responsiveness and support.

5) Public Comment – Non-Agenda Items

Lance Sagers, 98 Queen Lily Road, expressed concern that overdevelopment in Middletown Township has led to school overcrowding and rising taxes. He cited a recent increase of about 1,000 students over five years, attributing it to families moving into the area. While acknowledging frustration over a 4.7% school tax increase, he blames the Township for approving growth that strains school resources.

William Plunkett, 2001 W. Lincoln Highway, questioned the stormwater fee on his commercial property, citing runoff from nearby federal infrastructure and a quarry beyond his control. He explained that erosion forces him to add gravel to maintain the land and feels he shouldn't be charged for runoff he can't manage.

Mr. Ksiazek responded that he couldn't speak to the specifics without reviewing the property details but explained that the fee is part of a larger stormwater management effort, with a newly forming committee tasked with identifying and addressing problem areas township wide.

Isaac Kessler, Township Engineer, noted that the property owner did reach out to the Township regarding the stormwater fee. He explained that for non-residential properties, the stormwater fee is tiered and capped at \$6,000 based on impervious coverage, as defined by Township ordinance. Mr. Kessler added that the Township has been reviewing the property in question.

6) Consent Agenda Items

- a) Consideration of authorizing payment of July 14, 2025, Bills List in the amount of 2,971,487.83.
- b) Consideration of approving the June 9, 2025, Minutes of the Public Meeting of Middletown Township Board of Supervisors.

Action: Ms. Hannah made a motion to approve the consent agenda items, seconded by Ms. Kane. A motion carried by a vote of 5-0.

7) Public Hearing for petition on behalf of Richard J. Nutall Jr. and Leigh Anne Nuttall for Middletown Township to vacate paper street known as Arch Street (formally Ash Avenue), Tax Map Parcels #22-012-342 and 22-012-492.

Jim Esposito, Township Solicitor, opened the public hearing for petition on behalf of Richard J. Nutall Jr. and Leigh Anne Nuttall for Middletown Township to vacate paper street known as Arch

Street (formally Ash Avenue), Tax Map Parcels #22-012-342 and 22-012-492. He noted that the petitioner is Richard and Leigh Anne Nuttall.

Mr. Esposito stated that the hearing was properly advertised in the *Bucks County Courier Times* on July 1 and July 6, 2025, and that all adjoining property owners were notified in writing by the Township 10 days prior. He then submitted exhibits into the record.

Russ Sacco, Esquire, on behalf of the Applicants, provided an overview of the petition requested.

Mr. Esposito informed the Board that he reviewed the deeds attached to the petition, along with the plans and the prior ordinance that vacated the northern portion of the paper street. He confirmed that the information aligns with Mr. Sacco's explanation.

Mr. Ksiazek questioned the Board whether there were any questions for Mr. Sacco or if they would like Mr. Nuttall to have sworn in. There were none.

Action: Mr. Ksiazek made a motion to approve the petition of Richard and Leigh Anne Nuttall and adopt the ordinance to vacate a portion of the paper street known as Arch Avenue, that abuts TMP#s 22-012-492 and 22-012-342, pursuant the Plan exhibits attached to the petition, seconded by Ms. Strouse. A motion carried by a vote of 5-0.

8) Consideration of Petition on behalf of ELU DeLuca SB Middletown LLC, to rezone TMP#22-031-024 to AQC (Aged Qualified Community) Zoning District and Consideration of Preliminary Subdivision and Land Development Approval for Farm's Edge Development.

Ed Murphy, Attorney for the Applicant updated progress, explaining that the Applicant is petitioning for a Zoning Change/Text Amendment to allow for Land Development of approximately 50 acres of farmland on the Shady Brook property into active adult units, with a clubhouse and other community amenities. Existing Zoning is RA-1 Residence Agricultural, Proposed is AQC – Age Qualified Community District.

Joe Morrissey, Developer for the Applicant, presented updated plans for the Farm's Edge at Shadybrook active adult community, following their initial presentation in May. He noted that this plan has been revised based on extensive input from Township staff, nearby residents, and the Board of Supervisors.

Mr. Morrissey explained that notable changes include a reduction in the number of units from 150 to 129; expanded buffers to preserve privacy; and 21.4 acres of open space—roughly 40% of the site. He added that stormwater management was enhanced with naturalized ponds and reduced impervious coverage.

He shared that the development offers significant fiscal benefits, including an estimated \$1.8 million in annual Real Estate Tax revenue (shared by the County, School District, and Township) and one-time revenue of from the Real Estate Transfer Tax in the amount of \$630,000. Traffic impacts are minimal, and the developer has committed up to \$200,000 toward a pedestrian connection from

the Silver Lake neighborhood to Middletown Community Park. He added that homes will be energy-efficient and align with Middletown's Climate Action Plan.

Mr. Morrissey noted that specific concerns from neighboring residents are being addressed through landscaping, runoff mitigation, and trail adjustments. His presentation concluded with a request for preliminary plan approval, noting that a separate process with Lower Makefield will be required for the Township Line Road access.

Megan White, 297 Chilton Place, opposed the Farm's Edge development due to its high density, proximity to her home, and safety concerns with the proposed emergency access and trail. She urged the Board to prioritize residents' long-term quality of life over financial gain. The developer noted alternative access options are being considered and expressed openness to continued community input.

Ted Verbleski, 209 Chilton Road, appreciated the developer's outreach but remains concerned about the project's high density near existing homes, especially a large unit directly behind his property. He opposed emergency access through Silver Lake and trail connections, citing safety and parking issues. He urged rerouting emergency access to Township Line Road and reconsidering the placement of dense housing near established residences.

Joe Morrissey acknowledged Mr. Verbleski's concerns and recognized their property is among the most impacted by the proposed development. He explained that previous versions of the plan included more homes near the wooded buffer, which were removed in response to community feedback, and that site constraints limit further changes. While the unit behind the Verbleskis is currently 262 feet away, he is open to shifting it or narrowing its width slightly during final engineering, and committed to early landscaping to enhance screening and reduce visual impact.

Tom Morelli, 203 Chilton Place, supported moving the emergency access away from Silver Lake for safety and said he's willing to forgo a trail if it concerns neighbors. He backed a formal path to the community park and praised the developer's responsiveness. He also raised concerns about stormwater runoff and hazardous trees from the neighboring Lichtenstein property.

Ryan Ryiki, of 285 Chilton Place, expressed full support for Megan White's earlier comments, stating they have discussed the development extensively and share the same concerns. His remarks aimed to formally align with and reinforce her position.

Mr. Ksiazek explained that since the property is zoned RA-1 for single-family homes, the zoning decision is between that "by-right" option and the proposed age-restricted carriage homes. He highlighted that the age-restricted proposal preserves more open space and adds no students.

Ms. Kane appreciated the ongoing dialogue with the developer but remained concerned about approving 129 homes without guarantees for preserving Shady Brook Farm. She emphasized her commitment to open space and hoped for a balanced compromise like the Stone Farm project that combined development with conservation.

Mr. Ksiazek confirmed that the Fleming family plans to remain on the property, continue living in their homes, and maintain Shady Brook Farm and its angertainment operations in some capacity.

Ms. Strouse remained quiet to hear residents' thoughtful feedback and was encouraged by how informed and aligned the community seemed. He appreciated separating the preliminary and final votes, noting that remaining concerns are minor and manageable. He thanked the developer for working with residents and expressed optimism that the plan will benefit the Township.

Ms. Hannah emphasized the need to address stormwater runoff and preserve views for nearby residents, opposed the emergency access road due to safety concerns, and hoped the developer would continue refining the plan. The developer noted steps have already been taken to address these issues and expressed confidence they can be resolved.

Action: Ms. Strouse made a motion to grant the Zoning Change/Text Amendment and Preliminary Land Development Plan approval for the Farm's Edge at Shady Brook, 927 Stony Hill Road, S/LD #24-10, 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.***
- 2. Any remaining review comments shall be addressed in full.***
- 3. Emergency access road to be addressed at Chilton Place with Fire and Emergency Services.***
- 4. The roadway, traffic, and signal improvements approved by Lower Makefield Township.***

Seconded by Mr. Ksiazek. A motion carried by a vote of 4-1 with Ms. Kane opposed.

Mr. Ksiazek thanked all the residents who came out to provide public comments.

9) Discussion of Chicken Ordinance.

Jim Ennis, Director of Building and Zoning provided an overview of the current Township regulations regarding the keeping of chickens, noting that they are currently classified as an agricultural use and therefore only permitted in low-density residential and agricultural zoning districts—specifically Residence Agriculture (RA) RA-1, RA-2, and RA-3—with a minimum lot size requirement of five acres.

He explained that over the past few years, particularly since the pandemic, there has been growing interest from residents in keeping backyard or recreational chickens. However, he also emphasized that the Township receives a significant number of complaints related to chickens, indicating that community opinion on the matter is divided.

Mr. Ennis shared that he, along with the Township Solicitor's office, reviewed how other

municipalities handle similar requests. Based on that review, he offered several recommendations: first, if changes were to be considered, chickens should remain limited to the RA districts due to their lower density and larger lot sizes; second, if the Board of Supervisors were to allow chickens in higher-density R-1 and R-2 districts, it should be done through a special exception process before the Zoning Hearing Board, rather than through a traditional variance, to allow for case-specific conditions.

He also cautioned that permitting chickens more broadly would place additional burdens on Township staff related to enforcement, permitting, and potential annual inspections. He concluded by encouraging the Board of Supervisors to carefully consider whether such a change is necessary and in the best interest of the community before taking any action.

Mr. Ksiazek acknowledged that a great deal of information had been presented and suggested that the best course of action would be to give everyone time to consider it before making any decisions.

He then asked if anyone had any questions or comments they wished to share that evening.

Ms. Hannah questioned whether other communities have implemented a zoning process for permitting backyard chickens, and if so, what that process typically looks like.

Mr. Ennis explained that he did not research whether other municipalities use a special exception process for chickens, focusing instead on lot sizes, setbacks, and related requirements. He noted that some allow chickens by right if certain standards are met. However, he recommended a special exception process for R-1 and R-2 districts, as it allows for neighbor input and case-by-case review by the Zoning Hearing Board.

Mr. Strouse suggested revisiting a past memo comparing local chicken ordinances, noting that some denser townships allow chickens more freely. He expressed concern about overloading the Zoning Hearing Board and recommended exploring a simpler, paper-based process with neighbor notification and clear standards as an alternative.

Mr. Esposito said Northampton and Falls Townships are more lenient with chickens, allowing them on smaller lots with conditions. However, most townships similar to Middletown still require a five-acre minimum.

Ms. Kane questioned if the Township had spoken with Falls or Northampton to learn about their experiences and insights regarding their chicken ordinances.

Mr. Ennis stated that he has not yet spoken with Falls or Northampton regarding enforcement or practical issues, especially Northampton, which has a very lenient and flexible ordinance.

Mr. Ksiazek thanked Mr. Ennis and noted that this discussion will be continued for sure.

10) Consideration of enacting Ordinance #25-04 Stormwater Advisory Committee.

Nick Valla, Assistant Township Manager, shared that, as discussed at the June 9th Board of Supervisors meeting, the Board had advertised an ordinance to establish a permanent Stormwater Advisory Committee. He noted that this follows the work of the previous ad hoc committee, which recommended both the stormwater fee and the creation of a permanent body to handle related issues.

He explained that the Stormwater Advisory Committee would serve as a point of contact for resident feedback, play a formal role in the stormwater fee appeal process, and provide long-term oversight and guidance on stormwater improvements funded by the fee.

Mr. Valla explained that the Committee would consist of five (5) members appointed to staggered three (3)-year terms who are permitted to serve on other advisory boards and commissions of the Township. He added that the ordinance proposes a five-member board with staggered three-year terms, with initial appointments set to expire in 2025, 2026, and 2027.

Action: Ms. Strouse moved to enact Ordinance 25-04 Stormwater Advisory Committee, seconded by Ms. Hannah. A motion carried by a vote of 5-0.

11) Consideration of appointing members to the Stormwater Advisory Committee.

Mr. Ksiazek moved to appoint Joe Fitch for a 1-year term (expiring 12/31/2025), seconded by Ms. Kane. A motion carried by a vote of 5-0.

Mr. Ksiazek moved to appoint Russ Hartman for a 2-year term (expiring 12/31/2026), seconded by Ms. Kane. A motion carried by a vote of 5-0.

Mr. Ksiazek moved to appoint Chris Haughey for a 2-year term (expiring 12/31/2026), seconded by Ms. Hannah. A motion carried by a vote of 5-0.

Mr. Ksiazek moved to appoint John Pflaumer for 3-year terms (expiring 12/31/2027), seconded by Ms. Strouse. A motion carried by a vote of 5-0.

Mr. Ksiazek moved to appoint Andrew McAloon for 3-year terms (expiring 12/31/2027), seconded by Ms. Quirple. A motion carried by a vote of 5-0.

Mr. Ksiazek provided an overview of each appointee's professional background and their knowledge related to stormwater impacts.

Mr. Ksiazek congratulated and thanked those appointed to the Stormwater Advisory Committee and expressed appreciation to everyone who applied.

Ms. Quirple said she was impressed by the strong pool of applicants, noted the difficulty in

making selections, and encouraged those not chosen to stay involved and consider future opportunities.

12) Consideration of entering into a new Collective Bargaining Agreement with the Middletown Township Crossing Guards Association.

Mr. Valla explained that before the Board of Supervisors there was a new 4-year Collective Bargaining Agreement (CBA) with the Crossing Guards Association, replacing the current expiring contract. He noted that the guards are Township employees, but their wages are shared equally with the Neshaminy School District.

Mr. Valla explained that the new agreement includes a 4% annual wage increase and minor language changes with no significant monetary impact. He concluded that the total projected cost of the contract is \$32,000 over four years, to be split evenly with the school district.

Action: Ms. Strouse moved to approve the Collective Bargaining Agreement between Middletown Township and the Crossing Guards Association for a term of January 1, 2026, to December 31, 2029, seconded by Miss Kane. A motion carried by a vote of 5-0.

13) Consideration of awarding Fuel Bid.

Eric Gartenmayer, Director of Public Works, reported that the Township has long participated in the Bucks County Consortium. In May 2025, the Township submitted its fuel bid participation request before the deadline. Bids were opened on May 22, 2025, via PennBid, and results were shared with participating municipalities. Each township is responsible for awarding bids individually.

Action: Ms. Strouse move to award the 2025-2026 Fuel Consortium contract to Petroleum Traders Corp., of Fort Wayne, IN for unleaded gasoline with an estimated amount of \$270,000 and low sulfur diesel with an estimated amount of \$85,000. "Ports Petroleum., of Wooster, OH for heating fuel with an estimated amount of \$25,000, on an as needed basis, seconded by Ms. Hannah. A motion carried by a vote of 5-0.

14) Consideration of authorizing purchase and installation of access systems for Community Park.

Patrick Graham, Assistant Director of Parks & Recreation, reported that the department is continuing its security upgrades to the Middletown Park System, which began with the Community Park Barn in 2024. He noted that for 2025, the department recommends installing access control measures at the concession stands and storage garage at Community Park. Adding that camera installation will be deferred to 2026 to allow for evaluation of emerging technologies and to manage capital spending.

Mr. Graham noted that the work will be completed by EAW Security, a COSTARS vendor that handled the Barn project. He explained that the cost of this project will be \$50,458.59 and is budgeted in the township's 2025 Capital Improvement Plan.

Ms. Strouse asked whether splitting the project and purchasing the security system this year would lock the Township into specific hardware for the cameras in 2026, or if there would still be flexibility in selecting future equipment.

Mr. Graham clarified that the current purchase is just for door access and doesn't lock in future camera hardware. They're exploring new options, like solar-powered cameras to avoid trenching. The installation will also extend internet to the concession stands and garage to support future cameras.

Action: Ms. Strouse move to execute an agreement with EAW Security for the purchase & installation of access control systems at Middletown Community Park totaling \$50,458.59, seconded by Ms. Hannah. A motion carried by a vote of 5-0.

15) Consideration of authorizing purchase of a Drug Prevention/Mobile Community Outreach Vehicle.

Chief Bartorilla requested authorization to purchase a vehicle for use as a Drug Prevention and Mobile Community Outreach Unit. He noted the vehicle will be assigned to D.A.R.E. and Community Relations Officer Melissa Robison, and will support year-round outreach, overdose prevention, and public education efforts. He added that the vehicle will carry Narcan, drug disposal bags, and educational resources, and serve as a mobile base for the D.A.R.E. program.

He explained that the requested purchase of the 2023 Dodge Charger costs \$53,196 (including upfitting) and will be fully funded by the Township's opioid settlement grant, leaving a balance of about \$70,000 for future initiatives.

Action: Mr. Ksiazek move to authorize the Police Department to proceed with the purchase and upfitting of a Drug Prevention and Mobile Community Outreach Vehicle, with all costs funded through the Township's opioid settlement fund grant, seconded by Ms. Strouse. A motion carried by a vote of 5-0.

16) Consideration of authorizing purchase of a Police Motorcycle.

Captain Pete Feeney requested authorization to purchase a 2025 Harley Davidson Police Motorcycle, equipped with full lighting and markings, to replace a 2017 model that has been in service since 2016.

He noted that the Motorcycle Unit started with four 2017 bikes, two of which remain in service—one needing replacement due to mileage and use, while the other remains serviceable for another year or two. Adding that the replacement cost is \$24,494.71 after trade-in, and the purchase will be made through Stars and Stripes Harley-Davidson.

He added that approval of this purchase will ensure the Department maintains a safe, reliable, and effective motorcycle patrol presence throughout the community.

Action: Ms. Strouse made a motion to authorize the Police Department to proceed with the purchase of a fully outfitted 2025 Harley Davidson Road King, police motorcycle from Stars & Stripes Harley Davidson in the amount of \$27,494.71, seconded by Ms. Hannah. A motion carried by a vote of 5-0.

17) Q2 Financial Report.

Laura Hucklebridge, Director of Finance, presented the internal Q2 2025 financials, including a budget-to-actual analysis for all Operating Funds and a comparison to prior year results. For the General Fund, she highlighted a graph of historical revenue and expense trends and the current fund balance. She also reviewed a summary of funding, expenditures, and fund balance for the Capital Fund, as well as year-to-date performance of the Investment Fund.

Mr. Ksiazek thanked Mr. Hucklebridge for her report to the Board.

18) Other Business.

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

Mr. Ratliff expressed his appreciation for the warm welcome and support from Township staff during his first week. He noted that he is pleased to be settling in and looks forward to working together in the future.

19) Adjournment.

Ms. Strouse moved to adjourn the public meeting of the Middletown Township Board of Supervisors' public meeting at 8:52 p.m., seconded by Ms. Kane. Motion carried by a vote of 5-0.