

Board of Supervisors Regular Meeting

Monday, November 18, 2024 | 7:00 p.m.

1) Call to Order, Pledge of Allegiance

Mr. Ksiazek called the meeting to order at 7:02 p.m.

2) National Anthem Performed by Addie Margsegia.

Mr. Ksiazek provided a short bio of Addie Margsegia and thanked her for her performance.

3) Roll Call

After the Pledge of Allegiance, Mr. Ksiazek called roll. Supervisors Payne and Kane were in attendance. Also present were Township Manager Stephanie Teoli Kuhls, 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 Parks & Recreation, Paul Kopera. Supervisor Hannah attended virtually, and Supervisor Quirple was absent.

4) Upcoming Meetings

a) Next Board of Supervisors Meeting - Monday, December 16, 2024, at 7:00 p.m.

5) Upcoming Events

- a) Shop with a Cop – Saturday, December 7, 2024 – Target Oxford-Valley
- b) Holiday Open House – Thursday, December 12, 2024, from 5:30 p.m. – 8:30 p.m. at Middletown Municipal Center

6) Special Items

a) Native American Heritage Proclamation

Mr. Ksiazek read the proclamation out loud.

b) Small Business Saturday Proclamation

Mr. Ksiazek read the proclamation out loud.

c) Recognition of Student-Athlete Kennedi Dobson

Mr. Ksiazek read a proclamation out loud recognizing Kennedi Dobson as a student athlete and earning a 4-year scholarship to the University of Georgia.

Mr. Ksiazek announced that Kennedi has been awarded a four-year full scholarship to the University of Georgia in Athens, Georgia, where she will continue her education and swimming career, furthering her role as a leader and inspiration for her peers.

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

David Cahill, 462 Cynthia Ave, reiterated questions from his past attendance during Public Comment regarding the Pennel Fire Company.

Sheldon Post, 31 Rockwood Road, had questions regarding the new trash contract, requested descriptions to be added to the Planning Commission agenda to help clarify the property. He thanked Chief Bartorilla and the Middletown Township Police Department; especially Officer Melissa Robinson, for their assistance with the Youth Aid Panel (YAP).

Tom Piacatino, 2759 Country Lane, expressed concerns about the wastewater treatment plant and the impact it could have on the community.

Christopher Nowakowski, 29 Alberts Way, reiterated his concerns about Hate Speech and that is beyond purview of Republican Committee.

Beth Ann Pollack, 22 Fir Tree Road, reiterated her concerns for the preservation of trees on the property at 1700 Woodbourne Road, the site of approved townhomes by Westrum Development. She added that she had sent a letter to Westrum Development addressing her concerns.

Lance Sagers, 98 Queen Lily Road, concerned about PECO line maintenance happening near Quincy Hollow. Mr. Sagers noted that residents received letters about it not long ago and was concerned about major changes such as tree removal and pole relocation like was done on New Falls Road.

Stephanie Teoli Kuhls noted that she has an upcoming meeting with PECO's Governmental Affairs and will share Mr. Sagers' concerns.

8) Consent Agenda Items

- a) Consideration of authorizing payment of November 18, 2024, Bills List in the amount of \$1,933,483.86.
- b) Consideration of approving the October 21, 2024 Minutes of the Public Meeting of Middletown Township Board of Supervisors, and the Budget Work Session Minutes for October 28, 2024.
- c) Consideration of approving 2024 Middletown Township Liquid Fuels Road Program – Change Order #2 for a negative \$82,490.99 for adjustment of final quantities and contract items for project close out.

- d) Consideration of approving 2024 Middletown Township Liquid Fuels Road Program – Payment Certificate #2 (Final) in the amount of \$85,338.27 for completed work and project close out.
- e) Consideration of approving Financial Security Release #4 (Final) for completed work and the completion of this project for the Pennswood Village Additions Land Development (S/LD #21-2), in the amount of \$58,809.30.
- f) Consideration of Resolution #24-23R for submission of an application to the Pennsylvania Department of Community and Economic Development (DCED) Statewide Local Share Account Program.
- g) Consideration of the Sewer Planning Module Resolution#24-24R for 517 Deer Drive Subdivision (S/LD# 23-6) for support of the applicant’s Sewer Planning Module.
- h) Consideration of approving Retirement Agreement and General Release for Officer Corey Huff.
- i) Consideration of Accounting Services Contract.
- j) Consideration of lease with Rise Up Towers Bucks One LLC for municipal communications equipment on cell tower.
- k) Consideration of Change Order to Trash and Recycling Contract to add Windybush Neighborhood as manual trash collection.
- l) Consideration of approving location and architectural design of structure at 1475 Langhorne Yardley Road.

Action: Ms. Payne made a motion to approve consent agenda items A-L, seconded by Ms. Kane. A motion carried by a vote of 4-0.

Ms. Kane questioned the Change Order to Trash and Recycling Contract to add Windybush Neighborhood as manual trash collection adding that the change order amount seems excessive

Ms. Teoli Kuhls noted that during the bid process the Township did not expect this neighborhood to be manual collection and was brought to the Township’s attention about halfway through. She noted that at this point the bid was already opened and awarded.

Mr. Valla confirmed that the change order amounts to about \$200 per home per year for the five-year contract term.

Ms. Kane questioned whether there was a clear plan to be displayed of the architectural design of the structure at 1475 Langhorne Yardley Road.

Ms. Teoli Kuhls explained that this parcel is in the middle of the Styers Orchard, in which a Settlement Agreement that gives the Township the first right of refusal anytime the property is up for sale, which the Township said no too. She explained that the other aspect of the Settlement Agreement is that the Board of Supervisors can sign off on the elevation of what the proposed structure looks like. She added that the structure cannot be seen and is located deep into the Styers property.

Mr. Kessler commented that the Township review does confirm that the structure is within the building envelope and restrictions of the Settlement Agreement.

A motion carried by a vote of 4-0.

- 9) Consideration of the Lot Line Change Approval for 735 Harding Avenue, Langhorne, PA 19047, TMP#22-039-010-001, S/LD #24-4, R-1 Residence District.

Matthew Finer, Esq., Attorney for the Applicant explained that the project is located at 735 Harding Avenue in the R-1 Zoning District. The Applicant proposes a lot line change between TPM# 22-039-010-001 (Lot 1 - 515 Ford Avenue) and TPM# 22-039-010-006 (Lot 2 - 735 Harding Avenue). He added that lot line change will result in 4,918 square feet of lot area being transferred from Lot 1 to Lot 2. Mr. Turner concluded his presentation by noting that there is no development associated with this application.

Mr. Kessler clarified that the requested is for the percentage increase of the lot. Adding, that the increase is 38.5%, where 20% is the maximum permitted by ordinance.

Mr. Kessler added that his office has no objection to the increase and waiver request.

Action: Mr. Ksiazek made a motion to grant Lot Line Change approval for 735 Harding Avenue, Langhorne, PA 19047, TMP 22-039-010-001 & 22-039-010-006, 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. All comments still outstanding in review letters shall be fully addressed for plans to be considered final, including the approvals of outside agencies for completion of the plans in their jurisdiction.

Seconded by Ms. Kane. A motion carried by a vote of 4-0.

- 10) Presentation – Woods School Petition to Rezone

Michael McGinnis, Attorney, on behalf of Woods Services, explained that on behalf of Woods Services files an overlay petition. He shared that Woods Services owns and operates a little over 200 acres within the Township.

Mr. McGinnis explained that all the properties that Woods Services own, which are the subject of this petition, are in the R-1 District of the Township, noting that the R-1 District is designed almost

exclusively for single-family detached dwellings, which is not what Woods Services offers or how the site was historically developed or improved.

He expressed that the R-1 District does not make sense for Woods Services and that the reality is that it has created a litany of issues whenever Woods Services has made any changes to the campus.

Mr. McGinnis provided a brief summary of Woods Services, which provides vocational and adult day services, rehab facilities, health and wellness services, and other similar institutional services for individuals with disabilities, including housing. He concluded by stating that Woods Services

He explained that in his opinion there is not one single zoning district in the Township that adequately captures Wood Services historic usage in Middletown Township. Explaining that the purpose of the overlay is twofold addressing a variety of items retroactively and providing flexibility prospectively given the complex changing dynamics of the industry Woods Services operates.

Mr. McGinnis noted that the plan is to cover greater detail with the Township Planning Commission and provide a full presentation for the Board of Supervisors focusing on Wood Services' future vision for their properties in the Township.

He added that in regard to Parcel # 22-021-055-002, which is approximately 20 acres and under agreement with BET Investments. He noted that Michael Markman, President and Peter Clelland, Vice President of Development are present at tonight's meeting on behalf of BET Investments.

Michael Markman, President of BET Investments addressed the Board of Supervisors sharing that BET Investments is the contract purchaser of the 20-acre parcel which is identified as the cross-hatched area displayed for the audience. He shared that the intent of the property would be to develop the site into a mixed use containing some retail and residential apartments combination. He concluded by noting that a presentation has been prepared for the Planning Commission and then will return and present the concept to the Board of Supervisors.

Mr. Esposito explained that the petition will need to be reviewed by the Bucks County Planning Commission as well as the Township Planning Commission.

Action: Mr. Ksiazek made a motion to move forward with advertising petition to rezone. Second Ms. Payne.

Ms. Kane questioned when the Board of Supervisors will be able to go through in detail to make sure that the Board is comfortable with the concept and that the public is able to see what is happening.

Mr. McGinnis confirmed that tonight it is strictly to introduce this publicly and to ask that the Township authorize the advertisement with subsequent Planning Commission meeting on December 4th and the Board of Supervisors meeting on December 18th going through the ordinances and the visions of Wood Services and BET Investments.

Christopher Nowakowski, 29 Alberts Way, urged the Board of Supervisors to wait and see how the current projects of BET Investments operate before making any decisions.

Lance Sagers, 98 Queen Lily Road, expressed his opposition to his project and reiterated his concerns of over development of Middletown Township.

Eric Bruno, 98 Sweet Gum Road, expressed his opposition to the motion and explained that the only reason to rezone a property is if there is something absolutely impeding the actual work and not selling land to a developer.

A motion carried by a vote of 3-1. Ms. Kane was in opposition.

11) Bucks County Planning Commission Review of Zoning Ordinance.

Jim Ennis, Director of Building and Zoning, reviewed that on March 20, 2023, Middletown Township entered into a Planning Services Agreement with the Bucks County Planning Commission (BCPC) to analyze the Zoning Ordinance's building coverage and impervious coverage maximum percentage requirements in the Township's R1 and R2 Zoning Districts. He noted that the purpose of the analysis is to identify solutions to the high amount of pursued variances related to these percentage requirements in the Township's R1 and R2 Zoning Districts, especially in the Levittown area.

Mr. Ennis reviewed the BCPC presented to Middletown's Planning Commission, the first occurring on December 6, 2023, in which the BCPC presented the progress of the analysis to the Planning Commission and considered their input. The second meeting occurred October 2, 2024, in which the BCPC presented their completed analysis and recommendations covering the establishment of a new zoning district – the R3 Zoning District – and providing allowances for additional impervious coverage during this meeting.

He noted that many of the properties in the Levittown section were continuously going before the Zoning Hearing Board for numerous years requesting variances for building coverage and impervious coverage percentage maximums. With the BCPC full analysis using maps and data, property deeds and going through several years of Zoning Hearing Board (ZHB) cases, they have come up with some recommendations such as changes to certain parts of R2 zoned properties in Levittown to R3 because those properties are non-confirming to the zoning ordinance.

He added that other recommendations by the BCPC when it came to stormwater management requirements to be added to the zoning ordinance to mitigate any issues.

He concluded by explaining that the BCPC has completed the contractual services of the Planning Services Agreement with the Township, and that the next steps are for the Township, specifically management, legal, engineering, and planning, to consider the BCPC's recommendations and begin implementing zoning map and text amendments that will benefit the Township.

Ms. Payne questioned how long this process should take. Mr. Ennis explained that the Township will now need to start to review the BCPC recommendation and determine what the best options for the Township would be. His hopes are for this to be completed by mid-next year.

Ms. Kane questioned if the entire R1 and R2 zoning districts were looked at. Mr. Ennis confirmed that it was only certain sections of the R1 and specifically the R2 zoning districts, primary in the Levittown section. He noted that many of the properties were established in 1950's prior to zoning.

Ms. Teoli Kuhls reminded the Board that many residents in Levittown who would consider making improvements to their properties typically require relief from the ZHB.

12) Consideration of adopting Memoranda of Agreement with Teamsters Local 107 and Department of Public Works Association for three-year Collective Bargaining Agreements.

Ms. Teoli Kuhls reported that the Township was able to successfully negotiated two Collective bargaining agreements (CBAs) with both the Teamsters Local 107 (office staff, inspectors and firefighters) and the Public Works Association. She added that at tonight's meeting the Memoranda of Agreement with both the Teamsters Local 107 and Department of Public Works Association.

Ms. Teoli Kuhls highlighted the following items in the three-year contracts:

- three-year terms
- 4.0% wage increases each year
- Transition to Health Savings Account (HSA) funding arrangement
- Increase employee healthcare premium contributions

She added that some of the more significant changes made to the Teamsters Local 107 contract classifying employees appropriately. As well as some changes to the Department of Fire and Emergency Services.

Ms. Teoli Kuhls requested that the Board of Supervisors authorize both of these documents, and the next step would be to be moving towards formalizing them before the start of 2025.

Action: Ms. Payne made a motion to approve a Memorandum of Agreement with the Teamsters Local 107 and a Memorandum of Agreement with the Independent Association of Middletown Township Public Works Employees. Seconded by Ms. Kane. A motion carried by a vote of 4-0.

13) Consideration of enacting Ordinance #24-05 Early Retirement Incentive Program (ERIP).

Nick Valla, Assistant Township Manager, explained that the Early Retirement Incentive Program (ERIP) is a program for non-uniform employees who will be aged 65 or over by the end of this calendar year, and who have been employed by the Township fulltime for 10 years. Mr. Valla added that there are currently seven employees eligible for this program with five of them in the Department of Public Works.

He explained that there is cost savings to the Township regardless of any iteration of employees that do or do not take this opportunity, adding that this program is 100% voluntary.

Mr. Valla explained that in addition to the ERIP, both the Teamsters Local 107 and Public Works Association agreed to reduce the normal retirement age of the non-uniform pension plan from age 65 to age 62, which is an actuarial improvement the minimum municipal obligation (MMO) to the non-uniform pension plan.

*Action: Mr. Kane made a motion to enact Ordinance #24-05 amending Chapter 70 of the Middletown Township Code of Ordinances, establishing an Early Retirement Incentive Program for non-uniform employees. Second by Ms. Payne.
A motion carried by a vote of 4-0.*

14) Consideration of authorizing advertisement of an Ordinance to amend the Solid Waste and Recycling Ordinance.

Mr. Valla noted that it is standard practice to review and update the Solid Waste & Recycling Ordinance as each contract cycle begins. He added that the only substantive change is to adjust the allowable container size, which is currently 35 gallons to the new 96 gallons. He noted that this ordinance provides general regulations for both residential and commercial including HOA neighborhoods that facilitate their own trash.

Mr. Valla also announced that the new 96 gallon bins will be delivered to residents' homes the first two weeks of December (between December 2nd and December 14th). He added that the first day residents should place the bins at the curb for collection will be the week of January 6th. All residents will be receiving a trifold brochure providing each resident's new service day. He noted that if residents do not receive the brochure by the time their cans are delivered in December contact the Township offices for assistance.

*Action: Mr. Ksiazek moved to authorize the Township Solicitor to draft and advertise an ordinance amending the Solid Waste & Recycling Ordinance, seconded by Ms. Payne.
A motion carried by a vote of 4-0.*

15) Consideration of authorizing advertisement of an Ordinance establishing compensation for the Board of Supervisors.

Ms. Teoli Kuhls announced that Act 94 of 2024 amended the Second-Class Code to adjust the maximum thresholds for supervisor compensation. For municipalities with a population greater than 35,000, the cap has increased from \$5,000 to \$8,385 annually.

She adds that due to the Pennsylvania Constitution prohibiting an elected official from approving and receiving an increase or decrease in compensation during their current term, any change to compensation will affect only newly-elected supervisors.

Mr. Ksiazek stated that this is not members of this Board increasing their own compensation but potentially for any future members of the Board of Supervisors. He reiterated that compensation has not been adjusted for a long time. Adding that perhaps the modest increase in compensation might encourage others to get more involved in their community.

Action: Mr. Ksiazek has motioned to authorize advertisement of an Ordinance establishing compensation for the Board of Supervisors. Seconded by Ms. Payne. A motion carried by a vote of 3-1. Ms. Kane was in opposition.

Prior to presenting Chief of Police, Joseph Bartorilla thanked Sheldon Post and all volunteers who do an excellent job with the Youth Aid Panel (YAP). He noted that Middletown Township and Bensalem combined make up about 50% of all the YAP cases in Bucks County.

16) Consideration of authorizing advertisement of an Ordinance regulating small games of chance.

Joseph Bartorilla, Chief of Police, shared that in recent years, several municipalities in Lower Bucks County, including Middletown Township, have seen a significant rise in the number of unregulated electronic gaming devices, or "skill games," appearing in businesses like convenience stores, smoke shops, gas stations, and delis.

He noted that as of last week, it's estimated that over 60 of these devices are in operation within Middletown Township. While no major incidents have been reported locally, other parts of Bucks County have experienced criminal activity related to these machines, including a theft of \$190,000 from a vehicle belonging to a skill machine owner.

Chief Bartorilla explained that since these devices aren't regulated by the state's gaming control board, it's up to local municipalities to establish rules. To preserve the quality of life and reduce potential criminal activity, Middletown Township is considering an ordinance to regulate and limit the number of skill game machines. The proposed ordinance would prohibit these devices in most businesses, allowing them only in establishments with active state liquor licenses in good standing. Licensed businesses would be required to isolate skill games in monitored areas, ensuring they are not accessible to minors.

He noted that violations of the ordinance would result in fines up to \$1,000 per day, and repeated offenses could lead to a Cease Operations order or even revocation of the business's township license. This measure aims to protect the community, reduce the potential for disorderly conduct, and maintain Middletown Township's commitment to safety and quality of life.

Ms. Kane thanked Chief Bartorilla for bringing these items to the Board's attention.

Action: Ms. Kane moved to authorize the advertisement of an ordinance regulating games of chance within Middletown Township. Seconded by Ms. Payne. A motion carried by a vote of 4-0.

17) Consideration of authorizing advertisement of an Ordinance updating school zones.

Mr. Valla announced that this ordinance will be updated to include Core Creek Elementary School, the new public school opening in January. He noted that the School Zone ordinance requires drivers to reduce their speed to 15 MPH when in proximity of a school.

He explained that this ordinance was last amended in 1999 and contains an outdated list of schools. It is recommended that the ordinance be updated to include the current list of public and private schools where school zones are currently signed.

Mr. Ksiazek asked if there were any significant changes in the ordinance. Mr. Valla noted that the Township will be working with the Township Solicitor to determine if there should be any language for enforcement for Police purposes.

Ms. Kane questioned if there will be a school zone along Woodbourne Road. Mr. Kessler provided details of the proposed school zones around the length of the elementary school property.

Action: Mr. Ksiazek made a motion to authorize the Solicitor to draft and advertise an ordinance amending Chapter 470 of the Middletown Township Code of Ordinances to update the School Zone ordinance. Seconded by Ms. Payne. A motion carried by a vote of 4-0.

18) Stormwater Advisory Committee Report and Consideration of authorizing advertisement of an Ordinance establishing a Stormwater Fee to be assessed beginning 2025.

Mr. Valla explained that back in July the Board of Supervisors appointed seven residents to the Stormwater Advisory Committee to address infrastructure concerns in the Township, potential infrastructure projects, and the feasibility of a Stormwater Impact Fee.

He shared that the Committee held five (5) meetings with Township staff and the Township Engineer from August through October to discuss the proposed projects. He added that the Township Engineer was heavily involved in identified that there are about \$1.5 million of stormwater

infrastructure projects needed in the Township with the next five years alone. At the October 14th public meeting there were approximately 20 residents who attended and were interested in learning more about this topic.

Mr. Valla noted that for residential properties, the Committee is proposing a flat fee of \$5 per month (\$60 per year) for each residential parcel in the Township. For commercial properties (including multi-family residential parcels), the Committee is recommending a tiered fee based upon impervious surface area. And then mention the cap. Adding that the Committee is recommending a cap of \$6,000 per year to the individual large commercial properties.

He explained that the proposed revenue is about \$1.79 million dollars, and the purpose is to underwrite the cost of maintaining and providing stormwater infrastructure. Additionally, the Committee expressed concern with the maintenance of existing stormwater infrastructure. He explained that to address this concern, \$200,000 per year of anticipated Stormwater Impact Fee revenue is allocated for Public Works maintenance of existing infrastructure. The Committee also requested a revised stormwater infrastructure maintenance plan, which was provided last week.

Mr. Valla noted that the Board of Supervisors will have the opportunity to contemplate whether or not to make a standing Stormwater Advisory Committee.

Mr. Valla concluded that should the Board wish to proceed with this, an ordinance will need to be advertised and come back before the Board prior to enactment.

Mr. Ksiazek clarified proposed fee assessment and projected revenue and thanked Committee volunteers, looking for a long-term solution.

Ms. Teoli Kuhls shared that the Environmental Advisory Council met and discussed recommending that the Board should move forward with this recommendation, primarily because of the water quality projects that will be able to fund which are currently not able to.

Mr. Ksiazek stated that for as long as he has been on the Board of Supervisors this has been a constant topic and area of concern. Adding that, this is undeniable that our stormwater infrastructure is not adequate and meeting the needs of the residents. He noted that the responsible and prudent thing for the Township to do is come up with a more long-term solution.

Mr. Ksiazek thanked and commended all the members of the Stormwater Advisory Committee who spent a lot of time analyzing and asking the difficult questions. He also thanked the Environmental Advisory Board, Mr. Valla, Ms. Teoli Kuhls and Mr. Kessler for their hard work.

Bob Feather, 96 Highland Park Way, expressed that as a member of the Stormwater Advisory Committee he still has concerns and questions that he was hoping would be answered prior to tonight's action moving forward. Mr. Feather requested that this item be tabled until the questions and concerns are addressed.

Mr. Ksiazek noted that it was his understanding that there was a unanimous recommendation from the Stormwater Advisory Committee to move forward.

Mr. Feather confirmed that it was correct but with the stipulation of receiving information regarding to the questions that were asked. He stated that in his opinion the committee did not receive the adequate information.

Ms. Teoli Kuhls confirmed that the entire committee voted, and that Mr. Feather's vote was the only one that was conditioned upon receiving additional information. She added that Township staff attempted to send as much of the information as possible.

Mr. Ksiazek requested Mr. Feather to explain what information is still outstanding.

Mr. Feather suggested that the \$5 per month for residential parcels could be lowered for the residents. He added that he feels that the committee is not doing the diligence with these fees that should be done.

Mr. Kessler touched on Mr. Feather's concerns in detail and noted that the main goal was with adequate funding annually that the order and prioritization of projects has to be flexible but with the funding available is the biggest benefit from having a designated fee.

Ms. Teoli Kuhls expressed to the Board that the committee very much struggled with the number that the residents were going to pay and that at one point the number was significantly higher when first discussed. She added that the \$5 per month/ \$60 annually is a fraction of what other municipalities that have this fee charged.

Ms. Kane thanked the committee and the staff for implementing a fee versus establishing a municipal authority for this purpose. She added that this will allow the Township to prioritize and allow for more of the fee to go towards projects instead of administration.

Ms. Kane expressed to Mr. Feather's that the ordinance will need to come back to the Board and this time will allow all additional questions to be answered.

Ms. Kane questioned if the fees would have a designated fund in the Township's budget. Ms. Teoli Kuhl confirmed that there will be a fund designated just for this fee.

Mr. Ksiazek suggested the possibility of the Board considering making a permanent Stormwater Advisory Committee to carry out the work of assessing and prioritizing projects. Ms. Teoli Kuhls responded that it is certainly something the Board could do at their next meeting.

Ms. Payne questioned if the fee was implemented when residents would start having to pay the fee. Mr. Valla confirmed starting in 2025.

Mr. Ksiazek asked about the fee collection schedule. Mr. Valla said that the Township is exploring potential collection mechanisms. He added that residential properties can expect an annual bill. He shared that the Township has received a quote from the Township Real Estate Tax Collector as well as third-party provider Berkheimer. The Board of Supervisors would select the fee collector following enactment of the ordinance.

Action: Ms. Ksiazek made a authorize the Township Solicitor to draft and advertise an ordinance to create a Stormwater Impact Fee as presented. Seconded by Ms. Payne. A motion carried by a vote of 4-0.

Lance Sagers, 98 Queen Lily Road, questioned what is being done about the \$1.7 million in projects no longer being carried by the Capital Fund.

Ms. Teoli Kuhls shared that more information will be shared during the budget presentation, stating that Capital needs far exceed the available funding in the Capital Fund. Revenue from a Stormwater Impact Fee will be segregated for this purpose.

Mr. Ksiazek expressed that every year there are more projects than the Township can afford to undertake. The Board decided during the Budget Workshop meetings which projects should be prioritized.

Kessler added that stormwater infrastructure has always been underfunded.

Feather said he believes there is currently \$450k spent annually on stormwater that is getting diverted from the General Fund and Capital Fund and that money is being freed up for other projects. Ksiazek agreed but said that the budget is reevaluated and changed every year as needs change.

19) Presentation and Consideration of authorizing advertisement of 2025 Budget.

Stephanie Teoli Kuhls, Township Manager reviewed a PowerPoint presentation that provided details of the 2025 Proposed Budget.

Link to full presentation: <https://middletowntwppa.new.swagit.com/videos/320879>

Ms. Teoli Kuhls noted that the proposed budget would maintain all levels of municipal services with no real estate tax increase for the coming year. Total operating expenditures are proposed at \$58 million dollars.

Ms. Teoli Kuhls noted that however the Township remains in a position where there are two significant challenges of the General Fund, first being the structural deficit. Adding that the 2024 structural deficit is 1.5 million dollars, which is expected to grow to 22.8 million dollars by the end of 2025.

Ms. Teoli Kuhls noted that the second significant challenge is that the Capital Fund does not have a funding source, in which the Township transferred 2.4 million dollars from the investment fund to the Capital Fund with the ability to start to fund some projects.

Ms. Teoli Kuhls noted that the Fire Apparatus Fund was established in 2024 and holds all funds for the purchase of apparatus and career and volunteer services. She added that three engines will be coming in 2026.

Ms. Teoli Kuhls recognized the Parks and Recreation staff for their hard work and efforts to significantly increase the programming revenue in the last couple of years.

She noted that the newly created Stormwater Fund which is anticipated will receive approximately 1.8 million dollars in 2025.

Ms. Teoli Kuhls concluded by thanking the Board of Supervisors, Department Directors, and staff for their efforts in the budgeting process. She thanked Assistant Township Manager Nick Valla and Mega Bhandary, Director of Finance.

Mr. Ksiazek thanked Ms. Teoli Kuhls, Mr. Valla and everyone who had a role in putting together the 2025 budget as the budget is a tremendous undertaking and a lot of work every year.

Ms. Kane reiterated that there is a lot of work and tough decisions over the next couple years. Adding, that this is the second year in a row the Township is in a structural deficit in the General Fund, as well as the Fire Protection Fund on an annual basis. She expressed that not raising real estate taxes is coming to an end.

Action: Mr. Ksiazek made a motion to advertise the 2025 Budget. Seconded by Ms. Kane. A motion carried by a vote of 4-0.

20) Other Business.

Mr. Kessler noted that there are plans for the Boards signatures. He also wished everyone a Happy Thanksgiving.

Ms. Hannah thanked the residents who attended tonight's meeting. She also thanked the Township staff who worked on the budget.

Ms. Teoli Kuhls expressed that she is very grateful for this community and this wonderful job.

Ms. Payne thanked the residents who are involved in the Storm Water Advisory Committee, noting their time and effort into this committee. She added that she is looking forward to the future of this committee.

The Board of Supervisors wished everyone a Happy Thanksgiving.

21) Adjournment.

Ms. Payne moved to adjourn the public meeting of the Middletown Township Board of Supervisors' public meeting at 8:25 p.m., seconded by Ms. Quirple. Motion carried by a vote of 4-0