

Board of Supervisors Regular Meeting

Monday, October 21, 2024 | 7:00 p.m.

1) Call to Order, Pledge of Allegiance

Mr. Ksiazek called the meeting to order at 7:00 p.m.

2) Lower Bucks Youth Singers

Mr. Ksiazek provided a short bio of the Lower Bucks Youth Singers and thanked them for their performance.

3) Roll Call

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

4) Upcoming Meetings

- a) Budget Workshop #2 – Monday, October 28th at 6:00 p.m.
- b) Next Board of Supervisors Meeting – Monday, November 18, 2024, at 7:00 p.m.

5) Special Items

Mr. Ksiazek recognized Chief Bartorilla of 10 years of service with the Middletown Township Police Department.

Chief Bartorilla thanked Mr. Ksiazek and noted that he is very blessed to be a part of Middletown Township and the Middletown Township Police Department.

- a) Swearing in Officer Cristian Fernandez and Trevor McDonald

Chief Joseph Bartorilla provided a brief introduction of Police Officers Cristian Fernandez and Trevor McDonald.

Officer Cristian Fernandez has 10 years of experience as an officer in the Philadelphia Police Department. His passion for public safety began at the age of 15 as a Police Explorer, where he honored his commitment to community service.

Officer McDonald is a lifelong resident of Middletown Township and a graduate of Neshaminy High School. He recently graduated from the Temple University Police Academy. Before embarking on his law enforcement career, Trevor served as a Community Service Officer for the Middletown Township Police Department.

Chief Joseph Bartorilla welcomed both Officer Fernandez and Officer McDonald as the newest officer with the Middletown Township Police Department.

Officer Cristian Fernandez and Officer Trevor McDonald were then sworn in as a Middletown Township Police Officers by Mr. Ksiazek.

Mr. Ksiazek welcomed both officers to Middletown Township.

b) Proclamations:

Mr. Ksiazek read the following proclamations out loud:

- Betty Stout's 101st Birthday Proclamation
- Community Planning Month Proclamation
- Disability Employment Awareness Month Proclamation
- Fire Prevention Month Proclamation

Chief Don Harris provided a detailed background of the history of Fire Prevention Month.

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

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

Rachel Fullan, 423 West Richardson Ave, requested the Township to consider an ordinance permitting chickens within Middletown Township. Mr. Ksiazek noted that he is willing to have a conversation with Ms. Fullan regarding her request.

Bill Everett, 286 Hidden Spring Lane, expressed concerns about the impact of Lake Luxemburg in Core Creek and the Newtown Bucks Joint Municipal Authority plans to locate a wastewater treatment plant adjacent to Lower Silver Lake Road.

Andy Warren, 294 Shadybrook Drive, questioned the possibly of the Stormwater fee and whether there was an option to enact or not to enact for projects.

Beth Pollack, 22 Firtree Road, expressed her concerns about tree preservation at 1700 Woodbourne Road the Westrum Development site of approved townhomes.

Lance Sagers, 98 Queen Lily Road, attended the Stormwater Advisory Committee Public Education meeting and questioned where the current funding goes for stormwater management. He also reiterated his opposition to overdevelopment within Middletown Township.

Christopher Nowoski, spoke several years ago about hate speech by former elected Auditor, Kristi Ann Morris. He explained that she recently ran and won a position on the Republican Committee. Mr. Nowoski shared that he spoke with Ray Chapman, Tax Collector, regarding his concern.

Fran Grous, 360 Green Ridge Road expressed her opinion and support for Kristi Ann Morris as a member of the Republican Committee.

Linda Rutecki, 2 Quaker Hill Road, thanked the Board of Supervisors for working as hard as they do and expressed her support of the Board's decision and actions to engage the community in the new trash contract. She added that the Board made the decision that was fiscally responsible for the community.

Ms. Rutecki expressed that although Stormwater Management does not personally affect her family, it does affect her neighbors and the community overall. She understands that it is a difficult decision to be made but she expressed that she hopes the Board will make a decision that with help those who may eventually lose their homes.

Helene Ratner congratulated the Parks and Recreation Board and Parks and Recreation staff members on the success of this year's Groovin' at the Gates. She gave kudos to Paul Kopera, Parks and Recreation Director, Patrick Graham, Program Coordinator, Joanne Morelli and Nicole Tener, Program Specialists. Ms. Ratner noted that she is looking forward to next year's event.

Mr. Ksiazek took a moment to extend the Board's sincere thank you to Eastern Auto Parts Warehouse and James J. Dougherty Funeral Home Inc., as the Groovin' at the Gates event would not have been possible without their sponsorship.

7) Consent Agenda Items

- a) Consideration of authorizing payment of October 21, 2024, Bills List in the amount of \$3,534,304.74.
- b) Consideration of approving the September 9, 2024 Minutes of the Public Meeting of Middletown Township Board of Supervisors, and the Budget Work Session Minutes for October 14, 2024.
- c) Consideration of approving of Stipulation of Settlement of Tax Assessment Appeal of Lowe's Home Centers, Inc. for property located at 1400 E. Lincoln Highway.
- d) Consideration of approving of Change Order #1 for the Summer Recreation Bus Services Contract.

- e) Consideration of the Sewer Planning Module Resolution#24-19R for Worthington Subdivision and support of the proposed Sewer Planning Module.
- f) Consideration of approving Retirement Agreement and General Release for Officer Corey Huff.

Action: Ms. Payne made a motion to approve consent agenda items A-F, seconded by Ms. Quirple.

Consent Agenda Item Letter F was tabled.

A motion carried by a vote of 5-0.

8) Consideration of authorizing the purchase of one (1) Haulmark TS8520T4 Trailer.

Eric Gartenmayer, Public Works Director, explained that the Department of Public Works researched and received three quotes for a new trailer. Adding that the lowest quote submitted was from Hennessey Trailers.

Mr. Gartenmayer shared that this enclosed trailer will be to house the department's grass-cutting equipment as some small pieces of equipment have been stolen before.

Action: Ms. Hannah moved to authorize the purchase of one (1) Haulmark TS8520T4 Trailer from Hennessey Trailers of Levittown, PA for a total of \$14,390.20, seconded by Ms. Quirple.

Eric Bruno, 79 Sweet Gum Road, questioned how many pieces of equipment had been stolen. Mr. Gartenmayer noted that 2-3 pieces have been stolen over the years.

A motion carried by a vote of 5-0.

9) Consideration of authorizing the advertisement for the Middletown Stormwater Pipe Lining Project.

Isaac E. Kessler, P.E., Township Engineer, noted that the bid documents for the Middletown Stormwater Pipe Lining Project are being finalized and would like to request authorization to advertise for public bid.

Mr. Kessler added that this project consists of rehabilitating approximately 970 linear feet of storm sewer system with cured-in-place resin impregnated lining or another type of rehabilitation as approved by the Township Engineer.

Mr. Kessler noted that the proposed locations are Atkinson Lane, Upland Road, Willow Avenue, Duxbury Drive & Hulmeville Road, Tina Drive & Durham Road, and Rosewood Avenue.

He noted that the bid is being prepared to be completed most effectively within the established budget under the Township's 2024 Capital Improvement Projects. He noted the proposed work is expected to be done in early 2025.

Ms. Kane questioned the budgeted amount for this project.

Mr. Kessler noted that there was not a specific budget line set aside for the pipelining but could come from the emergency repairs/ maintenance budget line. He added that the current pricing will be assessed at that time.

Ms. Quirple questioned how the lifespan of a re-lined pipe compares to a pipe replacement. Mr. Kessler noted that relining the inside of pipe is comparable to a new pipe.

Ms. Kane questioned if the pipes being restored in those areas will be able to handle the amount of stormwater coming through those areas.

Mr. Kessler explained that these areas have been assessed by the Township Engineers and the Department of Public Works and these pipes have deteriorated inside, but are appropriately sized to handle the waterflow.

Ms. Hannah questioned the order of urgency in which the pipes will be completed. Mr. Kessler noted that all these pipes are considered urgent to fix and the order can be rearranged once the bids and organized as the base bid and as bid alternates.

Action: Ms. Quirple made a motion to authorize the advertisement to solicit bids for the Township's Middletown Stormwater Pipe Lining Project, second by Ms. Payne. A motion carried by a vote of 5-0.

10) Consideration of approving Ordinances #24-03 and #24-04, authorizing execution of Cable Franchise Agreements with Verizon and Comcast.

Stephanie Teoli Kuhls, Township Manager, noted that at the September 9th meeting, the Board of Supervisors authorized the advertisement of two ordinances authorizing execution of the expiring cable franchise agreements with Verizon and Comcast.

Ms. Teoli Kuhls shared that the Comcast term is ten years and Verizon term is five years. Add that both agreements include an assessment of a 5% franchise fee, expanding the definition of gross revenue which will maximize revenues, empathize with customer service standards, and provided dedicated funding for the Public Education and government (PEG) access channels.

She noted that staff recommend that the Board authorize these ordinances this evening and that both agreements will then be in place.

Action: Mr. Ksiazek moved to approve Ordinances #24-03 and #24-04 authorizing execution of cable franchise agreements with Verizon and Comcast, seconded by Ms. Kane. A motion carried by a vote of 5-0.

11) Trash and Recycling Contract Update.

Mr. Valla provided an update on the Trash and Recycling Contract Update. He highlighted some key changes being made, noting that collection will be once-a-week, transition to automated pick up with wheeled cart, there will be slight adjustments to residents' collection days and a holiday schedule as well as changes to bulk waste collection.

He announced that residents will begin to receive their two carts (one for trash and one for recycling) beginning mid-December with the effective use of the cart the week of January 6, 2025. He noted that more information will be received from Waste Management, but residents should place the wheels to the curb or for property's with a curb, the wheels should be placed back to the house.

Mr. Valla shared that most residents would retain one of their current collection days with all waste being placed at the curb on the same day. He added that the holiday impacting trash collection will be the same, but how a holiday impacts collection will change. He explained that whenever there is a holiday, all collections normally scheduled on or after the holiday will be delayed by one day. Example: If there is a Monday holiday then the entire Township will be pushed a whole day.

Regarding bulk pick up, he shared that bulk pick up will take place the third week of the month on your regular scheduled pick-up day. He noted that there will be a limit of (2) items per month with additional pickups can be requested for a fee, depending on what the item is. Refrigerators or CFC-containing items need to be scheduled for pickup.

Mr. Valla then continued onto yard waste which he noted will remain once a week from April through January with collection on your new trash day. He added that residents can repurpose old containers for their yard waste collection.

Mr. Valla encouraged residents to begin to register with Waste Management and preliminary set up their accounts. He noted that the online application is not fully complete but will be ready closer to January.

If there are any additional questions, Mr. Valla encourages residents to send their questions to TrashFAQ@middletowbucks.org.

Ms. Quirple questioned how residents who require accessibility exception should let the Township know. Mr. Valla responded that the resident should contact the Township as a list is being generated for Waste Management.

Ms. Hannah questioned if the existing phone number for Waste Management will be able for residents who are not tech-savvy. Mr. Valla responded that the phone number will still be available.

12) Other Business.

Mr. Valla recognized Allie Garrett who has been interning in the Township Manager's Office, and will be leaving to start a full-time position in a municipality in Delaware County.

Mr. Ksiazek thanked Ms. Garrett and wished her good luck with her new opportunity.

Mr. Kessler noted that for the Community Development Block Grant (CBDG) Ramp Program that the locations have been marked out in the Cobalt Ridge neighborhood and work should begin after Halloween.

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

Ms. Payne sent her birthday wishes to Betty Stout on her 101st birthday.

Mr. Payne also recognized Disability Employment Awareness Month and how grateful she is that everyone at the Township does go above and beyond to make sure that the community is inclusive and forward thinking with ADA amenities throughout the Township.

Ms. Hannah congratulated the newest officers of the Middletown Township Police Department sworn in at tonight's meeting.

Ms. Hannah thanked the Lower Bucks Youth Singers for singing at tonight's meeting.

Mr. Ksiazek thanked the volunteers who took part in the Environmental Advisory Council (EAC) led trash pickup on the morning of September 21st, along Trenton Road. He added that there were 15 volunteers who collected about 350 lbs. of trash that included 18 bags of trash, 6 cans of paint and one complete exhaust system from a 1990 GM-type vehicle.

He announced that the next EAC led community project is the Garden Cleanup at the Senior Center on October 26th from 9:30 a.m. to 11:30 a.m. Adding that the garden is cut back, stalks are composted, and the garden is prepped for the winter. If you or your group are interested in helping, please contact the Parks & Recreation Department.

13) 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 5-0.