

**Upper Makefield Township Board of Supervisors**  
**May 6, 2014 Meeting Minutes**

The May 6, 2014 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Tom Cino at 7:40 p.m. In attendance were the following members of the Board of Supervisors: Chair Tom Cino, Vice Chair Larry Breeden, Treasurer Mary Ryan, Member Dan Rattigan and Member Mike Tierney. Also in attendance were Interim Township Manager David Nyman, Township Solicitor Mary Eberle, Esq., Township Engineer Larry Young, P.E, Water/Sewer Engineer Tom Zarko, P.E., David Kuhns, Planning & Zoning Director, and Chief Mark Schmidt.

There were also members of the public and representatives of the press present.

**PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

Mr. Cino led in the recitation of the Pledge of Allegiance which was followed by a moment of silence.

**ANNOUNCEMENTS**

- An executive session was held prior to tonight's meeting to discuss personnel and real estate matters
- The Upper Makefield Fire Company Carnival is being held in Washington Crossing through May 10. Information can be found on the Fire Company website.
- There is a vacancy on the Historical Advisory Commission. Residents interested in volunteering are encouraged to contact the Township for more information.
- The May 20 Board of Supervisors meeting has been cancelled because it is Primary Election Day. The next Supervisors meeting will be held June 3, 2014.
- Meeting Procedures:
  - Public Comment will be considered when addressing Township Business
  - Mr. Cino requested support for compliance with the existing Township Code of Business
  - Mr. Cino detailed the following meeting procedures:
    - Public Comment at the beginning to only include those signed up
    - Agenda items up for consideration will be opened for comment
    - Comments should be addressed to the Board as a whole, not individuals
    - Comments should be significant to Township business
    - Comments will be restricted to 5 minutes
  - Mr. Cino announced that any Old Business/New Business items from Supervisors to be considered must be given to the Township Manager by the Thursday before the scheduled meeting and should be significant to Township Business

**SPECIAL ITEMS**

Judges of Elections Bill Hoefler, representing Eileen McAllister, Barbara Rintala and Joe Linus as well, provided an overview of construction at Sol Feinstone Elementary and the effect on the polling place for the May 20 Primary Election. A diagram of the changes including changes in traffic patterns and polling place entrance was reviewed. The front entrance to the school will be closed with new traffic patterns in place for busses and the public. There will be direct access from the parking lot to the all purpose room, but handicap accessibility will be through the school's security entrance with ID required during school hours. With parking at a premium, poll workers are asked to park at the Township Building. Campaign workers will be in the driveway next to the parking lot. He requested the assistance of Township Police or Fire Police during commencement and dismissal of school.

Dan Johannson, Traditions, questioned the position of the Board of Elections requiring ID to enter the main portion of the school.

Ron LaNasa, Davis Drive, asked what happens if you don't have ID and was informed you can go to Doylestown to vote.

Bob VanWagner, Washington Crossing, asked who is verifying the ID.

Barbara Rintala, River Road, said that ID is required to enter the school building and a polling place should be located in a public place.

Mr. Tierney asked if police were permitted to accompany someone without ID through the school – police are not permitted in polling place. No ID will be required after school dismissal.

Pat Maloney, 1284 General Mercer Road, suggested a ramp with a landing to access one of the all purpose room doors.

**PUBLIC COMMENT:**

Pat Maloney, 1284 General Mercer Road, thanked the Board for their willingness to serve the community. He expressed concern about the risks of not implementing an Updated 537 plan, and concern that inaction could lead to someone outside the Township deciding what action will be required.

Dale Thorpe, 371 Stonybrook Road, discussed the email read at the last meeting and its affect on his family. He wants to work with the Township, and they are doing their best.

Doreen Stratton, 186 E. Ashland Street, Doylestown, expressed gratitude for the Township's new EMT. She stated she was a supporter of the Thorpe Farm and that there was no humor in the condemnation of the Thorpe farm detailed in the email. She provided copies of two letters to the editor she had written and hoped things would get straightened out.

Ellen Lane-Novitz, Washington Crossing, thanked Mr. Young for getting the Washington Crossing sign corrected. She asked about the status of Mr. Tierney's request for the Board to meet to iron-out their differences. She stated that she considered the recent meeting with PECO to be lip-service and suggested a town meeting format in the future.

Renee Thorpe, 137 Stonybrook Road, also brought up the email read at the last meeting. She gave a list of questions from her son to the Township Manager to be answered by staff.

Bud Baldwin, 1212 Eagle Road, thanked Mr. Cino for his opening comments noting that government was ultimately a service organization and that the Board should put the Township first and politics second.

**APPROVAL OF MINUTES AND BILLS PAYABLE**

A motion was made by Mr. Breeden and was seconded by Mr. Tierney to approve the 3<sup>rd</sup> draft of the April 15, 2014 minutes amended to changed "noted" to "alleged" under John Paul Ryan's public comment and have the New Business item by Mr. Tierney read Mr. Tierney read an email attributed to Mary Ryan given to him by a resident. While reading the email, Supervisors Dan Rattigan and Mary

Ryan left the meeting without adjournment. The Chair asked Mr. Tierney to "move on." Members of the audience became unruly. Police were on site to restore order." Motion carried on a unanimous vote.

Mr. Cino directed attention to the bills list for May 6, 2014. A motion was made by Ms. Ryan and was seconded by Mr. Breeden to approve the May 6, 2014 Bills Payable list in the amount of \$128,277.21. Motion carried on a unanimous vote.

### **PLANNING AND ZONING ISSUES**

#### **Washington Crossing Inn, 1295 Washington Crossing Memorial Boulevard, Certificate of Appropriateness**

Mr. Kuhns provided an overview of the request to approve the Certificate of Appropriateness for the building addition. Following discussion, a motion was made by Mr. Rattigan and was seconded by Mr. Tierney to approve the Washington Crossing Inn Certificate of Appropriateness. Steven Markin, Traditions, asked if this meant approval of the expansion, and he was told it still must go through Land Development. Motion carried by a unanimous vote.

#### **Washington Crossing Inn, 1295 Washington Crossing Memorial Boulevard, Building Addition Sketch Plan**

Attorney Don Marshal represented the applicant and presented the building addition Sketch Plan. He reviewed the various Zoning Hearing Board decisions for this site indicating that this expansion would still be less than the 25% total allowed for non-conforming uses. John Vogel, Project Manager, indicated that the purpose of the expansion was to improve ADA accessibility, re-configure the bar and other interior components, including an elevator to improve interior flow for patrons. He review the site plan, floor plans and elevation drawings.

Mrs. Ryan asked how old one portion of the building was and if the ceiling over the current bar area was to be removed.

Mr. Tierney asked about HARB approval.

Ellen Lane-Novitz, Washington Crossing asked if septic capacity was being expanded, response no.

Steven Markin, Traditions, suggested that if the problem was entrance through the existing bar, just require use of the main entrance. He also said it looked like more than an 1800 sf addition.

Pat Maloney, 1284 General Mercer Road, asked if there was any planned increase in seating response no.

Dan Johannson, Traditions, asked to have all the doors pointed out.

Val Nahallay, Yardley, indicated that the Continental Tavern in celebrating its 100<sup>th</sup> anniversary and commended the Inn for their proposed renovation.

Mr. Vogel thanked the Board for their time and consideration.

#### **Petty-Traina, 1896 Wrightstown Road, Request Authorization to Date and Process Final Land Development Plans**

Mrs. Eberle provided an overview of the request for re-dating the approval for the Petty-Traina land

development plans. After discussion, a motion was made by Mrs. Ryan and was seconded by Mr. Rattigan to approve the request for authorization to re-date and process the final land development plans. Motion carried on a 4 to 0 vote, with Mr. Breeden recusing himself.

### **Resident Property Address Signs Program**

Mr. Kuhns provided an overview of the request to fund start-up costs not to exceed \$700 for an address identification sign program. The Township would purchase reflective signs and numbers and would prepare each sign for residents to install at their property upon purchase. The cost of the signs would be minimal and would cover the costs of the program. A motion was made by Mr. Rattigan and was seconded by Mrs. Ryan to approve funding not to exceed \$700 for Resident Property Address Sign Program start-up materials. Ellen Lane-Novitz, Washington Crossing, asked if everyone would be forced to buy new signs and was assured they would not. Motion carried by a unanimous vote.

### **SOLICITOR'S REPORT**

There was no Solicitor's Report.

### **INTERIM MANAGER'S REPORT**

#### **Big Oak Whitetail Management Association (BOWMA) Year-End Report**

Andrew Macan represented Big Oak Whitetail Management Association (BOWMA) and presented the 2013/14 Year-End Report, noting that 73 deer were harvested in Upper Makefield Township. He noted this was the first year for his group to be in Upper Makefield and that the cost per deer harvested to the Township was \$5.38 each. He also said that he had established a great working relationship with the staff. There were no questions from the Board.

#### **Manager Update**

Mr. Nyman noted that the Manager's Update was in the Board's packets.

### **ENGINEER'S REPORT**

There was no Engineer's Report.

### **WATER/SEWER ENGINEER'S REPORT**

#### **Act 537 Plan Update Discussion**

Mr. Cino introduced Mr. Zarko noting that the purpose of the discussion was for the Board to provide feedback concerning the Draft of the Act 537 Plan Update that was distributed to the Board in advance of the April 15<sup>th</sup> Board of Supervisors' Meeting.

Mr. Tierney provided highlighted sections of the Bucks County Health Departments OLDS Records and the Penns Trail Environmental OLDS Survey Report that was obtained as a part of the Act 537 Plan Update and requested Mr. Zarko to read aloud and react to those highlighted sections. Mr. Tierney said that CKS had included a very costly sewer system alternative as a potential option for the Dolington Area that was not consistent with the Penns Trail Report and was something his firm should have considered.

Mr. Zarko indicated that both the Bucks County Health Department Records and Penns Trail Report were considered in the development of the current Draft of the Plan Update, which proposed that both the Taylorsville and Dolington Areas would remain status quo within the 5 Year planning window, but additional alternative would need to be considered to meet the long term planning requirements of the Dolington Area due to isolation distance and/or limiting zone restrictions on a number of properties. Mr. Tierney noted that the Penns Trail Report indicated that the long term needs of the Dolington Area

could be met with on-lot solutions, which was inconsistent with Mr. Zarko's recommendations, which he believed was inappropriate.

A motion was made by Mr. Tierney and seconded by Mr. Breeden to require CKS to refund all money paid to the firm for the development of the Township's Act 537 Plan Update.

Mrs. Eberle requested the Board recess into an Executive Session at 9:40 PM.

The meeting re-convened at 9:48 PM.

The discussion on the Act 537 Update continued. Mr. Tierney withdrew his motion and recommended that CKS be given an opportunity to re-review the Health Department Records and Penns Trail report to confirm the number and nature of the OLDS operational problems within the Dolington Area that would preclude the use of on-lot solutions moving forward and report back at the next Board of Supervisors meeting.

Mr. Cino indicated his position was to move the Act 537 Update forward, but noted that the Board would prefer that the long term for the Dolington Area include on-lot solutions for the 1<sup>st</sup> alternative, connection to the Heritage Hills WWTP be the 2<sup>nd</sup> alternative and a direct connection to the Gray Tract WWTP be the 3<sup>rd</sup> alternative. He also noted that the proposed alternatives within the current Draft Plan Update concerning potential connections to Lower Makefield Township and the future White Tract Development be eliminated.

CKS was directed to re-draft the Act 537 Plan Update to include the modifications outlined by Mr. Cino.

Mrs. Ryan reminded the Board that the Act 537 Plan could be amended at any time. Whatever policy was adopted within the Plan should be sustainable. The Plan could contain a narrative to promote on-lot solutions, but an alternative should not be a wish, noting that current options within the Dolington Area were limited. She stated that removing the Lower Makefield connection alternative was a "head in the sand" approach, and that the Heritage Hills WWTP should not be a priority option as it was too costly.

Mr. Baldwin, 1212 Eagle Road, indicated that he was very familiar with this topic, and that as early as 1978, the perched water table in the Dolington area had been noted.

#### **PUBLIC COMMENT AND MEDIA QUESTIONS**

Ann Marie Murray, Brownsburg Road West, asked about the affect of a septic system on neighboring lots if not maintained.

Steven Markin, Traditions, stated that he was confused with indications that systems are now in compliance and this was a 5 year status quo and what would happen long range if there was not adequate room for a replacement. He asked about holding tanks and said the problem was the Code and antiquated setbacks.

Pat Maloney, General Mercer Road, stated that the soils in the area were bad and that is why the systems failed, that you cannot remove a pipe in the ground as an options and that DEP will not accept

a plan that will not accept a pipe in the ground.

**ADJOURNMENT**

A motion was made by Mr. Rattigan and was seconded by Mrs. Ryan to adjourn the meeting at 10:27 p.m. Motion carried by a unanimous vote.

Approved: June 3, 2014

**MAY 2014 GENERAL FUND BILLS - 5/6/14**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
430.238	All Industrial - Safety Products	\$108.46	safety vests/safety glasses
400.210	Associated Imaging Solutions	\$193.20	copier charges
409.140	CNS	\$707.55	cleaning service
400.374	Cardmember Service - First Nat'l Bank	\$52.98	network back-up monthly
409.373	" "	\$69.88	items to repair heater in PW shop
410.210	" "	\$86.93	supplies
410.238	" "	\$47.44	uniform shirt stays
409.215	" "	\$78.35	flag
410.750	" "	\$313.23	cell phone cases/flashlight
430.238	Clemens	\$135.00	uniform rental
409.321	Comcast - Admin	\$326.40	phone/long distance/internet
409.321	Comcast - PD	\$310.65	phone/long distance/internet
409.321	Comcast - PW	\$131.28	phone/long distance/internet
410.750	Corporate Environments	\$1,452.20	storage cabinets - PD
409.215	Deer Park	\$72.23	drinking water - twp. bldgs.
487	DVHIT	\$47,886.42	health insurance
400.750	Dell	\$943.42	computer/monitor
407.319	" "	\$975.38	computer - Broadcast Booth
410.372C	" "	\$2,091.59	
414.750	" "	\$782.85	computer
400.314	Eckert Seamans Cherin & Mellott	\$600.00	legal fees
410.210	F.O.P. Lodge #37	\$370.50	PA Policeman's Short Guides
452.373	Wm. W. Fabian & Son	\$35.70	concrete for Streetscape posts
409.373	FRANC Environmental	\$495.00	pump out Twp. Complex septic tanks
410.238	Galls	\$145.99	boots
400.374	HPT Systems	\$2,625.00	maint./repairs comp. network/backup/new PC setup
414.310	Hough Associates	\$2,482.55	performance award for recycling grant
409.373	Kencor	\$175.00	monthly elevator inspection
411.212	John Kernan	\$66.46	reimburse for supplies
411.331	" "	\$201.60	reimburse mileage to training conference
414.141	Keystone Municipal Services	\$1,260.00	inspection services
409.373	M. A. Landscapes	\$149.00	mowing Twp. Complex and Bike Path
400.331	NAPA Auto Parts	\$25.18	wiper blades
414.374	" "	\$45.17	wiper arm/blades
400.210	Newtown Office Supply	\$56.13	office supplies
410.210	" "	\$229.45	" "
414.210	" "	\$80.89	office supplies/name plates for EAC
409.215	" "	\$5.28	bldg. supplies
409.215	Office Basics	\$59.70	bldg. supplies
400.210	" "	\$37.15	office supplies
409.361	PECO	\$1,010.57	electric - Admin. Bldg.
409.361	PECO	\$1,247.65	electric - P.D. Bldg.
410.238	Red the Uniform Tailor	\$69.45	shirts
410.231	Riggins	\$3,297.69	unleaded gasoline
430.231	" "	\$2,232.16	diesel
409.373	Roger's Safe & Lock Shop	\$88.00	locks for unleaded fuel pump
409.373	Shapiro Fire Protection	\$698.90	inspection/maintenance fire extinguishers
410.374	" "	\$180.75	inspection/maint. fire extinguishers PD vehicles
430.260	" "	\$382.45	new fire extinguishers/insp./maint. PW vehicles
411.740	" "	\$8.50	inspection/maintenance Emerg. Mgt. Car fire exting.
414.374	" "	\$68.10	new fire extinguisher for P & Z vehicle
400.331	" "	\$8.50	inspection/maintenance Admin. Car fire extinguisher
407.319	Ron Skotleski Video Productions	\$900.00	on location repair/remote repair/BoS Mtg. 4/15/14

**MAY 2014 GENERAL FUND BILLS - 5/6/14**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
430.260	Smith's Yardville Supply	\$31.98	small tools
452.373	" "	\$37.87	Streetscape sign work
488	Standard Insurance	\$658.71	add/life insurance premium
488A	" "	\$1,463.85	std insurance premium
488B	" "	\$858.51	ltd insurance premium
409.215	Staples Advantage	\$35.38	bldg. supplies
414.210	" "	\$8.23	office supplies
409.230	Suburban Propane	\$1,072.68	heating fuel
409.230	Superior Plus Energy	\$1,023.78	propane
430.371	T & T Tree Service	\$1,300.00	tree limb removal from over roadways
410.239A	Target World	\$663.95	range rental/fees/ammo. 3 days
409.341	UPS	\$7.32	express mail
409.321	Verizon Wireless	\$890.78	mobile phone service
410.541	" "	\$26.24	" "
409.373	Waste Management	\$285.50	trash removal/recycling
410.372B	YIS/Cowden Group	\$125.75	VASCAR device repair
414.322	Zaveta Custom Homes	\$636.00	refund balance of professional svc. fee
	<b>TOTAL</b>	<b>\$85,230.44</b>	

\*\*FOR BOARD APPROVAL



**MAY 2014 LIQUID FUELS BILLS - 5/6/14**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
437.2	A & M Truck Tire Service	\$727.85	new tire/dismount/mount
437	Bucks County International	\$93.15	parts
438.245	Hei - Way	\$2,454.12	road patching material
432A	International Salt	\$9,282.98	bulk ice control
437	NAPA Auto Parts	\$239.51	parts/shop supplies
437	On Location With Ron	\$147.00	hydraulic hose
434SL	PECO	\$125.81	street lighting
433TL	PECO	\$29.64	traffic lighting
437	Praxair	\$28.67	cylinder rental
437	Smith's Yardville Supply	\$102.46	shop supplies
437	Sosmetal Products	\$240.43	shop supplies
437	Tanners Lawn & Snow Equip.	\$150.77	Ferris maint./tire repair
	<b>TOTAL</b>	<b>\$13,622.39</b>	

\*\*PAID INTERIMLY

**MAY 2014 PARK & REC BILLS - 5/6/14**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
452.250	Bucks County Rec. Council	\$25.00	2014 membership fee
452.250	CNS	\$213.60	cleaning service parks
452.250	M.A. Landscapes	\$632.00	mowing parks (fields/commons)
452.250	NAPA Auto Parts	\$1.01	O-rings for water sys. Br.
452.250	Newtown Pro Hardware	\$7.56	keys
452.250	PECO	\$73.76	electric
452.250	PECO	\$32.56	electric
452.250	PECO	\$86.31	electric
452.250	Penn Valley Chemical	\$69.72	trash bags
452.250	Private Utility Enterprises	\$927.45	park openings/sampling
452.250	Shapiro Fire Protection	\$147.40	maint./insp. fire extinguishers
452.250	Suburban Testing Labs	\$30.00	water testing
452.250	Waste Management	\$245.00	trash/recycling parks
	<b>TOTAL</b>	<b>\$2,491.37</b>	

\*\*PAID INTERIMLY

MAY 2014 WATER & SEWER BILLS - 5/6/14

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
429.376	FRANC Environmental	\$1,175.85	sludge hauling
452.250	M.A. Landscapes	\$52.00	mowing at plant
429.372	PECO	\$192.94	electric
429.372	PECO	\$232.24	electric
429.372	PECO	\$1,973.13	electric
429.372	PECO	\$34.71	electric
429.372	PECO	\$1,402.90	electric
429.100	Private Utility Enterprises	\$11,599.54	plant operator
429.374	Shapiro Fire Protection	\$78.10	inspection/maint. fire extinguishers
429.371	Suburban Testing Labs	\$1,348.00	testing
429.421	Verizon	\$38.27	phone
429.421	Verizon	\$33.37	phone
429.421	Verizon	\$107.80	phone
429.421	Verizon	\$38.26	phone
	<b>TOTAL</b>	<b>\$18,307.11</b>	

\*\*PAID INTERIMLY

**MAY 2014 POLICE PENSION BILLS - 5/6/14**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
400	Mockenhaupt Benefits Group	\$740.00	qtrly actuarial svcs.
	<b>TOTAL</b>	<b>\$740.00</b>	

\*\*PAID INTERIMLY

**MAY 2014 NON-POLICE PENSION BILLS - 5/6/14**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
400	Mockenhaupt Benefits Group	\$750.00	qtrly actuarial svcs.
	<b>TOTAL</b>	<b>\$750.00</b>	

\*\*PAID INTERIMLY

**MAY 2014 GRADING ESCROW - 5/6/14**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
414.313E	Pisani Builders	\$2,000.00	12 Belamour Drive
	<b>TOTAL</b>	<b>\$2,000.00</b>	

**MAY 2014 TREE FUND - 5/6/14**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
409	Lori Hoppman	\$196.90	reimb. trees for Sol Feinstone
460	Mary Motz Ryan	\$53.00	reimburse for Paul Greger tree
	<b>TOTAL</b>	<b>\$249.90</b>	

\*\*PAID INTERIMLY

**MAY 2014 INTERIM BILLS - 5/6/14**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
409.361	PECO	\$1,000.00	PECO bill discrepancy on 4/15 bills
	<b>TOTAL</b>	<b>\$1,000.00</b>	

\*PREVIOUSLY APPROVED BY BOARD



**MAY 2014 DUTCHESS FARM BILLS - 5/6/14**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
429.100	Private Utility Enterprises	\$2,978.30	plant operator
429.374	Shapiro Fire Protection	\$96.70	fire extinguisher insp./maintenance
429.371	Suburban Testing Labs	\$165.00	testing
	<b>TOTAL</b>	<b>\$3,240.00</b>	

\*\*PAID INTERIMLY

**MAY 2014 CAPITAL RESERVE BILLS - 5/6/14**

<u>Acct #</u>	<u>Company Name</u>	<u>Amount</u>	<u>Comments</u>
410.740	LICOM Communications	\$646.00	new radio for new P.D. car
	<b>TOTAL</b>	<b>\$646.00</b>	

**\*\*PAID INTERIMLY**