

Upper Makefield Township Board of Supervisors

November 19, 2013 Meeting Minutes

The November 19, 2013 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Dan Rattigan at 7:30 p.m. In attendance were the following members of the Board of Supervisors: Chair Dan Rattigan, Vice Chair Bud Baldwin, Treasurer Mary Ryan, Member Larry S. Breeden and Member Tom Cino. Also in attendance were Township Manager Sally Slook, Township Solicitor Mary Eberle, Esq., Township Engineer Larry Young, P.E., Water/Sewer Engineer Tom Zarko, P.E., Director of Planning & Zoning Dave Kuhns, Chief Mark Schmidt.

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

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

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

ANNOUNCEMENTS

Mr. Rattigan made the following announcements:

- An Executive Session was held prior to tonight's meeting to discuss personnel matters and an executive session will be held after tonight's meeting to discuss litigation.
- There will be a public meeting on Thursday, November 21 with representatives from FEMA and DCED to discuss proposed changes to area flood maps. The meeting will take place at the New Hope Eagle Volunteer Fire Company, 46 Sugas Road, beginning at 7 pm. Information about the meeting is available on the Township website, and there are also flyers at the front desk.
- Residents who are interested in volunteering on a Township board or committee can find information and a Volunteer Application form on the Boards and Commission page of the Township website.
- Upcoming events at Washington Crossing Historic Park.
 - Dec. 7 - A night of Rebelry Fundraiser from 7 – 11 pm at the Visitors Center
 - Dec. 8 – Dress Rehearsal for Crossing Re-Enactment – Noon-3
 - Dec. 25 – Crossing Re-Enactment at 1 pm

More information on these events can be found on the Washington Crossing Historic Park website.

PUBLIC COMMENT

Vic Ameye, 2 Lookout Lane, suggested that the Township prepare a monthly rather than annual budget. Mr. Ameye also felt that the Budget Workshops were hostile because the font was too small and difficult to follow.

Dan Johansson, 85 McConkey, appreciated the Board's help with the parking issues on Election Day. He suggested that the Township prepare a quarterly budget.

APPROVAL OF MINUTES AND BILLS PAYABLE

A motion was made by Ms. Ryan and was seconded by Mr. Baldwin to approve the November 7, 2013 Board of Supervisors meeting minutes. Motion carried by unanimous vote.

Ms. Slook read into the record the bills list for November 19, 2013. A motion was made by Mr. Baldwin and was seconded by Ms. Ryan to approve the November 19, 2013 Bills Payable List in the

amount of \$1,573,021.41. Motion carried on unanimous vote.

PLANNING AND ZONING ISSUES

Guidry Zoning Hearing Board Application, 27 Jonathan Way

Mr. Kuhns provided an overview of the application requesting relief to construct an addition in the rear yard setback. After discussion, the Board agreed to take a neutral stand.

SOLICITOR'S REPORT

Review of Ordinance Amending JMZO Winery Regulations

Ms. Eberle introduced the ordinance to restate the number and nature of outdoor events permitted as part of the winery use.

Tom Carroll, Jr. spoke about the different reasons people visit the winery, which makes it difficult to provide a number of people who pass through. Mr. Carroll agreed that the amplification issue should be counted as an outside event.

Mary Melton, 23 Long Meadow Drive, expressed concerns about how negative the winery's activities and events have been to her family living nearby. Ms. Melton spoke in opposition to the vineyard's larger events and amplified music, and felt that a parking buffer should be investigated.

Carol Evinsky, 6 Long Meadow Drive, commented on Upper Makefield's Noise Ordinance and felt that the Crossing Vineyard was in constant violation of that ordinance. Ms. Evinsky said she believed the winery is also in violation of many of the township's zoning ordinances. Ms. Evinsky handed her researched notes to the Board.

Steve Gross, 5 Long Meadow Drive, was pleased that the winery was his neighbor but wanted the Crossing Vineyards to be respectful of neighbors and ordinances.

Nancy Fine, 9 Long Meadow Drive, had concerns about the vineyard being an entertainment facility and specifically had concerns with the amplified noise level.

Discussion followed and the Board forwarded recommendations of the Planning Commission to the Joint Zoning Council.

MANAGER'S REPORT

Fund Balance Report

Ms. Slook provided highlights of the Fund Balance Report.

Act 537 Sewage Facilities Plan Update – Dolington Area

Mr. Zarko provided a summary of a meeting with DEP representatives regarding the Dolington area OLDS Survey results. Mr. Zarko summarized the survey results and noted that the DEP was in concurrence that any current on-lot sewage disposal system problems within the Dolington area are being properly managed at this time so that implementation of any potential long-term off-lot solution could be deferred for at least another five years from Act 537 Plan Update approval, subject to supplemental maintenance and educational measures being implemented by the Township.

Act 537 Reimbursement Grant Update

Ms. Slook provided an update of the Act 537 Reimbursement Grant. The DEP has advised that although limited funds are included in the 2014 budget, recently enacted legislation gives western

Pennsylvania counties priority in receipt of reimbursements. There was indication by the DEP, however, that the Township would eventually receive reimbursement.

Dan Johansson, 85 McConkey Drive, asked about future status reports on Act 537 to see if residents are complying. Chairman Rattigan commented it is impossible to police people inside their homes.

Resolution No. 2013-11-19-01 - Upper Makefield Township Section 125 Plan

Ms. Slook provided an overview of the resolution establishing an Internal Revenue Code, Section 125 Plan, which allows eligible employees to designate a portion of the pre-tax income to be used to pay a portion of their healthcare premium.

Discussion followed and a motion was made by Ms. Ryan and was seconded by Mr. Cino to approve Resolution No. 2013-11-19-01. Discussion followed and Motion carried by a unanimous vote.

St. Mary's Hospital EMS Agreement Status Update

Ms. Slook said that the next meeting with St. Mary's representatives is scheduled for November 20.

ENGINEER'S REPORT

Mr. Young informed the Board that Toll Brothers started Phase II of Dutchess Farm.

BOARD AND COMMISSION REPORTS

Mr. Rattigan announced that the following reports were included in the Board packets:

- Planning Commission – May 22, 2013
- Planning Commission – August 28, 2013

DEPARTMENT REPORTS:

Planning and Zoning Department

Mr. Kuhns highlighted the monthly Planning and Zoning Department Report.

Police Department

Chief Mark Schmidt provided highlights of the monthly Police Department Report.

Mr. Rattigan announced that the following reports were included in the Board packets:

- Upper Makefield Fire Department Report
- Lingohocken Fire Department Report
- Fire Marshal Report
- Public Works Department Report

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

There was no New Business.

PUBLIC COMMENT AND MEDIA QUESTIONS

Diana Kelly, Washington Crossing, informed the Board of the "Grandmom Scam," where a young voice on the phone disguises himself as the person's grandchild asking for money.

Bill Kennedy, Traditions, asked if St. Mary's ambulance service would transport to Capital Health if

ADJOURNMENT:

A motion was made by Mr. Baldwin and was seconded by Mr. Breeden to adjourn the meeting at 8:33 p.m. Motion carried on unanimous vote.

Approved: December 3, 2013

NOVEMBER 2013 GENERAL FUND BILLS - 11/19/13

<u>ACCT#</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
400.210	Associated Imaging Solutions	\$4.60	shipping
414.210	" "	\$4.60	" "
410.238	Atlantic Tactical	\$630.81	uniform pants/gloves
414.460	Bucks County Planning Commission	\$1,144.94	2013 Household Hazardous Waste Collection program
400.374	CIT Technology	\$623.98	copier rental
400.312	CKS Engineers	\$1,053.26	engineering fees
414.313A-1	" "	\$9,158.82	" "
409.140	CNS	\$885.95	cleaning service
430.238	Clemens	\$44.00	uniforms
409.321	Comcast - Admin	\$341.27	phone/long distance/internet
409.321	Comcast - PW	\$236.38	phone/long distance/internet
414.340	Courier Times	\$108.23	advertising
414.321	DCED	\$148.00	3rd qtr. 2013 UCC
403.225	Nicholas Ettore	\$352.78	September 2013 expenses
409.373	Joseph Finkle & Son	\$84.40	light bulbs
409.373	Good Air Conditioning & Heating	\$350.00	repairs to heater - 2nd fl. PD bldg.
400.314	Grim, Biehn & Thatcher	\$5,534.00	legal fees
414.314A	" "	\$87.00	" "
414.314-2	" "	\$87.00	" "
407.319	HPT Systems	\$87.50	remote troubleshooting - wireless
409.373	Kencor	\$175.00	monthly elevator maintenance
410.374	Kerrigan's Sunoco	\$1,684.17	PD vehicles repair/maintenance
403.115	Keystone Collections Group	\$2,059.89	tax collector
407.319	Learned Associates	\$1,500.00	eNews October/November 2013
409.373	M.A. Landscapes & Lawn Care	\$368.00	mowing/w.c. Twp. Complex and bike path
452.373	" "	\$45.00	weed removal Streetscape
414ZHB	McNamara, Bolla & Panzer	\$2,852.50	legal fees zoning hearing board
400.210	Newtown Office Supply	\$184.07	office supplies
410.210	" "	\$106.10	" "
414.210	" "	\$98.03	" "
400.312	Penn's Trail Environmental	\$6,255.00	on-lot sewage system survey/soil evals./meetings
409.341	Petty Cash	\$9.79	reimburse petty cash
409.215	" "	\$54.92	" "
400.460	" "	\$11.69	" "
409.321	PA One Call System	\$73.95	monthly activity fee
410.192	Public Agency Training Council	\$590.00	seminar attendance - Kraus/Haines
410.231	Riggins	\$1,874.06	unleaded gasoline
410.238	Samzie's	\$48.35	uniform items
407.319	Ron Skotleski Video Productions	\$400.00	BoS Meeting broadcast 11/7/13
409.215	Staples Advantage	\$33.04	bldg. supplies
438.460	" "	\$89.15	office supplies
410.210	" "	-\$8.49	" "
414.210	" "	-\$99.95	" "
409.230	Superior Plus Energy Services	\$188.02	propane
410.470	TLO	\$4.50	police investigations
392P	U.M.T. Park & Rec. Fund	\$100.00	transfer credit card user fee
TOTAL		\$39,644.31	

**FOR BOARD APPROVAL
*OVER BUDGET

NOVEMBER 2013 LIQUID FUELS BILLS - 11/19/13

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
438.245	Eureka Stone Quarry	\$163.62	road materials
437	Joseph Finkle & Son	\$128.86	shop supplies
432S	Garden State Highway Products	\$202.11	signs
437	David H. Lightkep	\$2,088.47	engine repair - loader
437	NAPA Auto Parts	\$36.24	shop supplies
434SL	PECO	\$125.89	street lighting
433TL	PECO	\$28.39	traffic lighting
437	Smith's Yardville Supply	\$71.92	shop supplies
	TOTAL	\$2,845.50	

*OVER BUDGET

**PAID INTERIMLY

NOVEMBER 2013 PARK & REC BILLS - 11/19/13

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
452.250	George Allen Portable Toilets	\$205.00	port-a-potties
452.250	CNS	\$26.70	cleaning of restrooms
452.250	FRANC Environmental	\$465.00	pump septic tank
452.250	M.A. Landscapes	\$1,248.00	mowing parks
452.250	Private Utility Enterprises	\$509.49	routine ops. L.O./Br.
	TOTAL	\$2,454.19	

**PAID INTERIMLY

NOVEMBER 2013 WATER & SEWER BILLS - 11/19/13

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
429.313	CKS Engineers	\$1,363.01	engineering fees
429.740	" "	\$4,947.25	" "
429.374	ES2 Environmental Systems	\$450.00	repair of capital controls vacuum regulators
429.210	Joseph Finkle & Son	\$43.54	supplies
429.376	FRANC Environmental	\$1,934.85	routine sludge removal/empty aerator for rem.
429.374	Hajoca Corporation	\$534.40	new valve for WWTP
429.374	Kennedy Culvert & Supply Co.	\$1,184.62	hydrant parts/tools
429.374	M.A. Landscapes	\$208.00	lawn mowing at treatment plant
429.374	Paone Electric	\$250.00	meter calibration/Insp.
429.100	Private Utility Enterprises	\$11,873.84	plant operator
429.371	QC Laboratories	\$167.50	testing
429.210	Smith's Yardville Supply	\$98.42	supplies
	TOTAL	\$23,055.43	

**PAID INTERIMLY

NOVEMBER 2013 BLDG CONSTRUCTION BILLS - 11/19/13

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
471	Huntington National Bank	\$95,000.00	loan principal
471.1	" "	\$35,111.25	interest payment
	TOTAL	\$130,111.25	

*PAID INTERIMLY

**FOR BOARD APPROVAL

NOVEMBER 2013 POLICE PENSION BILLS - 11/19/13

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

**PAID INTERIMLY

NOVEMBER 2013 NON-POLICE PENSION BILLS - 11/19/13

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

**PAID INTERIMLY

NOVEMBER 2013 GRADING ESCROW - 11/19/13

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
414.313E	Shawn J/Jenna L Durkin	\$2,000.00	1092 Little Road
	TOTAL	\$2,000.00	

NOVEMBER 2013 OPEN SPACE BILLS - 11/19/13

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
471	Huntington National Bank	\$1,055,000.00	loan principal
471.1	" "	\$262,976.88	interest payment
	TOTAL	\$1,317,976.88	

**PAID INTERIMLY

*OVER BUDGET

NOVEMBER 2013 RIPARIAN RESTORATION & PRESERVATION FUND - 11/19/13

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
414.421	Grim, Biehn & Thatcher	\$290.00	legal fees
	TOTAL	\$290.00	

**PAID INTERIMLY
*OVER BUDGET

NOVEMBER 2013 DUTCHESS FARM BILLS - 11/19/13

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
429.374	Jennings Alberts	\$1,392.00	replace blower
429.374	Paone Electric	\$220.00	instrument calibration/insp.
429.100	Private Utility Enterprises	\$2,991.35	plant operator
429.210	" "	\$94.00	soda ash
429.371	QC Laboratories	\$177.50	testing
	TOTAL	\$4,874.85	

**PAID INTERIMLY

*/**OVER BUDGET/BOARD APPROVAL

NOVEMBER 2013 CAPITAL RESERVE BILLS - 11/19/13

<u>Acct #</u>	<u>Company Name</u>	<u>Amount</u>	<u>Comments</u>
430.740	U. S. Municipal Supply	\$48,269.00	upfitting for PW truck
	TOTAL	\$48,269.00	

**PAID INTERIMLY