

**Upper Makefield Township Board of Supervisors**  
**December 7, 2011 Meeting Minutes**

The December 7, 2011 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Bud Baldwin at 7:30 p.m. In attendance were the following members of the Board of Supervisors: Chair Bud Baldwin, Vice Chair Tom Cino, Treasurer Mary Ryan, Member Dave Kulig and Member Dan Rattigan. Also in attendance were Township Manager Stephanie Teoli, Township Solicitor Mary Eberle, Esq., Township Engineer Larry Young, P.E. and Director of Planning & Zoning Dave Kuhns.

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

**PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE:**

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

**ANNOUNCEMENTS:**

There were no announcements.

**PUBLIC COMMENT:**

There was no public comment.

**APPROVAL OF MINUTES AND BILLS PAYABLE:**

A motion was made by Mr. Rattigan and was seconded by Ms. Ryan to approve the November 16, 2011 minutes. Motion carried on a 4-0-1 vote, with Mr. Kulig abstaining.

Ms. Teoli directed attention to the bills list for December 7, 2011. A motion was made by Mr. Kulig and was seconded by Mr. Rattigan to approve the December 7, 2011 Bills Payable list in the amount of \$1,951,452.65. Motion carried on a unanimous vote.

**PLANNING AND ZONING ISSUES:**

**Caulkins Planning Module, 1087 General Greene Road**

Mr. Kuhns outlined the proposed Planning Module. After significant discussion, a motion was made by Mr. Kulig and was seconded by Ms. Ryan to defer action on the Caulkins Planning Module until further information was received from water/sewer engineer, Tom Zarko. Motion carried by a unanimous vote.

**Kornfeld Solar Panel Review – 32 Jonathan Way**

Mr. Kuhns updated the Board on the request to install a solar panel array on the front of the home at 32 Jonathan Way. He explained that, Pursuant to Ordinance 293, the Board of Supervisors must review any request for front-facing installation of solar panels. Mr. Kuhns further reported that the three adjacent neighbors had been notified of the application and that one neighbor was in opposition to the request.

After some discussion, Ms. Eberle provided clarification on Ordinance 293, explaining that the applicant must provide valid reasons as to why this is the only possible means for utilizing solar energy on the property.

Barry Moore of Moore Energy represented the applicant, presenting information to the Board.

After further discussion, a motion was made by Mr. Rattigan and was seconded by Mr. Cino to deny the waiver request. Motion carried by a unanimous vote.

### **SOLICITOR'S REPORT:**

#### **Resolution Establishing Policy for Public Comment at Township Meetings**

Ms. Eberle outlined the proposed resolution that would establish a policy for public comment at township meetings. After significant discussion, the Board directed Ms. Eberle to revise the Resolution to provide for public comment at the beginning of the meeting, before each board vote and at the end of the meeting. The Board also requested that a section be included providing for, "confirmed appointments," as a method to answer citizen questions.

### **MANAGER'S REPORT:**

#### **Traditions Water/Sewer Bill Appeal**

Ms. Teoli outlined the request from Traditions at Washington Crossing asking for relief from a water/sewer bill that resulted when a pipe to the outdoor pool burst over the winter. Following discussion, the Board directed Ms. Teoli to investigate whether the developer might be held responsible for any of the problem and whether the Homeowners Association had submitted an insurance claim for the damage. It was also suggested that a dialogue be initiated with Homeowners Associations in the township regarding this type of issue.

#### **Resolution No. 2011-12-07-01 – Bucks County Open Space Application**

Ms. Teoli outlined the resolution authorizing application to the Bucks County Municipal Open Space Program. Following discussion, a motion was made by Ms. Ryan and was seconded by Mr. Kulig to approve Resolution No. 2011-12-07-01. Motion carried by a unanimous vote.

### **ENGINEER'S REPORT:**

#### **Washington Crossing Gateway Project, Phase II: Signage - Payment Request #1**

Mr. Young provided an update of the project and recommended approval of Payment Request #1 in the amount of \$5,686.20. A motion was made by Ms. Ryan and was seconded by Mr. Rattigan to approve Payment Request #1 in the amount of \$5,686.20. Motion carried by unanimous vote.

#### **Aqueduct Road Headwall Replacement – Change Order #1**

Mr. Young recommended approval of Change Order #1 in the amount of \$2,000 to add color to the concrete mixture. After discussing the type of coloring agent, a motion was made by Mr. Kulig and was seconded by Ms. Ryan to approve Change Order #1 in the amount of \$2,000. Motion carried by a unanimous vote.

### **OLD BUSINESS:**

There was no old business.

**NEW BUSINESS:**

There was no new business.

**PUBLIC COMMENT AND MEDIA QUESTIONS:**

Mike Murray, Washington Crossing, thanked Mr. Kulig for his service to the community. He further expressed his opposition to providing financial relief to the Traditions Homeowners Association and also noted disagreement with limiting public comment in any way.

Larry Breeden, 3 Bankers Drive, commented on the request made by the Upper Makefield Newtown Soccer Association for well installation at Brownsburg Park and the associated proposal presented by Gilmore Associates.

Hugh Shaudys, Mt. Eyre Road, requested information regarding ownership and maintenance of a drainage ditch near his development. He thanked Mr. Young for his response and assistance. Mr. Young and Ms. Eberle agreed to look into the issue and get back to him.

**ADJOURNMENT:**

A motion was made by Mr. Rattigan and was seconded by Mr. Kulig to adjourn the meeting at 9:30 p.m. Motion carried.

Approved: December 21, 2011