

**Upper Makefield Township Board of Supervisors**  
**July 21, 2010 Meeting Minutes**

The July 21, 2010 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Vice Chair Bud Baldwin at 7:30 p.m. In attendance were the following members of the Board of Supervisors: Vice Chair Bud Baldwin, Treasurer John Silvers, Member Tom Cino, Member Dan Rattigan and Member Mary Ryan. Also in attendance were Township Manager Stephanie Teoli, Township Solicitor John Rice, Esq., Township Engineer Larry Young, P.E., Director of Planning & Zoning Dave Kuhns 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. Baldwin led in the recitation of the Pledge of Allegiance which was followed by a moment of silence.

**ANNOUNCEMENTS:**

Mr. Baldwin announced that the Township will receive a grant in the amount of \$48,600 from the Delaware River Joint Toll Bridge Commission for the completion of Phase I of the Washington Crossing Streetscape Project.

Mr. Baldwin encouraged residents to voluntarily conserve water because of the lack of rain over the recent two months.

Mr. Silvers reported on a July 5<sup>th</sup> fire in Upper Makefield Township where a home was completely lost. There were no working smoke detectors in the home. Mr. Silvers reminded residents to check the smoke detectors in their homes.

**PUBLIC COMMENT:**

Peggy Kennedy, Upper Makefield, expressed upset regarding the clearing of the river bank at the Washington Crossing Park. She further commented that she thought revenue from the Rev Run event should be allocated to the park.

Rob Ciervo, Newtown Township, expressed his appreciation to Dave Kulig and offered congratulations to Mary Ryan.

**SPECIAL ITEMS**

District Justice Donald Nasshorn administered the Oath of Office to Supervisor Mary Ryan.

**RE-ORGANIZATION OF THE BOARD:**

**Election of Chair**

Mr. Baldwin accepted nominations for Chairman. A motion was made by Mr. Cino and was seconded by Ms. Ryan to appoint Bud Baldwin as Chairman. The motion carried by unanimous vote.

### **Election of Vice Chair**

Mr. Baldwin accepted nominations for Vice Chairman. A motion was made by Ms. Ryan and was seconded by Mr. Baldwin to appoint Mr. Cino as Vice Chairman. Motion carried by unanimous vote.

### **Board of Supervisors Liaison Appointments**

A motion was made by Mr. Cino and was seconded by Mr. Silvers to appoint Mary Ryan as the liaison to the Upper Makefield Township Planning Commission. Motion carried on a unanimous vote.

A motion was made by Mr. Silvers and was seconded by Ms. Ryan to appoint Tom Cino as the liaison to the Upper Makefield Township Environmental Advisory Council. Motion carried on a unanimous vote.

A motion was made by Mr. Baldwin and was seconded by Ms. Ryan to appoint John Silvers as the liaison to the National Veterans Cemetery. Motion carried on a unanimous vote

### **Vacancies**

Mr. Baldwin announced that the Board of Supervisors would accept letters of interest from residents for the positions recently vacated by Ms. Ryan on the Planning Commission and Friends of Washington Crossing Historic Park Board.

### **APPROVAL OF MINUTES AND BILLS PAYABLE:**

A motion was made by Mr. Cino and was seconded by Mr. Rattigan to approve the June 14, 2010 Board of Supervisors Special Meeting minutes. Motion carried on a 4-0 vote with Ms. Ryan abstaining from the vote.

A motion was made by Mr. Cino and was seconded by Mr. Silvers to approve the June 16, 2010 Board of Supervisors minutes. Motion carried on a 4-0 vote with Ms. Ryan abstaining from the vote.

A motion was made by Mr. Cino and was seconded by Mr. Rattigan to approve the June 23, 2010 Joint Boards of Supervisors minutes. Motion carried on a 3-0 vote with Ms. Ryan and Mr. Silvers abstaining from the vote.

A motion was made by Mr. Cino and was seconded by Mr. Baldwin to approve the June 23, 2010 Vacancy Board minutes. Motion carried by unanimous vote. Motion carried on a 3-0 vote with Ms. Ryan and Mr. Silvers abstaining from the vote.

Ms. Teoli read into the record the bills for July 21, 2010. A motion was made by Mr. Silvers and was seconded by Mr. Cino to approve the July 21, 2010 Bills Payable List in the amount of \$286,076.06. Motion carried on a unanimous vote.

**ACT 537 PLAN DISCUSSION – TAYLORSVILLE ROAD**

Township Hydrogeologist Bruno Mercuri provided a presentation on the Act 537 Sewage Facilities Plan Update, reviewing the alternatives and potential costs of the Taylorsville Road Sanitary Sewer Extension.

A lengthy discussion then ensued regarding the Taylorsville Road area and the number of failed on-lot disposal systems. Mr. Mercuri emphasized the need for a common collection and conveyance system and explained that this was truly the only option because of soil conditions and lot sizes in the area.

The Board discussed the significant impact on property owners financially and expressed the desire to seek grant funding for the project from elected state and federal officials.

After further discussion of the percentage of failed systems in the Taylorsville Area, the Board of Supervisors asked Mr. Mercuri to provide background on the statistical analysis that led him to the projected percentage.

The following members of the public then provided public comment:

Jane Johnson, 3 Mountview Court, presented various questions regarding the Act 537 Plan and OLDS Ordinance. She asked for additional information regarding the statistical analysis that led to the percentage of failed systems documented in the report.

Jim Fox, 1094 Little Road, expressed upset regarding the cost of improvements and the impact on the value of his home.

Chris Robertson, 1098 Little Road, requested information on the correspondence that was sent to homeowners when testing was conducted in 2003.

It was announced that the Board would continue to collect public input at its upcoming meetings. The Dolington area will be specifically addressed at the August 4, 2010 meeting.

**PLANNING AND ZONING ISSUES:**

**Scott Zoning Hearing Board Application, 1712 Scott Drive**

Mr. Kuhns provided an overview of the application to appeal the issuance of a zoning and/or building permit for a neighboring property.

**Worthman Zoning Hearing Board Application, 981 Old Dolington Road**

Mr. Kuhns then provided an overview of the application and Notice of Intervention in the Scott application.

After discussion, a motion was made by Mr. Baldwin, seconded by Ms. Ryan, to send Solicitor Rice to the Zoning Hearing Board to monitor both applications.

**SOLICITOR'S REPORT:**

**JMZO 2010 – Municipal Services Agriculture District**

Mr. Rice provided an overview of the amendment to the Joint Municipal Zoning Ordinance-Municipal Services Agriculture District. After discussion, a motion was made by Mr. Rattigan and was seconded by Ms. Ryan to authorize advertisement of the ordinance. Motion carried by a unanimous vote.

**Dutchess Farms Operation Agreement**

A motion was made by Mr. Rattigan to authorize execution of the Dutchess Farms Operation Agreement. The motion was seconded by Mr. Cino and carried by a unanimous vote.

**MANAGER'S REPORT:**

**Fund Balance Report**

Ms. Teoli provided highlights of the Fund Balance Report and provided a six month Financial Report.

**Sale of 2001 Chevy Impala**

Ms. Teoli reported on the bid, which was listed on Municibid for a month. A motion was made by Mr. Cino and was seconded by Mr. Silvers to award the bid for the sale of the 2001 Chevy Impala to Patti Bupp of Pine Hill, New Jersey at a price of \$1,715. Motion carried by a unanimous vote.

**Resolution No. 2010-07-21-01 – Municipal/Governmental Signature Authorization**

A motion was made by Mr. Rattigan and was seconded by Mr. Silvers to approve Resolution No. 2010-07-21-01. Motion carried by a unanimous vote.

**Resolution No. 2010-07-21-02 – Establishing a Policy for Procurement of Professional Services for Township Pension Plans (Act 44)**

Ms. Teoli provided background on the Resolution which would ensure Upper Makefield's compliance with Act 44. A motion was then made by Ms. Ryan and was seconded by Mr. Cino to approve Resolution No. 2010-07-21-02. Motion carried by a unanimous vote.

**Sycamore Farm Development/PECO Update**

Ms. Teoli reported that the township facilitated meetings between PECO and the Sycamore Farm Homeowners Association to develop a plan that would minimize power outages and improve service in that area. As a result, 40 trees will be removed and a new pole and switch will be installed on Woodhill Road. No detour will be necessary however traffic will be disrupted for several weeks during this project.

**20 Dillon Road – Request for Reimbursement of Water Damages**

Ms. Teoli provided background on the reimbursement request from the owners and tenants of the property at 20 Dillon Road. The property recently received damage due to a pressure surge in the water distribution system. They are requesting reimbursement of \$157.93 in addition to carpet reinstallation and a moisture alarm installation.

Ms. Teoli provided background and history on the topic and reported on the long-term fix that should be in place by the end of the year. In the interim, she suggested that the Township install a pressure-relief valve at the 20 Dillon Road property and that the reimbursement request be submitted to the Township's insurance carrier. A motion was then made by Mr. Rattigan, seconded by Mr. Silvers, to move forward with the proposed solution. Motion carried on a unanimous vote.

**Appoint Township Manager as Chief Administrative Officer of Police and Non-Police Pension Plans**

A motion was made by Mr. Rattigan and was seconded by Mr. Silvers to appoint the Township Manager as the Chief Administrative Officer of Police and Non-Police Pension Plans. Motion carried by a unanimous vote.

**ENGINEER'S REPORT:**

**Award of Bid – 2010 Eagle Road Drainage Improvements and Road Resurfacing Project**

Mr. Young reported on the project and recommended awarding the base bid to the lowest responsible bidder. After brief discussion, Mr. Rattigan made a motion which was seconded by Mr. Silvers to award the 2010 Eagle Road Drainage Improvements and Road Resurfacing Project to S&H Landscaping of Chalfont, Pennsylvania, in the amount of \$297,052. Motion carried on unanimous vote.

**Engineer's Report**

Mr. Young reviewed highlights of the Engineer's Report.

**BOARD AND COMMISSION REPORTS:**

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

- Park and Recreation Board – May 10, 2010
- Environmental Advisory Council – May 11, 2010
- Planning Commission – April 28, 2010 and May 26, 2010

**DEPARTMENT REPORTS:**

**Planning and Zoning Department**

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

**Police Department**

Chief Mark Schmidt highlighted the Police Department Report.

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

- 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:**

Le Sheppard, Wrightstown Township, expressed his appreciation to Dave Kulig and also commended the Board of Supervisors for their service.

Ellen Lane, Dunkin Drive, commented on her concern regarding the clearing of the banks at the Washington Crossing Park.

**ADJOURNMENT:**

A motion was made by Mr. Rattigan and was seconded by Mr. Silvers to adjourn the meeting at 10:32 p.m. Motion carried on unanimous vote.

Approved: August 4, 2010