

**Upper Makefield Township Board of Supervisors  
October 6, 2010 Meeting Minutes**

The October 6, 2010 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 John Silvers, 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. 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:**

Hugh Shaudys, 1155 Mt. Eyre Road, provided comment on noise/nuisance created by all-terrain-vehicle use of "Harvy's" Island, which is owned by the City of Trenton. He also requested that Upper Makefield Township work with Lower Makefield Township to coordinate line striping along Mt. Eyre Road.

Guy Polhemus, 882 Washington Crossing Road, expressed concerns regarding traffic calming measures proposed in Dolington.

**APPROVAL OF MINUTES AND BILLS PAYABLE:**

A motion was made by Ms. Ryan and was seconded by Mr. Cino to approve the September 13, 2010 Special Meeting minutes. Motion carried by unanimous vote.

A motion was made by Ms. Ryan and was seconded by Mr. Cino to approve the September 15, 2010 meeting minutes. Motion carried by unanimous vote.

A motion was made by Ms. Ryan and was seconded by Mr. Cino to approve the September 15, 2010 Joint Board of Supervisors and Environmental Advisory Council meeting minutes. Motion carried by unanimous vote.

Ms. Teoli read into the record the bills for October 6, 2010. A motion was made by Mr. Silvers and was seconded by Mr. Cino to approve the October 6, 2010 Bills Payable List in the amount of \$707,667.12. Motion carried on a unanimous vote. Mr. Baldwin recused himself from payment of the Grim, Biehn & Thatcher bills.

**PLANNING AND ZONING ISSUES:**

**Washington Crossing United Methodist Church, 1895 Wrightstown Road  
Final Land Development Plan**

The applicant was represented by Attorney Ed Murphy and Mike Hutchinson of the Church Building Committee. Mr. Murphy referenced the September 29, 2010 Gilmore review letter and highlighted that items 18-26 should be considered, “will comply.” He also provided background on the Flow Equalization Plan that has been supported by DEP for handling of on-site sanitary sewer. There was some discussion of the application by members of the Board.

Bill Trainer then provided public comment on the application. He clarified that he was speaking as a township citizen, not as an official representative of the Zoning Hearing Board. He expressed concern that the applicant comply with the July 6, 2005 Zoning Hearing Board decision and associated Stipulation and Settlement Agreement. He specifically identified concern with proposed parking.

After further discussion, a motion was made by Mr. Rattigan and was seconded by Mr. Silvers to approve the Washington Crossing United Methodist Church Final Land Development Plan with the following conditions:

- Compliance with the September 29, 2010 Gilmore Associates review letter;
- Compliance with the July 6, 2005 Zoning Hearing Board decision;
- Compliance with the August 21, 2006 Stipulation and Settlement Agreement;
- Compliance with all conditions of the Preliminary Plan approval;
- Compliance with all applicable Township Ordinance, County, State and Federal requirements; and
- Execution of Development, Financial Security and Stormwater Management Agreements in a form acceptable to the Township Solicitor.

Motion carried on a unanimous vote.

### **Washington Crossing United Methodist Church, 1895 Wrightstown Road Planning Module**

A motion was made by Mr. Silvers and was seconded by Mr. Rattigan to approve the Planning Module and Associated Resolution 2010-10-6-2 for the Washington Crossing United Methodist Church application, subject to DEP approval and compliance with Mercuri Associates review letters dated August 6, 2010 and September 28, 2010. Motion carried on a unanimous vote.

### **SOLICITOR’S REPORT:**

#### **Ordinance No. 294 – Municipal Sewage System**

Mr. Rice provided an overview of the ordinance establishing requirements for connections to the Upper Makefield Township Municipal Sewage System and establishing new definitions and prohibitions on discharges into the municipal system. After discussion by the Board, it was decided that this Ordinance, as well as the proposed OLDS Ordinance, would be considered at the next meeting.

**MANAGER'S REPORT:**

**Resolution No. 2010-10-6 – Appointing Keystone Collections Group as Earned Income Tax Collector**

Ms. Teoli presented the resolution appointing Keystone Collections Group as the Earned Income Tax Collector for Upper Makefield Township effective January 1, 2011, in accordance with Pennsylvania Act 32 and with the recommendation of the Bucks County Tax Collection Committee. A motion was made by Ms. Ryan and was seconded by Mr. Cino to approve Resolution No. 2010-10-6. Motion carried by a unanimous vote.

**2010-2011 Consortium Salt Bid**

Ms. Teoli provided an overview of the 2010-2011 Consortium Salt Bid and recommended approval of the contract to the lowest responsible bidder. A motion was made by Mr. Cino and was seconded by Ms. Ryan to award the 2010-2011 Consortium Salt Bid to International Salt Company, LLC at a cost of \$50.83/ton delivered. Motion carried on a unanimous vote.

**ENGINEER'S REPORT:**

**The Regency – Construction Escrow Release No. 1**

Mr. Young provided an update of the project and recommended approval of Construction Escrow Release No. 1 in the amount of \$1,143,540.20. After some discussion, Mr. Rattigan made a motion which was seconded by Mr. Mr. Silvers to approve Construction Escrow Release No. 1 in the amount of \$1,143,540.20. Motion carried on unanimous vote.

**Eagle Road Drainage Improvements & Resurfacing Project – Payment Request #1**

Mr. Young recommended approval of Payment Request #1 in the amount of \$154,276.45. After brief discussion, Mr. Baldwin made a motion which was seconded by Ms. Ryan to approve Payment Request #1 in the amount of \$154,276.45. Motion carried on unanimous vote.

**Eagle Road Drainage Improvements & Resurfacing Project – Change Order No. 2 - Extension Request**

Mr. Young provided an update and recommended approval of Change Order No. 2 requesting a two-week extension of the Eagle Road Drainage Improvements & Resurfacing Project due to unexpected delays caused by rock excavation. Following discussion, a motion was made by Mr. Baldwin and was seconded by Mr. Silvers to approve Change Order No. 2 requesting a two-week extension for final completion of the Eagle Road Drainage Improvements & Resurfacing Project by November 4, 2010. Motion carried by unanimous vote.

**Engineer's Report**

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

**OLD BUSINESS:**

**Act 537 Plan Update**

As requested by the Board of Supervisors, Dr. Mercuri presented a revised proposal to provide a needs survey confirming on-lot disposal system data used in the Act 537 Plan. Dr. Mercuri highlighted new findings from the Bucks County Department of Health regarding both the Dolington and Taylorsville Areas. Since the original needs survey was conducted in 2002, there have been eight additional failures in Dolington and three additional failures in the Taylorsville area.

Ms. Ryan then led discussion on the issue of determining if the study area had been appropriately set. She suggested that the Board consider testing perimeter parcels. After further discussion and consideration, a motion was made by Mr. Rattigan and was seconded by Ms. Ryan to authorize further testing of approximately 13 perimeter properties at a cost not to exceed \$5,000. Motion carried on a unanimous vote.

Mr. Cino made a motion which was seconded by Ms. Ryan to authorize Mercuri Associates to complete "Task C" of the September 30<sup>th</sup> proposal at a cost of \$1,700. Motion carried on a unanimous vote.

Mr. Cino then provided additional comment, raising the issue with Dr. Mercuri and the Board that there should possibly be discussion of other alternatives. He cited concerns about approving an Act 537 Plan that proposes utilization of treatment plant that has not yet been built.

**NEW BUSINESS:**

There was no new business.

**PUBLIC COMMENT AND MEDIA QUESTIONS:**

Hugh Shaudys, Mt. Eyre Road, shared his concern about an issue related to road relocation and the ownership and maintenance of an underground pipe. After some discussion, Mr. Shaudys was directed to meet with staff outside of the public meeting for further assistance.

An announcement was made that an Executive Session would be held regarding personnel. No action will be taken.

**ADJOURNMENT:**

A motion was made by Mr. Rattigan and was seconded by Mr. Silvers to adjourn the meeting at 9:50 p.m. Motion carried on unanimous vote.

Approved: October 20, 2010