

Upper Makefield Township Board of Supervisors

August 16, 2016 Meeting Minutes

The August 16, 2016 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 Tom Cino, Treasurer Mary Ryan, and Member Mike Tierney. Member Diana Nolan was not present. Also in attendance were Township Manager Jim Pascale, Township Solicitor Mary Eberle, Esq., Township Engineer Larry Young, P.E., Water/Sewer Engineer Tom Zarko, 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. Rattigan led in the recitation of the Pledge of Allegiance which was followed by a moment of silence in memory of Supervisor Nolan's father.

ANNOUNCEMENTS

- An executive session was held prior to this evening's meeting to discuss personnel matters, specifically staffing of the police department
- There are currently vacancies on the Historic Architectural Review Board, Investment Committee and Zoning Hearing Board. Residents interested in volunteering can find more information and a volunteer board application on the township website: uppermakefield.org
- The Grange Fair takes place this week from August 17- 21

PUBLIC COMMENT

Dan Johansson, Upper Makefield, referenced the Scudders Falls bridge project and inquired about advanced planning to reduce potential effects on the Township. He suggested investigating an ordinance to prohibit the use of Jake brakes, reducing the weight limit on township roads and reducing widths of trucks on state roads within the township. Mr. Rattigan indicated that discussion has been ongoing, particularly related to traffic control.

Ron Smolow, 3 Three Ponds Lane, spoke in regard to a neighboring property located at 1151 Eagle Road. He provided extensive history of the property and expressed his opinion that a business is operating on the premises. Mr. Smolow voiced opposition to the homeowner's application for a permit to build a pole barn without taking existing structures into consideration and requiring land development approval. He also distributed emails of support from his neighbors and background information expressing concerns regarding drainage, traffic and noise due to proposed expansion. Ms. Eberle responded with her legal opinion that after review with the Zoning Officer, the building does qualify as an accessory residential building and commercial business will not be permitted without proper approval.

APPROVAL OF MINUTES AND BILLS PAYABLE

A motion was made by Ms. Ryan and was seconded by Mr. Cino to approve the July 19, 2016 minutes. Motion carried by unanimous vote.

Mr. Rattigan presented the bills list for August 16, 2016. A motion was made by Mr. Cino and was seconded by Ms. Ryan to approve the August 16, 2016 Bills Payable List in the amount of \$393,845.32. Motion carried by unanimous vote.

PLANNING AND ZONING ISSUES

McAllister/Siligato Preliminary/Final Subdivision Plan, 1040 Taylorsville Road

Bill McNaney, P.E. of Van Cleef Engineering Associates represented the applicant and provided an overview of the application for a Preliminary/Final Subdivision Plan for a three lot subdivision that will create two new building lots and one existing lot with an existing dwelling. The applicant is proposing construction of two new single-family detached dwellings on the two proposed building lots served by individual on-lot well and on-lot septic systems. Discussion followed and Mr. McNaney stated that the applicant has agreed to comply with variance requirements from 2010 and all conditions in the 8-12-16 Tri-State Engineers Review Letter.

A motion was made by Ms. Ryan and seconded by Mr. Cino to approve the McAllister/Siligato Preliminary/Final Subdivision Plan provided that the applicant complies with all conditions outlined in the Tri State Engineers letter dated August 12, 2016 and the Grim, Biehn & Thatcher letter dated August 15, 2016, including the waivers enumerated in the August 15th letter.

Dan Johansson, Upper Makefield, inquired about the conservation easement, which Ms. Eberle explained was part of the Zoning Hearing Board decision for the property.

Motion carried by a unanimous vote.

Siligato Planning Module, 1040 Taylorsville Road

Mr. Kuhns presented the submission for the proposed Planning Module. A motion was made by Mr. Cino and seconded by Ms. Ryan to approve the Siligato Planning Module. Motion carried by a unanimous vote.

Laughlin Zoning Hearing Board Application, Eagle and Stoopville Roads

Mr. Kuhns provided an overview of the application, which mirrors the Sketch Plan submitted to the Board on June 21, proposing a four lot cluster subdivision in Upper Makefield Township which connects to an 8 lot subdivision in Newtown Township. The applicant is requesting relief from the front yard setback and environmental performance standards for the subdivision located in Upper Makefield Township. Discussion followed and a motion was made by Mr. Cino and seconded by Ms. Ryan to take no position on the application. Motion carried by a unanimous vote.

Lieberman Zoning Hearing Board Application, 315 Stoneybrook Road

Mr. Kuhns provided an overview of the application requesting relief from the side yard setback for a proposed addition. Following discussion, a motion was made by Ms. Ryan and was seconded by Mr. Cino to take no position on the application. Motion carried by a unanimous vote.

SOLICITOR'S REPORT

There was no Solicitor's Report.

MANAGER'S REPORT

Honor Flight Philadelphia Program

Mr. Pascale provided an overview of the request by Bucks County to support the Bucks County Tour of Honor program, which honors veterans by providing a trip to Washington DC to visit the memorials, by placing an ad in their directory. A motion was made by Mr. Tierney and seconded by Ms. Ryan to support Bucks County Tour of Honor by placing a ¼ page ad in the Bucks County Veteran ID Directory at a cost of \$550. Motion carried by a unanimous vote.

Request to Waive Property Tax Late Fee – Newman, 70 Buckmanville Road

Mr. Pascale provided an overview of a resident request to waive a real estate tax late fee because he said he did not receive his bill. Pennsylvania law indicates that a taxpayer is responsible for payment whether or not the bill is received unless the property owner provides proof that the bill was not received. Tax Collector Nick Ettorre provided documentation that the vendor sent tax bills on time. Mr. Newman was not present and did not provide the required proof. Discussion followed and a motion was made by Ms. Ryan and seconded by Mr. Cino to deny the appeal of Mr. Newman. Mr. Cino commented on a lack of a mechanism to allow for a one-time occurrence. Motion carried by a unanimous vote.

Pension Fund – Annual Minimum Municipal Obligation

Mr. Pascale provided an overview of the 2017 Minimum Municipal Obligation (MMO) noting that the amount of the Minimum Municipal Obligation (MMO) required for the two pension funds in 2017 is \$197,230, with a portion to be offset by anticipated state aid. Following discussion, a motion was made by Ms. Ryan and seconded by Mr. Cino to authorize the Township Manager to sign the Police Minimum Municipal Obligation (MMO) and the Non-Police Minimum Municipal Obligation (MMO). Motion carried by a unanimous vote.

Sale of Vehicle

Mr. Pascale reported on the bid, which was posted on Municibid. A motion was made by Mr. Cino and seconded by Ms. Ryan to award the bid for the sale of the 2004 Chevy Impala to William Hayes for the price of \$850.00. Motion carried by a unanimous vote.

WATER & SEWER ENGINEER

OLDS Ordinance Amendments

Mr. Zarko referenced the proposed amendments to the draft OLDS (On-Lot Sewage Disposal System) Ordinance that were initially presented to the Board on June 21, 2016 as part of the Act 537 Plan Update. The amendments were based on input and recommendations from Township staff, the Bucks County Planning Commission, the Bucks County Health Department and the Township Planning Commission, and were intended primarily to improve the functioning and performance of on-lot sewage disposal systems in the Taylorsville and Dolington areas of the Township. Mr. Zarko then addressed questions and/or comments raised by the Board members following that presentation.

Following discussion, a motion was made by Mr. Cino and seconded by Ms. Ryan to authorize advertisement of the proposed amendments to the draft OLDS ordinance with the following revisions and clarifications: 1) Section 122, strike the “Add” hierarchy paragraph which excludes the Dolington and Taylorsville districts; 2) Section 124, ban the use of garbage disposals for new construction and discourage use in existing OLDS; 3) Section 124, include annual inspections by homeowners in the Dolington and Taylorsville areas. The purpose is to build an adequate database for re-assessment in five years, and educational sessions will be scheduled to assist homeowners. Motion carried by a unanimous vote.

ENGINEER’S REPORT

Brownsburg Park Irrigation Project

Mr. Young reported on the Brownsburg Park Irrigation Project bids. Five bids were received with a significant range between the low bidder and the next lowest bidder. Upon review, the Solicitor deemed the low bid to be non-responsive to the bid instructions because some items were not included with the submission but were delivered the following day.

Following discussion, a motion was made by Ms. Ryan and was seconded by Mr. Cino to reject all bids. Motion carried by a unanimous vote.

Mr. Schaal, Chair of the Park and Recreation Board, reminded the Board of the time parameters for the \$5,000 grant secured by Patriot FC to contribute toward the cost of the project when planning the rebidding process.

A motion was then made by Ms. Ryan and seconded by Mr. Cino to rebid the project over the winter season, tightening the parameters of the rfp, specifying the design of the system, and bidding the project both electronically on PennBid and by sealed bids. Motion carried by a unanimous vote.

BOARD AND COMMISSION REPORTS

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

- Environmental Advisory Council – June 14, 2016
- Park and Recreation Board – May 19, 2016 and June 13, 2016
- Financial Advisory Committee – July 13, 2016

DEPARTMENT REPORTS

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

- Planning and Zoning Department
- Finance Department Report
- Fire Department Report
- Ambulance Report
- Fire Marshal Report
- Police Department Report
- Public Works Department Report

PUBLIC COMMENT

Dan Johansson, Upper Makefield Township, requested that department reports be uploaded to the website, and he also asked for a status update of the soil removal issue. Ms. Eberle stated that the Jointure has not met since the matter was requested to be placed on the Jointure agenda.

ADJOURNMENT

A motion was made by Ms. Ryan and seconded by Mr. Cino to adjourn at 9:15 p.m. Motion carried on unanimous vote.

Respectfully submitted,



Judy A. Caporiccio

Assistant Township Manager

Approved: September 6, 2016

AUGUST 2016 GENERAL FUND BILLS - 8/16/16

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
409.321	Acteon Networks	\$239.00	phone system troubleshooting
409.373	Affordable Elevator Repair	\$50.00	PA Labor & Industry Elevator Inspection
400.311	Bee, Bergvall & Co.	\$330.00	consultation fee
400.340	Bucks County Courier Times	\$325.00	annual subscription
414.141	Building Inspection Underwriters of PA	\$2,070.00	inspection service - June 2016
400.374	CIT Technology	\$555.74	copier rental
400.312	CKS Engineers	\$955.02	engineering fees
414.313A-1	" "	\$1,198.09	" "
430.238	Clemens	\$233.00	P. W. uniform rental
409.373	" "	\$18.10	floor mat rental
409.373	Commonwealth of PA	\$100.00	Chap. 302 Operator Cert. annual svc. fee - drinking water
409.373	Commonwealth of PA	\$65.00	Chap. 302 Operator Cert. annual svc. fee - wastewater
410.372C	Commonwealth of PA	\$3,500.00	data circuit lease/equip. costs through 6/30/17
414.461	Construction Research Institute	\$40.00	Root Systems of Prairie Plants (digital book)
409.373	Cooper Pest Solutions	\$39.00	exterior program
409.373	D. R. Cordell & Associates	\$550.00	annual hoist/crane inspection
400.340	Courier Times	\$754.89	advertising
414.340	" "	\$60.55	" "
409.140	Coverall	\$1,060.00	cleaning service
411.212	Creative Screenprinting & Embroidery	\$135.00	shirts - Fire Marshal
487	DVHT	\$56,900.67	health insurance premium
410.314	Eckert Seamans Cherin & Mellott	\$4,020.00	legal fees
403.225	Nicholas Ettorre	\$367.13	July 2016 expenses
409.373	Joseph Finkle & Son	\$29.90	repairs to P. W. rest room
410.238	Gall's	\$134.99	boots
400.313	Gilmore & Associates	\$230.00	engineering fees
414.313A	" "	\$410.25	" "
409.373	Good Air Conditioning & Heating	\$420.00	repairs to air conditioning system Admin. Bldg.
410.239	Goodyear Tire & Rubber Co.	\$1,344.00	tires for P. D. vehicles
410.374	Grafix Shoppe	\$232.58	graphics for damaged P. D. vehicle - insurance reimb.
414ZHB	High Swartz	\$38.00	legal fees - ZHB
409.373	Kencor Elevator Systems	\$180.00	monthly elevator maintenance P. D. Bldg.
400.331	Kerrigan's Sunoco	\$509.79	repairs to Admin. vehicles - 2 months
410.374	" "	\$1,792.25	repairs to P. D. vehicles - 2 months
403.115	Keystone Collections Group	\$3,210.30	EIT tax collector
409.373	Lucas LTD	\$95.00	check on plumbing repair
400.210	Newtown Office Supply	\$83.69	office supplies
409.215	" "	\$171.86	bldg. supplies
409.750A	" "	\$102.99	folding table
409.321	PA One Call	\$115.50	monthly notifications
410.210	Quill Corp.	\$93.98	office supplies
409.215	" "	\$29.98	bldg. supplies
430.371	Patricia Schaeffer-Crooks	\$800.00	reimburse for tree debris removal after storm - Twp. road
407.319	Ron Skotleski Video Productions	\$400.00	producer fee BoS Mtg. 7/19/16
409.373	Smith's Yardville Supply	\$27.12	bldg. maintenance
411.212	" "	\$19.99	cordless screwdriver

AUGUST 2016 GENERAL FUND BILLS - 8/16/16

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
488	Standard Insurance	\$705.73	add/life insurance premium
488A	" "	\$1,543.24	std insurance premium
488B	" "	\$905.01	ltd insurance premium
400.210	Staples Business Advantage	\$11.05	office supplies
410.210	" "	(\$23.18)	" "
409.215	" "	\$132.34	bldg. supplies
400.210	Staples Credit Plan	\$16.99	office supplies
411.212	" "	\$65.99	" "
410.231	Superior Plus Energy	\$2,530.42	unleaded gasoline
430.231	" "	\$976.37	diesel fuel
430.371	T & T Tree Service	\$1,475.00	removal of trees - Twp. roads
410.192	Temple University	\$300.00	criminal justice training
409.373	Townscapes	\$510.00	mowing/weeding of beds Twp. Complex/bike path
452.373	" "	\$50.00	weeding planting islands/tree bases Streetscape
410.470	TransUnion	\$25.00	police investigations
400.313	Tri-State Engineers	\$17,880.00	engineering fees
414.313A	" "	\$6,880.00	" "
430.371	Warwick Tree Service	\$500.00	removal/trimming of trees - Twp. Complex
409.373	Waste Management	\$341.52	trash collection/recycling Twp. complex
	TOTAL	\$118,863.84	

**FOR BOARD APPROVAL

AUGUST 2016 LIQUID FUELS BILLS - 8/16/16

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
437.2	A & M Truck Tire Service	\$1,002.50	new tires/ repair
433TL	Armour & Sons Electric	\$906.80	3 service calls
437.2	Bergey's Tire & Service	\$37.00	flat repair
438.245	Eureka Stone Quarry	\$652.39	stone to fill in ditches
430.260	Histand's Supply	\$41.30	shovels/rake
437	Kerrigan's Sunoco	\$377.25	vehicle repair
437	NAPA Auto Parts	\$19.36	shop supplies
434SL	PECO	\$125.13	street lighting
433TL	PECO	\$25.41	traffic lighting
437	Praxair	\$50.75	cylinder rental
437	Scrappy's Auto Service	\$497.02	truck insp./service
437	Smith's Yardville Supply	\$42.04	shop supplies/truck keys
438.245	" "	\$35.59	supplies to paint road markings
430.260	Tanners Lawn & Snow Equip.	\$467.06	new pole saw
TOTAL		\$4,279.60	

**PAID INTERIMLY

AUGUST 2016 PARK & REC BILLS - 8/16/16

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
452.250	Coverall	\$520.00	cleaning svc. - restrooms
452.250	Dog Waste Depot	\$108.50	liners/waste bags
452.250	Eurofins QC	\$30.00	water testing - parks
452.250	PECO	\$109.71 **	electric
452.250	PECO	\$60.51 **	electric
452.250	PECO	\$42.98 **	electric
452.250	Private Utility Enterprises	\$492.32	water sys. maint. - parks
452.250	Smith's Yardville Supply	\$72.38	maint. of water sys./trees
452.250	Staples Business Advantage	\$132.35	paper prods. for restrooms
452.250	Townscapes	\$4,375.00	mowing/weeding - 2 mos.
452.250	Waste Management	\$270.56	trash collection/recycling parks
TOTAL		\$6,214.31	

**PAID INTERIMLY

AUGUST 2016 PARK 3 YR CAP BILLS - 8/16/16

<u>Acct #</u>	<u>Company Name</u>	<u>Amount</u>	<u>Comments</u>
452.701	Pennoni	\$2,946.07	Br. Park irrigation well eval.
452.300	Tri-State Engineers	\$4,840.00	engineering fees
	TOTAL	\$7,786.07	

**PAID INTERIMLY

AUGUST 2016 WATER & SEWER BILLS - 8/16/16

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
429.313	CKS Engineers	\$336.81	engineering fees
429.374	Commonwealth of PA	\$100.00	Chap. 302 Operator Cert. annual svc. fee
429.210	Coyne Chemical	\$1,996.21	Sodium Hypochlorite/Sodium Bisulfite Sol.
429.374	Deckman Electric	\$3,021.23	pump/motor for repair
429.374	Essex Service	\$2,443.94	radio replacement/repairs
429.371	Eurofins QC	\$130.00	testing
429.374	Hajoca	\$35.03	repair - saddle
429.374	Home Depot	\$311.58	maintenance/repair items
429.372	PECO	\$1,885.54	** electric
429.372	PECO	\$1,584.96	** electric
429.372	PECO	\$120.98	** electric
429.372	PECO	\$98.33	** electric
429.372	PECO	\$111.71	** electric
429.100	Private Utility Enterprises	\$9,483.43	plant operator
429.374	Townscapes	\$330.00	mowing at plant
429.210	USA BlueBook	\$163.86	supplies
429.421	Verizon	\$41.62	** phone
429.421	Verizon	\$36.46	** phone
429.421	Verizon	\$42.32	** phone
429.421	Verizon	\$115.80	** phone
	TOTAL	\$22,389.81	

**PAID INTERIMLY

AUGUST 2016 POLICE PENSION BILLS - 8/16/16

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
400	Mockenhaupt	\$1,032.50	consulting/actuarial services
	TOTAL	\$1,032.50	

**PAID INTERIMLY

AUGUST 2016 NON-POLICE PENSION BILLS - 8/16/16

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
100	Mockenhaupt	\$890.00	quarterly actuarial services
	TOTAL	\$890.00	

**PAID INTERIMLY

AUGUST 2016 FIRE COMPANY - 8/16/16

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
411.540	Upper Makefield Fire Company	\$157,000.00	per Fire Co. request to rebuild reserves for fire truck
	TOTAL	\$157,000.00	

AUGUST 2016 OPEN SPACE BILLS - 8/16/16

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
403	Heritage Conservancy	\$420.00	professional fees
	TOTAL	\$420.00	

**PAID INTERIMLY
*OVER BUDGET

AUGUST 2016 INTERIM BILLS - 8/16/16

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
407.319	Cardmember Service	\$446.98	online backup/Constant Contact for eNews
410.192	" "	\$377.98	IACP conference/training
410.210	" "	\$98.99	toner cartridge
410.460	" "	\$105.00	EZ Pass
430.260	" "	\$79.31	safety glasses
438.460	" "	\$27.00	water
409.321	Comcast	\$8.45	PD video account
409.321	Comcast	\$149.23	phone service/internet service P. W. Bldg.
409.321	Comcast	\$338.57	phone service/internet service P. D. Bldg.
409.361	PECO	\$1,098.66	electric - Admin. Bldg.
409.361	PECO	\$1,295.92	electric - PD Bldg.
219	Ryan Shaeffer	\$10.00	refund LST
409.321	Verizon Wireless	\$1,119.69	mobile phone service
410.541	" "	\$26.71	" "
TOTAL		\$5,182.49	

*PREVIOUSLY APPROVED BY BOARD

AUGUST 2016 DUTCHESS FARM BILLS - 8/16/16

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
429.374	Commonwealth of PA	\$65.00	Chap. 302 Operator Cert. annual svc. fee
429.371	Eurofins QC	\$149.00	testing
429.376	FRANC Environmental	\$456.75	sludge removal
429.372	PECO	\$756.61	** electric
429.100	Private Utility Enterprises	\$2,756.23	plant operator
429.210	USA BlueBook	\$177.41	supplies
429.421	Verizon	\$42.52	** phone
	TOTAL	\$4,403.52	

**PAID INTERIMLY

AUGUST 2016 CAPITAL RESERVE BILLS - 8/16/16

<u>Acct #</u>	<u>Company Name</u>	<u>Amount</u>	<u>Comments</u>
409.752	Good Air Conditioning	\$3,000.00	remove/repl. heater/furnace Fire Station 81 deposit
TOTAL		\$3,000.00	

**PAID INTERIMLY

AUGUST 2016 WATER/SEWER CAPITAL RESERVE BILLS - 8/16/16

<u>Acct #</u>	<u>Company Name</u>	<u>Amount</u>	<u>Comments</u>
429.740	Blooming Glen Contractors	\$57,640.44	pmt. request #4 Sentinel Pump Stat.
429.740	CKS Engineers	\$4,563.74	engineering fees
TOTAL		\$62,204.18	

**PAID INTERIMLY

JULY 2016 ENCLAVE BILLS - 7/19/16

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
429.374	Commonwealth of PA	\$65.00	Chap. 302 Operator Cert. annual svc. fee - water
429.374	Commonwealth of PA	\$65.00	Chap. 302 Operator Cert. annual svc. fee - wastewater
429.371	Eurofins QC	\$49.00	testing
	TOT	\$179.00	

**PAID INTERIMLY