

Upper Makefield Township Board of Supervisors
August 7, 2018 Meeting Minutes

The August 7, 2018 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Tom Cino at 7:30 p.m. In attendance were the following members of the Board of Supervisors: Chair Tom Cino, Vice Chair Diana Nolan, Treasurer Mike Tierney, Member Kris Ballerini and Member Ed Ford. Also in attendance were Township Manager David Nyman, Township Solicitor Mary Eberle, Esq., Township Engineer Larry Young, P.E., Assistant Township Manager Judy Caporiccio, 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. Cino led in the recitation of the Pledge of Allegiance which was followed by a moment of silence in memory of Anna Mae Wydro, wife of Walter Wydro.

ANNOUNCEMENTS

Mr. Cino made the following announcements:

- The final Household Hazardous Waste Collection Event for 2018 will be held on Saturday, August 25 from 9:00 am – 3:00 pm at the Bucks County Technical School, 610 Wistar Road, Fairless Hills. Information about accepted items can be found on the Bucks County website at BucksCounty.org/recycling.
- The Grange Fair will be held August 15 – 19 at the fairgrounds on Penns Park Road in Wrightstown. For hours and information, visit MiddletownGrangeFair.org
- An Executive Session will be held following this evening's meeting for personnel and litigation matters.

SPECIAL ITEM

Office Bryan Walter was sworn in as an Upper Makefield Township Police Officer by The Honorable Mick Petrucci.

APPROVAL OF MINUTES AND BILLS PAYABLE

A motion was made by Ms. Nolan and was seconded by Ms. Ballerini to approve the July 17, 2018 meeting minutes. Motion carried by unanimous vote.

Mr. Cino presented the bills list for August 7, 2018. A motion was made by Dr. Ford and was seconded by Ms. Nolan to approve the August 7, 2018 Bills Payable List in the amount of \$168,920.68. Motion carried by unanimous vote.

PLANNING AND ZONING ISSUES

AV Co., Colonial Farms Preliminary Land Development Plan, 1108 Taylorsville Road

Eric Classe, P.E. represented the applicant and provided a presentation of the AV Co., Colonial Farms Preliminary Land Development Plan proposing to construct additions along the front and rear of the existing building and extend the parking lot. The applicant stated that they would comply with all of the items in the Tri State Engineers letter dated August 1, 2018. Ms. Eberle informed the Board that the Planning Commission has recommended preliminary/final approval.

Dan Johansson, Upper Makefield, inquired about tree removal.

Following discussion, a motion was made by Ms. Nolan and seconded by Dr. Ford to grant preliminary/final approval to AV Co., Colonial Farms Land Development Plan subject to compliance with items listed in Township Engineer Larry Young's letter dated August 1, 2018 and approve the waivers listed therein. Motion carried by a unanimous vote.

Schwartz Preliminary Subdivision Plan, 1070 Eagle Road

Attorney Ed Murphy, Esq. represented the applicant and provide an overview of the application proposing to construct two new single-family dwellings in addition to the one existing dwelling. Richard Zaveta stated that the applicant had addressed concerns regarding emergency vehicle access including tree trimming, performance of a hydro study and were completing the terms of an easement on the resource protected areas.

Ms. Nolan requested an update on neighbor concerns, which Mr. Zaveta indicated had been addressed. Dr. Ford asked for clarification of the riparian and wetland buffers, which Mr. Zaveta provided. Dan Johansson, Upper Makefield asked if the EMS concerns had been addressed.

A motion was made by Ms. Nolan and seconded by Dr. Ford to grant preliminary/final approval to the Schwartz Preliminary Subdivision Plan, to approve the development name of Hawthorne Trace, to approve the street name of Privet Lane and to approve the waivers requested, subject to the following: a) compliance with the recommendations set forth in Township Engineer Larry Young's letter dated July 31, 2018; b) CKS review and approval of the hydro study; c) installation of concrete monuments to designate the building envelopes; d) erections of placards on posts advising of the boundaries of the conservation easement; and e) execution of a conservation easement to the satisfaction of the Township, which names the Township as an easement holder. Motion carried by a unanimous vote.

Corrado Zoning Hearing Board Application, 9 Taylor Way

Mr. Kuhns provided an overview of the application requesting relief from side and rear yard setback requirements. Following discussion regarding the existing garage alignment, reduction of impervious, and non-conformity of the neighbor's garage, Mr. Kuhns was directed to share the Board's concerns with the applicant and reschedule for Board consideration at a future meeting.

SOLICITOR'S REPORT

Jointure Ordinance – Conservation Easement

Ms. Eberle provided an overview of the Jointure Ordinance – Conservation Easement Overlay District and requested authorization to advertise the ordinance.

Dan Johansson, Upper Makefield, asked for a review of the restrictions regarding approved uses.

Following discussion, a motion was made by Dr. Ford and seconded by Ms. Ballerini to authorize advertisement of the Jointure ordinance creating a Conservation Easement Overlay District. Motion carried by unanimous vote.

Jointure Ordinance – PRD Deletion

Ms. Eberle provided an overview of the Jointure Ordinance deleting Planned Residential Development (PRD) use and requested authorization to advertise the Jointure Ordinance. Ms. Ballerini noted a number of editing corrections that she had forwarded to the Jointure Solicitor. Following discussion, a motion was made by Dr. Ford and seconded by Ms. Nolan to authorize advertisement of the Jointure ordinance to delete PRD Use, subject to the corrections of the editing and typographical errors identified by Ms. Ballerini. Motion carried by unanimous vote.

MANAGER'S REPORT

Brownsburg Park Fields 5/6 Irrigation

Mr. Nyman introduced Eric Schaal, representing the Park & Recreation Board. Mr. Schaal provided a history of the irrigation of Brownsburg Park Fields 2-4 and displayed pictures showing grass improvement on those fields since irrigation compared to the non-irrigated fields. He then presented the Park & Recreation Board's request to authorize Township staff to solicit cost estimates for irrigating Brownsburg Park Fields 5 and 6, noting that funds were included in the 2018 Park & Recreation Capital Budget for the project.

Ms. Ballerini expressed support for the project and resulting improvement to safety. Ms. Nolan also expressed support for the project and requested some financial contribution by Patriot FC toward the project. Mr. Tierney agreed and stated that the field conditions are a result of poor engineering when the fields were built. Dr. Ford asked for the cost of electricity to operate the irrigation system. Mr. Cino supported soliciting cost estimates while also seeking responses to the questions raised. Mr. Schaal stated that he would present a request to the Patriot FC to contribute to the irrigation project.

A motion was made by Ms. Ballerini and seconded by Dr. Ford to authorize staff to solicit proposals for Brownsburg Park Fields 5/6 irrigation with a request to Patriot FC to contribute to the project. Motion carried by unanimous vote.

ENGINEER'S REPORT

Lookout Park Building Renovations – Payment Request #5 (Final)

Mr. Young provided an overview of the project and recommended approval of Payment Request #5 (Final) in the amount of \$5,982.40. A motion was made by Ms. Nolan and seconded by Ms. Ballerini to approve Payment Request #5 (Final) in the amount of \$5,982.40. Motion carried by unanimous vote.

Public Works Building Expansion Project (Electrical) – Payment Request #1 (Final)

Mr. Young provided an overview of the project and recommended approval of Payment Request #1 (Final) in the amount of \$8,200.00. A motion was made by Ms. Ballerini and seconded by Ms. Nolan to approve Payment Request #1 (Final) in the amount of \$8,200.00. Motion carried by unanimous vote.

Public Works Building Expansion Project (General) – Payment Request #1 (Final)

Mr. Young provided an overview of the project and recommended approval of Payment Request #1 (Final) in the amount of \$127,800.00. A motion was made by Ms. Nolan and seconded by Ms. Ballerini to approve Payment Request #1 (Final) in the amount of \$127,800.00. Motion carried by unanimous vote.

Old Dolington Road Repairs

Mr. Young provided a report on the current condition of Old Dolington Road and noted that the road surface has abundant cracks and inadequate shoulders to carry high velocity rainwater. He indicated that erosion is affecting the road subbase in some areas. Mr. Young recommended that base repair be performed as soon as possible to stop further deterioration and that road surface paving be moved up to next year's paving project.

Discussion followed and concern was expressed about sight distance at the intersection of Old Dolington Road and Route 532. Mr. Young suggested including that review in conjunction with next year's repaving project.

Dan Johansson, Upper Makefield, asked how current conditions are being addressed.

Following discussion, a motion was made by Ms. Nolan and seconded by Ms. Ballerini to authorize advertisement of Old Dolington Road base repairs and include consideration of using the millings to improve the parking area at the fire house. Motion carried by unanimous vote.

PUBLIC COMMENT

Chris Ellery, Bucks County Courier Times, inquired about the status of the marijuana ordinance. Ms. Eberle indicated that the ordinance was being revised to reflect comments made by the Newtown Township and Upper Makefield Township Planning Commissions and that the Board of Supervisors would review the ordinance when it was in final form.

ADJOURNMENT

A motion was made by Ms. Nolan and seconded by Ms. Ballerini to adjourn the meeting into Executive Session at 9:07 p.m. Motion carried by unanimous vote.

Respectfully submitted,



David R. Nyman
Township Manager

Approved: August 21, 2018