

Upper Makefield Township Board of Supervisors

October 15, 2019 Meeting Minutes

The October 15, 2019 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, Member Kris Ballerini and Member Ed Ford. Treasurer Mike Tierney participated by telephone. Also in attendance were Township Manager David Nyman, Township Solicitor Mary Eberle, Esq., Township Engineer Carl Turner, P.E., Assistant Township Manager Judy Caporiccio, Director of Planning & Zoning Dave Kuhns and Chief Mark Schmidt.

There were also members of the public 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.

ANNOUNCEMENTS

Mr. Cino made the following announcements:

- Residents who may be interested in serving on a volunteer board are encouraged visit the Township website at UpperMakefield.org for information about Township boards and committees and to find a Volunteer Board application.
- The Upper Makefield Township Police Department will participate in the National Drug Take-Back Event on Saturday, October 26 from 10 a.m. – 2 p.m. Drop off unused or expired prescriptions drugs for safe disposal. There is also a collection box located in the Police Department lobby, which is accessible Monday – Friday during business hours.
- The Township received a Certificate of Recognition from the Delaware Valley Workers Compensation Trust, our insurance carrier, recognizing our “efforts in exemplary achievement and leadership in minimizing workplace injuries and illness during 2018.”
- The next regular Board of Supervisors meeting will be held on Wednesday, November 6 at 7:30 p.m. here at the Township Building.
- An executive session was held prior to tonight’s meeting to seek legal advice from the Solicitor.

Ms. Nolan updated the Board on Congressman Fitzpatrick’s continuing efforts to address the Mercer County New Jersey gun range concerns.

Ms. Ballerini reminded residents of the Spotted Lantern Fly concern, specifically sharing information on where to look for egg masses.

PUBLIC COMMENT

Bill Nurko, 1337 Hall Road, shared his concern regarding the proposed under-sized parcel by Prime Development Group, which is located across the street from his home.

APPROVAL OF MINUTES AND BILLS PAYABLE

A motion was made by Ms. Ballerini and was seconded by Ms. Nolan to approve the October 7, 2019 budget workshop meeting minutes. Motion carried by unanimous vote.

A motion was made by Ms. Ballerini and was seconded by Ms. Nolan to approve the October 1, 2019 meeting minutes. Motion carried by unanimous vote.

Mr. Cino presented the bills list for October 15, 2019. A motion was made by Ms. Ballerini and was seconded by Ms. Nolan to approve the October 15, 2019 Bills Payable List in the amount of \$256,458.60. Motion carried by unanimous vote.

PLANNING AND ZONING ISSUES

Wolfinger Preliminary Subdivision Plan, 1410 Wrightstown Road

John VanLuvanee, Esq. represented the applicant and provided an overview of the application, which proposes construction of two new single-family dwellings in addition to the one existing dwelling, including a request to plant 48 replacement trees. He acknowledged the fact that they needed to complete a hydrogeologic study for a new well.

Ms. Nolan indicated that she was okay with the waiver request to plant a smaller caliper tree than required.

Dr. Ford stated that the EAC specifies the planting of smaller trees, but sought assurance that a 50 foot no mow zone would be provided on both sides of the riparian area.

Following discussion, a motion was made by Dr. Ford and seconded by Ms. Nolan to grant preliminary approval of the Wolfinger Subdivision Plan conditioned upon compliance with the recommendations of the planning commission as set forth in the letter from Mary Eberle to Mr. Nyman dated October 8, 2019, with a revision to the original waiver request to allow the installation of 2"-3" caliper replacement; subject to the completion of a hydrogeological study as directed by Thomas Zarko, P.E. and conditioned on the formal delineation of a 50 foot no-mow zone on both sides of the riparian corridor. Motion carried by unanimous vote.

Prime Development Group LP Zoning Hearing Board Application, River & Stoneybrook Roads

David Shafkowitz, Esq. and Robert Snyder, P.E. represented the applicant and provided an overview of the application requesting a number of variances for the construction of a dwelling on a pre-existing non-conforming lot that has three frontages.

Dr. Ford requested clarification regarding the deed for the proposed property.

Pat Fiedler, River Road and Taylorsville Road, shared concerns with the development of the site and requested that the Board oppose the application.

Bill Nurko, Hall Road, shared concerns about traffic, proposed driveway access and the number of trees to be removed.

Mr. Robert Salgado, River Road stated that his deed concerns had been remedied.

Following discussion, a motion was made by Ms. Nolan and seconded by Ms. Ballerini to oppose the Zoning Hearing Board application and send the Township Solicitor to support their opposition. Motion carried by a unanimous vote.

SOLICITOR'S REPORT

There was no Solicitor's Report.

MANAGER'S REPORT

Jointure Comprehensive Plan Update

Lisa Wolff, Senior Planner, Jeremy Storck, Planner and Evan Stone, Executive Director of the Bucks County Planning Commission, provided a description of a comprehensive plan and an overview of the

Bucks County Planning Commission proposal to update the Newtown Area Joint Comprehensive Plan.

Ms. Nolan asked about community input, which would be provided through a resident survey.

Dr. Ford questioned the need to reimburse the County Planning Commission as they are supported by tax dollars. Ms. Wolff explained that plan updates are separate from the BCPC normal responsibilities of mandated Municipal Planning Code (MPC) services, which are supported by tax dollars.

Ms. Ballerini asked if the Planning Commission would prepare and submit a grant application to help fund the project, and Mr. Stone indicated that they would.

Following discussion, it was the consensus of the Board to continue consideration of this item until the next meeting.

2020 Fee Schedule

Mr. Nyman provided an overview of the 2020 Fee Schedule. A motion was made by Mr. Cino and seconded by Ms. Nolan to approve the 2020 Fee Schedule. Motion carried by unanimous vote.

Presentation of 2020 Preliminary Budget

Mr. Nyman provided a presentation of the 2020 Preliminary Budget developed following the two budget workshop meetings held on October 1, 2019 and October 7, 2019 and thanked the Board and the staff for their efforts during the budget process. The Board expressed appreciation of staff's efforts, and a motion was made by Ms. Nolan and seconded by Ms. Ballerini to authorize advertisement of the 2020 Preliminary Budget. Motion carried by unanimous vote.

Lingohocken Volunteer Support Grant

Mr. Nyman noted that funds were included in the 2019 budget to support the Upper Makefield and Lingohocken Volunteer Fire Companies' recruitment and retention programs. After discussion, a motion was made by Ms. Ballerini and seconded by Ms. Nolan to approve a \$10,000 grant to Lingohocken Fire Company to assist in the support of their LOSAP Program as budgeted in the Fire Fund Volunteer Support Program. Motion carried by unanimous vote.

Sludge Removal Bid

Mr. Nyman explained that the current sludge removal contracts will expire at the end of the year and requested authorization to advertise for bids. A motion was made by Ms. Nolan and seconded by Ms. Ballerini to authorize advertisement of the Sludge Removal Bids. Motion carried by unanimous vote.

ENGINEER'S REPORT

2019 Road Paving Project – Phase 1, Change Order #2

Mr. Turner provided an update of the project and recommended approval of Change Order #2 reducing the contract amount by (\$14,184.00). After discussion, Ms. Nolan made a motion which was seconded by Ms. Ballerini to approve Change Order #2. Motion carried by unanimous vote.

2019 Road Paving Project – Phase 1, Payment Request #2

Mr. Turner recommended approval of Payment Request #2 in the amount of \$9,540.90. Following discussion, Dr. Ford made a motion which was seconded by Ms. Ballerini to approve Payment Request #2 in the amount of \$9,540.90. Motion carried by unanimous vote.

2019 Road Paving Project – Phase 1, Payment Request #3 (Final)

A motion was made by Ms. Nolan was seconded by Ms. Ballerini to approve Payment Request #3 (Final) in the amount of \$52,439.05. Motion carried by unanimous vote.

BOARD AND COMMISSION REPORTS

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

- Environmental Advisory Council – September 10, 2019
- Planning Commission – August 28, 2019

DEPARTMENT REPORTS

Mr. Cino announced that the following department reports were provided:

- Planning & Zoning Department
- Finance Department
- Fire Departments
- Ambulance
- Fire Marshal
- Police Department
- Public Works

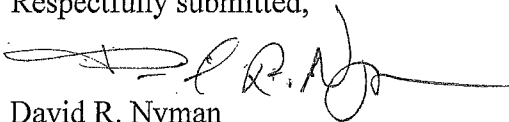
PUBLIC COMMENT

Pat Fiedler thanked the Board for opposing the Prime Development Zoning Hearing application. He also shared concerns regarding sale of the David Library property and its potential for development.

ADJOURNMENT

A motion was made by Ms. Nolan and seconded by Ms. Ballerini to adjourn at 9:10 p.m. Motion carried by unanimous vote.

Respectfully submitted,



David R. Nyman
Township Manager

Approved: November 6, 2019