

Upper Makefield Board of Supervisors
July 16, 2024 Meeting Minutes

The July 16, 2024 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Yvette Taylor at 7:30 p.m. In attendance were the following members of the Board of Supervisors: Chair Yvette Taylor, Vice Chair Ben Weldon, Treasurer Braun Taylor, Member Tom Cino and Member Tim Thomas. Also in attendance were Township Manager David R. Nyman, Assistant Township Manager Judy Caporiccio, Township Solicitor Will Oetinger, Esq., Township Engineer Amando Fuller, P.E., Planning & Zoning Director Denise Burmester, Sergeant Mary Kate Huff and Chief Schmidt.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Ms. Taylor led in the recitation of the Pledge of Allegiance which was followed by a moment of silence.

ANNOUNCEMENTS

Ms. Taylor made the following announcements:

- The next Household Hazardous Waste Collection event will be on Saturday, August 10 at Bensalem High School South from 8:30 – 2, rain or shine. Visit [BucksCounty.gov/Recycling](https://www.buckscounty.gov/Recycling) for details.
- Upper Makefield Community Day is on Saturday, September 21 at Brownsburg Park from 10-3. Come spend some time at the park, meet our volunteers, staff and supervisors and learn more about the Township. There will be games, pizza, ice cream and activities for all ages.
- The August 6 meeting of the Board of Supervisors is cancelled. The next meeting is on Tuesday, August 20.
- An executive session will be held following tonight's meeting to consult with counsel.

Bridge Update:

- Last month, the Delaware River Joint Toll Bridge Commission hired an engineering firm to conduct a multi-year environmental review process to evaluate the Washington Crossing Bridge and help determine whether the Bridge should be replaced. Residents are encouraged to continue to attend the Toll Bridge Commission meetings in person or virtually to voice your opinions about the Washington Crossing Bridge project. Their next meeting is on Monday, July 29 at 10:30 a.m. Visit [drjtbc.org](https://www.drjtbc.org) for meeting information.
- As many of you are aware, the Township has engaged Jeff Marshall to assist with the process to determine the eligibility of the Taylorsville Historic District on the National Register. Mr. Marshall has met with representatives from the Pennsylvania Historical and Museum Commission and is awaiting the State's review and response.
- We are sad to report the passing of Park & Recreation Board member Joe Weiss last month. Joe was an enthusiastic member of the Board and provided important input and research on park and rec projects. He will be missed.
- Yesterday marked the one-year anniversary of the flash flood in Upper Makefield Township that took 7 lives. A memorial service was held at the Crossing Church to honor the victims, families and provide an opportunity for the community to mark the anniversary. Our thoughts are with the family members as they continue to grieve their loss.
- The Flood Insurance Task Force has issued their Final Report which includes recommendations on obtaining flood insurance and mitigating losses.

SPECIAL ITEM

Ivone A. Kovalsky of the Bucks County Co-Responder Program provided background on the County program. It is a partnership with law enforcement in which co-responders serve as a liaison to address

social service needs of individuals contacting 911 emergency services to ensure timely and streamlined connections to resources, and divert people away from the criminal justice system. She then introduced Amy Newsham-Tinsley, the new Co-Responder for Upper Makefield Township, Newtown Township and Newtown Borough.

PUBLIC COMMENT

There was no public comment at this time.

APPROVAL OF MINUTES AND BILLS PAYABLE

A motion was made by Mr. Cino and seconded by Mr. Weldon to approve the June 18, 2024 meeting minutes. Motion carried by unanimous vote.

A motion was made by Mr. Cino and seconded by Mr. Weldon to approve the July 16, 2024 Bills Payable List in the amount of \$373,764.33. Motion carried by unanimous vote.

PLANNING & ZONING ISSUES

There were no Planning and Zoning issues.

SOLICITOR'S REPORT

Solar Panel Waiver Request (Smith – 1712 Scott Drive)

Mr. Oetinger provided an overview of the application of Joseph Smith for a solar panel waiver with respect to the size of the array for the property located at 1712 Scott Drive. He marked several exhibits and indicated all exhibits will be available and listed in the Board's written decision. Attorney Mike Malloy, Esq. and John Richardson, P.E., were present on behalf of the applicant. Mr. Malloy provided a background on the project and presented an offer of proof for his witnesses describing the proposed solar panel installation.

Mr. Ed Haleman, 985 Old Dolington Road, requested party status with no objection from the applicant.

Mr. Malloy indicated the proposed array is not oversized and is designed for use only for this property, would not be visible from the street, and is located 800 ft. from neighbors, but does need a size waiver for the panels. The applicant agreed to comply with the Gilmore & Associates Engineering Review Letter dated July 10, 2024.

Discussion followed. Mr. Haleman commented that he has a background in real estate and appraisal work. He considers this application to be aggressive, recommends requirement of an environmental study and suggests that the solar panels could be an issue for future transfer of property ownership.

Under public comment, neighbor Michael Scott stated that he has solar panels and has observed no impact on area wildlife, while reducing thousands of pounds of carbon dioxide from the atmosphere.

Mr. Oetinger closed the record and announced that the Board would deliberate in Executive Session. A written Findings of Fact and Conclusions of Law will be adopted at the next Board of Supervisors meeting on August 20, 2024.

MANAGER'S REPORT

Certified Local Government Grant Agreement between PHMC and UMT

Mr. Nyman provided an overview of the Certified Local Government Grant Agreement between the Pennsylvania Historical and Museum Commission and Upper Makefield Township. Mr. Marshall is

recommending execution of the agreement, which will be required if funding opportunities become available. Following discussion, a motion was made by Mr. Cino and seconded by Mr. Thomas to authorize the Township Manager to execute the Certified Local Government Grant Agreement. Motion carried by unanimous vote.

Police Officers

A motion was then made by Mr. Cino and seconded by Mr. Weldon to approve the conditional hiring of Dakota Romberger as a full-time police officer. Motion carried by unanimous vote.

Chief Schmidt explained that Jessica Vogentiz, the other candidate for consideration on tonight's agenda, accepted a position in another department.

Resolution No. 2024-07-16-01 – Traffic Signal Maintenance Agreement with PennDOT

Mr. Nyman provided an overview of Resolution No. 2024-07-16-01 authorizing a Traffic Signal Maintenance Agreement with PennDOT for a beacon to be located near a new crosswalk on River Road near the Valley of Concentration parking lot at Washington Crossing Historic Park. Following discussion, a motion was made by Mr. Thomas and seconded by Mr. Cino to approve Resolution No. 2024-07-16-01. Motion carried by unanimous vote.

ENGINEERS REPORT

Flood Mitigation Stormwater Assessment Update

Ms. Fuller provided an update on the Washington Meadows HOA Basin Expansion and Ascension Church Level Spreader projects. Discussion followed regarding HOA approval of the Washington Meadows basin expansion proposal. A motion was made by Mr. Cino and seconded by Mr. Weldon to authorize the Township Engineer to proceed with engineering and permitting for the Washington Meadows HOA Basin Expansion and Ascension Church Level Spreader projects based on the Engineer's report and concept plans conditioned upon obtaining written approval from the property owners. Motion carried by unanimous vote.

Mr. Taylor recommended obtaining and reviewing the HOA documents to gain an understanding of their contents as the process continues.

Update on Hydraulic Analysis of Belamour Subdivision Basin and Valley View Subdivision Basin

Ms. Fuller provided an update on the Hydraulic Analysis of the Belamour Subdivision Basin. There is potential for projects to expand and retrofit the basin. Because this is still an open subdivision, staff will discuss the potential projects with the developer and their willingness to cooperate on a project before proceeding.

The Valley View Subdivision Basin assessment showed potential for a retrofit. An update will be provided after discussion with the HOA.

Resolution No. 2024-07-16-02 – DCED Multi – Modal Grant

Ms. Fuller provided an overview of Resolution No. 2024-07-16-02 authorizing submission of DCED Multi-Modal Grant request for Streetscape improvements and authorizing Township officials to execute documents and agreements. There is a 10% Township match of \$143,635. Following discussion, a motion was made by Mr. Cino and seconded by Mr. Weldon to approve Resolution No. 2024-07-16-02. Motion carried by unanimous vote.

The Enclave – Escrow Release #7

Ms. Fuller provided an overview of the project and recommended approval of Enclave Escrow Release No. 7. Following discussion, a motion was made by Mr. Cino and seconded by Mr. Weldon to approve the escrow release in the amount of \$387,190.22. Motion carried by a unanimous vote.

BOARD AND COMMISSION REPORTS

Ms. Taylor announced that the following minutes were included in Board packets:

- Environmental Advisory Council – June 5, 2024
- Historic Architectural Review Board – August 9, 2023

DEPARTMENT REPORTS

Ms. Taylor announced that the following department reports were provided:

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

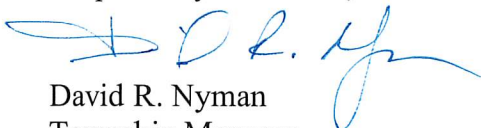
PUBLIC COMMENT

Priscilla Linden, 50 Dillon Way, thanked the Board for instituting the co-responder program and for moving forward with plans to manage stormwater.

ADJOURNMENT

A motion was made by Mr. Cino and seconded by Mr. Weldon to adjourn to an Executive Session at 9:12 p.m.

Respectfully submitted,



David R. Nyman
Township Manager

Approved: August 20, 2024