

Upper Makefield Board of Supervisors

August 20, 2024 Meeting Minutes

The August 20, 2024 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair 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 Mary Eberle, Esq., Township Engineer Amanda Fuller, P.E., Planning & Zoning Director Denise Burmester 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:

- Mark your calendars for Upper Makefield Community Day on Saturday, September 21. Join your friends and neighbors at Brownsburg Park to learn more about our Township, meet our volunteers, staff and supervisors. We are planning activities for all ages and will have pizza, snacks and more. Please join us at Brownsburg Park from 10-3 on September 21.
- Township offices will be closed on Monday, September 2 for the Labor Day holiday.
- An executive session was held prior to this evening's meeting to discuss potential land acquisition.

Bridge Update:

The next meeting of the Delaware River Joint Toll Bridge Commission will be on Monday, September 30. Their August meeting was cancelled. We encourage our residents to continue to attend the Toll Bridge Commission meetings in person or virtually to voice your opinions about the Washington Crossing Bridge project. The meeting begins at 10:30 a.m. Visit drjtbc.org for meeting information.

SPECIAL EVENT

Chief Schmidt provided an introduction of Officer Dakota Romberger. District Judge Mick Petrucci then administered the Oath of Office to Officer Romberger.

PUBLIC COMMENT

Kathleen Budd, 1295 River Road, expressed concerns regarding the speed of traffic in the area of River Road and Taylorsville Road and requested increased police presence in that area.

Ellen Goldblatt, 1299 River Road, agreed that speeding in the River Road/Taylorsville Road area is a major safety concern.

Priscilla Linden, 50 Dillon Way, thanked the Board for their efforts to finalize the Creamery Road Sewer Line Extension Project and urged continued efforts to manage storm water.

Ellen Radow, 9 Timber Knoll, encouraged the Board to keep attacking the storm water issue and supported the EAC recommendation to join the Bucks Beautiful Program.

APPROVAL OF MINUTES AND BILLS PAYABLE

A motion was made by Mr. Weldon and seconded by Mr. Cino to approve the July 16, 2024, meeting

minutes. Motion carried by unanimous vote.

A motion was made by Mr. Cino and seconded by Mr. Weldon to approve the August 20, 2024 Bills Payable List in the amount of \$519,372.54. Motion carried by unanimous vote.

PLANNING & ZONING ISSUES

Hammer Planning Module, 2799 Windy Bush Road

Ms. Burmester provided an overview of the Hammer Planning Module application for a system to support a single family dwelling to be built on a new lot at 192 Pine Lane. Discussion followed and a motion was made by Mr. Cino and seconded by Mr. Thomas to approve Hammer Planning Module. Motion carried by unanimous vote.

Daniel Zoning Hearing Board Application, 1262 Eagle Road

Attorney Ed Murphy represented the applicant and provided an overview of the Daniel Zoning Hearing Board Application requesting a variance and special exception for the construction of a carriage house, in-ground swimming pool, pool decking, patio, pool house, walls and walkway and reconfiguration of the driveway. Following discussion regarding concerns over the amount of impervious surface proposed and the Board's significant efforts to control stormwater, a motion was made by Mr. Cino and seconded by Mr. Thomas to oppose granting the variances requested in the Zoning Hearing Board Application. Motion carried by unanimous vote.

SOLICITOR'S REPORT

Adoption of Adjudication for Solar Panel Ordinance Waiver Request – 1712 Scott Drive (Smith)

Ms. Eberle provided an overview of the adjudication for the Smith waiver request for a solar panels with respect to the size of the array for the property located at 1712 Scott Drive. Ms. Eberle read aloud the six conditions included in the Order of Adjudication:

1. The Applicant shall install buffer and landscape screenings around the perimeter of the Ground Array in a manner satisfactory to the Township Engineer.
2. The Applicant shall install buffer and landscape screenings along the property line shared with 1710 Scott Drive in a manner satisfactory to the Township Engineer.
3. The Applicant shall execute a declaration of covenants in a manner satisfactory to the Township Solicitor, for the removal of the solar array or decommissioning of solar panels.
4. The Applicant shall comply with all comments and recommendations of the Upper Makefield Township Engineer as set forth in the letter of Gilmore & Associates Engineering and Consulting, Inc. dated July 10, 2024, more specifically identified as Exhibit T-5.
5. The Applicant shall install stormwater management facilities sufficient to manage 4,370 ft./sq. of impervious surface in a manner compliant with the Upper Makefield Township Stormwater Management Ordinance.
6. The Applicant shall comply with all other Codes and Ordinances of Upper Makefield Township including, without limitation, the Subdivision and Land Development Ordinance, the Stormwater Ordinance, and the Floodplain Ordinance.

Discussion followed and a motion was made by Mr. Weldon and seconded by Mr. Taylor to adopt the Adjudication as read by the Solicitor for the Smith Solar Panel Ordinance Waiver Request. Mr. Cino expressed opposition to this request due to the increased impervious surface and the Board's efforts to control stormwater. Mr. Thomas expressed opposition to this request because it sets precedence for

non-compliance with Township ordinances. Motion carried by a 3 to 2 vote, with Mr. Cino and Mr. Thomas voting in opposition.

Weyant Conditional Use Hearing, 1292 Taylorsville Road

Ms. Taylor read a statement providing an overview of the application for a conditional use to convert a barn into a residence and convert the existing primary residence into a workshop/office. Ms. Taylor opened the public hearing. Mr. Pat Fielder of 1298 River Road, a next door neighbor, was granted party status. The hearing was recorded by a stenographer. Ms. Taylor closed the public hearing. Ms. Eberle explained that the Board has 45 days to consider conditions and will provide a response at a public meeting.

MANAGER'S REPORT

Sunoco Pipeline Relocation Site Work Construction Escrow Release No. 1 - Oakdale Avenue and River Road

Mr. Nyman provided an overview of the project and recommended approval of the Sunoco Pipeline Relocation Site Work Construction Escrow Release. A motion was made by Mr. Cino and seconded by Mr. Weldon to approve the Sunoco Pipeline Relocation Site Work Construction Escrow Release No. 1 in the amount of \$375,000.00. Motion carried by unanimous vote.

Creamery Road Sewer Line Extension Project

Mr. Nyman provided an overview of the project to extend a sewer line along Creamery Road and recommended awarding the bid to Barrasso Excavation, Inc. of Oley, PA. Discussion followed and Mr. Cino expressed concerns about procedures, resident communication, permitting and the vendor. Ms. Eberle confirmed that the process has been procedurally correct, and the vendor was deemed a responsible bidder. A motion was made by Mr. Weldon and seconded by Mr. Thomas to award the Creamery Road Sewer Line Extension Project to Barrasso Excavation, Inc. in the amount of \$240,550.00. Motion carried by a 4 to 1 vote with Mr. Cino voting in opposition.

Memorial Butterfly Garden Update

Mr. Nyman provided an overview of the project to build a Memorial Butterfly Garden to honor the victims of the July 15, 2023 flash flood in Upper Makefield. The concept design was shared, which has the support of the victims' families.

Taylorville Historic District Update

Mr. Nyman provided a status update that Jeff Marshall has met with representatives of the Pennsylvania State Historic Preservation Office regarding the Taylorsville Historic District nomination for the National Register. He has narrowed the focus of his research and noted that the project may exceed the initial proposal amount.

2025 Budget Schedule

Mr. Nyman provided an overview of the proposed 2025 Budget Schedule that includes Budget Workshop dates of September 17 and October 1. A motion was made by Mr. Cino and seconded by Mr. Weldon to authorize advertisement of Budget Workshops on September 17 and October 1 at 6:30 p.m. Motion carried by unanimous vote.

2024/25 Salt Bids

Mr. Nyman provided an overview of the 2024/25 Consortium Salt Bids and noted the recommendation of Public Works Superintendent Matt Gorman to award the bid to Morton Salt, Inc. for a delivered cost of \$60.95/ton. A motion was made by Mr. Cino and seconded by Mr. Weldon to award the 2024/25

Salt Bid to Morton Salt, Inc. for a delivered cost of \$60.95/ton. Motion carried by a unanimous vote.

**Lookout Park Pavilion Construction – Delaware Environmental Construction Services
Change Order #1**

Mr. Nyman noted that the project is complete and recommended approval of Lookout Park Pavilion Construction Change Order #1 to increase the contract by \$1,500.00 due to repair of a damaged sprinkler line. Following discussion, a motion was made by Mr. Weldon and seconded by Mr. Cino to approve Lookout Park Pavilion Construction Change Order #1. Motion carried by unanimous vote.

Payment Request #1 (Final)

Mr. Nyman recommended approval of Lookout Park Pavilion Construction Payment Request #1 in the amount of \$62,800.00. Following discussion, a motion was made by Mr. Cino and seconded by Mr. Weldon to approve Lookout Park Pavilion Construction Payment Request #1. Motion carried by unanimous vote.

ENGINEERS REPORT

Flood Mitigation Stormwater Assessment Update

Ms. Fuller provided updates on the four stormwater projects:

Washington Meadows has been surveyed and the plan updated with a reduced sized basin. Letters were sent to neighbors abutting the basin and meetings were held with the HOA president and vice president. Letters will be sent to all residents within the HOA for notification and feedback.

Ascension Church has been surveyed. The plan is being updated after a hidden manhole was discovered.

Belamour developer submitted as built plans for the two basins in the subdivision, and the Township Engineer is reviewing plans with the developer.

Valley View HOA President has authorized proceeding with the Valley View Subdivision Basin Assessment. Following discussion, a motion was made by Mr. Weldon and seconded by Mr. Cino to authorize the Township Engineer to prepare a concept plan and cost estimate for the basin retrofit project at the basin behind Old Barn Court. Motion carried by unanimous vote.

Multimodal Transportation Grant Status

Ms. Fuller provided a status update that the DCED Multimodal Transportation Fund Grant Application has been submitted in the amount of \$1,436,530.00 for improvements along General Washington Memorial Boulevard in anticipation of America's 250th anniversary celebrations. The Township requested a waiver of the 30% match to a 10% match.

2024 Road Program

Ms. Fuller provided an update that the 2024 Road Paving project is complete and recommended approval of Payment Request #1 in the amount of \$399,408.12. A motion was made by Mr. Weldon and seconded by Mr. Cino to approve Payment Request #1 in the amount of \$399,408.12. Motion carried by unanimous vote.

BOARD AND COMMISSION REPORTS

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

- Environmental Advisory Council – July 9, 2024
- Investment Committee – May 15, 2024
- Park & Recreation Board – June 10, 2024
- Planning Commission – May 15, 2024

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

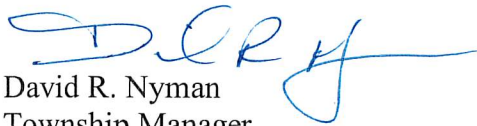
PUBLIC COMMENT

Ellen Radow, 9 Timber Knoll, requested an allocation of funding for an environmental assessment of the Washington Crossing Bridge during the 2025 budget process.

ADJOURNMENT

A motion was made by Mr. Cino and seconded by Mr. Weldon to adjourn the meeting at 9:33 p.m.

Respectfully submitted,



David R. Nyman
Township Manager

Approved: September 3, 2024