

Upper Makefield Board of Supervisors

July 1, 2025 Meeting Minutes

The July 1, 2025 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Yvette Taylor at 7:31 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 Interim Township Manager Terry Fedorchak, Assistant Township Manager Judy Caporiccio, Township Solicitor Will Oetinger, 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:

- Regarding the Sunoco pipeline leak, Energy Transfer has indicated that they will be holding a Zoom meeting on July 31. Details will be posted on our Township website when they become available.
- The 43rd annual Rev Run is this Friday, July 4. Registration is still open for participation or to volunteer. Information is available on the Township website and at RevRunPA.com.
- The Township congratulates Newtown EMS on being recognized by the American Heart Association as being a gold level provider for meeting the highest standards for stroke and heart attack care.
- Township offices will be closed this Friday, July 4 for the holiday.
- There was executive session prior to this meeting to consult with the Township Solicitor.

Bridge Update:

- The next meeting of the Delaware River Joint Toll Bridge Commission is Monday, July 28 at 10:30 a.m. The Township continues to encourage residents to attend, either virtually or in person. Check the Toll Bridge Commission has a dedicated website where they post updates, www.washingtoncrossingbridge.com.

Mr. Thomas thanked members of Upper Makefield Business Association for their trash pickup event along River Road prior to the Rev Run.

Mr. Cino thanked the Public Works Department and the Upper Makefield Volunteer Fire Department for their efforts during the recent power outages in the Township.

Ms. Taylor announced Community Day is September 20, 2025 at Brownsburg Park.

SPECIAL ITEM

Mr. Fennimore provided an update on the Sunoco Pipeline leak in Mt. Eyre Manor. He stated that the Township requested the July 15 Special Meeting with DEP hoping that DEP will address questions and concerns related to their Order. The meeting will be at the Township building beginning at 7:30 p.m.

He then provided status that three wells have been successfully installed on Glenwood Drive and two of them are recovering product, geophysical logging and packer testing are complete. Energy Transfer is currently baling wells Monday-Friday and installing absorbent socks Saturday-Sunday to collect product. The Township has stated to DEP and Energy Transfer that a more aggressive approach is

needed for product recovery and that any determinations on the geometry of the plume are premature until the site characterization is completed by Energy Transfer. He then provided an overview of the June 25, 2025 Pipeline and Hazardous Materials Safety Administration (PHMS) briefing.

Mr. Fennimore relayed that Energy Transfer has indicated that they are no longer planning to provide bottled water or POET system maintenance outside of the blue area of influence, and that their water testing will now be bimonthly. The Township stressed to DEP that the decision to stop these services is premature prior to completion of the site characterization and because Energy Transfer made statements to the contrary at previous meetings. The Township also inquired about the process to amend the DEP Order to address these concerns.

Mr. Fennimore then reviewed the major components of the three options for long-term water solutions in the feasibility study, which has not been funded: drilling deeper wells, connecting to a public water utility, or construction of a Township-owned plant.

PUBLIC COMMENT

Martin Kaye, 126 Beaumont Drive, raised concerns about frequent road closures during storms and proposed solutions.

Terry Deardon, 208 Bruce Road, appreciated the Public Works Department for monitoring easements and for storm cleanup. She requested a status update on the monitoring wells, expressed frustration with the conflicting information and changing rules by Energy Transfer, and expressed concerns about decreased property values resulting from the leak.

Joe Babiacz, 102 Crestwood Road, questioned the industry's process for quantifying the amount of product leaked, suggested maintaining a list of residents no longer receiving bottled water and POET system maintenance, and inquired about the Township Engineer's review of water tests.

Joe Chiolo, 991 Mt. Eyre Rd, stated that his existing water filtration system was replaced at the behest of Energy Transfer with their promise to maintain it for 10 years. Energy Transfer has now reneged on that promise leaving the responsibility to him. He requested advocacy for himself and residents similarly affected.

Dan LaHart, 114 Spencer Road, raised questions about funding for the feasibility study, stressed the importance of understanding details of the long-term water solution options to determine next steps, and inquired about legal status.

Kimberly Smith, 102 Spencer Road, expressed frustration with the lack of progress and information about long-term water solutions and with the lack of data from Energy Transfer and PHMSA to define the amount of product spilled.

Kat LaHart, 114 Spencer Road, asked about the process to request that DEP require permanent water solutions in their Act 2 Order to Energy Transfer and for a work status update on the Sunoco-owned property at 108 Spencer Road.

Andrea Moise, 136 Glenwood Drive, thanked the Board for addressing questions and emphasized the importance of moving forward and not waiting for action by Energy Transfer.

APPROVAL OF MINUTES AND BILLS PAYABLE

A motion was made by Mr. Cino and seconded by Mr. Thomas to approve the June 3, 2025 meeting

minutes. Motion carried by unanimous vote.

A motion was made by Mr. Cino and seconded by Mr. Weldon to approve the July 1, 2025 Bills Payable List in the amount of \$513,882.46 Motion carried by unanimous vote.

PLANNING & ZONING ISSUES

Hammer Subdivision, 192 Pine Lane / 2799 Windy Bush Road

Ed Murphy, Esq., represented the applicant and provided an overview of the application for a two-lot subdivision with one lot in Upper Makefield Township and the second lot in Wrightstown Township. The waiver is requesting to present the plans as both Preliminary/Final. Following discussion, a motion was made by Mr. Cino and seconded by Mr. Thomas to approve the Preliminary/Final Subdivision waiver request. Motion carried by unanimous vote.

A motion was then made by Mr. Cino and seconded by Mr. Weldon to approve the Hammer Preliminary/Final Subdivision Plan. Motion carried by unanimous vote.

Temple Certificate of Appropriateness, 1467 River Road

Ms. Burmester provided an overview of the request to replace the roof on the existing structure, located in Brownsburg Historic District. The request was reviewed and recommended for appropriateness by the HARB. Following discussion, a motion was made by Mr. Weldon and seconded by Mr. Cino to approve the Temple Certificate of Appropriateness for 1467 River Road. Motion carried by a unanimous vote.

SOLICITOR'S REPORT

Jointure Ordinance No. 2022-02- Electric Vehicle Charging Stations

Mr. Oetinger provided an overview of Jointure Ordinance No. 2022-02 to define and provide for electric vehicle charging stations. A motion was made by Mr. Cino and seconded by Mr. Weldon to adopt JMZO Ordinance 2022-02. Motion carried by unanimous vote.

Jointure Ordinance No. 2024-05 – Zoning Hearing Board Amendment

Mr. Oetinger provided an overview of the Jointure Ordinance No. 2024-05 amending the requirements for hearings of the Joint Zoning Hearing Boards. A motion was made by Mr. Cino and seconded by Mr. Thomas to adopt JMZO Ordinance 2024-05. Motion carried by unanimous vote.

INTERIM MANAGER'S REPORT

Water Storage Tank Maintenance Contracts

Mr. Fedorchak provided an overview of the Water Storage Tank Maintenance Contracts for both welded steel tanks and bolted steel tanks. Following discussion, a motion was made by Mr. Cino and seconded by Mr. Weldon to authorize advertisement for five-year maintenance contracts for welded steel and bolted steel water storage tanks. Motion carried by unanimous vote.

ENGINEER'S REPORT

There was no Engineer's Report.

BOARD AND COMMISSION REPORTS

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

- Historic Architectural Review Board – November 7, 2024
- Park & Recreation Board – May 12, 2025
- Planning Commission – April 16, 2025 and May 21, 2025

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

There was no public comment.

ADJOURNMENT

A motion was made by Mr. Cino and seconded by Mr. Weldon to adjourn the meeting at 9:19 p.m.

Respectfully submitted,



Judy Caporiccio

Assistant Township Manager

Approved: August 5, 2025