

**Upper Makefield Township Board of Supervisors**  
**June 2, 2015 Meeting Minutes**

The May 5, 2015 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 Larry Breeden, Treasurer Mary Ryan, Member Dan Rattigan and Member Tom Cino. Also in attendance were Interim Township Manager David Nyman and Township Solicitor Mary Eberle, Esq.

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.

**ANNOUNCEMENTS**

Mr. Cino made the following announcements:

Volunteers interested in serving on the Investment Committee, Planning Committee or Historic Architectural Review Board are encouraged to submit a Volunteer Board application, which can be found on the Township website. The open seat on the HARB is for a licensed real estate broker per the establishing ordinance.

Brandon Heese of Troop 99 is completing his Eagle Scout Project of installing a flagpole at Brownsburg Park. The Scouts are hosting a dedication ceremony on Flag Day, Sunday June 14 at 4 pm. Representatives Fitzpatrick and Petri have been invited and all residents are also invited to attend.

On June 13 from 10 am – 4 pm. The Glazer Family of Upper Makefield along with the Upper Makefield Fire Company will host Alex's lemonade stand at Station 71 on Taylorsville Road. All are invited to attend to support this worthy cause to help fight childhood cancer. Rain date is June 14.

An Executive session will be held following tonight's meeting for personnel matters

Mr. Breeden expressed concern about the licensed real estate broker requirement for HARB membership stating that a typical realtor has equivalent knowledge. Mrs. Eberle will review the State statute governing the formation of a HARB.

**PUBLIC COMMENT**

Rob Kay, EMC, informed the Board that the ReadyNotifyPA emergency notification system was now being called ReadyBucks as the result of a new system provider. Residents are requested to update their signup information and a link to the new program would be placed on the Township's website. Mr. Breeden was assured the email list was secure.

**APPROVAL OF MINUTES AND BILLS PAYABLE**

A motion was made by Mr. Rattigan was seconded by Mr. Cino to approve the May 20, 2015 minutes. Motion carried by a unanimous vote.

Mr. Cino directed attention to the bills list for June 2, 2015. A motion was made by Ms. Ryan and was seconded by Mr. Rattigan to approve the June 2, 2015 Bills Payable list in the amount of \$76,707.58. Motion carried by a unanimous vote.

## **PLANNING AND ZONING ISSUES**

There were no planning and zoning issues.

## **SOLICITOR'S REPORT**

### **Tradition Punch List Status**

Ms. Eberle provided an updated on the status of the Traditions Punch List informing the Board that Pulte had failed to complete all the public improvements, and she suggested that the Township seek injunctive relief. Mr. Breeden asked if the HOA would be a party in court and Ms. Eberle said no, but they would certainly assist in preparing the case. Mr. Tierney asked about legal fees, and Ms. Eberle said we would request that Pulte pay them as part of any settlement. Dan Johannson, UMT, asked if all escrow funds had been expended and Ms. Eberle said they had. A motion was made by Ms. Ryan and was seconded by Mr. Cino to authorize the Township Solicitor to start enforcement proceedings against Pulte for non-completion of Punch List items. Motion carried by a unanimous vote.

## **MANAGER'S REPORT**

### **Jericho Riparian Grant Application Status**

Mr. Nyman provided a status update on the Jericho Riparian Grant Application clarifying that the application was submitted at his suggestion. He informed the Board that Mr. Kuhns and Mr. Rossino had visited the Falkenstein property and shared photos taken that morning. He also thanked the EAC for conducting a site visit this past Saturday and shared the photos taken during the visit. The staff and EAC are recommending acceptance of the Jericho Riparian Grant Application.

Ms. Ryan emphasized that the Jericho application and the Falkenstein application are two separate applications.

Mr. Tierney expressed concern about potential construction damage incurred by Jericho in completing their restoration and stated that there needed to be language in any agreement to address that concern.

Ms. Eberle indicated that any plan funded would be a grant, the work would be done by the property owner who receives the grant, the Township would do no work and the Township would incur no liability.

Mr. Tierney stated he would support downstream restoration below Falkenstein's but can't support the entire proposal, re-iterating that there is the possibility of remediating the Falkenstein's on their property.

Mr. Cino asked Mr. Rossino if the restoration upstream proposed by Jericho would alleviate some of the Falkenstein's erosion, and Mr. Rossino said that it would.

Mr. Breeden reminded the Board that the Falkenstein situation is critical and needs to be addressed now.

Ms. Ryan reminded all that the creek is on the Jericho property and recommended that Jericho meet with the EAC and develop a plan and at the same time have the Township seek an easement to perform the work on the Falkenstein property.

Mr. Tierney reminded the Board that staff had been tasked with proposing reforms to the Restoration Grant process. Ms. Eberle stated that she and Mr. Nyman were finalizing two proposals for Board

consideration, one including EAC participation and one without EAC involvement.

Keith Miller, EAC Chair, explained each of the photos taken on the EAC site visit and stated that EAC is recommending approval of the Jericho application as a comprehensive solution to the corridor.

Mr. Rossino agreed that a comprehensive solution is the most reasonable.

Mr. Breeden asked if the alternative on site plan for the Falkensteins would work. Mr. Rossino stated it would work, but was unsure if it fit the criteria for funding. Mr. Breeden stated that he believes the alternative plan falls within the grant parameters.

Ms. Eberle reviewed the provisions of the court order creating the Riparian fund and stated that while it was difficult to provide an opinion on the alternative plan without seeing such a plan, it was her opinion that work done on the Falkenstein property to save future erosion of the streambank, would qualify for a grant under the Court Order.

Mr. Rossino stated that the alternative plan would involve extensive stabilization.

Mr. Rattigan asked about the difference in cost and downstream effect of the alternate plan.

A motion was made by Mr. Cino and was seconded by Mr. Rattigan to approve \$25,800 funding for the design proposed by Jericho National, request the necessary easement from Jericho National to proceed with the approved Falkenstein restoration and request the design of the alternative (Plan B) by Gilmore at a cost not to exceed \$5,000. Karl Falkenstein, Stony Brook Road, stated there had been more erosion this past year, actually under the roots of the trees on the bank and stated that he considered the Jericho application a quid pro quo. He stated that they are in a dire situation and need remediation as soon as possible.

Bud Baldwin, UMT, reviewed where Stony Brook Road flooded and noted the effects of Hurricane Floyd, suggested putting Jericho Creek back to where it was before the Hurricane and also questioned the impact of the downstream neighbors if the alternate Plan B were installed.

Mrs. Falkenstein, Stony Brook Road, stated that something had to be done and that the Lieberman's were agreeable to the proposed plan.

Cathy Magliochetti, EAC, stated that the Board was overlooking an opportunity to work with a preferred solution and recommended moving on with the Jericho application.

The motion carried by a unanimous vote.

### **Meeting Room Upgrades/Cameras**

Mr. Nyman provided an overview of the meeting room camera upgrades and recommended accepting the proposal of Skotleski Productions for the purchase of three cameras and wall mounts and a remote control unit at a cost of \$19,394 installed. A motion was made by Ms. Ryan which was seconded by Mr. Cino to accept the proposal of Skotleski Production for meeting room upgrades/cameras in the amount of \$19,394.00. Motion carried by a unanimous vote.

The consensus of the Board was to designate the unspent Capital Reserve Funds designated for the

wood chipper to be used to fund the meeting room upgrades.

**Sentinel Pumping Station Upgrades**

Mr. Nyman provided an overview of the Sentinel Pumping Station Upgrades Project. A motion was

made by Ms. Ryan and was seconded by Mr. Cino to authorize advertisement of the Sentinel Pumping Station Upgrades Project. Motion carried by a unanimous vote.

Mr. Breeden stated that with August and September approaching the Township should begin 2016 Budget preparation and distributed a form requesting budget information.

**ENGINEER'S REPORT**

**Brownsburg Park Recreation Courts – Payment Request #2**

Mr. Rossino provided an overview of the Brownsburg Park Court Construction Project and recommended approval of Payment Request #2 in the amount of \$97,056.46. After brief discussion, Ms. Ryan made a motion which was seconded by Mr. Cino to approve Payment Request# 2 in the amount of \$97,056.46. Motion carried by a unanimous vote.

**PUBLIC COMMENT AND MEDIA QUESTIONS**

Dan Johansson, UMT, asked if monthly Department Reports could be made available. Mr. Nyman stated that they were in the monthly Board packets, are on file in the Township offices and available upon request.

**ADJOURNMENT**

A motion was made by Ms. Ryan and was seconded by Mr. Rattigan to adjourn the meeting at 9:33 p.m. Motion carried.

Respectfully submitted,



David R. Nyman  
Interim Township Manager  
Approved: June 16, 2015

**JUNE 2015 GENERAL FUND BILLS - 6/2/15**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
400.210	Associated Imaging Solutions	\$226.49	copier charges/freight charge for toner
414.210	" "	\$4.60	freight charge for toner
400.311	Bee Bergvall & Co.	\$5,000.00	progress bill for audit of financial statement
409.321	Comcast	\$314.78	phone service/internet service PD
409.321	Comcast	\$144.62	phone service/internet service PW
410.540-1	Creative Product Sourcing	\$1,823.58	items for DARE Program
410.314	Eckert Seamans Cherin & Mellott	\$1,020.00	legal fees
410.210	Fry Communications	\$82.00	Pa Bulletin annual subscription through 6/16
400.313	Gilmore & Associates	\$16,029.58	engineering fees
414.313A	" "	\$11,903.63	" "
410.374	Napa Auto Parts	\$12.69	vehicle maintenance
430.260	" "	\$40.47	small tools
400.210	Newtown Office Supply	\$47.99	office supplies
414.210	" "	\$47.98	" "
438.460	PSATS CDL Program	\$60.00	random drug test
410.238	Red the Uniform Tailor	\$389.11	shirts/chevrons
410.238	Samzie's	\$208.90	uniform items
410.750	" "	\$323.95	flashlights/batteries
410.374	Shapiro Fire Protection	\$17.00	maint. & insp. of fire exting. not available at prev. insp.
411.740	" "	\$8.50	" "
430.260	" "	\$76.60	new fire ext. for truck/maint. & inspection of fire ext.
452.373	Sherwin Williams	\$38.99	paint for posts - Streetscape
407.319	Ron Skotleski Video Productions	\$800.00	producer fee BoS Mtgs. 5/11/15 & 5/20/15
409.373	Smith's Yardville Supply	\$4.94	bldg. maintenance
452.373	" "	\$53.96	Streetscape maintenance
488	Standard Insurance	\$677.10	add/life insurance premium
488A	" "	\$1,528.52	std insurance premium
488B	" "	\$896.42	ltd insurance premium
410.231	Superior Plus Energy	\$1,643.71	unleaded gasoline
409.321	Verizon Wireless	\$1,049.17	mobile phone service
410.541	" "	\$26.32	" "
	<b>TOTAL</b>	<b>\$44,501.60</b>	

\*\*FOR BOARD APPROVAL

JUNE 2015 LIQUID FUELS BILLS - 6/2/15

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
433TL	Armour & Sons Electric	\$500.00	semi-annual billing traffic light maint.
437	Praxair	\$28.03	cylinder rental
	<b>TOTAL</b>	<b>\$528.03</b>	

\*\*PAID INTERIMLY

**JUNE 2015 PARK & REC BILLS - 6/2/15**

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
452.250	A Drip	\$657.70	water repairs/start-up Br.
452.250	Newtown Office Supply	\$35.88	soap for restrooms LO/Br.
452.460	Northampton Twp. Senior Ctr.	\$1,000.00	annual contribution
452.250	PECO	\$32.85	electric
452.250	PECO	\$87.26	electric
452.250	PECO	\$71.50	electric
452.250	Smith's Yardville Supply	\$38.37	supplies/maintenance
452.250	Staples Advantage	\$90.45	can liners for parks
452.250	USA BlueBook	\$32.95	repairs Lookout Park
	<b>TOTAL</b>	<b>\$2,046.96</b>	

\*\*PAID INTERIMLY

**JUNE 2015 PARK 3 YR CAP BILLS - 6/2/15**

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<u>Acct #</u>	<u>Company Name</u>	<u>Amount</u>	<u>Comments</u>
452.300	Gilmore & Associates	\$2,101.00	engineering fees

**TOTAL** **\$2,101.00**

**\*\*PAID INTERIMLY**



JUNE 2015 WATER & SEWER BILLS - 6/2/15

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
429.372	PECO	\$90.59	electric
429.372	PECO	\$141.43	electric
429.371	QC Laboratories	\$134.00	testing
429.210	USA BlueBook	\$339.92	supplies
429.374	" "	\$210.01	maintenance items
429.421	Verizon	\$108.72	phone
429.421	Verizon	\$38.98	phone
	<b>TOTAL</b>	<b>\$1,063.65</b>	

\*\*PAID INTERIMLY

JUNE 2015 INTERIM BILLS - 6/2/15

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
438.01	Bucks County Conservation District	\$295.00	Erosion/Sed. Ctrl. App. fee

TOTAL \$295.00

\*PREVIOUSLY APPROVED BY BOARD

**JUNE 2015 CAPITAL RESERVE BILLS - 6/2/15**

<u>Acct #</u>	<u>Company Name</u>	<u>Amount</u>	<u>Comments</u>
409.750	Britton Industries	\$25,000.00	wood chipper per budget
	<b>TOTAL</b>	<b>\$25,000.00</b>	

**\*\*PAID INTERIMLY**

JUNE 2015 DUTCHESS FARM BILLS - 6/2/15

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
429.372	PECO	\$815.13	electric
429.371	QC Laboratories	\$133.00	testing
429.372	USA BlueBook	\$223.21	maintenance items
	<b>TOTAL</b>	<b>\$1,171.34</b>	

\*\*PAID INTERIMLY