

**Upper Makefield Township Board of Supervisors**  
**March 5, 2013 Meeting Minutes**

The March 5, 2013 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Dan Rattigan at 7:30 p.m. In attendance were the following members of the Board of Supervisors: Chair Dan Rattigan, Vice Chair Bud Baldwin, Treasurer Mary Ryan, Member Larry S. Breeden and Member Tom Cino. Also in attendance were Township Manager Sally Slook, Township Solicitor Mary Eberle, Esq. and Township Engineer Larry Young, P.E.

There were also members of the public and representatives of the press present.

**PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

Mr. Rattigan led in the recitation of the Pledge of Allegiance which was followed by a moment of silence.

**ANNOUNCEMENTS**

Mr. Rattigan made the following announcements:

- For public water customers in the Heritage Hills, Lakeside, East Grant and Traditions Developments: On Thursday, March 7, the township will be testing the control system upgrades that have been installed to the public water system to eliminate potential pressure surges. Service will not be interrupted during the testing, however there may be periods of minor fluctuations in pressure during the day. Temporary equipment will also be installed to provide additional safeguards against potential pressure surges during testing.
- On March 18 there will be an informational meeting regarding the Act 537 Plan Update specifically regarding the Dolington area. The meeting begins at 7 pm and will be held in the public meeting room.
- There is a vacancy on the Cable Advisory Board. Interested residents should contact the township or fill out a volunteer application, which can be found on the township website.
- The Washington Crossing Visitors Center Grand Opening Celebration will be held on Sunday, March 10 at 1:30 pm.

**PUBLIC COMMENT**

Dale Redhawk Thorpe, 371 Stoneybrook Road, commented on and questioned the recent code enforcement process at his store at Thorpe Farm.

Bluejay Michalski, 137 Holly Avenue, commented on the recent code enforcement process regarding the Thorpe Farm sign located the corner of Stoneybrook and River Road.

Nokomis, 717 Plumsteadsville, commented on her support for Dale Thorpe and his farm.

Melissa Scott, 3665 East Swamp Road, commented on code enforcement process at Thorpe Farm, and requested that all correspondence on this matter be made public.

Doreen Stratton, 186 East Ashland Street, commented on the benefits of organic farming at the Thorpe Farm.

### **APPROVAL OF MINUTES AND BILLS PAYABLE**

A motion was made by Ms. Ryan and was seconded by Mr. Baldwin to approve the February 19, 2013 minutes. Motion carried by a unanimous vote. Ms. Slook directed attention to the bills list for March 5, 2013. A motion was made by Mr. Baldwin and was seconded Mr. Cino to approve the March 5, 2013 Bills Payable list in the amount of \$38,059.78. Motion carried on a unanimous vote.

### **PLANNING AND ZONING ISSUES**

#### **Tierney Request for Inclusion in Agricultural Security Area – 428 Brownsburg Road West**

Mr. Kuhns presented information on the Tierney request that a 19.33 acre parcel be added to the Agricultural Security Area. Discussion followed, and a motion was made by Mr. Baldwin and was seconded by Mr. Breeden to acknowledge the Tierney request to amend the Agricultural Security Area, distribute the request to the reviewing agencies and provide notice as per the Agricultural Security Law. Motion carried by a unanimous vote.

### **SOLICITOR'S REPORT**

#### **Ordinance No. 302 – Solar Energy**

Ms. Eberle introduced the ordinance to amend the stand-alone solar energy ordinance to limit solar panels to the rear roof of the principal structure and to permit solar panels on certain accessory structures. Mr. Rattigan opened the public hearing to consider approval of Ordinance No. 302. Discussion followed by the Board of Supervisors. Mr. Cino spoke of the negative effects to the residents of the glares caused by solar panels Mr. Breeden stated this Ordinance was difficult to locate on the Township's website. Ms. Slook stated that staff is aware of his concern and is working on a solution. There were no comments from the public. Mr. Rattigan closed the public hearing. A motion was then made by Ms. Ryan and was seconded by Mr. Baldwin to adopt Ordinance No. 302. Motion carried 3 to 2, with Mr. Cino and Mr. Breeden opposing.

#### **Resolution No. 2013-03-05-02 – Acceptance of Deed of Dedication – London Court**

Ms. Eberle introduced the resolution to accept the Deed of Dedication for London Court. A motion was made by Mr. Baldwin and was seconded by Ms. Ryan to approve Resolution No. 2013-03-05-02, conditioned upon receipt of the maintenance bond. Motion carried by a unanimous vote.

#### **Solicitor's Report**

Ms. Eberle noted that the Solicitor's Report was in Board packets.

### **MANAGER'S REPORT**

#### **Resolution No. 2013-03-05-01 – Designation of Agent for Hazard Mitigation Grant Program**

Ms. Slook introduced the resolution designating Township Manager Sally Slook to act as designating agent for the purpose of completing the Hazard Mitigation Grant forms on behalf of a public entity. Ms. Slook explained that this is a FEMA grant administered through the state by PEMA and will be used to upgrade the fire company's emergency generator. There will be no cost to the township because the fire company is funding the 3% local contribution. Following discussion, a motion was made by Ms. Ryan and was seconded by Mr. Baldwin to approve Resolution No. 2013-03-05-01. Motion carried by a unanimous vote.

#### **2013-2014 Sign and Post Bid**

Ms. Slook provided an overview of the 2013-2014 Sign and Post Bid. Brief discussion followed, and a motion was made by Mr. Baldwin and seconded by Mr. Cino to award the 2013-2014 Sign and Post Bid to Garden State Highway Products in the amount of \$1,545.66. Motion carried by a unanimous

vote.

**ENGINEER'S REPORT**

**2012 Bridge Maintenance – Payment Request #1 (Final)**

Mr. Rossino provided an update of the project and recommended approval of Payment Request No. 1 (Final) in the amount of \$61,000.00 payable to Anderson Construction Services. After brief discussion, Mr. Baldwin made a motion which was seconded by Ms. Ryan to approve Payment Request #1 (Final) in the amount of \$61,000.00. Motion carried on unanimous vote.

**London Court Escrow Release No. 4 (Final)**

Mr. Rossino provided an update of the project and recommended approval of Escrow Release No. 4 (Final) in the amount of \$117,959.47 and, at the suggestion of Ms. Eberle, they will post an 18-month maintenance bond in the amount of \$57,772.72. After discussion, Mr. Baldwin made a motion which was seconded by Ms. Ryan to approve Escrow Release No. 4 (Final) in the amount of \$117,959.47.

**OLD BUSINESS:**

There was no old business.

**NEW BUSINESS:**

Mr. Breeden suggested purchasing iPads for Board members to receive electronic packets rather than paper ones. Following discussion, the Board directed the Township Manager to investigate the cost of purchasing tablets.

**PUBLIC COMMENT AND MEDIA QUESTIONS:**

Melissa Scott, 3665 East Swamp Road, commented on understanding why the code violations occurred at the Thorpe Farm

Dale Redhawk Thorpe, Stoneybrook Road, commented on understanding the code violations and the process in relation to his farm.

**ADJOURNMENT:**

A motion was made by Mr. Baldwin and was seconded by Ms. Ryan to adjourn the meeting at 8: 24 p.m. Motion carried.

Approved: March 19, 2013

MARCH 2013 GENERAL FUND BILLS - 3/5/13

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
409.321	Verizon Wireless	\$1,156.34	mobile phone service
410.541	" "	\$26.20	" "
409.750	" "	\$399.99	network extender
409.373	W.D.B. Lawn & Garden Services	\$1,165.00	plow parking lot areas municipal complex 2/8 & 2/9
409.215	Warehouse Battery Outlet	\$47.80	bulbs for emergency lights
409.373	Zep Sales & Service	\$135.60	ice melter for twp. complex walks
	<b>TOTAL</b>	<b>\$29,595.79</b>	

\*\*FOR BOARD APPROVAL

\*OVER BUDGET

MARCH 2013 PARK & REC BILLS - 3/5/13

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
452.250	PECO	\$49.74	electric
452.250	PECO	\$56.29	electric
452.250	PECO	\$45.58	electric

**TOTAL**                      **\$151.61**

\*\*PAID INTERIMLY

MARCH 2013 DUTCHESS FARM BILLS - 3/5/13

<u>ACCT #</u>	<u>COMPANY NAME</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
429.376	FRANC Environmental	\$443.11	sludge removal
429.371	QC Laboratories	\$122.50	testing
429.374	USA BlueBook	\$948.70	spill decks/ramps/fittings
	<b>TOTAL</b>	<b>\$1,514.31</b>	

\*\*PAID INTERIMLY

\*/\*\*OVER BUDGET/BOARD APPROVAL