

**Upper Makefield Township Board of Supervisors**  
**October 16, 2018 Meeting Minutes**

The October 16, 2018 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Tom Cino at 6:05 p.m. In attendance were the following members of the Board of Supervisors: Chair Tom Cino, Vice Chair Diana Nolan, Member Kris Ballerini and Member Ed Ford and Treasurer Mike Tierney. Also in attendance were Township Manager David Nyman, Township Solicitor Mary Eberle, Esq., Township Engineer Larry Young, P.E., Director of Planning & Zoning Dave Kuhns and Chief Mark Schmidt.

There were also members of the public 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:

- The 2<sup>nd</sup> Budget Workshop will be held on Thursday, October 18 at 7:00 pm at the Township building.
- The next regular meeting of the Board of Supervisors will be held on Wednesday, November 7 beginning at 7:30 pm
- National Drug Takeback event is scheduled for Saturday, October 27, 2018 from 10-2 at the Police Department. There is also a collection box located in the department's lobby, which is accessible during business hours.
- An Executive Session will be held following tonight's meeting for personnel matters.

**PUBLIC COMMENT**

There was no public comment.

**APPROVAL OF MINUTES AND BILLS PAYABLE**

A motion was made by Ms. Ballerini and was seconded by Ms. Nolan to approve the October 2, 2018 meeting minutes. Motion carried by a unanimous vote.

Mr. Cino presented the bills list for October 16, 2018. A motion was made by Ms. Nolan and was seconded by Ms. Ballerini to approve the October 16, 2018 Bills Payable List in the amount of \$230,747.92. Motion carried by unanimous vote.

**PLANNING AND ZONING ISSUES**

There were no Planning and Zoning issues.

**SOLICITOR'S REPORT**

**Jointure Ordinance – Medical Marijuana**

Ms. Eberle provided an overview of the Jointure Medical Marijuana Ordinance and requested authorization to advertise the ordinance. Following discussion, a motion was made by Ms. Ballerini and seconded by Ms. Nolan to authorize advertisement of the Jointure Medical Marijuana Ordinance. Motion carried by unanimous vote.

**Jointure Ordinance – Fireworks**

Ms. Eberle provided an overview of the Jointure Fireworks Ordinance and requested authorization to advertise the ordinance. Following discussion, a motion was made by Ms. Nolan and seconded by Ms. Ballerini to authorize advertisement of the Jointure Fireworks Ordinance. Motion carried by

unanimous vote.

### **Jointure Ordinance – Conservation Overlay District**

Ms. Eberle provided an overview of the revised draft of the Jointure Conservation Overlay District Ordinance. Following discussion, a motion was made by Ms. Ballerini and seconded by Ms. Nolan to authorize advertisement of the revised draft of the Jointure Conservation Overlay District Ordinance. Motion carried by unanimous vote.

### **Holly Pond Partners, 43 Vansant Road**

Ms. Eberle provided a review of the Conditional Use Hearing held September 18, 2018 for Holly Pond Partners to permit an A-4 riding academy on the property located at 43 Vansant Road, and she read the draft adjudication for consideration. A motion was made by Ms. Nolan, and seconded by Ms. Ballerini to approve the adjudication as drafted. Following discussion, the motion carried by a 4 to 1 vote, with Mr. Tierney voting in opposition.

Mr. Tierney asked if there was an opportunity to change the conditions in the draft and Ms. Eberle indicated that it was possible, but difficult. Mr. Tierney felt that conditions should be fair to both the applicant and the neighbors. He stated that the condition to pick up manure in the pasture would be appealed and the Township would then lose all the conditions imposed. Ms. Nolan indicated that she had researched the issue and is comfortable that the Board has done its best. Mr. Tierney believes the property is too small to require manure pickup in the pasture.

Richard Decker, 36 Van Sant, stated that he appreciated the conditions, but believes they allow too many horses. He is also concerned about the proposal to re-hab race horses, referring to the operation as a commercial hospital, believing there will be a significant increase in traffic.

Daniel Campbell, 42 Van Sant, also believes that the number of horses is too many and is concerned about increased traffic.

Don Jefferson, 25 Van Sant Road, stated that he is mostly pleased with the conditions, but has never seen manure picked up in a pasture. He also expressed concern about the small area available for pasture and the potential impact on the water table if the track area is watered down.

### **MANAGER'S REPORT**

#### **Police Pension Ordinance Amendment**

Mr. Nyman provided an overview of Police Pension Ordinance Amendment and requested authorization to advertise the ordinance. Mr. Tierney inquired about the DROP provision. Following discussion a motion was made by Ms. Ballerini and seconded by Ms. Nolan to authorize advertisement of the Police Pension Ordinance amendment. Motion carried by unanimous vote.

### **ENGINEER'S REPORT**

There was no Engineer's Report.

### **BOARD AND COMMISSION REPORTS**

Mr. Cino announced that the following reports were included in Board packets:

- Historical Advisory Commission - August 7, 2018
- Park and Recreation Board - August 13, 2018.

**DEPARTMENT REPORTS**

Mr. Cino announced that the following department reports were included in the Board packets:

- Planning & Zoning Department
- Finance Department
- Fire Department
- Ambulance
- Fire Marshal
- Police Department
- Public Works Department

**PUBLIC COMMENT**

There was no public comment.

**MELSKY TRACT REMAND HEARING**

Mr. Cino stated that the Melsky Tract Remand Hearing would now commence and that the hard stop for the hearing is 10:00 pm. A stenographer was present for the hearing. At 10:15 pm, the hearing was continued to November 12, 2018 and December 4, 2018.

**ADJOURNMENT**

A motion was made by Ms. Nolan and seconded by Ms. Ballerini to adjourn at 10:20 p.m. Motion carried by unanimous vote.

Respectfully submitted,



David R. Nyman

Township Manager

Approved: November 7, 2018