

# Upper Makefield *Township*

## Environmental Advisory Council Meeting

### March 12, 2019 Meeting Minutes

The March 12, 2019 public meeting of the Upper Makefield Township Environmental Advisory Council was called to order by Member Cathy Magliocchetti at 7:00 p.m. In attendance were the following members of the Environmental Advisory Council: Member Nicole Khan, Member Cathy Magliocchetti, and Member Tim Thomas. Chair Bud Baldwin, Vice Chair Keith Miller and Member Jack Wiseman were not present. Also in attendance were Board of Supervisors Liaison, Diana Nolan, Planning and Zoning Director Dave Kuhns and Planning and Zoning Liaison Denise Burmester.

**Confirmation of Quorum:** Ms. Magliocchetti announced that there was not a quorum and clarified that voting could not take place, but recommendations could be made.

#### **Public Comment:**

Ryan Ship, a Boy Scout from Washington Crossing introduced himself as attending the meeting to satisfy a requirement for a badge he was working toward. The members invited him to the table.

#### **Approval of Meeting Minutes:**

##### **A. January 8, 2018:**

No motion was made as there was not quorum to vote.

#### **Discussion Items:**

##### **A. Conservation Easement Monitoring Discussion:**

Mr. Kuhns walked through the Heritage Conservancy email dated February 20, 2019. Mr. Kuhns verified the following:

- The Township has approximately 40 easements.
- Each of the easements would be monitored one time every two years.
- Priority of inspections will be based on Township priorities and USDA recommendations.
- Staff at Heritage Conservancy is not available until October, 2019 to begin the inspections.
- 13 Easements to be completed between October and December of 2019.
- Mileage for travel costs would be at the federal rate per mile.
- Easements inspections have not occurred since 2011.

The EAC members gave a consensus for a recommendation to proceed.

##### **B. Waste Management Ordinance Amendment of Chapter 20 Section 20-108**

##### **C. Ordinance Amendment to Section 801.2 of Ordinance 298**

The Ordinances were discussed together. Ms. Nolan gave a brief introduction clarifying the two Ordinances. 'Waste Management Ordinance Amendment of Chapter 20 Section 20-108' prohibits dumping solid waste into Township waterways. 'Ordinance Amendment to Section 801.2 of Ordinance 298' prohibits solid waste dumping into inlet boxes.

EAC members discussed the following in relation to these Ordinances:

1. Clarification of the fines attached to the Ordinances. Mr. Kuhns clarified the process for a fine, to include issuing a Non-Traffic Citation requiring a Court Hearing where a fine recommendation can be made by the Code Enforcement Officer.
2. Educational efforts on the impact of the dumping. Would like to do more educational outreach to the community, and the Ordinances give a basis for the education. EAC members were more interested in doing an educational campaign to landscaper and property owners, than issuing fines for the actions immediately. Future communication and educational efforts to include:
  - a. Article in Township Newsletter.
  - b. Outreach Letter to the Landscapers and Property Owner.
  - c. Outreach to other Communities to engage them in the same practices.
  - d. Drainage medallions with No Dumping messages.
  - e. Presentation for the property owners to educate them on the impact of solid waste dumping on environment.
  - f. Brochures to handout to Landscapers.
  - g. Door Hangers to post on homeowners doors with the message.
  - h. Signs along the river to get the word out with a link to the website with information on the dumping Ordinances.
  - i. Website page that gives information on dumping impact.
  - j. Online media outlets to include NextDoor, Patch or the creation of a UMT Social App to get the message out.
  - k. How MS4 fines may occur if the dumping does not stop, which could impact taxes.
  - l. Timing of education and release of Ordinances. Timing of fine enforcement.

EAC members gave a consensus recommendation to proceed with the Ordinances as well as an educational effort to the citizens and a fine structure to be defined at a later date.

Mr. Kuhns noted that he would bring the citizen communication discussion to a staff meeting.

#### **D. Watershed Grants, Alternate Funding:**

Mr. Kuhns explained that the cost of the Watershed Study was approximately \$72,000.00. The present grant from DCNR pays half the cost of the Study, and those costs are covered with the Township Riparian Fund and current grant. The cost of the work to do the Watershed Restoration at Jericho and Hough's creek will be substantial and will go beyond what the fund will allow. Currently there is \$2.8 million left in the Township Riparian Fund.

The EAC discussed funding options and how to move forward with the projects. The following funding topics were discussed:

- Applying for additional grant money is the focus of EAC and moving through the steps and process to do that. EAC would like to work through this process with LandStudies with their expertise for grant funding processes, sources and

preparation requirements. Some of the Township Riparian Fund will need to be used to engage LandStudies in the process of preparing and applying for grants.

- Organizations that are known to want to engage with grant money for Watershed Restoration projects that were discussed as possibilities to research. These included The William Penn Foundation and Claneil Foundation are foundations interested in local and water quality improvements.
- Discussion on working the projects smartly to have the most impact and resolve problems up stream so there is less expenditure downstream. Upstream restoration projects do not remove the costs of downstream projects, but can make the downstream restoration less costly with reduced ongoing maintenance cost. MS4 requirements will drive some of the ongoing costs.
- In order to show commitment, having one of the restoration projects completed using leverage funding from the Township Riparian Fund could help with getting future grant funding. The grant process requires that projects are shovel ready in design and also have an applicant/resident who is willing to engage on the project. There was discussion of engaging other residents for some of the projects further downstream by communicating the plan for the restoration projects identified. Communication possibilities were discussed.
- Funding from Township Budget was mentioned as an option that may be pursued if grant money does not come through to cover the projects.

Mr. Kuhns gave an update on the most recent project target on Jericho Creek along Pineville Road starting at Thompsonville Road. There have been additional discussions with the residents with properties along this stretch of the creek. The resident's major concern is losing the tree buffer they currently have on their property that offers them privacy. The next steps are to take the residents to restored sites in early May in Lititz, PA.

Mr. Kuhns also gave an update on LandStudies activities. LandStudies has finalized the draft plan that EAC has reviewed. This plan has been submitted to DCNR for approval. With DCNR approval and a resident/applicant, LandStudies can move forward with project design and getting a project shovel ready. LandStudies is also waiting for the Pineville resident road trip to be scheduled with the residents who have been engaging. Each project requires a resident to be the official applicant for the project.

Understanding the design process and the steps to bring up a restoration project, the EAC feels that they will not be Shovel Ready on the Pineville project until the end of 2019 or 2020. This project along Pineville Road will also require the engagement of PECO and getting the work scheduled with them. EAC discussed how they could work with PECO and the contacts with PECO.

EAC sees the next actions to identify a resident who is willing to move forward with a restoration project and to work with LandStudies to get a design for that applicant to a shovel ready status. The hope is the residential field trip to be scheduled in May will engage a resident.

**E. Earth Day Celebration Event, April 27, 2019, 11:00 to 2:00 – Registration, Giveaways, Message for Brochures, Children's Activity**

EAC discussed the following logistics:

- EAC member attendance.
- 500 bags are ready for give-away at the event.
- Messages EAC wants to present:
  - WaterShed Management and Stormwater Management programs
    - Have WaterShed Restoration project map.
  - New Ordinances for Solid Waste Disposal and educating the public on the benefits to solid waste disposal management to water quality.
  - Sample materials to be presented at the next EAC meeting.
  - Visual depiction of a WaterShed, to educate how water flows through as watershed.
  - Recycle plastic disposal.
- Children's Activity:
  - Birdfeeders are planned; made with pinecones, peanut butter, bird seed and yarn/twine materials. Wipes will be needed to clean up. Sources for the materials required for the bird feeders were discussed. Need to source for approximately 200.
  - Have brown paper with a stamp with Upper Makefield logo stamped on the paper bag that can be used to carry the bird feeders home.

#### **F. Yardley E-Waste Recycling Event, May 4, 2019, 9:00 am to 12:00 pm**

Communication of this event was discussed to include the Township Facebook page and website.

#### **G. Tree Grant Program**

Mr. Kuhns noted that this a program that has been in place for eight years. While the number of applicants is only eight or nine residents a year, it is still of value to encourage residents to plant trees.

EAC discussed how this program could be communicated to the residents with the following ideas:

- Campaign size signs put up for residents who have taken part in the program.
- Signs and/or tents at the register at the Garden Centers who are sponsors to the program.
- Information posted on the website.
- Information posted on the TV channel.

EAC recommendation consensus was that this program should continue with education to the residents.

#### **New Business:**

##### **A. Tree Inspectors**

Mr. Thomas raised a concern regarding people representing themselves as USDA tree inspectors. They are presenting themselves to residents and asking permission to walk their

property to identify diseased trees. Mr. Thomas had contacted the Township and found that there was no notification given to the Township that inspections would be performed.

**Liaison Report:**

**A. Board of Supervisors: Diana Nolan**

- The Solid Waste Ordinances were approved by the BOS to be reviewed by the Planning Commission and the EAC.
- The Toll Brothers hearings are still ongoing.

**B. Park & Recreation: Cathy Magliocchetti**

- Irrigation systems are progressing as planned for May/June timeframe.

**C. Planning & Zoning: David Kuhns**

No additional updates.

**Public Comment:**

There was no public comment.

**Adjournment:**

A motion was made by Ms. Kahn and seconded by Ms. Magliocchetti to adjourn the meeting at 8:35 p.m. Motion carried by a unanimous recommendation.

Approved: April 9, 2019