

# Upper Makefield Township Board of Supervisors

## May 22, 2019 Meeting Minutes

The May 22, 2019 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 Diana Nolan, Member Kris Ballerini and Member Ed Ford. Treasurer Mike Tierney was absent. Also in attendance were Township Solicitor Mary Eberle, Esq., Township Manager David Nyman, Assistant Township Manager Judy Caporiccio, Township Engineer Carl Turner, 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 in memory of Upper Makefield Township resident and Tax Collector Nick Ettore.

### **ANNOUNCEMENTS**

Mr. Cino made the following announcements:

- Washington Crossing Historic Park will hold its annual Memorial Day ceremony on Sunday, May 26 at 1:00 p.m. at the gravesite of Continental soldiers located near the Thompson-Neely House, 1638 River Road, New Hope.
- A Memorial Day Ceremony will be held at Washington Crossing National Cemetery on Highland Road on May 27 at 10:00 a.m. The cemetery is located at Highland Road.
- An executive session was held prior to this evening's meeting to receive legal advice on the procedure for filling the Tax Collector vacancy.
- After resident Walter Wydro was recognized by the Board of Supervisors for his many years of volunteer service, Bucks County approved a Proclamation honoring Walt. Dr. Ford then read the Proclamation aloud.

### **SOL FEINSTONE ELEMENTARY SCHOOL – ART IN THE COMMUNITY**

Mr. Cino recognized student artists from Sol Feinstone Elementary School whose art will be on display in the municipal building for the coming year. He thanked Supervisor Ballerini for spearheading the Art in the Community initiative as well as Principal John Harlan and Art Teacher Susanne Frey for their support. Each student and Ms. Frey were presented with Certificates of Appreciation: 1<sup>st</sup> Grader Jack McFetridge, 2<sup>nd</sup> Grader Olivia Van Zelst, 3<sup>rd</sup> Grader Raymond Terwilliger, 4<sup>th</sup> Grader Annie Wielehowski, 5<sup>th</sup> Grader Lauren Davis, 6<sup>th</sup> Grader Jed Moldovsky.

### **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 May 16, 2019 meeting minutes. Motion carried by unanimous vote.

A motion was made by Ms. Ballerini and was seconded by Ms. Nolan to approve the May 7, 2019 meeting minutes. Motion carried by unanimous vote.

Mr. Cino presented the bills list for May 23, 2019. A motion was made by Ms. Nolan and was seconded by Ms. Ballerini to approve the May 23, 2019 Bills Payable List in the amount of \$241,886.71. Motion carried by unanimous vote.

## **PLANNING AND ZONING ISSUES**

### **Patel Conditional Use Hearing, , 371 Stoneybrook Road**

Mr. Cino called to order the Hearing on the Conditional Use Application of Deepak Patel to allow a driveway bridge within the riparian buffer. Mr. Cino stated that the hearing was being transcribed by a court reporter and that the applicant was being represented by Kris Reiss, P.E., who provided further explanation of the application. Dr. Ford noted that the area determined for the residence had been a pasture. A motion was made by Ms. Ballerini and was seconded by Dr. Ford to close the Hearing. Motion carried by a unanimous vote. Ms. Eberle stated that the Board will issue an adjudication on the Patel Conditional Use Application within 45 days.

### **Patel Zoning Hearing Board Application, 371 Stoneybrook Road**

Kris Reiss, P.E represented the applicant and provided an overview of the Patel Zoning Hearing Board Application requesting a variance to allow the construction of a second residential dwelling on the property in accordance with the existing Agricultural Conservation Easement and also relief for disturbance within the area of the Jericho Creek for construction of the driveway and bridge. Following discussion, a motion was made by Dr. Ford and seconded by Ms. Ballerini to take a neutral position regarding the application. Motion carried by a unanimous vote.

### **Zhang Zoning Hearing Board Application, 1047 River Road**

Mr. Kuhns provided an overview of the Zhang Zoning Hearing Board Application requesting relief to increase the height of the existing home by elevating the new dwelling on the current foundation and also relief to increase impervious coverage for the addition of a gravel turnaround. Discussion followed, and a motion was made by Dr. Ford and seconded by Ms. Nolan to take a neutral position regarding the application. Motion carried by a unanimous vote.

### **Resolution No. 2019-05-22-01 – Accept Watershed Study Plan**

Mr. Kuhns introduced Resolution No. 2019-05-22-01 accepting the Houghs Creek and Jericho Creek Watershed Restoration Plan, which has been reviewed by DCNR and meets all of their requirements. Discussion followed and a motion was made by Ms. Nolan and seconded by Dr. Ford to approve Resolution No. 2019-05-22-01. Motion carried by unanimous vote.

### **2019 Tree Grant Program**

Mr. Kuhns provided an overview of the UMTree Grant Program and requested continuation of the program for 2019. Following discussion, a motion was made by Dr. Ford and seconded by Ms. Nolan to authorize continuation of the UMTree Grant Program for 2019. Motion carried by unanimous vote.

## **SOLICITOR'S REPORT**

The Solicitor's Report is in the Board's packets.

## **MANAGER'S REPORT**

### **Heritage Hills Wastewater Treatment Plant Sludge Digester Aeration System Replacement**

Following an overview of the project by Mr. Nyman, a motion was made by Ms. Nolan and seconded by Ms. Ballerini to award the bid for the Heritage Hills Wastewater Treatment Plant Sludge Digester Aeration System Replacement General Construction Bid to Blooming Glen Contractors in the amount of \$72,880.00. Motion carried by unanimous vote.

A motion was then made by Ms. Nolan and seconded by Ms. Ballerini to award the bid for the Heritage Hills Wastewater Treatment Plant Sludge Digester Aeration System Replacement Electrical Construction Bid to AJM Electric, Inc. in the amount of \$11,800.00. Motion carried by unanimous vote.

### **Heritage Hills Water Booster Station Main Service Pumps Replacement**

Following an overview of the project by Mr. Nyman, a motion was made by Ms. Nolan and seconded by Dr. Ford to award the bid for the Heritage Hills Booster Station Main Service Pumps Replacement General Construction Bid to Derstine Company, LLC in the amount of \$118,000.00. Motion carried by unanimous vote.

A motion was then made by Ms. Nolan and seconded by Dr. Ford to award the bid for the Heritage Hills Booster Station Main Service Pumps Replacement Electrical Construction Bid to MJF Electrical Contracting in the amount of \$98,555.00. Motion carried by unanimous vote.

### **Law Enforcement Accreditation Services LLC Proposal – Sgt. Kraus**

Sgt. Kraus introduced Craig Rudisill, who provided an overview of the Law Enforcement Accreditation Services, LLC Proposal. Discussion followed and a motion was made by Ms. Ballerini and seconded by Ms. Nolan to approve the Law Enforcement Accreditation Services, LLC Proposal. Motion carried by unanimous vote.

### **Taylorsville/Mt. Eyre Road Intersection**

Mr. Nyman provided an update on the Taylorsville/Mt. Eyre Road Intersection concerns raised at the last meeting and provided an overview of the proposal of Traffic Planning and Design, Inc. Mr. Nyman recommended authorizing the Speed Counts (\$900) and Sight Distance Review (\$300) portion of the proposal. Dr. Ford expressed concern regarding the value of the proposal if behaviors do not change.

Tim Thomas, Mt. Eyre Manor, recounted the risks at this particular intersection and stressed the value of the empirical data which would be provided by the proposal.

A motion was made by Ms. Nolan and seconded by Ms. Ballerini to approve the Traffic Planning and Design, Inc. Speed Counts and Site Distance Review Proposal in the amount of \$1,200. Motion carried by unanimous vote.

### **Park & Recreation Board Appointment – term expires December 31, 2019**

A motion was made by Ms. Nolan and seconded by Ms. Ballerini to appoint Robert Rupp to the Park & Recreation Board for a term that expires December 31, 2021. Motion carried by unanimous vote.

### **Tax Collector**

Mr. Nyman reported that due to the passing of Tax Collector Nick Ettorre, the Board of Supervisors is responsible for appointing a Tax Collector to fill the position until the November election. Timing is critical because of pending School Tax Billing and the Board has started exploring options. This item will be placed on the June 4, 2019 agenda for action.

### **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:

- Environmental Advisory Council – February 12, 2019 and March 12, 2019
- Historical Advisory Commission – March 25, 2019
- Park & Recreation Board – March 11, 2019
- Planning Commission – February 27, 2019 and March 27, 2019

**DEPARTMENT REPORTS**

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

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

**PUBLIC COMMENT**

There was no public comment.

**ADJOURNMENT**

A motion was made by Ms. Nolan and seconded by Ms. Ballerini to adjourn at 9:03 p.m. Motion carried by unanimous vote.

Respectfully submitted,



David R. Nyman  
Township Manager

Approved: June 4, 2019