

Upper Makefield Township Board of Supervisors November 16, 2021 Meeting Minutes

The November 16, 2021 meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Tom Cino at 7:30 p.m. Participating were the following members of the Board of Supervisors: Chair Tom Cino, Vice Chair Diana Nolan, Treasurer Tim Thomas, Member Ed Ford and Member Karin Traina. Also in attendance were Assistant Township Manager Judy Caporiccio, Township Solicitor Mary Eberle, Esq., Township Engineer Larry Young and Sgt. Pat Durkin.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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 4th Annual Shop with a Cop event is scheduled for December 11, 2021. In partnership with surrounding departments, Upper Makefield officers volunteer their time to shop with Council Rock elementary and middle school students who are facing a challenge or hardship. Shop with a Cop is a national program sponsored by Target and is funded through donations. Visit UpperMakefield.org for information on how to support the program.
- The Kiwanis Club is sponsoring the annual tree lighting and food drive event on November 26 at Washington Crossing Historic Park. Santa will arrive at 3:30 and the tree lighting is scheduled for 4:30. Non-perishable food and baby products will be collected in support of the Upper Makefield Fire Department food drive.
- Two Crossing reenactments are scheduled this year at Washington Crossing Historic Park. The First Crossing will take place on Sunday, December 12 with activities beginning at 10 a.m. Tickets are required for this event. The Christmas Day reenactment activities will begin at noon on December 25. For details on both events, visit WashingtonCrossingPark.org
- Prior to this evening's meeting, the Board held an Executive Session to discuss potential litigation and personnel matters.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES AND BILLS PAYABLE

A motion was made by Ms. Traina and seconded by Ms. Nolan to approve the October 19, 2021 meeting minutes. Motion carried by unanimous vote.

A motion was made by Mr. Thomas and seconded by Ms. Nolan to approve the November 16, 2021 Bills Payable List in the amount of \$343,447.75. Motion carried by unanimous vote.

PLANNING & ZONING ISSUES

There were no planning and zoning issues.

SOLICITOR'S REPORT

JMZO No. 2021-01 – Conservation Management District Revisions

Ms. Eberle introduced the ordinance which would make the Conservation Management provisions consistent. Mr. Cino opened the public hearing. There were no comments by the Board of Supervisors and no comments from the public. Mr. Cino closed the hearing. A motion was made by Dr. Ford and seconded by Ms. Traina to adopt JMZO No. 2021-01. Motion carried by unanimous vote.

Anderson Subdivision Plan, 282 Aqueduct Road

Ms. Eberle provided an overview of the Anderson request to amend the Final Plan regarding tree replacement.

Nate Fox, Esq. represented the applicant and further explained that there are two requests. One was for a reduction in the tree replacement fee to \$100/tree for 27 trees (\$2,700). Mr. Young stated that ordinance requirements are based on size of trees removed and that per ordinance, 108 trees would be required to be replaced at a cost with installation of \$350, as outlined in his letter dated October 1, 2021. The Board discussed potential options regarding number of trees to replace and fees-in-lieu of replacement, but requested a reforestation plan for Township Engineer and Board review before considering any options.

The second request was a deferred improvement agreement or declaration of unilateral restrictions and covenants to be recorded against the property so that fees for replacement and street trees be deferred until the time a building permit is pulled since future construction may result in additional disturbance. Ms. Eberle advised against the deferred improvement agreement at this time because it is in violation of the Municipalities Planning Code.

The applicant will determine how many trees can be planted on the property, and if all trees cannot be planted on-site, the applicant will return to the Board for further review.

Volunteer Board Resignations

The Board then considered the letters of resignation from Joe Linus and Bill Hoefer. Ms. Eberle advised that although the new amendments to the Sunshine Act required that all action items be on a published agenda 24 hours before the meeting, there is an exception for matter which arise within 24 hours of a meeting and which do not involve the expenditure of funds or entering into a contract.

A motion was made by Ms. Nolan and seconded by Mr. Thomas to accept the resignation of Joe Linus as Vacancy Board Chair effective immediately. Motion carried by unanimous vote.

A motion was made by Ms. Nolan and seconded by Ms. Traina to accept the resignation of Bill Hoefer from the Park & Recreation Board effective immediately. Motion carried by unanimous vote.

ASSISTANT MANAGER'S REPORT

Shop with a Cop Program Donation

Ms. Caporiccio provided an overview of the Shop with a Cop event on December 11. The program, sponsored by Target, is funded through donations and UMT officers volunteer their time to shop with local students. The PBA is donating \$1,000 to the program. A motion was made by Ms. Nolan and seconded by Mr. Thomas to approve a donation of \$1,000 to Shop with a Cop. Motion carried by unanimous vote.

Public Works Collective Bargaining Agreement Three-Year Extension

A motion was made by Mr. Thomas and seconded by Mr. Traina to table this item. Motion carried by unanimous vote.

ENGINEER'S REPORT

There was no Engineer's Report.

BOARD AND COMMISSION REPORTS

Mr. Cino announced that the Environmental Advisory Council meeting minutes of October 12, 2021

and the Planning Commission meeting minutes of August 25, 2021 and September 22, 2021 were included in the Board's packets.

DEPARTMENT REPORTS

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

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

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

A motion was made by Ms. Nolan and seconded by Dr. Ford to adjourn the meeting at 8:09 p.m. Motion carried by unanimous vote.

Respectfully submitted,



David R. Nyman
Township Manager

Approved: December 7, 2021