

**Upper Makefield Township Board of Supervisors**  
**May 18, 2022 Meeting Minutes**

The May 18, 2022 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 Ed Ford, Treasurer Tim Thomas, Member Yvette E. Taylor and Member Ben Weldon. Also in attendance were Township Manager David R. Nyman, Assistant Township Manager Judy Caporiccio, Township Solicitor William Oetinger, Esq., Township Engineer Larry Young, P.E., Planning & Zoning Director Denise Burmester, and Chief Mark Schmidt.

**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:

- Supervisor Thomas is participating by telephone.
- Township offices will be closed on Monday, May 30 for the Memorial Day Holiday.
- The Police and Public Works Departments were acknowledged and recognized. Last week was designated as National Police Week, and this week is National Public Works Week. The Township is fortunate to have dedicated employees to protect and care for our community.

Ms. Taylor noted that the Council Rock School Board meeting is tomorrow evening, and she encouraged all to attend.

**PUBLIC COMMENT**

Ellen Radow, 9 Timber Knoll, reminded the Board of the proposed expansion of the Mercer County Airport and encouraged the Township to monitor progress and provide input regarding the impact on Upper Makefield.

**APPROVAL OF MINUTES AND BILLS PAYABLE**

A motion was made by Ms. Taylor and was seconded by Dr. Ford to approve the April 19, 2022 meeting minutes. Motion carried by unanimous vote.

Mr. Cino read into the record the bills list for May 3, 2022. A motion was made by Dr. Ford and was seconded by Mr. Weldon to ratify approval of the May 3, 2022 Bills Payable List in the amount of \$69,099.18. Motion carried by unanimous vote.

Mr. Cino read into the record the bills list for May 18, 2022. A motion was made by Dr. Ford and was seconded by Ms. Taylor to approve the May 18, 2022 Bills Payable List in the amount of \$211,099.13. Motion carried by unanimous vote.

**PLANNING & ZONING ISSUES**

**Kane Zoning Hearing Board Application, 110 Pond View**

Ms. Burmester reported that the applicant requested to table this application until the next meeting due to scheduling conflicts. A motion was made by Mr. Weldon and was seconded by Ms. Taylor to table consideration of the Kane Zoning Hearing Board application until the June 7, 2022 meeting. Motion carried by unanimous vote.

**Thompson Zoning Hearing Board Application, 5 Devon Drive**

Ms. Burmester introduced Nicholas Thompson, the applicant, who provided an overview of the application requesting relief from floodplain soils disturbance for construction of a pool. Discussion followed and a motion was made by Dr. Ford and seconded by Mr. Weldon to take a neutral position

on this application. Motion carried by unanimous vote.

**Slack Zoning Hearing Board Application, 1121 Slack Road**

Ms. Burmester introduced Janice and Brenda Slack, who provided an overview of the application requesting a variance for installation of an 8-foot deer fence around the farm's crops. Discussion followed regarding an effective height for a deer fence and about notification to the neighbors. Mr. Oetinger noted that the legal process includes notification to neighbors within 500 feet. A motion was made by Dr. Ford and seconded by Ms. Taylor to support an application for a deer fence of up to 10 feet with the provision that the Legal Notice state the extent of the requested variance. Motion carried by unanimous vote.

**Resolution No. 2022-05-18-01 – Wolfinger Planning Module, 1410 Wrightstown Road**

Ms. Burmester outlined the proposed planning module. Discussion followed, and motion was made by Dr. Ford and seconded by Ms. Taylor to approve Resolution No. 2022-05-18-01. Motion carried by unanimous vote.

**SOLICITOR'S REPORT**

**Sunoco Conditional Use**

Mr. Oetinger reported that the applicant has granted an extension, and the Board will render an adjudication at the June 7, 2022 meeting.

**MANAGER'S REPORT**

**BOWMA (Big Oak Whitetail Management Association) 2022/23 Proposal**

Mr. Nyman provided an overview of the BOWMA proposal for the 2022/23 season, which has the same terms and conditions as the previous contract at no cost to the Township. BOWMA is again requesting a letter of recommendation from the Township to distribute to local property owners. A motion was made by Dr. Ford and seconded by Mr. Weldon to authorize the Township Manager to execute an agreement with BOWMA for 2022/23 and to authorize a letter of recommendation. Motion carried by unanimous vote.

**Bucks County Duathlon Special Event Application**

Mr. Nyman provided an overview of the Special Event Application for the Bucks County Duathlon on September 4, 2022 from 7:00 a.m. to 9:30 a.m. The event is a fundraiser for the Missy Flynn Fund. Police staffing is requested however, no road closures will be required. Discussion followed and a motion was made by Ms. Taylor and seconded by Mr. Weldon to approve the request for Township police staffing during the September 4, 2022 Bucks County Duathlon with reimbursement of the police staffing required. Motion carried by unanimous vote.

**Volunteer Project Proposal**

Mr. Nyman provided an overview of staff's recommendation, per Board direction, for a multi-committee project in preparation for the PA250 celebration in the Village of Washington Crossing. Staff recommends that the Traffic Advisory Committee and the Historic Advisory Committee consider recommendations for improvements, upgrades and traffic conditions in the village, and that the Financial Advisory Committee explore the funding and financial implications of recommended improvements. A motion was made by Mr. Weldon and seconded by Ms. Taylor to authorize staff to schedule an initial meeting of the committees to further consider ideas and begin developing recommendations for Board consideration. Motion carried by unanimous vote.

**ENGINEER'S REPORT**

**Enclave Well Guarantee Release Request**

Mr. Young provided an overview of the project and recommended approval of the Enclave Well

Guarantee Escrow Release Request. Following discussion, a motion was made by Dr. Ford and seconded by Mr. Weldon to approve the Enclave Well Guarantee Escrow Release Request in the amount of \$50,000 plus interest accrued. Motion carried by unanimous vote.

Dr. Ford inquired about Toll's soil stockpile located on Stoopville Road, which Mr. Young stated is permitted and is monitored by the Bucks County Conservation District.

### **BOARD AND COMMISSION REPORTS**

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

- Environmental Advisory Council – February 8, 2022
- Environmental Advisory Council – April 12, 2022
- Planning Commission – March 23, 2022

### **DEPARTMENT REPORTS**

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

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

Chief Schmidt acknowledged the efforts of his department and the cooperation of neighboring departments in regard to the double homicide in the Township. He recognized the efforts of our officers, thanked the Board for their support and noted that the Bucks County Crisis Intervention Team had provided counseling.

### **PUBLIC COMMENT**

Priscilla Linden, Dillon Way questioned why an issue with the Sunoco pipeline in New Jersey is now a Pennsylvania issue, and she inquired whether the EAC had reviewed the project.

Ellen Radow, 9 Timber Knoll, expressed concern regarding the level of noise acknowledged in Sunoco's proposed pipeline maintenance project and the Township's ability and efforts to require compliance with our noise ordinance. She also expressed concern regarding the proposed use of geotextile mats and their impact on stormwater runoff as well as concerns regarding the increased truck traffic and turnarounds, specifically the impact on Oakdale Avenue.

### **ADJOURNMENT**

A motion was made by Dr. Ford and was seconded by Ms. Taylor to adjourn the meeting at 8:25 p.m. Motion carried on unanimous vote.

Respectfully submitted,



David R. Nyman  
Township Manager

Approved: June 7, 2022