

Upper Makefield Board of Supervisors
January 17, 2023 Meeting Minutes

The January 17, 2023 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Tom Cino at 7:32 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 Taylor and Member Ben Weldon. Also in attendance were Township Manager David R. Nyman, Assistant Township Manager Judy Caporiccio, Township Solicitor Mary Eberle, Esq., Township Engineer Larry Young, P.E., Chief Schmidt, and Planning & Zoning Director Denise Burmester.

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:

- An Executive Session will be held following this evening's meeting for purpose of discussing potential litigation.
- The Board will be scheduling volunteer interviews in the next month for applicants to open committee seats.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES AND BILLS PAYABLE

A motion was made by Ms. Taylor and seconded by Mr. Thomas to approve the January 3, 2023 Reorganization Meeting minutes. Motion carried by unanimous vote.

A motion was made by Mr. Thomas and seconded by Dr. Ford to approve the January 17, 2023 Bills Payable List in the amount of \$1,168,690.92. Motion carried by unanimous vote.

PLANNING & ZONING ISSUES

Costigan Lot Line Change – 2 Mount View Court.

Ms. Burmester introduced the project noting the Planning Commission recommendation for approval. Mike Meginniss, Esq., represented the applicant and provided an overview of the request for a lot line change to increase the lot at 958 Old Dolington Road (Tax Parcel 47-008-070) by .32 acres increasing total acreage from 1.24 to 1.56 acres in order to accommodate the well within the developed parcel. The lot at tax parcel 47-009-094 is undeveloped with 4.66 acres and will be reduced to 4.34 acres.

Discussion followed and a motion was made by Mr. Weldon and seconded by Dr. Ford to grant final approval to the Costigan Lot Line change subject to compliance with the Tri-State Engineers review letter dated November 23, 2022, restriction of further subdivision of 47-009-094, and removal of the existing sports court. Motion carried by unanimous vote.

Heritage Pharmacy Land Development Sketch Plan, 1099 General Knox Road

Ms. Burmester introduced the project, noting the Planning Commission review. Ed Murphy, Esq., represented the applicant and provided an overview of the land development sketch plan proposing relocation of the existing business to an adjacent building, a 1,500 foot addition at the new location, expansion of the existing parking area and shared parking with the Wells Fargo Bank across the street. Discussion followed noting concerns expressed by the Planning Commission. Mr. Murphy shared the plan changes made to address those concerns and noted that the applicant would need Zoning Hearing

Board relief. It was suggested that the applicant consider returning to the Planning Commission for review of the revised plan that was presented at this meeting.

SOLICITOR'S REPORT

Ordinance No. 329 – False Alarms

Ms. Eberle provided an overview of the false alarm ordinance, which will align the ordinance with the 2023 Fee Schedule. Mr. Cino opened the public hearing. The Chief provided answers to Board questions regarding false alarms and the new procedure. There were no comments from the public. Mr. Cino closed the public hearing. A motion was then made by Mr. Weldon and seconded by Dr. Ford to adopt Ordinance No. 329. Motion carried by unanimous vote.

JMZO Validity Challenge

Ms. Eberle provided background on the WaWa JMZO Validity Challenge concerning the number of gas pumps allowed. Newtown Township has asked for the Township's assistance in defense of the Ordinance. Discussion followed and a motion was made by Mr. Thomas and seconded by Dr. Ford to authorize Grim, Biehn & Thatcher to enter an appearance and attend hearings to the extent deemed appropriate to support Newtown Township's defense of the JMZO. Motion carried by a unanimous vote.

MANAGER'S REPORT

Resolution No. 2023-01-17 – Records Disposition

Mr. Nyman provided an overview of Resolution No. 2023-01-17 authorizing disposition of records in accordance with the Pennsylvania Municipal Governments Records Retention and Disposition Schedule. Following discussion, a motion was made by Dr. Ford and seconded by Ms. Taylor to approve Resolution No. 2023-01-17. Motion carried by unanimous vote.

Part-Time Police Officer

A motion was made by Mr. Weldon and seconded by Ms. Taylor to hire Andrew Nagle as part-time police officer. Motion carried by unanimous vote.

Affirm EAC Chair

A motion was made by Dr. Ford and seconded by Ms. Taylor to affirm Kathryn Benson as the EAC Chair for 2023. Motion carried by unanimous vote.

Public Works Laborer

Mr. Nyman explained that the applicant for the laborer position approved at the last meeting declined the position, and additional interviews have since occurred. A motion was made by Mr. Thomas and seconded by Ms. Taylor to hire Jamie Noon as a full-time Public Works Laborer. Motion carried by unanimous vote.

ENGINEER'S REPORT

There was no Engineer's Report.

BOARD AND COMMISSION REPORTS

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

- Board of Elected Auditors – January 4, 2022
- Environmental Advisory Council – December 13, 2022
- Park & Recreation Board – November 14, 2022

DEPARTMENT REPORTS

Mr. Cino announced that the following department reports were provided:

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

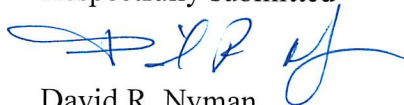
PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

A motion was made by Mr. Weldon and seconded by Dr. Ford to adjourn the meeting into Executive Session at 8:21 p.m.

Respectfully submitted



David R. Nyman

Township Manager

Approved: February 7, 2023