

## **Upper Makefield Board of Supervisors**

### **August 15, 2023 Meeting Minutes**

The August 15, 2023 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 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., Planning & Zoning Director Denise Burmester and Chief Mark Schmidt.

#### **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 in remembrance of the victims of the July 15 flash flood event in the Township.

#### **ADDITIONAL BUSINESS**

Mr. Cino noted that there was a request to amend the agenda, which must be voted on by the Supervisors. A motion was made by Mr. Weldon and seconded by Dr. Ford to amend tonight's agenda by adding authorization to advertise for Sludge Disposal Bids. Motion carried by unanimous vote. This item will be added to the Manager's Report.

#### **ANNOUNCEMENTS**

Mr. Cino made the following announcements:

- The Grange Fair starts tomorrow, August 16, and runs through Sunday, August 20. Check [MiddletownGrangeFair.org](http://MiddletownGrangeFair.org) for times.
- Township offices are closed for the Labor Day holiday on Monday, September 4.
- As noted on the Police Facebook page, today marks one month since the flash flood tragedy occurred and 7 people were lost. He asked that the victims, their families and friends remain in everyone's thoughts and prayers, and he thanked the community for their outpouring of support.

#### **SPECIAL ITEM**

##### **Sunoco Pipeline Project Update**

Joe Massaro of Energy Transfer, provided a status update of the Sunoco Pipeline Project. He stated that the erratic weather in recent months has caused a delay in completing the project. Outstanding items include power washing adjacent homes, planting six required trees and completion of remaining punch list items.

#### **PUBLIC COMMENT**

Mike Spiro, 1175 Eagle Road, requested a status update on a neighboring property at 725 Eagle Road. Ms. Eberle noted that an injunction was filed, and a hearing is scheduled for August 29. Mr. Spiro was encouraged to attend the hearing. Mr. Spiro then showed pictures of issues on his property that he said are caused by the neighboring property, including stormwater runoff and animal-related issues, and said that he cannot sell his house because of the ongoing problems.

#### **APPROVAL OF MINUTES AND BILLS PAYABLE**

A motion was made by Mr. Thomas and seconded by Ms. Taylor to approve the July 18, 2023 meeting minutes. Motion carried by unanimous vote.

A motion was made by Ms. Taylor and seconded by Dr. Ford to approve the August 15, 2023 Bills Payable List in the amount of \$283,520.89. Motion carried by unanimous vote.

## **PLANNING & ZONING ISSUES**

### **Zoning Hearing Board Applications**

#### **Johnson, 8 Privet Lane; Pruden, 2 Tines Field Path; and Sachedo, 2 Privet Lane**

Ms. Burmester provided an overview of the Zoning Hearing Board applications for Johnson (8 Privet Lane), Pruden (2 Tines Field Path) and Sachedo (2 Privet Lane) requesting variances for proposed driveway gates and support columns. Discussion followed regarding the various heights proposed and the reasons for the requests. A motion was made by Mr. Thomas and seconded by Ms. Taylor for the Board to take a neutral position on these applications. Motion carried by a unanimous vote.

#### **Aurand Certificate of Appropriateness, 1509 River Road**

Ms. Burmester provided an overview of the request to partially replace the roof shingles to match the rest of the house. The request was reviewed and recommended for approval by the HARB. Following discussion, a motion was made by Dr. Ford and seconded by Ms. Taylor to approve the Aurand Certificate of Appropriateness for 1509 River Road. Motion carried by unanimous vote.

## **SOLICITOR'S REPORT**

### **JMZO Riding Academy Ordinance**

Ms. Eberle provided an overview of the Jointure Riding Academy Ordinance requiring an increased minimum lot size, additional parking spaces, the presence of the owner or full-time employee on the property, setbacks for manure storage and remediation of insect infestation. Mr. Cino opened the public hearing. There were no comments from the Board or from the public. Mr. Cino closed the hearing. A motion was then made by Mr. Thomas and seconded by Mr. Weldon to adopt JMZO Riding Academy Ordinance. Motion carried by unanimous vote.

## **MANAGER'S REPORT**

### **Resolution No. 2023-08-15 – Authorizing Township Manager to sign PennDOT Agreements**

Mr. Nyman provided an overview of Resolution No. 2023-08-15 authorizing the Township Manager to execute certain PennDOT Agreements related to SR 2101 (Lurgan Road). Following discussion, a motion was made by Dr. Ford and seconded by Mr. Weldon to approve Resolution No. 2023-08-15. Motion carried by unanimous vote.

### **Flood-Related Road and Bridge Emergency Repairs**

Mr. Nyman provided an overview of the flood-related road and bridge emergency repairs related to the July 15, 2023 flash flood event. Following discussion, a motion was made by Mr. Thomas and seconded by Ms. Taylor to ratify approval of M.E.G. proposal for emergency road and bridge repairs in the amount of \$62,130.00. Motion carried by unanimous vote.

### **2019 Dodge Charger**

Mr. Nyman reported on the bid for the sale of the 2019 Dodge Charger, which was listed for sale on Municibid. A motion was made by Mr. Thomas and seconded by Dr. Ford to accept the bid for the sale of the 2019 Dodge Charger to Antoine Noun for the purchase price of \$9,000. Motion carried by unanimous vote.

### **Police Officer**

A motion was made by Mr. Weldon and seconded by Dr. Ford to hire Kasey McLeod for the position of part-time police officer. Motion carried by unanimous vote.

### **2024 Budget Process**

Mr. Nyman provided an overview of the proposed 2024 budget process that includes Budget Workshop dates of September 13 and October 3. A motion was made by Ms. Taylor and seconded by

Mr. Weldon to authorize advertisement of Budget Workshops on September 13 and October 3 at 6:30 p.m. Motion carried by unanimous vote.

### **Sludge Disposal Bids**

Mr. Nyman noted that the current sludge disposal bid expires at the end of 2023 and requested authorization to advertise for bids. A motion was made by Mr. Weldon and seconded by Mr. Thomas to authorize advertisement of the sludge disposal bids. Motion carried by unanimous vote.

### **ENGINEER'S REPORT**

#### **2023 Road Paving Project**

Mr. Young provided an update that the 2023 Road Paving Project is complete, and he recommended approval of Payment Request #2 (Partial), Change Order #2 and Payment Request #3 (Final).

A motion was made by Dr. Ford and seconded by Mr. Thomas to approve Payment Request #2 (Partial) in the amount of \$127,848.51. Motion carried by unanimous vote.

A motion was made by Ms. Taylor and seconded by Dr. Ford to approve Change Order #2 in the amount of (-\$59,971.50). Motion carried by unanimous vote.

A motion was made by Ms. Taylor and seconded by Mr. Thomas to approve Payment Request #3 (Final) in the amount of \$177,343.85. Motion carried by unanimous vote.

### **BOARD AND COMMISSION REPORTS**

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

- Historical Advisory Commission – April 27, 2023
- Park & Recreation Board – June 12, 2023
- Planning Commission – June 28, 2023
- Traffic Advisory Committee – May 24, 2023

### **DEPARTMENT REPORTS**

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

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

### **PUBLIC COMMENT**

Ann Marie Murray, Brownsburg Road, asked about repairs needed on Aquetong Road. It was noted that Aquetong Road is located in Solebury Township. She then referenced the proposed pickleball court project at Brownsburg Park and expressed neighbor concerns regarding noise disturbance caused by pickleball courts, referencing related newspaper articles. Mr. Cino noted that the Park & Recreation Board was recently made aware of their concerns and will be discussing further at their next meeting.

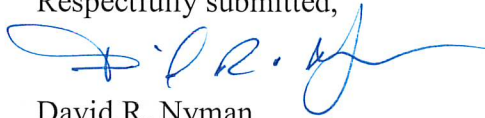
David Young, 11 Aqueduct Road, thanked the first responders and volunteers for their efforts during the July 15<sup>th</sup> flash flood event. He requested that the Township work with the residents to develop a remediation plan to prepare for future storm events. Mr. Cino reminded residents to report any damage incurred on July 15 to the Township.

Jeremy Lowe, 19 Aqueduct Road, shared stormwater concerns and the need for mitigation efforts.

**ADJOURNMENT**

A motion was made by Dr. Ford and seconded by Ms. Taylor to adjourn at 8:30 p.m. Motion carried by unanimous vote.

Respectfully submitted,



David R. Nyman  
Township Manager

Approved: September 19, 2023