

Upper Makefield Board of Supervisors

November 21, 2023 Meeting Minutes

The November 21, 2023 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Tom Cino at 7:34 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 Assistant Township Manager Judy Caporiccio, Township Solicitor Will Oetinger, 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.

ANNOUNCEMENTS

Mr. Cino made the following announcements:

- The Annual Tree Lighting and Food Drive at Washington Crossing Park will be held this Friday, November 24. Festivities begin at 3:00, including a visit from Santa, with the tree lighting at 4:30.
- The 6th Annual Shop with a Cop event is on December 9. If you are interested in donating to this program, please visit the Township website for details.
- Residents interested in serving on a volunteer board are invited to submit an application, which can be found on the Township website.
- Township offices will be closed on Thursday, November 23 and Friday, November 24 for the Thanksgiving holiday.

PUBLIC COMMENT

Mike Spiro, 1151 Eagle Road, expressed concerns regarding the smells affecting his property emanating from the neighboring property at 725 Eagle Road. He expressed frustration regarding the legal process the Township is pursuing, which Mr. Oetinger explained is currently in Commonwealth Court. Mr. Oetinger reiterated that residents can explore options not available to municipalities and can also seek their own counsel.

APPROVAL OF MINUTES AND BILLS PAYABLE

A motion was made by Dr. Ford and seconded by Mr. Weldon to approve the November 8, 2023 meeting minutes. Motion carried by unanimous vote.

A motion was made by Mr. Thomas and seconded by Ms. Taylor to approve the November 21, 2023 Bills Payable List in the amount of \$247,623.97. Motion carried by unanimous vote.

PLANNING & ZONING ISSUES

Amery Zoning Hearing Board Application, 518 Lurgan Road

Ed Murphy, Esq. represented the applicant and provided an overview of the application requesting a variance from the Bed and Breakfast owner-occupied requirement to permit a resident manager to maintain a continuous presence at the property. Discussion followed regarding the need for an onsite manager with authority to make decisions. A motion was made by Dr. Ford and seconded by Ms. Taylor that the Board take a neutral position conditioned upon having a professional innkeeper on site with authority to act on behalf of the owner. Motion carried by unanimous vote.

Washington Crossing Realty Zoning Hearing Board Application, 1099 General Knox

Ed Murphy, Esq. represented the applicant and provided an overview of the application proposing a 1600 sq. ft. addition to an existing multi-tenant office building and removal of 480 sq. ft. of the

existing building resulting in a net increase of 1,120 sq. ft. for relocation of Heritage Pharmacy from the adjacent property. The applicant is requesting a special exception and variances related to setbacks, impervious ratio, and parking. Discussion followed regarding impervious surface and number of parking spaces. A motion was made by Dr. Ford and seconded by Mr. Thomas that the Board take a neutral position subject to a recordable reserve parking agreement to maximize stormwater management and minimize impervious service. Motion carried by unanimous vote.

SOLICITOR'S REPORT

JMZO Comprehensive Plan Update

Mr. Oetinger provided an overview of the Upper Makefield Township Planning Commission recommendations to the JMZO Comprehensive Plan Update. Discussion followed and a motion was made by Mr. Thomas and seconded by Dr. Ford to approve the Upper Makefield Planning Commission recommendations to the JMZO Comprehensive Plan Update and forward them to the Jointure. Motion carried by unanimous vote.

ASSISTANT MANAGER'S REPORT

Resolution No. 2023-11-21-01 – Adoption of the 2024 Budget

Ms. Caporiccio provided highlights of the 2024 Budget and budget process, noting that the Preliminary 2024 Budget has been advertised, made available for public inspection at the Township office and on the Township website, and has met the legal requirements to be considered for adoption. A motion was then made by Mr. Thomas and seconded by Ms. Taylor to adopt Resolution No. 2023-11-21-01. Motion carried by unanimous vote.

Resolution No. 2023-11-21-02 – Tax Levy

A motion was made by Ms. Taylor and seconded by Dr. Ford to approve Resolution No. 2023-11-21-02 establishing the 2024 Real Estate Tax Rate. Motion carried by unanimous vote.

Resolution No. 2023-11-21-03 – Heritage Hills Water/Sewer Rates

A motion was made by Mr. Weldon and seconded by Mr. Thomas to approve Resolution No. 2023-11-21-03 establishing rates for the Heritage Hills water/sewer facility for 2024 and 2025. Motion carried by unanimous vote.

Resolution No. 2023-11-21-04 – Enclave Water/Sewer Rates

A motion was made by Mr. Thomas and seconded by Ms. Taylor to approve Resolution No. 2023-11-21-04 establishing rates for The Enclave water/sewer facility effective January 1, 2024. Motion carried by unanimous vote.

ENGINEER'S REPORT

Mr. Young noted that the canopy for Lookout Park has been ordered and a proposal to bid on the installation is being prepared.

BOARD AND COMMISSION REPORTS

Mr. Cino announced that the Planning Commission minutes from the July 26, 2023 meeting were included in Board packets.

DEPARTMENT REPORTS

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

- Planning & Zoning Department
- Finance Department
- Fire Departments

- Emergency Services
- Fire Marshal
- Police Department
- Public Works Department

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

A motion was made by Dr. Ford and seconded by Mr. Thomas to adjourn the meeting at 8:28 p.m.

Respectfully submitted,



Judy Caporiccio

Assistant Township Manager

Approved: December 5, 2023