

Upper Makefield Board of Supervisors September 17, 2024 Meeting Minutes

The September 17, 2024 public meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Yvette Taylor at 7:30 p.m. In attendance were the following members of the Board of Supervisors: Chair Yvette Taylor, Vice Chair Ben Weldon, Treasurer Braun Taylor, Member Tom Cino and Member Tim Thomas. Also in attendance were Township Manager David R. Nyman, Assistant Township Manager Judy Caporiccio, Township Solicitor Will Oetinger, Esq., Township Engineer Jacob Rigg, P.E., Planning & Zoning Director Denise Burmester and Chief Mark Schmidt.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Ms. Taylor led in the recitation of the Pledge of Allegiance which was followed by a moment of silence.

ANNOUNCEMENTS

Ms. Taylor made the following announcements:

- Upper Makefield Community Day is this week. Join us at Brownsburg Park this Saturday, September 21 from 10-3 to enjoy activities and refreshments at the park while learning more about the Township.
- The second Budget Workshop will be held before our next meeting on Tuesday, October 1 at 6:30 p.m. here at the Township Building. The meeting is open to the public and is followed by our Regular Board of Supervisors meeting at 7:30 p.m..
- PennDOT has two road projects underway that affect our community. Wrightstown Road is closed weekdays from 9-3 between Route 413 and Washington Crossing Road for base repair, and General Washington Memorial Blvd. has periodic lane closures weekdays from 9-3 from River Road to the approach to the Bridge for milling and paving.

Bridge Update:

- We continue to stay abreast of activities surrounding the Washington Crossing Bridge project. Since our last Supervisors' meeting, we were made aware of a letter from DCNR, the Department of Conservation and Natural Resources, to the Delaware River Joint Toll Bridge Commission expressing concern about the potential impacts that construction to rehabilitate or replace the bridge would have on historical, cultural and ecological resources conserved by DCNR.
- We continue to attend the monthly meetings of the Joint Toll Bridge Commission and encourage residents to attend as well to voice your opinions about the Washington Crossing Bridge project. Their next meeting is on Monday, September 30 at 10:30 a.m. Attend in person or virtually. Visit drjtbc.org for meeting information

PUBLIC COMMENT

Ron Smolow, 56 Betts Drive, shared concerns about stolen and defaced political signs and signs placed on private property. He suggested that the police post information on their Facebook page about what is and is not permitted.

Mike Spiro, 1151 Eagle Road, inquired about the status of the litigation regarding the property at 575 Eagle Road and stated that he cannot enjoy his house or property because of the odor emanating from that neighboring property.

James Ruggles, 5 London Court, expressed concerns about the debris blockage in Jericho Creek on the Kudra properties and its impact on the neighboring London Court residents, noting that new channels have developed, and flooding is a significant concern. He requested that the Township assess the area

and consider use of available federal funding to remove the blockage. Board consensus was to ask Mr. Nyman to explore the scope of a project.

Kristen Tormenti, 498 Stoneybrook Road, also shared concerns about the debris blockage on Jericho Creek and shared history of past flooding at their residence. She expressed appreciation for attention to the situation.

Kevin Holmes, 476 Stoneybrook Road, agreed with his neighbors' comments and concerns regarding the debris blockage on Jericho Creek expressing the importance of addressing the current blockage as well as ongoing monitoring of the creek for potential issues along the old trolley line.

Christopher Purtill, 70 London Court and HOA member, stated that the debris blockage on Jericho Creek has increased in severity over the years and poses increased safety and environmental concerns. He requested that the Township assess the blockage and consider a remediation that could potentially be funded by available federal funds.

APPROVAL OF MINUTES AND BILLS PAYABLE

A motion was made by Mr. Cino and seconded by Mr. Thomas to approve the September 3, 2024 meeting minutes. Motion carried by unanimous vote.

A motion was made by Mr. Cino and seconded by Mr. Weldon to approve the September 17, 2024 Bills Payable List in the amount of \$110,035.31. Motion carried by unanimous vote.

PLANNING & ZONING ISSUES

Hammond Zoning Hearing Board Application, 1021 River Road

Ms. Burmester provided an overview of the Hammond Zoning Hearing Board Application requesting relief to reconstruct a single-family dwelling damaged by fire and to construct an addition for mechanical equipment as required to meet stormwater ordinance requirements. Discussion followed and a motion was made by Mr. Cino and seconded by Mr. Weldon that the Board to take a neutral position regarding the requested variance. Motion carried by unanimous vote.

Mayger Zoning Hearing Board Application, 1 Spring Oak Drive

Bryce McGuigan, Esq, represented the applicant and provided an overview of the Mayger Zoning Hearing Board Application requesting a variance for a side yard setbacks for construction of a detached garage. He noted that the applicant is under the allowed coverage but due to location of driveway and house, a compliant location near the driveway is not available. Following the discussion, a motion was made by Mr. Cino and seconded by Mr. Thomas that the Board to take a neutral position regarding the requested variance. Motion carried by unanimous vote.

Kaniewski Ranch Road Name

Ms. Burmester outlined the request of Mar Mar Builders to name the road through the Kaniewski Ranch subdivision Marzanna Court. Discussion followed and a motion was made by Mr. Weldon and seconded by Mr. Cino to approve Marzanna Court as the road name through the Kaniewski Ranch subdivision. Motion carried by unanimous vote.

Bucks Beautiful Program

Ms. Burmester provided an overview of the EAC's request to join the Bucks Beautiful Program for an annual cost of \$75.00. Projects would be recommended by EAC and would require a 50% Township match. Discussion followed and a motion was made by Mr. Weldon and seconded by Mr. Thomas to approve membership in the Bucks Beautiful Program. Motion carried by unanimous vote.

SOLICITOR'S REPORT

Jointure Ordinance No. 2024-01 – LI/O-LI Newtown Commons Overlay District

Mr. Oetinger provided an overview of Jointure Ordinance No. 2024-01, amending the Newtown Area Joint Municipal Zoning Map to create a new overlay district comprising all parcels zoned LI- Light Industrial District or O-LI Office Light Industrial District. There were no comments from the Board or the public comment. Ms. Taylor closed the public hearing. A motion was made by Mr. Cino and seconded by Mr. Weldon to adopt JMZO Ordinance 2024-01 - LI/O-LI Newtown Commons Overlay District. Motion carried by unanimous vote.

MANAGER'S REPORT

Award of Bid – Houghs Creek Flood Debris Removal Project

Mr. Nyman provided an overview of the project. Larry Young, PE, was available to answer questions regarding the project. Mr. Nyman noted that this project was approved by the property owners. Discussion followed and a motion was made by Mr. Cino and seconded by Mr. Thomas to award the base bid and Alternates 1-4 for removal of flood debris from Houghs Creek to Stonewood Landshaping, Inc in the amount of \$83,835.00. Motion carried by unanimous vote.

Brownsburg Park Pavilion Roof Replacement

Mr. Nyman provided background that the original roof on the Brownsburg Park Pavilion is curling and requires replacement. Following discussion, a motion was made by Mr. Weldon and seconded by Mr. Cino to authorize advertisement of the Brownsburg Park Roof Replacement project. Motion carried by unanimous vote.

Memorial Butterfly Garden at Brownsburg Park

Mr. Nyman provided background on the Memorial Butterfly Garden planned for Brownsburg Park in honor of the seven victims of the July 2023 flash flood in the Township. A concept plan has been prepared by Seasons Garden Center and the project is ready for the next step. Following discussion, a motion was made by Mr. Weldon and seconded by Mr. Cino to hire Seasons Garden Center as professional consultants for the Memorial Butterfly Garden at a cost not to exceed \$7,500.00. Motion carried by unanimous vote.

Mr. Nyman advised the Board that the cost of materials and installation would most likely exceed the parameters requiring bidding this project. A motion was made by Mr. Weldon and seconded by Mr. Thomas to authorize advertisement of bids for materials and installation of Memorial Butterfly Garden. Motion carried by unanimous vote.

Police Department

A motion was made by Mr. Cino and seconded by Mr. Thomas to accept the retirement of Administrative Assistant Janice Spadaccino, thanking her for her years of service and with congratulations, and authorize advertisement of Administrative Assistant position. Motion carried by unanimous vote.

ENGINEER'S REPORT

Flood Mitigation Stormwater Assessment Update Ascension Church

Mr. Rigg provided an update stating that a review of this basin has revealed a need for more work than originally considered at a significantly greater cost and has therefore been given a lower priority at this time.

Valley View

Mr. Rigg provided an update that the concept plan to modify the outlet structure has been provided to the HOA leadership for their review. A metal plate would be affixed to the existing outlet pipe to slow velocity as modern basins now provide with minimal physical impact to the existing basin.

Washington Meadows

Mr. Rigg provided an update that the Washington Meadows HOA cancelled their meeting scheduled for last night. There has been frequent communication between the Township Engineer, staff and the HOA leadership. The Township has provided them with an alternate design, is preparing a 3D rendering, and has provided contact information for the Township Solicitor to address their legal concerns. There is no rescheduled HOA meeting date yet.

MS4 Plan Review Status

Mr. Rigg noted that the Township's Municipal Separate Storm Sewer System (MS4) Pollutant Reduction Plan (PRP) has been available for public comment, as required by PADEP, since August 19, 2024. The final day of the 30-day comment period is September 18. Review or comment on the plan will be accepted through the end of day September 18, 2024 by calling or emailing the Township directly.

BOARD AND COMMISSION REPORTS

Ms. Taylor announced that the following minutes were included in Board packets:

- Environmental Advisory Council - August 13, 2024
- Park & Recreation Board – August 14, 2024
- Planning Commission – July 17, 2024

DEPARTMENT REPORTS

Ms. Taylor 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

Priscilla Linden, 50 Dillon Way, thanked the Board for planning Community Day to bring the community together in a positive way. She echoed earlier concerns made during public comment about disrespectful actions related to political signage.

ADJOURNMENT

A motion was made by Mr. Weldon and seconded by Mr. Thomas to adjourn the meeting at 8:56 p.m.

Respectfully submitted,



David R. Nyman
Township Manager

Approved: October 1, 2024