

The agenda meeting of the Northampton Township Board of Supervisors was held at 6:00 pm.

Present were:

Barry Moore
Eileen Silver
Dr. Kimberly Rose
Frank O'Donnell
Adam Selisker
Robert Pellegrino
William Wert
Joseph Pizzo
Kurt Schroeder
Amanda Fuller

Agenda items were reviewed and discussed.

The regular business meeting of the Northampton Township Board of Supervisors was called to order at 7:35 p.m.

Members of the Board present were:

Barry Moore
Eileen Silver
Dr. Kimberly Rose
Frank O'Donnell
Adam Selisker

Others present were:

Robert M. Pellegrino, Township Manager
Kurt Schroeder, Township Engineer
Joseph Pizzo, Township Solicitor

PLEDGE OF ALLEGIANCE

Chairman Moore led the Pledge of Allegiance and held a moment of silence in support of military and emergency services personnel.

CHAIRMAN ANNOUNCEMENTS

Chairman Moore announced the Ring Presentation and Item (D) Consideration of Preliminary/Final Plan of Subdivision and Land Development-Strobinski Subdivision, 48 East Holland Road has been tabled to the March 27, 2019 Board of Supervisors meeting. Also, an addition under unfinished business item (J) is an authorization to file an application for the SAFER grant.

FLAG PRESENTATION

Chairman Moore called Peter Palestina forward. Mr. Palestina introduced Seaman Hayes Parents Mary Jo and Mickey. Mr. Palestina explained Seaman Hayes recently deployed to Bahrain Persian Gulf from his base in Portsmouth NH back in November. His mom placed Seaman Hayes personalized Coast Guard flag in the display where it will stay until he returns from his deployment to exchange it.

Also in attendance to recognize Specialist Reichert was Peter Chong from Congressman Brian Fitzpatrick's Veterans Advocates, State Senator Tommy Tomlinson's Constituent Outreach Specialist Nick Diasio, & State Representative Wendi Thomas.

SPECIAL PRESENTATION

State Representative Wendi Thomas

Chairman Moore called Representative Thomas forward. Representative Thomas outlined the duties of her office, the location (Old Richboro Schoolhouse), and the hours of operation. It was announced they are offering extended hours, check their website for dates and times.

Municipal Authority Water Quality Report

Chairman Moore called Executive Director, Thomas Zeuner forward. Mr. Zeuner outlined the annual water quality report and explained the standards on PFOA and PFOS contaminations. All information presented tonight can be found on the Municipal Authority's website at www.nbcma.org.

Discussion ensued with Mr. Zeuner taking questions from the Board.

Chairman Moore called for public comment.

Ann Marie Mitchell, Ivyland, questioned the testing for water quality. Mr. Zeuner explained and spoke on charcoal filtration and stated if she had any further questions to contact his office.

PUBLIC COMMENT

None was heard.

CONSENT ITEMS

The Board meeting minutes of January 23, 2019, was approved by unanimous consent.

ACCOUNTS PAYABLE

The accounts payable for February 13, 2019, in the amount of \$873,849.59, and February 27, 2019, in the amount of \$874,269.33, was approved by unanimous consent.

NEW BUSINESS

Ratify Conditional Use Approval for New Cell Tower at Hatboro and Bristol Roads

Mrs. Silver stated in 2015, a conditional use application was approved for New Cingular Wireless PCS, LLC d/b/a AT&T Mobility to place a third telecommunication facility adjacent to the flagpoles on Township park property at the intersection of Bristol and Hatboro Roads. As the plans indicate, a 130-foot flagpole with antennas was approved to be housed within the structure. Associated equipment will be housed within a compound shelter. The second flagpole for Verizon was approved in 2014.

The following information that was reviewed as part of the original approval:

1. Copy of the conditional use application and supporting documentation;
2. CKS review letter dated February 13, 2015;
3. Pennoni review letter dated February 27, 2015;
4. Township Planning Commission memo dated March 11, 2015;
5. Photosimulations of the Proposed Flagpoles; and,
6. Copy of the plan

Mrs. Silver noted since it has been several years since the original filing, the applicant has requested reaffirmation of the Board's original approval.

Mrs. Silver deferred to Mr. Nicholas Cuce, attorney for the applicant. Mr. Cuce answered questions regarding the application and provided further detail.

A motion was made and seconded (Silver-O'Donnell) to reaffirm the March 25, 2015, conditional use approval of New Cingular Wireless PCS, LLC d/b/a AT&T Mobility to permit the construction of a 130-foot flagpole with associated antennas and equipment as presented in the plans and application. As a condition of approval, the applicant is required to comply with the applicable comments raised in the Township engineer review letter dated February 13, 2015, the Township Planner review letter dated February 27, 2015, and the Township Planning Commission memo dated March 11, 2015. In addition, as reiterated in the original approval, landscaping shall be to the satisfaction of the Township and the conditions associated with the October 6, 2014 approval letter for Verizon shall be incorporated into this approval.

Chairman Moore called for Board and public comment. None was heard.

Motion Passed 5-0.

Consider Land Lease with New Cingular Wireless Cell Tower at Bristol and Hatboro Roads

Dr. Rose outlined the proposed Land Lease agreement with New Cingular Wireless. The option and lease agreement is for a property containing approximately 1225 square feet of land including the air space above such ground. This is for the placement for the third cell tower located at the corner of Bristol & Hatboro Roads.

The agreement includes the following core terms:

- The Tenant has an option to lease the property (Option Term) to perform its due diligence which includes testing, engineering and obtain Government Approvals, including building permits, for the cell tower. The Tenant agrees to pay the Township One Thousand (\$1,000) Dollars for this Option Term. The Option Term is one (1) year commencing on the effective date of this Agreement;
- The initial term is for five (5) years and will commence after the Township receives written notification by Tenant to exercise the Option;
- The Agreement will automatically renew for four (4) additional five (5) year Extension;
- Rent will be Two Thousand Five Hundred Dollars (\$2500.00) per month.
- The Agreement has an automatic, annual escalator of three percent (3%) commencing in year (2) of the Agreement.
- This agreement maintains the ability for the Township to fly flags on the pole if the Township so desired.
- The Tenant will be required to up-light the cell tower with red lights to symbolize the American Flag when all three (3) towers are lit up with Red, White & Blue lights.

A motion was made and seconded (Rose-O'Donnell) to authorize the Township Manager to execute an Option and Lease Agreement with New Cingular Wireless to construct the third (3rd) cell tower at the corner of Bristol & Hatboro Roads.

Chairman Moore called for Board and public comment. None was heard.

Motion Passed 5-0.

Consider Land Lease Amendment with T-Mobile for the Cell Tower at Bristol and Hatboro Roads

Mr. O'Donnell explained the "Amendment to the Standard Lease Agreement" between T-Mobile/Crown Castle Corporation removes the flag pole operations from their cell tower pole located at Bristol & Hatboro Roads. In summary, the Amendment is as follows:

1. The Township agrees to release T-Mobile/Crown Castle Corporation from any obligations it may have to perform or be responsible for the Flag Maintenance Obligations. In addition, T-Mobile/Crown Castle Corporation shall no longer be required to install and/or maintain a flag or appurtenant equipment on the existing cell tower.
2. In exchange for this release, T-Mobile/Crown Castle Corporation shall pay a one-time payment of Thirty-Five Thousand (\$35,000) payment within twenty (20) days of the executed amendment.

Mr. O'Donnell noted this Amendment does not change any other terms of the existing February 26, 2004 Lease Agreement.

A motion was made and seconded (O'Donnell-Rose) to authorize the Township Manager to execute an "Amendment to Standard Lease Agreement" with T-Mobile/Crown Castle Corporation dated February 26, 2004 to release T-Mobile/Crown Castle Corporation from any further obligations or responsibility with regard to the Flag Maintenance Obligations and shall no longer be required to install and/or maintain a flag or appurtenant equipment on the cell tower in exchange for a one-time lump sum payment of Thirty-Five Thousand (\$35,000).

Chairman Moore called for Board and public comment. None was heard.

Motion Passed 5-0.

Consider Authorization to Advertise Amendment to Police Pension Plan Ordinance

Mr. Selisker stated the current Collective Bargaining Agreement between Northampton Township and the Northampton Township Police Benevolent Association states that police officers are eligible to participate in the Deferred Retirement Option Plan (DROP) for a four (4) year term; however, the current Police Pension Plan Ordinance adopted prior to the most recent contract provides for a three (3) year term.

The proposed draft ordinance is intended to amend the Police Pension Plan Document to change the DROP term from three years to four years in accordance with the Collective Bargaining Agreement.

The Deferred Retirement Option Plan allows a police officer to "retire" for pension plan purposes but continue to work for at least one year but not more than four years. During the time that an officer is working under the DROP, his pension payments are deposited by the Township into a self-directed investment vehicle that becomes available to the officer at the end of the DROP period.

The Administration recommends the Board authorize advertising the ordinance for a public hearing on March 27, 2019.

A motion was made and seconded (Selisker-Rose) to authorize advertising a proposed ordinance to amend the Police Pension Plan Document to provide for a four (4) year Deferred Retirement Option Plan term in accordance with the current Police Collective Bargaining Agreement

Chairman Moore called for Board and public comment. None was heard.

Motion Passed 5-0.

Ratify Public Works Contract

Mr. Pellegrino outlined the negotiations for a new Collective Bargaining Agreement between the Township and the International Union of Operating Engineers, representing the Public Works Department employees, began in January 2019, and a tentative settlement was just reached on a new contract effective March 1, 2019. The term of the agreement must now be ratified by the Board of Supervisors and the Union.

Mr. Pellegrino stated both parties agreed on a 5-year contract with the following significant changes to the existing contract terms:

1. Wages will increase by 3% in the first 4 years with a 3.25% increase in year 5.
2. Medical benefit costs in the first 3 years of the contract will be fixed at 5% increases with a contract opener for years 4 and 5 to negotiate rate increases for those years.
3. All new hires will be required to join the Township's Defined Contribution Pension Plan, and will not be eligible to join the Defined Benefit Pension Plan.

4. Employees with 30 years of service will be eligible for 6 weeks of paid vacation; however, the vacation schedule will now require 13 years of service to be eligible for 4 weeks paid vacation, and 23 years of services for 5 weeks paid vacation. The existing contract provided 4 weeks and 5 weeks paid vacation after 12 years and 22 years, respectively.
5. The probationary period for new hires is 6 months instead of 6 months and two weeks.
6. The annual boot allowance will increase from \$200 per year to \$225 per year.
7. The annual clothing allowance will increase from \$400 per year to \$500 per year.
8. New hires will be eligible for a life insurance policy after 30 days of employment instead of after 6 months of employment.

The Township and Union also agreed to certain language changes that clarify the existing contract terms. The changes have no monetary impact to the Township but will help avoid misinterpretation of the contract terms by both parties, and potentially avoid costly grievances and arbitration.

The Administration believes both parties negotiated in good faith and the proposed contract terms represent a fair settlement between the Township and Union.

A motion was made and seconded (Silver-Rose) to ratify the terms of a new 5-year Collective Bargaining Agreement between Northampton Township and the International Union of Operating Engineers, Local 542 (C) as recommended by the Township Administration, and to authorize the appropriate Township officials to execute the Agreement on behalf of the Board

Chairman Moore called for public comment.

Michael Grant, IUOE Local 542C stated on behalf of himself and Jim Lewis the Business Agent thanked the Administration for ratifying this contract an easy process and making it understandable by both sides.

Chairman Moore called for Board comment.

The Board took turns praising the Public Works Department for the work they do and thanked them for their work in coming forth with a fair contract.

Motion Passed 5-0.

Authorize Application with the Safer Grant Program

Mr. Selisker outlined the need for additional firefighters with the ultimate goal of moving towards a combination Fire Department. Mr. Selisker explained the numbers are down for Volunteers and by ensuring we have additional paid firefighters on duty will help to ensure the safety of the community when volunteers are less likely to be available.

A motion was made and seconded (Selisker-Silver) to authorize the Township Administration to file a grant application with the SAFER program to fund the hiring of additional firefighters and to authorize the Township Manager to execute all required documents in connection with, and required by, the grant program.

Mr. Pellegrino in doing his due diligence stated there will be additional costs down the line as the grant money expires. Mr. Selisker stated the volunteering numbers are down and this being proactive to keep providing stellar service to the community.

Motion Passed 5-0.

LIAISON REPORTS

Dr. Rose made the following announcements:

- Sign-ups for various leagues are happening now.
- The Senior Center will hold its annual St. Patricks Day luncheon on Friday, March 15, 2019, from 12 pm until 2 pm. Cost for tickets is \$12 and the deadline to purchase them is March 8, 2019.
- The annual Spring Fling Shopping event will take place on Friday, April 26 from 5 pm until 9 pm at the Senior Center.
- A local Homeowners softball league, held a fundraiser last year and was able to purchase an AED unit and a grant. The unit was given at a Parks and Recreation meeting and will be installed in the Civic Center Shack.
- The annual Bunny Hunt will be taking place on April 13, 2019, from 9:30 am until 11:15 am at Welch Elementary.
- Registration for Summer Camps is now open and for Spring Youth Sports.
- Parks and Recreation have many great programs for all ages check out the Park and Recreation website at www.northamptonrec.com for more information.
- The Historical Commission has welcomed three new members and the group is working hard and is working on a Historical Plaque program.

- If you are spring cleaning and find items you believe to be historical, contact Sarah at the Library to discuss. Please do not drop off at the Library without first talking to Sarah.

Mr. O'Donnell made the following announcement:

- The YMCA is running a Veteran's wellness program and more information can be found on the YMCA website. A link can also be found on the Township website.
- The Library is now open on Friday's.
- The Friends of the Library program is starting again in early March. For further information see the Library's website.

Mrs. Silver made the following announcements:

- Thanked the Administration, Public Works, Police Department, and the Council Rock Administrators for working together and keeping our children safe during the Winter months.
- The School Zone Flashers in front of Wrightstown Elementary and Richboro Elementary will be energized in the next week or two. PennDOT must inspect them before our Engineering Company can energize them. The school zone now goes from Richboro Elementary all the way to Township Road.
- When recycling please rinse out your containers and prepare them correctly. See the Township website for further details.

Mr. Selisker made the following announcements:

- Chief Clark reminds drivers to clean your windows and cars completely of snow. Do not do the "brush and go".
- The Fire Department received a grant in the amount of \$14,856 from the State Fire Commission. This will help with much-needed repairs.
- The Grille Restaurant at the Northampton Valley Country Club is being improved and should be back open for business on March 15th, 2019. The Grille will be open all year long. During the Golf Season, it will be open 7 days a week and Wednesday through Sunday from 11 am until 3 pm during the offseason.
- The Country is performing well since the Township purchased in September 2018. Results are showing a 300,000 surplus, the Township has only projected a surplus of approximately \$100,000. This total is as of December 31, 2018.

Mr. Moore made the following announcements:

- The projected openings for stores and restaurants in the Addisville Commons are as follows:
 - E's Irish Pub March 11
 - State Store March 27
 - Bacco Bistro June 12
 - Be Well Café July 4

SOLICITOR'S REPORT

Mr. Pizzo announced the Board met in executive session during tonight's agenda meeting for approximately 30 minutes. Those present for the executive session were the five (5) Township Supervisors, the Township Manager, the Assistant Township Manager, Township Engineer, Amanda Fuller, and the Township Solicitor. One matter of pending litigation was and one matter of potential litigation was discussed No official action was taken during that executive session and no official action is required at this evening's meeting as a result of that executive session.

PUBLIC COMMENT

The meeting was adjourned at 8:52 p.m.

Respectfully Submitted,

Frank O'Donnell, Secretary