

The regular business meeting of the Northampton Township Board of Supervisors was called to order at 7:45 p.m.

Members of the Board present were:

Barry Moore
Larry Weinstein
Eileen Silver
Dr. Kimberly Rose
George F. Komelasky

Others present were:

Robert M. Pellegrino, Township Manager
Dave Connell, Township Engineer
Joseph Pizzo, Township Solicitor

PLEDGE OF ALLEGIANCE

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

SPECIAL PRESENTATIONS

Certificate of Recognition – Ohev Shalom 40 Years

Chairman Weinstein introduced Rabbi Perlstein and Barry Klein, President of the Congregation to receive recognition for Ohev Shalom's milestone of 40 years of service in the Northampton Community. Rabbi Perlstein and Mr. Klein were presented with a Certificate of Recognition by Chairman Weinstein and Mrs. Silver. They also received certificates from Senator Tommy Tomlinson, Congressman Fitzpatrick, and Representative Scott Petri.

Kids Can Make A Change Blue Light Project

Chairman Weinstein introduced Kristen Reilly and Amie Houser, group leaders for Kids Can Make A Change, "Go Blue Project". Members of the group took turns explaining the purpose of the program which is to honor the police officers for their service to the community while remembering those who have died in the line of duty.

Blue light bulbs donated by Bulbrite will be distributed From April 29 to May 1 at various businesses in the community. These include Giuseppe's Pizza on Friday, April 29 from 5-8 pm, Dunkin Donuts on Saturday and Sunday, April 30 and May 1 from 9-12 and Shop N Bag on Saturday and Sunday from 12-4 pm. The kids are asking residents to place the bulbs in their front porch lights or lamp fixtures during the month of May as a way of showing support.

During the event, the kids will also be selling Project Blue T-shirts for \$10 each and will be displaying a thank you banner which they will be encouraging people to sign. The kids plan on presenting the banner to the Northampton Township Police Department as a sign of the community's support.

In addition, during the weekend of May 13 to 15 they will be handing out more than 500 blue ribbons for motorists to tie on their cars in another visible show of support.

PUBLIC COMMENT

Greg Jegier, 149 W. Patricia Road raised concerns over the proposed Rails to Trails project, citing numerous potential problems this project would create including issues with maintenance, noise and lack of restrooms along the proposed trail.

Chairman Weinstein announced that the "Rails to Trails project was pulled from the May 10, 2016 Planning Commission agenda. He stated the Board is not in a position to consider the proposed project since the County has not given the Township sufficient information to evaluate the plan. Chairman Weinstein also noted the County has not given any indication of who is going to pay for this project, and has not offered any pre or post construction costs associated with the project. He also stated that the project will not be discussed until these questions are answered.

Mrs. Silver stated the Board cannot work proactively for the residents if the Board doesn't have all the information from the County to make informed decisions. Mrs. Silver thanked the residents for coming out and voicing their opinions.

Chairman Weinstein stated many emails have been received on this project and it is an overwhelming 25-1 against this project, citing concerns on crime, lack of privacy, costs and insurance liability.

The following residents spoke in opposition to the project:

- Judy Beals, 51 W. Patricia Road
- Jeffrey Gold, 57 Grant Drive
- Marge Hand, 35 Jericho Road
- Ralph Sarne, 50 Jericho Road
- Joe Johnson, 44 Grant Drive
- Joe Brusco, 4 Jefferson Court
- John Donohue, 71 Grant Drive
- Mike Reitz, 15 Jefferson Court
- Paul Halamar, 22 Larch Circle
- Bill Lynch, 110 Rotterdam Road East
- Ben Sussman, 51 Jericho Road

- Bruce Stamm, 14 Jericho Road
- Patrick McGuigan, 38 Rotterdam East
- Edward Bendzlowicz, 95 Rotterdam East
- Frank Harshaw, Wyncoop Court
- Robert Mraz, 1218 Old Jordan Road
- John Donahue, 77 Jonathan Drive

The following persons spoke in favor of the project and offered suggestions to clear up misconceptions. They quoted statistics on the concerns regarding crime and that safety is the number one priority relating to this project.

- Brig Masone, 72 Nelson Drive
- Tom Gibbs, (Southampton resident)

The Board Members each explained that a decision cannot be made until all the facts have been received and a plan has been devised and presented by the County. All Board members agreed their main concern is working in the best interest of the residents of Northampton Township.

Chairman Weinstein called for a 5 minute recess at 9:15 pm and reconvened at 9:25 pm.

CONSENT ITEMS

Mrs. Silver presented the March 23, 2016 minutes. The minutes were deemed approved by unanimous consent.

ACCOUNTS PAYABLE

Dr. Rose presented the accounts payable for April 13, 2016 in the amount of \$1,868,490.04, and the April 27, 2016 list in the amount of \$611,876.54.

The Accounts Payable were deemed approved by unanimous consent.

UNFINISHED BUSINESS

Consider Authorization to Advertise an Ordinance Amendment Regulating Excessive Noise, Motorized Dirt Bikes, and All-Terrain Vehicle Use

Chairman Weinstein presented the proposed ordinance for advertisement. The purpose of the ordinance is to have a simple, yet enforceable mechanism to deal with nuisance complaints regarding noise and operation of All Terrain Vehicles (ATV's) on private property. The current noise ordinance is complicated and requires decibel readings that make it difficult to enforce.

A motion was made and seconded (Weinstein-Komelasky) to advertise an ordinance amending the Northampton Township Code, Chapter 6, Conduct for the purpose of adding regulations addressing excessive noise and the use of ATV's and motorized dirt bikes.

Chairman Weinstein called for Board discussion.

Mr. Moore stated the Board needs to respect the rights of property owners and believes the proposed ordinance is too general and grants broad latitude on interpretation to the enforcing entities; however, he will support it for advertising.

Motion passed 5-0.

NEW BUSINESS

Consider Resolution Requesting an Amendment to the Sterling Act to Require That Up to One Percent of Philadelphia Wage Tax Paid by Nonresidents of Philadelphia be Remitted to the Municipality in Which the Taxpayer Resides

Mr. Moore explained that Northampton Township currently levies a 1% earned income tax (EIT), which is shared on a 50/50 basis with the Council Rock School District. As a result of the Sterling Act which allows a taxpayer credit for EIT paid to the City of Philadelphia, the Township is foregoing nearly \$1.2 million annually in revenue from residents who work in Philadelphia and live in the Township. The proposed resolution is requesting the state legislature to amend the Sterling Act to allow municipalities to re-claim the entire amount of earned income tax.

Mr. Moore noted the Sterling Act of 1932 empowered cities of the first class to enact an income tax, also known as a wage tax, on its residents and non-residents. Seven years later, the City of Philadelphia was the first municipality to take advantage of the law and enact the first wage tax in the country. The original purpose of the legislation was to help larger municipalities recover from the Great Depression.

Mr. Moore further explained as suburban municipalities grew over the next thirty years, another law– the Local Tax Enabling Act of 1965 - was created to help all other municipal subdivisions claim additional revenue, including the ability to enact an Earned Income Tax which can tax residents and non-residents. If two municipalities levy the EIT, then each municipality is responsible for sending earnings back to the home municipality. However, in the case of Philadelphia and other first-class cities, the Sterling Act allows them to keep the levied EIT.

A motion was made and seconded (Moore-Silver) to adopt Resolution R-16-9 requesting an amendment to the Sterling Act to require that up to one percent of Philadelphia wage tax paid by non-residents of Philadelphia be remitted to the municipality in which the taxpayer resides.

Chairman Weinstein called for Board comment.

Dr. Rose noted that this law was created during the recovery period of the Great Depression and it now deprives Northampton of needed revenue.

Chairman Weinstein stated that he and the Township Manager met with Senator Tomlinson and State Representative Petri and they both seemed receptive to amending legislation.

Mrs. Silver also pointed out that the Bucks County Association of Township Officials (BCATO) is working closely with its counterpart in Montgomery County (MCATO) to get more support. Mrs. Silver thanked BCATO for taking the lead.

Motion Passed 5-0.

Consider Resolution Designating the Township Manager to Execute Documents for Pennsylvania Emergency Management Agency Reimbursement for the January 2016 Winter Storm.

Mrs. Silver explained the proposed resolution will designate the Township Manager as the Township Agent authorized to execute an agreement with the Federal Emergency Management Agency (FEMA) and the Pennsylvania Emergency Management Agency (PEMA) for disaster assistance related to Winter Storm Jonas in January 2016.

Mrs. Silver stated the resolution is part of the application submission and must be approved prior to filing for reimbursement of costs incurred from the storm. The Township is expected to receive approximately \$144,000 in Federal Disaster relief from FEMA.

A motion was made and seconded (Silver-Weinstein) to approve Resolution R-16-10 authorizing the Township Manager to execute an agreement with the Federal Management Agency and the Pennsylvania Emergency Management Agency for Federal Disaster Relief related to Winter Storm Jonas.

Chairman Weinstein called for Board Comment. There was none.

Motion Passed 5-0.

Consider Authorization to Advertise an Ordinance Requiring Connection to the Public Water System & Well Abandonment or Properties in the Railroad Drive, TCE Project Area.

Dr. Rose explained the proposed ordinance will require properties in the Railroad Drive TCE project area, that are benefitting from the installation of a DEP funded water line, to connect to the public water system. The ordinance will also require the abandonment of private wells on properties that are required to connect. The ordinance is required as a condition of the grant agreement and receipt of up to \$2 million in DEP grant funds for the installation of the public water line and all service laterals. The affected properties are on Hill Road, Charter Circle, and Lincoln Circle.

Dr. Rose further explained the project area also includes properties in Warwick Township. The Warwick Township Board of Supervisors adopted a similar ordinance in February for affected properties in that community.

There are 29 properties impacted by the ordinance.

A motion was made and seconded (Rose-Komelasky) to authorize the Township Administration to advertise a proposed ordinance requiring certain properties in the Railroad Drive TCE project area to connect to a new public water line to be installed with a grant from the PA Department of Environmental Protection (DEP) and to require the abandonment of private wells located on properties connecting to the new water line.

Chairman Weinstein called for Board comment.

Mr. Moore questioned if the grant pays for the abandonment of the wells. Mr. Pellegrino confirmed that well abandonment is included in the project.

Motion Passed 5-0.

LIAISON REPORTS

Dr. Rose made the following announcements:

- The Bucks County Senior Games will be held from June 6 – June 11, 2016.
- The Spring Fling Shopping Event will be held on Saturday, April 30 from 9 am until 2 pm. Over 50 vendors will be in attendance for your shopping convenience.
- The Council Rock Board of School Directors approved the construction of a new middle school to replace the current Newtown Middle School, and also approved the expansion and renovation of the current Holland Middle School at its meeting on March 31, 2016. Both projects are scheduled to begin construction in spring 2016 and conclude in time for the start of the 2018-19 school year. At that time the current Richboro Middle School is scheduled to close and an entire K-12 student redistricting is scheduled to occur. The intent is to align redistricting with the completion of the middle school projects to minimize student disruption.
- The total of the bids for the two middle school projects came in \$4,891,853 less than budgeted. The total current budgeted cost of the combined projects is \$100,818,060. This figure includes \$4,674,205 as contingency funds for unexpected expenses, which could ultimately further reduce the overall cost of the projects.

Mr. Komelasky made the following announcements:

- The Pension Committee has noted the 2016 year didn't start off very well regarding pension investment returns, but March is showing a turn around.
- The Public Works Department has started with mowing and is in the process of working on storm inlet repairs in preparation for the 2016 paving projects.
- The Police Department completed its Narcan training and is prepared to use this potentially life-saving mechanism should the need arise.
- Coffee for Cops will be taking place on May 11, 2016 from 6-8 pm at the Police Department in conjunction with an open house.
- A Police Memorial Service is scheduled for May 16, 2016, at 7:00 pm at St. Andrews Church in Newtown to recognize fallen officers.
- The Township is receiving complaints about traffic backups at Almshouse and Jacksonville Roads and asked the Administration to determine if there is a problem with the timing of the traffic light.

Mr. Komelasky left the meeting at 10:00 pm.

Mrs. Silver welcomed Mr. Komelasky back to the Board meeting.

Mr. Moore made the following announcements:

- Over 1,900 responses were received on the Library services survey with 95% giving the Library an excellent or good rating. The results also offered insight on preferences for hours of operation, and other library services. Respondents further indicated that donations were preferred over tax increases to fund library operations.
- The Library Board has hired an outside agency to help with raising funds to support Library programs and services.
- The Library is seeking volunteers.
- Tennis Road is on the schedule to be repaired.
- The Parks and Recreation Department Spring and Summer brochure is available and highlights the summer camps and spring events. Summer camp registration is in progress and pre-school through ninth grades are welcome.

- The Pre-School program is open for enrollment for the 2016 – 2017 year. Children must be over the age of 3 and toilet trained to attend.
- Discount Tickets for various activities are available from the Parks and Recreation Department.
- Swim teams are now forming and utilize the pool at the Northampton Country Club.

Chairman Weinstein made the following announcements:

- The Planning Commission will be meeting on May 10, 2016 at 7:30 pm but the Rails to Trails project has been removed from the agenda.
- The Planning Commission is in the process of reviewing a proposed 15 lot subdivision known as the Gilmore Tract on Old Jacksonville Road.
- The buildings at the Davis Pontiac site have been demolished and Mr. Dreher is working on leases as the project continues to move forward.
- A notice to proceed was issued to J.E. Sucher & Sons Inc. for the road paving. Approximately 12 miles of road will be resurfaced under this contract starting on May 3, weather permitting.
- The road improvements for Newtown-Richboro Road in front of the Civic Center will begin in July.
- The Zoning Hearing Board held a meeting on April 11 and approved two variances to impervious surface ratio requirements for pools located at East Ridge Circle and Pine Run Drive and for a detached garage on Old Jacksonville Road. The Board is scheduled to meet again on May 9, and May 23, 2016 starting at 7:00 pm.
- The Memorial Plaque for the Reading Room at the Library to recognize longtime residents Ginny Geyer and Betty Luff is almost finished.
- The Township Archivist, Clare Tomkins is interested in interviewing residents with knowledge about Township history.
- The Veterans Advisory Commission will host a Memorial Day Ceremony on May 30 and Flag Day Ceremony in June.
- Kristen Reilly presented a program to recognize recipients of the Purple Heart. The hosting entity would place a special sign and paint a designated parking spot purple in recognition of recipients. The Board supports this idea and the Administration will be working on implementation of the project.

- The Board received Lorri Laughlin's resignation from the Veterans Advisory Commission, as she will be moving out of the Township.

SOLICITOR'S REPORT

Mr. Pizzo announced the Board met in an Executive Session for approximately 50 minutes to hear an appeal on a grievance matter by the Township's Collective Bargaining Agreement. No official action was taken by the Board.

PUBLIC COMMENT

Joe Johnson, Grant Drive, Holland, spoke on non-profit citizen groups that don't reside in our Township being granted permission to come in and speak at a Township meeting when they are not recognized as an official authority.

Chairman Weinstein thanked the residents for coming out and voicing their thoughts on the "Rails to Trails" project.

Frank Harshaw, Wyncoop Court, questioned House Bill 1296 restricting how Townships invest their monies. Mr. Pellegrino stated that the bill was passed by the Legislature.

The meeting adjourned at 10:20 p.m.

Respectfully Submitted,

Eileen Silver, Secretary