

The agenda meeting of the Northampton Township Board of Supervisors took place virtually using the Zoom platform. The virtual meeting was called to order at 6:15 pm.

Present were:

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

Agenda items were reviewed and discussed.

The regular business meeting of the Northampton Township Board of Supervisors took place virtually using the Zoom platform. The virtual meeting was called to order at 7:30 p.m.

Members of the Board present were:

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

Others present were:

Robert Pellegrino, Township Manager  
Amanda Fuller, Township Engineer  
Joseph Pizzo, Township Solicitor

### **PLEDGE OF ALLEGIANCE**

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

### **CHAIRMAN ANNOUNCEMENTS**

Chairman Selisker explained the procedures for public comment and how to email questions to be read and answered. Chairman Selisker also provided an update on the status of the Township and its operations. Chairman Selisker also reminded residents the tax discount period ends on August 31, 2020. Payments can be mailed or placed in the box outside the Tax office.

**PUBLIC COMMENT**

None was heard.

**CONSENT ITEMS**

The Board meeting minutes of July 22, 2020, were approved by unanimous consent.

**ACCOUNTS PAYABLE**

The accounts payable of August 12, 2020, for \$1,290,469.43 and, of August 26, 2020, for \$516,861.15, were approved by unanimous consent.

**NEW BUSINESS**

**Consideration Agreement of Sale for Mill Race Inn Property Redevelopment**

Mr. Moore briefly provided the background on the Mill Race Inn Property.

The Bucks County Redevelopment Authority condemned the former Mill Race Inn Property in 2014, at the direction of the Township, under the Urban Redevelopment Law. The Authority subsequently solicited proposals from interested buyers to redevelop the property from its blighted condition, and the Board approved an Agreement of Sale with the Riviera Group, LLC to restore the property as a fine dining restaurant. Ultimately the cost of the project was more than anticipated and the Riviera Group terminated the agreement and abandoned the project.

The Bucks County Redevelopment Authority continued to seek buyers to redevelop the property and recently received the attached Letter of Intent from C&H Construction Management Company, Inc. for acquisition and redevelopment of the property.

M.J. Costigan, LLC (formerly C&H Construction Management, Inc.) proposes to purchase the property for \$235,000, and construct a 21-unit condominium building and restore the original mill building for office use. The purchase price is sufficient to pay for all costs associated with the project including acquisition costs.

The developer submitted the proposal to the Bucks County Redevelopment Authority as required by our agreement with the Authority to market and manage the property sale.

A motion was made and seconded (Moore-Rose) to accept the proposal from M.J. Costigan, LLC to purchase the former Mill Race Inn Property and to authorize the Township Manager and the Bucks County Redevelopment Authority to execute an Agreement of Sale for \$235,000 and any other documents required for the sale and redevelopment of the property.

Chairman Selisker called for Board comment. Dr. Rose is stated she is glad to see the historical part of the Mill being preserved.

Chairman Moore called for public comment. None was heard.

**Motion Passed 5-0.**

**Consider Bids for Traffic Signal Improvements on Second Street Pike**

Mr. O'Donnell stated the bids were opened on August 11 for various traffic signal improvements at three intersections on Second Street Pike, and one intersection on Bustleton Pike. The Township received three bids for the project that includes the installation of pedestrian countdown signals and pushbuttons, dilemma zone protection, stop bar presence detection, and emergency pre-emption. The Township received a \$137,000 ARLE grant for these improvements.

The three bids received are as follows:

Armour & Sons, Electric, Inc.	\$129,670.00
Miller Brothers, Inc.	\$158, 255.54
Kucharchik Construction, Inc.	\$158, 619.00

The Township has a 15% match requirement of \$19,450.

The Administration recommends a bid award to Armour & Sons Electric, Inc. for \$129,670.

A motion was made and seconded (O'Donnell-Moore) to award a bid to Armour and Sons Electric, Inc. for \$129,670 for various traffic signal improvements on Second Street Pike and Bustleton Pike in Richboro, and to authorize the Township Manager to execute all documents required to implement the signal improvement project.

Chairman Selisker called for public comment. None was heard.

**Motion Passed 5-0.**

**Consider Resolution Amending the Fee Schedule for Fees Paid In-Lieu-Of Constructing Sidewalks**

Mr. Moore stated the current fee schedule requires the Township Engineer to calculate the cost to construct sidewalks for new development when the Township agrees to accept a fee in-lieu-of actual sidewalk construction. There are various reasons for assessing a fee in-lieu-of constructing sidewalks that include the lack of sidewalks in the general area of the development project, or difficult terrain that makes sidewalk construction impractical.

There have been numerous instances where the fee calculated by the Township Engineer is different than the fee calculated by the Developer's Engineer because of the specific interpretation of the existing resolution language.

To avoid these differences of opinion in the future, I am recommending the fee schedule be revised to provide that the fee in-lieu-of constructing sidewalks be calculated using the PennDOT Average Pricing for the 5-County Area. Using this average creates a simple calculation based on the total square feet of the sidewalk for the project.

A motion was made and seconded (Moore-O'Donnell) to approve Resolution R-20-19 amending the Township Fee Schedule to provide that the fee in-lieu-of constructing sidewalks be calculated using the PennDOT Average Pricing for the 5-County Area.

Chairman Selisker called for Board comment. Mr. Moore provided the pros and cons of taking a fee in-lieu-of sidewalks and determined sidewalks will be put in whenever feasible.

Chairman Selisker called for public comment. None was heard.

**Motion Passed 5-0.**

**Consider Resolution for Planning Module – My Salon Suite of Richboro**

Dr. Rose explained the My Salon Suite will be taking occupancy in Crossroads Plaza. As they progress forward to ultimately begin construction, a planning module is required to be submitted to the Department of Environmental Protection. As part of that process, a resolution must be passed by the Board of Supervisors. Also, the Municipal Authority has no objection to this moving forward.

A motion was made and seconded (Rose-O'Donnell) that the Department of Environmental Protection resolution R-20-1B for Plan Revision for New Land Development is approved for My Salon Suite of Richboro.

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

**Motion Passed 5-0.**

**Consider Resolution Regarding Trash Collection Services**

Mrs. Silver explained the Township has been experiencing solid waste collection issues in the form of missed collections and schedule variations since April 2020 with J.P. Mascaro & Sons,

Inc (Mascaro). The company has made claims that their workforce was devastated by COVID-19 and they have had difficulty hiring and retaining employees, particularly CDL drivers.

The collection contract executed on July 27, 2017, requires Mascaro to adhere to a specific collection schedule for household waste, recycling, and yard waste collection and provides for fines and penalties for missed collections.

Since the start of the pandemic, and ensuing problems experienced by Mascaro regarding the hiring and retaining of its workforce to fulfill its contract obligations, the company has routinely missed collecting materials from individual properties, entire streets, and/or, in some cases, from entire developments and neighborhoods. Mascaro has also significantly deviated from the fixed collection schedule required by the contract. As of July 1, 2020, the Township has documented almost 700 missed collections, particularly yard waste collections.

Recognizing that the pandemic has had a negative effect on Mascaro, the Township has given the company sufficient time since April 2020 to correct the contract deficiencies and restore collection services to meet the contract requirements, and the Township has done so without strict enforcement of the contract provisions.

On August 14, 2020, the Township Solicitor notified Mascaro of its contract deviations and advised that the Township would consider imposing fines and penalties, and/or declare Mascaro in default of the contract unless the hauler took appropriate action to address the contract violations by August 31, 2020.

Since that time, it appears that Mascaro has made a concerted effort to address contract deficiencies and return to a more normal collection schedule; however, the company is still significantly behind on collections, yard waste collection in particular, and it continues to deviate from the fixed collection schedule required by the contract.

To give Township staff and its Solicitor adequate flexibility to determine if Mascaro is improving and ultimately restoring its services, or is rather continuing to deviate from its contract requirements, The Administration recommends the Board authorize Mr. Pizzo and the Township Manager to take whatever action is necessary, including assessment of fines and penalties, and/or declaring Mascaro in default of the contract, if the collection situation does not significantly improve in the short term. The Resolution would provide this authority.

A motion was made and seconded (Silver-Rose) to approve Resolution R-20-20 authorizing the Township Manager and Township Solicitor to take whatever action is necessary, including assessment of fines and penalties, and/or declaring J.P. Mascaro & Sons, Inc in default of the solid waste collection and recycling services contract with J.P. Mascaro & Sons, Inc. dated July 27, 2017, to restore household waste collection, recycling, and disposal services to the levels required under that contract.

Chairman Selisker called for Board Comment.

Mrs. Silver stated she can see Mascaro is making an effort to get operations back to normal.

Dr. Rose stated services are just not up to the usual high standard Mascaro has previously provided. Dr. Rose residents should contact the Township at [receptionist@nhtwp.org](mailto:receptionist@nhtwp.org) or via phone at 215-357-6800 with any issues, problems, or missed stops.

Chairman Selisker stated this resolution puts the Township in the best position to move forward in the best direction.

Chairman Selisker called for public comment. None was heard.

**Motion Passed 5-0.**

## **REPORTS**

Dr. Rose made the following announcements:

- The Parks and Recreation Departments are providing virtual classes, and programs. Go to [northamptonpa.myrec.com](http://northamptonpa.myrec.com) for current information on the various classes, activities, and programs being offered
- All Recreation facilities are open with restrictions, take the appropriate precautions and the Parks Crew are working to keep the Parks safe and clean.
- The Pre-school offered by the Parks and Recreation Department will be delayed, for further information go to [northamptonpa.myrec.com](http://northamptonpa.myrec.com).
- The Northampton Senior Center's staff are working by calling members to check in and see if they need assistance, should you require anything feel free to call 215-357-8199 and leave a message if no one answers they will get back to you.
- The Senior Center is also staying in touch and is providing virtual activities. If you have a suggestion reach out to Sheila or Kathy at 215-357-8199

Mr. O'Donnell made the following announcements:

- Keep up the good work with wearing masks in public and social distancing.
- The Library is available although not open to the public you can still call them at 215-357-3050. If you wish to check out any books, call the Library from home they are available M-T from 1 pm until 7 pm and Saturday from 1 pm until 5 pm. They will bring what you need right out to your car.
- The Library is also hosting online programs to see what is available go to their website at [www.northamptontownshiplibrary.org](http://www.northamptontownshiplibrary.org) for further information.

Mr. Moore made the following announcements:

- The Zoning Hearing Board has several meetings planned to review residential applications. For an up to date, listing go to [www.northamptontownship.com](http://www.northamptontownship.com)
- The Planning Commission meeting is canceled.
- The following are upcoming projects the Township is looking forward to. The new WAWA in Holland, Waverly Sub-Division approximately 15 homes being built and construction on the Spring Mill Country Club Townhomes has started.

Mrs. Silver made the following announcements:

- The Northampton Valley Country Club is now hosting a happy hour Fridays and Saturdays from 5-7 pm.

Chairman Selisker made the following announcements:

- Encouraged everyone to support local restaurants.
- Worthington Mill Bridge will be closed until September 7, 2020.

#### **Manager's Report**

- The paving program is underway with Hatboro Road in the process and completing other areas as scheduled.
- All information and announcements can be found on the Township website at [www.northamptontownship.com](http://www.northamptontownship.com).

#### **Solicitor's Report**

Mr. Pizzo announced the Board met in an executive session on August 19, the members of the Board, (Mr. Moore was absent), Mr. Pellegrino, Mr. Wert, the Township Engineer, and Mr. Pizzo himself were in attendance. The topic discussed were three (3) matters of pending litigation no official action was taken and no official action is required at tonight's meeting for the matters of pending litigation. One (1) matter of real estate involving the Township was discussed. No action was taken on the night of August 19 but subsequently, the action was taken tonight regarding the matter of real estate.

The Board met in executive session before tonight's meeting to discuss one (1) matter of pending litigation and one matter of real estate. The members of the Board, Mr. Pellegrino, Mr. Wert, the Township Engineer, and Mr. Pizzo himself were in attendance. No official action was taken and no official action is required for the matter of pending litigation. One (1) matter of real estate was discussed no official action was taken during the executive session but the action was taken during tonight's public meeting regarding the agreement of sale of the Mill Race Inn.

**PUBLIC COMMENT**

Chairman Selisker read into the record a question from the following resident:

Eileen Poroszok, 80 Cypress Avenue stated since Gov. Wolf granted permission for public libraries to reopen, fifteen of seventeen libraries in Bucks County have returned to full service. Northampton Township Library, while providing curbside pick-up, has not yet become fully operational. Calls to the library seeking information about when residents can expect full library service to be restored have been referred to the Township Manager, who has yet to share a date when residents can expect to have full access to our library (subject, of course, to Covid-19 precautions). Since the library is supported by local taxes, the public, not to mention library employees and volunteers, has a right to this information. We would like to know the answers to several questions:

1. Why has this information been withheld?
2. What is the date on which the library will become fully operational?
3. How will this information be shared with the general public?
4. What is the township's responsibility to taxpayers seeking a rebate for undelivered services?

Given the fact that the township did not respond in a timely manner to questions concerning the library's reopening, it should come as no surprise that a number of "conspiracy theories" have filled this vacuum. Greater transparency on the part of the township could have precluded this unfortunate result.

Mr. Pellegrino responded the Library is operational and although not open for the public to come inside, the staff is working. The employees are RFID tagging and doing this during shut down has saved the Township \$40,000. Its true other Libraries are open but for limited times and strict enforcement is in place. The Northampton Library is offering curbside service and also has vulnerable people working there as well as some have vulnerable people they have to go home to and need to be careful.

Mrs. Silver stated people should contact the reference desk they are there to help, utilize their talents.

Mr. Pellegrino noted that once there is less of a restriction on public gatherings the Township will look at the numbers and consider opening with limited access.

Dr. Rose stated the Township meets with the Medical Director we have on-staff for guidance and direction in these matters.

The meeting was adjourned at 8:20 p.m.

Respectfully Submitted,

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Frank O'Donnell, Secretary