

The regular business meeting of the Northampton Township Board of Supervisors was called to order at 7:38 p.m.

Members of the Board present were:

Larry Weinstein  
Barry Moore  
Eileen Silver  
Dr. Kimberly Rose  
Frank O'Donnell

Others present were:

Robert M. Pellegrino, Township Manager  
Mary Stover, CKS Engineers  
Joseph Pizzo, Township Solicitor

### **PLEDGE OF ALLEGIANCE**

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

### **CHAIRMAN ANNOUNCEMENTS**

Chairman Weinstein announced and welcomed Frank O'Donnell to the Board of Supervisors.

Mr. O'Donnell thanked the Board for the appointment and outlined his previous background in the military as well as his prior government experience.

Chairman Weinstein announced a public meeting will be held on Thursday, September 15, 2016 from 7:30 pm until 10:00 pm at the Richboro Middle School. The purpose of the meeting is to hear a presentation from the Bucks County Planning Commission on the proposed "Rails to Trails" project. All residents are invited to attend. Chairman Weinstein stated residents will be allowed a five (5) minute time limit and non-residents will be given 1 minute to speak. The Board of Supervisors will not be making comments, taking, or asking questions that night.

### **PUBLIC COMMENT**

Ed Short, 19 Temple Road asked the Board to consider including the College Park development in its Act 537 Plan update to address potential long-range problems with on-lot septic systems. The current plan does not include College Park.

Lorrie Michael, 151 Spring Avenue, would like to see the "Rails to Trails" presentation recorded. Chairman Weinstein and Mr. Moore both stated there is no plan by the Board to videotape this meeting due to the cost.

Barbara Rogers, 83 Spring Avenue, stated that she agrees limiting non-residents to one minute but feels residents should not have a time limit.

Steve Souder, 79 Titus Avenue, commented on the per capita tax and the delinquency notices that residents are receiving. Mr. Souder stated that his wife and himself will pay the original charge of \$5.00 each but will not pay the penalty on a bill that he was not apprised of. Mr. Moore and Mrs. Silver both agreed and stated that he should only pay the \$4.90 charge each for him and his wife.

Bill O'Neill, Rocksville Road, stated that all government discussions must be held in public. Mr. O'Neill accused the board of violating the Sunshine Act when they held unadvertised interviews on August 1, 2016 for the vacancy on the board due to the passing of George Komelasky. Mr. O'Neill continued to list statutes and violations centered around the appointment of Frank O'Donnell that took place on August 2, 2016.

Antonio Albano, Newtown-Richboro Road, thanked the Assistant to the Manager, Mr. Jamie Gwynn and praised him for his follow thru on a maintenance issue and noted that Mr. Gwynn had the issue resolved very quickly.

David Patterson, 19 Amsterdam Avenue, asked the Board to broadcast the "Rails to Trails" meeting to keep residents who cannot attend informed. Mr. Patterson also noted that he feels there are hidden costs in association with the "Rails to Trails" project and this will ultimately become a burden on the taxpayers.

Victoria Black, 666 Jacksonville Road, noted there has been some level of detection of perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) found in a private well on Inland Road. The well was tested by the homeowner. She suggested the Navy be asked to test other private wells.

Mr. Moore stated that the Municipal Authority and the Township follow the Environmental Protection Agency's advisory limits and many items, not just water, contain some type of contaminates. Mr. Moore advised Mrs. Black to attend the Navy's meetings relating to this issue.

Chairman Weinstein called Mr. Thomas Zeuner, Executive Director of the Northampton Bucks County Municipal Authority to come forward and address Mrs. Black's concerns.

Mr. Zeuner stated that the Environmental Protection Agency and the Navy have had 15 wells tested and found that these wells do not have contamination higher than the EPA's guideline. Mr. Zeuner stated wells are tested yearly for PFOA's and PFOS at a cost of approximately \$12,000. The Municipal Authority has just completed this year's testing and is waiting on the test results. Results will be posted online once they are received.

William Black, 666 Jacksonville Road, played a recording of the compression, release engine brake issue that he hears as early as 6:00 am until 9:00 pm or later in the evening. Mr. Black asked the Board to address the issue with an ordinance prohibiting the use of engine retarders. Mr. Moore responded that the Administration is checking into the matter and working with PennDot since the road in questions is a state road.

Patricia Norris, 16 Jefferson Court, stated that she is in disagreement with Board and that non-residents should not be allowed to participate in discussions or speak on Northampton related issues. Ms. Norris believes the meeting should be televised to reach as many residents as possible. The Board should consider approaching the High School to see if the students could film it so there are no out of pocket costs to the Township.

Jeffrey Gold, 57 Grant Drive, noted his agreement with previous speakers and that the meeting needs to be televised for the education of the residents who cannot make it to the meetings. Mr. Gold asked the Board to check into free ways to get this televised.

Ed Nerlinger, 90 Cornell Avenue, stated his property backs up to the rail line and a trail will take away his quality of life. Mr. Nerlinger noted that this will be a policing issue, kids will not be able to play in the backyard, and that the trail would empty out on Knowles and Elm, which are both dangerous intersections. Mr. Nerlinger stated for the record that he is against this plan.

Ralph Sarne, 50 Jericho Road, asked the Board to have the meeting televised and check into the Bucks County Planning Commission paying for it.

The Board discussed having the "Rails to Trails" meeting televised. Mrs. Silver stated that televised or not, it is the quality of information that is important and this is strictly an informational meeting. Mr. Moore agreed, but would like it televised with strict time limits for speakers. Dr. Rose stated that she feels it would be important and necessary to have at least the first meeting televised because it is an informational meeting. Mr. O'Donnell stated his agreement with the statements made by the rest of the Board.

A motion was made and seconded (Silver-Rose) to televise the "Rails to Trails" meeting to be held on September 15, 2016.

**Motion Passed 5-0.**

Joe Johnson, 41 Grant Drive, thanked the Board for agreeing to have the meeting televised.

### **CONSENT ITEMS**

Mrs. Silver presented the July 27 and August 2, 2016 minutes. The minutes were deemed approved by unanimous consent with Mr. O'Donnell abstaining as he was not a Board member during those meetings.

### **ACCOUNTS PAYABLE**

Dr. Rose presented the accounts payable for August 10, 2016 in the amount of \$426,652.85 and the August 24, 2016 list in the amount of \$771,381.75.

The Accounts Payable were deemed approved by unanimous consent with Mr. O'Donnell abstaining.

### **NEW BUSINESS**

#### **Consider Resolution Authorizing the Township Manager to Sign Agreements with the PA Department of Environmental Protection for the Funding of the Waterline Grant Program at the Railroad TCE site**

Dr. Rose outlined the grant agreement with the Pennsylvania Department of Environmental Protection (DEP) for installation of a water line extension on Hill Road, Charter Circle, and Lincoln Circle in Northampton Township and on Mearns Road and Creek Road in Warwick Township. The project will address TCE groundwater contamination in the area. Northampton is acting as lead agency for the project. Dr. Rose explained that trichloroethylene (TCE) is not the same as perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) is not a natural chemical. It is manmade, which is found in industrial degreasers and products used for drycleaners, etc.

Dr. Rose stated that the agreement provides that DEP will reimburse the Township for costs to install the new water line, connect homes, and decommission existing private wells. The maximum grant amount is \$1,947,895.19, which includes engineering and construction inspection. DEP officials advised that if bids exceed grant agreement amount, then the agreement can be amended to reflect the actual cost of the project.

Dr. Rose noted the grant period is March 15, 2016 until March 14, 2017. Engineers for both municipalities and their respective authorities began design work on the project earlier this year. The project must be completed by March 14, 2017 although a contract extension is possible by mutual agreement between the Township and DEP. At project completion, there will be 48 new connections to the public water system: 29 in Northampton and 19 in Warwick.

Dr. Rose stated that the grant agreement is a standard form of agreement from the Commonwealth and is identical to the agreement executed for the Traymore Manor and Churchville Water line projects. Once the document is fully executed, the Township can submit invoices for reimbursement of cost incurred to date.

A motion was made (Rose-Silver) to approve Resolution R-16-20 authorizing the Township Manager to execute a Grant Agreement between the Pennsylvania Department of Environmental Protection and Northampton Township for installation of a water line extension for the Railroad TCE site.

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

**Motion Passed 5-0.**

**Consider Approval of Act 537 Plan Amendment**

Mrs. Silver announced that the Act 537 Plan Amendment is being continued to a future meeting at the request of the Pennsylvania Department of Environmental Protection. The DEP returned the agreement for an incomplete administrative item; this item must be corrected before the Township may adopt the plan.

Mrs. Silver explained that the Act 537 plan addresses the current and future needs of wastewater facilities for our Township. Mrs. Silver stated as part of the Township's Act 537 Plan Update, the Board is required to approve the plan. CKS has prepared a draft copy for the Board's review and approval. The Northampton Township Bucks County Municipal Authority has also reviewed and provided input on the plan.

Mrs. Silver called Mr. Zeuner forward to provide additional information. Mr. Zeuner stated that the Department of Environmental Protection entered into an agreement with the Bucks County Water and Sewer Authority. The agreement states that the contributing nine municipalities must provide an updated plan and, in that plan, the municipalities must come up with a corrective action and a connection management plan as part of the update.

Chairman Weinstein called for Board comment.

Dr. Rose asked Mr. Zeuner regarding Mr. Short's comments on the lack of records by the Township and the Municipal Authority. Mr. Zeuner stated that the Bucks County Health Department keeps the records on the complaints and concerns Mr. Short referred to during the public comment portion of the meeting.

Chairman Weinstein called for public comment.

Antonio Albano, Newtown-Richboro Road, stated that the Northampton Bucks County Municipal Authority is more proactive than any other agency when dealing with contamination issues as determined by the Bucks County Health Department.

Ed Short, 19 Temple Drive, stated that he was told his area would be put on a watch list. Mr. Pizzo responded and stated that the County Health records are reviewed as they pertain to on lot systems. Mr. Short questioned how many more have been determined contaminated since the 2008 update. Mr. Short also feels the Board is considering approving a document that is not complete or accurate. Mrs. Silver explained to Mr. Short that if the area of concern files a petition, the Northampton Bucks County Municipal Authority will perform a study. Mr. Zeuner agreed if a petition is brought forward with enough compelling comments, then the NBCMA will do a study.

#### **Consideration of Catalano Subdivision – Second Street Pike – SLF 15-6**

Mr. Moore announced that the applicant has withdrawn his application effective August 23, 2016 and as a result, no Board action is required.

#### **Consider Bids for Yard Waste Disposal**

Mr. O'Donnell announced the Township's current yard waste contract with Waste Management will expire on March 31, 2017. We are in the final option year and pay a rate of \$38.85 per ton for yard waste disposal.

Mr. O'Donnell stated that Upper Southampton Township, on behalf of the Southwestern Bucks County Solid Waste Advisory Committee (SWBSWAC), which includes Northampton Township, Upper Southampton Township, and Lower Southampton Township, served as the lead agency in preparing bid specifications and advertising the next contract. Two bids for a five-year contract were opened on June 18, 2016:

The bid results are as follows:

- J.P. Mascaro and Sons came in as high bidder at \$48.95 per ton each year of the five-year contract.
- Waste Management came in as low bidder at \$37.85 per ton for years 2017-2019, \$38.85 per ton for year 2020, and \$39.85 per ton for year 2021.

A motion was made and seconded (O'Donnell-Weinstein) to award the five-year contract for disposal of yard waste for the period of April 1, 2017 through December 31, 2021 to Waste Management of Pennsylvania, Inc.

Chairman Weinstein called for Board comment.

Dr. Rose met with the Southwestern Bucks County Solid Waste Advisory Committee (SWBSWAC) and reiterated it is a good contract.

**Motion Passed 5-0.**

**Consider Appointment to the Planning Commission to Fill an Unexpired Term**

Chairman Weinstein stated that the Planning Commission has a vacancy with a term that had expired on December 31, 2015. As a result, the Board accepted applications and interviewed several qualified candidates making the decision a difficult one.

A motion was made and seconded (Weinstein-Silver) to appoint David Esposito to fill an unexpired term, effective immediately and expiring on December 31, 2019.

Chairman Weinstein called for Board comment. None was heard.

**Motion Passed 4-0-1 (with O'Donnell abstaining)**

Mrs. Silver took this opportunity to question Mr. Pizzo on the allegations made during public comment on the recent Board appointment of Frank O'Donnell to fill the vacancy of Mr. Komelasky.

Mr. Pizzo stated that Mr. O'Donnell was appointed at a duly advertised meeting and is a properly seated member of the Board of Supervisors. The interview process that occurred prior is a different situation since the Board is not obligated to interview and went above and beyond to perform their due diligence. Mr. Pizzo detailed the Sunshine Law and stated that he would look into the matter and report to the Board.

**LIAISON REPORTS**

Dr. Rose made the following announcements:

- The Senior Center has over 133 men and women participating in their golf and bocce leagues. Come out to the Senior Center and join a team. Teams are forming now for billiards, indoor shuffleboard, and darts. There are also several other activities available and looking for new members.

- Boscov's shopping day, is Tuesday, October 18<sup>th</sup>. Purchase the tickets in advance at the center for only \$5.00 & you will get a 25% off all day shopping pass. Get started on your holiday shopping.
- Join the Senior Center on Friday, October 21, 2016 for their annual Baskets n' Bling Bingo. There will be bingo games, raffle baskets, 50/50, and delicious food. Doors open at 6 pm and games begin at 7 pm. Tickets are \$25 in advance and \$30 at the door. Tickets sell out quick so get yours early.
- The Ice Cream Social held at the Senior Center was a great success. Everyone should try to make it out next year.
- The Council Rock School District Administration is busy approving bids for the opening of the new school and approved a three-year contract with school administrators.
- The construction projects are moving along for Newtown Middle School and Holland Middle School and are progressing according to schedule.
- The first day of school is August 29, 2016 for students K-7 and 9<sup>th</sup> grade. All students report on Tuesday, August 30, 2016.
- The new buildings are scheduled to open for the 2018-2019 school year and new traffic patterns will be in place.
- A facilities meeting is held the second Tuesday of each month at 6:30 pm at the Chancellor Center. All facilities meetings are recorded for play back on the Council Rock Channel.
- The School District is in the process of restructuring their meeting schedule to one agenda meeting per month. A schedule of meetings is being developed and will be announced. In addition, the School District is in the process of reviewing and updating their Board policies.

Mr. O'Donnell made the following announcements:

- With the approaching of Labor Day, trash will follow a holiday schedule and move forward one day.

Mrs. Silver made the following announcements:

- The Volunteer Fire Company recently held its annual membership drive via print media. The Fire Company took out a full-page ad in the Northampton Herald and it yielded them ten new members.
- The Fire Department will hold an open house at all three stations in recognition of Fire Prevention Week on Friday, October 14, 2016 from 7-9 pm.

- The Fire Department asks for your help by making sure your address is visible from the street. It helps them find you and may save your life.
- Chief Clark recently recognized two residents, Owen and Cooper, using the Northampton Township Police Facebook page for their heroism. These two individuals heard a cry for help and quickly called police. Outstanding residents going above and beyond for their community.
- Northampton Township Police Department welcomes Officer Cullen Rota. Officer Rota was recently hired as a replacement officer for a vacant position.
- Chief Clark reminds everyone that school is starting which creates additional traffic. Watch out for students and crossing guards.
- Chief Clark extends his gratitude to the community for their support of the Police Department and its officers.
- The Northampton Bucks County Municipal Authority has been working diligently gathering information on the contamination issue. If there are any questions regarding this matter, contact them directly or go to the website for details.
- The Municipal Authority has also installed new water collection stations to monitor various areas.
- Check out the new Northampton Township Facebook Page and you will see a great video with Chief Adam Selisker promoting the Volunteer Fire Company and recruiting volunteers to serve as part of this worthwhile cause.
- On August 23, 2016, there was a 12" Water main break at the intersection of Bustleton Pike and Willow Road. Approximately 20 residences were affected and the Municipal Authority was able to get information out quickly using the rapid response system. This system notified residents of the situation and the boil water advisory.
- The Municipal Authority is in constant contact with the Department of Environmental Protection and keeps the Township updated on the PFOA and PFOS in our vicinity. DEP has tested the wells and has reported that they have tested below the recommended EPA standards.
- A new inspection is being implemented on laterals when selling a home or business. The inspection program will check for leaks and make sure sump pumps and floor drains are not connected to the sewer system. This is related to the Municipal Authority, DEP, and

the Bucks Water Authority to abate infiltration and inflow to the sewer system. The Township is working with the Municipal Authority to educate our residents about this program.

- The Churchville Nature Center is holding the following events; Monarch Butterfly tagging on September 3, sponsored canoe trip down the Delaware River, September 17, adult basketry workshop at Lenape Village, and a Family Fun Day open house on September 25, from 1 to 3 pm.

Mr. Moore made the following announcements:

- There are over 640 children enrolled in our Parks and Recreation programs.
- Tennis Court Road is repaired and looks great
- Discount tickets for various activities are available from the Parks and Recreation Department.
- The Parks and Recreation Department is holding an open house the week of September 12 through September 18 at the Recreation Center. Come out and see the programs the Parks and Recreation Department is offering.
- The Fall Brochure for the Parks and Recreation Programs will be coming out the end of August.
- The Library has been fundraising and has received approximately \$10,000 in donations.
- The Library is now open throughout the week at 10 a.m. and with the change in hours has now seen a spike in attendance. In addition, the Library will be closed on Fridays and will be open on Sunday. Stop in during Northampton Days on September 11<sup>th</sup>, they will be open from 11 am until 3 pm.
- Encouraged everyone to come out to Northampton Days on September 11, 2016 from 9 am until 4 pm. Many events and activities will be taking place.

Chairman Weinstein made the following announcements:

- The Planning Commission will meet on September 13, 2016 to hear a presentation on a subdivision/land development plan. The proposed plan is for 9 lots located at 444 St. Leonard's Road.
- The Bucks County Planning Commission is assisting the Township Planning Commission with the Village Overlay and District Guidelines and updating the Comprehensive and Richboro Master Plans.

- The installation of an island and turning lanes on 332 adjacent to the Civic Center to assist with traffic calming is moving forward. By the end of September, construction for the widening of the road should be underway.
- The Zoning Hearing Board met on August 8, 2016 to consider variances needed for Lakeside Summer Camp to expand activities at the camp. Variances were also heard for a pavilion on Oxford Drive, a fence on Jericho road, and an attached garage on Carroll Lane. No action is required on these items by the Board of Supervisors. The next meeting will be September 12, 2016 at 7 p.m.
- If you wish to volunteer for the Historical Archivist, send your request to [nht.archivist@gmail.com](mailto:nht.archivist@gmail.com).
- The Veterans Advisory Commission met on August 15, 2016 at 7:00 p.m. The Veterans Advisory Commission is looking into ways to raise funds for a plaque to cover an existing orphan stone in front of the Administration Building at the Veterans Memorial.
- The Richboro Swim Club is holding a fundraiser and accepting donations on August 31, 2016 at 6:30 pm. Money raised at this event will be donated towards the plaque cost.
- The following is a list of upcoming Veteran events at the Horsham Air Guard Station; resume workshop on September 1, Honor Ride, R-2 recovery on September 18, 2016.
- A Veterans Tour of Honor will be leaving from the Sugarhouse Casino on October 1, 2016.
- The Honor Flight Program for World War II and Korean Veterans will be held on September 26, 2016 with a welcoming ceremony held at Parx Casino. Thanked Joe Szafran for all his hard work on this event.
- The next meeting of the Veterans Advisory Commission will be on September 19, 2016 at 7:00 pm.
- The anniversary of September 11 is quickly approaching. Take time to remember the sacrifices made on that day and thank your first responders.

### **SOLICITOR'S REPORT**

Mr. Pizzo announced that the Board met in an Executive Session for approximately 10 minutes to discuss the potential acquisition of property. The Board took no official action. In attendance were four Board members, the Township Manager, the Assistant to the Township Manager, Karen Demerlis and Joseph Pizzo from the Township Solicitor's Office.

### **ENGINEER'S REPORT**

**Discussion of MS4 Permit Requirements**

Ms. Mary Stover, Township Engineer, provided a summary of MS4, stormwater management program requirements under the Township's NPDES stormwater management permit. Ms. Stover highlighted the significant differences between the renewed PAG-13 General Permit (2018 General Permit) and the PAG-13 General Permit the Township is currently operating under (2013 General Permit). It is required that a public meeting is held to provide information on the program and summarizing the progress, activities, and accomplishments. Ms. Stover stated that the Township has met the public meeting requirements by holding this discussion tonight.

The meeting adjourned at 10:02 p.m.

Respectfully Submitted,

---

Eileen Silver, Secretary