

The regular business meeting of the Northampton Township Board of Supervisors was called to order at 7:30 p.m.

Members of the Board present were:

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

Others present were:

Robert Pellegrino, Township Manager  
Kurt Schroeder, Township Engineer  
Melissa Fiala, 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.

### **SPECIAL PRESENTATIONS**

#### **Check Donation from Wheelabrator to the Free Library of Northampton Township**

Chairman Moore called forward Frank O'Donnell Township Supervisor and Liaison for the Library, Sarah Fetzer, Reference Librarian, and Mr. Michael Dougherty of Wheelabrator. Mr. Dougherty presented a check to the Library on behalf of Wheelabrator in the amount of \$6,000. Ms. Fetzer stated the money will be used to fund coding clubs at the Library this Fall. Ms. Fetzer thanked Wheelabrator Technologies for the supporting the library's mission to support literacy and community. Mr. O'Donnell also thanked Wheelabrator for their generous donation and announced another special event coming to the library this fall; the libraries first fundraising gala.

The Library will be hosting the Gala on Friday, October, 13, 2017 at 7 p.m., Tickets are available at the library for a cost of \$50.00 and include; a commemorative wine glass, wine by the glass, and tastings provided by Crossing Vineyard and Winery, hors d'oeuvres provided by McCaffrey's Catering and a selection of dessert bites.

Mr. O'Donnell went on to list several other events coming up at the Library in August and reminded everyone to mark their calendars so as not to miss these exciting happenings.

#### **Presentation on Northampton Township Pollutant Reduction Plan (PRP) and Total Maximum Daily Load (TMDL) Plans**

Chairman Moore called Ms. Samantha Brinker of Gilmore & Associates, the Township's Engineering Firm to give a presentation on the MS4 Pollutant Reduction Plan (PRP) and Total Maximum Daily Load (TMDL) Plan.

Ms. Brinker stated as part of the presentation tonight public participation is encouraged. Ms. Brinker showed a map, pollutants of concern, an existing load for pollutants of concern, wasteload allocations (WLAs), analysis of TMDL objectives, select MBPs to achieve the minimum required reductions in pollutant load, identify funding mechanisms, identify responsible parties for the operation and maintenance (O&M) of BMPs, general information for TMDL plans, general information for PRPs, she provided all of these areas through a power point presentation.

Ms. Brinker stated per the Pennsylvania Department of Environmental Protection (PADEP) in the National Pollutant Discharge Elimination System (NPDES) Individual Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s), effective March 16, 2018 and expires on March 15, 2023 (known as the 2018 Individual Permit), requires submission of an application along with any applicable Pollutant Reduction Plan (PRP) and Total Maximum Daily Load (TMDL) Plans by September 16, 2017.

Ms. Brinker also noted under the 2018 Individual permit, Northampton Township is required to develop and implement a PRP and TMDL Plan for Little Neshaminy Creek and Neshaminy Creek.

A MS4 Pollutant Reduction Plan and TMDL Plan Presentation is being held tonight July 26, 2017 to meet the requirements of the 2018 individual permit. The Township has made a complete copy of the PRP available for review, published the notice in a newspaper, and will be accepting public comments for a minimum of 30 days the clock started on July 18<sup>th</sup> and comment will be taken until August 18<sup>th</sup>. The Township is also accepting comments from any interested member of the public at tonight's meeting to meet the requirements of the 2018 individual permit requirements. If the Township was issued a non-compliance and did not meet the requirements with the MS4 program, administrative fines of \$37,500 per day/violation could be enforced.

Ms. Brinker opened the floor to the public and Board comment. The Board took turns discussing the importance of detention basins, infiltration systems and the refilling of aquifers.

No public comment was heard.

**PUBLIC COMMENT – (Agenda Items Only)**

Joe Johnson, 41 Grant Drive, noted from the agenda the Township was submitted for a grant for sidewalk improvements. Reminded the Board grants are not free and questions the restrictions, terms, and recommendations. Chairman Moore replied there is a 30% match.

David Lauer, 49 Cornell Avenue, spoke to the management of retention basins and the importance of letting them naturalize and consider working with outside agencies and

resources. Chairman Moore stated out of the 125 basins the Township owns we only mow approximately 85 of them.

### **CONSENT ITEMS**

The Board meeting minutes of June 28, 2017 were approved by unanimous consent.

### **ACCOUNTS PAYABLE**

The accounts payable for July 12, 2017, in the amount of \$1,072,328.53, and July 26, 2017 in the amount of \$337,015.04. The accounts payable for July 12 and July 26, 2017 were approved by unanimous consent.

### **PUBLIC HEARING**

#### **Consider Intergovernmental Cooperation Ordinance for Act 101 Recycling Performance Grant Applications**

Chairman Moore opened the hearing at 7:55pm.

Dr. Rose explained the Department of Environmental Protection issued its Section 904 Grant Application Guidelines and has indicated that the SWBSWAC communities must all adopt an intergovernmental ordinance authorizing a multi-municipal application for its recycling performance grants.

Dr. Rose noted adopting the required ordinance will allow the SWBSWAC communities (Northampton, Upper Southampton, and Lower Southampton Townships) and Warminster Township to continue the practice of filing a joint application that maximizes the amount of grant funds received from the program. The group receives approximately \$350,000 in grant funds and Northampton has received just over \$100,000 from this amount.

Dr. Rose pointed out the other SWBSWC communities have adopted the required ordinance and the administration recommends the Board adopt the attached ordinance as well, so the joint application can be filed for the DEP funded recycling performance grants.

A motion was made and seconded (Rose-Silver) to adopt ordinance #592 authorizing Northampton Township, Upper Southampton Township, Lower Southampton Township, and Warminster Township to file a joint application each year for a PA Department of Environmental Grant under Section 904 of PA Act 101 to support recycling programs in those communities.

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

**Motion Passed 5-0.**

Chairman Moore closed the hearing at 7:58 pm.

**NEW BUSINESS**

**Consider Demolition Permit Application for 444 St. Leonards, LLC**

Mr. Weinstein outlined the request and noted this matter was continued from the June 28, 2017 meeting where the attorney for the applicant was asked by the Board to provide further documentation supporting their applicants position that preserving the structure is a financial hardship and economically impractical.

Mr. Weinstein deferred to the applicants, attorney Jennifer Wunder, Esq. of Fox Rothschild and Eric Clase, the project engineer, and Mr. Michael Strabinski the applicant to provide their documentation to support their applicants position.

Ms. Wunder provided a binder will all documents she would be summarizing, including estimates from the various companies as recommended by the Historic Commission. Companies included; Zaveta, Fisher, Happ, Spazano, and Clark with estimates ranging from the high \$800,000 through the low 450,000.

Chairman Moore called for Board comment.

Board discussion ensued with questions being raised as to what changes occurred with the project to now make preserving the farmhouse a financial hardship? The applicant listed reasons such as weather conditions, mold, vandalism, and other unforeseen events.

Chairman Moore has stated since preserving history is important to the Township, may be a viable solution would be a contribution from the applicant to the Township to preserve a part of history, such as the Addisville Cemetary, that can be saved in lieu of trying to preserve the farmhouse that is economically impractical.

Discussion ensued between the Board and the applicant over an agreed contribution, both parties settled on a \$25,000 contribution to the Township for the historical use to restore the Addisville Cemetary if the Board should decide to approve the demolition of the house.

Mrs. Silver explained her displeasure with regard to learning that after the Township's Historic Commission came in to look at the outbuilding on the property and asked the applicant to keep all the doors and shutters and store them in the house for use at a later date. It was just brought to the Board's attention that all of these items are not on site but are actually being sold on e-bay by the contractor who was hired to demolish the outbuildings.

Discussion ensued between the Board, the Applicant and the Attorney for the Applicant. The Board was in agreement that the Applicant was not forthcoming during this process, and

although the Board provided significant relief, the Applicant consistently disappointed, or mislead the Board during the process. Mr. Strobinski, the Applicant, stated the Historic Commission was free to take whatever they wanted, when the doors, shutters, and other items were still there, he allowed the contractor to take them assuming the Historic Commission did not want them.

Chairman Moore called for public comment.

Clare Tomkins, 63 Spring Avenue, clarified the events that took place the day the Historic Commission visited the site and the reason the items were left on the site is because the house was to be renovated and the items were to be left with the home.

David Lauer, 49 Cornell Avenue, agrees with the total picture of profit vs loss. Wyncoop's were an important part of our history, we need to preserve our history and maintain the integrity of our community. This property has value stand firm.

Michael Tomkins, 63 Spring Avenue, also Chairman of the Historical Commission, asked the Board to respect our historic resources and not to look at things based solely on profit made. Mr. Tomkins explained the Historic Commission about preserving items for the legacy of the Township. Mr. Tomkins noted for the record, he is appalled that this Board has set a precedence to start taking fees in lieu of historic preservation. Mr. Tomkins summarized the minutes from the Planning and Board of Supervisors minutes where it estimates the profits of 1.5 million dollars and that does not in any way equal financial hardship.

Joe Johnson, 41 Grant Drive, questioned who owns the property, as a Board member keeps using the term our property. Mr. Johnson also questions the wide range in the bid price,

Marge Weiner, Worthingmill Road, stated it's a matter of preference if you want the house keep it, if not tear it down and get a contribution to help out another historical property. It's ultimately the Board's decision and what's best for the Township.

Ms. Wunder, further explained their side and agreed to work closely with the Township Solicitor, Engineer and Mike Solomon of the Codes and Zoning Department to avoid any further confusion or misunderstandings.

Chairman Moore stated this process is never a perfect process and the Board does the best it can with the information and resources it has.

A motion was made and seconded (Moore-Silver) to approve the applicant's request to demolish the existing farmhouse dwelling in consideration of a one time fee of \$25,000 would be a contribution to the Township for the historical use to restore the Addisville Cemetary in addition to the Historical Commission has the ability to retrieve any additional portions of the farmhouse for any other things on the site they have deemed or specified.

**Motion Passed 3-2 (with Rose and Weinstein voting nay)**

**Consideration of Sketch Plan, Sketch 17-2-MDG 5, LLC 785 Newtown-Richboro Road**

Mr. Weinstein stated the Board is considering a sketch plan of 785 Newtown-Richboro Road, the proposed project contains a total tract area of approximately 146,802 square feet. Currently the site contains an existing dwelling.

Mr. Weinstein noted the applicant is proposing to subdivide the existing parcel into two (2) lots for the construction of a single-family dwelling. The project is located in the R-1 zoning district and the applicant is proposing to develop under the flag lot provisions of the ordinance.

Mr. Weinstein stated pursuant to section 27-1119.3 of the Zoning Ordinance, the Board of Supervisors shall render a decision whether or not to permit the sketch plan to advance as a preliminary plan. Mr. Weinstein stated there was support for the plan at the Planning Commission, as well as the neighboring property owners, primarily related to the driveway access.

A motion was made and seconded (Weinstein-Silver) to approve the sketch plan for a flag lot layout for 785 Newtown-Richboro Road for MDG-5, LLC thereby enabling the project to advance as a preliminary plan pursuant to Section 27-1119.3 of the Zoning Ordinance.

Chairman Moore called for Board comment.

Mrs. Silver questioned why is there a waiver for sidewalks when none exist. It was explained it is part of the zoning ordinance and must be waived even if they don't exist.

Dr. Rose is pleased with the new placement of the driveway, it is a safer better lit area.

Chairman Moore called for public comment. None was heard.

**Motion Passed 5-0.**

**Consider a Resolution Offering Dedication of Pubic Water system for the Railroad TCE Project to Northampton Bucks County Municipal Authority**

Mr. O'Donnell outlined the Railroad TCE water line project and noted the project is now complete and we have closed out the grant with DEP for construction of this improvement as of June 30. The project involved the installation of water mains, service laterals, and connections to the inside of 24 homes on Hill Road, Lincoln Circle, and Charter Circle. The project was completed without significant disruption or incident and the final construction contract cost was \$1,537,926. The overall project cost is \$21,984 under the original bid price.

Mr. O'Donnell noted there is a 12-month maintenance bond for this project to protect against any defects that occur during the maintenance period. The maintenance bond expires on June 22, 2018 which is one year from the final contract payment.

Since the line is now complete the Township is now complete, the Township can offer the line for dedication to the Northampton, Bucks County, Municipal Authority. The Municipal Authority has stated they are satisfied with the project and the construction is in conformance with their rules, regulations, and specifications. Dedicating this water line will transfer liability, and maintenance responsibility to the Authority.

A motion was made and seconded (O'Donnell-Rose) to offer dedication of the public water system installed in conjunction with the Railroad TCE project to the Northampton Bucks County Municipal Authority.

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

Motion Passed 5-0.

**Consider Recommendation from the Southwest Bucks County Solid Waste Advisory Committee To Award Solid Waste and Recycling Collection Contract for a Five (5) Year Term 2018-2022**

Dr. Rose outlined the Bids for the Trash Collection Contract. The Southwest Bucks County Solid Waste Advisory Committee (SWBSWAC) opened bids for a new trash collection contract on June 13 and four bids were received for this service. The bidders were Advanced Disposal, Waste Management, J.P. Mascaro & Sons, and Republic Services.

Dr. Rose noted the lowest responsible bid was from J.P. Mascaro for a new five (5) year contract at a rate of \$208.68 per year for each of the five years. The current rate is \$214.04 and the difference results in a saving of approximately \$50,000 per year on our trash collection costs. The reduced rate will mean that the fee charged to Township residents for this service will remain at \$264 per year for at least the next five years.

On July 10, 2017 SWBSWAC members carefully reviewed the bids and unanimously voted to recommend a contract award to J.P. Mascaro and Sons for a five-year period at a rate of \$208.68 per year. Northampton's SWBSWAC's partners, Upper and Lower Southampton Townships recently awarded contracts at their public meetings on July 10 and July 11.

A motion was made and seconded by (Rose-O'Donnell) to approve a contract with J.P. Mascaro & Sons for solid waste collection for a five-year period beginning January 1, 2018 and ending on December 31, 2022 at an annual rate of \$208.68 per year in accordance with the bid specification promulgated by the Southwest Bucks County Solid Waste Advisory Committee.

Chairman Moore called for Board comment.

Dr. Rose stated J.P. Mascaro has done a great job for us and has kept the same trash rate for us for the last nine (9) years.

Mr. O'Donnell stated a consortium rate is a helpful tool to the community to keep costs down.

Chairman Moore called for public comment. None was heard.

**Motion passed 5-0.**

**Consider Resolution to Submit a Multimodal Transportation Funding Grant to the PA DCED for Richboro Sidewalk Improvements in the Amount of \$720,000 and to Authorize the Administration to Execute and Submit all Required Documents**

Mrs. Silver stated as part of the Township's Economic Development Initiative is to improve walkability in our commercial areas by installing sidewalks where none exists by improving the existing sidewalks. The Township has an opportunity under the PennDOT Multi-Modal Grant Program to seek funds for installation and/or replacement of sidewalks in Richboro.

Mrs. Silver noted that McMahon Associates reasonably estimate the cost to complete the first phase of the sidewalk system in Richboro at \$1,029,000 and suggests that the Township apply for a Multimodal Grant in the amount of \$720,000. The Township would be responsible for 30% of the grant request or \$309,000. McMahon advised that the program has awarded grants of this nature in the past and for similar amounts. The proposed design services for the project are proposed at \$163,000 and can be funded by developer contributions paid as fees in lieu of installing sidewalks. We expect \$100,000 from Toll Brothers in lieu of installing sidewalks on Hatboro Road, and additional funding will come from the proposed development on Old Jacksonville Road.

Mrs. Silver explained an additional requirement of the grant application is a Resolution from the Board requesting the grant funds and authorizing a Township official to execute all documents associated with the grant program.

A motion was made and seconded (Silver-Weinstein) to adopt resolution # R-17-11 authorizing an application to PennDot for Multi-Modal Grant to fund sidewalk improvements in Richboro and to authorize the Township Manager to execute all documents in connection with the grant program.

Chairman Moore called for Board comment.

Dr. Rose and Mr. Weinstein thanked McMahon and the Administration for putting this grant together.

Chairman stated there are a total of seven (7) crosswalks being upgraded.

**Motion Passed 5-0.**

**Consider a Resolution Reaffirming the Emergency Operations Plan for Northampton Township as Required by PEMA**

Mr. Pellegrino stated the Township Administration and the Emergency Operations Director/Fire Marshal is recommending the Township Emergency Operation Plan be affirmed by resolution as required by State Law.

The recommended plan defines clear lines of authority and essential roles for emergency personnel during times of emergency.

The proposed resolution reaffirms the updated county plan, the reference material has been updated, and Frank Fenton the Emergency Operations Director/Fire Marshal performed the requisite review of the plan as required.

The Administration also reviewed the plan and confirmed that the plan has been updated as required and is essentially the same plan previously adopted by the Board in June of 2011.

A motion was made and seconded (Silver-Rose) to adopt resolution # R-17-12 affirming the Emergency Operations Plan as required by the Pennsylvania Management Agency (PEMA).

**Motion Passed 5-0.**

### **LIAISON REPORTS**

Dr. Rose made the following announcements:

- The Senior Center has just created new incentives to becoming a member of the Senior Center. Included in these new incentives is a project called the "Awesome Project". When a person renews or joins as a new member this will entitle them to discounted rates on classes and will entitle them to a bi-monthly newsletter. Additional perks include an "Awesome Members Perk Packet", filled with an "I'm Awesome" wristband, coupons for discounts at area businesses, along with invitations to "Awesome Member Events." The only requirements are that the person is 55 years or older, and that a one-time yearly fee of \$20 is paid.

Mr. O'Donnell made the following announcement:

- Announcements were made at the beginning of the meeting.

Mr. Weinstein made the following announcements:

- The Planning Commission Meeting for July 12<sup>th</sup> was cancelled the next meeting is scheduled for August 8 at 7:00 pm. The Bucks County Planning Commission will be making a presentation of the draft of the Richboro Master Plan
- The Addisville Commons is making progress with the skeleton up for the Holy Redeemer Office Building and the construction of the WAWA will begin very shortly.
- Zoning Hearing Board  
The Zoning Hearing Board met on July 10<sup>th</sup>. Appeals were heard for fences on

Yale and Daisy Drive.

- A detached garage on Valley Road.

- A patio on West Norton.

- The Zoning hearing board will next meet on September 11th

- Council Rock School District

At the last Council Rock school board meeting the School Board gave their opinions as to which elementary school should close. 5 voiced an opinion the Rolling Hills should close and 4 voiced that the opinion that neither should close in the immediate future. Because one of the Board members switched his opinion later in the meeting another board member asked one formal statement for board support for one position be postponed and it was. At a to be announced date and time another meeting will take place where it will be likely that a consensus will be reached.

If Rolling Hills is the school ultimately voted to close CR would likely spend almost 7 million dollars to add classrooms to Richboro or Hillcrest Elementary schools and spend 14-18 million dollars to renovate and add classrooms to Wrightstown Elementary, and some untold millions to refurbish Rolling Hills for a different use.

One positive note to come out of this meeting was most School Board members from Northampton voiced their feelings that those students who live in Northampton should attend Council Rock schools in Northampton. Next Master Capital Planning meeting is Monday, July 10th. At 7pm.

- The board will once again discuss whether they close Rolling Hills, Wrightstown, both or none.
  - The policy committee meeting is July 27, 2017 7PM
  - Facilities Committee meets August 3, 2017 630PM
  - Finance committee following facilities committee meeting
  - Board of School Directors Meeting August 17, 2017 7PM  
Location: The Chancellor Center - 30 N. Chancellor St., Newtown, PA 18940
  - Policy committee meeting August 24, 2017 7PM
- Congratulations to Kathleen Mullholland who was appointed to the Council Rock School Board to replace Bill Foster, who moved out of Newtown Borough.
- Wishes solace to the family of Scott Mills a Council Rock School Teacher who passed away suddenly at the age of 34. There will be a candlelight vigil held at Council Rock South at 7:45 on July 27<sup>th</sup>. A Memorial Scholarship Fund is being set up in Scott's name and proceeds with benefit children. To donate, send to Scott Mills Memorial Scholarship Fund, Bucks County Foundation, P.O. Box 2073, Doylestown, PA 18901. This would benefit the children of the Council Rock School District.

Mr. Weinstein spoke on the impact the Rolling Hills closure is having on the community and stated although this Board has made it a point to not venture into School Board areas, this Board both individually and as a group has spoken openly about the effect the closure of Rolling Hills Elementary will have on the community, the residents as well as the children.

Mr. Weinstein made the following motion:

A motion was made and seconded (Weinstein-Rose) to authorize the Township Administration to draft a Resolution to present to the Council Rock School District asking them to keep the Rolling Hills Elementary School open.

Chairman Moore called for Board comment.

Chairman Moore stated he feels the school system is an important part of our community and we need to send a strong message asking the School District to look at other options. Dr. Rose stated she feels very passionate towards the 450 children who ride the bus and the 200 walkers who attend this school. Mrs. Silver stated the School District is already approving engineers and studies before they have even approved the closures. Mr. O'Donnell stated the demographics need to be looked at very closely, need clear and factual numbers and it's a good idea to communicate our views on behalf of our residents.

**Motion Passed 5-0.**

Mrs. Silver made the following announcements:

- Attended the July 4<sup>th</sup> swim party at the Northampton Valley Country Club, very clean, amazing, well run, day.
- Still openings in the preschool, filling up quickly.
- The Veterans Advisory Commission is doing a Walkway of Honor in front of the Township Building at the Veterans Memorial details can be found on the Township website or by contacting Lisa Russo at the Township Administration Department.
- Due to the anticipated increase of soldiers who may be getting deployed, as tensions rise, remember the Township's flag program that was instituted by Peter Palestina years ago and if you know of any residents that may be deployed to a combat area submit their names to the Township Administration. Full information on this program can be found on the Township website.
- Come out to the Municipal Park on Thursday nights for the concert series, summer, sights and sounds. Check the Township Parks and Recreation website for further information.
- The Parks and Recreation Department are hosting a variety of classes and trips, full information can be found in the Parks and Recreation brochure or by visiting their website.

- Every 4<sup>th</sup> Tuesday, CRCHY will be holding a one (1) hour workshop for parents on the dangers of drugs and the effect on our children. These workshops will focus on helping parents understand and what we can do to stop this epidemic.
- August 29, 2017 at 7:00 pm at the Richboro Swim Club a fundraiser will be held to raise money for the Wreath Laying project, in conjunction with Kids Can Make a Change to honor Vietnam Vets in Northampton Township.
- Paving in certain areas of the Township is starting in the next week or so, be on the look out for our Public Works Department.
- The Acme Site is up and running with their new wine and beer store inside, along with a Starbucks Coffee area, also a few new businesses are opening up stop in, support our local businesses and check them out. Edward Jones, a coffee shop in Mallard Creek and a business who is already giving back, Painting with a twist is donating paintings to Habitat for Humanity.

### **Public Comment**

David Lauer, 49 Cornell Avenue, stated he is a veterinarian and just wanted to make people aware there is a new species of tick from the south they have dubbed the Lonestar tick, that is carrier of Lyme disease, reminded everyone to get their pets vaccinated.

Joe Johnson, 41 Grant Avenue, questioned information being received from Bucks County. Mr. Johnson stated, people are trying to start up the Rails to Trails again and SEPTA will not give up its rights they will only let you use it. Richboro study calls for walkability. Mr. Johnson went on to quote dates of meetings where Township personnel met with the County to discuss money for the project, and stated he does not feel the information is coming back to the residents. Mr. Johnson would like to see packets made available on all meeting materials.

Andrew Gannon, 500 Bustleton Pike, thanked the Board for moving forward with a Resolution on behalf of the residents of Northampton to keep Rolling Hills Elementary open. Mr. Gannon stated based on his experience with Hillcrest and East Holland Road how is the School District is going to accommodate the increase in this area.

The meeting was adjourned at 10:10 p.m.

Respectfully Submitted,

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Frank O'Donnell, Secretary