

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:

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

Others present were:

Robert 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.

### **SPECIAL PRESENTATION**

Kristina Trojak, 19 Julianna Drive, spoke on Trap-Neuter-Return (TNR), the humane approach to addressing community cat populations, works. It saves cats' lives and is effective. TNR improves the lives of cats, addresses community concerns, reduces complaints about cats, and stops the breeding cycle. TNR improves the co-existence between outdoor cats and humans in our shared environment.

In a Trap-Neuter-Return program, community cats are humanely trapped (with box traps), brought to a veterinarian to be spayed or neutered, vaccinated, ear tipped (the universal sign that a community cat has been neutered and vaccinated), and then returned to their outdoor home.

For more information visit [www.alleycat.org/our-work/trap-neuter-return](http://www.alleycat.org/our-work/trap-neuter-return).

### **Public Works Week Proclamation**

Mr. O'Donnell presented a Proclamation announcing the week of May 20 – May 26, 2018 as National Public Works Week. Mr. O'Donnell thanked the Public Works Department for their hard-work all year round, and noted this year they did any exceptional job clearing snow with eight snow storms in March alone.

### **PUBLIC COMMENT**

Cliff Locasale, 3225 Lilac Avenue, Trevoze, raised concern over the rise in PFOA's in local water sources and making sure the new developments are thoroughly tested to protect the new homeowners.

### **CONSENT ITEMS**

The Board meeting minutes of April 25, 2018 were approved by unanimous consent.

### **ACCOUNTS PAYABLE**

The accounts payable for May 9, 2018, in the amount of \$344,695.91, and May 23, 2018 in the amount of \$881,346.11, was approved by unanimous consent.

### **UNFINISHED BUSINESS**

#### **Consider Authorization to Advertise Zoning Ordinance Amendment to the REC District, Spring Mill Country Club, 80 Jacksonville Road**

Chairman Moore deferred to the Township Solicitor, Mr. Pizzo. Mr. Pizzo stated the Township received a formal rezoning request for the Spring Mill Country Club on April 24, 2018 and proceeded to provide an overview of the request. If the Board authorizes advertisement of the amendment to the ordinance, the ordinance will be forwarded to the Township and Planning Commissions as required by the Municipalities Planning Code. The Board would then hold a public hearing to consider adoption of the ordinance amendment at the Board of Supervisors meeting on July 25. Additional amendments may be considered and warranted when ordinance is considered for adoption.

Mr. Murphy introduced himself as the attorney for the applicant, and introduced Michael Schurr, Director of Development for DePaul Group the Owners of Spring Mill. Mr. Murphy stated the Spring Mill Country Club is currently zoned REC which permits development in accordance with the standards of the R-1 zoning district. As a result by-right, 138 single-family detached houses are permitted, which would see the development of the golf course. With the proposed rezoning request, 175 Townhomes are proposed with the preservation of the golf course, which would require a text amendment to the REC district. In total, the tract consists of 185 acres. 154.8 acres constitutes the golf course while 30.2 acres will be devoted to the area of the townhouse development. Mr. Murphy provided a summary of major points to provide a comparison between current R-3 zoning district and proposed 175 townhouse development.

Chairman Moore called for public comment:

The following residents spoke in favor of the Spring Mill rezoning request and thanked the DePaul Group for working with the residents to find an amendable solution for all parties involved.

Peggy Boudin, 173 Golfview Drive

Elizabeth Ondra, 59 Wordsworth Drive

Clifford Locasale, 3225 Lilac Avenue, Trevoise (Spoke on PFOA's contamination)

Bob Proske, 122 Eisenhard Drive,

John Altimari, 56 Bobbie Drive

Ron Zemnick, 424 Foxcroft Drive

John Kelly, 12 Whiteman Court

James Rothenburg, 6 Brianna Road

Chairman Moore called for Board comment.

The Board unanimously agreed with the outcome and echoed the importance of preserving open space.

A motion was made and seconded (Silver-Rose) to authorize advertisement of a public hearing on Wednesday, July 25, 2018 at 7:30 pm at the Township Building for the consideration of an ordinance amending the Northampton Township Zoning Ordinance, specifically Chapter 27, for the purpose of amending the Recreation Zoning District to add uses by-right and provide standards for development.

**Motion Passed 5-0.**

Chairman Moore called for a recess at 8:35 pm and reconvened at 8:40 pm.

**Consideration of Plan for Minor Subdivision, Gilmour Tract – Old Jacksonville Road**

Chairman Moore introduced and deferred to Ed Murphy, Attorney for applicant to provide an overview of the project. . Mr. Murphy introduced Carl Turner, Project Engineer for Tri-State Engineering who is in attendance to answer any questions the Board may have.

Mr. Murphy stated the Gilmour Tract Subdivision was approved in February 2017 to subdivide 50.37 acres into 18 single-family dwelling lots at the intersection of Jacksonville and Grenoble Roads. An existing single-family dwelling is located on Lot 1 and new dwelling lots range from 43,546 to 102,592 square feet. The approved plan conveyed 14.5 acres to the adjacent parcel. Open space (which includes a designated stormwater management area) totaling nearly 8 acres is also part of the approved plan.

On-lot water and sewage disposal are proposed. The subject property is located in the AR - Agricultural Residential District, which permits single-family detached dwellings with a minimum lot area of 1 acre and a lot width of 150 feet.

Although the original plan contemplated 18 lots, the Health Department did not initially grant approval for the on-lot septic system so Lot 10 was incorporated into Lot 9 and shown as one large parcel. The Health Department approval has since been obtained and lot 10 can now be subdivided off as originally proposed.

Mr. Weinstein provided further information and listed the various conditions and correspondence involved with the project.

A motion was made and seconded (Weinstein-O'Donnell) to approve the Minor Subdivision Plan for the Gilmour Tract, SLD 16-2, subject to compliance with the Township Engineer's review letter dated April 30, 2018 and the Township Traffic Engineer's review letter dated April 26, 2018. This approval is subject to the following conditions:

- A new plan should be recorded
- The new building lot is incorporated into the existing land development agreement for the project
- It should be noted that the waivers were originally granted with the approval of the previous subdivision plan

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

Mr. Pizzo reiterated for the record that there were a number of conditions and waivers in place with the original approval. All of these will continue to remain in effect and will not change due to the subdivision of this lot. Mr. Murphy stated his client understands and is agreeable to this condition.

**Motion Passed 5-0.**

**Consider Authorization to Execute an Agreement of Sale for Acquisition of Northampton Valley Country Club**

Chairman Moore outlined the proposal of acquiring the Northampton Valley Country Club and noted the Board is still in the due diligence phase and deferred to Mr. Pizzo to provide a brief summary of the process, and basic terms of the agreement.

Mr. Pizzo stated the basic terms of the Agreement provides that the Township will purchase the property and business operations for \$12.5 million in "As Is, Where Is" condition. The purchase price includes all inventory, equipment, facilities, deposits for future events, gift cards, and pre-

paid membership fees all apportioned as of the closing date. The sum of \$125,000 will be withheld at closing and deposited with an Escrow Agent for a period of 60 days following closing to fund the cost of any necessary adjustments not addressed at the closing.

Mr. Pizzo also noted the Due Diligence Period for the Township to evaluate the property and facilities extend through June 29 and the Township may withdraw from the Agreement up to that date without the loss of any deposit monies. Reports are expected from the consultants performing the inspections of the facilities, accounting records, and property in early to mid-June, documenting and verifying the condition of the premises and accuracy of the financial records. Based on the information found in those reports, the Township can decide if it wishes to proceed with the transaction and/or if there are additional conditions to be addressed before closing. If the Township ultimately decided to proceed with the transaction, an ordinance authorizing the issuance of municipal bonds to fund the acquisition will be presented for consideration at the June Board meeting.

Mr. Kurt Schroeder also outlined their involvement in the due diligence process and where they are in the inspection process.

Discussion ensued among the Board with questions being asked of Mr. Moore, Mr. Pellegrino and Mr. Pizzo. The following are the major topics of discussion: Receipt of exhibits, permitted exceptions, language in agreement of sale, and ethic laws.

**Announcement of Executive Session:**

Mr. Pizzo announced an executive session was held on May 21, 2018 for approximately 2-1/2 hours, the five Board members, Bob Pellegrino, Bill Wert and himself were in attendance. No official action was taken during the executive session. Matter discussed was the agreement of sale for the Northampton Valley Country Club. This matter is on the agenda for action tonight.

Chairman Moore called for public comment.

The following individuals addressed the board with their comments on the purchase of the Northampton Valley Country Club.

Adam Spector, 3405 Stafford Place

Bob Curley, 16 Highland Drive

Barbara Savenia, Manor Drive

Cliff Locasale, 3225 Lilac Avenue, Trevoise

Bob Pria, 171 Chestnut Drive

John Heenan, 8 Butternut Court

Tom Rodman, 34 Pepperell Drive

Bob Donnelly, 47 Nikol Drive  
Ralph Sarne, 50 Jericho Road  
Bill O'Neill, Rocksville Road  
Bruce Stamm, 14 Jericho Road  
Ed Ingle, 593 Lower Holland Road  
Patricia Gillis, 45 Harmony Drive  
Donna String, 265 Newtown Richboro Road  
John Altimari, 56 Bobbie Drive  
Debbie Palumbo, 525 Elm Avenue  
Kelly Gillis, 45 Harmony Drive  
Bonnie Sykes, 236 Manor Drive  
Bob Finley, 35 Jacquelin Circle  
John Mangan, 75 Farmway Drive  
Don Doros, 199 Sydney Road  
Frank Colantuono, 53 Matthew Circle  
David Reese, 64 Grant Drive  
Michael Enz, 292 Newtown Richboro Road  
Ken Higginbotham, 21 Holly Hill Road  
Steve McGill, 103 Briarwood Drive  
James Rothenburg, 6 Brianna Road  
Lois Pasco, 57 Sunset Drive  
Bob Hickey, 22 Chestnut Drive  
Glenn Hale, 285 Newtown Richboro Road  
Rick Sorensen, Manor Drive  
Linda Sorensen, Manor Drive  
Kelly Mangan, 75 Farmway Drive  
Brig Masone, Nelson Drive  
Bobbi Flannick, 135 Kasi Circle  
Bob Proske, 122 Eisenhard Drive  
Nick Bohacz, 27 Juniper Drive  
Michael Wire, 308 Twining Ford Road

Hugh Hyatt, 128 Bellwood Drive

Andrew Gannon, 500 Bustleton Pike

Lois Weimar, 54 Matthew Circle

Chairman Moore deferred to Mr. Pellegrino.

Mr. Pellegrino responded to questions asked during public comment. Mr. Pellegrino explained revenues, expenses, debt service, bond issues, and profit margins.

Chairman Moore called for Board comment.

Discussion ensued among the Board members with each member clarifying issues with the Township Manager, Solicitor and Chairman.

A motion was made and seconded (Weinstein-O'Donnell) to table this action until more information is received.

**Motion Failed 2-3 (with Moore, Silver and Rose voting nay).**

Discussion continued with each Board member listing the pros and cons of this purchase and asking further questions as needed.

A motion was made and seconded (Silver-Rose) to approve the proposed Agreement of Sale for acquisition of the Northampton Valley Country Club at 299 Newtown-Richboro Road and to authorize the Chairman and the Township Manager to execute the agreement.

**Motion Passed 3-2 (with Weinstein and O'Donnell voting nay).**

**NEW BUSINESS**

**Consider Resolution to Authorize Execution of Traffic Signal Permit Plan Amendment-at Bristol and Hatboro Road**

Dr. Rose stated Warminster Township is planning modifications to the park entrance at Hatboro and Bristol Roads and has requested a modification to the traffic signal permit plan at that intersection. The Township intends to remove the gate at the park entrance and widen the driveway. The pedestrian signal heads will be replaced and with hand man/count down timers, and video detection will be installed for the park entrance.

As Northampton Township has maintenance responsibility for the traffic signal at this intersection, the attached PennDOT Form TE-160 and resolution needs to be executed by Northampton Township for Warminster Township to complete the modifications. There is no cost to Northampton Township for the signal upgrades but we must agree to modify the signal permit plan as the permit holder.

In order to submit the application for plan modification to PennDOT, the Board must approve a resolution.

A motion was made and seconded (Rose-Weinstein) to adopt Resolution R-18-9 authorizing an amendment to the traffic signal permit plan for the traffic signal at Bristol and Hatboro Roads to allow for proposed improvements by Warminster Township, and authorizing the appropriate officers of the Township to execute all documents required in connection with the PennDOT application.

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

**Motion Passed 5-0.**

**Consider Resolution Authorizing an Application to the PA Department of Community and Economic Development**

Mrs. Silver explained the Pennsylvania Department of Community & Economic Development (DCED) through its Greenways, Trails and Recreation Program (GTRP) has a grant program that funds the renovation and development of linear public facilities that include trails and related support facilities. The deadline for 2018 applications is Thursday May 31.

At its March 1, 2018 meeting, the Parks and Recreation Board discussed the construction of a trail head and trail and recommended that the Board of Supervisors apply for the DCED grant to help fund this project. The trail head will be constructed on the 2 acre New Road parcel which the Township acquired from the National Park Service Lands to Park Program. The trail will extend into the Municipal Park on an easement granted by the Council Rock School District and connect to an existing trail.

If awarded the grant, the Township must provide a 15% match to the amount of the money awarded. The estimated cost of the project is \$280,000. The Township will request a grant in the amount of \$238,000. The 15% match of \$42,000 will be available from the Parks and Recreation Capital Reserve Fund.

Another requirement of the grant program is to have a resolution from the municipal governing body authorizing submission of the grant application and designating a Township official to execute the application and other documents related to any grant award. In this case the Resolution is in the standard DCED format.

A motion was made and seconded (Silver-Weinstein) to adopt Resolution #2018-R-10 authorizing the Township Administration to submit an application to the Pennsylvania Department of Community & Economic Development through its



Greenways, Trails and Recreation Program for a grant to fund a trail head, trail and support facilities on the 2 acre New Road Parcel and Municipal Park in Churchville.

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

**LIAISON REPORTS**

Due to the lateness of the hour no reports were given.

**Consider Authorization to Execute Liquor License Application to the Pennsylvania Liquor License Board**

Mr. Pizzo explained since the Township has approved the execution of the agreement of sale of the Northampton Country Club, the next action is to submit a Liquor License Application.

A motion was made and seconded (Silver-Rose) to authorize the Township Administration and the appropriate officials to file and sign the appropriate documents to support an Application to the Pennsylvania Liquor License Board.

Motion Passed 3-2 (with Weinstein and O'Donnell voting nay).

**PUBLIC COMMENT**

None.

The meeting was adjourned at 12:43 a.m.

Respectfully Submitted,

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Frank O'Donnell, Secretary