

The agenda meeting of the Northampton Township Board of Supervisors was held at 6:30 pm.

Present were:

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

Agenda items were reviewed and discussed.

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:

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

Others present were:

Robert Pellegrino, Township Manager  
Jacob Rigg, 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.

### **SPECIAL PRESENTATIONS**

#### **Bucks County Commissioner Robert Harvie**

Chairman Selisker called forward Bucks County Commissioner Robert Harvie. Commissioner Harvie reported on the following:

- Pandemic-related economic challenges
- Importance of getting residents vaccinated

- Ballot drop boxes will be located at certain Libraries in the area. The hours for the drop boxes will follow the operating hours of the Library and will be checked by County personnel.
- New grant opportunities have become available. These programs include grants for small businesses under 49 employees, Power purchase for solar energy, and Emergency Management Funds.
- A model alternative energy ordinance is in draft form with the Bucks County Planning Commission. Once completed Townships will have a model to bring forward at their meetings.

### **CHAIRMAN ANNOUNCEMENTS**

Viewing of the Board of Supervisor's meeting is available in three ways: In person, live on the website, or live on the Township cable channel, through Comcast or Verizon. Anyone wishing to comment on tonight's agenda, the sign-up sheets are made available in the back of the room.

Chairman Selisker announced the need to add an item to the agenda. Under new state regulations if the Board wishes to add an item to the agenda the Board must first take a vote publicly to do so.

### **Change to Agenda**

Mrs. Silver stated new regulations from the Commonwealth require municipalities to formally adopt a motion to add items to a published meeting agenda. The Administration recommends the Board consider a Resolution to declare a State of Emergency to address the lack of regular waste collection by J.P. Mascaro & Sons, Inc., The Township contracted waste hauler.

A motion was made (Silver-Rose) to add a proposed resolution to the September 22, 2021 Board meeting agenda to consider declaring a State of Emergency to address waste collection issues in the Township.

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

**Motion Passed 5-0.**

### **SPECIAL PRESENTATIONS CONTINUED**

#### **Winner of 300<sup>th</sup> Anniversary Slogan Contest.**

Chairman Selisker called forward Mrs. Silver to present the winner for the 300<sup>th</sup> Anniversary Slogan Contest.

Mrs. Silver announced Mrs. Nancy Sauers to be the winner of the contest and presented her with a certificate and a gift card for her winning entry; Cherishing the past, celebrating the present, and welcoming the future, 1722-2022.

#### **PUBLIC COMMENT**

Nancy Sauers, 104 Windmill Drive, stated it has been 7-8 weeks with no lawn waste pick up. Please help the residents as this is becoming a health hazard.

#### **CONSENT ITEMS**

The Board meeting minutes of August 25, 2021, was approved by unanimous consent.

#### **ACCOUNTS PAYABLE**

The accounts payable of September 8, 2021, for \$465,026.75 and, of September 22, 2021, for \$1,750,784.28 were approved by unanimous consent.

#### **UNFINISHED BUSINESS**

##### **Consider Resolution Declaring an Emergency Declaration for Trash Service**

Mr. O'Donnell explained the Township's contracted trash collector, J.P. Mascaro & Sons, Inc. continues to underperform on its obligation to collect and dispose of household waste, recycling materials, and yard waste throughout the community. This has resulted in hundreds of calls each day to the Township office to report missed collections and the accumulation of waste materials on Township streets and in the front yard of homes.

Mascaro and Sons are telling the Township that the delay in collecting waste materials is due to labor shortage, and the lack of CDL drivers, and back-end workers, and continues to assure the Township that this situation will improve, although no evidence to date suggests improved collection will happen anytime soon.

Given the volume of household waste, recycling materials, and yard waste littered throughout the Township, the Board has found it necessary to take extreme measures to address this potential health and safety crisis by declaring a State of Emergency that will allow the Township to take whatever extraordinary steps are necessary to address the waste collection problem.

A motion was made and seconded (O'Donnell-Silver) to adopt resolution R-21-21 declaring a State of Emergency in response to the lack of adequate waste collection services from the Township's contracted waste hauler J.P. Mascaro & Sons, Inc., and to authorize the Township Administration to take whatever steps are feasible and necessary to address the potential health and safety issues resulting from the delay in waste collection services throughout the community.

Chairman Selisker called for Board comment.

Chairman Selisker outlined the Resolution noting included in the Resolution is the ability to hire outside contractors. Chairman Selisker encouraged residents to continue to report their misses via [trash@nhtwp.org](mailto:trash@nhtwp.org), or by calling 215-357-6800 and follow the prompts. Also, 3 new yard waste dumpster locations will be added the week of September 27<sup>th</sup> at Big Meadow Park on Stoneyford Road, 283 Hatboro Road, and St. Leonards Road. The one located at 50 Township Road will remain. A 20% monthly deduction from Mascaro's invoice to cover expenses will also be implemented.

Mr. O'Donnell stated that due to fall approaching yard waste is going to triple. If you can take your bags to one of the mentioned yard waste sites, help your neighbor, and during this time the Township will suspend the fee on yard waste bags.

Mrs. Silver stated all of these things mentioned shows the Township and the Board thinking outside the box. Mrs. Silver spoke on the Ad Mascaro placed looking for more business, this is upsetting when their service is non-existent.

Dr. Rose read a letter she sent to Al Degennero listing all of the frustrations with lack of service and the advertisement that was placed looking for more work.

Mr. Moore stated this emergency declaration gives the Administration the ability to take action. Mascaro's invoice is approximately \$220,000 per month, a 20% deduction would be around \$44,000. The Board is working hard on this issue.

**Motion Passed 5-0.**

The Board and the Township Manager also asked the residents to not take their frustrations out on the Township Staff, we are all working towards the goal of getting this issue resolved.

**NEW BUSINESS**

**Consideration of Plan – Triumph Building Group-Preliminary/Final Plan of Land Development, SLD 20-6, 840 Second Street Pike**

Mr. Moore called forward the applicants and representatives for the project and asked them to introduce themselves.

Joe Blackburn, Wisler Pearlstine, Attorney for the project. Kristin Holmes, P.E., Engineer for the project, and Chris Pinto, applicant.

Mr. Blackburn outlined the project as follows:

Located along the northwest side of Second Street Pike, 650 feet southwest of its intersection with Bustleton Pike, the proposal is to demolish an existing single-family dwelling and construct two multifamily dwelling units and office use (Building "A"); expand an existing garage building with a 483-square foot addition for two multifamily dwelling units and office use (Building "B"),

and convert an accessory building to two multifamily dwelling units (Building "C"). Proposed office space will total 596 square feet and public water and sewer will serve the site.

The C-2 General Commercial/Office District permits multifamily units provided that such residential uses exist in conjunction with retail and commercial uses permitted by-right in the district. Permitted uses require lots that have a minimum lot area of 15,000 square feet and a minimum lot width of 75 feet.

The Village Overlay permits any use that is permitted by-right in the C-2, C-3, PO or I-P districts throughout the Village Overlay District. The district requires a minimum lot size of 15,000 square feet, a minimum lot width of 75 feet, a minimum front yard setback of 20 feet, and a maximum front yard setback of 40 feet.

At their meeting on July 8, 2020, the Zoning Hearing Board granted the following variances:

1. To allow no less than 31 off-street parking spaces on the property rather than the required 45 spaces;
2. To permit an impervious surface ratio of 83 percent as opposed to a maximum of 70 percent; and,
3. To permit the new building that is replacing the razed nonconforming dwelling to maintain the existing dimensional nonconformities, specifically a front yard setback of 13.99 feet and a side yard setback of 9.47 feet.

At their meeting of September 14, 2021, the Township Planning Commission recommended approval of the plan and there are no major items for consideration.

The following correspondence was provided:

1. Waiver Request Letter – Holmes Cunningham – September 13, 2021;
2. Gilmore & Associates, Inc. – Review letter – July 28, 2021;
3. Pennoni Associates - Review letter – July 20, 2021;
4. Township Planning Commission Memo – September 15, 2021;
5. McMahan Associates – Review letter – July 28, 2021;
6. Bucks County Planning Commission Correspondence – December 9, 2020;
7. Copy of the plan; and,
8. Copy of façade renderings

A motion was made and seconded (Moore-O'Donnell) for approval of the Triumph Development Group Land Development project located at 840 Second Street Pike, Preliminary/Final Plan of Land Development, SLD 21-6, subject to compliance with the Gilmore Associates review letter dated July 28, 2021, the Pennoni Associates review letter dated July 20, 2021, and the McMahan Associates review letter dated July 28, 2021. It is also recommended that the requested waivers be granted. In addition, approval is subject to the following:

1. The applicant shall enter into a land development agreement and escrow agreement in a form acceptable to the Township solicitor and engineer. This shall include a stormwater management maintenance and operations agreement.
2. A Park and Recreation Impact fee in the amount of \$1,706.15 per 1,000 square feet of new gross nonresidential floor area is required. In addition, a fee of \$6,393.07 is required for each of the residential units. The fee shall be payable per the terms of the land development agreement.
3. The Township shall have final review and approval of building architectural renderings to ensure compliance with the Village Overlay District requirements.
4. The applicant is responsible for obtaining any outside approvals that may be necessary, including, but not limited to, DEP, the Conservation District, PennDOT, and the Municipal Authority. Further, approval is granted for the submission of any documents that may be required as part of the sewage facilities planning process.
5. All conditions and recommendations incorporated with the motion and minutes are subject to the Township Solicitor's approval letter.

Chairman Selisker called for Board comment.

Mr. Moore stated having a landlord on site makes this property appealing to the Township and the residents who will be residing there.

Chairman Selisker asked how does this proposal fits into the Village Overlay design. Mr. Pellegrino noted he doesn't believe it fits. The house on the street architectural design, rooflines, bricks, shutters does not meet the requirements. More discussion needs to happen to ensure it meets the Village Overlay guidelines.

Mr. Blackburn the attorney for the project assured the applicant, the engineer, and himself would work closely with the Township to meet the requirements.

Chairman Selisker called for public comment. None was heard.

**Motion Passed 5-0.**

**Consideration of Plan – Advent Church-Preliminary/Final Plan of Land Development, SLD 21-4, Worthington Mill Road**

Mrs. Silver called forward the applicants and representatives for the project and asked them to introduce themselves.

Nate Fox, Obermayer Rebmann Maxwell & Hipple, LLP, Attorney for the project. Heather Gill, P.E., Kelly & Close Engineers for the project, Bill Laughlin Green Tree Group Contracting, and the sellers from the Advent Lutheran Church.

Mr. Fox outlined the project as follows:

West of the intersection of Worthington Mill Road and Anselm Drive, the subject property is located within the I-P – Institutional/Public District and consists of 5.54 acres. The parcel contains the Advent Church, parking lot, and paved driveway with access from Worthington Mill Road.

The applicant is proposing to subdivide the property into three lots for the construction of single-family detached dwellings on proposed lots #1 and #2, which will consist of 26,840 square feet and 24,513 square feet, respectively. Proposed lot #3 will consist of 190,028 square feet and contain the existing Church. The plan indicates that underground seepage pits will be installed to control stormwater runoff for proposed lots #1 and #2. In addition, all new lots are proposed to be served by on-lot water and sewer.

It should be noted that the following variances were granted by the Zoning Hearing Board on May 4, 2021:

1. A variance to allow a single-family detached residential dwelling use on lot #1 and lot #2;
2. Variance to permit the area, dimensional, and development regulations of the R-2 zoning district to apply to lots #1 and #2 in lieu of the AR district regulations;
3. A variance to permit lot #3, the existing Church property, to be 4.36 acres where the required minimum lot area is 5 acres;
4. A variance to permit lot #3 to have a building coverage ratio of 8.3%, where the maximum building coverage ratio permitted is 5%, which is the maximum ratio permitted in the adjacent AR zoning district; and,
5. A variance to permit lot #3 to have an impervious surface ratio of 26.13%, where the maximum impervious surface ratio permitted by right is 12%, which is the maximum impervious surface ratio permitted in the adjacent R-2 zoning district.

Mrs. Sliver noted there are no major issues for consideration. However, a letter supplied by Mr. Solomon identifies requested waivers by the applicant. It should be noted that this plan was recommended for approval by the Planning Commission at their meeting on September 14<sup>th</sup>.

The following correspondence was provided:

1. Waiver Letter – Obermayer – July 28, 2021;
2. Gilmore Associates – Review letter – August 30, 2021;
3. Pennoni Associates - Review letter –August 23, 2021;
4. Township Planning Commission Memo – September 15, 2021;
5. McMahan Associates – Review Letter –August 27, 2021;
6. Bucks County Planning Commission - Review letter – June 1, 2021;
7. Copy of the Plan

A motion was made and seconded (Silver-Moore) to approve the Advent Church Subdivision, SLD 20-4, Preliminary/Final Plan of Subdivision and Land Development, subject to compliance with the Township Engineer's review letter dated August 30, 2021, the Township Planner's review letter dated August 23, 2021, and the Township Traffic Engineer's review letter dated August 27, 2021. It is further moved that the requested waivers be granted. Approval is subject to the following conditions:

1. The applicant shall enter into a land development agreement and escrow agreement in a form acceptable to the Township solicitor and engineer. This shall include a stormwater management maintenance and operations agreement.
2. A fee-in-lieu of sidewalks is required, which totals \$17,942 based upon calculation by the Township engineer.
3. A fee-in-lieu of recreation/open space shall be submitted for \$6,393.07 for each new residential lot per the terms of the land development agreement.
4. The applicant is responsible for obtaining any outside approvals that may be necessary, including, but not limited to DEP, the Conservation District, PennDOT, the Municipal Authority, and Health Department. Further, approval is granted for the submission of any documents that may be required as part of the sewage facilities planning process.
5. All conditions and recommendations incorporated with the motion and minutes are subject to the Township Solicitor's approval letter

Chairman Selisker called for Board comment.

Mrs. Silver questioned the project engineer on sidewalks, fee in lieu to do Bike/Running trails, easements, and if the property has public water and sewer.

Mr. Fox noted there is ample room in front of the property and easements will not be needed from the property owner and confirmed the property has public water and sewer.

Mr. O'Donnell noted the applicant received a variance to allow for residential use in the IP District. In the future, the zoning should be changed for the use rather than having a variance issued.

Chairman Selisker called for public comment. None was heard.

**Motion Passed 5-0.**

**Consider Bids for Roadway Improvements at Holland and East Holland Road**

Mr. O'Donnell explained the bids were opened on September 15, 2021, for improvements to the intersection of Holland Road and East Holland Road. These improvements include widening



along the east side of Holland Road and installation of a left-turn lane in the southbound direction.

For purposes of this project, the additional right-of-way was acquired from the property on the southeast corner of the intersection at no cost; however, the project will replace a portion of fencing and some landscaping on that property. Temporary construction easements were also acquired at no cost from several properties on the west side of Holland Road.

The Township received four bids for this project:

Associated Paving Contractors, Warminster, PA	\$175,477.37
DePaul and Company, Plymouth Meeting, PA	\$176,294.20
Gorecon, Inc. Chalfont, PA	\$195,491.95
James D. Morrisey, Inc. Phila, PA	\$222,842.15

This project was recommended by our Traffic Engineers, McMahon Associates, as part of a safety improvement related to the expansion of the Holland Middle School and Holland Elementary School, and the School District contributed \$20,000 toward the project cost.

Based on the bids received, the Township Administration recommends a contract award to Associated Paving Contractors, Inc. at the total bid amount of \$175,477.37, based on the unit prices and quantities included in the bid specifications.

A motion was made and seconded (O'Donnell-Rose) to award a contract to Associated Paving Contractors, Inc. Warminster, PA for improvements to the intersection of Holland Road and East Holland Road at a total bid price of \$175,477.37 based on the unit prices and quantities outlined in the bid specifications prepared by the Township Traffic Engineer, and to authorize the Township Manager to execute all contract documents required to complete the project

Chairman Selisker called for Board comment.

Mrs. Silver questioned if a light is going to be installed at this location. Mr. Pellegrino stated it will be looked at in the future.

Chairman Selisker called for public comment. None was heard.

**Motion Passed 5-0.**

**Consideration of Lease and License Agreement with Bucks County Board of Elections for Placement of Election Drop Boxes in Northampton Township Library**

Dr. Rose explained The Bucks County Commissioners and staff from the Bucks County Board of Elections have requested the use of the Northampton Township Library as a site for an election ballot dropbox. Being centrally located and one of the largest libraries in the County, the site is ideally suited for ease of access for the general public to facilitate the collection of voted

absentee and mail-in election ballots. If approved, the Northampton Township Library will be one of eight (8) library locations used within Bucks County.

The Agreement would be for twelve (12) months from the date of execution. The dropbox will be located near the front entrance of the library, as highlighted in Exhibit A. The hours of the operation of the dropbox will occur fourteen (14) days before any election within the terms of the agreement and will mirror the library's hours of operations. The dropbox will be supervised by an employee of Bucks County when in use and will be monitored by temporary video equipment installed by Bucks County General Services. No library staff will be used to supervise or operate the dropbox.

A draft Lease and License Agreement that outlines terms and conditions were provided. The agreement has been reviewed by Township Solicitor, Joseph Pizzo. The Administration is seeking Board approval to have the Township Manager execute this agreement pending review and final approval of the aforementioned edits by Bucks County.

A motion was made and seconded (Rose-Silver) that the Northampton Township Board of Supervisors authorize the Township Manager to execute the attached Lease and License Agreement with the County of Bucks, as edited by the Solicitor, and pending subsequent approval by Bucks County, to allow the use of the Northampton Township Library as a location for a secure Dropbox where eligible voters may return voted absentee and mail-in ballots.

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

**Motion passed 5-0.**

**Consider Bids for Salt Contract**

Mr. O'Donnell announced on behalf of the Bucks County Consortium, Doylestown Borough advertised for bids for rock salt in the Intelligencer on August 10 and August 17, 2021.

Proof of publication and bid tabulation sheet was prepared by Doylestown Borough.

It was recommended by the Administration the contract be awarded to Morton Salt, Inc., Chicago, IL at their bid price of \$57.88 per ton delivered. The Township is currently paying \$47.75 per ton and used approximately 5,600 tons last year. The Township's salt shed was filled to capacity at the end of the 2020-2021 winter season, saving the Township a considerable amount of money. Morton Salt Inc. was the Township's provider last year for the salt contract.

A motion was made and seconded (O'Donnell-Silver) to award a contract for rock salt to Morton Salt Inc., Chicago, IL at the bid price of \$57.88 per ton delivered to the Northampton Township Salt Shed, 150 Lousie Drive, Ivyland, PA 18974.

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

**Motion Passed 5-0.**

**Report on 2021 Minimum Municipal Obligation for Police and Non-Uniformed Employee Pension Plans**

Mr. Moore explained the Administration is required by law to submit a report to the Board of Supervisors on the Minimum Municipal Obligation (MMO) for each of the employee pension plans by September 30 each year for the following fiscal year. The MMO represents the funding level required by the Township to maintain the actuarial soundness of each plan.

The Township Actuary calculated the required contribution amounts for the 2022 plan year and these amounts must be budgeted as expenditures in the 2022 budget. The MMO's for each plan in 2022 are as follows:

Police Pension Plan	\$989,583
Non-Uniformed Employees Plan	991,512
Money Purchase Pension Plan	<u>114,911</u>
	\$2,096,006

The total MMO for 2022 is a decrease of \$81,125 from the previous year. This decrease is attributable to positive returns on pension plan investments.

The Township implemented a Defined Contribution Pension Plan (Money Purchase Plan) for new hires in 2016 and the above MMO for that plan is an estimated contribution to the plan rather than a required contribution. The Township contributes 5% of base wages for each plan participant, and employees also contribute 5% as a match to the Township contribution.

The Township expects to receive approximately \$785,000 in Municipal Pension System State Aid that will reduce the required local contribution. The balance of \$1,311,006 will be budgeted in the General Fund.

A vote to approve the MMOs is **NOT** required but this information must be included in the meeting minutes for auditing purposes.

**REPORTS**

Chairman Selikser announced the passing of Bob Borkowski and extended heartfelt sympathies to the family.

Dr. Rose made the following announcements:

- If you are 55 or older memberships are available for the Senior Center, call 215-357-8199 for more information, or all things happening at the Senior Center go to their new website [www.northamptonsc.com](http://www.northamptonsc.com).

- The Senior Center will be selling Mums as a fundraiser, call the center for more information.
- The annual Boscov shopping event for seniors is right around the corner for more information check the website or call.
- The Annual Bag and Bling Bingo will be held on November 5<sup>th</sup>. Get your tickets early as there are limited tickets available.
- The Parks and Recreation Departments are providing virtual and in-person classes, and programs. Go to [northamptonpa.myrec.com](http://northamptonpa.myrec.com) for current information on the various classes, activities, and programs being offered. Masks are required for in-person classes.
- The Parks and Recreation will be holding a Geo-Cache in the Northampton Parks on Saturday, October 22, see the website for more details on the event.
- Discounted tickets are available. Call the Parks and Recreation Office for details.
- Halloween Happenings will take place at the Municipal Park again this year. There will be a scarecrow contest, costumes, and parades. See the Parks and Recreation website for additional details.

Mr. O'Donnell made the following announcements:

- Mrs. Silver attended the Veterans Advisory Commission meeting to discuss plans for the upcoming 300<sup>th</sup> anniversary and asked the VAC to come up with some ideas to be included in the festivities.
- The Northampton Bucks County Municipal Authority (NBCMA) met in an emergency meeting to approve essential work on a sewer line and stabilization of a creekbed due to hurricane IDA.
- The Public Works Department has approximately four (4) streets to complete the paving project for the year and then the Department can get back to mowing and other projects.

Mr. Moore made the following announcements:

- The Richboro Sidewalk project is in the process of getting underway due to a grant. This connection is going to help make the downtown area more walkable.

Mrs. Silver made the following announcements:

- The Library held a 50<sup>th</sup> plus 1 Birthday Party on the 2<sup>nd</sup> Sunday of October over 200 people were in attendance.

Chairman Selisker made the following announcements:

- Fire Prevention Week is quickly approaching, an outdoor event will be held on Saturday Morning October 9<sup>th</sup> with a time to be determined at the Municipal Park. This outdoor

event will represent all three firehouses. No open houses will be held at the fire stations.

Mrs. Silver thanked Chairman Selisker and Betty Satterly for all of their hard work in putting together the ceremony acknowledging the 20<sup>th</sup> anniversary of 911 at the Northampton Township Police Station.

- Reminder, during severe weather conditions, do not attempt to drive through flooded waterways. During the last storm, over 10 people were rescued. It is difficult to find people in raging streams. "Remember to turn around don't drown".

### **MANAGER'S REPORT**

Two members of the Township's Senior Staff have reached milestones in public service. William Wert, Assistant Manager has served 25 years and Mike Solomon Director of Codes and Zoning has served 20 years.

### **SOLICITOR'S REPORT**

Nothing to report.

### **ENGINEER'S REPORT**

Nothing to report.

### **PUBLIC COMMENT**

Chairman Selisker called for public comment.

Christine Richardson, 64 W. Rambler Drive, addressed several items regarding the current trash issues. Ms. Richardson offered some creative solutions to the issue such as data collection to see which areas are missed the most, a better platform for elderly residents who cannot drop off yard waste, and for a way for them to receive information, communicate more using emails and distribution lists. Thanked the Board for implementing the emergency order and giving Mascaro a financial hit.

Chairman Selisker noted the Township does have an email system, encouraged residents to go to the Township website and sign up.

The meeting was adjourned at 9:11 p.m.

Respectfully Submitted,

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Frank O'Donnell, Secretary