

# BUCKINGHAM TOWNSHIP

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Website - [www.buckinghampa.org](http://www.buckinghampa.org)



## BOARD OF SUPERVISORS REGULAR BUSINESS MEETING

## AGENDA

AUGUST 25, 2021

Call to Order 7:30 p.m.

19086

1. Public Comment (Maximum 30 minutes)
2. Board's Announcements:
  - Red Cross Blood Drive at the Buckingham Township Building: September 17.
3.
  - a. Consideration of approving Payment Request No. 9, to A.H. Cornell & Sons Inc., for work completed on the **Holicong Park Expansion, Phase 2, Contract 2019-01**, in the amount of \$68,244.04.
  - b. Consideration of approving Payment Request No. 10, Final Payment, to A.H. Cornell & Sons Inc., for work completed on the **Holicong Park Expansion, Phase 2, Contract 2019-01**, in the amount of \$105,820.43.
  - c. Consideration of approving Payment Request No. 11, to JBM Mechanical Inc. for work completed on the **Buckingham Township Water and Wastewater Department Facility - Mechanical Contract**, in the amount of \$61,887.75.
  - d. Consideration of approving Payment Request No. 13, to Premier Builders, Inc. for work completed on the **Buckingham Township Water and Wastewater Department Facility - General Contract**, in the amount of \$226,818.20.
  - e. Consideration of approving Payment Request No. 7, to BSI Electrical Contractors for work completed on the **Buckingham Township Water and Wastewater Department Facility - Electrical Contract**, in the amount of \$90,972.75.
  - f. Consideration of approving a transfer of funds from the General Fund to the GOB Bond (Open Space Purchases) Fund in the amount of \$850,000.00 to cover costs and expenses for the eminent purchase of the agricultural easement on the approximately 76 acre property at 4256 New Hope Road.
  - g. Consideration of approving Payroll for the weeks ending August 1, 2021 and August 15, 2021, and the Bill List for the meeting of August 25, 2021.
4. Consideration of approving draft Supervisor's Minutes of the July 28, 2021 Work Session and July 28, 2021 Regular Business Meeting.
5. Consideration of accepting various Departmental Minutes and Advisory Body Minutes.
6. Consideration of agreeing to the Developer's Request for an Extension of time within which to complete the Improvements as set forth in the Residential Development Contract and Water and Sanitary Sewer Development Agreement covering "**Mill Creek Ridge / Smith Pfeiffer, Phases I and II**", Township File SA 2001-05C, to September 11, 2022.

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7. Consideration of approving Release of the Maintenance Period Security for "Sotter Hill, Lot 3", Township File SA 2006-05.
8. Consideration of approving Release of the Maintenance Period Bonds for "Windsor Square", Township File SA 2001-03.
9. Consideration of awarding the bid for the Removal and Disposal of 650,000 gallons annually (more or less) of Liquid Sludge on an approximately 6,500 to 18,000 gal. (more or less) per week basis, for the second year of a three-year bid option, for the contract year September 1, 2021 through August 31, 2022 to Franc Environmental, Inc. of Horsham, PA, in the amount of \$0.0767 per gallon.
10. Consideration of awarding the bid for the Furlong/Buckingham Village Water Interconnect – Emergency, Contract BT-21-02, to D.J. Pinciotti of Ivyland, PA in the amount of \$110,758.00.
11. Additional Business / Manager's Items:
  - Consideration of approving, in return for \$17,116.21, the release of Nationwide Mutual Insurance Company and Kevin J Quigley for damages suffered by the Township to its property (traffic signal) arising out of an accident, casualty or event that occurred on or about March 14, 2020 at or near the intersection of Routes 313 and 263 in Buckingham Township and authorizing the Township Manager to execute the release on the Township's behalf.
  - Consideration of approving the Purchase Order to Harrison Bros. Paving LLC, for Long Lane road repairs, in the amount of \$20,965.00.

Buckingham Township Board of Supervisors  
Meeting Minutes

The regular meeting of the Buckingham Township Board of Supervisors was held August 25, 2021 in the Township Building, 4613 Hughesian Drive, Buckingham, Pennsylvania.

Present:	Jon Forest	Chairman
	Paul Calderaio	Vice-Chairman
	Maggie Rash	Member
	Dana S. Cozza	Township Manager
	Daniel Gray	Township Engineer
	Craig A. Smith, Esquire	Township Solicitor
Not Present:	Tom Kelso	Township Water/Wastewater Consultant
	Luke Rosanova	Bucks County Planning Commission

*Mr. Forest called the regular meeting to order at 7:30 p.m.*

**PUBLIC COMMENT**

Ms. Sharon Martin, Indian Spring Road said she was present to follow up on the discussion from previous Work Sessions where the neighbors were told to expect a list from the township of items required to process the hook-up of neighboring properties into the Stoneymead development sanitary sewer system. Mr. Smith said the requested list has been prepared, and is currently being reviewed by township staff for completeness prior to distribution.

Mr. Patrick Fowles, Indian Spring Road, was present to thank the Board and Township Manager for quickly responding to his request to have the painted yellow line extended on Indian Spring Road up and over the hill.

Mr. Stephen Scardetto, Pineville Road, was present to express his annoyance with township staff not responding as quickly as he would like to his questions regarding issues related to his development requirements and billing problems. Mr. Scardetto said he has received emails from township staff and consultants telling him how costs are increasing simply because he is communicating. Mr. Smith replied that Mr. Scardetto has made the township staff and consultants very aware of his sensitivity towards billings and charges for receiving and responding to emails. Mr. Smith continued that as he has explained previously, the consultants do charge for their time so he had suggested to Mr. Scardetto in a recent email that Mr. Scardetto should be careful to only send necessary emails and try and combine matters into one email rather than several. Nonetheless, Mr. Smith advised that if Mr. Scardetto wants to send multiple emails and would like responses, the consultants will oblige as long as Mr. Scardetto appreciates he is being charged.

Mr. Scardetto provided Mr. Smith with a paper copy of his insurance policy and handed Mr. Gray letters from the Bucks County Conservation District. Mr. Smith said the insurance documents previously provided were incomplete and Mr. Scardetto had been so advised. Mr. Smith indicated he would review the newly provided information. Mr. Gray said a letter of consistency is required to accompany the conservation district papers in order to schedule a pre-construction meeting,

however, that has not been prepared as Mr. Scardetto told the consultants to stop working on his project due to the billings.

Mrs. Cozza confirmed the township had stopped all work on the project when Mr. Scardetto requested it. Mr. Scardetto said he had switched engineers during the project, and the corrected engineering work is now near completion.

Mr. Scardetto argued the amount of the escrow and cost estimate prepared by Knight Engineering, specifically the \$7,000 for protection fence, should be reduced as he has already installed the fence himself. Mr. Gray said that cannot be verified until the insurance is correct, easements and construction agreements are in place and township staff can enter the property to inspect.

Mr. Forest asked Mr. Scardetto if he wanted township consultants to move forward in reviewing the documents and insurance, and Mr. Scardetto said “yes”. Mr. Smith said he would continue reviewing the insurance policy, and once Mr. Scardetto approves the escrow will see to preparing the various agreements and easements that are required before township consultants can enter the property to inspect the tree protection installation. Mr. Gray reiterated he needs written approval from Mr. Scardetto of the escrow amount so that Mr. Smith may prepare the development agreement, stormwater agreement, and easements. Mr. Gray said he would send Mr. Scardetto a comprehensive list of the necessary items to be completed.

#### **BOARD’S ANNOUNCEMENTS**

Mr. Forest made the following announcement:

- Red Cross Blood Drive at the Buckingham Township Building: September 17.

#### **REQUESTS FOR PAYMENT, PAYROLL and BILL LIST**

**Consideration of approving Payment Request No. 9, to A.H. Cornell & Sons Inc., for work completed on the Holicong Park Expansion, Phase 2, Contract 2019-01, in the amount of \$68,244.04.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to approve Payment Request No. 9, to A.H. Cornell & Sons Inc., for work completed on the Holicong Park Expansion, Phase 2, Contract 2019-01, in the amount of \$68,244.04. The motion carried unanimously.*

**Consideration of approving Payment Request No. 10, Final Payment, to A.H. Cornell & Sons Inc., for work completed on the Holicong Park Expansion, Phase 2, Contract 2019-01, in the amount of \$105,820.43.**

Mr. Gray noted that his office has not received the necessary items required for him to recommend approval of the Payment Request for Holicong Park Expansion, Phase 2.

*Mr. Forest made a motion, seconded by Mrs. Rash, to table Payment Request No. 10, Final Payment, to A.H. Cornell & Sons Inc., for work completed on the Holicong Park Expansion, Phase 2, Contract 2019-01, in the amount of \$105,820.43. The motion carried unanimously.*

**Consideration of approving Payment Request No. 11, to JBM Mechanical Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility - Mechanical Contract, in the amount of \$61,887.75.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to approve Payment Request No. 11, to JBM Mechanical Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility - Mechanical Contract, in the amount of \$61,887.75. The motion carried unanimously.*

**Consideration of approving Payment Request No. 13, to Premier Builders, Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility - General Contract, in the amount of \$226,818.20.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to approve Payment Request 13, to Premier Builders, Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility - General Contract, in the amount of \$226,818.20. The motion carried unanimously.*

**Consideration of approving Payment Request No. 7, to BSI Electrical Contractors for work completed on the Buckingham Township Water and Wastewater Department Facility - Electrical Contract, in the amount of \$90,972.75.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to approve Payment Request 7, to BSI Electrical Contractors for work completed on the Buckingham Township Water and Wastewater Department Facility - Electrical Contract, in the amount of \$90,972.75. The motion carried unanimously.*

**Consideration of approving a transfer of funds from the General Fund to the GOB Bond (Open Space Purchases) Fund in the amount of \$850,000.00 to cover costs and expenses for the imminent purchase of the agricultural easement on the approximately 76+ acre property at 4256 New Hope Road.**

*Mrs. Rash made a motion, seconded by Mr. Forest, to approve a transfer of funds from the General Fund to the GOB Bond (Open Space Purchases) Fund in the amount of \$850,000.00 to cover costs and expenses for the imminent purchase of the agricultural easement on the approximately 76+ acre property at 4256 New Hope Road.*

Mrs. Rash said the original property owners had applied for the purchase of a conservation easement in 2004, however didn't carry through with process, and now the Ripp family has purchased the property and has offered the 82.61 acres for conservation. Mr. Ripp said they intend to renovate the old home on the property, and to continue farming the land.

*The motion carried unanimously.*

**Consideration of approving Payroll for the weeks ending August 1, 2021 and August 15, 2021, and the Bill List for the meeting of August 25, 2021.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to approve Payroll for the weeks ending August 1, 2021 and August 15, 2021, and the Bill List for the meeting of August 25, 2021 in the total amount of \$1,247,978.60. The motion carried unanimously.*

**MINUTES**

**Consideration of approving draft Supervisor's Minutes of the July 28, 2021 Work Session and July 28, 2021 Regular Business Meeting.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to approve the draft Supervisor's Minutes of the July 28, 2021 Work Session and July 28, 2021 Regular Business Meeting. The motion carried unanimously.*

**Consideration of accepting various Departmental Minutes and Advisory Body Minutes.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to accept for inclusion in the Township records the various Departmental Minutes and Advisory Body Minutes. The motion carried unanimously.*

**BUSINESS**

**Consideration of agreeing to the Developer's Request for an Extension of time within which to complete the Improvements as set forth in the Residential Development Contract and Water and Sanitary Sewer Development Agreement covering "Mill Creek Ridge / Smith Pfeiffer, Phases I and II", Township File SA 2001-05C, to September 11, 2022.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to agree to the Developer's Request for an Extension of time within which to complete the Improvements as set forth in the Residential Development Contract and Water and Sanitary Sewer Development Agreement covering "Mill Creek Ridge / Smith Pfeiffer, Phases I and II", Township File SA 2001-05C, to September 11, 2022. The motion carried unanimously.*

**Consideration of approving Release of the Maintenance Period Security for "Sotter Hill, Lot 3", Township File SA 2006-05.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to approve Release of the Maintenance Period Security for "Sotter Hill, Lot 3", Township File SA 2006-05, pending receipt and payment of final bills. The motion carried unanimously.*

**Consideration of approving Release of the Maintenance Period Bonds for "Windsor Square", Township File SA 2001-03.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to authorize township staff to pull the bonds if outstanding items are not completed by September 11, 2021, or to release the Maintenance Period*

*Bonds for “Windsor Square”, Township File SA 2001-03, if all outstanding items are completed by September 11, 2021.*

Mr. Gray said there are outstanding items to be completed on the punchlists issued by the Landscape Review Consultants and Knight Engineering for completion of the Residential Development Agreement requirements, however all items on the Water and Wastewater punchlist had been completed.

*The motion carried unanimously.*

**Consideration of awarding the bid for the Removal and Disposal of 650,000 gallons annually (more or less) of Liquid Sludge on an approximately 6,500 to 18,000 gal. (more or less) per week basis, for the second year of a three-year bid option, for the contract year September 1, 2021 through August 31, 2022 to Franc Environmental, Inc. of Horsham, PA, in the amount of \$0.0767 per gallon.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to award the bid for the Removal and Disposal of 650,000 gallons annually (more or less) of Liquid Sludge on an approximately 6,500 to 18,000 gal. (more or less) per week basis, for the second year of a three-year bid option, for the contract year September 1, 2021 through August 31, 2022 to Franc Environmental, Inc. of Horsham, PA, in the amount of \$0.0767 per gallon. The motion carried unanimously.*

**Consideration of awarding the bid for the Furlong/Buckingham Village Water Interconnect – Emergency, Contract BT-21-02, to D.J. Pinciotti of Ivyland, PA in the amount of \$110,758.00.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to award the bid for the Furlong/Buckingham Village Water Interconnect – Emergency, Contract BT-21-02, to D.J. Pinciotti of Ivyland, PA in the amount of \$110,758.00.*

Mr. Smith noted the proposed interconnection of the Furlong and Buckingham Village water supplies is an emergency repair, necessary to avert an impending crisis, which repair is neither a new addition, extension nor enlargement of the existing Buckingham Township Water System and is required, in part, to assure that Buckingham Elementary school has water service when they open in September.

*The motion carried unanimously.*

#### **ADDITIONAL BUSINESS / MANAGER’S ITEMS**

**Consideration of approving, in return for \$17,116.21, the release of Nationwide Mutual Insurance Company and Kevin J Quigley for damages suffered by the Township to its property (traffic signal) arising out of an accident, casualty or event that occurred on or about March 14, 2020 at or near the intersection of Routes 313 and 263 in Buckingham Township and authorizing the Township Manager to execute the release on the Township’s behalf.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to approve, in return for \$17,116.21, the release of Nationwide Mutual Insurance Company and Kevin J Quigley for damages suffered by the Township to its property (traffic signal) arising out of an accident, casualty or event that occurred on or about March 14, 2020 at or near the intersection of Routes 313 and 263 in Buckingham Township and authorizing the Township Manager to execute the release on the Township's behalf.*

Mrs. Cozza explained that Mr. Quigley had experienced a medical emergency while driving, which resulted in an accident and considerable damage to property. Mr. Smith said that \$50,000 worth of damage was done to a township traffic signal, PECO property, and a Verizon pole. Mr. Smith said that Mr. Quigley had \$25,000 insurance coverage, which was allocated pro rata for repairs. Mrs. Cozza recommended the Board approve the release of claims and settle the matter.

*The motion carried unanimously.*

**Consideration of approving the Purchase Order to Harrison Bros. Paving LLC, for Long Lane road repairs, in the amount of \$20,965.00.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to approve the Purchase Order to Harrison Bros. Paving LLC, for Long Lane road repairs, in the amount of \$20,965.00.*

Mrs. Cozza explained the paving of Long Lane near the Street Road intersection done a few years ago did not hold up as expected, and needs to be milled and repaved.

*The motion carried unanimously.*

**Consideration of authorizing township staff to advertise An Ordinance of Buckingham Township, Bucks County, Pennsylvania, Being an Omnibus Amendment of the Buckingham Township Zoning Ordinance, amending certain provisions of Article 4, Use Regulations, Article 30, General Regulations Applicable to all Districts and Uses, and Article 31, Natural Resource Standards, Site Capacity Calculations, Open Space Standards, Buffers, all of Which said Amendments Relate to the Provisions of the Buckingham Township Zoning Ordinance, as Amended.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to authorize township staff to advertise An Ordinance of Buckingham Township, Bucks County, Pennsylvania, Being an Omnibus Amendment of the Buckingham Township Zoning Ordinance, amending certain provisions of Article 4, Use Regulations, Article 30, General Regulations Applicable to all Districts and Uses, and Article 31, Natural Resource Standards, Site Capacity Calculations, Open Space Standards, Buffers, all of Which said Amendments Relate to the Provisions of the Buckingham Township Zoning Ordinance, as Amended, conditioned on and not be advertised until and unless the draft review letter supplied by the Bucks County Planning Commission staff is approved by the Bucks County Planning Commission.*

Mr. Smith said the township had received reviews from the Bucks County Planning Commission and the Buckingham Township Planning Commission, noting that the Bucks County Planning Commission review was a draft, which may be approved during the Bucks County Planning Commission's meeting of September 1, 2021.



Mr. Patrick Fowles, Vice-Chairman of the Buckingham Township Planning Commission, was present and said the Buckingham Planning Commission had discussed items within the Bucks County Planning Commission review, including increasing the number of parking spaces for developments. He said after discussing this with Mr. Gray, and realizing it was based on requests from residents, they supported the increase.

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Mr. Smith said another item in the Bucks County Planning Commission review pertained to the definition of “family” for the use of in-law suites, and said after reviewing recent case law he found that the Pennsylvania Commonwealth Court and the Supreme Court have approved “related by blood” language in the definition of “family”. As such, he recommended staying with language that has been the subject of previous judicial review.

Mr. Smith further noted the Bucks County Planning Commission review questioned the fee associated with a resident applying to the Zoning Hearing Board for a “reasonable accommodation” if they cannot comply with the zoning ordinance due to a disability. Mrs. Cozza said the township already has a procedure for residents who request a waiver of the fee and that if appropriate, the fee would be waived.

*The motion carried unanimously.*

**Consideration of approving the request to waive building department permit fees for the Corinne Sikora Wellness & Support Center as requested by Keith Fenimore.**

*Mr. Forest made a motion, seconded by Mrs. Rash, to approve the request to waive building department permit fees for the Corinne Sikora Wellness & Support Center as requested by Keith Fenimore.*

Mrs. Cozza said the Corinne Sikora Wellness & Support Center is a non-profit corporation, and the unit which is located beside the Fox Chase Cancer Center in the Heritage Center development, will provide a wellness and support center for cancer patients, free of charge. Ms. Cozza further noted this is an example of the fee waiver process discussed earlier.

*The motion carried unanimously.*


*Mr. Forest noted the Board held an Executive Session prior to the business meeting concerning police personnel matters, real estate offers and the ongoing Rosner litigation.*

*Mr. Forest made a motion, seconded by Mrs. Rash to adjourn the meeting at 8:25 p.m. The motion carried unanimously*

Approved by the Board of Supervisors on the 22<sup>nd</sup> day of September, 2021.

**Buckingham Township Board of Supervisors**

  
\_\_\_\_\_  
Jon Forest, Chairman

  
\_\_\_\_\_  
Paul Calderaio, Vice-Chairman

  
\_\_\_\_\_  
Maggiè Rash, Member

Attest:

  
\_\_\_\_\_  
Dana S. Cozza, Secretary

*Minutes respectfully submitted by Lori Wicen.*