

BUCKINGHAM TOWNSHIP

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19086

Call to Order 7:30 p.m.

BOARD OF SUPERVISORS REGULAR BUSINESS MEETING

AGENDA

JULY 28, 2021

1. Public Comment (Maximum 30 minutes)
2. Board's Announcements:
 - Summer concerts on Thursday evenings at Hansell Park.
 - Monthly Red Cross Blood Drives at the Buckingham Township Building: August 20 and 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 \$78,814.37.
 - 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. 10, to JBM Mechanical Inc. for work completed on the **Buckingham Township Water and Wastewater Department Facility - Mechanical Contract**, in the amount of \$63,881.98.
 - d. Consideration of approving Payment Request No. 5, to BSI Electrical Contractors for work completed on the **Buckingham Township Water and Wastewater Department Facility - Electrical Contract**, in the amount of \$135,209.50.
 - e. Consideration of approving Payment Request No. 6, to BSI Electrical Contractors for work completed on the **Buckingham Township Water and Wastewater Department Facility - Electrical Contract**, in the amount of \$150,275.00.
 - f. Consideration of approving Payment Request No. 4, to Chris Wolff Plumbing, Inc. for work completed on the **Buckingham Township Water and Wastewater Department Facility - Plumbing Contract**, in the amount of \$86,301.00.
 - g. Consideration of approving Payment Request No. 12, to Premier Builders, Inc. for work completed on the **Buckingham Township Water and Wastewater Department Facility - General Contract**, in the amount of \$368,131.65.
 - h. Consideration of approving Payroll for the weeks ending July 4, 2021 and July 18, 2021, and the Bill List for the meeting of July 28, 2021.
4. Consideration of approving draft Supervisor's Minutes of the June 23, 2021 Work Session and June 23, 2021 Regular Business Meeting.
5. Consideration of accepting various Departmental Minutes and Advisory Body Minutes.

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6. Consideration of recommending Preliminary/Final Approval of the “**Penn’s Purchase II**” Revised Major Subdivision Plan dated Revised March 16, 2020, Township File SA 2018-04, Tax Map Parcel #06-016-015, 18 Single Family Detached Dwellings; one existing residential conversion; 2 mixed use buildings to contain retail, 2 restaurants and 18 condominiums. Parcel contains 14.15 Acres, located in the VC-2 Zoning District, with an extended review period expiration date of October 31, 2021.
7. Consideration of accepting the PennDOT Master Agreement for Adjustment of Incorporating Utility Facilities (Master Casting Agreement), for a period of nine (9) years, October 1, 2020 through September 30, 2029.
AND
Consideration of approving **Resolution 2551**, Authorizing Signatures on PennDOT’s Master Agreement for Casting Adjustments.
8. Consideration of approving **Resolution 2552**, A Resolution Requesting a Multimodal Transportation Fund Grant From the Pennsylvania Commonwealth Financing Authority for the Buckingham Village Transportation Improvement Project and Designating the Chairman of the Board of Supervisors and the Buckingham Township Manager to Execute All Documents and Agreements Between Buckingham Township and the Pennsylvania Commonwealth Financing Authority to Facilitate and Assist in Obtaining the Requested Grant.

9. ESCROW RELEASES:

“PA Biotechnology Center”, Township File LD 2017-02	Request for Release #1	\$760,785.21 recommended for release
“McGorry Stormwater Facility Development Contract”, TMP 06-023-003-003	Request for Release #1	\$17,785.86 recommended for release
“WAWA Convenience Store”, Township File LD 2018-01	Provco Escrow – Request for Release #3	\$58,661.90 recommended for release

10. Additional Business / Manager’s Items:
 - Consideration of awarding the 2021-2022 Fuel Bid for Unleaded Regular Gas, On-Road Ultra Low Sulfur Diesel and #2 Heating Oil to PAPCO Inc. of Aston, PA through the Bucks County Consortium.
 - Consideration of approving an emergency connection to the Buckingham Village Wastewater System for 2890 Furlong Road, TMP 06-010-130.

Buckingham Township Board of Supervisors
Meeting Minutes

The regular meeting of the Buckingham Township Board of Supervisors was held July 28, 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
	Luke Rosanova	Bucks County Planning Commission
	Craig A. Smith, Esquire	Township Solicitor
	Tom Kelso	Township Water/Wastewater Consultant

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

PUBLIC COMMENT

Mr. Patrick Fowles, Indian Spring Road, was present along with neighbor Eric Tobin, Esq., to follow up on the discussion from June's Work Session when they requested the Township's assistance in charting a course of action to address their failing septic systems and their ability to hook into the Stoneymead development sanitary sewer system.

Mr. Smith replied that the township staff has been studying the situation, and has determined that an easement exists across Mr. Fowles property that may need to be updated to allow access to other users. A previous stream crossing permit most likely needs to be renewed. The sewer line needs to be run across the Fowles easement, north and south along Indian Spring Road and Bittersweet Road to provide sewer connection points to the bordering houses. Mr. Smith said he guesstimated the cost at \$50,000 per connection, with 8 connections available. He said the township will agree to the connections, however the homeowners need to pay the expense of running the sewer line and connecting thereto. Mr. Smith added that if there are not 8 connections, then the price will increase for each of the connections that are made.

Mr. Smith said that not only is the Township assent necessary, but the Stoneymead homeowners' association needs to signoff on use of the sewer system easements, as does the Stoneymead Partnership. Mr. Smith said the township is willing to prepare a document to that effect upon a firm, binding commitment from Mr. Fowles and each neighbor that wants to connect that they will pay their portion of the cost of construction. It will be up to Mr. Fowles and the neighbors to secure the homeowner's association and Stoneymead Partnership's (Mr. Trueblood's) signatures. Mr. Smith added that it would be less expensive for the neighbors to do the work done rather than the township, as the township would need to pay prevailing wages and that would be more expensive. Mr. Kelso agreed, noting it would be 25%± savings if the neighbors contracted the work, rather than the township. Mr. Kelso said the township has DEP's approval for the planning of the job, and re-rated the treatment facility a couple of years ago to accommodate the additional homes. Mr. Fowles agreed and repeated his request for something in writing from the township for them to follow. Mr. Smith agreed to prepare a "road map" defining what the homeowners need to do.

Mr. Fowles thanked the township for adding speed bumps and painting yellow lines on Indian Spring Road, and asked if the roadcrew could continue the yellow line over the hill towards Mechanicsville Road. Mr. Forest said they would discuss this with the township roadmaster.

BOARD'S ANNOUNCEMENTS

Mr. Forest made the following announcements:

- Summer concerts on Thursday evenings at Hansell Park.
- Monthly Red Cross Blood Drives at the Buckingham Township Building: August 20 and September 17.

BUSINESS

Consideration of granting Preliminary/Final Approval of the “Penn’s Purchase II” Revised Major Subdivision Plan dated Revised March 16, 2020, Township File SA 2018-04, Tax Map Parcel #06-016-015, 18 Single Family Detached Dwellings; one existing residential conversion; 2 mixed use buildings to contain retail, 2 restaurants and 18 condominiums. Parcel contains 14.15 Acres, located in the VC-2 Zoning District, with an extended review period expiration date of October 31, 2021.

Edward Murphy, Esq. Wisler Pearlstine, Mr. Greg Glitzer and Mr. Ron Monkres, Gilmore & Associates, and Mr. John McGrath, III of Stonehaven Homes were present.

Mr. Murphy explained now that the water service agreement has been executed with Peddler's Village, which was a precondition of moving forward, they are present this evening to request preliminary/final approval of the “Penn’s Purchase II” major subdivision plan, which has not changed in the last 17-18 months.

Mr. Murphy said that the design of the entrance improvements was changed due to PennDOT's request, however the engineers will be scheduling a meeting with PennDOT staff to request a compromise of PennDOT's requirements. Mr. Monkres explained that the PennDOT staffer responsible for the alignment of the entrance with the shops across the street, and who preferred yellow striping in place of center islands, no longer works at PennDOT. Mr. Glitzer said that perhaps a compromise could be reached if they proposed placing the island closer to the residential portion with a guard station. He also said they would propose patterned concrete instead of the recommended striping. Mr. Gray said that PennDOT asked to remove all of the islands, and just have a 50' wide paved cartway. Mr. Gray suggested if the Board provides plan approval, it could be subject to the compromise or other acceptable change in PennDOT's plan. The Board agreed.

Mr. Murphy explained that parking has been supplied pursuant to the terms of the stipulation, however Knight Engineering has suggested that more parking may be needed. Mr. Murphy proposed that if another restaurant is added and they exceed more than 8,000 square feet in aggregate of restaurants, they would return to the Board to discuss additional parking. Mr. Murphy said that along with Villaggio, they were considering a breakfast/lunch restaurant so that everyone is not there at the same time.

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Mr. Gray said the only waiver not supported requested a lighted sign in the right-of-way and buffer area. Mr. Glitzer said they would need a zoning permit for the sign, and Mr. Smith said they would need to comply with the zoning ordinance.

Ms. Manicone reported that the Landscape Review Committee had no problem with the landscape related waivers, however she requested a note added to the plan to clarify that the fence delineating the buffer area may not be removed and the buffer area may not be encroached upon as it is not part of the usable backyard. Ms. Manicone also stated that some of the existing trees they thought could be worked into the buffer, are now gone, so the buffer plan may need to be revamped based on actual conditions.

Mr. Kelso suggested that prior to signing of linens, in terms of water they need to see the well installed, tested and showing that it meets the minimum requirements for quality and quantity as set forth in the agreement. Mr. McGrath said they have all of the permits to drill the well and do the pump test. Mr. Kelso also recommended the township sign and submit the Act 537 Exemption for wastewater.

Mr. Rosanova asked if the recreation area in the center of the residential area would have amenities or just be open space. Mr. Monkres explained that area had been detailed in design, with trees around the perimeter, an aluminum fence, and some benches placed across from the pond. Mr. Gray said there also was a pedestrian path to be installed around the pond, and noted the area was smaller than the first plan submission.

Mr. Forest made a motion, seconded by Mrs. Rash, to grant Preliminary/Final Approval of the "Penn's Purchase II" Revised Major Subdivision Plan dated Revised March 16, 2020, Township File SA 2018-04, Tax Map Parcel #06-016-015, 18 Single Family Detached Dwellings; one existing residential conversion; 2 mixed use buildings to contain retail, 2 restaurants and 18 condominiums. Parcel contains 14.15 Acres, located in the VC-2 Zoning District, subject to:

1. *Compliance with all the comments in the July 28, 2021 Knight Engineering, Inc. review letter.*

The SALDO Waivers requested pursuant to Applicant's October 17, 2018 Waiver Request Letter as revised September 30, 2019 waivers are, as discussed, by this motion conditionally granted, except for the proposed "Site Identification Signs with lighting along Lower York Road entrance drive" which will require zoning relief.

2. *Compliance with all the comments in the April 3, 2020 Landscape Review Consultants review letter.*

3. *Compliance with all the comments in the November 19, 2018 Bucks County Planning Commission review letter.*

4. *Compliance with all the comments in the July 27, 2021 Castle Valley Consultants, Inc. memorandum.*

5. Approval is conditioned on the Applicant receiving PennDOT approval to construct the entrance as originally designed, or applicant must return to the township for further discussion.

6. Approval is conditioned on the Applicant agreeing to meet with the township to discuss additional parking needs if more than 8,000 square foot of restaurant use is exceeded.

7. Approval is conditioned on the demonstration of the new well to meet the minimum standards as set forth in the water agreement.

The motion carried unanimously.

The Township Solicitor was directed to prepare the written approval as required by the MPC. The findings, terms and conditions of that written approval, read as complimentary to these minutes, shall be controlling.

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 \$78,814.37.

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 Requests for Holicong Park Expansion, Phase 2.

Mr. Forest made a motion, seconded by Mrs. Rash, to table:

- 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 \$78,814.37.

- 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. 10, to JBM Mechanical Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility - Mechanical Contract, in the amount of \$63,881.98.

Consideration of approving Payment Request No. 5, to BSI Electrical Contractors for work completed on the Buckingham Township Water and Wastewater Department Facility - Electrical Contract, in the amount of \$135,209.50.

Consideration of approving Payment Request No. 6, to BSI Electrical Contractors for work completed on the Buckingham Township Water and Wastewater Department Facility - Electrical Contract, in the amount of \$150,275.00.

Consideration of approving Payment Request No. 4, to Chris Wolff Plumbing, Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility - Plumbing Contract, in the amount of \$86,301.00.

Consideration of approving Payment Request No. 12, to Premier Builders, Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility - General Contract, in the amount of \$368,131.65.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve:

- Payment Request No. 10, to JBM Mechanical Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility -Mechanical Contract, in the amount of \$63,881.98.

- Payment Request No. 5, to BSI Electrical Contractors for work completed on the Buckingham Township Water and Wastewater Department Facility - Electrical Contract, in the amount of \$135,209.50.

- Payment Request No. 6, to BSI Electrical Contractors for work completed on the Buckingham Township Water and Wastewater Department Facility - Electrical Contract, in the amount of \$150,275.00.

- Payment Request No. 4, to Chris Wolff Plumbing, Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility - Plumbing Contract, in the amount of \$86,301.00.

- Payment Request No. 12, to Premier Builders, Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility - General Contract, in the amount of \$368,131.65.

Mr. Forest explained the money for this project comes directly from the income received from the customers of the wastewater service area using the facilities, not from the townships' general fund or tax revenues.

The motion carried unanimously.

Consideration of approving Payroll for the weeks ending July 4, 2021 and July 18, 2021, and the Bill List for the meeting of July 28, 2021.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Payroll for the weeks ending July 4, 2021 and July 18, 2021, and the Bill List for the meeting of July 28, 2021 in the total amount of \$3,071,024.08.

The motion carried unanimously.

MINUTES

Consideration of approving draft Supervisor's Minutes of the June 23, 2021 Work Session and June 23, 2021 Regular Business Meeting.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve, as most recently presented, the draft Supervisor's Minutes of the June 23, 2021 Work Session and June 23, 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 accepting the PennDOT Master Agreement for Adjustment of Incorporating Utility Facilities (Master Casting Agreement), for a period of nine (9) years, October 1, 2020 through September 30, 2029.

AND

Consideration of approving Resolution 2551, Authorizing Signatures on PennDOT's Master Agreement for Casting Adjustments.

Mr. Forest made a motion, seconded by Mrs. Rash, to accept the PennDOT Master Agreement for Adjustment of Incorporating Utility Facilities (Master Casting Agreement), for a period of nine (9) years, October 1, 2020 through September 30, 2029 and to approve Resolution 2551, Authorizing Signatures on PennDOT's Master Agreement for Casting Adjustments.

Mrs. Cozza explained this agreement allows the township to request that PennDOT installs castings when manholes are being raised during construction on PennDOT roads.

The motion carried unanimously.

Consideration of approving Resolution 2552, A Resolution Requesting a Multimodal Transportation Fund Grant From the Pennsylvania Commonwealth Financing Authority for the Buckingham Village Transportation Improvement Project and Designating the Chairman of the Board of Supervisors and the Buckingham Township Manager to Execute All Documents and Agreements Between Buckingham Township and the Pennsylvania Commonwealth Financing Authority to Facilitate and Assist in Obtaining the Requested Grant.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Resolution 2552, A Resolution Requesting a Multimodal Transportation Fund Grant From the Pennsylvania Commonwealth Financing Authority for the Buckingham Village Transportation Improvement Project and Designating the Chairman of the Board of Supervisors and the Buckingham Township Manager to Execute All Documents and Agreements Between Buckingham Township and the Pennsylvania Commonwealth Financing Authority to Facilitate and Assist in Obtaining the Requested Grant.

Mr. Gray explained this grant would provide funding to install walkways along Route 263 and Route 202 to Holicong Park making the area walkable. Mr. Kelso suggested the township consider extending the walkway to the Apple Hill and Buckingham Knoll communities.

The motion carried unanimously.

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ESCROW RELEASES

“PA Biotechnology Center”, Township File LD 2017-02	Request for Release #1	\$760,785.21 recommended for release
“McGorry Stormwater Facility Development Contract”, TMP 06-023-003-003	Request for Release #1	\$17,785.86 recommended for release
“WAWA Convenience Store”, Township File LD 2018-01	Provco Escrow – Request for Release #3	\$58,661.90 recommended for release

Mr. Forest made a motion, seconded by Mrs. Rash, to approve PA Biotechnology Center, Township File LD 2017-02, Request for Release #1 in the amount of \$760,785.21. The motion carried unanimously.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve McGorry Stormwater Facility Development Contract, TMP 06-023-003-003, Request for Release #1 in the amount of \$17,785.86. The motion carried unanimously.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Wawa Convenience Store, Township File LD 2018-01, Provco Escrow – Request for Release #3 in the amount of \$58,661.90, pending receipt of payment of outstanding invoices or, alternatively that undisputed outstanding invoices due the Township be paid to the Township from the escrow amounts so released. The motion carried unanimously.

ADDITIONAL BUSINESS / MANAGER’S ITEMS

Consideration of awarding the 2021-2022 Fuel Bid for Unleaded Regular Gas, On-Road Ultra Low Sulfur Diesel and #2 Heating Oil to PAPCO Inc. of Aston, PA through the Bucks County Consortium.

Mr. Forest made a motion, seconded by Mrs. Rash, to award the 2021-2022 Fuel Bid for Unleaded Regular Gas, On-Road Ultra Low Sulfur Diesel and #2 Heating Oil to PAPCO Inc. of Aston, PA through the Bucks County Consortium. The motion carried unanimously.

Consideration of approving an emergency connection to the Buckingham Village Wastewater System for 2890 Furlong Road, TMP 06-010-130.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve an emergency connection to the Buckingham Village Wastewater System for 2890 Furlong Road, TMP 06-010-130, noting the applicant must pay the tapping fee for two (2) EDU's and all associated permit fee and escrow costs. The motion carried unanimously.

Consideration of approving Land Development Waiver Request for the C.B. East High School Softball Dugouts.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve the Land Development Waiver Request for the C.B. East High School Softball Dugouts. The motion carried unanimously.

Consideration of authorizing Township Solicitor to submit the Omnibus Zoning Ordinance Amendments to the Buckingham Township Planning Commission and the Bucks County Planning Commission for review.

Mr. Forest made a motion, seconded by Mrs. Rash, to authorize the Township Solicitor to submit the Omnibus Zoning Ordinance Amendments to the Buckingham Township Planning Commission and the Bucks County Planning Commission for review.

Mr. Smith explained he has circulated the omnibus zoning amendment to the Board of Supervisors and township staff, and has received comments from Knight Engineering, however is awaiting comments from Mr. Kettler, Director of the Building and Codes Department. Pending receipt of any recommended revisions, Mr. Smith requested authorization to submit the zoning amendment to the Buckingham Township Planning Commission and the Bucks County Planning Commission for review. Mr. Smith said following their reviews and after consideration of those reviews if no changes were made, he would then request authorization to advertise the amendments. If changes are made, the draft ordinance would then be resubmitted to the Planning Commissions.

Mrs. Rash asked about the formula used to determine the number of off-street parking spaces in the LC (Living Community) zoning districts. Mr. Gray said based on current development issues, it appears there is a need to increase the number of off-street parking spaces from 2.3 to 3.3, which would provide each house space for 2 vehicles in the driveway, plus one on the street. Mr. Gray said this proposal is very specific to multi-family apartments and LC zoning uses. Mrs. Rash agreed with the increase as it will benefit the residents.

Mrs. Rash questioned if the in-law suite could be a separate building (like a cottage) or was it intended to be an apartment over a garage; adding that she was opposed to it being a separate unit. Mr. Smith said it accommodates a structure attached to the principal house, and could be specified to state it must be located on top of the garage. Mr. Smith said an in-law suite is specifically to be used by an in-law, not rented to somebody else.

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Mr. Forest requested that the requirement in the current zoning ordinance that “steel truss plates must be covered with wood” be removed as the Fire Marshal has advised that is no longer required. It was then discussed that was a building code, not zoning ordinance requirement.

Mr. Calderaio confirmed that the fencing requirements for spa’s/hot tubs is included per previous discussions, and Mr. Smith confirmed the amendment includes the revision making the zoning ordinance consistent with the Uniform Construction Code.

Mr. Smith said the Planning Commissions legally have 30 days to review the amendments, at which time if there are no revisions recommended or is recommended, not accepted, he will request authority to advertise.

The motion carried unanimously.

Mr. Forest noted the Board held an Executive Session prior to the business meeting concerning personnel matters.

Mr. Forest made a motion, seconded by Mrs. Rash to adjourn the meeting at 9:34 p.m. The motion carried unanimously

Approved by the Board of Supervisors on the 25th day of August, 2021.

Buckingham Township Board of Supervisors

Jon Forest, Chairman

Paul Calderaio, Vice-Chairman

Maggie Rash
Maggie Rash, Member

Attest:

Dana S. Cozza
Dana S. Cozza, Secretary

Minutes respectfully submitted by Lori Wicen.