

# BUCKINGHAM TOWNSHIP

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## BOARD OF SUPERVISORS BUSINESS MEETING

## AGENDA

June 11, 2008

### Call to Order 7:30 p.m.

1. Public Comment (Maximum 30 minutes)
2. Board's Announcements:
  - **Free Family Concerts at Hansell Park:** Every Thursday evening from 6-9 p.m., starting June 26, 2008 with "Scythian" and Ice Cream Social! Concerts run through August 14, 2008. Rain location will be the Buckingham Springs Club House.
  - **Free Summer Fun for Kids:** Programs run from June 25, 2008 through August 15, 2008, registration is required. Check the township website at [www.buckinghampa.org](http://www.buckinghampa.org) for details!
  - Bucks County's **Household Hazardous Waste and Old Computer Collection** will be July 19, 2008 at the Middle Bucks Institute of Technology located at 2740 Old York Road.
  - Volunteers are needed year-round to sell tickets at various events for the 1957 White Thunderbird being raffled during the Annual Concours D'Elegance. Contact Al Pincus or Ralph Tompkins for information.
3. Consideration of approving the Payroll for the week ending June 8, 2008 and the Bill List for the meeting of June 11, 2008.
4. Consideration of approving Supervisor's Minutes of the May 14, 2008 Regular Business Meeting.
5. Consideration of accepting various Departmental Minutes and Advisory Body Minutes.
6. Consideration of accepting Request for Extension to the allowable review time under the provisions of the PA Municipalities Planning Code to December 31, 2008 for the "**Soroka Tract**", Township File SA 2008-02, as submitted by Edward F. Murphy on behalf of DeLuca Enterprises.  
OR  
Consideration of approving Preliminary/Final Minor Subdivision Plan (plan dated 2/27/08) of the "**Soroka Tract**", submitted by Gilmore & Associates, Inc., on behalf of DeLuca Enterprises, Township File SA 2008-02, T.P. 6-23-55-1, Durham Road (Route 413) and Pineville Road, 10+ acres, 2 lots, in the AG-1 Zoning District, with a 90-day review period expiration of July 1, 2008.  
And  
Consideration of approving Resolution No. \_\_\_ Act 537 Plan Revision for the "**Soroka Tract**", Township File SA 2008-02.

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7. ~~Removed from agenda per applicant's request – rescheduled to June 25, 2008.~~ Consideration of approving Revised Preliminary/Final Plan of Minor Subdivision (plan dated “Revised 5/16/08”) of the ~~“Four Seasons Subdivision”, Township File SA 2008-03, submitted by The Major Group on behalf of Sal DiNardo, Four Seasons Development Group, LLC, T.P. 6-8-52, Forest Grove and Swamp Roads, 14.938 Acres, Proposed 2 Lots, in the AG-1 Zoning District, with a 90-day review period expiration of July 1, 2008.~~  
 And  
 Consideration of approving Resolution No. \_\_\_\_ Act 537 Plan Revision for the ~~“Four Seasons Subdivision”, Township File SA 2008-03.~~
8. Consideration of approving Revised Final Major Subdivision Plan (plan dated “rev. 5/2/08”) of the **“Estates at Forest Grove (Smith Pfeiffer) aka Mill Creek Ridge”**, Township File SA 2001-05B, submitted by Gilmore & Associates, Inc. on behalf of Toll Brothers, Inc., T.P. 6-23-1, 6-23-4, 6-23-13, 6-23-13-5, 6-23-14 & 6-23-17, Dark Hollow Road / Smith Road / Forest Grove Road, 183.1 Acres, 71 Lots, in the AG-1 Zoning District. Extended 90-day Review Period Expiration date June 30, 2008. (Note: Wastewater Planning Modules were approved by PA DEP 12/22/05.)
9. Consideration of approving **Resolution No. 2047** Accepting the Stormwater Management Facilities and Stormwater Easement in the Land Development Known as **“EMC Corporate Headquarters Expansion,”** A.K.A. **“4059 Skyron Drive”**, Township File LD 2000-03.  
 AND  
 Consideration of accepting the **Grant of Easement** between 4059 Doylestown Acquisition, L.L.C. (A.K.A. **“EMC Corporate Headquarters Expansion”**) and Buckingham Township.
10. Consideration of accepting the Agreement to Extend the Residential Development Contract and Public Water Development Agreement to June 27, 2009, from David B. Anderson for Toll PA, L.P., covering the **“Landisville Hunt aka Woodfield”** Major Subdivision, Township File SA 98-03.
11. Consideration of accepting the Agreement to Extend the Land Development Contract to June 30, 2009, from Allen D. Black, covering the **“Bucks County Airport Authority”** Land Development, Township File LD 93-04.
12. Consideration of accepting the Agreement to Extend the Land Development Contract to June 30, 2009, from Alan Stifelman, Business Manager, covering the **“Buckingham Friends School”** Land Development, Township File LD 2000-07.
13. Consideration of accepting the Agreement to Extend the Land Development Contract to June 23, 2009, for the Central Bucks School District, covering the **“Buckingham Elementary School”** Land Development, Township File LD 2002-01A.

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14. Consideration of Authorizing the Roadmaster to purchase a 2008 John Deere Model 3720 Tractor with an over-seeder attachment and front bucket at a total cost of \$31,435.00 from Detlan Equipment in Silverdale under the PACC Pennsylvania Contract #2420-01.
  
15. Additional Business / Manager's Items:
  - Consideration of approving **Peddler's Village 2008 "Celebration of Freedom"** special event and gathering permit, including a pyrotechnic display, and consideration of waiving the permit fee.

**Buckingham Township Board of Supervisors**  
**Meeting Minutes**

The regular meeting of the Buckingham Township Board of Supervisors was held June 11, 2008 in the Township Building, 4613 Hughesian Drive, Buckingham, Pennsylvania.

Present:	Maggie Rash	Chairperson
	Jon Forest	Vice-Chairman
	Henry Rowan	Member
	Craig A. Smith, Esquire	Township Solicitor
	Dana S. Cozza	Acting Township Manager
	Daniel Gray	Township Engineer
	Lynn Bush	Bucks County Planning Commission
	Thomas Kelso	Township Water/Wastewater Consultant

Mrs. Rash called the regular meeting to order at 7:47 pm and led The Pledge of Allegiance.

**PUBLIC COMMENT**

Mr. John Cunningham asked for information regarding tanks on Landisville Road. Mr. Gray responded that the large tanks held water and seed for seeding of fields and that they were temporary.

**BOARD'S ANNOUNCEMENTS**

Mrs. Rash announced the following items:

- **Free Family Concerts at Hansell Park:** Every Thursday evening from 6-9 p.m., starting June 26, 2008 with "Scythian" and Ice Cream Social! Concerts run through August 14, 2008. Rain location will be the Buckingham Springs Club House.
- **Free Summer Fun for Kids:** Programs run from June 25, 2008 through August 15, 2008, registration is required. Check the township website at [www.buckinghampa.org](http://www.buckinghampa.org) for details!
- Bucks County's **Household Hazardous Waste and Old Computer Collection** will be July 19, 2008 at the Middle Bucks Institute of Technology located at 2740 Old York Road.
- Volunteers are needed year-round to sell tickets at various events for the 1957 White Thunderbird being raffled during the Annual Concours D'Elegance. Contact Al Pincus or Ralph Tompkins for information.
- The Civic Association Flea Market was canceled (due to heat) and rescheduled to Sunday, June 15, 2008.
- Mr. Forest announced that District Justice Snow came in to talk about the Youth Aid Panel.
- Mr. Rowan warned residents to check their Verizon bills because he just saw that he was charged a \$5 fee for underutilization.
- Mrs. Rash urged residents to call their trash haulers because her bill was just increased for the collection of leaf waste which is picked up by the Township.

Mr. Sam Brangan, New Road, commented that he had just purchased telephone, internet and television service from Verizon and noted that he thought Verizon could not sell cable services in Buckingham. Mr. Forest explained that Buckingham did not have a contract with Verizon for cable television. After discussion it was determined that Mr. Brangan had satellite television.

### PAYROLL AND BILL LIST

#### Consideration of approving Payroll for the week ending June 8, 2008 and the Bill List for the meeting of June 11, 2008.

*Mrs. Rash made a motion, seconded by Mr. Forest to approve payroll for the week ending June 8, 2008 and the Bill List for the meeting of June 11, 2008 in the amount of \$285,400.48. Mr. Forest announced that he would abstain from the vote as to the McCormick Taylor invoice because of the large roundabout bill. The motion carried with Mrs. Rash, Mr. Forest, and Mr. Rowan voting aye but with Mr. Forest abstaining as to the McCormick Taylor invoice.*

Mr. Rowan asked when construction on the Cold Spring Creamery Road roundabout was to begin. Ms. Bush responded that according to the Transportation Improvement Plan (TIP) the project was supposed to be done in 2008.

### MINUTES

#### Consideration of approving Supervisor's Minutes of the May 14, 2008 Regular Business Meeting.

*Mrs. Rash made a motion, seconded by Mr. Forest to approve the minutes of May 14, 2008. The motion carried unanimously.*

#### Consideration of accepting various Departmental Minutes and Advisory Body Minutes

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

### BUSINESS

#### 1. Request for Extension "Soroka Tract" Township File SA 2008-02

Mr. Rowan asked how this tract became a DeLuca project. Mrs. Rash responded that it was part of the Victoria Park preservation project. Mrs. Rash noted that money was owed and recommended that the extension be granted contingent upon payment.

*Mrs. Rash made a motion, seconded by Mr. Forest to grant the extension to the allowable review time under the provisions of the PA Municipalities Planning Code to December 31, 2008 for the "Soroka Tract", Township File SA 2008-02, as submitted by Edward F. Murphy on behalf of DeLuca Enterprises.*

Mr. George Michel asked whether the Soroka Tract already had preliminary approval to which Solicitor Smith responded they did not.

Mrs. Rash directed Ms. Cozza, Acting Township Manager, to send a strongly worded letter to the applicant demanding that payment be made.

*The motion carried unanimously.*

**2. Revised Preliminary/Final Plan of Minor Subdivision (plan dated “Revised 5/16/08”) and Act 537 Plan Revision of the “Four Seasons Subdivision”,**

Removed from agenda at the request of the Applicant.

**3. Revised Final Major Subdivision Plan of the “Estates at Forest Grove (Smith Pfeiffer) aka Mill Creek Ridge”, Township File SA 2001-05B, (Note: Wastewater Planning Modules were approved by PA DEP 12/22/05.)**

Representing the applicant were Mr. Steve Harris, Attorney, Mr. Tom Imperato, Toll Brothers, and Mr. Jim Matticola, Project Engineer. The following items were discussed:

Road Reconstruction of Dark Hollow Road

Mr. Harris explained that Toll Brothers thought they were to do an overlay and weave around an existing specimen tree while Knight Engineering thought there was going to be a complete reconstruction of the road. Mr. Harris asked for direction from the Board. Mr. Imperato noted that the Board had decided that they wanted minimal disturbance to the drainage swales and the tree and so the overlay was proposed. Mr. Gray commented that he thought the Board wanted minimal disturbance to the road but they also wanted the road rebuilt to a specification that will prevent the road from falling apart in five years. Mr. Rowan requested traffic counts for the road. After discussion, Board consensus was for the road to remain the same width, for Mr. Imperato to get the traffic counts and then design a road that would meet the Board’s objectives for stability and preservation of the tree and swales. Mr. Rowan recommended that the applicant provide the Township Engineer with a quick sketch for review. If it did not look satisfactory, then he recommended using the Township specification. Mr. Imperato suggested that the road specification could change at the location of the tree’s roots. Mr. Gray asked if the Board would consider approving something that did not meet Township specifications. Board consensus was that they would consider something less than Township specification, but something that would nonetheless stand up to the anticipated use.

Mr. George Michel noted that horse trailers used that road.

Mr. Sam Brangan asked what would happen to the tree if they started digging for road reconstruction. Ms. Carol Manicone, Landscape Architect, responded that she had looked at the tree and at that time the tree was in good condition and she felt that if they could hold the limits of disturbance to the edge of the road, then the tree should not be impacted. She noted that no one knew the location of the tree’s roots. Mr. Brangan asked if there would be a curb to which Mr. Harris responded there would not.

Proposed Relocation of Trail System to Eliminate a Bridge over a Wetland

The Board reviewed the entire proposed bike path. After consideration, Board consensus was that they liked the 25' bridge over the wetlands as originally designed.

Mr. George Michel and Ms. Muriel Gordon agreed that the bridge over the wetland would make for a very nice trail.

Mr. Harris asked Mr. Tom Kelso if there were any issues. Mr. Kelso responded that Toll Brothers had agreed to many issues and that there were items that needed to be addressed in the final development agreement.

Extension Request

Mr. Harris explained that Knight Engineering had requested additional cone testing on Smith Road which would take 2-3 weeks to complete and therefore an extension was needed. He explained that the information was needed in order to make fee-in-lieu calculations.

Solicitor Smith noted that the Highway Occupancy Permit (HOP) was another outstanding issue. Mr. Gray noted that he had received the review that day and indicated that it was nine pages long with many problems.

Mr. Rowan expressed concern about the process and noted that he would not support the extension request because he did not believe the plan should be before the Board (he questioned the validity of the preliminary plan), he felt the HOP should be in before this item was considered again, he felt too many extensions had already been granted (this being the fourth) and he had concerns about the many issues raised in the HOP and Knight Engineering reviews. Mr. Harris suggested granting an extension to July 31, 2008 or September 30, 2008 and noted that he felt the Board could grant approval contingent upon receipt of the HOP.

Mr. Forest asked where this application was in County court to which Mr. Harris responded that it was just sitting there and added that this application now had very few outstanding issues.

Mr. Harris noted that it had taken time to make changes to the cul-de-sac as requested by the Township and that substantial change to the plan delayed the PennDOT permit.

Mr. Rowan again questioned whether there was a valid preliminary plan. Mr. Harris responded that the issue was whether there had been a substantial revision to the plan which he indicated there had not been. Mr. Rowan responded that the issue was in the development approval that specified the engineering had to be correct and it was not. Mr. Harris noted that he disagreed strongly with Mr. Rowan. Mr. Forest commented that he felt it was important to keep this development in Township control and noted that he was concerned neighbors might not get best product if this went to court. Mr. Rowan disagreed.

Mr. George Michel expressed concern that Toll Brothers would keep working even if they encountered archeological remains. Mr. Harris responded that they were required to stop if they encountered historical remains.

Mr. Harris requested an extension to September 30, 2008.

Ms. Muriel Gordon asked how often the Board granted extensions. Solicitor Smith responded that this application was not following the usual procedure because of a court order.

Mr. Sam Brangan asked if this property was in a judicial action at present time to which Solicitor Smith responded it was. Mr. Brangan asked if this was the same as Victoria Park to which Solicitor Smith responded it was different.

*Mrs. Rash made a motion, seconded by Mr. Forest to accept an extension to September 30, 2008 for the Board to act as requested by Mr. Steve Harris for the Revised Final Major Subdivision Plan (plan dated "rev. 5/2/08") of the "Estates at Forest Grove (Smith Pfeiffer) aka Mill Creek Ridge", Township File SA 2001-05B, submitted by Gilmore & Associates, Inc. on behalf of Toll Brothers, Inc., T.P. 6-23-1, 6-23-4, 6-23-13, 6-23-13-5, 6-23-14 & 6-23-17, Dark Hollow Road / Smith Road / Forest Grove Road, 183.1 Acres, 71 Lots, in the AG-1 Zoning District.*

Mr. Matt Hockley asked if the driveway was being moved away from his house and if the site distance issues had been addressed to which Mr. Gray responded that they had been addressed. Mr. Tom Imperato added that a label would be on the plan indicating that there was an existing septic field and tank of unknown location so that the contractors would be aware for limits of disturbance.

Mr. Sam Brangan asked if the tree situation on Dark Hollow Road was rectified. Mrs. Rash responded that Toll Brothers was to submit specifications to Mr. Gray and that they would stay far away from the tree even if the solution was unconventional. Mr. Gray added that Ms. Manicone would be on site during construction.

Mr. Joel Nace asked what the reaction would be of a positive vote here in view of other properties and plans that the Board might want to turn down on a second or third extension. Solicitor Smith responded that because this development application was in court there would not be a precedent that was binding.

Mr. Matt Hockley asked if they were going to use the Forest Grove entrance for construction to which Mrs. Rash responded yes.

Mr. George Michel noted that it was a yes with a no right turn out. Mr. Imperato responded that he did not remember the prohibition on the right turn. Mr. Gray responded it was something agreed to previously. Mr. Michel asked where the trucks would go. Mr. Gray responded that they had to go on Forest Grove Road to New Hope Road. Mr. Michel noted that he thought New Hope Road was posted as no trucks.

*The motion carried with Mr. Forest and Mrs. Rash voting aye and Mr. Rowan voting nay.*

**4. Consideration of approving Resolution No. 2047 Accepting the Stormwater Management Facilities and Stormwater Easement in the Land Development Known as “EMC Corporate Headquarters Expansion,” A.K.A. “4059 Skyron Drive”, Township File LD 2000-03.**

**AND**

**Consideration of accepting the Grant of Easement between 4059 Doylestown Acquisition, L.L.C. (A.K.A. “EMC Corporate Headquarters Expansion”) and Buckingham Township.**

*Mrs. Rash made a motion, seconded by Mr. Rowan to approve Resolution No. 2047 Accepting the Stormwater Management Facilities and Stormwater Easement in the Land Development Known as “EMC Corporate Headquarters Expansion,” A.K.A. “4059 Skyron Drive”, Township File LD 2000-03 and accept the Grant of Easement between 4059 Doylestown Acquisition, L.L.C. (A.K.A. “EMC Corporate Headquarters Expansion”) and Buckingham Township.*

Mr. John Cunningham asked for an explanation of the agenda item. Solicitor Smith explained that EMC Corporation had approval years ago to do an addition and they finally did it. They had to do stormwater improvements because of the additional impervious surface and now they were offering the Township an easement to go in and inspect and make sure the storm water improvements were maintained and functioning.

*The motion carried unanimously.*

**5. Agreement to Extend the Residential Development Contract and Public Water Development Agreement “Landisville Hunt aka Woodfield” Major Subdivision, Township File SA 98-03.**

*Mrs. Rash made a motion, seconded by Mr. Forest to accept the Agreement to Extend the Residential Development Contract and Public Water Development Agreement to June 27, 2009, from David B. Anderson for Toll PA, L.P., covering the “Landisville Hunt aka Woodfield” Major Subdivision, Township File SA 98-03. Mr. Gray noted that he had a meeting the following day to go through dedication. Solicitor Smith recommended approval. The motion carried unanimously.*

**6. Agreement to Extend the Land Development Contract covering the “Bucks County Airport Authority” Land Development, Township File LD 93-04.**

*Mrs. Rash made a motion, seconded by Mr. Forest to accept the Agreement to Extend the Land Development Contract to June 30, 2009, from Allen D. Black, covering the “Bucks County Airport Authority” Land Development, Township File LD 93-04. The motion carried unanimously.*

*Mrs. Rash made a motion to approve a land development contract between Bucks County Airport and Buckingham Township for the Doylestown Airport Phase II Stormwater Improvements (Township No. L.D. 2003-02). The motion carried unanimously.*

**7. Agreement to Extend the Land Development Contract covering the “Buckingham Friends School” Land Development, Township File LD 2000-07.**

*Mrs. Rash made motion, seconded by Mr. Forest to accept the Agreement to Extend the Land Development Contract to June 30, 2009, from Alan Stifelman, Business Manager, covering the “Buckingham Friends School” Land Development, Township File LD 2000-07. The motion carried unanimously.*

**8. Agreement to Extend the Land Development Contract for the Central Bucks School District, covering the “Buckingham Elementary School” Land Development, Township File LD 2002-01A.**

*Mrs. Rash made a motion, seconded by Mr. Forest to accept the Agreement to Extend the Land Development Contract to June 23, 2009, for the Central Bucks School District, covering the “Buckingham Elementary School” Land Development, Township File LD 2002-01A.*

*Mr. Rowan asked for an update at the beginning of the next meeting. The motion carried unanimously.*

**9. Authorization of the Roadmaster to purchase a 2008 John Deere Model 3720 Tractor with an over-seeder attachment and front bucket.**

*Mrs. Rash made a motion, seconded by Mr. Rowan to authorize the Roadmaster to purchase a 2008 John Deere Model 3720 Tractor with an over-seeder attachment and front bucket at a total cost of \$31,435.00 from Detlan Equipment in Silverdale under the PACC Pennsylvania Contract #2420-01. The motion carried unanimously.*

Mr. Sam Brangan noted that the price was very good.

**ADDITIONAL BUSINESS / MANAGER’S ITEMS**

**1. Consideration of approving Peddler’s Village 2008 “Celebration of Freedom” special event and gathering permit, including a pyrotechnic display, and consideration of waiving the permit fee.**

*Mrs. Rash made a motion, seconded by Mr. Forest to approve the permit for the Peddler’s Village 2008 Celebration of Freedom special event gathering permit but not waive or reduce the fee.*

Mr. George Michel asked if the fee was outlandish to which Mr. Rowan responded it was not and that all Township fees were reasonable and reflected the cost of delivering service.

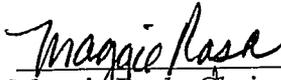
*The motion carried unanimously.*

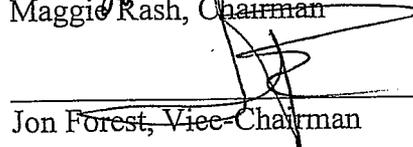
*Mrs. Rash made a motion, seconded by Mr. Forest to adjourn the meeting at 9:33pm. The motion carried unanimously.*

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Approved by the Board of Supervisors on the 25th day of June, 2008.

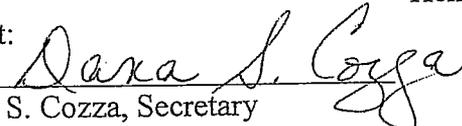
**Buckingham Township Board of Supervisors**

  
\_\_\_\_\_  
Maggie Rash, Chairman

  
\_\_\_\_\_  
Jon Forest, Vice-Chairman

\_\_\_\_\_  
Henry Rowan, Member

Attest:

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