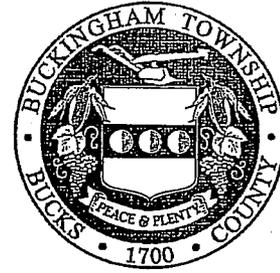


BUCKINGHAM TOWNSHIP

P.O. Box 413, Buckingham, Pennsylvania 18912
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Website - www.buckinghampa.org



BOARD OF SUPERVISORS BUSINESS MEETING

AGENDA

July 23, 2008

1. Public Comment (Maximum 30 minutes)
2. Board's Announcements:
 - **Free Family Concerts at Hansell Park:** Every Thursday evening from 7-9 p.m. 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 for details!
 - **Midway Volunteer Fire Company CARNIVAL!** July 24-26, 6 p.m. to 11 p.m., at the Midway Carnival Grounds across from Holicong Park on Route 202. Support our volunteer firefighters!
 - Volunteers are needed year-round to sell tickets at various events for the 1957 White Thunderbird being raffled during the Annual Concours D'Elegance, held September 14th at Holicong Park. Contact Al Pincus or Ralph Tompkins for information.
3. Consideration of approving the Payroll for the week ending July 20, 2008 and the Bill List for the meeting of July 23, 2008.
4. Consideration of approving Supervisor's Minutes of the June 25, 2008 and July 9, 2008 Regular Business Meeting.
5. Consideration of awarding the Wycombe Train Station Electrical Bid to Premier Builders of Yardley, PA for the amount of \$33,000.00.
6. Consideration of accepting the Agreement to Extend the Residential Development Contract and Tripartite Escrow Agreement to September 1, 2009 for the "**Carversville Estates**" Subdivision, Township File SA 97-11.
7. Consideration of accepting the Agreement to Extend the Residential Development Contract to August 25, 2009 from George Kiriakidi of Prime Properties, Inc., for the "**Lewis Tract**" Subdivision, Township File SA 2001-17.

8. ESCROW RELEASE:

"EMC Corporate Headquarters Expansion", Township File LD 2000-03	Site, ER # 5 (final escrow release)	\$46,069.35 recommended for release
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BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
JULY 23, 2008
PAGE 2 of 2

9. Additional Business / Manager's Items:
- Consideration of approving the Side Agreement between Buckingham Township and Buckingham Township Police Benevolent Association ("PBA").
 - Consideration of appointing Janine G. Bauer, Esq. of Szaferman, Lakind, Blumstein & Blader, P.C. as solicitor representing Buckingham Township in cases regarding Route 202.

607356

Buckingham Township Board of Supervisors
Meeting Minutes

The regular meeting of the Buckingham Township Board of Supervisors was held July 23, 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
	Thomas Kelso	Township Water/Wastewater Consultant
	Lynn Bush	Bucks County Planning Commission

Mrs. Rash called the regular meeting to order at 7:33pm and led The Pledge of Allegiance.

PUBLIC COMMENT

Mr. Paul Martissa requested that a mobile speed limit monitoring device (the kind that show drivers their speed) be placed on Burnt House Hill Road because he was concerned that drivers were regularly exceeding the 80th percentile for that road. Ms. Cozza responded that she would talk to the police department about placing a unit there.

BOARD'S ANNOUNCEMENTS

Mrs. Rash announced the following items:

- **Free Family Concerts at Hansell Park:** Every Thursday evening from 7-9 p.m. 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 for details!
- **Midway Volunteer Fire Company CARNIVAL!** July 24-26, 6 p.m. to 11 p.m., at the Midway Carnival Grounds across from Holicong Park on Route 202. Support our volunteer firefighters!
- Volunteers are needed year-round to sell tickets at various events for the 1957 White Thunderbird being raffled during the Annual Concours D'Elegance, held September 14th at Holicong Park. Contact Al Pincus or Ralph Tompkins for information.

PAYROLL AND BILL LIST

Consideration of approving the Payroll for the week ending July 20, 2008 and the Bill List for the meeting of July 23, 2008.

Mrs. Rash made a motion, seconded by Mr. Forest to approve payroll for the week ending July 20, 2008 and the Bill List for the meeting of July 23, 2008 in the amount of \$493,992.03. Mr. Forest noted that he would vote for everything except the McCormick & Taylor bill. The motion carried unanimously with the exception that Mr. Forest voted against the McCormick & Taylor bill.

MINUTES

Consideration of approving Supervisor's Minutes of the June 25, 2008 and July 9, 2008 Regular Business Meetings.

Mrs. Rash made a motion, seconded by Mr. Forest to approve the minutes of the June 25, 2008 Regular Business Meeting. The motion carried unanimously.

Mrs. Rash made a motion, seconded by Mr. Forest to approve the minutes of the July 9, 2008 Regular Business meeting. The motion carried with Mrs. Rash and Mr. Forest voting aye and Mr. Rowan abstaining.

BUSINESS

1. Consideration of awarding the Wycombe Train Station Electrical Bid to Premier Builders of Yardley, PA for the amount of \$33,000.00.

Mrs. Rash made a motion, seconded by Mr. Rowan to award the Wycombe Train Station Electrical Bid to Premier Builders of Yardley, PA for the amount of \$33,000.00.

- Mr. Rowan asked whether there was time to rebid the contract as only one bid was submitted. Ms. Cozza responded that it would be difficult to rebid because of the timing of the work to be completed and noted that the Roadmaster recommended awarding the bid.

Mr. Joel Nace asked when the work would begin. Ms. Cozza responded that work had started already and the electrician would start in the next few weeks. Mr. Nace noted that there were likely many contractors in need of work. Mr. Nace questioned if time frame was worked into the contract to which Ms. Cozza responded it was. Ms. Cozza explained that Premier Builders was the General Contractor for the Wycombe Train Station and that they would subcontract to an electrician. Mrs. Rash noted that the bid was duly advertised.

Mr. Forest asked if the contractor had to be a Pennsylvania Department of Transportation (PennDOT) approved contractor to which Ms. Cozza responded no.

Mr. Nace asked what was being done for \$33,000. Ms. Cozza explained that she was told a large portion of the cost had to do with restoration of light fixtures. Mr. Nace asked for the projected end date to which Ms. Cozza responded that the anticipated end date was November 2008.

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

2. Consideration of accepting the Agreement to Extend the Residential Development Contract and Tripartite Escrow Agreement to September 1, 2009 for the "Carversville Estates" Subdivision, Township File SA 97-11.

Mrs. Rash made a motion, seconded by Mr. Forest to accept the Agreement to Extend the Residential Development Contract and Tripartite Escrow Agreement to September 1, 2009 for the "Carversville Estates" Subdivision, Township File SA 97-11. The motion carried with Mrs. Rash and Mr. Forest voting aye and Mr. Rowan voting nay.

3. Consideration of accepting the Agreement to Extend the Residential Development Contract to August 25, 2009 from George Kiriakidi of Prime Properties, Inc., for the "Lewis Tract" Subdivision, Township File SA 2001-17.

Mrs. Rash made a motion, seconded by Mr. Forest to accept the Agreement to Extend the Residential Development Contract to August 25, 2009 from George Kiriakidi of Prime Properties, Inc., for the "Lewis Tract" Subdivision, Township File SA 2001-17.

Solicitor Smith explained that he had provided the Board with an agreement that basically specified that the developer could not use the extension as an allegation to say that the Board had implicitly extended the time provided with the conservation easement after which no trees could be disturbed. Discussion followed about trees that were removed from the area designated as a conservation easement.

Mr. Forest asked what would happen if the Board did not extend the Residential Development Contract. Solicitor Smith responded that this project would end up in litigation because of the clearing of the trees including one 60" caliper tree. He explained that Knight Engineering had issued a cease and desist which the developer honored. Solicitor Smith explained that the Township wanted them to replace the trees that were removed and that basically the proposed motion would extend the status quo.

Mr. Rowan asked why the Township should not pull the contract. Solicitor Smith responded that there was not enough in escrow to replace the trees that have been removed, that the Development Agreement calling for replacement of all trees would notify a future buyer that this issue was pending and that there were more enforcement rights under the Development Agreement than if the Board elected to kill the agreement.

Mr. Rowan asked when final approval was given to which Solicitor Smith responded March 14, 2002. After discussion it was determined that even if the approval were taken away, it was already a subdivided lot and trees were removed. Mr. Rowan asked if the building permit could be pulled to which Solicitor Smith responded that the cease and desist basically did that.

Mr. John Long asked if people were fined if they violated an order from the Township. Mrs. Rash responded that the cease and desist was issued. Solicitor Smith explained that the Township would have to go to civil court.

Mr. Paul Martissa asked what the Township would like the builder to supply as restitution. Mr. Gray explained that they would determine an equivalent amount of trees to be returned to the site or some other site in the township. Discussion followed about the size of trees to be replaced with Mrs. Rash expressing concern that a 60" tree really could not be replaced by any number of 1 ½ inch caliper trees. Mr. Gray noted that the ordinance requires that any tree larger than 16" must be replaced with 3 caliper inches for every one inch removed.

Mr. Martissa asked what kinds of trees were removed. Mr. Gray responded that he believed the large one was an oak tree. Mr. Martissa recommended seeking assistance from a landscape designer for alternate landscaping ideas using the same amount of money. Mr. Forest responded that the ordinance allowed the Township to place trees elsewhere in the Township.

Mr. Nace questioned whether the laws were punitive enough to stop this action.

Mr. Martissa asked how the neighbors felt about the tree removal to which Mr. Forest responded that the property was fairly isolated and the biggest concern in that area was gypsy moths.

The motion carried unanimously.

RELEASE OF FUNDS

Escrow Releases:

"EMC Corporate Headquarters Expansion," Township File LD 2000-03	Site, ER #5 (final escrow release)	\$46,069.35 recommended for release
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Mrs. Rash made a motion, seconded by Mr. Forest to approve the escrow release for EMC Corporate Headquarters Expansion, Township File LD 2000-03 in the amount of \$46,069.35. The motion carried unanimously.

ADDITIONAL BUSINESS / MANAGER'S ITEMS

1. Consideration of Approving the Side Agreement between Buckingham Township and Buckingham Township Police Benevolent Association ("PBA").

Ms. Cozza asked the Board for approval and noted that the agreement was signed by the PBA. *Mrs. Rash made a motion, seconded by Mr. Forest to approve the Side Agreement between Buckingham Township and Buckingham Township Police Benevolent Association ("PBA"). The motion carried with Mrs. Rash and Mr. Forest voting aye and Mr. Rowan voting nay.*

Mrs. Rash asked Mr. Rowan how he would have liked to have seen the agreement. Mr. Rowan responded that he had a problem with Kelly-Time and would like to see it disappear forever. Ms. Cozza explained that this agreement removed any claim to Kelly-Time while on a heart or lung injury but in exchange the Township agreed to give them tax benefits entitled to at time of heart or lung injury.

2. Consideration of Appointing Janine G. Bauer, Esq. of Szaferman, Lakind, Blumstein & Blader, P.C. as solicitor representing Buckingham Township in cases regarding Route 202.

Mrs. Rash made motion, seconded by Mr. Rowan to appoint Janine G. Bauer, Esq. of Szaferman, Lakind, Blumstein & Blader, P.C. as solicitor representing Buckingham Township in cases regarding Route 202, replacing Robert Sugarman, Esquire.

Mr. Rowan explained that the Township was trying to recover funds (in the amount of approximately \$127,000) spent for legal fees on the Route 202 case revolving around clean water act actions in cooperation with Solebury Township and Delaware Riverkeepers.

Mr. Forest asked that Ms. Bauer e-mail supporting documents regarding the case.

Mr. Joel Nace asked if Poole's Corner plans were final. Ms. Lynn Bush responded that there was money in the Transportation Improvement Plan (TIP) for Poole's Corner. Mr. Rowan

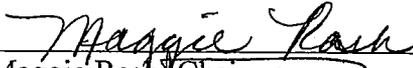
described the plans he had seen and noted that the Township had asked for a Park 'n Ride to be considered.

The motion carried unanimously.

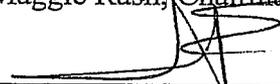
Mrs. Rash made a motion, seconded by Mr. Forest to adjourn the meeting at 8:35pm. The motion carried unanimously.

Approved by the Board of Supervisors on the 27th day of August, 2008.

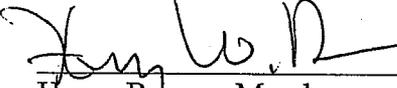
Buckingham Township Board of Supervisors



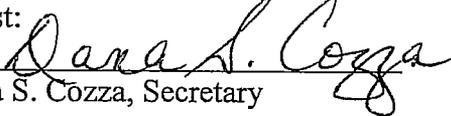
Maggie Rash, Chairman



Jon Forest, Vice-Chairman



Henry Rowan, Member

Attest:


Dana S. Cozza, Secretary