

**BUCKINGHAM TOWNSHIP**

P.O. Box 413, Buckingham, Pennsylvania 18912  
 Phone (215) 794-8834 • Fax (215) 794-8837

Website - www.buckinghampa.org



**BOARD OF SUPERVISORS  
 BUSINESS MEETING**

**AGENDA**

**October 22, 2008**

**Call to order 7:30 p.m.**

Presentation of Life Saving Commendations from Pennsylvania State Representative Bernie O'Neill to Sgt. John Landis, Officer Christopher Forbes and Officer Timothy Johnson, also to Paramedic Scott Henley, Paramedic Joseph Hayes & EMT Andrew Foley of Central Bucks Ambulance Squad for response to an event that occurred in Buckingham Township on September 11, 2008.

1. Public Comment (Maximum 30 minutes)
2. Board's Announcements:
  - **Election Day: November 4, 2008 - VOTE!**
  - **Buckingham Township's Fall Leaf Waste Collection Program** – Bags will be available between October 20<sup>th</sup> and November 26<sup>th</sup> at the township office, with pickups scheduled on November 10<sup>th</sup> and December 1<sup>st</sup>.
  - **Upcoming Park and Recreation Event:** Friday, November 7<sup>th</sup>, Family Movie at the Township Building, "Thunderbirds", 7:00 p.m.
  - **Upcoming Board of Supervisor meetings:**  
 An additional work session has been scheduled on Thursday, October 30, 2008.  
 The November 26<sup>th</sup> Board of Supervisor meeting has been re-scheduled to November 19, 2008.
3. Consideration of approving the Payroll for the week ending October 12, 2008 and the Bill List for the meeting of October 22, 2008.
4. Consideration of approving Supervisor's Minutes of the September 10, 2008, September 24, 2008 and October 8, 2008 Regular Business Meetings.
5. Consideration of approving **Resolution No. 2055**, A Resolution of the Township of Buckingham, Bucks County, Pennsylvania, Appointing a Zoning Hearing Board Solicitor.
6. Consideration of approving Revised Preliminary Plan of Major Subdivision (plan last revised 7/1/08), submitted by Gilmore & Associates on behalf of Toll Brothers, Inc., "**Feeney Tract**", Township File SA 2003-02, T.P. 6-10-66, Mechanicsville Road & Route 413, 95.1 acres, Proposed eighty-nine (89) B2 cluster lots with TDR's plus existing farmstead to be retained, in the R-1 Zoning District. Review period's 1<sup>st</sup> extension expires December 31, 2008.  
 AND  
 Consideration of approving Resolution \_\_\_ Act 537 Plan Review for the "Feeney Tract" at Mechanicsville Road & Route 413, T.P. 6-10-66, Township File SA 2003-02.

BOARD OF SUPERVISORS  
 REGULAR BUSINESS MEETING  
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7. Consideration of accepting the Request to Extend the Agreement expiring October 31, 2008 between Nicholas H. Morgan, Buckingham Township and Fulton Bank, Premier Division, extending the Residential Development Contract to December 31, 2008, from Herbert K. Sudfeld, Jr. for Nicholas Morgan, covering the **"Morgan Tract"**, Major Subdivision, Township File LD 2002-01A.
8. Consideration of accepting the Agreement to Extend the Residential Development Contract and Water and Sanitary Sewer Development Agreement to November 10, 2009, covering **"Buckingham Forest, Phase V"**, Township File SA 89-17.
9. Consideration of accepting the Agreement to Extend the Residential Development Contract and Water and Sanitary Sewer Development and Escrow Agreements to November 21, 2009, covering **"Devonshire Estates, Phase II"**, Township File SA 97-01.
10. Consideration of accepting the Water Utility Easement Deed of Dedication between Central Bucks School District and Buckingham Township, T. P. 6-6-5-3, **"Cold Spring Elementary School"**, Township File LD 93-02.
11. Consideration of accepting dedication for improvements made on the **"Funk Tract"**, Township File SA 2001-13.
12. Consideration of accepting the **PennDOT Master Agreement for Adjustment of Incorporating Utility Facilities (Master Casting Agreement)**, for a period of three (3) years (2008-2011).  
 AND  
 Consideration of approving **Resolution No. 2057**, Authorizing the Chairman of the Board of Supervisors and the Township Secretary to sign Mastercasting Agreements as needed.
13. Consideration of awarding the Church School Road Water Main Extension Bid to Passerini & Sons, Inc. of Pipersville, Pennsylvania, in the amount of \$83,368.50.
14. Consideration of Buckingham Township accepting Assignment and Dedication of the Deed of Easement (Easement Agreement) dated June 8, 2007 between Schroeder Limited Partnership 1 and Orleans at Windsor Square, L.P., concerning a potable water and sanitary sewer line easement and a 10 foot wide construction easement through Tax Map Parcel No. 6-18-14.

15. ESCROW RELEASE

Phillips Tract (Surrey Hill), SA 2002-06A	ER #9, Site	\$111,692.67 recommended for release
Morgan Tract, SA 98-08	ER #8, Site	\$4,230.79 recommended for release

16. Additional Business / Manager's Items

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

The regular meeting of the Buckingham Township Board of Supervisors was held October 22, 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 Cozza	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 7:35pm and led the Pledge of Allegiance.

State Representative Bernie O'Neill presented commendations to Sgt. John Landis, Officer Christopher Forbes and Officer Timothy Johnson, also to Paramedic Scott Henley, Paramedic Joseph Hayes & EMT Andrew Foley of Central Bucks Ambulance Squad for response to an event that occurred in Buckingham Township on September 11, 2008.

**PUBLIC COMMENT**

Mr. Joel Nace, Hampton Road, noted that the Township web site and mailer listed different times for the water/sewer meeting the previous week.

**BOARD'S ANNOUNCEMENTS**

Mrs. Rash announced the following items:

- **Election Day: November 4, 2008 - VOTE!** Mrs. Rash noted that the Central Bucks (CB) Ambulance referendum was on the ballot. Mr. Rowan asked whether CB Ambulance would host a public meeting. Mr. Rowan expressed concern that giving an organization funding was not sufficient and that planning and discussion with the community about the provision of emergency services now and into the future was imperative. Mr. Rowan did not think the tax increase should be approved without the community discussion. Ms. Cozza agreed to follow-up with CB Ambulance.
- **Buckingham Township's Fall Leaf Waste Collection Program** – Bags will be available between October 20<sup>th</sup> and November 26<sup>th</sup> at the township office, with pickups scheduled on November 10<sup>th</sup> and December 1<sup>st</sup>.
- **Upcoming Park and Recreation Event:** Friday, November 7<sup>th</sup>, Family Movie at the Township Building, "Thunderbirds", 7:00 p.m.

- **Upcoming Board of Supervisor meetings:**  
 An additional work session has been scheduled on Thursday, October 30, 2008. The November 26<sup>th</sup> Board of Supervisor meeting has been re-scheduled to November 19, 2008.

### PAYROLL AND BILL LIST

#### **Consideration of approving the Payroll for the week ending October 12, 2008 and the Bill List for the meeting of October 22, 2008.**

*Mrs. Rash made a motion, seconded by Mr. Forest to approve payroll for the week ending October 12, 2008 and the Bill List for the meeting of October 22, 2008 in the amount of \$779,250.27. The motion carried unanimously.*

### MINUTES

#### **Consideration of approving Supervisor's Minutes of the September 10, 2008, September 24, 2008 and October 8, 2008 Regular Business Meetings.**

*Mrs. Rash made a motion, seconded by Mr. Forest to approve the Supervisor's Minutes of the September 10, 2008, September 24, 2008 and October 8, 2008 Regular Business Meetings. The motion carried unanimously with Mr. Rowan abstaining from the vote on the October 8, 2008 minutes as Mr. Rowan did not attend the meeting.*

### BUSINESS

#### **1. Consideration of approving Resolution No. 2055, A Resolution of the Township of Buckingham, Bucks County, Pennsylvania, Appointing a Zoning Hearing Board (ZHB) Solicitor.**

Mrs. Rash announced that the Zoning Hearing Board had referred three recommended candidates to the Board of Supervisors for the position of Zoning Hearing Board Solicitor. Of the three, the Board of Supervisors was to select one, as the permanent ZHB Solicitor. *Mrs. Rash made a motion, seconded by Mr. Rowan to appoint Mr. Terry Clemens, one of the three recommended candidates, as Buckingham Township Zoning Hearing Board Solicitor by putting his name into and adopting Resolution No. 2055. The motion carried unanimously.*

#### **2. Consideration of approving Revised Preliminary Plan of Major Subdivision (plan last revised 7/1/08), submitted by Gilmore & Associates on behalf of Toll Brothers, Inc., "Feeney Tract", Township File SA 2003-02, T.P. 6-10-66, Mechanicsville Road & Route 413, 95.1 acres, Proposed eighty-nine (89) B2 cluster lots with TDR's plus existing farmstead to be retained, in the R-1 Zoning District. Review period's 1<sup>st</sup> extension expires December 31, 2008.**

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**AND**

**Consideration of approving Resolution \_\_\_ Act 537 Plan Review for the “Feeney Tract” at Mechanicsville Road & Route 413, T.P. 6-10-66, Township File SA 2003-02.**

Representing the applicant was Mr. Steve Harris, Attorney. Mrs. Rash inquired about the result of meetings held with neighbors. Mr. Harris responded that several meetings were held by Mr. Tom Imperato, Toll Brothers, (not in attendance) and that items were still being discussed between the neighbors and Toll.

Mr. Joel Nace presented the Board with a list of the desires of the neighbors, expressed a desire for the Board to push Toll Brothers toward compromise and noted that he felt Toll was pushing forward with their “by right” plan.

Mr. Paul Martissa, Hampton Drive, expressed concern that the neighbors were not working with a company who was willing to make a fair and equitable agreement. Mr. Harris responded that he felt their respective starting points were too far apart.

Mrs. Rash noted that the Planning Commission had recommended that the plan be denied and asked if Toll Brothers had done anything to address the concerns of the neighbors and the Planning Commission. Mr. Harris responded that he wanted to discuss some of the issues. Mr. Harris summarized that he did not think the Planning Commission was happy with the plan and so would not give a favorable recommendation. However it was Mr. Harris’s position that the plan did or would comply with the Subdivision and Land Development Ordinance (SALDO). Mr. Harris noted that he had met with the Water and Sewer Commission and that pursuant to that meeting the Planning Modules would be revised and resubmitted. Mr. Harris explained that their plan was to discuss several items from the Knight Engineering review letter and then return with a revised plan.

Solicitor Smith asked for verification that all parties were in agreement that the plans as submitted were not in a position to be acted upon and could not be approved. Mr. Harris agreed.

August 29, 2008 Knight Engineering Review Letter

Those items not specifically discussed below were either “will comply” or were of a technical nature and were to be worked out between the Township Engineer and Toll Brothers.

I. Development Concerns

1.3 Mr. Harris argued that the proper designation for the water and sewer system was a community system and therefore Toll Brothers would not be required to fully design the system as part of the preliminary plan. After discussion, the Board disagreed and asserted that the system would be public and as such they wanted to see the complete water and waste water facility design in the Preliminary Plan.

Mr. Paul Martissa expressed support for the Board's position and added that the neighbors needed to be protected before the plan moved forward.

Mr. Joel Nace also supported the Board's position and maintained that sewer capacity should drive the development process.

Mr. Harris commented that he did not believe that they were required by ordinance to provide traffic calming, but that Toll Brothers did understand the concerns of residents in Wellington Estates and agreed that some traffic calming between the neighborhoods was appropriate and would be worked out with Mr. Gray. Mr. Harris noted that Toll Brothers had agreed to provide painted crosswalks and yield to pedestrian signs, but would not comply with the raised crosswalks request.

Mr. Paul Martissa commented that the Board had previously unanimously agreed that there would not be a through street connecting the developments and that the residents did not want a through street. Mr. Harris responded that Toll Brothers would do whatever the Township wanted.

Mr. Robert Schaff, Watson Drive, commented that at every meeting the residents say they do not want the connection, but every plan has the connection.

Mrs. Rash announced that she agreed with Mr. Martissa and Mr. Schaff and that the consensus of the Board had always been and still is that the Board does not want the connection to Wellington Estates. Mr. Harris noted that removal of the connection would require a waiver. He added that the Planning Commission (PC) had recommended a reduction of streetlights which also required a waiver. Mr. Harris noted that the above mentioned waiver requests would be added to the waiver request letter when submitted with revised plans, but that those items would not be removed from the plans until the waivers were granted.

Discussion followed regarding the merits of speed tables, but no consensus was reached. Mr. Gray requested raised pedestrian crossings at intersections.

Mr. Paul Martissa asked if raised crosswalks could be placed midblock to reduce speed. Mr. Gray recommended speed humps in addition to the raised intersections to address Mr. Martissa's concern. Mr. Harris responded that it was not necessary and if Toll Brothers felt it was required, they would install them.

1.6 Mr. Harris explained that the PC had recommended streetlights at each entrance rather than at each intersection. Messrs. Nace and Martissa expressed a preference for no lights. Ms. Andrea Mehling, PC Chairperson, commented that the PC believed less was more in terms of lighting, but felt something was needed for safety at entrances.

Board consensus was for streetlights only at entrances. Mr. Harris reiterated that he would submit a waiver request for exclusion of the interior lights. Mr. Gray

recommended use of the Township streetlights and agreed to provide Toll Brothers with a specification.

1.8 After discussion, Mr. Gray confirmed that water and sewer facilities were located in open space areas and that he would need to see whether they could be a designated use in an open space. Mr. Gray will advise on this issue. Mr. Harris noted that the area on which the facilities were located, were not included in open space calculations. Mr. Harris noted that if the Township wanted facilities on individual lots, they would do so, as long as there was not an adverse zoning consequence.

1.8c Mr. Harris explained that their feeling was that private open space meant a tract of land owned by a private conservancy and not individual lots and therefore fences would not be required on individual lots. Ms. Bush noted that the rest of the sentence on 9.31B read “and from yards and private lots.” Mr. Harris responded that the ordinance in effect when this plan was filed did not include that additional verbiage. Mr. Rowan commented that fences were needed to delineate open space and prevent encroachment of homeowners.

Mr. Foxhill, Durham Road, expressed concern about the developer’s ability to get adequate percolation on this tract of land and noted that the development would destroy the tranquility of the open space behind his house.

1.14 Mr. Harris explained that at the request of the PC, Toll Brothers had agreed to provide berming even though it was not required by ordinance.

2.1 Mr. Harris explained that Mr. Gray had suggested a walkway connecting Hampton Drive with Byron Drive. Mr. Harris noted that the question was, if a sidewalk went across Mechanicsville frontage, then that supplied the necessary route to get over to Byron Drive. However Toll Brothers would agree to do the walkway in lieu of doing the sidewalk. Mr. Harris noted that Toll Brothers would provide painted crosswalks and signs so that anyone could get across the street safely. Mr. Gray commented that their thought was to follow the existing farm trail, crossing the stream and between the wetlands and Texas Eastern lines. Mr. Harris explained that the sidewalks would not be provided across the frontage and that a Homeowner’s Association would be responsible for maintenance of the path. Ms. Bush recommended specifying the nature of the path (size, material). Mr. Harris responded that it would be a 6’ wide asphalt path as discussed by the engineers.

## II. Individual Plan Sheet Comments

2.13 Mr. Harris noted that at the time the plan was filed decks were not included in impervious surfaces. Mr. Harris added that he thought the Board should reconsider whether decks were impervious because water goes through them. Solicitor Smith asked if the applicable ordinance did not specify that the ultimate decision as to whether a particular deck was pervious was at the discretion of the Township Engineer. Mr. Harris agreed the ordinance so stated.

Mr. Albert Crouger, Watson Drive, asked if the Hampton Drive connection was a dead issue and if so asked if the name could be taken off the plan. Mr. Harris agreed to remove the words Hampton Drive on the next plan. Mr. Rowan told Mr. Crouger that as far as the Board was concerned it was a dead issue but it would stay on the plans until waiver requests were granted so that the Board could not turn down the plan because of a cul-de-sac that was not permitted by SALDO.

Mr. Joel Nace inquired if the Board would approve the waiver, to which the Board members responded yes.

4.4 Mr. Harris agreed to put in iron pins to delineate the Landscape Buffer Easements.

10.2 Mr. Harris indicated that Toll Brothers would do Belgian block curbs but that a waiver would be required.

54, 55 and 56. Mr. Harris announced that there would be a meeting with representatives of the Pennsylvania Department of Transportation (PennDOT), the Township and the developer and these issues could be better discussed after those meetings. Mr. Rowan asked if Toll Brothers would bring a traffic engineer to the next public meeting to which Mr. Harris responded they would. Mr. Harris agreed to provide the Board with a report as soon as it was ready.

Mr. Joel Nace asked about the qualifications of the traffic engineer as raised by Mr. Gray in his review. Mr. Gray explained that he had not questioned the qualifications but asked to have the qualifications accompany the report and find out who did the report.

Ms. Andrea Mehling noted that the PC had raised concerns about the intersection of Route 413 and Mechanicsville Road. Mr. Harris responded that their traffic engineer would evaluate the intersection and he would return to the Board and discuss what they believed Toll's obligation to be.

Ms. Catherine Vagen expressed concern that the road conditions were unsafe and she seemed to be hearing that Toll Brothers would do what was required and nothing more. Ms. Vagen asked when the Traffic Engineer would attend a public meeting. Mrs. Rash announced that the item would next be discussed at the December 10, 2008 meeting. Mr. Harris noted that if the traffic report was complete and had been reviewed, the Traffic Engineer would attend that meeting.

Mr. Andrew Dunn, 4812 Church Road, suggested that the Traffic Engineer monitor the intersection of Durham Road and Church Road.

Robert Tanky, Gale Circle, expressed concern that Toll Brothers was not willing to do more than what was required.

Mr. Michael Hierle commented that there were already unsafe driving conditions resulting in serious accidents and expressed concern that Toll Brothers appeared

Board of Supervisors  
Minutes of Business Meeting – October 22, 2008  
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unwilling to work with the residents. Mr. Hierle asked about environmental concerns and permitting. Mr. Kelso explained that the Department of Environmental Protection (DEP) had the information needed and required at this point. Mr. Hierle asked the Board not to act quickly unless staff and neighbors were comfortable with the plan.

Mr. Zach Homada, Church Road, asked about the status of an October 9, 2008 Geoscience Services letter. Mr. Kelso responded that it was part of the review process. Mr. Homada asked if on-site septic systems were designed to go on in perpetuity to which Mr. Kelso responded they were if properly maintained.

Ms. Lynn Bush requested that trip generation and turning movements be reevaluated with Hampton Drive being closed. She added that getting out of Gale Circle would be more difficult and suggested the option of not lining up and increasing conflict points at the 4-way intersection. Mr. Harris noted that it had been discussed at the PC meeting and the issue came up of headlights in front lawns. Mr. Gray noted that the property had an accessory structure and the PC recommended aiming lights at the accessory structure.

September 16, 2008 Knight Engineering letter

3.2 Mr. Gray explained that the Zoning Ordinance permits Stormwater Management Facilities to occupy (with the Board's specific approval) up to 5% of the "Required" open space if the Stormwater Management Facilities are suitable for recreational use.

Mr. Harris commented that Toll Brothers would consider a wetland type Stormwater Management Facility if the Board would support such a reduction in open space.

Ms. Bush commented that she would need to read through the ordinance and its requirements before making a judgment.

Mr. Joel Nace noted there was a stream that was not shown on the plan and expressed concern that if extra water were dumped off into Watson's Creek it could lead to problems. Mr. Gray noted that he had asked for additional topography and information about where the water goes.

Board consensus was that they would support a reasonable basin in Open Space Lot 93 as part of the whole Stormwater Management plan.

Mr. Joel Nace noted that water was a major concern of neighbors who were just south of Mechanicsville Road. Mrs. Rash responded that she, and she believed the Board, had every intention of taking care of the neighbors.

Mr. Robert Schopf, Watson Drive, commented that they at least did not want it to be worse than it was today. Mr. Harris was in agreement

62.3 & 63.3 Mr. Gray recommended granting waivers if needed to satisfy requests.

September 23, 2008 Knight Engineering Review Letter

3.8 Mr. Harris reported that he would supply revised calculations to incorporate 6500 square feet of impervious surface per lot in addition to the roads and sidewalks. By defining the amount of impervious surface per lot they achieve two goals: the facilities work for that figure and they will provide a figure to analyze each lot as building permits move forward. Mr. Gray commented that they would limit impervious surface and put it in a deed restriction. Solicitor Smith asked who would enforce the deed restriction. Mr. Harris responded that the Township would enforce the deed restriction. Discussion followed about the impervious surface limitation on the entire development versus by lot. Solicitor Smith explained that once the lots were created there was a per lot limitation on impervious surface. Mr. Gray offered to review the plan once submitted under the current zoning and as if it came in as a building permit to see if there are any issues.

Mr. Paul Martissa asked if Toll Brothers had considered larger properties and fewer units to help with impervious surface. The Board agreed that Toll Brothers could have removed 10 lots to create a better plan.

Mr. Andrew Dunn commented that his property would back up to the septic system and requested that Toll Brothers build an elevated berm so that he did not have to look at the septic system. Mr. Harris agreed that the issue would be considered.

Mr. Robert Schopf commented that the entire property was surrounded by United States Federal wetlands and asked whether the wet saturated land was usable. Mr. Gray explained that each soil type is provided a soil classification group. In calculations the engineers assign a value for water run-off that is taken into consideration in the calculations.

Mr. Michael Hierle, Durham Road, asked for consideration of berms across the entire area and a serious conservation plan approached in a comprehensive manner.

Mr. Rob Tanky, Gale Circle, commented that he thought the Township was trying to move away from double loading lots. Ms. Bush commented that everyone objected to the fact that because of the way the lot lines were drawn they circumvented the obvious intent of the Township to have 200' from the back of a house to the road. Mr. Harris replied that the plan complied with the ordinance and Toll had agreed to put in a berm. Discussion followed about whether or not the reverse frontage lots were in violation of the zoning ordinance. Mr. Harris agreed to look into the questions raised about violations of the zoning ordinance.

Mr. Paul Martissa expressed concern that this plan would allow future builders to create a moat around a property and bypass the ordinance.

Ms. Andrea Mehling, PC Chairperson, commented that the plan looked very much like the original plan submitted and noted that there had been no cooperation from the

applicant. She felt the Board had to look at reverse front lots, traffic, open space and the connection of one development to another.

Mrs. Rash implored the applicant to meet with the neighbors and asked the Toll to come closer to the neighbor's requests. Mrs. Rash encouraged the thought of land preservation on this property and offered the Township's support and participation in that effort should the neighbors and Toll decide to go in that direction.

*No action was taken on Revised Preliminary Plan of Major Subdivision (plan last revised 7/1/08), submitted by Gilmore & Associates on behalf of Toll Brothers, Inc., "Feeney Tract", Township File SA 2003-02, T.P. 6-10-66.*

**3. Consideration of accepting the Request to Extend the Agreement expiring October 31, 2008 between Nicholas H. Morgan, Buckingham Township and Fulton Bank, Premier Division, extending the Residential Development Contract to December 31, 2008, from Herbert K. Sudfeld, Jr. for Nicholas Morgan, covering the "Morgan Tract", Major Subdivision, Township File LD 2002-01A.**

*Mrs. Rash made a motion, seconded by Mr. Forest to accept the Request to Extend the Agreement expiring October 31, 2008 between Nicholas H. Morgan, Buckingham Township and Fulton Bank, Premier Division, extending the Residential Development Contract to December 31, 2008, from Herbert K. Sudfeld, Jr. for Nicholas Morgan, covering the "Morgan Tract", Major Subdivision, Township File LD 2002-01A. The motion carried unanimously.*

**4. Consideration of accepting the Agreement to Extend the Residential Development Contract and Water and Sanitary Sewer Development Agreement to November 10, 2009, covering "Buckingham Forest, Phase V", Township File SA 89-17.**

*Mrs. Rash made a motion, seconded by Mr. Forest to accept the Agreement to Extend the Residential Development Contract and Water and Sanitary Sewer Development Agreement to November 10, 2009, covering "Buckingham Forest, Phase V", Township File SA 89-17. The motion carried unanimously.*

**5. Consideration of accepting the Agreement to Extend the Residential Development Contract and Water and Sanitary Sewer Development and Escrow Agreements to November 21, 2009, covering “Devonshire Estates, Phase II”, Township File SA 97-01.**

*Mrs. Rash made a motion, seconded by Mr. Forest to accept the Agreement to Extend the Residential Development Contract and Water and Sanitary Sewer Development and Escrow Agreements to November 21, 2009, covering “Devonshire Estates, Phase II”, Township File SA 97-01. The motion carried unanimously.*

**6. Consideration of accepting the Water Utility Easement Deed of Dedication between Central Bucks School District and Buckingham Township, T. P. 6-6-5-3, “Cold Spring Elementary School”, Township File LD 93-02.**

*Mrs. Rash made a motion, seconded by Mr. Forest to accept the Water Utility Easement Deed of Dedication between Central Bucks School District and Buckingham Township, T. P. 6-6-5-3, “Cold Spring Elementary School”, Township File LD 93-02 pending receipt of the Bill of Sale. The motion carried unanimously.*

**7. Consideration of accepting dedication for improvements made on the “Funk Tract”, Township File SA 2001-13.**

Tabled.

**8. Consideration of accepting the PennDOT Master Agreement for Adjustment of Incorporating Utility Facilities (Master Casting Agreement), for a period of three (3) years (2008-2011).**

AND

**Consideration of approving Resolution No. 2057, Authorizing the Chairman of the Board of Supervisors and the Township Secretary to sign Mastercasting Agreements as needed.**

*Mrs. Rash made a motion, seconded by Mr. Forest to accept the PennDOT Master Agreement for Adjustment of Incorporating Utility Facilities (Master Casting Agreement), for a period of three (3) years (2008-2011) and approve Resolution No. 2057, Authorizing the Chairman of the Board of Supervisors and the Township Secretary to sign Mastercasting Agreements as needed. The motion carried unanimously.*

**9. Consideration of awarding the Church School Road Water Main Extension Bid to Passerini & Sons, Inc. of Pipersville, Pennsylvania, in the amount of \$83,368.50.**

Mr. Kelso recommended authorizing the Township staff to award the bid to the second lowest bidder, Passerini & Sons, Inc. because the lowest bidder withdrew their bid. The low bidder, Accugrade, had made a mistake and withdrew their bid a little after the 72 hour legal deadline to withdraw, but Mr. Kelso recommended that the Township accept

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their withdrawal. He noted that there was a \$4,000 bid bond, but he did not think it was worth pursuing.

*Mrs. Rash made a motion, seconded by Mr. Forest to award the Church School Road Water Main Extension Bid to Passerini & Sons, Inc. of Pipersville, Pennsylvania, in the amount of \$83,368.50. The motion carried unanimously.*

**10. Consideration of Buckingham Township accepting Assignment and Dedication of the Deed of Easement (Easement Agreement) dated June 8, 2007 between Schroeder Limited Partnership 1 and Orleans at Windsor Square, L.P., concerning a potable water and sanitary sewer line easement and a 10 foot wide construction easement through Tax Map Parcel No. 6-18-14.**

*Mrs. Rash made a motion, seconded by Mr. Forest for Buckingham Township to accept Assignment and Dedication of the Deed of Easement (Easement Agreement) dated June 8, 2007 between Schroeder Limited Partnership 1 and Orleans at Windsor Square, L.P., concerning a potable water and sanitary sewer line easement and a 10 foot wide construction easement through Tax Map Parcel No. 6-18-14. The motion carried unanimously.*

**RELEASE OF FUNDS**

**ESCROW RELEASE**

Phillips Tract (Surrey Hill), SA 2002-06A	ER #9, Site	\$111,692.67 recommended for release
Morgan Tract, SA 98-08	ER #8, Site	\$4,230.79 recommended for release

*Mrs. Rash made a motion, seconded by Mr. Forest to release the Phillips Tract (Surrey Hill), SA 2002-06A escrow in the amount of \$111,692.67 pending receipt of outstanding bills. The motion carried unanimously.*

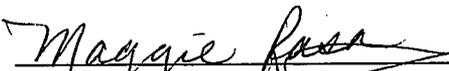
*Mrs. Rash made a motion, seconded by Mr. Rowan to release the escrow on the Morgan Tract, SA 98-08 with the proviso that if the Development Agreement allows they will release escrow to the Township to pay monies owed to the Township by the developer. And if not allowed, will not release escrow pending payment of outstanding bills. The motion carried unanimously.*

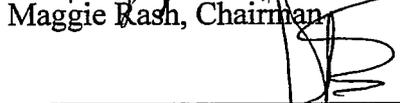
**ADDITIONAL BUSINESS / MANAGER'S ITEMS**

*Mrs. Rash made a motion, seconded by Mr. Forest to adjourn the meeting at 10:45pm.  
The motion carried unanimously.*

**Approved by the Board of Supervisors on the 19th day of November, 2008.**

**Buckingham Township Board of Supervisors**

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

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

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

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

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