

BUCKINGHAM TOWNSHIP

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**BOARD OF SUPERVISORS
 BUSINESS MEETING**

AGENDA

January 14, 2009

Call to Order 7:30 p.m.

Report on 2008 Concours d'Elegance by Jan/Ralph Tompkins

1. Public Comment (Maximum 30 minutes)
2. Board's Announcements
3. Consideration of approving the Payroll for the week ending January 4, 2009 and Bill List for the meeting of January 14, 2009.
4. Consideration of approving Supervisor's Minutes of the November 12, 2008, November 19, 2008, December 10, 2008, December 30, 2008 Regular Business Meetings, and Supervisor's Minutes of the December 17, 2008 Work Session.
5. Consideration of accepting various Departmental Minutes and Advisory Body Minutes.
6. Consideration of Application by Leander and Marilyn Tori for the addition of Tax Parcel 6-14-75, containing 20+ acres to the Agricultural Security Area of Buckingham Township.
7. Consideration of approving Change Order #1 submitted by Castle Valley Consultants, Inc. on behalf of Couzins Inc. for the Buttonwood Sewers Phase 2 project, increasing the contract price by \$3,300.00 to a new contract total of \$109,400.00.
8. Consideration of authorizing the Township Solicitor to prepare and advertise the amendment to the Subdivision and Land Development Ordinance dated December 29, 2003.
9. Consideration of approving the Mutual Release resolving the matter of Stephen M. McCreary v. Keystone Municipal Services, Inc., Township of Buckingham and Dana Cozza.
10. Consideration of approving the Agreement between Buckingham Township and Midway Volunteer Fire Company for the term of January 15, 2009 to January 14, 2010.
11. Consideration of approving the Agreement between Buckingham Township and Lingohocken Volunteer Fire Company for the term of January 15, 2009 to January 14, 2010.

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**BOARD OF SUPERVISORS
REGULAR MEETING
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12. Consideration of approving the Agreement between Buckingham Township and Doylestown Fire Company for the term of January 15, 2009 to January 14, 2010.
13. Consideration of accepting the Agreement to Extend the Residential Development Contract, Sanitary Sewer Development Agreement and Tripartite Escrow Agreements to February 13, 2009, covering "Stoneymead", Township File SA 98-05.
14. Consideration of accepting the dedication of "Landisville Hunt aka Woodfield", Township File SA 98-03.
15. ESCROW RELEASE:
- | | | |
|--|--------------|--|
| "Morgan Tract" Township File
SA 98-08 | ER # 9, Site | \$0.00 (Zero dollars)
Recommended for release |
|--|--------------|--|
16. Additional Business / Manager's Items

Buckingham Township Board of Supervisors
Meeting Minutes

The regular meeting of the Buckingham Township Board of Supervisors was held January 14, 2009 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
Absent:	Lynn Bush	Bucks County Planning Commission

Mrs. Rash called the regular meeting to order at 7:38 pm and led the Pledge of Allegiance.

Report on 2008 Concours d'Elegance

Ms. Jan Thompkins provided a report on the 2008 Coucours d'Elegance. She noted that they were in need of two board members and volunteers to help with the silent and live auction. She reported that they had \$75,000 earmarked to donate to the Township for land preservation when the Township was ready. Mrs. Rash thanked the Concours d'Elegance Board of Directors and faithful volunteers and the sitting Board of Supervisors who supported this project at its inception. Mrs. Rash also thanked Mr. Al Pincus for his service to this committee. Mrs. Rash suggested planning an event in the spring to celebrate Mr. Pincus' service, show off the car and celebrate the 10th anniversary of the show.

PUBLIC COMMENT

Mr. George Michel referenced a Tom Gilbert letter to the editor and suggested that now was a great time for municipalities to be financing debt in the municipal bond market. Mr. Michel commented that local vendors/businesses could use some help with visibility and asked if the Township could play a role (e.g. promotion in the newsletter). Solicitor Smith commented that the Township could discuss "buying locally" in the newsletter. Mrs. Rash announced that the newsletter would be discussed in the work session following the regular business meeting that evening. Mr. Forest suggested acquiring the local farms list from the Penn State Cooperative Extension Service for distribution.

Mr. Paul Martissa asked about the status of televising the public meetings. Ms. Cozza responded that the Internet Technology ("IT") Steering Committee had taken over the project and that it was on their agenda for their meeting the following day. She noted that they looked to have something up and running by the end of February and that it was likely going to be video available on the Internet.

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Ms. Pamela Wasserbly, Buckingham Woods, asked for an update on Verizon Fios becoming available within the Township. Ms. Cozza responded that she and the Solicitor had been going through franchise negotiations with Verizon. Solicitor Smith noted that Verizon had just changed lawyers in the middle of negotiations but they planned to have a phone meeting shortly to work out the last few details.

BOARD'S ANNOUNCEMENTS

No activity.

PAYROLL AND BILL LIST

Consideration of approving Payroll for the week ending January 4, 2009 and the Bill List for the meeting of January 14, 2009.

Mrs. Rash made a motion, seconded by Mr. Forest to approve Payroll for the week ending January 4, 2009 and the Bill List for the meeting of January 14, 2009 in the amount of \$308,139.32.

Mr. Rowan asked if the McCormick Taylor bill was for the roundabout or Wycombe. Ms. Cozza answered Wycombe. Mr. Rowan asked for more information about the HPT bill. Ms. Cozza responded that it was payment for the next service contract. Mr. Rowan asked how much they were being paid in service contracts. Ms. Cozza answered that in 2008 they were paid \$48,125, but noted that last year was unusual because it included installation of new computers, upgrades of software, licensing, etc. (items not routinely done). In 2007 they were paid \$33,030 with no projects. Mr. Rowan said that at \$50,000+ the Township could hire someone full-time. Ms. Cozza commented that as projects were completed it could not be assumed that the increased costs would continue or that an employee would cost less.

Mr. Paul Martissa asked if other vendors or options were considered. Ms. Cozza responded that the IT Steering Committee had considered various alternatives and came up with a 3 year plan that had enough flexibility so that other options could be considered in the future.

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

MINUTES

Consideration of approving Supervisor's Minutes of the November 12, 2008, November 19, 2008, December 10, 2008, December 30, 2008 Regular Business Meetings, and Supervisor's Minutes of the December 17, 2008 Work Session.

Mrs. Rash made a motion, seconded by Mr. Forest to approve the Supervisor's Minutes of the November 12, 2008, November 19, 2008, December 10, 2008, December 30, 2008 Regular Business Meetings, and Supervisor's Minutes of the December 17, 2008 Work Session. 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. Consideration of Application by Leander and Marilyn Tori for the addition of Tax Parcel 6-14-75, containing 20+ acres to the Agricultural Security Area of Buckingham Township.

Mrs. Rash made a motion, seconded by Mr. Forest to approve the Application by Leander and Marilyn Tori for the addition of Tax Parcel 6-14-75, containing 20+ acres to the Agricultural Security Area of Buckingham Township.

Mr. George Michel asked for the location of the parcel. Mr. Forest responded that it was on Ash Mill Road.

The motion carried unanimously.

2. Consideration of approving Change Order #1 submitted by Castle Valley Consultants, Inc. on behalf of Couzins Inc. for the Buttonwood Sewer System Phase 2 project, increasing the contract price by \$3,300.00 to a new contract total of \$109,400.00.

Mr. Tom Kelso reported that the expenditure was for the addition of one more homeowner connection at the end of the line. Mr. Kelso recommended approval of the expenditure. Mr. Forest asked if the homeowner would pay for hook-up. Mr. Kelso responded that they would.

Mrs. Rash made a motion, seconded by Mr. Forest to approve Change Order #1 submitted by Castle Valley Consultants, Inc. on behalf of Couzins Inc. for the Buttonwood Sewers Phase 2 project, increasing the contract price by \$3,300.00 to a new contract total of \$109,400.00. The motion carried with Mr. Rowan abstaining from both the discussion and the vote because of the proximity to his home.

Mr. Paul Martissa asked the distance of the lateral hook-up. Mr. Kelso responded that it was around 30 feet.

3. Consideration of authorizing the Township Solicitor to prepare and advertise the amendment to the Subdivision and Land Development Ordinance dated December 29, 2003.

Mrs. Rash made a motion, seconded by Mr. Forest to authorize the Township Solicitor to prepare, advertise and submit to the Planning Commission the amendment to the

Subdivision and Land Development Ordinance dated December 29, 2003 as last revised and approved by the Board of Supervisors. The motion carried unanimously.

Mr. George Michel asked where residents could see the changes. Solicitor Smith responded that once advertised copies of the ordinance would be available in the Township office, in the law library and in the Patriot. Solicitor Smith offered to e-mail the changes to Mr. Michel when they are ready.

4. Consideration of approving the Mutual Release resolving the matter of Stephen M. McCreary v. Keystone Municipal Services, Inc., Township of Buckingham and Dana Cozza.

Solicitor Smith summarized that Mr. McCreary was a Keystone employee who, pursuant to a contract between the Township and Keystone for Keystone to provide certain municipal services, had provided inspection services to the Township Code Department. The Township was apprised of some allegations about the conduct of Mr. McCreary while making inspections within the Township and the Township took the position with Keystone that Mr. McCreary could not visit any more job sites until the allegations were investigated and resolved. Keystone Municipal Services determined to dismiss Mr. McCreary. Mr. McCreary then filed suit against Keystone Municipal Services, the Township of Buckingham and Ms. Cozza alleging that they had violated the Whistleblower law and also alleging certain common law causes of action. During the course of litigation witnesses provided statements supporting the allegations against Mr. McCreary and Mr. McCreary decided to drop the lawsuit. Solicitor Smith explained that the Mutual Release specified that Mr. McCreary had agreed to release his claims against the Township and Ms. Cozza in return for the Township's agreement to release its claims against Mr. McCreary, including the Township's claim against Mr. McCreary for filing a lawsuit against the Township and Ms. Cozza without probable cause. Solicitor Smith noted that Ms. Cozza would also be receiving a letter of apology.

Mrs. Rash made a motion, seconded by Mr. Forest to approve the Mutual Release resolving the matter of Stephen M. McCreary v. Keystone Municipal Services, Inc., Township of Buckingham and Dana Cozza.

Mr. Sam Brangan asked what the litigation cost was from the Township side. Ms. Cozza responded that it was about \$5,000 and that there was insurance defense counsel on the Township's behalf.

The motion carried unanimously.

5. Consideration of approving the Agreement between Buckingham Township and Midway Volunteer Fire Company for the term of January 15, 2009 to January 14, 2010.

Mrs. Rash made a motion, seconded by Mr. Forest to approve the Agreement between Buckingham Township and Midway Volunteer Fire Company for the term of January 15, 2009 to January 14, 2010.

Mr. Sam Brangan asked if the taxation for the ambulance squad was relevant here. Mrs. Rash responded it was not.

The motion carried unanimously.

6. Consideration of approving the Agreement between Buckingham Township and Lingohocken Volunteer Fire Company for the term of January 15, 2009 to January 14, 2010.

Mrs. Rash made a motion, seconded by Mr. Forest to approve the Agreement between Buckingham Township and Lingohocken Volunteer Fire Company for the term of January 15, 2009 to January 14, 2010. The motion carried unanimously.

7. Consideration of approving the Agreement between Buckingham Township and Doylestown Fire Company for the term of January 15, 2009 to January 14, 2010.

Mrs. Rash made a motion, seconded by Mr. Forest to approve the Agreement between Buckingham Township and Doylestown Fire Company for the term of January 15, 2009 to January 14, 2010. The motion carried unanimously.

8. Consideration of accepting the Agreement to Extend the Residential Development Contract, Sanitary Sewer Development Agreement and Tripartite Escrow Agreements to February 13, 2010, covering "Stonemead", Township File SA 98-05.

Mrs. Rash made a motion, seconded by Mr. Forest to accept the Agreement to Extend the Residential Development Contract, Sanitary Sewer Development Agreement and Tripartite Escrow Agreements to February 13, 2010, covering "Stonemead", Township File SA 98-05.

Mr. Paul Martissa asked for an explanation. Solicitor Smith explained the purpose of the Residential Development Contract. Mr. Martissa asked if this was the first time it had come up for renewal. Mr. Rowan responded that it had come up 10 times

The motion carried unanimously.

9. Consideration of accepting the dedication of "Landisville Hunt aka Woodfield", Township File SA 98-03.

Solicitor Smith noted there was an issue with the wrong dates on the maintenance bond.

Mr. Andrew Semon, Toll Brothers, noted that there was a typo with the wrong dates and a PDF of the new bond was sent to the Township and a hard copy would be hand delivered and executed the following day. Solicitor Smith noted that it was a condition of the resolution that they needed to post security satisfactory to the Township.

Mrs. Rash made a motion, seconded by Mr. Forest to approve Resolution No. ___ accepting the dedication of "Landisville Hunt aka Woodfield", Township File SA 98-03, pursuant to the conditions set forth in the Resolution.

Mr. Rowan asked how the drainage system was working. Mr. Gray reported that Toll Brothers had made some corrections and the property owners were happy with the revisions. He noted that there had been no complaints on stormwater.

The motion carried unanimously.

RELEASE OF FUNDS

ESCROW RELEASES:

"Morgan Tract" Township File SA 98-08	ER # 9, Site	\$0 Recommended for release
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Mrs. Rash made a motion, seconded by Mr. Forest to accept the engineer's recommendation that no monies be released from escrow. The motion carried unanimously.

ADDITIONAL BUSINESS / MANAGER'S ITEMS

1. Pineville Bridge Update

Ms. Cozza reported that the District Program Manager team met today and had approved the Pineville Bridge project for funding of the design phase.

Ms. Arlene Soffian asked if the Township would have design input. Ms. Cozza responded that they would. Ms. Cozza explained that it was a 20' bridge design that was approved. Ms. Soffian asked if a one lane bridge could still be considered. Ms. Cozza explained that a 20' bridge would accommodate two way traffic.

2. Discussion of Possible Projects for Federal Funds

After discussion it was determined that the Pineville Road Bridge, Cold Spring Creamery Road improvements, Holicong Park improvements and Poole's Corner were possible projects for which to seek Federal funds when they become available through the new Federal economic stimulus package. Mr. Rowan agreed that the Township would look at other potential projects and put itself in a position to be ready when funds become available.

Ms. Pamela Kouh, 3174 Brookside Drive, asked about the proposed development on York Road. Mr. George Michel explained that the project was in Doylestown and was on their agenda.

Mrs. Rash made a motion, seconded by Mr. Forest to adjourn the meeting at 9:05pm. The motion carried unanimously.

Approved by the Board of Supervisors on the 25th day of February, 2009.

Buckingham Township Board of Supervisors

Maggie Rash
Maggie Rash, Chairman

Jon Forest
Jon Forest, Vice-Chairman

Henry Rowan
Henry Rowan, Member

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

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