

BUCKINGHAM TOWNSHIP

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BOARD OF SUPERVISORS BUSINESS MEETING

AGENDA

January 28, 2009

Call to Order 7:30 p.m.

1. Public Comment (Maximum 30 minutes)
2. Board's Announcements
3. Consideration of approving the Payroll for the week ending January 18, 2009 and Bill List for the meeting of January 28, 2009.
4. Consideration of approving Supervisor's Minutes of the January 5, 2009 Reorganization Meeting.
5. Consideration of re-confirming the appointment of John P. Reinhardt, Captain / William F. Miller, Lieutenant / David Sheehan, Sergeant / Lewis A. Wilson / Frank W. Lee and Denver Cook, as Special Fire Police Officers for the Midway Volunteer Fire Company for the year 2009.
6. Consideration of approving Revised Preliminary/Final Lot Line Change Plan (plan dated Rev. 12/22/08) of the "**Trayer Tract**", submitted by Horizon Engineering on behalf of Jill Trayer, Township File SA 2006-08, T.P. 6-10-109, 4820 Anderson Road, 2 Lots, in the AG-2 Zoning District, with an extended Review Period expiration date of February 28, 2009.
7. Consideration of approving the Wastewater Grinder Pump Maintenance Agreement between Buckingham Township and Jeffrey L. Wilson of 3868 N. Forest Drive, Doylestown, PA, TMP 6-27-1-3, and the Wastewater Grinder Pump Maintenance Agreement between Buckingham Township and Frank H. Richardson of 3832 N. Forest Drive, Doylestown, PA, TMP 6-27-1.
8. Additional Business / Manager's Items:
 - Consideration of authorizing township staff to advertise the bid for the Street Sweeping Contract for the year 2009.

Buckingham Township Board of Supervisors
Meeting Minutes

The regular meeting of the Buckingham Township Board of Supervisors was held January 28, 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
	Lynn Bush	Bucks County Planning Commission

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Mrs. Rash called the regular meeting to order at 7:35 pm and led the Pledge of Allegiance.

PUBLIC COMMENT

Mr. George Michel, Pineville, thanked the Board for supporting the work on the Wycombe Train Station and noted that the roof ridge looked incredible.

Mr. Christopher Klinges, owner of Brandon Oriental Rugs, requested that the Township consider adopting licensing and security requirements pursuant to state statute to govern going-out-of-business, store closing or fire sales. He explained that the laws limit the length of the sale, etc. in order to protect citizens. Mr. Klinges provided a copy of the statute that he had previously given the staff. Mr. Forest acknowledged that he had received an e-mail with the information. Mr. Klinges noted that there was presently a business closing, but that he did not suggest there was a violation.

BOARD'S ANNOUNCEMENTS

Mrs. Rash sent out condolences from the Board to Arline Soffian whose husband had passed away the previous week.

Mrs. Rash announced that Mr. Jeff Haberkern had passed away the previous week and also sent condolences to his family. Mrs. Rash noted that one of the things Mr. Haberkern had wanted to do for the Township was enact an ordinance establishing sexual offender residency restrictions, penalties for violations and registration for sexual offenders. She noted that surrounding Townships had given attention to this and that the Township had received calls inquiring about the issue.

Mrs. Rash asked Solicitor Smith to craft the necessary ordinance. Mr. Forest expressed agreement. Solicitor Smith noted that these ordinances were in place in many municipalities throughout the County and offered to get a copy from surrounding

municipalities. Mr. Rowan commented that there were many issues that went along with such an ordinance and felt that it required some thought and consideration. Mrs. Rash agreed there should be discussion but wanted to move the process forward. Mr. Rowan expressed concern about residents who fall outside the boundary for protection and noted that there were civil rights issues.

Mr. Rowan announced that he and Mrs. Cozza had met with PennDOT, Doylestown Township and Doylestown Borough regarding Poole's Corner improvements. He reported that it was scheduled for completion by 2011 prior to the last section of parkway and that PennDOT had indicated that there was construction money available.

PAYROLL AND BILL LIST

Consideration of approving Payroll for the week ending January 18, 2009 and the Bill List for the meeting of January 28, 2009.

Mrs. Rash made a motion, seconded by Mr. Forest to approve Payroll for the week ending January 18, 2009 and the Bill List for the meeting of January 28, 2009 in the amount of \$699,120.73.

Mr. Rowan asked who Brown & Brown was. Ms. Cozza explained that it was the Township's insurance broker. Mr. Rowan asked who Water Consultant Services were. Mr. Kelso responded that it was a company in Doylestown helping with wells F8 and F9 and the cost should be reimbursed by developers.

The motion carried unanimously.

MINUTES

Consideration of approving Supervisor's Minutes of the January 5, 2009 Reorganization Meeting.

Mrs. Rash made a motion, seconded by Mr. Forest to approve the Supervisor's Minutes of the January 5, 2009 Reorganization Meeting. The motion carried unanimously.

BUSINESS

1. Consideration of reappointing John P. Reinhardt, Captain / William F. Miller, Lieutenant / David Sheehan, Sergeant / Lewis A. Wilson / Frank W. Lee and Denver Cook, as Special Fire Police Officers for the Midway Volunteer Fire Company for the year 2009.

Mrs. Rash made a motion, seconded by Mr. Forest to reappoint John P. Reinhardt, Captain / William F. Miller, Lieutenant / David Sheehan, Sergeant / Lewis A. Wilson / Frank W. Lee and Denver Cook, as Special Fire Police Officers for the Midway Volunteer Fire Company for the year 2009. The motion carried unanimously.

2. Consideration of approving Revised Preliminary/Final Lot Line Change Plan (plan dated Rev. 12/22/08) of the “Trayer Tract”, submitted by Horizon Engineering on behalf of Jill Trayer, Township File SA 2006-08, T.P. 6-10-109, 4820 Anderson Road, 2 Lots, in the AG-2 Zoning District, with an extended Review Period expiration date of February 28, 2009.

Representing Ms. Trayer was Mr. Rick Kempes, Attorney and Mr. Mark Smith, Project Engineer.

Mr. Kempes reported that he had worked out language with Solicitor Smith to be put into the deed and on the Plan so that Ms. Trayer could record the deeds after the plan was signed but not have to proceed with development, which is not her plan at this time. Mr. Kempes added that no unsuspecting buyer would be able to buy the lot thinking that they have a lot ready to go. He said the deed will make reference to the development agreement and the plan and they will both be recorded.

Mr. Kempes reported that the outstanding stormwater issue was being resolved amongst himself, Solicitor Smith and Knight Engineering. He summarized that the suggested solution was an overlay along Anderson Road for about 200' to keep water from coming off the hill and ponding on the highway. Mr. Rowan questioned whether the entire 200' was necessary to solve the problem. Mr. Gray explained that the two driveways take the water from the Trayer tract and so the entire 200' was needed to get water past the second driveway and down to the culvert. Mr. Kempes noted that the Township Roadmaster indicated that Anderson Road would be repaved in 5-7 years and it was his (Mr. Kempes's) recommendation that the overlay be included with the Township work and that Ms. Trayer could make a contribution for her portion of the work. Mrs. Rash responded that she felt a note on the plan would be sufficient for now and that payment could be made at the time of roadwork.

The board adjourned to executive session at 8:00pm to secure legal advice. The Board reconvened at 8:10pm.

Solicitor Smith explained that the Board had discussed the Municipalities Planning Code (MPC) requirement that allowed the applicant five years before any changes to Township ordinances could affect the approval. The Board discussed extending the time frame to eight years. Ms. Trayer responded that she would appreciate the extension.

Discussion followed about the cost of the roadwork and the appropriate contribution from Ms. Trayer (3/7 or 4/7 of total cost). Ms. Trayer expressed concern that the neighboring properties were part of the stormwater problem and that she was being asked to pay the full cost of mitigation. Mr. Gray explained that there were several waivers of requirements that would have required her to reduce the flow further from the site. He explained that in considering the waiver requests he had to make sure that what was currently coming off the site would be able to be conveyed and that the study for the 50 year storm showed that it was not able to be conveyed. He explained that the solution

proposed was a way to give Ms. Trayer the waiver request she wanted and address the flow.

After discussion it was decided that Ms. Trayer would pay \$3,000 as increased by any increase in the consumer price index (“CPI”) from the date of approval to be paid at the time the building permit is pulled or when the Township paves the road, whichever comes earlier.

Solicitor Smith noted that the only issue was that there could be an interim period with uncorrected stormwater. Mr. Kempes noted that the plan does not increase water coming off the site.

Mrs. Rash made a motion, seconded by Mr. Forest to approve the Revised Preliminary/Final Lot Line Change Plan (plan dated Rev. 12/22/08) of the “Trayer Tract”, submitted by Horizon Engineering on behalf of Jill Trayer, Township File SA 2006-08, T.P. 6-10-109, 4820 Anderson Road, 2 Lots, in the AG-2 Zoning District with the following contingencies:

- *As agreed between counsel, a note would be included on the plan and language in the deed*
- *the Board has granted the applicant eight years before any changes to Township ordinances would affect the approval*
- *the applicant agrees to pay \$3,000 plus CPI at the time the building permit is pulled or when the Township paves Anderson Road, whichever comes earlier.*

Solicitor Smith noted that official approval would be a written approval and would be issued within 15 days as required by the MPC.

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.

The motion carried unanimously.

3. Consideration of approving the Wastewater Grinder Pump Maintenance Agreement between Buckingham Township and Jeffrey L. Wilson of 3868 N. Forest Drive, Doylestown, PA, TMP 6-27-1-3, and the Wastewater Grinder Pump Maintenance Agreement between Buckingham Township and Frank H. Richardson of 3832 N. Forest Drive, Doylestown, PA, TMP 6-27-1.

Mrs. Rash made a motion, seconded by Mr. Forest to approve the Wastewater Grinder Pump Maintenance Agreement between Buckingham Township and Jeffrey L. Wilson of 3868 N. Forest Drive, Doylestown, PA, TMP 6-27-1-3, and the Wastewater Grinder Pump Maintenance Agreement between Buckingham Township and Frank H. Richardson of 3832 N. Forest Drive, Doylestown, PA, TMP 6-27-1.

Mr. Kelso explained that these agreements were devised to help understand that maintenance was their responsibility.

The motion carried unanimously.

ADDITIONAL BUSINESS / MANAGER'S ITEMS

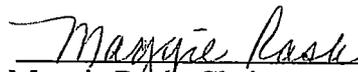
1. Consideration of authorizing township staff to advertise the bid for the Street Sweeping Contract for the year 2009.

Mrs. Rash made a motion, seconded by Mr. Rowan to authorize Township staff to advertise the bid for the Street Sweeping Contract for the year 2009. The motion carried unanimously.

Mrs. Rash made a motion, seconded by Mr. Forest to adjourn the meeting at 8:40pm. The motion carried unanimously.

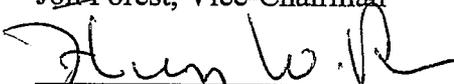
Approved by the Board of Supervisors on the 25th day of February, 2009.

Buckingham Township Board of Supervisors



 Maggie Rash, Chairman

~~Jon Forest, Vice-Chairman~~



 Henry Rowan, Member

Attest:



 Dana S. Cozza, Secretary

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