

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

February 11, 2009

Call to Order 7:30 p.m.

1. Public Comment (Maximum 30 minutes)
2. Board's Announcements:
 - Township Sponsored Family Fun Event, March 13th from 7-8 p.m., Irish Music Night with Fred Miller at the Buckingham Springs Club House
3. Consideration of approving the Payroll for the week ending February 1, 2009 and Bill List for the meeting of February 11, 2009.
4. Consideration of approving Supervisor's Minutes of the January 14, 2009 and January 28, 2009 Regular Business Meetings.
5. Consideration of accepting various Departmental Minutes and Advisory Body Minutes.
6. Consideration of approving Preliminary Plan of Land Development (plan dated 10/11/08) of "**None Such Farm Market**", submitted by Boucher & James, Inc. on behalf of Jon Yerkes, Township File LD 2008-02, T.P. 6-10-218, 1.90 acres, Old York Road, in the R-1 Zoning District, with a 90-day Review Period Expiration Date of March 3, 2009.
7. Consideration of approving the Operation and Maintenance Agreement for Residential Wastewater System for the "**Lindenmeyr Tract**", Township File SA 2006-05, TMP 6-14-63.
8. Consideration of approving **Resolution 2079**, A Resolution of the Board of Supervisors of Buckingham Township, County of Bucks, Commonwealth of Pennsylvania, Establishing the Tax Collector's Salary for Election Term 2010 to 2013.
9. Consideration of accepting dedication of the "**Funk Tract**", Township File SA 2001-13, including acceptance of Maintenance Bond #587763S with an expiration date of April 22, 2010.
10. ESCROW RELEASE:

"Funk Tract" Township File SA 2001-13	Final Escrow Release	\$90,348.23 to be released
--	----------------------	----------------------------
11. Additional Business / Manager's Items:
 - Consideration of approving the Temporary Sign Permit Fee waiver request submitted by the Village Improvement Association for the Bucks County Designer House.

Buckingham Township Board of Supervisors
Meeting Minutes

The regular meeting of the Buckingham Township Board of Supervisors was held February 11, 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 S. Cozza	Township Manager
	Daniel Gray	Township Engineer
	Thomas Kelso	Township Water/Wastewater Consultant

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

PUBLIC COMMENT

Ms. Carol Manicone presented the Board with the book *The Vanishing (train) Depot* that she was donating to the Township. The Board thanked Ms. Manicone.

Mr. Leonard Crooke requested that the Board pass a resolution negating the Takeback Agreement and move forward with a 24' foot wide replacement bridge for the Pineville Road Bridge. Mr. Crooke noted that he had spoken with Mr. Steve Fellin, PennDOT, who had assured him there would be no additional delay if the Township chose to take Mr. Crooke's recommended action. Mr. Crooke argued that putting in the 24' bridge would be a benefit to Township taxpayers because the Township would not assume liability and maintenance costs. The Board members and Solicitor Smith explained that there were neighbors opposed to the larger bridge who could cause significant delays by pushing the project into the Court system. Solicitor Smith summarized that at issue was whether it was more important to the Township to have a 20' wide bridge built near term (that was not likely to be held up in the courts) or whether the Township was willing to wait, without a bridge on Pineville Road, as long as it would take to get a 24' wide bridge. Discussion followed whether the Board should pass a resolution regarding a 20' or 24' foot bridge or whichever width bridge would not delay the project. Mrs. Rash explained that she had voted for the 20' bridge because she did not want delays in getting a new bridge across Pineville Road as has happened with the delay associated with Central Bucks Stadium because of lawsuits and that she believed time was the priority. When asked about priorities Mr. Crooke responded that if it were to take six additional years to get the 24' wide bridge (as was the number suggested during discussion), then he would agree to the 20' wide bridge, however he did not believe it would take six years and so he still supported the 24' wide bridge. Solicitor Smith advised that the responsible thing to do was to pick out the priority (time or size) and then understand the role of litigation in the process. Mrs. Rash noted that she would want assurances from Penndot that a change would not delay the timing of the project. Ms. Cozza agreed to contact Penndot. Mr. Crooke asked for a list of the residents who would likely object to the larger bridge and perhaps start a lawsuit. Ms. Cozza agreed to help Mr. Crooke compile the list of neighboring property owners and Mr. Crooke agreed to go speak with them to solicit their assurance that they would support, or at least not oppose, a 24' wide bridge. Mr. Forest suggested talking to adjacent landowners first. Mr. Crooke provided the Board with a copy of his letter.

609198

Discussion continued about PennDOT plans for “rightsizing” bridges and liability and safety of bridges.

BOARD’S ANNOUNCEMENTS

Mrs. Rash made the following announcements:

- Township Sponsored Family Fun Event, March 13th from 7-8 p.m., Irish Music Night with Fred Miller at the Buckingham Springs Club House
- The meeting was being video recorded and this was a test run. Future meetings will be placed on the website for downloading. Mr. Rowan asked if the meetings would ever be live-streaming. Ms. Cozza responded that it was not the plan to do that. Mr. Rowan asked if other municipalities were doing live-streaming. Ms. Cozza responded that most municipalities who recorded their meetings were doing so through cable television.

Mrs. Rash asked Mr. Forest to run the meeting as she was losing her voice.

PAYROLL AND BILL LIST

Consideration of approving Payroll for the week ending February 1, 2009 and the Bill List for the meeting of February 11, 2009.

Mr. Forest made a motion, seconded by Mr. Rowan to approve Payroll for the week ending February 1, 2009 and the Bill List for the meeting of February 11, 2009 in the amount of \$339,236.92. The motion carried unanimously.

Mr. Rowan asked Mr. Gray if the bills submitted for Cold Spring Creamery Road over the past six months or so were for the trails. Mr. Gray responded that they were. Mr. Rowan asked Mr. Gray to label the bill to indicate bike path.

MINUTES

Consideration of approving Supervisor's Minutes of the January 14, 2009 and January 28, 2009 Regular Business Meetings.

Mr. Forest made a motion, seconded by Mr. Rowan to table the Supervisor’s Minutes of the January 14, 2009 and January 28, 2009 Regular Business Meetings. The motion carried unanimously.

Mrs. Rash asked that the following wording be used in the January 14, 2009 minutes regarding Concours d’ Elegance: “thanked the Concours d’ Elegance Board of Directors and faithful volunteers and the sitting Board of Supervisors who supported this project at its inception.”

Consideration of accepting various Departmental Minutes and Advisory Body Minutes.

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

BUSINESS

1. Consideration of approving Preliminary Plan of Land Development (plan dated 10/11/08) of “None Such Farm Market”, submitted by Boucher & James, Inc. on behalf of Jon Yerkes, Township File LD 2008-02, T.P. 6-10-218, 1.90 acres, Old York Road, in the R-1 Zoning District, with a 90-day Review Period Expiration Date of March 3, 2009.

Mr. Forest made a motion, seconded by Mr. Rowan to grant a six month extension to September 30, 2009 as offered by the applicant and attorney for the Preliminary Plan of Land Development (plan dated 10/11/08) of “None Such Farm Market”, submitted by Boucher & James, Inc. on behalf of Jon Yerkes, Township File LD 2008-02, T.P. 6-10-218, 1.90 acres, Old York Road, in the R-1 Zoning District contingent upon receipt of the written extension request. The motion carried unanimously.

2. Consideration of approving the Operation and Maintenance Agreement for Residential Wastewater System for the “Lindenmeyr Tract”, Township File SA 2006-05, TMP 6-14-63.

Mr. Forest made a motion, seconded by Mr. Rowan to approve the Operation and Maintenance Agreement for Residential Wastewater System for the “Lindenmeyr Tract”, Township File SA 2006-05, TMP 6-14-63. The motion carried unanimously.

3. Consideration of approving Resolution 2079, A Resolution of the Board of Supervisors of Buckingham Township, County of Bucks, Commonwealth of Pennsylvania, Establishing the Tax Collector’s Salary for Election Term 2010 to 2013.

Mr. Forest made a motion, seconded by Mr. Rowan to approve Resolution 2079, A Resolution of the Board of Supervisors of Buckingham Township, County of Bucks, Commonwealth of Pennsylvania, Establishing the Tax Collector’s Salary for Election Term 2010 to 2013.

Ms. Cozza provided a summary of the resolution.

The motion carried unanimously.

4. Consideration of accepting dedication of the “Funk Tract”, Township File SA 2001-13, including acceptance of Maintenance Bond #587763S with an expiration date of April 22, 2010.

Mr. Forest made a motion to accept dedication of the “Funk Tract”, Township File SA 2001-13, including acceptance of Maintenance Bond #587763S with an expiration date of April 22, 2010.

Solicitor Smith prepared a resolution for the Board's consideration accepting the dedication of the property. He noted that the Finance Director indicated that it should be approved pending receipt of payment of all outstanding legal and engineering bills.

Mr. Rowan questioned why the Township was accepting easements on the bioretention, fill areas and sanitary sewer on a private property. Solicitor Smith explained it was part of the approved plan and the idea was that this area would not be disturbed so that if the primary system failed, then the secondary area would be protected from disturbance. Mr. Rowan expressed concern that by this logic the Township should have an easement on everyone's property with private septic. Solicitor Smith noted that the Township has consistently done easements on bioretention and other stormwater facilities. Mr. Rowan asked if the Township had ever taken an easement on a private sewer system. Mr. Kelso responded they had not but noted that there is often protection through a maintenance agreement and there was not one on this property. Mr. Kelso noted that the problem was with actions taken by the homeowner whether there was an easement or not and the thought was to put property owners on notice that the secondary area should be protected. Mr. Gray offered to go through the files to determine if there was a specific reason why the easement was requested. Solicitor Smith explained that the easement gave the Township the right to protect the reserve area that they would not otherwise have. Solicitor Smith noted that sewage maintenance agreement that is typically required is also recorded of record and so would give the same protection as an easement. Discussion followed about an inspection program and protection via a maintenance agreement or easement. Mr. Kelso felt maintenance agreements would be more effective.

Mr. Rowan seconded the motion and asked the Township to come up with standard procedure for sanitary sewer and bioretention easements. The motion carried unanimously.

RELEASE OF FUNDS

"Funk Tract" Township File SA 2001-13	Final Escrow Release	\$90,348.23 to be released
--	----------------------	----------------------------

Mr. Forest made a motion, seconded by Mr. Rowan to approve the final escrow release for the Funk Tract Township File SA 2001-13 pending receipt of payment for outstanding legal and engineering bills pursuant to the approval less any bills received by March 2009 and no release will be made until March 2009.

Mr. Joel Nace asked why the Board could not wait until March to do the escrow release. Solicitor Smith explained that it was because of the timing requirements within the Municipalities Planning Code (MPC).

The motion carried unanimously.

ADDITIONAL BUSINESS / MANAGER'S ITEMS

1. Consideration of approving the Temporary Sign Permit Fee waiver request submitted by the Village Improvement Association for the Bucks County Designer House.

Mr. Forest made a motion, seconded by Mr. Rowan to approve the Temporary Sign Permit Fee waiver request submitted by the Village Improvement Association for the Bucks County Designer House. The motion carried unanimously.

Mr. Forest made a motion, seconded by Mr. Rowan to adjourn the meeting at 9:12pm. The motion carried unanimously.

Approved by the Board of Supervisors on the 11th day of March, 2009.

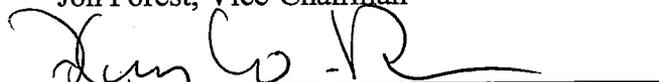
Buckingham Township Board of Supervisors



Maggie Rash, Chairman

absent

Jon Forest, Vice-Chairman



Henry Rowan, Member

Attest:



Dana S. Cozza, Secretary

609198