

BUCKINGHAM TOWNSHIP

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BOARD OF SUPERVISORS BUSINESS MEETING

AGENDA

March 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
 - **Buckingham Township Civic Association Easter Egg Hunt**, Holicong Park, April 4, 2009 (rain date April 5) at 10am. All ages welcome.
 - **Family Fun Night** with John Hadfield doing *Monkeys in the House* at Buckingham Friends School on April 17, 2009 at 7:00 p.m. Free tickets will be available at the township building starting March 23rd.
 - **Township Yard Waste Collection Program**. Free bags will be available at the township building from March 23-April 9 for pick up to begin on April 13th.
 - **Keep Buckingham Beautiful** – April 25 & 26, from 8 a.m. to 4 p.m. Bring your household trash to the Township Maintenance building located at 4991 Upper Mountain Road.
3. Consideration of approving Payroll for the week ending March 1, 2009 and the Bill List for the meeting of March 11, 2009.
4. Consideration of approving Supervisor's Minutes of the February 11, 2009 and February 25, 2009 Regular Business Meetings.
5. Consideration of accepting various Departmental Minutes and Advisory Body Minutes.
6. Consideration of accepting the **Request for Extension** to the allowable review time under the provisions of the PA Municipalities Planning Code to June 12, 2009, submitted by Jeffrey P. Garton on behalf of the Central Bucks School District, for the Remanded Preliminary Plan of Land Development "**C.B. East High School Stadium, LD 2000-08A and C.B. East High School Athletic Fields**", LD 2000-06.
OR
Review of Remanded Preliminary Plan of Land Development submitted by Gilmore & Associates on behalf of Central Bucks School District, **C.B. East High School Stadium, LD 2000-08A**, T.P. 6-14-12, Anderson Road, 11.5 acres, in the "T" Zoning District *and* **C.B. East High School Athletic Fields, LD 2000-06**, T.P. 6-14-100-1, Anderson and Holicong Roads, 14.17 acres, in the AG-2 Zoning District. Extended review period expires March 14, 2009.

**BOARD OF SUPERVISORS
REGULAR MEETING
MARCH 11, 2009
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7. Consideration of accepting dedication of "**Buckingham Friends School**", Township File LD 2000-07.

8. Escrow Release:

"Landisville Hunt (Woodfield), Township File SA 98-03	Final Escrow Release, Site, ER#7	\$121,363.25
"Landisville Hunt (Woodfield), Township File SA 98-03	Final Escrow Release, Water, ER#3	\$ 14,829.75

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9. Consideration of authorizing the township engineer to process the final escrow release(s), subject to receipt of adequate maintenance bond(s), for "**Stoneridge aka Foxbriar**", Township File SA 91-09.

10. Additional Business / Manager's Items:

- Consideration of authorizing township solicitor to advertise a sexual predator ordinance.
- Consideration of request submitted by Loretta Jenkins, on behalf of Doylestown Athletic Association, to waive the George M. Bush Park usage fee set forth in Resolution 2074 for the second "season" of field usage.

Buckingham Township Board of Supervisors
Meeting Minutes

The regular meeting of the Buckingham Township Board of Supervisors was held March 11, 2009 in the Township Building, 4613 Hughesian Drive, Buckingham, Pennsylvania.

Present:	Maggie Rash	Chairperson
	Henry Rowan	Member
	Craig A. Smith, Esquire	Township Solicitor
	Dana S. Cozza	Township Manager
	Daniel Gray	Township Engineer
	Thomas Kelso	Township Water/Wastewater Consultant

Absent:	Jon Forest	Vice-Chairman
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Mrs. Rash called the regular meeting to order at 7:30 pm and led The Pledge of Allegiance.

PUBLIC COMMENT

Ms. Susan Sciacca, representing the Hunter's Run neighbors spoke alerting the Board of the poor conditions of the roads in her development as a result of a chip and oil treatment done in September 2008. She explained that the problem was an excessive amount of chip material that was spreading into yards and homes creating damage to cars, flooring, etc. and creating unsafe conditions for children who skateboard, ride bikes, and play in the streets. Ms. Sciacca provided the Board with a baggie containing excess chip material. Ms. Sciacca thanked Mrs. Rash for coming to the neighborhood to inspect the roadway. Ms. Sciacca requested that her roads be repaired and wanted the problem solved so that other neighborhoods did not encounter this problem. Mrs. Rash reported that the streetsweeper would be in Hunter's Run the next two days and the road condition would be monitored thereafter to determine whether further action was required.

Ms. Ann Woods Kettelberger, 5648 Quail Drive, noted that the road condition was not from plowing and asked whether the streetsweeper would pick up the gravel. Ms. Cozza responded that the gravel should be picked up by the streetsweeper, but that it may take more than one sweep of the neighborhood. Ms. Kettelberger asked if there was supposed to be a top coat over the chips. Mrs. Rash responded that there was not, but noted that the road should have been swept. Ms. Kettelberger said it was swept.

Mr. Al Becker, 2975 Antler Drive, provided the Board with photographs of the road conditions. Mr. Rowan asked if this was a contracted job. Ms. Cozza responded that it was a contractor and not the Township road crew. Mr. Rowan asked if the contractor was contacted. Ms. Cozza agreed to look into the issue.

Mr. Ken McGeisick, 3118 Antler Drive, noted that he was working at home during the resurfacing and was immediately dissatisfied with the job and contacted Mike Taylor. He noted that he could no longer push his daughter in a stroller in the road because of the resulting rough surface. Mr. McGeisick did not think the streetsweeper would solve the problem because there would still be a rough surface. He was told by Mike Taylor that the road condition would improve over time, but it has not. Mr. McGeisick noted that he lived in a 30 year old development and the residents have been paying taxes there for 30 years and so he felt they should have a higher quality road. He

requested resurfacing with asphalt. Mrs. Rash responded that streetsweeping was just a first step toward rectifying the problem and if that did not solve it, she was sure the Board would direct the Township to take further steps to do so.

Ms. Glynnis Stone-Tihansky, Fox Chase Circle, commented that her road was done three years ago and already had holes in it. She felt that while tar & chip was less costly, residents might be willing to pay more to get better roads.

Mr. Mike McGinnis and Mrs. Liz McGinnis, Hunter Place, own a property that has a storm sewer on it and asked whose responsibility it was to clean out the accumulation. They reported that they have been cleaning it for years because they were told by previous Boards and staff that it was their responsibility, but they did not feel it should be. Mrs. Rash asked Ms. Cozza to work with the McGinnis's to resolve the issue.

Mr. Bart Creden, 5626 North Deer Run Road, noted that he moved into the Hunter's Run neighborhood about 1.5 years ago and if the streets had been in the condition they are in now he would have thought twice. He added that his previous neighborhood did have tar and chip roads and residents were able to ride bikes, push strollers, etc. so he felt the process could work if done properly.

Mr. Phil David, South Deer Run Road, commented that the roads were not done professionally as he had seen about six other tar and chip jobs and thought this was the worst he had ever seen.

Ms. Debbie Gallino, Villages at Sugar Bottom, asked why she was not able to get FIOS television. Solicitor Smith responded that the Township had met with Verizon the previous week and they were extremely close to having a final agreement. He explained that the final issue was making sure that the entire Township would be served and not just a few select neighborhoods.

Mr. Sam Losorelli noted that the 50mph signs were still up on Cold Spring Creamery Road. Ms. Cozza responded that the Pennsylvania Department of Transportation (PennDOT) thought the signs had already been installed, and once they were advised they were not, a new work order was issued. Speaking on behalf of the Board of Auditors, Mr. Losorelli asked how much money had been spent on the roundabout to date. Ms. Cozza did not have the information available. Mr. Losorelli asked when the stop signs would be installed. Ms. Cozza responded that the permit was done and the work order issued so she hoped PennDOT would have them up by April 1, 2009. Ms. Cozza noted that the advance warning had been incorporated. She advised the Board that PennDOT did not do painting but gave a verbal OK for the Township to paint lines at the intersection. Mr. Losorelli requested that the Board stop any further work on the roundabout for the following reasons 1) residents living in close proximity to the roundabout are against it. Mr. Losorelli presented the Board with a petition containing over 300 signatures from people opposed to the roundabout who live within .5 mile of it. 2) He received a copy of a letter sent to Mr. Ray Stepnoski on August 1, 2006 from McCormick Taylor. Mr. Losorelli asked Mrs. Rash if she had seen the letter. Mrs. Rash responded that Mr. Forest brought it forward at the last meeting. Mrs. Rash added that she had gone through her electronic files and she had not previously received a copy. Ms. Losorelli summarized that the letter stated that pedestrian safety benefits were lessened in a roundabout. Mr. Rowan responded that it was Mr. Losorelli's interpretation and that he felt

everything in that letter had been discussed. Mr. Rowan noted his opinion that a roundabout was safer than a traffic light. Mr. Losorelli expressed support for the four way stop signs and again asked the Supervisors to not spend any more money on a roundabout.

Mr. Skip Salvesen asked Mr. Rowan about his assertion that the Township had requested stop signs at that intersection three or four times in the past ten years and asked Ms. Cozza whether, pursuant to the request made at the last meeting, Ms. Cozza looked for any stop sign requests for the intersection to PennDOT and, if she did if Ms. Cozza found any requests. Ms. Cozza responded that she was not able to find any such requests to PennDOT. Mr. Losorelli noted that he had spoken with Mr. Larry Gucci at PennDOT on February 15, 2009 who confirmed that the Township had never requested stop signs for the intersection of Cold Spring Creamery Road and Burnt House Hill Road. Mr. Salvesen asserted that the roundabout was not safe for pedestrians according to the August 1, 2006 McCormick Taylor letter. Mr. Salvesen asked for a ball park estimate on spending so far. Ms. Cozza responded that it was around \$250,000. Mr. Salvesen asked if McCormick Taylor had recommended a traffic light or stop sign rather than a roundabout. Mr. Rowan did not recall their recommendation, but noted it was a PennDOT intersection and they have approved the roundabout.

Mr. Rowan read the section of the McCormick Taylor letter in question out loud, "Roundabouts also provide improved pedestrian safety however there is a lack of consensus on this issue. Roundabouts are believed to improve pedestrian safety through the reduction of traffic speeds, the elimination of left turns and the provision of pedestrian refuge areas within splinter islands. The benefits are offset to some extent by the continuous flow of traffic through the intersection and the circuitous pedestrian routes resulting from the layout of the walkways." Mr. Rowan reiterated his opinion that a roundabout was safer than a traffic light. Discussion followed about the long term problems with a four way stop with regards to the eventual need for left turn lanes. Mr. Salvesen commented that McCormick Taylor did not recommend a roundabout but instead said that stop signs or a traffic light were warranted. Mrs. Rash agreed with Mr. Salvesen's assertion based on the August 1, 2006 McCormick Taylor letter.

Ms. Glynnis Stone-Tihansky reported that she had just returned from a trip to Scotland where she enjoyed navigating the roundabouts. She expressed support for roundabouts because of the forced reduced speed. Ms. Tihansky noted that roundabouts were typically not supported by residents when being proposed, but after installation people tend to love them.

Mr. Rowan asked Ms. Bush to comment on the safety of roundabouts versus traffic lights. Ms. Bush reported that there was an approximate 80% reduction in car crashes when an intersection changes from a traffic signal to a roundabout. She added that for pedestrians when crossing a traffic light intersection, they can be hit from all four sides; with a roundabout the pedestrian only has to look one way.

Ms. Susan Sciacca noted that roundabouts were very different than the New Jersey circles and agreed that because of the forced reduced speed she found them to be safer. She expressed concern about stop signs and noted that she had seen people fly through the stop signs on Mechanicsville and Street Roads. She noted that in *The Intelligencer* that day there was a drawing of a roundabout in the Letters to the Editor section.

Mr. Rowan noted that the auditors were long term opponents to the roundabout and urged people to go to YouTube and view accidents at traffic lights.

Mr. Bill Boger made the following comments: 1) He warned that traffic calming devices (like the roundabout) can be seen as a challenge to young drivers to see how fast they can go through them. 2) The problem at Mechanicsville Road and Burnt House Hill Road was greatly improved with the 4-way stop 3) He has never seen a pedestrian at the intersection in question. 4) The inexpensive cost of the immediate installation of a 4-way stop with flashing warning lights is far cheaper than the life of a person. Mr. Boger explained that his son's life was taken because of the inaction of the Township to put a one way sign at Paist Road. Mrs. Rash reiterated that the stop signs would be in place by April 1, 2009 and she apologized that it took the Township so long to implement an immediate short term solution.

Ms. Tihansky asked if there would be police patrol. Mrs. Rash responded that typically with the installation of a new 4-way stop sign there would be.

Mrs. Rash discussed the August 1, 2006 McCormick Taylor report. She explained that the Township had hired a traffic consultant that ran an informational roundabout meeting in 2006. She noted that the Township went to Vermont to find a traffic engineering firm that supported roundabouts. Mrs. Rash expressed concern that the proposed roundabout only had two pedestrian islands (versus four) and feared it compromised the pedestrian safety. Mrs. Rash noted that while cars would be exiting the roundabout at a lower speed, cars would be entering the roundabout at close to 50 mph with nothing to impede them before the crosswalk. Mrs. Rash commented that she felt it was time to listen to the residents' concerns.

Mr. Rowan suggested that if Mrs. Rash was planning to now vote against the roundabout that it should be done before more money was spent. He noted that the lighting plan had been approved with the smaller number of fixtures but they were stilling waiting to hear about the height. Mr. Rowan expressed his opinion that it would be morally bankrupt to change the plan now. Mrs. Rash responded that she would not bring the issue up for a vote on such an important issue without the full Board.

Mr. Rowan asked Ms. Cozza to have Mike Taylor do a review of what went wrong with the chip and oil application in the Hunter's Run development and in Ms. Tihansky's neighborhood. Mrs. Rash suggested comparing those neighborhoods to others done at the same time. Mr. Rowan explained that historically the Township has done tar and chip one or two times before doing a complete repaving. Ms. Cozza explained that the cost was about four times more for the complete repaving. Mr. Rowan agreed there should be a community wide discussion about whether people want to pay more for asphalt.

Ms. Jennifer McGeisick asked for the time frame for the assessment of their roads. Mrs. Rash responded that it would be a priority and residents would be contacted in a timely fashion.

Mr. Boger commented that Stover Trail was done a year ago and it still was not back to normal. Mrs. Rash noted that when a development goes from asphalt to its first application of tar and chip it was much more noticeable than to the second application of tar and chip.

Mr. Al Becker commented that sometimes after sweeping an asphalt emulsion sealer is used and suggested that it be considered for Hunter's Run. Mr. Becker felt an excess of rocks was used.

Mr. John Schneider, Concord Road, business owner on South end of Cold Spring Creamery corridor, asked if the roundabout would support 53' tractor trailers. Mr. Rowan responded that the roundabout was designed to handle the longest trucks and highest weights on the road and to do so easily.

Mr. George Michel, Pineville, commented that there were years of presentations about the roundabouts and all questions asked during the evening had been previously asked and answered. He noted that the meetings were not well attended. Mr. Michel felt that comments about the Board not representing the electorate were not fair because many experts were brought in during decision making. Mr. Michel asserted that he did not want to go through the same set of presentations again. Mr. Rowan responded that the roundabout was scheduled to begin construction in the spring or early summer.

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
- **Buckingham Township Civic Association Easter Egg Hunt**, Holicong Park, April 4, 2009 (rain date April 5) at 10am. All ages welcome.
- **Family Fun Night** with John Hadfield doing *Monkeys in the House* at Buckingham Friends School on April 17, 2009 at 7:00 p.m. Free tickets will be available at the township building starting March 23rd.
- **Township Yard Waste Collection Program**. Free bags (10 maximum) will be available at the township building from March 23-April 9 for pick up to begin on April 13th. Details provided on the Township web site and on a flyer at the office.
- **Keep Buckingham Beautiful** – April 25 & 26, from 8 a.m. to 4 p.m. Bring your household trash to the Township Maintenance building located at 4991 Upper Mountain Road.

PAYROLL AND BILL LIST

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

Mrs. Rash made a motion, seconded by Mr. Rowan to approve Payroll for the week ending March 1, 2009 and the Bill List for the meeting of March 11, 2009 in the amount of \$327,552.66. Mr. Rowan asked about the McCormick Taylor bill. Ms. Cozza explained it was for the train station. The motion carried unanimously.

MINUTES

Consideration of approving Supervisor's Minutes of the February 11, 2009 and February 25, 2009 Regular Business Meeting.

Mrs. Rash made a motion, seconded by Mr. Rowan to approve the Supervisor's Minutes of the February 11, 2009 and February 25, 2009 Regular Business Meetings as corrected. The motion carried unanimously.

Mrs. Rash noted that minutes were available on the web site. Ms. Cozza announced that the evening's meeting was being video recorded and would be posted on the web site. She added that the February 25, 2009 meeting was on the web site.

Consideration of accepting various Departmental Minutes and Advisory Body Minutes.

Mrs. Rash 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 the request for extension to June 12, 2009, submitted by Jeffrey P. Garton on behalf of the Central Bucks School District, for the Remanded Preliminary Plan of Land Development C.B. East High School Stadium, LD 2000-08A and C.B. East High School Athletic Fields, LD 2000-06.

Representing the applicant was Mr. Douglas Maloney who explained that they were seeking a 90 day extension. He explained that the process was ongoing and that several meetings had been held between the school district and the Bretzes. He noted that plans with several modifications went out in January and they had received responses from Mr. Anderson, the Bretz engineer and Mr. King their attorney. He noted that the school district engineer wanted to meet with the Bretzes. Mr. Maloney explained that the remaining issues were stormwater management and that some of them were existing issues that dated back to the construction of Central Bucks (CB) East. Mr. Maloney noted that the Bretzes were out of town so the meetings have been delayed.

Mrs. Rash made a motion to accept the extension to June 12, 2009, submitted by Jeffrey P. Garton on behalf of the Central Bucks School District, for the Remanded Preliminary Plan of Land Development C.B. East High School Stadium, LD 2000-08A and C.B. East High School Athletic Fields, LD 2000-06. Mr. Rowan stated he would not second the Motion without additional information on the status of negotiations and then he would decide whether or not to second.

Mr. King, representing the Bretzes commented that Bretz' position had not changed and he believed that in 90 days they would be in the same place. Mr. King noted that the discussions had nothing to do with plan pending before the Board.

Mr. Tom Baldwin, School Board member, assured the Board that the process was ongoing. Mr. Rowan asked Mr. Baldwin if he felt an agreement could be reached in 90 days. Mr. Baldwin responded that Steve Coors, President of the School Board felt it could get done though Mr. Baldwin noted that Mr. King's response sounded more negative. Mr. Rowan asked at what point the Board should "pull the plug" on the process. Mr. Maloney responded when there were irreconcilable differences and they were not there.

Mr. Jim Lonergan, Anderson Road, commented that Mrs. Rash had previously told that applicant not to ask for another extension. They came back and the extension was granted. Mrs. Rash explained that she had said not to come back unless they had made major progress, which she was told they had done.

Mr. Tom Hanna, Engineer, reiterated that discussions have been about stormwater and he felt the outstanding issues could be resolved. Mr. Rowan felt that stormwater issues were to a degree related to the stadium but the issues were not exclusive to the stadium.

Mr. McKissock, representing the stadium committee, expressed support for the extension and noted that the parties were trying to reduce the number of engineering issues in the event they have to return to the judge. He noted the process has been slowed by the exchange of information between engineers.

Mr. King commented that after the extension was granted in December, he was approached by the school district about whether the Bretzes would consider a more modest proposal (use of removable stands, limitation on the number of events and general improvements to the site). The Bretzes were open to anything reasonable. Mr. King noted that after several meetings and discussions the plans started returning to what was originally proposed. Mr. King reported that if the proposal was anything like the plan before the Board, then there had not been much progress.

Mr. Rowan asked Mr. Hanna if the number of seats were scaled down and the stands were portable, what part of the ordinance could not be met. Mr. King responded that impervious surface was still a problem. Mr. Hanna responded that he would have to look over the Knight Engineering comments. Mr. Rowan expressed concern that there was a remand of an approved plan and at some point because of revisions it is no longer the same plan. Mr. Rowan questioned whether the Board could review the plan under the court order if it were dramatically changed. Mr. Rowan explained that the Court asked the Board to consider the waivers. Mr. Rowan added that he felt the school district had an obligation to fix the Bretzes stormwater problems.

Mr. Maloney commented that if a plan requires a variance, then they would have to go before the Zoning Hearing Board (ZHB). But first they needed to see if they could find common ground with the Bretzes. Mr. Maloney explained that he suspected they would be able to fit within the revised plan scheme and come before the Board. Mr. Maloney felt that after one more meeting with the Bretzes there would be some resolution.

Solicitor Smith noted that the issue was whether it was a new plan or a revised plan. Mr. Rowan commented that he did not want to be party to doing something where there is functionally a new plan. Solicitor Smith advised that if all parties agree and make an order of court then it would be

fine. If the parties were not in agreement, then there could be an issue. Mr. Rowan expressed concern that this could be a legal opening. Solicitor Smith advised that it was not an issue that had to be resolved that evening.

Mr. King reiterated that there would be no agreement if it was based on the plan in front of the Board. Mr. King urged the Board to deny the plan and tell the applicant to return with a new plan.

Ms. Susan Lonergan, Anderson Road, did not support the extension and noted that they had been coming to meetings for 10 years and never once has the school board come to her and asked what would be acceptable. Mr. Maloney responded that they were more than welcome to attend the meetings or if they provided address and phone number he could include them in any invitations for future meetings. Mrs. Lonergan noted that they were parties, but only received communication from the Township. It was later determined that the Lonergans were not parties in the lawsuit.

Mr. Sam Losorelli expressed support for the extension as he felt that since last September they have been working steadily.

Mr. Rowan noted that there were technical legal issues and specific requirements that have to be met and it was not an issue of whether or not there is a stadium. *Mr. Rowan seconded the motion to grant the 90 day extension but noted that this would be the last time he would vote for the extension.* He asked for neighbors to be included directly in the conversation. He added that he only thing that would allow him to grant another extension was a signed letter from the Bretzes saying that the extension was going to resolve the litigation. Mr. Rowan noted that it was suggested to the school district to go in for the stadium and extension at the same time and the school district chose not to exercise that option. Mr. Rowan added that the Board did not have legal authority to act on a plan without ZHB approval if a variance were needed for impervious surface. Mr. Rowan felt the process had gone on too long and other issues (like the track) were not being addressed.

Mr. Sam Losorelli noted that track was condemned and all track meets were now away. Mr. Losorelli suggested that the stadium committee should be included in all discussions.

Mr. Rowan suggested bringing in the people who would be most likely to cause problems. He noted that if a change (like a reduction to 1,000 seats) were made, then it could be argued that it was a new plan, which would lead to additional delays.

Mr. Tom Baldwin noted that there had been numerous public meetings about the stadium and it was not fair to suggest that the school district did not include people. Mr. Baldwin expressed confusion about Mr. Rowan's assertions about potential legal problems as the school board was revising the plan with the idea of meeting the Bretzes needs.

The motion carried unanimously.

Mr. Rowan reiterated that this would be the last extension he would vote for.

2. Consideration of accepting dedication of “Buckingham Friends School”, Township File LD 2000-07.

Mr. Gray provided a summary of the project and explained that Buckingham Friends School would work with PennDOT directly regarding permits for the driveways. He explained it was an arrangement the Township agreed to three to four years ago. Solicitor Smith noted that he did draft a resolution to address all issues.

Mrs. Rash made a motion, seconded by Mr. Rowan to accept dedication of “Buckingham Friends School” Township File LD 2000-07 based on a prior agreement made by the Board of Supervisors regarding the PennDOT permits for the three driveways. Mrs. Rash noted that both of her children had attended Buckingham Friends School years ago. The motion carried unanimously.

RELEASE OF FUNDS

Escrow Release:

“Landisville Hunt (Woodfield), Township File SA 98-03	Final Escrow Release, Site, ER#7	\$121,363.25
“Landisville Hunt (Woodfield), Township File SA 98-03	Final Escrow Release, Water, ER#3	\$ 14,829.75

Mrs. Rash made a motion, seconded by Mr. Rowan to approve the Landisville Hunt, Township File SA 98-03, escrow releases contingent upon compliance with the resolution accepting dedication. Mr. Gray summarized that he recommended release subject to receipt of the maintenance bond and compliance with the dedication agreement. Mr. Kelso reported that the maintenance bond was received. Ms. Cozza added that the insurance issues were cleared. The motion carried unanimously.

Consideration of authorizing the township engineer to process the final escrow release(s), subject to receipt of adequate maintenance bond(s), for “Stoneridge aka Foxbriar”, Township File SA 91-09.

Mr. Gray reported that the developer had completed site and water improvements however there was a hold up with the Peddler’s Village water system that needed to be resolved. Mr. Gray noted that the hold up was outside of DeLuca’s control. *Mrs. Rash made a motion, seconded by Mr. Rowan to authorize the township engineer to process the final escrow release(s), subject to receipt of adequate maintenance bond(s) for “Stoneridge aka Foxbriar,” Township File SA 91-09 pending receipt of outstanding fees. The motion carried unanimously.*

ADDITIONAL BUSINESS / MANAGER'S ITEMS

1. Consideration of authorizing township solicitor to advertise a sexual predator ordinance.

Mrs. Rash explained that a sexual predator ordinance was being considered. She presented the Township map identifying all places that children would congregate (community centers, etc.) and the 2500 foot radius from those sites in which sexual predators would be prohibited from residing.

Mr. Al Becker asked how the law was enforced. Solicitor Smith explained the reporting procedures under Megan's Law.

Mr. Paul Calderaio expressed support for a larger protective area and asked if there was a precedent in other townships for a 3000 foot radius protective area. Solicitor Smith explained that the ordinance could not be completely exclusive. Solicitor Smith noted that typically the ordinances specify 2500 feet.

Mr. George Michel asked for an explanation of the yellow markings on the map. Ms. Cozza explained that they were parcels with identified places where children congregate.

Discussion followed about what would be included (specifically facilities that fall outside Township boundaries). Mr. Rowan argued that those facilities such as Bridge Valley Elementary would represent the property line source for the 2500 square feet.

Ms. Cozza explained that the map would be dated so that when a new center was established, sexual predators could not live within the radius from that day forward. Existing predators would have to be grandfathered.

Discussion followed about communication with neighboring municipalities regarding new facilities that would trigger protection. Mr. Rowan commented that it should be a State law. Solicitor Smith explained that it was being enforced by the probation office. Mr. Rowan expressed concern that the laws did not protect children at bus stops (a place where children congregate without parental supervision).

Mrs. Rash felt the map was comprehensive and was a good start. She felt there was no reason to go on with no protection just because the Township was continuing to explore more protection. Mrs. Rash asked Ms. Cozza to contact neighboring municipalities.

Mrs. Rash made a motion to authorize the Township Solicitor to advertise a sexual predator ordinance. Mr. Rowan seconded the motion with two provisos: the map would be colored in so that residents could see it (fill in 2500 ft radius with highlighter) and the map and a copy of the ordinance would be made available at the front office and on the web page.

Solicitor Smith advised the Board of the chance that a sexual predator may decide to move somewhere before the ordinance becomes effective. Mr. Rowan felt that risk was small compared to the benefit of making the information available to the residents as a whole.

Discussion followed about the size of the protection area. Solicitor Smith reiterated that 2500 feet has been adopted by a majority of municipalities.

Discussion followed about the quality of the image posted on the web site. Mr. Rowan suggested posting it with a caveat that people should come into the office.

Mr. Paul Calderaio asked if bus stops could be protected. Mr. Rowan responded that if it were done, the end result would likely be total exclusion.

Mr. Calderaio asked if day care centers were required to tell parents that a sexual predator lives nearby. Mr. Calderaio called for Buckingham to be leaders on this issue.

Solicitor Smith asked if the Board wanted him to include in the ordinance facilities outside the Township border in which the 2500 foot radius extends into the Township. Consensus was to do so. Mr. Rowan asked Ms. Cozza to add those facilities to the map.

The motion carried unanimously.

Ms. Cozza asked people to provide her with names of facilities outside of Buckingham Township.

2. Consideration of request submitted by Loretta Jenkins, on behalf of Doylestown Athletic Association, to waive the George M. Bush Park usage fee set forth in Resolution 2074 for the second “season” of field usage.

Mrs. Rash made a motion, seconded by Mr. Rowan to waive the George M. Bush Park usage fee set forth in Resolution 2074 for the second “season” of field usage as requested by Loretta Jenkins, on behalf of Doylestown Athletic Association. The motion carried unanimously.

3. Letter of Support for Joint EGGG Grant Application with Doylestown Township

Mr. Rowan made a motion, seconded by Mrs. Rash to send a letter of support for the Joint EGGG Grant application with Doylestown Township. The motion carried unanimously.

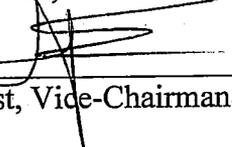
Mrs. Rash made a motion, seconded by Mr. Rowan to adjourn the meeting at 10:10pm. The motion carried unanimously.

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

Buckingham Township Board of Supervisors



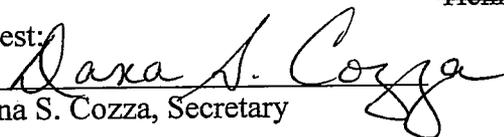
Maggie Rash, Chairman



Jon Forest, Vice-Chairman

~~Henry Rowan, Member~~

Attest:



Dana S. Cozza, Secretary

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