

# BUCKINGHAM TOWNSHIP

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Website - [www.buckinghampa.org](http://www.buckinghampa.org)



## BOARD OF SUPERVISORS BUSINESS MEETING

## AGENDA

June 10, 2009

### Call to Order 6:00 p.m.

1. Public Comment (Maximum 30 minutes)
2. Board's Announcements:
  - Various **Park and Recreation Programs** including Concerts and Summer Camps begin this month. Go to our website at [www.buckinghampa.org](http://www.buckinghampa.org) for details!
  - Bucks County's **Household Hazardous Waste and Old Computer Collection** will be July 18, 2009 at the Middle Bucks Institute of Technology located at 2740 Old York Road.
  - **Volunteers are needed** year-round to sell tickets at various events for the 1957 Red Thunderbird being raffled during the Annual Concours D'Elegance. Contact Ralph Tompkins for information or go to [www.buckinghamautoshow.org](http://www.buckinghamautoshow.org). The Concours D'Elegance will be September 20, 2009, at Holicong Park.
3. Consideration of approving Payroll for the week ending June 7, 2009 and the Bill List for the meeting of June 10, 2009.
4. Consideration of approving Supervisor's Minutes of the May 27, 2009 Regular Business Meeting.
5. Consideration of accepting various Departmental Minutes and Advisory Body Minutes.
6. Review of Remanded Revised Preliminary Plan of Land Development (Plan dated "rev. 5/1/09") 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 June 12, 2009.
7. Consideration of Application by Michael Feeny for the addition of Tax Parcel # 6-18-33 containing 31+/- acres, located in the Forest Grove Road and Lower Mountain Road area, Tax Parcels #6-4-66-1 containing 25+/- acres, and #6-4-67-1 containing 54+/- acres, both located in the Fell Road / Church School Road area, to the Agricultural Security Area of Buckingham Township.
8. Consideration of Application by James Paccioretti, for the addition of Tax Parcel #6-17-73 containing 10 +/- acres, located at 1403 Sugar Bottom Road, to the Agricultural Security Area of Buckingham Township.

**BOARD OF SUPERVISORS  
REGULAR MEETING  
JUNE 10, 2009  
PAGE 2**

9. Consideration of accepting the **Agreement to Extend** the Land Development Contract to June 11, 2010 for the **“Bucks County Airport Authority, Doylestown Airport – Phase II”** Land Development, Township File LD 2003-02.
10. Consideration of accepting the **Agreement to Extend** the Land Development Contract to June 13, 2010 for the **“Wawa”** Land Development, Township File SA 99-05B & LD 99-04.
11. Consideration of accepting the dedication of **“Buckingham Elementary School”** Land Development, Township File LD 2002-01A,  
OR  
Consideration of accepting the **Agreement to Extend** the Land Development Contract to June 23, 2010, for the Central Bucks School District, covering the **“Buckingham Elementary School”** Land Development, Township File LD 2002-01A.
12. Additional Business / Manager’s Items
  - Consideration of approving **Peddler’s Village 2009 “Celebration of Freedom”** special event and gathering permit, including a pyrotechnic display, and consideration of waiving the permit fee.
  - Delaware River Basin Commission (DRBC)

609198

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

The regular meeting of the Buckingham Township Board of Supervisors was held June 10, 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
	Lynn Bush	Bucks County Planning Commission

Mrs. Rash called the regular meeting to order at 6:08pm and led The Pledge of Allegiance.

**PUBLIC COMMENT**

Mr. Murray Kallen, 2908 Durham Road, amateur ham radio operator, explained that he had contacted Mr. Rich Myers regarding whether he would be allowed to construct an amateur (ham) radio antenna with a supporting tower. Ms. Cozza explained that Mr. Myers had left a memorandum for the Board members today but they had just received it and had not yet had an opportunity to review it. Mr. Kallen provided the Board with various supporting information. Mrs. Rash responded that the Board would look into the issue at the work session the following week. Mr. Forest asked the setback distance of the tower Mr. Kallen proposed from the closest neighbor. Mr. Kallen responded that it was 1000ft.

Mr. Paul Martissa, Wellington Estates, noted that recent meetings had not yet been posted to the Township web site and what was there did not look good. He stated he had provided the Township with a contact for webcasting and asked why the Township had not contracted with that contact, who also served Wrightstown. Ms. Cozza explained that the May meetings had yet to be posted because while it looks for a more permanent solution, the Township was still relying on volunteer help (and the volunteer had been out of town). Ms. Cozza noted that the May meetings were expected to be posted the following day. Ms. Cozza advised Mr. Martissa that many options were being considered including webcasting. Ms. Cozza further advised she had learned that Wrightstown was using expensive camera equipment (\$70,000) and an operator, an expense she was not sure the Township wanted to spend. Ms. Cozza advised that webcasting could be done with a less expensive camera and noted that the option was still being considered. Mrs. Rash asked Ms. Cozza to find a company who could get the meetings on-line in a timely fashion and at a reasonable price.

Ms. Bush entered the meeting at 6:30pm.

**BOARD'S ANNOUNCEMENTS**

Mrs. Rash made the following announcements:

- Various **Park and Recreation Programs** including Concerts and Summer Camps begin this month. Go to our website at [www.buckinghampa.org](http://www.buckinghampa.org) for details!

- Bucks County's **Household Hazardous Waste and Old Computer Collection** will be July 18, 2009 at the Middle Bucks Institute of Technology located at 2740 Old York Road.
- **Volunteers are needed** year-round to sell tickets at various events for the 1957 Red Thunderbird being raffled during the Annual Concours D'Elegance. Contact Ralph Tompkins for information or go to [www.buckinghamautoshow.org](http://www.buckinghamautoshow.org) . The Concours D'Elegance will be September 20, 2009, at Holicong Park.

### PAYROLL AND BILL LIST

#### **Consideration of approving Payroll for the week ending June 7, 2009 and the Bill List for the meeting of June 10, 2009.**

*Mrs. Rash made a motion, seconded by Mr. Forest to approve Payroll for the week ending June 7, 2009 and the Bill List for the meeting of June 10, 2009 in the amount of \$272,199.40. Mr. Rowan noted that there was a \$14,950 payment to HPT and asked how much they had been paid this year. Ms. Cozza explained that prior to this payment there had been a \$138.00 payment. She explained that this payment was part of the new contract and there would be three payments for 2009. Mr. Rowan expressed concern that the Township was overpaying . Mr. Forest noted that in the past 18 months the Township systems had been updated, security for the network installed, pirated software eliminated, and the Township was now using licensed software. Mr. Rowan asked how many hours had been dedicated to the video system. Ms. Cozza did not have that information readily available but could get it for the Board if they wanted it. *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 May 27, 2009 Regular Business Meeting.**

*Mrs. Rash made a motion, seconded by Mr. Forest to approve the Supervisor's Minutes of the May 27, 2009 Regular Business Meeting as amended by Mr. Gray. 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

**6. Review of Remanded Revised Preliminary Plan of Land Development (Plan dated “rev. 5/1/09”) 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 “I” 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 June 12, 2009.**

The hearing was opened at 6:36pm . A transcript of the hearing was taken by a court stenographer.

*Mrs. Rash made a motion, seconded by Mr. Forest to accept the 90-day extension of the time period within which the Board had to act offered by Mr. Jeffery Garton on behalf of Central Bucks School District for the Remanded Revised Preliminary Plan of Land Development (Plan dated “rev. 5/1/09”) for C.B. East High School Stadium, LD 2000-08A, T.P. 6-14-12, Anderson Road, 11.5 acres, in the “I” 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 June 12, 2009. The motion carried unanimously.*

The hearing will be continued as soon as possible with a date to be set the following day. Mr. Garton and Mr. King were to contact Solicitor Smith with their availability.

The hearing was closed at 11:08pm.

**7. Consideration of Application by Michael Feeney for the addition of Tax Parcel # 6-18-33 containing 31+/- acres, located in the Forest Grove Road and Lower Mountain Road area, Tax Parcels #6-4-66-1 containing 25+/- acres, and #6-4-67-1 containing 54+/- acres, both located in the Fell Road / Church School Road area, to the Agricultural Security Area of Buckingham Township.**

*Mrs. Rash made a motion, seconded by Mr. Forest to approve the Application by Michael Feeney for the addition of Tax Parcel # 6-18-33 containing 31+/- acres, located in the Forest Grove Road and Lower Mountain Road area, Tax Parcels #6-4-66-1 containing 25+/- acres, and #6-4-67-1 containing 54+/- acres, both located in the Fell Road / Church School Road area, to the Agricultural Security Area of Buckingham Township. The motion carried unanimously.*

**8. Consideration of Application by James Paccioretti, for the addition of Tax Parcel #6-17-73 containing 10 +/- acres, located at 1403 Sugar Bottom Road, to the Agricultural Security Area of Buckingham Township.**

*Mrs. Rash made a motion, seconded by Mr. Forest to approve the Application by James Paccioretti, for the addition of Tax Parcel #6-17-73 containing 10 +/- acres, located at 1403 Sugar Bottom Road, to the Agricultural Security Area of Buckingham Township. The motion*

*carried unanimously.* Mrs. Rash noted that this parcel was considered because it was contiguous with other protected area.

**9. Consideration of accepting the Agreement to Extend the Land Development Contract to June 11, 2010 for the “Bucks County Airport Authority, Doylestown Airport – Phase II” Land Development, Township File LD 2003-02.**

Mr. Gray noted that the Airport Authority was still trying to address the last punch list items. *Mrs. Rash made motion, seconded by Mr. Forest to accept the Agreement to Extend the Land Development Contract to June 11, 2010 for the “Bucks County Airport Authority, Doylestown Airport – Phase II” Land Development, Township File LD 2003-02. The motion carried unanimously.*

**10. Consideration of accepting the Agreement to Extend the Land Development Contract to June 13, 2010 for the “Wawa” Land Development, Township File SA 99-05B & LD 99-04.**

*Mrs. Rash made a motion, seconded by Mr. Forest to accept the Agreement to Extend the Land Development Contract to June 13, 2010 for the “Wawa” Land Development, Township File SA 99-05B & LD 99-04. The motion carried unanimously.*

**11. Consideration of the accepting the dedication of “Buckingham Elementary School” Land Development, Township File LD 2002-01A.**

Mr. Gray reported that all was in order for dedication. Mr. Gray noted that the Board of Health had signed off on the underground stormwater system. Solicitor Smith noted that the deeds of dedication for the wetlands and the right-of-way on Durham Road had to be addressed and were included as a condition of the approval in the resolution.

*Mrs. Rash made a motion, seconded by Mr. Forest to accept dedication of “Buckingham Elementary School” Land Development, Township File LD 2002-01A by approving Resolution No. 2089. The motion carried unanimously.*

**ADDITIONAL BUSINESS / MANAGER’S ITEMS**

**1. Consideration of approving Peddler’s Village 2009 “Celebration of Freedom” special event and gathering permit, including a pyrotechnic display, and consideration of waiving the permit fee.**

Ms. Cozza noted that the permit fee was \$2,000. Mrs. Rash asked if there was an admission charge and if Peddler’s Village paid the police overtime. Ms. Cozza responded that there was no fee and they did pay police overtime. Ms. Cozza noted that they did provide a bond. Ms. Cozza explained that the fee was for review and processing of the application, but that after many years there was not as much time spent on this application. A discussion ensued concerning what the actual cost to the Township was and it was decided it was now about one-half of the permit fee, given the repetitive nature of the application. *Mrs. Rash made a motion, seconded by Mr. Forest*

*to reduce the permit fee for the Peddler's Village 2009 "Celebration of Freedom" by 50% to \$1,000. The motion carried unanimously.*

*Mrs. Rash made a motion, seconded by Mr. Forest to grant the special event and gathering permit for the Peddler's Village 2009 "Celebration of Freedom" including a pyrotechnic display. The motion carried unanimously.*

## **2. Consideration of Approving Resolution for Pennsylvania Department of Commerce and Economic Development Alternative and Clean Energy Grant Program Grant Application**

Mr. Kelso described a potential project in which effluent from the wastewater treatment plant would be used to heat and cool the Township building and possibly Buckingham Elementary. The grant available would pay 50% of the total \$300,000 project. After discussion it was determined that with the yearly savings of \$7,000 the break even/ pay back point was not acceptable and this was not an economical use of taxpayer's money. Discussion followed about using geothermal in the Township building or the water treatment building. Mrs. Rash suggested exploring these and other energy conservation ideas at a work session. Consensus was to not pass the resolution but instead look at other upcoming grants. Discussion followed about more efficient way to heat the maintenance building.

## **3. Discrepancies in Our Lady of Guadalupe Approval Letter and Board's Requests**

Mr. Gray asked whether the Board wanted metal halide lights as the plan shows and noted that the approval letter specified different lighting. The Board agreed that they wanted the metal halide lighting. Mr. Gray explained that the second issue was the up lighting of facades. Mr. Gray explained that the zoning ordinance required down lighting unless the Board was satisfied with up lighting as long as it did not spill over, which it does not. The Board indicated that the up lighting was acceptable. Solicitor Smith noted that he had sent over the Development Agreement with the draft escrow numbers. Solicitor Smith advised that the Board sign both the Development Agreement and plan.

The Board adjourned to executive session at 11:55pm. To discuss a legal matter. The Board reconvened at 12:01am. And explained they had discussed potential litigation with the Delaware River Basin Commission because of their recent limitation on the amount of water the Township could withdraw from two Township wells.

## **3. Delaware River Basin Commission (DRBC)**

*Mrs. Rash made a motion, seconded by Mr. Rowan to authorize Solicitor Smith to seek an injunction against the DRBC to stay their order to limit withdrawal rates on Township wells F-4 and F-5 in the Furlong water system. The injunction would be sought by means of a lawsuit initiated in US District Court for the Eastern district of Pennsylvania. The motion carried unanimously.*

*Mrs. Rash made a motion, seconded by Mr. Forest to adjourn the meeting at 12:05am, June 11, 2009. The motion carried unanimously.*

**Approved by the Board of Supervisors on the 24<sup>th</sup> day of June, 2009.**

**Buckingham Township Board of Supervisors**

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

*[Signature]*  
\_\_\_\_\_  
Jon Forest, Vice-Chairman

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

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

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