

BUCKINGHAM TOWNSHIP

P.O. Box 413, Buckingham, Pennsylvania 18912
Phone (215) 794-8834 • Fax (215) 794-8837

Website - www.buckinghampa.org



BOARD OF SUPERVISORS REGULAR BUSINESS MEETING

AGENDA

OCTOBER 27, 2021

Call to Order 7:30 p.m.

7:30 p.m. Swearing in of Buckingham Township Lieutenant William Moffett

And

Presentation of a gift from the PBA to retired Lieutenant John Landis

1. Public Comment (Maximum 30 minutes)
2. Board's Announcements:
 - **Election Day:** November 2, 2021 - VOTE!
 - Veteran's Expo, November 4, 2021 from 10am-1pm at the Doylestown American Legion (hosted by the 143rd Legislative Districts Representative, Shelby Labs).
 - The Buckingham Township Administrative Offices will be closed November 11, 2021 in observance of Veterans Day.
 - Board of Supervisors Work Sessions and Regular Business Meetings will be held on: November 17th and December 14th. All other meeting dates have been cancelled.
3.
 - a. Consideration of approving Payment Request No. 8, to BSI Electrical Contractors for work completed on the **Buckingham Township Water and Wastewater Department Facility - Electrical Contract**, in the amount of \$37,026.00.
 - b. Consideration of approving Payment Request No. 9, to BSI Electrical Contractors for work completed on the **Buckingham Township Water and Wastewater Department Facility - Electrical Contract**, in the amount of \$9,357.00.
 - c. Consideration of approving Payment Request No. 5, to Chris Wolff Plumbing, Inc. for work completed on the **Buckingham Township Water and Wastewater Department Facility - Plumbing Contract**, in the amount of \$101,925.00.
 - d. Consideration of approving Payment Request No. 15, to Premier Builders, Inc. for work completed on the **Buckingham Township Water and Wastewater Department Facility - General Contract**, in the amount of \$11,513.34.
 - e. Consideration of approving Payment Request No. 1, to DJ Pinciotti Construction Company Inc. for work completed on the **Furlong/Buckingham Village Water Interconnect Emergency Project - General Contract BT-21-02**, in the amount of \$99,682.20.
 - f. Consideration of approving Payment Request No. 2 (Final Release), to G.S. Developers, Inc., for work completed on the **Pump Station Grinder Upgrades, Contract BT-21-01**, in the amount of \$149,770.00.
 - g. Consideration of approving Payroll for the weeks ending September 26, 2021, October 10, 2021 and October 24, 2021, and the Bill List for the meeting of October 27, 2021.
4. Consideration of approving draft Supervisor's Minutes of the September 22, 2021 Work Session and September 22, 2021 Regular Business Meeting.

**BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
OCTOBER 27, 2021
PAGE 2**

19086

5. Consideration of accepting various Departmental Minutes and Advisory Body Minutes.
6. Consideration of approving **Resolution No. 2553**, Bucks County 2021 Hazard Mitigation Plan Update Municipal Adoption Resolution.
7. Consideration of approving **Resolution No. 2554**, Designation of Agent Resolution for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.
8. Consideration of approving the Kocinski Tract Residential Development Agreement covering Lot 1 of the "Trycieki Tract", Township File SA 2016-02, TMP 06-006-039-011.
9. Consideration of approving the Deed of Consolidation and Modification of Easements (Clark Living Trust nee Fergusson Tract), Township File SA 2010-03, TMP 6-10-69, 6-10-602, 6-10-69-5 and 6-10-69-6.
10. Consideration of accepting the Developer's Request to Extend the date by which the improvements are to be completed as set forth in the Stormwater Facility Development Contract to November 15, 2022 between Vincent Rongione, III and Karen Rongione, Magnum, Inc. and Buckingham Township for the property located at 4527 Church Road, TMP 6-10-72.
11. Consideration of accepting the Developer's Request to Extend the date by which the improvements are to be completed as set forth in the Land Development Contract to October 28, 2022 between Provco Pineville Doylestown, LP and Wawa, Inc. and Buckingham Township for "Wawa Cross Keys, Township File LD 2018-01.
12. Consideration of approving the Reimbursement Agreement and Release between Doylestown Township Municipal Authority ("DTMA") and Doylestown Township; and Buckingham Township.
13. Approval of Dizot Settlement Agreement in Magisterial District Justice Action No. MJ-07301-CV-0000079-2021.
14. Consideration of approving the Scardetto: (i) Stormwater Facility Development and Security Agreement; (ii) Grant of Easements; (iii) Stormwater Controls and Best Management Practices Operation and Maintenance Agreement; and (iv) conditional upon the trash dump found in the ROW being first remediated, Grant of Rights of Way covering the "Scardetto (formerly Soroka) Tract", TMP 06-023-055-001.
15. Consideration of granting the Supplemental Waiver Request from Section 9.22.D of the Subdivision and Land Development Ordinance to allow for the removal of topsoil from the development site, as requested by "Wawa Cross Keys", Township File LD 2018-01.

**BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
OCTOBER 27, 2021
PAGE 3**

16. **ESCROW RELEASES:**

"PA Biotechnology Center", Township File LD 2017-02	Request for Release #2	\$399,577.75 recommended for release
Mill Creek Ridge (Smith- Pfeiffer), Site, Township File SA 2001-05C	Release #10, Site	\$44,113.60 recommended for release
"Fenton's Corner", Site, Township File SA 2013-03	Request for Release #7	\$148,729.25 recommended for release
"Fenton's Corner", W&S, Township File SA 2013-03	Request for Release #6	\$8,775.00 recommended for release
WAWA Convenience Store, Township File LD 2018-01	Provco Escrow – Request for Release #4	\$473,551.18 recommended for release
"Sycamore Hollow Farms (Hiland Tract) – Lot 1", Township File SA 2010-01	Request for Release #2	\$49,203.18 recommended for release
"Sycamore Hollow Farms (Hiland Tract) – Lot 2", Township File SA 2010-01	Request for Release #2	\$7,727.19 recommended for release
"McGorry Stormwater Facility Development Contract", TMP 06-023-003-003	Request for Release #2	\$13,527.07 recommended for release

17. **Additional Business / Manager's Items:**

- Consideration of approving the Purchase Order to RCP Shelters, Inc. in the amount of \$43,155.00 for Park Pavilion Materials.
- Consideration of approving the Purchase Order to Deere & Company in the amount of \$42,940.78 for the purchase of a Compact Utility Tractor.

Buckingham Township Board of Supervisors
Meeting Minutes

The regular meeting of the Buckingham Township Board of Supervisors was held October 27, 2021 in the Township Building, 4613 Hughesian Drive, Buckingham, Pennsylvania.

Present:	Jon Forest	Chairman
	Paul Calderaio	Vice-Chairman
	Maggie Rash	Member
	Dana S. Cozza	Township Manager
	Daniel Gray	Township Engineer
	Craig A. Smith, Esquire	Township Solicitor
Not Present:	Tom Kelso	Township Water/Wastewater Consultant
	Luke Rosanova	Bucks County Planning Commission

Mr. Forest called the regular meeting to order at 7:30 p.m.

Judge Maggie Snow, District Justice, was present to swear in William Moffett as a Lieutenant.

Officer CJ Snyder presented John Landis with a retirement gift from the Police Benevolent Association.

Many members of the Buckingham Township police department, family and friends, were present to witness both events.

PUBLIC COMMENT

Mr. Frank Keating, Holicong Road, was present to thank the township for addressing his flooding concerns as discussed during the September Board of Supervisors meeting. He said the township roadmaster contacted him and visited his property to discuss how best to proceed.

BOARD'S ANNOUNCEMENTS

Mr. Forest made the following announcements:

- Election Day: November 2, 2021 - VOTE!
- Veteran's Expo, November 4, 2021 from 10am-1pm at the Doylestown American Legion (hosted by the 143rd Legislative Districts Representative, Shelby Labs).
- The Buckingham Township Administrative Offices will be closed November 11, 2021 in observance of Veterans Day.
- Board of Supervisors Work Sessions and Regular Business Meetings will be held on: November 17th and December 14th. All other meeting dates have been cancelled.

19086

REQUESTS FOR PAYMENT, PAYROLL and BILL LIST

Consideration of approving Payment Request No. 8, to BSI Electrical Contractors for work completed on the Buckingham Township Water and Wastewater Department Facility - Electrical Contract, in the amount of \$37,026.00.

Consideration of approving Payment Request No. 9, to BSI Electrical Contractors for work completed on the Buckingham Township Water and Wastewater Department Facility - Electrical Contract, in the amount of \$9,357.00.

Consideration of approving Payment Request No. 5, to Chris Wolff Plumbing, Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility - Plumbing Contract, in the amount of \$101,925.00.

Consideration of approving Payment Request No. 15, to Premier Builders, Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility - General Contract, in the amount of \$11,513.34.

Consideration of approving Payment Request No. 1, to DJ Pinciotti Construction Company Inc. for work completed on the Furlong/Buckingham Village Water Interconnect Emergency Project – General Contract BT-21-02, in the amount of \$99,682.20.

Consideration of approving Payment Request No. 2 (Final Release), to G.S. Developers, Inc., for work completed on the Pump Station Grinder Upgrades, Contract BT-21-01, in the amount of \$149,770.00.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve:

- Payment Request No. 8, to BSI Electrical Contractors for work completed on the Buckingham Township Water and Wastewater Department Facility - Electrical Contract, in the amount of \$37,026.00;

- Payment Request No. 9, to BSI Electrical Contractors for work completed on the Buckingham Township Water and Wastewater Department Facility - Electrical Contract, in the amount of \$9,357.00.

- Payment Request No. 5, to Chris Wolff Plumbing, Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility - Plumbing Contract, in the amount of \$101,925.00;

- Payment Request No. 15, to Premier Builders, Inc. for work completed on the Buckingham Township Water and Wastewater Department Facility - General Contract, in the amount of \$11,513.34;

- Payment Request No. 1, to DJ Pinciotti Construction Company Inc. for work completed on the Furlong/Buckingham Village Water Interconnect Emergency Project – General Contract BT-21-02, in the amount of \$99,682.20;

- Payment Request No. 2 (Final Release), to G.S. Developers, Inc., for work completed on the Pump Station Grinder Upgrades, Contract BT-21-01, in the amount of \$149,770.00.

The motion carried unanimously.

Board of Supervisors
 Minutes of Regular Business Meeting – October 27, 2021
 Page 3 of 8

Consideration of approving Payroll for the weeks ending September 26, 2021, October 10, 2021 and October 24, 2021, and the Bill List for the meeting of October 27, 2021.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Payroll for the weeks ending September 26, 2021, October 10, 2021 and October 24, 2021, and the Bill List for the meeting of October 27, 2021 in the total amount of \$2,297,808.71. The motion carried unanimously.

MINUTES

Consideration of approving draft Supervisor's Minutes of the September 22, 2021 Work Session, September 22, 2021 Regular Business Meeting and October 13, 2021 Work Session.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve the draft Supervisor's Minutes of the September 22, 2021 Work Session, September 22, 2021 Regular Business Meeting and the October 13, 2021 Work Session. The motion carried unanimously.

Consideration of accepting various Departmental Minutes and Advisory Body Minutes.

Mr. Forest made a motion, seconded by Mrs. Rash, to accept for inclusion in the Township records the various Departmental Minutes and Advisory Body Minutes. The motion carried unanimously.

BUSINESS

Consideration of approving Resolution No. 2553, Bucks County 2021 Hazard Mitigation Plan Update Municipal Adoption Resolution.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Resolution No. 2553, Bucks County 2021 Hazard Mitigation Plan Update Municipal Adoption Resolution. The motion carried unanimously.

Consideration of approving Resolution No. 2554, Designation of Agent Resolution for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Resolution No. 2554, Designation of Agent Resolution for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The motion carried unanimously.

Consideration of approving the Kocinski Tract Residential Development Agreement covering Lot 1 of the "Trycieki Tract", Township File SA 2016-02, TMP 06-006-039-011.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve the Kocinski Tract Residential Development Agreement covering Lot 1 of the "Trycieki Tract", Township File SA 2016-02, TMP 06-006-039-011.

Mr. Kocinski was present and said he and his wife are very excited to be building their forever home here in Buckingham Township.

The motion carried unanimously.

Consideration of approving the Scardetto: (i) Stormwater Facility Development and Security Agreement; (ii) Grant of Easements; (iii) Stormwater Controls and Best Management Practices Operation and Maintenance Agreement; and (iv) conditional upon the trash dump found in the ROW being first remediated, Grant of Rights of Way covering the “Scardetto (formerly Soroka) Tract”, TMP 06-023-055-001.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve the Scardetto: (i) Stormwater Facility Development and Security Agreement; (ii) Grant of Easements; (iii) Stormwater Controls and Best Management Practices Operation and Maintenance Agreement; and (iv) conditional upon the trash dump found in the ROW being first remediated, Grant of Rights of Way covering the “Scardetto (formerly Soroka) Tract”, TMP 06-023-055-001.

Mr. Scardetto explained as he only received the documents Sunday evening, he has not had time for a legal review. Mr. Smith asked if he had an attorney, and Mr. Scardetto said no, that he needed to legally review them himself, not by an active attorney.

Mr. Scardetto asked the Board to confirm that the existing perimeter fence, which he represented is located inside the right-of-way easement area, will be allowed to remain; that the township will not come and remove it. He said there is 15,000 feet of deer fence used to contain horses, and he wants to install an entrance gate that will be more secure than the existing wooden one. Mr. Gray explained that when the township takes the dedication of the Right-of-Way, the fence will belong to the township, and if work is required in the right-of-way at some point in the future, it would be removed if needed to accommodate the work. Mrs. Rash said if Mr. Scardetto wanted to be assured the fence would not be removed at some point in time, then he should move it out of the right-of-way. Mr. Scardetto said then both of his fence lines are at risk; and Mr. Gray said only if they are in the ultimate right-of-way.

Mr. Scardetto represented there is no trash on the section of right-of-way he is granting to the township, it is on the neighbor's property. Mr. Gray said that during his site review, he will confirm the trash has been removed from Mr. Scardetto's property.

Mr. Scardetto asked for clarification on scheduling of the pre-construction meeting, and Mr. Gray listed the items necessary for completion prior to scheduling the pre-construction meeting, including, but not limited to, Mr. Scardetto signing the documents, the recording of the signed documents, escrows posted, security for improvements, professional escrow, and Mr. Smith's approval of the insurance policy.

Mr. Scardetto said that he is still reviewing the documents on the agenda, and is not ready to sign them. Mr. Smith explained that so as to not delay Mr. Scardetto, the Board of Supervisors are considering approval of the documents as they exist tonight. However, if Mr. Scardetto requests revisions, they will need to be re-approved at a future Board of Supervisors meeting.

The motion carried unanimously.

Board of Supervisors
 Minutes of Regular Business Meeting – October 27, 2021
 Page 5 of 8

Consideration of approving the Deed of Consolidation and Modification of Easements (Clark Living Trust nee Fergusson Tract), Township File SA 2010-03, TMP 6-10-69, 6-10-602, 6-10-69-5 and 6-10-69-6.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve the Deed of Consolidation and Modification of Easements (Clark Living Trust nee Fergusson Tract), Township File SA 2010-03, TMP 6-10-69, 6-10-602, 6-10-69-5 and 6-10-69-6. The motion carried unanimously.

Consideration of accepting the Developer's Request to Extend the date by which the improvements are to be completed as set forth in the Stormwater Facility Development Contract between Vincent Rongione, III and Karen Rongione, Magnum, Inc. and Buckingham Township for the property located at 4527 Church Road, TMP 6-10-72, to November 15, 2022.

Mr. Forest made a motion, seconded by Mrs. Rash, to accept the Developer's Request to Extend the date by which the improvements are to be completed as set forth in the Stormwater Facility Development Contract between Vincent Rongione, III and Karen Rongione, Magnum, Inc. and Buckingham Township for the property located at 4527 Church Road, TMP 6-10-72, to November 15, 2022. The motion carried unanimously.

Consideration of accepting the Developer's Request to Extend the date by which the improvements are to be completed as set forth in the Land Development Contract between Provco Pineville Doylestown, LP and Wawa, Inc. and Buckingham Township for "Wawa Cross Keys, Township File LD 2018-01, to October 28, 2022.

Mr. Forest made a motion, seconded by Mrs. Rash, to accept the Developer's Request to Extend the date by which the improvements are to be completed as set forth in the Land Development Contract between Provco Pineville Doylestown, LP and Wawa, Inc. and Buckingham Township for "Wawa Cross Keys, Township File LD 2018-0, to October 28, 2022 1. The motion carried unanimously.

Consideration of approving the Reimbursement Agreement and Release between Doylestown Township Municipal Authority ("DTMA") and Doylestown Township; and Buckingham Township.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve the Reimbursement Agreement and Release between Doylestown Township Municipal Authority ("DTMA") and Doylestown Township; and Buckingham Township concerning the recent extension of the Furlong area water system. The motion carried unanimously.

Approval of Dizot Settlement Agreement in Magisterial District Justice Action No. MJ-07301-CV-0000079-2021.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve the proposed settlement of the Township's action against Dizot in Magisterial District Justice Action No. MJ-07301-CV-0000079-2021; provided the Defendant: (i) removed the fence from the ROW on the property

19086

within 30 days; (ii) no longer parked or stored commercial vehicles on the property; (iii) removed from the property the impervious surface that was installed beyond what is permitted by ordinance; and (iv) paid a fine of \$25,000.00 with \$10,000.00 having already been received by the Township and \$5,000.00 a month thereafter for three months. The fine consisting of the reimbursement of \$10,000.00 in legal fees and \$15,000.00 for the ongoing violation of the ordinance. The motion carried unanimously.

Consideration of granting the Supplemental Waiver Request from Section 9.22.D of the Subdivision and Land Development Ordinance to allow for the removal of topsoil from the development site, as requested by “Wawa Cross Keys”, Township File LD 2018-01.

Mr. Forest made a motion, seconded by Mrs. Rash, to grant the Supplemental Waiver Request from Section 9.22.D of the Subdivision and Land Development Ordinance to allow for the removal of topsoil from the development site, as requested by “Wawa Cross Keys”, Township File LD 2018-01. The motion carried unanimously.

ESCROW RELEASES

“PA Biotechnology Center”, Township File LD 2017-02	Request for Release #2	\$399,577.75 recommended for release
Mill Creek Ridge (Smith-Pfeiffer), Site, Township File SA 2001-05C	Release #10, Site	\$44,113.60 recommended for release
“Fenton’s Corner”, Site, Township File SA 2013-03	Request for Release #7	\$148,729.25 recommended for release
“Fenton’s Corner”, W&S, Township File SA 2013-03	Request for Release #6	\$8,775.00 recommended for release
WAWA Convenience Store, Township File LD 2018-01	Provco Escrow – Request for Release #4	\$473,551.18 recommended for release
“Sycamore Hollow Farms (Hiland Tract) – Lot 1”, Township File SA 2010-01	Request for Release #2	\$49,203.18 recommended for release
“Sycamore Hollow Farms (Hiland Tract) – Lot 2”, Township File SA 2010-01	Request for Release #2	\$7,727.19 recommended for release
“McGorry Stormwater Facility Development Contract”, TMP 06-023-003-003	Request for Release #2	\$13,527.07 recommended for release

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Escrow Release #2 for “PA Biotechnology Center”, Township File LD 2017-02 in the amount of \$399,577.75. The motion carried unanimously.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Escrow Release #10 for “Mill Creek Ridge (Smith-Pfeiffer), Site, Township File SA 2001-05C in the amount of \$44,113.60. The motion carried unanimously.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Escrow Release #7 for “Fenton’s Corner”, Site, Township File SA 2013-03 in the amount of \$148,729.25, pending receipt of monies owed. The motion carried unanimously.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Escrow Release #6 for “Fenton’s Corner”, W&S, Township File SA 2013-03 in the amount of \$8,775.00. The motion carried unanimously.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Escrow Release #4 for “Wawa Convenience Store, Provco Escrow, Township File LD 2018-01 in the amount of \$473,551.18, pending receipt of monies owed. The motion carried unanimously.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Escrow Release #2 for “Sycamore Hollow Farms (Histand Tract) – Lot 1, Township File SA 2010-01 in the amount of \$49,203.18. The motion carried unanimously.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Escrow Release #2 for “Sycamore Hollow Farms (Histand Tract) – Lot 2, Township File SA 2010-01 in the amount of \$7,727.19. The motion carried unanimously.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve Escrow Release #2 for “McGorry Stormwater Facility Development Contract”, TMP 06-023-003-003 in the amount of \$13,527.07. The motion carried unanimously.

ADDITIONAL BUSINESS / MANAGER’S ITEMS

Consideration of approving the Purchase Order to RCP Shelters, Inc. in the amount of \$43,155.00 for Park Pavilion Materials.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve the Purchase Order to RCP Shelters, Inc. in the amount of \$43,155.00 for Park Pavilion Materials. The motion carried unanimously.

Consideration of approving the Purchase Order to Deere & Company in the amount of \$42,940.78 for the purchase of a Compact Utility Tractor.

Mr. Forest made a motion, seconded by Mrs. Rash, to approve the Purchase Order to Deere & Company in the amount of \$42,940.78 for the purchase of a Compact Utility Tractor. The motion carried unanimously.

Mr. Forest made a motion, seconded by Mrs. Rash to adjourn the meeting at 9:12 p.m. The motion carried unanimously

9:12 p.m. The Board retired into executive session to discuss ongoing litigation in the Rosner matter and potential real estate purchases.

10:00 p.m. The executive session adjourned.

Approved by the Board of Supervisors on the 17th day of November, 2021.

Buckingham Township Board of Supervisors

Jon Forest, Chairman

Paul Calderaio, Vice-Chairman

Maggie Rash, Member

Attest:

Dana S. Cozza, Secretary

Minutes respectfully submitted by Lori Wicen.