

Buckingham Township Board of Supervisors
Work Session
Minutes

The work session of the Buckingham Township Board of Supervisors was held March 22, 2023 in the Township Building, 4613 Hughesian Drive, Buckingham, Pennsylvania.

Present:	Paul Calderaio	Chairman
	Jon Forest	Vice-Chairman
	Maggie Rash	Member
	Dana S. Cozza	Township Manager
	Daniel Gray	Township Engineer
	Luke Rosanova	Bucks County Planning Commission
	Craig A. Smith, Esquire	Township Solicitor
	Gary Weaver	Township Water/Wastewater Consultant

Not Present: Luke Rosanova Bucks County Planning Commission

The work session began at 6:00 p.m. with Executive Session to discuss pending Froehlich litigation, police personnel matters, and potential land preservation offers.

Bucks County Association of Township Officials Proposed Resolution – Approving Joining a Municipal Consortium to Propose Legislation Amending Act 12 of 2016; To Oppose Legislation and Other Actions that Would Negatively Impact Water and Sewer Customers and Agreeing to pay an Annual Fee of \$250 Toward Offsetting Costs of the Consortium

Mrs. Rash explained that because BCATO (Bucks County Association of Township Officials) was successful in fighting the purchase of Bucks County Water and Sewer Authority to Aqua, PA, they are proposing to form a consortium to oppose the sale of municipal water and sewer assets to private “for profit” utilities.

Mrs. Cozza noted that it is written that the consortium will oppose any sale of a public water and sewer system and that a “majority” of members of the consortium will decide whether they will retain such experts, consultants and legal counsel to prepare such analyses, studies, court actions and other documents to oppose the sale, in addition to the \$250 fee per year to the consortium. Mrs. Rash said there are two sections, number 4 and number 6, that infer that if additional funds are required for the Consortium to fund “the purposes, goals, and objectives of the Consortium,” members would be asked to contribute additional fees. In her opinion a formula for those possible additional fees should be spelled out.

Mr. Smith questioned whether the Board wanted another municipality telling Buckingham what it should do with the Township’s water and sewer system. Mr. Calderaio and Mrs. Rash agreed in principle they did not think private companies should be owning public water and sewer systems. Mrs. Rash said after the sale, a private company can increase rates to recover 100% of the sale price and a return on their

investment. Mr. Smith noted that Buckingham is unusual in that the Township owns the Water and sewer systems, rather than as in most municipalities that have separate authorities owning and managing their systems.

The Board agreed to gather their comments and submit them to BCATO.

Environmental Advisory Commission Candidate – Laura Mein

Mrs. Mein was present, along with Mrs. Strout, Chairman of the Environmental Advisory Commission. Mrs. Rash said that Mrs. Mein comes with a lot of experience and knowledge regarding environmental matters, and the Environmental Advisory Commission continues to educate our residents on environmental matters they may not think about.

Mrs. Strout said that education is the commission's focus this year. She said they have had guests speak at their meetings and will have tables at township events again this year. Mrs. Strout said that Mrs. Mein has been attending the Environmental Advisory Commission meetings for several months and has participated in many of the planting projects, including the Watson's Creek stream bank restoration and anti-erosion efforts.

Mrs. Mein said most of her experience is practical, that she has been educated through Penn State Extension, and is willing to help with whatever the commission is involved in. Mrs. Mein said she has been focused on building rain gardens and taking runoff from the public road onto her own property and getting it into the ground, which she plans to demonstrate to the Penn State Extension this year.

Mr. Calderaio thanked Mrs. Mein for attending the Environmental Advisory Commission meetings, and said her appointment would be added to the Board's regular business meeting this evening.

Proposed Sod Farm, Route 263 and Swamp Road, 29.58 Acres, TMP 6-8-126

Jeff and Mitchell Stezen (father and son) were present as the new owners of the property located at the corner of Route 263 and Swamp Road, and wanted to discuss use of the land. Mr. Jeff Stezen explained they have almost cleared all of the brush on one part of the property, which will be used this year by a sod farmer, and need to continue clearing on the forested part of the property to prepare it for use next year.

Mr. Smith noted that clearing the forest is an A4 Use – Forestry, which is a specific use permitted in their location, and they will need to comply with the zoning ordinance requirements. Mr. Gray added they are only allowed to clear 20% of the forested area. Mr. Smith added that under a continuous canopy they cannot remove the understory, either.

Mr. Gray said they will need to do a tree survey by caliper inches, and calculate what can be removed from the entire property. He explained the township's goal is to maintain the larger trees and maintain the forest. He said anything over 3" caliper is protected.

Mr. Smith said that part of the reason the property was sold at auction is that there are many environmental restrictions on the property, not the least of which is an old quarry that was a dump that will require remediation. Mr. Gray offered to provide the Stezens with a copy of the previous land development plans that show the protected resources on site. Mr. Weaver explained there is a 10" water line that bisects the property and a manhole just at the edge of the property. Mr. Gray said the township has an easement over the water line and manhole area. Mr. Gray said part of the Buckingham Forest basin also is on their property.

Mr. Jeff Stezen asked if they could maybe take 50% of the trees, and Mr. Smith said they could request a variance from the Zoning Hearing Board, but they would need to show a hardship. Mr. Smith said the neighbors in Buckingham Forest would most likely oppose the tree removal.

Mr. Smith asked if they had title insurance, as that should list the restrictions recorded in the county such as easements, etc.

Mr. Gray suggested they hire a surveyor who can locate the easements and concrete markers defining specific areas. Mr. Calderaio suggested they do a tree count in order to get the exact information of what they can and cannot do on the property.

Mr. Jeff Stezen asked if they can do something else on the non-forested area, and Mr. Gray said they can mow and continue clearing the brush, but they cannot disturb the ground (dig) without getting a conservation district permit. Mr. Jeff Stezen said the sod farmer has a machine and wants to flip the ground to grow grass. Mr. Jeff Stezen said they would not make money from the sod farmer, but he will maintain the land. Mr. Gray said there is no problem with the clearing of the brush and mowing of the non-forested areas.

Mr. Jeff Stezen said in the future they are interested in making a cultural shopping center on the property.

Mr. Jeff Stezen asked who they should contact at the township to comply, and Mr. Gray said Rich Myers, Zoning Officer, is their first contact. Mr. Gray said use A4, Forestry, requires a zoning permit.

7:30 p.m. The Work Session adjourned.

Approved by the Board of Supervisors on the 18th day of April, 2023.

Buckingham Township Board of Supervisors

Paul Calderaio, Chairman

Maggie Rash, Vice-Chairman

Jon Forest, Member

Attest:

Dana S. Cozza, Township Secretary

Minutes respectfully submitted by Lori Wicen.