

Buckingham Township Board of Supervisors
Meeting Minutes

The regular meeting of the Buckingham Township Board of Supervisors was held on October 25, 2023 in the Township Building, 4613 Hughesian Drive, Buckingham, Pennsylvania.

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

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

PUBLIC COMMENT

Mr. Chris Santarella, Lower Mountain Road, expressed that he is offended by the negative political signs posted this year, both by the content and the quantity. He said some of them have profanity and asked why that cannot be regulated.

Mr. Smith replied that political speech is highly protected by the United States Constitution. He said Buckingham Township along with surrounding municipalities have been sued in years past by trying to regulate the content, number and placement of such signs.

BOARD'S ANNOUNCEMENTS

Mr. Calderaio announced the following items:

- **Medication Take Back Day**, October 28, 2023 from 10am-2pm. Safely dispose of your unused, unneeded or expired medications at the Buckingham Township Building. For more locations, see the flyer posted on the township website. Mr. Calderaio added that there is always a medication disposal container available 24-7 in the police department lobby.
- **Election Day**: November 7, 2023 - VOTE!
- The Buckingham Township Administrative Offices will be closed November 10, 2023 in observance of Veterans Day.
- Board of Supervisors Work Sessions and Regular Business Meetings will be held on: November 15th and December 13th. All other November and December meeting dates have been cancelled.

Mrs. Rash added that the Annual Tree Lighting Ceremony is scheduled on December 1st at 6pm, a Red Cross Blood Drive on December 7th, and that the township has discount tickets to several venues.

PAYROLL and BILL LIST

Consideration of approving Payment Request No. 1, to Derstine Company, LLC for work completed on the Pump Station Generators and Upgrades, Phase 3, General Contract BT-23-01, in the amount of \$117,000.00.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve Payment Request No. 1, to Derstine Company, LLC for work completed on the Pump Station Generators and Upgrades, Phase 3, General Contract BT-23-01, in the amount of \$117,000.00.

Mr. Calderaio stated the money for this project comes from the income received from the customers of the wastewater service area using the facilities, not from the townships' general fund or tax revenues.

The motion carried unanimously.

Consideration of approving Payment Request No. 7, to GS Developers for work completed on the Water Company Generator Upgrades, Contract BT-22-01, in the amount of \$78,300.00.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve Payment Request No. 7, to GS Developers for work completed on the Water Company Generator Upgrades, Contract BT-22-01, in the amount of \$78,300.00.

Mr. Calderaio stated the money for this project comes from the income received from the customers of the water service area using the facilities, not from the townships' general fund or tax revenues.

The motion carried unanimously.

Consideration of approving Payment Request No. 20, to GS Developers for work completed on the Cold Spring Wastewater System Upgrades, General Contract BT-21-04, in the amount of \$24,000.00.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve Payment Request No. 20, to GS Developers for work completed on the Cold Spring Wastewater System Upgrades, General Contract BT-21-04, in the amount of \$24,000.00.

Mr. Calderaio reiterated the money for this project comes from the income received from the customers of the wastewater service area using the facilities, not from the townships' general fund or tax revenues.

The motion carried unanimously.

Consideration of approving Payroll for the weeks ending October 8, 2023 and October 22, 2023, and the Bill List for the meeting of October 25, 2023.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve Payroll for the weeks ending October 8, 2023 and October 22, 2023, and the Bill List for the meeting of October 25, 2023 in the total amount of \$1,631,188.69. The motion carried unanimously.

MINUTES

Consideration of approving draft Supervisor's Minutes of the September 27, 2023 Work Session and September 27, 2023 Regular Business Meeting and the October 11, 2023 Work Session.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve, as most recently presented, the draft Supervisor's Minutes of the September 27, 2023 Work Session and September 27, 2023 Regular Business Meeting and the October 11, 2023 Work Session. The motion carried unanimously.

Consideration of accepting various Departmental Minutes and Advisory Body Minutes.

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

BUSINESS

Consideration of approving Resolution No. 2601, A Resolution Requesting a Multimodal Transportation Fund Grant from the Pennsylvania Department of Transportation for the Buckingham Village Transportation Improvement Project and Designating the Chairman of the Board of Supervisors and the Buckingham Township Manager to Execute all Documents and Agreements Between Buckingham Township and the Pennsylvania Department of Transportation to Facilitate and Assist in Obtaining the Requested Grant.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve Resolution No. 2601, A Resolution Requesting a Multimodal Transportation Fund Grant from the Pennsylvania Department of Transportation for the Buckingham Village Transportation Improvement Project and Designating the Chairman of the Board of Supervisors and the Buckingham Township Manager to Execute all Documents and Agreements Between Buckingham Township and the Pennsylvania Department of Transportation to Facilitate and Assist in Obtaining the Requested Grant.

Mrs. Cozza explained this resolution is required to apply for the Multimodal Transportation Fund Grant through the Pennsylvania Department of Transportation. She said the grant is to pay for trails to coordinate with PennDOT's Route 202/263 roundabout project. Mrs. Cozza said the trails planned to connect Holicong Park with Buckingham Green, to Route 413, down to Route 263 and

back again, are included in the township’s 2019 Master Trail and Bicycle Plan which is posted on the township website.

Mrs. Cozza said the township applied for the same grant 4 years ago but did not receive it due to its connection with the Route 202/263 roundabout which was delayed during the time of COVID, and then applied again in 2021 through the Pennsylvania Department of Community and Economic Development and that time the Pennsylvania Department of Transportation did not get the funding.

Mrs. Cozza explained that PennDOT is hoping to get the funding, with the best scenario of availability in the year 2025. She said the township’s total request is \$913,208.00, with the township match set aside in budget numbers for the year 2025 of \$383,000.00.

The motion carried unanimously.

Consideration of recommending Preliminary/Final Approval of the “Walsh Tract” Minor Subdivision Plan dated Rev. October 5, 2023, Township File SA 2019-01, Tax Map Parcel #06-021-053-001, 5087 Lower Mountain Road, 2 Lot Subdivision, 5.340 Acres, located in the AG-1 Zoning District, with an extended review period expiration date of October 25, 2023.

Steve Rovner, Esq. Rovner, Allen, Rovner, Zimmerman & Nash, Mr. Jonathan Ringenbach, Pennoni Associates, Inc., and Mr. Jerry Walsh, Property Owner, were present to discuss the revised preliminary/final plan.

Mr. Rovner explained he is the attorney for the applicant, Jerry Walsh, who owns 5.34 acres at the intersection of Lower Mountain and Holicong Roads. He said Mr. Walsh is requesting to subdivide the tract into two conforming lots, each 2+ acres. He will retain lot 2, which he lives on, and sell lot 1. He said this plan has been reviewed by the Planning Commission several times over the past few years, and has received a recommendation for preliminary/final approval.

Mr. Ringenbach said they had received letters from Knight Engineering, Inc. (dated 10/23/23) and the Landscape Review Consultant (dated 10/10/23) along with several site visits, and all comments in each letter are “will comply”. He said the one item for discussion is the waiver request regarding the swale, adding they had discussed with the planning commission who said it was up to the Board of Supervisors.

The Waiver Requests of July 13, 2023 were discussed.

Mr. Gray said Waivers #1 and #2 need to be discussed as they both involve road widening, improvements and road swale improvements:

Waiver Request #1 - §9.7.A.13 – Where a subdivision or land development abuts or contains an existing street of inadequate width or substandard construction, the Applicant shall be required to widen and/or reconstruct the roadway to meet current Township standards.

Waiver Request #2 - §9.18.A – Curbs shall be provided along all streets/roads, existing and proposed.

Mr. Ringenbach explained there is existing vegetation and utility poles along Holicong Road. He said there are no known drainage issues at this time, and to disturb the existing vegetation and utility poles would disturb some of the existing buffering, which the SALDO seeks to protect. Mr. Ringenbach explained they will install plantings on both lots, and stormwater management improvements on the new lot, which will reduce runoff from the site. Mr. Walsh confirmed there are no drainage issues on his lot at this time. Mr. Rovner stated they understand that the swale may be required along the entire border of both properties.

Mr. Gray clarified there is some drainage on the other side of Lower Mountain Road that diverts and captures water in a good way to other culverts, so water does not come from above the site, just the runoff from the site would be conveyed to the swale. He said in discussion with the Planning Commission it was determined that the existing hemlocks along the road are not of great character, but they questioned whether the improvement for the swale eliminating the hemlocks was worthwhile. He said they asked the applicant to develop a plan to show the impacts and to have this discussion with the Board of Supervisors as to whether the right of way should be fully regraded or not.

Mr. Gray said after studying the applicant's research on the swale, he would recommend supporting these two waiver requests. The Board agreed.

Waiver Request #3 - §9.18.B – Sidewalks or bicycle/pedestrian paths shall be provided along all existing and proposed streets. It is the intent of the township to accommodate safe pedestrian and bicycle access to all parts of the township.

Mr. Gray said the township's master trail plan recommends sharrows (shared-lane markings to show that people riding bicycles and those driving cars must share the road) along this section of Lower Mountain Road, and he suggested approval include payment of a fee in lieu so that when the rest of the road is improved there would be money for this section. Mr. Calderaio asked if in the future they would rather post signs as the road is narrow, and Mr. Gray said that would be fine. The Board and the applicant agreed that \$500.00 would be an acceptable fee in lieu of present lane markings.

Waiver Request #4 - §6.3.B.16 – Requiring existing buildings (and their uses), driveways, wastewater lines, storm drains, culverts, bridges, public utility easements, etc. within 200 feet of the Property to be shown on the Plans. If significant features exist farther than 200 feet, the Township may require their inclusion. All existing features shall be determined by an actual field survey that shall be based on the Pennsylvania State Plane Coordinate System. A minimum of two (2) survey benchmarks shall be provided on the site. The location (including elevation and state plane coordinates) shall be provided on the Record Plan and all grading plans.

Mr. Ringenbach said they had surveyed the property itself and pertinent information immediately surrounding it, including wells on the neighboring property. Mr. Gray said that he supported this waiver request. The Board supported the waiver conditioned upon the Applicant providing any information deemed necessary by the Township's consultants to verify compliance with the Township's Ordinances prior to the recording of the plans.

Waiver Request #5 - §3.3.C.2.r - Renderings of proposed buildings and photographs of similar construction.

Mr. Ringenbach said the owner does not have renderings of proposed buildings and photographs as he is not going to develop the property, however he did show the building envelope with proposed house and septic location on the plan. Mr. Gray noted there are no building elevations shown, however the house is set up for the correct solar orientation, and if the Board agrees to this waiver, the record plan should continue to show the house is set up for the correct solar orientation. The Board agreed to support the waiver with this condition.

Mr. Ringenbach said they will provide the engineer cost and quantity escrow in order to have the necessary approval agreements drawn up.

Waiver Request #6 - §9.23.K.2.h – This requires that all runoff directed to an infiltration device shall first be filtered to remove sediment. Filtering devices include, but are not limited to, sediment retention basins, vegetative filters, sediment and grease traps in storm drainage structures, and sand filtration chambers.

Mr. Ringenbach said the runoff will be filtered to remove sediment. Mr. Gray said he supports a waiver of this ordinance requirement provided the proposed runoff from the roof lateral discharges to a permanent stabilized swale prior to entering the Infiltration Basin. So conditioned, the Board agreed to the waiver.

Waiver Request #7 - §9.22.J – This requires that grading shall only be permitted in the building envelope and for driveways or other means of access, unconventional wastewater disposal systems and stormwater facilities. The maximum width of grading for driveways shall be fifteen (15) feet. Utilities (water, wastewater, gas etc.) shall be placed within the area to be disturbed for driveway installation. The limit of grading shall not preclude tilling of soil to plant grass, placing landscaping and installation of geothermal heating/air conditioning systems.

Mr. Gray said the grading is shown on the plan. He explained the ordinance wants everything within the building envelope, and this lot has good soils on the side, between the two lots as noted on the plan. Mr. Gray said he supported the waiver request conditioned upon the design of the Stormwater Management Facilities being designed to the standards set forth by SALDO § 9.23 and the limits of disturbance being observed during construction. So conditioned, the Board agreed.

Mr. Smith asked Ms. Manicone if there were any landscaping concerns, and Ms. Manicone replied the applicant replied “will comply” to all of the comments in her October 10, 2023 review letter, and she had just a few clean-up comments on the planting schedule and request for photographs to be incorporated into the plan set. Mr. Ringenbach said he had met with the landscape architect for the project and all comments are “will comply”.

Mr. Smith noted there were no issues in the July 18, 2023 Castle Valley Consultants letter.

Mr. Gray said the June 25, 2019 Bucks County Planning Commission letter was based on the initial submission, and all comments had been addressed through revisions. He noted that

regarding the Master Trail and Bicycle Plan, they had recommended “share the road” signs rather than sharrows. He said all matters are “will comply” or have complied.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to grant Preliminary/Final Approval of the “Walsh Tract” Minor Subdivision Plan dated Rev. October 5, 2023, Township File SA 2019-01, Tax Map Parcel #06-021-053-001, 5087 Lower Mountain Road, 2 Lot Subdivision, 5.340 Acres, located in the AG-1 Zoning District, with an extended review period expiration date of October 25, 2023, subject to the following:

1. *Compliance with all the comments in the October 23, 2023 Knight Engineering, Inc. review letter.*

The SALDO Waivers requested pursuant to Applicant’s July 13, 2023 Waiver Request Letter are, as discussed, by this motion granted.

2. *Compliance with all the comments in the October 10, 2023 Landscape Review Consultants review letter.*

3. *Compliance with all the comments in the June 25, 2019 Bucks County Planning Commission review letter, noting that all comments either have been addressed through revisions or will be complied with.*

4. *Compliance with all the comments in the July 18, 2023 Castle Valley Consultants, Inc. review letter.*

The motion carried unanimously.

The Township Solicitor was directed to prepare the written approval as required by the MPC. The findings, terms and conditions of that written approval, read as complimentary to these minutes, shall be controlling.

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 Stephen Scardetto and Buckingham Township for TMP 06-023-055-001 to October 27, 2024.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to agree to the Developer’s Request for an Extension of time within which to complete the Improvements as set forth in the Stormwater Facility Development Contract between Stephen Scardetto and Buckingham Township for TMP 06-023-055-001 to October 27, 2024. 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 27, 2024.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to agree to the Developer’s Request for an Extension of time within which to complete the Improvements 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 27, 2024. 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 Residential Development Contract between Sarah Colamarino Kocinski and Richard Kocinski and Buckingham Township for “Lot 1 of the Trycieki Tract”, Township File SA 2016-02, TMP 06-006-039-011 to October 27, 2024.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to agree to the Developer’s Request for an Extension of time within which to complete the Improvements as set forth in the Residential Development Contract between Sarah Colamarino Kocinski and Richard Kocinski and Buckingham Township for “Lot 1 of the Trycieki Tract”, Township File SA 2016-02, TMP 06-006-039-011 to October 27, 2024. The motion carried unanimously.

Escrow Releases:

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve the “McGorry Stormwater Facility Development Contract”, TMP 06-023-003-003, Request for Release #4, in the amount of \$23,002.52, less \$3,532.00 payable to Buckingham Township for outstanding fees owed.

Mrs. Cozza explained that Mr. McGorry had agreed that the amount due could be deducted from the payment.

The motion carried unanimously.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve the “Scardetto Property Stormwater Facility Development Contract”, Permit #PSW190013, 808 Pineville Road, TMP 6-23-55-1, Request for Release #6, in the amount of \$14,464.90. The motion carried unanimously.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve the “Buckingham Friends School Gymnasium & Science Center Project”, LD 2022-01, Request for Release #1, in the amount of \$507,877.95. The motion carried unanimously.

Consideration of adding the following item to the agenda and to post the agenda so amended on the township’s website and at the township office by the first business day following this meeting:

Consideration of approving the Request for Waiver of Land Development submitted for the Bank of America - Exterior Lighting, 167 Carousel Lane, TMP 6-14-53-1.

Mr. Forest made a motion, seconded by Mr. Calderaio, to approve adding the following item to the agenda and to post the agenda so amended on the township's website and at the township office by the first business day following this meeting: Consideration of approving the Request for Waiver of Land Development submitted for the Bank of America - Exterior Lighting, 167 Carousel Lane, TMP 6-14-53-1, noting the matter could not be added to the agenda earlier as it was just discussed during this evening's work session. The motion carried unanimously.

Consideration of approving the Request for Waiver of Land Development submitted for the Bank of America - Exterior Lighting, 167 Carousel Lane, TMP 6-14-53-1.

Mr. Forest made a motion, seconded by Mr. Calderaio, to approve the Request for Waiver of Land Development submitted for the Bank of America - Exterior Lighting, 167 Carousel Lane, TMP 6-14-53-1.

Mr. Forest explained this subject was discussed during the Work Session prior to this meeting.

The motion carried unanimously.

Consideration of adding the following item to the agenda and to post the agenda so amended on the township's website and at the township office by the first business day following this meeting:

Consideration of approving the following waivers from the Buckingham Township Stormwater Ordinance as requested for the Kervick Residence, PSW220080, 3375 Dark Hollow Road, TMP 6-22-6:

- A waiver from BTSO § 306.D requiring "all stormwater management facilities shall be provided with an emergency spillway or overflow device. Emergency spillways discharging over embankment fill shall be constructed of reinforced concrete checker block to protect the berm against erosion".*
- A partial waiver from BTSO § 402.B.2.A.4, requiring a complete survey of the entire parcel.*
- A waiver from BTSO § 402.B.2.B.1, requiring an existing resource and site analysis map (ERSAM).*
- A waiver from BTSO § 301.N, requiring bioretention basin plantings at a ratio of 300 trees per acre and 700 shrubs per acre.*

Mr. Forest made a motion, seconded by Mr. Calderaio, to approve adding the following item to the agenda and to post the agenda so amended on the township's website and at the township office by the first business day following this meeting:

Consideration of approving the following waivers from the Buckingham Township Stormwater Ordinance as requested for the Kervick Residence, PSW220080, 3375 Dark Hollow Road, TMP 6-22-6:

- A waiver from BTSO § 306.D requiring “all stormwater management facilities shall be provided with an emergency spillway or overflow device. Emergency spillways discharging over embankment fill shall be constructed of reinforced concrete checker block to protect the berm against erosion”.
 - A partial waiver from BTSO § 402.B.2.A.4, requiring a complete survey of the entire parcel.
 - A waiver from BTSO § 402.B.2.B.1, requiring an existing resource and site analysis map (ERSAM).
 - A waiver from BTSO § 301.N, requiring bioretention basin plantings at a ratio of 300 trees per acre and 700 shrubs per acre.
- Mr. Forest noted this item is being added because the matter was first discussed during this evening’s work session, and was not able to be added to the agenda prior to the discussion. The motion carried unanimously.*

Consideration of approving the following waivers from the Buckingham Township Stormwater Ordinance as requested for the Kervick Residence, PSW220080, 3375 Dark Hollow Road, TMP 6-22-6:

- A waiver from BTSO § 306.D requiring “all stormwater management facilities shall be provided with an emergency spillway or overflow device. Emergency spillways discharging over embankment fill shall be constructed of reinforced concrete checker block to protect the berm against erosion”.
- A partial waiver from BTSO § 402.B.2.A.4, requiring a complete survey of the entire parcel.
- A waiver from BTSO § 402.B.2.B.1, requiring an existing resource and site analysis map (ERSAM).
- A waiver from BTSO § 301.N, requiring bioretention basin plantings at a ratio of 300 trees per acre and 700 shrubs per acre.

Mr. Forest made a motion, seconded by Mr. Calderaio, to approve the following waivers from the Buckingham Township Stormwater Ordinance as requested for the Kervick Residence, PSW220080, 3375 Dark Hollow Road, TMP 6-22-6:

- A waiver from BTSO § 306.D requiring “all stormwater management facilities shall be provided with an emergency spillway or overflow device. Emergency spillways discharging over embankment fill shall be constructed of reinforced concrete checker block to protect the berm against erosion”.
- A partial waiver from BTSO § 402.B.2.A.4, requiring a complete survey of the entire parcel.
- A waiver from BTSO § 402.B.2.B.1, requiring an existing resource and site analysis map (ERSAM).
- A waiver from BTSO § 301.N, requiring bioretention basin plantings at a ratio of 300 trees per acre and 700 shrubs per acre. *Mr. Forest explained this waiver request is granted as revised to require a total of 31 trees and 62 shrubs, to be of caliper and dimension as depicted on the plan dated Revised July 12, 2023.*

The motion carried unanimously. The Township Manager was directed to prepare a written approval specifying in detail the waivers hereby granted. The findings, terms and conditions of that written approval, read as complimentary to these minutes, shall be controlling

ADDITIONAL BUSINESS / MANAGER’S ITEMS

Consideration of approving Payment of Outstanding Invoices owed by “D’Angelo Verrichia Tract”, Township File SA 2006-04A, in the amount of \$7,017.67 to Buckingham Township.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve Payment of Outstanding Invoices owed by “D’Angelo Verrichia Tract”, Township File SA 2006-04A, in the amount of \$7,017.67 to Buckingham Township.

Mrs. Cozza explained the township had pulled the escrow money and is working with Mr. Verrichia to complete the project, however in the meantime there are some invoices to be paid from this account.

The motion carried unanimously.

Mr. Calderaio announced the Board will hold an executive session following the continuation of the Work Session this evening, to discuss police personnel matters.

Mr. Calderaio made a motion, seconded by Mrs. Rash to adjourn the meeting at 8:55 p.m. The motion carried unanimously.

Approved by the Board of Supervisors on the 15th day of November, 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.