

BUCKINGHAM TOWNSHIP

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BOARD OF SUPERVISORS REGULAR BUSINESS MEETING

AGENDA

APRIL 24, 2024

Call to Order 7:30 p.m.

1. Public Comment (Maximum 30 minutes)
2. Board's Announcements:
 - **National Prescription Drug Take Back Day**, Saturday, April 27, 2024, 10am-2pm, Buckingham locations include Midway Fire Company, 3879 Durham Road and the Administrative Township Building.
 - **Clean-Up Weekend** is May 4th and May 5th. Bring your large items to the Maintenance Garage at 4991 Upper Mountain Road (no hazardous materials). Paper shredding is offered on Saturday morning and Compost is available if you bring your own covered container and shovel.
 - **Native Plant Sale**, May 11, 2024 from 10-12 p.m. at the Hansell Park Pavilion. The Buckingham Township Environmental Advisory Commission and the Bucks County Master Gardeners have put together a pre-designed pollinator/butterfly garden of 6 different plants for \$10.00 (payment by cash or check only).
 - The May 22, 2024 Board of Supervisor Work Session and Regular Business Meeting have been re-scheduled to May 15, 2024.
3.
 - a. Consideration of approving Payment Request No. 10, to GS Developers for work completed on the **Water Company Generator Upgrades, Contract BT-22-01**, in the amount of \$22,700.00.
 - b. Consideration of approving Payment Request No. 15, to GS Developers for work completed on the **Cold Spring Wastewater System Upgrades, Electrical Contract BT-21-05**, in the amount of \$15,000.00.
 - c. Consideration of approving Payroll dated March 28, 2024 and April 11, 2024, and the Bill List for the meeting of April 24, 2024.
4. Consideration of approving draft Supervisor's Minutes of the March 27, 2024 Work Session and the March 27, 2024 Regular Business Meeting.
5. Consideration of accepting for inclusion in the Township records various Departmental Minutes and Advisory Body Minutes.
6. Consideration of approving Resolution No. 2623 appointing the Chief of Police.
7. Additional Business / Manager's Items:
 - Consideration of approving the request submitted by Andrea Ferrino on behalf of Abbey's Bakery – TNT scholarship fund to waive the \$100.00 Park Usage Fee set by Resolution No. 2618 for use of George M. Bush Park for a "Play 4 Abbey" Volleyball Tournament to be held on May 18, 2024.

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7. Additional Business / Manager's Items (Cont'd.):

- Consideration of approving the request submitted by Cie Stroud on behalf of The Anchor House Foundation to waive the \$100.00 Park Usage Fee set by Resolution No. 2618 for use of Hansell Park for a "Ride for Runaways" to be held on July 20, 2024.
- Consideration of awarding the 2024 Road Improvement Project Bid to James D. Morrissey, Inc. of Philadelphia, PA in the amount of \$707,161.90.
- The Board of Supervisors will have a Regular Business Meeting on May 15, 2024 at 7:30 p.m., which will include the official swearing in ceremony for the new Chief of Police.

Buckingham Township Board of Supervisors
Meeting Minutes

The regular meeting of the Buckingham Township Board of Supervisors was held Wednesday, April 24, 2024 in the Township Building, 4613 Hughesian Drive, Buckingham, Pennsylvania.

Present:	Paul Calderaio	Chairman
	Maggie Rash	Vice-Chairman
	Jon Forest	Member
	Dana Cozza	Township Manager
	Craig Smith, Esquire	Township Solicitor
	Daniel Gray	Township Engineer
	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 pm.

BOARD'S ANNOUNCEMENTS

Mrs. Rash read the following announcements:

- Clean-Up Weekend is May 4th and May 5th. Bring your large items to the Maintenance Garage at 4991 Upper Mountain Road (no hazardous materials). Paper shredding is offered on Saturday morning and Compost is available if you bring your own covered container and shovel.
- Medicine Take Back will be Saturday, April 27th
- Native Plant Sale, May 11, 2024 from 10-12 p.m. at the Hansell Park Pavilion. The Buckingham Township Environmental Advisory Commission and the Bucks County Master Gardeners have put together a pre-designed pollinator/butterfly garden of 6 different plants for \$10.00 (payment by cash or check only).
- The May 22, 2024 Board of Supervisor Work Session and Regular Business Meeting have been re-scheduled to May 15, 2024.
- Photo Contest for our 325 anniversary calendar. Everyone is invited to participate.
- Concert Series will start Thursday, June 20th at Hansell Park at 7 p.m. for 9 weeks.
- Blood Drive on June 25th from 2 pm till 7 pm at the Buckingham Township Building.
- Day in the Park will be June 27th at Holicong Park – watch for details.
- Police National Night Out will be August 6th at Peddlers Village.

PUBLIC COMMENT

Ms. Ann Kettelberger, Quail Drive, Buckingham Township.

Ms. Kettelberger stated that there are a lot of questions regarding the proposed spray fields at 3344 Street Road. She suggested that the Board consider having an educational night as they did recently regarding water.

Ms. Linda Flammer, Mechanicsville Road, Buckingham Township.

Ms. Flammer said regarding the spray field, she has been doing extensive research online and that the water supply needs to be tested. Ms. Flammer said she has found internet reports that since 1988 spray fields have caused chemicals in the ground. She asked that the

Board be transparent. Mr. Forest tried to explain that this spray field is for wastewater from residential use only, that the water is treated before it is sprayed and there are not industrial chemicals.

Mr. Jim Walter, Sugarbottom Road, Buckingham Township Environmental Advisory Commission.

Mr. Walter explained that he is a Watershed Expert and explained the safety of spray fields and the benefits for the environment. He went over the 5 steps of filtration and how the water re-charges the aquifer, therefore, helping the environment. He noted that DEP believes this is the most environmentally friendly way to treat wastewater.

Mr. Joseph Matejik, Mechanicsville Road, Solebury Township.

Mr. Matejik was terribly upset about the idea of spray fields because he has 4 children and does not believe anything that anyone says about the safety of the wells in the area near spray fields.

Ms. Vera Shelton, Street Road, Buckingham Township.

Ms. Shelton questioned why neighbors just received the e-mail regarding the spray fields and why they were not told previously. Ms. Shelton accused the Board of not being transparent and noted that at the past meeting only 2 Supervisors voted to approve the purchase of the land. Mr. Forest explained that he was away on vacation and that only two Supervisors were present. Mrs. Cozza said that these 45 acres are adjacent to the spray field that currently services the Stoneymead development. Mrs. Cozza explained that Buckingham Township has been using spray fields since 1988 and no one has ever questioned how we protect the environment and that nothing has ever been hidden. Mrs. Cozza noted that the Township started in October to try to preserve this property, but the landowner was not in agreement. She also noted that there is no actual plan yet developed for how the sprayfield is to be constructed, and that there are many steps that need to be taken from this point.

Ms. Lee Schram, Carversville Road, Buckingham Township.

Ms. Schram asked why the township is taking the land near Indian Spring Farms. She questioned the location and said that the township should take someone else's land. She said that she would rather see 5 to 7 homes on that property than a spray site. The Board noted that those homes too would have to treat their wastewater, likely by a septic system that discharges wastewater, without treatment other than sitting in a septic tank, directly into the ground.

Ms. Donna DiFulvio, Ursulas Way, Buckingham Township.

Ms. DiFulvio said she moved here in 2008 and suggested that the township offer more education regarding wells and septic. She said that the lack of education causes suspicion. Ms. DiFulvio questioned testing of wells. Mr. Gary Weaver of Castle Valley Consultants

replied that the township wells are tested and monitored by DEP. He emphasized that the township follows all of the state guidelines.

Mr. Weaver went on to explain that the design of the spray field is not yet started, and the process could take at least 1 ½ years. Mr. Weaver said that he works closely with Larry Hepner, of Del Val College. Mr. Weaver also stated that Buckingham Township does not apply fertilizer to the spray fields as do farmers.

Mr. David Goldhaber, Indian Ridge Road, Buckingham Township.

Mr. Goldhaber asked the Board about paving Indian Springs Road because it is in very poor condition, and he was concerned that there may be an accident. Mrs. Cozza replied that the Road Improvement Bid is on tonight's agenda, and that Indian Springs Road is included as an alternative on the paving list, meaning that it may be added this year, but if not, next.

Ms. Sarah Cohen, South Deer Run Road, Buckingham Township.

Ms. Cohen said that she moved here 2 years ago from New York and has educated herself on the web and found very disturbing reports concerning spray fields. She has proof from a National Institute of Health study that says that people who live within a one-mile radius of spray fields had significant health problems. She said that there are rules from the EPA that prohibit testing of the spray from the fields and that the contaminants from the spray are harmful to the mental and physical health of people. Ms. Cohen said that this study happened in North Carolina.

Mr. Weaver explained that there are studies about crops on spray fields and how important it is to rotate crops to rehabilitate the fields. Mr. Weaver went on to explain the North Carolina reports concern wastewater from intensive porcine farming, not treated residential wastewater.

Ms. Cohen continued to reiterate how unsafe spray fields would be to the residents. Mrs. Rash explained that since 1988 there has been no indication of any health problems with our residents due to the spray fields.

Mr. Tim Fuhrmeister, Indian Spring Road, Buckingham Township.

Mr. Fuhrmeister asked if this spray field is in addition to what we have now, and if so, why are we doing it? Mrs. Cozza explained that the township is planning to rest a site by using another. Mr. Fuhrmeister stated that he is concerned that the township is doing this for more housing. Mr. Calderaio explained that to the contrary, the township is proud of our 500 acres of open space and that is not what we are doing. Rather, the sprayfield means the

field is not available for more housing. Mr. Weaver explained about the size of the fields and EDU's and that even with this proposed field the Township has no capacity for more housing.

Ms. Christine Tomlinson, Antler Drive, Buckingham Township.

Ms. Tomlinson asked why the township is putting the spray site near properties that have private wells? She stated that the PFO'S found near Central Bucks East High School in March was caused by 4 things, including wastewater from Cold Spring. She said that since 1988 people have not come forward to report health conditions. Mr. Walters addressed PFO'S by saying that it comes from so many other things than spray fields, including our clothes.

Ms. Nicole Hellyer, Bedfordshire Road, Buckingham Township.

Ms. Hellyer noted that she is speaking for herself and 10 neighbors in the Devonshire community. She handed everyone a packet of paper and explained about her 75 foot setback causing a hardship because she only has 8 feet of actual usable backyard. Ms. Hellyer asked the Board if they could change the setback rule. Mr. Gray explained that if it is on the original subdivision plan it cannot be changed by the Board of Supervisors. Mr. Smith explained then that the only way the subdivision plan could be changed is by having every owner of each property agree to change the setback rule. He suggested that Ms. Hellyer work with the homeowner's association to attempt to make that a possibility.

Mr. Miles Gombosi, Mechanicsville Road, Buckingham Township.

Mr. Gombosi thanked the Board of Supervisors for how they take care of our residents, especially with the information from the recent informational evening presented by the Environmental Advisory Commission. Mrs. Cozza thanked him and said that the township will have more informational meetings in the future.

Mr. Matthew Henderson, Indian Spring Road, Buckingham Township.

Mr. Henderson questioned the Board regarding building more houses on Indian Spring Road. He asked if minutes were being taken and then mentioned that he wanted everyone to know that his wife died of colon cancer. The Board said that they were very sorry for his loss.

Mr. Christopher Tomlinson, Antler Drive, Buckingham Township.

Mr. Tomlinson said that there are chemicals, and the wells are polluted because of the farmer using, fertilizing and treating the fields, not the spray fields. He said that the farmer died of colon cancer.

Ms. Diane Treat, Mechanicsville Road, Buckingham Township.

Ms. Treat asked the Board when the approval of the location will be on the agenda since it is not on the agenda tonight. Mrs. Cozza explained that as she told her when they recently talked on the telephone, that she and the Board will work with her and keep her in the loop concerning the design of the spray field, since her property is surrounded by the spray field property. Ms. Treat asked why they did not take another property. Mrs. Cozza explained that since the land is undeveloped and adjacent to the spray fields that are currently there, it was the right piece of land for an additional field.

Mr. Matthew Martindell, South Deer Run Road, Buckingham Township.

Mr. Martindell said that there is no way that the wells in the area will not be affected by the spray fields. He compared the spray fields with PFO'S from ground zero at the naval air base and that he is fighting to find information about the Navy's use of PFOs because his father, who lived near there, died. Mr. Calderaio said that he lives in Buckingham Forest surrounded by spray fields and never had a problem. Mr. Weaver explained that Buckingham Forest is surrounded by spray fields with monitoring wells. Mr. Martindell questioned why Buckingham Forest has public water not private wells. Mr. Forest noted that the PFOS at the naval base was caused by firefighting foam and run-off from the runways. It was further noted that Buckingham's public water sources the water from wells within the Township.

Ms. Arline Soffian, Lower Mountain Road, Buckingham Township.

Ms. Soffian asked what is required to drill a well in the area? Mr. Walter said wells are typically drilled at 150 to 200 feet. Mr. Forest explained how the water filtrates through the ground. Mr. Gray explained monitoring wells and the reason they have monitors on them. Mr. Weaver explained ground water analysis and all the testing of the aquifer. He also explained that testing of the site we are talking about and the resulting construction needs has yet to be done and that the plans have not yet been prepared. Ms. Soffian asked about studies done in areas that currently have spray sites. Mrs. Rash said it will be something that they will consider.

Mr. Edward Cubernot, Pheasant Lane, Buckingham Township.

Mr. Cubernot asked about the spray sites along Cold Spring Creamery Road and said that he went there to meet a friend and the smell was so bad that the children could not go out and play. He said that the Board was going to do whatever they want, and he is going to move. Mr. Cubernot said that real estate values will go down and it is not fair. It was

explained that in the Township's experience developers sell houses adjoining spray fields and lagoons for more money, not less.

Ms. Jessica Rosa, Street Road, Solebury Township.

Ms. Rosa asked that the township consider drip irrigation and not spray irrigation because she believes the spray is dangerous and because it cannot be tested. She said that she lived on a farm and was knowledgeable about drip irrigation.

Mr. Sean McArdle, Indian Spring Road, Buckingham Township.

Mr. McArdle stated that his intention had been to preserve the land and only build a few houses; that he would not agree to the Township's offers because he had explained to the Board of Supervisors that he needed another lot to "make it work". Mrs. Rash explained that as result of many conversations Mr. McArdle had agreed through his lawyer on a deal for preservation, and then he changed his mind. Mrs. Rash said that then he listed the property for sale for \$1,275,000, which the Township offered to pay and Mr. McArdle turned that down, despite the listing. Mrs. Rash continued that the Township then purchased the property for \$1,420,000. Mr. McArdle expressed his anger using profanity directed towards Mr. Smith, who replied that he could not address his comments directly since Mr. McArdle has an attorney representing him.

Mr. David Goldhaber, Indian Ridge Road, Buckingham Township.

Mr. Goldhaber said that he thought 6 or 7 houses on the property under discussion would be better than the spray field. He suggested that the township buy all the properties around all the spray fields.

Ms. Linda Flammer, Mechanicsville Road, Buckingham Township.

Ms. Flammer suggested that the Board of Supervisors co-power with and not power over the residents.

Mr. Andrew Yaros, Antler Drive, Buckingham Township.

Mr. Yaros shared concern over the mist spraying air borne particles. Mrs. Cozza explained the number of spray fields are needed to rotate crops, such as corn, sunflowers, hay. She said it will look like the spray field off Cold Spring Creamery Road. Mr. Weaver added that they cannot spray when winds are over 25 mph.

Ms. Celeste Callaghan, Street Road, Buckingham Township.

Ms. Callaghan said that her house was built in 1769. She said that nobody will want to buy her property since it will be surrounded on 3 sides by the spray fields. Mrs. Cozza again said that the township would work with the adjacent neighbors when they are designing the spray field.

Ms. Barbara Rintala, Carversville Road, Buckingham Township.

Ms. Rintala said that she purposely moved here recently to a location near existing spray fields because of the open space. She said there are no smells, and she loves where she lives. Ms. Rintala asked everyone to please look at the big picture and the amount of land being preserved from development through the use of spray fields.

Mr. Mike Bateman, Tall Oak Court, Buckingham Township.

Mr. Bateman asked the Board about Mrs. Cozza's recent e-mail received in response to his request to "change the venue" (hold the meeting at a different place) for the upcoming Planning Commission meeting regarding the proposed warehouse near Cold Spring Creamery Road. Mr. Forest said that it was a Board decision not to change the venue. Mr. Bateman offered to pay for the cost of changing the venue.

The Board announced that they would take a break before proceeding with the meeting.

Mr. Calderaio excused himself from the remainder of the meeting.

The Meeting resumed at 10:15 p.m.

PAYROLL and BILL LIST

Consideration of approving Payment Request No. 10, to GS Developers for work completed on the Water Company Generator Upgrades, Contract BT-22-01, in the amount of \$22,700.00.

Mrs. Rash made a motion, seconded by Mr. Forest, to approve Payment Request No. 10, to GS Developers for work completed on the Water Company Generator Upgrades, Contract BT-22-01, in the amount of \$22,700.00. The motion carried unanimously.

Consideration of approving Payment Request No. 15, to GS Developers for work completed on the Cold Spring Wastewater System Upgrades, Electrical Contract BT-21-05, in the amount of \$15,000.00.

Mrs. Rash made a motion, seconded by Mr. Forest, to approve Payment Request No. 15, to GS Developers for work completed of the Cold Spring Wastewater System Upgrades, Electrical Contract BT-21-05, in the amount of \$15,000.00. The motion carried unanimously.

Consideration of approving Payroll dated March 28, 2024 and April 11, 2024, and the Bill List for the meeting of April 24, 2024.

Mrs. Rash made a motion, seconded by Mr. Forest, to approve Payroll dated March 28, 2024 and April 11, 2024, and the Bill List for the meeting of April 24, 2024, in the total amount of \$2,200,657.71. The motion carried unanimously.

MINUTES

Consideration of approving draft Supervisor's Minutes of the March 27, 2024 Work Session and the March 27, 2024 Regular Business Meeting.

Mrs. Rash made a motion, seconded by Mr. Forest, to approve, as most recently presented, the draft Supervisor's Minutes of the March 27, 2024 Work Session and the March 27, 2024 Regular Business Meeting. The motion carried unanimously.

Consideration of accepting for inclusion in the Township records various Departmental Minutes and Advisory Body Minutes.

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

BUSINESS

Consideration of approving Resolution No. 2623 appointing the Chief of Police.

Mrs. Rash made a motion, seconded by Mr. Forest, to approve Resolution No. 2623 appointing the Chief of Police. The motion carried unanimously.

ADDITIONAL BUSINESS / MANAGER'S ITEMS

Consideration of approving the request submitted by Andrea Ferrino on behalf of Abbey's Bakery – TNT scholarship fund to waive the \$100.00 Park Usage Fee set by Resolution No. 2618 for use of George M. Bush Park for a "Play 4 Abbey" Volleyball Tournament to be held on May 18, 2024.

Mrs. Rash made a motion, seconded by Mr. Forest, to approve the request submitted by Andrea Ferrino on behalf of Abbey's Bakery – TNT scholarship fund to waive the \$100.00 Park Usage Fee set by Resolution No. 2618 for use of George M. Bush Park for a "Play 4 Abbey" Volleyball Tournament to be held on May 18, 2024. The motion carried unanimously.

Consideration of approving the request submitted by Cie Stroud on behalf of The Anchor House Foundation to waive the \$100.00 Park Usage Fee set by Resolution No. 2618 for use of Hansell Park for a “Ride for Runaways” to be held on July 20, 2024.

Mrs. Rash made a motion, seconded by Mr. Forest, to approve the request submitted by Cie Stroud on behalf of The Anchor House Foundation to waive the \$100.00 Park Usage Fee set by Resolution No. 2618 for use of Hansell Park for a “Ride for Runaways” to be held on July 20, 2024. The motion carried unanimously.

Consideration of awarding the 2024 Road Improvement Project Bid to James D. Morrisey, Inc. of Philadelphia, PA in the amount of \$707,161.90.

Mrs. Rash made a motion, seconded by Mr. Forest, to approve awarding the 2024 Road Improvement Project Bid to James D. Morrisey, Inc. of Philadelphia, PA in the amount of \$707,161.90. The motion carried unanimously.

The Board of Supervisors will have a Regular Business Meeting on May 15, 2024 at 7:30 p.m., which will include the official swearing-in ceremony for the new Chief of Police.

Mr. Forest made a motion, seconded by Mrs. Rash, to adjourn the meeting at 10:25 pm. The motion carried unanimously.

Approved by the Board of Supervisors on the 15th day of May, 2024.

Buckingham Township Board of Supervisors

Paul Calderaio, Chairman

Maggie Rash, Vice-Chairman

Jon Forest

Attest:

Dana S. Cozza, Township Secretary

Minutes respectfully submitted by Mary Jane Atkinson.