

BUCKINGHAM TOWNSHIP

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**BOARD OF SUPERVISORS
 REGULAR BUSINESS MEETING**

AGENDA

JULY 24, 2024

19521

Call to Order 7:30 p.m.

1. Public Comment (Maximum 30 minutes)
2. Board's Announcements:
 - Buckingham Townships Free Family Fun Concert Series is held every Thursday through August 15, 2024 at Hansell Park, with a rain location at the Buckingham Springs Clubhouse.
3. Consideration of approving Payroll dated July 4, 2024 and July 18, 2024, and the Bill List for the meeting of July 24, 2024.
4. Consideration of approving draft Supervisor's Minutes of the June 26, 2024 Work Session and the June 26, 2024 Regular Business Meeting.
5. Consideration of accepting for inclusion in the Township records various Departmental Minutes and Advisory Body Minutes.
6. Consideration of recommending Preliminary Approval of the "Proposed Warehouse – Digirolamo Tract", Land Development & Lot Line Change Plan dated Rev. April 9, 2024, Township File LD 2023-04, Tax Map Parcels #06-004-016 and 06-004-017-001, 58.15 Acres, located in the PI-2 Zoning District, with an extended review period expiration date of August 1, 2024.
7. Consideration of agreeing to the Developer's Request for an Extension of the time within which to complete the Improvements as set forth in the Land Development Contract to July 26, 2025, covering "Covenant Presbyterian Church, Phase II-A", Township File LD 2001-02A.
8. Consideration of agreeing 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 to August 24, 2025 covering property owned by **Thomas and Kelly Ann Mallon, TMP 06-018-127**.
9. Consideration of awarding year two of a three-year bid option for the "Removal and Disposal of 650,000 gallons more or less of Liquid Sludge on an approximately 6,500 to 18,000 gal. more or less per week basis", for the contract year September 1, 2024 through August 31, 2025 to Wind River Environmental dba Franc Environmental of New Jersey, of Ivyland, PA, in the amount of \$0.1082 per gallon.

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10. Consideration of approving Resolution 2625, a Resolution of the Board of Supervisors of Buckingham Township, Bucks County, Pennsylvania, Accepting Public Improvements as Complete and Affirming the Acceptance of the Deed of Dedication and Grant of Easement including the Acceptance of the Ultimate Right of Way of New Easton Road, the Ultimate Right of Way of Old Easton Road, and Research Way in the Development of Lands Known as the “Wawa Cross Keys”, Township File LD 2018-01.

11. **ESCROW RELEASES:**

“WAWA Convenience Store”, Township File LD 2018-01	Provco Escrow – Request for Release #8 - FINAL	\$213,469.87 recommended for release
“WAWA Convenience Store”, Township File LD 2018-01	Wawa Escrow – Request for Release #2 - FINAL	\$191,893.25 recommended for release
“Gordon Residence”, 3391 Church School Road, TMP 06-004-074 Stormwater Facility Development Contract PSW 230011	Request for Release #1	\$48,811.14 recommended for release
“Buckingham Friends School Gymnasium & Science Center Project”, LD 2022-01	Request for Release #2	\$479,317.87 recommended for release
Stormwater Facility Development Contract, “Stonemyead, Township File SA 98-05” Lot 22, Bussinger, TMP 06-069-005	Request for Release #1 – FINAL	\$0.00 recommended for release

12. **Additional Business / Manager’s Items:**

- Consideration of approving Completion of the Site Improvements at the “Campbell Tract”, Township File SA 2001-18.
- Consideration of relinquishing one (1) EDU for a residential property emergency wastewater hookup to Bucks County Water and Sewer Authority, 4625 Landisville Road, TMP 06-004-023.
- Consideration of approving a residential property emergency wastewater connection to the Stonemyead Wastewater Treatment System for 3497 Indian Spring Road, TMP 06-006-054-004.

Buckingham Township Board of Supervisors
Meeting Minutes

The regular meeting of the Buckingham Township Board of Supervisors was held Wednesday, July 24, 2024 in the Township Building, 4613 Hughesian Drive, Buckingham, Pennsylvania and was also broadcast electronically via Zoom.

Present:	Paul Calderaio	Chairman
	Maggie Rash	Vice-Chairman
	Jon Forest	Member
	Dana Cozza	Township Manager
	Daniel Gray	Township Engineer
	Luke Rosanova	Bucks County Planning Commission
	Craig Smith, Esquire	Township Solicitor

Not Present: Gary Weaver Township Water/Wastewater Consultant

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

PUBLIC COMMENT

No Activity.

BOARD'S ANNOUNCEMENTS

Mr. Calderaio said the Board had an Executive Session earlier this evening to discuss police personnel and the potential acquisition of conservation easements.

Mr. Calderaio read the following announcement:

- Buckingham Townships Free Family Fun Concert Series is held every Thursday through August 15, 2024 at Hansell Park, with a rain location at the Buckingham Springs Clubhouse.

PAYROLL and BILL LIST

Consideration of approving Payroll dated July 4, 2024 and July 18, 2024, and the Bill List for the meeting of July 24, 2024.

Mr. Calderaio made a motion, seconded by Mr. Forest, to approve Payroll dated July 4, 2024 and July 18, 2024, and the Bill List for the meeting of July 24, 2024, in the total amount of \$1,389,888.34. The motion carried unanimously.

19521

MINUTES

Consideration of approving draft Supervisor’s Minutes of the June 26, 2024 Work Session and the June 26, 2024 Regular Business Meeting.

Mr. Calderaio made a motion, seconded by Mr. Forest, to approve, as most recently presented, the draft Supervisor's Minutes of the June 26, 2024 Work Session and the June 26, 2024 Regular Business Meeting. Mrs. Rash recused herself due to not being present at the June 26, 2024 meetings. The motion carried unanimously.

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

Mr. Calderaio 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 agreeing to the Developer's Request for an Extension of the time within which to complete the Improvements as set forth in the Land Development Contract to July 26, 2025, covering “Covenant Presbyterian Church, Phase II-A”, Township File LD 2001-02A.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to agree to the Developer's Request for an Extension of the time within which to complete the Improvements as set forth in the Land Development Contract to July 26, 2025, covering “Covenant Presbyterian Church, Phase II-A”, Township File LD 2001-02A. The motion carried unanimously.

Consideration of agreeing 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 to August 24, 2025 covering property owned by Thomas and Kelly Ann Mallon, TMP 06-018-127.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to agree to the Developer's Request for an Extension of the time within which to complete the Improvements as set forth in the Stormwater Facility Development Contract to August 24, 2025 covering property owned by Thomas and Kelly Ann Mallon, TMP 06-018-127. The motion carried unanimously.

Consideration of awarding year two of a three-year bid option for the “Removal and Disposal of 650,000 gallons more or less of Liquid Sludge on an approximately 6,500 to 18,000 gal. more or less per week basis”, for the contract year September 1, 2024 through August 31, 2025 to Wind River Environmental dba Franc Environmental of New Jersey, of Ivyland, PA, in the amount of \$0.1082 per gallon.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to award year two of a three-year bid option for the "Removal and Disposal of 650,000 gallons more or less of Liquid Sludge on an approximately 6,500 to 18,000 gal. more or less per week basis", for the contract year September 1, 2024 through August 31, 2025 to Wind River Environmental dba Franc Environmental of New Jersey, of Ivyland, PA, in the amount of \$0.1082 per gallon. The motion carried unanimously.

Consideration of approving Resolution 2625, a Resolution of the Board of Supervisors of Buckingham Township, Bucks County, Pennsylvania, Accepting Public Improvements as Complete and Affirming the Acceptance of the Deed of Dedication and Grant of Easement including the Acceptance of the Ultimate Right of Way of New Easton Road, the Ultimate Right of Way of Old Easton Road, and Research Way in the Development of Lands Known as "Wawa Cross Keys", Township File LD 2018-01.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve Resolution 2625, a Resolution of the Board of Supervisors of Buckingham Township, Bucks County, Pennsylvania, Accepting Public Improvements as Complete and Affirming the Acceptance of the Deed of Dedication and Grant of Easement including the Acceptance of the Ultimate Right of Way of New Easton Road, the Ultimate Right of Way of Old Easton Road, and Research Way in the Development of Lands Known as "Wawa Cross Keys", Township File LD 2018-01. The motion carried unanimously.

Escrow Releases:

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve the "WAWA Convenience Store", Township File LD 2018-01, Provco Escrow Release #8 (Final) in the amount of \$213,469.87. The motion carried unanimously.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve the "WAWA Convenience Store", Township File LD 2018-01, Wawa Escrow Release #2 (Final) in the amount of \$191,893.25.

Mr. Gray noted that \$15,000.00 is being held to secure the landscaping installation per Resolution 2625 and will be released upon its completion.

The motion carried unanimously.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve the "Gordon Residence", 3391 Church School Road, TMP 06-004-074, Stormwater Facility Development Contract PSW 230011, Escrow Release #1 in the amount of \$48,811.14. The motion carried unanimously.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve the "Buckingham Friends School Gymnasium & Science Center Project", Township File LD 2022-01, Escrow Release #2 in the amount of \$479,317.87.

Mr. Gray explained this escrow release includes Change Order #4, increasing the total project costs by \$112,435.44 to include an addition to the Art Building and subsequent changes to the current sitework configuration and stormwater management system. Mr. Gray said the new escrow total amount for this project shall be \$1,384,131.05.

The motion carried unanimously.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve the “Stormwater Facility Development Contract, “Stonemyead, Township File SA 98-05”, Lot 22, Bussinger, TMP 06-069-005, Escrow Release #1 (Final) in the amount of \$0.00.

Mr. Gray explained that as-builts were received today, which will be reviewed and if approved, the final escrow release may be processed during the next Board of Supervisor’s meeting.

The motion carried unanimously.

ADDITIONAL BUSINESS / MANAGER’S ITEMS

Consideration of approving Bids for Completion of the Site Improvements at the “Campbell Tract”, Township File SA 2001-18.

Mr. Calderaio made a motion, seconded by Mr. Forest, to reject all bids for Completion of the Site Improvements at the “Campbell Tract”, Township File SA 2001-18.

Mr. Gray said the bid results for completion of the site improvements resulted in several bids which were higher than the amount of funds the township has to spend on this project. Mr. Gray suggested the project may be put back out to bid with a reduced scope.

The motion carried unanimously.

Consideration of relinquishing one (1) township reserved EDU for a residential property emergency wastewater connection to Bucks County Water and Sewer Authority, 4625 Landisville Road, TMP 06-004-023.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve relinquishing one (1) township reserved EDU for a residential property emergency wastewater connection to Bucks County Water and Sewer Authority, 4625 Landisville Road, TMP 06-004-023. The motion carried unanimously.

Consideration of approving a residential property emergency wastewater connection to the Stonemyead Wastewater Treatment System for 3497 Indian Spring Road, TMP 06-006-054-004.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to approve a residential property emergency wastewater connection to the Stonemyead Wastewater Treatment System for 3497 Indian Spring Road, TMP 06-006-054-004.

Mrs. Cozza clarified this property is located immediately adjacent to the Stonemyead project and can connect directly to the Stonemyead wastewater line behind their property and as such is not included in the properties further down Indian Spring Road requiring a wastewater line in the street for connection.

The motion carried unanimously.

19521

Consideration of recommending Preliminary Approval of the “Proposed Warehouse – Digirolamo Tract”, Land Development & Lot Line Change Plan dated Rev. April 9, 2024, Township File LD 2023-04, Tax Map Parcels #06-004-016 and 06-004-017-001, 58.15 Acres, located in the PI-2 Zoning District, with an extended review period expiration date of August 1, 2024.

Mr. Smith explained the review of the “Proposed Warehouse – Digirolamo Tract” would be conducted as a public hearing where all the parties could introduce witnesses and exhibits, with witnesses being subject to cross examination by other parties and that the Board may ask witnesses questions. Mr. Smith explained the Applicant would be a party and that any other group or individuals that can show they are aggrieved by the application may be accepted as parties. Mr. Smith explained that to be “aggrieved” you have to show you will be directly, substantially and immediately adversely affected by the application. This means you are located within the immediate vicinity of the proposed use and can show how the use will adversely affect you on your property. Mr. Smith said a court reporter was present to record the meeting. Finally, Mr. Smith noted that even if folks attending the meeting were not parties, that the Board would nonetheless entertain comments at the end from anybody who wished to speak to the application.

Mr. Calderaio opened the hearing at 7:46 p.m.

A Court Reporter recorded the meeting and readers are referred to those notes as to the substance of the meeting.

Mr. Calderaio closed the hearing at 12:31 a.m.

Mr. Calderaio made a motion, seconded by Mrs. Rash, to affirm that the Application was for a G-3 warehouse and distribution use and not a G6 “Truck Terminal” use.

Mr. Calderaio called the vote: Mr. Calderaio voted “aye”, Mrs. Rash voted “aye”, and Mr. Forest voted “nay. The motion carried.

Mr. Calderaio then made a motion, seconded by Mr. Forest, to deny approval of the “Proposed Warehouse – Digirolamo Tract”, Land Development & Lot Line Change Plan dated Rev. April 9, 2024, Township File LD 2023-04, Tax Map Parcels #06-004-016 and 06-004-017-001, 58.15 Acres, located in the PI-2 Zoning District, with an extended review period expiration date of August 1, 2024. (During the meeting the Applicant agreed, as will be reflected in the court reporter record, to extend the review period expiration date to September 1, 2024.)

Mr. Calderaio stated a vote to deny the warehouse will be stated by the word “Deny” or “Aye”, and to reject the proposal to deny would be stated as the word “Nay”.

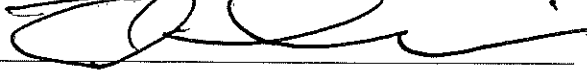
Mr. Calderaio called the vote: Mr. Calderaio voted “deny”, Mrs. Rash voted “nay”, and Mr. Forest voted “deny”. The motion carried.

Solicitor Smith explained that as will be explained in the written decision which will be issued within fifteen days, denial of this plan is based on the denial of several of the Applicant’s waiver requests as detailed within the Knight Engineering review letter of April 29, 2024, and that the denial of waiver requests is the basis for the denial. Once the written decision is issued, then any party disagreeing with the Decision may appeal.

Mr. Calderaio made a motion, seconded by Mr. Forest, to adjourn the meeting at 12:32 a.m. on July 25, 2024. The motion carried unanimously.

Approved by the Board of Supervisors on the 28th day of August, 2024.

Buckingham Township Board of Supervisors



Paul Calderaio, Chairman

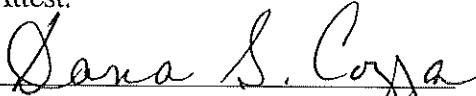


Maggie Rash, Vice-Chairman



Jon Forest

Attest:



Dana S. Cozza, Township Secretary

Minutes respectfully submitted by Lori Wicen.