

The agenda meeting of the Northampton Township Board of Supervisors was held at 6:30 pm.

Present were:

Barry Moore  
Eileen Silver  
Dr. Kimberly Rose  
Frank O'Donnell  
Adam Selisker  
Robert Pellegrino  
William Wert  
Joseph Pizzo  
Amanda Fuller

Agenda items were reviewed and discussed.

The regular business meeting of the Northampton Township Board of Supervisors was called to order at 7:30 p.m.

Members of the Board present were:

Barry Moore  
Eileen Silver  
Dr. Kimberly Rose  
Frank O'Donnell  
Adam Selisker

Others present were:

Robert Pellegrino, Township Manager  
Amanda Fuller, Township Engineer  
Joseph Pizzo, Township Solicitor

### **PLEDGE OF ALLEGIANCE**

Chairman Moore led the Pledge of Allegiance and held a moment of silence in memory of Michael Fitzpatrick, former Congressman and friend. Mrs. Silver read a prayer and Mr. O'Donnell recited an Irish prayer in his memory.

### **PUBLIC COMMENT**

None was heard.

### **CONSENT ITEMS**

The Board meeting minutes of November 20, 2019, were approved by unanimous consent.

### **ACCOUNTS PAYABLE**

The accounts payable for December 18, 2019, in the amount of \$1,473,115.90, was approved by unanimous consent.

**NEW BUSINESS**

**NEW BUSINESS**

**Consider Conditional Use Application and Land Development Plan –Council Rock School District, STAR/Sloan School, 98 Upper Holland Road**

Chairman Moore opened the hearing at 7:40 pm. Mike Carr from Eastburn and Grey and the Solicitor for the Council Rock School District introduced himself and called forward Charles Lambert, Director of Special Services, and Michael Bell the Architect and Terry DeGroot, from Terraform, the Engineer for the project.

Mr. O'Donnell outlined the project as follows:

Along the south side of Upper Holland Road, Council Rock School District proposes to construct a new 27,073 square foot building for the Sloan School on a 38.118-acre site adjacent to the existing Richboro Middle School. In addition, the plan proposes new parking areas totaling 71 spaces. The property is served by public water and sewer. In the I-P District, the proposed use requires conditional use approval.

Mr. Carr stated their objection for the record on the need for conditional use approval since the existing use was already a school and has been for the last 50 years.

Mr. Pizzo asked if anyone would like to claim party status to this Conditional Use hearing. No one claimed party status.

Mr. Lambert provided an overview of the programs that would be held at the school and how many students would be attending.

Mr. O'Donnell stated all requested variances were approved by the Zoning Hearing Board for this project on November 11<sup>th</sup>. In addition, as required for conditional use applications, the hearing was properly advertised, posted, and property owners within 500 feet were notified.

Mr. O'Donnell outlined the Land Development aspects of the plan.

All requested variances were approved by the Zoning Hearing Board for this project on November 11<sup>th</sup>. In addition, the Township Planning Commission recommended approval of the plan on December 10<sup>th</sup>.

Major items to be discussed are the waiver items on the Terraform Engineering letter dated October 1, 2019. Zoning issues outlined in the review letters have been addressed through the Zoning Hearing Board approval.

Four major items for considerations are as follows:

1. Per the McMahon review letter, a traffic evaluation was not completed with respect to the proposed western full movement driveway that will align directly opposite Township Road. This evaluation is necessary to determine the appropriate length of turning lanes and whether traffic signal warrants will be met for the intersection. As a result, it is recommended that this is required as a condition of approval and the associated signal/improvements escrowed if they are deemed necessary. In addition, as discussed at the Planning Commission meeting, it is further recommended that a note be added to the plan that the Township reserves the right to require a traffic analysis and signal with associated improvements if it is deemed necessary at a later date when the existing Richboro Middle School site is at capacity. This has been incorporated into the draft motion.
2. A waiver has been requested to not require the decorative sidewalk as required by the Village Overlay District. It should be determined if this is acceptable.
3. A determination should be made if the architecture of the proposed building is in accordance with the design guidelines for the Village Overlay District.
4. The requirement to pay 70% of the permit fees has been incorporated into the draft motion. In addition, the Park and Recreation Impact fee have been included as well. It should be determined if these calculations are acceptable to the Board.

**The following motions were made for the Conditional Use Approval and for the Land Development Approval for the Council Rock School District STAR/Sloan School.**

A motion was made and seconded (O'Donnell-Selisker) to approve the conditional use for Council Rock School District for the STAR/Sloan School, CU 19-6, subject to compliance with the Gilmore Associate review letters dated September 23, 2019, and December 3, 2019, the Pennoni Associates review letter dated November 26, 2019, and the McMahon Associates review letter dated December 2, 2019.

A motion was made and seconded (O'Donnell-Silver) to approve the Council Rock School District STAR/Sloan School, SLD 19-3, subject to compliance with the Township Engineer's review letter dated December 3, 2019, the Township Planner's review letter dated November 26, 2019, and the Township Traffic Engineer's review letter dated December 2, 2019. The requested waivers are granted. After discussion by the Board, the Park and Recreation Impact fees were also waived.

Approval is also subject to the following:

1. Payment of 70% of the permit fees is required.

2. Approval from the Municipal Authority is required.
3. The School District shall enter into a land development agreement, as prepared by the Township Solicitor, to guarantee the installation of public improvements.
4. Approval from any outside agency having jurisdiction shall be required, including, but not limited to, PennDOT and the Conservation District.
5. A traffic evaluation must be completed with respect to the proposed western full movement driveway that will align directly opposite Township Road. This evaluation is necessary to determine the appropriate length of turning lanes and whether traffic signal warrants will be met for the intersection. In addition, the associated signal/improvements shall be escrowed in the amount calculated by the Township traffic engineer until a determination can be made if they are necessary. It is further required that a note be added to the plan that the Township reserves the right to require a traffic analysis and signal with associated improvements if it is deemed necessary at a later date when the existing Richboro Middle School site is at capacity.
6. A pedestrian path between the existing and proposed parking lots is required as recommended by the Township Planning Commission.
7. All conditions and recommendations incorporated within the motion and minutes are subject to the Township Solicitor's approval letter.

Chairman Moore called for public comment.

Bruce McIntyre, 3 Falcon Drive, commented on the need for a traffic light so students and residents can walk across Township Road safely to go to the Library and Downtown.

Cliff LoCasale, 3225 Lilac Avenue, Bensalem, PA, provided the board with a 58-page document and made comments on PFOA's and PFOS contaminating the school water. Both Mr. O'Donnell and Mr. Pellegrino contradicted his statements and stated the water is safe and has been tested.

Carmen Higgins, 62 Carmelita Drive, stated she supports this school, the program, adults with disabilities being able to live and work in the community. Ms. Higgins is also in favor of the traffic light.

**Motion Passed 5-0 for Conditional Use.**

**Motion Passed 5-0 for Land Development.**

Chairman Moore closed the hearing at 9:13 pm.

**Consider Conditional Use Application and Land Development Plan –Council Rock School District, Turf Field, Rock Way/Holland Road**

Chairman Moore opened the hearing at 9:14 pm.

Chairman Moore stated all representatives from the School District will remain the same for the record.

Mr. Pizzo asked if anyone would like to claim party status to this Conditional Use hearing. No one claimed party status.

Mr. O'Donnell and Mr. Terry Degroot, Engineer for the project outlined the Conditional Use and Land Development aspects of the plan.

Located along the East side of Holland Road, 400 feet north of its intersection with Upper Holland and Middle Holland Roads, Council Rock School District is proposing to construct a synthetic turf field on an 18.05-acre site. The plan proposes three 100 square foot ticket booths, future bleachers, lighting, and a future 2,875 square foot building for concessions, restrooms, team rooms, and storage. The site is served by public water and sewer. In the I-P District, the proposed use requires conditional use approval.

Per Section 27-901 of the Township Zoning Ordinance, "the following factors and criteria shall apply to all conditional uses permitted within any zoning district. . ." As a result, these factors are the criteria for considering the conditional use aspect of this project:

- The importance of the proposed conditional use to the Township or the region.
- The availability of alternative sites or locations for the proposed use.
- The compatibility of the proposed use with existing and foreseeable nearby uses.
- The relationship of the proposed use to the goals and objectives of the Township Comprehensive Plan.
- The potential physical impact of the proposed use upon the neighborhood and upon nearby streets, roads, and highways in terms of vehicular traffic and pedestrian safety.
- The safety of personal property if a proposed use is allowed (for example, storage in a Floodplain and Flood Hazard District).
- The absolute need for a proposed use if viable alternative locations exist and such use, in its proposed location, has identified detriments.
- The effect of the proposed use upon the public water and public sewerage systems or, alternatively, the lack of availability of connection to such systems.

- The overall environmental impact of the proposed use upon the proposed site, the watershed and, particularly, the surface water drainage effects on all downstream properties.

Mr. O'Donnell noted all requested variances were approved by the Zoning Hearing Board for this project on November 11<sup>th</sup>. In addition, as required for conditional use applications, the hearing was properly advertised, posted, and property owners within 500 feet were notified.

Mr. Terry DeGroot, Engineer for the project outlined the Land Development for the Turf Field.

Mr. O'Donnell noted all requested variances were approved by the Zoning Hearing Board for this project on November 11<sup>th</sup>. In addition, the Township Planning Commission recommended approval of the plan on December 10<sup>th</sup>.

Items to be discussed are the waiver items on the Terraform Engineering letter dated October 1, 2019. Zoning issues outlined in the review letters have been addressed through the Zoning Hearing Board approval. In addition, it should be determined if the payment of 70% of the permit fees is appropriate.

Discussion ensued with Board members asking questions of the Attorney, Engineer, and Doug Taylor, Facilities Director for the Council Rock School District.

**The following motions were made for the Conditional Use and for the Land Development for the Council Rock School District Turf Field.**

A motion was made and seconded (O'Donnell-Rose) to approve the conditional use for Council Rock School District for the Turf Field, CU 19-7, subject to compliance with the Gilmore Associate review letters dated September 23, 2019, and December 3, 2019, the Pennoni Associates review letter dated November 26, 2019, and the McMahon Associates review letter dated December 2, 2019.

A motion was made and seconded (O'Donnell-Silver) to approve the Land Development for Council Rock School District for the Turf Field, SLD 19-2, subject to compliance with the Township Engineer's review letter dated December 3, 2019, the Township Planner's review letter dated November 26, 2019, and the Township Traffic Engineer's review letter dated December 2, 2019. The requested waivers are also granted. Approval is also subject to the following:

1. The School District shall enter into a land development agreement, as prepared by the Township Solicitor, to guarantee the installation of public improvements.
2. Approval from any outside agency having jurisdiction shall be required, including, but not limited to, PennDOT and the Conservation District.
3. Payment of 70% of the permit fees is required.

4. A waiver is granted to not require street lighting along Holland Road.
5. All seating (including future seating) must be in accordance with ADA and accessibility parking requirements.
6. All conditions and recommendations incorporated within the motion and minutes are subject to the Township Solicitor's approval letter.

Discussion continued regarding street lighting on Holland Road.

Chairman Moore called for public comment.

Steve Bryer, 46 Florence Drive, commented on the outside use of fields and fees associated with the rentals.

Cliff LoCasale, 3225 Lilac Avenue, Bensalem, PA, made comments on PFOA's and PFOS contaminating the school water.

Mr. Pizzo stated the School District owns the property and if what the School District is proposing complies with the Ordinance it is not within the Board's purview of their review.

**Motion Passed 5-0 for Conditional Use.**

**Motion Passed 5-0 for Land Development.**

Chairman Moore closed the hearing at 9:43 pm.

#### Consider Proposals for Disposal of Recycling Materials

Mrs. Silver explained the Southwest Bucks County Solid Waste Advisory Committee (SWBSWAC) received two proposals for a new recycling materials disposal contract and, at its meeting on November 15, unanimously voted to recommend a contract award to Waste Management of Pennsylvania. The Committee also received a proposal from J.P. Mascaro & Sons, Inc.

The two proposals are detailed on the attached Bid Pricing Form and are summarized as follows:

J.P. Mascaro & Sons, Inc.	\$108.43 per ton
Waste Management of PA	\$74.97 per ton

The current contract for recycling material disposal required the contractor, Waste Management of Pennsylvania, to dispose of recycling materials at no cost to the municipality when the market value of the materials did not cover the cost of disposal. Effective with this new Agreement, the Township will pay approximately \$75 per ton for disposal, after deducting

the commodity value of any collected materials. This cost will fluctuate based on market conditions but is fixed for the first 3 months of the contract period. The new contract will add \$350,000 to our refuse collection and disposal program.

The proposed contract term is for a one (1) year period, with up to four (4) additional one (1) year periods. The contract automatically renews for the one (1) year periods unless either party provides 120 days written notice of its intent to terminate.

A motion was made and seconded (Silver-O'Donnell) to approve a contract with Waste Management of Pennsylvania for recycling materials disposal for a five-year period beginning January 1, 2020, and ending on December 31, 2024, with one (1) year renewable terms, at an estimated cost of \$75 per ton in accordance with the Request for Proposals issued by the Southwest Bucks County Solid Waste Advisory Committee.

Chairman Moore called for Public Comment. None was heard.

**Motion Passed 5-0.**

Mr. Pizzo stated the Board met in executive session for 20 minutes tonight, December 18, 2019. In attendance were the Board of Supervisors, Township Manager, Assistant Manager, Amanda Fuller, and myself the Township Solicitor. The matter of discussion was condemnation which is also on tonight's agenda. No official action was taken.

**Consider Resolution Authorizing the Condemnation of a Portion of Tax Parcel Number 31-9-5 for Purposes of a Public Street**

Mrs. Silver explained the purpose of the resolution and the condemnation. Signs were posted on the access road adjacent to Giuseppe's Restaurant indicating that the road will be closed indefinitely beginning December 15, 2019.

Since this road is part of an approved land development plan, and the property owner executed an access easement on May 14, 2008, with Ohev Shalom granting a non-exclusive right to use of the road for access purposes. The Township does not believe the property owner has a right to close the road.

Since the access road is contemplated in the Township's Richboro Master Plan, is a critical component of the Township's economic development initiative, and was intended to improve traffic flow in and around Richboro, the Administration recommends the access easement be condemned to ensure that the road remains open to the public. The Township would then assume maintenance responsibility for the access road like it does for any other public street.

A motion was made and seconded (Silver-Rose) to adopt Resolution R-19-15 condemning a portion of tax map parcel 31-9-10-5 for use as a public street.



Chairman Moore called for Board comment.

Mr. Selisker stated Emergency Planning was done with that road in mind being used as an access road.

Chairman Moore called for public comment.

Rick Sorenson, Manor Drive, questioned why it needed to be condemned.

Mr. Pizzo explained this road was already included in a land development plan. In contacting the owners of the property regarding the dedication of this road, all negotiations were unsuccessful. Signs went up without the Township's knowledge and this affected the Health, Safety, and Welfare of the residents and therefore the Township had to take this direction to remedy the situation.

**Motion Passed 5-0.**

#### **Consider Final Adoption of 2020 Budget**

Mr. Pellegrino states there have been no changes to the budget since the introduction at the Board of Supervisors' November meeting.

A motion was made and seconded (Rose-Selisker) to approve the 2020 Preliminary Budget.

Dr. Rose thanked the Administration and Finance Departments for their hard work on the budget.

Mr. O'Donnell explained his position regarding expenditures and the Country Club and will be voting yes on this budget for funds dedicated to roads and the safety of the community.

Mr. Selisker stated this budget covers the big four (4) Police, Fire, EMS, and Roads.

Chairman Moore called for public comment. None was heard.

**Motion Passed 5-0.**

#### **REPORTS**

Dr. Rose made the following announcements:

- All items that are still outstanding at the Civic Center will be completed in the Spring.
- The Parks and Recreation program Book and Bedtime that was held on December 11 and December 12 sold out.

- Mini Horses were also in attendance. For more information on them go to [jacobsmaneofhope.org](http://jacobsmaneofhope.org).
- The Senior Center has many amazing events going on including, various classes to meet anyone's interest, Boscov's shopping discount, free flu shots, Bags & Bingo and so much more. If you are 55 years of age or older come out and join the Senior Center located at 165 Township Road. Center is open Monday thru Friday from 9:00 am until 3:00 pm, and Tuesday, and Thursdays until 8:30 pm.
- The Senior Center's mitten project was a success with many kinds and generous donations to this great cause.
- A new business Classic Rock Auto Detail has recently opened and employs residents with cognitive disabilities. An open house will be held on December 19 from 3 pm until 7 pm.
- Parks and Recreation have many great programs for all ages check out the Park and Recreation website at [www.northamptonrec.com](http://www.northamptonrec.com) for more information.
- Tickets for various trips are available now, check the Parks and Recreation website for more information.

Mr. O'Donnell made the following announcement:

- The Master Trail and Bike Facilities Plan are on the website. Feedback from the community would be very helpful during this phase.
- The Library will be closed on December 24, 25, and 31<sup>st</sup> 2019 and January 1, 2020.
- December 7, 2019, the wreath event at the Union Cemetery was held recognizing all first responders and veterans. Thank you to Kristin Reilly for putting the event together and hosting such a great event.
- The Bucks County Water and Sewer Authority litigation has settled resulting in a reduction in charges and savings of approximately one million dollars. These dollars will help to replenish the Municipal Authority's reserve funds.
- Check the Library's website for information on their various programs.
- The Library is still fundraising and if you would like to donate please contact the Library for more information.

Mr. Selisker made the following announcements:

- The Adopt-A-Hydrant program is in effect. Go to the website [www.northamptontownship.com](http://www.northamptontownship.com) to learn how to adopt a hydrant and to enter to win a Wawa gift card.

Eileen Silver made the following announcements:

- The Council Rock School District's Sloane, Twilight and Achieve programs are very important for the children of our community as seen in the discussions at tonight's meeting.

- To stay informed check out the Council Rock School District website at [www.crsd.org](http://www.crsd.org). All the days and times of their meetings can be found here. Be proactive and be involved by attending their various meetings. A mobile app is now available.
- Attended Steven Brown's Eagle Scout Award Ceremony. Great event.
- Approved the new contract for recycling and a new educational program will be forthcoming.

Mr. Moore made the following announcements:

- The Planning Commission will hear the plans for the STAR/Sloan school and the Turf Fields for the Council Rock School District on Tuesday, December 10, 2019, beginning at 7:30 pm. The Board of Supervisors will hear the plans at their meeting on December 18, 2019.

**PUBLIC COMMENT**

None was heard.

The meeting was adjourned at 10:20 p.m.

Respectfully Submitted,

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Frank O'Donnell, Secretary