

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
Larry Weinstein

Others present were:

Robert Pellegrino, Township Manager
Kurt Schroeder, Township Engineer
Joseph Pizzo, Township Solicitor

PLEDGE OF ALLEGIANCE

Chairman Moore led the Pledge of Allegiance and held a moment of silence in support of military and emergency services personnel.

SPECIAL PRESENTATION

Fire Safety Awards

Chairman Moore Chartered Property Casualty Underwriters Society (CPCU) and Pat Riley, President of the Philadelphia Chapter of the CPXCU announced the results of the organization's 34th annual "Fire Safety in the Home" essay contest. The contest was held for elementary students from the Council Rock School District. Those presenting awards were:

- Chairman Moore (on behalf of the Township)
- Kyle Davis, Chairman Board of Supervisors Newtown Township (also on behalf of Mayor Schwartz Newtown Borough)
- State Representative Perry Warren, (on behalf of Newtown Township and Representative Petri)
- Senator Tommy Tomlinson (also on behalf of Senator McIlhinney)
- Dean Malik (on behalf of Congressman Brian Fitzpatrick)

The winners of the contest listed from first place to fourth place were:

1st and 2nd Grade Category

Kaylee Moore	Rolling Hills Elementary
Sophia Erickson	Churchville Elementary
Alison Butkiewicz	Richboro Elementary
Adelyn Martin	Rolling Hills Elementary

3rd and 4th Grade Category

Kylie Williams	Newtown Elementary
Jared Checkoff	Maureen Welch Elementary
Brooklyn Cardone	Hillcrest Elementary
Nicholas Gromosaik	Churchville Elementary

5th and 6th Grade Category

Sara Tyler	Goodnoe Elementary
Swara Patel	Holland Elementary
Colin Cloud-Schenk	Maureen Welch Elementary
Abigail Newton	Holland Elementary

Chairman Moore called for a recess at 7:50 pm and reconvened at 7:55 pm.

Certificate of Recognition – Mike Mayberry, Fresh Works

Mr. O'Donnell presented a certificate of recognition and a rendering of the Spread Eagle Inn for his participation in raising and donating over \$500 to the Northampton Township Free Library.

Spring Mill Development Update

Chairman Moore announced Judd Builders held a meeting on November 28, 2017 to outline their proposed development of single family and townhomes at the Spring Mill Golf Course site. Chairman Moore noted, all five board members were in attendance. Chairman Moore clarified at this time no applications have been submitted to the Township.

Chairman Moore called for public comment.

Ron Zemnick, 424 Foxcroft Drive, Ivyland, stated he started with 500 signatures on a petition opposing this project when it was first announced, he now has over 1600. Mr. Zemnick stated anyone wishing to sign the petition or to find out more information go to www.keepspringmillgreen.com. Mr. Zemnick outlined and summarized what Judd Builders presented at their November 28th meeting stating this project is not suitable for this area.

Dennis Matika, 153 Alberts Way, Langhorne, spoke on the impact of Spring Mill Country Club has on the people who play golf there. Mr. Matika stated not having this facility will have a negative impact on the area.

Terri Ryan stated she is a resident of Doylestown and a teacher at Villa Joseph Marie. Ms. Ryan stated, having the Spring Mill Golf Course close has been beneficial for the girls she coaches. Ms. Ryan stated she and the girls have always been treated first class and it this establishment has taught the girls how to be first class citizens.

Emil Ondra, 59 Wordsworth, Ivyland, is in opposition to the development of this site. Ms. Ondra stated the increase in residents this would bring to the Township could potentially cause a tax increase since services will have to increase, new elementary schools will need to be built, possible redistricting and would stretch abilities for the best education for our children by overpopulation.

Cliff Locasle, 3225 Lilac Avenue, Trevese, stated building homes on this site will increase the pollution and the property is already severely contaminated. Mr. Locasale further listed his reasoning for not building on this site.

PUBLIC COMMENT – (Agenda Items Only)

Joe Johnson, 41 Grant Drive, questioned if the preliminary budget was approved at the November 17 meeting. Discussion ensued with the law about approving a budget being explained. Mr. Pellegrino stated it is not an option not to approve the budget tonight.

CONSENT ITEMS

The Board meeting minutes of November 17, 2017 were approved by unanimous consent.

ACCOUNTS PAYABLE

The accounts payable for December 13, 2017, in the amount of \$560,617.89 and December 20, 2017 in the amount of \$364,949.91. The accounts payable for December 13, and December 20, 2017 were approved by unanimous consent.

NEW BUSINESS

Consider Resolution Prohibiting Category 4 “Mini Casinos” Within the Boundaries of Northampton Township

Mr. Weinstein stated on October 30, 2017, Governor Wolf signed Act 42 of 2017 into law, amending the Pennsylvania Race Horse and Gaming Act, which legalizes internet gambling, permits legal games at truck stops, and allows for ten new Category 4 slot machine licenses, or mini-casinos in Pennsylvania. These satellite casinos would be permitted to operate from 300 to 750 slot machines and up to 40 table games.

Mr. Weinstein noted in accordance with the revised law, a category 4 location may not be within 25 linear miles of another licensed category 1, category 2 or category 3 facility, but may be within 25 linear miles of a licensed Category 4 facility.

Mr. Weinstein explained virtually all of Bucks County is technically prohibited from having a Category 4 Casino due to the overlapping influence of one of the four (4) casinos in our area. Parx in Bensalem, however, may apply to site a mini-casino in a very limited portion of the central and lower County, and Sands in Bethlehem could site one in a limited portion of the northern part of the County.

Act 42 grants municipalities the authority to prohibit the location of Category 4 casinos by passing a Resolution indicating its desire to prohibit them within the municipality. The Resolution must be adopted and delivered to the PA Gaming Control board by December 31,

2017. Municipalities that adopt a Resolution may pass another Resolution to rescind the prohibition, but lose the authority to prohibit Category 4 Casinos in the future.

Mr. Weinstein stated although it seems clear that a mini- casino cannot be located in the Township because of its proximity to the Parx, Valley Forge, and Sugarhouse casinos, it is recommend by the Administration the Board adopt a Resolution affirming its desire to prohibit Category 4 Casinos within the Township.

A motion was made and seconded (Weinstein-O'Donnell) to adopt Resolution R-17-17 prohibiting the placement and operation of a Category 4 licensed casino facility within the boundaries of Northampton Township.

Chairman Moore called for Board comment.

Mrs. Silver stated the Board only has until to December 31, 2017 to get this done, to make sure we prevent this from happening in Northampton Township.

Motion Passed 5-0.

Consider Resolution Opposing House Bill 1620 Limiting Municipal Regulations on Public Rights of Way

Mrs. Silver stated House Bill 1620 was introduced in the Pennsylvania legislature on June 27, 2017 and was referred to the Consumer Affairs Committee for consideration. The proposed legislation would amend the Wireless Broadband Co-location Act of 2012 and limit the authority of municipalities to regulate the installation of Distributed Antennae Systems (DAS) in the public rights-of-way. Distributed Antennae Systems are wireless communications devices (small cell towers) that can be mounted on existing or new utility poles.

Mrs. Silver noted pursuant to Federal Law, municipalities have the right to regulate the placement, construction, and modification of wireless communication facilities through local zoning regulations that their installation is completed in an orderly fashion and in the best interests of public safety and protection of local residents. In fact, the Pennsylvania Public Utility Commission has issued multiple orders detailing how municipalities can regulate these facilities.

Mrs. Silver explained House Bill 1620 would limit local authority and control over the public rights of way, limit fees that may be charged for permit applications, prohibit

municipalities from requiring standard legal protections from wireless facility companies, and change the process of processing permits for wireless facilities.

The Administration is recommending the Board adopt Resolution R-17-18 opposing House Bill 1620 and authorize the administration to send the resolution to local state legislators urging them not to support the proposal.

A motion was made and seconded (Silver-Rose) to adopt Resolution R-17-18 opposing house Bill 1620 that would limit local control of public rights-of-way for the installation of wireless communication devices known as Distributed Antenna Systems.

Chairman Moore called for Board and public comment. None was heard.

Motion passed 5-0.

Consider Resolution Authorizing Agreement of Sale – Elm Avenue Cell Tower Leases

Dr. Rose stated the proposed Option Agreement and Easement and Assignment Agreement to sell an area easement, access and utility easement, and cell tower leases at 353 Elm Avenue to GTP Towers 1, LLC for \$750,000. The Agreement provides for a closing within 90 days of the execution of the Agreement, after which the Option Agreement expires. The Easement and Assignment Agreement will be recorded for title insurance purposes. Both Agreements were reviewed by the Township Solicitor for form and substance.

Dr. Rose explained the Easements granted to GTP Towers 1, LLC are perpetual, except that the GTP Towers 1, LLC may unilaterally terminate the Agreement and Easements at its discretion, but must remove all of its communications equipment and personal property within 180 days of any notice of termination.

In addition, the proceeds received from the transaction will be used to fund capital projects previously authorized by the Board, including the Buck Road Improvement project and Township Road Extension Project. The proceeds are budgeted as revenue in the 2018 Capital Projects Fund.

Dr. Rose stated the resolution before the board tonight is required by GTP Towers 1, LLC and will memorialize the Township's intent to sell the easements and cell tower leases,

and will authorize the Township Manager to execute all necessary documents to complete the transaction and sale.

A motion was made and seconded (Rose-O'Donnell) to approve Resolution R-17-19 authorizing the sale of necessary easements and cell tower leases for the 353 Elm Avenue cell tower site, and further authorizing the Township Manager to execute all documents required to complete the transaction.

Chairman Moore called for Board and public comment. None was heard.

Motion passed 5-0.

Consider Adoption of 2018 Budget

Mr. Pellegrino provided a short summary review of the proposed 2018 Budget.

Mr. Pellegrino explained that the Board approved the preliminary budget at their November 17, 2017 meeting and made it available for public review for twenty days prior to the final adoption tonight.

The 2018 budget includes an increase in the real estate tax levy to fund on-going and proposed infrastructure improvements, debt obligations, and general operating expenses. Mr. Pellegrino recommends allocating the increase as follows:

General Fund	.6019 mills
Capital Fund	.6630 mills (Part of the General Fund)
Recreation Capital Fund	.1284 mills (Part of the Recreation Fund)
Road Equipment Fund	.2053 mills
Library Fund	.1284 mills
Debt Service Fund	<u>.2567 mills</u>
	1.9836 mills

Mr. Pellegrino stated this proposed tax increase will target a variety of government services, and numerous capital infrastructure projects planned for the next three to five years. Mr. Pellegrino also noted this is the first proposed tax increase in four (4) years and according to long range projections, will minimize or eliminate the need for additional tax revenue through 2021.

Mr. Pellegrino explained for a property assessed at the median value of \$36,000, the increase amounts to approximately \$71 per year or less than \$6 per month. The total tax levy will

increase from 12.9275 mills to 14.9111 mills and a property assessed at the median value will pay \$536 per year in real estate taxes or \$45 per month to support Township services.

Chairman Moore reiterated the statements made by Mr. Pellegrino and listed several of the upcoming projects that this increased revenue will be utilized for items, such as the new police station, road improvements, the bridge in Holland, park improvements. Chairman Moore is in agreement with the budget as presented.

Chairman Moore called for public comment.

Bruce Stamm, Jericho Road, stated the government has a spending problem and their solution is OPEM (spending other people's money). Mr. Stamm recommends, opening union contracts and renegotiating, refinance bonds, and cut out non-union personnel cost of living raises.

Patrick McGuigan, Rotterdam East, handed out articles from the Bucks County Courier Times and sections he took from the budget. Mr. McGuigan stated he has over 45 years in the financial industry, went on to break down the funds into percentages, and suggested reviewing at how the pensions are being funded for possible extra cash flow. Discussion ensued between Mr. Pellegrino and Mr. McGuigan on how monies are distributed for pensions through MMO's and determined by the Township Actuary.

Cliff Locasle, 3225 Lilac Avenue, Trevoise, stated money should be put aside for cleaner water and more testing.

Eric Lehman, 57 Schoolhouse Road, suggested not raising taxes and eliminating the project for the roundabout.

Joe Johnson, 41 Grant Drive, had the following suggestions: take another look at the list of improvements that need funding, questioned if LERTA is causing a deficit, also cut down on road improvement funding, cut improvements that have not been approved yet, stop funding engineering on improvements that have not been approved. Mr. Johnson also stated money cannot be taken from pension funds. Mr. Pellegrino stated the Board and Administration are taking advantage of grants and once approved we must move forward with the project. Chairman Moore agreed and noted the longer the Township waits to do a project the higher the costs.

A motion was made and seconded (Moore-Silver) to adopt the final 2018 preliminary budget.

Chairman Moore called for Board comment.

Discussion ensued among the Board stating the pros and cons of the tax increase.

Mr. O'Donnell supports the tax increase, stating the roads are in bad shape and the Township is growing rapidly and would like to see projects done now before prices start to rise.

Mr. Weinstein stated he was led to believe the bond was going to cover the majority of the projects i.e. The police station and the Buck Road project. Mr. Weinstein believes there are excessive overages in the budget that the bonds did not cover, now the Administration is asking to approve more money and he is not confident that more overages would not occur and that the projects will get done. Mr. Weinstein stated he noticed significant increases in insurance costs and would like to see other potential bidders on insurance provide quotes to see if costs can be cut. Discussion ensued between Mr. Pellegrino and Mr. Weinstein on the matter of insurances.

Dr. Rose stated it has been four years since a tax increase and although she does not take the matter lightly, it is important to set the Township up for longevity, and that means taking care of the roads and other important improvements, including the much-needed new Police station.

Discussion ensued between Mr. Weinstein and Chairman Moore on the Municipal Authority costs, upcoming projects, and the rising costs when projects are not completed on time.

Mrs. Silver stated some of the projects need to be done this year before prices rise, but projects like the new lights and keeping the Library open an extra day do not need to happen this year.

Public Comment Continued

Joe Johnson, 41 Grant Drive, supports the proposed projects, but asked the Board to proceed with caution and do not pay for studies until the project is ready.

Cliff Locasle, 3225 Lilac Avenue, Trevese, stated only do projects that are necessary. He stated he understands AQUA PA offered to buy the Municipal Authority and that their offer was turned down. Mr. Locasale stated the water that is coming into Northampton through the Municipal Authority is cleaner than what AQUA is sending through their systems.

Chairman Moore thanked the Department Heads, Administration, and Finance Departments for putting together a solid budget.

Mr. Weinstein stated the Board should be looking towards one year instead of four years for tax increases and what is needed.

Motion Passed 4-1 (with Mr. Weinstein voting nay).

Chairman Moore called for a recess at 10:40 pm and reconvened at 10:50 pm.

LIAISON REPORTS

Dr. Rose made the following announcements.

- Historical Commission cancelled their November meeting and is scheduled to meet on December 21, 2017
- The Senior Center has welcomed 57 new members since September.
- The Bag and Bling Bingo had approximately 150 people attend, the highest attendance to date.
- If the Council Rock School District is closed so is the Senior Center
- No Trash pick-up on December 25 or January 1 follows Holiday schedule and moves forward one day. Christmas Trees are scheduled to be picked up on January 15, 2018.

Mr. O'Donnell made the following announcements.

- Responding to comments made regarding the sale of the Municipal Authority. For clarification purposes only, AQUA PA sent a letter of interest, a non-binding document offering an amount to purchase the Municipal Authority less the debt that is owed. This letter was sent to the Township Solicitor, the Board, and the Municipal Authority. No action has been taken and this is all the information available at this time.
- The Northampton Bucks County Municipal Authority announced they will be purchasing and moving into the old Fox Chase Bank in early spring so the Police Station work can begin
- The Library has raised approximately \$25,000 this year through various fundraising events. The Gala was a major factor of this and the Library Board is looking forward to the next one scheduled for October 2018.
- The Library held many successful events this year, including the gathering for the Solar Eclipse and has achieved several awards, including the Gold Star Award and the Young Librarians award. Mr. O'Donnell stated he would like to see the Library open on Friday to better serve the public.

Mr. Weinstein made the following announcements:

The Planning Commission

- Met on December 12 and heard a presentation by Joe DeSantis, the Township Traffic Engineer who also answered questions from the members of the Planning

Commission. Discussion ensued with concepts relating to traffic improvements being discussed.

- The Richboro Master Plan is a component of the Comprehensive Plan is tentatively scheduled to be authorized for public hearing at the Board of Supervisors meeting in January with adoption tentatively scheduled for March 2018. The Richboro Master Plan and the Comprehensive Plan are both available for public review on the Township website and at the Administration Building.
- The next meeting of the Planning Commission is scheduled for January 9, 2018. Sketch plans will be presented for a flag lot on Bristol Road as well as a flag lot subdivision on Holland Road.
- Wawa held their grand opening on December 15 at the Addisville Common. Other buildings are continuing to be constructed. The structure next to Wawa is expected to be completed in the next six months.
- True Value Hardware will be moving into the recently vacated Rite Aid Space. A definitive date for opening has not yet been determined.

The Zoning Hearing Board

- The Zoning Hearing Board did not meet in December due to the lack of agenda items. Scheduled for the agenda is a variance application for an in ground pool and related improvements on Oxford Drive. The applicant seeks a variance for an impervious surface ratio of 25.2% where the maximum allowed is 18%. A variance is being requested for a home on Fawn Drive for a garage addition. The garage addition would have a front yard setback of 35.8 feet where the minimum front yard setback is 50 feet.

Council Rock School District

- The Council Rock School Board held their reorganization meeting on December 7; at 8:00 pm., Jerry Grupp was named Board President, Kyle McKessy, Vice-President, Wendi Thomas, Finance Chair, and Dr. Mike Thorwart. Facilities Chair.
- The School Board met on November 16 and approved grandfathering grades 7th through 11th grades. These grades will not be affected by the redistricting that is taking place.
- January 3, 2018 a meeting will be held to present a plan on the redistricting all interested persons are invited to attend and participate in the discussions. This is not a final decision. For questions email: redistricting@crsd.org.
- The School Board recently approved projects to take place during the spring and summer of 2018 and is not to exceed 4.7 million dollars. The following projects are scheduled: Tennis and Basketball Court repairs and renovations at both

Council Rock North and South, roof replacement at Sol Feinstein, exterior and roof repairs at the Chancellor Center, and gym floor replacement at both Richboro and Hillcrest Elementary Schools.

- The next Council Rock School Board meeting will take place on December 21, 2017. Finance Committee, followed by the Facilities meeting on January 4, 2018. Academic Standards January 11, Intermediate Unit January 16, and Policy Committee meeting on January 25, 2017. All dates and times can be confirmed on the www.crsd.org website.

Mr. Weinstein received a question from resident Donna Branderbit asking why there is not a school zone demarcation in front of Richboro Middle School. After looking, Mr. Weinstein also noticed the same is missing from Richboro Elementary and with all the changes taking place this safety issue needed to be addressed. Mr. Weinstein contacted Mr. Pellegrino, who contacted the Council Rock School Administration and they assured him they will be rectifying the matter.

Congratulations:

- The Richboro Middle School (RMS) Rescue Team held a fundraiser for Key Largo School in Florida. Key Largo School was damaged by Hurricane Irma in September. The RMS Rescue Team raised money by selling candy, hot dogs, and pretzels. The group also held a pajama day, hat day, and spirit day at Dairy Queen. The group raised \$3,305.00 for the Key Largo School so they can purchase school supplies.
- Mike Ferreri a School Counselor at Council Rock South was named Council Rock Social Worker of the year by the PA Association of Social Workers.
- To all the athletes from Council Rock North and South that participated in the following categories and that made the Bucks County Courier Times Golden Team list:
 - Boys and Girls Cross Country
 - The Golf Team
 - Girl Tennis
 - Boys and Girls Soccer Team
 - Football
 - Girls Field Hockey
 - Girls Volleyball

Mr. Weinstein also noted that a problem was found that his emails were mistakenly being routed to Dr. Rose's email. Once detected it was rectified immediately Mr. Weinstein apologizes if he missed getting back to someone because of this error.

Mrs. Silver made the following announcements:

Mrs. Silver asked how we can get the requirements of flag lots changed from having the applicant come to the Board first and then to the Planning Commission. It should be reversed. Mr. Pellegrino stated it is an ordinance we can change it, advertise, and vote on it. If passed, it would be corrected.

Mrs. Silver also asked when the Act 537 plan will be submitted since the Municipal Authority and Bucks County have a settlement. Mr. Pellegrino stated as soon as he receives the signed documents to go ahead, it will be submitted.

- The Parks and Recreation winter brochure have been delivered. Check it out; there are numerous bus trips, discount tickets to attractions, ski tickets, movie tickets, and so much more. Sign up for a program or class there are so many to choose from.
- The registration for the 2018 summer camps and pre-school programs are also listed in the brochure. Register early to claim your spot.
- The annual Book and Bedtime was held on December 5 and was another huge success.
- A Quest program reunion is taking place on December 27 at the Recreation Center from 5:30 until 8:00 pm.

Chairman Moore made the following announcements:

- Thanked all of the applicants who applied for Board and Commissions. There were many new and very qualified applicants and appointments will be made at the January 2, 2018 re-organization meeting.

Chairman Moore announced he received a blackmail scam and asked the Administration to make the Police Department aware, so they can do their due diligence in making the public aware.

MANAGER'S REPORT

Mr. Pellegrino responded to the announcement of the award of a \$500,000 grant towards sidewalks. It is Mr. Pellegrino's recommendation to revisit the budget now that we know the funding level and figure out the possible costs associated with the project. The next suggestion is to invite property owners to a meeting to review the project.

Mr. Pellegrino stated the Administration is ready to go forward to accept bids on the Police Station Improvements and Construction. The Administration expects the project to receive bids in January and should be ready for Board approval in February.

SOLICITOR'S REPORT

Mr. Pizzo responded to Mr. O'Donnell's Liaison report on the sale of the Municipal Authority and the direction to the Township Solicitor to respond on behalf of the Board to the unsolicited letter of interest. This action took place as part of an executive session that was held on

November 28, 2017. Present were four members of the Board, Mr. Pellegrino, and the Township Solicitor. No official action was taken other than what has been stated.

The Board met in executive session for about 20 minutes prior to tonight's meeting. Present were all five Board members, Mr. Pellegrino, and the Township Solicitor. A matter of real estate was discussed, no official action was taken during this executive session and no official action will be required this evening as a result of the executive session.

PUBLIC COMMENT

Bruce Stamm, Jericho Drive, commented on the budget, suggested refinancing bonds. Mr. Pellegrino responded to Mr. Stamm's questions and comments and asked him to come into the Administration Building and have a meeting to go over all his questions. Mr. Stamm then questioned why the Morning Star a financial document is no longer available at the Library. Mr. Stamm stated this is a very valuable financial tool, and if it is too expensive to provide then other costs should be reined in such as travel and training costs.

The meeting was adjourned at 11:25 p.m.

Respectfully Submitted,

Frank O'Donnell, Secretary