

The regular business meeting of the Northampton Township Board of Supervisors was called to order at 7:38 p.m.

Members of the Board present were:

Larry Weinstein  
Barry Moore  
Eileen Silver  
Dr. Kimberly Rose

Others present were:

Robert M. Pellegrino, Township Manager  
Mary Stover, CKS Engineers  
Joseph Pizzo, Township Solicitor

### **PLEDGE OF ALLEGIANCE**

Chairman Weinstein led the Pledge of Allegiance and held a moment of silence in support of the military, emergency services personnel, police officers in Dallas and for the passing of long time board member George Komelasky.

Mrs. Silver called forward Mrs. Zolotorofe to say a prayer in Mr. Komelasky's memory.

Each Board member, along with the Township Manager and the Solicitor, took time to share their fond memories of Mr. Komelasky.

Chairman Weinstein and Mrs. Silver called Mrs. Pat Komelasky forward and presented her with Mr. Komelasky's nameplate. Mrs. Komelasky thanked the Board and the community for their support and kindness during the past few months.

### **FLAG PRESENTATIONS**

#### **United States Army – Specialist Jeffrey Vogel**

Chairman Weinstein called forward Pete Palestina. Mr. Palestina produced a flag that will honor Holland resident Army Specialist Jeffrey Vogel in the flag display until he returns home to claim it when it will be exchanged with an American flag. Mr. Vogel was deployed on June 22, 2016. In attendance were Mr. Vogel's mother, father and brother.

## **SPECIAL PRESENTATIONS**

### **Miss Morgan Gilmer – Girl Scout Gold Award**

Chairman Weinstein and Dr. Rose called forward Ms. Gilmer to recognize her achievement of attaining the Girl Scout Gold Award, the highest honor a girl scout can receive. Dr. Rose also presented a certificate on behalf of State Representative Scott Petri.

### **Mrs. Donna Foisy – Advocate of the Year Award, Council Rock Coalition for Healthy Youth**

Dr. Rose presented Mrs. Foisy with a Commendation Award for receiving the Community Anti-Drug Coalitions of America's Advocate of the Year Award. Chairman Weinstein presented a certificate to Mrs. Foisy on behalf of State Representative Scott Petri.

Mrs. Foisy called forward her daughter Lauren Foisy forward as a member of the Coalition for Healthy Youth to present an award to the Township on their role in supporting the "Young Lungs at Play" Program.

Dr. Rose then presented a Commendation Award to Lauren Foisy for receiving the Community Anti-Drug Coalitions of America's Outstanding Youth Award. Chairman Weinstein presented Ms. Foisy with a certificate on behalf of State Representative Scott Petri.

Chairman Weinstein announced a "Rails to Trails" meeting will be held on September 15, 2016 at the Richboro Middle School at 7:30 p.m. The Bucks County Planning Commission will be making a presentation and answering questions.

Mr. Weinstein addressed well contamination stemming from the Naval Base. He stated the Northampton Bucks County Municipal Authority is a separate municipal entity that deals with all water and sewer problems. He added the Board has received updates from the Municipal Authority, the Environmental Protection Agency and the Navy that the 15 wells tested do not have contamination higher than the EPA's guideline. He noted the Board will continue to monitor the situation.

Mr. Pellegrino announced both the Municipal Authority and the Township will be posting all relevant information on this issue on their websites to keep the residents up to date and informed.

## **PUBLIC COMMENT**

Victoria Black, 666 Jacksonville Road, responded to statements made by Chairman Weinstein, stating she has went to meetings and noted there has been some level of detection of perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) found in the water

system on Inland Road. She added that surface groundwater is moving north and trichloroethylene (TCE) was recently found just down the road. She requested the Township to request the Navy to have the water tested as private wells are coming back with some form of detection of these chemicals.

William Black, 666 Jacksonville Road, commented on the upcoming ATV and noise ordinance that is being considered for approval and stated a section should be added to address the compression release engine brake issue.

Patricia McCarron, 31019 Bennett Place, spoke on behalf of the Clean Air and Water Council. She explained that Elcon Recycling is applying for a Phase II permit to build a hazardous toxic chemical waste processing facility in the Keystone Industrial Port Complex in Falls Township, located at 100 Dean Sievers Place (formerly US Steel). The river should not be the location for any additional hazardous waste sites. She added that the site is dangerous to the environment and to people's health, and she encourages the Board to pass a resolution against Elcon Recycling from coming into Falls Township and urged residents to contact their local representatives.

Betty Tatham, 79 Old Mill Lane, offered further explanation regarding the Elcon issue. She cited various chemicals and their effect on the water, air and the health risk it would cause our children and the schools that are located in the proximity of this proposed site.

#### **Comments on Proposed Noise and ATV Ordinance**

The individuals listed and various audience members voiced opinions on the proposed noise and ATV issue and raised the following comments, concerns, and objections:

Tony Patti, 485 Middle Holland Road, thanked the board for taking advice from residents and making compromised revisions to the proposed ordinance.

Michael Roosevelt, 19 Creekside Drive, is against the ordinance because it is too broad.

Michael Perne, 6 Creekside Drive stated he is against the ordinance.

#### **General Public Comment Cont'd**

Eileen Zolotorofe, 600 Sackettsford Road, thanked the Public Works Department for the resurfacing and milling work they performed on Sackettsford Road.

David Breidinger, 196 Hilltop Drive, thanked the Board for their service and payed tribute to George Komelasky as a friend and supervisor.

**Comments on Proposed Noise and ATV Ordinance Cont'd**

Perry Schmitt, 7 Creekside Drive, raised objection to the hours of operation, the restrictions on the amount of acres needed to ride and several other issues.

Ray Schneider, 340 Rocksville Road, stated the ordinance is giving unlimited power to the police and will cause problems for the Board.

Various residents in attendance added that the hours are too restrictive and intrusive.

**PUBLIC HEARING**

**Consider Ordinance Amendment Regulating Excessive Noise, Motorized Dirt Bikes, and All-Terrain Vehicle Use**

Chairman Weinstein opened the hearing at 9:35 p.m.

Chairman Weinstein explained the overall objective of the ordinance is to have a simple, yet enforceable, mechanism to deal with nuisance complaints regarding noise and ATVs on private property. The currently noise ordinance is complicated and difficult to enforce.

Chairman Weinstein called for Board comment.

Mrs. Silver stated the Police Department must be given some type of authority to weigh the issues and make judgement calls.

Mr. Moore agreed and stated he understands it's an emotional issue. He added that the comments heard tonight helped inform the Board that a change to the time element was needed as well as a smaller set back. He asked the Board if they would be in agreement with a time change from 10 a.m. until 6:00 p.m. to 10 a.m. until dusk, Monday through Saturday and noon until 6 p.m. on Sundays.

Chairman Weinstein called for public comment.

Several audience members in an open forum raised concerns about the issue of dusk during the winter, using an ATV to plow snow and exceptions with smaller lots.

A motion was made and seconded (Weinstein-Silver) to approve Ordinance #585 amending the Township Code specifically Chapter 6, Conduct for the purpose of adding regulations addressing excessive noise and motorized dirt bikes, including all-terrain vehicles and changing the hours

of operation from 10 a.m. until dusk Monday through Saturday, and noon until 6:00 p.m. on Sunday.

**Motion Passed 4-0.**

Chairman Weinstein closed the public hearing at 10:15 p.m. and called for a recess.

Meeting reconvened at 10:28 p.m.

**CONSENT ITEMS**

Mrs. Silver presented the June 22 and June 28, 2016 minutes. The minutes were deemed approved by unanimous consent with a correction to the June 28, 2016 minutes that had the date listed as June 29, 2016.

**ACCOUNTS PAYABLE**

Dr. Rose presented the accounts payable for July 13, 2016 in the amount of \$1,186,873.55, and the July 27, 2016 list in the amount of \$643,516.32.

The Accounts Payable were deemed approved by unanimous consent.

**NEW BUSINESS**

**Consider Bid Award for Gasoline, Diesel, and #2 Heating Oil**

Dr. Rose stated on behalf of the Bucks County Consortium, Upper Southampton advertised in the Bucks County Courier Times for bids to purchase unleaded regular gasoline, on-road ultra low sulfur diesel fuel and #2 heating oil for the contract period August 1, 2016 to July 31, 2017.

The price the Township pays for these products is determined by the published price at the dock on the date of order plus a fixed per gallon delivery fee. Based on the bid results, Gary Crossland, Director of Public Works, recommends awarding the contract as follows:

- Superior Plus Energy Services Inc., Aston, PA for unleaded regular gasoline at market price on the date of order minus 0.0090 cents per gallon delivery fee and on-road ultra low sulfur diesel fuel at market price on the date of order minus 0.0151 per gallon delivery fee.
- Riggins Inc., Vineland, NJ for #2 heating oil at market price on the date of order plus 0.1450 cents per gallon delivery fee.

A motion was made and seconded (Rose-Weinstein) to award contracts for unleaded regular gasoline and on-road ultra low sulfur diesel fuel to Superior Plus Energy Service Inc., Aston, PA, and #2 Heating Oil to Riggins Inc., Vineland, NJ for the contract period August 1, 2016 to July 31, 2017 at the bid prices quoted to the Bucks County Consortium.

Chairman Weinstein called for Board comment. None was heard.

**Consider Appointments to the Veterans Advisory Commission to Fill Two (2) Unexpired Terms**

Chairman Weinstein stated the Veterans Advisory Commission received two resignations over the past couple of months. As a result, the Board accepted applications and interviewed several qualified candidates making the decision a difficult one.

A motion was made and seconded (Weinstein-Silver) to appoint Amie Houser and Michael Bodkin to fill unexpired terms, effective immediately and expiring on December 31, 2017 and December 31, 2018 respectively.

**Motion Passed 4-0.**

Dr. Rose congratulated both Amie and Michael and stated they are going to be amazing.

**Consider Resolutions for Traffic Signal Applications for Richboro Crosswalks Project Required Under the MultiModal Transportation Fund Grant**

Mrs. Silver explained the Pennsylvania Department of Transportation (PennDOT) notified the Administration earlier this year that we had secured a grant award through the Multimodal Transportation Fund to install decorative stamped concrete crosswalks and construction of curb ramps in seven locations in the Richboro area of the Township. The total grant award is \$165,000 with a match of \$70,720 for a total amount of \$235,720.

Before we can continue with the project, PennDOT requires an amendment to the traffic signal plans on state roads. Authorizing resolutions for the following five affected areas that are located within state highways would satisfy the requirement and allow us to continue towards bidding the project later this year.

- Second Street Pike (S.R. 0232)
- Almshouse Road/Newtown-Richboro Road (S.R. 0322)
- Bustleton Pike (S.R. 2065)
- The remaining two locations are located on Township Road. Curb ramps and crosswalks will be designed to current ADA and PennDOT standards. In addition to the upgrading, the existing curb ramps, an additional crossing will provided at the intersection of Second Street

Pike and Crossroads Plaza Access to allow pedestrian to cross the northern leg of Second Street Pike.

Chairman Weinstein called for a motion .

A motion was made and seconded (Silver-Moore) to approve Resolutions R-16-16, R-16-17, R-16-18, and R-16-19, authorizing the Township Manager to execute a traffic signal permit plan amendment at the intersections of Almshouse Road and Second Street Pike; Bustleton Pike and Upper Holland Road; Second Street Pike and Crossroads Plaza; and Second Street Pike and Schoolhouse Commons.

**Motion Passed 4-0.**

**Consider Bids for Tennis and Basketball Court Improvements at the Civic Center and Municipal Park**

Mr. Moore stated CKS Engineers opened bids for additional improvements to our recreation facilities on June 15, 2016. The proposed improvements at the Civic Center consist of reconstructing two tennis courts, repairing and resurfacing two tennis courts, installation of new fencing around four tennis courts, installation of underdrains to prevent future court deterioration, netting between courts, and pickle ball striping. The bid also includes surface restoration of the basketball courts at Municipal Park.

Mr. Moore explained CKS Engineers estimated the project for the Civic Center Improvements to be \$203,000, but the actual bid cost for these improvements is \$226,000, including some of the alternates. This amount is scheduled to be paid from the 2015 bond funds. The \$27,000 balance of the project cost will be paid from the Recreation Capital Fund.

Mr. Moore stated only CKS received only one bid for the project, Top-A-Court Tennis Resurfacing Company. CKS Engineers determined the company to be reputable and noted the Township has used this company on previous project and reported no issues.

A motion was made and seconded (Moore-Silver) to award a bid for the improvements to the Civic Center and Municipal Park tennis and basketball facilities to Top-A-Court Tennis Resurfacing Company, 1274 Georgia Lane, Hatfield, PA in the amount of \$253,394.50 and to authorize the Administration to execute all documents related to the project.

Chairman Weinstein called for Board comment.

Dr. Rose reminded the Board that it was agreed upon to take out the pickle ball line painting at a cost of \$800. Mr. Moore amended to his motion to change the amount of the project to \$252,594.50; Mrs. Silver seconded the amended motion.

**Motion Passed 4-0.**

Mrs. Silver spoke on the other projects taking place at the Civic Center. Mr. Pellegrino stated new lighting is being installed, traffic islands will be erected on Newtown-Richboro Road and Tennis Road will soon be resurfaced.

**LIAISON REPORTS**

Dr. Rose made the following announcements:

- The Council Rock School District Administration is busy approving bids for the opening of the new school and approved a three-year contract with school administrators.
- The construction projects are moving along for Newtown Middle School and Holland Middle School and are progressing according to schedule.
- The first day of school is August 29, 2016 for students K-7 and 9<sup>th</sup> grade. All students report on Tuesday, August 30, 2016.
- Join the James E. Kinney Senior Center today to get out of the heat and enjoy some great activities.
- The Southwestern Bucks Solid Waste Committee (SWBWC), consisting of Northampton Township, Upper Southampton Township, and Lower Southampton Township, met on July 26, 2016 to discuss the 2017-2021 yard waste disposal bid. Waste Management came in as low bidder at \$1,538,000 the other bidder came in at \$1,958,000 for a five-year contract.

Mrs. Silver made the following announcements:

- The Northampton Bucks County Municipal Authority has been working diligently gathering information on the contamination issue. Any questions regarding this matter contact them directly or go to the website for details.
- The Municipal Authority has also installed new water collection stations to monitor various areas.
- Check out the new Northampton Township Facebook Page and you will see a great video with Chief Adam Selisker promoting the Volunteer Fire Company and recruiting volunteers to serve as part of this worthwhile cause.

Mrs. Silver asked the Chairman if she could assume Mr. Komelasky's liaison duties for the Police Department and Public Works Department until a new Board member is appointed and the liaisons are determined. Chairman Weinstein agreed.



Mr. Moore made the following announcements:

- He encourage everyone to check out our great parks and recreational facilities.
- The Parks and Recreation Department is busy with the summer camps in full swing and are still accepting registrations for a few remaining camps.
- Discount tickets for various activities are available from the Parks and Recreation Department.
- The Swim Club at the Northampton Valley Country Club is accepting members at a discounted rate for the month of August.
- The Fall Brochure for the Parks and Recreation Programs will be coming out the end of August.
- The Library is in the process of doing a fundraiser. Go to the website or stop in to make a donation.
- The Library is now open throughout the week at 10 a.m. and with the change in hours has now seen a spike in attendance. In addition, the Library will be adding hours on Sundays beginning in September.

Chairman Weinstein made the following announcements:

- The Planning Commission met on July 12, 2016 and discussed the Township revising the Comprehensive Plan. The next meeting of the Planning Commission will be on August 9, 2016 at 7:30 p.m.
- The Northampton Bucks County Municipal Authority and the Planning Commission have a Board opening. Submit an application to the Administration if you are interested in serving.
- The Willow Road Bridge is now open and was completed without cost to the Township.
- The Zoning Hearing Board met to discuss variances needed for impervious surface on a patio setback on Wordsworth Drive, an addition on Wren Drive, a pool on Paddock Way, and a fence set back on Doe Run Drive. No action is required on these items by the Board of Supervisors. The next meeting will be August 8, 2016 at 7 p.m.
- The Historical Commission is working on preparing a video to discuss the aspects of the Commission.

- If you wish to volunteer for the Historical Archivist send your request to [nht.archivist@gmail.com](mailto:nht.archivist@gmail.com).
- The next meeting of the Historical Commission will be August 18, 2016 at 7:00 p.m. at the Library.
- The next meeting of the Veterans Advisory Commission will be August 15, 2016 at 7:00 p.m.
- He congratulated the family of Army Specialist Jeffrey Vogel and was honored to be part of the ceremony.
- A memorial service to commemorate the 63<sup>rd</sup> Anniversary of the Armistice Korean War will take place on July 29, 2016 at 11:00 a.m. at 55 East Court Street in Doylestown Borough at the Korean memorial.
- The Philadelphia Veterans Parade is taking place on November 6, 2016 and the deadline to participate is September 1, 2016. Information can be found on the subpage of the Township's website under the Veterans Advisory Commission.
- The Police Chief sends a thank you out to all our residents for their outpouring support for their Police Department. The showing of support under the terrible circumstances of what is happening across the country is greatly appreciated.
- A new survey came out under Value Penguin. Out of 227 Municipalities across Pennsylvania where there are at least 30,000 residents or more, Northampton is the safest community in the state.

### **MANAGER'S REPORT**

Mr. Pellegrino stated that, starting in about the middle of August on Jacksonville Road, an in-place cold mill recycling program will take place from Grenoble to Sackettsford Road. The road will be closed temporarily due to construction. In addition, the Public Works Department is currently replacing a culvert on the same road which has collapsed.

He responded to a statement made during public comment on a test performed on Inland Road for PFOS and PFOA. The Administration is not aware of any test performed in that area by the Navy or the Environmental Protection Agency. The Administration is in possession of a map showing the areas that were tested and Inland Road is not on the map.

Mr. Pellegrino responded to a comment made during public comment on brake retarders commonly known as "Jake Brakes." This item falls under a traffic code ordinance and does not belong under noise.

**SOLICITOR'S REPORT**

Mr. Pizzo announced the Board met in an Executive Session for approximately 20 minutes to discuss the potential acquisition of property. The Board took no official action. In attendance were four Board members, the Township Manager, the Assistant to the Township Manager, Karen Demerlis, and Joesph Pizzo from the Township Solicitor's Office.

The meeting adjourned at 11:05 p.m.

Respectfully Submitted,

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Eileen Silver, Secretary