

The agenda meeting of the Northampton Township Board of Supervisors was held at 6:00 pm.

Present were:

Adam M. Selisker
Paula Gasper
Dr. Kimberly Rose
Robert Salzer
Michael Solomon
Joseph Pizzo
Amanda Fuller
Robert M. Pellegrino
William Wert

Agenda items were reviewed and discussed.

The regular business meeting of the Northampton Township Board of Supervisors was called to order at 7:01 p.m.

Members of the Board present were:

Adam M. Selisker
Barry Moore
Paula Gasper
Dr. Kimberly Rose
Robert M. Salzer

Others present were:

Amanda Fuller, Township Engineer
Joseph Pizzo, Township Solicitor
Robert M. Pellegrino, Township Manager
William Wert, Assistant Manager

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

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

SPECIAL PRESENTATION

Northampton Bucks County Municipal Authority

Chairman Selisker called forward Mr. Tom Zeuner, Executive Director of the Northampton Bucks Municipal Authority (NBCMA). Mr. Zeuner provided an update on the possible sale of the Bucks County Water and Sewer Authority (BCWSA) for 1.1 Billion dollars for the sanitary sewer

system. Northampton is the largest wholesaler and is a non-profit. Mr. Zeuner states rates will go up if the sale happens. Residents should attend the meetings of the BCWSA to show their opposition to the sale. The NBCMA answers to the ratepayers.

Discussion ensued with the Board asking questions of Mr. Zeuner and asking the residents to be proactive in opposing this sale.

PUBLIC COMMENT

None was heard.

CONSENT ITEMS

MINUTES

The Board meeting minutes of July 27, 2022, was approved by unanimous consent.

ACCOUNTS PAYABLE

The accounts payable for August 10, 2022, for \$1,626,574.93 and, for August 24, 2022, for \$1,703,927.89 were approved by unanimous consent.

NEW BUSINESS

Consider a Lot Line Change, Holland Estates, LL 22-5, Amity Way

Mr. Moore asked the representatives of the project to introduce themselves. Michael Meginniss, Esq., Attorney for the applicant, Ronald Glenn, P.E., Engineer for the applicant, and John Capponi, of Holland Estates, applicant.

Mr. Moore outlined the project as follows.

Located along the east side of Amity Way, approximately 200 feet northeast of its intersection with Lower Holland Road, the proposal is to adjust the lot lines of three single-family detached dwelling lots, one of which contains an existing stormwater basin. As a result of the lot line change, the lot areas will be as follows:

- The area of TMP #31-40-137-4 will increase to 0.78 acres and contain an existing single-family detached dwelling;
- The area of TMP #31-40-137-5 will increase to 0.82 acres and contain a building area for a single-family detached dwelling, and;
- The area of TMP #31-40-137-6 will be reduced to 1.1.2 acres and contain the existing stormwater basin.

The R-2 District permits single-family dwellings on lots having a minimum lot area of 20,000 square feet and a minimum lot width of 100 feet.

Holland Estates is part of a previously approved subdivision and the proposal is for a lot line change only. The proposed application does not change the number of approved lots.

The following was provided for review.

1. Gilmore & Associates, Inc. — Review letter — August 1, 2022;
2. Pennoni Associates - Review letter — July 28, 2022;
3. McMahan Associates — Review letter — June 9, 2022;
4. Township Planning Commission Memo — August 16, 2022;
5. Bucks County Planning Commission — Review Letter July 26, 2022; and,
6. Copy of the Plan
- 7.

A motion was made and seconded (Moore-Rose) to approve Holland Estates Lot Line Change Plan, LL 22-5, subject to compliance with the Gilmore Associates review letter dated August 1, 2022, the Pennoni Associates review letter dated July 28, 2022, and the McMahan Associates review letter dated June 9, 2022. All other current agreements related to the subdivision application and a new plan shall be recorded,

Mr. Pizzo questioned if the retention basin will stay with Holland Estates. Mr. Meginniss, attorney for the applicant confirmed the retention basin will stay with Holland Estates and be the responsibility of the Homeowners Association.

Motion Passed 5-0.

Consider a Preliminary/Final Plan of Subdivision and Land Development, Farlex, Inc., SLD 21-6, Churchville Lane and Bristol Road

Mr. Moore asked the representatives of the project to introduce themselves. Michael Meginniss, Esq., Attorney for the applicant, and Mr. John Richardson, engineer for the applicant.

Mr. Moore outlined the project as follows.

Located East of the intersection of Churchville Lane and Bristol Road, the proposal is to subdivide a 39,445 square foot parcel into three single-family detached dwelling lots of 14,468 square feet (Lot 1), 8,122 square feet (Lot 2), and 16,855 square feet (Lot 3). Public water and sewer serve the site.

The R-2 Single-Family District permits single-family dwellings on lots having a minimum lot area of 20,000 square feet and a minimum lot width of 100 feet. The Northampton Township Zoning Hearing Board granted the following variances at their meeting on August 23, 2021:

1. To permit Lot 1 to have a lot area of 14,468 square feet, Lot 2 to have a lot area of 8,122 square feet, and Lot 3 to have a lot area of 16,855 square feet instead of the required lot area of 20,000 square feet;
2. To permit Lot 2 to have a lot width of 72 feet and Lot 3 to have a lot width of 83.84 feet instead of the required lot width of 100 feet;
3. To permit Lot 1 to have a front yard setback along Bristol Road of 38.38 feet instead of the required 50 feet;
4. To permit Lot 3 to have a side yard setback of 16.58 feet instead of the required 20 feet;
5. To permit Lot 1 to have a rear yard setback of 23.22 feet and Lot 2 to have a rear yard setback of 15.16 feet instead of the required 50 feet;
6. To permit Lot 1 to have an impervious surface ratio of 20.88 percent and Lot 2 to have an impervious surface ratio of 33.5 percent instead of the allowable 20- percent, and;
7. To permit a deck or patio to be within the building setback.

The following was provided.

1. Waiver Request Letter – Dumack Engineering – July 13, 2022;
2. Gilmore & Associates, Inc. – Review letter – July 22, 2022;
3. Pennoni Associates - Review letter – July 13, 2022;
4. McMahan Associates – Review letter – July 18, 2022;
5. Township Planning Commission Memo – August 16, 2022;
6. Bucks County Planning Commission – Review Letter – December 6, 2021; and,
7. Copy of the Plan

A motion was made and seconded (Moore-Salzer) to approve Farlex, Inc., Preliminary/Final Plan of Subdivision and Land Development, SLD 21-6, subject to compliance with the Gilmore Associates review letter dated July 22, 2022, the Pennoni Associates review letter dated July 13, 2022, and the McMahan Associates review letter dated July 18, 2022. It is also recommended that the requested waivers be granted. Approval is subject to the following conditions:

1. The applicant shall enter into a land development agreement and escrow agreement in a form acceptable to the Township solicitor and engineer. This shall include a stormwater management maintenance and operations agreement.

2. A fee-in-lieu of sidewalks is required based upon calculation by the Township engineer per the terms of the development agreement.
3. A fee-in-lieu of tree replacement shall be required per the terms of the development agreement under the applicant's proposed tree replacement plan.
4. A fee-in-lieu of curbing shall be submitted for \$15,000 as agreed to by the applicant.
5. A fee-in-lieu of recreation/open space shall be submitted for \$6,584.86 for each new lot per the terms of the development agreement.
6. The applicant is responsible for obtaining any outside approvals that may be necessary, including, but not limited to DEP, the Conservation District, PennDOT, and the Municipal Authority. Further, approval is granted for the submission of any documents that may be required as part of the sewage facilities planning process.
7. All conditions and recommendations incorporated with the motion and minutes are subject to the Township Solicitor's approval letter.

Chairman Selisker called for Board comment.

Dr. Rose thanked the applicant and the professionals for their willingness to work with the neighbors.

Mr. Pizzo noted that in addition to the conditions outlined in Mr. Moore's motion since lots are being reconfigured deeds for the newly created lots should be submitted to the Township Engineer and the Township Solicitor for review and approval, and recorded by the office of the Recorder of Deeds when filing the record plan. Note, there is a shared driveway so the proposed easement shall be submitted to the Township with language incorporated into the deeds.

Mrs. Fuller, the Township Engineer made note that the applicant has agreed to work with the Engineer on these details.

Chairman Selisker called for public comment. None was heard.

Motion Passed 5-0.

Consider a Resolution Accepting Dedication of Public Improvements for the Reserve at Northampton

Mr. Salzer explained that Toll Brothers, developer of the Reserve at Northampton, has requested the dedication of the public improvements. A resolution was provided to accept the dedication of the following:

1. Oxford Drive, Shady Pines Drive, and Cumberland Circle;
2. Hatboro Road (area between the legal and ultimate right-of-way);
3. Storm sewer conveyance system, including all inlets and storm pipe within the right-of-way of Oxford Drive, Shady Pines Drive, and Cumberland Circle. All storm sewer facilities outside of the right-of-way and on private property are to be owned by the Homeowner's Association.

On July 14, 2022, Gilmore Associates certified that all improvements required under the development agreement have been satisfactorily completed. In addition, the developer has provided a maintenance bond to guarantee public improvements for eighteen (18) months.

Provided for your consideration are the following:

1. Resolution accepting the Deeds of Dedication;
2. Gilmore Associates correspondence of July 14, 2022, certifying that all public improvements have been satisfactorily completed;

A motion was made and seconded (Salzer-Gasper) to approve Resolution No. R-22-14 accepting Deeds of Dedication for the Reserve at Northampton by Toll Brothers be accepted and all items identified in the July 14, 2022 correspondence by Gilmore Associate be addressed, including the posting of a maintenance bond as required by the development agreement.

Mr. Pizzo announced there is a title report on the area's being dedicated. Mr. Pizzo had reviewed the original title report and it did require a markup per Mike Solomon the Planning and Zoning Director. Mr. Solomon has received the markup but Mr. Pizzo himself has not had a chance to review it. Mr. Pizzo stated if this dedication is approved tonight it would be contingent upon the receipt of a satisfactory title report.

Mr. Salzer and Mrs. Gasper both agreed to the amendment to the motion.

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

Motion Passed 5-0.

Authorize Advertisement of a Public Meeting to Consider a Proposed Ordinance Amending Stormwater Management Requirements

Mr. Salzer explained the Department of Environmental Protection is requiring municipalities to adopt an updated stormwater management ordinance by the end of September. A copy of the ordinance has been provided and is available on the Township website. Major changes to this ordinance include the following:

- The Township's ability to repeal permits;
- Waivers from the Stormwater Management Ordinance;
- Green Infrastructure & Low Impact Development;
- Unregulated Discharges; and,
- Ongoing Operation and Maintenance of Stormwater Management Facilities

A memo was also provided from Gilmore Associates that describes the ordinance and provisions in greater detail.

A motion was made and seconded (Salzer–Rose) to authorize the advertisement of a public meeting for an ordinance amending the Northampton Township Code related to stormwater management requirements for Wednesday, September 28, 2022, at 7:00 pm at the Northampton Township Administration Building.

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

Motion passed 5-0.

Consider Resolutions Condemning a Portion of Tax Map Parcel 31-015-145, and a Temporary Construction Easement on Tax Map Parcel 31-015-145 Owned by Richboro Gelt Partners

Mr. Moore outlined the proposed resolution for condemnation and noted the Township has been working with its Traffic Engineer, McMahan Associates on design and engineering plans to extend Township Road to the intersection of Second Street Pike and Bustleton Pike and construct a roundabout at the same intersection. The purpose of the project is to improve traffic flow through Richboro, improve traffic and pedestrian safety, and relieve congestion at the intersection of Second Street Pike and Almshouse Road.

After five years of plan submittals and review comments from the Pennsylvania Department of Transportation, the construction plans are finally complete and PennDOT is prepared to issue a Highway Occupancy Permit for project construction; however, before a permit can be issued, the Township must acquire additional rights-of-way to make the project “shovel ready”. This means that the Township could proceed with bidding and constructing the project.

The Township intended to obtain the PennDOT Highway Occupancy Permit and apply for grants to fund at least a portion of the project construction; however, the Township recently learned that the State Transportation Commission has tentatively included the project in a recent update to its 12-Year Transportation Improvement Plan (TIP). This means that if the Township acquires all necessary rights-of-way for the project before final approval scheduled for October 1, 2022, PennDOT will proceed with the bidding and construction phase, and fund the entire cost of the project.

Based on this news, the Administration recommends the Board condemn approximately .6 acres of land from Tax Map Parcel # 31-15-145, and condemn a Temporary Construction Easement from the same parcel. The property owner, Richboro-Gelt Partners, LLC is aware of the proposed condemnation action, does not intend to oppose it, and understands that time is of the essence for the Township to acquire all necessary rights-of-way to meet the PennDOT timeline for funding approval. The Township has either acquired additional right-of-way and

Temporary Construction Easements from other affected properties or is in the process of doing so through property owner cooperation. These acquisitions are relatively minor.

Two resolutions were provided for review. The first Resolution condemns .6 acres of land from Richboro-Gelt Partners, LLC, and the second Resolution condemns a Temporary Construction Easement on the same parcel. Ultimately the Township will need appraisals to determine the value of these areas and compensate the property owner accordingly.

The estimated construction cost for the roundabout and extension of Township Road is more than \$6.2 Million which will now be funded by PennDOT through its 12-Year Transportation Improvement Plan. I consider this a significant public improvement that will no longer need to be funded by the Township.

A motion was made and seconded (Moore-Gasper) to approve Resolutions R-22-15 condemning a portion of Tax Map Parcel 31-15-145 owned by Richboro-Gelt Partners, LLC, and Resolution R-22-16 condemning a Temporary Construction Easement on the same parcel to construct an extension of Township Road to the intersection of Second Street Pike and Bustleton Pike, and construct a roundabout at the same intersection.

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

Motion Passed 5-0.

Consider Resolutions Condemning a Portion of Tax Map Parcels 31-018-020 and 31-018-021 for Utility Easements and a Portion of Tax Map Parcel 31-018-20 and 31-018-021 for Construction Easements Owned by James A. Smith

Mr. Moore outlined the proposed resolution for condemnation and noted as part of the Township Road extension and roundabout project, the Township must acquire two Temporary Construction Easements and one Utility Easement from two properties located at the intersection of Second Street Pike and Bustleton Pike. The Temporary Construction Easements provide the Contractor with temporary access to a portion of the property during construction. These easements are extinguished once the project is complete. The proposed Utility Easement will be permanent and used to install conduit for street lighting.

The property owner, James Smith is aware of the proposed condemnation action and understands that time is of the essence for the Township in acquiring the easements to obtain its Highway Occupancy Permit for this project. No additional right-of-way is required from the Smith properties. The curb lines on Second Street Pike and Bustleton Pike will move away from the existing structures to permit the construction of sidewalks. The existing wall on Bustleton Pike will also be removed and the area appropriately graded to the road elevation.

Two resolutions were provided for review. The first resolution condemns the Temporary Construction Easements, and the second resolution condemns the Utility Easement.

A motion was made and seconded (Moore-Gasper) to approve Resolutions R-22-17 and Resolution R-22-18 condemning Temporary Construction Easements and a Utility Easement for the construction and extension of Township Road to the intersection of Second Street Pike and Bustleton Pike and constructing a roundabout at the same intersection.

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

Motion Passed 5-0.

Authorize Sale of Surplus Equipment

Dr. Rose stated Greg Hucklebridge, Public Works Director has indicated that we can sell a listing of surplus items that were listed in a memo dated July 26, 2022. These items are expected to be valued at more than \$2000 and as a result, can only be sold when authorized by the Board of Supervisors.

The Administration requests the Board's approval to sell this equipment at a public auction on the Municibid website.

A motion was made and seconded (Rose-Salzer) to authorize the Township Administration to sell surplus equipment at public auction as recommended by the Department of Public Works in a memorandum dated July 26, 2022.

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

Motion Passed 5-0.

Consider Bids for Salt Contract

Mrs. Gasper stated on behalf of the Bucks County Consortium, Doylestown Borough advertised for bids for rock salt in the Intelligencer on August 3, 2022, and August 10, 2022. The Township is currently paying 57.88 per ton and used approximately 4,000 tons last year. The Township's salt shed was filled to capacity at the end of the 2021-2022 winter season, saving the Township a considerable amount of money. Morton Salt Inc. was our provider last year for the salt contract.

A motion was made and seconded (Gasper-Rose) to award a contract for rock salt to Morton Salt Inc., Chicago, Il at the bid price of \$67.76 per ton delivered to the Northampton Township Salt Shed, 150 Louise Drive, Ivyland, PA 18974.

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

Motion Passed 5-0.

REPORTS

Dr. Rose made the following announcements:

- Many exciting events are planned for the Senior Center for 2022. Check their website at nhsc@nhtwp.org or call 215-357-8799 for more information.
- The Senior Center has many new and returning events for the fall. The Boscov's friends helping friends for \$5.00 get a certificate for 25% off at Boscov's. Octoberfest is new for this year and will be held on October 21st from 11:30 am until 2:00 pm.
- On November 10, the Center will be hosting a trip to Wind Creek Casino in Bethlehem.
- The Senior Center now accepts credit cards and is open M, W, F 9:00 am – 3:30 pm and T-TH 9:00 am – 8:00 pm.
- If you are 55 or over you can become a member of the Senior Center for \$25.00 a year.
- The summer of 2022 was a great success for The Parks and Recreation Department. The summer concerts, swim club, and various other activities were well attended by all.
- The Fall brochure has arrived in mailboxes but you can also view it online at www.northamptonpa.myrec.com for all available classes and programs.
- The summer concerts are held on Thursday nights during the summer at the Municipal Park Amphitheater. July 28th is Southern Edge and the season ends on August 4th with the Fabulous Grease Band.
- Looking for a day trip find discounted tickets through Parks and Recreation. For a complete list of discounted tickets call 215-357-6800.
- Pre-School still has spots open for the fall.
- The Grand Re-opening and ribbon cutting for the Miracle League Playground will be held on Sunday, September 18, 2022, at 3:00 pm.

Paula Gasper made the following announcements:

- The Veterans Advisory Commission is continuing to work on a historical video on the Nike Site.
- On Veterans Day The Veterans Advisory Commission will be holding an unveiling of the Patriot Flag Program to be held on Saturday, November 12, 2022, at 10:00 am. Bricks will also be on display that will be installed at the Veterans Memorial in front of the Administration Building.

- The Wreath Program held at the Union Cemetary will take place on Saturday, December 3, 2022, at 11:00 am.
- Check out Northhamptontownship.com for more information and upcoming events.
- The Library has hired a consultant to help implement a strategic plan. The Library Staff will be handing out bookmarks with a QRC code that will have survey questions.
- Saturday, November 19 a retreat will be held to go over and discuss the information gathered from the survey.
- The 300th Anniversary is ramping up with several events. September 23rd is the Funfest, October 24th are events held at different locations in the Township, and September 24th is the Northampton Days Festival. A History Mystery Gala will be held on October 14th from 6-10 pm at the Northampton Country Club. Get your tickets early.

Mr. Salzer made the following announcements:

- PennDot has awarded an \$815,000 contract to Loftus Construction to repair 2 bridges in Bucks and 4 bridges in Chester County to repair damage from Hurricane Ida. Work will start soon and end in 2023.
- Temperance Lane and St. Leonards paving has been completed. Independence way is expected to start tomorrow.
- The Bucks County Water and Sewer Authority has agreed to an exclusive negotiation period with Aqua for the sale of all the water, sewer, and sanitary sewer assets. Aqua has offered to purchase this system for 1.1 billion dollars.
- The Northampton Township Municipal Authority is one of Bucks County's largest wholesale sanitary sewer customers of the Bucks County Water and Sewer Authority. The sale discussions could last up to one year but could be sold at any time. The Northampton Municipal Authority is strongly objecting to this sale.

Barry Moore made the following announcements:

- The Zoning Hearing Board will meet on September 12th at 6:00 one of the applications is the expansion of Rainbow Academy
- The Planning Commission will meet to discuss the Bucks County Roses Property.
- There has been an uptick in people speeding since Elm Avenue has been paved. Police are putting up signs and will monitor the area for speeding.

Chairman Selisker made the following announcements:

- The annual fundraising letter went out, please try and donate if you are able
- October 9th – October 15th is Fire Prevention Week. The annual open house will be held on October 15th from 10:00 am until 12:00 pm at the Municipal Park with a Bucket Brigade to celebrate the 300th anniversary of the Township. Prizes will be awarded.
- August 25th at 11:30 am the dedication of the new kennel for K-9 Pako is being held at the Police Station.

MANAGER’S REPORT

- No Report.

ASSISTANT MANAGER’S REPORT

- No Report.

SOLICITOR’S REPORT

- No Report.

ENGINEER’S REPORT

- No report.

PUBLIC COMMENT

None was heard.

The meeting was adjourned at 7:54 p.m.

Respectfully Submitted,

Paula Gasper, Secretary