

**UPPER SOUTHAMPTON TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
SEPTEMBER 18, 2007**

A regular meeting of the Upper Southampton Township Board of Supervisors was held on Tuesday, September 18, 2007, at 7:30PM in the Upper Southampton Administration Complex, First Floor Conference Room, 939 Street Road, Southampton, PA 18966.

MEMBERS PRESENT: Keith E. Froggatt, Sr., Chairman
Walter C. Stevens, Vice Chairman
Lola Biuckians, Secretary/Treasurer
Marguerite Genesio, Asst Secretary/Treasurer
Stephen W Ullrich, Member

ALSO PRESENT: Joseph W. Golden, Township Manager
Donald Williams, Township Solicitor

The meeting was called to order by Ch. Froggatt at 7:30PM. A quorum was established

ANNOUNCEMENTS, CORRESPONDENCE, AWARDS AND REPORTS:

Ch. Froggatt stated that an Executive Session was held prior to the Regular Meeting to discuss personnel. He read correspondence from a resident commending the Public Works Department for their excellent job paving the streets.

Ch. Froggatt read a memorandum from the Chief of Police regarding speed enforcement on Buck Road.

COMMUNITY CONCERNS:

There were no community concerns

APPROVAL OF WORKSHOP MEETING MINUTES OF SEPTEMBER 4, 2007

A MOTION WAS MADE BY MR. ULLRICH TO APPROVE THE WORKSHOP MEETING MINUTES OF SEPTEMBER 4, 2007; SECONDED BY MR. STEVENS; CARRIED WITH A VOTE OF 4-0-1; MS GENESIO ABSTAINED.

APPROVAL OF THE REGULAR MEETING MINUTES OF SEPTEMBER 4, 2007:

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A MOTION WAS MADE BY MS. BIUCKIANS TO APPROVE THE REGULAR MEETING MINUTES OF SEPTEMBER 4, 2007; SECONDED BY MR. ULLRICH; CARRIED WITH A VOTE OF 4-0-1; MS. GENESIO ABSTAINED.

APPROVAL OF THE BUDGET MEETING MINUTES OF SEPTEMBER 11, 2007:

A MOTION WAS MADE BY MR. ULLRICH TO APPROVE THE BUDGET MEETING MINUTES OF SEPTEMBER 11, 2007; SECONDED BY MS. BIUCKIANS; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0.

APPROVAL FOR PAYMENT THE SEPTEMBER 18, 2007 INVOICES:

Mr. Golden presented the Accounts Payable for September 18, 2007 as follows:

| | |
|----------------------------|-----------|
| General Fund | 32,537.32 |
| Street Lighting Fund | 11,452.04 |
| Park and Recreation Fund | 11,862.11 |
| Library Fund | 13.48 |
| Rescue Squad Fund | 9,500.00 |
| Garbage & Refuse Fund | 33,945.66 |
| Capital Projects Fund | 461.43 |
| Vehicle Replacement Fund | 963.21 |
| Stormwater Capital Reserve | 328.50 |
| Highway Aid Fund | 16,916.54 |

A MOTION WAS MADE BY MS. BIUCKIANS TO APPROVE FOR PAYMENT THE SEPTEMBER 18, 2007 INVOICES IN THE AMOUNT OF \$117,980.29, AND THE ESCROW INVOICES IN THE AMOUNT OF \$4,723.37 SECONDED BY MR. STEVENS; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0

PUBLIC HEARING AND CONSIDERATION OF ADOPTING ORDINANCE #386 ESTABLISHING A PROGRAM FOR THE COLLECTION OF RECYCLABLE MATERIAL FROM RESIDENTIAL PROPERTIES, COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, AND MUNICIPAL ESTABLISHMENTS, AND MULTI-FAMILY HOUSING PROPERTIES IN THE TOWNSHIP OF UPPER SOUTHAMPTON; TO REQUIRE THE SOURCE SEPARATION OF RECYCLABLE MATERIALS FROM MUNICIPAL WASTE; TO PROHIBIT

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COLLECTION BY UNAUTHORIZED PERSONS; TO ESTABLISH REGULATIONS THEREOF; AND TO FIX PENALTIES FOR THE VIOLATION THEREOF:

Mr. Williams explained the procedures for adopting an ordinance as specified by Township code. There were four exhibits marked; BOS1 – Proposed Ordinance #386, BOS2 – the Public Notice advertised August 29, 2007 in the Bucks County Courier Times, and BOS3 – an Affidavit dated August 29, 2007 regarding the advertisement from the Bucks County Courier Times Inc., as required by state law, and BOS4 – a three (3) page document from Robert Shaffer to Mr. Golden which discusses the ordinance.

Robert Shaffer, 1150 Mill Creek Road reviewed his comments with the Board of Supervisors. Discussed was the placement of recyclables in regards to trash containers; the times of placement for collection; the container used for yard waste; and enforcement. There were no comments from the Board of Supervisors. The Hearing closed.

A MOTION WAS MADE BY MR ULLRICH TO ADOPT ORDINANCE #386 ESTABLISHING A PROGRAM FOR THE COLLECTION OF RECYCLABLE MATERIAL FROM RESIDENTIAL PROPERTIES, COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, AND MUNICIPAL ESTABLISHMENTS, AND MULTI-FAMILY HOUSING PROPERTIES IN THE TOWNSHIP OF UPPER SOUTHAMPTON; TO REQUIRE THE SOURCE SEPARATION OF RECYCLABLE MATERIALS FROM MUNICIPAL WASTE; TO PROHIBIT COLLECTION BY UNAUTHORIZED PERSONS; TO ESTABLISH REGULATIONS THEREOF; AND TO FIX PENALTIES FOR THE VIOLATION THEREOF; SECONDED BY MS. BIUCKLANS; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0.

PUBLIC HEARING AND CONSIDERATION OF ADOPTING ORDINANCE #367 ESTABLISHING A PROGRAM OF MUNICIPAL WASTE MANAGEMENT AT ALL PROPERTIES WITHIN THE TOWNSHIP; TO PROHIBIT OUTDOOR BURNING; TO PROVIDE FOR REGULATIONS THEREOF; AND TO FIX PENALTIES FOR THE VIOLATION THEREOF:

Mr. Williams explained the procedures for adopting an ordinance as specified by Township code. There were four exhibits marked; BOS1 – Proposed Ordinance #387, BOS2 – the Public Notice advertised August 29, 2007 in the Bucks County Courier Times, and BOS3 – an Affidavit dated August 29, 2007 regarding the advertisement from the Bucks County

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Courier Times Inc., as required by state law, and BOS4 – a three (3) page document from Robert Shaffer to Mr. Golden which discusses the ordinance.

Robert Shaffer, 1150 Mill Creek Road reviewed his comments with the Board of Supervisors. Discussed were definitions; the number of days municipal waste can be retained; the containers suitable for disposal; the placement of containers; the times of placement for containers; outdoor burning; and enforcement. There were no comments from the Board of Supervisors. The Hearing closed.

Ms. Genesio asked that Mr. Golden notify J.P. Mascaro not to place empty containers in front of mailboxes.

A MOTION WAS MADE BY MR. ULLRICH TO ADOPT ORDINANCE #387 ESTABLISHING A PROGRAM OF MUNICIPAL WASTE MANAGEMENT AT ALL PROPERTIES WITHIN THE TOWNSHIP; TO PROHIBIT OUTDOOR BURNING; TO PROVIDE FOR REGULATIONS THEREOF; AND TO FIX PENALTIES FOR THE VIOLATION THEREOF; SECONDED BY MS. GENESIO; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0.

CONSIDERATION OF ADOPTING RESOLUTION #2007-18 ESTABLISHING MUNICIPAL WASTE, RECYCLING, AND YARD WASTE REGULATIONS:

A MOTION WAS MADE BY MS. BIUCKIANS TO ADOPT RESOLUTION #2007-18 ESTABLISHING MUNICIPAL WASTE, RECYCLING, AND YARD WASTE REGULATIONS; SECONDED BY MR. ULLRICH; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0.

PRESENTATION OF THE 2008 MINIMUM MUNICIPAL OBLIGATION OF THE MUNICIPAL PENSION PLAN AND THE POLICE PENSION PLAN:

Mr. Golden presented the 2008 Minimum Municipal Obligation for the Municipal Pension Plan and the Police Pension Plan as prepared by Duda Actuarial Consulting. He stated that the 2008 Minimum Municipal Obligation for the Municipal Pension Plan is \$163,668, which is the amount the Township expects to receive from State Aid, and the Minimum Municipal Obligation for the Police Pension Plan is \$0

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**CONSIDERATION OF APPROVING A WRITTEN DECISION FOR THE
CONDITIONAL USE APPLICATION SUBMITTED BY GIANT FOOD STORES,
LLC TO ADD A RETAIL GASOLINE DISPENSING USE AS AN ACCESSORY
USE TO THE EXISTING GIANT FOOD STORE LOCATED WITHIN THE
SOUTHAMPTON SHOPPING CENTER:**

A MOTION WAS MADE BY MR. ULLRICH TO APPROVE A WRITTEN DECISION FOR THE CONDITIONAL USE APPLICATION SUBMITTED BY GIANT FOOD STORES, LLC TO ADD A RETAIL GASOLINE DISPENSING USE AS AN ACCESSORY USE TO THE EXISTING GIANT FOOD STORE LOCATED WITHIN THE SOUTHAMPTON SHOPPING CENTER; SECONDED BY MR. STEVENS; CARRIED WITH A VOTE OF 3-2-0; MS. BIUCKIANS AND MS GENESIO OPPOSED.

SOLICITOR'S REPORT:

Mr. Williams report was submitted previously He stated that the dedication of Amalie Lane will be scheduled for a future meeting.

OTHER BUSINESS:

A MOTION WAS MADE BY MR. STEVENS TO APPOINT MS. GENESIO AS AN ALTERNATE MEMBER OF THE SOUTH WESTERN BUCKS COUNTY SOLID WASTE COMMITTEE (SWBSWC); SECONDED BY MR ULLRICH; CARRIED WITH A VOTE OF 4-0-1; MS. GENESIO ABSTAINED.

Ms. Genesio asked that Mr. Golden review the possibility of adding walkway striping on Second Street Pike for pedestrians crossing from Our Lady of Good Counsel Church to the Southampton Shopping Center. Second Street Pike is a state road.

EXECUTIVE SESSION:

A MOTION WAS MADE BY MR. ULLRICH TO CONVEEN TO EXECUTIVE SESSION AT 8:20P.M, TO DISCUSS PERSONNEL; SECONDED BY MS. GENESIO; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0.

The Board of Supervisors reconvened at 8:55P M.

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A MOTION WAS MADE BY MS. BIUCKIANS TO OFFER THE POSITION OF ASSISTANT MANAGER/FINANCE DIRECTOR TO ANN ALKER, AT A SALARY OF \$52,765, EFFECTIVE SEPTEMBER 24, 2007, WITH A PROBATIONARY PERIOD OF SIX MONTHS AT WHICH TIME THE SALARY WILL BE REEVALUATED; SECONDED BY MR. STEVENS; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0.

ADJOURNMENT:

Being no further business to come before the Board, A MOTION WAS MADE BY MR. ULLRICH TO ADJOURN AT 8:56P.M.; SECONDED BY MS. GENESIO; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0.

Respectfully submitted,


Lola Biuckians, Secretary/Treasurer

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