

**UPPER SOUTHAMPTON TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
OCTOBER 2, 2007**

A regular meeting of the Upper Southampton Township Board of Supervisors was held on Tuesday, October 2, 2007, 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 Genesisio, Asst Secretary/Treasurer
Stephen W. Ulrich, Member

ALSO PRESENT: Joseph W. Golden, Township Manager
Donald Williams, Township Solicitor
Mark Showmaker, Fire Marshal

ANNOUNCEMENTS, CORRESPONDENCE, AWARDS, AND REPORTS:

Ch. Froggatt received a letter from Mr. Robert Hoopes, attorney representing Toner Development requesting the presentation be rescheduled to the November 7, 2007 Regular Meeting.

A MOTION WAS MADE BY MR. STEVENS TO TABLE AGENDA ITEM "F", PRESENTATION BY MR. ROBERT TONER OF A CONCEPTUAL SITE PLAN TO DEVELOP PROPERTY AT 746 AND 756 STREET ROAD AND 613 SECOND STREET PIKE, KNOWN AS VICTORIA STATION; SECOND BY MS. BIUCKIANS; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0.

Ch. Froggatt announced that a Workshop Meeting was held prior to the regular Meeting as well as an Executive Session to discuss Personnel.

COMMUNITY CONCERNS:

Mr. Matt Peters of 281 Kendall Court stated his concerns with the trees required to be planted in accordance with the Kendall Court Subdivision plan. Mr. Peters was against the type of trees to be planted and their location. Mr. Golden and the Township Engineer will meet with the residents of Kendall Court on Wednesday, October 3, 2007 to address their concerns. A representative from Americorp will also attend the meeting.

**UPPER SOUTHAMPTON TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
OCTOBER 2, 2007**

APPROVAL OF REGULAR MEETING MINUTES OF SEPTEMBER 18, 2007

A MOTION WAS MADE BY MS. BIUCKIANS TO APPROVE THE REGULAR MEETING MINUTES OF SEPTEMBER 18, 2007; SECONDED BY MS. GENESIO; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0;

APPROVAL FOR PAYMENT THE OCTOBER 2, 2007 INVOICES:

Mr. Golden presented the Accounts Payable for October 2, 2007 as follows:

General Fund	122,885.59
Street Lighting Fund	7,611.35
Fire Protection Tax Fund	61,687.50
Park and Recreation Fund	13,634.01
Library Tax Fund	89,000.00
Rescue Squad Fund	42,500.00
Garbage & Refuse Fund	9,266.00
Storm Water Capital Reserve	25.00
Highway Aid Fund	181,002.37

A MOTION WAS MADE BY MS. GENESIO TO APPROVE FOR PAYMENT THE OCTOBER 2, 2007 INVOICES IN THE AMOUNT OF \$527,611.82, AND THE COUNTY OF BUCKS INVOICE IN THE AMOUNT OF \$24.00 SECONDED BY MS. BIUCKIANS; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0.

Ms. Stevens requested the total cost for Southampton Days. Mr. Golden will provide.

PUBLIC HEARING AND CONSIDERATION OF ADOPTING ORDINANCE #388 AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF UPPER SOUTHAMPTON AS FOLLOWS (a) CHAPTER 160 TITLED "SUBDIVISION AND LAND DEVELOPMENT BY AMENDING THE DEFINITION OF LAND DEVELOPMENT, STREAM, AND WATERCOURSE AND (b) CHAPTER 185 TITLED "ZONING" BY AMENDING THE DEFINITION OF STREAM, AMENDING THE DEFINITION OF "STREAMS, RIVERS, WATERCOURSES" IN THE NATURAL RESOURCE REGULATIONS AND ELIMINATING USE GROUP (6) TITLED "CONVERSION OF AN EXISTING DWELLING UNIT TO APARTMENTS":

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**UPPER SOUTHAMPTON TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
OCTOBER 2, 2007**

-3-

Mr. Williams explained the procedures for adopting an ordinance as specified by Township code. There were four exhibits marked; BOS1 – Proposed Ordinance #388, BOS2 – the Public Notice advertised September 17 and September 24, 2007 in the Bucks County Courier Times, and BOS3 – a Memorandum dated September 5, 2007 from the Bucks County Planning Commission; BOS4 – a Memorandum from the Upper Southampton Township Planning Commission dated September 19, 2007; BOS5 – Minutes dated September 17, 2007 from the Upper Southampton Township Planning Commission; BOS6 - Affidavit dated September 24, 2007 regarding the advertisement from the Bucks County Courier Times Inc , as required by state law.

There was no public comment.

Ms. Biuckians questioned the definition of a stream as defined by the U.S. Army Corps of Engineers and the Department of Environmental Protection (DEP). Mr. Golden explained that the DEP is the regulating body that determines the definition. The U.S. Army Corps of Engineers determines whether a stream meets DEP's definition.

Mr. Williams stated that the Township Engineer recommended the definition for this ordinance.

Mr. Stevens stated that the Bucks County Planning Commission recommended the Township adopt the ordinance as prepared.

A MOTION WAS MADE BY MS. BIUCKIANS TO APPROVE ORDINANCE #388, AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF UPPER SOUTHAMPTON AS FOLLOWS (a) CHAPTER 160 TITLED "SUBDIVISION AND LAND DEVELOPMENT BY AMENDING THE DEFINITION OF LAND DEVELOPMENT, STREAM, AND WATERCOURSE AND (b) CHAPTER 185 TITLED "ZONING" BY AMENDING THE DEFINITION OF STREAM, AMENDING THE DEFINITION OF "STREAMS, RIVERS, WATERCOURSES" IN THE NATURAL RESOURCE REGULATIONS AND ELIMINATING USE GROUP (6) TITLED "CONVERSION OF AN EXISTING DWELLING UNIT TO APARTMENTS"; SECONDED BY MR. STEVENS; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0.

CONSIDERATION OF AWARDED A CONTRACT FOR THE PURCHASE OF ROAD SALT FOR THE 2007-2008 SEASON:

Doylestown Borough, on behalf of the Bucks County Consortium opened bids for road salt on September 19, 2007. Bids were received from four vendors. The bids are as follows:

**UPPER SOUTHAMPTON TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
OCTOBER 2, 2007**

-4-

	<u>Delivered</u>	<u>Undelivered</u>
Cargill Deicing Technology	\$47.42 per ton	\$45.42 per ton
International Salt Company	\$52.91 per ton	\$52.00 per ton
Eastern Salt Company, Inc.	\$74.90 per ton	\$74.90 per ton
Oceanport Industries, Inc.	\$75.00 per ton	\$70.00 per ton

It is recommended that the Board of Supervisors award a contract for the purchase of road salt to Cargill Deicing Technology Business Unit at a cost of \$47.42/ton delivered. It is estimated that the Township will use 2,000 tons of road salt during the 2007-2008 season.

A MOTION WAS MADE BY MR. STEVENS TO AWARD A CONTRACT FOR THE PURCHASE OF ROAD SALT TO CARGILL DEICING TECHNOLOGY BUSINESS UNIT AT A COST OF \$47.42 PER TON DELIVERED FOR THE 2007-2008 SEASON; SECONDED BY MS. BIUCKIANS; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0.

CONSIDERATION OF APPOINTING A LABOR COUNSEL:

Ch. Froggatt stated that the Board of Supervisors previously interviewed three candidates to represent the Township regarding Labor issues. He stated that Mr Timothy O'Reilly, the Township's current Labor Counsel will be retiring at the end of 2007.

A MOTION WAS MADE BY MR. ULLRICH TO APPOINT MR. DAVID J. TRUELOVE OF THE LAW FIRM OF CURTIN & HEEFNER, LLP, ATTORNEYS AT LAW AS THE TOWNSHIP'S LABOR COUNCIL IN ACCORDANCE WITH HIS LETTER DATED SEPTEMBER 12, 2007; SECOND BY MS. GENESIO; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0

CONSIDERATION OF AUTHORIZING ADVERTISEMENT OF AN ORDINANCE REENACTING THE EMERGENCY AND MUNICIPAL SERVICES TAX AS THE LOCAL SERVICES TAX IN ACCORDANCE WITH ACT 7 OF 2007:

Mr. Golden stated that Act 7 of 2007 was recently passed which amends the Emergency and Municipal Services Tax, now named the Local Services Tax. This ordinance reenacts the EMST as the Local services Tax and places the Township in compliance with the regulations and requirements established by Act 7 of 2007. The regulations and requirements will go into effect, January 1, 2008. Mr. Golden also stated that employees who earn less than \$12,000 can apply for a refund of this tax. Refund applications are available at the Township as well as the Township's website.

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**UPPER SOUTHAMPTON TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
OCTOBER 2, 2007**

-5-

A MOTION WAS MADE BY MS. BIUCKIANS AUTHORIZING ADVERTISEMENT OF AN ORDINANCE REENACTING THE EMERGENCY AND MUNICIPAL SERVICES TAX AS THE LOCAL SERVICES TAX IN ACCORDANCE WITH ACT 7 OF 2007; SECONDED BY MR. ULLRICH; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0.

SOLICITOR'S REPORT:

Mr. Williams report was submitted previously

OTHER BUSINESS:

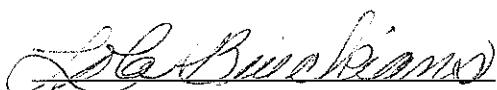
Mr. Stevens stated the Abington Hospital has purchased Warminster Hospital which will close within a month. He stated that it will take longer for the Tri-Hampton Rescue Squad to transport emergencies as now they will have to transport to hospitals located farther away.

Mr. Ullrich announced that the John O. Danenberger Foundation is sponsoring a fund raiser at Applebee's on October 2nd, 3rd, and 4th. Flyers are available at the Township.

ADJOURNMENT:

Being no further business to come before the Board, A MOTION WAS MADE BY MS. BIUCKIANS TO ADJOURN AT 8:26 P.M.; SECONDED BY MS. STEVENS; CARRIED UNANIMOUSLY WITH A VOTE OF 5-0-0.

Respectfully submitted,


Lola Biuckians, Secretary/Treasurer

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