

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – OCTOBER 7, 2020

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held remotely on October 7, 2020. Dr. Weiss called the meeting to order at 7:32 p.m. and called the Roll.

Those present:

Board of Supervisors: Frederic K. Weiss, Chair
 Daniel Grenier, Vice Chair
 James McCartney, Secretary (left meeting in
 progress)
 Suzanne Blundi, Treasurer
 John B. Lewis, Supervisor

Others: Kurt Ferguson, Township Manager
 David Truelove, Township Solicitor
 Andrew Pockl, Township Engineer
 Kenneth Coluzzi, Chief of Police
 Monica Tierney, Park & Recreation Director

COVID-19 UPDATE

Mr. Ferguson stated they will be preparing for the Election at the Township Building. He stated they disinfect the building every day, and they will be doing that very early in the morning on Election Day. He stated the Election workers will have protection provided by the County, and they will be making sure that everything is ready for people to come into the Building as safely as possible on Election Day.

COMMUNITY ANNOUNCEMENTS

Dr. Weiss stated information on Park & Recreation Digital Recreation Opportunities can be found on the Township Website.

Dr. Weiss stated the Bucks County Medication Collection Drive Up and Drop In will be held on Saturday October 24, 2020; and information including locations can be found at www.bcdac.org. Ms. Blundi stated that the Website does not have Lower Makefield listed which is an error, and the Lower Makefield Police Department is participating.

Dr. Weiss stated the EAC is holding a Styrofoam Recycling Event on October 31 from 10 a.m. to Noon in the Township parking lot.

Ms. Tierney stated she met with the Veterans Committee, and they determined that there was no safe way to have a Veterans Day Parade this year. She stated they do plan to have a small ceremony that will be broadcast live on November 7 at 1:00 p.m.

Ms. Tierney stated also on November 7 there is a volunteer opportunity for residents to help the EAC plant trees at Patterson Farm, and more information will be forthcoming on social media.

Mr. Grenier thanked the Lower Makefield Township Historical Society, the VFW, and the American Legion for their efforts in obtaining new headstones for the Civil War Veterans who are buried at the Slate Hill Cemetery. He stated the re-dedication Ceremony took place on September 26.

Mr. Grenier stated October is Breast Cancer Awareness Month. He stated October is also Cyber Security Awareness Month. He stated information can be found at staysafeonline.org. Mr. Grenier stated October 6 to October 12 is National Mental Illness Awareness Week.

Ms. Blundi stated YMS will be holding the annual Columbus Cup Tournament this weekend; and while it has been curtailed this year, it is still an opportunity to showcase the Township and soccer.

APPROVAL OF MINUTES

Mr. McCartney moved, Ms. Blundi seconded and it was unanimously carried to approve the Minutes of September 2, 2020 and September 16, 2020 as written.

ENGINEER'S REPORT

Approve Final Pay Application to Bi-State Construction for Laurel Lane Drainage Improvements Project

Mr. Pockl stated the Final Pay Application would be in the amount of \$4,311.25. He noted that they had substantially completed the project late last year, but

they were called back to do some repairs downstream of the settling pond. He stated they have since done that work, and he has inspected it, and it is stable. He added that there is an eighteen-month Maintenance period that will start after the payment of this Application.

Ms. Blundi moved and Mr. Grenier seconded to approve the Pay Application to Bi-State Construction in the amount of \$4,311.25.

Mr. Grenier asked if this payment is part of the base cost, and he asked if this covers the work they had to do. Mr. Pockl stated this was retainage that had been withheld from the contractor until they completed the work. He stated the work has now been completed, and this is a final close out of the project. He stated the \$4,311.25 is part of the original Contract.

Motion carried unanimously.

Mr. Pockl stated the Board received his Report in their packet. He noted that the Woodside Road Bike Path Grant Application was submitted on September 30 as well the Grant Application for the ADA ramps throughout the Township. He stated it has been confirmed that those Applications have been received.

Mr. Pockl stated the Township's MS4 Annual Report was submitted to DEP along with a draft copy of the Pollution Reduction Plan. He stated the Pollution Reduction Plan will not be finalized until DEP reviews it and approves the location of outfalls, the location of the storm sewer systems, and the intended methods for Best Management Practices to meet the pollution reduction requirements. He stated he feels that it will probably be six months before they hear back from DEP on the Pollution Reduction Plan. He stated typically the MS4 gets submitted, and they do not have comments, and it just becomes a part of the Annual Report.

Mr. Pockl stated with regard to the Grant Applications, he believes that they will hear in January whether any money will be awarded.

Mr. Pockl stated he is in the process of reviewing the Land Development submission for Prickett Preserve. He stated they were asked to have their review completed by the end of this week, and they are on schedule to do so.

Mr. Pockl stated they are meeting with the HOA at the Regency Development as Toll Bros. is addressing punch list items. He stated Toll Bros. wants to complete final paving for the north side of the development by the end of the month.

Mr. Pockl stated Dobry Road is back open after a portion was closed from Oxford Valley Road to the Caddis driveway. He stated they completed re-construction of the roadway and curb installation up to the base; and once Erin Development gets completed, the final paving will be completed on Dobry Road.

Mr. Pockl stated with regard to Scammell's Corner, he met with the developer's representative on Monday. He stated they were starting the rain garden in the cul-de-sac, and they have an approved Plan from the Conservation District. He stated that work should take several days, and it should be completed by the end of the week. He stated he is waiting to get confirmation that the approved landscape species were available at the nursery. Mr. Pockl stated the developer's representative indicated that they would be on vacation next week, and they anticipate completing the roadside drainage swales and the rain garden at the lower end of the development on Lot 1 the week of October 19.

Mr. Grenier asked if they know what they will be planting at Scammell's Corner in the rain garden. Mr. Pockl stated there will be grasses, sedge, and shrubs suitable for a rain garden.

Mr. Grenier stated he understands Mr. Pockl anticipates that it will take the DEP six months to respond to the Pollution Reduction Plan. Mr. Pockl stated it took them eighteen months to respond to the initial submission. He stated they do routinely check in with the DEP.

Mr. Grenier stated with regard to the Bike Path Grant, he understands that Mr. Pockl anticipates a response in January; and Mr. Pockl stated on their Website it indicated that is when they would be voting on the award of the Grants. Mr. Grenier stated that would be after the Budget period, and he asked how they would budget for that. Mr. Ferguson stated they will budget for it as the Board agreed to the match.

PROJECT UPDATES

Sandy Run Road

Mr. Ferguson stated he had sent the Board an e-mail that he anticipated having Michael Baker and Associates come before the Board in November. He stated originally they had discussed that they would come in during October but as noted in the e-mail there were some delays that were COVID related. He stated they are also doing significantly more collaboration with this project including with the Planning Director and Mr. Fiocco; and the hope is that by the time this matter comes before the Board in November, the project will be close to 100% completed in terms of design. He stated there could be modifications made if there is something the Board wants to see. He stated the hope is to have the project put out to Bid before the end of the year, and this would be a spring project.

Mr. Lewis asked if they would be voting on the Bid at the second meeting in November, and Mr. Ferguson stated it would not be for the Bid. He stated there will be another collaborative meeting with the various consultants in the next week or two, and they will then make the design presentation to the Board at the first or second meeting in November. He stated if it is made at the first meeting in November, the Board could vote to go out to Bid at the second meeting in November assuming there would not be substantial changes. He stated if it is the second meeting when they make the presentation, the Board could vote to go out to Bid at the first meeting in December. He stated the goal is to have this authorized for Bid before the end of the year.

Mr. Grenier stated while the design will be basically done, they will be allowing the Board and the community to review and comment on it and allow the team to make any modifications necessary and they will then come back to the Board to vote on going out to Bid. Mr. Ferguson agreed. He stated the design would be 90% complete by the time it comes before the Board.

Mr. Ferguson noted the inspector on the project would be Remington Vernick and they would coordinate with the traffic engineer and Michael Baker as it is being built.

MANAGER'S REPORT

Approve 2021 Minimum Municipal Obligation

Mr. Ferguson stated on September 25 he has to provide the Board with a letter/certification regarding what the Pension payments would be for 2021 which is the Minimum Municipal Obligation (MMO). Mr. Ferguson stated while this still has to be put in the Budget, there is an obligation that he notify the Board by September 30; and that has been done. He stated he is bringing this up at tonight's meeting so that it can be memorialized, and every year they make a Motion to approve the amounts as a matter of the Public Record. He stated he outlined those amounts in his Report to the Board.

Mr. Ferguson stated there are three pieces of the Pension – the Police Pension, the Defined-Benefit Plan, and the Defined-Contribution Plan, which all new hires who are not Police have gone into since the beginning of 2012. He stated the 2020 contribution across all three of the Pension Plans was \$1,419,706, and for 2021 it has gone down slightly to \$1,374,210.

Ms. Blundi moved and Mr. Grenier seconded to approve the MMO for 2021 for Police for \$878,238, for non-Uniform Defined Benefit for \$416,889, and for non-Uniform Defined Contribution for \$79,183.

Mr. Lewis asked what percent level will they be funding the Pensions at once this funding is approved. Mr. Ferguson stated this funding is the minimum funding amount as required actuarially. He stated the level that the Pension Plans are funded is a separate calculation. He stated the Defined Contribution Plan, which is the lowest one, does not have a funding criteria since they do it year-to-year. He stated he believes that they were at approximately 80% for the Police which is a threshold number that is looked at for having a stable Pension Fund. He stated the non-Uniform Benefit Fund was better than that, although he does not have an updated number. He stated they could ask this of the Pension Asset Managers for their insight.

Motion carried with Ms. Blundi, Mr. Grenier, Mr. Lewis, and Dr. Weiss in favor. Mr. McCartney was not present for the vote.

Dr. Weiss noted that Mr. McCartney has left the meeting, but is available by phone if necessary.

Approve Award of 2020-2021 Consortium Salt Bid Award

Mr. Ferguson stated every year they get Bids from the Consortium for Salt, and this year's price is less than last year's price. He stated last year's price was \$48.50 a ton, and this year it is \$47.75 which is the cost delivered. Mr. Ferguson stated we have capacity to hold approximately 1,500 tons at Public Works, and we are almost at capacity now. He stated the low Bidder was Morton Salt.

Mr. Lewis moved, Mr. Grenier seconded and it was unanimously carried to approve award to the low Bidder, Morton Salt, for \$47.75 per ton for rock salt for 2020-2021.

Approve Award of Leaf Collection Contractors

Mr. Ferguson stated on September 17 they opened Bids for leaf collection contractors. He stated they use contractors as part of the program every year. He stated they received three Bids, and they are firms that we are familiar with; and he is requesting approval for all three of them – Corcoran Landscaping at \$170 an hour, Kent's Lawn Service at \$163 an hour, and Marrazzo's Manor Lane at \$170 an hour. Mr. Ferguson stated last year's ranges went from \$155 to \$165.

Mr. Grenier moved, Mr. Lewis seconded and it was unanimously carried to approve the award of the leaf collection contractors as described by the Township Manager.

Mr. Grenier asked if there is a schedule yet for the leaf collection, and Mr. Ferguson stated it will be out tomorrow.

Approve Award of Snow Removal Contractors

Mr. Ferguson stated they also opened Bids for snow removal for 2020-2021. He stated they put Bids out with rates of what the Township is willing to pay based on an analysis of twelve surrounding Municipalities. He stated four vendors responded that they would be willing to work for those rates. He stated the winter earlier this year was so mild that the Contracted Services for snow was zero. Mr. Ferguson asked for approval of Corcoran Landscaping, Effluent Retrieval, Marrazzo's Manor Lane, and Scott's All Seasons Inc. for this year's snow removal program.

Mr. Grenier moved, Mr. Lewis seconded, and it was unanimously carried to approve the award of the snow removal contractors as described by the Township Manager.

Approve Sanitary Sewer Public Lateral Repairs

Mr. Ferguson stated as part of the Sewer Lateral Program areas are televised as people are selling their homes, and there are times when that televising takes place that we find areas of our own main lines that need repair. He stated there are three areas which were put out to get quotes for which were provided in the Board's packet. He stated the three areas include 310 N. Fieldstone, 115 Arborlea, and 891 Slate Road. He asked the Board to approve the work that needs to be done by K. E. Seifert in the amount of \$18,200.86 as outlined in Mr. Hucklebridge's Report and have these issues addressed in a timely manner.

Ms. Blundi moved, Mr. Grenier seconded and it was unanimously carried to approve the sanitary sewer public lateral repairs as described by the Township Manager.

Mr. Grenier asked when they will hear back on the Sewer-related Bids. Mr. Ferguson stated there is one pump station left that was part of the Grant, and that Bid is now out. He stated he anticipates this will be back before the Board in November, and they will be able to account for that work in the Budget by year end.

Approve Silt Pile Easement Sign

Mr. Ferguson stated he included in the Board's packet an example of the proposed sign with wording to include the name of the individual to be included on the sign and the proposed location of the sign. He stated what has been proposed is consistent with other open space signs in the Township.

Mr. Lewis moved and Ms. Blundi seconded to approve the sign proposal for conserved land on Oxford Valley Road as outlined in the memo from Mr. Hucklebridge on September 30 to the Township Manager.

Mr. Grenier stated he is in favor of the lay-out of the sign as it is consistent with other signs in the Township. Mr. Grenier stated he would like the location to be at an area which would indicate that it a large area of conserved space and not just the silt pile. Mr. Ferguson stated they could install the sign where indicated; and they could install another sign at some other location as well. Mr. Grenier stated this trail extends to an area behind the Library. He stated Scouts have added some nice interpretative signage along the trail in that area.

Motion carried unanimously.

Authorize Hanging a Banner for Kay's Day Between October 14th and October 16th

Mr. Ferguson stated they received a request to hang a 3' by 12' banner which is consistent with what has been approved in the past. He stated this would be on Heacock Road honoring Kay's Day, and this would be something that would be recognized every year. He stated the banner will be hung by a company that has provided a Certificate of Insurance.

Katie spoke on behalf of the family thanking the Board for their consideration. She stated last year the Board dedicated October 15 as Kay's Day in Lower Makefield Township, and they want to bring attention to child safety and domestic violence awareness in honor of Kayden.

Mr. Grenier moved and Mr. Lewis seconded to approve hanging the banner.

Ms. Tierney stated the sign will be hung in front of McCaffrey's Market.

Motion carried unanimously.

Approve Hiring YellowBird Bus Company for 2020 Leaf Collection Program

Mr. Ferguson stated during this time of COVID, it is necessary to consider certain things in a different way. He stated every year as part of the Leaf Program besides the contractors that are hired, they also hire eighteen to twenty temporary workers. He stated the challenge this year is the means by which to get them on site; and while typically they would have them go in several vehicles to get to the site, at this time he has a restriction in place that there be only one Public Works employee per vehicle. He stated

he had asked Mr. Hucklebridge to look into creative solutions which we could reasonably afford. He stated they put out a request for bus service with an Agreement vetted by Mr. Truelove's office. He stated he is asking the Board to hire YellowBird Bus Company for \$425 a day with an amount not to exceed \$17,000. He stated the Leaf Program goes on for two months, and he does not expect that they would need the service that much. He stated they have the ability to cancel up until early in the morning of the day in case there would be snow or some other reason that they would need to cancel. He stated they would take protections that would require masks and distancing on the bus that would be overseen by an employee. He stated YellowBird Bus Company is aware of the restrictions. Mr. Ferguson stated they did get three quotes. He stated he is asking the Board to approve YellowBird Bus Company for \$425 a day with an amount not to exceed \$17,000 for the 2020 Leaf Program.

Mr. Grenier moved, Ms. Blundi seconded and it was unanimously carried to approve hiring YellowBird Bus Company for the 2020 Leaf Collection Program as described by Mr. Ferguson.

Set Date of Manager's Budget Presentation

Mr. Ferguson stated he had included in his Manager's Report consideration of setting the date for the first Budget Meeting. He stated this would be an initial presentation of the Manager's Presented Budget. He stated staff will be available during the presentation as well. He stated this would not put them "on the clock" the way a Preliminary Budget would, and the Board would be able to make changes of any amount since it is just a presentation on the Manager's Budget. Mr. Ferguson stated if the Board were to pass a Preliminary Budget at the second meeting in November, they would be set to pass a Final Budget at the second meeting in December. He stated if the Board were to pass a Preliminary Budget at the first meeting in November, they could pass the Final Budget at either of the December meetings.

Mr. Ferguson stated the date of the Manager's Presented Budget needs to be advertised, and Mr. Ferguson stated prior to the Manager's Presented Budget, he would set up dates with the Board members individually to go over the Budget with each one of them.

After discussion it was agreed that this presentation would be Wednesday, October 28 at 6:30 p.m. Mr. McCartney advised by text that he would be available at that time.

Mr. Truelove noted that the Board met in Executive Session starting at 6:00 p.m. and items related to litigation and informational items were discussed.

APPROVE DEVELOPMENT AGREEMENT FOR CADDIS SENIOR LIVING

Mr. Truelove stated in addition to the Development Agreement there is also a Grinder Pump Agreement and the Financial Security Agreement for Caddis Senior Living. Mr. Truelove stated this is the project on Dobry Road near its intersection with Oxford Valley Road north of the Big Oak Road intersection. Mr. Truelove stated he discussed this matter today with Mr. Majewski and there were numerous e-mails over the last several weeks between the Solicitor's office, engineers, and others to review outstanding issues including sidewalk construction costs and sewers. Mr. Truelove stated he knows that there are some outstanding concerns about lighting, but approval of the Development Agreement does not foreclose any type of continued review and evaluation for compliance with any lighting issues as well as buffering which is an ongoing review as well. Mr. Truelove stated the Development Agreement incorporates approval letters and other aspects of the process and does not foreclose the Township's ongoing compliance review.

Mr. Pockl stated even though the project is under construction, the Township has the final say on signing off on the Certificate of Occupancy; and that gives an opportunity to address any issues prior to allowing them to occupy the building. Mr. Pockl stated he has spoken with the developer about the site lighting issue, and they are willing to work with the Township on lowering some of the light levels within the parking lot to accommodate some of the concerns of the nearby residents. Mr. Pockl stated the developer is also working on putting shields on some of the lights that are mounted on the wall of the building and projecting out toward the driveway. He stated he believes that the developer is working with the Township in good faith to address the concerns that the residents have.

Ms. Blundi moved and Mr. Grenier seconded to approve the Development Agreement for Caddis Senior Living.

Mr. Grenier stated he understands that the outstanding concerns of the nearby residents such as lighting, noise, and buffers will be addressed moving forward even if this Agreement is approved.

Mr. Grenier stated early on there were questions from the EAC and others about the stormwater management system, and he asked Mr. Pockl if he is satisfied with the stormwater management system. Mr. Pockl stated his office has taken photographs as they have installed it. He stated whenever he has been on site, he has looked at the surface detention areas to make sure that they are draining, and they have been. He stated he has not seen ponding of water beyond seventy-two hours. He stated they will need a Notice of Termination.

Mr. Grenier asked if the temporary road by-pass through the parking lot caused any damage to any of the facilities that had been constructed due to heavy equipment going through, and Mr. Pockl stated he has not heard anything about any damage. He stated Dobry Road has been opened for a few days. Mr. Grenier asked about the status of the improvements to Dobry Road. Mr. Pockl stated the storm system for Dobry Road has been installed. He stated the inlets are in and the piping down to the drainage swale on the northern side of Dobry Road has been installed. He stated curb has been installed. He stated the re-constructed portion from Oxford Valley Road down to the first driveway at Caddis, which is approximately 1,00 feet out of the total 1,800 feet, has been completed. Mr. Pockl stated they are not putting down the top asphalt course because Erin Development will be coming in with their construction project. Mr. Grenier asked when he anticipates construction of Erin Development will take place so that they can get a full road. Mr. Pockl stated Erin Development is working out the final details. He stated he spoke to their design engineer today to sign off on the stormwater calculations, and he believes that they are getting ready to start construction soon.

Mr. Grenier asked if Caddis is “on the hook” for doing the final paving of the road once that project is done or is Erin Development responsible for that. Mr. Pockl stated there is a Financial Agreement between the two developers as to what Erin Development will pay for; however, he was not at that meeting. Mr. Pockl stated in the Developer’s Agreement it indicates that Caddis will re-construct Dobry Road in its entirety, and then Erin Development will be reimbursing them. Mr. Ferguson stated the developers worked out the details between themselves. Mr. Grenier stated he understands that this has been memorialized.

Motion carried unanimously.

ZONING HEARING BOARD MATTERS

Mr. Truelove stated Jean Augustin is requesting a Special Exception for the property located at 3 Ridge Avenue in order to permit use as a bed and breakfast and/or boarding house. He stated they have been in litigation with Mr. Augustin for issues related to the use of his property. He stated some of the litigation is on hold by the Court pending some compliance issues. Mr. Truelove stated because of that history and concerns by the neighbors, he would recommend that the Board authorize his office to oppose this Application.

Mr. Lewis moved and Mr. Grenier seconded to oppose the Application.

Ms. Robin Difante, 101 Tower Circle, stated this is a single-family Residential area, and that is the type of area she and her family would like it to remain. She stated they all take care of their properties, and they did not move here and pay taxes here to be in an area where there is a multi-family type residence.

Mr. Truelove stated the Board of Supervisors does not decide the issue that is coming before the Zoning Hearing Board; however, the Board has authorized his office to oppose this matter before the Zoning Hearing Board. He urged Ms. Difante and her neighbors who are also opposed to this to make their comments known at the Zoning Hearing Board meeting on October 20. Ms. Blundi stated this matter was also to go before the Planning Commission, but the meeting when it was on the Agenda did not take place. Mr. Pockl stated it is on the Planning Commission's Agenda for October 12. Mr. Truelove stated if that meeting does not take place the Zoning Hearing Board could open the Hearing and then keep the Record open pending the Planning Commission's review and recommendation.

Mr. Christian Hoover, 903 Greenway, stated he sent an e-mail to the Board of Supervisors requesting that they oppose this request. He stated he was present for the Morrisville Zoning Hearing Board meeting that was held October 5. He stated he was a Fact Witness for Morrisville Borough regarding the two violations which were upheld. He stated he also spoke at Public Comment regarding Mr. Augustin's request for the Bed and Breakfast Permit in Morrisville, and he had indicated that if they granted this Bed and Breakfast Permit which limits up to ten people in the house at one time, Mr. Augustin will

“stuff the house with twenty people and history will repeat itself.” Mr. Hoover stated he is familiar with Mr. Augustin’s “behaviors over the years dealing with the countless border issues that have plagued Edgehill Gardens from the 874 N. Pennsylvania Avenue house and 3 Ridge Avenue.” Mr. Hoover stated he was also a Witness for Lower Makefield Township for the Injunction Hearing and for the Contempt Hearing. Mr. Hoover stated the Board may want to view the Morrisville Zoning Hearing Board meeting of Monday, October 5 that presents a lot of information.

Mr. Hoover asked that the Board oppose this request for the Bed and Breakfast Special Exception Permit.

Motion carried unanimously.

With regard to the Pennsylvania American Water Company Special Exception request for the property located at Oxford Valley Road to construct a water pump station, it was agreed to leave the matter to the Zoning Hearing Board.

Mr. Truelove stated with regard to the Nicholas and Laura Greif Variance request for the property located at 1013 Yardley Road in order to permit construction of a driveway resulting in greater than permitted impervious surface, this house is situated at Yardley Road and Arborlea. He stated currently there is a gravel access driveway off Arborlea, and they are requesting a u-shaped paved driveway on Yardley Road which is a State road. Mr. Truelove stated there may be traffic and safety concerns, and he is not sure that Mr. Roche has had an opportunity to look at this.

Mr. Truelove stated the recommendation is that the Township participate to clarify some of these issues.

Mr. Grenier moved and Mr. Lewis seconded that the Township participate in the Greif Variance request.

Mr. Grenier stated he feels that putting a u-shaped driveway on a State road would present safety concerns which is why he wants the Board to participate.

Motion carried unanimously.

PUBLIC COMMENT

Mr. Robert Abrams, 852 Teich Drive, stated that he tried to make comment on the YellowBird issue but could not get through. He asked Mr. Ferguson if he had contacted the School District as far as supplying buses and what the cost would be. Mr. Ferguson stated they did that before they put the issue out, and the School District indicated that for reasons of staffing, liability, and not being able to provide a price competitive to a for-profit company, they would not be interested in participating either in the Bid process or providing a proposal.

Mr. Abrams asked Mr. Ferguson if he also talked to Council Rock, Neshaminy, and the other local School Districts that could probably use the Revenue. Mr. Ferguson stated he did not, and they only spoke to Pennsbury School District. Mr. Abrams stated to not give the “area people” the opportunity to Bid on something like this impacts his taxes. He stated they are sending taxpayer money out to a private concern which is “ridiculous.” He stated he feels Mr. Ferguson is “doing half his job.” He stated he assumes Mr. Ferguson needs “two more assistants, and he already has one that Terry never had to do a half job or extra people to blame the screw-ups on.” Mr. Abrams stated it is “ridiculous how the taxpayers’ funds are being handled here.” Mr. Abrams stated this money should have gone to surrounding Districts or at least have given them the opportunity in an open Bid to Bid on this, but it “was kept a secret.”

Mr. Abrams asked if YellowBird is “housed somewhere close to Newtown.” Mr. Abrams stated taxpayer money should be spent where it is going to do the taxpayers the most good and not private industry.

Mr. Ferguson stated the Public Works Director reached out to many private companies, and it did not rise to the level of a biddable amount, rather it rose to the level of a quotable amount. He stated they received three quotes. He stated he believes that YellowBird is out of Philadelphia and not Newtown. He stated they also reached out to Pennsbury, but did not reach out to all of the Bucks County School Districts. Mr. Abrams stated “Morrisville would have gone right after it because they are starving.” Mr. Truelove stated he understands that Morrisville may have only one or two buses. Mr. Ferguson stated there were certain things that a private company could provide that Pennsbury indicated they could not such as the ability to cancel the day of and not be charged as well as the liability insurance as there are COVID concerns. Mr. Ferguson stated YellowBird was by far the least expensive.

Ms. Lisa Tenney, 156 Pinnacle Circle, stated she endorses the candidate for the Historic Commission, James Nycz, because of his Fellowship and his ability to write Grants which she feels will be greatly used by the Historic Commission. Ms. Tenney stated he was also aware of the Heritage Foundation which is an important preservation Foundation. Ms. Tenney stated she has thirteen bags of leaves, and she has called the Township twice; however, no one has called her back. She asked why there are not more drop-off opportunities at the Municipal Building. She stated a number of years ago, she would just drop her bags of leaves off, and she did not come into contact with anyone. She stated she would also like to have more deer and wildlife crossing signs posted on both Stony Hill Road and Big Oak Road, recognizing that they are State roads. She asked how to get in contact with the "Traffic and Safety Commission" that we have. She stated part of the problem is due to speeding, and she is "tired of seeing eviscerated deer on the road." Ms. Tenney stated the Board should be aware that the "Safety Commission in LMT" recently noted that there are a lot of concerns about Prickett Preserve and off-site safety, particularly on the Stony Hill Road 8' pedestrian pathway going over I-295. Ms. Tenney stated she would like to know what is going on with that and how it could be safe.

Mr. Ferguson stated with regard to the drop-off dates, they have discussed this frequently; and for a variety of reasons this had been changed, most notably because of the requirements that the Township is under with DEP to monitor the site and to control what is dropped off there. He stated that was not possible 320 days a year the way it was done previously. Ms. Tenney stated when she used to drop off the leaves, she had to sign up at the Municipal Building; and she had to document what she was dropping off and sign in prior to dropping off so she does "not know what the problem is." Mr. Ferguson stated they were not able to regulate the site as far as removing things. He stated approximately two years ago they established dates for yard waste drop-off, and there are five to six Saturdays and five to six Mondays during the year. He stated the next drop-off date is Saturday, October 24 for yard waste. Mr. Ferguson stated Ms. Tenney can also put out the leaves at her residence when the leaf program season starts.

Ms. Tenney indicated she had other questions, but Dr. Weiss advised Ms. Tenney that she was well over the three-minute time limit. Ms. Tenney stated she is always over three minutes, and that is a problem. Dr. Weiss asked that Ms. Tenney send them an e-mail, and they will answer her. Ms. Tenney indicated she did not want to send an e-mail. Dr. Weiss reminded the public that they are keeping the time limit to three minutes

with up to five minutes at the discretion of the Chair. He stated the public can always send an e-mail to the Board or Mr. Ferguson or contact them by phone.

Mr. Ferguson stated with regard to the comment about Township staff, he advised that the staffing has not changed in the last two years. He stated he received calls today that he had hired Assistants, and that is not the case, and they have the same sized staff they had before Administratively. Mr. Ferguson stated with regard to the yard waste program, as part of the Budget that the Board will see on October 28 they will put out the list of days for 2021. He stated this past year they added a Saturday to start the year and added another one because there was a storm; and they always state that if there are heavy storms or winds that go through and there are widespread branches down, they will look to open this up to be as convenient as possible for people when those situations emerge.

Dr. Weiss stated the trash haulers will also take bagged leaves. He stated the Township leaf program starts in November. He stated while there were other options in the past, those are no longer feasible.

Mr. Grenier stated with regard to the deer issue raised by Ms. Tenney, both Big Oak and Stony Hill are State roads; and if there are deer on those roads, residents should reach out to State Representative Perry Warren as his staff has good connections with PennDOT District 6, which is the District Office that deals with State roads in Lower Makefield.

Dr. Weiss stated with regard to Ms. Tenney's comments with regard to the Land Development Plan for Prickett Preserve, the Land Use process is just beginning; and there will be more than adequate time for the public to comment on those Plans. Mr. Truelove stated litigation has been filed so he would not want anyone to make any comments at this point.

DISCUSSION ITEMS

Mr. Pockl stated they received notice from the Road Program contractor that they would like to address the outstanding concerns that the Township has on Rose Hollow Drive, and they will be on site next week to address those concerns.

Mr. Ferguson stated with regard to Heston Hall, they were previously discussing Mr. Troilo's project and the outstanding trees issue. Mr. Ferguson stated they reviewed the tree requirements that were outstanding from this developer and this was separately reviewed by Ms. Kirk and Mr. Truelove's office; and the determination was made that there are eighty-eight trees that need to be addressed. Mr. Ferguson stated in the meeting with Mr. Troilo, he agreed to plant a portion of those trees and pay the Fee for the rest in its entirety. Mr. Ferguson stated yesterday he received a Tree Planting Plan which will be reviewed to determine that the trees would be appropriately located, but Mr. Troilo has agreed either way that he will plant eighty-eight trees or some amount that is agreed to and pay the difference. He stated these would be 2 ½ caliper trees as outlined in the Development Agreement with the corresponding dollar amount. Mr. Ferguson stated this will be presented to the Board. He stated Mr. Troilo would like to be able to plant the trees this fall.

PUBLIC COMMENT (continued)

As Mr. Kakoyiannis had difficulty connecting during Public Comment, it was agreed to allow him to speak at this time.

Mr. Peter Kakoyiannis, 1413 Silo Road, stated approximately six months ago the residents of Silo Road came before the Board requesting that their road be included as part of the Road Paving Program for 2021's Budget. He stated while he knows that the Budget has not come up yet, he wanted to present their position asking that the Board include those portions of Silo Road that were not included on the last Road Paving Program. He stated last year's Budget was tight, and they were not able to include that portion of Silo Road into the allocation; and hopefully, some of the monies from the sale of the Sewer would be available to fill any gap. He asked that this be considered as part of the Budget. He asked if any of the Supervisors would not be in favor of paving this portion of Silo Road.

Mr. Ferguson stated the Board will be getting the Manager's Budget in the coming weeks, and that Budget will include a Three-Year Paving Plan to include 2021, 2022, and 2023. He stated they are re-evaluating all of those roads. He stated Public Works and the engineer are reviewing those at this time. He stated they received word that the Liquid Fuels allocation, which is the money that is used to pave, will be reduced by approximately

10% so they will be starting with a smaller allocation. Mr. Ferguson stated the Board will have opportunity to comment on the Three-Year Paving Budget after hearing the presentation.

SUPERVISORS REPORTS

Dr. Weiss stated at their last meeting the EAC discussed the Environmental Stewardship Award that they have been awarding over the past years. He stated those were up to two \$500 Environmental Stewardship Awards per year. He stated they are now requesting that the Board change this to make it one \$1,000 Award.

Mr. Jim Bray, EAC, stated as opposed to two Awards, they are proposing just one award for \$1,000, which they feel in today's economic climate would be much more relevant and meaningful. He stated this Award generates a lot of good publicity. He stated they are also proposing some date and minor language clarifications to make the Award easier to administer. He stated the Board was provided the information on the program with the changes proposed.

Mr. Truelove stated he does not believe the Board needs to make a Motion on this as he does not believe that the Award itself was established by Resolution, and the EAC was the driving force behind this; and this is more of an informational item.

Mr. Grenier stated the EAC had a Budget every year to use as they saw fit, and this Award was part of that Budget.

There was no one on the Board that had an objection to making the changes.

Dr. Weiss stated as noted earlier they had the ceremony re-dedicating the six gravestone at the Slate Hill Cemetery. He stated the African American Association of Bucks County had input with their video and the acknowledgment of the soldiers of color that are buried in unmarked graves. He thanked everyone for the work done on this, and they are looking forward to continuing to improve the Cemetery.

Mr. Grenier stated the Sewer Authority will meet on October 25. They did not meet in September. Mr. Grenier stated he is not sure that they will be having a review of the Bids that still need to come in at that meeting.

Mr. Grenier stated the Electric Reliability Committee will meet tomorrow and will be reviewing the Public Utility Commission's Annual Reliability Report which includes PECO.

Mr. Lewis noted the upcoming October 20 Zoning Hearing Board meeting, and those who are concerned about the issues that were discussed previously should make an effort to attend that meeting via Zoom.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Ms. Blundi moved, Mr. Lewis seconded, and it was unanimously carried to appoint James Nycz to the Historical Commission

There being no further business, the meeting was adjourned at 9:15 p.m.

Respectfully Submitted,

James McCartney, Secretary