

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – MAY 5, 2021

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held remotely on May 5, 2021. Ms. Blundi called the meeting to order at 7:32 p.m. and called the Roll.

Those present:

Board of Supervisors: Suzanne Blundi, Chair
James McCartney, Vice Chair
John B. Lewis, Secretary
Frederic K. Weiss, Treasurer
Daniel Grenier, 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 at an upcoming meeting there will be a discussion about the *Municipal Building and staff*.

COMMUNITY ANNOUNCEMENTS

Ms. Tierney stated during this portion of the meeting, youth organizations can call in to make special announcements or they can contact the Township to request a special announcement be added to the Agenda

Ms. Tierney stated information about Park & Recreation digital and in-person recreation opportunities can be found on the Township Website. Ms. Tierney stated an additional yoga class was added since the first outdoor, in-person yoga class filled very quickly.

Ms. Tierney stated Registration for the Bucks County Senior Games is open. There will be a variety of in-person, outdoor, and virtual events. Information can be found through the Bucks County Area Agency on Aging or by calling 267-880-5700.

PROJECT UPDATES

Mr. Ferguson stated it was announced previously that the Woodside Road bike path project was funded.

Mr. Grenier asked for an update on the Township's property inventory; and Mr. Ferguson stated today Mr. Pockl sent out the preliminary draft report, and tomorrow he, Mr. Pockl, and Mr. Majewski will be going over the final details. The Board should receive the report on Friday.

MANAGER'S REPORT

Mr. Ferguson stated with regard to the yard waste drop-off, there have been two drop-off dates so far. He stated the first day, there were 324 individual drop-offs with some of those being repeat households. At the second collection date, there were 293 drop-offs. Mr. Ferguson stated the numbers have dropped off since the new procedure, and they are usually in the range of 290 to 350.

Approve Bucks/Montgomery County Aquatics Consortium Bid for Chemicals for the Pool to Buckmans, Inc.

Mr. Ferguson stated the Townships gets its chemicals through a Consortium Bid, and the low Bid being recommended is Buckmans, Inc.

Mr. Grenier moved, Mr. Lewis seconded and it was unanimously carried to approve the Bid for chemicals for the Pool to Buckmans, Inc.

SOLICITOR'S REPORT

Mr. Truelove stated the Board met in Executive Session starting at 6:45 p.m. and items related to litigation involving alleged engineering liability filed by the Township in the Bucks County Court of Common Pleas, informational items, and Real Estate conveyance items were discussed.

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Approve Decision with Findings of Fact and Conclusions of Law for the Conditional Use Application of Prickett Preserve as Verbally Approved at the Hearing of April 7, 2021

Mr. Truelove stated the Conditional Use process in terms of the approval is similar to the Zoning Hearing Board as it relates to issuance of Findings of Fact and Conclusions of Law. He stated Ms. Kirk, who had presided over the Hearing with the assistance of the Board, prepared the proposed Findings of Fact and Conclusions of Law which are recommended for approval by the Board.

Dr. Weiss moved and Mr. McCartney seconded to approve the Decision with Findings of Fact and Conclusions of Law for the Conditional Use Application of Prickett Preserve.

Mr. Lewis stated while he has no issue with these, he will recuse himself as he had previously worked for one of the Applicants and he is a shareholder and customer, and his wife works for the other Applicant.

Mr. Grenier noted a typo which needs to be corrected before it is finalized and signed. Mr. Truelove agreed to correct this.

Motion carried with Mr. Lewis abstained.

Approve Resolution to Create Ad Hoc Township Property Committee

Mr. Truelove stated this was previously discussed as a Discussion Item. He stated some concepts were provided to the Board for comment as to the creation of the Committee. He stated the Resolution was prepared based on the comments provided to his office.

Mr. Grenier moved and Mr. McCartney seconded to approve the Resolution to create Ad Hoc Township Property Committee.

Mr. Grenier stated with regard to the membership of the Committee, given that a lot of the properties have historic resources on them, he feels the Resolution should be revised to have one current or former member of the Historical Architectural Review Board (HARB) and/or the Historical Commission. He stated a number of the properties are older so that there can be lead issues and also

involve streams, wetlands, and other natural resources that they would like to protect; and he feels they should add one or two current or former members of the EAC as well.

Mr. Truelove stated if this is approved by the Board, they would re-draft it to increase the membership to nine members, with one being a current or former member of HARB and/or the Historical Commission, and two members being current or former EAC members. Mr. Grenier stated it would not have to be two EAC members, but just someone who has that type of background.

Ms. Blundi stated she would be in favor of including one member from either the HARB or Historic Commission. She stated she did not want to make the membership of this Committee so prescriptive that they could not get the Committee filled. She stated she tried to find language to make sure there were core requirements. She stated the members of the community at large could be current or former EAC members or others who have a passion for this. She stated she wanted to find a balance and be able to move forward. She stated people already on a Township Committee may not want to be on another Committee. She stated she also did not want to make the Committee so large that they were not able to fill it or keep adding on requirements so that they may not be able to get staffed.

Dr. Weiss stated one of the strengths of the Township is the many Committees we have that advise the Board. He stated having another separate group with possibly overlapping experiences is good so that they can bring in more people from the community who share a passion for Township properties. He stated we could then bring in the other Committees to add context to what this Ad Hoc Committee recommends so the Board of Supervisors can make decisions.

Ms. Blundi asked Mr. Grenier to limit his Amendment to the Resolution to the historic piece. She stated there will be opportunities for others to weigh in as noted by Dr. Weiss. She stated she would like to keep this moving so that the Board will have information as they get into Budget season. She stated the staff and consultants will also weigh in on the next steps. Mr. Grenier stated his only concern is that the Board has not seen the property assessment yet; and if there are significant environmental issues across the board, adding someone with an environmental background would help to manage the risk.

Mr. Truelove stated the Board could pass the Resolution and amend it to include other members if they feel it is warranted in the future.

Mr. Grenier moved and Mr. Lewis seconded to amend the Motion to include under the Membership Section of the Resolution Item #1 to read: one current or former member of the Historical Architectural Review Board (HARB) and/or the Historical Commission and Item #6 to have a single current or former member of the EAC and/or a member with a professional environmental background as a member of the Committee.

Mr. Grenier stated there was a 2007 Report from a Committee specific to Patterson Farm which included a long-range approach to Patterson Farm; and their structure was similar to what is being proposed for this Ad Hoc Committee. He stated from what he knows of the properties, there are many environmental issues so he feels they should directly involve someone with an environmental background.

Motion as amended carried with Ms. Blundi opposed.

Mr. Grenier thanked Ms. Blundi for pushing this matter forward.

ZONING HEARING BOARD MATTERS

With regard to the Gregory & Laura Ann Wozniak, 1776 Greenbriar Court, Yardley, PA 19067, Tax Parcel #20-072-003 Variance request from the Township Zoning Ordinance #200-19.A for the construction of a 788 square foot garage to be attached to the existing dwelling by a covered breezeway, and the renovation and replacement of an existing in-ground pool which would increase the impervious surface from the existing 21.5% to 24.5% where 21% is the allowable amount, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Joseph Jennings, 2 McKinley Avenue, Yardley, PA, 19067, Tax Parcel #20-031-004 Variance request from the Township Zoning Ordinance Section #200-12 to permit the subdivision of the property into two single-family detached Lots within the R-RP Zoning District to permit a net density of 0.82 dwelling units per acre for Lot 1 and 0.68 dwelling units per acre for Lot 2 where 0.33 units per acre would otherwise be required, and a net lot area of 1.222 acres for Lot 1 and 1.466 acres for Lot 2 where 3 acres would otherwise be required, Mr. Lewis moved, Mr. McCartney seconded and it was unanimously carried that the Township participate.

With regard to the Jon & Kelly Reiss, 873 Princess Drive, Yardley, PA 19067, Tax Parcel #20-039-243 Variance request from the Township Zoning Ordinance #200.23.B to install a stamped concrete patio and pool decking which would increase the impervious surface from 17.8% to 27.9% where 18% is the allowable amount, Mr. Grenier stated he would like the Township to participate because it represents a 40% increase in impervious area on the single-family Lot. He stated part of the argument for needing the stamped concrete patio was because the homeowner installed a doorway to the back yard where there was no door before, and they wanted to bring the concrete patio up to that doorway a couple years after the fact. He stated he would like the Township to participate because it is such a dramatic increase in impervious area.

Mr. Grenier moved that the Township participate. Motion died for lack of a Second. The matter will therefore be left to the Zoning Hearing Board.

PUBLIC COMMENT

Mr. Joe Shennard, 1667 Dobry Road, stated he had contacted all five Supervisors by phone or e-mail on numerous occasions; and he only received responses from Dr. Weiss and Mr. Lewis. Mr. Shennard stated he has been waiting months to have Caddis connect him to public sewers. He stated his yard has been destroyed for the last seven months, and nothing is being done. He thanked Mr. Pockl, Mr. Majewski, and Mr. Ferguson for all they have done on his behalf; however nothing is getting done, and he feels it is time for the Board of Supervisors to get involved in his situation as this is not the way to treat a sixty-four year resident of Lower Makefield Township.

Mr. Ferguson stated the staff has been involved, and Mr. Majewski was out to Mr. Shennard's property last week. Mr. Ferguson stated he has been in direct contact with the contractor. Mr. Ferguson stated as he explained to Mr. Shennard initially the delay was due to the fact that a Water Quality Management Report and Permit had to be issued by DEP, and the contractor could not begin until that Permit was issued. Mr. Ferguson stated that has taken significantly more time than would have been anticipated from DEP. Mr. Ferguson stated he had conveyed to Mr. Shennard in coordination with the Township sewer engineer that they have been in regular contact with DEP about the issuance of that Permit. He added that under a normal review, that should have been back by April 15. Mr. Ferguson stated they have since authorized the contractor to begin the work, and DEP has assured the Township that this "is on the path for approval and they are okay doing that."

Mr. Ferguson stated he spoke to the contractor about one week ago, and he is working to bring in the plumber first, then the electrician to work on the home and the electrical work for the grinder pump, and then work to complete the connection and grade the yard. Mr. Ferguson stated because of the delay getting the Permit issued by DEP, the contractor had left the area; and they will now have to bring back all of the contractors who are all busy. He added he has been in regular contact with the general contractor, and he believes that the general contractor has spoken with Mr. Shennard as well.

Mr. Shennard stated on April 12 Mr. Majewski called him and indicated that the contractor was given permission to connect him without the Permit, and he has been waiting since then. Mr. Shennard stated the person from Caddis called him the night of April 12 and “yelled at him on the phone and said it was the Township’s fault and not Caddis’ fault.” Mr. Shennard stated both Mr. Pockl and Mr. Majewski have been “fantastic,” but this has been going on for too long.

Ms. Blundi asked Mr. Ferguson to continue to provide an update on this to the Supervisors so that they can track this. Ms. Blundi asked if any remediation on the lawn can happen in advance or does it need to be done after the other work is done. Mr. Pockl stated they need to complete the sanitary sewer connection and the electrical work for the grinder pump and then restore the lawn. Mr. Shennard stated all they have to do is connect 3’ to the house and 2’ to the garage.

Mr. Ferguson stated he and Mr. Shennard speak on a regular basis, and he appreciates the respectful way he treats the Township staff. Mr. Ferguson stated they will not close out the project or return bonds/security, etc. until they are done; and Caddis has been told that. Mr. Ferguson stated the Township will continue to have regular contact with the contractor. He added that it is unfortunate that someone from Caddis’ contractor indicated it was the Township’s fault, and he will address that with the contractor separately. Mr. Ferguson stated the Township will continue to press the contractor to get the area staged to get the work done. Mr. Ferguson stated while they still do not have the Permit, they will continue to push for that as well.

Mr. Grenier stated this is covered under the Development Agreement, and there is money in Escrow that will not be released until this is cleared up; and Mr. Ferguson agreed. Mr. Pockl stated the Township is withholding over \$100,000. Mr. Shennard asked why the Township could not use that money and have their own people come out and do the work.

Mr. Grenier stated he would also like to know when the Permit Application was submitted and what was the reason for the delay as there are a number of issues that can cause Permit delays, and it is not always the Agency's fault and it is often the Applicant's fault.

Mr. Ferguson stated he will provide the Board regular reports on this. He stated the staff speaks to Mr. Shennard regularly. Mr. Shennard stated he feels others in the area would have been contacting the Township every day if they had this situation, and he has let this go for a while.

Mr. Grenier stated this is not the first time there has been issues with Caddis and concerns about their interactions and impacts to neighbors. Mr. Ferguson stated he is not happy with the way Mr. Shennard was spoken to by the contractor, and he will discuss that with him. He added they did give the contractor permission to go on the property in lieu of having the Permit, and they were not willing to do that until the Township gave them that permission. Mr. Ferguson stated they had anticipated having the Permit back by April 15; and when it became clear that was not going to happen, the Township gave the contractor permission after discussion with DEP and the Township sewer engineer. He stated they will press the contractor to move forward.

Mr. McCartney stated he did not receive any calls or e-mails from Mr. Shennard, and it was agreed that Mr. Shennard's contact information would be provided to Mr. McCartney. Ms. Blundi asked that she be provided Mr. Shennard's contact information as well. Mr. Lewis stated the Township will continue to discuss this.

Mr. Lee Pedowicz, 247 Truman Way, stated he had complained about the start and stop times by Caddis as construction was going on, and nothing was ever done. Mr. Ferguson stated the Township went on site and advised them about start times and had them move where the vehicles were being brought in when there was a question about noise from the trucks backing up as they were staging which tended to be the minutes leading up to when they could start work. He stated there were also on-going checks with multiple staff members checking whether when they were starting and stopping work was consistent or within minutes of the Ordinance requirements; and they found that to be the case. Mr. Ferguson stated they did not cite the contractor.

Mr. Pedowicz stated as he noted previously he has a video of them pouring concrete at 10:30 p.m. to 11:00 p.m., and there were multiple Police responses indicating that they were working outside of the hours mandated by the Ordinance. He stated when he brought this up in the past, he believes "the

Township was afraid to do anything or was reluctant to do anything because of the Court costs that would be involved.” Mr. Pedowicz stated they disregarded the Ordinances, and he does not see why that Ordinance is on the books if it is not going to be enforced.

Mr. Ferguson stated there were several instances, and Mr. Pedowicz provided video/pictures of what he has described. He stated the Township then had a discussion with the contractor about observing the Ordinance, and the staff would then follow up with them to make sure that was happening. He stated if a secondary sub-contractor came in and would start earlier or worked later than the permitted time, they would discuss this with the general contractor and advise them of what the obligations were. Mr. Ferguson stated in all of the instances that he is aware of, when there were sporadic issues that came up, the contractors would then discontinue that. Mr. Ferguson stated he is not opposed to taking someone to Court; but when it is a one-time or two-time violation, and the Township takes them to Court, the Magistrate will ask if they have corrected that behavior for the most part; and when it is noted that they have, the case is tossed out.

Mr. Ferguson stated in response to Mr. Pedowicz’ concerns, the Township took the action of having more Township staff on site as well as surprise inspections early in the morning, in the evenings, and on the weekends; and those behaviors did not continue by the contractors that he was aware of. Mr. Ferguson stated if they had continued to not observe the time limits, he would have taken them to Court.

Mr. Pedowicz stated he disagrees with what went on, and he feels the Ordinance about start and stop times is being ignored.

DISCUSSION ITEMS

Sewer Sale Proceeds Discussion

Mr. Ferguson stated the Sewer sale that was approved had a sale price of \$53 million. He stated several things were discussed during the process about use of the proceeds including debt elimination, replenishing the Township fund balance, reconciling the Sewer Fund, which as he has noted previously has a negative cash position, a Customer Benefit Fund which would be used to offset future Sewer increases, a Trust to offset Taxes where the Township could draw on the interest and put it into the General Fund, and Capital projects.

Mr. Ferguson stated the Township had successfully negotiated to get a \$3 million deposit on the sale, and that deposit came in before the end of the year which increased the Fund Balance and was one of the primary drivers behind the Moody's conference call he had early this year that took the negative outlook off of the Township's financial position.

Mr. Ferguson stated with regard to debt reduction, if the Sewer system were to be sold we would be paying off the Sewer debt; and there had also been discussion about paying off the Golf debt. He stated the current estimate for that is \$27.5 million total for the Sewer debt and the Golf debt. He stated the pay-off of that amount would result in savings of over \$4 by paying that debt off by the end of the year.

Mr. Ferguson stated every year MMA reconciles their operational and capital expenses to the Township. He stated at this point we are only through 2017 with MMA. He stated the 2018 reconciliation was completed in November, 2020 with our interpretation of what we would owe; but we have not received a confirmation from MMA for that. He stated what has been estimated is for 2018 through 2021, and there is the need to set aside \$2.4 million. Mr. Ferguson stated some of that money is already in hand because we budgeted \$650,000 this year so we would need \$1,750,000. Mr. Ferguson stated he has also assumed \$100,000 for Yardley for Capital expenditures for this year. Mr. Ferguson stated if these two amounts are put together with our negative position of -\$1.4 million, he would strongly suggest that they assume \$3,250,000 from the sale to reconcile all of those amounts.

Mr. Ferguson stated another item that was discussed coming out of the proceeds would be the costs associated with the sale. He stated he has shown an estimate for what those costs would be. He stated they had to account for the costs of the litigation that was filed which is in this amount that they had not originally anticipated, and that increased the bottom line to \$858,000.

Mr. Ferguson stated all of the above-noted items add up to a little over \$34.6 million. He stated this leaves a balance off the \$53 million of \$18,392,000. He stated the Board had previously discussed a Customer Benefit Fund which would be an amount that would be put in a Trust and would be a calculation where we would credit ratepayers back a certain amount to flatten out any future increases over a period of time. Mr. Ferguson stated PFM did give a presentation on the sliding scales that they had shown, and they would be available to come back to the Board to re-visit that topic.

Mr. Ferguson stated there had also been discussion about a general protected Trust to offset property taxes, and there has also been discussion about Township capital projects. Mr. Ferguson stated there are certain projects that get a lot of attention; however the staff has had discussions as well about items that are difficult to include in every year's Budget. He stated this would include the thirty-year old HVAC system and a pole barn to store equipment.

Ms. Blundi stated this is just the first of a series of discussions that the Board will be having if the sale is approved.

Mr. Lewis stated he believes the sale of the sewer system was the worst policy decision by the Board of Supervisors in the last thirty years. He stated he was frustrated by the process, specifically the questions he asked which were never answered. He stated even more troubling was the final review process. He stated while we have not formally filed with the PUC, he believes that there were significant concerns in our process that may mean the PUC may not approve this sale.

Ms. Blundi stated the topic that is on the Agenda for discussion is how we might use the proceeds of the sale.

Mr. Lewis stated his comments are germane to the discussion item. He stated we "selected the worst of three Bids." He added that one of the other Bidders was a significantly-better Bid and one was not given complete information in a timely manner. He stated it is possible that "they will have concerns with the PUC reviewing this." Mr. Lewis stated a similar case in Delaware County has been rejected by the Administrative Law Judge, and it involved PFM, Obermayer, and Aqua America which were the same that were involved with the Township's sale. Mr. Lewis advised Township residents that it is not a certainty that this deal will be concluded.

Mr. Lewis stated with respect to the "proposals associated here, it is particularly frustrating when some of the items here are considered." He stated they need to be reviewed in the context of where we are economically and how things look going forward. He stated we have taken an annuity stream and sold it so we could get an up-front sum of money in a "market environment where safe yields are not necessarily easy to come by." Mr. Lewis stated they need to consider what they could invest excess amounts in. He stated if the amounts that we invest in yield a higher rate of return than the cost of debt related to the Golf Course or any other debt item, it is not "necessarily clear why we would want to pay off that debt immediately." Mr. Lewis stated depending

on what the limits are in an investment portfolio associated with this, he is “fairly certain we could do better than the interest costs associated with the Golf Course debt.” He stated that debt has relatively low interest rates associated with it, and it will be done in thirteen years. Mr. Lewis stated the option of prepaying down all of the debts when we could earn more on the money we are receiving seems like “further incineration of money that is unnecessary.”

Mr. Lewis stated the concept of a Customer Benefit Fund is “preposterous, and we would be giving money back to the people that we sold the Sewer system to.” He stated “if we truly cared about ratepayers, we would retain the Sewer system because it is the lower cost of ownership; and that is what our Sewer engineer told us previously when he suggested that we work with MMA in building a new plant.”

Mr. Lewis stated he is also concerned about the “desire of building up a Christmas wish list of capital projects to be built, when we have not considered all possible contingent liabilities.” Mr. Lewis stated he feels a more reasonable path is if the deal were to go through, the first priority after paying off the Sewer debt should be any contingent liabilities that we have. He stated if we are not 100% on our under-funded Pensions, we should make sure that we increase our investments there. He stated we should also look at the roads that are neglected, although he is not certain that we should plan out a “huge spending spree specifically now when so much money is going to go into infrastructure, and we should be expecting to see significant inflation in that space.”

Mr. Lewis stated he hopes that the PUC does not approve this sale. He stated he wants there to be an open dialogue on what are the rates of return, and his preference at this time would be to create a Trust that would benefit the General Fund so that we are not spending money that future Boards of Supervisors could be using for other things in the future. Mr. Lewis stated he would also like to know more about our investment options, but “under no circumstances should PFM be considered in any way to manage any of the funds associated with this.” Mr. Lewis stated there should be an RFP at a minimum to consider additional financial advisors “in this space.” He stated he remains “resolute in his firm belief that this was a very, very bad decision; and he is frustrated by it, and he would want to make sure that we protect as much of this money as possible down the road.”

Dr. Weiss stated while he appreciates Mr. Lewis’ comments, he “cannot find any rational reason why he would agree with him.” Dr. Weiss stated we have had the Sewer system for decades, and the “Township has let it deteriorate to where

even the minimal acceptable remediation plan by the DEP has caused our rates to go up 60% in the last three years with no guarantee that our rates will be stable going forward.” Dr. Weiss stated as Mr. Lewis has indicated in the past, our biggest cost is not in the flow of the effluent, it is in the treatment of the wastewater. Dr. Weiss stated we have no control over that; and with the economies of scale that we see in our small Township, even if we were able to combine with neighboring communities, it would not change the equation of tremendous increases in the next few years.

Dr. Weiss stated the rates that Aqua gave us versus the rates that Bucks County Water and Sewer gave us or versus Pennsylvania American were factored into the final price that the Board agreed to in the prospective sale. Dr. Weiss stated the Township does not apply to the PUC for the sale, rather Aqua will apply to the PUC, and the Township will give Testimony to the pros and cons of the sale. He stated he is sure the Township Manager and the staff will deal with this at the appropriate time.

Dr. Weiss stated with regard to the amount of money and the valuation of the system, he “takes great umbrage in Mr. Lewis’ comments that we left money on the table.” He stated the decision was made by the Board after two years of a very transparent and open discussion, and he feels it is the way to proceed. He stated this is not about a “Christmas list,” rather it is about a generation and maybe more of fiscal stability for the Township. Dr. Weiss stated the “Debt change – the delta is \$100 million in a turn-around for the Township.”

Dr. Weiss reminded Mr. Lewis that when three members of the Board of Supervisors took their positions on this Board, we could not make the Township payroll. He stated within three years, under the stewardship of Mr. Ferguson and this Board, we have turned that around. He stated our negative outlook by Moody’s has been removed; and with the sale of the Sewer system, we can see a very bright future ahead not only in savings of debt which is an immediate \$4 million savings, but we now have options as to where we can go to fix our infrastructure and increase profitability of Township assets. Dr. Weiss stated this asset has never “made a penny for the Township except by stealing money from the Sewer enterprise fund to plug holes in other areas to where we were almost broke.” Dr. Weiss stated the \$53 million that we will get not only changes the total outlook of the Township for the better, but will stabilize the tax rate and the rates being charged for the Sewer system. Dr. Weiss stated we will control the rate stabilization fund versus what DELCORA was going to do which was to have Aqua control that.

Dr. Weiss stated he strongly disagrees with Mr. Lewis. He added that he had looked at the Sewer Authority Minutes from 1988 when Supervisor Fazzalore stated they should sell the system because it was deteriorating and getting worse. Dr. Weiss stated the money that will be received will give fifteen to twenty years of stability.

Dr. Weiss stated with regard to use of the funds, they should first satisfy the Debt and then protect the ratepayers and protect taxpayers. He stated they can then improve the Township assets and increase Township services to make the Township a better place. Dr. Weiss stated he feels the system will be sold, and we will reap the benefits for years to come.

Mr. Grenier stated with regard to use of the proceeds, he believes that the Board can agree at some level that we do not like debt. He stated he feels it is important to do the mathematical analysis to see what the options would be. He stated the first priority would be to get rid of the Sewer debt. He stated with regard to the Customer Benefit Fund, he does not feel this is fundamentally different from what the Administrative Law Judges called out with regard to the Aqua and DELCORA deal; and it is a large fund to keep Aqua's rates down for an extended period until the fund runs out, and then those paying Sewer fees will be "hit with a huge jump which could be a couple hundred percent." He stated while he understands wanting to help ratepayers and keep their costs down, his main concern is that we have a lot of other issues in the Township from an infrastructure perspective including stormwater, roads, basins, buildings, and the properties they are looking to improve. He stated all of that will take a lot of money that the Township does not have right now. Mr. Grenier stated assuming the sale goes through, the proceeds should be used toward that. Mr. Grenier stated he feels we need to consider the "math long term across the board comparing Sewer fees versus the various things that we have to invest in." He stated he feels everyone's comments should be considered analytically and objectively to see what works the best for the majority of the taxpayers and ratepayers.

Mr. Grenier stated when they were running for office in 2017 one of the ideas Dr. Weiss came up with was to work with our neighboring communities to form a joint Sewer Authority to improve our system and better manage a very large potential liability. Mr. Grenier stated he has never been against the concept of selling the Sewer system, but there is still the same liability with treatment which is a much larger percentage than Sewer transmission. Mr. Grenier stated it seems there could be approximately an \$18 million balance, and it could be more if they do not retire all the Golf debt depending

decades.

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Dr. Weiss stated the money we will get is not only a “one-time deal but because of the decrease in debt pressure from the tax base,” we will have to consider “what to do with all of the extra millage for years to come as well.” He stated he appreciates Mr. Ferguson’s efforts to redirect and give us the possible ways we can move forward with this money.

Mr. Lewis stated the rates that they received from all three Bidders only goes to 2030 in those options, and we did not get complete modeling of Pennsylvania American Water, and they were “a significantly better deal than Aqua.” He stated “if you were that excited to sell our Sewer system to a private entity, you would have chosen the better private entity in terms of valuation and that is a loss of \$3 million or \$4 million.” Mr. Lewis stated once the Sewer system is gone and a private entity has it, you can expect significantly higher rates over rates that are charged by Municipality entities; and studies have shown that privately-held utilities have much higher rates. Mr. Lewis stated there were a number of questions from people over the weekend about the Philadelphia Inquirer article on Sunday, and the General Accountability Office stated that the rates for water were about \$15 to \$21 higher per month.

Ms. Blundi stated this is just a start of the discussion as to what to do with the sale proceeds. Mr. Lewis stated “other Supervisors have called out his name and suggested that he made false claims, and he does not mention other Supervisors by name and he stays directly on the task at hand.” Ms. Blundi stated she has not had an opportunity to speak yet, and she wanted to let the other Board members get their thoughts out. Mr. Lewis stated Ms. Blundi only interrupted him, and Ms. Blundi stated she only interrupted Mr. Lewis because he is the only one who wants to keep talking about whether or not the sale was a good or bad idea. Ms. Blundi stated she asked that Mr. Lewis keep to the issue on the Agenda.

Ms. Blundi stated her intended purpose was to start the discussion about how might monies best be used for the Township today and in the future should the sale go through. She stated there are a lot of different considerations, and we need to consider if we should pay down all the debt we can or might some debt actually be beneficial. She stated while they might decide to use the money to repave all of the roads, in twenty years all of those roads could all have to be done again. She stated the Board needs to consider all of this as they move forward assuming the sale goes through. She stated if the sale does not go through, there will have to be a different Agenda item. Ms. Blundi stated Mr. Lewis raised a good

point as to how we might invest portions of the money. She stated she feels all Board members want to make sure that the money is protected in some way so that it has benefit today and also in the foreseeable future.

Dr. Weiss stated he agrees with Ms. Blundi, and the Board needs to consider what to do with the money if and when they get it. He stated he is willing to engage as long as it takes to get consensus.

Mr. Grenier stated he agrees with Dr. Weiss. He stated his main concern is how to do this analysis in a timely manner to make the decisions. He stated while this is not a Referendum item, he would like to know what the community has to say about their priorities. Ms. Blundi stated the Board will take Public Comment on this. Mr. Grenier stated he would like to see a good deal of public participation because we are making decisions about how to spend money in the future.

Ms. Blundi opened up the matter to public comment on this issue; however, there was no one from the public wishing to speak on this matter at this time. Ms. Blundi stated that the public can contact the Supervisors through various ways including e-mail.

SUPERVISORS REPORTS

Mr. McCartney stated the 9/11 Committee met last night and reviewed different plans for the emblem they will use for t-shirts, etc.

Mr. Lewis stated the Trenton-Mercer Airport Review Panel will meet on May 12. He stated the Trenton-Mercer Airport has a thirty-day open comment period on the upcoming projects at the Airport.

Mr. Grenier stated the Historical Commission met, and Mr. Majewski was able to provide a significant amount of information to them.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. McCartney moved, Mr. Grenier seconded and it was unanimously carried to appoint Jonah Rank to the EAC.

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Mr. Grenier moved, Mr. Lewis seconded and it was unanimously carried to re-appoint the following:

Kevin Gall – EAC
James Frawley – Emergency Management
Marilyn Huret – Emergency Management
Robert Miles – Emergency Management

Mr. Grenier moved, Ms. Blundi seconded and it was unanimously carried to re-appoint Scott Weiner to the Citizens Traffic Commission.

There being no further business, the meeting was adjourned at 9:30 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'JBL', with a long horizontal flourish extending to the right.

John B. Lewis, Secretary