

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – NOVEMBER 3, 2021

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on November 3, 2021. Mr. Ferguson stated this is a hybrid meeting and the public is welcome to come to the building or participate remotely. Information is on the Township Website as to how to access the meeting remotely. Ms. Blundi called the meeting to order at 7:30 p.m. and called the Roll She congratulated Mr. Lewis on his victory yesterday.

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  
James Majewski, Director Planning & Zoning

#### COMMUNITY ANNOUNCEMENTS

Mr. Ferguson stated during this portion of the Agenda residents and youth organizations may call in to make a special announcement or contact the Township to request a special announcement be added to the Agenda.

Mr. Ferguson stated information about Park & Recreation in-person recreation opportunities can be found on the Township Website.

Mr. Ferguson stated there will be an Electronics Recycling Day at St. John the Evangelist Church, 752 Big Oak Road, on Saturday, November 6 from 9 a.m. to 1 p.m.

Mr. Ferguson stated November 6, 2021 is the Veterans Day Parade on Edgewood Road and interested sponsors and participants should contact [kathyh@lmt.org](mailto:kathyh@lmt.org). or call the Township Recreation Department.

Ms. Blundi reminded Township volunteers that if they would like something put on the Agenda, they should send her an e-mail.

Ms. Blundi stated the Lutheran Church of God's Love, 791 Newtown-Yardley Road, is collecting blankets for the homeless. She stated the Lower Makefield Police Department in partnership with the Lions Club is collecting toys for Family Services of Bucks County. Chief Coluzzi stated there will be a drop-off box in the lobby of the Police Department at 1100 Edgewood Road.

Mr. Grenier congratulated Supervisor Lewis on his victory yesterday.

#### APPROVAL OF MINUTES

Mr. Grenier moved, Mr. Lewis seconded and it was unanimously carried to approve the Minutes of October 20, 2021 as written.

#### SEWER ENGINEER'S REPORT

Mr. Fred Ebert was present to provide an update on the sewer projects.

##### Contract SWR 21-1 LMT Manhole Lining Project Update

Mr. Ebert stated while the contractor had started work, he had some mechanical breakdowns; and due to issues with the supply chain, there have been delays in getting the replacement parts. The contractor has now started work, and there are no anticipated Change Orders on this job. Mr. Ebert stated the contractor is doing a very good job, they are finding a lot of leaks, and structural repairs have been done.

Mr. Grenier asked how they compare to Budget, and Mr. Ebert stated they are on Budget on this project.

##### Contract SWR 21-2 LMT Lining Project Update

Mr. Ebert stated this is the sanitary sewer lining project in the Neshaminy basin. He stated they picked an area with very high flows and were not able to televise it prior to by-pass pumping and awarding of the Contract. He stated they found

that there was approximately 1,438' of pipe that was completely under water that was previously lined so they requested a Change Order to find an equal amount of line which they were able to do and line that to keep everything within the Contract price. He stated there is a Change Order in the amount of \$6,600 for the additional televising to identify an upstream area.

Mr. Ebert stated this Change Order was recommended by the Sewer Authority members who were present at the Sewer Authority meeting last week; however, there was not a quorum so it is not an official recommendation. Mr. Ebert stated the work was done since the contractor was able to do it utilizing their by-pass pumping; and if we had tried to do this prior to construction, it would have cost approximately \$35,000 in by-pass pumping.

a. Approve Change Order No. 1 (Additional Televising)

Dr. Weiss moved and Mr. McCartney seconded to approve Change Order No. 1 for \$6,600.

Motion carried with Mr. Grenier opposed.

Contract SWR 21-3 – LMT Buck Creek Lining Project Update

Mr. Ebert stated this is for the sanitary sewer lining in the Morrisville Service area. He stated this is the same situation as just noted; and they were able to identify approximately 840 linear feet of sanitary sewer line that was previously lined. He stated they worked their way upstream and televised to find about the same amount of linear footage, and they found slightly less which will be a reduction in the overall Contract price when the Payment Request is received. He stated they did have to pay for the televising which was \$6,600.

Mr. Ebert stated the Sewer Authority reviewed this, and the recommendation of the members present was to pay the Change Order because it did identify significant additional sanitary sewer lines that could be lined.

a. Approve Change Order No. 1 (Additional Televising)

Dr. Weiss moved and Mr. McCartney seconded to approve Change Order No. 1 for \$6,600.

Mr. Grenier stated “we are handing this over to Aqua, which is going to take over all of our assets,” and he asked why the Township would do additional work rather than have Aqua do it. Mr. Ebert stated the Township is required to do this work under the Connection Management Plan which is what allows us to have connections released. He stated this requirement was placed on the Township by the PADEP, and the Township committed to spending a certain amount of money to address these issues. In exchange for our compliance, they will continue to release connections through the Connection Management Plan. Mr. Ebert stated this is how we were able to obtain capacity for the Prickett Preserve project, which recently received their Planning Module Approval. He stated that connection would not have been able to be approved nor would any other connections to any other proposed developments in Lower Makefield if the Township had not complied with the Plan. He stated the Township has an obligation with DEP to comply with this.

Mr. Grenier stated in late April of 2020 it appeared that the Sewer sale was going to go through, and he recalls that Mr. Ebert’s opinion was why the Township would go forward with all of these projects if the Township were going to sell the system. Mr. Grenier stated rates were raised and a lot of money was spent on projects, and we continue to spend money on projects. Mr. Ebert stated the difference is that the Township still owns the system, and he feels the Township will own the system through the end of the calendar year. He stated the Township has an obligation under DEP that the Township agreed to, to do these projects. He stated if they go to Closing in January, 2022, he would not recommend to the Board performing any work in 2022; and he has not made that recommendation. He stated because the Township still owns the Sewer system in 2021, we are responsible to the DEP; and they could take action against us not only in terms of not releasing EDUs, but also for not complying with our commitments. He stated in April, 2020 he did not anticipate that we would not have Closed by this point; however, as the process has gone along, the Township’s requirements and responsibilities have extended until the point of the sale and transfer of the Asset. Mr. Ebert stated as long as the Township is responsible for the system, he would have to advise that the Township has to comply with their requirements of ownership.

Motion carried with Mr. Grenier and Mr. Lewis opposed.

Contract SWR 20-4D Stackhouse Pump Station Upgrade Update

Mr. Ebert stated this is a 2020 project that continues to be delayed due to the inability to have all the materials supplied. He stated the mechanical, structure, and site work are complete; however, they are waiting for three items to make the pump station operational. He stated the emergency generator has been delayed and continues to be delayed. He stated items that were expected to be delivered were taken by others for emergency jobs due to all of the flooding. He stated equipment suppliers have an obligation to provide any available materials to an existing facility that is in violation of the Clean Water Act. He stated a generator that was ordered was taken under that, and they are still waiting for a generator to be delivered in December. Mr. Ebert stated we are also waiting for the final PECO power connection and the public water; and they are trying to tie them all in at the same time so that they can start up the pump station.

Mr. Ebert stated there are three Change Orders for this project and two Payment Requests.

a. Approve Change Order No. 1 (Additional Tree Clearing)

Mr. Ebert stated since the Contract was awarded, significant storms came through and damaged trees that were on Township land which came down on this property and in our Easement that had to be removed. He stated there were also adjoining trees that were within our Easement that were not originally planned to be taken out; however, due to either damage to them from other trees falling on them or a concern that they would eventually die, they elected to have those trees removed. Mr. Ebert stated this area is behind a residence that is “hemmed in” on one side by retaining walls with no access. He stated on the other side, we are preventing easy access through the construction of the pump station. Currently there is one-way access in. He stated it would be extremely expensive if a tree were to die caused by this project to bring a crane in later so this was done in an abundance of caution.

Mr. Ebert stated the Change Order is in the amount of \$9,740.50. It also required some additional safety fence to be extended around the work area; and the agreement with the property owner was that any work that was done would be inside of the safety fence. He stated the Change Order was recommended by the members in attendance at the Sewer Authority meeting.

Dr. Weiss moved and Mr. McCartney seconded to approve Change Order No. 1 in the amount of \$9,740.50.

Mr. Grenier asked where along the property were the trees since part of the property is within the floodplain of the Delaware Canal, and there are State regulations with regard to removal of trees within a floodway. Mr. Ebert stated there were on the uphill side and also included the removal of a downed tree.

Motion carried unanimously.

b. Approve Change Order No. 2 (Additional Materials for Force Main Connection)

Mr. Ebert stated because it is isolated with no access, the contractor recommended and the Township agreed to installing additional isolation valves so that they could isolate a portion of the force main and not have to access into the back yard. Mr. Ebert stated this is a Change Order for the materials only, and the contractor agreed to install them for free so that the contractor could clearly test and identify all of the pipes that were installed. Mr. Ebert stated there is a long-term advantage to this to Aqua if the system is sold as well as the homeowners so that this could be isolated and be by-pass pumped to allow for any repairs to be done in the future without having to take down a significant number of trees or traverse rock retaining walls. Mr. Ebert stated the Change Order is in the amount of \$5,750 and is the actual invoice cost for the materials. Mr. Ebert stated the Sewer Authority members present at the Sewer Authority meeting recommended this for the long-term operation and maintenance of the pump station.

Mr. Grenier moved and Mr. Lewis seconded to approve Change Order No. 2 in the amount of \$5,750.

Ms. Blundi stated this is for materials only, and the contractor did the rest of the work at no charge so they are not anticipating more charges, and Mr. Ebert agreed.

Motion carried unanimously.

c. Approve Change Order No. 3 (Pipe Repair to Unmarked Private Storm Sewer Lines)

Mr. Ebert stated this is for a privately-owned storm drain which takes water off of the road. Mr. Ebert stated it was unmarked, and the property owners were not even aware of it. Mr. Ebert stated it was televised once they came across it to make sure that it was connected and was conveying stormwater. Mr. Ebert stated this is only for the replacement of the line that they had to remove to install the gravity sanitary sewer main and the force main. He stated before they replaced the pipe, they wanted to make sure that it was active; and this did cause delays. Mr. Ebert stated there were other utilities. that they were aware of such as their sprinkler system, but no one knew about this private storm sewer line. Mr. Ebert stated the Change Order is in the amount of \$2,179.25. It was reviewed by the Sewer Authority members present at the meeting, and was recommended for approval.

Mr. Grenier moved, Mr. Lewis seconded and it was unanimously carried to approve Change Order No. 3 in the amount of \$2,179.25.

d. Approve Payment Request No. 1

Mr. Ebert stated this is for work that was completed up to September 10, 2021. The total amount of the Contract including the Change Orders that were approved is \$645,240. This Payment Request is in the amount of \$391,417.10; and the amount remaining on the Contract if this payment is approved is \$253,822.90. Mr. Ebert stated the Sewer Authority members present at the meeting reviewed this and recommended approval.

Mr. McCartney moved and Dr. Weiss seconded to approve Payment Request No. 1 in the amount of \$391,417.10.

Mr. Grenier stated after Payment Request No. 1 and Payment Request No. 2 are paid, there would be approximately \$107,000 left, and Mr. Ebert agreed. Mr. Grenier asked if these two Payment Requests finish off the project or if there is more to do. Mr. Ebert stated there is more work to do. He stated the main amount of the \$107,000 is for the installation of the emergency generator which is approximately \$32,000. He stated the Sewer Authority members went over this extensively to make sure there was more than enough monies to complete all of the work, and there clearly is.

Motion carried unanimously.

e. Approve Payment Request No. 2

Mr. Ebert stated this is for the construction of the control building, the wiring of the pumps and controls, the generator pad, driveway, and site work. He stated they pushed to get the site work completed adding that the contractor wanted to wait until the generator was delivered, build the building around it, and complete the site work; however, Mr. Ebert wanted to make sure that it was stabilized this year and that all the paving would be done this year so that there would be access once the generator comes in. Mr. Ebert stated once the generator and power arrive, the pump station can be made active immediately. Mr. Ebert stated the Payment Request is in the amount of \$121,411.19, and there will be \$107,600 remaining on the Contract. He stated the members of the Sewer Authority who were present at the meeting recommended payment, and they made sure that there were sufficient monies left to complete the job with no additional Change Orders. He stated they also appreciated the fact that all the site work is done, grass is growing, and restoration has been done not only for the homeowners, but also for the environment to make sure everything was stabilized this construction season.

Dr. Weiss moved and Mr. Grenier seconded to approve Payment Request No. 2 in the amount of \$121,411.19.

Mr. Lee Pedowicz, 247 Truman Way, stated it seems that there were a lot of contingencies for Section 7 such as the additional televising and tree clearing that were probably not included in the Contract. He stated he feels if there was a Contract, there would be a “what if clause” to take this into account.

Mr. Grenier stated there is some level of contingency built into all of the Contracts; but when you are looking at 1,400 of pipe that is under water, that is not normal, and when they are out of the norm that is when the Change Orders come in.

Ms. Blundi stated they are doing their best to fix the sewer system; and if it turns out that the pipes were more eroded than it was felt they were because of the “years of not dealing with it,” she feels it makes sense to fix it as best they can.

Motion carried unanimously.



Mr. Grenier asked Mr. Ferguson if they will be discussing the Sewer rates for 2022 as part of tonight's Budget discussion. Mr. Ferguson stated as he outlined in his Budget presentation, the Board would have to pass Sewer rates since they would be carrying over a billing timeframe that would go into 2022. Mr. Ferguson stated this would be part of the presentation later this evening.

#### ENGINEER'S REPORT

Mr. Pockl stated the Board received his Report in their packet.

#### Approve Payment Certificate #3 (Final) for the 2021 Road Program to Harris Blacktopping, Inc. in the Amount of \$19,755.35

Mr. Pockl stated this will complete the 2021 Road Program, and all punch list items have been completed. A two-year Maintenance Bond was provided which will expire late October, 2023. Mr. Pockl stated the project came in approximately \$6,600 under Budget. Once payment is made to the contractor, we can close out the Liquid Fuels Reimbursement Application with PennDOT.

Dr. Weiss moved and Mr. Grenier seconded to approve Payment Certificate #3 for the 2021 Road Program to Harris Blacktopping, Inc. in the amount of \$19,755.35.

Mr. Grenier asked about actual versus Budget for the Road Program, and Mr. Pockl stated as he noted it was \$6,600 under Budget. Mr. Pockl stated the project cost would have been less but the price of asphalt went up significantly, and there was an approximately \$17,000 difference in the price of asphalt from when they placed it versus when it was Bid, and we had to pay an additional amount for the increased price of the asphalt.

Mr. Grenier asked Mr. Pockl if the paving passed inspection, and Mr. Pockl agreed. Mr. Pockl stated they checked all the roads after the hurricane; and while there was some damage to other roads paved recently in the Township, the roads paved during the 2021 Road Program had no damage.

Mr. Lee Pedowicz, 247 Truman Way, asked if Harris gives a guarantee for the paving they did throughout the Township. Mr. Pockl stated as he noted earlier there is a two-year Maintenance Bond, and they have that in hand. It will expire late October, 2023.

Motion carried unanimously.

Mr. Lewis noted the Marrasso townhomes have been in the same state for some time, and he asked Mr. Pockl if he knows why there has been a delay with that project. Mr. Pockl stated it is his understanding that the developer is having difficulty obtaining some of the material for the homes. He stated they are looking into adjusting some of the material that is being provided for the homes. He added that a lot of the site infrastructure has been installed, but there has been a delay on the construction of the homes. He stated the developer has indicated that they hope to start on the homes within the next couple of weeks.

#### POLICE RATIFICATIONS

Chief Coluzzi asked the Board to ratify previous votes made at the last meeting.

##### Ratify Promotion of Colin McTamany to Police Corporal

Mr. Lewis moved, Dr. Weiss seconded and it was unanimously carried to ratify the promotion of Colin McTamany to Police Corporal.

##### Ratify Restructuring and Promotions of Command Staff in Furtherance of State and National Police Reform Initiatives

Mr. Lewis moved and Dr. Weiss seconded to ratify restructuring and promotions of Command Staff in furtherance of State and National Police Reform Initiatives.

Mr. Lewis asked Chief Coluzzi to explain what this means. Chief Coluzzi stated several years ago there was a task force on 21<sup>st</sup> Century policing, and it listed several suggestions for Police reform. He stated one of the most important suggestions is to ensure adequate Command oversight to ensure accountability and a system of internal checks and balances to ensure that Police carry out their duties properly and are held responsible as well as to uphold integrity of the Police force and ensure community support of Police. He stated this initiative is to further that goal and have adequate supervision and command over Police personnel.

Motion carried unanimously.

##### Ratify Hiring Kevin Riley, Jevin Downs, and Brendan Montemarano

Mr. Lewis moved, Mr. Grenier seconded and it was unanimously carried to ratify the hiring of Kevin Riley, Jevin Downs, and Brendan Montemarano.

## MANAGER'S REPORT

### 2022 Manager's Recommended Budget Presentation

Mr. Ferguson stated he will be going through a slide presentation, and there will be a component of the presentation having to do with the Pool that will be covered by Ms. Tierney, the Park & Recreation Director. Mr. Ferguson thanked the staff for their work on this Budget.

Mr. Ferguson stated he is presuming that the Sewer sale will proceed, and he is making four presumptions for the use of those proceeds. He stated the first is that we pay off the Sewer debt which is a requirement of the sale. He stated by paying that off, there will be a savings of \$1.166 million. He stated the second is setting aside \$2 million for Sewer reconciliations for outstanding items as we will continue to have bills for a period of time and expenses that will be incurred. He stated the third is paying off the consultants who were part of the sale in the amount of \$860,000. The final presumption is paying off the Golf Course debt which will have a direct impact of saving \$2.943 million in future payments that will not have to be made.

Mr. Ferguson stated with regard to the American Rescue Plan, the Township received the first half of that money in the amount of about \$1.7 million, and we will receive the second part of that next year. He stated as has been discussed, there are provisions that have yet to be defined which have to do with spending on specific Capital projects. He stated there is a provision that has a formula for Revenue shortfall projections where the GFOA (Government Finance Officers Association) has put together the formulas for Municipalities to calculate. He stated that shortfall will allow the Township to utilize about \$1.7 million for expenses for the Township.

Mr. Ferguson stated he is showing a 2022 Year End Fund Balance of over \$3 million. He stated he is also showing over \$3 million in paving which totals fifty-seven roads for the year and 11.41 miles. He stated there is an Agreement with Falls where they paved Walnut Lane and Elbow Lane this year, and we will be paying them for that next year so essentially the Road Program for next year will be for fifty-nine roads even though these two roads are already completed.

Mr. Ferguson stated the Budget also includes a \$50,000 line item to update the Township Website, \$75,000 to update the Permitting software, \$60,000 to patch and repair the Community Park tennis courts, completion of the

Multi-Use trail, which is a carry-over project which is being funded primarily through a Grant at a cost of approximately \$700,000, and the Golf Course having a positive cash flow of \$831,585.

Mr. Ferguson stated the 2022 Budget includes the following Capital purchases: four Police cars and four Police motorcycles, which will be paid for out of the Rescue Plan funding, a six-wheel dump truck as part of our replacement plan in the Public Works Department that is paid for out of the Road Machinery Fund, and a dump truck for the Park & Recreation Department that he would recommend be financed over the next three years.

Mr. Ferguson stated there have been two three-year Plans that are continually updated which are the Paving Plan and the Trail Maintenance Plan. For 2022 there will be added a new Three-Year Traffic Light Maintenance Plan to keep them in good repair.

Mr. Ferguson stated there are six new Funds for 2022 – the American Rescue Plan Fund, the Sewer Sale Proceeds Fund, the Golf Bond Repayment Fund, the Golf Capital Reserve Fund, the Sidewalk Fee-in-Lieu Fund, and the Garden of Reflection Capital Reserve Fund.

Mr. Ferguson stated with regard to the Garden of Reflection, the 20 year commemoration was held this year where a great deal of money and time was spent by volunteers to get the Park back to the condition that it was previously; and the hope is that we can start setting aside money so that as Capital improvements are needed, money will be there to take care of those projects when they come up. Mr. Grenier asked if this Fund is where we would put the funds from the outside non-profit at some point to address the Garden of Reflection. Mr. Ferguson stated there is a Memorial Park Fund so that if and when that volunteer group provides funds or reimbursements, that is where that money would be housed going forward. He added this fund being discussed would be money to be set aside as needed for Capital improvements in the future.

Mr. Ferguson stated there are recommended staffing changes in the 2022 Budget. He stated the first is to reorganize the Planning & Zoning Department to the Department of Community Development. He stated the proposal is to change the title of the Planning Director to be a more reflective Community Development Director position. This would not change the pay scale. He stated the Code Enforcement Officer would become the Building Code Official, a position which he is qualified to do. That person would directly oversee the

consultants so that decisions would be made by a staff person and not the consulting company. Mr. Ferguson stated these two are not new hires, rather they are a re-formulation of positions. He stated there is also a proposal to hire a full-time Planner.

Mr. Ferguson stated for the Park & Recreation Department it is recommended to hire a full-time Pool Manager. He stated the Pool Manager position is getting increasingly difficult to fill primarily because people who have backgrounds in aquatics do not stay in areas where pools are open only four to six months a year, and they go to areas where it is warm. He stated pools in the region have had Pool Managers who have been there for many years; but as they retire or move on finding replacements is extremely difficult, and we are spending more time trying to fill the Pool Manager position while there are a lot of other things that need to be done to get the Pool ready. He stated the other position in the Park & Recreation Department being recommended is to hire a full-time Administrative Assistant. He stated while there are various positions in the Park & Recreation Department, they do not have someone to assist the staff with answering phones, assisting with Registrations, and making check and Budget requests which has caused difficulty.

Mr. Ferguson stated the last new position being recommended is to create a full time Fire Services Director to facilitate and coordinate the future of fire service in the Township.

Mr. Ferguson stated the 2022 Manager's Recommended Budget makes a recommendation of a tax cut of a half a mill. He stated it would go from 21.01 to 20.51 which results in about a \$21/\$22 tax cut for a typical house in Lower Makefield which would be a \$400,000 house.

Mr. Ferguson noted the General Fund with a starting Fund Balance of about \$1.2 million. He stated we accepted a \$3 million down payment/deposit for the Sewer system; however, as was noted by the Auditor that \$3 million is still listed as a Liability because it cannot be put into the Fund Balance until the Close. He stated the \$3 million is listed in the 2022 Budget as a Cash/Revenue item that will be accepted in the Fund Balance during the year.

Mr. Ferguson stated as he noted earlier, there is a 2022 estimated year-end Fund Balance of \$3,190,685. He stated this is an important threshold amount regarding the Bond Rating. He stated we were downgraded about two years ago as a result of the 2018 Audit, and the \$3 million for the Sewer system

assisted in the Negative Outlook being removed. He stated he believes that Moody's will be contacting him for a spring meeting to re-evaluate our Bond Rating for next year.

Mr. Ferguson noted all the items in the General Fund are listed in the first fourteen pages of the Budget. He stated Central Government includes the Manager, the Assistant, the stenographer, and the various professional services outlined. He stated the 2022 number for this is about \$839,000. He stated General Expenditures includes the medical insurance, various Social Security matches, and funding for the various citizen advisory groups; and this totals \$3,018,890. Mr. Ferguson stated Finance Administration includes three full-time and one part-time person and totals \$286,833. He stated the Office of the Tax Collector includes wages, bonding, and postage and totals \$38,950, which is consistent with what that number is every year. Mr. Ferguson noted the Information Technology Budget which is primarily under Contracted Services is for permitting software and virtual/hybrid meetings are included as well; and this amount is approximately \$28,000.

Mr. Ferguson noted the Budget for the Police Department, which is the largest Department in the Township; and that amount is slightly over \$6 million which covers all costs for forty Officers and four full-time civilian employees. He added that not included in this amount are the items listed in the Capital Budget with money coming from the American Rescue Plan Fund for four Police cruisers, four motorcycles, and building modifications on the second floor regarding meeting rooms, interview spaces, etc. for the Police Department, which was an item in the Budget for this year to start to explore but was put on hold.

Mr. Ferguson noted the Planning and Zoning Department, adding he is making the recommendation that they change that to the Community Development Department for this Budget; and that includes the Community Development Director, Building Code Official, a Planner, two Permit Administrators as well as the Building Inspections company, and the costs for the Zoning Hearing Board and the Planning Commission.

Mr. Ferguson stated with regard to the Planning and Zoning Department, that Department for this year will handle approximately 2,300 Permits; and in terms of the staff processing those, there is one Administrative Assistant, a Code Enforcement Officer, and Mr. Majewski. He stated there Job Descriptions have been provided. He stated the plan would be to change the title of the Code Enforcement Officer to Building Code Official, and he would still be in charge of overseeing Code Enforcement. The Planner would oversee reviews and

Plans, but would also be used for Code Enforcement. Mr. Ferguson stated there are numerous calls regarding Code Enforcement and property maintenance issues and there is one person to do that for approximately 12,000 properties.

Mr. Ferguson stated a Planner and a Building Code Official would be in place that would oversee all of the Permitting and all of the inspections. The Community Development Director would get involved when needed, but would be able to do things from a more macro perspective. He added that Mr. Majewski currently gets called into many different things regarding stormwater management, projects, parks, etc. Mr. Ferguson stated he feels this reconfiguration would allow Mr. Majewski to be more in the role that would be traditional for this type of Department and is within his skill set as an engineer and Planner to do all of those things.

Mr. Ferguson noted the Public Works Department which includes the Public Works Director, an Administrative Assistant, and thirteen laborers. He stated the Budget also covers building maintenance, the recycle yard, leaf collection, basin maintenance, highway maintenance, and snow and ice removal. He stated all Capital-related expenses – trucks, etc. are in the Road Machinery Fund. The Road Machinery Fund has its own millage of .3 mills specifically for road equipment. He stated over the last few years we have been active in utilizing short-term financing to purchase a number of pieces of equipment. He stated for 2022 the recommendation is the purchase of a six-wheel International dump truck with a Fund Balance of about \$36,000 by the end of the year.

Mr. Ferguson showed a slide listing the days they are recommending for the recycle yard for 2022. He stated this is consistent with what was offered in 2021.

Mr. Ferguson stated with regard to the Ambulance Fund it is recommended to keep the millage as is. He stated this Fund provides assistance to the Yardley-Makefield Ambulance Unit that serves the Township.

Mr. Ferguson noted the Fire Hydrant Fund, and no changes are recommended for 2022. He stated this covers the costs associated with the cost of the water and the pressurization of the water for approximately 900 fire hydrants that are in the Township.

Mr. Ferguson stated with regard to the Park & Recreation Budget, additional hires are being recommended as noted earlier. He stated the Pool Manager would be paid for primarily out of the Pool Budget, although part of the pay would be from the Park & Recreation Budget. He stated the 2002 Budget also includes the Trail Plan. He showed the slide outlining the Three-Year Trail Plan.

Mr. Ferguson showed a slide on the Sidewalk Fee-In-Lieu of Fund. He stated over the years developers have paid the Township Fees for not putting in sidewalks for developments that the Board approves. This will be the first time that we have set aside that money specifically; and as that money comes in, it will be in this separate account, and those funds could be used at the Board's discretion for new sidewalks or new trails. This would not be to repair old sidewalks or trails but to provide new connections. He stated a \$50,000 contribution came in this year, and it was the opportune time to set up this Fund to separate those dollars moving forward.

Mr. Ferguson noted the Debt Services Fund which is exclusively used for debt payments, and is where they have assigned non-Golf and non-Sewer related debt. He stated it is not limited to Bond Debt or long-term debt, and it could be used for short-term debt as well. He stated there were Police radios that were purchased from the County that were financed over seven years, and this is where that is paid from. He stated currently the millage toward the Bond Debt payment is 2.79 mills with a Bond payment of \$1,733,000. He stated next year that Bond payment will shift downwards to \$862,606 and it would require 1.09 mills to make that payment. He stated at 2.79 mills we are 1.7 mills in excess of what is needed to make the Debt payment.

Mr. Ferguson stated given that, he is making three recommendations to the Board with regard to the 1.70 millage amount. He stated the first is to allocate 1 mill to a new Road Loan. He stated that translates to an updated millage need of 2.08 mills. He stated the Budget recommends approving a \$1,650,000 three-year loan to be used for paving, with \$1,500,000 directly for paving and \$150,000 to be dedicated to design, bidding, inspection, etc. He stated the loan would be paid quarterly from the Debt Services Fund over three years. He stated that 1 mill will accommodate that Debt Service for the three-year period. He stated the twelfth and final payment would be made in 2025, and then another loan could be taken in 2025 to be paid off in 2028; and the next loan taken in 2028 after the twelfth payment is made. He stated under that Plan, over seven years, this translates to an additional \$4.5 million in paving. He stated this could be done under the current framework of the millage that we have where a mill would be assigned to this Road Loan and would be done without creating an additional charge to the residents to do so. He stated this will dramatically increase the miles paved over time. He stated over the seven-year period, the \$4.5 million translates to about fifteen miles of road paving.



A slide was shown of the 2022 Debt Service Millage. Mr. Ferguson stated the existing Debt Service is 2.79 mills; and with the Bond Payment needing 1.09 mills, and the Road Loan taking up 1 mill, they would be at 2.09 mills.

Mr. Ferguson stated the second recommendation is to reallocate .2 of those mills to the Fire Protection Fund to accommodate the hiring of a Fire Services Director. He stated this will increase the Fire Fund millage by two tenths of a mill from .9 mills to 1.10 mills. He stated there would still be a millage in the Debt Service Fund of 2.09. Mr. Ferguson stated besides all of the technical qualifications and requirements, the Fire Services Director would oversee Commercial inspections and Plan reviews, would serve as the Fire Marshall, assist with volunteer staffing challenges coordinating with neighboring Departments to address shortfalls and regional Capital needs, and even assist with fire calls during the day. Mr. Ferguson stated he feels that having a staff person dedicated to Fire Services, investigations, inspections, Plan reviews, volunteer status, gaps in service, outreach, and regional opportunities will allow the Township to stay informed and engaged on this issue moving forward. Mr. Ferguson stated fire service is the Township's responsibility; and if there are issues with staffing and shortage of volunteers, injuries, or other problems those are all the Township's burden. He stated having a Township person to keep up with these issues and assist with these issues is needed, and this will be seen increasingly in communities across the Commonwealth and specifically across Bucks County.

Mr. Ferguson stated the 1.10 mills would cover the hiring of a full-time Fire Services Director and also provide assistance to the local companies. He stated the Township is also required to cover and provide for the cost of worker's compensation insurance for the volunteers. He stated there is some State money which is received which is shown as Fire Relief Money in the amount of \$290,000. He stated this goes back to a component of the volunteer companies every year.

Mr. Ferguson showed a slide of the 2022 Debt Service Millage at 2.09 mills, with .2 mills being reallocated to the Fire Service Fund which would result in an impact of a net .5 millage tax cut.

Mr. Ferguson stated with regard to the American Rescue Plan, there is a provision that we can have a Revenue shortfall calculator, which he has done, which will allow us to bring \$1.7 million back into the General Fund with more flexibility than the "other pot of money that is sitting there and will continue to sit there at large," which would likely need to be dedicated to stormwater improvements.

Mr. Ferguson showed a slide listing projects including about \$192,000 for the replacement of the culvert at South Drive, which was a topic of discussion at last year's Budget; however, it was determined that it would exceed our capacity to fund this year.

Also shown is the purchase of four Police cars and four Police motorcycles that were discussed earlier. He stated he feels that the Township should constantly be focused on replacing four Police cars a year as they have a useful life of approximately five to six years. He stated when they are extended beyond that, the vehicle maintenance budget goes up and the trade-in value of those cars goes down. He stated getting on a system by which they replace four cars every year is valuable to the Department and the Township moving forward, and the Budget is reflective of that.

Mr. Ferguson stated \$135,000 would be dedicated to making upgrades to the second floor of the Township Building. There is \$365,000 being put in to assist with public safety generally in the Budget which is permitted. The final item is \$750,000 toward the 2022 Road Program. Mr. Ferguson stated he already discussed a loan program with \$1.5 million for paving, and that would be an on-going, recurring process. He stated this amount of \$750,000 is a one-time influx of cash to assist with the Paving Program for 2022.

Mr. Ferguson showed a slide with regard to the Liquid Fuels money, which is money which comes from the State that is based on a variety of calculations. He stated out of this money we pay for certain staff expenses, rock salt, and paving. He stated in this Budget, he is recommending \$777,233 toward paving, with a year-end Fund Balance of about \$46,000.

Mr. Ferguson stated he is suggesting a Paving Budget of over \$3 million next year, and a slide was shown of where that money would come from. The \$51,158 shown is money that was previously approved to pave Walnut Lane and Elbow Lane in an Agreement with Falls Township for shared roads, and we have until March 31, 2022 to pay that. He stated if those two roads are included, this totals 59 total roads for 2022 and is 11.41 miles. He stated what he is proposing for 2022 would equate to four years' worth of paving based on what has been done on average over the years. He noted there are some roads that do not need to be paved very frequently because of the amount of traffic they have on them, while others that have heavy traffic may last only eight to fifteen years. He stated generally he feels there should be a blended average of a lifespan of a road of twenty years. Slides were shown of the roads to be paved in 2022 totaling 11.41 miles.

Mr. Ferguson showed slides for the Paving Plan going out a number of years. He stated when they Bid out the Road Program, there will be Bid Alternates included so that if there is good pricing, they will try to move ahead some of the roads proposed for the future. He stated if they were to keep the Road Loan in place, they would average 5.22 miles of road per year. He stated assuming a blended average for when we should be paving a road is every twenty years, that translates to 6.9 miles of road per year or 48.3 miles over seven years. He stated what is shown would fall short by 11.73 miles over seven years. He stated by standardizing the Loan Program, we will be starting from a much higher base of average roads that would be paved every year, and this will provide a clear benchmark for the Board moving forward as to how to bridge the gap. He stated if we are able to Budget an extra \$300,000 to \$400,000 a year out of other Funds, it will get us on the pace to start doing roads consistent with what is believed the replacement time should be.

Mr. Grenier stated if we are doing 11.14 miles of roads in one year, we need to consider what that will do from a traffic perspective while that work is being done. Mr. Ferguson stated there will need to be a more coordination and notification if we are doing this many roads; however, the size of this Road Program is not that much different from other area Road Programs, and the contractors who are Bidding Road Programs of this size would be experienced in the scale and scope of such a project in terms of notifications.

Mr. Ferguson stated with regard to the Golf Course, as he noted earlier in the presentation, the presumption is that the Golf Debt would be paid off. In coordinating with Mr. Attara and Spirit Golf, we are assuming a surplus of \$831,585, which would be occurring because there would not be a big Bond payment required. Mr. Ferguson stated for 2022, the recommendation for the surplus would be \$125,000 for Capital expenses for the Golf Course. He stated for the last few years, the Board has approved Budgets for bunker repairs that have been done in the amount of \$40,000 to \$60,000 a year; however, there are other Capital Repairs that were difficult to pay for because of the lack of cash.

Mr. Ferguson stated he is also recommending \$50,000 toward a Golf Bond Repayment Fund. He stated there is a \$14 million Debt that is being paid off as the result of the Sewer sale, and he feels it is appropriate that the Golf Course start repaying that. He stated this would be an automatic

process going forward. He stated he is recommending a \$400,000 repayment to the General Fund for operational assistance provided during the last four years, \$51,585 in a Golf Capital Reserve Fund, and \$205,000 to go into the Recreation Capital Reserve Fund for the match needed for the Woodside Road bike path.

Mr. Ferguson stated with regard to the operational assistance, they need to look at how much money the General Fund assisted the Golf Course in the last four years. Actual amounts were shown for 2018, 2019, and 2020 with an estimated amount for 2021 which is much lower because the Golf Course rebounded very well with people anxious to get back golfing. He stated this shows a four year total of under \$1.9 million, and he is recommending repaying that over five years at \$400,000 a year.

Mr. Ferguson showed a slide with regard to the Golf Bond Repayment Fund, and he is recommending \$50,000 in 2021. He stated in the scope of a \$14 million repayment, if they are finished paying the previous fund just discussed at \$400,000 a year, starting in 2027, that \$400,000 could be assigned to paying the Debt off.

Mr. Ferguson stated the Golf Capital Reserve Fund is a new account in the Budget. This would be set aside to long-term Capital needs at the Golf Course. He stated in the past when they discussed expensive improvements being funded through debt, setting aside \$50,000 to \$100,000 a year would allow them to start to have money set aside as large expenses come up. He noted the irrigation system on the Golf Course probably has another ten years left, and it will cost \$1 million or more to replace so that if we start to set aside money each year, when that comes due, we could pay for that without having to make changes to the Budget or ask the taxpayers to pay for it. He stated this would be the Golf Course users paying for those improvements over time.

Mr. Ferguson stated when he discussed assigning \$250,000 to the Recreation Capital Reserve Fund, for this year it would be to assist with the match for the Woodside Road bike path. He stated for that project we are getting \$405,000 in Grants, and the project itself is estimated to cost \$610,000. He stated moving forward we could use surplus revenues from the Golf Course on an annual basis, and there could be a Recreation Capital Reserve allocation each year of approximately \$150,000. He stated that would not have to be spent every year, and the balance could grow which could be used as a match for

other projects, trails, parks, etc. He stated these improvements for the benefit of the taxpayers would be paid for by golfers through user fees and not through taxes.

Mr. Ferguson noted a slide showing Special Projects for 2022. He stated most of these are hold-over projects. He stated as previously discussed an update will need to be done in the Quiet Zone which involves the four-quadrant gate system at the Stony Hill crossing. He also noted the Big Oak/Makefield Road signal upgrade and the multi-use trail. He stated there is also Permit and Complaint software for the Code Department and the Township Website update.

Mr. Ferguson showed a slide of the items included in the Capital Reserve Fund some of which have already been discussed. He noted we will be getting PEG Grants from the Cable Franchise Agreements to be used to upgrade the equipment

Mr. Ferguson stated in summary, the recommendation is to pay off the Golf and Sewer Debt which would save the Township over \$4 million, an overall tax cut of a half mill, an estimated year-end Fund Balance of just under \$3.2 million, the creation of a Road Loan Program under the Debt Services Fund which will allow for \$1.5 million in additional paving, an overall Paving Budget of over \$3 million encompassing fifty-nine roads and 11.4 miles, the hiring of a Fire Services Director, a Planner, a full-time Pool Manager, and an Administrative Assistant, the reorganization of the Planning Department, the upgrading of our Code software, upgrading our Website and video and camera capabilities, repairing the Community Park tennis courts, repairing over 4,400 linear feet of Township trails, completion of the multi-use trail and Big Oak Road signalization project, creation of a three-year Traffic Maintenance Plan, the purchase of four Police cars and four Police motorcycles, the renovation of the second floor of the Township Building, a positive cash-operational Golf Course with dedicated funding, \$1.7 million left in the American Rescue Plan which would be allowed to be used for stormwater improvements, and a Sewage sale proceeds account in excess of \$20 million.

Mr. Ferguson stated other than the \$3 million deposit that was taken for the Sewer sale, and paying off the Golf Course and the Sewer Debt, no part of the proceeds have gone into anything that is seen. He stated they are not spending Sewer proceeds money to hire people, to pave roads, or do any of these things.

Ms. Tierney, Park & Recreation Director, was present and showed a slide of Revenue and Expenses for the Pool. She stated there will be a significant jump in Expenses, and she will discuss how they plan to cover that next year with different Fees. She stated this year there were significant staffing issues because a lot of potential staff were getting paid much higher at other locations such as grocery stores, etc. She stated they needed to take this into account when putting together the 2022 Budget and did a lot of analysis, and that is what has driven up Expenses for next year.

Ms. Tierney showed a slide of different salary ranges for various jobs. She stated many companies are raising their minimum wage. She stated currently we pay the Pool staff \$8.25 to \$11.25 an hour for non-management roles. She stated she is proposing that those wages be increased to \$9.50 to \$14.50 an hour to be more competitive for young employees. She stated more sign-on bonuses are also being seen; however, she was not in favor of a sign-on bonus as she found that people are leaving jobs as soon as they get a sign-on bonus and then go to the next job to get another sign-on bonus.

Ms. Tierney stated she researched area pools, and she showed slides related to three pools including information on their facilities and their membership fees. Ms. Tierney showed a slide of the LMT Pool's current Fee structure. She stated currently for two individuals, it costs more than a family membership. She stated in the past there have been complaints from single parents with one child having to pay for a family membership when a family of ten would pay the same amount. She showed a slide of the new structure being proposed for 2022 which will be based on the size of the family. She stated this will provide more flexibility. She stated they also re-evaluated the Senior Membership as there was an evening only Senior Membership, but there were problems with that as a lot of those members switched over so that they could have access to programs such as water aerobics. She stated they included a Discount period for the Senior Membership so that they could pay a lesser amount but still have full access to everything at the Pool.

Ms. Tierney stated the Fees are proposed to be broken down by age, and the first two adults (fourteen and older) would be \$175 each; and any additional adult would be \$95. She showed slides of what the cost would be for families of different sizes. She stated the age cut-off would be the day before the Pool opens so that if you turn fourteen before the Pool opens you would pay as an adult, and if you turn fourteen after the Pool opens, you would pay as a child. She stated proof of residency is required to obtain

resident rates. She stated different households cannot be on the same account. She stated guest passes are for guests of members only. In order to receive any type of swim lessons, you must be a member. She stated all Swim Team members must have a membership. She stated only members can reserve the pavilion. There are no refunds after the start of the season. If registering a child thirteen or under, an adult over the age of eighteen from the same household will be required to have a membership.

Ms. Tierney stated another proposed change is for the guest passes. She stated a book of ten passes would be \$180, and individual passes would be \$20. She stated she hopes this will encourage more people to become members. Ms. Tierney stated swim lessons and pavilion rental charges will also go up slightly. She stated currently there is private one on one instruction, and they would like to provide semi-private lessons; and a rate was shown for that option.

Mr. Ferguson stated part of what started this was the need to attract the staff needed to keep the Pool open. He reminded the Board that this year because of child labor law limitations and safety requirements for staffing, they had to close the Pool every day between 3:00 p.m. and 4:00 p.m. which made some members unhappy. He stated there were other Pools that opened much later in the year or were open only on the weekends. He stated the plan proposed will generate more Revenue to allow us to accommodate salaries that will fully staff the Pool. He stated many of the people that would have memberships that have smaller families would have more ala carte possibilities by which they could pay less. He stated he believes that if there is a four-person membership with two adults and two children, their fees will go up about 15% to 18%. He stated in the past if there was a single mother with one child, she would be paying the same as a family of seven. He stated what has been proposed will give people the option to select what will work best for them recognizing that we are trying to become more competitive to get the staff we need.

Ms. Blundi thanked Mr. Ferguson for presenting a thoughtful and thorough Budget that shows what 2022 might look like, but also helps the Board to look into future years so that we can move forward with more discipline and planning as we re-build the foundation of the Township. Mr. McCartney thanked Mr. Ferguson and the staff for the amount of work that went into this.

Mr. Lewis asked Ms. Tierney if she has thought about what the new rate structure will do to utilization at the Pool, as while some of the changes are very positive, they also have the potential to increase the amount of people at the Pool at any given time. Ms. Tierney stated she has thought about this, but they do not come near capacity on a regular basis. Mr. Lewis asked Ms. Tierney if she has estimated how many people will take the different membership levels. Ms. Tierney stated she took the data from 2021 since membership was the highest it had ever been; and she calculated how much Revenue would have been brought in based on everyone who was a member in 2021 registering under the proposed format, and that is the number shown in the Budget of \$1,032,000. Mr. Lewis stated there were eighteen families with over six people in their household, and he asked Ms. Tierney if a cap has been considered. Ms. Tierney stated she did not set a cap as part of this Plan, but they could discuss that further. Mr. Lewis stated while he does not feel anyone likes rate increases, they probably recognize that they have to pay for the cost of the amenities. Mr. Lewis asked if the Park & Recreation Board provided an analysis on this. Ms. Tierney stated she did not have this ready by the last Park & Recreation Board meeting, but she plans to bring it to the next Park & Recreation Board meeting.

Mr. Lewis stated when the Board heard from the volunteer Fire Department representatives, the Board was told about the challenges regarding the number of volunteers; and he believes that the assessment was that we were ten volunteers short. Mr. Lewis asked if there are things that could be done to address that short of hiring a Fire Services Director. Mr. Lewis stated he will be contacting the volunteer group about this. Mr. Ferguson stated when they met with the Fire Department representatives, one of the issues that was discussed was volunteers. He stated there are companies that have more volunteers than we do; however, there are still problems as to when those volunteers are available. He stated increasingly the volunteer companies also have other issues that need to be addressed including regional cooperation, Capital purchases, etc. He stated in Lower Makefield we have several hundred annual Commercial fire inspections. He stated there is also the need for someone to look at the components of fire safety with regard to Development Plans. He stated while the shortfall of volunteers is part of the issue, his recommendation for the Fire Services Director was because the scope is becoming bigger and it is ultimately the responsibility of the Township, so he was looking to have someone who is responsible for these things, help the Board make informed decisions, coordinate with the Emergency Management Coordinator, and have a positive working relationship with the Volunteer Company.



Mr. Lewis stated in general he was pleased with respect to the proceeds of the Sewer sale and the review of the Golf Budget including the repayment of the operational funds which he has been suggesting for a long time needed to be done. He stated this is a way of accounting for the Golf debt going forward. Mr. Ferguson stated, if it was the Board's desire, the Golf Bond Payment Fund could be set up in such a way that it is put in a type of Irrevocable Trust that could not be spent on something else. He stated while it is proposed to be a \$50,000 line item now, that would continue to appear in the Budget where that number was tracked; and future Boards could see where the outstanding balance sits. Mr. Lewis stated once we get past the repayment of the General Fund subsidies, that \$50,000 could be increased. Mr. Ferguson agreed that the Board could decide on the amount they want. He stated they would also have flexibility so that if there was a park/trail project that they wanted to fund, there would be options to use those proceeds to fund future projects out of those user fees.

Mr. Lewis stated while he is opposed to the Sewer sale, he wants there to be a situation where the General Fund is such that we would never have to consider an Earned Income Tax. Mr. Ferguson stated with regard to those positive proceeds, the Board would always have the option once the \$400,000 a year is made to earmark a portion of the positive cash flow from the Golf Course directly to the General Fund even if it is undesignated so that we could still pay for things if there were to be a financial downturn, etc. where the General Fund needs an influx of cash.

Mr. Grenier thanked Mr. Ferguson and the staff for putting this Budget together. Mr. Grenier stated this is the first presentation of the Budget, and he asked Mr. Ferguson to review the steps that need to be taken. Mr. Ferguson stated using the existing meeting schedule as the base line, the Board could consider a Preliminary Budget at the next Board meeting on November 17. He stated that would create certain legal requirements in terms of how much could be changed in that Budget. He stated once a Preliminary Budget is passed, it needs to go on display for twenty days. He stated the Final Budget could be passed at the Board meeting of December 15. Mr. Ferguson stated if the Board decided after passing the Preliminary Budget that they wanted to make changes that exceeded the legal requirements, they would have to start the process over again; and they would have to pass another Preliminary Budget, post it for twenty days, and then approve it. He added that the Board could always hold additional meetings if necessary prior to a Preliminary approval or hold an additional meeting after November 17. He stated December 15 is the

final scheduled meeting of 2021; and if the Board were to stick with that schedule, they would have to pass the Preliminary Budget at least twenty days before that which would be around November 26/27. Mr. Ferguson stated at this point the Board can make any changes to the recommended Budget leading into the Preliminary Budget.

Mr. Grenier stated he personally found the Budget Workshops that were held in past years going through the Budget line by line in not as formal a setting to be very helpful; and he would be in favor of having one of those meetings this year if other Board members were interested.

Mr. Grenier stated he is in favor of the restructuring of the Pool items and the fact that the Pool is “self-preserving.” He stated he also is in favor of paying down debt and making the Golf Course profitable. Mr. Grenier stated they will getting a large influx of funds with the \$50 million, and this will also create additional funds because the Golf Course will be turning a profit; and he is concerned that this results in only a half mill tax decrease, and he would have anticipated more of a tax cut and more in the General Fund.

Mr. Grenier stated he appreciates that they will be spending more on roads, but as noted earlier he would like to make sure that we can feasibly do that without causing problems. He stated in the RFP process for that we should make sure that they have “bullet-proof” traffic management/safety plans so that the residents can still get where they need to get to.

Mr. Grenier stated with regard to the various hires and restructuring, there has not been a lot of discussion about that; and he would have liked to have discussed that earlier. He stated he would like to have Budget Workshops so that they can discuss all of these items in greater detail.

Mr. Ferguson stated in previous years the Department Heads would provide their “wish lists” and go over every line item; but since he has been with the Township his approach has been to pare down “wish lists” to what can be fit into the Budget. He stated if the Board feels they need to go line by line through the Budget, they could do that. He stated a lot of the supplements provided do provide details. He stated any Board member who has questions, could e-mail those to him so that he is prepared to address them when the Board meets again.

Mr. Grenier asked the other Board members if they had an interest in having a Budget Workshop. Ms. Blundi stated she has been on the Board since 2018, and they have not had a Budget workshop although when Mr. Ferguson first started, they may have had a more-prolonged process. Ms. Blundi stated she is not interested in having one at this point; although if over the next few weeks something changes, she would consider it further.

Mr. Ferguson stated as part of the next regular Agenda with regard to the Preliminary Budget discussion, he is sure that there will be additional questions as the Board will have had the opportunity to review the document further; and they could go into as much depth as the Board wishes. He stated the Department Heads would be available to answer questions.

Mr. Lewis stated in general he found the Workshops to be helpful and detailed and the Workshop environment allowed the Board, Department Heads, and Township Administration to review things. He stated in most cases it was to understand the value of a certain decision, and he would be open to that. He stated that could be done at the November 17 meeting, but if there was significant discussion and they had to follow up with some additional analysis, that might be a challenge in terms of timing. He stated they could also schedule non-public, one-on-one workshops; however, the challenge with that is that there is a benefit to discussing some of the items and working through them.

Dr. Weiss thanked Mr. Ferguson and the staff for creating the 2022 Budget which he feels is a “transformational happening” going from asking where they were going to get money from to what will we do now that we are out of debt. He stated they have formed a structure where we can self-fund for years to come negating the need for an Earned Income Tax or going to Court to raise millage time and time again. He stated we can now move forward with strength instead of in weakness, and he appreciates all the efforts of the Township Manager, the Department Heads, and the staff since he knows it took hundreds of hours over a long period of time to get to this point.

Dr. Weiss stated he does not see a need for Budget Workshops since everyone has put in so much time and effort to create this recommended Budget. He added that he would consider a Special Meeting to go through the Budget prior to approving it and devote that meeting to that purpose, but he does not see the need for a Workshop. He stated he does not see the need to discuss the number of Police cars to be purchased or the need to make

additional hires since those are things that the staff has agreed to. He stated while he would be in favor of discussing the Budget, he would not be willing to have a Workshop where they “tear apart and re-build the Budget;” and he appreciates the professionals and the effort they have made. He stated he appreciates the need for the Board to approve the Budget and make policy adjustments; but as far as line items are concerned, he does not feel a workshop is needed.

Mr. Lee Pedowicz, 247 Truman Way, stated he has a number of questions which he will e-mail to Mr. Ferguson. He asked if there is a way there could be a discussion of this at a separate meeting since this has already been discussed for over an hour, and there are a lot of other items on the Agenda to be discussed. Ms. Blundi stated Mr. Ferguson has presented his version of the Budget, and it will be discussed again at the next Supervisors’ meeting and possibly voted upon. She stated she does not feel at this point that there is the need for a separate meeting; however, it is possible that they may find that is needed. Mr. Pedowicz stated as noted by Mr. Ferguson, once they get to the “preliminary plateau it becomes a real nuisance if there are major changes to it.” He stated he has concerns and probably other people have concerns as well. He stated instead of discussing this for an hour and a half tonight, they could discuss it some other night.

Mr. Brian McNamara, Heather Circle, stated he is surprised that there is no push back on the six new hires, particularly a full-time Pool Manager and a full-time Assistant. He asked what they would do when the Pool is closed. He stated they have also not discussed salaries or the total cost of what these new hires will be. Mr. McNamara stated he feels there should be a workshop so that the public can hear about that. Mr. McNamara stated while comments were made about being in a positive place with the sale of the Sewer system, the burden still falls on the taxpayers whether they are paying a private Sewer company or the Township. Mr. McNamara asked if they know what the cost of the new hires will be. He also asked why a Planner is needed if the Township is 98% built out.

Mr. McNamara also asked why Pool people are needed in the winter. He stated when he started on the Park & Recreation Board, there was one part-time employee. He stated by the time he left, there were two full-time and one part-time employees; and now we are being told that we need four full-time and one part-time Park & Rec employees. He stated there have been a number of hires since Mr. Ferguson has been the Township Manager.

Mr. McNamara stated he feels a workshop is needed so that we can go through this to see if there is a need for these hires. He stated it is disheartening that no one is pushing back on these hires. He asked what a full-time, twelve month Pool Manager would do in the winter; and he asked why one is needed now when we never needed one before.

Mr. Ferguson stated a Planner would not just review Plans for large projects. He stated we will do 2,300 Permits this year. He stated there are Sewer Lateral Permits needed for every property sold which will probably number 800 this year. He stated there are also Zoning Permits and small development projects. Mr. Ferguson stated for a Township our size, it is one of the smaller Planning Departments seen. He stated other Townships of similar size would have a Community Development Director, a Planner, and two Code Enforcement Officers, where we have one Code Enforcement Officer who is dealing with complaints across the Township. He stated the purpose of this hire is to shore up this Department so we can meet the needs of the Township.

Mr. Ferguson stated with regard to the Pool Manager, as he had discussed during the presentation, it is getting increasingly difficult to fill these positions; and part-time Pool Managers are not readily available. He stated hiring is difficult and keeping them is even harder; and qualified people are not available since many of them are going south. He stated the Pool season starts in February with advertising, hiring, background checks, and purchasing of chemicals, etc. and it runs through the month after Labor Day. He stated during the time between, that person could be available to help with programming and other items we have in the Township. He stated a competitive salary for a Pool Manager would be \$20 an hour or so. He stated this year there were times when the Pool Manager was averaging over ninety hours a week, so overtime was paid for that; and the cost for a full-time Pool Manager, while it would come with benefits, would not be much different from what was being paid. If there was a full-time person we would not have to deal with the transient nature of the position.

Mr. Ferguson stated since he has been the Township Manager, we have hired a laborer in the Public Works Department and done some Police hires to get to capacity. He stated our Township does not have many of the positions that other Townships of our size have including a Planner, an Assistant Public Works Director, a Finance Director, a Human Resources Director, an Assistant Manager, or a Special Project Coordinator. He stated many of those are jobs that he does when his counterparts in Northampton and other area Townships have employees in those positions. He stated

his recommendations for staffing for 2022 were not for his benefit as it relates to his own workload, rather they were to benefit the shortfalls that they were seeing in other Departments which he felt were a necessity. He stated he will continue to handle the positions that he does; but when they start to see gaps in service due to the physical capabilities of the staff to provide service given the demands of the Township, that is what led to the recommendations that are before the Board.

Mr. Ferguson stated they have been Budgeting about \$30,000 a year for a part-time Pool Manager but typically have been paying more than that due to overtime. He stated the pay for a year round, full-time Pool Manager would be in the low 50's, and that employee would not be paid overtime because they would be in a management position. He stated the numbers would level out compared to what it was as a part-time position.

Mr. McNamara stated he feels a Workshop would be beneficial since the public could watch that; and if the numbers prove out, that would make it totally transparent to the public. He stated he stills feels hiring six employees is a lot especially since when he was on Park & Recreation not long ago there was one part-time employee, and now they are talking about four and a half employees doing the job that one half-time person did.

Ms. Tierney stated Mr. McNamara did a great job when he was on the Park & Recreation Board growing the Parks Department, and they have added facilities which in turn require a lot more work and effort. She suggested that Mr. McNamara look at the Park & Recreation Department Website and look at the 2020/2021 Annual Report that she posted so that he can see exactly what the Department is doing and why they need assistance. She stated Mr. Ferguson did a great job addressing why they need a full-time, year round Pool Manager because there is so much involved with the hiring process which is done all year long in preparation for the Pool opening. She stated background checks and training need to be done every year in advance of the Pool opening. Ms. Tierney stated she would be willing to talk to Mr. McNamara about the needs of the Department. Mr. McNamara stated he would like to do that.

Ms. Blundi advised Mr. McNamara that the Budget is on the Website.

## SOLICITOR'S REPORT

Mr. Trulove stated the Board met in Executive Session and items related to litigation, personnel, and Collective Bargaining were discussed.

## ZONING, INSPECTION AND PLANNING

### Approval of Minor Subdivision for 1181 Oxford Valley Road LLC (Plan #684)

Mr. John McGrath, property owner, and Mr. Larry Young, engineer, were present.

Mr. Truelove stated this property is across the street from the Township Community Center, and there is a long driveway to an existing home at that location. He stated the proposal is to Subdivide an existing Lot into two Lots and construct a single-family dwelling on the new Lot. The existing dwelling will be on the newly-created flag Lot. Stormwater management, grading, erosion control, and a flag-Lot driveway connection to Oxford Valley Road are proposed.

Mr. Young stated this property is located at 1181 Oxford Valley Road, and it is 3.4 acres. He stated the proposal is to create a building Lot, Subdivide the Lot into two Lots; and one Lot which is a flag Lot would contain the existing farmhouse, the barn, and the smaller house, and the Lot in the front would be the proposed building Lot. He stated the property is in the R-2 Zoning District. He stated Lot 2 will be connected to water and sewer, and they are also going to connect Lot 1 to sewer based on the Township Ordinance.

Mr. Young stated the Planning Commission recommended approval. He stated there are four Waivers being requested – one to use a shared driveway for the first 95' and beyond that, it would belong to the existing Lot in the rear. Mr. Young stated there will be an Access Easement Agreement that calls out the maintenance responsibilities between the two owners. Mr. Young stated another Waiver being requested is for side Lot lines not to be 90 degrees to the street. He showed on the Plan the flag portion of the Lot, and they are planning to follow the Lot line that is already there; and since the driveway falls within that, they are asking for a Waiver for that.

Mr. Young stated it was discussed at the Planning Commission that they may not need the third Waiver because there are adequate trees along the frontage. He stated the Township's Ordinance calls for seven trees along that length of frontage; but because there are existing trees all along the frontage, they may not need that Waiver. He stated they are requesting it only if it turns out that they need it. Mr. Young stated the final Waiver is not to be required to submit twenty-five Plan sets, adding that they only submitted four.

Mr. Young stated they will comply with the comments in the review letters received including the Remington Vernick letter dated June 23, 2021. He stated they also have the letter from the Fire Chief indicating that he approved the Plan as is. Mr. Young stated they also have the July 6, 2021 letter from the traffic engineer, which indicates that they would be required to pay the Traffic Impact Fee; and the client will pay the amount called out in that letter. Mr. Young stated they have an "adequate letter" from the Bucks County Conservation District. He added that he will probably have to re-submit once the revisions are done to address the letters although nothing major is changing.

Mr. Young stated there are two review letters from the Sewer engineer, one dated August 16, 2021 and a subsequent letter dated November 2, 2021, which was a review on the Easement. Mr. Young stated there is no sewer in Oxford Valley Road in this area, so Mr. McGrath had to go to the residents to see who would give him access through their Lot for the sewer. Mr. Young stated Mr. McGrath was able to obtain the 20' wide easement from the third Lot in as recommended in Mr. Ebert's letter.

Mr. Young stated they will comply with all of the Conditions in the review letters they received, and there are no outstanding Zoning issues.

Dr. Weiss moved and Mr. McCartney seconded to approve the Minor Subdivision for 1181 Oxford Valley Road LLC subject to compliance with the following:

1. If required, obtain beyond Appeal all necessary and/or required Variances from the Zoning Ordinance or in the alternative revise the Plan so that it is fully compliant with the Zoning Ordinance;
2. In addition to the foregoing, comply with the requirements set forth in the letter dated June 23, 2021 prepared by the Township's engineer/consultant Remington Vernick Engineers and any supplements to same;



3. Comply with all requirements and determinations of the Township's Sewer engineer regarding the proposed sanitary sewer facilities including but not limited to all requirements and conditions as more fully set forth in their review letters dated August 16, 2021 and November 2, 2021 issued by Ebert Engineering, Inc.;
4. Comply with all requirements and determinations of the Township's traffic engineer including but not limited to all requirements and conditions as more fully set forth in their review letter dated July 6, 2021 issued by SAFE Highway Engineering, LLC;
5. Comply with all requirements and determinations of the Yardley-Makefield Fire Company including but not limited to all requirements and conditions as more fully set forth in their review letter dated July 9, 2021;
6. Comply with all requirements and determinations of the Lower Makefield Township Planning Commission including but not limited to all requirements and conditions as more fully set forth in the review memo dated August 19, 2021;
7. Comply with all requirements and determinations of the Bucks County Planning Commission including but not limited to all requirements and conditions as more fully set forth in their review letter and memo dated July 14, 2021;
8. Compliance with all Bucks County Conservation District review letter requirements in their letter;
9. If applicable, obtain any and all necessary approvals from any and all other applicable Government entities having jurisdiction over this project including but not limited to the Pennsylvania Department of Environmental Protection and, if applicable, the Lower Makefield Township Environmental Advisory Council;

10. Pay all required Fees as applicable as set forth in the applicable Ordinances unless otherwise noted and as determined by the Township prior to the Recording of the Final Plan;
11. In addition to the foregoing the Township Board of Supervisors grants Waivers from the following requirements of the Ordinance:
  - a. A Waiver from the applicable Ordinance regarding the submission of Plans; and instead of the required twenty-five, it would be four full-sized Plans and five half-scale Plans;
  - b. A Waiver from the Section of the Ordinance to permit a shared driveway for 95’;
  - c. A Waiver from a Section of the Ordinance to permit a side Lot Line that is not perpendicular to the street line, and the proposed side Lot Line is parallel to the existing boundary line which is not perpendicular to the street line;
  - d. A Waiver from Section 178-81.B1c to not provide additional street trees along the street frontage; while seven trees would be required, there are ten trees that will remain along the street frontage

It is the responsibility of the Applicant and his representative to incorporate the items into the Final Record Plan which will be executed and Recorded after it has been reviewed by the Township engineer and all other appropriate professionals.

Mr. Young and Mr. McGrath agreed to the Conditions outlined.

Mr. McCartney asked about the Waiver regarding the street trees. Mr. Truelove stated it may not be necessary to have the Waiver if they maintain the ten trees along the frontage. He added it would depend on what happens in the field as they move forward. Mr. Young stated there is to be no grading in the area other than the water service line going out to Oxford Valley Road. Mr. Truelove stated it highly unlikely that the Waiver will be applicable given that they already exceed

the number of street trees required. Mr. Truelove stated that this is just a fall back position in the event that something unusual occurs in the future. Mr. McCartney stated he would prefer that the Applicant withdraw that Waiver request, and Ms. Blundi stated she would prefer that as well.

The Applicant agreed to withdraw that Waiver request so only three Waivers would be granted.

Ms. Blundi stated that the EAC had no comment with regard to this Plan.

Mr. Grenier stated the Bucks County Planning Commission letter indicated that they were going to preserve about 1.3 acres of woodlands on site. Mr. Young stated there are many trees throughout the site, and all of the construction will be in the front of the site. He stated they are going to do a tree inventory adding that there are a number of dead trees with ash borer disease. He stated they will document which trees are dead; and if replacement trees are required under the Ordinance, they will put in replacement trees on the property.

Mr. Grenier stated there is an Ordinance specific to woodlands, and the Bucks County Planning Commission letter indicated that there would be woodlands mapped on the site that would not be disturbed in the future. Mr. Grenier stated he did not see the woodlands delineated on the Plans. Mr. Young stated the woodlands are not greater than a quarter of an acre, and they are mainly isolated trees which do not constitute a woodlands under the Ordinance either due to the fact that there is space in between them or they do not meet the quarter acre area overall.

Mr. Grenier stated it seems that there is a Condition in the Bucks County Planning Commission letter dated July 14, 2021 that has them calling out the requirement to locate the woodlands on site and call them out as not being able to be developed in the future. Mr. Grenier stated it seems that might be inconsistent with how the developer has evaluated the site. Mr. Truelove stated he would determine it as being that if that part of the SALDO is applicable, the Applicant would have to comply with that; but it appears that may not be applicable. Mr. Young stated there are breaks in the canopy. He stated he does not believe that Bucks County goes out to every site.

Mr. Grenier asked about stormwater management, and Mr. Young stated there are two areas – one on the low side of the house toward the front and one in the back where everything drains to. He stated the systems were designed to infiltrate into the soil. Soil testing was performed, and adequate infiltration rates were obtained. Mr. Young stated they are basically dry wells, and all of the downspouts will be hooked up. He added if there is any overland flow, it will flow in a swale to the few yard drains that they put in. Mr. Pockl stated in their review letter, they asked for a calculation to make sure that both systems drain between twenty-four and seventy-two hours as required. He added if it is a little longer, there is adequate room on the property to expand the footprint and make the basin a little more shallow so that they could achieve the drain rate.

Mr. Grenier asked if there is a sidewalk issue, and Mr. Young stated there is an existing sidewalk along the front of the property. Mr. Young stated that nothing will change along the front of the property as the existing driveway will be shared. He stated there was one dead tree that was blocking sight distance which was removed. Mr. Truelove stated there is an existing sidewalk in front of this property.

Mr. Lewis asked what will be on the property once built. Mr. Young stated this is a Minor Subdivision, and the front Lot is the building Lot where the proposed house will go with a little over an acre on that Lot. Mr. Young stated the remaining 3.4 acres will contain the existing farmhouse, the barn, and the other smaller house. Mr. Lewis asked if anything will change with the existing Lot, and Mr. Young stated Mr. McGrath owns that; and that will remain. He added nothing will be done on Lot 1 except that they will connect to public sewer.

Motion carried unanimously.

#### PUBLIC COMMENT

Mr. Lee Pedowicz, 247 Truman Way, stated he was awakened at 5:00 a.m. by a pick-up truck backing up to the loading dock at Heartis, and he asked what he should do if that happens again. Mr. Ferguson stated if this becomes a recurrent issue, the Code Enforcement Officer or Planning Director would be asked to be at the site at the times when this is happening. Mr. Ferguson asked that Mr. Pedowicz send Mr. Majewski an e-mail of the date and time when this occurs, and the Township will put Heartis on notice that complaints

have been received, and they will be reminded of what their obligations are under the Code. He stated having a picture of this occurring would help. Mr. Lewis suggested Mr. Pedowicz install a type of camera that would have a motion sensor which would upload the video to the cloud. He stated that would provide video proof with a time stamp and on the cloud. Mr. Pedowicz stated he would have to go through the Homeowners Association, and he feels they would question that.

Mr. Pedowicz asked if the Board will be discussing whether or not there will be a PECO presentation before the Board of Supervisors. Mr. Grenier stated he was going to ask for an update on this during his Supervisors' Report. Ms. Blundi stated we are working with the Township Manager and PECO to understand what would need to be discussed. She stated Dr. Weiss provide her with a letter he prepared for the Board to consider sending in response to some issues that Yardley Hunt has been having. She stated she will circulate that letter to the Board.

Mr. Ferguson stated the Chair of the Electric Reliability Committee put a letter together to be forward to Mr. Dorand regarding the concerns about outages in October; and after speaking to Mr. Dorand, there should be an answer back from PECO tomorrow, and he will forward that to the Committee and the Supervisor Liaison. Mr. Pedowicz asked if that will be brought up at the next Board of Supervisors meeting in two weeks. He added he feels PECO should be present to explain what is happening with their system not only in Yardley Hunt, but elsewhere as well. He stated there was a momentary outage at his home last week, although that is not considered an outage. He stated if the Board of Supervisors had an understanding of what PECO is doing, it might be helpful.

## SUPERVISORS REPORTS

Mr. Lewis stated the Trenton Mercer Airport Review Board has asked for a potential Agenda item spot at a future meeting, and he asked if that has been reviewed. Ms. Blundi asked if there is an urgency to this since they are in the middle of considering the Budget. Mr. Lewis stated their sense of urgency is because they are actively petitioning Mercer County to do an Environmental Assessment, and they want to keep the community informed so that they know what is happening with the project. Mr. Lewis stated the concern about PFAS has increased recently with respect to the project. Ms. Blundi stated if they need the community to do something by

November 20, we will find time on the next Agenda; however, if they can move it to a time when the Budget is not being considered and still get them what they need, that would be her preference.

Mr. Grenier asked Mr. Lewis to see if there is an open Public Comment period that we need to respond to, since that could help direct the Board as to what they might need to think about.

Mr. Grenier stated when the Township gets the PECO response to the most recent letter, he would like that to be provided to the Committee and himself, and hopefully the Committee will be able to meet not that long after that letter is received so that they can review it and provide guidance to the Board so that the Board of Supervisors can take it up at a future meeting if needed.

Mr. Grenier stated the Historic Commission is in need of members, and anyone interested should submit a letter of interest to Mr. Ferguson.

Ms. Blundi stated there are a number of Board vacancies which are listed on the Township Website.

There being no further business, the meeting was adjourned at 10:37 p.m.

Respectfully Submitted,

John B. Lewis, Secretary