

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – OCTOBER 6, 2021

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on October 6, 2021. Ms. Blundi called the meeting to order at 7:35 p.m. and called the Roll. 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.

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

COVID 19 UPDATE

Mr. Grenier asked about precautions to be taken at an upcoming program for children at the Community Center which would involve sharing and weighing food as he is uneasy about the program as described given that it involves those ages seven to eleven which is an unvaccinated age group. Mr. Ferguson stated while there were to be protocols which would require that the instructors and children participating in that program would have had to be masked, that program was canceled due to lack of a sufficient enrollment to hold the class.

COMMUNITY ANNOUNCEMENTS

Mr. Ferguson stated during this portion of the Agenda residents and Youth Organizations may call in to make a special announcement or they can contact the Township to request that 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 a Fire Prevention Open House will be held at the Yardley Makefield Fire Company on Friday, October 8, 2021 from 5:00 p.m. to 9:00 p.m.

Mr. Ferguson stated a confidential and private document shredding event will be held on Saturday, October 16, 2021 from 10:00 a.m. to Noon at Holy Family University's Newtown Campus, 1 Campus Drive, Newtown PA 18940. To ensure that they can help as many people as possible, residents are asked to bring no more than two boxes or bags per vehicle. This is a contactless event, and all materials need to be in the trunk, bed, or hatchback of the vehicle.

Mr. Ferguson stated the Lower Makefield Township EAC is seeking volunteers for the 2021 Tree Planting Project. This year we will be planting approximately 350 trees at Patterson Farm on October 23. Sign-up information is on the Township Website.

Mr. Ferguson stated November 6, 2021 is the Veterans Day Parade on Edgewood Road, and interested sponsors and participants should contact kathyh@lmt.org.

Mr. Ferguson stated the Manager's recommended Budget will be presented to the Board at its first meeting in November, Wednesday, November 3.

Ms. Blundi stated this is usually the time of year that St. Ignatius has their coat drive, and she understands that it may be held this Saturday.

Mr. Grenier stated in order to find out about the tree planting event, you can go to the Township Website under volunteer opportunities, and you can sign up on Sign-Up Genius.

Mr. Ferguson stated there has been an update to the Agenda under the Engineer's Report. He stated the Sunshine Act has certain requirements including that any changes to the Agenda must be posted at least 24 hours in advance of the meeting, and that was done yesterday. He stated this item was added as a result of the hurricane that took place that effected Edgewood Road, and Mr. Pockl will discuss this during his Report.

APPROVAL OF MINUTES

Mr. McCartney moved, Dr. Weiss seconded and it was unanimously carried to approve the Minutes of September 14, 2021 as written.

ENGINEER'S REPORT

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

Approval of Change Order #2 for the Edgewood Road Safety Improvements Project as a Credit to the Township in the Amount of \$5,267.14

Mr. Pockl stated this combines a number of items associated with the project including the asphalt price adjustment that the contractor is entitled to as a result of the asphalt price being significantly higher when they completed the work versus when they Bid on the project. He stated roadway symbols were also added to the project that were not in the initial Bid including a left-turn only symbol on the roadway approaching the driveway entrance at the Township building and also the right-turn only symbol on Sandy Run Road approaching Edgewood Road. He stated there was also an adjustment of the quantities because they installed less quantities of the Bid items in the field, and that amount was deducted so there is a credit; and when all the items are added together, there is a credit due to the Township in the amount of \$5,267.14.

Mr. Grenier moved, Mr. McCartney seconded and it was unanimously carried to approve Change Order #2 for the Edgewood Road Safety Improvements Project as a credit to the Township in the amount of \$5,267.14.

Approval of Change Order #3 for the Edgewood Road Safety Improvements Project in the amount of \$16,141.60

Mr. Pockl stated this Change Order is necessary to repair a portion of Edgewood Road that was damaged as a result of flood waters from Brock Creek overtopping the roadway at the bridge. The contractor will need to mill out a section of the roadway of about 120 linear feet along the full width of the roadway, complete some base repairs underneath the wearing course section, replace the wearing course section, and line stripe the area that was removed. Mr. Pockl stated the

items will be paid at the line item pricing within the Contract, and the contractor does have some mobilization and maintenance and protection of traffic that he has added to the Change Order. Mr. Pockl stated he believes those values to be a reasonable amount for what it will cost the contractor to re-mobilize to the site and also to protect and maintain traffic while the work is being completed.

Mr. Pockl stated the initial Contract value was \$562,042.55, and the current Contract value not including this Change Order is \$559,925.31 so it is approximately \$2,100 under the Contract Value; however, with this Change Order, that will push it over the Contract limits. Mr. Pockl stated he feels the price is fair and is recommending the approval of the Change Order.

Mr. Lewis moved and Dr. Weiss seconded to approve Change Order #3 for the Edgewood Road Safety Project Improvements Project in the amount of \$16,141.60.

Mr. Grenier asked if this was a result of the flooding from the hurricane, and Mr. Pockl agreed. Mr. Grenier stated the area near the bridge is in the flood-plain. He asked if the design and construction were sufficient, if the “fix is sufficient,” and how soon it might need to be done again given the amount of flooding we have had lately. Mr. Pockl stated they took core samples of where the roadway failed and where the water had come up through the surface, and the core samples showed about 2 ½” to 3” of asphalt on top of a stone base whereas other sections of the roadway within the area had a significantly thicker section of asphalt. It is their intention to put in a thicker section of asphalt in the area where the road failed. He stated the water that got under the roadway found the weakest point where it was the thinnest cross section of asphalt and punctured through the surface. He added by eliminating that, they believe that this will not occur again.

Mr. Grenier asked if that was in the limits of the Edgewood Road project. Mr. Pockl stated it was within the limits; however, they were only required to mill 1 ½” of asphalt, and then replace 1 ½” of asphalt so there was about 1” of asphalt underneath that. Mr. Grenier stated the requirement in the Contract was depth from a certain point, and it did not have to be a certain thickness; and Mr. Pockl agreed.

Motion carried unanimously.

Approval of Pay Application #1 for the Edgewood Road Safety Improvements Project in the Amount of \$548,726.90

Mr. Pockl stated this does not include the Change Order that was just approved; however, it does include Change Order #2. He stated this would be for the completion of the work up to Change Order #2 less 2% retainage on the Contract. He stated the amount remaining in the Contract before Change Order #3 was awarded was \$11,198.51, and that is what is being held currently.

Dr. Weiss moved, Mr. McCartney seconded and it was unanimously carried to approve Pay Application #1 for the Edgewood Road Safety Improvements Project in the amount of \$548,726.90.

Approval of Escrow Release #4 for the Regency South-Phase 1 Improvements in the Amount of \$43,841

Mr. Pockl stated this includes sidewalk and sanitary sewer work that was completed. After this Release there is a total of approximately \$127,000 still remaining in the Phase 1 Escrow.

Dr. Weiss moved and Mr. McCartney seconded to approve Escrow Release #4 for the Regency South-Phase 1 improvements in the amount of \$43,841.00.

Mr. Lee Pedowicz, 247 Truman Way, asked if the sewer improvements are for the sanitary sewer or storm/drainage sewers. He stated after a rainfall there are still drainage issues in Regency South. Mr. Pockl stated these are the sanitary sewers.

Motion carried unanimously.

Approval of Escrow Release #4 for the Regency South-Phase 3 Improvements in the Amount of \$4,500

Mr. Pockl stated this is for sidewalk improvements which were made within the limits of this Phase, and that work has been completed.

Dr. Weiss moved, Mr. McCartney seconded and it was unanimously carried to approve Escrow Release #4 for the Regency South-Phase 3 Improvements in the amount of \$4,500.00.

Approval of Escrow Release #5 for the Regency South-Phases 4 & 5 Improvements in the Amount of \$2,700

Mr. Pockl stated this work includes lawn stabilization in certain areas that were disturbed, and this work has been completed. After this Release, there will be \$273,000 still in Escrow.

Dr. Weiss moved, Mr. Lewis seconded and it was unanimously carried to approve Escrow Release #5 for the Regency South-Phases 4 and 5 improvements in the amount of \$2,700.00.

Approval of Escrow Release #6 for the Regency North-Phase 1 Improvement in the Amount of \$44,667.25

Mr. Pockl stated this is for asphalt paving work which was recently completed. He stated there is still over \$76,000 left in Escrow for outstanding improvements that need to be made.

Dr. Weiss moved and Mr. Lewis seconded to approve Escrow Release #6 for the Regency North-Phase 1 improvement in the amount of \$44,667.25.00.

Mr. Lee Pedowicz, 247 Truman Way, stated he feels the asphalt paving job was done very poorly.

Mr. Pockl stated his office is out there observing the installation of the asphalt measuring the temperature to make sure that the temperature of the asphalt coming off the truck is in accordance with the PennDOT standards. He stated they also monitor the compaction of the asphalt that is placed making sure it is done in accordance with PennDOT standards. He stated they also monitor the slope at which the asphalt is placed. He stated they also do routine drives through the neighborhood after the asphalt is placed to observe any ponding issues that need to be remediated; and while that has not been completed yet, that will be a punch list item if they find that there is any ponding within the asphalt areas.

Mr. Lewis asked Mr. Pedowicz if he had a specific concern with respect to the quality of the asphalt. Mr. Pedowicz stated while he cannot comment on the quality of the asphalt, he could tell that there were compaction issues; and he discussed this with someone he knows who is familiar with paving.

Mr. Pedowicz stated it seemed like on one stretch of the road they ran out

of asphalt and had to get a dump truck and continue the paving and that has to be sealed with hot asphalt. He stated looking at the compaction, there are a lot of ridges where whoever was operating the roller was rushing. He stated in some sections, you can see the grains in the asphalt and next to it you can see whatever is making up the asphalt; and he was told that was because they did not use a heavy enough machine to compact the asphalt. Mr. Pedowicz stated while this will probably not present a problem, he feels the job was done poorly.

Ms. Blundi asked Mr. Pockl to look at the issues raised by Mr. Pedowicz when he is at the property; and if there are issues, see what can be done to rectify it. Mr. Pockl stated they did monitor the type of roller that was used as well as the type of compaction that was done, and the number of passes over each area. He added that they were not there the entire time they were placing asphalt since they were also monitoring other jobs throughout the Township; however, they observed nothing out of the ordinary or anything that deviated from PennDOT standards.

Mr. Grenier asked Mr. Pockl if he maintains inspection reports, and Mr. Pockl stated he does.

Mr. Pedowicz noted specifically the north entrance where there is a U-turn section, and there are cracks there, and he does not feel that area was done very well.

Motion carried unanimously.

Approval of Escrow Release #6 for the Regency North-Phase 3 Improvements in the Amount of \$84,270.50

Mr. Pockl stated this is also for asphalt paving work. In this Phase there is over \$322,000 in Escrow still remaining.

Dr. Weiss moved, Mr. McCartney seconded and it was unanimously carried to approve Escrow Release #6 for the Regency North-Phase 3 improvements in the amount of \$84,270.50.

Approval of Escrow Release #5 for the Regency North-Phase 4 Improvements in the Amount of \$105,153

Mr. Pockl stated this is also for asphalt paving work, and after this Release there is still over \$160,000 in Escrow to address any outstanding items.

Dr. Weiss moved and Mr. Lewis seconded to approve Escrow Release #5 for the Regency North-Phase 4 improvements in the amount of \$105,153.00.

Mr. Grenier asked Mr. Pockl if he finds that Mr. Pedowicz' concerns are valid and work needs to be done does he feel there is enough money to cover that; and Mr. Pockl stated there is enough money to cover that and outstanding landscape items that have already been identified as being on the punch list as well.

Mr. Grenier asked if any of the Escrow amounts cover any landscaping on the north side between Regency and Caddis; and Mr. Pockl stated they do, and the amount of Escrow would cover any plantings needed throughout the development on the Regency side.

Mr. Pedowicz, 247 Truman Way, asked who would be responsible for putting speed bumps on the long stretches in Regency such as on Renaissance Boulevard. He stated cars are speeding. Dr. Weiss stated that would be the responsibility of the HOA or they could approach Toll Bros. since those roads will not be Dedicated to the Township. Mr. Pedowicz asked for an explanation of "Dedicated," and Mr. Ferguson stated the HOA will retain possession of those roads and be responsible for them, and they will not be publicly-Dedicated roads that the Township would salt, plow, or pave. Any questions about maintaining those roads or traffic-calming would be within the jurisdiction of either Toll and/or the HOA.

Motion carried unanimously.

PROJECT UPDATES

Mr. Grenier asked for an update on the Memorial Park project; and Mr. Pockl stated the trail is approximately 90% paved, and there is still a section by the entrance to the parking lot that was not paved, and that should be done tomorrow. Mr. Pockl stated there is also a section of the tennis courts that was paved where there was ponding, and they will have to cut that out and replace it; and that will be done tomorrow as well. Mr. Pockl stated they are continuing to put up fencing around the tennis courts, and the court surface

will go down in a couple of weeks. They have to wait fourteen to thirty days to put down the court surface after final paving so that there is enough weathering on the asphalt so that the surface can properly stick to it. Benches and netting need to be put in after that. Mr. Pockl stated their goal is to finish around the middle of November.

Mr. Grenier asked for an update on the Sandy Run Road project. Mr. Ferguson stated Remington & Vernick provided today a lighting plan for the Schuyler round-about. They had cut the trees back on the corner of Schuyler and Edgewood to improve sight lines; and since there is a house on that corner, they want to be sensitive and make sure the light fixture does not cause an impact on that house. Mr. Ferguson stated they are also looking at updating the fixture on the Mill Road round-about. He stated they are still discussing putting break-away arrows in the center of the islands to give people some directional understanding of the round-about. These would not be mounted into the stamped asphalt. Mr. Ferguson stated Mr. Fiocco has provided what he feels would be an appropriate arrow sign to go in that location.

Mr. Ferguson stated they will also be videoing to observe tendencies of traffic and counting cars before they take any potential next steps. While no measurements have been taken, the observations of staff is that the round-about particularly at Mill Road going past the Township Building toward the Library has slowed traffic down. Mr. Ferguson stated additional signs have been put at the Schuyler round-about, and they have painted double lines. He stated he and the staff feel that traffic generally is flowing at a slower pace than it was prior to the installation of the roundabouts and the additional improvements. He stated they will continue to monitor this; and when they get updates, they will supply them to the Board along with any recommendations from Chief Coluzzi and Mr. Fiocco about any additional measures that may be needed to help calm traffic.

Mr. Lewis thanked Chief Coluzzi for sending Officers out to Cambridge Court. He stated he understands that there were 1,000 cars a day that used the road once it was opened so that is 1,000 people that were saving two to three minutes with that road opening. Mr. Lewis stated he understands that School buses have been tracked, and they are in good shape. Chief Coluzzi agreed adding that they put some speed markings on the streets along Sandy Run Road with additional signage indicating "School Bus Ahead." He stated the Officers visited the parents at that location, and they seemed happy with the changes. He stated they are still monitoring it, and will make changes as needed.

Mr. Grenier stated the Bridge Commission is doing re-paving on Taylorsville and Maplevale. He stated he understands that there has been discussion between the residents of Maplevale and the Township about some issues including drainage issues in this older neighborhood. Mr. Ferguson stated they did visit the site and met with some of the neighbors. Staff and Remington Vernick has been asked to look at the water issues in the area including the inlets in the road and the possibility of capturing water before it goes down into the streets. Mr. Ferguson stated the Bridge Commission did pave approximately 300', and they will examine the roads further when the Three-Year Paving Plan is discussed.

MANAGER'S REPORT

Approve Award of Leaf Collection Contractors

Mr. Ferguson stated the Board received the report from the Public Works Director as a result of the Bids that were put out for the Leaf Program. They are asking the Board to award to all three contractors who have done the Leaf Program in the past – Corcoran Landscaping at \$175 an hour, Ken's Lawn Service at \$170 an hour, and Marrazzo's Manor Lane at \$175 an hour. Mr. Ferguson stated the leaf collection schedule will be out next week, and leaf collection typically starts around November 1.

Dr. Weiss moved, Mr. Lewis seconded and it was unanimously carried to award the Leaf Collection Contractors as outlined by Mr. Ferguson.

Approve Award of Snow Removal Contractors

Mr. Ferguson stated every year we put out a request for contractors to assist with snow removal, and we put out the various rates the Township is willing to provide for the service and certain types of trucks with rates that the Township dictates. Mr. Ferguson stated five companies have met those requirements, and he is looking for approval to award to Corcoran Landscaping, Effluent Retrieval, Green Grass Landscaping Services, Marrazzo's Manor Lane, and Scott's All Season Inc. for the 2021/2022 season.

Mr. McCartney moved, Mr. Lewis seconded and it was unanimously carried to award the Snow Removal Contractors as outlined by Mr. Ferguson.

Mr. Ferguson stated they recently put on Facebook that the new backhoe was delivered, and he reviewed the other pieces of equipment which have recently been purchased. He stated purchase of this new equipment has resulted in dramatic improvements in efficiency. The staff is grateful for the approval of all of these pieces of equipment that have improved service to the Township.

SOLICITOR'S REPORT

Mr. Truelove stated that the Board met in Executive Session beginning at 6:30 p.m. and information items, litigation items, and personnel items were discussed.

ZONING HEARING BOARD MATTERS

With regard to Appeal #21-1934 Donald & Diane Darling for the property located at 2 Patrick Lane, Morrisville, PA 19067, Tax Parcel #20-041-062 Variance request from the Township Zoning Ordinance #200-23B in order to install an in-ground pool and walkway to increase the impervious surface from the existing 26.9% to 31.4% where 26% is the allowable amount, it was agreed to leave the matter to the Zoning Hearing Board.

PUBLIC COMMENT

Mr. Lee Pedowicz, 247 Truman Way, asked if there will be pickleball courts at Memorial Park, and Ms. Blundi stated there will be pickleball courts and tennis courts.

Mr. Pedowicz stated at Regency North he found out a year ago that they are going to be putting three houses in the parking lot outside the sales center between the club house and the sales office. He stated he feels they are shoehorning three houses into this area. When he brought it up with Toll Bros., they indicated that it was on the Plan approved by the Township. Mr. Pedowicz stated there are almost four hundred homes being served by one clubhouse, and he asked what would happen when there are parking problems. He stated Toll Bros. advised that might happen one or two times a year. Mr. Pedowicz stated he does not feel anyone should have to park on the streets at all given how the streets are designed which might cause a problem for emergency vehicles to get through. Mr. Pedowicz stated he does not see how they are

going to fit three houses in that location. He stated when he brought up his concern that a fire truck could not get through the entranceway at the north side, a fire truck came out, and it was found that the fire truck could not get through there. He stated while things may be put on paper, that does not mean that it works in the field.

SUPERVISORS' REPORTS

Ms. Blundi stated that the EAC is very active and they had a very successful recycling event recently. She stated the upcoming tree planting project will be the third tree planting that the EAC has done since she has been on the Board. She stated this planting will help shore up the creek bed at Patterson Farm. She stated the EAC has also completed an assessment of the number of trash cans and recycling cans that we have in our public parks, and they are partnering with the Parks & Rec Department to improve that as well.

Dr. Weiss stated the Ad Hoc Property Committee held a working session on Monday night, and they are hard at work developing a priority list of properties and how to deal with them including potential uses. Dr. Weiss stated the Electronic Media Advisory Council met, and they are in the process of gathering data and looking at the Township Website; and they will be providing recommendations in the near future on how to improve the Website.

Mr. Lewis stated there are two vacancies on the Citizens Traffic Commission, and he urged those interested to apply by submitting a letter of interest and resume to the Township.

Mr. Grenier noted there are also vacancies on the Historical Commission. Mr. Grenier stated the Electric Reliability Committee had a very good meeting with a PECO representative, and would like to encourage the Board of Supervisors to invite a PECO representative to attend a Board of Supervisors meeting to go over current and future PECO projects.

Ms. Blundi noted that there are vacancies on a number of Township Boards and Commissions, and the list of those vacancies can be seen on the Township Website and TV Channel.

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There being no further business, the meeting was adjourned at 8:40 p.m.

Respectfully Submitted,

John B. Lewis, Secretary