

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

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held remotely on February 3, 2021. Ms. Blundi called the meeting to order at 7:30 p.m. and called the Roll.

Those present:

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

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

COMMUNITY ANNOUNCEMENTS

Mr. Lewis announced that Lower Makefield resident, Sarah Hogan, is one of the first female Eagle Scouts in the Nation; and he believes she is the only one in Bucks County. He stated her service project was building potting benches from repurposed materials at Tyler State Park. He stated the Supervisors are looking forward to attending her Ceremony when that is scheduled. He congratulated Ms. Hogan on her achievement.

Ms. Tierney stated that information on Park & Recreation digital opportunities can be found on the Township Website.

Ms. Tierney stated Pool Registration is open, and they are doing well. She stated the Community Pool information meeting will be held on February 10, 2021 by Zoom, and they will review potential COVID protocols. Residents will have an opportunity to ask questions during the Public Comment section of that meeting.

Ms. Tierney stated there are positions open in the Park & Recreation Department, and information can be found on the Township Website. She stated there is also a job opportunity in the Planning & Zoning Department.

Mr. Ferguson stated at the last meeting a caller had asked about the Warrant Lists being made available before the meeting to be viewed. Mr. Ferguson stated at that time he had felt that they were put on the Website as part of the Agenda, but since then he has found out that has not been done. He stated starting with the next meeting, the List will be attached to the Agenda and placed on-line. He stated once the Minutes are approved, that same Warrant List will be attached to the back of the Minutes.

APPROVAL OF MINUTES

Mr. McCartney moved, Dr. Weiss seconded and it was unanimously carried to approve the January 20, 2021 Minutes as written.

GOLF SPENDING AND NEW OPPORTUNITIES DISCUSSION

Mr. Mike Attara was present. Mr. Ferguson stated he and Mr. Attara have been having discussions regarding some ideas Mr. Attara had that he had taken to the Golf Committee for discussion before coming to the Board of Supervisors. Mr. Ferguson stated in his Report to the Board of Supervisors he included information on what Mr. Attara will outline this evening as well as Mr. Attara's report.

Mr. Attara stated slides will be shown from the information that had been included in the Board's packet. He reviewed the Mission Statement which is to re-define public golf and setting standards which they have tried to do for the past ten years. He stated it is important to keep the Golf Course in great condition, and with the support of the Board it has been going well with Capital improvements over the years.

Mr. Attara stated the Course has great design, the bunkering is spectacular, and the vistas are amazing. He stated it is a beautiful golf course to play. He stated yardage also plays into this, and they can provide a lot of options for every skill level. He stated they were made Club of the Year in Pennsylvania in 2016. He stated they are rated #9 in Pennsylvania public golf courses. He stated their driving range has been very well received over the years, and it has been recognized Nationally every year since 2013. Mr. Attara stated the Course has been a two-time host for U.S. Open qualifiers.

He stated their Junior Golf program is also important. He stated they were awarded Best of Bucks eight years in a row. He stated the Course also has the opportunity to support the community with fundraisers. Mr. Attara reviewed outreach done during the year. Mr. Attara stated the Golf Course is an Audubon Certified Golf Course which took many years to achieve. He stated resident-pricing is very important to offer to the community as well as providing health and recreation opportunities to as many groups as possible. He stated they also offer employment opportunities.

Discussion and Approval of Golf Capital Expenditure Adjustment and Technology Upgrades

Mr. Attara stated they have been putting together a long-term Capital Equipment Replacement Plan over the years. He stated the last few years they have done whatever they could to save money. He stated last year they did some updates to the fairway units which had been on the schedule but had been held off on. He stated the improvements they made to those were less than buying new ones, and that “bought a couple more years” He stated money has been spent for the last few years to continue the bunker renovation which he feels is very important. He stated this has been done for about \$30,000 to \$35,000 a year. They have \$60,000 in the Budget this year, and they felt it would be better to re-allocate the funds for the green mowers. He stated they wanted to make sure that they did not run the risk of breakdowns and not being able to mow the greens.

Mr. Attara stated with regard to technology upgrades, he would like to discuss Top Tracer and Fairway IQ. He stated they had been discussing Top Tracer, and initially the numbers were high; and they worked through them with the vendor and through a partnership with Golf Now there is an opportunity to trade off some of those dollars if they choose.

Mr. Attara stated they have made some changes operationally, and they have reduced labor by approximately \$50,000; and they felt it would be smart to use that money in a way that could generate new dollars and create some excitement at the Golf Course and on the range.

Mr. Attara stated it is approximately a \$32,000 cost to implement, and they could see a \$55,000 increase from Fees that would be charged for the new technology. He stated case studies show that they could be looking at 30% which would be approximately \$100,000; but he wanted to err on the side of caution.

Mr. Attara stated the Top Tracer technology is similar to Top Golf facilities which are driving ranges that are driven by a video game type concept where on the monitor you can play a host of different games. A slide was shown of some of the games including virtual golf, warm-up practice sessions, closest to the pin, and games for children. He stated this is very popular with millennials, adults like the practice, and the instructors can use it with their students in club fitting; and it has a lot of value across the board. He stated they are seeing a lot of growth in the millennial-age sector, and this could create the opportunity to attract even more.

Mr. Attara stated there are three covered stalls, and this unit can be placed under the stalls, and you could rent the space and play different golf courses and our own golf course from the driving range.

Mr. Attara stated there is a mobile App piece that they would use for the rest of the driving range. He stated they would use the stationery piece on a screen under the cover and then use a mobile piece for the rest of the stalls. He stated there are a number of games on this, but it is also good for practice sessions for those who want to know their distances, their clubs, and the ball flight.

Mr. Attara stated Top Tracer provides an opportunity to enhance the driving range and to generate new Revenues.

Mr. Attara stated the other item is Fairway IQ, and he has been discussing this product with the owner of Fairway IQ for some time. Some additions have just been made, and he noted particularly the communication piece and the option to allow for control of the golf carts and where people are. He stated it is basically a GPS unit that is placed on the golf cart, and it helps with pace of play and control. He stated knowing where the golf carts are helps manage pace of play so that if there is a bottleneck they can catch it early and the rest of the Golf Course will not get backed up. He stated being able to make adjustments quickly allows the Golf Course to run smoothly throughout the day.

Mr. Attara stated this is done now with Marshalls which involves a lot of labor versus technology which would be helpful. He stated when the golf staff has to get engaged with the golfers, they tend to pay more attention than they do to the Marshalls.

Mr. Attara stated this will also help them control the golf carts so that when it is wet out, they can make sure that the carts are kept on the cart path; and they can communicate with the golfers if they go off the cart path as there is two-way communication.

Mr. Attara noted USGA information which discusses the importance of flow so that there is not a lot of waiting. He stated USGA also talks about the short formats; and three and six holes is something they have been doing at Make-field Highlands for many years.

Slides were shown of some of the screens that they can see with this equipment that gives exact locations of the golf carts and the pace of play so that they can communicate with the golfers if there is an issue with slow pace.

Mr. Attara stated with regard to the cost of Fairway IQ, the first year is a little more expensive as you are paying for the install of the hardware. He stated the first year it is \$7,500, and then it will be \$3,250 annually after that. He stated they would see a return on investment through a \$10,000 annual reduction in labor costs for marshalling. He stated this equipment will make them more efficient and use the golf professionals for communicating with the golfer which will create a better experience.

Mr. Attara stated this is about re-allocation of the Budgeted funds and trying to stay on top of the market and have better tools to do that as well as finding new ways to generate income.

Mr. Ferguson stated if the Board was inclined to approve the mowers, there are a network of banks that we have sent specs out to over the last few years to get a competitive rate on financing. He stated he included in his Report that there could be three quarterly payments this year which would be anticipated to be \$22,000 to \$23,000. He stated if it were to come in higher, they would adjust accordingly. He stated he would anticipate bringing back a proposal to the Board to approve the financing at one of the meetings in March.

He stated the number he had provided in his Report was 3 ½%; and while rates are currently lower than that, he was trying to provide the Board with a conservative number.

Ms. Blundi asked if the Motion would be approval of Golf Capital Expenditure adjustments to allow for the lease of two new green mowers. Mr. Ferguson agreed that could be the Motion. He stated the goal of bringing it to the Board was to show that the numbers level out the same, and it is on the Record that the re-allocation was approved.

Mr. Ferguson stated the other items Mr. Attara discussed are essentially an offset from Personnel savings.

Mr. Truelove stated it may not be necessary to have a Motion on this as they are not increasing any expenditure, although they could make a Motion that they are re-allocating money that was a Budget item. He stated a Motion would make a record that they are approving the re-allocation of monies as described.

Dr. Weiss moved and Mr. McCartney seconded to approve to re-allocate the funds to lease the two green mowers.

Mr. Lewis asked if the Motion would need to include the Account numbers if they are moving anything between Accounts. Mr. Ferguson stated it is all within the Golf Fund. He stated there is an aggregate Expenditure Fund for Golf, and it is all within that Fund so it is the Account in the same Budget line item.

Motion carried unanimously.

Mr. Ferguson stated that with regard to the Technology upgrades, even if they generated no Revenue from this, which they do not believe will be the case, there will actually be a marginal reduction from the staff savings that they have based on the presentation that Mr. Attara made.

Mr. McCartney moved and Dr. Weiss second to re-allocate funds for the Golf Technology upgrades.

Mr. Lewis asked Mr. Attara if he has used either of these technologies at Hopewell Valley, Five Ponds, or any of the other courses. Mr. Attara stated he has not used these particular technologies. He stated he has used other companies but they were more full-screen GPS units, and that was a much

more expensive venture going in. Mr. Lewis asked if they paid out, and Mr. Attara stated they did not. He stated the part that they did like with the GPS is what this system has which is the management system and knowing where the carts are so that they can communicate with the players and use the pace of play part.

Mr. Lewis asked about the Top Tracer technology, and he asked if any ball works with this; and Mr. Attara stated it works with any range ball. He stated there are cameras installed on the unit they have at the range, and they will put up some antennas to capture all of the data.

Ms. Blundi asked when this technology would be available if it were to be approved by the Board, and Mr. Attara stated he believes it would be May 1 at the latest.

Mr. Lewis stated he would like them to come back and review the return on investment on both of the Technology Expenditures so that by the end of the year, they know what the payout and return on investment is for this. He asked to have added to the Motion to instruct the Township Manager to come back to the Board in six to eight months to provide a sense of whether this hit the ROI targets, exceeded it, or did not.

Mr. Grenier joined the meeting at this time.

Ms. Blundi asked if that would mean that when they discuss the Budget for next year that they include a discussion about the ROI on these two initiatives. Mr. Lewis stated he would want it to be separate from that. He stated if it is being installed in April, they would have a good sense by October whether it is working or not; and they may even know three or four months in whether they are generating Revenue, and whether the pace of play has improved with the GPS system. He asked how quickly they feel they would know whether this is working or not in terms of value.

Mr. Ferguson stated they would come back, and he will also discuss with the Finance staff and Mr. Attara if they could have specific line items in the Budget where that Revenue is put specifically into those line items so that the Board can see that not only in a separate report but as part of the Budget process.

Mr. Lewis asked if this was reviewed by the Golf Committee and if they rendered an opinion, and Mr. Attara stated they discussed it with them at a few meetings.

Mr. Lewis asked Mr. Attara if he feels he will know in three months whether or not the Top Tracer and GPS elements are working or not; and Mr. Attara stated he believes they will have a good handle on it by the summer, and he would be happy to come back late summer and provide an update. Mr. Attara stated with regard to the GPS system and the pace of play, they will see savings in labor as well as improve conditions at the Course. Mr. Lewis stated there could be more people on the Course, and Mr. Attara agreed. Mr. Lewis stated they have been effective at maximizing “tee and cart Revenue” depending on the weather, but they may be able to even improve on that.

Ms. Blundi stated they will put them on the Agenda for July or August for an update.

Mr. Grenier asked where the funding is coming from. Ms. Blundi stated that had been addressed, and the funds are already in the Budget because of savings that have been achieved by the Golf Course; and it will be net neutral. Mr. Ferguson stated they have re-examined staffing needs, and they estimate approximately \$50,000 in staff savings which will fund the technology upgrades. He stated the hope is that there will be additional Revenue that was not budgeted for.

Mr. Grenier asked if they would have an additional \$50,000 savings if they just cut staff and did not proceed with the expenditure. Mr. Ferguson stated when they discussed the technology, they re-examined the staffing and discussed what could be done this year and still provide the same service. He stated Mr. Attara discussed changes in staffing; and if they did not proceed with this technology, there would still be \$50,000 in savings. Mr. Grenier stated his feeling is that if they were still going to save \$50,000, given the current situation, he would prefer to put the \$50,000 toward the Golf Course Debt that is being funded by the General Fund. He stated this would further reduce risk of how much money we are carrying to support the overall Golf Debt.

Mr. Grenier stated the DELCORA deal was recommended by the administrative law judges to not go through, and that was the same team of Aqua, PFM, and Obermayer so there is an increased risk if it is a “similar deal” and it increases Lower Makefield’s risk of having to address the upfront \$3 million.

Mr. Ferguson stated they have given the worst case scenarios, and before Mr. Grenier joined the meeting, they discussed the very conservative estimate provided by Mr. Attara as to what this would generate in Revenue. Mr. Ferguson stated most of the examples Mr. Attara had suggested were based on the percentage of the users that would use the technology and it

could generate back \$100,000 to the Township; but Mr. Attara was taking a much more conservative approach and only estimated taking in 30% to 40% of that. Mr. Ferguson stated the expectation is that the Revenue will be much better than he has indicated, but he was being conservative. He stated there are a limited number of Courses using this, so he feels it will be a significant Revenue generator.

Mr. Grenier stated if the most likely case is it will be a Revenue generator, that would change his mind; and they should be promoting Revenue generation wherever possible. Mr. Ferguson stated Mr. Attara gave the Board a very conservative number, and it should be a positive net gain. Mr. Attara stated in the case studies that Top Golf/Top Tracer was giving, it would be over \$100,000. Mr. Attara stated they are sensitive to the Debt Service, and were trying to be conservative in their numbers. He stated the Fairway IQ piece will have a potential \$50,000 savings.

Mr. Zachary Rubin, 1661 Covington Road, asked the cost of the Top Tracer, and Mr. Attara stated it is \$32,000. Mr. Rubin asked if that is for one unit; and Mr. Attara stated there are twenty stalls, and seventeen would be mobile and three under cover. Mr. Rubin asked how much it would cost a golfer for this. Mr. Attara stated there are number of ways to monetize it including in the cost of the bucket, a daily use fee for the mobile unit, or the rental space of the under-cover units. Mr. Rubin asked if it is per hour or per day; and Mr. Attara stated there is an option that would be a membership-style where they would charge an additional fee. He stated there are over 4,000 people who take advantage of the driving range cards; and if a certain percent of those take advantage, they will be able to reach a certain number. He stated there could be a membership add-on or a daily usage fee which could be a \$3 to \$5 increase per use to have the technology turned on. He stated there could also be parties and events where there could be foursomes who want to rent the undercover stalls and play Pebble Beach, and they would be charged an hourly rate.

Motion carried unanimously.

ENGINEER'S REPORT

Mr. Pockl stated the Board was provided his Report in their packet.

Approve Escrow Release #1 for the Yardley Preserve Development

Mr. Pockl stated this development is across the street from Caddis on the north side of Dobry Road. He stated work has begun, and they have requested an Escrow Release in the amount of \$95,087. He stated work consisted of demolition of the house that was on the property, installation of the construction entrance, installation of erosion and sediment control measures, and some clearing of trees that were to be removed. He stated he recommends approval of this Escrow Release.

Dr. Weiss moved and Mr. Lewis seconded to approve Escrow Release #1 for the Yardley Preserve Development in the amount of \$95,087.

Mr. Pockl noted that \$2,200,000 remains in Escrow.

Motion carried unanimously.

Road Paving Program for 2021

Mr. Pockl stated at the last meeting, the Board gave authorization to issue an Addendum for three Bid Alternates; and that was issued on January 29. He stated Bid Alternate #1 is Silo Road from Harvest Drive to Cultipacker Road. Bid Alternate #2 is Inverness Drive, and Bid Alternate #3 is James Court. He stated they uploaded that Addendum to PennBID. He stated there was a pre-Bid meeting on January 28. He stated the Bid Opening date is February 11, and subsequently they would be looking to award on February 17.

Mr. Pockl stated that they would be looking for a Waiver of the Responsible Contractor Ordinance for public notification – Section 99-8D. He stated they had relatively the same familiar Bidders for this type of work. He stated because this is a Liquid Fuels project, all of the Bidders would be required to be Certified by PennDOT and would be on PennDOT's list. Mr. Pockl stated PennDOT has an on-line form where he checks their credentials.

Mr. Truelove asked Mr. Pockl if he is asking for the entire twenty-one days to be waived or that it just be a shorter period of time, and Mr. Pockl stated it would just be for a shorter period of time. Mr. Truelove asked what he is requesting.

Mr. Ferguson stated he had asked Mr. Pockl to discuss this with the Board this evening. He stated the Township has begun much earlier asking the engineer to put together specs for the Road Program, and they actually started this in November; and the reason for that is to get the Bid request out as soon as possible with the goal of being one of the first projects of the year. Mr. Ferguson stated he has spoken to a lot of other Managers; and while they want to move quickly as well, they do not start in the previous year like Lower Makefield does. He stated his concern is that when there is a delay due to the provision in our Responsible Contractor's Ordinance, other Townships may award to the same company we do and we could fall behind them in terms of the schedule. He stated he would like the Board to discuss how they can be the first project the contractor has and not get pushed back for months.

Mr. Grenier asked who was at the Pre-Bid meeting relative to prior Bidders. Mr. Pockl stated the Pre-Bid was held via Zoom this year, and they had four Bidders show up, and they were similar to the interested parties within the last few years. He stated on PennBID there is an opportunity for Bidders to indicate that they are interested in Bidding, and interested in being the prime contractor on the project.

Mr. Grenier stated previously there was a discussion about getting the best material at the right time of the year. Mr. Pockl stated it has been his experience that the material toward the end of the season could be jeopardized because of conditions. He stated with the technology that the asphalt plants have in place, the material meets PennDOT standards; and there is no reason to delay a Bid based on the time of year. Mr. Grenier stated he does not have a concern about shortening up the time.

Mr. Ferguson stated he asked Mr. Pockl to discuss this tonight in advance of requesting the Bid Award. He stated they are suggesting that the timeframe be shortened and not that it be waived. Mr. Truelove stated the Motion would have to be framed in such a way to approve the award of the Bids with an agreement to shorten the public review time from twenty-one days as required in the Ordinance to fourteen days or some other number of days pursuant to Section 99-8. Mr. Ferguson stated if it were fourteen days, it would take them to the Board of Supervisors meeting on March 3. He stated this would give time for the public to let the Board know if there is a concern, and they could then do the background work. Mr. Ferguson stated Mr. Pockl is tasked with knowing if there was a problem with a contractor at some location.

Ms. Blundi stated the intention is to make the Award with a reduction in the timeframe for the review process to fourteen days and consider this at the first meeting in March. Mr. Pockl stated after the first meeting, they would issue a Notice of Intent to Award.

Ms. Blundi stated the Board may want to consider in the future making a permanent Amendment to this Ordinance only in terms of the Responsible Bidders. Mr. Ferguson stated they discussed this previously, and at that time it was noted that there are several times a year when there are three weeks between meetings. He added that originally the Ordinance was contemplated to have a fourteen day review period, but the concern was that the public could miss the time to make public comment if there were three weeks between meetings, although they could always contact the Township Manager or the Township engineer if they had a concern. He stated this was the reason that the Ordinance was kept at twenty-one days. He stated they could discuss this further.

Mr. Grenier stated that the safety net is PennBID and there are other means to do reviews quickly. He stated for recurring Bids there are ways to check things quicker.

Mr. Pockl stated historically they have had Bid openings on Thursdays since that provided the maximum amount of time for the Bidders to review the Bid material and submit a Bid within the week. He stated on Fridays, there could be certain personnel absent from work. He stated they could move the Bid Opening to a Wednesday, and Mr. Blundi stated they could consider that as well in the future.

Caddis Discussion

Mr. Grenier asked for an update on the light installation at Caddis. Mr. Pockl stated it took two weeks for the light shields to be delivered. He stated they are now on site, and they are looking to install them as soon as they can given the weather conditions.

Other Business

Mr. Grenier stated at Taylorsville where it intersects with Highland and Maplevale, some flags had been tied up which were discussed previously and are still there. Mr. Ferguson stated as noted previously the Bridge

Commission put those up to designate the height restrictions. He stated he can check with the Public Works Director and the Code Office for an update.

Mr. Grenier asked Mr. Ferguson if they have heard anything back from the Bridge Commission on fixing Maplevale. Mr. Ferguson stated they indicated that it will be part of their next paving program which he anticipates to be this year.

PROJECT UPDATES

Mr. Ferguson stated in his Report to the Board he provided a Sandy Run timeline. He stated the Bids appeared on PennBID on Monday and will go through March 8. He stated they anticipate having the project done within 112 days. He stated he anticipates coming back to the Board soon with the Bid results and hopefully a positive recommendation to move forward.

Mr. Ferguson stated they have been having ongoing meetings with Pennsylvania American Water with regard to the multi-use trail. He stated they are finalizing the details of the Easement. He stated because PennDOT is paying for a majority of the project, the Easement has to be per their spec which is “ambiguous,” so they will be creating a separate Memorandum of Understanding that outlines what the Township’s responsibilities are and what the Water Company’s responsibilities are. He stated this would include that the Water Company has the right to dig up that portion of the trail to get to their infrastructure, but that they would also be responsible for fixing it. He stated the Township will be maintaining it. Mr. Ferguson stated he anticipates having this before the Board at the first meeting in March for approval. He stated this would then allow them to put the entire package together and be sent to PennDOT so that it can go out to Bid. He stated PennDOT will be Bidding it – not the Township.

MANAGER’S REPORT

Mr. Ferguson stated Lower Makefield Township was awarded the 2020 Delaware Valley Insurance Trust Risk Management Innovation Award for our Public Works Contract. He stated the Township created a process by which employees who obtain additional training and Certifications can change their job classification level making more money and providing more efficient, diverse employees. He noted specifically the leaf program which in the past had one person who had capabilities in dealing with

some of the pieces of equipment, and if he was off, the process slowed down immensely. Mr. Ferguson stated as they incentivized this, we now have four people who can handle all of the pieces of equipment. He stated they also give a means by which when they hire people they do not have to be in the same job classification forever. Mr. Ferguson stated DVIT recognized that these trainings and Certifications help improve standing with them in terms of Workers Compensation and in terms of risk.

Mr. Ferguson stated they will be receiving a plaque, \$1,000 toward our training efforts, and a catered lunch for all the employees.

Mr. Ferguson stated this was a result of Contract negotiations; and while this was visioning, if they did not have a Union that was willing to have those discussions, they would not have been able to proceed. Mr. Ferguson stated this was the first such Contract that he has seen in Pennsylvania. He stated the workers are pleased with it, and he feels the residents will get much better service.

Mr. Ferguson stated they evaluate how they perform in storms and reviews do take place. He stated this latest storm was an unusual event in that the precipitation was ongoing for upwards of sixty hours. He stated all thirty-six pieces of equipment were on the road. He stated there were some pieces that broke down that did delay them in certain areas which proved to be problematic. He specifically noted a blade broke on one of the trucks on Princess Drive; and it was not getting all the way down to the asphalt so they had to take multiple trucks back over that. He stated they will continue to evaluate those situations.

Mr. Ferguson stated there was a comment made by Lynn Moser, a resident, on Lower Makefield is a Great Place to Live about Township employee, Chris Piwonski. Mr. Ferguson stated Ms. Moser's son got a 2 ½" splinter in his foot during the midst of the storm, and she was having trouble getting her car off of the side of the road. Ms. Piwonski was driving by, and plowed and shoveled out her car so she could take her son to the ER. Mr. Ferguson stated their staff are public servants who are well intentioned. He stated their plowing crew was working for sixty hours and were sleeping for four hours on cots in the Township meeting room before going back on the road. He stated Mr. Hucklebridge, the Public Works Director, was fielding complaints and checking them out. He stated when mistakes were made, they tried to rectify them as quickly as possible, and they continue to learn. He thanked

the Board for the purchase of equipment over the years that has upgraded the plowing equipment. He stated they will continue to focus on swapping out the older equipment as they go forward.

Approve Payment Request No. 1 for Lower Makefield's Contract SWR 20-1 CIPP Lining Project

Mr. McCartney moved and Dr. Weiss seconded to approve Payment Request No. 1 for Lower Makefield Contract SWR 20-1 CIPP Lining Project in the amount of \$211,504.50 to Standard Pipe Services, LLC.

Mr. Grenier stated the memo indicated that there is still an item that needs to be fixed. He stated he understands that the Motion is to cover all of the items that have been successfully completed, and there is an outstanding amount of \$55,312.50 which will be held until they are finished. Mr. Grenier asked when they believe that will be completed. Mr. Ferguson stated he believes it will be completed by late February/early March.

Motion carried unanimously.

Approve Slide Repairs by SafeSlide in the Amount of \$19,600

Mr. Ferguson stated this is the company that was engaged when the slide was re-done two years ago. He stated these repairs were originally contemplated for last year, but they were delayed. He stated this company specializes in this work, and they have budgeted this amount.

Mr. McCartney moved, Mr. Grenier seconded and it was unanimously carried to approve the slide repairs by SafeSlide in the amount of \$19,600.

Approve Advertisement of Park & Recreation Needs Assessment and Master Plan

Mr. Ferguson stated this has been discussed by the Park & Recreation Board, and they have budgeted for this in the Park & Rec Fund. He stated this is only to run the advertisement to seek proposals.

Dr. Weiss moved and Mr. McCartney seconded to approve advertisement of the Park & Recreation Needs Assessment and Master Plan.

Mr. Ferguson stated the goal of the Plan is to identify needs in the Township and what they would see in terms of types of fields, courts, etc. He stated it is not necessarily to comment on specific projects, and it is more of an inventory, analysis, and recommendations based upon understood standards in Park and Rec in terms of what types of things we might want to look at going forward. Ms. Tierney agreed. She added that a field analysis was done, and this will expand on that. She stated they want to hear what the community has to say, and to gauge their satisfaction and recommendations. She stated it will look at the overall picture of what we should be providing as a Township of our size.

Dr. Weiss stated he feels the professionals who will do the Needs Assessment will factor in the loss of Williamson Park in Morrisville Borough, and Ms. Tierney stated she can make sure that they include that in the Study.

Mr. Grenier stated he is an advocate for planning studies; however, at this time he has concerns with the risk at the Pool and the Golf Course as it relates to the “sewer deal.” He stated he has a concern about spending tens of thousands of dollars on a planning study this year, and he would prefer to put it off until next year when we are “certain about certain things.” He stated he is curious about what they get in terms of Bids, and hopefully it will be more cost effective than \$30,000 for a planning study.

Mr. Lewis asked if they will be inviting the Bucks County Planning Commission as a potential Bidder, and Ms. Tierney agreed.

Motion carried unanimously.

Ms. Blundi thanked Mr. Ferguson for sharing his story about the Township staff during the recent storm. She stated each storm is unique and we have limited resources. She stated she feels overall they did a great job, and she appreciates the efforts of the staff.

SOLICITOR'S REPORT

Mr. Truelove stated an Executive Session was held starting at 6:15 p.m. and informational items and items related to litigation and Real Estate were discussed.

Approve Advertisement for Amendment to Police Pension Ordinance No. 424

Mr. Truelove stated the Ordinance should conform to what the latest Police Contract terms are, and this specifically relates to a reduction in the age of ability for retirement reducing it from fifty-five to fifty-three and also specifying the amount of contribution levels in the Contract for the Police Officers to contribute toward their Pension Plan.

Mr. Grenier moved, Dr. Weiss seconded and it was unanimously carried to approve advertisement for Amendment to Police Pension Ordinance No. 424.

Approve Modification to Farringer House Lease Addendum, Previously Approved in December, 2020

Mr. Truelove stated at a December, 2020 meeting, the Board approved the Lease Addendum for the Farringer House which is the Township-owned property in the Giant parking lot on Stony Hill Road. He stated it has been leased for years by an Amerprise entity. He stated the Board had approved a three-year Lease; and after it was presented to the tenants, they indicated that for a variety of reasons, they preferred to have a one-year Lease with one-year options. He stated the same amount of money will be charged for the Lease if they accept the options that were presented.

Mr. Truelove stated he has reconstructed the Lease with the options set forth over a total three-year period, with the same amount of rental to be charged and a sixty-day notice provision so that if there is a decline to exercise the option, the Township would hopefully have time to find a tenant in time so that there would be little if any interim between Lease terms.

Dr. Weiss moved and Mr. Grenier seconded to approve modification to Farringer House Lease Addendum.

Mr. McCartney asked the lead time coming out of the Lease in case they did not renew the Lease, and Mr. Truelove stated it is sixty days. Mr. McCartney asked if anyone else has expressed interest in leasing that space, and Mr. Truelove stated they have not in the time that he has been familiar with it. He stated Amerprise has been there since 2008.

Motion carried unanimously.

ZONING HEARING BOARD MATTERS

With regard to the KS Pools & Patios Variance request for Michael Hulsa for the property located at 1573 Clark Drive in order to permit construction of an in-ground pool and paver pool decking resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Anthony Aneka and Amy Lamoreau Variance request for the property located at 349 Sherwood Drive in order to permit pool, patio, storage shed, and fire pit area resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Lori Katz and Phil Sutton Variance request for the property located at 315 Saly Road in order to permit construction of an in-ground pool, patio, and equipment pad resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Ross and Karen Birnbaum Variance request for the property located at 1381 Revere Road in order to permit construction of an in-ground pool with decking and equipment pad resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Mike and Melissa Schafer Variance request for the property located at 754 Adams Circle in order to permit construction of an in-ground pool, patio, and equipment pad resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

Mr. Grenier stated they have addressed a number of these Variance requests related to pools, and he asked if it is strictly driven by a percentage of impervious surface; and Mr. Truelove agreed although if it were also a setback

issue that would be listed on the Agenda. He stated most of the Applicants are now including some type of mitigation effort as part of the Application to offset the increase.

APPROVAL OF FINAL LAND DEVELOPMENT PLAN OF PENNSYLVANIA AMERICAN WATER COMPANY OXFORD VALLEY ROAD BOOSTER PUMP STATION

Mr. Craig Darosh, Pennsylvania American Water Company, was present with Mr. Jason Leonard, engineer. Mr. Darosh stated they are requesting approval of the Preliminary/Final Development Plan for the Oxford Valley Booster Pump Station.

Mr. Leonard stated this includes the removal of the existing sub-surface booster pump station and the replacement with a new above-ground station. He stated the site is on N. Oxford Valley Road. He stated also as part of this project the existing driveway that currently cuts into Township property will be re-aligned so that it is on PA American Water property. Mr. Leonard stated they worked with the Planning Commission to reduce the width of the driveway to the greatest extent possible to reduce impacts to trees and to reduce stormwater management facilities. He stated stormwater is being handled with a proposed infiltration basin on the site.

Ms. Blundi asked Mr. Leonard to discuss further the proposal to reduce the amount of pavement. She stated she knows that there was discussion about doing what they could to see that there was less paving, and it was discussed at the Planning Commission that maybe there were some opportunities to narrow the path. She asked if what is now proposed is the best that they can do. Mr. Leonard stated originally they had the driveway at 20' in order to accommodate turning movements for truck access to the site. He stated after meeting with the Planning Commission, they were looking for a more variable width driveway; and they were able to reduce that in the straight portion of the driveway in order to reduce the gravel impact and the impact to some of the trees along the driveway. He stated they narrowed it down as much as they could and still have it work with their turning movements.

Mr. Pockl stated it narrows down to 12' wide for a majority of the driveway. Mr. Truelove asked if the last Revised Plan dated 1/29/21, includes that revision; and Mr. Pockl stated it does.

Dr. Weiss moved and Mr. McCartney seconded to approve the Preliminary and Final Land Development Plan of Pennsylvania American Water, Tax Map #20-034-048 with respect to Plans dated 9/20/20, last revised 1/29/21

consisting of twelve sheets along with post-construction stormwater management report dated 9/20/20, last revised 1/15/21 subject to the following Conditions:

- 1) Applicant shall comply with the Lower Makefield Township Subdivision and Land Development Ordinance, the Lower Makefield Township Zoning Ordinance, and all applicable State and Federal Ordinances, Statutes, and/or Laws;
- 2) Where applicable, receipt of all Permits, Authorizations, and/or Approvals from all agencies with jurisdiction including but not limited to PADEP and the Bucks County Conservation District;
- 3) Compliance with the Remington & Vernick Engineers 2/3/21 review letter and any supplements to same;
- 4) Compliance with the Lower Makefield Township Planning Commission recommendations from its 11/9/20 meeting and any supplements to same;
- 5) Compliance with the Bucks County Planning Commission 1/5/21 review memorandum and any supplements to same;
- 6) Compliance with the 10/6/20 SAFE Highway Engineering review letter and any supplements to said letter;
- 7) Compliance with the 10/2/20 Yardley Makefield Fire Company review letter authored by Timothy J. Chamberlain, Deputy Fire Chief, and any supplements to same;
- 8) Compliance with the 10/9/20 review letter from the Lower Makefield Township Environmental Advisory Council and any supplements to same;
- 9) Waiver sought by the Applicant to obtain Preliminary and Final Land Development Approval at the same time pursuant to SALDO Sections 178-12B and 178-12D;

10) Compliance with the Zoning Hearing Board Decision of 11/2/20 granting Special Exception and Variance as indicated therein:

- 1 – A Special Exception for use of a property as a public utility/a water treatment facility
- 2 – A Variance from an otherwise required Type II buffer yard as required by the Zoning Ordinance

Both of which are subject to the following Condition:

- 1 – The existing driveway to be re-aligned and that Pennsylvania American Water file the necessary documents to reflect that the current Title owner of the property is Pennsylvania American Water as successor in interest to Yardley Water and Power Company

11) Where applicable, Applicant shall comply with all appropriate Authorities responsible for approval of proposed utilities;

12) The Applicant shall pay all required and appropriate Fees associated with the project.

Mr. Darosh and Mr. Leonard agreed to the Conditions.

Mr. Grenier noted the Existing Conditions Plan, and he asked if there are any Waters of the U.S. or Waters of the Commonwealth/wetlands in proximity to the site. Mr. Leonard stated there are not.

Mr. Grenier noted the Building Plans, and he asked how visible this building will be from the road; and he asked what the treatment will be. Mr. Leonard stated there is a decent amount of existing vegetation between Oxford Valley Road and the site. He stated as to the degree of visibility, if someone were to be looking straight at the driveway, they may be able to see the building, but he does not feel that it will be able to be seen from Oxford Valley Road given the existing tree line. He stated they are also replacing a certain number of

trees per the Ordinance, and those will be planted in the area where the existing driveway that cuts into the Township property was so that will further buffer the pump station from the road. Mr. Grenier asked if they were fully able to comply with the Tree Ordinance, and Mr. Leonard stated they have provided nineteen trees which is the required number of trees.

Mr. Grenier stated he will be recusing himself from voting on this since his firm is involved in water engineering although he has not done any work for PA Water in the past or will in the future. Mr. Truelove stated while he does not feel that it is required that Mr. Grenier recuse himself, he understands if that is what he wants to do.

Mr. Darosh stated there was some discussion recently about changing the entranceway. He stated it is currently shown as a paved entranceway, and they were considering changing that to gravel so that the entire driveway would be gravel. He stated it would not make a difference from a stormwater perspective as it is still considered impervious according to the Ordinance; however, they wanted to be transparent about and make sure that it was acceptable to the Township.

Mr. Pockl stated he feels that would be acceptable, and would actually be preferable because even though it is compacted gravel, it would theoretically have some additional infiltration over asphalt. He stated it would be a more conservative approach to stormwater management.

Mr. Grenier stated he agrees from a stormwater perspective, but his one concern with doing that is that it does cross the multi-use trail which is paved. He stated PA Water has run some events here in the past which were attended by the public, and there is the interface between gravel and pavement that could create an issue when trucks are going from one surface to another carrying gravel onto the road or spinning out trying to get out onto the road. He stated people will be biking on the multi-use trail, and they would not want gravel going onto the trail. Mr. Pockl stated that is a reasonable concern. He stated on the Plan they show the multi-use trail being asphalt-paved, and the area between Oxford Valley Road and the multi-use trail also being asphalt, and then they show a depressed curb on the driveway side of the multi-use trail so there would be something to catch any gravel that could become loose. Mr. Grenier asked that PA American have their local staff keep an eye on this to make sure that it is cleaned up as much as possible for

safety purposes. Mr. Darosh stated they were trying to eliminate the length of pavement between Oxford Valley and the bike path, but they will do whatever the Township would like to see there. Mr. Grenier noted the hatching between the bike path and Oxford Valley, and he asked what that surface will be. Mr. Leonard stated it is currently shown as pavement, but the intent is to make that gravel. Mr. Grenier noted the other side of the path on the Station side, and that is a different hatching; and Mr. Leonard stated that is shown as gravel, and it is proposed to stay gravel. Mr. Grenier stated he would prefer to see pavement from Oxford Valley to the multi-use trail for safety purposes, and the “curb catch” on the other side. He stated he feels some buffer on either side is key for both the trail and the road. Mr. Pockl stated that would be his recommendation as well. Mr. Grenier stated Mr. Leonard had indicated that it is being shown now as pavement, but they were asking if it could be gravel. Ms. Blundi stated it is therefore the proposal that the Plans will be approved so that there will be pavement as opposed to the gravel, and this was agreed to by the Board.

Motion carried with Mr. Grenier abstained.

PUBLIC COMMENT

There was no one from the public wishing to speak at this time.

SUPERVISORS REPORTS

Dr. Weiss stated the Zoning Hearing Board met twice since the last Board of Supervisors meeting. He stated on January 26 they held a Special Meeting to determine Standing of the Appellants for the Zoning Overlay Ordinance, and the Zoning Hearing Board ruled unanimously that the Appellants did not have Standing, and the Appeal was dismissed.

Mr. Grenier stated the Planning Commission met to hear the Prickett Preserve Land Development Plan, and they voted to recommend approval of the Preliminary/Final Plans. He stated Waivers they recommended to be approved were the height of the lights from 20’ to 25’ which would result in a reduction in the number of lights in an attempt to have a more efficient spread of light. He stated they recommended approval of two Conditional Uses – one for a bank and one for a pharmacy. He stated they did not recommend approval of the Waiver with respect to the Tree Ordinance. Mr. Grenier stated when

this Plan comes before the Board, the Board will see a few changes from the visual that was seen when they were doing the Overlay. He stated he feels that the developer will be before them shortly.

Ms. Blundi stated they will be asking the Prickett Preserve developers to come in for an update at the next Board meeting to discuss the status of the project. Mr. Grenier stated that would not be for a vote by the Board, and it is just to get an update in terms of the process; and Ms. Blundi agreed. She stated this is just to be consistent with how this process started in 2019 to provide information at appropriate points along the way.

OTHER BUSINESS

Mr. Lewis moved, and Mr. McCartney seconded to provide sixty-day Notice of Termination to Keystone Municipal Services LLC.

Mr. Grenier stated this is for Building Inspection Service, and Ms. Blundi agreed.

Motion carried unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Lewis moved and Dr. Weiss seconded to appoint Danielle Frost, Ellen Saracini, and Judi Reiss to the 9/11 Committee.

Motion carried with Mr. Grenier abstained. Mr. Grenier stated he was not voting since he was not present for the Interviews.

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

Respectfully Submitted,

John B. Lewis, Secretary

