

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – JANUARY 19, 2022

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on January 19, 2022. Mr. McCartney called the meeting to order at 7:30 p.m. and called the Roll.

Those present:

Board of Supervisors: James McCartney, Chair
Fredric K. Weiss, Vice Chair
Daniel Grenier, Secretary
Suzanne Blundi, Treasurer
John B. Lewis, Supervisor

Others: Kurt Ferguson, Township Manager
David Truelove, Township Solicitor
Andrew Pockl, Township Engineer
Kenneth Coluzzi, Chief of Police
James Majewski, Community Development Director

COVID 19 UPDATE

Mr. Ferguson stated the building is open under regular hours, and they are rotating staff to keep the staff and public safe and to have adequate spacing.

COMMUNITY ANNOUNCEMENTS

Mr. McCartney asked for a moment of silence in memory of Mike Tritt who was a member of the Zoning Hearing Board and served the Township with professionalism and expertise. Contributions in his memory can be made to the Wounded Warrior Project.

APPROVAL OF MINUTES

Mr. Grenier moved, Mr. Lewis seconded and it was unanimously carried to approve the Minutes of December 15, 2021 as written.

Mr. Grenier moved, Mr. Lewis seconded and it was unanimously carried to approve the Minutes of January 3, 2022 as written.

Mr. Ferguson noted that the Minutes from December 1, 2021 will be on the Agenda the first meeting in February.

TREASURER'S REPORT

Mr. Grenier moved, Ms. Blundi seconded and it was unanimously carried to approve the Warrant List from January 3, 2022 in the amount of \$442,543.38 as attached to the Minutes.

Mr. Grenier moved, Ms. Blundi seconded and it was unanimously carried to approve the Warrant List from January 18, 2022 in the amount of \$1,092,117.26 as attached to the Minutes.

Mr. Grenier moved, Ms. Blundi seconded and it was unanimously carried to approve the Warrant List from December 20, 2021 in the amount of \$882,239.16 as attached to the Minutes.

SEWER ENGINEER

Approve Contract SWR 21-2 LMT Sanitary Sewer Main Cured-In-Place Liner Project Payment Request No. 1

Mr. Fred Ebert was present and stated the contractor has completed the majority of the work, and the only items remaining are the payment of the close-out, making sure all restoration work is done, and receipt of all required Certifications and paperwork.

Dr. Weiss moved and Ms. Blundi seconded to approve Payment Request No. 1 in the amount of \$221,119.64.

Mr. Grenier asked the amount of money left; and Mr. Ebert stated the close-out is the single biggest item, but they will actually come in under the Contract price because some of the unit items that had been estimated will come in less.

Mr. Ebert stated this is the last lining project that the Board is responsible for. Mr. Grenier asked if there is a grand total for the lining projects for money

spent versus Budget; however, Mr. Ebert stated he did not have that number as compared to the Budget, but compared to the Contract, he feels we will be within 10% to 15%. Mr. Ebert stated this one will come in about 10% lower.

Motion carried with Mr. Grenier opposed.

Contract SWR 20-4D Stackhouse Pump Station Upgrade

1. Approve Payment Request No. 3

Mr. Ebert stated this is for the installation of the pumps and controls. He added we had previously paid about 75% of that, and they are all now installed.

Mr. Grenier moved, Mr. Lewis seconded and it was unanimously carried to approve Payment Request No. 3 in the amount of \$52,250.00

2. Approve Change Order No. 4

Mr. Ebert stated this is a Change Order to install the electric service to the pump station in order to meet PECO standards. He stated this was an anticipated Change Order as until we are ready for PECO to energize it, PECO will not tell us exactly where they are going to bring in the electric or how far. He stated the majority of this is for the installation of an additional pole. He stated PECO will bring it 100' from their existing service connection; and once they identify that, we are then responsible to extend it to our site. Mr. Ebert stated the Contract had a delineated area of what the contractor was required to bring it to, but we knew that there would be a missing section, and that there would be a Change Order. This is common because of the way that PECO does business.

Mr. Ebert stated the contractor has agreed to remove the existing electric pole on the existing Stackhouse pump station at no charge to the Township. PECO will de-energize it, and the pole will then be taken down from the back yard.

Ms. Blundi moved and Dr. Weiss seconded to approve Change Order No. 4 in the amount of \$21,424.50.

Mr. Lewis asked if PECO has been responsive and asked if they are in the critical path for completing the project. Mr. Ebert stated PECO had not been responsive to the contractor, and it was delaying the closing of his project; but the Township reached out, through Mr. Ferguson and Mr. Hucklebridge, to our Municipal contact. Once the contact was made, PECO was very responsive.

Mr. Grenier asked what clearing is involved for the new pole; and Mr. Ebert stated it was mostly shrubbery adding that we had already cleared it as part of the original design. One tree of about 24" had to come down. Mr. Grenier stated he wants to make sure that the buffers are still there for the nearby houses; and Mr. Ebert stated they are, and added they worked very closely with all of the homeowners. He stated the only complaint received was that the homeowner wanted all the equipment moved off once the fence was up; but the contractor kept the equipment there so we did not have to pay for mobilization. Mr. Ebert stated we even moved things further onto our site to actually increase the buffer from what the original design plans had.

Motion carried unanimously.

3. Payment Request No. 4

Mr. Ebert stated this is for the installation of the fence. The only thing remaining on the job is the emergency generator. He added there had been issues with receipt of the fence due to issues with the supply chain.

Dr. Weiss moved, Mr. Grenier seconded and it was unanimously carried to approve Payment Request No. 4 in the amount of \$14,250.00.

ENGINEER'S REPORT

Authorization for Advertisement of the 2022 Road Program

Mr. Pockl showed a map of the roads within the Road Program. He stated there are fifty-six roads within the Base Bid covering numerous neighborhoods throughout the Township. He stated there is a Budget of about \$3 million for the 2022 Road Program. He stated their estimate has the fifty-six roads being just under \$2.9 million.

Mr. Pockl stated they have added some Alternates to the Bid shown on the map in yellow with blue text. He stated the first Alternate is the Memorial Park wearing course, which is the parking lot area that was not paved under the Memorial Park project. He stated based on the numbers they received on the Memorial Park Project Bid, that is estimated to be approximately \$43,000. He stated the other roads that have been included in the Add Alternate are in the Yardley Run Development, and those would be Alternates 2 through 6. He stated those would all be individual Alternate Bids so that the Board of Supervisors could award the Base Bid and any one of the Alternates.

Mr. Pockl stated he anticipates putting this out on PennBid the beginning of February, the Bid opening the beginning of March, and the Board of Supervisors being able to vote on approval of the Bids at the second meeting in March.

Mr. Lewis moved and Ms. Blundi seconded to authorize advertisement of the 2022 Road Program.

Mr. McCartney asked the number of miles in the Road Program, and Mr. Pockl stated it is 10.7 miles. He stated there are four roads that are included in the Road Program that are scheduled to be paved by the Public Works Department and would not be part of the Bid, and they comprise approximately .27 miles.

Mr. Ferguson stated we will also be making payment to Falls Township for the two roads that were done last year. He stated even though they were done last year, those will be put into the total. He stated the Road Program for this year will therefore encompass 11.41 miles on the Base Bid. He stated this is absent any additional paving we may be able to do as part of the Alternates.

Mr. McCartney asked what we have been doing historically; and Mr. Ferguson stated it has varied, but was essentially two and a half miles a year.

Mr. Ferguson stated this is therefore the equivalent of about four years' worth

of paving. He stated there is money from the Liquid Fuels Fund, which is the State funding for paving, money in the Budget for the Road Loan for this year, and there is also money from the American Rescue Plan that will be applied to this. He stated that American Rescue Plan money is a one-time stimulus, and we would not normally have that; and that helped add another year of paving. He stated typically we would anticipate \$750,000 in paving from Liquid Fuels, and the American Rescue Plan money will allow us to add about that much as well.

Mr. McCartney stated this is a greater amount of roads than we have typically done, and he asked if as part of the advertisement will the contractors be giving us some traffic-flow mitigation. Mr. Ferguson stated the contractor will coordinate with the engineers as well as the Police Department so that we can give adequate notice and have as minimal disruption as possible.

Ms. Blundi asked Mr. Pockl if reflectors have been included where appropriate, and Mr. Pockl stated they are included on Collector roads including Woodside, Quarry, Creamery, and a portion of Bluestone.

Mr. Grenier stated he wanted to make sure that they emphasize in the Bid documents the importance of traffic controls and coordination with this high volume of roads. Mr. Grenier asked if there is anything built in if they create issues or miss schedules. He stated he would like to see clearly how this is going to be scheduled in their Bid documents. Mr. Pockl stated there is language in the specifications that indicates that the Contractor cannot leave a road in a milled condition for more than seven calendar days, which will motivate them to mill a smaller area or neighborhood, and then come in and pave it within seven calendar days after that. He added that is all weather-dependent. Mr. Pockl stated there is also other language that indicates that they must complete one neighborhood before they move onto another neighborhood.

Mr. Grenier stated he assumes there could be a lot of inspection work to do at one time, and he asked if we have enough staff to do the inspections. Mr. Pockl stated that is part of what his office provides for construction management services, and they have inspectors who are PennDOT-Certified. He stated he anticipates having two inspectors on the project because it is a large program, and the contractor could have two crews working at the same time. Mr. Ferguson stated our Public Works Director is also a PE, and he anticipates having him out on the roads when they will be paving.

Mr. Grenier stated since the Board voted on the roads for the Budget, he has been getting requests for some specific roads that are in poor condition; and asked what would be the process for roads that are not on the list, but are in very poor condition. Mr. Ferguson stated in the short term, he or the Public Works Director should be contacted to get them on the list if there are short-term measures that can take place. He stated the Yardley Run roads are on the Alternate Bid list. He stated they do need to be paved, and they are in Year 2 of this Program which would be 2023. He stated they continually work to create updated Three-Year Plans, and those Plans would include what is included in the Road Program as well as what we have the Public Works Department do. He stated this year the goal of the Public Works Department is to pave about .27 miles. He stated if there is a short-term fix such as cold patch or if it is beyond that and we need to crack seal or saw cut and pour in hot asphalt, that could be a temporary measure which is what they did on Maplevale earlier this year.

Mr. Grenier stated he will provide an e-mail to Mr. Ferguson listing the roads he has received comments about.

Mr. Grenier noted the Alternate Bid, and he stated it appears that for that neighborhood they are proposing every road except Chase Road; and he asked why that was not included. Mr. Ferguson stated they included everything that was listed in Year 2 in the Road Paving Program for Yardley Run. Chief Coluzzi stated Chase Road was done a few years ago.

Motion carried unanimously.

Authorization for Advertisement of the Pool Painting Project

Mr. Pockl stated this is for painting three pools with an Alternate to paint the baby pool. He stated the Base Bid includes the Olympic pool, the lap swimming pool, and the intermediate swimming pool. He stated in discussions with Township staff, they believe that if pricing comes in high, the baby pool can go another year without being painted.

Mr. Lewis moved and Dr. Weiss seconded to authorize advertisement of the Pool Painting Project.

Mr. Grenier asked if there are warranties and if we are making sure that we have clear schedules so that the Pool is open on time. Mr. Pockl stated the work has to be completed by Friday, April 15.

Mr. Ferguson stated this will be much more expensive than what was seen last year not only because prices have gone up. Mr. Ferguson stated in 2020 when everything shut down, we had already purchased a lot of paint. He stated part of the Bid last year included enough paint for some of the pools. He stated this is a more normal year where the contractor will purchase the paint, and we may see prices of approximately \$70,000.

Motion carried unanimously.

Authorization for Advertisement of the Community Park Tennis Court Repairs Project

Mr. Pockl stated there is some cracking on the tennis courts that are near the Pool. The Bid is to repair the cracks, seal them, put a surface coating on top of all of the tennis courts, and paint the lines on all of the tennis courts. Mr. Pockl stated they had talked to a sub-contractor who was doing work at Memorial Park last year to get pricing, and the estimate was approximately \$56,000 which is over the threshold; and this needs to be put out for public Bid.

Mr. Lewis moved and Ms. Blundi seconded to authorize advertisement of the Community Park Tennis Court Repairs Project.

Mr. Lewis asked Mr. Pockl if he has reviewed the basketball courts in that same area to see if there are issues with those. Mr. Pockl stated while he did, he will go back out to see if there is any cracking; and potentially they could incorporate that into this project.

Mr. Grenier asked if something like this was done at the Schuyler Courts or other courts recently, and Mr. Pockl stated it was not. He stated he put together a report in 2018 on the Schuyler Courts, but they have not done any of that work. Mr. Grenier stated he recalls that some work was done at some of the courts, and there were concerns about how the work was done; and he would like to make sure that in this case, they keep an eye on the contractor so that similar issues do not occur.

Motion carried unanimously.

Approve Escrow Release #11 (Final) for the Yardley Woods Development

Mr. Pockl stated this is the Final Escrow Release and is in the amount of \$19,986.12. He stated he has confirmed with Township staff that all of the paperwork is in order. He stated he has also reviewed the field conditions and understands that they have addressed all of the punch list items. He stated we have also received an Authorization for the release of the stormwater management system from the Bucks County Conservation District.

Dr. Weiss moved, Mr. Grenier seconded and it was unanimously carried to approve Escrow Release #11 (Final) for the Yardley Woods Development in the amount of \$19,986.12.

PROJECT UPDATES

Sandy Run Road

Mr. Ferguson stated he will ask Mr. Fiocco, the Traffic Engineer, to come to a meeting in February. He stated when the project went in, they had indicated that they would monitor the area and look to see if additional changes were needed. He stated they have already put in LED lights over both roundabouts on Mill and Schuyler and trimmed some trees back that they had not originally anticipated doing. He stated they also added markers leading up to the roundabout about reducing speeds. He stated Mr. Fiocco is going to recommend additional signal and anti-skid material to be put on the road as you come down from the Railroad tracks toward Sandy Run Road.

MANAGER'S REPORT

2022 Road Paving Process and Timeline

Mr. Ferguson stated the Road Program will be a little different this year. He stated this year they will have a Road Loan that will help finance part of the project. He stated at the meeting on February 2, he anticipates presenting two Motions – one to authorize the advertisement of a Debt Ordinance and the second to advertise getting proposals from institutions to do the financing. He stated it will be a \$1,650,000 loan. He stated we do this with equipment on short-term leases, and this would be a road loan. He stated at the first March meeting, March 5, he would anticipate a vote for consideration to approve the Ordinance for the loan

of \$1.650 million and a vote on a Resolution as to who would be doing the financing. He stated as Mr. Pockl noted earlier on March 19 the Board of Supervisors would be considering the award of the paving.

Mr. McCartney asked if there is any competitive advantage to moving the March 5 vote to the second meeting in February so that they would commit to a road program with a contractor earlier and get better pricing. Mr. Ferguson stated the March 19 award is still fairly early compared to others. He stated he engaged the engineers to do a lot of the measurements, estimates, and road conditions in the fall which is what a lot of towns are doing now; and Mr. Pockl will only need a few weeks to get the Bid packets out which is a very short timeframe. Mr. McCartney stated he would like to get this done as early as possible to put us at a good advantage.

Resolution Numbering Change for 2022

Mr. Ferguson stated we are changing the way we number the Resolutions so that it includes the year beginning with #22-1 which will make it easier to track and more efficient. He stated next year they would start with #23-1.

Mr. Grenier asked Mr. Truelove if there are specific rules we have to follow with regard to Resolution numbering; and Mr. Truelove stated in his experience with other public entities, the process that Mr. Ferguson has outlined is what is the normal practice. He stated there is nothing in any Code book or any other place he has seen that mandates a certain Resolution numbering.

SOLICITOR'S REPORT

Mr. Truelove stated that on January 3, 2022 the Board had met in Executive Session beginning at 7:00 p.m. and personnel and collective bargaining items were discussed.

Mr. Truelove stated an Executive Session was held this evening beginning at 6:30 p.m. and personnel, litigation, and collective bargaining issues were discussed.

Approve Final Settlement of Litigation with Former Employee Jane Doe for a Total of \$307,500 for All Claims with a Release From Any Other Existing or Potential Claims

Mr. Truelove stated since this is a personnel matter there cannot be a lot of public discussion; however, this emanates from a termination/disciplinary proceeding which was lengthy and contentious in nature, and this result is much more favorable to the Township than it could have been and it completely extinguishes any potential claims going forward and the employee will no longer be employed by the Township. He stated this Settlement was engaged in between the employee's representatives and the Township.

Ms. Blundi moved and Dr. Weiss seconded to approve the Final Settlement.

Mr. Lewis asked Mr. McCartney if he reviewed the Final Settlement; and Mr. McCartney stated he did, adding that he believes it was presented to all of the Supervisors at an Executive Session. Mr. Truelove stated the Chief discussed this in Executive Session, and he does have documents available if they need to be reviewed. Mr. Lewis stated he never received the Final documents. Mr. Truelove stated the Chief had indicated that he would make those available upon request. Mr. Lewis stated he made oral representations that he was in general support of the Agreement; however, he would not vote for something he has not finally reviewed. Chief Coluzzi stated all of the specifics in the Settlement Agreement were discussed, and there is nothing additional from what was discussed at the last Executive Session; however, he would provide the documents to Mr. Lewis.

Mr. Lewis asked if this could be Tabled to a future meeting or if they could recess so that he could review it at this time. Mr. Truelove stated they could recess at this time.

The Board went into Executive Session at 8:20 p.m. for a personnel matter.

The meeting was re-convened at 8:43 p.m. and Mr. Truelove stated the Executive Session involved a personnel matter.

Ms. Blundi moved, Mr. Lewis seconded and it was unanimously carried to approve the Final Settlement.

Approval of Resolution #22-1 for Prickett Preserve Water Easement

Mr. Truelove stated at a prior meeting Easements for this and the next matter were approved, but they did not have the actual Resolutions. These Resolutions will approve the action taken previously.

Mr. Grenier moved, Ms. Blundi seconded and it was unanimously carried to approve Resolution #22-1.

Approval of Resolution #22-2 for Acorn Drive Access and Utility Easement

Ms. Blundi moved, Mr. Grenier seconded and it was unanimously carried to approve Resolution #22-2.

Road Ordinance Discussion

Mr. Truelove stated Mr. Ferguson and Mr. Pockl had previously discussed the Road Paving Program that is proposed. He stated the Administration is proposing to finance this with a Note that would be through a competitive process from a financial institution. He stated an Ordinance would have to be passed authorizing the Supervisors to take the action and outlining the circumstances which are consistent with the Local Government Unit Debt Act which has certain requirements as to how much can be borrowed, what the debt borrowing limit is, and some other factors and also to make sure that once the Ordinance is enacted that the Department of Community and Economic Development also approves it. Mr. Truelove stated this would be a parallel process along with the process for advertising the Road Program itself; and at the appropriate time they would authorize the borrowing and in early March there would be a Resolution to award the Bid to the low bank bidder. He stated over the next few weeks, there will be a request to have the Township solicit Bids from different banks to submit proposals for the financing which would include terms with regard to the interest rate.

Mr. Ferguson stated he wanted the Board to be aware that there is going to be background work going on with the Solicitor's office and the State, and they will keep the Board updated.

Mr. Lewis stated he is concerned that the cost of the interest will be more than the rate of return that we would earn on the money we have coming from the Sewer sale. Mr. Lewis asked what the interest rate is projected to be.

Mr. Ferguson stated this money is separate from the Sewer sale. He stated the way he makes the comparison is the cost of the money versus what we would expect to see in terms of year-over-year inflation or increases in paving year-over-year. He stated if they were to go four years out and the interest rate was at 2 ¼% as an example the amount to do that up-front at 2 ¼% is still a better deal than 5% or so inflation year-over-year on paving that we are seeing. Mr. Lewis asked about the rate of return we would get on cash, and Mr. Ferguson stated 3/10ths of a percent to 5/10ths of a percent.

Zoning Hearing Board Summary

Mr. Truelove stated there are three Zoning Hearing Board Appeals that are requests for installations of in-ground pools which is something that is seen frequently, and none of them are reported to be in any Flood Zones.

Mr. Truelove noted Appeal #22-1946 – Stephen & Caitlin Tamburo for property located at 1 Plymouth Lane, Tax Parcel #20-020-132 requesting a Variance from Township Ordinance #200-23B to increase the impervious surface from the existing 15.6% to 19.3% where 18% is allowed in order to install a concrete in-ground pool and patio.

Mr. Truelove stated in his review and any comments received from the Board or the Administration there were no indications that we should do anything other than defer to the Zoning Hearing Board.

Mr. McCartney asked if there is a Motion to participate or object to any of these three Zoning Applications.

Mr. Grenier moved and Mr. Lewis seconded to have the engineer attend the meeting to provide clarifying statements on all three items.

Mr. McCartney asked if the Motion is to participate in the meeting; and Mr. Grenier agreed, however, he stated he did not want to send our attorney to make it seem like we are “totally against,” and he wants to send the engineer to make sure that technical items are clarified because he feels in all three instances “different scenarios present themselves” that he feels an engineer could clarify.

Mr. McCartney asked if the engineer is part of the Zoning Hearing Board meetings. Mr. Truelove stated Mr. Majewski attends the Zoning Hearing Board meetings, and he is a PE. Mr. McCartney asked if Mr. Grenier is asking that Mr. Pockl also attend the meetings as well as Mr. Majewski, and Mr. Grenier agreed.

Mr. Grenier stated the Motion is for the Township to participate by sending the Township engineer for all three Appeals.

Mr. Grenier stated some of the Appeals are minor, but he noted on Appeal #22-1946 in reviewing the Plan Set, the survey that was used as the Base Survey may be outdated and pre-dates some recent work that included an addition to the back of the house that includes a roof and additional impervious area. He stated the pool is not “going much above the approved,” but he wants to make sure that the numbers are correct to make sure “that the Applicant is whole.” He stated he wants to make sure that the current state of the home and the level of impervious area is correct, and that the Variance request is correct so that they do not have to go back and get another one at some point.

Mr. Grenier noted Appeal #22-1947 and Mr. Truelove stated he would have to put that Appeal into the Record. Mr. Truelove stated Appeal #22-1947 – Matthew & Anne Moyer for the property located at 1428 Revere Road, Tax Parcel #20-059-028, are requesting a Variance from Township Zoning Ordinance #200-23B to increase the impervious surface from the existing 25.12% to 30.91% where 18% is the allowable amount in order to install a concrete in-ground pool and patio.

Mr. Truelove stated he understands that for this Appeal as well as the other two, there are stormwater mitigation measures proposed.

Mr. Grenier stated with regard to #22-1947, it represents about a 72% increase over the allowable impervious area. He stated often when there are increases that are more than a small percentage, the Township would participate to make sure that the neighbors are not impacted because of the drastically increased impervious area. He also noted that in our definitions in our Ordinances, we do not include the area within the coping of a pool, and the water and the base of a pool are not considered as impervious. He stated if he were to design a pond or a pool, in many other places the pool itself is considered impervious. He stated when you look at pools, the surface area of a pool is “a freebie” when it comes to impervious area, and when there is a 72% increase not including the surface area of the pool, that is cause for concern.

Mr. Truelove stated the final Appeal is Appeal #22-1948 – Gary & Judy Reiss for the property located at 969 Princess Drive, Tax Parcel #20-057-019. He stated they are requesting a Variance from Township Zoning Ordinance #200-23B to increase the impervious surface from the existing 24.8% to 26% where 18% is the allowable amount in order to install an in-ground concrete pool.

Mr. Grenier stated this pool is larger than the other two, and this is a fairly large increase although not as much as the last one in impervious area. He stated he feels there could be mitigation; however there was a statement made in the Application that the effective impervious area was going to be down to something lower than it is currently, and he found that “odd.” He stated he has never heard that term used when it comes to increasing impervious area. Mr. McCartney stated that happens all the time on the Zoning Hearing Board, and most Applicants who come before the Zoning Hearing Board for a Variance have mitigation plans to lower the effective impervious surface versus the actual; and the Zoning Hearing Board looks at effective versus actual.

Mr. Majewski stated he agrees with Mr. McCartney, and the Zoning Hearing Board looks at it primarily from a stormwater management perspective. He stated for this and a number of other Applications, besides what is required by our Stormwater Ordinance to handle all the stormwater run-off from an increase in impervious surface, oftentimes Applicants indicate that they will increase stormwater retention greater than what would be required by the Stormwater Ordinance to bring it back to what would have been allowed at the 18%. He stated effectively it is as if that impervious surface did not exist from a stormwater management perspective. Mr. McCartney stated they are putting it in a better situation than it currently is, and Mr. Majewski agreed.

Mr. Grenier stated that is only if the systems work and are maintained. He stated you do pre- versus post-calculations; and if he was applying for a Stormwater Permit from the State Conservation District, calling something an effective percentage is not something “that would ever fly.” He stated that may be a local term that our Zoning Hearing Board may use, but it is one that he would not use in any other circumstance. Mr. McCartney stated they used it for the seven years that he was on the Zoning Hearing Board.

Mr. McCartney asked Mr. Majewski if he needs Mr. Pockl’s expertise in order to determine effective impervious surface or what an adequate drainage system would be for a proposed project. Mr. Majewski stated this is typically

something that we handle in-house. Mr. Majewski added that if it gets more complicated, they then have Mr. Pockl review it. He stated the calculations are fairly straight forward, and we even have a spreadsheet that was made up that is straight forward, and they double check to make sure that they have not double counted any impervious surface that exists on the site. Mr. McCartney stated if they get to a position where it cannot adequately be determined, they would then rely on Mr. Pockl's expertise; and Mr. Majewski agreed.

Dr. Weiss stated in addition to Mr. Majewski's institutional knowledge of the Township, one of his strong points is his great expertise in exactly these types of Zoning issues as well as his years of working with Mr. Pockl so he is very confident in Mr. Majewski's expertise and his cooperation with our other professionals so that Mr. Pockl's participation would not be needed unless Mr. Majewski felt the need.

Mr. Grenier asked if they can confirm that Mr. Majewski will be at the meeting. Mr. Majewski stated he will be at the meeting; and if he is unable to attend, Mr. Pockl would be asked to replace him as has been done in the past.

Mr. Truelove asked Mr. Grenier if his Motion is to participate in just one Appeal or all three, and Mr. Grenier stated he meant it for all three. Mr. McCartney asked Mr. Grenier if he would like to withdraw the Motion or take it to a vote. Mr. Grenier stated he would like to take it to a vote to have our engineer participate, and that way if Mr. Majewski cannot attend, he would use the term "engineer" and that could be Mr. Majewski or Mr. Pockl whoever is available and well enough to attend.

Mr. McCartney stated the original Motion was to ask the Township engineer to attend, and Mr. Grenier stated he could withdraw the Motion and make a new one if it makes it cleaner. Mr. McCartney asked Mr. Grenier if he is comfortable if either Mr. Pockl or Mr. Majewski attends, and Mr. Grenier stated he is. Mr. McCartney stated Mr. Majewski is typically at the meetings, and Mr. Majewski has assured the Board that if he is not going to be at the meeting, Mr. Pockl will be there. Dr. Weiss stated while he appreciates what Mr. Grenier is saying, it is already the practice that either Mr. Majewski or Mr. Pockl represents the Township in their engineering needs at the Zoning Hearing Board meeting depending on the circumstance. He stated we are already doing what Mr. Grenier is asking.

Mr. McCartney stated he is comfortable in telling Mr. Grenier that either Mr. Majewski or Mr. Pockl will be at the next Zoning Hearing Board in order to adequately represent his concerns. He asked Mr. Grenier if he is good with that, and Mr. Grenier stated he is. Mr. McCartney asked Mr. Grenier if he wants to withdraw his Motion, and Mr. Grenier asked that they take a vote.

Motion did not carry as Mr. Grenier and Mr. Lewis were in favor and Ms. Blundi, Mr. McCartney, and Dr. Weiss were opposed.

Mr. McCartney reiterated that Mr. Majewski will be at the Zoning Hearing Board meeting; and if he cannot attend, Mr. Pockl will attend.

ZONING, INSPECTIONS, AND PLANNING

Approval of Route 332/Mirror Lake Signal Interconnection Project Payment Request No. 1 for Armour and Sons Electric

Mr. Majewski stated this was an ARLE Grant that the Township had obtained several years ago. He stated he has reviewed the work that was completed and recommends approval of Payment Request No. 1. Mr. Majewski stated they have now installed the controllers that were on back-order, and we are now waiting on a final inspection from PennDOT. The project can be closed out as soon as that is completed.

Ms. Blundi moved, Dr. Weiss seconded and it was unanimously carried to approve Payment Request No. 1 in the amount of \$24,952.50 to Armour and Sons Electric.

PUBLIC COMMENT

Ms. Lisa Tenney, 156 Pinnacle Circle, stated that deer cross along Big Oak Road and many drivers speed on this road. She stated she notified the Police about speeding on Stony Hill Road, but it did not alleviate any problems. She stated she contacted “every official” about the subject because she wanted deer crossing signs. She stated there was a very bad accident on Big Oak and Stony Hill Road across the street from where she reported a fawn had been killed. Ms. Tenney stated Perry Warren thought it was a good idea to have the sign. She stated if a resident comes to the Board of Supervisors or the Township Manager they should “take things more seriously.” She stated residents are

invested in the community and are part of the community, and every day they see and hear the traffic; and she encouraged the Township to be more proactive in their approach to governing. She stated they need to take into consideration the people who are already living here, and the traffic impacts you may have on them regardless of whether it is a State road or a local road.

Mr. McCartney stated the professionals in place including the Chief of Police, the Township Manager, and everyone else on the staff is very vested in the Township. He stated they are all doing what they can do to make sure that we have the safest roads possible.

Chief Coluzzi stated some time ago the Township Manager forwarded him an e-mail from Representative Warren's office about the deer crossing sign, and our Traffic Safety Officer did look into that. Chief Coluzzi stated while it may not go exactly where Ms. Tenney thinks it should go, it will be in the area where it is most appropriate. He added that the accident that Ms. Tenney mentioned was not related to a deer, and they hope everyone will be okay who was in the accident that happened today.

SUPERVISORS REPORTS

Mr. McCartney stated a well-versed, National Park & Rec individual came to the Park & Recreation Board and made a presentation. She will be reaching out to all the Supervisors, and she is looking for feedback on the Needs Assessment.

Dr. Weiss stated the Ad Hoc Property Committee expects to present an update to the Board of Supervisors, with the Chair's consent, on March 2.

Mr. Grenier stated the feedback from the Sewer engineer this evening will probably be discussed by the Electric Reliability Committee at their meeting on January 31. Mr. Grenier stated the Historic Commission is looking at a lot of projects including providing details on potential Planning and Construction Grants. Mr. Grenier stated the Planning Commission reviewed the Act 537 Plan and chose to take no action.

Ms. Blundi stated on January 8, the EAC held the tri-annual Styrofoam, corks, and other recyclables event and was so successful that there was overflow Styrofoam in the Township Building for a number of days as numerous trucks had to come and pick it up. Ms. Blundi stated we are able to recycle that

Styrofoam thanks to the Bortmans who own Exact Solar, and they volunteer their trucks and their staff to take the Styrofoam to the various vendors who use it. She stated we may need to think of other ways of how to staff this so that we can continue to have this event. She stated the EAC is going to consider this. Ms. Blundi stated as they were ending the event, members of EACs from other Bucks County Townships were dropping off their recyclables.

Mr. Lewis stated the Citizens Traffic Commission was unable to have a quorum, and they need new members. Mr. Lewis stated the Trenton-Mercer Airport Review Panel will meet tomorrow at the Township Building. He stated on behalf of the Airport Review Board he filed an Open Records Request with the New Jersey DEP related to PFOS and PFAS, which are chemicals that we would not want in our drinking supply. He stated the response he got from the New Jersey DEP was that they did not have any records related to the presence of PFAS/PFOS at the Trenton-Mercer Airport even though publicly it has been disclosed that they are there and the exact parcel numbers. He stated this is a concern as we look at the Environment Impact Assessment for that project.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Ms. Blundi moved and Dr. Weiss seconded to appoint Christopher Greeley and Victor Fiori to the Historic Commission.

Mr. Grenier asked if it is known how many vacancies there are on the Historic Commission. He stated he knows that another resume was received of someone that the Historic Commission members were strongly supporting, but the Board of Supervisors was unable to interview that individual this evening. Mr. Grenier stated if there are three openings he would be in support of the Motion; however, if there are only two openings, he would prefer to Table these particular appointments until we are able to schedule the interview at the next Board of Supervisors meeting for that person so they can consider all three. Mr. McCartney stated he believes that there are already three other interviews scheduled for the meeting on February 2 so the Board would not be able to interview that individual until the second meeting in February.

Mr. Ferguson stated it is a seven-member Commission; and Mr. Grenier stated he believes that there are therefore three vacancies, and he would support the Motion.

January 19, 2022

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Motion carried unanimously.

Ms. Blundi moved, Mr. Grenier seconded and it was unanimously carried to appoint George Heinze to Farmland Preservation.

There being no further business, Mr. Lewis moved, Mr. Grenier seconded and it was unanimously carried to adjourn the meeting at 9:21 p.m.

Respectfully Submitted,

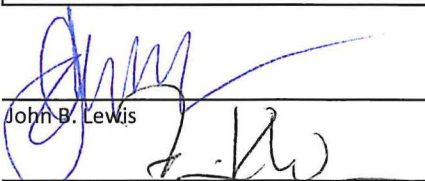
A handwritten signature in blue ink, appearing to read 'D. Grenier', is centered on the page.

Daniel Grenier, Secretary

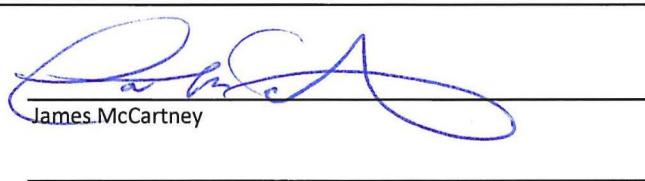
LOWER MAKEFIELD TOWNSHIP
BOS MEETING - 01/19/2022

A/P WARRANT LISTS	12/20/2021		1/3/2022		1/18/2022		TOTAL
	PRINTED CHECKS	MANUAL CKS/WIRES	PRINTED CHECKS	MANUAL CKS/WIRES	PRINTED CHECKS	MANUAL CKS/WIRES	
Fund							
01- GENERAL FUND	147,238.72	2,113.42	198,105.69	6,620.26	260,468.85	2,096.00	616,642.94
02- STREET LIGHTS	848.94		60.47		3,326.77		4,236.18
03- FIRE SAFETY	46,813.00				628.12		47,441.12
04- HYDRANTS	12,501.84				9,064.78		21,566.62
05- PARK AND RECREATION	14,319.18		31,836.26	1,164.96	28,829.34		76,149.74
06- P & R FEE IN LIEU							-
07- RECREATION CAPITAL RESERVE	321,373.12						321,373.12
08- SEWER	89,491.75		119,944.70		602,932.34		812,368.79
09- POOL	1,435.62		5,882.52		17,433.30		24,751.44
11- TRAFFIC IMPACT							-
15- GOLF COURSE	148,119.98				151,593.00		299,712.98
18- SEWER CAPITAL PROJECTS	6,249.23		19,955.02		5,691.05		31,895.30
19- SPECIAL PROJECTS	27,340.11		1,544.00		5,358.76		34,242.87
20- DEBT SERVICE							-
21- REGENCY BRIDGE			602.00				602.00
30- CAPITAL RESERVE			8,518.92				8,518.92
31- POOL CAPITAL RESERVE FUND							-
32- TREE FUND							-
35- LIQUID FUELS							-
36- ROAD MACHINERY FUND			30,931.72				30,931.72
40- 9/11 MEMORIAL			773.76		693.18		1,466.94
45- PATTERSON FARM			912.67		1,100.00		2,012.67
50- AMBULANCE/RESCUE SQUAD							-
84- DEVELOPER ESCROW	4,394.25		15,690.43		2,901.77		22,986.45
91- UNEMPLOYMENT							-
	820,125.74	2,113.42	434,758.16	7,785.22	1,090,021.26	2,096.00	2,356,899.80

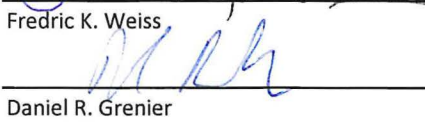
							-



 John B. Lewis



 James McCartney



 Fredric K. Weiss



 Suzanne S. Blundi



 Daniel R. Grenier