

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – SEPTEMBER 7, 2022

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on September 7, 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
John B. Lewis, Supervisor

Others: Kenneth Coluzzi, Interim Township Manager
David Truelove, Township Solicitor
Andrew Pockl, Township Engineer

Absent: Suzanne Blundi, BOS Treasurer

COMMUNITY ANNOUNCEMENTS

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

Mr. McCartney stated the Lower Makefield Township Farmer's Market is back at Charlann Farms. They will be there every Thursday from 3:30 p.m. to 6:30 p.m. through September.

Mr. McCartney stated Lower Makefield Township's Park & Recreation Department will be hosting Zumba after Dark with Sandy & Jeanine. This event will take place on Friday, September 16, 2022 at 8:00 p.m. in the LMT Pool parking lot, 1050 Edgewood Road, Yardley, PA 19067. Register at Community Pass Catalog (capturepoint.com).

Mr. McCartney stated September 18, 2022 is the 19th Annual 9/11 Garden of Reflection 5K Run/Walk at Memorial Park. This race benefits the Lower Makefield Township Garden of Reflection Endowment Fund. To register visit 9-11memorialgarden.org/.

Mr. McCartney stated The Friends of the Five Mile Woods will be offering nature walks at the Five Mile Woods Nature Preserve on Sunday, September 18 from 12 p.m. to 3:30 p.m. Trails have uneven surfaces. Please wear sturdy walking shoes.

Mr. McCartney stated the EAC will be hosting a lecture series Thursday September 22 and 29 about electricity called “You Flip the Switch and the Lights Better Come On! How the Electricity Gets from the Generator to the House.”

Mr. McCartney stated a Styrofoam Recycling Event will be held at the Township Building, 1100 Edgewood Road, Yardley, PA 19067 on Saturday, October 29, 2022 from 10:00 a.m. to Noon. Bring your Styrofoam, wine corks, amber/white plastic pill containers, and alkaline household batteries.

Mr. Lewis stated Sunday, September 11 is the twenty-first anniversary of 9/11. He stated Lower Makefield continues to deal with the aftermath of that event and will be remembering at two ceremonies on September 11. He stated the first is at 8:30 a.m. designed to coincide with the timing of events that occurred that morning, and there is a second ceremony to be held in the evening at 7 p.m. He encouraged everyone to attend either ceremony as it is important to remember that day and how we have changed as a Country.

APPROVAL OF MINUTES

Dr. Weiss moved, Mr. Grenier seconded and it was unanimously carried to approve the Minutes of August 17, 2022 as written.

ENGINEER’S REPORT

Approve Change Order #1 for the 2022 Road Program to James D. Morrissey, Inc. in the Amount of \$2,258.20

Mr. Pockl stated this was the result of a drainage pipe from a resident’s sump pump being directly connected to one of the inlet tops which was being replaced. He stated this was discovered during construction, and they were in contact with the resident at 296 Cinnabar Lane. Mr. Pockl stated they were

offered the opportunity to have their contractor provide a price but that price was rejected by the homeowner and they verbally committed to reimbursing the Township for this Change Order. He stated the work has been completed.

Mr. Lewis moved and Mr. Grenier seconded to approve Change Order #1 for the 2022 Road Program to James D Morrissey in the amount of \$2,258.20.

Mr. Grenier asked if a verbal agreement is sufficient, and Mr. Truelove stated it should be reduced to writing, e-mail, or some other form.

Motion carried unanimously.

Approve Pay Application #2 for the 2022 Road Program to James D. Morrissey, Inc. in the Amount of \$200,640.62

Mr. Pockl stated the work on the Road Program is progressing. He stated this payment covers a portion of the ADA ramps that are being installed and the curb that is being installed with those ramps as well as inlet repairs. He stated they have started milling and paving some of the roadways, but that is not covered in this Pay Application.

Mr. Grenier moved and Mr. Lewis seconded to approve Pay Application #2 for the 2022 Road Program to James D. Morrissey, Inc. in the amount of \$200,640.62.

Mr. Grenier asked how the work is proceeding with School buses running, and Mr. Pockl stated he has not heard any complaints about interference. He stated they have asked to work on Saturday this week to catch up because of the rain. There was discussion about communication with the School District and cars being moved off the streets while work is done.

Mr. Lewis asked if Upper Hilltop is in this year's Road Program, and Mr. Pockl stated it is. Mr. Pockl added that the contractor is proceeding from the southern and eastern portion of the Township and moving north.

Motion carried unanimously.

Approve Escrow Release #1 for the Prickett Preserve Development to ELU DeLuca Yardley LLC in the Amount of \$754,695.00

Mr. Pockl stated this primarily covers installation of underground stormwater management systems. He stated they have been on site inspecting those to make sure they are installed as per the Plan, which they are. He stated there is some storm pipe associated with the basins that are being installed, and erosion and sediments control measures and earthwork on site are covered in this first Escrow Release. He stated they have completed the work covered in this Escrow Release. Mr. Pockl stated there will still be in excess of \$5 million left in Escrow for this Development.

Dr. Weiss moved and Mr. Grenier seconded to approve Escrow Release #1 for the Prickett Preserve Development to ELU DeLuca Yardley LLC in the amount of \$754,695.

Mr. Grenier asked if the Conservation District has done any inspections; and Mr. Pockl stated while he has not received any reports from the Conservation District he assumes that they have been on site. Mr. Grenier asked if there have been any issues with tree protection and the barn making sure that there is adequate space from heavy equipment. Mr. Pockl stated there have been no issues. He added that they established the limits of their earth disturbance at the beginning of the job, and they have held to that. He stated there were some issues with dust and they were required to have water trucks and stone areas that otherwise would not normally be stoned in order to help with the dust.

Motion carried with Mr. Lewis opposed.

PROJECT UPDATES

Mr. Grenier asked about the Woodside bike path. Mr. Pockl stated Permits were issued, and this is currently out to Bid with Bids to be opened next Wednesday. Mr. Pockl stated they expect to have a recommendation at the next Board meeting for Woodside Road bike path, South Drive culvert replacement, Maplevale drainage improvements, and for the Administration Building renovations.

Mr. Grenier asked for more information about Maplevale, and Mr. Pockl stated this is just for Phase 1 which is the southern leg of Maplevale Drive as it connects to Taylorsville Road. He stated they just received from DEP the Permit for Phase 2, and that will be put out to Bid. Mr. Grenier asked if that will be constructed this year, and Mr. Pockl stated he feels it could be done over the winter since there is not a lot of earth disturbance or stabilization required. Mr. Grenier stated Phase 1 will take place before the paving is done, and Mr. Pockl stated the intention is to present the Bid results for Phase 1 at the next Board meeting and then move into construction.

Mr. Grenier asked about the stone, etc. that was left at the eastern field at Memorial Park. Mr. Grenier stated he is in discussion with the contractor about that; however, he did not want anything done further on the punch list items until after September 11. He stated we are still holding over \$11,000 in Escrow on that project.

Mr. Lewis asked if there has been water pooling on the courts at Memorial Park. Mr. Pockl stated prior to the latest rain events, he had not witnessed any ponding that was out of the norm for a typical court; and it seems that the underdrain that was installed in the northeast corner of the courts is working. Mr. Lewis stated he has heard good response from residents who are using those courts; however, he did hear about an issue with a gate to enter the courts. Mr. Pockl stated at the pickleball court the gate was not installed correctly and it is not closing correctly which has caused an issue with stripping the paint off the post where the latch connects to the gate, and that is on the punch list to be corrected.

Mr. Grenier stated the walkway near the Township Building is under construction, and he asked for an update from Mr. Pockl. Mr. Pockl stated his firm is not involved with the construction management of that project.

Mr. Lee Pedowicz, 247 Truman Way, noted the Regency at Yardley pedestrian improvements, and asked if those are the improvements along Big Oak Road; and Mr. McCartney agreed.

PUBLIC WORKS

Mr. Derek Fuller, the new Public Works Director, was present.

Authorize Advertisement to Bid for Leaf Collection Contractors

Mr. Fuller stated these are the third-party, independent contractors that help with the leaf collection. He stated this has been done for years in the Township.

Mr. Lewis moved and Dr. Weiss seconded to authorize advertisement to Bid for leaf collection contractors.

Mr. Lewis stated he understands that because it was a hot summer, the leaves will drop sooner; and he asked if that has been factored into the plan.

Mr. Fuller stated it was, and they are bringing the in-house equipment in earlier to get it serviced and on the road faster and to get the contractors or board to help the Township. He stated they are working on the schedule now, and it will be published on Facebook and other sites. He stated they will look to have a typical start date, but if necessary they will push that date up two to three weeks earlier if there is an early fall of leaves.

Motion carried unanimously.

Authorize Advertisement to Bid for Snowplow Contractors

Mr. Fuller stated these are third-part contractors who are brought in to assist our crews to get the Township cleared in a quicker amount of time. He stated this has been the practice in the past.

Mr. Lewis moved, Dr. Weiss seconded and it was unanimously carried to authorize advertisement to bid for snowplow contractors.

Award the 2022-2023 Bucks County Consortium Salt Bid to Morton Salt, Inc.

Mr. Fuller stated Morton Salt was the low Bidder, and they will be furnishing and delivering salt to our silo for storage. He stated the price has gone up about \$10 more a ton than was paid last year.

Mr. Lewis moved and Dr. Weiss seconded to award the 2022-2023 Bucks County Consortium Salt Bid to Morton Salt, Inc.

Mr. Grenier stated we put down either straight salt or our solution depending on what the conditions will be. He asked if they build in a price based off of that. Mr. Fuller stated the Township buys direct salt. He stated it was a past practice of the Township to make its own brine as we have the equipment to do that; however that has not been done in the past few years due to man-power reasons, and they are going to try to start that practice again.

Motion carried unanimously.

CHIEF'S REPORT

Approval of the Titan Industrial Services, Inc. Quote to Apply a High Friction Surface to Edgewood Road Westbound at Sandy Run in the Amount of \$19,950

Chief Coluzzi stated this was discussed previously when the price was higher; however, we were able to get it a little lower because it is a piggy-back off of PennDOT. It is hoped that the friction surface will be in place by October.

Dr. Weiss moved and Mr. Lewis seconded to approve the Titan Industrial Services, Inc. quote to apply a high-friction surface to Edgewood Road westbound at Sandy Run in the amount of \$19,950.

Chief Coluzzi stated this should protect the cars that are trying to stop coming over the hill. Chief Coluzzi stated there have not been any accidents. Mr. Lewis asked if drivers will notice anything about the surface, and Chief Coluzzi stated it is only when they brake that they will feel the friction. Dr. Weiss stated it should decrease the stopping distance.

Mr. Grenier asked how long this is supposed to last; however, Chief Coluzzi did not know. Mr. Grenier asked if there are any further recommendations, and Chief Coluzzi stated there are not to his knowledge.

Mr. Lewis stated there had been concern about bushes in the area which were then trimmed. Chief Coluzzi stated this will have to be monitored as the shrubbery grows. He stated they had to clear Edgewood Road of trees that were hanging over the road prior to the Railroad tracks. He stated when a driver is approaching one circle, you want there to be a clear sight distance

of the other circle which makes it much safer; and they will stay on top of that. Mr. Lewis stated he has not received any comments about safety concerns with the circles.

Motion carried unanimously.

Approval of the Quote from CoStars Vendor If It's Water for Emergency Pool Repairs to Replace the Filter and Pumps in the Amount of \$222,629.52

Chief Coluzzi stated the filter at the Pool failed and had to be patched/welded this year, and it did last until the end of the Pool season; however now it has to be replaced as it is forty years old. This will be a new type of filter which contains a form of glass rather than sand. He stated if this is not done, the Pool would not be able to open next year.

Dr. Weiss moved and Mr. Lewis seconded to approve the quote from CoStars vendor If It's Water for emergency Pool repairs to replace the filter and pumps in the amount of \$222,629.52.

Mr. McCartney asked the effective lifespan of the filter/pumps, but Chief Coluzzi was not sure. Chief Coluzzi stated the old one lasted forty years. Mr. Lewis stated he read that there was a fifteen year limited warranty with this new equipment so we should be planning for a fifteen year lifespan. Mr. McCartney stated he understands this is what other pools are now using.

Mr. Grenier asked how this will be paid for; and Chief Coluzzi stated since there is not sufficient Pool Revenue, it will have to be paid for from the Relief Fund money. Mr. Grenier asked about the amount of Relief Fund money, and Chief Coluzzi stated the last time they discussed it, it was \$1.7. million. Mr. Grenier asked how the Pool did this year, and Chief Coluzzi stated they were "break even or under."

Mr. Grenier asked if they need to look at an O & M Agreement for the filter/pump, and Chief Coluzzi stated he will look into that.

Mr. Grenier stated the residents should understand that if we want to open the Pool next year, we have to pay \$222,000 since the Pool Revenue cannot cover this.

Motion carried unanimously.

SOLICITOR'S REPORT

Mr. Truelove stated the Board met in Executive Session beginning at 6:30 p.m. and litigation items, Real Estate items, and informational items were discussed.

Approve Resolution for Acceptance of Dedication of the Public Improvements for Flowers Field at Edgewood

Mr. Truelove stated this is the Residential portion of the parcel at the corner of Stony Hill and Langhorne-Yardley Roads on the northwest side. He stated Fieldstone Lane and Windflower are the two streets being requested for Dedication by the developer. Mr. Truelove stated Mr. Pockl's office did the inspection, and all punch list items have been satisfied. They have also posted a Maintenance Bond for eighteen months.

Dr. Weiss moved, Mr. Grenier seconded and it was unanimously carried to approve the Resolution for acceptance of Dedication of the public improvements for Flowers Field at Edgewood.

ZONING HEARING BOARD MATTERS

With regard to Appeal #22-1975 Zubaida Foundation for the property located at 855 Big Oak Road, Yardley, PA 10067, Tax Parcel #20-041-002 Variance requests from Township Zoning Ordinance #200-20 to allow a community center, daycare, and funeral home as permitted uses in the R-2 Zoning District, Township Zoning Ordinance #200-68.A(7) to permit less than the required minimum lot area for a community center, Township Zoning Ordinance #200-22 to permit side and front yards of less than the required minimums; and Township Zoning Ordinance #200-23 to allow an increase in impervious surface to 24% from the existing 21% where 18% is the allowable amount, Dr. Weiss moved, Mr. Grenier seconded and it was unanimously carried that the Township participate.

With regard to Appeal #22-1976 Andrew Hibshman for the property located at 375 Hidden Oaks Drive, Yardley, PA 19067, Tax Parcel #20-060-142 Variance requests from Township Zoning Ordinance #200-63.A to permit a building addition to be within 103 feet of the rear property line, whereas 120 feet is required and Township Zoning Ordinance #200-23.A to allow an increase in impervious surface to 22.65% from the existing 16.69% where 21% is the allowable amount, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to Appeal #22-1977 Danielle Carcia & Marc Dickerson for the property located at 15 Glenolden Road, Yardley, PA 19067, Tax Parcel #20-047-059 Variance request from Township Zoning Ordinance #200-11.A(5) to convert two of the garage building's three bays into approximately 617 square feet of habitable space to permit a detached in-law suite as an accessory use to the principal residence, Dr. Weiss moved, Mr. Gruen seconded and it was unanimously carried that the Township participate.

PUBLIC COMMENT

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

SUPERVISORS REPORTS

Mr. McCartney announced that Park & Recreation was approved as the first in the State of Pennsylvania receiving CAPRA Certification; and he congratulated Ms. Tierney, her team, and the members of the Park & Recreation Board that have worked on this process.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Dr. Weiss moved, Mr. Grenier seconded and it was unanimously carried to appoint Matt Farrell to the EAC.

There being no further business, Dr. Weiss moved, Mr. Grenier seconded and it was unanimously carried to adjourn the meeting at 8:20 p.m.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'D. Grenier', is written over the typed name.

Daniel Grenier, Secretary