

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – JANUARY 17, 2024

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on January 17, 2024. Mr. Lewis called the meeting to order at 7:45 p.m. and called the Roll.

Those present:

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

Others: David W. Kratzer, Jr., Township Manager
 David Truelove, Township Solicitor
 Paul DeFiore, Township Engineer
 James Majewski, Community Development Director
 Kenneth Coluzzi, Chief of Police

COMMUNITY ANNOUNCEMENTS

Mr. Lewis stated that during this portion of the Agenda residents and youth organizations may call in to make a special announcement or may contact the Township at admin@lmt.org to request a special announcement be added to the Agenda. There was no one wishing to make a special announcement at this time.

Mr. Lewis stated the Environmental Advisory Council will be hosting their Styrofoam & Recycling Event on Saturday, January 20, 2024 from 10:00 a.m. to Noon outside of the Lower Makefield Township Building, 1100 Edgewood Road, Yardley, PA 19067.

Mr. Lewis stated Lower Makefield Township will be hosting a Blood Drive for the Red Cross on Friday, February 23, 2024 from 12:00 p.m. to 5:00 p.m. in the meeting room at the Township Building, 1100 Edgewood Road. To sign up or get more information log onto RedCrossBlood.org and enter Sponsor Code: Lower Makefield. Mr. Lewis stated if you sign up with the Red Cross they can give you recurring e-mails reminding you when you are eligible to donate blood. Mr. Lewis stated if February 23 does not work, you can sign up for other dates and times on their Website.

Ms. Blundi stated there is a National shortage of blood at this time, and she asked those who are not able to attend our Blood Drive to see if there is another time that they can donate if they are eligible to donate.

Mr. Lewis expressed the community's appreciation for the work that the Public Works team did over the most recent storm. He stated we have not had an event of significant winter precipitation in a couple of years; and while the accumulation in this particular event was not very high, the nature of the precipitation including the ice did make it challenging. In addition to Mr. Fuller and his Public Works staff, Mr. Lewis thanked the Park & Rec employees who also helped as well as on-call and part-time relief drivers, and the contractors.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Mr. Arthur Cohn, 7906 Spruce Mill Drive, stated he is the Chair of the Citizens Traffic Commission. He stated residents appeared before the Commission at their October meeting with regard to speeding on Yardley-Morrisville Road. He stated he understands that they appeared before the Board of Supervisors on this issue as well. Mr. Cohn stated there was a Traffic Study done, and he received a summary which showed that there was no one speeding; however he asked if a full report of the Traffic Study could be provided. Mr. Kratzer stated after the initial reports came back, he requested a copy of the full report; however, he was told that the format of the data is such that it is traffic-recording data, and that beyond the summary, PennDOT was not going to provide any additional information.

Mr. Cohn stated the residents were concerned that there were outliers and that people were speeding that was not shown in the results. Chief Coluzzi stated there are always outliers. Mr. Cohn asked if there is anything we can get that would show the number of outliers; and Mr. Kratzer stated he can follow up with PennDOT.

Mr. Cohn stated the residents were requesting some lighted speed signs there, and he does not know if the Board of Supervisors wants to do that. He added that he understands the residents want to come before the Board of Supervisors in February, and he asked that be put on the Agenda for the second meeting in February. Chief Coluzzi stated the procedure would be for the traffic engineer to go out to the location and look at the areas where the residents want to have the signs posted. He stated they would have to

petition PennDOT for approval to do that because it is a State road. He stated if PennDOT were to approve that, they will come up with a cost for the signage, and the Supervisors would have to approve the expenditure and the installation of the signs.

Mr. Cohn asked we could have the Township engineer apply to PennDOT, and Chief Coluzzi stated we already notified the engineer to start that process.

Ms. Laurena Stoddard, Meadow Drive, asked if there could be a paragraph written every meeting that could be read as to what LandStudies is doing. She asked if they have done soil samples and if they are going to do any design. Mr. Kratzer stated they are preparing a supplemental scope for review, but it has not yet been received. He stated the original scope that LandStudies had put forth has been satisfied. Mr. Kratzer stated he understands that there is additional testing that they would recommend in order to inform design work. Ms. Stoddard asked that in the next scope of work LandStudies be required to provide a paragraph for the “Wednesday meeting of what is going on.”

Ms. Stoddard asked if a maintenance schedule was set up in the Budget for Mr. Fuller to clean the stream out this spring, summer, or next year. Mr. Kratzer stated while that was not itemized in the Budget, the intention is to continue with a maintenance schedule; and that is being developed.

APPROVAL OF MINUTES FOR DECEMBER 20, 2023 MEETING

Mr. Grenier moved, Mr. McCartney seconded and it was unanimously carried to approve the Minutes of the December 20, 2023 meeting as written.

APPROVAL OF MINUTES FOR JANUARY 2, 2024 MEETING

Mr. Grenier moved, Mr. Ross seconded and it was unanimously carried to approve the Minutes of the January 2, 2024 meeting as written.

FIRE SERVICES

Approval of Ordinance Regulating the Use and Display of Fireworks in Lower Makefield Township

Mr. Tim Chamberlain was present. He stated this Ordinance follows the State Law that was enacted in 2022 where consumers can purchase consumer fireworks to use, but there are stipulations put on as to age and where they can be used. He stated the Ordinance also requires Permits from the Township for Display Fireworks which includes submission of a Fire Safety Plan, diagram, the fireworks to be used in the display; and there is a Fee associated with that to offset the cost of the Plan review and stand-by for emergency services.

Mr. Grenier stated display fireworks are different from consumer fireworks as they are more the professional pyrotechnics, etc.

Mr. Grenier moved, Mr. Ross seconded and it was unanimously carried to approve the Ordinance regulating the use and display of fireworks in Lower Makefield Township.

PARK & RECREATION

Approve Authorizing the Release of a Bid for the Annual Pool Painting Project (funding allocated in the adopted 2024 Budget)

Ms. Tierney was present. She stated this year the focus is on sandblasting and painting the lap pool per the recommendation last year as well as touching up the other pools.

Ms. Blundi moved, and Mr. Ross seconded to authorize the release of a bid for the annual Pool Painting Project.

Mr. Grenier asked the total value, and Ms. Tierney stated she believes that \$120,000 was budgeted. Mr. Grenier asked what we will do if the Bid comes in above what was budgeted. He asked if there is any opportunity for Bid Alternates to manage Budget, and he asked if it can be broken up in a way that some things may not be 100% necessary this year if the price comes in too high. Ms. Tierney stated she would not recommend “skimping” on the painting as that makes a big impact. She stated once they see the quotes, they will have to make a decision based on that. Mr. Grenier asked when

we put out the Bid are we going to get line item responses “if we need to group things” in case it comes in above Budget; and he asked if there could be a menu option. Ms. Tierney stated if they are looking for an Add Alternate, she would recommend the Olympic pool since it was sandblasted and painted and probably needs the least touching up. She stated it will need caulking.

Mr. Lewis stated he does not feel we need to change the Motion to have the RFP have discreet line items and itemized Bids. Mr. Kratzer stated they can structure the document in that way. He stated this is on-going maintenance, but they could segment the Bid in such a way to show the services needed for each pool; and if there is a need to pick and choose, we would have the ability to do that. Mr. Lewis stated the Board recognizes the importance of on-going operations and maintenance.

Ms. Blundi stated three years ago Ms. Tierney put into place a thoughtful process so that we are staggering maintenance, but also keeping up with maintenance as appropriate.

Motion carried unanimously.

Approval of Purchase of a Pool Filter for the Lap Pool for \$135,553.57 (funding allocated in the adopted 2024 Budget)

Ms. Tierney stated a leak assessment was done last year which indicated that we were having problems with the filter which had been purchased in 1995 and is well over its useful life as a useful life for a filter is around fifteen years. She stated by updating the filter we will not only not lose as much water, but there will be savings in terms of day-to-day maintenance. She stated the Pool water will also be much clearer as last year it was recognized that there was sediment on the bottom of the lap pool which was a result of the leaking we were having.

Mr. Blundi moved and Mr. McCartney seconded to approve the purchase of a pool filter for the lap pool for \$135,553.57.

Mr. Grenier asked how much was budgeted for this, and Ms. Tierney stated it was the exact amount as we had a quote for it prior to the Budget through CoStars.

Motion carried unanimously.

Discussion and Tabling of the Release of the RFP for Design Services Relating to the Memorial Park Phase 3 Expansion Project, Which was Previously Approved in 2023 and Received a Statewide Local Share Grant in the Amount of \$900,000

Ms. Tierney stated there was a prior discussion on this last year, and she is asking the Board if they are in agreement with moving forward with the RFP process. Mr. Kratzer stated the Board approved a delayed Release previously, and Ms. Tierney is now bringing it back to the Board prior to the document going out and recognizing that there has been a change on the make-up of the Board of Supervisors as well.

Mr. Ross moved and Mr. Lewis seconded to approve the Release of the RFP for Design Services relating to the Memorial Park Phase Expansion Project.

Mr. Grenier stated there is a large Grant from the State that runs out in June, 2026 so it has to be done by then. He stated he would be against moving forward with this now because we are still looking at some other potential projects for this year which he feels are more important than this project in terms of immediate necessity including stormwater management projects. He stated he feels that there is an opportunity before 2026 to move this forward, but he would pause it at this time to see what other recommendations and other projects we may need to shift funds toward in the immediate future relative to more infrastructure-based projects versus Park and Rec.

Mr. Lewis asked the Township match for this Grant, and Mr. Kratzer stated it is \$310,000. He stated it was being funded through restricted funds.

Mr. Lewis stated an option is to amend the Motion to postpone it to another date, withdraw the Motion, or vote on the Motion.

Mr. McCartney moved, and Mr. Grenier seconded to Table.

Mr. Lewis asked if the Board would like to provide guidance to the staff as to when this should be brought back. Mr. Grenier stated the Board needs to determine what infrastructure-based projects we have on the horizon, and he does not believe that it will take long to get that information so that the Board can then build out a plan inclusive of this project. He stated he does agree that this project needs to happen in the next two years, although he does not yet know where it falls in that two years.

Mr. Kratzer stated the match of \$310,000 for this project was through Park & Rec Fee-In-Lieu. He stated some of the other projects that have been mentioned are not fundable using these restricted dollars. He stated there could be other Park & Rec projects that could be funded through Fee-In-Lieu.

Mr. Truelove stated the Board could defer this to a specific date if they want and it could be Agendized at that time.

Mr. Grenier moved to amend the Motion to Table to the first meeting in September. Mr. Ross agreed to the amendment.

Ms. Blundi stated she understands that this could not come back earlier than the first meeting in September, and Mr. Truelove agreed.

Motion carried with Ms. Blundi opposed.

Mr. Lewis stated this is about spacing projects in a way that we can digest them and complete them in a reasonable timeframe. He stated we know that there is significant work to be done at Memorial Park which will be addressed.

Announcement of Macclesfield Park Master Plan Open House

Ms. Tierney stated on February 21, 2024 at the Community Center from 6:30 p.m. to 8:30 p.m. there will be an Open House for the Macclesfield Park Master Plan, and the community is invited to attend.

ENGINEER'S REPORT

Approve Financial Security Release #10 for Pickett Preserve in the Amount of \$570,140.00

Mr. DeFiore stated this is for work completed and confirmed by the inspection team. He stated following this Financial Security Release, there will be a balance of \$1,045,263.50 remaining for the development.

Ms. Blundi moved and Mr. Ross seconded to approve Financial Security Release #10 for Prickett Preserve in the amount of \$570,140.00.

Mr. Grenier stated there were Stipulations about protecting some of the larger trees on the site, and there was discussion on-line that one or two of those trees were removed during construction. He asked if that is true, and asked how that relates to the "Overlay Agreement/Developer's Agreement." Mr. Truelove stated he would have to look into this. Mr. Kratzer stated when Mr. Grenier raised this issue, he looked at the Developer's Agreement and Letters of Approval with noted Conditions; and he did not see anything about obligating them to preserve any specific tree. He stated he was not with the Township when this project was approved, and there may have been discussion at that time regarding this issue.

Mr. Kratzer stated based on the information that Mr. Majewski had provided when Mr. Grenier initially inquired about this, Mr. Majewski had noticed that there was a tulip poplar tree noted. Mr. Majewski stated the tree was not a specific line item called out in any of the approvals for the project. He stated there was a discussion about trying to save trees, and they had some "tree people" treat the tree in the area to make sure that they could hopefully save it; however, when they got further along, they looked into trimming the tree to maintain its health and found that the tree was not in good shape and was more of a hazard to the general public and to the historic barn. He stated the chances of it surviving long term were not great. Mr. Majewski stated they are obligated to plant additional trees on the site to replace those that were removed.

Mr. Grenier stated when they discussed the Overlay process, he feels they felt that tulip poplar was an oak. He stated the tulip poplar may be a different tree that needed to be taken down, and the other tree may still be existing. Mr. Majewski stated he does not recall anything about an oak tree, but he could look into it.

Mr. Grenier asked if they completed all items to the engineer's satisfaction, and Mr. DeFiore agreed.

Motion carried unanimously.

Approve Payment Application #5 for the South Drive Culvert Replacement Project in the Amount of \$11,543.97

Mr. DeFiore stated this is the final Payment Certificate and it includes payment to the contractor for work completed, which has been verified to be fully and successfully completed for the project. This final payment includes retainage

that is held throughout the project until all items have been confirmed completed. The Maintenance Bond is attached, and the maintenance period for this project expires on November 21, 2025.

Mr. Grenier moved, Mr. McCartney seconded and it was unanimously carried to approve payment Application #5 for the South Drive Culvert Replacement Project in the amount of \$11,543.97.

General Project Updates

Mr. DeFiore stated the Maplevale General Permit will be submitted this week, and it is a follow-up to the site restoration work that was previously completed for the wash-out. Mr. Kratzer stated this relates to the restoration that was done between 18 Maplevale and 20 Maplevale. Mr. DeFiore stated this is a formality as a follow-up to the Emergency Permit that was previously submitted and constructed.

Mr. DeFiore stated with regard to stream clearing, wetlands, and gravel bars, field delineation is complete for the Prospect Farm Drive site. The Taylorsville Road site delineation will be completed tomorrow. He added they have found gravel bars at both sites, and they will move on to submit those Permits as well.

Mr. DeFiore stated with regard to Highland Drive drainage, they had a meeting with the utility providers; and they are working with them to relocate existing utility services as required to meet the design. He stated the utilities that need to be relocated are water, gas, electric, Comcast, and Verizon. He stated they are currently scheduled to meet with PA American water next week.

Mr. DeFiore stated with regard to the 2024 Road Program, they plan to ask for authorization to Bid the 2024 Road Program in late February or early March. Ms. Blundi stated for the last few years, the Board has tried to be first in with our Road Program believing we might get more-aggressive Bids and be able to be in a more-favorable position; and she asked why it is being recommended to push it out that far. She stated typically, the Board authorizes going out to Bid on this Agenda. Mr. DeFiore stated they met with the Township staff and anticipate to be in a good position to go out to Bid at the time he noted. He stated they will do their best to complete it as soon as possible although the time he indicated is what they are projecting.

Mr. Lewis stated he agrees with Ms. Blundi, and if they could speed this up, it would be a benefit. He stated he feels their strategy has worked in the past since being first usually gets the best deal. He added that commodity prices are a moving target, and he feels sooner would be better. Mr. Grenier stated he agrees.

Mr. Grenier asked for an update on the Woodside Road bike path. Mr. DeFiore stated PECO has the Plans, and the new pole locations were staked out. PECO is working on providing sketches, which they hope to receive soon. He stated with regard to the remainder of the path that is going to be constructed, they have pricing to install the barriers for safety, and they are working with Township staff to get that approved and installed. Mr. DeFiore stated with regard to the basin area where the slope is, a detail has been submitted to the contractor as to what is required, and we are waiting for their pricing on that. They are also writing their pricing for other signage and the other parts of the project.

Mr. Grenier asked if the paving and other work will not take place until there is warmer weather, and Mr. DeFiore agreed. Mr. DeFiore stated they want to restore the embankment near the basin and will wait to relocate poles before any additional paving is done. He stated there are some trail shifts to be done as well to help mitigate the distance from the poles and some other fixes. Mr. Grenier asked about help from PECO contacts, and Mr. DeFiore stated they have contacts at PECO who are helping with the Woodside path project as well as the Highland Drive project, and they have been responsive.

Mr. Grenier asked about Patterson Farm soil sampling and testing. Mr. DeFiore stated he will look into that as it was to be completed this week.

Ms. April Bollwager-Cloer, 20 Maplevale Drive, thanked the Township for checking on them during the last few weather events. She stated “things held up well for them” on the Maplevale side. She asked with regard to the Highland Drive improvements if there are any implications for the homes on Meadow since they are seeing more pooling and no relief from what is happening with the clearing of the streams.

Mr. Truelove stated today we received a Notice of a Claim, and he does not feel it would be wise for the Supervisors to answer that as it potentially could be used in any Claim against the Township. Ms. Cloer asked if there is a way to know what type of questions they can ask. Mr. Truelove stated that is difficult to answer because of the nature of the Claim which talks in general terms about stormwater management and that covers a wide range of things. He stated at this point they need to make sure that nothing is said that could potentially be used as part of that Claim. Ms. Cloer asked if that is specific to anyone who submitted the Claim or is it anyone in the neighborhood in general. Mr. Truelove stated given the scope of the issue and the damage and flooding of what could be considered an issue on one lot could be effected by something that happens on another lot. He stated it was a comprehensive issue.

Mr. Grenier stated there have been some property owners on Meadow who have done some improvements to their homes that appeared to be yard drainage improvements. He asked if that requires Township review in order to be done. Mr. Kratzer stated he knows that there is some ongoing discussion about those improvements with Mike Kirk, and he could look into the specifics. He stated he knows that there was concern expressed regarding the proximity of discharge points to the roadway, etc.

Ms. Laurena Stoddard, 220 Meadow Drive, stated she believes that "Mike" recommended that project, and that project is creating quite an amount of ice on our newly-paved, "non-level" neighborhood. Ms. Stoddard asked if they are not permitted to ask about Meadow since that is where she lives. Mr. Truelove stated she can ask about Meadow, but it may depend on the nature of the question whether it may potentially implicate the Township. Ms. Stoddard stated it has gotten worse on Meadow with all of the rain we have had. She stated the resident of 234 Meadow was unable to attend this evening because of the weather, and the end of her driveway is frozen so exiting it is unsafe. Mr. Truelove stated they will take notice of this additional issue that she is concerned about.

Ms. Stoddard stated they were previously discussing Highland Drive, and she understands that relates to the drains which is why they are working with all the "entities." Mr. DeFiore stated they discussed the Highland Drive project at the open house, and they are replacing the culvert under Highland Drive as well as installing and replacing inlets. Ms. Stoddard asked if there is a timeline for that, and asked if it would take a year. Mr. DeFiore stated given the meeting they had and the follow-up, he believes it will be much sooner as the utilities have been responsive.

He added that as he indicated earlier, there is a meeting with PA American Water next week; and their goal is to relocate their water line which is currently sticking out of the ground, so that will be a benefit overall. Mr. DeFiore stated with regard to the PECO gas line, PECO is looking to potentially join our Permit which will help speed up the process. He stated PECO electric is in charge of the utility pole; and Comcast is on there, and they have been very responsive as well. He stated they have indicated that they will take out the pole to their best location. He stated everyone seems to understand the importance of this project, and he believes they are making it a priority.

Ms. Stoddard asked if that project includes the drain on the right side at the bottom of Highland. Mr. DeFiore stated the project does not go up to Taylorsville, and there are some drains at the bottom of Highland as you are approaching Taylorsville. He stated we are replacing those drains, putting in larger pipe, and adding several inlets upstream on both sides. He stated we are also increasing the crown of the road, and are looking to channel the water to get it into the gutter line which will help it pass through and get into the new inlets. He added with all of the new inlets and increased pipe quantity and size, that will help convey water much better, and keep it from flowing into Meadow and Maplevale.

Ms. Stoddard asked if they are putting the drain back at the bottom of Highland in this project; and Mr. DeFiore stated they are replacing inlets and are not replacing the one at the bottom. Ms. Stoddard stated she understands that they are not touching the one across the street from Highland on Taylorsville because that is PennDOT, and Mr. DeFiore agreed that is currently not in the scope. He added it has been mentioned by one of the Supervisors to install curbing, and that is potentially for the future. He stated at this point, we are focusing on Highland. Ms. Stoddard stated they will not close the drain where you “come down Highland and make the left where the water is now reversing across Taylorsville Road and coming up out of the drain that it is supposed to go down in and go back over,” and Mr. DeFiore stated they are not closing it. Ms. Stoddard asked Mr. DeFiore if he knows that is an issue, and Mr. DeFiore agreed.

Mr. Kratzer stated with regard to the project on Meadow there was general discussion with Mr. Kirk regarding concern related to drainage from Taylorsville, but there was no pre-construction review and no recommendation by the Township to install the improvements that were ultimately installed. He stated there was a general conversation regarding yard grading, and the improvement that was made was made by the property owner at the property owner’s discretion.

Mr. Grenier asked if we have an Ordinance that relates to that. He stated with “all the pools and other things that have been done recently, a lot of times the Zoning Hearing Board might say to put in some yard drains of some type.” He asked if there is an Ordinance that drives that. Mr. Truelove stated there is nothing that is that specific although it talks in more general terms.

Mr. Kratzer stated he assumes that there are requirements that prohibit direct street discharge or discharge onto an adjacent property. He stated he understands that this pipe does outlet in the yard, so that there is a gap between the point of outlet and the street. Mr. Kratzer stated the concern was expressed during the significant rain storm that occurred about a week or two ago. He stated he will look into this issue as he understands there are ongoing conversations about that, but he wanted to clarify that there was no pre-construction review or Permitting review that was done prior to the installation of that improvement, and it was just a general expressed concern about yard drainage.

Ms. Stoddard stated her understanding is that Mr. Kirk suggested it even though it may not have been Permitted. Mr. Stoddard stated separate from that “the reason she brought up the other location is because that whole back yard is still getting worse.” She stated the water puddles in front of her house, but it does go past and goes into the drains “that are back there.”

Mr. Kratzer stated he does not believe that there were construction drawings, but he will look into the issue. Mr. Kratzer stated someone called the Township to express a concern regarding the neighbor’s discharge, and the proximity of the discharge point to the street which was causing icing. Mr. Kratzer stated what Mr. Kirk conveyed to him was that there was general conversation with the property owner who was expressing concern regarding grading on the property, but he does not know how detailed Mr. Kirk’s recommendation was. Ms. Stoddard stated they are “new people who had just moved in and lost everything because they did not unpack quick enough for the flood.”

MANAGER’S REPORT

Approve Authorizing the Execution of a Collective Bargaining Agreement Between the Township and the Independent Association of Lower Makefield Public Works Employees – Terms Consistent With the Adopted 2024 Budget

Mr. Kratzer stated the Board has had the opportunity to review the Contract, and the terms are consistent with the adopted 2024 Budget. He stated it is a single-year Contract.

Mr. Grenier moved, Ms. Blundi seconded and it was unanimously carried to approve authorizing execution of a Collective Bargaining Agreement between the Township and the Independent Association of Lower Makefield Public Works employees.

Approve Authorizing Entering Into a Copier Lease Agreement for the Public Works Department (funding allocated the adopted 2024 Budget)

Mr. Kratzer stated the existing machine is eight to ten years old.

Ms. Blundi moved and Mr. Ross seconded to authorize entering into a Copier Lease Agreement for the Public Works Department.

Mr. Grenier asked how we went about getting this Lease Agreement, and Mr. Kratzer stated he believes it was from the existing provider that the Department had used before. Mr. Grenier stated asked if they looked into seeing if there were less expensive Leases; and Mr. Kratzer stated Mr. Fuller did do some cost comparisons, and this was the most cost-effective.

Motion carried unanimously.

Approve Authorizing the Release of an RFP for Audit Services for Fiscal Years 2023-2025

Mr. Kratzer stated this and the next item relate to two of the professional services that the Township incurs, and he understands that the Township had previously committed to periodically testing the market as it relates to professional services. He stated this item is for Audit Services to audit the fiscal years ending December 31, 2023, 2024, and 2025. He stated this was done for auditing services four years ago as there was a single-year Extension.

Mr. Grenier moved and Mr. Ross seconded to authorize the release of an RFP for Audit Services for Fiscal Years 2023 to 2025.

Mr. Grenier stated a Resolution was passed in 2019 to RFP Professional Services. He added we have a lot of professional services, many of which have rarely, if ever, been "RFPd", while others are done more frequently. He stated it is good practice on a regular basis to put out an RFP to see what we can do to update our Contracts and get the best rates for the Township. He stated the Auditor Contract was up anyway. He stated hopefully we will be able to do most if not all of our Professional Services this year and do a thorough review of all of our providers.

Motion carried unanimously.

Approve Authorizing the Release of an RFP for Township Solicitor

Mr. Grenier moved and Mr. Ross seconded approving authorizing the release of an RFP for Township Solicitor.

Mr. Grenier stated this is the same as what he discussed about the Auditor. He stated it has been about three to four years, and most in the private sector review this every three years so that they can update the terms and conditions and rates and to see what the market will provide in terms of options. He stated we will "do this with everyone so none of these RFPs are a statement on anyone's work." He stated it is just going through the process and doing it in a timely manner so we can move forward with everybody.

Mr. McCartney asked if there is a reason that we are not putting out an RFP for any of the other Professional Services at this time. Mr. Lewis stated it is just in terms of volume as we have a lot to do. He stated some have never been RFPd, although some have had Fees re-structured. He stated he does not recall that we have done an RFP for banking services, although we have switched providers, and last year we re-negotiated terms multiple times. He stated he is going through the list of all of the Professional Services. He stated the one for solicitor is from 2019, there are others that we have not RFPd since 2016, and some never. He stated they will be spaced out throughout the year.

Mr. McCartney asked Mr. Lewis how he ranked level of importance. He stated he feels Auditor would be at the end of a Fiscal or Budget year. Mr. Lewis stated with regard to the Auditor we have a circumstance where we are out of time with the current Contract. He stated we have to switch

Auditors as we cannot keep the same Auditor beyond a three-year period normally. He stated we had kept the Auditor on under unique circumstances, and we are still going through finalizing the 2022 Audit.

Mr. Kratzer stated typically the Auditors would begin their work in the spring, and this would be for the year that ended December 31, 2023 to try to issue a report by July, 2024 for the preceding Fiscal year. Mr. Kratzer stated Auditors have other Municipal clients and have to schedule out their work, and that is the reason why we have to proceed with choosing an Auditor sooner rather than later in order to be able to be placed on their schedule to have that work completed.

Mr. McCartney asked what is the timeline for the other Professional Services RFP recommendations. Ms. Blundi stated one is already drafted so she assumes we will see that shortly. Mr. Lewis stated there are a number that have been drafted, and it is a question as to how quickly we can get these first two done. He stated there is also another one that has to be done based on prior discussions. He stated doing two or three at a time gives the Board time to work through them all.

Ms. Blundi stated she knows that the Board has seen the one for engineer, and she asked what other RFPs have been drafted. Mr. Kratzer stated attached to the e-mail there was one for Traffic Engineer as well as for the General Engineer. He stated he believes that there was also one for Special Counsel for Labor and Employment work.

Ms. Blundi asked which ones have been prioritized. Mr. Lewis stated he has not set the Agenda yet for future meetings, and they will come over time.

Mr. Grenier asked Mr. Kratzer how long he expects the process to go for each round. Mr. Kratzer stated the dates in the RFP have not been set yet in terms of deadline, and they will have to be spaced out. Mr. Kratzer stated assuming the Board approves this tonight, the RFPs can go out within the next few days, and he would provide at least a month for a response. Mr. Grenier stated he anticipates some will require interviews while others may not. Mr. Kratzer stated depending on the response and the preference of the Board, we reserve the right to interview all respondents as the Board sees fit. He stated as the RFPs are drafted, they do contemplate the potential of interviews.

Mr. Lewis stated the Board approved an RFP for review of the Stormwater Management Ordinance, and we are having interviews for that. Mr. Kratzer stated the responses came in toward the end of December, and we are in the process of scheduling those interviews. Mr. Lewis stated the vote to authorize that was in November, so that gives an idea of the timeframe as to how long it takes to issue the RFP, get responses, conduct interviews, and then bring it back for further discussion. Mr. Kratzer stated there was also an RFP issued for consulting services for DCED's Strategic Management Program which is more of a longer-term, multi-year financial planning exercise. He stated five responses came in on Friday for that, and he provided those to the Board.

Motion carried with Ms. Blundi and Mr. McCartney abstained.

Update on Vacant Property and Foreclosed Property Maintenance and Registration Ordinance

Mr. Kratzer stated Ms. Kirk is in the process of finalizing this, and it should be before the Board shortly in draft form. He stated this has to do with both how properties are maintained when they are vacant or in a foreclosed status and also an accompanying Registration process as well so that we have the ability to respond to concerns as they present regarding properties that are in a vacant status.

Update of Special Events Ordinance and Permitting

Mr. Kratzer stated Ms. Kirk is also working on a Special Events Ordinance and Permitting; and as part of that, she is looking at cost recovery associated with large-scale events. She is also doing some comparative work looking at other examples in other jurisdictions. He added she has been working cooperatively with Mr. Kirk and Mr. Chamberlain regarding those issues. He stated the Board should be presented with a draft Ordinance in the near future.

SOLICITOR'S REPORT

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

Approve Resolution #24-01 Approving the Patterson Farm Master Plan

Mr. Truelove stated there has been a lot of public discussion on this. He stated the Ad Hoc Property Committee and members of the Board of Supervisors have worked hard on this. He stated there was a presentation made by Seiler+Drury on the Master Plan, and he understands that the Board would like to move forward with that.

Mr. Grenier moved and Mr. Ross seconded to approve Resolution #24-01 approving the Patterson Farm Master Plan.

Mr. Grenier stated the Plan is available on-line for review. He stated it is very comprehensive. He thanked the Ad Hoc Property Committee for all the hard work they have done to put the Plan together. He stated the Plan is just the beginning step which was to get the data, and there are future steps and recommendations that come out of the Plan; and one of those is to eventually put together an Advisory Committee or Implementation Committee made up of volunteers/residents with special skills. He stated the Board will be taking into consideration the recommendations of the Ad Hoc Property Committee relative to a future Implementation Committee. He stated there has been discussion of potentially teaming with either an existing or a new 501(c)(3) to help manage the process and the Farm moving forward as a potential option. He stated research is being done with the staff and the solicitor to make sure that any Implementation Committee aligns well with any other group that may be involved so that there are no conflicts between the two different groups as we want things to go smoothly.

Mr. Grenier stated the Ad Hoc Property Committee was chartered to look at Township properties, and they have done that in addition to looking at just Patterson Farm. He stated they have looked at other Township properties and assets and given some good recommendations on those although they were not as detailed as Patterson Farm. Mr. Grenier stated the Ad Hoc Property Committee is at the “end of its Charter relative to Resolution,” and the Board is going to consider extending the Ad Hoc Property Committee for other purposes “for a long period of time, although it may go dormant for a little bit,” as we do not want to lose focus on Patterson Farm. He stated the Board is also looking at an Implementation Committee.

Mr. Lewis stated Mr. Fred Childs, a member of the Ad Hoc Property Committee is present this evening. He thanked Mr. Childs for his efforts and encouraged him to stay involved and hopefully be a part of the implementation. He stated

there are also others on the Ad Hoc Property Committee who have done tremendous work, and we want to get them involved so that we complete the vision. He stated we will work to get the Implementation Committee moving. Mr. Lewis stated we have done some legal research on 501(c)(3)s and that will be provided to the Ad Hoc Property Committee as well as for review.

Ms. Blundi stated the Board of Supervisors is committed to continuing to move this forward. She stated she appreciates that commitment and the commitment of all of the volunteers who have done so much to date.

Motion carried unanimously.

Approve Resolution #24-02 Adopting a Diversity Equity and Inclusion Policy Statement for the Township

Mr. Truelove stated we have been working with Ms. Tierney on general policies for Park & Rec as well as on other policies. He stated it was discussed that it would be wise to include a Policy Statement to be included for all uses of the Township facilities and the Township itself as it relates to employment and other aspects. Mr. Truelove stated Mr. Kratzer was involved in the development and review of this Resolution. He stated his firm is very involved in this, and one of his colleagues drafted this Resolution which was met with favor by the Township staff.

Mr. Grenier moved and Mr. Ross seconded to approve Resolution #24-02 adopting a Diversity Equity and Inclusion Policy Statement for the Township.

Ms. Blundi noted what Pennsylvania has done in this regard and asked if we should mimic their language and specifically include gender and gender identity. Mr. Truelove stated that could be done. Mr. Truelove noted that it does include "gender;" however, Ms. Blundi stated "gender and gender-identify are distinct." Mr. Truelove stated they could include both.

Mr. Truelove stated the Resolution could be approved with the Condition that we amend the Statement to include the gender designation as well. Mr. Grenier stated he would accept that Amendment, and Mr. Ross agreed as well. Mr. Truelove stated they will revise it accordingly.

Mr. Grenier stated he is not sure if this is specifically done to satisfy requirements of Sustainable PA or CAPRA. He stated the Board of Supervisors passed a Resolution in 2019 which was very similar as they felt it was the right thing to do.

Motion carried as amended with Mr. McCartney abstained.

Approve Resolution #24-03 to Approve and Authorize the Execution of a Lease Termination Agreement and Façade Easement Relating to the Warren Farringer House

Mr. Truelove noted this building is in the Giant shopping center parking lot. He stated an Ameriprise Financial Services group that has been there for some time wanted to terminate their Lease. He stated the purpose of the Resolution is twofold in that it terminates the Lease and also imposes a Façade Easement on the property so that for perpetuity of the use of the building, regardless of who is using or occupying it, the Façade Easement will be placed on it which will have to be complied with going forward. He stated both the Easement and the Lease Termination Agreement have been attached to the Resolution.

Ms. Blundi stated she believes that there are two different sides to this building, and Mr. Kratzer stated this applies to the stone portion of the building.

Ms. Blundi moved, Mr. Grenier seconded and it was unanimously carried to approve Resolution #24-03 to approve and authorize the execution of a Lease Termination Agreement and Façade Easement relating to the Warren Farringer House.

ZONING HEARING BOARD MATTERS

With regard to Appeal #Z-24-2044 Munz Construction/Culley for the property located at 1009 Yardley Road, Yardley, PA 19067, Tax Parcel #200-054-001 Variance request from Township Zoning Ordinance #200-23B in order to construct a 1,016 square foot addition which would increase the impervious surface from the existing 18.81% to 24.6% where 18% is the allowable amount, Mr. McCartney moved, Mr. Ross seconded and it was unanimously carried that the Township participate.

With regard to Appeal #Z-24-2045 Simcox/Evanchik for the property located at 711 Jade Road, Yardley, PA, 19067, Tax Parcel #20-23B in order to install concrete pool decking, concrete deck pad, and a shed which would increase the impervious surface from the existing 25% to 29.5% where 18% is the allowable amount, Mr. Grenier moved and Mr. Ross seconded to participate.

Mr. Grenier asked if we want to make a stated goal of getting it to 18%; and Mr. Truelove stated if the Board wants to make that a Condition of participation that could be done, and it would be good to provide that explicit direction. He stated the Board could indicate to the Zoning Hearing Board that their desire is to get the impervious surface back to what it was before the proposed improvement or to the amount that is permitted within the Ordinance.

Mr. Grenier moved to amend the Motion to participate and provide direction to the Township solicitor to present a goal of managing stormwater to the 18% that is approved for this area. Mr. Ross agreed to the second, and the Motion carried unanimously.

Mr. Truelove noted the first Appeal where that specific Condition was not attached, but he added that the Township solicitor could make that same approach; and that was acceptable to the Board.

COMMUNITY DEVELOPMENT

Acknowledge and Accept a Grant of Extension of Time Regarding the Torbert Farm Subdivision

Mr. McCartney moved, Ms. Blundi seconded and it was unanimously carried to acknowledge and accept a Grant of Extension of Time for the Torbert Farm Subdivision to February 29, 2024.

Acknowledge and Accept a Grant of Extension of Time Regarding the Timko Minor Subdivision

Mr. McCartney moved, Mr. Grenier seconded and it was unanimously carried to acknowledge and accept a Grant of Extension of Time for the Timko Minor Subdivision to February 21, 2024.

Update Re: 2023 Floodplain Management Activities

Mr. Majewski stated stormwater management, flooding, and educating the public about these issues is important. He stated every year we track our progress toward completing this information which includes looking for Grants that could help mitigate flooding; and we are currently working on an Elevation Grant, and hopefully a home will start to be elevated later this year. He stated we have also submitted a Grant to FEMA based on our Flood Mitigation Assessment that was done for the watershed that impacts Maplevale, which was a FEMA BRIC Planning Grant for a study to identify potential future flood mitigation projects in that area. He stated that has been submitted and is currently under review by PEMA prior to submission to FEMA. He stated on a yearly basis we also typically look at critical facilities and where they are in the floodplain to make sure that we can minimize the risk to those critical facilities. He stated fortunately, other than the roadway system, the Township does not have a lot critical facilities located within the floodplain such as sewer pump stations, water treatment plants, etc. He stated we also try to identify where we can possibly provide better floodplain management to existing facilities and properties on an on-going basis during our Permitting process as people come in with projects.

Mr. Majewski stated there is also an educational component, and he noted the Newsletters and social media where there are regular posts about trying to get flood insurance, looking at your property, and finding out what your risk is. He stated we also include information about what to do and what not to do during a flood event. He stated we also met with residents regarding the possible flooding solutions in the Maplevale area and other areas earlier this year.

Mr. Majewski stated we have also identified where houses are in the floodplain. He stated when people have questions about their property and what their potential is for flooding, we have a data base that can give them a general idea as to how close they are to being flooded, and what their risk is.

Mr. Majewski stated all of these are some of the things done on a yearly basis to try to make the Township more flood resilient.

SUPERVISORS REPORTS

Mr. Grenier stated Farmland Preservation met, and they will be sending out letters to those who live adjacent to Farmland Preservation properties reminding residents about what can and cannot be done within the buffer areas. He stated they are also looking to have this posted on the Township Website and shared on social media.

Mr. Ross stated he met with the Disability Advisory Board and the EAC and is getting caught up on the projects that they are working on.

Ms. Blundi stated the Historical Commission has a Slate Hill Cemetery Instagram site, and they are looking for followers. She stated they were unsuccessful in getting a Grant last year for the ongoing work at the Slate Hill Cemetery because it was indicated that there was not enough evidence of public engagement. She stated they are taking aggressive steps to make the public aware, and it would be easy for them to point to how many followers they have. Ms. Blundi stated they have also reached out with regard to a tree at the Cemetery that is very old and important, and they were looking to see if the arborist who is working with the EAC could look at this tree. Mr. Majewski stated he will discuss that with them shortly.

Mr. Grenier stated the tree is the Franklinia tree, and it is native to the Carolinas and Georgia. He stated it is the centerpiece at Bartram Gardens, and they have a botanist on staff who is an expert on Franklinia trees. He suggested that they get in touch with the curator there. Mr. Majewski agreed to reach out to them.

ADDITIONAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Ms. Laurie Grey, Lower Makefield resident, thanked the Township for including on the Agenda information regarding whether something is a budgeted item or not. She stated the public cannot see the draft Ordinances that are being considered so it is difficult for the public to make comment. Mr. Kratzer stated the items are posted on the Township Website. Mr. Truelove stated once they are approved for advertisement they go on the Township Website. He stated no Ordinance would ever be enacted without first being advertised.

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There being no further business, the meeting was adjourned at 9:25 p.m.

Respectfully Submitted,



Suzanne Blundi, Secretary