

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – NOVEMBER 1, 2017

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on November 1, 2017.

Ms. Tyler called the meeting to order at 7:35 p.m.

Those present:

Board of Supervisors: Kristin Tyler, Chair
 David Fritchey, Vice Chair
 John B. Lewis, Secretary
 Judi Reiss, Treasurer
 Jeff Benedetto, Supervisor

Others: Terry Fedorchak, Township Manager
 David Truelove, Township Solicitor
 Mark Eisold, Township Engineer
 Kenneth Coluzzi, Chief of Police

VETERANS' PARADE DISCUSSION

Ms. Monica Tierney stated the 11th Annual Veterans' Parade will begin at 1 p.m. on November 12th. She stated this year there will be a Bike/Wagon/Stroller Decorating contest. She stated you can register for the contest at the Township Building or on-line. She stated there will be a number of awards. She stated this year they will also be collecting toiletries along the Parade route, and the National Honor Society from Pennsbury High School will be walking in the Parade with carts to collect toiletries along the Parade route as well as after the Parade at the Ceremony.

PUBLIC COMMENT

Mr. Harold Kupersmit, 612 B. Wren Song Road, noted literature received from candidates for Supervisor which would lead you to believe that the current Supervisors do not know what they are doing; and he feels the current Supervisors know how to govern. Mr. Kupersmit stated Bensalem Township objected in writing to his request for information on wastewater facilities which will help him overturn his conviction since Bensalem Township was responsible for his first arrest.

Ms. Lisa Gage, 1117 Glen Oak Drive, stated on November 5 there will be an event at the Yardley United Methodist Church, 300 Yardley-Langhorne Road from 4:00 p.m. to 6:00 p.m. called Disrupting Racism - Tools for Community Action and Healing. She stated it is an Inter-Faith Film Festival.

Ms. Sue Herman, Boxwood Drive, stated she attended the Town Hall Meeting on the Opioid crisis; and she thanked all those involved in making this happen. She stated it was very educational. She thanked Chief Coluzzi for being so proactive on the issue. Ms. Tyler stated she feels the young people need to talk to each other about this and to self-police. She stated they need to give the youth all the tools they need to do so.

APPROVAL OF MINUTES

Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to approve the Minutes of October 18, 2017 as written.

APPROVE PROPOSAL FOR VETERANS SQUARE PARK SIGNAGE, WALKWAY, AND PLANTINGS

Ms. Kathy Kraeck stated she is happy to see the youth involved in honoring the Veterans in the community. She stated the Pennsbury High School Marching Band will be participating in the Veterans Day Parade again this year as well as the Pennsbury High School Choral Department. She thanked Ms. Tierney for working with the new Youth Community in the Township and for working on the toiletry collection to benefit Veterans. Ms. Kraeck stated the Chair of the Youth Committee will be introducing this year's Parade Marshall, 98 year old Carl Wallnau who is a World War II Veteran.

Ms. Kraeck stated there has been discussion for a number of years about signage, a walkway, and plantings at Veterans Square. She added that Mr. Benedetto had offered to donate his Supervisor salary toward creating a new sign at Veterans Square Park. She stated the existing sign which has been there for many years is a wooden sign that is falling apart. She stated they want to make Veterans Square the showpiece it should be in the Township.

Mr. Kraeck stated they are proposing a brick masonry sign as shown in the information provided to the Board of Supervisors. She stated it will be supported by two brick columns which will be the same gray brick that matches the monument. She stated there is a perforated metal curved sign that will have the lettering, "Veterans Square." She noted the picture in the packet provided to the Board.

Ms. Kraeck stated the architect who designed the monument designed the signage for them pro bono. She stated they presented this to the Park Board in January and it was approved. She stated the final specs were done by the architect in March, and over the summer they obtained Bids on the project.

Ms. Tyler she and Mr. Fedorchak met with Ms. Kraeck and Mr. Kevin Treiber to review the Bids.

Ms. Kraeck stated they are proposing two projects one being the signage and the other the walkway. She stated the cost estimate for the brick portion of the signage is \$14,500. She showed a sample of the perforated metal sign. She stated there will be two vendors who are willing to work together to construct the sign. Ms. Kraeck stated the lighting will be one up light that would be put on a timer. She stated the circuit box and conduit have already been installed.

Ms. Kraeck stated with regard to the plantings she worked with the EAC who recommended particular plantings which she described. She stated the plants will be slow growing so that they do not block the lettering of the sign.

Ms. Kraeck stated the signage will be about the size of the signs at the Woodside Church and the Masonic Lodge which are on the adjacent corners. She stated it would be approximately 7' in height and 15' long.

Ms. Kraeck stated the lighting will cost \$2,000, the labor \$1,000, and the plantings \$600; so the total cost for the signage would be \$24,000 although she does have discounts for the projects which she can describe later.

Ms. Kraeck discussed the proposed walkway which will provide an official path which was what they always talked about when they designed the monument. She stated they are proposing that the walkway be red brick like the pad of the monument and bordered by granite so that it will be very durable. She stated there is already a bike path, and the walkway would go from Edgewood Road to the bike path; and there would be the 8' separation, and then the walkway would continue. Ms. Kraeck stated they would also have plantings on either side of the walkway, and the EAC members made recommendations on those plantings as well. She stated she already has an Eagle Scout candidate who will do the plantings for the walkway and the sign in the spring.

Ms. Kraeck stated the contractors are ready to proceed if the Board approves the project this evening adding it has been under discussion for quite some time. She stated as soon as Veterans Day is over, the contractors can start the project so that it can be done before the ground is frozen; and then next spring the plantings would be installed. Ms. Kraeck stated the cost for the walkway would be \$12,435,

and the plantings are \$1,400 so the total for the walkway portion of the project to be \$13,835. She stated the total cost for both projects is \$38,000; however, with all of the discounts and contributions, she can bring down the cost by 25% for a total of \$28,600. She stated this includes Supervisor Benedetto's salary, contributions from Veterans' Square Foundation, negotiations and contributions from Shady Brook Farm to pay wholesale prices for the plantings, some labor donated by the electrician as well as some cost figures that do not appear as there is no cost for the architectural design and specs and the free labor from the Eagle Scout candidate.

Ms. Reiss stated the plantings cost comes to \$2,000, and she asked if those are going to be donated. Ms. Kraeck stated they will pay the wholesale cost. Ms. Reiss stated they could use the Tree Bank. Mr. Fritchey asked if they would be amenable to contributing \$2,000 which would defray the cost; and Ms. Kraeck stated that was going to be part of the Veterans Square Foundation, and they did donate all the evergreens that are in front of CVS. Mr. Fritchey stated they have energized the use of the Tree Bank, and he feels this would be an appropriate expenditure from the Tree Bank; and Mr. Fedorchak agreed. Mr. Fritchey stated if they were to donate the money that would be a good offset.

Mr. Benedetto stated he understands the signage will cost \$14,500, and Ms. Kraeck stated that is just for the brick masonry part as brick is expensive. She stated when they designed the monument, they decided they wanted it to be as durable and as low maintenance as possible for the Township going forward; so they decided to follow that same procedure with the sign as well so it should not require much maintenance. Mr. Benedetto stated he feels the walkway is a great addition, and he agrees for the plantings they should make use of the Tree Bank.

Mr. Benedetto stated when he had the initial conversation with Ms. Kraeck, he understood that two signs were proposed; however, Ms. Kraeck stated one sign was eliminated. She stated in monitoring what happens at the Park, they noticed there are signs put up for different activities such as the Farmers Market, Makefield Highlands events, etc.; and she feels one sign will suffice. She stated the Veterans Square Foundation does not really have events there any longer except for the Veterans Day Parade. Ms. Kraeck stated currently the message about the Parade is on the temporary wooden sign which will be coming down; and she feels in future years, they can work with Ms. Tierney to have a sign with the date of the Parade. Mr. Benedetto thanked Ms. Kraeck for doing this and all the work she has done on the monument and being so diligent.

Mr. Benedetto asked if this is in the Budget for 2017, and it was noted that it is not. Mr. Fritchey stated the Board will be discussing the Budget in a few weeks. Mr. Benedetto asked about his Supervisor salary going toward this if it is not built in 2017. Mr. Fritchey stated while it is not in the Budget for 2017, he feels the Board is

conceptually supportive of the proposal; however, he feels it will most likely appear in the 2018 Budget which they will start to put together in November. He stated he agrees with Ms. Reiss that the plantings should come out of the Tree Bank.

Mr. Fritchey asked the height of the memorial, and Ms. Kraeck stated it is probably about 12' with the eagle on top of that. Mr. Fritchey asked Ms. Kraeck the height of the sign, and she stated it is about 15' at its tallest point. She stated with the eagle, the monument would be taller than the sign. Mr. Fritchey stated he does have concerns about the sign in some ways obscuring the vision of the memorial as you are coming down Edgewood Road, and it seems that the sign is almost as tall as the memorial. He stated while the sign may be comparable in size to the Church sign and the Masonic Hall sign, the Church has a steeple and the Masonic hall is a multi-story structure whereas the memorial is horizontal in its orientation; and having a sign the height she is proposing creates aesthetic questions in his mind.

Ms. Kraeck stated the design of the sign at its tallest point it is 14' but it then slopes downward by a foot or two although she is not exactly sure how much. She stated the sign will be placed at the corner which will be hundreds of feet from the monument itself. Mr. Benedetto asked if it will be close to where the temporary sign is currently, and Ms. Kraeck stated it will be almost in that exact location. She stated they did work with Chief Coluzzi on the placement of the sign considering driver visibility. Ms. Kraeck stated the sign will make sure that the area is recognized for what it is which is Veterans Square. Mr. Fritchey stated he feels they may want to make some changes to the sign as they would not want the sign to dwarf the memorial. Ms. Kraeck stated she feels it works proportionally when you look at the existing signs in the area. She stated initially she felt it seemed to be a big sign; however, she and Mr. Treiber went out and measured the space as well as the signs at Woodside and the Masonic Lodge, and they were all in keeping with each other. Mr. Fritchey stated he feels they can discuss this during the Budget meetings so he does not feel they have to resolve the precise sign this evening.

Ms. Tyler asked Mr. Truelove if there would be any issues with prevailing wage; and Mr. Truelove stated they might if the aggregate cost is in excess of \$25,000 and is considered a Township project. He stated the monument was built by the 501C3. Ms. Kraeck stated what is being proposed are three separate projects since there are three separate vendors. Mr. Truelove stated if it were done by an entity other than the Township, it would not be subject to prevailing wage and it would not be a public contract. He stated if it is done by the Township but is three different projects none of which exceed \$25,000 individually, it would not be subject to prevailing project. He stated he is just seeing this for the first time tonight but he feels an argument could be made that these are separate contracts even if they are at the same location.

Mr. Fedorchak stated he and Ms. Kraeck have discussed a number of different approaches and they would need three proposals for any service or product that would cost between \$10,000 and approximately \$19,000. Ms. Kraeck stated she has at least two for the masonry portion, and Mr. Fedorchak stated she would need to get one more. He stated for the walkway they would need two additional quotes.

Ms. Kraeck asked if the Board would be willing to consider approving the projects now so that they can execute it this fall and not have to wait until the spring.

Ms. Tyler stated they do not have money for this in the 2017 Budget; however, now that they know the scope of the project, they can put it in the 2018 Budget.

There was discussion about Mr. Benedetto's contribution of his Supervisor salary when the project will not be done until 2018 and he will not be on the Board at that time. Ms. Tyler stated they could carry it over. Mr. Benedetto asked if they could do the plantings in 2017; however, Ms. Kraeck stated ideally the plantings should be done last. Mr. Benedetto asked if there is some piece of the project that they could start in 2017. Ms. Kraeck stated the sign and the walkway could be done first as they do not have to be done at the same time, although all of the plantings would be done in the spring.

Mr. Lewis asked if they were to start this in November, the actual payment would not be done until January or February; and if that were the case they could tentatively place it in the 2018 Budget, and they could approve it tonight to start with a not to exceed number. Mr. Fedorchak stated he feels the contractors will want to be paid within thirty days after a particular piece has been completed; and if they were to start sometime in November, they would need to pay the contractor in December. He stated starting the project in December, that would be ideal since the payments would then fall in 2018. Ms. Kraeck stated she feels most vendors would want at least a deposit up front adding these are small vendors. Mr. Fedorchak stated they would have to negotiate this with them.

Mr. Fritchey asked if the 501C3 is planning to make any donation to this; and if so, could that be used to get the project started. Mr. Lewis stated Mr. Benedetto's salary could also be used in 2017. Ms. Kraeck stated when they were looking at the figures from the Foundation, they felt they would use the \$2,500 for the electrical cost and the plantings, and the balance would be the cost of the walkway, the metal, and the brick. Ms. Reiss stated they can do the plantings through the Tree Bank so it would not have to come out of the Foundation. Mr. Fedorchak stated they have \$4,400 from Mr. Benedetto's salary, and he understands there is a contribution coming from the 501C3 that would be \$2,500 which would total \$6,900 that could be applied in 2017.

Mr. Lewis moved and Ms. Reiss seconded to approve the Veterans Square signage project to begin in late November/early December using only funds authorized in the 2017 Budget during 2017 including Supervisor Benedetto's salary and any 501C3 contributions and that the remainder of the project cost be automatically added to the 2018 Budget to be considered approved by the Board for 2018 just that portion subject to legal review.

Ms. Kraeck asked if this also includes the walkway, and Mr. Lewis agreed that it does.

Mr. Fritchey stated he still has his aesthetic concerns about the size of the sign, but conceptually he is in favor of the project. He stated he would be more comfortable if the sign were not rising as high as it is. Ms. Kraeck stated she does not feel it will be as high as Mr. Fritchey is visualizing. She stated when she saw the dimensions on paper, she also felt that they sounded large; and this is why she and Mr. Treiber went to the site and laid it out. Mr. Fritchey stated he feels the current sign is 6' tall; however, Ms. Kraeck stated that sign was never designed to be the permanent sign. Mr. Fritchey stated he would prefer to have the sign finalized at a later time and move ahead with the paths. Mr. Benedetto stated he has faith that Ms. Kraeck has looked into this, and he feels the sign should stand out so that it is known that this is Veterans Square.

Mr. Lewis asked if Mr. Fritchey would be comfortable approving the Motion as proposed but have the opportunity to review the placement of the sign; and if he is still concerned, they could bring it back for further review. Mr. Fritchey stated he is not concerned with the placement, it is the height of the sign and the sight lines. He stated he would be more comfortable with a lower and longer sign. He stated the proposed sign is almost at the same height as the monument itself. Ms. Kraeck noted the architect's drawing, and she stated the perforated metal sign will give a feeling of openness; and it is only four feet tall. She stated he is looking at the columns. Mr. Fritchey stated the columns are high; and if they were two feet lower, he feels it would be better. Ms. Kraeck stated she did challenge the architect on this. She stated this is an award-winning firm that has done numerous signs and Veterans monuments, and he advised her that this was the right size for the space.

Ms. Reiss asked Mr. Fritchey if he would be more comfortable if he spoke to the architect, and Mr. Fritchey agreed he would. He stated he is totally in support of the project but is concerned about the height proposed. Ms. Reiss stated she feels the sign in the middle will be lower than the columns so that when you drive up, you would see the monument between the columns.

Mr. Lewis moved to approve the Motion to approve the project tentatively this evening so that they can continue the process subject to legal review and an architectural drawing/rendering of the size of the sign in context with the rest of the facility. Ms. Reiss seconded.

Mr. David White, Gayle Drive, stated he agrees with Mr. Fritchey and feels they need a sign that looks appropriate. He stated he is trying to visualize a sign that is 15' tall, and he asked the height of the ceiling in the Township meeting room; and it was noted it is approximately 14' high. Mr. White stated the sign would be at least that high. Ms. Kraeck noted that she made a mistake; and it will not be 14' high, it will only be 7' high.

Mr. Lewis withdrew his Amendment.

Motion carried unanimously.

APPROVE AUTHORIZING ADVERTISEMENT OF PARAMETERS ORDINANCE FOR BOND REFINANCING

Mr. Fedorchak stated this is a follow up to a presentation made at a prior meeting, and the Board has agreed to fix approximately \$12 million of the variable debt, and they will ultimately adopt a Parameters Ordinance which Mr. VanBlunk is working on. Mr. Fedorchak stated tonight the Board is being asked to authorize advertisement of the Parameters Ordinance; and when Mr. VanBlunk is finished with the Ordinance he will come before the Board of Supervisors to provide all the details.

Mr. Fritchey moved and Mr. Benedetto seconded to approve authorizing advertisement of the Parameters Ordinance for Bond Refinancing. Motion carried with Mr. Lewis opposed.

DISCUSSION AND APPROVAL OF RESOLUTION NO. 2345 APPROVING AGREEMENT WITH PENNDOT FOR AUTOMATIC RED LIGHT ENFORCEMENT (ARLE) FUNDING

Mr. William Zadrovicz, Traffic Planning and Design, Inc., was present and stated the Grants have been awarded and they are asking that the Board approve the Resolution to have all the documents executed. He stated the funding is from the State from the red light enforcement cameras that are placed in Philadelphia and throughout the State. He stated there is a local match for the two Grants. Mr. Zadrovicz stated one Grant is for the modernization of Big Oak and Makefield Road which will be video detection which means that instead of having loops in the road, they will have a camera detecting vehicles sitting at the stop light.

Mr. Zadrovicz stated the second Grant is an upgrade to the controller/timing at Yardley-Newtown Road/Mirror Lake/Creamery Road intersection. He stated they will interconnect them with fiber and have two new controllers so that it will operate more smoothly.

Ms. Tyler asked the amount of the funding; and Mr. Zadrovicz stated for Big Oak Road the Township received \$260,00 from the Grant and for the Yardley-Newtown Road/Creamery Road upgrade, the Township received \$59,000.

Mr. Truelove stated he did speak to Mr. Wursta about this, and it is part of the normal process. Mr. Fedorchak asked Mr. Zadrovicz what the Township's contribution will be. Mr. Zadrovicz stated for the Big Oak Road project, the local match will be \$35,000; and this would basically be the engineering costs. Mr. Zadrovicz stated the local match for the Yardley-Newtown Road project will be \$20,000. Mr. Fedorchak stated this will be in the 2018 Budget.

Mr. Lewis stated he understands the camera that senses that someone is waiting for a light can only be used for that purpose, and Mr. Zadrovicz agreed. He stated this is not the installation of red-light cameras, it is just getting the funding from that program. Mr. Lewis stated an individual has sent all the Supervisors an e-mail weekly indicating their opposition to red-light cameras, and he wants to make sure that individual knows that these will not and could not legally be used to monitor stop light violations. Ms. Tyler stated they also do not have any intention to move forward with such monitoring in the Township.

Mr. Benedetto stated he understands that Second Class Townships cannot currently institute red-light cameras, and it was noted that was correct. Mr. Benedetto asked how ARLE Grant money is funded; and he asked if there is a percentage of each fine put into a State Fund. Mr. Zadrovicz stated he believes that they take in between \$6 million and \$8 million a year, and a certain percentage of that goes toward Philadelphia, another percentage goes to the State, and another percentage goes toward these projects. Mr. Benedetto stated he hopes the Township is never eligible to install the red-light cameras; and he feels the Township is in somewhat of a "morally-tenuous" position if they are accepting money from a program that he does not believe should exist. He stated if he had money that he was being fined for in Philadelphia and Abington, and it was going to benefit other Townships, he would have a problem with this.

Ms. Reiss moved and Mr. Lewis seconded to approve Resolution No. 2345 approving the Agreement with PennDOT for the red-light enforcement funding.

Mr. Tim Collins, Jenny Drive, asked why they would spend \$55,000 for cameras just to change a light to make it thirty seconds quicker than what it is now. Chief Coluzzi stated one of the reasons is that any time there is any kind of road repair or damage to the road, the loops are very expensive to replace. He also stated all of these repairs were scheduled to be done before they were advised of the ARLE Grant, and he had stopped the okay to do the work in anticipation that they would be successful in getting this Grant. He stated getting this Grant has saved the Township a substantial amount of money.

Mr. Benedetto stated he understands for the Big Oak project of \$260,000 that the engineering costs are \$35,000; however, he does not understand how the \$59,000 project at Yardley-Newtown/Creamery Road has engineering costs of \$20,000. Mr. Zadrovicz stated there was more engineering involved with that project because of the fiber interconnection between the two intersections. Mr. Benedetto asked if they should Bid this out since it could result in saving money. Mr. Lewis asked if it is a guaranteed \$20,000 and \$35,000 or is it an hourly rate. Mr. Lewis added that if it is an hourly rate, it could be higher or lower as this is an estimate of their hours; and Mr. Zadrovicz agreed.

Mr. Lewis moved, and Mr. Benedetto seconded to amend the Motion that the engineering fees are not to exceed \$55,000 for both projects. Motion as amended carried unanimously.

DISCUSSION ON EDGEWOOD ROAD CHICANES

Mr. Zadrovicz stated the chicane was installed, and the construction was completed on Friday. He stated they have been overseeing what is occurring, and they have been in contact with their contractors; and there will be modifications made which should be done on Friday. He stated they will be tightening up the chicane itself and adding some additional curbing and some pavement marking shifts.

Chief Coluzzi stated when they learned earlier this week that the chicanes were in place, they contacted TPD to come to the site where they had a meeting with the Township Road Director; and the chicanes were not to their liking. He stated they asked TPD to do a re-design of the chicanes, and part of the re-design was to narrow the lanes from a 13' lane to an 11' lane, to add additional curbing and verticals on both sides of the street the middle and the white line, and they are also considering putting in a speed table right before the last chicane prior to the Railroad track. Chief Coluzzi stated a speed table is approximately 22' wide, has a 10' plateau, and 6' ramps on either side. He stated the height of the speed table is approximately 3" off the roadway. He stated they have something similar to this in Doylestown. Chief Coluzzi stated they believe that the narrowing of the lanes, the additional

verticals, and the addition of the speed table will get the speed down to their target goal of 31 miles per hour; and this will enable them to safely re-locate Sandy Run Road if that occurs. He stated they will have to look at the speed surveys that are done by both the Police Department and TPD and compare the speeds over a period of time. He stated originally they felt that a six-month period of time would be needed to do the survey; however, they are now thinking that with the speed table, and the narrowing of the lanes, in three months they should have a good idea of the speed at that location. He stated they will do checks and balances with TPD; and the Police Department will be doing speed counts at various times for a few days, and TPD will be doing them, and they can compare the results.

Mr. Lewis asked if the speed table will be installed Friday, and Chief Coluzzi stated it will not. He stated they have to wait until the chicane is re-designed and installed; and they were promised that would be done on Friday. He stated once that is done, they will have a marking for the speed table, get prices, and make a determination who they will deal with as far as the speed table. Mr. Lewis asked if the three-month test will be once the speed table is in place, and Chief Coluzzi agreed. He stated they do not anticipate that will be too long, and it is possible the Township Road Department can blacktop that into a speed table although they are not sure at this point how they want to proceed with that.

Mr. Fritchey stated he assumes they will start with one speed table and see if that effectuates a sufficient reduction; and if they do not get the speed down to 31 miles per hour with one speed table and the existing chicanes, they would retain the opportunity to do additional speed tables further up the road so they might have a series of two or three. Chief Coluzzi agreed and stated they could always add another one near the ball fields and the Township Building. Mr. Fritchey stated you can see these speed tables in Doylestown near the Court House.

Mr. Lewis moved, Mr. Fritchey seconded and it was unanimously carried to approve the installation of the speed table on Edgewood Road in conjunction with revision of the chicane.

APPROVE AWARD OF LANDSCAPE BID FOR PHASE 8 ARBORETUM AT MEMORIAL PARK

Mr. Eisold stated he provided two sketches one of which shows Phase 8 of the Arboretum which is the wildlife grove, and the other shows all of the different Phases with Phase 8 highlighted in the rear. Mr. Eisold stated they solicited

quotations for the work in Phase 8, and they received three Bids ranging from \$4,635 to \$6,835. He stated they would recommend the low Bidder, All-Seasons, be awarded the Bid in the amount of \$4,635. He stated if approved, they will have the plantings put in by November 17.

Ms. Tyler asked if they will be getting the trees from the Tree Bank, and Mr. Fedorchak stated they will.

Mr. Fritchey stated this will be along the north side of Woodside Road.

Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to award the Landscape Bid for Phase 8 Arboretum at Memorial Park to All-Seasons as outlined by Mr. Eisold.

SUPERVISORS REPORTS

Ms. Reiss stated the Financial Advisory Board is still taking Applications.

Mr. Benedetto stated a number of the members of the Trenton Mercer Airport Review Panel attended the Freeholders' meeting, and they are compiling their notes from the meeting. Mr. Benedetto stated he believes Oral Arguments will be determined on November 6.

Mr. Truelove stated the Board met in Executive Session beginning at 7:00 p.m. and informational items, and items of personnel involving Administrative staff were discussed.

APPROVAL OF RESOLUTION NO. 2346 EXERCISING TOWNSHIP'S OPTION TO PROHIBIT THE LOCATION OF A CATEGORY 4 LICENSED GAMBLING FACILITY WITHIN THE TOWNSHIP

Mr. Truelove thanked Ms. Reiss and Representative Perry Warren for bringing this to the Township's attention. He stated this emanates from the recent passage of the Revenue Bill to fund the Budget passed in late June/early July. He stated the Governor signed Act 42 of 2017 also known as House Bill 271 which revises Pennsylvania's gambling laws to allow for commercial gambling beyond the originally licensed venues. Mr. Truelove stated Pennsylvania currently has three categories of Casino Licenses which he described. He stated this Act will create a fourth category which are Satellite Casinos, and will permit up to ten Satellite Casinos. He reviewed the requirements for a Category 4 Casino. Mr. Truelove

stated currently only PARX could open a Satellite Casino; however, in the event that the Act would change or there are other concerns, the Act does provide for a “Municipal Option” to prohibit the establishment of a Satellite Casino within its jurisdiction. Mr. Truelove stated the Act was signed into Law a few days ago, and it provides for a narrow window of time for the Township to exercise its Municipal Option; and that would be by Resolution which is before the Board this evening, and it must be approved no later than December 31, 2017. He stated if this is done no Category 4 Licensed facility can be established in the Township. Mr. Truelove stated the Township can rescind the Resolution later; however, if it rescinds it, it may not subsequently pass another Resolution to prohibit said facility.

Ms. Reiss moved and Mr. Fritchey seconded to approve Resolution No. 2346 exercising the Township’s Option to prohibit the location of a Category 4 Licensed Gambling Facility within the Township as outlined by Mr. Truelove.

Mr. Benedetto thanked Ms. Reiss and State Rep Perry Warren for bringing this to the Board’s attention. Ms. Tyler stated she feels that it is appalling that they had less than sixty days to act. Mr. Benedetto stated he feels it is a quality of life issue, and he does not feel this is something our residents want. Mr. Fritchey stated he feels casinos equal blight and financial hardship for those who gamble away their life savings; and it could bring in pawn shops, loan sharks, and crime. He stated he feels it is a disgrace that the Pennsylvania Legislature does not have the courage to do what they should do on the tax front, and instead feel they need to balance the State Budget by encouraging people to gamble away their life savings and spend more money than they do now within the parameters of reasonable gambling.

Ms. Reiss stated she was concerned when she learned about this and saw the amount of time they had to deal with this. Ms. Tyler stated if it had to be an Ordinance, the Township would have had to meet the advertising requirements which require that it be advertised for thirty days. Ms. Reiss stated this could have allowed 300 slot machines which she does not feel fit for Lower Makefield. Mr. Lewis stated he supports the Resolution.

Mr. Harold Kupersmit stated he supports the Supervisors position in not allowing any gambling within the borders. He reviewed issues he has had with gambling since 1996.

Mr. Zachary Rubin, 1661 Covington Road, stated Bensalem, which has a casino, gets substantial revenues from the revenue sharing as do the Townships that border it so that is a consideration.

Motion carried unanimously.

November 1, 2017

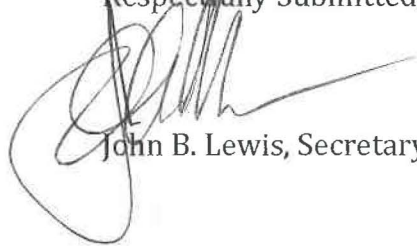
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OTHER BUSINESS

Mr. Benedetto stated there was a post about Langhorne-Yardley Road in front of DeLorenzos where they tore up the road when they installed the sewer system. Mr. Benedetto stated it is very uneven, and he asked that someone go out and look at it.

There being no further business, the meeting was adjourned at 9:05 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'John B. Lewis', written over the typed name below.

John B. Lewis, Secretary