

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES -- JUNE 3, 2015

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on June 3, 2015. Ms. Tyler called the meeting to order at 7:30 p.m.

Those present:

Board of Supervisors: Kristin Tyler, Chair  
Dan McLaughlin, Vice Chair  
Jeff Benedetto, Secretary  
Dobby Dobson, Treasurer  
Ron Smith, Supervisor

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

PUBLIC COMMENT

Ms. Marguerite Danker, Beacon Hill Drive, was present to request sidewalks on Lindenhurst Road. She stated she is doing a project for her Civics Class where they had to address a problem in their neighborhood, and she chose sidewalks. Ms. Danker stated she has found that there are no sidewalks on Lindenhurst Road which makes it unsafe for pedestrians to walk or bike to School or parks. She provided photographs of Lindenhurst Road particularly near the Garden of Reflection where there are a number of homes but since there are no sidewalks, people are unable to walk there. She stated she feels there is sufficient room for the sidewalks to be put in. She stated there are over one thousand people in this area, and they would benefit from the sidewalks. She stated there is also a high speed limit on the road so no one is safe walking on the road. She stated people who want to go to the parks would need to drive. Ms. Danker stated she has prepared a survey and a flyer to be made available to others in the community.

Mr. Smith asked Ms. Danker if she feels the parks in the area would be used more often if there were sidewalks, and Ms. Danker agreed.

Mr. McLaughlin asked Chief Coluzzi the process to determine whether sidewalks are required for safety for pedestrian use; and Chief Coluzzi stated there is no process according to the Traffic Code as to when sidewalks are needed, and this

would be up to the determination of the Township officials with input from the public. Mr. McLaughlin asked about the right-of-way on Lindenhurst Road, and Mr. Garton stated he believes that there is a State right-of-way. He stated he is not sure whether PennDOT took all the right-of-way or a portion when the developments were built, and possibly Mr. Eisold could see what the right-of-way is which could mean that the Township may be able to construct sidewalks without having to acquire any private rights to do so.

Mr. Smith asked if he felt a bike path would serve the same purpose, and Mr. Garton stated this would be a question for the Township professionals and the neighbors.

Mr. Benedetto asked the length of Lindenhurst Road; and Mr. Kall stated there are certain sections of Lindenhurst Road that have sidewalks, but they are sporadic. He stated Lindenhurst Road is approximately three miles long from 532 to 332. Mr. Benedetto stated recently they had an individual from Yardley Borough come in and discuss Grant money for sidewalks from the new Orleans development in Yardley Borough through the Township so if there is Grant money available, he would like to know what to do to move this forward. He stated he does agree that Lindenhurst is a heavily-travelled road and somewhat of a safety concern, but it is also an expense.

Ms. Tyler advised Ms. Danker that she feels this is an excellent idea, but the Board must consider what the residents want as well as the cost burden. She stated they will ask the Township engineer to look at the road right-of-way and the costs. She stated there are other areas of the Township where they have had requests for sidewalks, and they continue to strive for connectivity in the Township so that people do not have to go into the street.

Mr. McLaughlin stated he feels it would make sense to tie in to Memorial Park where they have the Garden of Reflection and the new playground so that people are able to get there without driving.

Mr. Fedorchak suggested having the Park & Recreation Board weigh in on this, and this was agreeable to the Board.

Ms. Tyler thanked Ms. Danker for bringing this idea to the Township and for being engaged.

Mr. Benedetto asked if they should have the traffic engineer look into this, and Mr. Fedorchak stated he feels the traffic engineer and Park & Rec should look into this.

Mr. Michael Brennan, 6 Maplevale Drive, asked for an update about the Canal access. Ms. Tyler stated the Township Manager has had several meetings with the homeowner involved, Mr. Jennings, and they continue to pursue this. Mr. Brennan stated there is an economic impact on Yardley Borough connected to this since this is the way that many people get to Yardley to shop or go out to eat, and if they cannot walk there, they do not go since it is impractical to drive there and try to find a parking space.

Mr. McLaughlin stated while the Township is going to pursue this, it is private property and it will take time; and the homeowner's answer may be that he wants to keep his private property private. He stated the Board is committed to seeing if there is an interest by the landowner to sell the property, but if he says no there is little that the Township can do in terms of coercing him. Mr. McLaughlin stated he believes that the homeowner has the right to his private property and not have trespassers on his property because of the liability issues. Mr. McLaughlin stated he has received some e-mails where there is a tone that the neighbors feel they have the right to use his property. Mr. McLaughlin stated no one has any right to walk on his property if he does not want them to. Mr. McLaughlin stated if he wants to sell the property, the Township will try to do that.

Mr. Brennan stated he agrees that he does have the right to his property, but added there are certain things that the Township can do. Mr. McLaughlin stated while this is true, they all depend on Mr. Jennings' cooperation. Mr. Brennan stated they all do not. Ms. Tyler stated if Mr. Brennan is referring to eminent domain, that will not be a path for the Board. Mr. McLaughlin stated the Board will not go with a solution where they will use eminent domain to capture that property.

Ms. Kim Rock, 13 Highland Drive, stated in their conversations with the owner he has expressed interest in wanting to sell to the Township. Mr. Fedorchak stated he feels it is in everyone's best interest to back away from the property owner as he may feel that the neighbors are pressuring him. Ms. Rock stated she does not feel they are pressuring him at all and it was just a conversation between neighbors.

Mr. Smith stated the Township is working on this. He added that there have been reports that "no trespassing" signs have been ripped off at his property, and that cannot happen.

Mr. McLaughlin stated he feels the worst strategy is to pressure the property owner. Mr. Fedorchak stated he is working on a relation of trust with Mr. Jennings, and he wants Mr. Jennings to come to his own conclusions and not feel that the Township is pressuring him.

Mr. Benedetto stated he feels there should at least be a sense of urgency from the perspective of the Municipal Open Space money that was discussed previously. He stated he feels they need to get an answer from the County Commissioners about the Grant Applications. He feels that by their lack of response, the County's answer is "no," and the Township should use the approximately \$400,000 for this project. He stated this is the ideal use for the Municipal Open Space money.

Ms. Tyler stated they still need to know that the homeowner wants to sell his land.

Mr. Benedetto stated he wants to have a response from the County so that when they come to an agreement, they can do something with the money. Mr. Dobson stated that is a separate issue; however, Mr. Benedetto stated it is not a separate issue because with the approximately \$400,000, they could use that money for purchase of the land or an easement. Mr. Benedetto asked that they get an answer from the County Commissioners on the Applications.

Mr. Benedetto stated he understands that Mr. Brennan would like either an easement or a purchase by the Township; and Mr. Brennan stated that would be the "best case scenario." He stated if the Township is not willing to do anything else, he will not pressure Mr. Jennings but he might talk to him privately or take his own private action although he is not interested in doing that if the Township can do something since that would be time consuming and expensive for him to do.

Ms. Bobbie Moore, Yardley Business Association, stated she attended the Yardley Borough Council meeting last evening and they discussed Mr. Jennings' tract. She stated several residents have written letters to see if the Borough Council can do anything since part of Mr. Jennings' land is in Yardley Borough. She stated they want to know what they can do between Lower Makefield and Borough Council; and Ms. Tyler stated if the Township is able to reach an agreement with Mr. Jennings, Yardley Borough could help the Township pay for it.

Mr. Matthew Bolger, Taylorsville Road, stated this is a safety issue because many people access the towpath through this point; and he asked Mr. Carton to define what the right of escheat is because there was access and the bridge has been there for a substantial amount of time. He stated no one is suggesting that the Township undertake a taking. He stated if what the neighborhood has reported is accurate, that Mr. Jennings is interested in working something out and there are funds available, he feels there could be an easement much like the bridge that is half mile south in Yardley Borough where those two neighbors have split rail fences and people do not cross over into those properties. Mr. Bolger stated the streets of McKinley and Lincoln are in Yardley Borough and there is another path from those streets which also crosses Mr. Jennings' property and accesses the same bridge so he feels finding a way to include Yardley Borough is a great idea.

Mr. McLaughlin stated he feels this will be an economic decision on the part of Mr. Jennings. He stated the property is at least ten acres so there is development availability to Mr. Jennings as well. Mr. Bolger stated that is possible and Mr. Jennings has been the property owner there for many years before this incident; while he was the property owner, there was a dirt trail that was ten to twelve feet along the border of his property line, and he feels something happened that made him close the trail. Mr. McLaughlin stated there is an insurance liability issue. Mr. Bolger stated he understands that as he has an easement on his property, and he has an umbrella policy which is fairly "cheap." Mr. McLaughlin stated if Mr. Jennings is considering subdividing the property, he may not want to have a known pathway on his property which may not appeal to potential buyers. Mr. McLaughlin stated Mr. Jennings has the right to subdivide his R-1 property.

Mr. Fedorchak stated Mr. Jennings has advised him that he is very upset with the people who are still using his property. He stated Mr. Jennings has also posted countless "no trespassing" signs on the property, and they have been ripped down. Mr. Fedorchak stated he has conveyed to Mr. Jennings that the Board is not considering eminent domain and explained to him that the only way this will work is through a negotiated deal.

Mr. John Lewis, 1550 Surrey Brook Court, stated the November elections are coming, and he is asking that the Board allow for debates to be held in the Township Building and to be televised on the Township Channel.

Mr. McLaughlin moved and Mr. Benedetto seconded that debates be held in the Township building and that they be televised on the Township Channel.

Ms. Tyler asked what debates are to be held and who would be hosting them. Mr. Dobson stated the debates would have to be worked out by the candidates and not the Board of Supervisors. Ms. Tyler stated she would like the campaigns to stay out of the public meetings as that is not the forum for that. She stated if there is a request by a body that holds debates, the Board should consider that.

Mr. Lewis stated he has already reached out to the League of Women Voters, and they already agreed to sponsor the debates. Ms. Tyler stated the issue would be between the League of Women Votes and the Democrats and Republicans and not the Board of Supervisors; and when the League of Women Voters approaches the Board, she would agree to speak with them.

Mr. McLaughlin moved to Amend the Motion that the Township allow the meeting room to be used for public debates. Mr. Smith seconded.

Mr. Smith stated he feels there is no better use of the Township's Governmental Channel than enhancing the political discussion during the campaign season. He stated whenever there is a Municipal Election, he feels the League of Women Voters should run a debate/debates for any candidates such as the School Board or Supervisors.

Mr. Smith moved to amend the Motion to allow the use of the meeting room and the Governmental Channel to run a debate or debates among the candidates for Municipal Office to be paid equally by the campaigns; and if one campaign does not want to come, they do not come, and to be run by the League of Women Voters for whatever night they set up.

Ms. Tyler stated if the League of Women Voters approaches the Board of Supervisors with a set and agreed upon date then it is the time for discussion. She stated recently the campaigns which have been run have not brought out the best of Lower Makefield Township, and she does not want the Governmental Channel to be brought into "messy" disputes.

Mr. Smith stated he feels they should have the debate under the guidelines of the League of Women Voters so that the people of the Township will have the opportunity to see who wants to be the Governmental officials in the following year.

Mr. McLaughlin stated he feels the debates are for the people, and he feels a debate moderated by a fair and unbiased party is Democracy. He stated as long as it is conducted in a professional and unbiased way, he would like the room to be available for a League of Women Voters moderated debate. Ms. Tyler stated if the League of Women Voters approaches the Board and asks for that, she would agree; but not when it is a candidate for election.

Mr. McLaughlin moved to amend the Motion that if the League of Women Voters approaches the Board for the use of the Township room for a debate for any Municipal office, it should be used for that.

Ms. Tyler asked what would happen if the candidates do not agree to participate, and other Board members stated those candidates would then not participate.

Mr. McLaughlin stated these should be conducted with professionalism and courtesy for all, and if it gets into "mud slinging," it will be the end of it.

Mr. Smith stated in the meeting room over the years, there have been tremendous debates; and the only people who have seen them are those who took the time to come out. He stated they have a Government Channel, and he feels this will provide

an opportunity to allow the candidates to speak to the public regardless of their affiliation. He stated he feels the League of Women Voters do a great job; and if they set the rules and the date, the candidates have the option to show or not show.

Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried that the Township meeting room be used and televised by a League of Women Voters sponsored debate for Lower Makefield candidates in which all participants will equally share any costs incurred by the Township.

Mr. Ken Driver, 864 Henry Drive, stated he would like to speak with regard to the proposed Community Center. He stated on at least two occasions there were public votes on a Community/Senior Center and they were overwhelmingly voted down. He stated now they received \$1 million for a Community Center, and he feels they could have used this money in other areas versus building a new building. He stated the decision has already been made, and he understands that the Bids have come in well over the \$1 million given; however, it was noted by the Board that the Bids have not yet come in. Mr. Driver stated it is his understanding that it will cost more than the \$1 million, and the Township will have to take out a loan. He stated he is against building a new building; but if they are going to build it, it should be built within the confines of the money that has been given to the Township. Mr. Driver stated there will also be ongoing costs, and he has heard these were estimated at \$100,000 a year with a 3% increase per year. He stated he feels there are many other ways they could spend \$100,000 including the EMT, Police, and Fire Fighters; and he would rather spend it in those areas.

Mr. McLaughlin stated what was voted down was a significantly larger structure. He stated there are assets in the Township for every age group, but the communication from the Seniors has been that they have underserved that segment of the population.

Mr. Driver stated he understands that the Board has made a decision to build it, and he is now asking that they not exceed the \$1 million.

Mr. McLaughlin stated when they had the first plan, it was a Senior Center; but now it is a Senior/Community Center. He stated while the majority of its construction and theme will be to serve the Seniors, they have received feedback that there are other needs from community groups that the existing building cannot serve, and this new facility will also serve them. Mr. McLaughlin stated every other community in the area has a Senior Center.

Mr. Driver stated he suggested that they could use the money for other purposes rather than building a new facility.

Mr. McLaughlin stated with regard to the prior Referenda, the first was a \$4.5 million Center and the second one was \$8 million. He stated what they are building is far from that, and they are building something that is very usable.

Mr. Fedorchak stated the \$1 million from the State Grant they are applying for this purpose can only be used for the construction of a Community Center, and cannot be used for anything else. He stated they entered into a Contract with the State which was very specific as to what projects were eligible and the amounts for each. He stated they obligated themselves to constructing a Community/Senior Center and as much as \$1 million would be applied for that purpose, and they cannot take that \$1 million and use it anywhere else.

Mr. Benedetto asked how the Township spent the other \$1 million for resurfacing tennis courts, building the playground, and constructing ball fields; and Mr. Fedorchak stated those were all projects that were identified in the Application. He added that five years ago when the Township secured the Grant, they had identified these projects to be part of the Grant; and the most amount of money they were able to secure was the \$1 million for the Senior/Community Center, and he does not feel anyone felt that they were going to build a Center that cost only \$1 million.

Mr. Benedetto stated in reviewing the meeting Minutes some of the quotes indicated that they are not going to spend one dollar over \$1 million. Mr. McLaughlin stated that was for a Senior Center that was a simple 4,000 square foot building. He stated when they were presented with better information about uses in the Township that went beyond a Senior Center, he feels it was incumbent upon them to listen and change their minds. Mr. Benedetto stated he feels Mr. Driver is saying they should “live within their means.” Mr. McLaughlin asked Mr. Benedetto if he was against the Senior Center, and Mr. Benedetto stated it is just a matter of how large of a Senior Center. Mr. Benedetto stated he voted for Option 2 which was a 5,800 square foot facility which would be “living within our means;” however others voted for a 7,600 square foot facility. Mr. McLaughlin asked the cost difference between a 5,800 square foot and 7,600 square foot facility. Mr. Benedetto stated it would be a larger dollar amount.

Ms. Cheryl Duffy, N. Flint Court, stated she would like to know when the cul-de-sac they live on is going to be paved. She stated she has been contacting the Township about this since February, 2014 because the street is a disaster. Ms. Tyler stated they are going to be discussing road resurfacing later on the Agenda, and she asked that they wait until that time to discuss this. Ms. Duffy stated she is unable to stay



any later. Ms. Tyler thanked **Ms. Duffy** for the photographs, and stated they will discuss two options later on this evening either adding this to the road program this year or sending out Public Works to do certain spots and then put it on the road program for next year.

Ms. Duffy stated there is a Twenty-Five Year Plan. She stated she moved into her home in 1979, and the street has not been paved since then. Ms. Duffy stated there are homes that were built significantly after their development that are scheduled to be repaved. Ms. Tyler stated **Mr. Eisold** is updating the Twenty-Five Year Plan, and a lot of calculations go into this. She stated the problem with Flint Court is that it is not a busy travel road. She stated they are looking into this and something will be done.

Mr. Benedetto stated this was brought up in 2014, and he had asked that it be put on the 2014 Road Resurfacing Plan, but it was recently voted down. He stated he is hopeful that they will be able to find \$50,000 to \$60,000 for Flint Court.

Ms. Duffy stated even though they are a small development, they do pay taxes and they have the right to be plowed, salted, and paved. She stated they do not get their roads salted or plowed; however, Mr. Kall disagreed.

Mr. Paul Roden, 3077 Daleview Drive, asked if they will be considering Appointments to the EAC this evening, and Ms. Tyler stated they will. Mr. Roden stated he has some comments to make about Appointments, and he was asked to reserve those comments until that time.

#### APPROVAL OF MINUTES

Mr. McLaughlin moved, Mr. Smith seconded and it was unanimously carried to approve the Minutes of May 6, 2015 as written.

#### APPROVAL OF MAY 18, 2015 AND JUNE 1, 2015 WARRANTS LISTS AND MAY, 2015 PAYROLL

Mr. Dobson moved, Mr. Smith seconded and it was unanimously carried to approve the May 18, 2015 and June 1, 2015 Warrants Lists and May, 2015 Payroll as attached to the Minutes.

## DISCUSSION AND AWARD OF SEWER CONTRACT FOR OUTSOURCING SEWER BILLING

Ms. Lynne Allaker was present and stated she had been asked to prepare Requests for Proposals to outsource the Township sewer billing operation and to propose enhanced services for the residents. She stated on 2/27 they issued the RFP including enhanced services and customer care. She stated they received nine requests for copies, and they responded to questions on the RFP. The Bids closed on April 17, and they received three qualified Bidders: Bucks County Water and Sewer Authority (BCWSA), Synergy Utility Billing, LLC., and Applied Micro Systems (AMS).

Ms. Allaker reviewed the evaluation and selection criteria including cost, experience, commitment to provide the Township residents with timely, courteous, and knowledgeable service, the ability to meet the anticipated project schedule, and to interact productively with the Township staff. She stated information provided with reference checks was reviewed as well. She stated they also needed to demonstrate that they would be able to provide the service for the full term of the Agreement which will be six years.

Ms. Allaker stated the costs by the Bidders for six years were as follows: Synergy Billing - \$540,000 and they provided a fixed cost of \$90,000 each year, BCSWA was \$468,321 for the six years, and for AMS it was \$588,270 for the six years.

Mr. McLaughlin asked why year one is so much higher for BCSWA and AMS, and Ms. Allaker stated those were the costs to implement the new services. She stated Synergy provided a Bid with the same amount being charged each year. Ms. Allaker stated she feels all three were competitive prices and not unreasonable costs. Mr. Fedorchak stated there appears to be a \$72,000 difference between Bucks County's Bid and Synergy's which would be the next lowest Bidder, and Ms. Allaker agreed.

Ms. Allaker stated their recommendation is to award the Contract to BCWSA.

Ms. Allaker stated currently the annual costs to the Township are approximately \$100,000 without the enhanced services that had been asked to be included in the RFP. She stated assuming a 3% increase each year, the Township will save approximately \$179,000 as a result of their partnership over the six year term which is significant. Ms. Allaker stated this does not take into account any potential capital investment the Township would have had to make such as buying a new printer, etc. as she feels that over six years it is reasonable that they would have to invest in something.

Ms. Allaker stated for the residents there will be enhanced services including the option to enroll on-line or over the phone to pay with a credit or debit card, pay automatically with direct debit, and the option for electronic billing through an e-mail link which would then take them to a Website. Ms. Allaker stated they can also create an account on-line to see their billing and payment history. Ms. Allaker stated there will be a new bill format as opposed to the postcard bill which is currently sent out. She stated the new format will allow for messages as well. Ms. Allaker stated they will have qualified and timely customer service from 8 a.m. to 8 p.m. on regular business days when they change to BCSWA.

Mr. McLaughlin asked if all three Bidders were going to provide these options, and Ms. Allaker stated they were.

Ms. Allaker stated once approval is received from the Board, she will work with the selected vendor to have a project schedule and implementation timeline for the new services to be introduced. Mr. Dobson asked how long she feels this will take, and Ms. Allaker stated she feels it would be six months.

Mr. McLaughlin asked Ms. Allaker if there were any non-financial reasons why she recommended BCWSA; and Ms. Allaker stated she did the assessment herself and she feels they demonstrated the most aptitude in what they were asked for.

Mr. Dobson moved and Mr. McLaughlin seconded to award the Contract for outsourcing the sewer billing to Bucks County Water and Sewer.

Mr. Smith asked who is doing these services now in the Township and what will happen to them; and Mr. Fedorchak stated there are two employees that are dedicated to this function with one employee devoting 100% of her time toward billing and in the case of the second employee most of her time. He stated approximately a year and a half ago he reported to the Board that the employee who spends all of her time on this function will be retiring. Mr. Fedorchak stated he had suggested to the Board at that time during Budget discussions that if they were going to go in this direction, this would be a good opportunity to do so. He stated the second employee will stay because she does other non-sewer related tasks. Mr. Fedorchak stated it is also very important that they maintain a presence at the Township Building, and this person will be a liaison between the new contractor and the Township, and it is someone who has tremendous experience in the billing process and has done it for ten years. He stated she will be able to advise the successful bidder not only through the implementation process but every quarter as well. He stated she will also be watching what the contractor is doing. Mr. Smith asked if that individual will be paid by the Township or the contractor, and Mr. Fedorchak stated that employee will be paid by the Township because she also does other tasks.

Mr. Benedetto stated in February, 2015 there was discussion about the current costs to the Township. He stated according to Ms. Allaker they are talking about a little less than \$30,000 a year in savings if they go with Bucks County Water and Sewer. He stated she also indicated that there was approximately \$100,000 a year in costs to the Township, and he would like to know where she came up with that number. Mr. Fedorchak stated approximately \$70,000 would be saved in personnel costs, \$13,000 in postage, toner and other materials approximately \$1,000, the charge of slightly more than \$2,000 from AMS which is the company which handles the software, and every year PAWC charges the Township approximately \$7,000 to provide the consumption figures. He stated all of those costs will drop off from the Township and will become the contractor's responsibility. He stated he feels the \$100,000 number is actually conservative.

Mr. Benedetto stated not all of the costs drop off because Mr. Fedorchak just indicated that they will still have one employee. Mr. Fedorchak agreed, but added that the savings in personnel cost of \$70,000 is the cost for one employee. Mr. Benedetto stated there will still be a cost incurred because there will be an employee working for the Township to service the needs of the individuals who do not want to go through the vendor and still want to come to the Township for personal service. Mr. Fedorchak stated he is identifying the costs that will be saved once Bucks County takes over.

Mr. McLaughlin stated the one employee that is retiring will not be replaced. Mr. Fedorchak agreed. Mr. Benedetto asked if that individual was being paid \$70,000, and Mr. Fedorchak agreed. Mr. Benedetto stated they are still incurring a cost because there is still a dedicated employee doing work for the Township. Mr. McLaughlin stated one employee is leaving and will not be replaced. Mr. Fedorchak stated if they do not turn this function over to Bucks County, he will have to hire another full-time employee to replace the person who is retiring. Mr. Benedetto stated he assumes they would be hired at less than the \$70,000 they are paying the employee that is retiring; however, Mr. Fedorchak stated he estimates that it would cost even more because of the benefits. Mr. Benedetto asked how many years of service the person who is retiring has, and Mr. Fedorchak stated it is approximately thirty years. Mr. Benedetto asked if they would pay a new person more than a person with thirty years of service, and Mr. Fedorchak stated he feels it would be more. Mr. McLaughlin stated starting salaries for a college-educated person would be upwards of \$40,000 and you would then add benefits and the 401K match. Mr. Fedorchak stated he feels to replace that person it would cost at least \$70,000.

Mr. Benedetto stated in February, 2015 Ms. Allaker indicated that there would probably be an increase in costs using an outside vendor; and Ms. Allaker agreed indicating that this is why she was “delighted” when the Bids came in, and they were all competitive Bids.

Mr. Benedetto stated the Bids were to close on April 30, but they closed on April 17; however, Ms. Allaker stated it was always to close on April 17. Mr. Benedetto disagreed indicating that the document Ms. Allaker provided in February indicated that the Bid closing would be on April 30. Mr. Fedorchak stated it was publicly advertised, and he could get copies of the advertisements that will show April 17. He stated Ms. Allaker was also in direct communication with every bidder, and there was shared communication as to the date of the Bid closing which was April 17. Mr. McLaughlin asked Mr. Fedorchak if anyone came to him indicating that they missed the Bid because they felt it was April 30, and Mr. Fedorchak stated they did not. Ms. Allaker stated that no one asked for an extension. Mr. McLaughlin stated this is then a non-issue.

Mr. Benedetto stated in February, 2015 Ms. Allaker indicated that she was aware of one vendor who was extremely interested in the Contract because they wanted to get into Municipal billing, and he asked if that was Bucks County Water and Sewer; and Ms. Allaker stated it is not – it is Synergy. Mr. Benedetto stated in February, he had asked Ms. Allaker if she had a conversation with Bucks County Water and Sewer, and she had indicated that she did have a discussion with them because they outsource their billing at the moment. Ms. Allaker stated she reached out to the County because she found out that they outsource their billing services, but she found that it was actually the bill print that they outsourced. She stated she had hoped that they could give some comparative costs of what to expect for the services, but it was actually only the bill print and distribution that was outsourced. Mr. Benedetto asked if Bucks County Water and Sewer is in the business of working with Municipalities, and Ms. Allaker stated they are. Mr. Benedetto stated the dollar amount for them to be up and running is \$180,000 which is significantly more than AMS; and Ms. Allaker stated AMS is already here now and they were proposing updates and also included some minimal set up costs because that is the software that the Township is using now. Mr. Benedetto stated AMS is currently the vendor, so they could enhance all of the current software. Ms. Allaker stated they did include enhancements, and they were most expensive Bid received. She stated AMS Bid in conjunction with the Tax Collector for the Township, but it came out as the most expensive Bid.

Mr. Benedetto stated the RFP process asked for an alternate; and Ms. Allaker stated they gave them an option in the RFP and indicated what was wanted but was also advised that if they had an alternative they wanted to put in to be considered, they could do that. Mr. Benedetto asked if anyone put in an alternate Bid, and

Ms. Allaker stated AMS suggested that they could do the Contract without any customer service, and they included that. Ms. Allaker stated there was also a suggestion by some Bidders that if they did a trifold bill instead of a bill statement that might cost less.

Mr. Benedetto stated we could technically do all of the enhancements ourselves right now by merely updating the software without outsourcing it. Ms. Allaker stated the Township is outsourcing the software now; however, Mr. Benedetto stated they could update the software without outsourcing it and they could hire someone else. Ms. Allaker stated there would still be a cost involved.

Mr. McLaughlin asked if AMS and Becky Cecchine are the same thing, and Ms. Allaker stated they Bid together. Mr. McLaughlin asked if Applied Micro Systems is a separate company, and Ms. Allaker stated they are an independent software billing company, and the software is currently used in the Township.

Mr. Benedetto asked about the assumption of the 3% increase each year, and Ms. Allaker stated Mr. Fedorchak stated this was his recommendation. He stated in looking at the General Fund average increase over the last six years, expenses increased by approximately 3% per year. Mr. McLaughlin stated he feels personnel costs especially with health care costs rising, 3% is very conservative; and Mr. Fedorchak stated when he gives the Board numbers, they tend to be conservative.

Mr. Smith asked Ms. Allaker if there is any downside that they do not know of, and Ms. Allaker stated with any change there is risk and with the change in billing software there is risk. Mr. Smith asked about customer service by the three Bidders, and Ms. Allaker stated each Bidder was asked to provide references. She stated if the Bid is approved, they will follow up on those references. She stated they all provided excellent references from very similar organizations. She stated both of the Bidders who were proposing changing software (Synergy and Bucks County Water and Sewer) provided excellent plans showing how they would manage the conversion. She stated they would do a lot of testing which is why she proposed the six months.

Mr. McLaughlin asked who will handle the transition; and Ms. Allaker stated the vendor will provide a Project Manager, and in the Bids they did provide detailed plans. She stated the Township also has to provide expertise on the processes as well. Mr. McLaughlin asked if the costs include the Project Manager, and Ms. Allaker stated they do.

Mr. Benedetto asked if the employee who is planning to retire will retire the end of the year, and Mr. Fedorchak agreed; and he stated they are planning to transition January 1 to the new system which he feels is the most realistic timeframe.

Ms. Tyler stated in the next Newsletter she feels it is important to let the residents know that they are changing this so that they know what to expect.

Mr. Fedorchak stated he feels the three Bids were highly competitive, and this was the result of Ms. Allaker's efforts who put together an excellent, detailed, easy-to-understand RFP. He stated the period of time they made available to the contractors to Bid was approximately a two month period, and Ms. Allaker made herself available to all the perspective Bidders. He stated as a result they are in a position that they will be able to save \$100,000.

Mr. Benedetto stated there was a concern around the fact that the Township had bought assets which they will now lose and will not be able to use. He stated AMS is the existing software that the Township invested in and now they will switch to different software. Ms. Allaker stated the Township pays a Lease for the software so she does not feel it is a major loss.

Ms. Sara Spengler-Campanella asked if there will be service fees for the payment options since some companies currently charge service fees for Internet payments or payment by credit card unless you have an automatic electronic debit from your checking account. Ms. Allaker stated there could be a convenience fee, and the Township has to consider the options for that. She stated the Township could absorb that fee. Mr. McLaughlin stated if you use a credit card, they will charge the Township 3% on average. Ms. Campanella stated currently she walks into the Township Building and pays her bill with a check, and it was noted that she will still have that option. Ms. Campanella asked with regard to customer service, if they told what is the average length of time to reach a customer service representative; and Ms. Allaker stated they indicated that they could provide that information, and they will agree to service levels that will be required in the Contract. Ms. Campanella stated she understands that there will be Township employee oversight, and she asked if there are any provisions being made in the event that the vendor is not performing up to the standards set. Ms. Allaker stated there will be requirements for performance in the Contract, and there will be a resolution period and other provisions.

Ms. Rebecca Cecchine, 9 Manor Lane, stated there are more than two employees in the Township doing sewer since there is also Kimberly in Finance who spends approximately 25% of her time entering cash. Mr. Fedorchak stated this is incorrect, and Kimberly is in Accounts Payable. Ms. Cecchine asked who enters cash, and Mr. Fedorchak stated there are two employees who handle the sewer function. He stated some things have changed since Ms. Cecchine worked on this. Ms. Cecchine stated she does not feel it changed since last week when she asked Gloria. She stated there are more than two employees doing sewer billing.

Ms. Cecchine stated with regard to the convenience fee because sewer is a public utility, you cannot charge over a flat rate of \$2.95 for a credit card. She stated it is not like the Tax Officer where she is not a public utility. She stated she believes that Pennsylvania American charges \$1.95.

Mr. Smith asked if they know what the convenience fee is, and Ms. Cecchine stated the fee is set at \$2.95. Mr. Smith stated she also indicated that some vendors charge less. Ms. Allaker stated there are many companies that can process credit card payments, and the Township has the opportunity to assess them all and decide which will provide the best service and the best value on the convenience fee. Mr. Smith stated Ms. Cecchine has indicated that it has to be under the ceiling for a public utility. Ms. Allaker stated she feels it is based on the number of transactions that you process and the amount of those transactions which is an ongoing assessment. Mr. Smith asked if there is a ceiling as Ms. Cecchine has indicated, and Ms. Allaker stated she is not aware of a ceiling. Ms. Cecchine stated because it is a public utility it is a low fee and not a percentage.

Ms. Cecchine stated she added up the figures that she provided to Ms. Allaker and she did not come near the numbers Ms. Allaker presented for AMS. Ms. Cecchine stated they were also required to present six copies, and she asked why six copies were not distributed. She stated the Board of Supervisors did not see the whole picture of what the vendors presented. Ms. Tyler stated while she did see the proposals, they hired Ms. Allaker to review the proposals. Ms. Cecchine questioned why six copies were required. Mr. Fedorchak stated he wanted a copy, a copy for Ms. Allaker, an extra copy for the staff, and felt six was a good number.

Mr. Benedetto stated the Board received the Bids for the Road Resurfacing, and he asked why they did not get them for the sewer outsourcing. Mr. Fedorchak stated he rarely gives the Board copies of the original Bid specs; and if any of the Board members wanted to see them, they were available. Mr. Benedetto stated the Bids for Road Resurfacing were included in the Board's packet even though they did not request that so he questions why the sewer outsourcing would not have been included in the packet.

Ms. Tyler stated she did review the Bids in the Township. Mr. Fedorchak stated he also has extra copies if anyone wants one. Mr. Benedetto stated they are going to vote on it and no one has reviewed it except for Ms. Tyler. Mr. McLaughlin stated he reviewed them and Mr. Fedorchak could have made them available to Mr. Benedetto if he requested them. Ms. Cecchine stated she spent a lot of time on this, and Mr. McLaughlin stated he did read her proposal.



Mr. Smith stated Ms. Cecchine indicated that the figure quoted by Ms. Allaker is different from the figure she presented; and Ms. Cecchine stated she added up her numbers, and she would have appreciated that they would have at least had the time to explain their numbers. Ms. Allaker stated she did meet with Ms. Cecchine for one hour and they did go over line by line of the cost proposal, and she did this with each of the three vendors. Ms. Cecchine stated they did not go over every line item, and she has the five questions in the e-mail that she asked. Ms. Cecchine stated when vendors put the time and effort to put a proposal together it would be courteous to hear what their answers are not what Ms. Allaker's opinion is of what their answers were.

Mr. Benedetto asked Ms. Cecchine if she is saying the dollar amount indicated of \$588,270 is wrong for AMS. Ms. Cecchine stated in their proposal it was based on replacing both Township employees so if they are replacing only one employee they would "minus some of this money out." Mr. McLaughlin stated replacing the employee is not the vendor's concern and the Bid does not have anything to do with how many people the Township has. He stated their Bid should be what it would cost for them to do the services. Mr. Benedetto stated Ms. Cecchine is indicating that the Bid she put in was for replacing two employees; however, Mr. McLaughlin stated the Bid is not about number of people it is about services provided.

Mr. Fedorchak stated her proposal should be based on her costs. He stated when Ms. Cecchine was previously present in the audience, he did indicate what their plans were for staffing; and at that time he indicated that there was someone that was going to retire and was not going to be replaced, and he was going to keep the second individual.

Ms. Cecchine asked what experience Bucks County Water and Sewer has with Pennsylvania American, and Mr. McLaughlin stated he does not feel it is appropriate for one Bidder to ask the qualifications of other Bidders. Ms. Cecchine stated Ms. Allaker indicated that Bucks County Water and Sewer was more capable. Mr. McLaughlin stated Ms. Cecchine is an active Bidder; however, Mr. Benedetto stated she is a resident. Mr. McLaughlin stated she is also participating in the Bid and none of the other Bidders are present to discuss her qualifications. Mr. McLaughlin stated the qualifications were assessed by the consultant.

Mr. Garton stated as he previously indicated to the Board, Bucks County Water and Sewer Authority is one of his clients so he is not participating; and the Township would be hiring a special counsel to do all the Contracts. Mr. Garton stated Ms. Cecchine does have the right to make public comment, but the Board does not have to respond to her request to find out what other Bidders qualifications were as the Township hired an expert to analyze that.

Ms. Cecchine stated at this time Bucks County Water and Sewer has no clients that deal with Pennsylvania American Water so when a person says that they are more capable than two people who have had over twenty-five years of experience with Pennsylvania American Water files and conversions, she feels this should be brought up.

Mr. Benedetto asked Ms. Cecchine if she has concerns about Bucks County Water and Sewer being capable of doing the job, and Ms. Cecchine stated she is just saying that at this time they have no experience with Pennsylvania American files. She stated they are also delaying the process by three months, and she feels they should put into consideration the salary of the person that has to stay three months longer in the process.

Ms. Cecchine stated Ms. Campanella asked about the response time; and Ms. Cecchine stated she called Bucks County Water and Sewer today, and she was on hold for two minutes after going through the prompts.

Ms. Cecchine stated she feels that she did not have the ability to speak; however, Ms. Tyler stated she did have the ability to speak, but the Board also has an obligation to take the low Bid. Ms. Cecchine stated she does not approve of the numbers that Ms. Allaker gave since she comes up with \$435,584.

Mr. Zachary Rubin, 1661 Covington Road, stated he feels there was an attack against Ms. Cecchine. He stated it states on the Agenda that they were going to discuss this; and the other Bidders had the opportunity to come to the meeting and make comments. Ms. Tyler stated Ms. Cecchine is bound by the Bid that she submitted that has been reviewed, and she is welcome to make comments. Mr. McLaughlin stated they did not advertise to the other Bidders that they were going to discuss their qualifications. Mr. Rubin stated this was on the Agenda; however, Ms. Tyler questioned what impact that has on the Bid, and Mr. Rubin stated that is irrelevant. Ms. Tyler stated they allowed Ms. Cecchine to speak.

Mr. Rubin stated Ms. Cecchine is indicating that the Bid that she submitted is not the one that was reported by Ms. Allaker. Ms. Allaker stated the Bid came in from AMS with Becky Cecchine providing the customer service. Ms. Allaker stated she spent at least an hour meeting with each of the three Bidders and she went line by line over all of the costs; and in adding up the costs for six years, those are the prices that are represented.

Mr. McLaughlin stated Ms. Cecchine has indicated that these were not “her numbers;” however, he understood that these were the numbers from AMS. Ms. Allaker stated she read the proposal and is very confident that the numbers presented are correct.

Mr. Smith stated what is shown is that the AMS number is \$588,270, but Ms. Cecchine is stating that the figure was \$435,000. Ms. Cecchine stated under Option 2 she added the six years, and she came up with \$435,584. Ms. Allaker asked Ms. Cecchine if she included the cost of materials, and Ms. Cecchine stated she did not.

Ms. Cecchine again stated if they wanted one employee they would take off \$120,000; however, again Mr. McLaughlin stated the Bidder’s job is not to replace employees, rather it is to provide a service and the number of people she is using is not a concern of the Township and it would be the vendor’s expense. Mr. McLaughlin stated replacing one or two Township people is irrelevant to the Bid. Ms. Cecchine stated they included that the maximum for customer service would be replacing both employees, and they did not get the opportunity to ask if it was one person leaving. Ms. Tyler stated this has nothing to do with the Bidder’s costs, and it only impacts the Township’s savings by doing this. Mr. McLaughlin stated the Bidders were to give the cost to provide services to replace and not people to replace.

Mr. Rubin asked Ms. Allaker if the Bid by AMS was what was quoted or is that her interpretation of what it would cost; and Ms. Allaker stated it was what they put in the Bid over the six years. She stated they did break it down by components and she added the columns.

Mr. Rubin asked the Board to postpone this until the actual Bids are in front of them; however, Ms. Tyler and Mr. McLaughlin stated they did read the Bids. Ms. Tyler stated she has no doubt that what Ms. Allaker is telling them is completely accurate.

Mr. Rubin stated they were discussing enhanced services. He stated he is the Chair of the Electronic Media Advisory Committee, and they are in the process of updating the Website. He asked if they are on the Agenda for July, and Ms. Tyler stated they probably are. Mr. Rubin asked the date, and Ms. Tyler stated it is July 15.

Mr. Rubin stated it is possible to have enhanced service as to the way they are doing it now by having the Website doing certain types of billing. He stated they can get software where people could pay their bills by using electronic debiting from their checking account where there is no service fee, and there is a way of asking people to have their bill sent to them electronically so the Township could save up to \$13,000 a year in postage. He stated EMAC is also looking at types of software and vendors to do that.

Motion carried with Mr. Benedetto opposed.

#### DISCUSSION AND AWARD OF 2015 ROAD RESURFACING PROGRAM

Mr. Eisold stated on April 17 the Township received four Bids for the 2015 Paving Project. He stated the four Bids were very competitive from four qualified contractors. He stated the low Bid was from General Asphalt Paving Company of Philadelphia in the amount of \$628,756.25 which was the Base Bid. He stated they would recommend that it be awarded to General Asphalt pending compliance with the Responsible Contractors Ordinance which is currently on the Website and will take another few weeks to come to completion to make sure there are no issues to be dealt with. Mr. Eisold stated the second Bidder was Harris Blacktopping Inc. in the amount of \$639,740.85.

Mr. McLaughlin asked who the Contract was awarded to last year, and Mr. Eisold stated it was General Asphalt Paving. Mr. Eisold stated he has had some discussions with Mr. Fedorchak and Mr. Garton about that because there were some issues last year with General Asphalt. Mr. Dobson questioned why they are considering them because of the problems they had with them last year. Mr. Eisold stated they met with General Asphalt and told them that the Township was dissatisfied with what happened last year. Mr. Eisold stated they did change suppliers. Mr. Eisold stated from a performance standpoint last year, they were not able to complete the project on time. Mr. Smith stated while they are the lowest Bidder, he questions if they were a responsible Bidder since it seems that last year they were not responsible.

Mr. Garton stated the Township is required to accept the lowest, responsible, responsive Bidder. Mr. McLaughlin asked what would qualify to eliminate someone based on the "responsible" clause. Mr. Dobson asked if the issues last year would qualify for disqualifying General Asphalt, and Mr. Garton stated there is no one factor. He stated you would look at the quality of their work in the past; and if they were late, this can be factored into consideration. He stated if they did not perform satisfactorily because they did not do the work adequately, this could be factored in. Mr. McLaughlin asked Mr. Garton if in his opinion last year's performance would be covered; however, Mr. Garton stated he could not give an opinion on that. Mr. McLaughlin asked if the Board would be compliant with the law by using the underperformance last year of General Asphalt to not award them this Bid, and Mr. Garton stated they would have to delineate what the underperformance was as opposed to just calling it underperformance.

Mr. Dobson stated they were supposed to be completed by September 30, and they went well into October. He asked if this is enough. Mr. Garton stated assuming the Township did not add Change Orders or other things that created the extension, and they just missed making the deadline, that would be a basis for turning it down.

Mr. McLaughlin asked Mr. Eisold to describe last year's deficiencies. Mr. Eisold stated from a timing standpoint there were a couple of roads that were added, but that was put into the equation and the Township did not penalize them for the additional work that they did do. He stated they were penalized for the work that was in the original Bid that they did not complete within the timeframe. He stated they took into account the additional roads, and rather than indicating they were thirty days late, they took those off, and they were then approximately fifteen days late. Mr. McLaughlin asked Mr. Eisold if he feels their performance was deficient last year, and Ms. Tyler asked if those deficiencies were sufficient to disqualify them this year. Mr. Eisold stated it was "frustrating" working with them, and they did have to do a lot of "prodding" to get them to do the work; and they were contacting them continuously. He stated he has never been in a situation like that before where they could not get the work done in time.

Mr. Garton stated if there were extended delays last year, it sounds like a reasonable basis to disqualify; however, if they choose to contest it, a Judge would have to determine if that is an adequate basis for throwing the Bid out. Ms. Tyler asked what they can expect to happen if they are disqualified based on last year's performance, and what impact will this have on the Road Paving Program. Mr. Garton stated if the Board chooses to award the Bid to the second lowest Bidder on the basis that they do not believe that the low Bidder is qualified because of last year's performance, the low Bidder could proceed to request an Injunction in the Common Pleas Court in Bucks County to preclude the Township from signing Contracts and proceeding with the work. He stated if the Judge agrees that the Township does not have to award the Bid to them, they would have to re-Bid. Mr. McLaughlin asked if this would impact the timing of the work to be done. Mr. Garton stated if they file the Injunction, they would not be able to start in June.

Mr. Smith asked if they used inferior materials last year. Mr. Eisold stated last year they changed suppliers, and their performance was better than the prior year. He stated he went back and looked at the performance of the contractors over the last three years. He stated General Asphalt had two of the years, and Harris had the third; and they were pretty much the same. He stated two years ago they had inferior materials and there were more cracks from that material, and that was from General Asphalt. Mr. McLaughlin asked if they had any problems with Harris; and Mr. Eisold stated three years ago they did not have the time problem with Harris, although the number of cracks per linear foot were similar to what they got last year from General Asphalt.

Mr. Benedetto stated the letter the Board received date May 19 that Mr. Eisold sent to Mr. Fedorchak says, "The Township worked with General Asphalt to perform various road paving projects and their qualifications and experience are satisfactory for this work." Mr. Benedetto stated he feels they have gotten a recommendation and the qualifications and experience have been deemed satisfactory, and he feels they are in a position to award the Bid.

Mr. Smith stated he feels they can award them the Bid this year; and if they do not comply in a manner consistent with good standards, they would not award it to them next year.

Ms. Tyler asked if General Asphalt paid a fine last year, and Mr. Eisold stated they did have to pay a penalty for the liquidated damages. Mr. Dobson asked if they have the same fine amount in this Contract or should they increase it a little bit so that it will cost them more if they do not come in on time. Mr. Dobson also asked when they are supposed to get started. Mr. Eisold stated there is a schedule, and he believes they were to start in July.

Mr. Smith asked Mr. Eisold if he monitors the quality of the work; and Mr. Eisold stated they do, and he reviewed what the contractor is required to do.

Mr. Dobson stated he is concerned that if they delay this, they will not get the work done. Mr. Dobson stated he feels they should be given another opportunity, and he advised Mr. Eisold that he needs to keep on top of this.

Mr. McLaughlin moved and Mr. Dobson seconded to award the 2015 Road Resurfacing Program to General Asphalt.

Mr. Smith asked if N. Flint is part of this, and Mr. Benedetto stated they could Amend the Motion to include Bid Alternate #5. Mr. Eisold was asked to comment on the state of disrepair of N. Flint as well as the other two Courts in proximity.

Mr. Eisold stated Flint Court North is in the worst condition of the three.

Mr. Dobson stated he felt it was just the cul-de-sac area since when he was there, it was just the cul-de-sac end that was in very bad condition; and he asked if they could not just patch that portion.

Mr. Kevin Kall was present, and he stated he feels they should do the whole cul-de-sac as opposed to spot patching. Mr. Dobson stated it is very bad in front of the residents homes who have to go through it from their driveways, and he feels they need to add it.

Ms. Tyler asked if they add N. Flint Court to the Bid would this change the low Bidder and the obligations this evening, and Mr. Eisold stated it would not change the low Bidder, and there would actually be a larger difference if this additional work were added.

Mr. Tim Collins, 479 Jenny Drive, asked if there is the possibility to add into the Contract that if the Contractor does not meet the demands within the first month or two that they could then award it to the next lowest Bidder. Ms. Tyler stated she does not feel this is practical as the Contractors base their schedule on their workload. Mr. Eisold stated they would probably have to go back out to Bid. He added that he did meet with General Asphalt already and advised them that the Township had been somewhat dissatisfied in the past, and this would be their last chance; and they promised that there would be no issues this year, and they had also agreed to go back and take care of any of the cracks from last year as well as the year before which they were not required to do by the Contract.

Mr. Smith stated he is concerned about the Twenty-Five Year Plan when there are residents coming to them saying that their street has not been addressed since the late 1970s. He asked if there are any other streets that have not been touched within the appropriate time, and Ms. Tyler stated there are a lot of those streets. Mr. Dobson stated he feels they need to re-do the Twenty-Five Year Plan. Mr. Eisold stated it is a combination of the condition of the street, the amount of traffic on the street as well as other factors; and this is what makes it difficult to decide which streets should be done with the funds available.

Mr. McLaughlin asked if they do a physical inspection of all of the streets, and Mr. Eisold stated they have. Mr. McLaughlin asked how they missed Flint Court; and Mr. Eisold stated they have been aware of it for a number of years, but it did not make the final cut.

Mr. Smith stated while he understands that it is a hard decision and that there are cost factors, if there are streets that are in on the Agenda to be repaired but there are other streets that are in worse shape, he feels that there needs to be some sort of process which addresses the streets which are really in need of repair whether they are on the Twenty-Five Year Plan or not. He stated he feels there are probably other streets like Flint Court, and the residents need to be vocal about those.

Mr. Benedetto asked if Bid Alternate #5 is for both North and South Flint, and Mr. Eisold stated it is approximately \$60,000 and it is for both. Ms. Tyler stated ideally Mr. Kall could have patched it and next year, they would do the whole development since that is the most cost effective way to do it; but they do not have the means to do all of that at this time.

Mr. Smith stated he feels Mr. Kall needs to tell the Board what really needs to be fixed even though it may not be on the Plan. Mr. Eisold stated he has done that. He stated he, Mr. Kall, and Mr. Fedorchak have done this numerous times. Mr. Kall stated there is a finite amount of funding for this. Mr. Benedetto asked what they do if something is really falling apart, and Mr. Kall stated they fix it themselves. Mr. Kall stated N. Flint Court is really beyond their scope, and he does not have the equipment, resources, or funding to do it. Mr. Fedorchak stated there is a lot of conversation that comes from the Township staff and the Township engineer as to what roads they should be doing each year. He stated he is the one who advises that there is a certain amount of money available based on what was placed in the Budget. He stated this year they will spend more than \$800,000 and that is before adding Flint Court.

Mr. Smith stated he is not arguing about the cost, rather he is arguing about the process of priority. He stated he feels if there are streets that are in worse shape no matter what the Budget is, they need to get it done. Mr. Fedorchak stated he wants to make sure that they are all in agreement that they are going to exceed \$800,000. Mr. Benedetto stated this would include Township Line Road, and Mr. Fedorchak agreed.

Ms. Helen Heinz stated her husband had a project on Rivermoor Road which is off of River Road north of Woodside before Mt. Airy, and she feels it is the most unsafe road she has ever driven on in the Township. She stated in speaking to the homeowner, they indicated that they do not tell the Township about it because they are afraid people will come in. Ms. Heinz stated if there was a fire on that road, you could not get a fire truck up that road because of the size of the ruts. She stated it backs up to the Canal, and she does not know how those people would get out if the Canal flooded. She stated she does not feel the roads in that development were ever dedicated, and Mr. Fedorchak agreed. He stated if they are not dedicated, they are not the Township's responsibility; and there are a number of private roads like that throughout the Township.

Motion carried unanimously to award the base bid to General Asphalt in the amount of \$628,756.25.

Mr. McLaughlin moved and Mr. Smith seconded to amend the Road Resurfacing Program to include N. Flint Court.

Mr. Benedetto stated this is not the entirety of Bid Alternate #5 and it would be half that, and Mr. Eisold stated for N. Flint Court it would be \$30,119.70. Mr. Benedetto asked why they would not include S. Flint Court for an additional \$25,000.



Ms. Tyler stated S. Flint Court is in similar condition to Marble and ideally they would do all three of those at the same time, but they are not in the same condition as is N. Flint Court so they are making N. Flint Court the priority.

Mr. Eisold stated when he meets with Mr. Fedorchak and Mr. Kall they look at areas where they can do more than just one road because it costs more to take in all the equipment and it is less efficient to do just one road. Mr. McLaughlin stated if it would make more sense to do all three for \$25,000 more; however, it was noted that would only be for North and South Flint. Mr. Eisold stated it would be \$30,000 for each road. Mr. Benedetto stated he would like to combine it and get North and South Flint Court done. Ms. Tyler stated if they add the second road, it does not provide room for potential base issues moving forward; and they are already at the max. She suggested that they add just N. Flint and do Marble and S. Flint next year. Mr. McLaughlin asked if there is any other road that could be pushed off until next year so that they could make this substitution, but it was noted that there were none.

Motion as stated carried unanimously.

#### UPDATE ON EDGEWOOD ROAD CROSSING

Mr. Eisold stated he met on site with SEPTA approximately one and a half weeks ago and they looked at the crossing and the new slope with the third track. He made them aware that it was not in accordance with the Township Code and was not acceptable. He stated they agreed, and they recently provided him with a Plan to add additional asphalt on the southbound lane to bring the slope up so that there is not such a drastic "bump." He stated they have scheduled for the road to be closed on Wednesday, June 10 from 9 a.m. to 3 p.m. to do this work, and signs will be posted.

Ms. Tyler stated residents should always check LMT.org where information is posted as far as road closures, etc.

#### UPDATE ON QUIET ZONE PROJECT

Mr. Eisold stated on Friday, May 29 they had a meeting with the PUC at the Township Building, and representatives from SEPTA, CSX, and PennDOT were in attendance. He stated they went through the details of the project, and then went out to each of the three crossings; and there were no objections raised by any of the parties about what is being planned for the Quiet Zones.

Mr. McLaughlin stated there was an issue with one of the residents regarding access to their driveway on Stony Hill Road. Mr. Eisold stated they had a meeting in the Township with the residents who were directly effected, and everyone was in agreement except for that one family which is basically at the Railroad crossing on Stony Hill Road. Mr. Eisold stated they have looked into how they could address their problem, and he had a meeting approximately two weeks ago with the residents on what they could do on their property to allow them to make a left turn out of their property which is what their concern was. He stated they will be completing a survey of the front of their property noting that there is a slope that goes up and they have a large tree on their property at the corner of their house. He stated they are proposing to expand their driveway and angle it so that they would be able to get past the center island and get out. He stated it may require a small retaining wall, but the final design has not been completed. He stated they were in agreement with what was discussed; and he advised them that once they have the exact design, they will show them what they will do.

Mr. Smith asked who is responsible for the bridge on Big Oak/Robert Sugarman Way which is in "horrendous" condition, and Mr. Fedorchak stated it is PennDOT. Mr. McLaughlin stated he felt there was \$1 million for that bridge as part of the Matrix Settlement, and Mr. Fedorchak stated there was a fee per house; however, the money was supposed to have been applied toward the reconstruction/expansion of the bridge. Mr. Smith asked if there is a plan of action to contact the State officials about the poor condition of the bridge, and Mr. Fedorchak stated he will reach out to the State officials and ask them to look into this and a number of the other bridges. Mr. Rubin stated the funds could be used if the bridge were on the Ten Year Plan for PennDOT to improve; however, PennDOT never put it in there.

Mr. Tim Collins, 479 Jenny Drive, stated he is concerned with CSX's "quietness" with regard to the Quiet Zones because under the law if any Railroad feels that it is an unsafe condition, they may on their own accord continue to blow the horn. He asked if CSX has told the Township that they are against it or are they just being quiet. Mr. Eisold stated the CSX representative indicated at the meeting last Friday that if everything was done in accordance with the requirements, that they would accept and abide by the Quiet Zone.

Mr. Collins stated he appreciates what everyone is doing, and he asked about the Budget. Mr. Eisold stated most of the Budget is construction dollars, and they are not there yet. He stated engineering wise, he feels they are close to being on Budget. He stated there is still a comment period from the PUC; but based on the meeting, it does not appear that there are going to be any objections. Mr. Eisold stated they are also awaiting the Agreement from PennDOT for the Grant. He stated the Township has still not seen that Agreement, and they are trying to find out when that

Agreement will be submitted to the Township since there may be certain requirements in that Agreement that they want to be aware of and incorporate into the project.

Mr. Collins stated in light of the Amtrak tragedy, he would like to report that our Railroad is protected and both CSX and SEPTA went out very early on and bought everything they needed; and our Railroad would have diverted that accident with the positive train control.

Mr. David White, Yale Drive, thanked the Township for everything they have done with regard to the Quiet Zones.

#### FINANCIAL REPORTS

It was agreed to table this matter to the next Board of Supervisors meeting

#### APPROVAL OF EXTENSION REQUESTS

Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to approve Extension requests for the following: Aria Health, Capstone Terrace, Dogwood Drive, Fieldstone at Makefield, and Jennings Tract.

#### APPROVAL OF CERTIFICATE OF APPROPRIATENESS – 751 STONY HILL ROAD (FLOWERS FIELD)

Mr. Fedorchak stated HARB has recommended that the Board of Supervisors grant to Flowers Field the Certificate of Appropriateness. Mr. Fedorchak stated the Minutes of their January 12 meeting concerning the residential piece that is being constructed by DeLuca Homes includes several pages of detail as to what HARB has asked that the developer comply with regarding colors, type of paint, etc. Mr. Fedorchak provided renderings of various sections of the residential development.

Mr. Benedetto moved, Mr. McLaughlin seconded and it was unanimously carried to grant the Certificate of Appropriateness for 751 Stony Hill Road (Flowers Field).

Mr. Garton stated the Board was in Executive Session for approximately thirty minutes prior to the meeting to discuss potential litigation related to the Zoning Hearing Board matters and also to discuss the litigation related to the Aria Hospital Application.

#### ZONING HEARING BOARD MATTERS

With regard to the Mark and Randi Snyder Variance request for the property located at 7 Ardsley Road in order to permit construction of a shed resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Thomas J. Mack Construction Variance request for Mr. and Mrs. Michel Donahue for the property located at 23 Upton Lane in order to permit construction of an addition resulting in encroachment into the side yard setback, it was agreed to leave the matter to the Zoning Hearing Board.

#### SUPERVISORS REPORTS

Ms. Tyler stated for the benefit of the Garden of Reflection there will be a Handbag Bingo held on June 18, 2015, and further information can be found on the Township Website. She stated the proceeds go to support the ongoing maintenance of the Garden of Reflection. Ms. Tyler stated on June 13 the Artists of Yardley will hold an event called Art on the Farm from 11:00 a.m. to 5 p.m. and she reviewed the events to take place. She stated this is a wonderful opportunity for the residents to have access to Patterson Farm. She stated that same date in the evening from 6 to 10 p.m. there will be a fundraiser held with tickets to be purchased by June 8 with catered food. Tickets are \$30 per person and children under 12 are \$15 per person.

Mr. Dobson stated the Citizens Traffic Commission asked Chief Coluzzi to set up a meter to monitor the amount and speed of vehicles on Black Rock Road before you get to the towpath as people are traveling too fast in that area. He stated depending on the results of the report, they may have to make some recommendations as to how to slow the traffic down. Mr. Dobson stated there are two vacancies on the Planning Commission. Mr. Dobson stated the Park & Recreation Board is still considering where to put the Dog Park. He stated they have gotten it down to four locations -- Samost, Macclesfield, Memorial Park, and Snipes. Mr. Dobson stated he also talked to Mr. Fedorchak and Chief Coluzzi about getting cameras in all of the Parks and Township-owned properties. He stated there has been some vandalism and YMS is specifically asking to have cameras there, and Chief Coluzzi was looking

into this and hopefully they will get it done quickly. Chief Coluzzi stated the proposals are in for this, and Mr. Fedorchak has to sign off on them and send in a deposit so that work can get started.

Mr. Benedetto stated the EAC met regarding alternatives to Round-Up and a resident from Tanglewood came to the EAC meeting to discuss the overgrowth in front of that development, and it was found that it is PennDOT's responsibility.

#### OTHER BUSINESS

Mr. Smith stated there have been some informal discussions about doing something over Labor Day Weekend to serve as a substitute for Community Pride Day taking into account the costs and the Budget. He asked that they decide on this as soon as possible so that it can be taken care of. Ms. Tyler stated she is working on this, and there are public facilities available so that they could have a very nice community event.

Mr. Kall stated the Sewer Authority operates and maintains thirteen sewer pumping stations and the generators. He stated the pumping station at Yardley Oaks off of Big Oak Road is approximately thirty years old, and they have been experiencing major problems with the generator. He asked the Board to approve a Motion to replace the generator and put it out to Bid with the sewer engineer preparing a Bid spec. Mr. McLaughlin asked if this was in the Budget; and Mr. Fedorchak stated it was not, but there is money in the Sewer Capital Reserve to cover it. Mr. Kall stated it should cost between \$24,000 to \$38,000.

Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to have the sewer engineer prepare specs and go out to Bid to replace the generator at the Yardley Oaks pumping station.

#### APPOINTMENTS

Mr. Benedetto moved, Mr. Smith seconded and it was unanimously carried to appoint David Wilner and Rajani Veeramachanen to Economic Development.

Mr. Dobson moved, Mr. Benedetto seconded and it was unanimously carried to appoint Michael Sullivan to the Environmental Advisory Council.

Mr. Dobson moved, Mr. Benedetto seconded and it was unanimously carried to re-appoint Joe Menard to the Citizens Budget Committee.

Mr. Dobson moved, Mr. Smith seconded and it was unanimously carried to re-appoint the following to Emergency Management: Jeffrey R Gusst, Jack Kennedy, James J. Frawley, Marilyn Huret, and Allyson K. Kliefoth.

Mr. Dobson moved and Ms. Tyler seconded to re-appoint Mr. Bray to the Environmental Advisory Council. Mr. Benedetto stated he understands that Mr. Bray wants to be an Alternate. Mr. Dobson moved, and Ms. Tyler seconded to Amend the Motion to re-appoint Mr. Bray as an Alternate, and the Motion as amended carried unanimously.

Mr. Dobson moved and Mr. Benedetto seconded to re-appoint Alan Dresser to the Environmental Advisory Council.

Mr. Smith asked that in the future if there are difficulties with volunteer Board members that there be discussion between the Board of Supervisors and the member so that hopefully problems can be worked out. He stated there are certain protocols when you are on a Board or a Commission that you have to honor.

Ms. Tyler stated she would like to have the opportunity to speak to Mr. Dresser personally about what occurred with regard to the County and the Township's pending Applications, and she asked the Board of Supervisors to give her the opportunity to speak to him so she can make an informed decision.

The question was called.

Mr. Paul Roden stated he would like to discuss this matter, and he was advised by a number of Board members that they feel he will be happy with the vote.

Motion carried unanimously.

Mr. Dobson moved, Mr. Smith seconded and it was unanimously carried to re-appoint Robert Archibald to the Sewer Authority.

Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to appoint James McCartney as a full member to the Zoning Hearing Board.

There being no further business, the meeting was adjourned at 10:30 p.m.

Respectfully Submitted,

  
Jeff Benedetto, Secretary