

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – NOVEMBER 4, 2015

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on November 4, 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: Jeffrey Garton, Township Solicitor
Mark Eisold, Township Engineer
Kenneth Coluzzi, Chief of Police

Absent: Terry Fedorchak, Township Manager

Ms. Tyler congratulated and welcomed Mr. John Lewis and Ms. Judi Reiss to the Board next year and thanked Mr. Brian McNamara and Ms. Cynthia Borda for running in the campaign.

Ms. Tyler announced that this coming Sunday, Lower Makefield will host the ninth annual Veterans Parade and Ceremony with the Parade at 1 p.m. beginning at Edgewood and Whitehall Roads with the Ceremony immediately following at Veterans Square Park. She stated all Veterans, Scouts, school, athletic, and community groups are invited to march in the Parade and attend the Ceremony. This year's Parade and Ceremony mark the First Anniversary of the Dedication of the Veterans Square monument. The Parade Marshal this year is Vietnam Veteran, Andrew Swider; and the Keynote Speaker is Vietnam Veteran, Terry Nau. The PHS Marching Band and Chamber Choir Quartet will perform. Ms. Tyler stated in case of inclement weather information can be found at 267-274-1195.

PUBLIC COMMENT

Mr. Harry Kupersmit, 612 B Wren Song Road, asked if the Board of Supervisors intends to hand over his Record with the Lower Makefield Township Police Department for his habeas corpus petition which was just remanded to the District Court. After checking with Chief Coluzzi, it was advised that they will not.

Mr. Kupersmit advised the Board that he intends to run for Mr. Fitzpatrick's seat as Mr. Fitzpatrick is retiring in January.

Ms. Maryann Carroll, 13 E. School Lane, stated she understands that they are looking to amend the traffic calming guidelines; and she wanted to address her continued frustration with the lack of speed enforcement in the Township as well as the complicated process for requesting traffic calming in particular neighborhoods.

Ms. Tyler noted this item is on the Agenda for this evening; however, Ms. Carroll stated she cannot stay as she has a commitment. Ms. Carroll stated each day on E. School Lane they continue to have 500 to 600 cars pass by the nine houses on E. School Lane, and a large majority of those cars are speeding. She stated there are walkers going to Makefield Elementary and other pedestrians and bike riders on the street. Ms. Carroll stated she has asked Chief Coluzzi multiple times for additional enforcement near Makefield School and would also like to have the speeding sign on Mondays. She stated she has not seen any action taking place regarding traffic calming in the Township particularly where she lives. Ms. Carroll stated last year she made an inquiry about the speed limit on Makefield Road, and she had reviewed the Township Ordinances and found that the Ordinance for Makefield Road read 25 miles per hour for that section of Makefield Road; however, twenty years ago the Township changed the speed limit from 25 miles per hours to 35 miles per hour in front of the School, but had never amended the Ordinance to reflect that. She stated Makefield is the only Elementary School in the Township with a 35 mile per hour speed limit in front of the School. Ms. Carroll asked that they simplify and speed up the process for traffic calming.

Ms. Tyler asked that Ms. Torbert address this issue during their discussion later this evening on the traffic calming guidelines update, and suggested that Ms. Carroll watch the replay to see if they can address some of her concerns. Ms. Tyler also asked Chief Coluzzi to do some additional enforcement in this area.

Mr. John Santosuosso, 636 A. Palmer Lane, stated he is a PE and is familiar with roads and he would like to discuss the CSX crossing at Heacock Road. He stated he has written to CXS CEO regarding this crossing where in both directions there are "Rough Crossing" signs where there are wood spacers in between the rails. He stated this crossing should be as smooth as the Edgewood Road crossing. He stated the CEO refuses to respond. He stated he feels it is unsafe, and is one of the worst roads in the Township particularly in the winter when the rails are slippery. He stated they should replace the spacers in between the rails and use blacktop or concrete between the rails. Mr. Santosuosso asked that the Board write a letter to CSX advising them that this is a problem.

Mr. Eisold stated they have discussed this situation several times with SEPTA, and they have indicated that they will take care of that. He stated they will be closing each of the crossings again in the spring, and they indicated that they will address those crossings the same way that was done with the one they just repaired.

Mr. Jeff Hirko, Dolington Road, stated he dropped off paperwork to Mr. Fedorchak which was a scope of work that Mr. Fedorchak did for the Patterson Farm Preservation group in regard to maintenance at the Farm. Mr. Hirko stated Mr. Fedorchak indicated he was okay with everything, but it had to be approved by the Board of Supervisors; and Mr. Hirko asked where this stands. Ms. Tyler stated Mr. Fedorchak did not provide anything about this to the Board, and he is ill and not present this evening. Ms. Tyler stated she will follow up with him when he returns to the office. Mr. Hirko provided a copy of the paperwork to Ms. Tyler this evening. Ms. Tyler asked if this is with regard to the Satterthwaite House; and Mr. Hirko stated it is not, it is maintenance for the Patterson Farm. Ms. Tyler stated they will speak to the Township Manager and Solicitor about this and put this on the next Agenda.

Mr. Hirko also asked about the request to have a link on the Township Website to the Friends of Patterson Farm Website. Ms. Tyler stated she wants to speak to Ms. Doan about this as there were some items on the Website that were of concern. She also stated she is concerned about the pending litigation. She stated there were some items which were of concern on the fundraising page including reference to Bright Farms. Ms. Tyler stated once these issues are resolved and the litigation is over, she feels the Board would be willing to move forward and help promote their preservation effort.

Mr. Smith stated this is just a link, and there are numerous groups which are linked up on the Township Webpage including those that are not connected with the Township. He stated all they are doing is allowing people to be able to have an easy access to find the link. He stated he does not feel it makes any sense to exercise some type of censorship because there may be something objectionable on the link. He stated he does not feel there should be 400 links, but this is a group which is very involved with the Township, comes to every meeting, and are admired by many people in the Township. He stated the reason the Township has the Webpage is so that people can link up and find what they are looking for. He stated they could put on a disclaimer that the Township is not responsible for any of the organization's statements.

Mr. Benedetto stated he would make a Motion to this effect adding that Ms. Doan has come before the Board in the past and was rejected at that time. He stated this is a link, and he does not feel they have to wait until the litigation is complete. He stated they are trying to promote what the Board is trying to promote which is the

preservation of Patterson Farm. Ms. Tyler stated while she does not disagree that a link is appropriate, she does not feel the timing of the link is appropriate; and she would also like to speak to Ms. Doan about some of the content.

Mr. Benedetto moved and Mr. Smith seconded to provide a link to Patterson Farm Preservation on the Township Website. Mr. Smith moved to Amend to include on the Webpage a disclaimer that the Township is not responsible for the content of any of the links.

Motion did not carry as Mr. Dobson, Mr. McLaughlin, and Ms. Tyler were opposed and Mr. Benedetto and Mr. Smith were in favor.

Ms. Lisa Gage, 1117 Glen Oak Drive, announced there were two Pennsbury High School fall drama productions one on Saturday, November 14 at 7:30 p.m. called a Piece of My Heart. She stated on Friday, November 13 at 7:30 p.m. and on Saturday November 14 at 1 p.m. they will have a family production about Aesop's Fables. Tickets are available at the door. Information is on the Township TV Channel.

Mr. Ed Gavin, 904 Sensor Road, noted the Bible Fellowship Church expansion plans where they were going to allow parking within 10' of the Church. Mr. Gavin stated he feels this is very close for cars to be parked from a fire standpoint. Mr. Eisold stated he feels this was just a few spaces, although he does not recall the exact lay out. He agreed to look into this again to see if an adjustment could be made.

Mr. Gavin asked for an update on the Scammel house, and Ms. Tyler stated they have not heard anything further since the developer came in. Mr. Benedetto stated an individual made an offer to buy the house, and the developer came back and made a counter offer which was turned down. Mr. Benedetto stated he could follow up on this. Mr. Gavin stated when this first came up, a representative from Orleans advised him it would be for sale for \$150,000; but now he has heard that it would be \$350,000. Mr. Benedetto stated he felt the request from the developer was for \$200,000, and the individual interested in purchasing it offered \$100,000.

Mr. Benedetto stated he would like to have the developer come back in since it has been some time. Mr. Garton stated there was also the issue that the developer's design for the renovation of the front façade was not consistent with the Stipulation, and the Board advised them that it was not adequate.

Ms. Tyler stated they had requested from Ms. Helen Heinz the photographs that she had of the House, and they will follow up with her for those; and then ask the developer to come in with an update and a revised sketch of the facade.

Ms. Donna Doan, stated she missed the earlier discussion about Patterson Farm Preservation.com, and Ms. Tyler stated the Motion to include the link on the Township Website was declined. Ms. Tyler stated while she is in favor of putting the link on, she has concerns with doing so at this time because of the pending litigation as well as the representation regarding fundraising that the rent from Bright Farms would be going to that. She stated she would like to meet with Ms. Doan to go over some of these issues.

Ms. Doan stated they wanted to move forward with other projects on the Farm other than Satterthwaite, and she specifically noted the pack house. Ms. Doan stated Mr. Stewart and Mr. Fedorchak came to an agreement that Mr. Stewart could use the pack house, and Mr. Garton stated he will look into this with Mr. Fedorchak.

Ms. Judi Reiss, 969 Princess Drive, was present. Ms. Tyler noted that Ms. Reiss missed the introduction, and she again congratulated her on her success with the election and welcomed her to the Board of Supervisors starting in January. Ms. Reiss stated she missed the introduction because she was at the Makefield Women's Association meeting where this year they split their donation from the Harvest Fest, and she presented a check in the amount of \$1,250 for the Lower Makefield Township Community Fund Garden of Reflection Maintenance and Preservation. Ms. Tyler thanked the Makefield Women's Association which does so much work in the community, adding the donation is greatly appreciated.

Mr. Alan Dresser, 105 E. Ferry Road, asked for an update on the landscaping for the new baseball fields. He stated there were to be sixty-seven trees, sixty-one shrubs, three naturalized rain gardens, and a naturalized detention basin. Mr. Eisold stated he believes with regard to the trees, Mr. Fedorchak was going to use replacement trees that are owed. Mr. Dresser stated one hundred fifty-eight trees have been owed to the Township for years. Mr. Eisold stated he knows that Mr. Fedorchak is working with the developers to get those trees. Ms. Tyler agreed to follow up on this with Mr. Fedorchak. Mr. Dresser asked about replacement of the trees that the Township cut down at the site. Ms. Tyler stated this will be done, and Mr. Eisold stated he does have a count. Mr. Dresser stated those trees should go in first and any that are still needed should come from the developers. He assumes that this planting will be done in the spring since it is too late to plant now.

Mr. Dan Grenier, 3 Highland Drive, asked about the access to the towpath. Ms. Tyler stated the Jennings Tract is on the Agenda, but it will only be a quick update. She stated the owner and Mr. Fedorchak are in negotiations; and at this point the appraisal has been done, and it is a matter of agreeing to the price and executing a Contract.

Mr. Grenier stated he has been having e-mail conversations with Steve Ware, the Planning Administrator; and he understands that Mr. Ware may have forwarded some information to Mr. Garton that Mr. Grenier sent Mr. Ware. Mr. Grenier stated PECO apparently has had an easement over his entire neighborhood since 1955. He stated he sent a copy of the easement to Mr. Ware. Mr. Grenier stated when he talked to PECO they advised him that if they needed to they could put a transformer on his roof. Mr. Grenier stated he has done research and found that the neighborhood was Recorded in the Bucks County Deed books in 1995, which he found odd since the neighborhood was built thirty years prior to that. He stated he forwarded all the information he had to Mr. Ware, and he asked if Mr. Garton has been advised of this. Mr. Garton stated he did get a copy of the easement, and he had indicated that he could make contact with the Real Estate Department at PECO since there is no need for PECO to have a blanket easement over the entire development. He stated sometimes they can get PECO to amend the blanket easement to specific areas where the easement applies. Mr. Garton stated Mr. Fedorchak was going to get some additional information to him. Mr. Garton agreed to contact the Real Estate Department that he deals with on a regular basis. Mr. McLaughlin questioned how this could have happened, and Mr. Garton stated this was done in the 1950s when things were done very differently from now.

Mr. Grenier stated while he cannot remain for the presentation about traffic calming, there is an intersection at Highland which serves as a bus stop; and since they are the first neighborhood south of I-95, it is often used by people driving from the north coming up Highland Drive from Taylorsville and making a U-turn at that intersection or one of the driveways and going back. He stated he has counted as many as fifty to sixty cars during a forty-five minute interval making a U-turn at that intersection. He stated he has contacted Mr. Fedorchak and spoken to the Police Department in the past, and only one time in the past four to five years has a patrol car stopped there. He stated he was advised that the situation would be better when the bridge is built, but the timeframe on that is five to six years.

Chief Coluzzi stated U-turns are not illegal, and he believes that the Captain explained that to Mr. Grenier. Mr. Grenier stated the Captain advised him that U-turns are illegal when there is a safety concern, and Mr. Grenier stated he responded that he feels that U-turns at bus stops at thirty to forty-five second intervals every day is a safety concern. Chief Coluzzi stated they have tried a number of things in that area to prevent the cut through including the “No Left Turn,” and there was enforcement there a few times; and when the Officer is there no one is doing that, but once the Officer leaves, they again make the U-turns. Mr. Grenier stated they would like to request a “No Right Turn” sign onto Highland from Taylorsville since that is where most people are coming from. Mr. McLaughlin stated that would limit those in the neighborhood as well, and Mr. Grenier stated

they could just come from the south and turn left. Chief Coluzzi stated the problem is when you start doing these restrictions, you start effecting the residents that live in the area and the residents end up fighting against each other. He stated they have seen this numerous times. He stated the Citizens Traffic Commission has tried to help many, many residents with problems; and they realized that every solution has an effect on someone else. He stated they try to minimize the problems as much as they can and provide enforcement as much as they can recognizing that resources are limited, and they have to prioritize the resources. Mr. Grenier stated in five years, he has seen Officers there one time; and no citations were issued. He stated he has had his car hit, his mailbox hit, and ruts on his property. Chief Coluzzi stated they do the best they can recognizing they also go to Makefield and E. School Lane, and they do rotate the locations. He stated the last time they were in Mr. Grenier's area they had their motorcycles there, and several warnings were issued.

Mr. Benedetto stated Mr. Grenier also brought up a stop sign previously. Mr. Grenier stated that is a different issue in the same neighborhood and at the intersection of Concord Lane and Plymouth which is a T-intersection someone removed the stop sign, and it was never replaced. Chief Coluzzi stated he will check the Code to make sure that it was a legitimate, approved stop sign at that location; and if so, they will have it replaced.

Mr. Smith stated they may want to contact the Pennsbury School District about changing the location of the bus stop if it is unsafe.

APPROVAL OF MINUTES

Mr. Benedetto moved and Mr. Smith seconded to approve the Minutes of October 21, 2015 as written. Motion carried with Mr. Dobson abstained.

TRAFFIC CALMING GUIDELINES UPDATE

Ms. Ginni Torbert, Ms. Sue Herman, and Ms. Catherine Calabria from the Citizens Traffic Commission were present. Ms. Torbert stated they are presenting some revisions to the guidelines that the Board approved last year for traffic calming in order to provide clarity and to make access to the information to the guidelines on the Website easier. She stated they wanted to clarify each step in the process so it is not confusing.

Ms. Torbert reviewed the goals of traffic calming which are the physical changes that can be made to reduce speeding and cut-through traffic in neighborhoods and to promote a safe environment for pedestrians and bicyclists as well as to involve neighborhood residents in finding solutions to speeding in their neighborhoods which is a common problem. She stated the Citizens Traffic Commission has been in existence since 2006, and they have heard from residents from many different neighborhoods about similar problems including the Hillside neighborhood where they were the impetus behind restricting left hand turns in the morning because it is used as a cut through.

Ms. Torbert stated the new revisions proposed will provide more clarity, detail the process for decision making, and make Internet access more user friendly. She stated they also prepared some Frequently Asked Questions and made some minor revisions to the Request Form. She stated hard copies are available at the Township for those who do not have Internet access.

Mr. Benedetto stated he does not have any problems with the revisions since he feels they do clarify things, although he did vote against the Traffic Calming Guidelines. He noted the Flow Chart and stated the Citizens Traffic Commission is an advisory board, and his concern is the Board of Supervisors is giving up too much power to the Citizens Traffic Commission. He stated residents have to go to the CTC first, and the CTC could actually quash a complaint. He stated there have been a number of times when the Citizens Traffic Commission and the Township Manager can say they do not feel there is a need for traffic calming. Mr. Benedetto stated he was at the meeting when Ms. Carroll, who spoke earlier this evening, came to the Citizens Traffic Commission. He stated the Board of Supervisors is here for residents like Mr. Grenier, who spoke earlier this evening, to tell them when they have an issue so that the Board can do something about that. Mr. Benedetto stated he does not like the CTC having control and the Board of Supervisors having no say.

Ms. Torbert stated what they are trying to do is have some vetting of instituting traffic-calming measures. She stated if someone feels very strongly about something, they are always able to continue to come to the Board of Supervisors and raise their issues. Ms. Torbert stated she views what they have is a procedure that is available to residents, gives them an opportunity to present their information, and have a discussion. She stated they have not yet had anyone go through the process, and they will learn how this works when someone comes in. Ms. Torbert stated one neighbor could come in about a problem but other neighbors could also come in and indicate they do not want traffic calming. She stated she feels it makes sense to have it discussed at the CTC so everyone will get a better sense of what is involved rather than just having one person coming to the Board of Supervisors asking for speed humps in front of her house.

Ms. Herman stated this procedure is not meant to be totally black and white, and in the more lengthy procedure it states clearly that if the CTC does not feel that traffic calming is warranted they would inform the Township Manager of that, and the Township Manager would inform the petitioners if he concurred. Ms. Herman stated they state specifically in the guidelines that the petition will be considered closed until further action is requested by the Township Manager so the door is still open for discussion between the citizen and the Township Manager or the citizen and the Board of Supervisors, and the Township Manager can re-open the discussion. She stated this is supposed to be a fluid process that they can “tweak” as they go through it.

Mr. Benedetto stated it is almost too onerous; and if he were a resident directed to look at the process and saw the flow chart, he would feel that it would never get done. Mr. Benedetto stated Ms. Carroll stated that was her issue. Ms. Herman stated Ms. Carroll was talking about the other guidelines, and she agrees that it does take a lot of effort on the part of a resident to address a safety issue including working with other neighbors on the street and nearby streets that are effected. She stated they want to bring people together to discuss the issue and hopefully come up with a solution that the neighbors will buy into which the Board of Supervisors could approve.

Mr. Smith stated he feels that they do this already at the EAC, and the Board delegates a lot of the vetting to the other Boards and Commissions already. He stated while they could make some changes to the guidelines, he asked Mr. Benedetto if there is anything really wrong with allowing the CTC to have an initial vetting, and then they would offer their opinion to the Board of Supervisors. Mr. McLaughlin stated this is similar to how it works with the Planning Commission as well, and they see if issues rise to the level that the Board of Supervisors needs to be advised of, and the Board of Supervisors then makes a decision on their opinion. Mr. Smith stated the ultimate responsibility will with be the Board of Supervisors.

Mr. Benedetto stated he feels traffic issues in the Township are one of the top three most unaddressed issues. He stated the residents are most concerned about road conditions, speeding, and non enforcement. Mr. Benedetto stated he knows how the situation at W. Ferry played out and how E. School Lane played out. Mr. Benedetto stated he does not believe that the Citizens Traffic Commission should be able to say that traffic calming is not appropriate in a situation. He stated the Township Manager also has a say. Mr. Benedetto stated a Township resident should have the ability to come to the Board of Supervisors and have the issue addressed there. Mr. Benedetto stated he feels the process is a cumbersome process. Mr. Benedetto stated there are also arbitrary numbers included, and he

feels the Board is giving up too much power to the Township Manager and the Citizens Traffic Commission since the Board of Supervisors are the elected officials, and the residents should hold the Board of Supervisors accountable.

Mr. McLaughlin asked Mr. Benedetto how he sees this as any different from the Planning Commission which asks developers to amend projects based on feedback from Township residents. He stated this is a forum where Township residents can come and give the advisory boards their information. Mr. Benedetto stated the CTC is deciding issues. Mr. McLaughlin stated the Board of Supervisors can always determine that there is an issue even if the CTC does not.

Mr. Garton stated he feels possibly the issue is that perhaps the guidelines do not specify that if someone goes through the process and is not necessarily satisfied with the outcome, they are always welcome to come to the Board of Supervisors; and this could be noted in an obvious way.

Ms. Torbert stated she does always state that, but this is a good idea to have that written in the guidelines. She noted that there is also a Supervisor Liaison who could indicate that they feel more needs to be considered and who could discuss it with the rest of the Board of Supervisors. Ms. Torbert stated there would be no objection to inserting a step that if the resident if not satisfied, they are always free to go to the Board of Supervisors and raise their issue separately.

Ms. Herman noted they should include in the procedure that the CTC, the Township Manager, and the Supervisor Liaison is happy to work with the citizens to help them understand the steps. She stated she understands the flow chart can look ominous, but for some people this is the easiest way to understand the procedure rather than reading through narrative. She stated they would always help the citizens to navigate the process, and the goal is to come up with successful brainstorming with citizens, the Township staff, and the Police Department to come up with solutions that resident will buy into to solve the problems. She stated they have not been that successful, and they believe it is because they have not had a procedure that is as tight as what they are proposing. She stated the percentages that Mr. Benedetto referred to can be relaxed, and this was just a starting place.

Mr. Benedetto stated the percentages are that at least 50% of all effected households would vote on the traffic-calming plan, 60% of specifically effected household vote, and 70% of those who voted are in support of the Plan. He stated he is concerned that if they change this people will say they had guidelines, and now they are changing the guidelines and it is a “moving target.” Mr. Benedetto stated the Board of Supervisors is to make the ultimate decision, and these are arbitrary numbers. He stated the Board of Supervisors should make the decisions and live with the consequences.

Ms. Torbert reviewed the proposed process as shown on the flow chart. She stated if traffic calming is being considered and both the Township Manager and the residents want to proceed with an analysis, the Township and the traffic engineer would then begin to collect data which is outlined in the guidelines. She stated the traffic engineer and the Township Manager would then identify all the effected households which would be the specifically-effected households which is anyone on the same street where the traffic calming would be put and other-effected households which is not as straightforward and it would be those who live on nearby street where if traffic calming were to be done, possibly traffic would divert to those streets. Ms. Torbert stated all of those identified would be invited to a public meeting to review and comment on the proposed traffic calming.

Mr. Benedetto asked if they should not tighten this up with regard to effected households since he is not in favor of giving discretion to the Township Manager and traffic engineer to identify those households effected, and he suggested that they do it as they do with a Zoning situation and provide a radius such as “three blocks, 500 feet, or 1,000 feet.” Ms. Torbert stated the effected households is an engineering determination since someone could be within a radius of the area, but their specific road would not be effected. Ms. Torbert stated she would feel more comfortable leaving it up to the traffic engineer. Mr. Benedetto stated he could see a situation where a resident could feel that traffic calming could impact a resident that was not notified and that would become another effected neighborhood and it makes it much more difficult to pass traffic calming.

Ms. Torbert stated she feels they should include some reasonable number for a vote to pass a plan. She stated they wanted at least a 60% buy in from the residents of the actual street where traffic calming would be installed since they would be the most directly effected, but they also wanted there to be a balance and to get a reasonable percentage of all the people voting. She stated they discussed these numbers at some length, but they did not want to get into a situation where a small group outside of the street itself was able to stop traffic calming if the people who lived on the street really needed assistance.

Mr. McLaughlin stated an unintended consequence of this could be that this could polarize neighborhoods. Ms. Herman noted the W. Ferry situation was very contentious, and there was no voting involved with that. She stated their hope was that neighbors would come together and come up with solutions that they can live with. She stated there would be a traffic engineer at the meeting who is adept at working with people, and the Township could work with them so that possibly they can come to a consensus. She stated other Municipalities have traffic calming guidelines like this, and they have looked at those as well as the PennDOT guidelines that involved public meetings and voting. Mr. McLaughlin asked if they feel that this

will result in people coming in with relatively minor traffic issues that do not rise to the standard of dedicating Township financial resources. Ms. Herman stated that is why they have a vetting. Ms. Tyler stated the Board of Supervisors would have to authorize the traffic engineer to prepare a traffic study if they find that it is warranted. She stated this is just a guideline, and she feels they can address the percentage and voting concerns. Mr. Benedetto stated the flow chart does indicate that on recommendation of the CTC and approval by the Township Manager, the traffic engineer gets involved. Mr. McLaughlin stated he sees the CTC as advisors but they cannot get “the keys to the Township dollar,” and Ms. Torbert stated they recognize that. Ms. Torbert stated they could make a change to indicate it would require approval from the Board of Supervisors before tasking the traffic engineer. Ms. Torbert stated the sole purpose of having the residents come in is so that they can build a consensus. Ms. Torbert stated once they come up with a plan, she would be open to suggestion as to how they get buy in from residents if they do not have some kind of vote. Mr. Garton stated there could be a report to the Board of Supervisors from the CTC identifying the different positions of the residents without getting into a vote since it is eventually going to come to the Board of Supervisors.

Mr. Smith stated he is in favor of giving the CTC “more teeth” to their Board, but he would like the Township Manager and Township solicitor to look at other examples in the area where this has happened.

Mr. Dobson stated he would like to see the guidelines tightened up recognizing that they have put a lot of time and effort into this. He stated all the volunteer Boards put in a lot of time and effort and do not get paid, and they do it because they care.

Ms. Torbert stated the last steps are that the Board of Supervisors either approve or reject the plan; and there could be a situation where the residents vote in favor of it, but the Supervisors vote against it. Ms. Herman stated if there is to be a public meeting before the Board of Supervisors on a proposal, they would ask that the residents be sent a letter at least two weeks prior to the public meeting to give the residents ample notice. She stated at the meeting, the traffic engineer would present the traffic calming plan; and the plan would also have been available to residents in the Township office and on the Website during that time. She stated at that meeting the CTC could summarize what the different positions were and present a majority and minority opinion rather than have a specific number. Mr. McLaughlin stated he would also like to be advised of the CTC’s opinion on the issues, and the Board of Supervisors would then make the final decision. Mr. Smith stated there is also a Supervisor liaison who can relay the information to the balance of the Board members.

Mr. Benedetto asked when they should have a traffic engineer get involved, and Mr. McLaughlin stated he feels the CTC would have to hear the issue first. Mr. McLaughlin stated the residents would always have the option to come to the Board of Supervisors.

Ms. Torbert stated at the Planning Commission, she understands that the Township Manager determines who should be invited about a specific Agenda item so they are still going to have to go through the process of determining who will be impacted. Mr. McLaughlin stated he understands that the Township has a methodology as to who gets notified.

Mr. Arthur Cohn stated residents have come before them many times about issues including W. Ferry, E. School Lane, and Hillside. He stated they corrected Hillside on one side, but what happened was that it effected the other side. He stated the CTC goes out and looks at the problem, but there are times when they cannot do anything about it. Mr. Cohn stated they are trying to vet this before it gets to the Board of Supervisors, and the Board of Supervisors then makes the final decision.

Mr. Smith stated he feels they are making the process too difficult. He stated if the residents are not satisfied with the decision made by the CTC, they can always come to the Board of Supervisors. He stated the Board depends on the advisory boards to do what they feel is reasonable, conduct their hearings, and make their recommendations. Mr. McLaughlin stated the Board of Supervisors wants to know what the decision is that is made by the CTC on the different areas where there are traffic issues.

Ms. Tyler stated the Board of Supervisors has already approved traffic calming guidelines, and the CTC is present tonight to make some amendments. She stated the Board has provided some suggestions tonight which are to highlight the fact that the residents can always come to the Board of Supervisors, that the Board is not comfortable with the percentages, and that they should highlight that use of the traffic engineer must be specifically approved by the Township Manager and the Board of Supervisors.

Mr. Smith stated the Board of Supervisors rely on all of the advisory boards, and the CTC already has power; and the Board trusts them to make recommendations.

Ms. Torbert stated they want this to be understandable to the residents and make it easier. Ms. Herman stated they want to make it easier since the lack of a procedure has not been working. She stated they also want there to be a position paper from the CTC to go to the Township and the Board of Supervisors to keep them abreast of what their thinking is on the issue, as they have not been doing this in the past.

Mr. McLaughlin stated he wants to hear the CTC's opinion on whether there is an issue that rises to the level of the Board of Supervisors or not. Ms. Herman stated at that point they will be advising whether they feel it is warranted for the Township Manager and the Board to go forward with the Township engineer.

Mr. Smith asked how matters get before the Planning Commission, and Ms. Tyler stated it comes from the Building Department. Mr. Garton stated the Planning Commission is different because there are time lines that have to be met under the MPC.

Ms. Herman stated if traffic calming is a possibility communication with the residents on the street and the nearby effected streets would be a good thing which they have not been doing well. She stated if they can systemize that, she feels it would be a benefit to the residents. She stated a communication could go out two weeks before the meeting so that they can review the plan and then come to the meeting and discuss it with the CTC and the Township engineer and possibly the Township Manager. She stated the CTC would then summarize what the thoughts were at the meeting.

Mr. Benedetto recommended tabling a vote tonight and have them come back with some of the recommendations that were made. Ms. Tyler thanked the CTC for their time and effort. She stated she likes what is on the Website which gives the residents a guideline. Ms. Torbert stated she the whole point of this is to make it easier for the public and the Board of Supervisors.

Mr. Mike Brady asked if there is a place in the process where drivers can indicate that there should not be traffic calming. Mr. McLaughlin stated he feels everyone has the right to be heard, but they would have to watch what is going to be on the Agenda because drivers would probably not be part of the notification process. Mr. Brady stated in the Township there are a lot of 45 mile per hour roads going into 25 mile per hour roads, and he feels possibly more of the 45s should be dropped to 35 and more of the 25s should be raised to 35 so that there are more consistent speeds which may resolve some of the issues.

Mr. David White, Gale Drive, stated he appreciates the work this committee and all of the committees do to support the Township. He stated he feels the flow chart presented is not user friendly. He stated if he has a problem in his neighborhood, he would like to be able to call the Township Manager, Chief of Police, or one of the Supervisors. Chief Coluzzi stated any citizen can call the Police Department directly about any issue with regard to traffic or any safety issue. He added that since the Citizens Traffic Commission has been enacted, they have handled a lot of issues and settled a lot of problems; but the Police Department still handles approximately

60% of the traffic complaints that they get every day either by going out and making an adjustment on a traffic signal, enforcement, or other means all of the time. He stated the CTC is not the only avenue that residents have.

Ms. Tyler asked Mr. Garton to help with an introductory remark to include the fact that this does not preempt any of the other entities.

Chief Coluzzi stated there is also an official Traffic Commission in the Township which is per the Vehicle Code which states there are three members of the Township that have the right to enact laws, change speed limits, and solicit engineers to do studies; and those are the Police Chief, the Traffic Safety Officer, and the Township Manager. Chief Coluzzi stated the Board of Supervisors has the final say in anything that is done, but the Official Traffic Commission has to make those recommendations and no one else can really officially make those recommendations to the Board. Mr. Garton stated that is intended with respect to issues like establishing stop signs, speed limits, and all the Motor Vehicle Code regulations; and that does not really relate to traffic calming and solving neighborhood issues.

Mr. Smith asked if there is anything on the Website now which advises those having a traffic issue to contact the Citizens Traffic Commission, and Ms. Torbert stated that was one of the things they were proposing with the revisions. Ms. Torbert stated they worked with Mr. Fedorchak on making it so that a resident could go to the Website about a traffic concern. Mr. Smith asked if the residents can call Ms. Torbert direct, and Ms. Tyler stated calls should go to Mr. Fedorchak. Mr. Smith stated he would prefer to cut out the red tape and the middle person, and go straight to the Commission; and the Commission can then report to Mr. Fedorchak and eventually to the Board. Ms. Torbert stated the Citizens Traffic Commission normally meets the third Monday of every month at 7:30 p.m. at the Township Building, and the public is always welcome to attend.

Ms. Herman stated some people do e-mail them directly, and sometimes the Board refers someone to them. Ms. Herman stated what they are proposing would not take that away. Ms. Herman stated they want the residents to come with their issues and bring in data, and the request form makes it clear what is needed in advance of the meeting. She stated this is a tool that they can direct the residents to so they can be prepared and bring in their neighbors as well. Mr. Smith stated he agrees that is a good process.

Mr. Dan Bornstein, 751 River Road, asked if the consensus is that they will not be requiring a set percentage of effected residents to okay the calming measure; and Ms. Tyler agreed that they felt that was arbitrary, and it should be a judgment and not an arbitrary number. She stated they want the Commission to have flexibility to make a recommend to the Board of Supervisors.

Mr. Benedetto asked Chief Coluzzi who is the Traffic Safety Officer, and Chief Coluzzi stated it is Captain Tom Roche. Mr. Benedetto asked if he is retiring, and Chief Coluzzi stated he has plans to; and that position will need to be filled. Mr. Smith asked if Captain Roche ever attends the Citizen Traffic Commission meetings, and Chief Coluzzi stated he does not.

MAKEFIELD HIGHLANDS UPDATE AND APPROVAL OF CONTRACT WITH SPIRIT GOLF

Mr. Mike Attara and Mr. Bob Doria, General Manager, were present with Mr. Rich Eisner, Golf Committee. Mr. Attara stated they are present to provide information on the third quarter. He stated from January through September 15 golf rounds are at 35,366 which is up over last year from 32,914 rounds. He stated revenues are at \$1,521,620, and last year at this point they were at \$1,476,000. He stated golf merchandizing continues to be strong at the golf shop at \$132,719 which is up 5.4%. Mr. Attara stated the driving range had a great year, and they are at \$153,569 which is up 6.1% over 2014; and they are already ahead of the budget for the year, and they will continue to see activity there. He stated the Academy lessons and instructions are at \$43,000 up from 2014. Mr. Attara stated Food and Budget is down actual to budget because they expected to have the tent and outdoor event space open this year, but they did not get this done until October. He stated this year they did \$492,000, and a lot of this was after the kitchen was opened. He stated between the kitchen and the bar they have had some great success with the draft beer systems and some of the new additions they added.

Mr. Attara stated they are looking at gross revenues of \$2,066,362 which is up slightly from 2014. Operating expenses are down at \$473,000 which is slightly less than 2014. He stated net income is \$766,816 which is ahead of 2014.

Mr. Attara stated they will receive the Audubon Certificate in December; and he recognized Mr. Pat Frain, Mr. Mark Anderson, and Mr. Mark Adami who did a lot of work to get the Audubon Certification completed.

Mr. Bob Doria stated in 2015 they were awarded the US Open local qualifier, and Makefield Highlands was the first golf course that was a public access facility in the Philadelphia region to ever be awarded a US Open qualifier. He stated Mr. Dobson spent the day out there showing players around and had the opportunity to talk to many of them about what they thought of the facility. Mr. Doria stated the staff performed outstanding. He stated they immediately got into discussions to again have Makefield Highlands host the event, and he recently received notification that they were awarded a 2019 US Open qualifier. Mr. Doria stated the USGA also

stated that the facility itself as well as the practice facility and the food and beverage operation were on par with any of the private facilities they have ever had events at, and they will get the 2017 USGA Junior Qualifier.

Mr. Benedetto asked in light of these awards as well as the public driving range award for the past three years, is there a plan for any increase. Mr. Doria stated they raised the range rate two years ago and also raised the cart rate two years ago. He stated they are presently discussing raising all the rates. Mr. Attara state at this point they are in the process of working with the Budget Committee and the Golf Committee, and they should have some recommendations shortly when the 2016 Budget is complete.

Mr. Doria stated they have been awarded as a top fifty public driving range for the past three years and have been nominated for 2016. Mr. Doria stated Mr. Ed Gibson received the player development award from the Philadelphia PGA which is for bringing more golfers out and getting them taught, trained, and running programming at Makefield Highlands. Mr. Doria stated he himself was also named Merchandiser of the Year for public golf facilities. He stated both he and Mr. Gibson are up for these awards for 2016 as well. Mr. Doria stated they have made great strides over the past six years with the Golf Academy, and when they first came there was no instruction programming at Makefield Highlands. He stated they are now Nationally recognized for the programs that they run, and they are highly recognized in the Philadelphia section of the PGA; and when people want to see how it is done, they come to Makefield Highlands. He stated they have junior golfers as young as five years of age, and these juniors will be the future customers of Makefield Highlands.

Mr. Attara recognized Mark Peterson, Superintendent, adding the Golf Course was in fabulous condition this year, putting out a great product which continues to be under budget.

Mr. Attara stated this was an exciting year for capital as well with the kitchen upgrades and the tent addition which will allow them to develop a return on investment that will exceed where they are today. He showed pictures of the various areas where upgrades had been made.

Mr. Benedetto asked if there is a plan for the manor house possibly to be used in conjunction with weddings. Mr. Attara stated they are trying to start the new venture with banquet business, and he feels there could possibly be an opportunity to use the manor house that would benefit a bride and groom or a ceremony in that area. He stated at this stage they are focused on trying to book events; and as it turns a profit, they can look at this.

Mr. Attara stated they have a great group of food and beverage people and they now have great tools to use. He stated the bar has been updated and they have a draft system for the beer. Mr. Doria stated there was a 125% increase in beer sales.

Mr. Attara stated their goal for 2016 is to drive approximately \$80,000 to the bottom line with the new tent facility, and they feel that this number will continue to grow as they have the opportunity to sell and market the product. Mr. Attara stated the pond project was held off since the bids came in higher than anticipated. He stated the annual expense of \$28,000 is the average over the past eleven years, and fortunately in the last two years, they have not had to spend much money on public water. He stated the annual expense is when there is a dry, hot season. He stated in the past they have spent as much as \$60,000 which is why they feel this is an important capital item, but they have been fortunate in the past two years as they did some upgrades to the well and the pumps. He stated currently they are also testing the drawn down ability of the well and they will have some results soon.

Mr. Attara stated the plan was to spend \$400,00, and they spent \$243,000, and they are reserving some of that money for the pond and some other items. He stated an item that is not listed but they have been discussing is a generator for the facility. He stated they have discussed with the Budget Committee the importance of having a generator so that when they have banquets and events, they would be able to sell that as well as to protect the Course in case of power outages. He stated they are going to look into this further and get some pricing.

Mr. Eisner, Golf Committee, stated the Course has been a great asset and Spirit Golf has done a great job. He thanked the Board of Supervisors as well.

Ms. Tyler asked what there is available at the Course for those wishing to go there. Mr. Doria stated the Course is open 8:30 a.m. to 6 p.m., and the restaurant stays open if there are people looking to have dinner. He stated they are expanding the menu in the winter to offer some entrée items, and they are looking to expanding some of the hours as they go out of season. He stated their season normally runs May through the end of October and hours of operation are dawn to dusk.

Mr. Smith stated there was going to be a commemoration of a bench for Pete Stainthorpe, and he asked if they have a date proposed for that yet. Mr. Attara stated they were hoping to have that in December and the Audubon Certification as well. He stated if the weather is not cooperative for that type of event, they felt they would have it in the spring.

Mr. Smith asked if they have found a Banquet Manager; and Mr. Attara stated for this time of year, they are comfortable staff wise with where they are. He stated they have started putting together the job description, and they will be putting that out and start interviewing in the off season.

Mr. Smith asked about the golf board, and Mr. Attara stated they did a demonstration with a golf board which is a surf board type setup with four wheels for a golf bag and one person so that it is basically a one person cart with the person standing and boarding rather than driving in a golf cart. He stated the feedback was that it was well received by the golfers that used it. He stated the cost is the same as a golf cart, and only one golfer can be on it. He stated they are looking into it and hope that the costs come down as it gets more into the market. He stated it is a way to get younger players to the golf course.

There was further discussion about the ponds and Mr. Attara stated the pond on #9 is the holding pond, and the pond on #7 is the back-up pond and this year, they managed through a very hot spell early on; and they did not have to spend money on water.

Mr. Benedetto asked about the savings with regard to the kitchen; and Mr. Attara stated there were some items that they previously had to rent, and they instead purchased them. Mr. Doria stated there were some leases that they were able to terminate. Mr. Benedetto asked about expenses, and Mr. Attara stated the kitchen is now more efficient and since they will be able to do more banquets, the cost to good numbers will change. He stated this relates to the beverage side as well where there is less waste with the new draft system.

Mr. Joe Menard, Citizens Budget Committee, stated they have been working with Makefield Highlands; and they will be making recommendations on how to present the Budget documents.

Mr. Alan Dresser, Environmental Advisory Council, stated part of the EAC's goal is to increase recycling in the Township; and it has come to their attention that there is no recycling being done at the Golf Course. He stated he talked to one of the Golf Course employees today who indicated there is no recycling being done. Mr. Doria stated this is incorrect; and in order for them to get the Audubon Certification, they are required to recycle, and they do recycling. Mr. Dresser stated they need containers in the restaurant so that they can recycle the bottles. Mr. Doria stated the bottles are recycled.

Mr. Dresser stated in reviewing the 2016 Budget, he saw that they spent almost \$64,000 for chemicals last year, and will spend \$68,500 on chemicals next year. He stated while he does not live next to the Golf Course if he lived nearby he would be curious what the chemicals are, and he asked if they could provide a list.

Mr. Attara stated he feels it would be best if Mr. Dresser met with the Superintendent since he is the expert. Mr. Attara stated they do have to follow certain guidelines and State regulations through the Audubon requirements that they uphold. Mr. Dresser asked the Board if they want him to pursue this, and Ms. Tyler stated she is very comfortable with the management of the Golf Course.

Mr. Ed Gavin, 904 Sensor, stated from a user perspective, he is part of a group of eight golfers who golf twice a week. He stated when the old management company was at the Course he had a hard time getting people to go to Makefield Highlands; but now, because of the conditions, pace of play, and ease of use with the staff, it is a totally different experience. He stated they play there at least once a week.

Mr. Dobson stated he plays at the Course, and he makes it a point to talk to people at the Course and he asks them the kind of experience they have had; and they have reported that it is a “wow” experience. He stated this is important since the way to get people to come back is to provide customer service so that they can have that “wow” experience.

Mr. Benedetto stated he feels the Manor House is something that does need to be incorporated and the Board of Supervisors needs to address that. Ms. Tyler stated she and Ms. Kaaren Steil have been in the house several times, and they had received estimates as well as done some protecting of the outside. She stated there is an asbestos issue in the basement, and the estimates for just that remediation were \$68,000 which does not include any of the other issues. She stated it will take a phenomenal amount of money to bring that house back. She stated the house has been “buttoned up” to prevent further erosion and decay. She stated there are a lot of options for the house, and she and Ms. Steil will continue to look into this.

Mr. Benedetto stated this has been discussed for years, and there is now a group that has stepped forward; and since that group cannot get into Satterthwaite because it is tied up in litigation, he would like to see action on this house. Ms. Tyler stated they cannot let them go in there because of the asbestos issues, and she will provide the estimates and report she received to Mr. Benedetto.

Mr. Dobson stated he feels they should continue looking to see if there is something that will work for this house.

Mr. Patrick Frain, 16 Delaware Rim Drive, stated he has been on the Golf Committee for a long time and has had the pleasure of working with Spirit Golf. He stated he also had the opportunity to work with the first management company, and there is no comparison between what they had and what they have today. He stated the staff at the Course does a fantastic job there every day. He stated with regard to the Manor House, this was another project he was involved in at the beginning of the Golf Course opening, and they had a historical architect go into the house who gave them numbers as to what it would take; and it was approximately \$500,000 at that time. He stated it would be a great feature to have at least the façade fixed up. Mr. Frain thanked Spirit Golf for everything they have done and continue to do.

Mr. Garton stated the original Contract expired in 2012; and in March the Board extended it for three additional years, so it ends December 31 of this year. Mr. Garton stated Mr. Fedorchak asked him to prepare an Addendum which would extend it for an additional three years and three years thereafter unless either party gave six months notice of their intention not to proceed with the second three year term.

Mr. Garton stated he received an e-mail from Spirit Golf wanting to include a provision that the compensation would increase by the cost of living subsequent to year one of the extension, with the cost of living to be determined by the U.S. Department of Labor in Philadelphia. Mr. Garton stated Mr. Fedorchak then e-mailed him back and suggested a cap of 2%.

Mr. Smith moved and Mr. Dobson seconded to approve the Contract as outlined by Mr. Garton for three years and a three year option with a cost of living increase at commencement capped at 2% per year.

Mr. Dobson asked Mr. Attara if they are agreeable to the 2% cap. Mr. Attara stated he asked for that provision because they have been at the same price for the past four years. Ms. Tyler asked what the cost of living was last year, and Mr. Garton stated he feels it was 2 ½%. Mr. Garton stated 2% would be below the cost of living. Mr. Benedetto asked if the management fee is currently \$90,000; and Mr. Attara agreed that it is \$7,500 a month. Mr. Benedetto stated for 2016 it is budgeted at \$96,000, and Mr. Attara stated they put that number in there based on discussions.

Mr. Smith stated he was the liaison to the Golf Committee this year, and while Spirit and the Golf Committee are friendly, the Golf Committee does ask tough questions.

Motion carried unanimously.

ELECTRONIC MEDIA ADVISORY COMMITTEE WEBSITE PROPOSAL AND MOTION TO AWARD CONTRACT

Mr. Zachary Rubin and Ms. Jill Laurinaitis from the Electronic Media Committee were present. Mr. Rubin introduced the other members of the Committee present.

Mr. Rubin stated EMAC was charged with exploring how the Township could contact residents during emergencies, how residents could communicate with the Township, and to update the LMT Website specifically making it more mobile responsive. He stated on July 15 they had a presentation and asked Chief Coluzzi to discuss how the Township contacts the residents, and Chief Coluzzi explained about the ReadyBucks system. He stated this is at no cost to the Township as the County has a contract with the company that does this.

Mr. Rubin stated at the July 15 meeting they also discussed how residents could communicate with the Township, and EMAC recommended that there be a Facebook page; however, there was not much support for this by the Board of Supervisors. He stated subsequently the Township has created a Twitter account.

He stated tonight they would like to discuss updating the LMT Website and making it more mobile responsive. He stated they vetted a number of companies both National and local to see how they could make this available to their mobile devices. He stated one option was to address the site interface service to make it more user friendly with a very minimal interface design. He stated the second approach they looked at was to initiate a complete site rebuild, and he reviewed what this would include and which would be more costly.

Ms. Laurinaitis stated the proposal they are recommending would use WordPress as the platform for the redesign and to build the Website, and it is the most commonly used and most comprehensive platform. She showed a sample which is used by another Township.

Ms. Tyler asked if this is what Bill Kyle is proposing to do, and Mr. Rubin stated he is. Mr. Rubin reviewed the different proposals they received. Mr. Rubin stated Mr. Kyle is considered the Township's Webmaster now and is very familiar with the site, and he is the individual who upgraded it six years ago. He stated the proposal from Mr. Kyle is for \$8,500 to rebuild every page on the Website to make it more user friendly, and he would be using WordPress.

Ms. Tyler stated currently they have to go to Mr. Kyle a lot and she would like to be able to handle a lot more in-house, particularly content, as they have a person who has been updating this. She asked about the specifics of the proposal and whether the \$8,500 is for the updates and then the Township would be on their own

or does it include a continuing support obligation. Mr. Rubin stated it is in the Contract that he would provide professional development to the staff at an hourly rate.

Ms. Tyler stated she spoke with Mr. Fedorchak who indicated he was very happy with the work done by Mr. Kyle, although there is concern about overlap with what his existing obligations are versus the going-forward obligations. She stated if the Board is in agreement she feels they should ask Mr. Fedorchak to meet with Mr. Kyle to go through those items and come back with numbers during the Budget meetings.

Ms. Laurinaitis stated in his proposal, he focuses mostly on design and not necessarily content so that is something that would have to be addressed. She stated they might also want to coordinate with the other Commissions to see how they could better serve their needs as well. Ms. Tyler stated after Mr. Kyle meets with Mr. Fedorchak possibly they could ask Ms. Laurinaitis to come in when they are ready to look at what they want to replace, etc. She stated Ms. Lynn Todd is the Township employee who has experience as well, and they could work together.

Mr. Rubin stated they are asking that the Board approve the Contract tonight; however, Ms. Tyler stated she wants to clear up the overlap first, and would prefer that there be a meeting between Mr. Kyle and Mr. Fedorchak first.

Mr. Smith moved and Mr. McLaughlin seconded to approve the Contract with Bill Kyle.

Mr. Dobson stated he feels the cost is reasonable.

Mr. Ben Weldon, 2103 N. Crescent Boulevard, asked if the cost is per year; and Mr. Rubin stated the \$8,500 is a one-time fee.

Ms. Tyler stated she is not comfortable proceeding before speaking with Mr. Fedorchak as she is not sure what they are getting for the \$8,500. She stated she feels they should give the Township Manager the opportunity to speak with Mr. Kyle. She stated she does not feel they can approve a Contract when they do not know what it is they are approving, and the Township solicitor has not looked at the Contract either.

Mr. Garton suggested they approve the Contract subject to his legal review and subject to Mr. Fedorchak verifying that the numbers and the terms are satisfactory.

Mr. Smith moved, and Mr. McLaughlin seconded to amend the Motion as stated by Mr. Garton.

Mr. Benedetto stated he would like to see transactional capability. Mr. McLaughlin stated they were to have on-line capabilities with regard to the sewer bills, and he asked if that is part of the scope. It was noted it is not. Mr. Josh Waldorf asked if they want to be able to accomplish this on the server or to be able to click a link and go to the company that is the third-party server. He stated he does not feel the Township wants to be responsible for managing this on the Township server. He stated he feels they just want to be able to click a link. Ms. Tyler stated they should also be discussing incorporating MuniLogic.

Ms. Laurinaitis stated they can proceed with the Contract and get started on the design and have Mr. Kyle chose a template that is very flexible and has many design modules that they can incorporate into the site. She stated at the same time he is starting to design, they could have someone map out the content in phases over the next six months and roll out the new things they would like to incorporate.

Mr. McLaughlin stated the benefit of going forward at this time is that they will get a Smart Phone experience which they do not have now, and they will refresh the whole the experience in general since it is approximately six years old. He stated he feels MuniLogic would be a separate discussion.

Mr. Benedetto stated he will be abstaining since the owners of FC Media area his neighbors.

Motion carried with Mr. Benedetto abstained.

OPEN SPACE DISCUSSION

Ms. Tyler stated they had discussed the Jennings Tract earlier in the meeting, and Mr. Fedorchak is negotiating terms. She stated with regard to the Madak Tract, there was a proposal for a Dunkin' Donuts; and the Township Manager is looking into whether or not the landowner is still under obligation with the developer. She stated if that Contract has expired, the Township will be pursuing that tract as well.

Mr. Benedetto stated he understands that if there is a house on the Madak Tract, open space money cannot be used for a property that has a house on it. Mr. Dresser stated there are two parcels and one has the house on it, but the parcel next to it is all woods. He stated the Dunkin' Donuts proposal was going to combine the two parcels. He stated he assumes the Township would be buying the parcel with the woods and not the one with the house on it; however, Ms. Tyler stated they are not that far in the discussions. Mr. Garton agreed that open space money cannot be used for a house.

TABLING DISCUSSION OF COMMUNITY CENTER FINANCING

Mr. Benedetto stated he feels they should have this discussion after the Budget Workshops. Mr. Smith asked Mr. Benedetto if he feels this would be more appropriate to discuss after the first of the year when the new Board is in place. Mr. Benedetto stated he feels they should table this item until after the Budget Workshops.

DISCUSSION OF SEWER TRANSPORTATION AGREEMENT WITH YARDLEY BOROUGH

Mr. Garton stated various agreements were provided to the Board but he recognizes that they probably did not have sufficient time to review all of them; and while he does not feel the Board is in a position to make any final decisions this evening, he did want to provide an overview. Mr. Garton stated the Yardley Borough Sewer Authority has approved the Agreements, and the Lower Makefield Sewer Authority has as well.

Mr. Garton reviewed how the sewer flows from Lower Makefield to Yardley Borough and is then pumped to an interceptor when it leaves Yardley Borough and transmits it to Morrisville Borough for treatment. He stated the relationship between Yardley Borough Authority and Lower Makefield Township has been in existence for over forty years. He stated approximately four to five years ago the Board began discussions with Yardley Borough Sewer Authority about a new Transportation Agreement because of infrastructure issues and not being able to handle the capacity that was being generated as well as what would be needed in the future for EDUs. Mr. Garton stated as the result of these discussions, three separate Agreements have been prepared.

Mr. Garton stated the first Agreement is the Inter-Municipal Agreement which clarifies that the Yardley Borough Authority will give certain facilities to the Township which will measure Township flows. He stated upon approval, the Township will get nineteen new sewer customers who are Borough customers; but because they are above the point where the flows are measured, they will then be able to measure the flows adequately that go into Yardley Borough. He stated they will also effectuate the transfer of any easements to accommodate that, will televise the lines to make sure that the lines that they are conveying are in good shape, and they will make repairs if necessary based on proportionate share of improvements. Mr. Garton stated the Township will install new meter pits at those locations in order to make sure that the meter flows are accurate.

Mr. Garton stated the second Agreement is the Mutual Release Agreement. He stated going back many years, the Borough made an allegation that the Township owed money; and the Township made an allegation that the Borough Authority owed money. He stated the Borough Authority has agreed that they would call it a “wash.”

Mr. Garton stated the last Agreement is the Sewer Transportation Agreement which is intended to memorialize and bring up to date the 1977 Agreement which was modified in 1991 and 1993. Mr. Garton reviewed details of the Agreement. He stated the Township and the Borough will measure all the flows so that there is no question as to how much flow is coming from which entity. Mr. Garton stated with regard to capital improvements, every year the Borough will provide to the Township notice as to what they feel the capital improvements will be for the joint system so that they can do budgeting.

Mr. Benedetto stated at the last meeting they discussed a \$2.4 million capital improvement for Yardley Borough, and he asked if that is what this relates to. Mr. Garton stated the Agreement is related to capital improvements going forward. Mr. Garton stated there are three major improvements – replacing the Brock Creek line, construction of the Buck Creek by-pass sewer, and construction of the Longshore by-pass sewer. He stated all of the engineers have agreed that these need to be fixed and the cost for that would be allocated based on flows with 80% for the Township and 20% for the Borough. Mr. Garton stated in addition each of the parties will be sharing the maintenance costs for joint owned facilities based on actual flows.

Mr. Garton stated the Board should discuss these Agreements at a future meeting once they have had the opportunity to review the documents.

Mr. Benedetto asked if there is a similar Agreement with Morrisville Borough, and Mr. Garton stated there is a Treatment Agreement with Morrisville Borough. Mr. Benedetto asked if the situation that was identified regarding the violation included; and Mr. Garton stated that is a separate discussion involving Morrisville, and what he is discussing tonight only relates to the facilities to get to the interceptor which goes to Morrisville.

Mr. Smith asked if they have budgeted for this, and Mr. Garton stated he feels Mr. Fedorchak contemplated they would be borrowing for this in the future. He stated it still has to be designed. Mr. Smith asked if there has been a number put on it, and Mr. Garton stated he feels approximately \$2.5 million would be the Township share.

Mr. McLaughlin asked about the Morrisville issue, and Ms. Tyler stated she went on a tour of the Morrisville Plant two weekends ago to which all Board members were invited. She stated their staff indicated they are looking almost a decade out although they are under a contempt order of some sort. Mr. Garton noted that Yardley is involved in the Morrisville issue as well, but this is a separate issue from the Agreements being discussed this evening.

Mr. Garton asked that the Board be prepared to discuss this at the next meeting.

Mr. Dobson stated he feels they need to discuss the Morrisville issue at their Budget meetings, and he feels the Township should start thinking about how they can start getting some additional revenues to mitigate the Morrisville issue.

Mr. Menard asked who has control over whatever excess capacity there is currently and what is being designed. Mr. Garton stated it has been designed based on the Township's current flows as well as the expectations of what will be needed in the future. He stated this went out ten to twenty years. He stated this is the same way that Yardley approached it so it is intended to be an Agreement that should be in place for many years.

Mr. Smith asked Mr. Dobson what he was referring to when he discussed trying to get additional revenues. Mr. Dobson stated there are user fees that may need to be increased and there are some General Fund issues such that what they are taking out may be a little too much, and they may have to start taking less. He stated they will be outsourcing the sewer billing beginning the first quarter so they will not be spending as much on Township manpower. He stated he feels they should look at the transfer.

Mr. Smith asked Mr. Garton if any of this covers the aging infrastructure; and Mr. Garton stated it covers it in portions of Lower Makefield and portions of Yardley Borough, but there are I & I issues in some of the older sections of the Township that need to be dealt with, because I & I is now on the radar for DEP. Mr. Garton stated some work will be done to the interceptors. Mr. Dobson stated there was a problem at Derbyshire, and they diverted those flows to Morrisville versus Philadelphia because of the cost; and the pay back was three years to do that work.

SCHEDULE BUDGET WORKSHOP

It was announced that the first Budget Workshop will be Tuesday, November 10 at 6:00 p.m.

Mr. Benedetto moved and Mr. Smith seconded to televise the Budget Workshops.

Ms. Tyler stated that is difficult because they are not miked. Mr. Kelliher stated they could move the mikes if they want to do this.

Motion did not carry as Mr. Benedetto and Mr. Smith were in favor, and Mr. Dobson, Mr. McLaughlin, and Ms. Tyler were opposed.

SUPERVISORS REPORTS


Ms. Tyler stated the Electrical Reliability Commission has been helpful addressing some concerns about the PECO lines and the trees.

Mr. Benedetto stated the Farmland Preservation Corporation had an issue with one of the properties, and fencing will be installed.

Mr. Smith stated the Economic Development Commission will have a Meet and Greet on November 12 from 5:30 to 7:30. Ms. Tyler stated the Board is invited to attend.

There being no further business, Mr. Benedetto moved, Mr. Smith seconded and it was unanimously carried to adjourn the meeting at 10:55 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jeff Benedetto", with a long horizontal flourish extending to the right.

Jeff Benedetto, Secretary