

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – SEPTEMBER 20, 2023

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on September 20, 2023. Mr. Grenier called the meeting to order at 7:45 p.m. and called the Roll. Mr. Grenier stated that Mr. Coyle, our new Supervisor was unable to attend this evening due to illness; however, he was officially sworn into office, and at the next meeting we will have a Ceremonial Swearing In.

Those present:

Board of Supervisors: Daniel Grenier, Acting Vice Chair
John B. Lewis, Secretary
James McCartney, Treasurer

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

Absent: Suzanne Blundi, Board of Supervisors Acting Chair
Colin Coyle, Supervisor

COMMUNITY ANNOUNCEMENTS

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

Mr. Grenier stated LMT's Environmental Advisory Council will be heading up the effort to revitalize our Bird Town Program. If you want to be part of a local group making the Bird Town Pa goals a reality in LMT, contact Jeanne Bray at jjyardley56@gmail.com.

Mr. Grenier stated the next Ad Hoc Property Committee Public Forum on the creation of a long-term Master Plan for Patterson Farm will be held on September 26th. This Township-owned property is at a crossroads with historic buildings requiring

expensive repairs. The Public is asked to become engaged by: (a) attending Zoom meetings held the second Thursday of each month, (b) learning more at LMT.org/Community/Patterson Farm, and (c) attending future public forums.

Mr. Grenier stated that Kim Rock from Keller Williams Realty is hosting a Shredder event on Saturday, September 30th from 9:00 a.m. to 12:00 p.m. in the Lower Makefield Township Pool parking lot, 1050 Edgewood Road. For more information or to register you can go to www.shredbucks.com.

Mr. Grenier stated the Environmental Advisory Council will be also be hosting their Styrofoam & Recycling Event on Saturday, October 28th, 2023 from 10:00 a.m. to Noon outside of the Lower Makefield Township Building, 1100 Edgewood Road.

Mr. Grenier stated LMT will be hosting a Blood Drive for the Red Cross on Friday, November 3, 2023 from 12:00 p.m. to 5:00 p.m. in the meeting room at the Township Building. To sign up or get more information log onto RedCrossBlood.org and enter Sponsor Code LowerMakefield.

MOTION TO ADD AN ITEM TO THE AGENDA UNDER 14 b

Mr. Lewis moved, Mr. McCartney seconded and it was unanimously carried to add an Item to the Agenda under 14 b - Susan Circle Paving and Punch List Items.

PUBLIC COMMENT

Mr. Grenier stated for the last few years, Public Comment has been at the end of the meeting, but the Chair has the prerogative to move it to the front. He stated he is offering to keep Public Comment at the end but also take Public Comment at this time on any non-Agenda items.

Mr. Greg Koble, 63 Griffin Way, asked for an update on the crosswalks on Big Oak Road. Mr. Krater stated over the course of the past weeks we have been working with the Township's traffic engineer discussing options to address some of the concerns that were expressed relative to the construction that occurred on Big Oak Road. He stated we will be meeting with the respective HOAs within the next week to provide an update.

Mr. Mike Rossi, 390 Twig Lane, stated he has been before the Board a number of time with regard to the proposed 150' cell tower to go up in their back yards. He stated the matter is to go before the Zoning Hearing Board next month. He stated he would like to know where the Board stands in support of the neighbors in not having a 150' cell tower in their back yards. Mr. Grenier stated this is to go before the Zoning Hearing Board on October 17, and the Board of Supervisors will have one more Board meeting prior to that on October 4; and he anticipates that will be on the Agenda for discussion and a vote to participate or oppose. He added that when this matter first came before the Board of Supervisors he had made a Motion to participate; and there will be a more robust discussion at the meeting on October 4 when they hope to have the full Board present.

APPROVAL OF MINUTES FOR SEPTEMBER 6, 2023

Mr. McCartney moved, Mr. Lewis seconded and it was unanimously carried to approve the Minutes for September 6, 2023 as written.

TREASURER'S REPORT

Approve August, 2023 Interfund Transfers

Mr. McCartney moved, Mr. Lewis seconded and it was unanimously carried to approve the Interfund Transfers for August, 2023 in the amount of \$911,309.63 as attached to the Minutes

Approve Warrant List from August 21, 2023

Mr. McCartney moved, Mr. Lewis seconded and it was unanimously carried to approve the Warrant List from August 21, 2023 in the amount of \$1,052,354.78 as attached to the Minutes.

Approve Warrant List from September 5, 2023

Mr. McCartney moved, Mr. Lewis seconded and it was unanimously carried to approve the Warrant List from September 5, 2023 in the amount of \$936,413.06 as attached to the Minutes.

Approve Warrant List from September 18, 2023

Mr. McCartney moved, Mr. Lewis seconded and it was unanimously carried to approve the Warrant List from September 18, 2023 in the amount of \$482,526.99 as attached to the Minutes.

QUESTIONS AND ANSWERS WITH BOWMA (BIG OAK WHITETAIL MANAGEMENT ASSOCIATION) REGARDING THE TOWNSHIP DEER MANAGEMENT PROGRAM

Mr. Todd Huber, representing Big Oak Whitetail Management Association, was present. He stated he understands that there was some concern about a new tract of land that was added to the list of properties that they hunt, and he hopes that the presentation this evening will allay some fears from the residents. He stated there was some concern about this being a firearm hunt, but they are archery only; and they have been doing this since 2009 without incident. He stated their hunters abide by the State Game Commission Rules and Regulations, they have background checks from the State Police, and they have to pass proficiency testing in archery tackle every year to insure that the hunters are capable with the equipment that they are using. Mr. Huber stated each hunter is required to carry a Township-issued hunter ID, and all hunters carry liability insurance.

Mr. Huber stated all the hunting occurs well within the property boundary lines stated by the Township, and they are required to have a safety zone or 50 yards from any occupied structure; and when they post inside the property line, they stay well within that when they are hunting. Mr. Huber stated all hunters hunt from elevated positions meaning that they are up in tree stands so that there is not going to be any risk of arrows going into property owners' properties that could result in injuries or property damage. He stated they typically shoot 20 to 30 yards maximum from an elevated position, and the arrow will land in the ground well inside of the boundaries.

Mr. Huber stated that the first deer harvested by each hunter is required to be donated to Hunters Sharing the Harvest which provides thousands of meals annually to Bucks County food banks, and last year approximately 600 pounds of meat was donated equal to about 2,400 meals as well as four deer which were processed and distributed to families in need.

Mr. Grenier stated in terms of proximity to homes and potential for impact, it was stated that they stay at least 50 yards from a structure; and Mr. Huber stated the State Game Commission regulations are that for archery tackle you have to be 50 yards from any occupied structure on any private property as a safety zone, and they are beyond that; and when they post the properties with the Township-provided signs, they go off of the outside property line so that the signs are “not in your face” for the property owners so that they do not have to see them from their back yards. He stated if they were to go into the woods, they would see the signs.

Mr. Grenier asked what is the frequency of signs that are posted. Mr. Huber stated each property posting could be different; however, they were trying to put the signs on what looked to be accessible trails so that if you were walking into the woods, you would see the signs readily. They would be facing outside of where they are hunting facing the houses. Mr. Grenier asked if there are blazes on trees; and Mr. Huber stated there are not, and they typically post along the outside perimeter. He stated the signs are white with red lettering.

Mr. Grenier asked if they are just doing posting or are mailings sent out to surrounding homes. Mr. Huber stated BOWMA does not do that. Mr. Kratzer stated the Township does that and direct mailings were sent out to all adjacent property owners in addition to the posting of the property. Mr. Grenier asked if it is just adjacent properties or properties within a certain number of feet. Mr. Krater stated hundreds of notices were sent out, and the notice provisions were no different this year than they were in the past.

Mr. Grenier asked about the timing of the hunt, and Mr. Huber stated they follow the Game Commission rules. Mr. Kratzer stated the dates are September 16, 2023 through November 24, 2023, and then it resumes December 26, 2023 through January 27, 2024. Mr. Kratzer stated most of the properties that BOWMA hunts are Monday through Saturday only, but there are two Sundays in November that are exceptions that are permissible under State law and Game Commission regulations. He stated as it relates to the Five Mile Woods, hunting is there Tuesday, Wednesday, and Thursday only. There is no hunting on Thanksgiving. He stated that facility is a little bit different from the other facilities as it is closed during the periods of the hunt, but is open the other days – Monday, Friday, Saturday, and Sunday.

Mr. Kratzer stated the other limiting factor is that they are required to have tags, and the organization can only obtain a certain number of tags. Mr. Huber stated each hunter is only allowed to get six antlerless tags. He stated they are limited to the tags they possess versus being able to harvest an animal and then replace the tag with another tag. Mr. Huber stated this year they have just under 100 tags. Mr. Grenier stated that once they use the 100 tags, they are done; and Mr. Huber agreed. Mr. Kratzer stated they hunt in Upper Makefield as well, and Mr. Huber agreed that number of tags is for both Upper and Lower Makefield. Mr. Grenier asked if they use up all of their tags, would they let the residents know that the hunt is done; and Mr. Huber stated that would be up to the Township, but they could discuss that with the Township.

Mr. Grenier stated it was indicated that they typically shoot from 20 to 30 yards at most; and Mr. Huber agreed since they are very much aware of the impact it could have if you wound an animal and it wanders onto someone else's property, and they want to be close in so that does not happen. He stated if that would happen, they would seek permission to go onto the property; but if permission were denied, they would go through the Game Commission.

Mr. Grenier asked if we have any information on the estimated deer population in Lower Makefield and is there is any data on the effectiveness of the program on culling the deer population in Lower Makefield. Mr. Huber stated in the past there have been biologists who have looked into the deer population and indicated it was much more per acre than what it could actually sustain. He stated he understands that the number of deer collisions have reduced over the years. Chief Coluzzi stated the only way to gauge the effectiveness of the hunt is the through deer population counts as well as the incidents of dead deer on the highway and auto versus deer incidents. He stated they keep statistics on the auto accidents with deer and where they occur. He stated in 2019 there were 123 incidents of deer found dead on the highway; and while it was obvious that they were hit by a vehicle, there was no vehicle there to do an Accident Report. He stated the other category is where Accident Reports are actually taken, and in 2019 there were 28 of those. He stated in 2022 there were 62 incidents and 15 accidents so it went down dramatically. He stated to date in 2023, there were 41 incidents and 12 accidents.

Mr. Grenier asked what is done with the deer harvested. Mr. Huber stated as noted earlier it is a requirement of their organization to donate the first deer harvested by each hunter to Hunters Sharing the Harvest which goes

to a food bank. He stated some hunters will donate more than their first deer. Mr. Huber stated he personally processes the deer and feeds his family all year long and shares with family and friends, and most of the hunters do that as well.

Mr. McCartney asked Mr. Huber how many tags the group had last year, but Mr. Huber was not sure. Mr. Huber stated some hunters were more successful than others, and they may have started out with 6 tags, but they harvested 12 to 13 deer. He stated other hunters were not as successful and did not use all of their tags. Mr. McCartney asked how many deer were taken last year; and Mr. Kratzer stated there were 89 deer taken last year, and 40 of those were from Lower Makefield, 41 in Upper Makefield, and 8 in Newtown.

Mr. McCartney asked if there is an area where they are most successful; and Mr. Huber stated it varies from year to year as they migrate. Mr. Huber stated they have been active at some of these properties since 2009, so the deer move out sometimes into other neighborhoods.

Mr. Lewis asked if they hunt in Solebury; and Mr. Huber stated they do not as Solebury was interested in much higher counts, and he believes that they went in a different direction. He stated he believes they were considering sharp-shooters the last time BOWMA talked to them, but he is not sure what they did. He stated that they were looking to remove thousands of deer. Mr. Lewis stated he has long been a supporter of the work that BOWMA does, and their work makes a difference. He stated since they started in 2009, there has never been an issue. He stated BOWMA's requirements are very stringent, and it has been a very successful program at no cost to the Township.

Mr. Grenier asked if it is known whether more deer are taken during the beginning, the middle, or the end of the program. Mr. Huber stated he does not have that information, but believes that they are more successful in the beginning. He stated when the bucks are active chasing the does, that can be a productive time as well.

Mr. Doug Marshall stated he is a Lower Makefield Township resident. He stated he lives in Yardley Crest off of Big Oak, and there are deer there. He asked how they determine what areas they are going to be hunting. He also asked if any thought has been given to a fertility drug where the doe are shot with a dart that would make them sterile. Mr. Huber stated they hunt on Township properties as well as on private properties owned by residents who allow them to hunt on their property provided they do

not encroach on other neighbors. He stated there is a minimum size of the property required, and a member of their Board does mapping and looks to see if hunting is doable without causing any problems. Mr. Huber stated he cannot speak to the question with regard to fertility.

Mr. Truelove noted Ordinance #141-11 – Hunting and Trapping which prohibits hunting or trapping on Township-owned properties except to persons who are authorized by the Township, (like BOWMA) to undertake and are actively engaged in any actions, etc. related to deer management programs on land owned, leased, or controlled by Lower Makefield Township. He stated as far as the fertility question, when this program was started many years ago, that same question was posed, and there were practical challenges with it. Mr. Grenier stated it would be governed by the Pennsylvania Game Commission, and they would set up a program if it made scientific sense to do something like that.

Mr. Lewis stated Farmland Preservation has people who lease the property for farming, and as part of that they sometimes have tags for the farmer who is leasing the property; and if they choose to, hunting can take place on Farmland Preservation property, and BOWMA has tended to hunt on those properties as well.

Mr. Mike Rossi, 390 Twig Lane, asked if they only do “straight over-the-counter Permits,” and Mr. Huber agreed. Mr. Rossi asked if the Township could look into “DMAP Permits” for over-population. He stated that could provide some extra Permits for BOWMA to hunt. He stated he is a hunter, and he feels that we are severely over-populated.

Mr. Jim Goldstein, Yardley Run, stated he is concerned that a child could be struck by a stray arrow; and he would like to know what BOWMA’s plan is to insure that immediate medical attention is given to the child. Mr. Huber stated they would call 9-1-1; however, he added that would not happen by anyone from BOWMA.

Mr. Grenier asked if there is any requirement for BOWMA members to have CPR/First-Aid Certification or anything like that, and Mr. Huber stated there is not currently. Mr. Grenier asked if BOWMA members wear “blaze orange or anything like that,” and Mr. Huber stated they do not.

Ms. June Farley stated she lives in Yardley Run at 1289 Fountain Road. Ms. Farley stated she has a Petition that has been signed by residents. Mr. Grenier stated the Petition can be read into the Record, and can be provided to the Township Manager. Ms. Farley stated from her home she can see through the property to be hunted, and it is a very small piece of land which is a concern for everyone on her street.

Ms. Farley stated the Petition concerns the welfare of the community and the ethical treatment of the wildlife. She stated she is advocating on behalf of 43 families who feel that the Yardley Run wooded area should be removed from the hunt. She stated the Petition is signed by residents along the Yardley Run Tract, residents from the development of Newtown Reserve, homes off of Lindenhurst, and homes off of Twining, all of which surround the property. She stated the community firmly believes that the deer hunt is a problem, and their sense of safety and security are at risk given the proximity to their homes. She stated she understands the legal ramification of 50 yards from the dwelling; however, they are all very close in proximity. She stated the piece of property involved is extremely narrow. She stated many residents are concerned about stray injured deer, stray arrows, and the “possibility of viewing this slaughter from their dens.” She stated most of the families can view the woods via their dens, and in many homes can see right through the wooded area. She stated concerns for the children are the highest priority and one resident noted that children across Lindenhurst cross the retention basin and enter the woods to reach the properties off of Lindenhurst, but they were not notified of the hunt. Ms. Farley stated they are certain that others were also not informed. Ms. Farley stated the residents strongly oppose deer hunting in the area directly behind their homes.

Ms. Farley stated she was very surprised when she got notification two days before the hunt. She stated she has been in Yardley Run for twenty years, and has never received a notice. Ms. Farley stated she called the Township and was emotional, and she was told that the Township had no obligation to notify the residents since it is Township property. She stated she was advised that there was notification as the woods were posted; however, Ms. Farley stated while her dog runs into the woods every day, she does not walk into the woods. Ms. Farley stated she was also told that they do not have to post it at the edge of the woods. Ms. Farley asked that they remove the Yardley Run wooded area from the properties to be utilized for hunting. She stated they would suggest a more progressive approach to deer management as was mentioned earlier.

Ms. Farley provided the Petition and a map to the Township Manager this evening.

Ms. Farley asked when BOWMA presents the Township with the hunting areas, are they aware of all of the dimensions. Mr. Grenier stated it is presented to our Township staff who have maps of all of the parcels, and typically they go through them property-by-property. Ms. Farley noted on a map a very narrow area. Ms. Farley asked if BOWMA presents to the Township where they would like to hunt, and Mr. Kratzer stated they do provide maps. He added that on that specific parcel, he believes that there is an area that is off-limits. Ms. Farley stated she knows that there is a recovery area.

Mr. Michael Ward, BOWMA, stated with regard to mapping and measurements, is Ms. Farley asking about the narrowest width. Ms. Farley noted an area which her neighbor had indicated where her deck is 10' from the wooded area. Ms. Farley stated they believe that this is too close to their homes. Ms. Farley noted the recovery area on the map. She added that the Game Commission indicated that if the deer were to run into their yards, BOWMA would be trespassing. She stated the neighbors are concerned that an injured deer could run into their yard. She asked if BOWMA gives the dimensions to the Township for the hunting area. Mr. Ward stated there is something that they can provide as it has been provided in the past. He stated if there is a tract of land that the Township has questions about, they could provide that.

Mr. Grenier stated typically BOWMA will discuss a parcel, and the Township staff will review it and make a recommendation to the Board of Supervisors as to whether or not it should be included. Ms. Farley asked if it has dimensions on it. Mr. Grenier stated not every parcel is a square, and portions of parcels may be off-limits because of the fifty-yard requirement as that is a State law. Mr. Grenier stated from looking at the map Ms. Farley is showing, he believes a portion of the property would be off-limits; however, if they were to shoot a deer in the wider portion that would run south to the lower portion, they would not leave it there if it were struggling, but they would not be actively hunting there from a tree stand; and Mr. Huber agreed.

Ms. Farley stated her neighbor is a hunter, and he advised her that there is a tree stand at a location she showed on the map. Ms. Farley asked if the Township provides money to BOWMA, and Mr. Grenier stated they do not. She asked if there have been hunts on this parcel in the past, and Mr. Huber stated this is their first time here. Ms. Farley asked if anyone from BOWMA or any organization has hunted illegally here, and Mr. Farley stated he would not know.

Mr. Grenier stated it appears that Ms. Farley has a number of questions written down, and he suggested that she e-mail those to the Township so that we can look into those and provide the correct answers; and Ms. Farley agreed to do so.

Mr. McCartney asked what made BOWMA identify this property as a parcel to hunt, and Mr. Huber stated they are always looking for new properties as some of the properties get “tired,” and they hope to increase the harvest by getting new properties. Mr. Kratzer stated he is new to the Township, but he was told that this property was hunted in the past by BOWMA, and there was a period of time when it was not; and the request to resume hunting on this property came from BOWMA this year.

Mr. McCartney stated while he is in favor of what BOWMA is doing, he feels that at this point this parcel should just be eliminated from the hunt. Mr. Huber stated a majority of their Board is present this evening, and he agreed BOWMA would be fine with removing this parcel from the hunt.. While a Motion was not required, Mr. Truelove suggested that the parcel be identified for the Record. Mr. Lewis stated it is Parcel #20-004-172 owned by Lower Makefield Township, and it is 19.84 acres.

Mr. Grenier asked if there is a compelling reason for this property to be hunted by anyone and if there have been any complaints about deer, and Mr. Kratzer stated there were not to his knowledge. Mr. Lewis stated while BOWMA has agreed to remove this parcel, we are not too far from another parcel which is hunted; and the deer are probably going into this parcel near Yardley Run. He stated everyone should realize that other species suffer when the deer are more invasive. He stated we are not killing deer because it is something we want to do, but we do not want them to become invasive and have a negative effect on the entire eco-system. He stated there is also the accident data which is significant and there is also the issue of Lyme Disease. He stated these are things that the Board balances when making decisions; and we want to consider health, safety, and welfare. He stated he understands it is unseemly that a deer may die in a field close to where someone may live, and that is the choice of living

in this particular area. He stated he would not be so supportive of the Program if he did not feel that they were making a difference. He stated he is okay with the sense of the Board and BOWMA's willingness to work with us as they have been a tremendous partner over the years.

Ms. Bonnie Rattigan, 15 Claire Drive, stated she would challenge everything Mr. Lewis just said as he does not live here. She stated there are 15 deer there, and that is not an overabundance of deer. She stated she can see her neighbors' houses from her house. She stated her dog looks like a "deer," and her dog is out there without a leash. She noted a number of residences do not have fences, although she does. She stated the deer do not only run in the hunting grounds. She appreciates BOWMA backing down from hunting here. She stated all of the animals are very healthy. She stated she has lived here for six years and has only seen one deer die which she believes was because they were fighting. She stated she has also seen one dead deer along the road in this area.

Mr. McCartney stated BOWMA has agreed that they will not hunt this property.

Mr. Rob Ottenheimer, 1309 Fountain Road, stated he has lived there since 1989. He stated we were "blind-sided," and he believes that letters would never have come out from the Township had the Township not received a Registered, Certified letter and e-mail from Dr. Eingorn's son, an attorney, asking what the Township was doing "because now the Township has all this liability." Mr. Ottenheimer stated even though Mr. Lewis believes we should be hunting in this area, the area is very small, and he does not want to have to have this conversation again next year. He stated there is no access. He stated the deer are in the back yards and not in the road. He noted all the wildlife he has seen in the area. He stated "we have been shepherding this land, which is Township property, since 1989." He stated two hunters have shown up over the last twenty years saying they had permission, were challenged, and they did not have permission from anyone.

Mr. Ottenheimer stated it is very important that the Board make it so that there is no hunting in perpetuity unless the residents change their minds. He noted the orange dots on the map who are people who represented themselves on the Petition saying "no hunt on my property or contiguous to my property." He noted his property is where the blue dot is on the map, and he stated the only other access is off of Lindenhurst Road. He stated BOWMA's original map where they had the "recovery, etc. and the Township notes going back said three years ago they illegally hunted this." Mr. Ottenheimer asked if "Jim"

was present from BOWMA, and it was noted he was not. Mr. Ottenheimer stated "Jim" had made mention that when he became President he had realized that they did not have permission to be in there "except that one of our residents supposedly let them in." Mr. Ottenheimer stated there was illegal hunting, and it is in the Township meeting notes. He stated it was "really disgusting to get this letter." He stated he appreciates what BOWMA is doing "backing it out." He stated he wants to make sure that they are on Record backing it out in perpetuity unless there becomes a problem. Mr. Ottenheimer stated they have seen only four fawns this year. He left the map that correlates with the Petition with Chief Coluzzi.

Mr. Kratzer stated notices sent out by the Township had nothing to do with any correspondence that was received by the Township, and the Township's practice has been to notify people. Mr. Oppenheimer stated "they only had four days." Mr. Kratzer stated the letters associated with this parcel went out no different from the timing of any other letters that went out. Mr. Ottenheimer stated he is pleased to know that the Township is letting us know things. He added the distance that there was a question about is 70 yards from the nearest point.

Ms. Pam Ottenheimer, 1309 Fountain Road, stated she is one of the oldest residents in Yardley Run. She stated while much of what she was going to say has already been said, it was not mentioned that it was originally going to be 92 days of hunting. She stated the letter was sent four days from when it was going to begin "on the eve of Rosh Hashana." She stated according to a meeting held on April 23, the Deer Management Proposal was signed and approved at that time, but they did not receive the notice until four days before the hunt which she does not feel was timely. She stated she feels if it were sent earlier, they could have gotten together to see if everyone wanted this. She stated she read Minutes from May 19, 2021 and Mr. Blundi, Mr. Grenier, and Mr. Ferguson had discussed that before a property is chosen residents have a chance to make comments. She stated that would be appreciated if they are considering a property in the future.

Mr. Grenier stated he feels that when we put an Agenda together in the spring we should list the properties; and that way it would be part of the Public Notice. Mr. Kratzer stated he would consider any modifications in terms of Notice adding that the practice that was done this year was consistent with past practice over the course of the past fourteen years.

Mr. McCartney thanked BOWMA for conceding on this.

Ms. Mary Cherepko, 32 Maplevale, stated they also hunt behind their homes; and in 2010 the “same thing happened to them.” She stated they were not told either when it first happened other than four days ahead of time. She stated she had “one of the guys come up to her and told her that they were hunting behind her house and pulling deer through her property.” Ms. Cherepko advised them that was not going to happen. She stated she went to her neighbors and also did a Petition and also had NBC News with them about what was going on. She stated she does “not understand how the changes have happened from 2010 to 2023.” She stated they are telling everybody that it is 50 yards from the property line. She stated she has a letter from the Supervisors saying that they changed it to 100 yards from their property line – not 50. She stated “plus through the Township, totally different people, said the hunt was also shortened from September to the end of November and not December, and January, and Sunday.” She stated she does not know when that started.

Ms. Cherepko stated with regard to the posting some years the signs were not put up, and the residents had to call and ask the Township to put the signs up. She stated not all the signs right now are up along the property of Maplevale because there are some people that have no signs posted behind their houses. Ms. Cherepko stated most of the residents do not have fences as the Board knows since they have been to their houses because of the floods. She stated she does not know when or why these changes occurred.

Ms. Cherepko stated years ago they also asked for data, and that still has not been done. She asked if there have been any accidents on Maplevale and Taylorsville with deer. She stated they have also asked how many deer has this impacted and the population of the deer, but they have never seen anything.

Ms. Cherepko stated when she left her home this evening, it was dark; and they are supposed to be hunting between dawn and dusk, but there “were still guys out there at night.” She stated the residents have seen them leave at night. She stated there is also only supposed to be one hunter behind their house, and they have “caught two of your guys behind our house,” and more than one truck being parked on Taylorsville. She stated where the Township cleared along the stream, some of the neighbors are concerned because “there is now a nice trail for the hunters to get back there and also these clearings/circles that were made which she questions.” She stated the end of the stream going into the Canal has not been cleaned out.

Ms. Cherepka stated what is being said tonight “is really not true.” She stated the residents have called the Township for problems although it was a different Township Manager at that time, and it was not Mr. Kratzer. She stated they have also sent e-mails about problems including that there was more than one hunter back there. She stated the response they would get back was that it was going to be looked into. Ms. Cherepka stated we still have the hunt because “we made the compromise, but the compromise has changed over the years.” She stated she could get a Petition going again too as they “do not want them back there.” She stated originally there was 22 acres, but since the second bridge was put up, there is less acreage. She stated she is from a family of hunters, “and she knows exactly what goes on, but to us this is not hunting, and it is more a slaughtering and a massacre. She stated it is babies and does and not just bucks.”

Ms. Cherepka stated she wants to know why these changes occurred since the residents were never notified. She stated they are there longer, and they have seen more than one hunter, and they are staying there late at night when it is dark out. She stated it is supposed to be 100 yards as that is what was in the letter which she can provide to the Township.

Mr. McCartney stated he assumes that if they shot a deer, they may be tracking it late, and they would not actually be hunting. Ms. Cherepka stated “they see them leaving with nothing.” Mr. McCartney stated they could track and still not come out with a deer. Ms. Cherepka stated “we know what is back there, and we do see them.”

Ms. Cherepka asked if they have data as to how many deer they have taken out from that area, and Mr. Huber stated he feels they can come up with that since they collect that data annually. She stated they have been asking for how many were taken out of the Maplevale tract. Mr. Grenier stated moving forward he feels everyone would like to see data by parcel. Mr. Ward stated they have that data, and it gets submitted in a bi-weekly report to the Township.

Mr. Grenier stated he would also like to know when the residents’ interactions with the hunters occurred so there is an understanding of whether that was recently or years ago. He stated there may have been some “bad actors,” and they would like to know if that has been corrected. Mr. Huber stated BOWMA are not the only hunters that go in there, and what has been discussed does not sound like something one of their hunters would do. Mr. Grenier asked what happens if a hunter does something they are

not supposed to do, and Mr. Huber stated there is a disciplinary process. He stated depending on the severity, they could be put on probation or removed from the program. Mr. Grenier stated if anyone has an issue with any hunter going in there, they should contact the Township; and if the Township is not responsive, they should contact one of the Supervisors by e-mail.

Mr. Huber stated this was the first year that BOWMA did the posting since usually a Township-employee does this, and they may not have done what the Township did in the past. He stated they tried to put them up where they saw postings in the past. Mr. Grenier stated he feels they should "over-post." Mr. Grenier stated he understands the concerns of the residents, but he also understands what it means to have an over-population of deer and what that does to the environment. He stated there is a Township Ordinance about the distance, and he does not believe 100' yards is in that Ordinance; and Mr. Truelove agreed that it is not. Mr. Grenier stated there may be Ordinance changes necessary to insure process and to make sure that notification to nearby residents is codified. He stated he also feels we should come up with a more standardized approach to posting. He stated if there is anything missing with the process, it should be fixed with feedback from everybody involved.

Mr. McCartney asked if the Park & Ride would also be part of the Maplevale area, and Mr. Ward agreed. Mr. McCartney stated it seems that 4 of the 40 deer taken came from the Park & Ride from September 17 to February 4. Mr. Kratzer stated that was from data that was provided by BOWMA at the beginning of this year relative to last year's hunt.

Mr. Huber stated with regard to the number of hunters, he felt that they could have two hunters but only one vehicle. Mr. Grenier stated he feels that between the Township and BOWMA we need to clarify that number to make sure that it is clear what is permitted. Mr. Huber stated parking was restricted to across the street, and they did not want two vehicles there to block access. Mr. Kratzer asked if there was a limit as to the number of occupants in the one vehicle. Mr. Huber stated he felt it could be two people in one vehicle, but he will look into that. Mr. Grenier stated for the safety of the hunter or anyone going into the field, you typically want two people so that they can look out for each other; but you would not want them covering a lot of space. Mr. Huber stated the parcel can easily handle two hunters. Mr. Grenier stated he feels that there is room for improvement across the board.

Ms. Susie Taylor stated she has been a resident of Yardley Run for twenty years. She thanked the Board for their service to the community. She stated she understands that hunting is a cost-effective strategy to control the deer population, but she does not want to see or hear it. She stated she opposes the BOWMA proposal to hunt on the very narrow tract of land that borders several neighborhoods off of Lindenhurst Road including the Yardley Run development.

Ms. Taylor stated for many of the residents there is a level of fear, anxiety, and sadness that came along with the letter and notification that there would be hunting in their back yards. She stated the fear is based on the reality that accidents happen. She stated there is no shoulder on the stretch of Twining Road where the Sterling Farm property is. She stated passing through the woods is the safest and fastest option for children traveling between Yardley Run and the neighborhoods on the other side of the woods. She stated while she understands that there are warning signs, she is glad that they “are realizing that there is a great deficit in that,” since she looked for the signs today and did not find them. She stated the reality is that children today do not look forward because they are looking down at their phones, and they would not see any of those signs anyway. She stated she feels that on such a narrow strip of land, it is more likely that accidents will happen.

Ms. Taylor stated her anxiety has to do with the realization that it would have been very likely over the course of the 85-day hunt that while on her couch looking out her window, she would see an injured deer “stumble onto her property with an arrow sticking out of its body clearly suffering and in agony.” She stated witnessing this from “the confines of her home is absolutely unimaginable.” She stated while some may not care, to her and her family witnessing such “suffering and torture caused by an intentional human act would be traumatic, and something she would expect her children to have a very difficult time forgetting.” She stated as a parent she expects her home to be a safe place where she can protect her children from witnessing “such profound trauma.”

Ms. Taylor stated her sadness comes from knowing how the children from the immediate area regularly use that open space and realizing it would no longer be available to them. She stated between when the soccer season ends and the baseball season begins, the open space becomes a place where children gather to explore and play after school and on the weekend. She stated because the land is so narrow, once the leaves fall, you can see through to the other side, and she can see her children in the woods. She stated once the leaves

fall, that space transforms from the woods to an open playground. She also noted that Boy Scouts are in this area to clean up litter that has been “dumped” or collects along the banks of the small stream that runs through the property. She stated we are “blessed to live in a community where kids can unplug from their devices, go outside their front door, and be exposed to the beauty and mystery of nature, and it makes her terribly sad to think that kids would not have the opportunity to do any of this for such an extended period of time.”

Ms. Taylor stated as elected officials the Board is charged with using their judgment to make decisions based on what is best for the residents you serve. She stated she is glad to know that the Board has listened to them and appreciates how having approved this property to hunt would have impacted not just the adults but the children as well.

Ms. Taylor stated she appreciates their thoughtfulness about the signs. She stated she backs up to that space and walks her dogs along it, and there were no signs. She stated perhaps there could be a discussion about how this could be communicated with a generation of younger kids as they are not looking for signs, and she stated there “may be an App, or something else, or through the Schools so that the Township can communicate with them.”

Mr. Truelove stated the Board and Mr. Kratzer have indicated that there will be a review of the notification process.

ENGINEER’S REPORT

Tabling Pay Application #4 for the Woodside Road Multi-Use Trail Project in the Amount of \$112,231.07

Mr. DeFiore stated this Pay Application is for work completed so far on the trail, and this will catch up the contractor on payment due for work completed.

Mr. McCartney stated he will make a Motion just for the purpose of discussion, and Mr. Lewis stated he will second the Motion just for the purpose of discussion

Mr. McCartney moved and Mr. Lewis seconded to consider Pay Application #4 for the Woodside Road Multi-Use Trail Project in the amount of \$112,231.07.

Mr. Grenier stated the Board has concerns with this particular Pay Application because of the current state of the bike path. He stated there are parts of the bike path that are failing. He stated there are also some issues with seeding, utility poles being moved, issues with stormwater inlets, and issues with regard to the installation and current upkeep of the erosion and sediment control best management practices. He stated this is why the Board has reservations about moving forward with the Pay Application given the outstanding items. He asked if we have to move forward with this before we make some improvements that need to be made.

Mr. DeFiore stated they agree with the concerns of the Board; and members from his office met with the contractor for a site walk, and they have identified the items Mr. Grenier mentioned which are to be completed. He stated there is a new punch list, and they are working with the contractor. Mr. DeFiore stated what is being considered tonight is not the final payment, and there is still approximately \$55,000 left. Mr. DeFiore stated approximately \$98,000 of this pay-out is for the asphalt that was installed, and his office agrees that these items for which they are seeking payment are complete.

Mr. DeFiore stated there are areas of erosion near the basin, and the contractor is providing information as to how to remedy the erosion. He stated there is also silt sock remaining on site which will be removed soon. Mr. DeFiore stated the areas that need vegetation will be seeded and fresh sock will be installed for those areas, but the majority of the silt sock that is along the project can be removed since it is no longer needed and is in disrepair. He stated the items for payment have been fairly completed by the contractor. He stated he believes they have not been paid since March of this year, and this will catch them up on the three Pay Applications that have been sent to the Township.

Mr. Grenier asked for the areas that are failing or having issues including along the basin where pavement has fallen off, some sloughing of soils, and issues with some inlets, can we make a determination as to whether it was the contractor not doing what they were supposed to do or if there was a design deficiency. Mr. Kratzer stated he does not know if we definitely know that. He stated his understanding is that the Township engineer has inspected the work that he is recommending payment for, and he assumes that the items that are in this Pay Application are not items of concern. He stated he expects that there will be ongoing conversations; and from the contractor's perspective, he assumes that there are going to be Change Orders. He stated once those Change Orders materialize,

there will be discussion as to whether it is a design deficiency and if this was required because there was a deviation from standard. He stated he has been clear with the Township engineer that our project savings do not necessarily become available for addressing some of these other issues.

Mr. Grenier stated it was indicated that \$98,000 was for asphalt, and he asked Mr. DeFiore if that number is more representative of the work that has been completed than the \$112,000. Mr. Grenier asked if there is a number that is less questionable and more representative of the work that was completed correctly that has been successful and does not need additional work. Mr. DeFiore stated the \$98,000 was his summary of the quantity item for the completed asphalt paving. He stated the majority of the trail is intact, and he agrees with the pay-out items. He stated he also agrees that there are items to be completed and addressed. He stated he supports the Payment, but there is also a need to have the punch list items to be addressed.

Mr. Grenier asked what is the \$14,000 difference between the \$98,000 and the \$112,000. Mr. DeFiore stated \$5,700 is for the crosswalk striping. He stated there is also relocating traffic signs and mailboxes; and they have done five which is \$2,000. He stated it was \$550 for the stop bars. There is also topsoil, seeding, and straw mulch which is \$7,600. Mr. DeFiore stated we are not paying out the 2% retainage which has been subtracted. Mr. Grenier asked the amount left if we move forward with the \$112,000; and Mr. Kratzer stated it is \$54,990.17 that is not being recommended for payment plus the retainage.

Mr. Grenier asked Mr. Kratzer if the Township staff has a recommendation on this, and Mr. Krater stated they defer to their professional engineers who are inspecting the work.

Mr. McCartney asked Mr. DeFiore if the punch list items that have been identified as remaining will render the full trail usable or unstable. Mr. DeFiore stated we still need to re-locate the utility poles and complete the crossing at Taylorsville. Mr. McCartney asked if the remaining punch list items pose a health and safety concerns for residents who are trying to use the bike path. Mr. DeFiore stated one of the items that is still to be added is that they are going to place a barrier at the end of the trail near Taylorsville to help warn anyone on the trail they should not be there. He stated there was a sign, but the contractor moved the sign to block the one end of the trail further west

on Woodside. He stated we are going to need to put a barrier at the east side near Taylorsville. He stated there are some safety items that are to be completed that are a part of the punch list.

Mr. McCartney asked for a timeframe as to when the utility poles will be removed. He also asked if there is going to be a Change Order to re-surface the areas where the utility poles were. Mr. DeFiore stated with regard to the timeline for the utility poles, we are in the process of addressing the utility's comment that they would like them all in one line. He stated when they met with them out in the field, there was discussion about moving poles a certain distance. He stated to keep them all in line, it would be user-friendly for the utility, and they are currently discussing that. He stated there needs to be a review of the right-of-way and the distances and clearances. He stated they also need to see if there are any other Easements required. Mr. DeFiore stated there may be areas of the path that will have to change to be in coordination with the utility poles and to shift the path to have the clearances needed and to make things work.

Mr. McCartney asked what was the advantage of installing the bike path with the utility poles in the middle of the path. Mr. DeFiore stated in hindsight it appears that the poles should have been moved first.

Mr. Grenier stated he feels that if we cannot open the trail, it does not seem that it is complete from a contractor's perspective to the point that we can pay them for something. Mr. Grenier stated he understands that they have done work, but it is "not work that we can use." Mr. DeFiore stated part of the trail can be used, but part of the trail is set to be closed.

Mr. Grenier asked if there is any legal obligation for the Board to pay this now since we all have "these hesitations." Mr. Truelove stated he would have to check the MPC, but there are timeframes depending on when the contractor submitted it. Mr. DeFiore stated he believes the last time they were paid was in March. Mr. Kratzer stated he had been pushing off the Payment Applications until we got some resolution on some of these issues. Mr. Kratzer stated while the Board can push off the Payment Application, they may get a claim from the contractor for untimely payment because some of these issues are likely not as a result of contractor-performance, and they are probably a result of design deficiencies although he cannot say that definitively at this point. Mr. DeFiore stated one of their Payment Applications was made May 8, 2023, and that is the earliest of the three that were submitted.

Mr. Grenier stated there is documentation from RVE that is a Payment Certificate on RVE's letterhead; but the Board does not have the original invoices from the contractor with dates, which is why he is asking these questions.

Mr. McCartney asked Mr. DeFiore if the contractor came to him with any kind of issues with the design that was preventing him from completing the project, and he specifically noted the telephone poles. Mr. McCartney stated he is wondering if the contractor would have a claim against the engineering firm that came up with the design that told him to pave a bike path with telephone poles in the middle of it. Mr. DeFiore stated the contractor has voiced to him that some of the items yet to be completed are pending pricing, and they have voiced their request for payment.

Mr. Grenier asked if the contractor made any field change requests or issued any "RFIs" during the construction process identifying any issues which they felt should be addressed before moving forward; and Mr. DeFiore stated he could follow-up with the full background tomorrow, but it is his understanding that where there were items where the contractor had questions, RVE supplied answers. He stated with regard to the utility poles, he does not know whose call that was or about the direction to proceed as he was not a part of that.

Mr. Truelove stated there could be a Motion to Table at this time if the Board agrees.

Mr. Lewis moved to Table and consider at a later time on the condition that we receive a comprehensive updated Plan and timeline for remediation of items and affirmation as to when the utility will fix the poles prior to that.

Mr. Lewis stated we understand that this is not ideal from the perspective of the contractor.

Mr. McCartney seconded the Motion to Table and the Motion carried unanimously.

Project Updates

It was noted that the Board received the full Engineer's report in their packet.

Mr. Grenier asked for an update on the deficiency work notice that was submitted for the pickleball courts. Mr. DeFiore stated he will look into the status of that.

MANAGER'S REPORT

7/15/23 Flash Flood Response Update

Mr. Kratzer stated the restoration work at 18 Maplevale and 20 Maplevale has largely been completed as well as repair to the bank of the Delaware Canal. Some landscape restoration in the two back yards remains to be completed. He stated there is no update from PEMA or FEMA regarding any determination regarding public or individual assistance. He stated with regard to vegetation management along the unnamed tributary which has been a topic of conversation, the Township continues to clear that out in order to try to gain access to the stream. He stated ultimately that is necessary for evaluating the need for sediment removal within the stream channel, etc.

Mr. Kratzer stated at the last meeting the Board authorized the engagement of LandStudies, an environmental consulting firm from Lititz, to perform a conditions assessment along the entire stretch of the same unnamed tributary to look for opportunities to address upstream conditions. He stated as part of the scope of work LandStudies and the Township will be holding a community listening/information-gathering session on October 11 at 6:30 p.m. at the Lower Makefield Township Community Center on Oxford Valley Road, and we will provide notice on the Township Website, via our social media channels, and through Listserv that is maintained internally. Mr. Grenier asked if we have the ability to have a virtual meeting as well at the Community Center, and Mr. Kratzer stated he will have to look into the capacity to do that at the Community Center, but he believes that we can try to do that. Mr. Kratzer stated the Project Kick-Off meeting was held with LandStudies, and they are contemplating that their work will be done by November/December of 2023, and there will be a host of recommendations likely coming out of that.

Mr. Kratzer stated there is a pre-Application meeting scheduled with the Pennsylvania Department of Environmental Protection and the U.S. Army Corps of Engineers scheduled for October 12 to discuss Permitting requirements and process for additional sediment from that same unnamed tributary. He stated RVE is coordinating that, and LandStudies will be participating in that session as well. Mr. Grenier asked if it is for any specific stretch of stream, and Mr. Kratzer stated it is on the two parcels of Township-owned land that Mr. McCartney had previously requested. He stated it would be Prospect Farm and the area on the east side of Taylorsville Road adjacent to the Park & Ride.

Mr. Kratzer stated the Township engineer is finalizing designs for the previously-contemplated Phase 2 for Maplevale, and they are looking at the scope of work and trying to determine its sufficiency and seeing if there are opportunities for expansion of that scope of work.

Mr. DeFiore stated with regard to the stream clean-out Phase 2 gravel bar removal, they have been in constant contact with DEP and their recommendation was to have a Pre-Application meeting; and that has been scheduled. He stated we are trying to avoid a full Army Corps of Engineers approval in terms of limiting the time required for Permitting. He stated they want to see what is permissible to avoid a full Army Corps approval. He stated they will be involved regardless, and DEP stressed that there should be a Pre-Application meeting which is set for October 12. He stated we are also in coordination with one of the reviewers and have been discussing requirements. He stated in this way, we will have a good handle on the design before going into the meeting. He stated they are doing as much as they can to push that along and get that stage complete. He stated October 12 was the soonest they had since September was booked.

Mr. Grenier stated the reason the stream had not been cleaned out yet was because of this meeting coming up. He stated we are hoping to get a General Permit so that we can clean out stretches of the stream; however, there are Conditions with that Permit that limit you to certain linear footage across the entire length of the stream before you have to go to a Joint Permit Application or Individual Permit that includes an Army Corps review. He stated General Permits are usually a two-month review, and Individual Permits can be over six months. He stated that is why we are having the meeting.

Mr. DeFiore stated they are doing everything they can do, and trying to do what can be done fast anything that is permitted. He stated they understand the urgency, and they want to get more capacity in the streams, and this is the best route to see what can be done fast.

Mr. Kratzer stated we do continue the work of clearing vegetation, and he asked Mr. Fuller to speak to what has been done and what is remaining to be done. Mr. Fuller stated since the last update on Wednesday, the crews were only there about a half day on Thursday as Friday there were equipment failures with the boom tractor, Monday it rained, Tuesday it was too wet, and today there were manpower shortages. He stated they did get the backhoe in there last Thursday, and they removed some stumps and logs from the

stream channel that they were able to access. He stated the goal now is to start boom mowing the vegetative banks of the stream and uncover more vegetative and wooded blockages.

Mr. Grenier asked if there has been any response from DCNR on pipe issues, and Mr. Kratzer stated there has been no response from DCNR. He stated he will follow up on this again. Mr. Grenier stated he feels at this point we should look at alternative paths. He stated we know that there is another older pipe nearby, and that may also require replacement at some point, and that may be an opportunity to upsize when replacing and try to address the issue without having to get DCNR to sign-off on a second pipe. Mr. Kratzer stated he and Mr. Fuller have discussed that. He added that to the extent that we would be upsizing the diameter, they are still going to want some information in terms of downstream impact. He stated he is not sure that path will avoid some of the H and H study discussions. He stated we are hopeful that DCNR will respond to us so that we can have some ability to understand where the target is.

Mr. Grenier stated because they have not provided us any guidance about what studies they want, it may be worthwhile to do the design, submit the Application, and “prove that it is good.” Mr. Kratzer stated that is an approach that could be taken.

Mr. Grenier stated Senator Santarsiero had his annual PennDOT drive-around Bucks County which included Bucks County’s “transportation folks,” and Representative Warren was also there. Mr. Grenier stated he believes that the only location they came to in Lower Makefield was the stream off of Taylorsville to see exactly what happened. Mr. Grenier stated he, Mr. Fuller, and Mr. Kratzer, and Mr. Majewski were there and “gave them the whole story and said that we have to do something.” Mr. Grenier stated they talked about different options in terms of things that could be done quickly to procure materials that they may have and things that could be done long-term working with them. Mr. Grenier stated we also brought up the concept about using a sidewalk as a means to have stormwater management on Taylorsville because it is a State road. Mr. Grenier stated while they did not make any true commitment, they did agree to work with the Township moving forward. He stated we are trying to push PennDOT to be an active partner in this since he feels a big part of the impervious area in this watershed is PennDOT roads – Taylorsville and Dolington that were built a long time ago and have an impact on our stormwater management as does 295. Mr. Grenier stated if we put in for “some approval, we expect them to not sit on it and work together.”

Mr. Grenier stated a lot of the work that has been done to the stream vegetation-wise including the tree that came down recently across Taylorsville, is all PennDOT right-of-way that the Township has addressed; and he feels we should look at submitting a bill to PennDOT since we spent a lot of money addressing these items and many of them are in the PennDOT right-of-way that the Township is taking care of.

Mr. Lewis stated Mr. Fuller and his team took care of the fallen tree within an hour. Mr. Grenier stated the Police Department, Code Enforcement, and Public Works were all there very quickly with the tree company. Mr. Grenier stated the tree fell near the off-ramp from 295 to Taylorsville heading south and it was crossing a lane of traffic. He stated the Township staff responded very quickly. He stated thankfully no one was injured, and he thanked everyone for their quick response.

Mr. Kratzer stated we received an updated schedule from RVE yesterday that was posted today. He stated hopefully it is more readable than the previous document.

Mr. Greg Luzeckyj, 18 Maplevale, stated he appreciates the briefing, and he thanked the Township for the work that was done to get his “land back to looking like some form of a back yard.” He stated a possible alternative was offered if we are not able to get a second pipe, and he asked why that was not brought up six weeks ago, and why has someone not been acting on that as not just an alternate plan, but an additional plan. He stated a lot of good work has been done; but from his perspective, with the work that has been done, he is no better than where he was in July. He stated he took “a loss that he will never get back so he is still behind.” He stated while they may have done some work in cleaning out streams which is good, he asked if there is a maintenance plan for that; and if they do is it documented as he would like to see it. He stated he understands that they will clean it out now, and it will be better to some degree, but he still feels that we still need “that additional top level overview of the whole water channel problem through the Township that ends up at us.” He stated it is not just one stream. He stated if it is cleaned out now, someone has to be conscious to look at it and be maintaining it.

Mr. Luzeckyj asked how they are going to fix the problem, because he does not think they have yet. He agreed they have “helped it a little.” He stated he still thinks that we have a water run-off problem, and until that is addressed, he is still vulnerable. He stated he does not want to replace a fleet of cars again or have his floors re-done. He stated he worries when

he hears the words “long-term solutions, as we do not have long-term.” He stated they are already saying it will go into next year, and he does not feel that is “action; and it is inadequate action in his opinion for what we are talking about.” He stated it is not just property as peoples’ lives could be at stake. He stated he knows that if his family had been home, they would have been at the storm drains. He stated he wants to make sure the urgency is there, and he would like to see the schedule “with what they think they have.” He stated he would suggest that their schedule needs “to be moved in a lot to the left – not right; and if they are going to delay meetings, someone needs to sit on them.” He stated that is how stuff gets done. He stated there is a real problem, and it has to get done fast. He stated he wants to see the “real update with getting it fixed.

Mr. Grenier stated there is a multi-prong approach. He stated with regard to the immediate phase, he hopes that by the next meeting we will have an updated design for Phase 2. Mr. Kratzer asked Mr. DiFiore if he can advise when we will see a revised design. Mr. DeFiore stated they understand the urgency and recognize the problem. He stated with regard to the Phase 2 design, they have expanded the scope and are trying to think what makes the most sense to try to prevent flooding. He stated their goal is to have a plan by the next Board meeting, and they are open to any input. He stated they are looking at what they feel is practical and will help as soon as possible.

Mr. Grenier stated he understands that by the next Board meeting we should see a Plan for Maplevale 2 to review; and if there is something available earlier, that they could look at it as part of the Flood Update Meeting. Mr. Grenier stated the next “immediate, in-the-ground item will be the work that is closer to Highland and the culvert off of Taylorsville.” Mr. Grenier stated when we talk about the “big picture,” that is the meeting with LandStudies looking at the whole watershed and looking at different projects that could go on to address this throughout the watershed and getting feedback from the residents. He stated that is “bigger-picture, long-term stuff.” He stated the immediate phase is Phase 2. He stated the replacement of the existing older pipe that is between 18 Maplevale and 16 Maplevale is something he feels that we should move on if that is the will of the Board and the recommendation of the staff and the engineer; and he feels we should look at that sooner rather than later to see what we might be able to execute in a timely manner that could work. Mr. Kratzer stated that would make sense.

Mr. Grenier stated the stream clearing can happen fast if we can get the Permit fast. He stated with regard to a Maintenance Plan, he feels there are two pieces one being a basic Maintenance Plan for the stream that our Public Works

Department handles similar to what they have done adding that maintaining the stream depending on what is being done may require Permits; and we would have to “do that every two years or whatever to get in there and clean stuff out depending on how long it takes for sediment to accumulate.”

He stated he also feels that this will be discussed with LandStudies and what their recommendations are in addition to projects and approaches for a long-term approach to the entire watershed and other streams and other watersheds that might come up. Mr. Grenier stated he had mentioned the sidewalk issue to allow for stormwater management on Taylorsville, and that is a very costly project; and while we could use our engineers to design it since that part is not that costly, it would be the actual construction of it that would be costly, and there are Grants available for that. He stated we have had discussions with PennDOT and preliminary discussions with the Department of Community and Economic Development (DCEC) about funding for that. He stated that would not be immediate, but we are hoping to get that done relatively quickly if we can get in the Grant program.

Mr. Luzeckyj stated he gets concerned when he hears the term “long-term used because you do not know what that means.” Mr. Grenier stated “in his mind he does.” Mr. Luzeckyj stated to him it means that it is not happening until there is a Plan on paper and they agree to move forward. He stated they are already moving into next year so he is worried. He stated the reason he mentioned the Maintenance Plan is because if we do not have something like that, “that is the start of forgetting us all over again.”

Mr. Luzeckyj stated Mr. Grenier had stated “it was costly, but costly is trying to keep a home that you built over thirty years working and it has been ripped out from underneath your feet, and he is sitting at meetings asking for some help in a timely fashion, and right now it is two months’ later; and while he might have some form of a back yard again, he still does not feel comfortable and happy.”

Mr. Luzeckyj asked if the Township has considered raising their houses as an option. He stated the Township may want to think about it because he is thinking about it. He stated “this was not through any fault of his own.”

Mr. Lewis stated our Public Works team does have recurring Maintenance Plans for a lot of the infrastructure that they manage including stormwater basin plans as to when they mow and what is done to those structures.

A number of people including Mr. Richard Adams began calling out from the audience, and Mr. Grenier stated that they are trying to have a meeting where everyone has a say in a polite manner. He stated they need the Board and the public to be able to speak in a professional way and so that those watching from home are able to hear what is being said; and if people are shouting out from the audience, it cannot be heard and it does not get on the Record.

Mr. Lewis stated Mr. Fuller is preparing his Budget for next year, and he will be calculating what the plans are, how to do the maintenance, and how that effects how he structures his team.

Mr. Grenier stated the Budget process is starting now, and there have already been internal meetings. He stated he himself has been vocal over the last three to four years about the need for infrastructure being number one in the Budget versus other projects, although he voted against the last three Budgets. He stated he is hopeful that this year the Budget takes a turn toward infrastructure improvements and “fundamental things,” and stormwater is a huge part of that. He stated this would include drainage and streams. He urged everyone to review the Budget items and watch the Special Budget meetings. He stated he hopes that there is a lot of support for more spending on infrastructure and less on other things that we might be able to put off.

Mr. McCartney asked Mr. Luzeckyj about his comment regarding raising his house, and Mr. Luzeckyj stated he feels this “is the kind of stuff that the Township should be looking at for options to protect them, and he is not asking for anything for free.” He stated this is the “kind of stuff that should be looked at when you put together your global plan to keep water away from us.” Mr. McCartney stated one of the options would be demolition of some of the existing homes in order to make the neighborhood safer.” Mr. Luzeckyj stated he was not talking about demolition, he “just said pick it up.” Mr. McCartney stated he now understands that Mr. Luzeckyj was talking about raising it and getting it out of the waterway, not “razing it,” and Mr. Luzeckyj agreed. Mr. McCartney stated an option that was discussed previously was that it could come to a situation of eminent domain where there is no other option but to buy the property. He stated if they are to look at all the options, there are multiple options when it comes to the existing structures and one of them is to raise it, and one of them is to demolish it. Mr. Luzeckyj stated he agrees but that “would be extreme.” He stated he was referring to elevating his home.

Mr. Grenier stated if there are people who are interested in elevating their homes, Mr. Majewski can address the FEMA program and how that can be done. Mr. Grenier stated he feels it would be helpful to provide something to residents who are interested in that option as to what that process would be depending on different scenarios.

Mr. Luzeckyj stated he would not be interested in paying for that. He stated this was through no fault of his own, and they were there for thirty years; but after “four times and now they are losing real estate, you guys broke something bad and you cannot ignore it anymore.”

Mr. Majewski stated we just received an e-mail from PEMA (Pennsylvania Emergency Management Agencies) last week notifying us that although the Federal Government currently has some of their programs on hold, they still want to keep to their standard timeline that they have done in the past for Municipalities to put in a Letter of Intent if they are interested in the Flood Mitigation Assistance Program. He stated that Program will fund elevation of homes, acquisition, and demolition of homes at the request of the homeowners. He stated this is not something that the Township is compelling anyone to do, and the homeowner would have to voluntarily want to do it. He stated one of the things we want to talk to PEMA about is at what level they will be funding these programs. Mr. Majewski stated depending on the nature of the house and where it is as far as damages that FEMA has recorded, the cost that is covered by the Grant is anywhere from 75% up to 100%. He stated those numbers would have to be finalized.

Mr. Majewski stated Maplevale is a unique situation in that the properties are not in a designated floodplain so we would need to discuss that with PEMA. He stated the Township needs to submit to PEMA the Letter of Intent to file an Application for assistance by October 18. He stated while we do not need to go too in-depth with the homeowners, we want to explain as much detail as possible as to what can be done and how the process works. Mr. Majewski stated if anyone is interested, they can contact him. He stated he also wants to try to get someone from PEMA to meet with everyone because there are a “lot of moving parts.” He stated the Program has not opened up yet because the Federal Government put it on hold, but PEMA is still trying to push it forward on the same timeline to try to get people to submit their Letter of Intent by mid-October and put a Grant in by the end of the year.

Mr. Grenier stated that is less than a month, and he is not sure getting people together who may be interested in less than a month's time could be done in a meaningful way. Mr. Grenier asked how much detail needs to be put in the Letter of Intent. Mr. Majewski stated the Letter of Intent does not need to be very detailed, and they just want to know how many Applications they could be expecting from a local Municipality so they can figure out their workload. He stated when the actual Applications get submitted that is a substantial amount of work. He added the Letter of Intent does not obligate anyone; and if you change your mind, it is not an issue. He stated it is just basically a placeholder as to the number of potential Applications which could be coming into PEMA which would ultimately have to be reviewed by FEMA.

Mr. Grenier asked if it would be the homeowners putting in the Applications and not the Township, and Mr. Majewski stated the Applications come from the Township. He added that FEMA has the Fund, and they give money to PEMA if the Grant Applications are accepted based on the Applications filed by the Township on behalf of the homeowner. Mr. Majewski stated the only slight difference in this case is that the Maplevale homes are not in a designated floodplain as the stream was not studied by FEMA so there is no floodplain established, and he is not sure exactly how it would be determined how high to raise the house. He stated they may go to historic high levels and then go a couple of feet above that, and this is something that he wants to talk to PEMA about. He stated PEMA could then talk to the homeowners directly individually or in small groups. Mr. Grenier asked if there is a Condition within the Program that says it has to be in a floodplain, and Mr. Majewski stated he does not believe so. Mr. Grenier asked if there is any reason not to submit a letter, and Mr. McCartney stated at this point it is determining how many homeowners might be interested in this.

Mr. Kratzer stated we just received the letter last week. Mr. Majewski will contact PEMA, and we should have more information at the first meeting in October. Mr. Grenier asked if we were to indicate that there were six homeowners that might want to put in for this Program, and ultimately there were two, three, or ten that applied, does it matter. Mr. Majewski stated they would not like the Township to indicate that they intend to submit two and then put in ten. Mr. Majewski stated he feels we should discuss with the homeowners how the process works, the timeframes, and the costs involved to see if they think they want to move forward with this. Mr. Grenier stated we may find that there are people interested in this during the October 11 meeting, and he asked if that could be put on that Agenda since that would

be a week before the Letter of Intent is due. He stated in the meantime, we could spread the word that there may be this option. Mr. Kratzer stated they could do that. Mr. McCartney stated even if we do not get a response, he feels we could submit the letter with a number; and if we have to we could back down from that, and at least we would not have missed the deadline. Mr. Majewski stated it is not a hard and fast deadline because the Federal Government has not even authorized the Program yet. He stated in past years it was authorized at the end of September with the October 18 deadline to get a Letter of Intent in so that PEMA could line up how many people they need to process the Applications that would be due to them by the middle of November so that they can submit to FEMA by early January. He stated there is a lot of work involved for the Township and for the Government agencies.

Mr. Grenier stated the next meeting of the Board of Supervisors is October 4, and the "Town Hall" meeting is October 11. He stated the deadline would be October 18 which is the date of the Board's second meeting in October. He asked if we should put this on the Board's next Agenda, and Mr. Truelove recommended that it be put on the next Agenda and word it in some way that it is conditioned upon further information being received at the October 11 meeting so that there is some flexibility. Mr. Majewski asked if they are saying that it should be put on the Agenda for the Board to authorize putting in the Letter of Intent, and Mr. Grenier agreed. Mr. Majewski stated in the past we have not done that in the Township, since it is non-binding; and it is just people saying that they are interested. He stated the Board of Supervisors would have to authorize it if we went ahead and submitted a Grant Application. Mr. Grenier stated he feels that if it is on the Agenda, people will attend the meeting to discuss it, and we will have a feel for how many homeowners might want to do it. He stated more feedback may also be received at the meeting on October 11.

Mr. Luzeckyj stated he feels razing a house is very "invasive, and that should not be the answer to this problem." He stated it is an "extreme option and he does not really want it," but it is something to consider. He stated the real option is that they have to get the water away from us, and that is where the Township should focus and expend their energy now. He stated the razing/demolition of a house is an option, "but no one wants any of that, and they should get the water away from us."

Mr. Grenier stated the Township has done "a ton of work on behalf of PennDOT," since a lot of this area is driven by PennDOT's impervious area and PennDOT right-of-way not being maintained by PennDOT; and the Township has done it

for them. He asked if we have a clear understanding of where the stream and surrounding vegetation, etc. are that are PennDOT's responsibility versus the Township's responsibility so "we can get on their case." Mr. Majewski stated they will have to look into that. Mr. Grenier stated we need to do that because the Township has probably spent "a half million dollars doing things in the last few months; and from what he has seen happen, a lot of that is due to PennDOT maintenance that has not occurred within the PennDOT right-of-way, and the Township just did it for them." Mr. Grenier stated when they came to visit the area last week we reminded them of that, and we can continue to do that as part of this whole process.

Ms. Nicole Mumme, 36 Maplevale, thanked the Police for getting out to the area when the tree fell. She asked with regard to Phase 2 of Maplevale, would part of that be considering putting a full grate back at the bottom of Highland. Mr. Grenier stated he discussed this with the Township engineer a few days ago, and the engineering team is looking at all options including larger inlets on either side and widening the culvert to get more volume space underneath. He stated we should see this by the next meeting. Ms. Mumme stated it was there, and then it was gone. She stated it might be something that would catch the water coming down before it even comes across the street. Mr. Grenier stated the issue with that is once the stream is full, it would just go across anyway; and from a volume perspective, there may not be much of a benefit because there is only a little bit of space there. He stated they are running the numbers to see if that would do anything.

Mr. DeFiore stated they have looked at that, and currently the approach they are taking is adding more inlets along Highland and connecting to the upstream inlets at well. He stated there appears to be an 18" pipe that runs down the swale, and what they are looking at is upsizing the connection pipe; and at this point they are looking at adding two pairs of inlets which would help increase the capture area and lessen the burden on the lower inlets where the trench drain was as well as increasing the capacity of the outlets. He stated they are looking at two pipes to the maximum size they are allowed through a General Permit to increase capacity to the stream. He stated they are also addressing the stream issue with the wooded debris and the eventual gravel bank removal. He stated also as part of Phase 2 they are checking the capacity of the culverts. He stated there is the culvert that is under Highland and another one under a driveway. He stated they are open to any other recommendations and options.

Mr. Grenier asked how often we clean out the pipes in the Hillwood Terrace neighborhood. He stated during the Leaf Program huge piles of leaves can be seen piled over the inlets in those neighborhoods. He stated he feels

there is a lot of debris in those pipes which is lessening capacity which results in more flow in the street than into the inlets and the pipes. Mr. Fuller stated the Township does not currently have a stormwater pipe maintenance plan in place where every two years every pipe is being flushed. He stated there are problem inlets that are known that collect debris and sediment, and the crews know that they need habitual maintenance because it is either a low box or at the bottom of a hill. He stated there are also residents who know of their own problem boxes who call Public Works to remind them about a box. Mr. Fuller stated they do go out to the problem ones that they know about on a regular basis as needed, but there is no plan in place for constant jetting of pipes. Mr. Grenier asked about televising; and Mr. Fuller stated there is no televising plan in place, but this will be addressed in the Budget.

Ms. Mumme stated she believes that there is a pamphlet from the Township that leaves are supposed to be kept on the curb in peoples' yards, but people do not do that. She asked if there a way to regulate or fine them. She stated she walks in the neighborhood and tries to clear leaves out of the inlets. Mr. Grenier stated the issue is enforcement versus education, and how many resources we can put toward enforcement when there are other issues. He stated not only do leaves in the street impact the storm drains, but you also lose a lane of traffic in a neighborhood where there are no sidewalks. Mr. Fuller stated when they know a large storm is coming, crews do go out and check the problem/low-lying areas where they know there is habitual flooding. He stated they try to notify the residents about not putting leaves in the street, and they will put out as much public information as possible. He stated residents are encouraged to tarp the leaves to stop them from blowing in the street, and the crews will move the tarp back when they are collecting the leaves, and will leave the tarp on the lawn. Mr. Fuller stated leaves should also not be around objects such as mailboxes so that the trucks do not hit them.

Mr. Grenier stated we can also post on our neighborhood Facebook pages reminding our neighbors not to put the leaves in the street as it has a negative impact. Mr. Grenier stated he mows his leaves and does not put them out.

Ms. Mumme asked if there are Minutes from the Flash Flood meetings since it is easier to read the Minutes than to watch the videos, and Mr. Kratzer stated there are no Minutes for those meetings.

Ms. Mumme asked with regard to the LandStudies meeting will the Township be putting out a flyer notifying those in the area about the meeting or is it just through the Township Website and social media. She stated there are people who do not follow social media. Mr. Kratzer stated while they could look into that, it is a very expansive area; and at this point they are just considering public announcements, social media channels, Listserv, etc.

Ms. Mumme stated at the bottom of Highland on the Township side, there is someone who maintains a little bit of the grass, but there is a large portion that no one maintains. Mr. Grenier stated most of that is PennDOT right-of-way. Ms. Mumme asked who they should notify when it is overgrown, and Mr. Fuller stated it is PennDOT's responsibility. He noted another area on the north side of Highland which is PennDOT's responsibility, but the Township and/or the Joint Toll Bridge Commission have mowed that. He stated with regard to the parcel that Ms. Mumme is referring to if the crew is there and sees that it is very overgrown, they will mow it; but it is not the Township's responsibility.

Ms. April Bollwager-Cloer, 20 Maplevale, asked about the grate on the corner of Maplevale and Taylorsville where there is a large plank over top. Mr. Fuller asked Mr. DeFiore about the re-design for that box. Mr. DeFiore stated they are currently working on it to find a better design to make that work. Ms. Cloer stated it is supposed to rain this weekend, and she cannot stress enough how hard this has been on the families in the neighborhood who are concerned every time it rains. She stated they are very frustrated at this point although they appreciate the work that was done to stabilize their land. She stated there has been no discussion about "replacing our property that sat on top of your Easement that collapsed." She stated this included a shed, a play area, a patio and patio furniture that was "sucked down when the land collapsed." She asked what is happening to the things that they could not find including her son's play house. She stated there has been no talk about what is going to be done to replace that. She stated they were told to call the United Way, but they are only open 9 to 5 and not on weekends. She stated she works full-time. She stated she has done what she can to keep in touch with her neighbors and the Township and "have random people show up at her house whenever they want and show up with equipment and walk into the yards and never knock on the doors." She stated the Township needs "to think of them as human beings who live on these properties." She stated they have stress, anxiety, sadness, and fear every time it rains. She stated she does appreciate all the work that Mr. Fuller and his crew have done, but she wants them to know this is not over for the neighbors; and they are in no better position than

they were before other than their land will probably not collapse next time; but there is nothing to make them feel that they will not flood again. She stated she has still not put floors in. She stated when they flooded two years ago her down-stairs was done in less than two months because she was not scared. She stated this time she has not painted or put floors down.

Ms. Cloer asked that they be advised when the grate at the corner of the street will be fixed. She asked that it be done sooner rather than later. She stated she knows they are working hard on this. It was noted that the grate being referred to is the one on the north side. Mr. Fuller stated that was the one that was high, and 6" was installed, paved, and then subsequently failed about a week and a half later due to truck and School bus traffic. He stated there was a crack and the grate fell off and a steel plate was put on for safety. Mr. Grenier stated there can then be no inflow there. Mr. Grenier asked when it failed, and Mr. Fuller stated it was in the last few weeks. Mr. Fuller stated a re-design needs to happen because if an 8" riser is put on, the inlet would be high; and it would be just like it was during the flood when no water got into it. He stated it was lowered so that water could get to it, but it has since failed. Mr. Grenier asked if any Permitting will be needed, and Mr. Fuller stated it will not. Mr. Fuller stated RVE is completing the design, and then the work can be done.

Mr. McCartney asked if we could do an emergency removal of the steel plate during the rain event this weekend. Mr. Fuller stated that would severely limit the traffic at the intersection; and it would basically be one-way in and one-way out. Mr. McCartney asked that the plate be removed just for the weekend.

Mr. Michael McPeak, 24 Maplevale, stated he feels they could lift the plate on top of a "parking stop 6" and the water would run underneath it." He stated you would still need safety barriers so that cars do not run into it and damage it.

Mr. McPeak stated this weekend the rain will be the heaviest rain we have had since the storm. He stated it is also on a weekend and not a week day. He asked if there is a schedule for maintenance to go by and look at how well the work that has been done is faring during the rain. He stated a lot of debris was cleared out of the stream, and the water will flow; but he also feels that there is a lot of loose material now that was not moving before that will move now because there is a clean-out; and he does not know what the effect will be.

Mr. McPeak stated they were told that there were things that the Township was not allowed to do. He stated we wanted the State to widen under Taylorsville, but they said no; and he asked if the Township will do it recognizing that it would have to be done with Township funds. Mr. Grenier asked Mr. McPeak if he is referring to the culvert that runs across Taylorsville close to the off-ramp of the bridge, and Mr. McPeak agreed. Mr. McPeak stated there was an early conversation about making it wider or deeper, but PennDOT indicated that they would not do it. He asked if the Township could put in a parallel culvert to take off some of the extra water or could something else be done. He stated we were also told that we could not dredge the creek, but he asked if we could put berms around it to increase the volume of the creek. Mr. Grenier stated anything within 50' of the top bank of a stream is State-regulated. Mr. McPeak asked if it could be 55', and Mr. Grenier stated you would then be in the road "or in the middle of someone's house." Mr. McPeak stated that is true for some of it as the stream, but there are areas where we could do it.

Mr. McPeak stated on the south side someone suggested a retention basin, and they are discussing studies. He asked if anything can be done in the meantime. He stated there is a bike trail that "goes up and down; and if it were raised to be level, that would keep more water in there and more water could be diverted into that field." He stated while it is not a retention basin, it would still be a place for the water to go.

Mr. McPeak stated he felt that the double pipe was a great idea, adding the same amount of water is going to go to the Canal sooner or later. He stated without breaking the laws, "he feels we could skirt them and do fixes that will help alleviate the problem." He stated that may be part of the engineering report; and Mr. Grenier stated some of that may be part of the engineering report, and he feels a lot of it will be part of what LandStudies is doing since a lot of what Mr. McPeak is talking about is "bigger-picture, watershed stuff." He stated he feels a lot of the issue is catching water further upstream before it gets down to the bottom. Mr. McPeak stated while he agrees, some of the bigger-picture items are not going to be able to be done in two week or two months; and it could be two years before they are done. He stated temporary fixes that can be done in a shorter time period would be a big help for the water and for the peace of mind of the residents.

Mr. DeFiore stated his goal for the pre-Application meeting with the Army Corps is to see what is available to increase the capacity of the stream which he feels will be a great help. He stated when it over-tops, that seems

to be a major issue. He stated with regard to the stream, that is already planned to be discussed. Mr. Grenier stated it was found out that PennDOT relocated the stream in the 1960s when they built the bridge for 95. He stated they relocated the stream and made it “into more of a roadside ditch in some instances on the west side of Taylorsville.” He stated they relocated where it crosses Taylorsville further north from where it naturally would have been. He stated they then put in the concrete embankment “where it almost does a 90 degree through the culvert and then goes into the Township property.” Mr. Grenier stated when they did that it seems that they built berms between the Skinner’s house and the south side of Highland to keep the stream more within its banks and tried to channelize it along Taylorsville further north and then underneath Taylorsville which is their road. Mr. Grenier stated we do not currently have the natural stream channel; and he is curious as to what ideas the Corps and DEP may have because of the historic channelization that PennDOT has done to the stream to “see how much wiggle room they have with the regs to make it a little less than 90 degrees where it runs into something, jumps the banks, and goes into Maplevale, which he feels is a big part of the issue.” Mr. DeFiore stated they will discuss that at the pre-Application meeting since they want to do anything they can to increase the capacity.

Mr. DeFiore stated with regard to the additional pipe into the Canal, when they had he phone call with DEP and DCNR, his argument was that the water was going to get there anyway, and they were not increasing impervious. He stated they are trying to get their approval and see what they are going to require.

Mr. Richard Adams stated he lives in Lower Makefield Township, and he asked Mr. Fuller if he is going to have a full crew working in the creek Thursday and Friday knowing that Saturday and Sunday there will be a storm. Mr. Fuller stated they are going to address the inlet box first. Mr. Adams stated he did not ask about that. He asked Mr. Fuller if he will have a full crew of men working in the stream. Mr. Fuller stated if the men are available, they will be working. Mr. Adams asked if they will be working in the stream and not somewhere else in the Township. Mr. Fuller stated they are going to first take care of the inlet box to make sure that is available for flow. He stated one of the workers that works in the stream is not available as he has a CDL test tomorrow. He stated if the other workers have completed their tasks from today, they will get into the stream. Mr. Adams asked why it is not known if their tasks are done since it is 11:00 p.m.

Mr. McCartney asked Mr. Adams to direct his questions to the Board and not to Mr. Fuller individually, and Mr. Fuller can answer the Board.

Mr. Adams stated it is now 57 days and 9 ½ week since Saturday, July 15, and as of today no proposed plans have been provided to the public to even suggest how an engineered solution to prevent excessive creek water from spilling over to Taylorsville Road. He stated we have a right to know how the future plans will correct the problem. He asked what are the plans to prevent the creek water from backing up onto Taylorsville Road through the stormwater catch basins, grates, and inlets. He asked “if anybody is really trying to put a stop to the water coming out of the creek onto Taylorsville Road and then going everywhere into Maplevale.” Mr. McCartney stated efforts are being made by the Township.

Mr. Kratzer stated during the Senator’s Road Tour, that was one of the items they were stressing with regard to PennDOT; and it was communicated that they were going to install backflow preventors at some of the inlets that Mr. Adams is referencing. Mr. Kratzer stated while we understand the urgency, we need cooperation too. He stated Mr. Adams is talking about PennDOT infrastructure that needs to be addressed in some way to address the issues he is referring to. Mr. Adams asked if we are getting any cooperation from them and have they done any plans yet. Mr. Kratzer stated we continue to put pressure on them, and he does not know what more we can do as a single Municipality out of 2,500 putting pressure on the Commonwealth. Mr. Adams stated his Right-To-Know to PennDOT has not been returned, and it is near the 30 days.

Mr. Adams asked when elevations are going to be established so there can be a solution to diverting the road water other than into the creek on the west side of Taylorsville Road. He stated he has asked for someone to go out there with transits. He stated he understands that there are no existing plans as to what are the different elevations so that the engineers can come up with some ideas. He stated until you find all of the different elevations, he does not feel they can work up something that PennDOT would agree with and which could be presented to the people most affected by this. He asked if anyone has made arrangements to go out there with transits and establish elevations. Mr. Kratzer stated if he is referring to a retrofit to historic development, no one has done that at this point.

Mr. Adams stated he is asking how they could intelligently put together a proposal of what they are going to do to put a stop to the water overflowing onto Taylorsville Road and into Maplevale.

Mr. Grenier stated we have executed a Contract with LandStudies to start the process. Mr. Grenier stated Mr. Adams is focusing on the tail end of the stream after everything is already down there. He stated when you only look at putting a basin at the very end of the stream, it has no impact, and when you only look at certain sections of the very bottom of the stream, there is very little effective impact. Mr. Grenier stated the way to fix the problem is to address the bigger picture which is the entire watershed so that we can see where water is going and manage it accordingly. Mr. Grenier stated we can do other things like clean the stream like we have been doing and put more inlets in; but if PennDOT, DCNR, and DEP do not agree with us, we can look for “work-arounds.” Mr. Grenier stated we are going to keep pushing. Mr. Grenier stated he appreciates those who have written letters to DCNR and DEP. He stated we also need to push PennDOT, and we have been sending letters to our State Senator and State Representatives, who continue to be involved. Mr. Grenier stated he is “frustrated that PennDOT has not done anything and DCNR has given us the cold shoulder on the pipe.” He stated we all need to push in the same direction so that we can get this done.

Mr. Adams stated everybody that pays taxes in this Township should be irate about the catch basin on Maplevale Drive south entrance. He stated he would like to see “the prints of what the contractor was told to set that catch basin up so high that water could not go in it.” He stated then we lowered it, and now we are going to have another contractor come out there and make the corrections. He asked why we have to pay three times for something to be done correctly. Mr. Grenier stated he too is “irate.” He stated we had talked about the Woodside Road bike path. Mr. Adams asked who approves blueprints they are put out – “nobody.” Mr. Grenier stated we do approve plans, and an engineer has to review them and sign and seal them and that is what goes out with the Bids. He stated as he discussed with the Woodside Road bike path, there are issues with the bike path failing. Mr. Adams stated “he does not care about the bike path.” Mr. Grenier stated he is using that as an example because it is the same thing. He stated something was not done correctly, and we need to get to the root cause so it can be fixed and not happen again. Mr. Adams stated the specifications must not have been written correctly. Mr. Grenier stated it is usually either that “or the contractor messed something up,” and we need to figure out what happened.

Mr. Adams stated he has a copy of the request for money sent in on December 21, 2022 for the Hillwood Terrace Highland Drive bridge. He stated it is “single applicant ID 9518089 and single applicant ID

202212213638.” He stated he sent in a “request to know,” and he got it back at 3:30 this afternoon that “request to correct the problems of Hillwood Terrace /Highland Drive bridge has not been approved.” He stated “he has had the eleven pages for quite a few days now, and has read through it; and if he was a person in Harrisburg sitting at a desk and that was the next one to look over and approve, there are so many errors and red flags in there, he would just take the request and put it on the bottom of the pile and go to the next one.” He asked “if anyone reads these things before they send them off for money.” He stated the total cost of the construction is \$173,637; however, if you go to the next page you are asking for a Grant of \$500,000. He stated “that looks like a red flag.” He stated you only need \$173,000, but you asking for \$500,000, and there is “nowhere that even suggests what you are going to use the other money for or why you asking for it, or what the need is.” He stated he “cannot believe that this Government is so disorganized.”

Mr. Adams stated with regard to the Hillwood Terrace Development Impervious Surface Water Management Study, he was led to believe that there never was one; and it was before that was required. He stated now is the time to do one, but they “keep telling him about the organization out in Lancaster County,” and he asked if a Contract has been let with them to do an “Impervious Water Study of Hillwood Terrace.” Mr. Krater stated there has not. Mr. Adams stated it has been 9 ½ weeks, and there need to be decisions. Mr. Kratzer stated Mr. Adams is offering things as if they are definitive solutions; however, they need to be evaluated. He stated there needs to be an overall evaluation first. Mr. Adams stated we should sign a Contract with them. Mr. Kratzer stated we have a Contract with them, but Mr. Adams is talking about a scope of work that is very specific as if it is the definitive response to the issues that are being experienced. Mr. Adams stated we need the information before they make decisions.

Mr. Grenier asked Mr. Adams to complete his comments as has been speaking for over ten minutes and the Board has other issues to deal with tonight. He added that he shares Mr. Adams’ concerns. Mr. Adams stated it has been “9 ½ week, 67 days, and we are doing nothing.”

Acknowledgement of 2024 Minimum Municipal Obligation for the Township Defined Benefit Police and Non-Uniform Pension Plans and the Defined Contribution Plan

Mr. Kratzer stated consistent with Act 205 of 1984, there is a requirement for the presentation of the Minimum Municipal Obligation for the subsequent year prior

to the last business day in September. He stated the Board was provided in their packets the respective MMOs for the Plan. He stated for the Police Plan the MMO for 2024 is \$1,034,695.00 which is down from \$1,070,523.00 which was the 2023 MMO. Mr. Kratzer stated the reason for that is because we had some members of the Plan enter into the drop so as a result the annual payroll that is subject to the calculations is less. Mr. Krater stated for the Non-Uniform Pension Plan for 2024 the MMO is \$400,253.00, and this is down as well. He stated this is a Legacy Plan, and it is not available to new hires; and it is a closed Plan with the existing members. He stated it is down from 2023 by roughly \$3,000. Mr. Kratzer stated the Non-Uniform Defined Contribution Plan is a Plan where payroll is being added as new members are entering on the Non-Uniform side. He stated the MMO is up in 2024, with the MMO being \$157,374, and it was a little over \$118,000 in 2023.

Mr. Kratzer stated these have been calculated consistent with information provided by the Plan actuary. He stated ultimately these will be incorporated into the 2024 Budget.

Mr. Lewis moved, Mr. McCartney seconded and it was unanimously carried to acknowledge receipt of the Plans as indicated by the Township Manager.

SOLICITOR'S REPORT

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

ZONING HEARING BOARD MATTERS

With regard to Appeal #Z-23-2016 Michael Meginniss for the property located at 0 Edgewood Road, Yardley, PA 19067, Tax Parcel #20-034-130 Variance requests from Township Zoning Ordinance #200-21 to permit Lot 1 to have a net lot area of 8,889 square feet and Lot 2 to have a net lot area of 9,972 square feet where 12,500 square feet is otherwise required, Township Zoning Ordinance #200-22 to permit a front yard setback of 70 feet where 80 feet is otherwise required, Township Zoning Ordinance #200-52.C(1)(a)[2][b] to permit a maximum density of 4.62 dwelling units per acre where 2.70 DU/AC of net building site area is otherwise required, and Township Zoning Ordinance #200-61.C to not require the minimum building setbacks to be measured from the limit of resource-protected lands in order to subdivide the property into two lots and construct a single-family

dwelling on each lot, Mr. Truelove stated this is an amendment from an earlier Application. He stated when this was initially looked at participation at a minimum was recommended. He stated the Applicant is listed as Michael Meginniss who is actually the attorney for the Applicant. Mr. Truelove stated following the initial presentation, he found that the Applicant is actually Brian Brzezinski, who is a client of his firm through one of his partners; and if the Board decides to participate or oppose the Application, outside counsel will be needed to represent the Township in that process.

Mr. Lewis moved, Mr. McCartney seconded, and it was unanimously carried to oppose Appeal #Z-23-2016.

With regard to Appeal #Z-23-2028 Richard Turchi for the property located at 0 Big Oak Road, Yardley, PA 19067, Tax Parcel #20-032-023-002 Variance request from Township Zoning Ordinance #200-51.B.(6)(b) to permit protection of 27.6% of woodlands from disturbance where 70% protection is otherwise required, Mr. Truelove stated with regard to this Application, they recommend opposition.

Mr. Lewis moved, Mr. McCartney seconded and it was unanimously carried to oppose Appeal #Z-23-2028.

COMMUNITY DEVELOPMENT

Approve Extension of Time for the 1566 LLC Subdivision to October 15, 2023

Mr. Lewis moved, Mr. McCartney seconded and it was unanimously carried to accept an Extension of time for the 1566 LLC Subdivision to October 15, 2023.

Approve Certificate of Appropriateness for 679 Stony Hill Road – Wells Fargo Bank Signs

Mr. Majewski stated this is the Wells Fargo Bank near the McCaffrey's, and they are doing a re-branding of their signs. HARB recommended approval of the Application as submitted.

Mr. Lewis moved and Mr. McCartney seconded to approve the Certificate of Appropriateness for 679 Stony Hill Road – Wells Fargo Bank signs.

Mr. Lewis stated the Bank may be a client of the company he works for, but the amount is de minimus, and he does not use their services in any way.

Mr. Grenier asked if HARB voted on this at their last meeting, and Mr. Majewski agreed. Mr. Grenier asked if they had a quorum, and Mr. Majewski stated they did. Mr. Grenier stated they are a seven-member Board, and he understands that one of their votes was two to one. Mr. Truelove stated HARB is an advisory board, and you take it for the weight versus admissibility.

Motion carried unanimously.

Approve Certificate of Appropriateness for 930 Stony Hill Road – Prickett Farmhouse Renovations

Mr. Lewis moved and Mr. McCartney seconded to approve the Certificate of Appropriateness for 930 Stony Hill Road – Prickett Farmhouse Renovations.

Mr. Grenier stated there was a Condition that “they had to do something that Mr. Heinz had asked for, and he did not see what Mr. Heinz had asked for.” Mr. Majewski stated they have committed to doing what Mr. Heinz had asked for. He stated he wanted to see the detail on the ramp that goes into the building and also he wanted the color of the mortar that is going into the joints; and it was a minor part of the Application. Mr. Grenier stated given it is Prickett Preserve, he wants to make sure that “HARB is on board, and that the Applicant is held to what they said they were going to do.” Mr. Majewski stated the Applicant is agreeable to all of the Conditions. Mr. Grenier stated HARB voted two to one in favor of this. Mr. Truelove stated technically HARB does not even need to vote on this, but it is good to have their input. Mr. Grenier stated it is part of the “Overlay Ordinance, and we put in there about HARB.” Mr. Grenier asked that they check the Overlay Ordinance to make sure that “we do not need a quorum vote;” and Mr. Truelove stated he will look into this. Mr. Grenier asked if that would preclude us from voting tonight, and Mr. Truelove stated he did not believe so, and they could re-affirm it if they had to or rescind it with the Condition that HARB have a full quorum to deal with this.

Motion carried unanimously.

Approval of LMT 2023 Tree Planting Project Bid to Parkyn Landscape and Hardscape LLC in the Amount of \$65,909

Mr. McCartney moved and Mr. Lewis seconded to award the LMT 2023 Tree Planting Project Bid to Parkyn Landscape and Hardscape LLC in the amount of \$65,909.

Mr. Grenier asked if this has any connection to what the Board voted on at the last meeting, and Mr. Kratzer stated this is what was identified as the fall, 2023 planting. He stated there were residuals coming out of the prior Multi-Year Tree Plan that the EAC and the Township ultimately adopted. He stated there were two requests when the EAC came before the Board, one for updating the Multi-Year Plan and the other related to a fall, 2023 tree planting at various locations. Mr. Majewski stated he believes the locations are Memorial Park, Caiola Fields, Fred Allan, and another location. Mr. Grenier thanked the EAC for looking into this and working with the Park & Rec Department and others to come up with a Plan that we can execute.

Motion carried unanimously.

SUPERVISORS' REPORTS

Mr. Lewis stated Farmland Preservation met yesterday and reviewed buffers and talked about a request for access to certain land which they rejected.

Mr. Grenier stated with regard to the Airport Review Board, he received a letter from Senator Casey's staff. He stated some members of the Airport Review Board had asked Senator Casey's staff for a follow-up letter to the one that they had already provided the FAA, but they declined to do so. He stated they also sent a letter that Mr. Santarsiero had written to DEP to make sure that his office received information.

Mr. Lewis moved, Mr. McCartney seconded and it was unanimously carried to direct the Township Manager to work in concert with the Trenton-Mercer Airport Review Committee to draft a letter expressing LMT's concerns with PFAS at the Trenton-Mercer Airport and a request to get all updates on upcoming Permits and Applications to New Jersey's DEP/Shawn LaTourette.

OTHER BUSINESS

Supervisor Liaison Assignments

Mr. Grenier stated with Dr. Weiss' retirement and Mr. Coyle's placement on the Board, Dr. Weiss' Liaison assignments were open; and Mr. Coyle will be handling those assignments which include Planning, Park & Rec, Veterans, and HARB.

Motion Regarding Susan Circle Paving and Punch List Items

Mr. Lewis moved and Mr. McCartney seconded that the Township Manager issue a Request for Proposals to solicit Bids to pave Susan Circle, complete all punch list items, and to insure Code Compliance prior to Dedication to the Township with specific Bid Alternate for project completion either in 2023 or 2024.

Mr. McCartney stated this does not assume we are permanently taking on this expense, and Mr. Truelove stated the issue is to complete it for the residents. He stated we are not obligated to do it, but recognizing public safety, health, and welfare issues, the Township is taking this on and would be looking for contribution from the responsible Parties.

Motion carried unanimously.

PUBLIC COMMENT

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

There being no further business, the meeting was adjourned at 11:20 p.m.

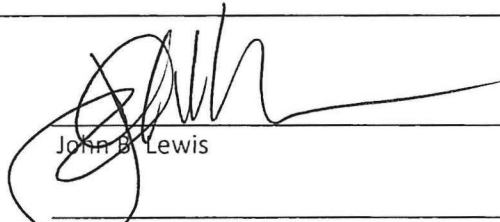
Respectfully Submitted,



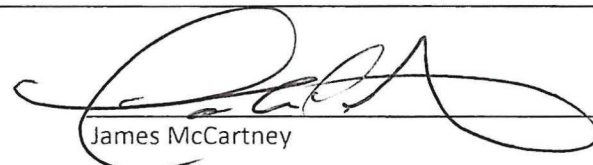
John B. Lewis, Secretary

LOWER MAKEFIELD TOWNSHIP
 BOS MEETING - 09/20/2023
 INTERFUND TRANSFERS

AUGUST 2023 PAYROLL AND INTERFUND TRANSFERS	
Fund	
01- GENERAL FUND CHECKING TO PAYROLL ACCOUNT	901,050.00
GENERAL FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	6,748.98
03- GENERAL FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	484.90
05- PARKS AND RECREATION FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	1,956.07
09- POOL FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	1,069.68
	911,309.63



 John B. Lewis



 James McCartney



 Fredric K. Weiss



 Daniel R. Grenier

 Suzanne S. Blundi