

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – NOVEMBER 1, 2023

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on November 1, 2023. Ms. Blundi called the meeting to order and called the Roll.

Those present:

Board of Supervisors: Suzanne Blundi, Acting Chair
Daniel Grenier, Acting Vice Chair (joined meeting in progress)
John B. Lewis, Secretary
James McCartney, Treasurer
Colin Coyle, Supervisor

Others: David W. Kratzer, Jr., Township Manager
David Truelove, Township Solicitor
Isaac Kessler, Township Engineer
Kenneth Coluzzi, Chief of Police

COMMUNITY ANNOUNCEMENTS

Ms. Blundi noted that during this portion of the Agenda residents and youth organizations may call in to make a special announcement or they may contact the Township at admin@lmt.org to request a special announcement be added to the Agenda. There were no residents or anyone from any youth organizations wishing to make an announcement at this time.

Ms. Blundi stated Lower Makefield Township 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, 1100 Edgewood Road, Yardley, PA 19067. To sign up or get more information log onto RedCrossBlood.org and enter Sponsor Code: LowerMakefield.

Ms. Blundi stated Lower Makefield is hosting their third Annual "Race the Course 5K/10K" on Friday, November 3, 2023 at 4:30 p.m. at the Makefield Highlands Golf Course. For more information or to register go to <https://www.runtheday.com/register>.

Ms. Blundi stated the Annual Veterans Parade and Ceremony will be celebrated on November 4, 2023 with the Lower Makefield Veterans Committee. The Parade will

run along Edgewood Road from Whitehall Drive to Heacock Road and will conclude with a Ceremony at Veterans Square. The parade will start promptly at 1:00 p.m.

Ms. Blundi stated Lower Makefield Township and Yardley Borough will be hosting an e-Waste Recycling Event on Saturday, November 11, 2023 from 9:00 a.m. to 12:00 p.m. at the Pool at LMT, 1050 Edgewood Road, Yardley, PA 19067. Additional information can be found on the Township Website.

APPROVAL OF MINUTES OF OCTOBER 18, 2023

Mr. McCartney moved, Mr. Lewis seconded and it was unanimously carried to approve the Minutes of October 18, 2023 as written.

AD HOC PROPERTY COMMITTEE PRESENTATION – PATTERSON FARM

Mr. Dennis Steadman and Mr. Joe Camaratta from the Ad Hoc Property Committee were present with Mr. Doug Seiler, Seiler+Drury Architecture. Mr. Steadman stated they will discuss uses for the site and the buildings, the vision, and Stage 1 which they have defined as Years 1 through 3.

Mr. Steadman stated Patterson Farm is a beautiful, historical, natural *agricultural site that is owned by the Township*. He stated 234 acres were saved from development in 1998, and 184 of those acres are under an Agricultural Easement. He noted the green outline on the map, adding that everything outside of the green line is under the Agricultural Easement including the woods and most of the fields. He stated the balance of the acreage around the two farmsteads is not under the Easement. There are about 187 acres of tillable farmland that includes both Easement land and non-Easement land. Two historical farmsteads occupy about 12 acres, and there are fifteen buildings on the site including three homes, two large Pennsylvania bank barns, and a number of miscellaneous farm outbuildings.

Mr. Steadman stated the community and the Township are unsatisfied with the condition and look of the buildings, and the public wants access to the grounds and buildings. He stated there is a lack of strategic planning and oversight of this important historical property which is eligible for National Registry status. He stated the unsatisfactory conditions are what led the Board of Supervisors to form the Ad Hoc Property Committee to look at this issue.

Mr. Steadman stated seven resident volunteers were tasked to work with hired professionals to develop an insightful, executable plan for the site and to identify long-term solutions and goals so that near-term solutions could be made consistent with those long-term goals. He stated this is a long-term plan and not one to be executed immediately. He stated there are short-term steps that need to fit into a longer context. Mr. Steadman stated they had great community input, and there were over twenty-eight public meetings plus two large in-person forums with almost 150 people present at the first in-person public forum which speaks to the importance this property holds to the community. Mr. Steadman stated there were stakeholders invited to all meetings, and resident ambassadors were engaged as well.

Mr. Steadman stated the committee feels that there is a high level of community interest and engagement; and while there are a wide range of opinions as to direction for the property, some clear consensus was heard including that farming is important and must stay on the property for the beauty of the land, the heritage, and the value of having locally-produced produce. Mr. Steadman stated the natural farm vista at the gateway into Lower Makefield coming off of 295 is an image the community values. He stated the property is also a part of our history and our heritage as this was an agricultural community, and we need to keep a piece of it.

Mr. Steadman stated with regard to the condition of the historical buildings, the consensus was that they are in bad condition and not usable except for the two buildings that have been rented and utilized; and because they have been utilized they are in better condition than the rest of the buildings.

Mr. Steadman stated it is clear that the community wants access to the grounds to take walks and to see the ponds and the woods. He stated another consensus was a desire to save the most important buildings but not “bust the taxpayer bank at the same time.” He stated he feels that there is a balance that can be struck. Mr. Steadman stated there was strong support for use of the buildings for the arts and culture and to build on the current successes. He stated the two rented buildings are rented to artists, and that represents a foundation on which we can build.

Mr. Steadman stated there is also consensus that the site should be managed by a non-profit which can provide supplemental funding, volunteers, execute projects at a lower cost than can a Municipal Government, and provide much closer oversight and management of the property day to day.

Mr. Steadman stated guiding principles were developed including that Patterson Farm remain in agriculture. He stated agriculture is not the problem at Patterson Farm, and it produces more food products today than it ever has in its years of continuous agricultural production with over fourteen food products grown there. He stated this bountiful production has gone on without the use of the buildings, and they are not needed for today's farming techniques. He stated this output is due to the use of modern technology, modern practices, and major financial investments by the tenant farmer, Charlann Farms, which includes investments in equipment, facilities, and agricultural inputs. He stated we can continue to have this bountiful output without use of the buildings. He stated the farmer should have a long-term Lease to support his investments.

Mr. Steadman stated the historical buildings and vistas should be preserved, and that is the issue that generated the need for the two-year study. He stated there are fifteen old, mostly historic, buildings; but you cannot have fifteen buildings and not use them and not expect to not have problems. Mr. Steadman stated included in their principles was that without an active use, a building dies and cannot be maintained. He stated productive use is necessary to generate value – both hard value in terms of rental income as well as soft value in terms of community appreciation and enjoyment.

Mr. Steadman stated if the buildings are going to be used, they need to be repaired, improved, maintained, and managed; and we also need to be fiscally-responsible. He stated we need to find community-supported productive uses for the buildings. He stated the uses need to be compatible with farming and the historical nature of this natural public land. He stated community support means that the community needs to be able to access it. He stated productive means that it has to generate revenue. He stated we also have to respect the historical character, respect the natural setting, retain the scenic farm vistas, and have recreational public use without huge numbers of people. He stated there were proposals for various uses that would not be compatible with the site.

Mr. Steadman stated they worked with Jennifer Stark from Avison-Young who helped with project management and Seiler+Drury Architecture which had extensive experience in this area particularly with community-owned properties, planning, and historical structures. He stated the Seiler+Drury team was extended to include Real Estate market analysts, structural engineers, landscape designers, and planning and cost estimating experts. He stated they provided professional and objective analysis of buildings, their condition, the feasible uses, and designs and what they would cost.

He stated they also provided an objective market-based demand-side analysis as to what uses would be attractive to the community, and they also provided professional Site Plans.

Mr. Seiler he feels that what was different in this effort from what was done in prior years is that this was a holistic approach. He stated it began as a Building Master Plan, but they recognized that they could not talk about buildings without understanding how the site might interact with the buildings or without understanding the market and what makes sense economically in the region. Mr. Seiler stated the team Mr. Steadman mentioned was brought together and also included a historic preservation specialist to help with the issues of the National Register Nominations including the process and the pros and cons. Mr. Seiler stated they studied the buildings, developed uses, verified the uses based on market analysis, and created plans to try to allow that to happen.

Mr. Seiler stated there are fifteen buildings. He stated when you read the National Register language, they technically say it is fourteen buildings and two structures as smaller buildings are called structures. He stated there are 43,000 square feet. He stated most of the structures are structurally sound, and those that are not are localized issues which have been identified. He stated one was derelict. Mr. Seiler stated these buildings were typically constructed as needs arose by the farmer. He stated there are two large residences and a small cottage, two large Pennsylvania standard barns, and specialized structures.

Mr. Seiler stated every building was digitally surveyed with tapes and scanning, and they drew elevations and plans. The Janney-Brown House was shown as an example. He showed an example of the dating based on looking at the buildings and reading the available data. He stated when they began the report, he believes the Ad Hoc Property Committee felt that we would finally answer the question as to what is the date of every building; however, it became clear that what was needed was an overview; and when they start to work on the Nomination, that is when the historic structure reports will be written to understand the dates.

Mr. Seiler stated they looked at the property as two farmsteads. He showed the structural analysis for Satterthwaite. He stated the large barn shown as F5 was rated as poor because of work needed on the foundation. He stated the work that the Township did a number of years ago on the upper level was quite good and it is sound. He stated the corn crib is the only derelict building on the site.

Mr. Seiler stated 4Ward Planning is a land use economics firm in Philadelphia that has been working in this field for decades, and they did an extensive study looking at quantitative factors including population, income, etc. as well as qualitative factors by interviewing people, third-party research, and interviews with similar organizations. He stated they also use with census data and other data sites to build a model. He stated Mr. Poole did an analysis of the market, and Seiler+Drury did a parallel analysis of the buildings; and around July/August they began to blend their analyses together. Mr. Seiler stated Mr. Poole provided seventy pages of Exhibits to support his work. He stated this included a primary market area which is fifteen minutes from the site and a secondary market area. He stated it is based on understanding the Delaware Valley especially Bucks County and how it reaches into New Jersey. Mr. Seiler stated a report with all of this information will be provided to the Township which can be studied.

Mr. Seiler stated Mr. Poole's key findings were that millions of dollars are being spent annually in Bucks County so there is a base to build on. He stated people who come here want galleries, historic sites, restaurants, and things to do. He stated baby boomers focus on food and activities, Gen-Xers/family-oriented/millennials want things to do on a budget, and GenZs would visit Patterson farm as well because it is "something cool to do."

Mr. Seiler stated Mr. Poole studied models for agricultural heritage-type locations, living history museums, and places where barns are used and rented. He also studied arts organizations that teach, hold events, and the type of things that would fit on a farmstead. He also spent time talking about governance and how a Township-owned property is managed in the best way; and there is a curatorship model, a 501C3 model, and some others that he studied. Mr. Seiler stated Mr. Poole looked at four examples of each of those in addition to individual interviews.

Mr. Seiler stated with regard to the site there were five guiding principles. He stated they felt that the non-agricultural Easement area should be a public asset; and it should be developed in such a way that there is public access, but that the public be discouraged from wandering around the farm fields getting hurt and disturbing the farm operations. He stated they felt strongly about separating vehicular flow, farmer flow, Township truck flow, and visitor flow from pedestrians. He stated providing access to the natural areas came out of the focus groups as people indicated

they want to be able to walk on trails, visit the ponds, and listen to the birds. He stated he also felt strongly that whatever plan is put together it should be a plan that can be done. He stated they initially wanted to move the compost pile but do not feel that can be done at this time. He stated there was also discussion about putting trails around the perimeter; however, with the Easement requirements that is not possible although possibly that could be negotiated.

Mr. Seiler stated they recognized that each farmstead had a unique identity, and they started leaning toward arts education for the Patterson Farmstead and Ag/Heritage for Satterthwaite.

Mr. Seiler showed a slide of the Site Analysis which shows the current roads in from Mirror Lake, and primarily it is a loop between the two sites. He stated it has a one-way component to it, but it is awkward and confusing.

Mr. Seiler showed a slide of the Concept Plan with the suggested farmer's road being shown. He stated it is also suggested to open the historical road onto Langhorne-Yardley Road through the woods, and there is a cost estimate for that under the Site component. He stated each farmstead is its own dead-end entry path so you go to either Satterthwaite or Patterson based on which location you are going to. He stated the two sites are linked with trails within the non-Easement area and also linked to side-walks along Mirror Lake and to the neighborhood across the street.

Mr. Seiler referred to the slide showing Satterthwaite. He stated composting is part of what the Township is doing at the site, and it takes a certain amount of dimension. He stated the Township has invested in this; and while it could move someday, it was not recommended to be done right away. He stated they would like to work with the Township to push it back a little bit. He stated currently the trucks are an issue as they go right down the middle, and the idea would be to have access in where shown on the slide. He stated the dark gray would be for pedestrians using the park, and there is a gated area where trucks would be coming in during the leaf-composting season. He stated this keeps the farm component to the south of the barn as a public/pedestrian space that links the trails.

Mr. Seiler stated of all of the buildings, the Satterthwaite House is the one that probably could be separated from the rest of the site without compromising the goals that Mr. Steadman outlined at the beginning of his presentation. He showed on the slide where the dotted line is shown for Satterthwaite adding that it is a fairly small parcel.

Mr. Seiler showed a slide of an overview of what Satterthwaite could look like. He noted the open area below the barn. He stated they are proposing to tear down the corn crib because it is derelict, and they could erect some kind of shed on the other side of the open area. He stated the barn on the lower level could be some kind of pop-up space for flea markets and other events but would not be for “giant weddings or rock festivals,” and they would be events that were appropriately scaled.

Mr. Seiler showed a slide of the Patterson farmstead. He stated you would come down the road from Mirror Lake, and at some point it would be widened to two lanes. He stated the dark gray is where primary parking is. He stated there is a limited access driveway for making deliveries or dropping off someone who is handicapped. He stated the farm road loops around; and on this site, they are suggesting fencing to keep people out of the fields. He stated this farmstead would have an arts/crafts flavor.

A slide with regard to the feasible uses and costs was shown. Mr. Seiler stated this is where the economist and the architect came together. Slides were shown of the “Consultants Pick.” He stated the whole report is written as an ala carte approach giving options for every building on the site and presents the logic and the background with the intention that it will be a living document that will change over time. He stated his goal was that each farmstead become a trailhead. He noted building P4 which he believes could become public restrooms, and there would also be information kiosks for those wishing to walk on the trails both at the Patterson Farmstead and the Satterthwaite Farmstead. He noted building P7 which could be a multi-purpose community room which could be used by Parks & Rec, AOY, or any other community use.

Mr. Seiler stated each building had two or three options for use although the Satterthwaite House had six options. He noted on the slide the darkened version which is the consultant’s pick for what he would do. He showed the slide of the revenue assumptions for the type of uses and what the square footage would be. He stated this was also provided with regard to Capital improvements, and each building has a spreadsheet that is costed for its options; and it was broken out for what he has called near-term costs which should be addressed in the first five years and from that the Ad Hoc Property Committee did their Stage 1 costs which are shown in red on the slide. He stated each building also has a plan which shows its proposed use.

Mr. Seiler stated he is suggesting that the equipment garage be a community space used for meetings, events, lectures, and pop-up community functions. He showed on the slide how this would be an open space. He stated they found that if you bring more than one use to a building, it helps the other businesses thrive. He noted the caretaker's house which is one of the oldest structures and may even be the oldest structure. He noted the addition on the left which was added in the 1950's. He stated the recommendation for this building is to keep it as an artist's studio. He stated the cost to fit it out to convert it to an apartment would be fairly high for the revenue which could be received.

Mr. Seiler showed a slide of the building which he has indicated could be public restrooms. He stated in the interim it could just remain as storage space; and rent could be collected for it or it could be used by the Township.

Mr. Seiler showed the slide for the Satterthwaite House for which there are six options. He stated the first three involve long-term lease or selling it for use possibly as a Bed and Breakfast. He stated Mr. Poole also kept the large-animal vet in the mix since we had that information, although "it was not taken too seriously." He stated in addition to the B & B, someone could use it as a house or a business. Mr. Seiler stated Options 4, 5 and 6 are different uses for use by a non-profit such as for educational purposes. He stated it could also be leased to an engineer or lawyer, or it could be a mixed-use where there is a residence upstairs and an educational/non-profit use downstairs. Mr. Seiler showed a slide of the plan for Satterthwaite with a mixed-use development on two floors.

Mr. Seiler showed a slide of the Satterthwaite barn, and he noted the Plans for the lower level. He stated this building would provide the trailhead function for bathrooms on the left and Township storage for a portion on the right. He stated this could serve as community space for pop-up uses that would be in tune with what the community wants to do.

Mr. Steadman stated they have provided a number of options for each building as well as for the site together with costs and potential revenues. Mr. Steadman stated the recommendations are for uses based upon Seiler+Drury compatible uses and the 4Ward Planning market demand analysis. He stated the Committee closed in on low-impact uses avoiding high-volume traffic. He stated there were other uses discussed which would

have involved high impact on the site, interference with farming operations and potentially on the scenery, as well impact on the close neighborhoods, and those were not accepted by the Committee.

Mr. Steadman stated visual arts is an area of focus and trades and crafts are very compatible with the site including the agriculture and history, and there is a foundation there already. He added that there were identified many synergistic opportunities between regional art organizations and programs and potential new art offerings that could be made via community events, etc. He stated we heard a strong community interest in that kind of experience.

Mr. Steadman stated there can also be a home for a non-profit organization to manage the property and take responsibility for the property. He stated nature access, trails, and education on nature, agriculture, and history were also recommended. He stated a cultural/agricultural/heritage center at Satterthwaite also made sense to the Committee.

Mr. Steadman stated Patterson Farm is 234 acres of land that stands out from the surrounding highways and suburbs because of its unique and beautiful features. It is like an oasis with farm fields, trees, ponds, and wildlife. The Farm is also home to two historic Pennsylvania Quaker farmsteads which are important to our past and to our community today. People use and appreciate this special place for growing food, creating art, finding inspiration, and providing education. The land is incredibly fertile soil that has been farmed for over 300 years without interruption. Mr. Steadman stated we want this to be a destination for the area.

Mr. Steadman stated the cost estimates developed by Seiler+Drury are sound and backed by fact, but they are also a little bit artificial because they are based on completion of the vision all at once and on the basis of LMT doing it with the Township's requirements of bidding, Union labor, etc. He stated that is not realistic or how it will be done. He stated if it were to be done in that way, it would cost in the range of \$5 million to bring the site up to use. He stated the reality will be different, and work can be done over time with future stages building on the successes and failures of Stage 1. He stated if we succeed with Stage 1, that will change some of the conditions and priorities. He stated we want to get buildings into a condition at Stage 1 where we can envision a use and make future decisions. He stated we need

to focus on what can be accomplished in the near term while keeping an eye on the final vision. Mr. Steadman stated if this were to be managed by a non-profit that would alter the expenses significantly.

Mr. Steadman stated the Committee focused on Stage 1 – years 1 to 3 in order to provide a solid base on which other stages could build. He stated there are seven Stage 1 priorities that the Committee has recommended that are executable, tangible progress to realize the vision. He stated the first is management of the property by a dedicated, focused non-profit that can fundraise, win more Grants than could the Township, and use community volunteers. He stated the professionals advised that Municipal Governments are not organized or structured to manage such properties. He stated this is not particular to LMT, and it is a fact around the Country. Mr. Steadman stated a dedicated, focused non-profit can fundraise, request Grants, stimulate community interest and volunteers, and manage the site; and that is how the vast majority of these sites are managed today. He stated the successful sites that were included in the study were all run that way.

Mr. Steadman stated the second recommendation is that we make a submission to register the site on the National Register of Historical Places. Mr. Steadman stated Mr. Camaratta led the work on case studies on non-profit management as well as on the National Registration process.

Mr. Camaratta stated we looked at governance models for Patterson Farm for the implementation of the Master Plan by reaching out to other organizations which had gone through a similar process. He noted a farm in New Hampshire he spoke to that was managed by a non-profit as well as one in Connecticut. He stated he also spoke to Langhorne Heritage Farm where the ground is owned by the Municipality but managed by the non-profit. He stated he also spoke to Thunderbird Lodge in Rose Valley which was owned by the Municipality but given to the non-profit. He stated we wanted to learn how the governance worked and what was their relationship with the Municipality. He stated there was also a great discussion with the Pennsylvania Historical and Museum Commission (PHMC). He stated we spoke with the person there who is responsible for their managed sites. He stated PHMC owns a number of historical sites around the State, but they do not manage all of those sites and they have Management Agreements with non-profits. He stated they gave us a number of good examples of Agreements between the State and the non-profit.

Mr. Camaratta stated a detailed report is in the packet for the Board of Supervisors. Mr. Camaratta stated public engagement and involvement in the historic site is crucial. He stated when applying for Grants, you need to be able to demonstrate that there is public interest, and how the public interacts and engages with the site is important to Grant success. He noted that the Historical Commission had applied for a Keystone Construction Grant for Slate Hill Cemetery last year, but we had no way of knowing how many people walked through the Cemetery. He stated we did not get the Grant and PHMC advised that one of the reasons we did not get the Grant was that we could not demonstrate a public interest in the site. He stated the Historical Commission has addressed that this year for that site. He stated the public is also important because the public, through their donations, will provide the matches that are necessary for these Grants since very few of these Grants are 100%.

Mr. Camaratta stated we learned from the historic farms how they started their renovation efforts, and they started with the farmhouse. He stated they found multiple ways of using the farmhouse in order to generate revenue. He stated three of them used the farmhouse as an apartment for a caretaker who did maintenance around the immediate property. He stated they also used some of the rooms as small meeting rooms or for hosting birthday parties, anniversary parties. etc. He added that they indicated that because many people are working from home, companies are looking for interesting meeting spaces, and they use the farmhouse for that. He stated there were also more traditional uses like house tours. He stated the farmhouses were a great way for the non-profits to get started and to start generating revenue.

Mr. Camaratta stated they also host educational programs and curate exhibits in the barns and other outbuildings. He stated it could be a collection of agricultural tools or artwork. He stated sometimes the non-profit put the education on itself and sometimes they had artisans come in renting the space from them in order to hold an educational program in the building.

Mr. Camaratta stated volunteers were a key source of expertise and skills not only for managing the non-profit but for “sweat equity” as well for preserving the buildings. He stated the farm in Connecticut had a barn that was given to them in pieces, and it was through volunteers that they

got relationships with local builders to provide the necessary construction materials needed, and volunteers came in and raised the barn. It was all done without any expense.

Mr. Camaratta stated the last point is that Board and staff selections should be based on expertise and the ability to contribute and not based on relationships. He stated the selection criteria and support for non-profits was driven by all of the non-profits but also the PHMC. He stated they indicated that you have to have a close working relationship between the Township and the non-profit, and they have to be on the same page. Mr. Camaratta stated he feels the Master Plan is a great tool to get that to occur. Mr. Camaratta stated you need to find a non-profit that has adequate financial resources or a well-defined plan as to how to get those resources; and resources means both funds as well as people. He stated a professional, paid staff was also suggested with at least one FTE who is experienced in either museum management or management of historic sites and program development. He stated there also needs to be a sustainable Board of Directors that could survive the loss of one or two key individuals. He stated they also need to be able to engage and manage volunteers to support the preservation efforts since most of these preservation efforts were actually done through volunteers.

Mr. Camaratta stated there are benefits of being on the National Register of Historic Places with one of the most important being the prioritization for funds from both State and Federal Grants. He stated recognition and prestige is important for private historic preservation grants and you can increase public awareness. He stated if we would go through the private ownership model, tax credits come into play.

Mr. Camaratta stated a historic preservation specialist come in to look at the buildings, and his recommendation was that the nomination should be submitted early in the planning process because as we think about preserving the buildings, we have to establish periods of significance for the Farm; and any modification made should be in alignment with that period of significance. He stated he also recommended that we engage the Pennsylvania State Historic Preservation Office to discuss the various strategies to bring Patterson Farm onto the National Registry.

Mr. Camaratta stated he is looking for authorization for the Historical Commission to move forward with the submission of Patterson Farm to the National Register by completing the Determination of Eligibility. He stated this was done in 1998 when the new ramp was put in for I-95, and it needs to be renewed every 5 years;

and we would like to update that and renew it. He stated we would also like to engage the State Historic Preservation Office to look at possible strategies to list Patterson Farm on the National Register including listing the farmsteads separately, combining them into their own Historic District, or extending the existing Edgewood Village Historic District that abuts the Farm to include the Farm. He stated there can be pros and cons to each of those approaches, and they would like to come back to the Board of Supervisors with a recommendation as to how to proceed with the National Register submission.

Mr. Steadman stated another priority in Stage 1 that is being recommended is necessary water abatement to keep the buildings dry. He stated there are select roofs and some gutters needed as well as paint needed for most of the buildings. He stated this is to slow the deterioration as well as to provide visual improvement. He stated that will require light carpentry and should be done early in Stage 1 to show a change in direction. He stated environmental clean-up is also needed so that we remove any concerns for volunteers working on the site. He stated we have included the known environmental issues in the cost estimates based on lead paint on the exterior of Satterthwaite and some asbestos in Satterthwaite. He stated the Township also has some additional studies coming in later this month that might expand that expense. He stated environmental clean-up would be an important priority in Stage 1.

Mr. Steadman stated improving the farmer and public access is very important. He stated currently the farmer drives between the buildings on the driveways. He stated when you drive large agricultural equipment you cannot see what is in front of you well and that equipment is made to be out in an open field and not having to worry about being in a public area. He stated the access needs to be separated. He stated the recommended farmer access in the Plan is the original driveway to the Patterson Farm, and they are recommending restoring the original historic driveway. He stated the driveway to Mirror Lake was a recent addition. He stated by improving the farmer access, we can give the farmers support and also comfortably improve the access to the public. Mr. Steadman stated we should also begin the design of the nature trail which was recommended by the public multiple times, and that is why this is included in Stage 1.

Mr. Steadman stated the Committee is also recommending to ready some of the first-rung lease opportunities. He stated he feels that in Stage 1 we can get the property into the right mode of access, looking better, and doing some of the fundamental improvements such as water abatement and first-rung structural issues which will ready us for Stage 2.

Mr. Steadman showed a slide of the cost sheet that the Committee used, and through the cost estimates from Seiler+Drury there are estimates for each element of the project. He stated we considered thirty-six elements that the Committee thought should be at the top for consideration in Stage 1; and of those thirty-six, the Committee selected about half. He stated there are ten elements that they felt were necessary for Stage 1 that were common to the whole site, and not particular to one Farmstead or the other. He stated of those ten, three of them received support from seven out of seven members of the Committee. He stated these were that the property be managed by a Friends of Patterson Farm Foundation non-profit, that a new farmer driveway access to Yardley-Langhorne Road be established, and that the engineering and design of a nature trail be established.

Mr. Steadman stated the light green on the slide is an element of the project where six out of the seven Committee members felt strongly should be included which is the new farmer drive around Patterson Farmstead and that Patterson Farm be listed on the National Registry. He stated the Stage 1 recommendations are the two green boxes shown on the slide.

Mr. Steadman stated to help the Board of Supervisors with their decision making in trying to make trade-offs of expense versus benefit, they have also shown the other elements that got support from five out of seven members, four out of seven members, etc. He stated they tried to consider those items that were rational for Stage 1 and then narrowed them down.

Mr. Steadman stated looking at the Stage 1 recommendations for Patterson were three elements totaling \$50,000 that everyone agreed on. He stated these included the Janney House repair and paint in the amount of \$30,000, initial landscaping and tree trimming, and \$10,000 in legal fees to address the current Tenant Lease. He stated the second recommendation was to paint all the buildings.

Mr. Steadman stated for Satterthwaite, two items were unanimously recommended for Stage 1, and they were paint and necessary carpentry for painting and the environmental soil remediation.

Mr. Steadman stated looking at the dollar estimates for the Stage 1 recommendations which were common to the site, the Patterson Farmstead, and the Satterthwaite Farmstead, it is about \$250,000 which the Committee

feels is fundamental to do. He stated their recommendation is to do all of the dark green and all of the light green items which totals about \$533,000. He stated this would be for Stage 1 years one to three. Mr. Steadman stated they recognize that Stage 1 will largely depend on LMT expenditures with the goal of getting the buildings and the site in a condition where they could be turned over to a non-profit. He stated hopefully with success Stage 2 would be more reliant on the non-profit organization with their funding.

Mr. Steadman stated the creation of the non-profit and working with the non-profit is important to get underway in Stage 1 so that there can be a smooth transition at the end of Stage 1 with the non-profit being up and running and having momentum and resources.

Mr. Steadman stated it is clear to the Committee that with the Township's commitment and public engagement, this beautiful, historical, natural agricultural site can become a point of distinction, a source of pride, and a true community resource to Lower Makefield Township. He stated while the buildings and the site need work, they are not beyond repair and use, and they can be salvaged. He stated the Committee places a high importance on this site because of its historical significance, cultural significance, open space, natural landscape, scenic vistas, and artistic inspiration. He stated we also know that farm fields are being rapidly lost and the few farms in the Township are about to disappear and our only agricultural land is preserved farmland.

Mr. Steadman stated Lower Makefield has invested at this point \$134,137 and countless hours into developing a balanced, executable plan that is fiscally responsible. He stated the community wants change and understand that will take time, but they do want to see tangible, directional change. Mr. Steadman stated the Committee feels that it is time to create some positive momentum which the Board of Supervisors started by giving the Ad Hoc Committee this assignment. He stated he feels that once we show visible progress, the community will embrace it and get behind it. Mr. Steadman stated he personally feels that the community needs this. He stated it is very easy to be a critic looking at only what is wrong with something, but progress is made by looking at what is right. He stated he feels that if we do this right, it will be a resource that can help bring our community together and look at the positives. He stated that this is a resource that every generation can and will enjoy.

Ms. Blundi stated tremendous work has been done, but we are just at the beginning. She thanked everyone involved for all the work that they have done.

Patterson Farm Motion With Regard to Listing on the National Register of Historic Places

Mr. Lewis moved that the Board authorize the Historical Commission to move forward with the submission of Patterson Farm to the National Register of Historic Places, engage the Pennsylvania State Historic Preservation Office and that the Board re-affirm its current 2023 and 2024 Budget funding for Phase 1 that is currently in the Budget as seen right now, and to direct the Solicitor and Township Manager to develop a strategy for the formation of a non-profit to manage Patterson Farm on a go-forward basis.

Mr. Truelove suggested that the Motions be made separately. Ms. Blundi asked if Mr. Truelove is comfortable with this given that some of them are not listed per se on the Agenda, and Mr. Truelove stated he is comfortable given that they are related to what was presented.

Mr. Lewis moved and Mr. Grenier seconded that the Board authorize the Historical Commission to move forward with the submission of Patterson Farm to the National Register of Historic Places and engage the Pennsylvania State Historic Preservation Office.

Mr. McCartney stated three different options were discussed with regard to submission strategies. He asked which one would be the most limiting as far as future activity at the Farm. Mr. Truelove stated he believes the Application process would look into that, and the Board not committing to any one option at this time and is only committing to the process to submit, and then they will work with the Historical Commission to make the best determination.

Mr. Camaratta stated the Historical Commission would look at the pros and cons of each and come back with a recommendation.

Mr. McCartney stated Mr. Steadman had mentioned hard costs, and he asked what he feels would be the revenue stream that we would have to have to be able to maintain the buildings in order to have zero-taxpayer impact in the future. Mr. Steadman stated for the various uses in the later stages there are revenue estimates. He stated the thinking of the Committee was that the revenue generated has to at minimum pay for the maintenance of the buildings. He stated with these kinds of historic buildings and this kind of utilization, it would not be an ROI, and there would be a lot of money invested to bring

back an old barn etc. He stated the goal is that with the use the community receives the soft benefits and the hard revenue that Mr. McCartney is referring to would keep the building in good condition and makes it not a burden from that point on. He stated how much of the investment expense is public money versus grant money versus other non-profit money is to be determined based on where we stand at that time; but the goal is to always cover maintenance.

Mr. McCartney asked what is the current income from the existing farmer, Charlann Farm, and Mr. Kratzer stated it is slightly less than \$25,000 a year. Mr. Steadman stated it is 174 acres times \$175 an acre. Mr. Lewis asked how that compares to other leases of farms in Lower Makefield, and Mr. Steadman stated it is the highest rate by far. He stated he serves on Farmland Preservation, and the highest rate is \$50 an acre.

Mr. Coyle stated he feels discussion should be limited to the scope of the current Motion. He asked if the Motion is to authorize the Historical Commission to apply to the National Register of Historic Places or to renew the determination of eligibility. Mr. Lewis stated that would be part of the submission, and they need to go through the whole process.

Mr. Coyle asked if the Historical Commission has managed the Applications to the National Register in the past or has that been managed by the Township staff. Mr. Camaratta stated the research and writing of it has been done by the Historical Commission but the Township makes the actual submission. Mr. Coyle asked if it would be more appropriate that the Board authorize the Historical Commission to support the Township's Application rather than to authorize the Historical Commission to make the Application. Mr. Lewis stated that could be an Amendment.

Mr. Coyle moved to amend the Motion that the Historical Commission be authorized to assist the Township in the submission. Mr. Lewis and Mr. Grenier accepted the Amendment.

Mr. Lewis stated there are resources that the Historical Commission has that the Township does not have.

Mr. Grenier stated oftentimes this information is gathered by consultants. He stated there was a PennDOT project nearby, and he recalls that there was a good file on the Patterson Farm buildings because of previous PennDOT work. Mr. Camaratta stated when the ramp was put in there was a review.

Mr. Grenier asked if there is an anticipation based on that PennDOT work which was done as well as other work done by Township volunteers and staff over the years if the collection of that work will be sufficient to move ahead or will we need to eventually have to have a Section 106 Cultural Resources consultant help us. Mr. Camaratta stated a lot of that depends on the strategy and the reasons why we want to update the Determination of Eligibility. He stated we believe that the historic significance will be based on the agricultural heritage of the Farm, and a lot of work has been done by Dr. Heinz in terms of researching that heritage, the crop yields compared to other farms, etc. He stated if that is the approach we can take, he believes that we have the data necessary. He stated if they come back and indicate that they want detailed information around the age of the buildings, that would require bringing in additional expertise to help with that. Mr. Grenier stated he wants to start the process adding that a lot of information has been completed, and he asked that they work with the Township staff to develop a schedule.

Mr. Tim Daly, stated he is a resident of Lower Makefield Township and lives near Patterson Farm. He offered his thanks for the very thorough presentation, adding that in the sixteen years he has lived here, this is the first thing that he has heard that he feels positive about. He stated he agrees about the importance of this property as an entry into our Township. He stated preserving the history is very important to the community. He stated part of the reason he purchased his home was because of his view of Patterson Farm.

Mr. Daly stated there have been a lot of discussions about development adjacent to Patterson Farm. He stated if you want to preserve the quality and elements of the Farm, you cannot put buildings adjacent to it that are not representative of the history. He stated if projects like that come forward regarding the adjacent properties if we are making this investment, the Board should be rejecting those projects.

Mr. Daly stated the community he grew up in had a number of historically-significant locations and events that took place there. He stated the schools and clubs brought the children to these historic locations in the community, and he feels that should be considered for Patterson Farm as well so that the young people have these memories and will then bring their children to the Farm in the future.

Mr. Robert Abrams, 652 Teich Drive, stated if there is any equipment, there could be a small museum with a \$1 entry fee charged to keep the museum going which could draw more people.

Motion carried unanimously.

APPROVE ADDING TO THE AGENDA DISCUSSION OF ALLOCATION OF FUNDS
IN 2023 AND 2024 FOR PATTERSON FARM

Mr. Lewis moved and Mr. Coyle seconded and it was unanimously carried to amend the Agenda to include discussion of allocation of funds in 2023 and 2024 for Patterson Farm.

Approve Re-Affirming Decision to Allocate Funds in 2023 and 2024 for
Patterson Farm

Mr. Lewis moved and Mr. Coyle seconded that the Board re-affirm its decision to allocate funds toward Patterson Farm in years 2023 and 2024 in the total amount of \$833,000 with \$533,000 allocated into the appropriate 2024 Budget fund for Patterson Farm.

Mr. Kratzer stated the Board has not adopted a Budget for 2024 at this point, but as currently constructed the Motion made is generally consistent with the Draft Budget. He stated the Board previously allocated \$300,000 to the effort that is being undertaken now as well as funds for the environmental remediation that is to be done on the site. He stated the current Budget contemplates that, and the current draft of the 2024 Budget contemplates the addition of the \$533,000 in Stage 1 costs. He added that they may not be entirely expended in 2024 depending on what the progress is. He stated Stage 1 costs were defined as Years 1 through 3, and the Draft Budget takes proceeds from the 2016 Bond Issue to pay for both the \$300,000 that was previously allocated to this effort and the \$533,000 so there are funds available for Capital projects that align with the Motion in both the currently-adopted 2023 Budget as well as the 2024 Budget. He stated the only difference related to 2023 would be his recommendation to use the Bond proceeds to pay for the expenses versus using either liquid Sanitary Sewer Sale proceeds or American Rescue Plan Act dollars to preserve flexibility for use of those dollars in 2024.

Mr. Lewis stated with regard to the technical details related to use of the 2016 Bond Funds that was reviewed by Bond Counsel and approved as acceptable under the terms of the Bond Agreement. Mr. Kratzer stated it is also consistent with the Bond Referendum that was adopted by the voters in 2008 which related to both the acquisition of open space and improvements to real property

for open space purposes. He stated Patterson Farm is a large open space holding of the Township and these are structures that are being approved on that open space.

Mr. Grenier stated this is providing direction as it relates to the Budget process; and while he does not feel it is necessary to vote on this right now since we will be voting on it again when we vote on the Budget, he does understand why the Motion is being made.

Mr. Coyle asked if using the \$300,000 out of the Bond proceeds which was not previously contemplated in this fiscal year requires a vote of the Board or do we have the authority to expend those funds from the Bond proceeds without a vote of the Board. Mr. Kratzer stated a vote on that issue may be appropriate and it would provide clarification. He stated he was not present when that commitment was made, and he does not know that there was a specific funding source that was indicated although there may have been. He stated in order to preserve flexibility of the Sewer Sale proceeds and American Rescue Plan Act monies for other uses in 2024, what is being discussed are permitted uses for the Bond proceeds consistent with both the Ordinance that authorized the incurrence of that debt and consistent with the 2008 Voter Referendum on the open space issue.

Mr. Lewis stated he believes that the current Motion covers this as we are giving the Township Manager direct authorization for 2023 and 2024 Budget planning.

Motion carried unanimously.

APPROVE ADDING TO THE AGENDA AN ITEM DISCUSSING STRATEGIES FOR THE FORMATION OF A NON-PROFIT TO MANAGE PATTERSON FARM

Mr. Lewis moved, Mr. Grenier seconded and it was unanimously carried to amend the current Agenda to Add an Agenda Item discussing strategies for the formation of a non-profit to manage the Patterson Farm.

Approve Direction to Township Manager and Solicitor to Develop a Strategy for the Formation of a Non-Profit to Manage Patterson Farm

Mr. Lewis moved and Mr. Coyle seconded to direct the Township Manager and Solicitor to develop a strategy for the formation of a non-profit to manage Patterson Farm.

Mr. Lewis stated this is just to start the process and consider what would the Charter of the non-profit be and what would subsequent Lease Agreements be. He added that some of the provisions that were discussed previously included potential call-backs for non-performance. He stated we have talked about these things in other Lease Agreements that we have dealt with over the years in other circumstances. He stated we will probably not have much before the end of this year, and this is just authorizing them to start the process.

Mr. Grenier asked about forming a non-profit versus working with some existing non-profit, and Mr. Lewis stated that would be included in the discussion. Mr. Lewis stated there could be an amendment added to develop a strategy for the formation of a non-profit or the use of existing non-profits. Mr. Truelove stated that would still be within the spirit of what was added to the Agenda. He stated the purpose is to investigate the process to eventually engage a non-profit.

Mr. Steadman stated he believes what they are discussing is the creation of or selection of a non-profit. Mr. Grenier and Mr. Lewis agreed. Mr. Grenier stated the reason brought this up is because there are some very-well established non-profits that do this which we would be able to leverage.

The amendment to amend the motion for the creation of or selection of a non-profit was accepted by Mr. Coyle.

Motion as amended carried unanimously.

FIRE SERVICES

Discussion and Tabling of Advertisement of an Ordinance Regulating the Use and Display of Fireworks Within Lower Makefield Township

Mr. Tim Chamberlain was present and stated in July the Township received a lot of e-mails about fireworks in neighborhoods, and our current Ordinances do not have “much teeth.” He stated this Ordinance will allow us to restrict consumer-grade fireworks, and require Permits for firework displays such as at Shady Brook. He stated with the Permit there is a fee and there is also a diagram and certification that is required. He stated this Ordinance will also limit when you can use fireworks, and they cannot just be set off at any time. He stated he, the Police, and the Code Enforcement Officer can enforce the Ordinance.

Mr. Grenier moved and Mr. Lewis seconded to authorize advertisement of an Ordinance regulating the use and display of fireworks within Lower Makefield Township.

Mr. Grenier asked the days these can be used; and Mr. Chamberlain stated they are New Year's Eve, New Year's day, the Lunar New Year, Memorial Day, July 2nd, 3rd, and 4th, Labor Day, and Diwali between 4 p.m. and 1 a.m. Mr. Truelove stated that is included in Section 2 of the Ordinance.

Mr. McCartney asked if they could be used through a Special Permit any other time of year, and Mr. Chamberlain stated they could for the smaller Class C that can be purchased locally. He stated if it becomes a nuisance, we can go out and enforce it. He stated if someone wants to have a display, they can go through the Permit process and get approval from the Township. Mr. McCartney stated recently they have been used for gender reveals. Mr. Chamberlain stated that is more pyrotechnics than fireworks, and there are Permits for that as well. Mr. McCartney asked if there is a height restriction on the aerials, and Mr. Chamberlain stated it relates to the grams of explosives.

Mr. Grenier asked if there is a Fee Schedule; and Mr. Chamberlain stated Fireworks Permits are included in the Fee Schedule, and it can be adjusted for Residential and Commercial use. Mr. Grenier asked about requirements for distance from a property; and Mr. Chamberlain stated that is included in the Ordinance, and they cannot be used within 150' from a dwelling, and regardless of the acreage, there needs to be a perimeter.

Mr. Lewis stated with regard to the definition of consumer fireworks, he is aware of model rockets that have explosive charges; and he asked if they would be considered as fireworks or would they be exempt. Mr. Chamberlain stated that would depend on whether it can cause damage or not. Mr. Lewis reviewed how the model rockets work; and he added he wants children to be able to continue with model rocketry provided it is in areas of open space without having to file any paperwork. He stated even in States the prohibit fireworks, you are still able to use model rocketry. Mr. Truelove stated at this point, the Motion is just to advertise the Ordinance, and there is time to look into this. Mr. Chamberlain stated this is more targeting the residents who want to use the display-type fireworks at their Residential property. He added there have been complaints about this in Yardley Hunt and other developments. He stated with regard to model rockets, he feels that could be on an individual basis, and they could call his office about this. Mr. Lewis stated the sound is very low.

Ms. Blundi asked if it makes sense to pause at this time. Mr. Lewis stated at this point it is just advertising; however, Ms. Blundi stated there are still costs for advertisement. Mr. Truelove stated this could be Tabled at this time so that it could be looked into further.

Mr. McCartney moved, Mr. Grenier seconded and it was unanimously carried to Table.

Authorize Advertisement of an Ordinance Providing that in Certain Fire Losses the Insurance Company, Association, or Exchange Shall Transfer Insurance Proceeds to Lower Makefield Township to be Held as Security Against the Total Cost of Removing, Repairing, or Securing the Damaged Buildings

Mr. Chamberlain stated this piggy-backs on the Vacant Property Ordinance that was modified previously, and any home that is damaged by fire or a natural disaster would have a timeframe put on it as to the property owner letting the Township know what they are doing. He stated this will require the insurance company to put money into an Escrow so that if that property sits vacant for too long, and the Township has to do something to secure it such as put up fences, the Township would not be out the money. He stated the Ordinance was enacted by the State, and the State advised local Boroughs and Municipalities to enact it as well. He stated this will be filed with the State, and the insurance company will have to put sufficient funds in the Escrow with the Township in the event that the Township has to do something at the property for safety reasons.

Mr. McCartney moved and Mr. Lewis seconded to authorize advertisement of an Ordinance providing that in certain fire losses, the insurance company, association, or exchange shall transfer insurance proceeds to Lower Makefield Township to be held as security against the total cost of removing, repairing, or securing the damaged buildings.

Mr. Grenier stated we want to make sure that there is flexibility for the staff to work with the residents involved so that they can move forward.

Mr. Chamberlain agreed but added that this is not something that the homeowner would put in, rather it would be their insurance company.

Mr. McCartney stated it actually forces the insurance company to cover the cost rather than the homeowner having to “chase the insurance company.” Mr. Chamberlain agreed. Mr. Truelove stated there is a \$7,500

threshold and Mr. Chamberlain agreed. He added that anything above that is a percentage. Mr. McCartney asked if that would customarily cover what are the costs being spoken of, and Mr. Chamberlain agreed. He added that if nothing comes out of Escrow and everything gets done, that money will go back to the insurance company.

Ms. Blundi stated we have had a few situations like this in the Township in recent years.

Motion carried unanimously.

Authorize Advertisement of an Ordinance Providing Penalties for False Alarms Caused by Faulty Fire Detection, Alarm Equipment, or Negligence

Mr. Chamberlain stated the Fire Company responds to about 400 fire alarm calls. He stated over the years with the help of the Police Department, we have been able to try to mitigate some of the malfunctioning alarms. He stated they are trying to get “some teeth” behind our Ordinances, and this False Fire Alarm Ordinance will target malfunctioning alarms and people who neglect to fix a known problem which results in the Fire Company being dispatched multiple times. He stated this includes a Fee for multiple false alarms, and anything after two in a calendar year will involve a penalty; and the violations go up for multiple false alarms. He stated it is documented in the software we have at the fire company. He stated other Municipalities have enacted this, and it has cut down in on their false alarms dramatically. Mr. Chamberlain stated there will be a different fee for Residential and Commercial. He added while it is more often on the Commercial that they go repeatedly for false alarms, there are some Residential properties as well where they go repeatedly.

Mr. Grenier moved and Mr. Lewis seconded to authorize advertisement of an Ordinance providing penalties for false alarms caused by faulty fire detection, alarm equipment, or negligence.

Mr. McCartney asked for background on the costs associated with these types of calls. Mr. Chamberlain stated when we get dispatched for a fire alarm usually anywhere between ten to fifteen volunteers respond in their own vehicles; and when they get to the fire house, two \$1 million fire trucks go out on the road along with a \$80,000 to \$90,000 Fire Chief vehicle. He stated when this occurs multiple times in a calendar year, it

becomes a liability. Mr. Lewis stated this is an impact on the volunteers, and Mr. McCartney stated it also involves assets out on the road, fuel, etc. Mr. Chamberlain stated the more false alarms there are, the less volunteers are willing to respond. Mr. McCartney asked the penalty for Residential, and Mr. Chamberlain stated it is broken out in the Fee Schedule. He stated the first two are free, but you get a warning; and after the second false alarm, a letter is sent out from his office advising that the alarm needs to be fixed. He stated if there is a third false alarm, the Residential fine is \$100 and the Commercial fine is \$400. He stated the fourth false alarm is \$200 for the Residential fine and \$800 for the Commercial fine and the fifth false alarm fine is \$400 for Residential and \$1,000 for Commercial. He stated that is in a calendar year. He stated they are not looking to make money, but they want the fire alarms fixed.

Mr. Grenier asked where the fees from the penalties will go, and Mr. Chamberlain stated they will go back into the Fire Fund to offset expenses for Fire Services. Mr. McCartney asked if that offsets the Township's debt toward Fire Services, and Mr. Chamberlain stated it goes in as Revenue if anything is collected. Mr. Kratzer stated it will offset some expenses. He stated the monetary impact is a deterrent to make sure that people are appropriately maintaining their fire alarm systems.

Mr. Coyle stated the way the Ordinance reads it says that the fine will be not less than \$100 or more than \$500, and Mr. Chamberlain stated that is for a person that is known violating the Ordinance or assists in the violation such as a fire alarm company that comes out and knows that they are circumventing the fix in some way, and they can be penalized \$100 up to \$500. Mr. Coyle stated he is concerned that it states "who violates the Ordinance." Mr. Truelove stated the section before that identifies the number of false fire alarms, and everything will be determined by the Fee Schedule that is approved by the Board of Supervisors every year. Mr. Truelove stated Section 4 is more of a quasi-criminal prosecution side. Mr. Coyle stated as long as Mr. Truelove is comfortable that Section 4 does not limit Section 3, then he is comfortable.

Mr. Truelove stated at the end of every year there is a Resolution setting amounts for different items, and this should be added to that list. Mr. Grenier stated we do not therefore have to update the Ordinance every year with regard to the fees, and Mr. Truelove stated that is why it is done by Resolution.

Mr. Coyle stated the topic of the Ordinance relates to false fire alarms, but under the definition of false fire alarms, it defines a false alarm to include any alarm which is not the result of an attempted illegal entry, burglary, intrusion, fire, medical, or similar emergency. He asked if he has a medical alert system that goes off would the Ordinance apply to that under that definition. Chief Coluzzi stated it would not, and this was segregated from the Ordinance to be specific to the Fire Company. Mr. Kratzer stated he assumes Mr. Coyle is asking that the definition should be looked at to make sure that it is reflective of what the intent of the Ordinance is. He stated the definition is broader than what the stated preamble to the Ordinance is which deals with fire alarms. Mr. Coyle stated it should be false fire alarms and then defined what false fire alarms constitutes and not false alarms as the false alarm definition is broader than what the purpose of the Ordinance is. Mr. Chamberlain agreed. Mr. Truelove asked if they want to change the wording to false fire alarms in the heading. Mr. Coyle stated his recommendation is to change the definition to narrow the scope specifically to apply to fire alarms so that this Ordinance cannot be used more broadly in the future. Mr. Coyle stated he does not understand how an attempted burglary would trigger a fire alarm, and Chief Coluzzi stated that wording should have come out. Mr. Truelove stated they can take that out, and it would then be advertised as corrected.

Mr. Coyle moved to Amend the Motion to advertise the Ordinance with corrections as discussed to the definition of false alarms. Mr. McCartney seconded. Mr. Grenier and Mr. Lewis agreed to the amendment. Motion to amend carried unanimously.

Motion as amended carried unanimously.

PUBLIC WORKS

Approve Award of Snowplow Contractors

Mr. Fuller stated this is for the 2023/2024 snowplow contractors, and this is done every year to help our crews. He stated this year there were four contractors who responded to the Bids, and he would recommend awarding to all four on an as-needed basis those being Corcoran Landscaping, Green Grass Landscaping Services, Marrazzo's Manor Lane, and Effluent Retrieval in accordance with the pricing provided in their Contracts.

Mr. Lewis moved and Mr. Grenier seconded to award the snow plow contractors.

Mr. Lewis stated according to initial forecasts there should be more snow this year than last year. He stated he is supportive of having four options, and he wants the residents to know they need to be patient when snow occurs. He stated there were some smaller trucks included, and he understands that those are needed for cul-de-sacs. Mr. Fuller stated we depend on all four contractors to help cover the entire Township, and depend on all of the equipment for all plowable events that the Township cannot handle in-house to get to everyone in a reasonable amount of time. He stated we depend more on the loader equipment that the one contractor offers for the cul-de-sacs, and he historically does the cul-de-sacs. He stated others with smaller trucks can get into the areas that the Township typically does not get into as the Township is focused more on the main roads to make it safe. Mr. Fuller stated it is unfortunate that the contractors are dwindling down in size as they are dealing with labor shortages the same as everyone else is and there are increasing costs.

Mr. Grenier asked how much snow we got last year, and Mr. Fuller stated we got no snow last year. He added there was one large salting event and a few minor ones where we hit just the major intersections. All inside forces were used last year, and no plows were used last year.

Motion carried unanimously.

PARKS & RECREATION

Approve Authorization to Use Park & Rec Fee-In-Lieu of Funds for Five Mile Woods Project

Ms. Tierney stated she is asking for an extra \$10,000 out of Fee-In-Lieu for the Five Mile Woods ADA Transition Plan PECO Green Region Grant project. She stated we are looking to extend the path a little further, and with site conditions we recognized that we were going to have to change the direction we were going. She showed a slide of the original drawing, and they will go along the path but then turn downward toward the bottom of the slide. She stated it is about 100 extra linear feet which would connect to another section of path and this will create more access.

Ms. Tierney showed a slide of the existing condition on the left and the picture in the center is what the path would look like when it is complete. She stated the picture to the right is the vernal pool area which is the area they are trying to get to. Ms. Tierney stated she came to the Board last year for \$10,000; and it was expanded to \$20,000 to make it wider if that was possible, and that can be done. She stated this request tonight will be extending it. She stated all of this will be Fee-In-Lieu money.

Ms. Tierney stated someone has already been secured to pave the ADA spaces, and that will be \$6,800. She stated initially we thought we were going to be able to do that in-house, but we found that we were unable to do so. She stated we were able to get a good price after getting three quotes with this being the lowest. She stated for the decking we will be going with a CoStars quote of \$29,592. She stated we will also need some additional hardware that is not included in the CoStars quote. She stated we also have to pave a small path from where the parking lot is to the main path, but that will be done in-house by staff. Ms. Tierney stated the cost for the total project will be \$40,000 with a \$10,000 PECO Grant and \$30,000 from the Township.

Ms. Tierney stated the Friends of Five Mile Woods have been very involved with this project. She stated the whole area has been cut out and cleared.

Ms. Blundi moved and Mr. Coyle seconded to authorize using Park & Rec Fee-In-Lieu funds for the Five Mile Wood Project.

Ms. Blundi stated she was very impressed with the work being done when she was there helping the volunteers. She stated this project will make the path in the Five Mile Woods ADA accessible with a Grant coming from PECO and the rest of the money coming from Fee-In-Lieu. She stated this project is very important because we have few opportunities for those who are physically challenged to take advantage of our natural resources.

Mr. McCartney stated the efforts of the volunteers is great, but he asked if there is a plan in place to make sure that it continues to look like the middle picture on the slide Ms. Tierney had shown during leaf events. Ms. Tierney stated they would not be able to keep all the leaves off the path in the fall, but there is a plan in place for maintenance, and we also cooperate closely with the Friends of Five Mile Woods who help on a regular basis. She stated she feels we would be able to coordinate extra volunteer efforts during the fall to help with this. Ms. Tierney noted the rails on the side do not touch the base, and that is so that dirt and debris can be slid

Mr. Kessler stated the Highland Drive Drainage Improvements Project focuses on Highland Drive coming down to Taylorsville and manages the stormwater capturing more and getting it to the stream downstream toward the Interchange of 295. He stated it is being directed and captured away from where it could spread into the Maplevale Drive neighborhood area. He stated the project has been reviewed with staff, and an open house will be held for the public on November 9 from 7:30 p.m. to 9:00 p.m. at the Township Building. He stated it will be an open house format with the Plans available for feedback. He stated if someone cannot attend that meeting, his office is happy to receive feedback through e-mail or other ways. He stated the Plan and information on this will be posted by the end of the week.

Mr. Kessler stated related to the stream clearing efforts for the stream on either side of Taylorsville Road, following the work that Public Works had completed there was an effort to look at whether there were gravel bars that were obstructing the stream. Mr. Kessler stated they worked with Land Studies, and there may not be as much of that as there are obstructions to the stream. He stated discussions with DEP and the Army Corps, walking the site, and assessing the wetlands limits as well as reviewing photographs if there are gravel bar obstructions is something that they are looking to plan to do; and that will determine if it is worthwhile to go through the Permitting process for doing that work or if it is more global work with the other work that Land Studies is looking at identifying.

Mr. Kratzer stated with regard to the date of the Open House Mr. Kessler referred to, they are trying to keep the process moving, and that date will be communicated on the Township Website and the material will also be sent to those on the e-mail list that has been maintained. He stated the intent is to be in a position to have the Board of Supervisors authorize the Release of a Bid for that work in December. Mr. Kessler stated the Plan at this point is a Final Draft Plan, and they are looking for feedback from the neighborhood and others. He stated they will then finalize the Plan and come to the Board of Supervisors requesting approval to go out to Bid. Mr. Kratzer stated the Board will consider this as they go through the Budget, and the Budget as prepared allocates funds in 2024 for completion of this project.

Mr. Grenier asked about the Woodside Road bike path, and Mr. Kessler stated they have removed the erosion and control measures and a lot of the stakes and the delineators. He stated there are a few items that they are coordinating on including the slope along the basin and some

other small items. He stated there are punch list items they can do up until the poles are moved and that will be coordinated. He stated there was good progress with the utility companies – PECO and Verizon; and stakes have been placed where the poles will be moved to. He stated we will set up a follow-up call with them. He stated PECO has a standard sixteen-week window of when they put their pole relocation design plans together for their contractor, and then they Bid it out for the contractor to get it done. He stated the areas of the trail that would be revised following the pole relocation would not be able to be paved until the spring.

Mr. Kratzer stated we also met about the crossing of Taylorsville Road from Woodside ultimately making the connection to the towpath. Mr. Kessler stated he met with staff to discuss the steps necessary with PennDOT which has jurisdiction as well as the options at each corner. He stated the next step is to meet with PennDOT.

MANAGER'S REPORT

Mr. Grenier stated he is mostly receiving good feedback on the new Website, but he is getting questioned about why he did not respond to specific questions that were put in the portal although he never saw them. He asked that they look into questions submitted through the portal that are asking for a Supervisor's response, and to share that with the Supervisors.

Mr. Kessler stated he is not sure if they are referring to questions through Zencity or OpenGov, and they will look into that further so that the information is conveyed to the Board of Supervisors.

SOLICITOR'S REPORT

Mr. Truelove stated an Executive Session was held beginning at 6:30 p.m. and informational, litigation, Real Estate, and personnel items were discussed.

SUPERVISORS' REPORTS

Mr. Grenier thanked everyone who reached out to him after the incident that occurred recently in his home town in Maine.

Mr. Coyle stated for the last several months the Planning Commission had been advertising on the Agenda the receipt of Plans which has caused some confusion among residents who believe that a certain project is on the Agenda for discussion; and residents come in when we do not really have anything to show them or discuss. He stated it is just an acknowledgement that the Township has received Plans, and that the "timer has started." He stated we are no longer going to advertise those specific receipt of Plans on the Agenda, but it will be shown on the Website and through normal channels that Planning uses to notify the public.

PUBLIC COMMENT

Mr. Robert Abrams, 652 Teich Drive, stated he wanted to speak about the Patterson Farm. He stated he, like Mr. Daly, agrees with everything the Board is doing with it; and he has not agreed with anything particularly the "monstrosity" across from Shady Brook that will be a traffic nightmare.

Mr. Abrams stated every year he donates himself and one of his antique cars for Veteran's Day. He stated Veteran's Day is November 11 which is this Saturday, and he asked why we are having Veteran's Day on November 4.

Ms. Tierney stated she did not make that decision, and we coordinate with the Veteran's Committee to come up with a date. She stated for years it was the Sunday before Veteran's Day; however, for the last few years it has been the Saturday before Veteran's Day. She stated the Veteran's Committee opted for the Saturday before Veteran's Day because a lot of the Veteran's organizations that we work with are not available on Veteran's Day weekend, and they asked us to coordinate with them for the week before. Mr. Abrams stated he felt it was very disrespectful that Veteran's Day could not be celebrated on Veteran's Day.

Mr. Abrams stated he sent in an RTK for Maplevale records, and he feels that they "intentionally did not want to answer it because of what he just went through with open records." He stated while he still does not have the information, he learned that Curtin & Heefner had originally put a date through that "happened to be two days after the Election." He stated he feels at this point records are being withheld. He stated no matter what happens with the Election, he wants the records.

Mr. Abrams stated he went to a “Coffee and Conversation” with State Senator Santarsiero, and talked about the Morrisville merger and the burden on the Seniors. Mr. Abrams stated Seniors should not expect “anything from anybody politically here.” He stated Mr. Santarsiero “decided that the area needs new and younger people and he wants to spend hundreds of millions of dollars.” He stated Seniors are going to “pay for everything.”

Mr. Abrams stated he is pleased with “the Farm decision but the politics here have got to and so do some of the Supervisors.”

Mr. Tim Daly, stated he lives in Lower Makefield. He stated with regard to the RTKs, originally documents were provided on a thumb drive on August 24 after a submission on July 17. He stated despite “receiving things on August 24, documents were not provided until three hours before the final determination deadline, two weeks after the Township was ordered to turn over data on October 6.” Mr. Daly stated “it is over bad faith that the law firm has committed.” He stated “there is a complaint, and he asked for a ruling of bad faith.” He stated if “there was ever a poster child for bad faith interactions on an RTK with OOR, this RTK is the poster child.” Mr. Daly stated probably many of the Supervisors are not aware of it, and he does not think Mr. Kratzer has done anything inappropriate, and he feels it is the law firm which he feels has acted “rogue.” He stated it is a “political law firm” and concerns were raised about them not being involved, but the Board decided to keep it with them so the Board is accountable. Mr. Daly stated as Mr. Abrams noted we are not going to get an answer from them until November 8, and final determination will probably be a week or two later.

Mr. Daly stated most of the Supervisors were not on the e-mails other than Mr. Grenier who was on quite a few of them. Mr. Daly stated he has gone through 6,000 pages of documents. He stated 3,500 pages of Agendas and Meeting Minutes were provided that had no pertinence to Mr. Adams’ request which was specific to Maplevale. He stated there were 500 pages about Yardley Woods provided that had nothing to do with Maplevale. He stated the RTK specifically said “Maplevale Project.” Mr. Daly stated 500 pages of a conference power point from San Diego were provided that had nothing to do with what they were asking for. He stated there were also 250 pages of duplicative e-mails, the same e-mails over and over again. He stated they got between 300 and 400 pages of “real e-mails.” Mr. Daly stated the law firm communicated under oath in an Affidavit that “they could not do all of this work because of the amount of legal work, and

the redactions, and all that was necessary.” Mr. Daly stated in everything he just listed for the Board, there were no redactions. He stated they “lied to the OOR profusely throughout this process.”

Mr. Daly stated what he did learn was that in November, 2022, the Township had a paving project that was to pave over what Pennsylvania American Water had done to put in new water lines. Mr. Daly stated during that process James Morrissey communicated to Lower Makefield Township that there was evidence of underground erosion in the Maplevale neighborhood. He stated the response from LMT employees was “pave it up, we are going to deal with it in May when we have the re-paving project that is going on.” Mr. Daly stated pictures were provided to the Township that showed deep erosion, and they are in the RTK. He stated while “it is not all complete and many things have been withheld, and you can see these holes in the documents we have been given so far.” He stated it “looks like it was pushed off and not given consideration.”

Mr. Daly stated in January/February, 2023 a project started with Bencardino Excavators. He stated the Project Plan was delivered by the Township to the contractor and the contractor had to stop twice because of errors by the Township and the communication of what was underground. He stated the Board probably had to approve the Legal Settlement “that they destroyed Verizon lines and the Township had to come up with a \$7,500 Settlement for the damaged lines.” Mr. Daly stated PECO also had lines, and neither one of these were marked. He stated the project had to stop, the Plan had to be re-done, and about 40’ more of pipe had to be purchased so that they could “work around.” He stated there are elbow joints instead of a straight line which is disconcerting. He stated in speaking with contractors, he understands that if you put piping in that is over 45 degrees, that will be “a bad thing.” He stated 45 and less is the right way to do it. He stated he does not have details “because certain things were removed.”

Mr. Daly stated Earl Company was brought on for Phase 2 which is where they were going to go into the neighborhood. He stated the Bencardino piece was the intersection at Taylorsville and Highland. He stated on June 22 Mr. Kratzer sent an e-mail expressing his displeasure that they did not communicate to him that the project was being delayed. Mr. Daly stated the reason for the delay was an employee of LMT did something wrong with a project plan, although Mr. Daly does not know what went wrong because details have been withheld. Mr. Daly stated they had to re-apply

for Permits from the State, although he is not sure exactly sure what the Permits were because he is missing information. He stated as a result of this they had to change what was called in an e-mail a standard project to a complex project. He stated it means that someone at LMT “gave the wrong directions or the wrong Plans to the contractor.” Mr. Daly stated the contractor identified the errors and “fixed them in advance; but as a result this pushed the project down.” Mr. Daly stated when it started was July 13, two days before the flood happened.

Mr. Daly stated he spoke to his contractor who built Yardley Hunt, and he is familiar with sewers. He stated his contractor stated based on OSHA and safety laws, if you are going to work on or inside pipes like these you turn a valve off for worker safety. Mr. Daly asked if a valve got turned off, someone went home on Friday at 4:00 and forgot to put it back on, and is that the reason why this happened. He stated it is a “strange coincidence that someone starts 48 hours before the flood happened working on these drainage pipes, and “then an explosion happens in the back yard”.

Mr. Daly stated he is not targeting any of the Board, and they are covered by insurance as are the contractors. He stated they should stop withholding documents because the Maplevale residents have been “victimized enough.” He stated that is why he and Mr. Abrams are doing what they are doing. He stated they are not here to attack the Board, they are here to help the residents.

Ms. Larissa Luzeckyj, 18 Maplevale Drive, asked that flood mitigation be added to the Board of Supervisors’ Agenda. She stated flood meetings were being held every other week, but it was taken off the schedule unbeknownst to the residents. She stated the Board of Supervisors’ forum is an official capacity, and it is very important to the residents as they get answers to all of their questions. She thanked Mr. Kratzer for responding to her e-mail, and she knows that they can always go to him for answers. She stated while in the e-mail it states that the residents can come to him with any questions, sometimes they do not know what the questions are. She stated she noticed the work begin done along Taylorsville going onto the on-ramp of I-295, but she does not know how that will help them. She stated the residents are not aware of everything that is being done, and they feel that all of the work is substitutive since we are working on borrowed time. She asked that Maplevale be put on the Agenda at least once a month.

Ms. Lisa Tenney, 156 Pinnacle Circle, stated she feels the Board should be “embarrassed” to witness the decay of the Satterthwaite House and the Farm. She stated historical building are valuable, and it is Township-owned land. She stated she feels the Board should approve “#1 and #2, which they did, and also #3.” She stated she fully supports a third party taking ownership of the buildings such as “Preserve Patterson Farm” and AOY. She stated they serve as non-profits and currently have greater interest, and they are very organized and fully invested in the community as non-profits. Ms. Tenney stated she hopes that the Zoning changes involving Prickett Preserve will not hold back money and approval of historic preservation of the property.

Ms. Tenney stated she heard about the Fire Company, and she feels they should charge \$25 after the first alarm to do an alarm check; and after the second offense, the penalty be higher “\$1,000 versus \$100 because it just sounds like a slap on the wrist.”

Ms. Tenney stated with regard to the Five Mile Woods project with an ADA-compliant path, she feels it should be re-evaluated. She stated she loves the Five Mile Woods, “but she does not like it as a place to walk.” She stated it has a wooden pathway, and they intend to build an ADA-compliant path, but it is a tripping hazard and hard to maintain. She stated she does not feel it helps all individuals, “ones that are older and that do not want to trip.” She stated they should make spaces available to a small portion, but the extension of a long, wooden path in that area does not make sense.

Ms. Lora Tarantino, 185 Durham Road, Newtown, stated on the Agenda where it mentioned the Ad Hoc Property Committee presentation, it listed two details which were addressed with Motions. She stated in the past it was always under the auspices of “Patterson Farm – The Master Plan.” She stated she felt that there was going to be another session later for the presentation to the Board for Budget consideration. She stated in the future, it helps to see “The Master Plan” as that encompasses more – all of the structures and all of the other discussions rather than just the two points that were on the Agenda which were also covered at the most recent Ad Hoc Property Committee meeting.

Ms. Tarantino asked with regard to the formation of the non-profit organization to have oversight over the Farm, would they be the ones to make a provision that would protect those structures going forward. She stated twenty-five years has passed since the Farm was purchased,

and the structures have deteriorated. She stated we now have a new “vigor to restore and revive the structures;” but in the next years another Board will come in and they may want to do something else. She stated these structures on this portion of land have no protection, and she asked who will establish that protection. She asked if it would be the non-profit or would it always fall to the landowner which would be LMT. She stated she feels this is important because of the “Satterthwaite question of breaking the farmstead house away from the Farm.” She stated she feels that sets a bad precedent and a bad message, and it interferes with the historical significance of the Farm as a whole. She stated if we do not protect that now, she feels we will be back at the same spot in the future, and it will affect other buildings on the property.

Ms. Blundi stated that is what we are trying to establish as we look for options as to how to manage the property going forward, and to answer that and other questions.

There being no further business, the meeting was adjourned.

Respectfully Submitted,



John B. Lewis, Secretary

