

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
SEPTEMBER 2, 2015

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on September 2, 2015. Ms. Tyler called the meeting to order at 7:30 p.m.

Those present:

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

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

PRESENTATION OF CHECK TO LOWER MAKEFIELD TOWNSHIP FROM THE
GARDEN OF REFLECTION PRESERVATION COMMITTEE

Representatives from the Garden of Reflection Preservation Committee were present. Ms. Grace Godshalk stated they are presenting a check to the Township from their Handbag BINGO fundraiser where they raised \$13,000. Ms. Godshalk stated the family and friends of the Garden of Reflection are responsible for raising the funds for the Garden, and they would like to be involved in discussions about the Budget for the Garden including the funds that come in and the funds that go out.

Ms. Tyler stated Mr. David Fritchey and Mr. David Gordon and the Park & Rec Department have been tasked with making sure the Garden is sustainable moving forward. She suggested that this be an Agenda item for the next Park & Recreation Board meeting, and that the Garden of Reflection Preservation Committee attend. She also noted that the Board of Supervisors is very grateful for the funds raised by the Preservation Committee and for turning them over to the Township for the immediate care and maintenance of the Garden of Reflection. Ms. Tyler stated there are other funds being raised which do not come directly to the Township, and they are drawing a line between the various means of supporting the Garden. Ms. Godshalk stated taxpayer funds are not used for the maintenance of the Garden, and everything the Preservation Committee has raised over the last thirteen years goes to the sustainability of the Garden.

Mr. Dobson stated the next Park & Recreation Board meeting will be held on September 17. He added that the Board of Supervisors has asked Mr. Fedorchak to give a full accounting as to where the money goes, and they have been able to review the records from the inception of the Garden to where it is today so that everyone will see what was raised and what was spent. He stated they want everyone to have input. Ms. Tyler stated they also want to have a discussion as to how they will raise the funds necessary going forward to maintain the Garden.

Ms. Tara Bane thanked the Board for their cooperation with the upcoming ceremonies. She stated on September 10 at 7:30 p.m. there will be a candlelight vigil, and there will be a ceremony being organized by Ms. Judi Reiss on September 11 from 8:30 a.m. to approximately 10:30 a.m.

Ms. Tyler thanked the Committee for the work they do, and Ms. Reiss presented the check to the Township.

PUBLIC COMMENT

Ms. Lisa Gage, 1117 Glen Oak Drive, and Miss Casey Schaeffer, 2327 Lakeview Drive, were present. Ms. Gage discussed the third annual International Day of Peace Celebration to be held September 20, from 12 to 6 p.m. at Buttonwood Park in downtown Yardley. She reviewed the various activities to take place that day. Ms. Schaeffer stated there will be an opportunity for children to draw symbols of peace as well as other activities for children.

Ms. Judith Grant, 1576 Bud Lane, stated in August she sent a letter to the Board about outlining her concerns about the large red oak tree at St. Ignatius and asked if there has been any further discussion amongst the Board. Ms. Tyler stated the Board gave Final Approval to the developer based on two engineering reports concerning that tree.

Mr. Benedetto stated he understands that the arborist from Boucher & James was not RCA certified and used an outdated methodology, and he feels they should discuss having an independent RCA certified arborist come in and use the updated methodology. Ms. Tyler asked Mr. Garton about doing this since the developer already has Final Approval. Mr. Garton stated the Board cannot undo the Final Plan Approval which included the removal of the tree.

Ms. Tyler asked Mr. Eisold about the differences in Certification and the qualifications of the arborist from Boucher & James who prepared the report. Mr. Eisold stated the individual who prepared the report has been a landscape architect for approximately seventeen years, and the last few years did become ISA certified. He stated her report included pictures and evaluations detailing the conditions of different parts of the tree in relation to the risk associated with its location to vehicles and the nearby house.

Ms. Tyler asked Ms. Grant if she had the opportunity to read that report, and Ms. Grant stated she did not. Ms. Tyler stated the language in the report causes her great concern as this is an extremely large tree hanging over a well-traveled road. She read various portions from the report which indicate that there are visual observations of significant hazards that exist. Ms. Tyler stated the conclusion is very strong that the tree be removed because of the structural defects. Ms. Tyler stated the developer's engineer had submitted the initial report indicating it should come down, and the Board then asked for a second report to be prepared by the Township engineer's office. Ms. Tyler stated the Board of Supervisors is responsible for public safety; and if something were to happen to someone as a result of this tree, it would be the fault of the Board.

Mr. Benedetto stated he feels they have time to review this further because the developer still needs sewer approval. He stated ISA Certification is not as high as RCA Certification, and he would like to have an independent arborist who has RCA Certification do a report with the costs to be borne by the residents. He stated if that report comes back and indicates the tree should not be saved, he feels it would be appropriate to take it down.

Ms. Tyler read more of the report into the record, and she stated she feels this is dire language.

Mr. Smith stated while he respects the report, he would join with Mr. Benedetto on this issue. He stated there is a difference in grading of the RCA Certification over what the Boucher & James arborist has. He stated he feels they should make an investment at whatever cost to find out for sure. Mr. Smith stated Mr. Ben Weldon had provided to him information on the different Certifications. Mr. Smith stated he was able to find a number of individuals in the area that have the RCA Certification, and he would like to invest the money to see if they can save this two hundred year old tree. He stated if it is found to be a hazard, he agrees that it should come down. Ms. Tyler stated they already invested Township money to have a second report prepared.

Ms. Grant stated according to Ms. Helen Heinz, this tree is also a historic tree.

Ms. Tyler stated they have already granted approval to the developer. Mr. Smith stated he feels they can ask the developer to save the tree if a new report indicates the tree is safe.

Mr. McLaughlin stated his concern is that another arborist may feel that the tree is safe, when in fact it is not. He stated he is concerned that the tree could fall on a school bus. He stated it is an old tree, and they have been provided evidence that it presents a risk. He reminded everyone of the old tree which the Veterans Monument was to be centered on which was split down the center during Sandy, and it was determined that it was completely rotten. Mr. McLaughlin stated he has looked at the tree under discussion, and he feels it looks like a sick tree. He stated he does not feel someone who has an RCA versus an ICA means that their opinion is more correct. Mr. McLaughlin stated his concern is that this tree could hurt someone.

Mr. Benedetto stated Gilmore & Associates originally indicated that the tree was healthy enough to be saved. He stated from the beginning, Mr. Dresser had asked that they get an RCA certified arborist. Mr. McLaughlin stated just because an RCA arborist says something, does not mean that they are right. Mr. Benedetto stated if they take the tree down, it will be gone for good; and while he recognizes that if the tree falls it could hurt someone, he feels they have time to look into this further.

Mr. Benedetto moved to have an independent RCA certified arborist come in and do a report at the cost of the residents.

Mr. Smith stated this will give the residents more information, and he does not feel it is that much money to have someone come in and test the tree.

Ms. Judith Grant stated in her business, she has to hire professionals; and she would look for the most qualified individual. She stated this is an opportunity at very little cost to get another opinion. She stated they have time and they can find the resources to pay for this other opinion from a group of people who have additional qualifications beyond the two arborists who already looked into this.

Mr. Smith stated even if they find out that the tree is healthy, they would still have to go back to the developer who may not agree to save the tree. He stated he still feels they should try this.

Mr. Ben Weldon, 2103 N. Crescent Boulevard, stated he has a copy of the recent report, and he feels it could have been written about any tree. He stated he discussed the report with three different RCA certified arborists; and all three stated if they were going to take down a tree like this, they would want an RCA certified

arborist to handle it. Ms. Tyler stated she has two reports indicating that there is a dangerous tree hanging over a roadway. Mr. Weldon stated the first report was from the developer; and Ms. Tyler stated this is why the Board asked for the second report, and it indicated the same thing. Mr. Weldon stated this developer has other developments in the Township; and he feels if they want to work in the Township, this could be leverage.

Mr. McLaughlin stated he does not feel another report to the contrary would mean that the other two reports are wrong, and at some point they have to make a decision. He noted that there is a penalty to the developer for taking down the tree so he feels there would be an incentive to the developer to keep the tree; and yet they still want to take it down.

Mr. Smith stated there is a perception in the community that the board was voting to take down the tree because there were favoring the developer, and he feels they should satisfy the residents and get an independent voice.

Mr. McLaughlin stated the Board has been asked to be more pro active concerning trees and the impact to the electrical grid during storms. He stated a Commission was formed to deal with problems with the electrical grid and trees that could cause damage to the electrical grid in the area.

Mr. Benedetto moved to amend the Motion to put in a deadline for the report of October 15.

Mr. Weldon stated he is willing to pay for this report and other residents have indicated they would as well. He stated it would cost between \$700 and \$1,000; however, he stated he does not feel they would be willing to do this if the Board indicates that there are no options at this point.

Mr. Garton stated they could not force the change on the developer, but they could try to effectuate a voluntary change.

Mr. Smith Seconded the Motion and asked that the Motion be Amended that the Board of Supervisors agree to reconsider the matter if Mr. Weldon brings them back a report.

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

Ms. Gudrun Alexander, 256 Fieldstone Court, stated there are a lot of problems with trees in the detention basins. She also advised the Board that the founder of GOAL passed away. The Board expressed their condolences.

Ms. Emily French, LYFT Coalition, stated they are doing a Mind Your Meds Campaign to protect against overdoses when medicines are not disposed of properly. She stated she has left information on this in the Township which includes the location of drop boxes. She also noted that on October 17 from 10 to 2 there will be a Prescription Take Back event with the location at the Lower Makefield Police Department.

Ms. Jane Detraz, 272 Oxford Valley Road, stated she is present to discuss the proposed development on Dobry Road. She stated she is opposed to the proposed Dunkin' Donuts and a nail salon across from her home. She stated she has lived there since 1964; and while there has been a lot of development since that time, they have been fortunate since what was built was done with good taste, has not intruded on any residential homes, and they have provided landscaping. She stated the traffic on Oxford Valley Road is horrendous and drivers are not adhering to the speed limit. She stated when they widened the road, they lost part of their front yard. She stated she understands the developer of this proposed development needs forty-two Variances. She stated she also understands that more homes will be built in the area which will result in even more traffic. Ms. Detraz stated she does not feel they need a Dunkin' Donuts or another nail salon in this area. She suggested that the Township purchase this property for open space.

Ms. Tyler stated when this matter comes before the Township again Ms. Detraz will be notified.

Mr. Garton stated based on comments from the Board of Supervisors it was not likely that the developer was going to get any relief. He stated at this point no Application has been filed to the Zoning Hearing Board.

Ms. Detraz stated she knows the property owners and appreciates that they want to sell, but she feels something else would be more appropriate such as a doctor's office rather than a Dunkin' Donuts with a drive through.

Mr. Smith stated the Board needs to consider the change this would make to the character of the road recognizing that the property owner does have the right to develop their property within the parameters of the law.

Mr. Benedetto stated he agrees the developer does have the right to develop their land; however, it had been indicated previously that a letter had been sent to the property owner from the Township about the potential of purchasing the land for open space.

Mr. Benedetto moved and Mr. Smith seconded to revisit the discussion about any interest by the property owner at Dobry Road of selling the property to the Township and preserving it as open space.

Mr. Garton stated they will need to get an appraisal done before there are any serious discussions but the Township could send a letter to the property owner to see if they have an interest.

Motion carried unanimously.

Ms. Joanne Rogers stated she is Ms. Detraz's neighbor, and she feels they need to maintain the character in this area. She stated she would like to maintain it as open space as opposed to retail boxes.

Mr. Dan Kuronya, 1063 Glen Oak Drive, stated he saw Lower Makefield Township trucks paving the parking lot of the YMCA on Levittown Parkway; and he asked if this was approved by the Board of Supervisors. Board members indicated it was not. Mr. Fedorchak stated he was not aware of this. Mr. Kuronya stated they were there for four days milling and paving. Ms. Smith stated he heard about this as well. Mr. Fedorchak agreed to look into this and to make a report at the next Board meeting.

Ms. Judi Reiss, 969 Princess Drive, asked that the Board look into completing the bike and walking paths in the Township. She noted a number of areas where the paths are not connected.

Ms. Tyler stated this is a long-term goal of the Township which the Park & Rec Board has been working on. Ms. Tyler added that this can involve eminent domain. Ms. Reiss stated she feels most residents would want the common good and the Township representatives should talk to them.

Mr. Smith stated he was involved in this when he was on the Park & Rec Board. He added that many times he sees people walking or riding in the road even if there are bike paths available. He also stated that there are a number of existing bike paths that are in need of repair or of being replaced since they are in poor condition.

Ms. Kaaren Steil, 1027 Darby Drive, Chair of the Historic Commission, stated the Commission was created in August, 1977 by the Board of Supervisors. She stated the Township has three separate and distinct historical boards including the Historical Society which is a private group that has been in existence since 1979 and is involved in historic preservation and informs the community of local history. She stated HARB is a Board appointed by the Board of Supervisors to consider

continuing development and changes to existing structures in the only current Lower Makefield Historic District which is Edgewood Village. She stated they advise the Board of Supervisors whether or not development is appropriate to the spirit and intent of the Zoning and the Design Guidelines. She stated the Historic Commission was adopted by a Resolution on August 27, 1977 by the then-sitting Board of Supervisors. She stated the Historic Commission is mandated by the State of Pennsylvania under the Second Class Township Code and acts as an advisory resource to inform the Board of Supervisors of the Township history so that they can carry out the responsibilities to preserve history of the Township for the State. She stated this includes Edgehill Gardens, Westover, Arborlea, and Scammell's Corner. She stated the Historic Commission is making plans to share with the general public a "wealth of treasures" that have been collected and stored for the past thirty-eight years. She stated this event will take place on Sunday, October 18 at the Township meeting room from 1 p.m. to 4 p.m. She noted a number of items that will be displayed some of which will also be displayed on Labor Day at the Pool.

Ms. Tyler asked that this information also be posted at the Township and the Township Website.

Mr. Benedetto asked for an update on the Scammell House adding John Kontz had indicated he was interested in the house. Mr. Fedorchak stated Mr. George Bennis of Orleans advised that they are in negotiations with Mr. Kontz.

Mr. Michael Brennan, 6 Maplevale, asked for an update on the McKinley property. Mr. Brennan stated the primary concern is for safety since children are using the road to get to the Canal. Ms. Tyler stated they are moving forward on this, and Mr. Fedorchak is working on it. Mr. Smith asked Mr. Brennan how many homes he feels are effected by this, and Mr. Brennan stated it would be all the homes on Taylorsville, approximately seventy homes that are in Maplevale, and the hundreds of houses across the street.

Mr. Benedetto stated the Yardley VFW hosted a Candidates Forum and County Commissioners were present. Mr. Benedetto stated this is relevant to the Municipal Open Space money which could be used at the Maplevale property. Mr. Benedetto stated the County Commissioners indicated that the Township should send a letter requesting a decision on the Patterson Farm Application so they will know whether the money will be used for Patterson Farm or if it could be used for something else.

Mr. Chris Schwartz, 306 Cinnabar Lane, stated he was present on behalf of the Yardley Makefield Lions; and they will be participating at the Family Fun Day on Labor Day with a food drive. He stated 20% of the children who attend the Pennsbury School District qualified for the free lunch program, and every School in

the District had at least one student who was homeless. He stated when School is not in session, their families turn to the local food pantries where the shelves are now almost empty. He asked that all residents who come to the Family Fun Day bring some non-perishable food items.

Mr. John LaBar, 1105 Roelofs Road, stated he would like the board to move forward with the Senior Center. Ms. Tyler stated this matter is on the Agenda, and she asked that he reserve his comments until that time.

Mr. Adrien Costello, 2122 N. Crescent Boulevard, stated he is in favor of using funds for the purchase of open space. He stated he sees a number of properties being developed that could have been purchased, and he feels there should be a master list of properties so that they can be proactive. Ms. Tyler stated the EAC has prepared such a list. Mr. Smith stated he feels that they should move forward on this since the EAC prepared this list some time ago and the residents approved an Open Space Referendum years ago. Mr. Smith stated he feels that the Board should discuss open space, and he asked that this matter be put on the next Agenda.

Mr. Ben Weldon stated an invitation went to the Supervisor candidates. Mr. Tyler asked that politics be kept out of the public meetings.

Mr. Andrew Smith, 1387 Knox Drive, asked for an update on the Quiet Zones. Mr. Eisold stated they have submitted Plans to PennDOT for their review, and they have come back with some comments which are now being addressed; and it will then be submitted back to PennDOT. Mr. Eisold stated there is also an Agreement with CSX which is in process for work to be done in the rights-of-way. With regard to the Grant, they have contacted PennDOT's multi-modal personnel to try to get a kick-off meeting. He feels the timing will depend on the Grant situation, and hopefully they will still get this project done in the fall. Mr. McLaughlin stated he feels the Board is committed to getting this done whether or not they get the Grant.

APPROVAL OF MINUTES

Mr. Benedetto moved, Mr. Dobson seconded and it was unanimously carried to approve the Minutes of August 5, 2015 as written.

COMMUNITY/SENIOR CENTER – DISCUSSION AND MOTION ON REVISED DESIGN

Mr. George Hibbs, Clarke, Caton, Hintz, was present. Ms. Tyler stated they had bid out the Community Center project, and the bids came in at \$2.7 million; and the Board rejected those bids. She stated Mr. Hibbs was tasked with coming back with a design for a Center estimated to cost \$1.7 million, and he has come back with four different designs for the Board's consideration.

Mr. Hibbs showed a drawing of the Bid Plan which was the Plan approved by the Board for 7,190 square feet. He showed Option #1 which removes a classroom and a storage room on the right and a small portion on the left which would reduce the square footage to 5,890 square feet for \$2.25 million. Mr. Hibbs stated 5,800 square feet would be approximately three times the size of the Township meeting room. Option #2 was shown which takes out what was taken out in Option #1 and also pulls in the multi-purpose room for a total of 5,235 square feet for \$2 million.

Mr. Benedetto stated in March, 2014 the Option the Board approved was Option #3 which was 7600 square feet; and he asked how they went from 7,600 to 7,190. Mr. Hibbs stated the delta in the square footage is that under roof area which is exterior versus that which is interior. He stated they are trying to get to the actual heating and cooling space which was 7,190. Mr. Benedetto asked if that is built into the cost of construction that Mr. Hibbs discussed in March, 2014 of \$160 to \$180 per square foot for construction costs; and Mr. Hibbs stated he will have to review his notes since that figure seems a little low for the time when they were directed to go out to bid. He stated their estimates for the project did increase over time.

Mr. Hibbs showed Option #3 which takes away more classroom space with a result of 4,580 square feet for \$1.75 million. He showed Option #3 which includes a multi-purpose room, a lobby, kitchen, and restrooms at 3,925 square feet for \$1.5 million.

Mr. Benedetto stated these are the construction costs and does not include site work; however, Mr. Hibbs stated this does include the site work.

Mr. McLaughlin asked how they know that the \$1.7 million building will not come in at a higher amount since the prior estimate was \$2.2 million and that building came in at \$2.7 million. Mr. Hibbs stated the market is increasing, costs are increasing, and the contractors are getting busier. He stated as they previously went through the approval process there were not a lot of items taken out, and in fact at each step through the process through the various Boards certain elements were added and these all added to the cost. He noted they also have the LEED Standards in the Township, and there are costs associated with that issue.

Mr. Smith asked if there is room for expansion at a reasonable cost in the future; and Mr. Hibbs stated while costs will not go down, there is the ability to expand on the site and the design accommodated this although there will be an additional cost for this.

Mr. Benedetto stated he understands that when they went out to bid the \$2.75 million was just the building cost; however, Mr. Hibbs stated that is incorrect. Mr. Benedetto noted Mr. Hibbs provided an estimate in March, 2014 and indicated that a 7,600 square foot building would be between \$1.4 and \$1.6 million which was everything including site work and building costs; however, Mr. Hibbs stated he does not feel that is accurate. Mr. Hibbs stated that was not the estimate when the Board made the approval. Mr. Hibbs stated over time the project evolved, and as it did and more items were added, the estimate was increased. He stated the project that was approved by the Supervisors was estimated to be \$2.3 million.

Mr. McLaughlin asked what was added that caused the most increase. Mr. Hibbs stated this would be difficult to determine without seeing the break down from the contractors. Mr. Hibbs stated "scope creep" was a big issue. He stated moving forward he feels they should list out a series of alternates when it goes back out to bid. He stated he fees that there should be a series of line items, and there should be a base bid which would be that which would be the least amount of building and finishes that they could live with, and they would then add on a series of alternates.

Ms. Tyler asked if they could bid Option #2 with Option #3 as the alternate. Mr. Hibbs stated they would need to issue to the contractors separate elevations that show what the base looks like for Option #2 versus what it would look like for Option #3.

Mr. Benedetto stated a year and a half ago the Board voted on this and decided 7,600 square feet was what they could live with based on the cost estimates. He stated Mr. Hibbs had indicated at that time that the building costs would range from \$160 to \$180 per square feet. Mr. Benedetto stated they decided to go with Option #3 at 7,600 square feet and the site work was \$208,000 although now it seems that it was \$250,000; however, Mr. Hibbs stated it was over \$500,000 for the site work. Mr. Hibbs stated what Mr. Benedetto is referring to was the evening they presented all the Options. Mr. Hibbs stated they subsequently came back to present the selected Option to get approval from the Board to go out to Bid so there were two different meetings and they were approximately five to six months apart. Mr. Hibbs stated when the Board approved going out to Bid, it was an increased estimate. He stated there was "scope creep," and while they attempted to cover what they felt were the increasing costs, the Bids came in higher.

Mr. McLaughlin stated his concern is that he does not want this to happen a second time. He stated they are concerned that if they decide on an Option this evening, in two months they could be told that the bids came in higher again. Mr. Hibbs stated this is why he suggested they get to the smallest base project that the Board feels is acceptable and then have a series of alternates so that the Board is given flexibility.

Mr. Benedetto asked if the \$1.75 million includes the site work of \$500,000 and the building costs, and Mr. Hibbs agreed that was their estimate based on the meeting it was approved. He stated the Bids were not broken down so he cannot say that the construction bid was a certain percentage in terms of site although he can say that based on Mr. Eisold's estimate, it was approximately \$500,000. Mr. Benedetto stated his concern is that other costs have also been building up including the architect and engineering costs. Mr. Dobson stated the total cost will be more than \$1.75 million if they vote on it because they have already expended money. Mr. McLaughlin asked how much has been spent already, and Mr. Fedorchak stated the soft costs which would be architectural and engineering fees which were budgeted at approximately \$300,000. Mr. Dobson stated he wants to know the costs for each Option that includes everything. Mr. Fedorchak stated they would add \$300,000 to what Mr. Hibbs has presented. He stated that they have already spent approximately \$250,000 on soft costs.

Mr. Benedetto asked if they are complying with the Township Green Building Ordinance, and Mr. Hibbs stated they do. Mr. Benedetto asked if the costs noted include landscaping; and Mr. Hibbs stated it includes basic landscaping, but not the additional landscaping that was added as part of the Planning Commission recommendation.

Mr. Tom Will, 389 Trend Road, stated he feels the Plan looks like a glorified warehouse which is costing \$400 a square feet, which is "ludicrous." He stated he used to build buildings similar to this at \$200 per square foot. Mr. McLaughlin stated it must be remembered that because they are a Government entity, they must pay prevailing wage which adds 30% to 40% to the costs. Mr. Will stated he is also concerned that the bids that came back were not broken down, and he questions whether they have enough specificity to say what this will be and what it will cost. Mr. Will stated he feels there will be an additional 25% to 30% cost growth by the time this gets built. He stated he feels the Board needs to agree what scope they are willing to have. He stated they also need to consider the degree of the finishes. He stated he does not feel they have enough details to provide the specifics to the contractors. Mr. Hibbs stated he previously drew exactly what the Township wanted, and the contractors came back and told exactly what that was going to cost.

Mr. John Lewis, 1550 Surrey Brook Court, stated in October, 2013 Mr. Hibbs indicated it would be done in eighteen months. Mr. Lewis asked Mr. Hibbs at what time he informed that Board or the Township Manager that “scope creep” would alter the budget, and Mr. Hibbs stated he advised them of this every time they added something. Mr. Lewis asked if all the Options include LEED Silver, and Mr. Hibbs stated they do not. He stated they are LEED Certified but not LEED Silver, and they would not apply for the Certification.

Mr. Lewis stated they are running between \$380 and \$388 per square foot, and he asked what percent of that is building cost; however, Mr. Hibbs stated he did not have the breakdown of the contractors’ estimate. He stated they had an estimate from the site civil engineer who projected it to be between \$500,000 to \$600,000 for site costs.

Mr. Lewis asked Mr. Hibbs if he is familiar with RSMeans where they do cost per square foot estimates, and Mr. Hibbs stated he is. Mr. Lewis stated he looked into this and stated Mr. Hibbs is 121% over the RSMeans typical per square foot cost for a community center. Mr. Hibbs asked Mr. Lewis if he adjusted this for location, and Mr. Lewis stated he used Newark as it was the closest city that was eligible for the RSMeans data. Mr. Hibbs stated there are a number of other cities that would be closer to Lower Makefield. Mr. Lewis asked why Mr. Hibbs is so far off a comparable building in a comparable location using Union labor recognizing that he used Newark. Mr. Hibbs stated Mr. Lewis is not using accurate information. Mr. Lewis stated he has a challenge with this process where they do not have any specificity on the bid, and they do not know what is going in and out of the previous plan.

Mr. McLaughlin advised Mr. Lewis that even if the RSMeans amount was less per square foot than what Mr. Hibbs had indicated, it was the contractors that came in much higher. Mr. McLaughlin questioned how accurate RSMeans could be if all five contractors came in higher than RSMeans.

Mr. Lewis stated he would like to know when Mr. Hibbs told them they were going over the budget. Mr. McLaughlin stated there was “scope creep” because whenever they asked more people about what they wanted, the project grew and it went from \$1.7 to \$2.4 in theory; and then in the real world it went from \$1.7 to \$2.7 when the bids came in. Mr. Lewis stated his initial question was whether the Board was getting full information throughout the process. Mr. McLaughlin stated they found that the real world bids out projects at what they will build it at. Mr. Lewis stated he feels since Mr. Hibbs saw the project escalate in price, he should have been accountable. Mr. McLaughlin stated they felt it was going to come in at \$2.3 or \$2.4, and the Board was comfortable with that, but it then came in at \$2.7 million.

Mr. Smith stated Mr. Hibbs was then tasked to come back with a structure that would cost approximately \$1.7 million, and he feels they should move ahead with that discussion.

Mr. Lewis stated a few months ago the Board admitted that they made mistakes in terms of how they managed the process; however, Mr. McLaughlin disagreed and stated that what the Board indicated was that they did not expect it would go from \$2.4 to \$2.7, and since it could actually have gone even higher when completed, they were not willing to that far. Mr. McLaughlin stated he feels the Board had the courage to say “no” to proceeding at that time. Mr. Smith stated he agrees that the Board did the right thing.

Mr. Benedetto asked about parking, and Ms. Tyler stated the parking would relate to the scope of the building. Mr. Hibbs stated when you reduce the building it could reduce occupancy, and they could then reduce parking and still meet Code.

Mr. Irv Hirsch, Lower Makefield Seniors, asked about the size of the multi-purpose room. Mr. Hibbs stated for Option 3, it would be 1,800 square feet which is about the same size as the meeting room. Mr. Hirsch stated the Seniors use the Township meeting room for many of their functions. He stated if the new building is a Community Center there could be limited use for the Seniors. He stated he wonders how the Seniors will be better off. Ms. Tyler stated the Township meeting room would be open for other groups to use it. Mr. McLaughlin stated the Seniors will always have priority during the day in the multi-purpose room. Mr. Hirsch stated he does not see storage space on the Plan, and Mr. Hibbs stated once an Option is agreed on, they will allocate the space.

Mr. Joe Menard, 917 Putnam Drive, asked the difference in square footage been Options #2 and #3, and Mr. Hibbs stated it is 600 square feet and the cost would be \$250,000. Mr. Menard asked if there would not also be additional soft costs if they were to add that 600 square feet to the building in ten years, and Mr. Hibbs agreed. Mr. Hibbs asked that they consider Option #2 since there are space needs for that size of the building.

Mr. Dobson stated he is not in favor of going up to Option #2.

Mr. Menard stated when you look at \$250,000 toward an asset that has a forty year useful life and consider the cost per ratable, it is an infinitesimal cost if they can justify the use of the building itself for this additional 600 square feet of space.

Mr. Benedetto stated previously the site development costs were 13% to 18% and now they are a much greater percentage of the overall costs. Mr. Hibbs stated to be conservative for each of the Options they kept that consistent even though in theory when you go down in size, the dollars per square foot would come down. In order to be conservative they kept the dollars per square foot the same across all the options. Mr. Benedetto stated the site work is a big portion of what they are considering, and Mr. Hibbs agreed.

Mr. Terry Bray, 865 Henry Drive, stated he was present at the July meeting urging the Board to be fiscally responsible when approaching this project. He stated he does not feel the first question should be the scope, rather it should be what they can afford; and if they cannot build the project within that scope, it should not be done.

Ms. Cheryl Kastrenakes, 959 Countess Drive, stated they need to stay financially within their budget; but she added that the community has waited a long time to have a Community Center. She stated it should be integrated in terms of connectivity as well for the community.

Mr. Tom Will stated they need to decide which Option they want in terms of rooms and square footage. He stated once this is decided, there is a list of steps that can be gone through to get the Board the facility they want for \$1.7 million. He stated anyone in project management can detail those steps, they can execute it, and they can deliver the scope based on the size at the cost the Board wants. Mr. Will stated he would be willing to put this in writing for the Board, and he will show the steps needed to be done if someone wants to execute it.

Mr. Zachary Rubin, 1661 Covington Road, stated the Township needs a Community/Senior Center, and he feels they should come up with what they need and not look first at the figures. Mr. Rubin stated Lower Makefield is an affluent Township and needs this. He stated the Township got \$1 million over four years ago to build this. He stated the Board decided to spend \$2.4 million using \$1 million from the Grant and borrowing the other \$1.4 million, and Ms. Tyler agreed. Mr. Rubin stated now they are coming up with a figure of \$1.75 million and now they will only borrow \$750,000 so they have cut their commitment in half. Mr. Rubin stated he disagrees with this. He stated he feels they should go back to the original figure of 7,600 square feet because the Township needs classrooms, a place for the exhibition of historic artifacts, etc. He stated for 2015 his tax bill was \$495.50 for the Township. Mr. Rubin stated it has been indicated that one mill in the Township brings in approximately \$500,000. He stated if they assess every homeowner 2 mills for one year, that would come out to approximately \$66 per average homeowner, and it is tax deductible on the Federal Income Tax. He stated the Township could raise

\$1 million without having to borrow money which they would have to pay back for twenty to thirty years. Mr. Rubin stated the Township can afford a Community Center, and they should build it.

Mr. Benedetto stated he has no interest in taking out a \$1 million loan with increased interest costs. He stated he would not vote in favor of borrowing any money, and they should go into the “rainy day fund” or raise taxes and have the political courage to do this. He stated going out to borrow money is adding hundreds of thousands of dollars in cost.

Ms. Sue Herman stated she believes there is a need for a Community Center. She stated while this meeting room is sufficient, if they are going to the trouble of building a Community Center she would not want them to stay with the status quo and lose the square footage that has been taken away in the multi-purpose room in Option #3. She stated she feels Option #3 gives away too much. She stated she agrees with Mr. Menard that building the larger option makes good common sense. She also asked that they take advantage of Mr. Will’s offer to advise them on how to bid this so that they get the lower rate per square foot. Ms. Herman stated she does not feel they should go any smaller than Option #2.

Mr. Benedetto stated this project does not take priority over road resurfacing and preservation of open space. He stated he feels those are items which they should borrow money for adding that the Voters were in favor of borrowing money for open space and actually voted against a Community Center although he recognizes that the scale was different.

Mr. McLaughlin questioned why they then built more baseball fields. He stated the Board is very quick to build things that are popular for children, but he feels they should be doing something for a segment of the population that has been ignored; and he feels this is essential. He stated they have not raised taxes in seven years, and they have meticulously weighed their priorities and options.

Mr. McLaughlin moved and Mr. Smith seconded to commit to Option #2 for the Senior/Community Center with a hard and fast stop of \$2.3 million including \$2 million to build and \$300,000 in professional fees.

Ms. Herman stated she feels this is a quality of life project and will bring the community together.

Ms. Reiss asked the capacity of the multi-purpose room in Option #2. Mr. Hibbs stated it would be 125 with tables and chairs. Ms. Reiss stated she is in favor of Option #2 and appreciates that the Board is willing to do this. She stated it will be good for the property values as well.

Ms. Catherine Beath, 1049 Countess Drive, stated she is glad that they are remembering that the Township Municipal Building space will be available and she questions why they need classrooms when this space will be empty all day. She also noted the space available at the Library. She stated every dollar spent on this project is money that cannot be spent on roads.

Mr. LaBar stated those fifty-five and older can come and join the Seniors. He stated they are very tight in the existing room, and they need the space. He asked that the Board make a decision and move forward.

Mr. Smith stated every Township in the area has a Senior/Community Center. He asked that they move ahead with this project. He stated a number of years ago when they were considering the Golf Course, it was cut down in scale; and now they have had to expand it. He feels they should proceed with this project and do it right.

Mr. Benedetto stated at the last meeting the number they indicated they were comfortable with was \$1.7 million, and now they are going beyond their means and trying to be everything for everyone. He stated he feels they are going to build something that no one is going to be happy with. Mr. Benedetto stated he feels that they could build Option #3 for \$1.7 million without raising taxes or borrowing money.

Motion carried with Mr. McLaughlin, Mr. Smith, and Ms. Tyler in favor and Mr. Benedetto and Mr. Dobson opposed.

BIBLE FELLOWSHIP CHURCH – APPROVAL OF SECOND MODIFICATION TO APPROVED LAND DEVELOPMENT PLAN

Mr. Garton stated this property is located at 725 Oxford Valley Road, and this is the second modification which proposes to construct two additional building additions totaling 3,751 square feet with sidewalks and other site improvements. Mr. Garton stated the Plans are dated 6/28/15 and the Tax Parcel is #20-34-21. Mr. Garton stated the Planning Commission at its meeting on July 27 recommended approval subject to certain Conditions.

Mr. Don Marshall, attorney, Mr. Bob Travis, Pastor, and Mr. Craig Styers, engineer were present. Mr. Styers showed the Plan including the existing building and the proposed additions. He stated the back addition will be a two-story addition. He stated the property drops off so that the change in the look of the building from the road will be minimal.

Mr. McLaughlin moved and Mr. Dobson seconded to approve the Second Modification to the Approved Land Development Plan of Bible Fellowship Church subject to the following Conditions:

- 1) Continued compliance with all the prior Conditions imposed as part of all the prior Land Development Applications except as modified by this second modification;
- 2) Compliance with the Boucher & James review letter dated 7/16/15 including Waiver for the parking to the rear which is within 20' of the rear addition;
- 3) Compliance with the Tri-State Engineers letter dated 6/9/15;
- 4) Compliance with the Bucks County Planning Commission letter dated 7/2/15;
- 5) Receipt of all Permits by any agencies having jurisdiction including the Conservation District;
- 6) Applicant shall comply with the Township's Stormwater Management Best Practices and shall execute the appropriate Stormwater Management Agreement;
- 7) Applicant shall pay all Review and Professional Fees in connection with the Application;
- 8) Any new signs shall comply with the applicable Township Sign Ordinance;
- 9) Any new lighting shall comply with the applicable Township Ordinances;
- 10) Applicant shall execute a Unilateral Declaration of Restrictions and Covenants as it relates to the Notes on the Plan which shall be Recorded contemporaneously with the Amended Final Plan

11) Funding and Execution of Development and Financial Security Agreements.

Mr. Marshall agreed to the Conditions of Approval.

Mr. Alan Dresser, 105 E. Ferry Road and Chair of the EAC, asked about the parking. Mr. Marshall stated the parking requirements of the Ordinance are based on seats, and they will still be in compliance with the Ordinance. There is no proposed additional parking.

Motion carried with Mr. Benedetto abstained.

Mr. Garton stated they have also requested an extension on the time allowed for the temporary trailers, and the Planning Commission recommended granting this request subject to making sure that the trailers are properly inspected and appropriate for public use and occupancy.

Mr. McLaughlin moved, Mr. Benedetto seconded and it was unanimously carried to grant this Extension.

REGENCY AT YARDLEY – SOUTH PARCEL RESIDENTIAL DEVELOPMENT PHASES I AND II – TABLING APPROVAL OF DEVELOPMENT AND FINANCIAL SECURITY AGREEMENTS

Mr. Garton stated the staff would recommend that this matter be Tabled to a later meeting.

Mr. Smith moved and Mr. Dobson seconded to Table.

Mr. Smith stated he would not vote to Approve this until the matter with regard to Yardley Hunt is resolved, and Mr. Garton stated that is why they are requesting that this matter be Tabled. Mr. Benedetto asked for an update on the Revere tennis courts; and Mr. Fedorchak stated he and Mr. Garton have discussed this, and Mr. Garton is going to assist him in the negotiations with Toll Bros.

Motion carried unanimously.

Mr. Garton stated the Board met in Executive Session for approximately twenty minutes prior to the meeting to discuss the Zoning Hearing Board matters and several personnel matters.

ZONING HEARING BOARD

With regard to the Gil and Li Hamberg Variance request for the property located at 1038 Darby Drive in order to permit construction of an in-ground pool resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

UPDATE ON 2015 ROAD PROGRAM

Mr. Eisold stated Woodland Road is 100% complete and S. Crescent is 95% complete, and the contractor has also been working on the handicap ramps in Sandy Run. Mr. Eisold stated their plan is to be on site the beginning of next week to complete the milling and overlay of the Sandy Run development, and they will then proceed with the other projects in the lower end of the Township. He stated based on the Notice to Proceed date of July 27, they had sixty days to complete which will be the end of September. He stated he spoke with the contractor this morning, and he feels he will meet that date.

Ms. Tyler asked if there is something that can be done proactively with regard to the handicap ramps; and Mr. Eisold stated that with regard to some of the older ones that are in poor condition, the contractor is going to go back and repair those. He stated some of them are past the Maintenance Bond, but he indicated he would take care of them. Mr. Eisold stated he also recommended a sealant that is very inexpensive which could be put on to help protect the ramps through the first winter from the salt and other materials. He stated he feels it would be approximately \$3 per square yard so it would be approximately \$40 to \$50 per ramp.

Mr. Benedetto asked about the update to the Twenty-Five Year Road Improvement Plan, and Mr. Eisold stated they have updated that, and he will meet next week on this with Mr. Fedorchak.

Mr. Benedetto asked if a decision was made on the Falcon, and it was noted that this has already been purchased.

Mr. Dobson asked if they have received an update from PennDOT on when they are doing Dolington Road, and Mr. Eisold stated they recently received notification from PennDOT that they are going to mill and pave Mirror Lake Road between Langhorne-Yardley and 332 and are also planning to repave a portion of River Road from Yardley Borough south past Black Rock. Mr. Dobson stated he felt Dolington Road was on their Website, and Mr. Eisold agreed to look into this.

Mr. Benedetto asked if Black Rock Road was on the Twenty-Five Year Plan; and Mr. Eisold stated previously when they did the Twenty-Five Year Plan they used the roads that were in the previous Plan prepared by Remington Vernick, but this time they did an overall look at the roads, and he feels the current plan is all inclusive.

Mr. Smith stated he felt there was going to be a discussion on the Twenty-Five Year Plan, and Mr. Fedorchak stated he plans to have this discussion during the course of the Budget Workshops.

Mr. Rubin asked about the Falcon, and Mr. Fedorchak stated they have purchased it and are using it. Mr. Rubin stated the cost of gasoline is really low now, and he feels the costs for asphalt are down from when the original bid was done; and he feels they should explore accelerating some of the programs and bid out things which might still come in under the yearly Budget. He feels this is an opportunity to add some more roads. Mr. Eisold stated liquid asphalt is really only a small portion of the material as there is also a lot of stone. He stated the PennDOT standard has an index for the asphalt; and if the change is more than 10%, the Township will either benefit or have to pay a higher cost. He stated if there has been a reduction of more than 10%, it will save the Township some money when the work is actually done. Mr. Rubin stated if it does come down, he feels they could add some more streets; and Mr. Dobson stated they would have to make sure the contractor could do it as they may already be booked up.

SUPERVISORS REPORTS

Ms. Tyler stated on August 20, 2015 PECO held a meeting with Lower Makefield, Yardley Borough, and some other Townships that have been pressuring PECO to improve the infrastructure and provide reliable electrical services. She stated PECO informed them that their \$10 million infrastructure improvement plan was completed on time in June. At the meeting they discussed the PECO service area, number of customers, and the amount spent annually for maintenance and service improvements; and the \$10 million investment was in addition to their customary expenses. They also discussed the system evaluation of the pocket areas that experience higher than average power outages; and following the analysis, PECO invested the \$10 million for the improvement plan within Bucks County. Ms. Tyler

reviewed the improvements which PECO completed in 2015 including installation of tree-resistant power lines, aggressive tree trimming, and other equipment upgrades. They reported that the improvements have resulted in significant improvements in the outage pocket areas. Ms. Tyler stated upgrades were also made to the PECO Website which is providing more useful information as it relates to power outages. She stated PECO also has a program called PECO On The Go which alerts the customer if their electricity is out, and it is possible to download the App on your mobile device. Ms. Tyler stated they also reported that all their service vehicles have been equipped with GPS to enable constant communication between the crews in the field and the engineers directing restoration. She stated PECO is 95% complete in the installation of digital meters and anticipates complete installation during the winter of 2015/2016. She stated PECO has a rate increase request before the PUC, and they are requesting \$190 million for modernization of the distribution system and an additional \$2.75 million for other upgrades. She stated if approved, both plans will be executed within five years and will result in an average 4% increase. Ms. Tyler stated in collaboration with PECO, Lower Makefield Township will be placing PECO-specific information on the Township Website.

Mr. Benedetto stated the EAC had reported on the tree bank. He stated a proposal was presented by a resident from Heacock Meadows about replacing trees lost during Hurricane Sandy which would help as a sound barrier. He stated he feels this would be a good use of the trees. Ms. Tyler asked if Heacock Meadows has an HOA, and Mr. Fedorchak stated they do. Mr. Fedorchak stated there may be some roads in the development which are public roads, and they would have to review where the trees are proposed to be placed. Mr. Garton stated the Township could donate the trees if they were going in the public right-of-way, but not on private property. He stated they would need to find a location in the State or Township right-of-way. Mr. Fedorchak stated he assumes they would want them close to I-95, and they would have to see if there are any public rights-of-way within that area. Mr. McLaughlin suggested that the residents follow up with the Township where they want them to be placed, and they can then look into it.

Mr. Benedetto asked about the status of Sunflower Farms, and Mr. Garton stated there will be a Hearing next week before Judge Melion who will decide whether or not they still have Standing.

Mr. Smith stated the Economic Development Commission is going to have a Business Meet and Greet on the second Thursday in November, and all of the Supervisors are invited. He stated they may need some help to finance a deposit at the Golf Course.

DISCUSSION OF VOLUNTEER APPRECIATION NIGHT

Mr. Fedorchak stated the Township is supported by over twenty Authorities, Boards, and Commissions all of which are populated by volunteers who put in hundreds of hours completing the tasks assigned to them by the Board of Supervisors. He stated they have talked about having a night where the Government and the community can recognize them for the time they are spending at the tasks they have been assigned for which they are not paid. He stated the Township has some extraordinarily talented people who are providing their skill set on behalf of their community at no charge. Mr. Fedorchak stated he feels a small gesture of appreciation would be to have a Volunteer Appreciation Night at the Golf Course on Friday, October 2 at 6:00 p.m. with food and beverages served, and Spirit Golf has indicated they may donate the beverages. He stated he anticipates the food would cost less than \$3,000.

Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried to approve the Volunteer Appreciation Night as described by Mr. Fedorchak.

OTHER BUSINESS

Ms. Tyler stated Lower Makefield now has a Twitter account at lmtgov in addition to lmtpd which is the Police Department Twitter account.

Ms. Tyler stated LMT Fun Day will be on Monday, September 7 from 11:00 a.m. to 4:00 p.m. with children's activities and live entertainment. She stated the Pool is open to all Lower Makefield Township residents, and the Pool Manager, Jeff Brown, will have discretion on the number of people who can enter the Pool. She stated from 5:00 pm. to 8:00 p.m. they will have the Fifth Annual Veterans Square Monument Labor Day Concert, and if it rains it will be at the Masonic Lodge.

Mr. Smith stated at the Family Fun Day, Mr. Benedetto and Ms. Tyler will be in the dunk tank with the proceeds going to charity.

Ms. Tyler stated the VFW has a picnic planned for Saturday, September 26, 2015.

Mr. Benedetto stated with regard to the Family Fun Day he is concerned about the cost involved since this was a platform during the campaign in 2011. Ms. Tyler stated the Family Fun Day is not the same event as Community Pride Day was, and it is a much smaller event. She stated she believes the costs are well under \$8,000 and donations are being made by vendors. She stated they will then decide whether they will do this again next year.

APPROVE HIRING THREE REPLACEMENT POLICE OFFICERS

Chief Coluzzi asked the Board to consider hiring three replacement Police Officers.

Mr. McLaughlin moved, Mr. Benedetto seconded and it was unanimously carried to hire the following:

Timothy Liss – Start date September 21
Steven Tambora – Start date September 28
Melissa Creamer – Start date October 5

OTHER BUSINESS

Mr. Benedetto stated Marsha has run the Snack Bar at the Pool for twenty-five years, and he feels they should recognize the great work she has done.

APPOINTMENTS

Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to re-appoint Mr. Bill Clark to the Citizens Budget Committee.

There being no further business, Mr. McLaughlin moved, Mr. Benedetto seconded and it was unanimously carried to adjourn the meeting at 10:50 p.m.

Respectfully Submitted,



Jeff Benedetto, Secretary