

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPEVISORS
MINUTES – APRIL 17, 2024

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on April 17, 2024. Mr. Lewis called the meeting to order and called the Roll.

Those present:

Board of Supervisors: John B. Lewis, Chair
 Daniel Grenier, Vice Chair
 Suzanne Blundi, Secretary
 Matt Ross, Treasurer
 James McCartney, Supervisor

Others: David W. Kratzer, Jr., Township Manager
 Maureen Burke Carlton, Township Solicitor
 Paul DeFiore, Township Engineer
 Kenneth Coluzzi, Chief of Police

COMMUNITY ANNOUNCEMENTS

Mr. Lewis stated if you have a community announcement at any time, you can send an e-mail to admin@lmt.org to request an announcement. There was no one wishing to make a special announcement at this time.

Mr. Lewis stated the Yardley Farmer's Market will be held at the Lower Makefield Community Center, 1550 Oxford Valley Road from 10:00 a.m. to 12 p.m. on Saturday, April 20th.

Mr. Lewis stated the Parks and Recreation Department is hiring for all seasonal summer positions including Pool, Summer Camp, and field maintenance. To apply visit www.lmt.org.

Mr. Lewis stated to register for the Pool visit www.lmt.org. He stated it is best to register by May 10th.

Mr. Lewis stated the Lower Makefield Township Environmental Advisory Council is hosting another Styrofoam & Recycling Event at the Township Building, 1100 Edgewood Road on Saturday, April 20th from 10:00 a.m. to Noon.

Mr. Lewis stated the Birthday Lawn Bandits are presenting their 3rd Annual Strolling for Service Dogs Fundraiser on Saturday, April 20 from 11:00 a.m. to 3:00 p.m. at the Garden of Reflection, 1950 Woodside Road.

Mr. Lewis stated the Lower Makefield Township Environmental Advisory Council is sponsoring a free PA Bird Town Falconry Class at Memorial Park, 1950 Woodside Road on Saturday, April 20th at 3:00 p.m.

Mr. Lewis stated the Friends of Five Mile Woods will be hosting an Open House and Ribbon Cutting Ceremony for the new ADA Accessible Boardwalk Project from 12 p.m. to 4 p.m. on Sunday, April 21, 2024.

Mr. Lewis stated Lower Makefield Township's Yard Waste Recycling Days are back, and the next scheduled day for yard waste drop-off is Saturday, April 27 from 7 a.m. to 3 p.m. behind the Township Building, 1100 Edgewood Road. For a full schedule, check the Public Works' Departmental page on the Township Website.

Mr. Lewis stated Lower Makefield Township is hosting a Red Cross Blood Drive on Friday, May 3 from 12 p.m. to 5 p.m. in the main meeting room in the Township Building. To sign up or get more information, log onto RedCrossBlood.org and enter Sponsor Code: LowerMakefield. You can also register for other Blood Drives as well if you cannot attend this Blood Drive.

PUBLIC COMMENT ON NON-AGENDA ITEMS

There was no one wishing to make public comment at this time.

POLICE

Chief Coluzzi thanked the Officers, their families, and their guests for being present this evening as it is important for the Officers who are receiving these awards and achievements throughout the ranks of the Police Department. He stated as the Chief of Police it is one of the most proud moments of his responsibilities as Chief to recognize Officers for their outstanding performance and service and to honor the career of a dedicated Officer and recommend the promotion of highly-qualified individuals. Detective-Sergeant Brian Omler assisted with the presentations.

Presentation of Police Commendations/Awards

Patrolman Timothy Bachman was presented with a Commendatory Letter for actions taken against dangerous criminals with weapons protecting the safety of the community.

Corporal Gerard Scherf and Patrolman Steve Markle were presented with a Life-Saving Commendation for responding to an unresponsive individual who eventually made a full recovery.

Patrolman Forrest accepted on behalf of Patrolman James Rivers a Life-Saving Commendation for responding to an unresponsive individual who had overdosed and was able to save the victim's life.

A Unit Citation was presented to Sergeant Brian Holder, Corporal Gerard Scherf, Patrolman Robert Kennedy, Patrolman Michael Forrest, Patrolman Brendan Montemarano, Patrolman Christopher Reardon, Patrolman Stephen Ferri (unable to attend this evening) and Patrolman Patrick Cahill (unable to attend this evening) for responding to a domestic violence incident with some Officers attempting life-saving measures on the victim and others chasing and apprehending the suspect. The victim succumbed to her injuries.

Presentation of Proclamation to Recognize the Service and Retirement of Lieutenant Brian Golder

Mr. Lewis read and presented the Proclamation to Lieutenant Brian Golder on his retirement after twenty-eight years of service with the Lower Makefield Township Police Officer. His experience and promotions were noted

Promotions to the Rank of Lieutenant and Sergeant

Sergeant Kurt Bradley's education and experience were noted. Chief Coluzzi recognized his service and dedication to the community and recommended his promotion to the rank of Lieutenant.

Mr. McCartney moved, Mr. Grenier seconded and it was unanimously carried to promote Kurt Bradley to the rank of Lieutenant.

Patrolman Jason Landis' education and experience were noted. Chief Coluzzi recommended his promotion to the rank of Sergeant.

Mr. McCartney moved, Ms. Blundi seconded and it was unanimously carried to promote Jason Landis to the rank of Sergeant.

Chief Coluzzi recognized J. R. Landis, Jason Landis' father, who served 34 years as a Law Enforcement Officer with the Buckingham Township Police Department.

Chief Coluzzi thanked the Board of Supervisors for their support of the Police Department.

A short recess was taken at this time. The meeting was re-convened.

APPROVAL OF CONSENT AGENDA ITEMS

Mr. Grenier moved, Ms. Blundi seconded and it was unanimously carried to approve the following Consent Agenda Items

- Approval of the Minutes for the April 3, 2024 Meeting as written
- Approval of the March 2024 Treasurers Report (2024 Month-To-Date Revenue \$460,666.42, Expenses \$2,329,328.20. 2024 Year-To-Date Revenue \$5,414,047.95, Expenses \$5,754,709.72)
- Approval of March, 2024 Interfund Transfers (\$1,206,073.69) as attached to the Minutes
- Approval of Warrant Lists for April 1, 2024 (\$169,690.52) and April 15, 2024 (\$850,396.32) as attached to the Minutes
- Authorized the Approval of the Bucks-Montco Aquatics Consortium Bid for Pool Chemicals (Budgeted Item)
- Authorized the Approval of the Landscaping Maintenance Proposal from Realty Landscaping Relating to Memorial Park/Garden of Reflection in the amount of \$38,406 (Budget Item; COSTARS Contract #029-E22-078)
- Approved the purchase of a 2023 GMC 5500 (small dump truck) at a total cost not to exceed \$133,000 (including upfitting) (Budgeted Item) and Authorize the Solicitation of Financing Proposals

FIRE SERVICES

2023 Annual Report

Fire Services Director Timothy Chamberlain was present. He thanked the Township on behalf of the Chief Officers of the Yardley-Makefield Fire Company. He stated they thank the Board for their many years of continued support.

Mr. Chamberlain stated the Yardley-Makefield Fire Company, like most organizations, was required to deal with a degree of fiscal uncertainty throughout most of 2023 brought on by inflation and predictions of significant economic impact. He stated they adapted to these challenges by evaluating and updating processes, and they continue to look for new and creative methods in all aspects of the operation to ensure continued fiscal responsibility while honoring the commitment to provide the highest level of public service possible.

Mr. Chamberlain stated the Fire Company answered a total of 580 dispatched emergency calls for service in 2023 which totaled 26,742 manhours from the volunteers. He reviewed the emergencies which resulted in this number of calls. He stated the Fire Company ranked fifth in the County in 2023 for dispatched emergency calls within its own coverage area. He stated the four companies above them are supported by career staff during daytime hours when most of their volunteers are not available. He added the chart shown does not depict service calls that come into the Station or through the Fire Director's desk that require Fire Company response. He stated each Department could possibly add another 75 to 100 calls for service on the chart shown.

Mr. Chamberlain stated while calls for service vary throughout the day, the bulk of the calls come between 8:30 a.m. and 10:00 p.m. He stated these hours also overlap many of the hours most volunteers are at their full-time jobs. He stated the graph shows that there are 168 calls that came between 10:00 p.m. and 8:00 a.m. which is when volunteers are trying to sleep. He reviewed the negative impact that sleep interruption has on health. He stated most calls/service last at a minimum of half an hour to up to four to five hours depending on the emergency. He stated the effects of chronic sleep interruption and irregular sleep patterns have been linked to leading causes of firefighter deaths. He reviewed other health risks from reoccurring sleep loss.

Mr. Chamberlain showed a chart of the break-down of calls per day of the week, and it shows that Saturdays, when most volunteers are off from their regular job spending time with their families, are being called for some kind of an emergency.

Mr. Chamberlain stated forty-six members of the Fire Company have met the requirements set forth in the By-Laws to be considered to be active, which is responding to 25% of the dispatched emergency calls. He stated nine of those are Fire Police Officers who assist in traffic and crowd control at emergency scenes. He stated three are volunteer Assistant Fire Marshalls who assist the Fire Service Director with investigations, and two members are Chief Officers who respond directly to the scene to determine what actions are needed. He stated seven members are driver/operators who while vital to the operations do not count toward the crew. He stated the two top driver/operators are over 70 years old. He stated this leaves twenty-five interior-qualified members who respond to the Fire Station to insure that the apparatus is staffed; and of the twenty-five members, ten are over the age of 50. He stated the average age of the interior-qualified members is about 49.95. He added that most of the fifteen active members that are under 50 years old work out of town, have children involved in multiple activities, and have other interests that take away from them being more involved. Mr. Chamberlain stated with regard to the apparatus manpower who respond during the day at the Fire House (6 a.m. to 6 p.m.), the average age is 51.76 years old, and at night (6 p.m. to 6 a.m.) it is 43.24 years old.

Mr. Chamberlain showed a graph of the average amount of personnel on the first-out apparatus during the day from each Station with 4.5 from the Woodside Station in the Township and 3.7 from the Yardley Borough Station. He reiterated that driver/operators do not enter the building or use the rescue tools; and their sole responsibility is to make sure that there is water in the truck and the tools are available.

Mr. Chamberlain stated from January, 2017 to the end of 2023 there have been fifty-one new members accepted as members into the Fire Company. He stated of the fifty-one accepted, thirty-one have already resigned or are inactive due to lack of time or changes in their personal lives, one is out on military leave, nine are active Fire Police Officers, and ten are interior-qualified firefighters. He stated during the time span, we lost seventeen Senior members who either retired or moved out of the area; and this included fourteen interior firefighters and three Fire Police Officers. He stated it takes many years for new members to gain the knowledge that those members had. Mr. Chamberlain stated we are not alone in the struggle to retain and recruit members, and our Mutual

Aid Companies are facing the same struggles we are seeing when there is an emergency. He stated numerous Companies are being called to perform tasks, and we get calls from New Jersey, Hunterdon County, and New Hope because of the amount of volunteers that they lack.

Mr. Chamberlain stated Members completed numerous Schools and Academies in 2023 totaling over 5,000 manhours, and real-world experience is also needed which can take years. He stated in 2023 the Fire Company was recognized by the State Fire Academy for having at least 75% of its active firefighters Nationally Certified to a level.

Mr. Chamberlain stated the Fire Company members contributed 33,440 man-hours for 2023 which does not include the countless hours that are given by the Administrative Officers. He stated that although the active membership is strong, the age and availability of those Members is a concern especially during daytime hours. He stated the call volume has risen significantly since the 1970's and 1980's when the Fire Company ran 136 calls for service compared to 2024 when the Fire Company has run 180 already. He stated the Township continues to grow with new housing and Commercial developments being proposed. He stated in 2021 the Bucks County Planning Commission did a study on the future of the Bucks County Fire Service; and in Bucks County there is a shortage of about 770 firefighters and that shifting personal priorities, community expectations, and a decline in the social fabric which once supported Fire Companies have all combined to create "the perfect storm." Mr. Chamberlain stated the Fire Company looks forward to working together to find solutions to continue to provide residents and business owners with the best fire protection in the County.

Mr. Chamberlain stated the Board received in their packet the end of the Year Report which has additional information, and he will have it put on the Website.

Mr. Lewis thanked Mr. Chamberlain and the Fire Company for their service. He stated they also appreciate Mr. Chamberlain's work in helping to recruit additional people. Mr. Chamberlain stated anyone interested in volunteering should go to the Yardley-Makefield Fire.com Website which includes information and contact information.

PARKS AND RECREATION

Approval of Change Order #1 from American Pools in the Amount of \$4,811.51

Ms. Blundi moved and Mr. McCartney seconded to approve Change Order #1 from American Pools in the amount of \$4,811.51.

Ms. Monica Tierney stated this is for concrete patching in the Olympic Pool where we had the replacement filter where the old returns were which was replaced in 2018/2019. She stated the concrete patches are chipping off, and they need to be patched before they can paint. She stated the project remains under Budget by about \$40,000.

Mr. Grenier asked for more information about the patch, and Ms. Tierney stated it is a replacement patch. Mr. Grenier asked the lifespan of this patch, and Ms. Tierney stated we might have to patch it again in a few years. Mr. Grenier asked if we have discussed a more permanent fix, and Ms. Tierney stated she can ask American Pools if there is a way to make it last a little longer.

Motion carried unanimously.

Five Mile Woods Ribbon Cutting

Ms. Blundi stated it was announced earlier that there will be a ribbon cutting at the Five Mile Woods for the accessibility path. She thanked all of the volunteers who worked on this and noted particularly Ms. Tierney's father who, while not a Township resident, was at the Woods working on this almost every day even in the rain working under a tent. Ms. Tierney was asked to thank her father on the Township's behalf.

PUBLIC WORKS

Update Relating to Sanitary Sewer Overflows in the Vicinity of 382 Ramsey Road, 853 Kilby Drive, 499 Countess Drive, and 501 Countess Drive

Mr. Kyle Roberts, Manager of Wastewater Operations in Southeast PA for Aqua, was present. He stated he is not a Township resident. Mr. Roberts showed a slide of the collection system, and outlined in orange is the flow that goes to the Silver Lake pump station which is surcharging. He stated that means that

there is more water getting into the system than the system can handle, and the system backs up. He stated the result of that has been a series of SSOs (sanitary sewer overflow) which can be seen on the map as green dots on Countess and Ramsey. He stated this also resulted in two customers having sewage back-ups into their houses.

Mr. Roberts stated they believe that there are two major contributing factors as to why this is happening the first being that the pipe highlighted in yellow on the slide in the Easement next to Silver Lake which carries the flow from the area outlined in orange on the previous slide to the Silver Lake pump station has a defect in the pipe that is causing restriction. He stated that causes the flow to back up into the rest of the system. He stated the second reason is the amount of rainfall that we have seen as this area to date has seen 51% to 75% greater than normal rainfall. He stated rain will find its way into the sewer system, and it contributes to the capacity issues. He stated these two situations create the surcharge back into the system that causes the sewer overflows.

Mr. Roberts stated to try to resolve the issue they constructed a temporary road to allow them to get access to the manholes within the Easement; and with that access, they set up a by-pass pump operation which allows them to use a system of pumps and pipes over the ground to divert the water from the pipe underground so that a camera can be put in and they are able to inspect it. He stated they put the camera in the pipe yesterday and found several defects that would contribute to this restriction in the pipe and cause the surcharge that they are seeing. He stated yesterday they started to mobilize a contractor to start to replace the line within the Easement.

Mr. Roberts stated there are also other things that they can do to help prevent surcharging in the system including some things that homeowners can do. An illustration was shown of what Aqua owns and what the homeowner owns. He stated in Lower Makefield the distinction is edge of road or curb line as to ownership. He stated homeowners should look at lateral clean-outs as it is common for lawnmowers to hit these, knock the cap off, break the clean-out at grade, and this provides an easy way for water to pour into the system. He stated homeowners should also know that sump pumps in the basement and roof drains should not be connected to the sanitary sewer system as the system is not designed to handle those flows. He stated any amount of water that can be eliminated from going into the system helps reduce the potential for sewer overflows.

Mr. Grenier asked if there were any discharges that made their way to Silver Lake or any watercourses in the area. Mr. Roberts stated the overflows that happened in the area did find their way into the storm sewer which eventually leads to Silver Lake. He stated they believe that the water that overflowed onto the road and the Lake was mostly stormwater or diluted sewage, and they do not believe that there is any risk to the public. Mr. Grenier asked if DEP has issued any violations or notices; and Mr. Roberts stated they have notified DEP, but have not received any violations from DEP.

Mr. Grenier asked if any homeowners have incurred any damage and are they able to inhabit their homes. Mr. Roberts stated he is aware of two back-ups, and both have been resolved and they are able to occupy their houses.

Mr. Grenier asked about the ultimate remedial action being taken with the pipe, and Mr. Roberts again stated that they have engaged a contractor and have started the plan to replace the entire length within the Easement next to the Lake.

Mr. Grenier asked if they are seeing similar issues anywhere else in the Township. Mr. Roberts stated the issue of I & I (inflow and infiltration) is an issue Nation-wide, but he does not know of any specific areas at this time. He stated if they do find anything, they will keep in touch with the Public Works Department and fix it as fast as possible. Mr. Grenier stated when the Township still owned the system, we set up a seven-year plan to fund a lot of projects, primarily I & I related. He asked if Aqua has a similar plan for long-term upgrade and maintenance of the system; and Mr. Roberts stated they are required to have a ten-year plan of Capital improvements, and there are allowances in that for I & I improvements every year. He stated it is a dynamic plan which changes as they get more data. Mr. Grenier asked if that would be shared with the Township and public, and Mr. Roberts stated he can check with management if this could be shared. Mr. Grenier stated that would be helpful to Public Works, the Fire Director, and the Chief of Police. Mr. Grenier asked that they keep the Township informed when they see other issues or projects come up.

Mr. Lewis asked if there is an estimate as to the timeline for the repair/complete restoration of service. Mr. Roberts stated there is a site meeting scheduled for next week. He added it will be a large project as the Lake is right next to it so there will be a significant amount of preparation needed to be done to insure safety in the trench, and following all environmental procedures, Permits, and policies.

Mr. McCartney asked Mr. Roberts if there is any literature that Aqua could mail out to homeowners providing them with information as to the clean-outs that he discussed earlier, what they should be looking for, and why it is important for the homeowner to have that repaired. Mr. Roberts stated he would be willing to do that to educate the customers on what they can do to help. Mr. Kratzer stated we will coordinate an internal meeting to try to develop some educational material to help address the issue collectively.

Mr. Grenier asked about Ordinances in place prohibiting connecting downspouts and other things to the laterals. Mr. Kratzer stated there are existing prohibitions on that. Mr. Grenier stated when we do our inspection at the time of sale, we look at that. Ms. Blundi stated the Township does not do that sewer lateral inspection. Mr. Majewski stated prior to the sale of a home there is a requirement to have a sewer lateral inspection. He stated as part of that, the plumber checks to make sure that there are no cross connections from any sump pumps or any other lines other than sewage that goes into the line; and they certify that they have done that. He stated the Township reviews the video which is done by the plumber hired by the homeowner, and our engineer checks the video to look for items that are questionable and need to be replaced. He stated occasionally we do have people who need to replace their whole line or parts of their line in order to reduce the inflow and infiltration that would get into the pipe and ultimately into the sewer lines.

Mr. McCartney asked where the scope starts, and Mr. Majewski stated it is the entire run from inside the home out to the street. Mr. McCartney stated if anything is found on the homeowner's side, the homeowner would be responsible for it. Mr. McCartney asked if we are reporting anything found on the Aqua side back to them; and Mr. Majewski stated if we find something that is at the curb line and toward the street, we notify Aqua and they put it on their list to ultimately address. Mr. McCartney asked how many of those have occurred when we have had to notify Aqua since we put in the new Ordinance for the sewer lateral inspections, and Mr. Majewski stated it is probably a few dozen. Mr. McCartney asked if there has been any action on those. Mr. Majewski stated Aqua has gone out and cleaned out roots and sections of pipe.

Ms. April Bollwage-Cloer, stated she is a Lower Makefield resident. She asked if there is an update on the Maplevale neighborhood as there is a pumping station at the end of Meadow Drive, and there are sewer back-ups in a couple of homes. Aqua employee Tyler Injaian, Operations Supervisor, stated he is not a Township resident. He stated inflow and infiltration in that neighborhood

is extreme to the point that there are just over forty homes in that neighborhood, and at times they see a full 8" pipe worth of flow coming into that small pump station. He stated up until recently they had a much larger diesel-powered pump externally managing the flow that was coming into that pump station. He stated recently they began lining the majority of that neighborhood, and that lining is now complete; and that has made some impact to date although there were a number of runs that had been repaired previously that they were unable to line. He stated they are currently working on getting a contractor to remove the previously-completed repairs so that they are able to line through them which will help. Mr. Injaian stated there is also a section of pipe that goes into the pump station where the majority of the flow was coming from, and last week they completed grouting of the joints to stop the water from coming into the pipe, and that made a significant impact on the amount of flow that they are seeing at the pump station. He stated they no longer need to use the diesel-powered pump; and starting last week, the pump station is functioning as it was designed to function. He stated they will continue to do work in that neighborhood to make sure that we are able to handle the flows and that there will be no more back-ups from infiltration.

Mr. Michael Brennan, 6 Maplevale Drive, stated his is the last house before the pump station, and he has noticed a significant improvement over the last week. He stated prior to that during two of the big rainfalls, his line backed up to his house. He stated he had it scoped twice and was told that that the issue is somewhere in the street. He stated he reached out to Aqua, but has not heard back from them, and he would like to receive a response as it is a significant job that he has to pay for, and it sounds like the issue is off of his property in the street which is causing his line to back up. Mr. Injaian stated they will get in touch with Mr. Brennan and get the right information to reach out for the claim. Mr. Injaian agreed to provide his contact information to Mr. Brennan.

Mr. Lewis stated he understands that there is another resident from Mahlon Drive who has a question into Mr. Injaian. Mr. Kratzer stated that relates to the pumping station at the Corner and Mahlon. Mr. Injaian stated they have been in communication and have surveyed the property to address some of the concerns and get a better idea of where the property and Easement lines are and where certain utilities are located. He stated they are waiting for that information to come back from the engineer that they enlisted to complete that survey.

Ms. Laurie Grey stated she is a Township resident. She asked if Aqua has to notify the Township when there are problems, and she asked if the Board was aware of all of these issues; and the Board indicated that they were. Mr. Lewis stated Aqua had to file a SSO (sanitary sewer overflow) report with the Pennsylvania DEP, and that report came to Mr. Fuller and the Board had it shortly thereafter. Mr. Fuller stated often the calls come into Public Works first.

ENGINEERS

Mr. DeFiore stated the Board received the Engineer's Report dated April 10.

General Project Updates

Mr. DeFiore stated with regard to Highland Drive, we are finalizing the design and calculations and plan to discuss submission to the PA DEP (Pennsylvania Department of Environmental Protection) and the Bucks County Conservation District (BCCD) at the next Supervisors meeting on May 1.

Mr. DeFiore stated with regard to the Taylorsville and Woodside trail connection, data collection has begun and hammers were installed at three study intersections, those being Taylorsville and Woodside, Taylorsville and southbound I-95, and Taylorsville and northbound I-95. The hours of collection are between 6 a.m. to 10 a.m. and 3 p.m. to 7 p.m.

Mr. DeFiore stated there is a Delaware Valley Regional Planning Commission (DVRPC) Multi-Use Trail Grant due May 3. There is no match required, and the maximum award is \$200,000. He stated RVE will work with staff to look at this Grant opportunity to pair with the Taylorsville and Woodside Trail Connection Project that is currently under design. He stated Pennsylvania Department of Community and Economic Development Multi-Modal Transportation Funds (DCEDMTF) has a Transportation Asset Improvement Grant due July 31. There is no match required and the award will run from \$100,000 to \$3 million. He stated RVE will work with staff for this Grant opportunity as well to pair with the anticipated Taylorsville Road sidewalk and stormwater improvement project that is being discussed as a potential project. He stated they will also work to pair any other applicable Grants with this potential project.

Mr. Lewis stated this would help with stormwater management on Taylorsville Road and in the Maplevale community, and he believes we would have a good shot at this with PennDOT support. Mr. Grenier stated we have also

talked to our State Representatives, PennDOT, and others about it on the road tours. He stated a sidewalk would allow residents to safely connect to the Yardley Borough sidewalk. He added that Taylorsville is “grandfathered relative to stormwater management rules” so when you put in a sidewalk, you have to deal with stormwater management and put in inlets to direct the water, and the curb associated with the sidewalk helps direct water and prevent it from reaching back yards. He added Mr. Ross has been helpful with this, and we will work with our State Representatives to hopefully get funding.

FINANCE

Discussion Regarding the Draft Fund Balance Policy, Investment Policy, and Capital Projects Funding Policy

Mr. Barry Lubber, Chief Financial Officer, was present to introduce three Financial Policies with no action being requested by the Board this evening. He stated he welcomes comments and would propose to bring this back on a future Agenda for consideration. He stated such policies help staff, and rating agencies look more favorably on Municipalities that have professional management, adopt policies and procedures, and follow them. He stated if the Board wanted to go out to market for borrowing, this would help at that time.

Mr. Lubber stated there was a significant storm in 2023 which resulted in the Township spending \$475,000 on the clean-up and reconstruction of stream and channel banks. He stated the Township had to pay for this, and was not reimbursed for it. He stated cash on hand is needed for situations like that. He stated the Government Finance Officers’ Association, the governing body for Municipalities across the Country, previously recommended a Fund Balance of 15%, but they are no longer recommending any specific amount since every Municipality is different. Mr. Lubber stated Moody’s looks more favorably if you have a higher Fund Balance. He stated when the Township sold the Sewer system it resulted in an influx of cash, and Moody’s at that point removed the negative outlook. Mr. Lubber stated in the 2024 Budget we are currently at 23.85% which is a Budgeted number based on the final results of 2022. He stated the 2022 Audit is being finalized, and we will then start the 2023 Audit. Mr. Lubber stated he is recommending, with the Manager’s concurrence, that the Board adopt a Fund Balance policy of a minimum of 25% which would provide a few month’s reserve. He stated GFOA previously indicated that you

could have a maximum as well; and if the Board wanted to adopt a maximum, they could or they could leave it open ended. He stated he would suggest a 40% maximum be considered. Mr. Luber stated we will be working on the Budget for 2025, and there are some challenges adding that 2024 was a challenging year to balance the Budget, and there were transfers from other Funds as a way to balance the Budget in 2024. He stated if you keep using one-time Revenue sources, they eventually go away, and we need a steady source of Revenue going forward to meet the demands of the community maintaining the infrastructure and quality of life issues which includes public safety. Information on the Fund Balance Policy was provided to the Board in their packet.

Mr. Luber stated the Investment Policy is not as critical as the Fund Balance Policy because the State has a lot of rules as to what the Municipality can and cannot do for investments. He stated the Investment Policy would formalize that in writing. He stated until a few years ago the Township could only invest in T-Bills, CDs, Money Markets, and Checking Accounts; but now they have opened it up to Commercial Paper and other investments. He asked the Board to review what he has provided to see if they want to conform to the Pennsylvania requirements and invest in all of those options or just the core things that used to be allowed, and he and Mr. Kratzer would come before the Board if we wanted to invest in something other than that for the Board's consideration. Mr. Luber stated the safety of the money is the most important, we need to invest in items that we can invest in legally, we need to make sure there is money available to pay the bills, and we then look at the return on investment trying to get the highest return that we can. He stated a requirement in Pennsylvania is that anything over \$250,000 must be collateralized.

Mr. Luber stated with regard to the Capital Projects Funding Policy, Lower Makefield does not have a steady stream of income for Capital Projects; and we, like many Municipalities, borrow money to fund our Capital Projects and also seek Grants. Mr. Luber stated at a later time, he would like to come before the Board to talk about the Sewer proceeds that are in the Trust and get the Board's input as to how they want to spend those proceeds. He stated he has heard that they want to use the interest to fund some operations.

Mr. Luber stated he will be sending out the Revenue and Expense Report for the first quarter shortly, and he noticed the Real Estate Transfer Tax are \$400,000 behind last year at the same time of year. He stated last year

three office buildings sold in January, 2023 which brought in \$400,000 of one-time Revenue although it is possible that those building could be sold again at some point in the future. He stated these sales resulted in a large influx of cash. He stated the Capital Projects Funding Policy will consider if we want to take some of that surplus and put it toward Capital Projects as an additional source of Revenue. He stated we are not in the position to do that yet since we had difficulty balancing the 2024 Budget, and we will have the same difficulty in the future when he and the Manager come before the Board with presentations on the Budget to provide some ideas and options. Mr. Luber stated there could be a donation or a major development that was not Budgeted for which could produce excess cash.

Mr. Luber stated with the Manager's approval these three Polices will be put on a future Agenda for consideration.

Ms. Blundi asked Mr. Luber looking at the Revenue we are projecting to come in from Transfer Taxes this year and given that she understands that there is not much inventory in the Township for sale, does he expect that we will meet the number in the Budget. Mr. Luber stated he does not believe that we will at this point because the three-month amounts we have this year are lower than the last year not counting the large investment he noted previously. He stated there are nine months to go and another office building or shopping center could sell; but based on Residential sales, he does not feel we will meet the Budgeted number.

Mr. McCartney asked if we are collateralized on anything larger than \$250,000, and Mr. Luber stated we are. Mr. McCartney asked what we are currently at with regard to the Fund Balance; and Mr. Luber stated the Budget is 23.85% which was developed when the staff was developing the 2024 Budget. Mr. Luber stated his recommendation would be 25%; and if the Board wanted to consider a maximum his suggestion would be 40%. Mr. Kratzer stated given how we fund and finance services, which is largely property tax based, we are not seeing an influx of other taxing Revenues over the course of the year; and in the first quarter, there is limited Revenue that comes in so the importance of 25% given our sources of Revenue becomes more important than it may be in other communities that may have more diversified Revenue streams.

Mr. McCartney asked if the Investment Policy is specific to Fund Balances that we currently have, and Mr. Luber stated that would be an Investment Policy for all Township assets other than Pensions and the Trust Fund for the Sewer sale proceeds.

Mr. Grenier stated we have a Trust Policy and the Charter for the Trust. Mr. Kratzer stated that is governed by separate Statutes. He stated Act 10 is what dictates non-Trust Assets and what is permissible in terms of investments.

Mr. Grenier stated he feels that once we get “a couple of COs” we should have some changes to valuations and increased Tax Revenue for some of the development at Prickett, and Mr. Kratzer agreed that there is some assessment growth that will occur. Mr. Luber stated Mr. Kratzer reviewed with him some open parcels that could be developed and others that are in some stage of development; and while there were not a lot, there seven to nine of significant size.

Mr. Grenier asked how these Policies would impact a future Bond Fund that we might consider. Mr. Luber stated as he noted earlier having these policies would help, although they are not as important as having a strong, healthy Fund Balance. He stated also paramount is not drawing down other Funds to balance the Budget each year. He stated while one or two years may not be an issue, three years would result in Moody’s and Standard and Poor’s to say that there is a structural deficit, and the Township would then be hit with a negative outlook or even a downgrade. He stated having the Fund Balance Policy and adhering to it will have the most impact when going for Bond rating.

Mr. Grenier stated while establishing the Policies is the first step, he assumes that future steps will be developing a long-term financial plan. Mr. Luber stated he hopes to present a five-year/six-year Capital Plan by June. He stated they will start with those projects that are mandated and this Plan will be before the Board at Budget time to determine which ones they want to fund. He stated also at Budget time, we will do a five-year General Fund forecast making assumptions on inflation, growth of staff, if any, and growth in residents since if there are more residents, there is then the need for more services. He stated it seemed that Mr. Chamberlain was laying the groundwork for the potential of paid firefighters in the future, and that would be in a five-year forecast.

Mr. Lewis asked Mr. Luber if he has considered policies for unfunded or contingent Liabilities. Mr. Luber stated he has considered that, but he wanted to work on the core things first. He stated getting the Budget balanced, having a long-range forecast, and having a long-range Capital Plan are paramount. He stated OPEB should be looked at to be funded, but a lot of Municipalities do not have any funding or minimal for OPEB; although in the Audit you do have to footnote it and tell what the Liability is. He stated while he agrees this should be looked at, it is at a lower priority.

Mr. Kratzer thanked Mr. Luber for the work that he is doing since he started on March 11. He stated these are important foundational and fundamental issues, and he recognized his contribution and the contribution of his staff. He stated this is an attempt to position us for future, sustainable success moving forward.

MANAGER'S REPORT

Approve the Acceptance of the Proposal from Granicus for Host Compliance (Short-Term Rental Identification and Compliance Monitoring Tool) at an Annual Cost of \$3,591.00

Ms. Blundi moved and Mr. Ross seconded to approve the acceptance of the proposal from Granicus for Host Compliance at an annual cost of \$3,591.00.

Mr. Kratzer stated we have a Short-Term Registration and Licensing process. This has largely been an “honor system” in terms of property owners that are utilizing their property for Airbnb, Vacation Rental By Owner, etc. He stated what is proposed is a tool that cross references the various sites in which property owners can list their properties, and we can insure that those properties are properly licensed and are consistent with the Ordinance requirements that the Board has set forth. He stated the tool is intended to be funded through Licensing Fees so there is no cost to the general taxpayer for this.

Mr. Kratzer stated he will be bringing back an amended Fee Schedule to amend the Registration Fee for short-term rentals as well as some of the other changes that the Board has made in recent Ordinances such as the Boarding Fee that is now in the Vacant and Foreclosed Property Registration Ordinance, and updating language related to the Vacant and Foreclosed Property Registration. He stated the intent of the proposed tool is to help staff monitor compliance, and the cost will be borne by those who are engaging in this activity through Licensing and Registration Fees.

Mr. Kratzer stated they did price other competitors, and this was the best and lowest cost option.

Motion carried unanimously.

Discussion Regarding Potential Amendments to the Requirements Governing Short-Term Rentals

Mr. Kratzer stated the Board was provided a memo in their packet outlining some potential Amendments. He stated while there are not a large number of short-term rentals in the Township, there could be ten to twenty-five at any given time during the course of the year. He stated we have had some challenges related to short-term rentals so the staff has been looking at potential Amendments to the Ordinance using other Municipal Codes for reference material. He stated the Board received a list of potential items to consider. He stated this included that the person or management company in charge being required to be within a certain mile radius of the short-term rental use, and twenty-five miles was a common radius.

Mr. Kratzer stated the rental periods for short-term rentals is a minimum of seven days for whole-house rentals and a maximum of thirty days. He stated some Municipalities have taken an additional step to say that the Short-Term Rental use be only one hundred twenty days in a calendar year/ License period. He stated currently someone who is meeting the minimum or maximum requirements could continuously rent a house for short-term rental purposes, and putting a maximum number of rentals over a calendar year period would be another restriction in terms of use.

Mr. Kratzer stated there have been some complaints regarding parking and disruptions in neighborhoods, and some of the Municipal Ordinances require off-street/on-site parking spaces for the short-term rental use so that they are not occupying spaces within the neighborhood for that use. He stated they would look to make those consistent with the dimensional requirements of the Zoning Ordinance and also with the general design standards for parking spaces that are imposed on land development. Mr. Kratzer stated a parking plan demonstrating that they have the capacity to accommodate those requirements has been seen in other Ordinances. Mr. Kratzer stated they have also seen requiring proof of Liability Insurance with minimum coverage amounts with the Declaration page clearly noting that the property is being used for short-term rental use. He stated over the years there has also been general discussion about enforcement provisions for non-compliance including increasing monetary penalties and even looking at prosecution of violations as a Summary Offence for repeat offenders.

Mr. Kratzer asked that the Board provide him with their feedback and if there is any interest in pursuing Amendments to the existing Ordinance.

Mr. Grenier stated he is interested in what our enforcement actions could be for repeat offenders so that there is a real deterrent.

Mr. Lewis stated occasionally we have some frequent offenders of our Ordinances, and he asked if there is a way that we could look systematically across all of Ordinances for those who are violating our Code; and if they have a certain number of violations over a period of time, that the penalties increase. He stated he feels that there should be some recourse for repeat offenders. He stated someone may be violating the Property Management Ordinance as well as other Ordinances. He stated it is a very narrow segment of the Lower Makefield population that this would apply to.

Ms. Carlton stated she feels they would have to decide which offences are going to be integrated together and what would constitute an offence under what Section that would be linked together. She stated with regard to the outline of what has been proposed, she feels those would be easily integrated into the Ordinance as written. She added that the Ordinance is very good, and it does have provisions for enforcement that are “pretty tough;” and it is a matter of enforcing those enforcement mechanisms that are outlined.

Mr. Kratzer stated one of the values of the Compliance Tool that was approved earlier is that it will help the Township monitor compliance and will also provide a record of evidence. He stated while there is a seven-day minimum, on a Friday afternoon, someone could have a one-night or two-night minimum in order to capture activity on the weekend when the Township Office is closed. He stated there will now be a time-stamped record showing changes to the listing, and this will provide the evidence necessary for prosecution in the event that there is a repeat offence of activities.

Approval of Resolution #24-11 Authorizing Execution of the Declaration of Restrictions and Stormwater Management Operations & Maintenance Agreement for the Property at 927 Piper Lane

Mr. Kratzer stated this property was recently the subject of a Zoning Hearing Board proceeding in which the entering into a Declaration of Restrictions and entering into a Recordable Stormwater Management Operations & Maintenance Agreement was a Condition of the approval. The documents were prepared by the former solicitor and are ready for execution.

Mr. McCartney moved, Mr. Ross seconded and it was unanimously carried to approve Resolution #24-11 authorizing execution of the Declaration of Restrictions and Stormwater Management Operations & Maintenance Agreement for 927 Piper Lane.

SOLICITOR'S REPORT

Mr. Lewis introduced the new Solicitor, Ms. Carlton, attending tonight her first meeting and first Executive Session.

Ms. Carlton stated the Board met in Executive Session and there were no formal Agenda items discussed or any deliberations.

Ms. Carlton thanked the former solicitor Dave Truelove from Hill Wallack for his cooperation in the orderly transfer of files which is still being worked on. She thanked the Board for the opportunity being given to Curtin & Heefner to serve as the Solicitor to the Township.

COMMUNITY DEVELOPMENT

Approve Extension of Cleary and Timko Noyes Minor Subdivision Plan

Mr. Kratzer stated while the Minor Subdivision Plan was intended to be before the Board this evening, the Applicant has granted an additional Extension of time to work through some of the anticipated Conditions of Approval, and they extended the Board's timeframe for consideration to May 1.

Mr. Grenier moved, Mr. McCartney seconded and it was unanimously carried to approve the Extension of Cleary and Timko Noyes Minor Subdivision Plan to May 1, 2024.

Discussion Regarding Zoning Hearing Board Notice

Mr. Kratzer stated there was previous discussion by the Board of Supervisors about Notice of matters before the Zoning Hearing Board. He stated the existing requirement in the Ordinance is to notify abutting property owners which is consistent with the Municipalities Planning Code. He stated we looked at some adjacent neighboring Municipalities and there is some

variation in terms of the scope of Notice that is provided. Mr. Kratzer stated some of these Municipalities in terms of density and intensity of development standpoint are much less dense/intense than us. He noted Solebury has 1,500', and that would result in Notice to a tremendous number of property owners in Lower Makefield and would not be the most efficient use of our time or resources recognizing that the property is posted.

Mr. Grenier stated the Newtown Area Jointure considers that when in 500' there is an HOA with condominiums so that there would be many more potential homeowners it just goes to the HOA.

Mr. Kratzer stated previously we were doing 300' which would encompass on average about thirty Notices per Zoning Hearing Board case. He stated the property is posted and there is also a legal advertisement. He stated 300' involves a fair amount of effort in terms of notification; and from a staff perspective, while we understand the interest in making sure that there is Notice, it should be kept in mind that there are costs associated with that Notice; and the majority of people are not engaging in the process of the Zoning Hearing Board level so there is a balance. He stated there was some concern expressed about what constitutes "abutting" and that we may be missing properties that may be separated by a public street, and he feels that there are ways to address that issue. He stated while this is a decision for the Board of Supervisors, he wanted to make sure that the Board had an understanding of the time, cost, and effort involved in expanding Notice and balancing the benefits of that with those costs.

Mr. Grenier asked how Notice is provided, and Mr. Kratzer stated it is regular First-Class mail. Mr. Majewski stated once the Decision is rendered we also send out Notices by Certified Mail to anyone who has taken Party Status on an Application. Mr. Kratzer stated we also provide Notice of the Decision to everyone within the radius. Mr. Grenier stated he understands that we are doing 300' which is above and beyond our Ordinance, but he has received feedback that people who live across the street who would be within that 300' radius are not receiving Notice. He stated we should reconcile that. Mr. Grenier stated he believes that we do 1,000' for SALDO. Mr. Kratzer stated the difference on SALDO is that we placed the responsibility on the Applicant to notify. Mr. Grenier stated that would be a potential option here as well.

Mr. Grenier stated because we are not doing FedEx or Certified Mail, we do not have a record of it other than a list of the labels, and we do not get a receipt. Mr. Majewski stated the Pennsylvania Municipalities Planning Code accepts mail as a legitimate form of Notice. He added that he looked at what was done in New Jersey, and it was 200' Notice. He stated he feels 200' would be a reasonable amount of Notice since most lots are about 100' to 120' wide so that would capture the neighbors two doors down, across the street, and behind the property for those who are most directly impacted by any Variance. Mr. Majewski stated for a larger Application, people will spread the word. Mr. Grenier stated it should be clear that it is 200' from the property line, and Mr. Majewski stated it is from the outbound of the property. Mr. Grenier stated he would be in favor of that. He added that the Township can also use social media and our Website for larger Applications. Mr. Majewski stated we do that already for larger Applications with regard to meetings/Continuances.

Mr. Grenier stated he feels the current Code which indicates "abutting" is not sufficient. He stated he feels the 200' as described would be successful and is not overly burdensome. He stated he is not sure that we would want to put the onus on the resident Applicants who want to put in a pool or shed to have to provide the Notice. Ms. Blundi stated we would not want to shift it to the homeowners, and Mr. Grenier agreed that it is already expensive for them. Mr. Grenier asked if we could differentiate between a resident putting in an Application versus a developer putting in an Application that requires a Variance and have them handle that like we do with SALDO. Mr. Kratzer stated there could be a distinction between a Dimensional Variance and a Use Variance, and there would be a broader range of notification for a Use Variance which is a higher standard on the Applicant. Ms. Carlton stated she agrees it would make more sense to look at what the request is and not who is making the request.

Mr. Kratzer stated most of the Variances are numeric related, and the Use Variances are less so we could expand Notice in those circumstances and put the obligation on the Applicant in those circumstances since it is a higher burden.

Mr. Grenier stated at the Zoning Hearing Board there is also the question as to who can get Standing, and certain attorneys will argue against those outside of a given radius. Ms. Carlton stated that is separate and apart and should not be a concern. She stated if we do ask the Applicant to send the Notice, the onus does really come back to the Township in some way to do verification that proper Notices have been given by the Applicant to the respective Parties.

Mr. Grenier stated in that case, we could require Certified Mail Receipts, and Ms. Carlton stated some Townships do that. She stated the Township still needs to check that the Certified mailings went out to the right people and were received. Mr. Kratzer stated there have been some questions with a Subdivision Land Development Plan related to Notice by the developer. Mr. Majewski stated some residents were asking why they did not receive Notice, but they were beyond the 1000' radius.

Mr. Grenier stated in New Jersey when they do the Notice, they typically have to go the Township and pay for the official ownership list before they send out the Notice. Mr. Majewski stated we use the County Assessment data. Mr. Kratzer stated while we are now doing all the mailings, that could be a mechanism for verification in that the Township would provide the list to verify that the properties that need to be notified are being sent Notice. Ms. Blundi stated we would still need the secondary check to make sure that they were mailed. Ms. Blundi stated the Law says that letters that are mailed are assumed to have been received. Mr. Kratzer stated we have more of an issue with the return of the Certified Mail green cards at all or in a timely manner. Mr. Grenier stated we could require the Applicant to provide copies of their cards or any other regulatory agencies allowed such as FedEx receipts. Mr. Lewis stated he would prefer electronic notification so that we can validate that it has been received and it can be sent instantaneously, but that would require changes to State Law.

SUPERVISORS REPORTS

Mr. Grenier stated the Patterson Farm Master Plan Implementation Committee had their first meeting and there was Election of Officers. They also developed several Sub-Committees with Sub-Committee leaders to start looking at various items that the Board of Supervisors directed them to look at.

Mr. Ross stated he attended the PSATs Conference this week and attended sessions with regard to FEMA and PEMA updates and storm-water management techniques.

Ms. Blundi stated the Historical Commission is putting together a draft Ordinance for the Board of Supervisors to discuss to make sure that there is a process for protecting older structures so that there is a process for review if such structures have to be taken down or if someone is trying

to take them down. She stated they are also planning to help “message the Bi-Centennial plus fifty” in 2026, and they are looking to work on projects and interfacing with the Schools.

OTHER BUSINESS

Discussion Regarding Open Space Bond Referendum

Mr. Grenier stated he has been getting a lot feedback since some large developments have come in and some large developments have been proposed. He stated it has been some time since we have been able to acquire large tracts of open space. He stated the Township has about 1,200 acres of open space, but the feeling is that we could potentially do more. He stated the Board has been pro-open space, but the issue currently is the availability of funds; and we are looking at ways to address that and give us more flexibility to acquire open space when it is available. He stated he knows that there is public interest to put this out to Referendum to see if would could acquire Bond funds to allow us to look for more open space. He asked if the Board is interested in going through the process to get an Open Space Bond Referendum on the ballot possibly in November. He stated we need to consider how the Referendum would be worded. Mr. Grenier stated members of the EAC are present this evening and have provided the Board with information.

Mr. Ross stated he feels the process should be investigated; and if it is something that the public wants, we should put it on the Ballot, let the public decide, and move forward from there.

Mr. McCartney asked if the Referendum is approved, is the Board tied to actually using that Bond money to acquire open space. Mr. Kratzer stated the Board retains discretion as to whether or not to use those funds. He added that a Referendum was passed in 2008 and the Board of Supervisors did not do anything until 2016 during which they issued debt and portions of that were dedicated to open space acquisition. Mr. Kratzer stated as proposed the question on the Ballot would relate specifically to acquisition of open space. He stated the language in 2008 was a bit broader and talked about both acquisition and improvement of property acquired for open space purposes so that provides more flexibility than just acquisition, and those are items for the Board to consider in the form of a Resolution that would have to be adopted by the Board and ultimately submitted to the County Board of Elections.

Mr. Lewis stated from the time when that the Open Space Referendum was approved to the time at which we acquired the Development Rights for the Guzikowski Farm, no action was taken by the Board; and there was no Bond issued. He stated when the opportunity arose in that instance, that is when we combined that borrowing with other borrowing and segregated part of it for open space for its consideration as Electoral Debt. He stated in general since 2016 the Board has been looking for opportunities to purchase open space, but not all property owners are interested in selling. He stated some other properties do not meet the criteria, are not on the EAC list of reviewed properties, or they are asking for an amount that is significantly above the appraisal amount. He stated a Bond would give us the flexibility that if an opportunity arose, we would have the approval to proceed.

Mr. McCartney asked if we need Electoral approval to do that, and Mr. Kratzer stated you do for Electoral Debt. He stated you would have a lesser borrowing base if it was not Electoral Debt, and it would cut into the overall borrowing capacity. Mr. McCartney asked what would an Electoral-approved Bond be versus a Board-approved Bond; and Mr. Kratzer stated it would be 350% versus 250% of the borrowing base so there is a delta between Electoral Debt and non-Electoral Debt. Mr. Kratzer stated while we are discussing Bonds, it does not have to be Bonds, and you could do Notes. He stated there is some limitation in terms of borrowing what the market would provide in terms of a bank loan. He stated with a bank loan there could be a draw-down provision. He stated with a Bond, once you settle and close, you are starting to incur interest; and you do not know that you will be successful with individual property owners. He stated with a Note with a draw-down provision that permits you to draw down proceeds as you negotiate transactions. He stated depending on the amount being considered, banks may not be inclined to provide bank loans for certain amounts.

Mr. Luber stated sometimes it is better to have a property in mind and negotiations started before you do a Bond Issue. He stated a Referendum would have to be planned many months in advance, and the deadline for the November ballot may be August. Mr. Luber stated the other reason for a Referendum is you are getting support from your constituents as opposed to just going to market as part of the Budget process and borrowing non-Electoral Debt.

Mr. McCartney stated we are looking at two years of a structural deficit, an increase for a possible paid Fire Department, and diminishing income based on sources; and he would like to know where the money is coming

from to re-pay the Debt from the Bond issue. Mr. Luber stated he agrees that there are other competing interests including the Road Improvement Fund which is currently set at 2 mills and brings in \$1 million. He stated that is not keeping up with our roads since we need to be doing \$2 million to \$3 million. He stated there may be the need for an increase in the Road millage in the future. He stated we also have a structural deficit with the General Fund, and we do not have a steady stream source for Revenue.

Mr. McCartney stated he does not want to put this or a future Board in a position where they have to spend money on open space based on a Referendum. Mr. Luber stated if the voters approve the Referendum it does not mean that the Board has to issue Bonds. He stated the last time the Board waited eight years. He added that at Budget time, the Board will be presented with a Budget which has some options and competing interests and the Board needs to determine their highest priorities.

Mr. Lewis stated with regard to payment, this would come from the Debt Service. Mr. Luber stated there is about \$500,000 coming off the books at the end of 2024 and a little more at the end of 2025. He stated while the Board could go to market without borrowing if they are just looking at it from an open space perspective, he would not recommend doing that since there are other Capital needs. He stated he will come before the Board with a Capital Projects presentation which will show the “wish list items,” the ones that are mandated, the ones that are critical for infrastructure, and those that are more luxury items; and the Board needs to make decisions. He stated to just borrow money now for open space, we would not have to raise Real Estate taxes or Debt Service; but if they want to combine that with other Capital projects, they may.

Mr. Lewis stated there is no guarantee that we will find a property that meets the criteria although the EAC has been working on this issue for decades and has found properties over time. He stated if there were an opportunity in terms of open space, this would give us the comfort that residents want that as an option because they would have endorsed that if the Referendum were to pass. He stated if it does not pass, that is a signal as well that the public does not want us to acquire additional open space. Mr. Lewis stated he does not see a downside risk as it gives additional flexibility. Mr. Lewis stated if there is to be a Referendum, it is important to discuss the trade-offs.

Mr. Lewis stated the Board received a memo from the EAC with targeted properties and strategies for those that they ranked hierarchy-wise. He stated some of those properties we have attempted to obtain in the past but could not get a good appraisal.

Ms. Blundi stated with regard to the language of the Referendum while most people would want more open space, we need to make sure that the voters know what that will involve. She stated she hears a lot from older people who have concerns about taxes and being priced out of Lower Makefield. She stated we need to make sure that people can make an informed decision.

Mr. McCartney stated transparency in the process is very important since while everyone would like open space, they need to understand the cost. He stated there could be costs that the Board is trying to avoid or a decrease in services.

Mr. Lewis stated this would be an Asset purchase so it would not be an Expense in the traditional sense. Mr. McCartney stated a non-performing Asset could end up to be a Liability. Mr. Lewis stated in Municipalities that have open space they see significantly higher property values, and studies have shown it could be 30% for parcels that are closer to open space. He stated while there is a cost associated with the acquisition of the Asset, there is also a wealth effect for Lower Makefield property owners. He added that while development does provide tax Revenue, it also provides costs for additional infrastructure, and Police and Fire support. He stated voters will tell us what they think about this large potential investment if there is a Referendum.

Ms. Blundi stated there is a misconception that there are multi-acre fields available for purchase by the Township, but most of those opportunities are gone.

Mr. Grenier stated we have about four months to consider this if it is to go on the Ballot in November. He stated this provides time to do analysis as to options to move forward. He stated it would be helpful to better understand the Debt Service perspective and what the effect might be on future property taxes, and Mr. Luber stated he plans to present all of this shortly.

Mr. Luber stated with regard to wording the Referendum, while it is obviously for the acquisition of open space, it could also be to improve the acquired land, and the Board may also want to consider being able to use the funds on land that was previously acquired such as the Patterson Farm and the Snipes property. He stated there are costs for lacrosse fields, soccer fields, and even passive trails;

and allowing the language to reflect that it could be used to improve the land that is acquired, and if the Board desires, to improve land already owned by the Township however it was acquired. Mr. Kratzer stated the language of the previous Referendum was pretty broad and read “\$15 million for purposes of financing the acquisition of interests or improvements to real property for open space including but not limited to the preservation of environmentally-sensitive areas and open space for active and passive recreational purposes to be incurred as Debt approved by the Electors.” He stated the Board would decide how they want to word this Referendum.

Mr. Grenier asked if the Board would like to pursue this and direct the staff and the solicitor to start investigating this and provide options over the next few meetings. Ms. Blundi stated she does not feel that we need the solicitor yet, but we should hear more from Mr. Luber. She stated the Board should discuss this publicly at least once a month going forward. Ms. Carlton stated it is not just the August date that is important. She stated what they have done in the past is prepare a Referendum Ordinance, which does require advertisement. She stated if they are looking at putting this on November’s Ballot, there should be something prepared by May/June to be advertised. Mr. Grenier asked if this could be on next year’s Primary, and Ms. Carlton stated it could be pushed out past this November’s Election to a Primary. Mr. Grenier stated November is a Presidential Election which should result in a good turn-out.

Ms. Laurie Grey stated she is a Township resident. She stated she feels that it is important to be very transparent, and the Board needs to make sure that the residents understand what they are voting for since they do not always do that. She stated the residents need to know the costs and what that means to them.

Mr. Jim Bray stated he is a resident of the Township and the current Chair of the Environmental Council. He stated Mr. Alan Dresser is also present who is the co-Chair of the Environment Council. Mr. Bray stated the EAC feels that there is no downside to a Bond Referendum for open space. He stated if the people want it they vote for it, and if they do not want it they do not vote for it. He stated history has shown that in Lower Makefield Township this is probably one of the most popular topics. He stated in the last two Open Space Bond Referenda 78% agreed to the one and 68% agreed to the other; and there has been nothing else in Lower Makefield that ever got that high of a vote. Mr. Bray stated people also understand that if they vote yes, and we acquire and spend the Bond money their taxes will be higher. He stated the Bond Referendum gives the Township the authority to

borrow money for the acquisition of open space. He stated that money does not need to be spent; but if it is spent on open space, then the costs that accrue from that expense will be borne by the taxpayers. He stated if it is not spent, it will not be.

Mr. Bray stated over the last several years, the Environmental Council has identified several properties; and they recently sent a letter to the Board outlining those properties. He stated the way the EAC has always dealt with this is that is proprietary information, and it will remain proprietary. He stated the Board knows about these specific properties as does the EAC. He stated he hopes the Board will view this as an initial list, and these were considered to be “low-hanging fruit” that we could hopefully acquire although there is no guarantee. He stated generally the way it has worked is that after the Bond Referendum has been passed, Board members contact the property owners or in some incidences EAC personnel, with the approval of the Board of Supervisors, have contacted the owners. He stated at the request of the Board of Supervisors, he was involved in the direct negotiation with the owner of the Ferri property, which was eventually acquired. Mr. Bray stated the EAC will do anything to help acquire properties that the Board of Supervisors sees as appropriate. Mr. Bray stated Mr. Dresser did a lot of work regarding the properties and laid out the specific steps required to pass a Bond Referendum Resolution. He stated he heard Ms. Carlton’s comments regarding getting this on the November Ballot, and he feels that this would be quite possible.

Mr. Alan Dresser, 1907 Lynbrooke Drive, stated the EAC is ready to help the Board; and he feels that the Board could vote on an Ordinance on June 5 to put it on the Ballot as it is not complicated. He stated it would be much better to have it on a General Election in November as opposed to a Primary so that we get input from as many people as possible. He stated Mr. Luber will come up with a number as to how much it will cost. He stated Mr. Kratzer gave them some numbers for Patterson Farm, and he tried to pro rate those; and it came out to about \$70 for a twenty-five-year \$15 million Bond.

Mr. McCartney noted the list that was provided by the EAC, and he asked how they determined the valuations for the properties. Mr. Dresser stated he got it from the Bucks County Floodplain and Parcel Website where they give a value for everyone’s property. Mr. McCartney stated that is the assessed value and not market value. Mr. Lewis stated it is roughly 1/8th of market value; however, Mr. Dresser disagreed. Mr. McCartney stated he does not believe that what has been shown is accurate. Mr. Dresser

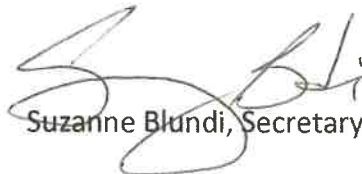
stated he indicated in the letter where he got the data from. Mr. McCartney stated while he understands this, he does not want this to mislead the Board as to the value. He stated if you look at some of these numbers it seems that they are realistically attainable, but they are not accurate as to what is the actual market valuation. He stated he wants to make sure the public understands what we are looking to obtain, what the actual costs will be, and how that will impact the taxpayers.

Mr. Grenier stated we have done some work with regard to some of the properties on the list so we do know some of the real values within the last year or two.

Ms. Lisa Tenney, 156 Pinnacle Circle, stated she feels the Board should “bring these big items up for Referendum.” She stated she lives in Yardley Crest and a five-acre property at 1101 Big Oak Road, which she believes the Township was interested at one time in acquiring, was sold to Triumph Builders. She stated the native trees/woodlands have been removed. She stated there are so few properties left that it would be “extremely negligent” of the Board to not move this process forward since most of the constituents would like to have open space. She stated we do not want to look at roads, parking lots, or “other things or else we would not have moved here.” She asked that the Board consider the “small cost” of purchasing open space for the majority of the constituents.

There being no further business, the meeting was adjourned.

Respectfully Submitted,



Suzanne Blundi, Secretary

