

Mr. Lewis stated Lower Makefield Township will be hosting a Blood Drive for the Red Cross on Friday, July 19, 2024 from 12:00 p.m. to 5:00 p.m. in the meeting room. To sign up and get more information go to RedCrossBlood.org and enter Sponsor Code: Lower Makefield.

PUBLIC COMMENT ON NON-AGENDA ITEMS

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

APPROVAL OF CONSENT AGENDA ITEMS

Mr. Ross moved, Ms. Blundi seconded and it was unanimously carried to approve the following Consent Agenda items:

- Approval of Minutes for the June 5, 2024 Meeting
- Approval of the Warrant list dated June 19, 2024 in the amount of \$329,174.02 (as attached to the Minutes)
- Approval of the May, 2024 Treasurer's Report
- Approval of the May, 2024 Interfund Transfer in the amount of \$880,404.25 (as attached to the Minutes)
- Authorize execution of the Land Development Agreement and Site Improvement Financial Security Agreement for the Estates at Big Oak Subdivision (1101 Big Oak Road)
- Grant a Certificate of Appropriateness for Flowers Field Entrance Sign Lighting
- Acknowledge and accept an Extension of Time regarding the Timko Minor Subdivision Extension to July 30, 2024
- Acknowledge and accept an Extension of Time regarding the Wright Farm Subdivision

Mr. Lewis noted that Item 9 d. on the Manager's Report, Authorize the Advertisement of an Ordinance Amending the Zoning Hearing Board Notifications in the Zoning Ordinance, is being removed from the Agenda and will be on the Agenda for the next meeting.

ENGINEER

Approve 2024 Road Program Change Order #1 (\$55,338; the Total Contract Value Would Increase to \$1,118,055.80) to Add Inlet Top Replacement and Inlet Structure Repairs

Mr. Kessler stated this is for the replacement of inlet tops and repair of some inlet structures in the roads that are going to be repaved. This is for twenty-eight inlet tops and two structures that are being repaired.

Mr. Grenier moved, Mr. Ross seconded and it was unanimously carried to approve the 2024 Road Program Change Order #1 in the amount of \$55,338 to add inlet top replacement and inlet structure repairs.

Approve Resolution #24-18 to Authorize the Submission of a PA DCED Growing Greener Program Grant for Basin Retrofit Projects in the Core Creek Watershed (Projects are Required as Part of the Township's Approved Pollution Reduction Plan)

Mr. Kessler stated this is a continuation of the Resolutions that we had for Grants at the last meeting for basin retrofit work around the Township. These are projects that are identified in the Township's approved Pollution Reduction Plan. This Resolution acknowledges the 15% match for the requested Grant in the amount of \$341,336 for basins in the Core Creek Watershed. The 15% match would be an obligation for the Township in the amount of \$60,236. He stated when we hear back about the Grant, he will work with staff to either pursue some other opportunities to help with the match or it can go into Budget planning for next year.

Mr. Grenier moved and Mr. McCartney seconded to approve Resolution #24-18 to authorize the submission of a PA DCED Growing Greener Program Grant for Basin Retrofit Projects in the Core Creek Watershed.

Ms. Blundi asked if this is just to submit the Application, and if we get the Grant, we will determine how it will be done; and Mr. Kessler agreed that is the plan as it relates to funding. Mr. Lewis stated there may also be Federal funding in this space as well.

Motion carried unanimously.

General Project Updates

Mr. Kessler stated with regard to the Road Program, the contractor is beginning this week. They will begin with the concrete work which will include the ADA ramps, and it will now also include the inlet work; and that will be done before they do the milling and paving. He stated there is work being done by PA American Water in the Penn Valley Manor neighborhood, and that work will be completed before the road is paved, so that paving may not occur until later in the summer.

Mr. Kessler stated with regard to the Woodside Road Path Project, PECO confirmed they completed their work on June 6; and that leaves Verizon, Comcast, and Crown Castle on the old poles. He stated they are working with them to move their utilities to the new poles at which point PECO will remove the old poles, and the trail project can be completed. Mr. Kessler stated it is likely that removal of the remaining utilities will take a few weeks, and it is hopeful that will be completed by June/July.

Mr. Kessler stated with regard to the Highland Drive Project, they have submitted the Permit package to the PADEP; and the parallel review that goes along with that is the County Conservation District, which is going out this week. He stated they have been able to schedule the follow-up Open House with the neighborhood/public for Tuesday, June 25 at the Township Building at 7:00 p.m. He stated they will present the Plans as they were submitted to the planning agencies. Feedback from the public will be welcomed in an effort to finalize the Plans once the Permit comments come back.

Mr. Kessler stated with regard to the Taylorsville Road Improvement Project a Grant opportunity due at the end of July was discussed at the last Board meeting; and with authorization to fully proceed with the field work and design their survey staff would plan to be out there on June 24.

Mr. Grenier stated he understands that there was going to be updated Project Tables for Highland Drive; and Mr. Kessler stated they met this afternoon with staff to clarify some of the steps, and that should be back to staff by tomorrow and it can then be available to share with everyone. Mr. Grenier asked if the date of the Open House to be held Tuesday June 25 has been shared with the public. Mr. Kratzer stated it has been posted on the Township Website and Township social media channels. He stated we will also do a direct e-mail to the list of residents we have on file. It was noted the Open House will be in-person and will not be broadcast. The Plans will be posted on-line.

Mr. Grenier asked about the Highland Drive submission to the Conservation District, and Mr. Kessler stated it is being submitted this week, and they typically have a two-week turnaround.

FINANCE

Acceptance of the Financing Proposal for the Purchase of a 2023 GMC 5500 HD Truck (Budgeted – The Purchase was Authorized at the Board of Supervisors Meeting on 4/17/24)

Mr. Kratzer stated the Finance Department issued Requests for Finance Proposals to a number of banks, and five responses were received. He stated they are recommending acceptance of the TD Bank proposal for a four-year term at a rate of 5.77% with semi-annual payments and an annual cost of \$36,652.38. He stated that amount is consistent with the cash-flow modeling that has been done related to the Road Equipment Fund.

Ms. Blundi moved, Mr. Ross seconded and it was unanimously carried to accept the Financial Proposal for the purchase of a 2023 GMC 5500 HD Truck.

MANAGER'S REPORT

Acceptance of the Proposal (\$34,100) from Bowman for Engineering Services Relating to the Green Light-Go Grant Intersection Improvements Project at the Intersection of Big Oak Road and Pine Grove Road

Mr. Majewski stated the Township solicited proposals from several engineering firms to effectuate the implementation of the signal improvements for the Green Light-Go Grant Program that we obtained a few years ago for the intersection of Pine Grove Road and Big Oak Road. He stated three proposals were received for the engineering services which included topographic survey, engineering design, Bid specification, and accessible ramp designs required by PennDOT. Based on review of the proposals submitted by the Township traffic engineer and Township staff, the recommendation is that the Contract be awarded to Bowman Consulting Group Limited in the amount of \$34,100.

Mr. Ross moved and Ms. Blundi seconded to award the Contract to Bowman for engineering services relating to the Green Light-Go Grant Intersection Improvements Project at the Intersection of Big Oak Road and Pine Grove Road in the amount of \$34,100.

Mr. Grenier stated he is not familiar with Bowman, and Mr. Majewski stated they were previously McMann Associates. Mr. Grenier stated he is familiar with McMann doing this type of work.

Motion carried unanimously.

Acceptance of the Proposal from RVE for Survey and Engineering Services from Phases 1 – 5 in the Amount of \$87,750 for the Taylorsville Road Improvement Project

Mr. Kratzer stated the scope of services from RVE totaling \$181,800 was included in the Board's packet.

Mr. Kessler stated the project involves curbing, sidewalks, and stormwater that has been discussed for Taylorsville Road. He stated this is about 2,000 linear feet from just south of the Interchange with 295 down to the Municipal line with Yardley Borough. He stated their proposal is separated into phases starting with field survey and property boundaries, the Grant Application preparation for the DCED MTF Grant, Phase 3 which is preliminary design that would be included with the Grant and also moving into the Permitting Applications that would be done with the Agencies involved with the projects. He stated it is a PennDOT road so everything will have to go through PennDOT. He stated it also involves stormwater with DCNR and the DEP due to discharging into the Delaware Canal. He stated Phase 4 has been identified as Township meetings which includes Open House style public meetings similar to what they have done with other projects and meetings with the Agencies as the Permit Applications go in. He stated Phase 5 is the Permitting itself and the approval project which each of the agencies mentioned in the approval project as well as the County Conservation District which will look at the erosion and sediment controls for the project. He stated there is then the final design, the specifications, cost estimates, and the QAQC process. With the completed Bid package, the final phases involve Bidding the project, preparation of the Contracts, construction management, and inspection.

Mr. Ross moved and Mr. McCartney second to accept the proposal from RVE for Survey and Engineering Services for the Taylorsville Road Improvement Project in the amount of \$181,800.

Mr. Lewis stated this would start at Maplevale and Taylorsville and go to McKinley, and Mr. Kessler agreed. Mr. Kessler stated it will connect to the Borough project that is bringing sidewalk to that intersection from the other side. Mr. Lewis stated he is in favor of the project since it helps with stormwater management and also delivers connectivity for those in the Maplevale area.

Mr. Grenier stated he agrees that it has positives from stormwater management, connectivity, and safety perspectives. He stated the connectivity will help not only Maplevale but everyone in the northern part of the Township. He stated we want to make sure that we meet the deadlines for the Grant. He stated Phases are being shown through construction/inspection, but he does not know that we need to take it that far at this point. He stated he would be in favor of Phase 1 through Phase 3 which would allow them to submit the Grant Application. He stated we could then assess how to proceed and consider RFPing a detailed design. He stated he understands that RVE has done much of the design for Yardley Borough, and he assumes they would provide a good price for that.

Mr. Kratzer stated the priority is to submit the Grant Application and proceeding with Phases 1 through 3 would allow the Township to be in a position to submit an Application that is sufficiently detailed to show that the project is feasible. Mr. Kratzer asked Mr. Kessler if the entirety of Phase 3 would be required or just a portion would be sufficient for purposes of the Application. Mr. Kessler stated he feels if they were going to pause and resume at a later time, the work that would be done with PennDOT and the Permitting agencies has a longer lead time so that it would be ready for construction if the Grant were received in the fall; and he would recommend that the work be done up to the Permitting phase. He stated he feels it is important to have the meetings with the Permitting agencies.

Mr. Grenier moved and Mr. McCartney seconded to Amend the Motion to authorize Phases 1 through 5.

Mr. Grenier stated he does not feel there is the need to authorize the remainder adding that he feels some of the items will likely change. He stated with regard to Phase 9, which is QAQC, he has never seen that in a proposal; and that is usually just part of the process of developing plans.

Mr. Lewis stated there is also the potential that we will not receive the Grant.

Motion to Amend the Motion carried unanimously.

Mr. Lewis asked what it would cost if the Board were to approve Phases 1 through 5, and Mr. Kessler stated it would be \$87,750.

Motion as Amended reflecting Phases 1 through 5 in the amount of \$87,750 carried with Ms. Blundi opposed.

Ms. Blundi congratulated Mr. Ross adding he had indicated that he wanted to get this done when he was elected, and she appreciates all of the work that he put into this to bring it to fruition.

Authorize Advertisement of an Ordinance Amending Some of the Tree Replacement Requirements in the Subdivision and Land Development Ordinance to Provide for Annual Adjustment of the Required Per Replacement Tree Contribution

Mr. Kratzer stated currently the provision requires adjustment to the Fee once every three years, and the recommendation is that it be changed to an annual adjustment of the Fee to be paid to the extent that a party developing a property is not able to replant on the site on which the tree disturbance is occurring. He stated the EAC has made this recommendation.

Mr. Grenier moved and Mr. Lewis seconded to authorize advertisement of an Ordinance Amending a portion of the Tree Replacement requirements in the Subdivision and Land Development Ordinance to provide for annual adjustment of the required per replacement tree contribution.

Ms. Blundi stated there has been a lot of discussion by the EAC as to whether the caliber of the trees requested are appropriate. She stated when large trees are planted, they do not always survive, and the EAC had done work on adjusting the caliber of the trees to provide for more flexibility, but that has not been reflected in this Ordinance. She asked if we should wait until we can get it as complete as possible the first time it is advertised.

Mr. Jim Majewski stated there had been discussion about adjusting the size of trees that we plant, but we did not come to a conclusion on that. He stated what is proposed is just a fee adjustment as has been done with other fees throughout the year to do it on a yearly basis as opposed to every three years. He stated they could consider the other Amendment as to the

tree caliper at another time. Ms. Blundi stated unless there is an immediate need to pass this Amendment at this time, she would prefer not to have to advertise just this Amendment and then have to advertise the other Amendment in a few months. Mr. Kratzer stated the current Fee which is the starting point irrespective of this proposed change is still \$374 so nothing will be effectuated in terms of the amount at this time.

Mr. McCartney asked approximately how much is in the Tree Bank currently; and Mr. Kratzer stated as of June 10, the Fund Balance in the Tree Bank was \$268,222.64 for about 716 trees. He stated he has asked Finance to provide a Balance Sheet showing deposit details, and they are working on that.

Mr. McCartney asked if we are planning on planting 716 trees over the next five to ten years, and Mr. Majewski stated the EAC has a long-term plan to plant about 1,000 trees throughout the Township. Mr. McCartney stated he had suggested previously that as opposed to buying trees at a certain price point, the EAC should look at planting smaller trees at Patterson Farm and transplanting them to the locations where they want to plant them.

Mr. Majewski stated that was reviewed, and they are looking at the chimney of Memorial Park which is the area in the back to make it a nurse-type area; and the Park & Recreation Board and the EAC were in favor of that.

Mr. Jim Bray, stated he is a Township resident and Chair of the Environmental Advisory Council. He stated in SALDO caliper replacement is based on the size of the tree cut down by developers. He stated they have found that 2 ½ caliper trees are the most successful. Ms. Blundi stated she recalls that there was discussion about making it more flexible. Mr. Grenier stated trees can be more successful over the long term when you have a higher number of smaller trees. Ms. Blundi stated she feels that if there could be agreement on any changes to the caliper, it could all be advertised at the same time. Mr. Bray stated when community members were involved smaller caliper trees were planted.

Mr. Kratzer stated if the Board would like to take a more comprehensive look at this, it would not result in a monetary impact to wait to advertise. Mr. Lewis suggested we proceed with this at this time, and we can look at restructuring the caliper size at a later time.

Motion carried with Ms. Blundi opposed.

Approval of an Ordinance to Amend the Township’s Stormwater Management Ordinance – Neshaminy Creek Watershed

Mr. Kratzer stated this and the next item relate to changes that were previously presented to the Board of Supervisors as quick fixes to the Township’s Stormwater Management Ordinances.

Mr. Ross moved and Ms. Blundi seconded to approve an Ordinance to Amend the Township’s Stormwater Management Ordinance – Neshaminy Creek Watershed.

Mr. Lewis stated at a recent Planning Commission meeting there was a discussion about the eventual final version, and it is likely that this and the next item will be combined into one comprehensive Ordinance to cover both watersheds. He stated the Ordinance contains the edits that were suggested.

Motion carried unanimously.

Approval of an Ordinance to Amend the Township’s Stormwater Management Ordinance – Delaware River South Watershed

Ms. Blundi moved, Mr. Grenier seconded and it was unanimously carried to approve an Ordinance to amend the Township’s Stormwater Management Ordinance – Delaware River South Watershed.

PARK & RECREATION

Acceptance of the Rubberized Surface Proposal (\$306,400.53) From sofSURFACES for Memorial Park (2024 Budgeted Amount \$330,000)

Ms. Blundi moved and Mr. Ross seconded to accept the rubberized surface proposal of \$306,400.53 from sofSURFACES for Memorial Park.

Mr. Grenier stated the Budgeted amount of \$330,000 included shade structures, but the proposals came back significantly higher. Ms. Tierney agreed adding that she did look at smaller shade structures which would cost less and might have been possible this year; however recently they saw what was done in Bristol Township which is felt would be more what

we need to accommodate the public, and that would be a higher price but would have more benefit to the community. She stated that was the quote that was included in the e-mail sent to the Board.

Mr. Grenier asked how many significant Park & Rec maintenance/upgrade-type projects are in the several hundred-thousand-dollar range, and he noted the basketball courts and the project being discussed this evening. Ms. Tierney stated she would not call them upgrades, and they would be more repairs. She stated this is equipment that we have that is failing or beyond its useful life. She stated one upgrade would be the Memorial Park project on the east side which is a Grant project that we have \$900,000 toward. Mr. Grenier asked the number of repair projects, and Ms. Tierney stated there are quite a few as projects have not been getting done for years.

Mr. Grenier stated he would like to pause and get a list of all of the projects and other items we could use Bond funds for and prioritize those and know what the total values are. He stated he was at the playground recently, and he is concerned that we will be spending \$300,000 putting in this new surface, but it will still be exposed to the sun until we find money for shade structures. He stated rubber can break down in the sun. He stated he would like a better picture of other projects before voting on this one tonight since he sees that there are a lot of Park & Rec projects that we need to move on, and he wants to make sure we are doing the right ones first.

Ms. Tierney stated this project and the basketball project are the higher need projects since we are at a place where it is unsafe. She stated no one will patch the playground. She stated what is proposed is a tile-type with a warranty, and one tile can be replaced at a time. She stated this will add to the longevity of the surface as opposed to a solid surface that would require patching adding they cannot find anyone to patch. Mr. Grenier asked if we obtained the cost for a solid rubberized surface for comparison. Ms. Tierney stated while it would be a little less, it is not that far off in price.

Mr. Lewis stated there were issues with the existing surface after about six years, and the company that installed it was no longer in business. Mr. Lewis asked how long sofSURFACES has been in business. Ms. Tierney stated they have been in business twenty to twenty-five years. She stated Warranty information was provided to the Board. For the first six years, it is 100% replacement; and after six years, it is 50% unless it is due to damage from a storm. She stated the manufacturer will be doing the installation.

She stated most places that go with the tile system then use the tile system in all of their parks.

Mr. Lewis asked if the tile structure has the same buoyancy that the current system has. Ms. Tierney stated it meets all required safety protocols.

Mr. Kratzer stated this is a Budgeted Capital item in the adopted 2024 Budget. He stated there is the Heacock Pocket Park, the Memorial Park shade structure/ rubberized surface project, and the Pool filter replacement using 2016 Bond proceeds. He stated other planned Park & Rec projects are using restricted funds/Park & Rec Fee-In-Lieu Funds that cannot be used for other purposes. Mr. Kratzer stated the MPC does permit use of Fee-In-Lieu Funds for maintenance.

Mr. Grenier stated he understands that Fee-In-Lieu Funds could be used for this project or the basketball court project, and Mr. Kratzer agreed. He stated some of the Fee-In-Lieu projects will likely not occur in 2024 such as drainage issues relative to the pickleball court and the MTF local match for bike path gap project since we did not receive that funding. Mr. Kratzer stated in terms of funding this project, there is the potential of using a combination of sources including Park & Rec Fee-In-Lieu Funds and the 2016 Bond proceeds.

Mr. Grenier stated during the Budget vote there was discussion as to how we would fund certain things, and he asked Ms. Carlton if that forces us to use 2016 Bond Funds on this or Fee-In-Lieu Funds on some other project; and Ms. Carlton stated the Board should be able to “pick and choose.” Mr. Grenier stated he would be in favor of funding this using Park & Rec Fee-In-Lieu Funds and preserve the 2016 Bond Funds for other things.

Mr. Kratzer stated we received a \$900,000 Grant from the Commonwealth for the Memorial Park East Expansion, and there was \$310,000 of Park & Rec Fee-In-Lieu of so depending on how that project advances, there is some capacity in the Park & Rec Fee-In-Lieu of Account that could accommodate this immediate item that is before the Board.

Mr. Grenier moved and Mr. Ross seconded to amend the Motion to specify that this project be funded solely through the Park & Rec Fee-In Lieu Fund.

Ms. Blundi stated she felt she had to approve this as the maker of the Motion; however, Mr. Kratzer stated this issue was raised previously, and the Amendment can be agreed to by the body and it is not the initial maker of the Motion

who has sole determination as to whether the Board as body can take action on an Amendment. Ms. Carlton agreed.

Amendment to the Motion carried with Ms. Blundi and Mr. McCartney opposed.

Mr. McCartney asked what color is being proposed for the surface, and Ms. Tierney stated the lay-out design had been provided to the Board in their packet. Mr. McCartney asked how the material reacts during hot weather because of the lack of shade; and Ms. Tierney stated it will be hot like any rubberized surface. Mr. McCartney asked if the company will spend time with our Public Works Department to discuss how to maintain the surface; and Ms. Tierney stated they have already met with Mr. Fuller on site, and Mr. Fuller feels comfortable that our staff can handle this.

Ms. Blundi noted the colors being considered. She stated she has family members who are color blind, and red is not a color that most color blind people can see and they also have difficulty with green; and since this is a park that is meant for people who are differently-abled, the color chosen should take those who are color blind into consideration.

Mr. Grenier stated he feels everyone is interested in seeing what we can get for shade structures as soon as possible adding that additional trees would help as well.

Motion as amended carried unanimously.

SOLICITOR'S REPORT

Ms. Carlton stated the Board met in Executive Session to discuss employment issues and potential and existing litigation matters.

Approval of an Anti-Discrimination Ordinance

Ms. Carlton stated this Ordinance was properly noticed and went to the Bucks County Law Library and was properly advertised.

Mr. Ross moved and Mr. Grenier seconded to approve the Anti-Discrimination Ordinance.

Ms. Cathy Hanville stated she is a Township resident. She thanked the Board for getting this approved during Pride Month. She asked why the Ordinance indicates that the Board would be naming the Chair, which is something that is not done with other Township Commissions. Ms. Carlton stated they followed through with what had been discussed. Ms. Hanville stated she feels it seems controlling; and since it was not able to be seen at the last meeting, she could not comment on this at that time. Ms. Carlton stated it is very similar to other Ordinances throughout the State, School Districts, etc.; and it is not that unusual. Ms. Blundi stated the body once constituted could immediately pick a different Chair.

Ms. Hanville stated she knows that in other places including Yardley Borough they use this Commission to hear complaints, she and would like to advocate that the Commission be used for other things such as educational events in a way that would not strain the Township Budget by using community resources.

Motion carried with Mr. McCartney opposed.

Mr. McCartney stated he is opposed to any anti-discriminatory behavior in the Township, but he is opposed to a Human Relations Committee holding Hearings and overseeing anything that happens in the Township as he feels that is a “slippery slope.”

Discussion and Tabling of Open Space Referendum

Ms. Carlton stated this is a Resolution under the Local Government Unit Debt Act to authorize the incurrence of a sum up to \$15 million for the purpose of financing the acquisition of interest in or improvements to real property for open space including but not limited to the preservation of environmentally-sensitive areas and open space for Agricultural and Conservation Easements, natural resources, historic land, active and passive recreation, and cultural purposes.

Mr. Ross moved and Mr. Grenier seconded to approve the Open Space Referendum.

Mr. McCartney asked how we are looking to fund this. Mr. Kratzer stated the intent is that there would be a Special Purpose Debt Service Tax and there would be millage sufficient to support the principal and interest

associated with any Debt issuance that the Township incurs. Mr. McCartney asked if we have space within our millage to do that. Mr. Kratzer stated there will be a drop off in Debt Service next year. He stated there was discussion about other Capital needs that exist and how we were going to fund those needs. He stated there was a presentation provided at the last Board meeting which contemplated that the cap space, the existing capacity with the existing rate, was going to be used for other Capital projects; but the Board retains discretion in determining when and if they issue debt relative to this or any purpose.

Mr. McCartney asked if that would be included in this Referendum; and Mr. Kratzer stated Capital improvements would not be, and this is specific to acquisition and improvements to open space properties as it is currently written. Mr. McCartney asked if the Township has done this in the past, and Mr. Kratzer stated this is the exact approach that was taken by the Board of Supervisors in 2008. He stated even if the voters were to approve this, it does not obligate the Township in any fashion. He stated there was a Resolution adopted in 2008, it went on the Ballot, and it approved by the voters in 2008; however, it was not until 2016 when the Township was restructuring existing Debt that they designated a portion of that \$5 million for the purpose of Open Space acquisition. He stated this is not obligating the Board to do anything at this point other than ask for the consent of the Electorate as to whether this is something that they would support. He stated the Board of Supervisors still retains discretion in terms of what it does after that. Mr. McCartney asked if there is an expiration on this, and Mr. Kratzer stated there is a ten-year validity period. He stated if it is on the Ballot in 2024, it would be valid until 2034.

Ms. Blundi asked when is the last date that we could advertise to be able to have this on the Ballot in November. Ms. Carlton stated the thirteen Tuesdays which was referred to previously is no longer applicable to what is before the Board, and there is time. She stated we have to notify the Board of Electors forty-five days prior to the November Ballot. She stated after that it is advertised one time per week for three successive weeks.

Ms. Blundi stated she understands that the Board of Supervisors would have discretion as to how to move forward if this is approved by the voters. She stated she felt that once it was approved, we would have to set up the infrastructure and hire Bond Counsel and create what would be the Bond but not actually let the Bond until we were going to spend money.

Mr. Kratzer stated he does not believe that the Board would have to do anything. He stated when the prior Board took action in 2008, they did not do anything until 2016. Ms. Blundi stated she felt that they put in the structure, but it was not until they wanted to spend the money that they had to take the second step. Ms. Blundi stated it takes time to set up the structure in order to spend the money, and it is not inexpensive. Mr. Kratzer stated a typical Debt Closing can Close as quickly as ninety days through a Bond issuance. He stated what is being proposed is just authorization under the Local Government Unit Debt Act to designate Debt in the future if the Board were to incur it. He stated this is Electoral Debt which does not affect our borrowing capacity. He stated he does not believe there is any obligation created by virtue of the passage of this Resolution or the action taken by the voters from a Statutory standpoint.

Ms. Blundi stated when this is on the Referendum she wants to make sure that the voters have as much information as they can to understand what they are or are not voting for. She asked if anything has been done to see what parcels are available since there is a dollar amount associated with the proposed language. Mr. Kratzer stated the EAC provided recommendations in terms of potential parcels of interest; however, there needs to be a willing seller. He stated if the Referendum were to pass they would start reaching out to property owners of parcels of interest and then initiate the process of going out to market. He stated he would not recommend incurring the transactional costs associated with the Debt issuance until there was sufficient mass to spread the transactional costs across a multitude of deals.

Mr. Kratzer stated in theory the Board could borrow more than \$15 million in Debt, but it would not be classified as Electoral Debt and it would take away from your borrowing capacity for other things. Ms. Blundi stated there are other ways to borrow, and Mr. Kratzer agreed. He stated they might get a bank to provide a \$5 million loan with a draw-down provision so that you are not incurring interest costs associated with money that is not immediately spendable. He stated there a number of structures that can be looked at, and the staff would offer recommendations. Ms. Blundi stated we could get a line of credit and draw down now if we chose; and Mr. Kratzer agreed adding that it would be non-Electoral Debt and would take away from borrowing capacity for other potential Capital needs. He stated the Referendum is a way to gauge community support and then have the flexibility to issue more Debt up to the Debt limit if the Board chose to do so.

Ms. Blundi stated she is glad that we have this different approach that provides more time for the Board to discuss this further and have discussions with the public so that the voters understand what it is they are voting on. She stated the way the Township is able to generate Revenue is mostly through property taxes.

Mr. Lewis stated he was on the Board in 2016, and there were a number of factors involved in the decisions made with respect to the Guzikowski Farm and another smaller parcel. He stated at that time, Bucks County had an Open Space Bond Referendum and provided Municipalities with support for open space funding; and while there are no more funds for that, it is possible that the County may do that again. Mr. Lewis stated the Jennings Tract by the Canal was mostly paid for by the County in 2016 and the Guzikowski Conservation Easement was financed with the Bonds that were issued in relatively short order. He stated these opportunities are not always available, and you can go many years without a reasonable opportunity. He stated this Referendum would allow the Board to act quickly if an opportunity came up and a significant parcel is available. He stated the Referendum will provide guidance to the Board as to whether this is something the residents want and to have Electoral Debt for that purpose. It stated it would not immediately increase taxes; and even if it passes it is possible that there may not be a good opportunity for some time. He stated he would be open to discussing changes to the language as requested by some Supervisors.

Mr. McCartney asked for further discussion about Electoral Debt including the cap for Electoral Debt. Mr. Kratzer stated there is no cap on Electoral Debt with the assent of the voters. He stated with regard to the millage rate, the language in the Second Class Township Code is that the millage rate is to be sufficient to pay principal and interest. He stated there is no cap like there is on the Township's General Purpose Tax which is 14 mills. He stated for each mill you generate about \$550,000.

Mr. Bray, Township resident, stated if the Township were to borrow \$5 million and it was a twenty-five year loan, the average cost to a homeowner would be \$27 a year. He stated if they were to borrow the entire \$15 million, the average cost would be \$81 a year. Mr. McCartney stated that is based on current Bond rates, and Mr. Bray agreed adding that this is the analysis that Mr. Luber, Chief Financial Officer, came up with, and that would change over the years.

Mr. McCartney asked if we could do any of our Debt Service by Referendum or is it just for land acquisition. Mr. Kratzer stated any borrowing could be Electoral borrowing. Mr. McCartney asked why we would not set it at \$50 million and use it for anything.

Ms. Blundi stated it should be noted that when land is owned by the Township it needs to be maintained by the Township and it reduces our Tax base. Mr. Lewis stated communities that have more open space have much higher property value values.

Mr. Bray stated the Lower Makefield Environmental Council has had a long history with the acquisition of open space, and they feel the best thing the Board of Supervisors can give the residents of the Township is the acquisition of open space. He stated open space provides environmental benefits through flood mitigation as a mature tree can soak up to 400 gallons of water in a day. He stated there is also improved water quality because of less run-off, and there is also improved air quality. He stated open space also preserves wild-life habitat which allows for forest regeneration. He stated open space also provides outdoor recreational opportunities. Mr. Bray stated as to financial benefits, open space results in increased property values not only for nearby homes but for all of the homes in Lower Makefield Township.

Mr. Bray stated we have not spent any funds for open space since 2016, and there has been rapid development of the unprotected open space areas in recent years. A graph was shown of the unprotected land and between 2003 and 2019 we lost 736 acres to development. He stated from 2019 to 2024 we lost 205 acres to development including the Torbert Farm of 108 acres and the Wright Farm of 50 acres. Mr. Bray stated an Open Space Bond Issue can stop this trend. He stated the Environmental Advisory Council has given the Board of Supervisors a list of properties that they would like to acquire which are highly developable, some of which are linked to parks in the Township.

Mr. Bray stated with the Open Space Referendum the residents would make the decision. He stated over 70% of the voters were in favor of the last Bond Referendum. Mr. Bray stated they are reviewing the list that was created in the 2010 Referendum when they reviewed 283 properties. He stated the EAC will work with the Board of Supervisors to acquire some of these properties.

Mr. McCartney stated it was indicated that acquisition of open space increases property values; but we have not acquired any land since 2016, yet property values in the Township have skyrocketed. Mr. McCartney stated people are coming into the Township whether or not we are preserving open space. He stated they cannot state that property values will go up if we preserve land. Mr. Bray stated he believes by acquiring open space it adds immensely to the value of each house in the Township, although he cannot quantify that exactly. Mr. McCartney stated he does not feel that you can lower School taxes by having less development. Mr. Grenier stated by acquiring open space it takes developable parcels out of being developed which puts less stress on Township services and the Schools. Mr. McCartney stated if the Township owns a parcel, and the School District increases School taxes, the burden falls on the Township.

Mr. Kratzer left the meeting at this time.

Mr. Grenier stated he wants to make sure that the Referendum is clearly written so that the residents know what they are voting on, and he has some concerns about how it is currently written relative to keeping it exclusive to open space. He stated the inclusion of the use of Bond funds to purchase land for active recreation has a broad definition, and he is not sure that people would be willing to vote for an Open Space Referendum if it included the building of large sports complexes or other active recreation. He stated he would want to remove the concept of “for improvements,” and the concept of “active recreation.” He stated as we have seen with Patterson Farm sometimes when we purchase open space, it comes with liability associated with it; and there may be buildings or historic issues with the land. He stated he would include some allowance for addressing some percentage of the proceeds for remediation of potential liability issues associated with the purchased properties.

Mr. Lewis stated he would not be opposed to discussing that language further.

Ms. Blundi stated she would like the Board to have the opportunity to discuss this further adding she only received this recently.

Mr. Grenier asked Ms. Carlton about the timing. Ms. Carlton stated September would be forty-five days before the date on which it would be on the Ballot. She stated she feels the Board should discuss this further in July, and make a decision by August.

Mr. Ross asked if there could be a Special Meeting to invite the public in the next few weeks. Mr. Lewis stated we could do this at the Board's next public meeting.

Ms. Blundi moved and Mr. McCartney seconded to Table.

Motion carried with Mr. Lewis opposed.

General Updates

Ms. Carlton stated they are fine-tuning a number of Ordinances including the Sign Ordinance, the Short-Term Rental Ordinance, and they will re-visit the Tree Replacement Ordinance based on the discussion this evening.

Ms. Blundi stated the Historical Commission has also asked about Demolition, and they would like to see that as soon as revisions are available. Ms. Carlton stated they are looking at similar Ordinances in other locales.

SUPERVISORS REPORTS

Mr. Lewis stated the Planning Commission had some initial dialogue around Stormwater Management Ordinances, and that will be coming before the Board later in the year.

Mr. Grenier stated the Patterson Farm Master Plan Implementation Committee met and the Building Sub-Committee held several building inspections and catalogued several issues. He stated they feel that there will be an opportunity soon to have volunteers do some limited work at the property in a safe manner, and they are working with Township staff to identify exactly what can be done by volunteers. Ms. Blundi stated there are a lot of invasives along Mirror Lake, and while that would not be related to Patterson Farm per se, that would be a good project to do. Mr. Grenier stated they hope to leverage the EAC's expertise in developing community events along with the Public Works staff to provide guidance. Mr. Grenier stated the Zoning Hearing Board is interested in the Notification

Ordinance that is being worked on, and they provided feedback on that. He stated they are also considering consolidating meetings over the next few months.

Ms. Blundi stated the weekend of July 19th will be the celebration of the Golf Course's 20th Anniversary. She stated information on the planned activities can be found on the Township's social media sites.

ADDITIONAL PUBLIC COMMENT ON NON-AGENDA ITEMS

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

There being no further business, the meeting was adjourned at 9:48 p.m.

Respectfully Submitted,


Suzanne Blundi, Secretary

