

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – AUGUST 7, 2024

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on August 7, 2024. Mr. Lewis called the meeting to order at 7:30 p.m. and called the Roll.

Those present:

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

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

Absent:                             Daniel Grenier, Board of Supervisors Vice Chair

#### COMMUNITY ANNOUNCEMENTS

Mr. Lewis stated if there are specific community announcements, those can be called in or e-mailed to the Township at [admin@lmt.org](mailto:admin@lmt.org). There was no one wishing to provide a community announcement at this time.

Mr. Lewis stated to register for the Pool at LMT please visit [www.lmt.org](http://www.lmt.org).

Mr. Lewis stated if you have free time and would like to volunteer your time, you can join the Friends of Five Mile Woods Clean-Up days. They are held the second Saturday of the month at the Five Mile Woods starting at 8:30 a.m. Please come in comfortable clothes that you do not mind getting dirty and bring along your work gloves and water to stay hydrated. If you have any questions, you can e-mail Monica Tierney at [monicat@lmt.org](mailto:monicat@lmt.org).

Mr. Lewis stated Lower Makefield Township is sponsoring a Blood Drive for the Red Cross on Friday, August 16, 2024 from 1:00 p.m. to 6:00 p.m. in the meeting room at the Township Building. To sign up or get more information log onto [RedCrossBlood.org](http://RedCrossBlood.org) and enter Sponsor Code: LowerMakefield.

## PUBLIC COMMENT

Mr. Lee Pedowicz, 247 Truman Way, read from Township Ordinance 138-38K1 adopted by the Board of Supervisors on August 4, 1997 with regard to private streets which are to be approved only if designed to meet Township construction standards and if there is safe and convenient access for emergency vehicles. He also read from the 2000 International Fire Code dated December, 1999 Section 503, which the Township adheres to and relates to how fire apparatus access roads are to be installed and arranged. He stated it indicates that fire access roads should have an unobstructed width of not less than 20' except for approved security gates and an unobstructed vertical clearance of not less than 13'6". He also read from the Section with regard to security gates which are to be maintained and an approved means of emergency operation shall be provided and maintained.

Mr. Pedowicz stated he has been told and notified in writing that the Regency at Yardley community was designed and built meeting all relevant Township Ordinances and standards. He stated on July 29, 2021, the Fire Department brought an aerial piece of apparatus to the Regency at Yardley's Renaissance Boulevard entrance off of Oxford Valley Road, and on July 30, 2021, Deputy Chief and LMT Fire Marshall Timothy Chamberlain reported that when the vehicle attempted to enter via the Renaissance Boulevard entrance, they were unable to make the entrance without going over the Belgian block curb which could possibly destroy their tires or hitting the gate box on the island located in the middle of the entrance/exit.

Mr. Pedowicz asked Mr. Lewis how the inability of a piece of fire apparatus to enter the Regency at Yardley community complies with the Ordinances and standards he has cited. Mr. Lewis stated he would rely on the Fire Services Director Tim Chamberlain's memo on this which indicated that they arrived on site on September 8, 2022 at 11 a.m. and they took the 2015 pumper to the north entrance of the Regency Development on Oxford Valley Road to ensure that emergency vehicles could access the development. He stated Mr. Paroly, HOA President, Mr. Pedowicz, and another resident were on site. The pumper is the largest emergency vehicle that would respond to the development, and the apparatus was able to fit between the gates and the curb without hitting and continued into the development, turned around, and proceeded out the same entrance with no problems. Mr. Paroly and Mr. Pedowicz were advised at that time that there were no issues with any emergency vehicles accessing this entrance when needed but it would be important that if there is snow, no piles should be left next to the gates which

would diminish the width. Mr. Lewis stated he understands that the vehicle which was used at that time was actually larger than our current largest vehicle. Mr. Pedowicz asked the date of the letter that he is referring to, and Mr. Lewis stated the letter that was sent to Mr. Pedowicz was dated July 31 and it references the September 8, 2022 safety test.

Mr. Pedowicz stated the point he is making is that when they tried to bring a piece of apparatus in 2021, it could not safely enter; and he had been told that the Regency of Yardley Development was developed and approved in accordance with Township Ordinances and standards. He asked how that could be the case if a fire truck came in 2021 when the development was built in 2010/2011 and could not get in. He asked how that was allowed to occur. He noted the 2000 IFC Standard which clearly states that the minimum width of a fire access road should be 20' unobstructed. He asked if the entrances to the Regency at Yardley Development meet the standards and Ordinances. Mr. Lewis stated he believes that was the finding of the letter that was sent to Mr. Pedowicz on July 31. Mr. Pedowicz asked why the development was built when a fire truck could not come in. Mr. Lewis stated a test was done in 2022 with the largest apparatus, and it was able to enter and exit.

Mr. Pedowicz stated in 2021 they brought in an apparatus that could not enter. He stated there were two islands there, and Toll Bros. removed one of the islands. He stated in 2022 when the Chief brought in the aerial piece of apparatus it "could squeeze in, but he would not say it is convenient." Mr. Pedowicz stated while that takes care of the Township Ordinance, he asked how the IFC is being addressed when it says the minimum width should be 20' unobstructed. Mr. Lewis stated that was addressed in detail in the letter Mr. Pedowicz received on July 31.

Mr. Lewis stated with respect to 2021, he recalls adjustments being made to the islands. He added with regard to Regency in general, the process under which that parcel was approved was through Court Order. He stated it also pre-dates everyone on the dais with the exception of Chief Coluzzi. Mr. Lewis stated the Court mandated the final approval of how that development was to be done. He stated it stipulated specific instructions as to the design and funds as it relates to other infrastructure improvements in the area. He stated this was not approved by the Board in a traditional manner. Mr. Pedowicz asked Mr. Lewis if he is saying that the Court mandated that standards and Ordinances be violated. Mr. Lewis stated he is not saying that, rather he is saying that the approval process for Regency did not follow

a standard SALDO process but followed a process based on a Court Order because there were litigants involved in the matter. He stated there were a number of community members who litigated against the property owner to stop them from what their original intent was to develop in that area. He stated they were successful, and there was a Settlement between the property owner and the litigants who were separate from the Township. He stated there is a binding Agreement from that case that we occasionally have to go back to and follow up with.

Mr. Lewis stated while if Mr. Pedowicz's concern is that the Board at the time that the development was approved did it in such a way that made it unsafe, he cannot speak to that; but we did test the safety of that entrance in 2022. He stated the Township solicitor also reviewed and responded directly to Mr. Pedowicz with regard to Mr. Pedowicz's findings. Mr. Pedowicz stated as an engineer, he would look for compliance with standards in effect at the time of construction. He stated the Plan he reviewed was dated 2006, and it went through five revisions, and finally approved in 2011. He stated there are a list of Waivers from the Township Ordinances, but there is nothing about Waivers from the 2000 IFC which the Township is supposed to adhere to, and the minimum width of a fire access road was to be 20'.

Fire Services Director Tim Chamberlain stated the Township was under the 2000 Fire Code from 2003 to approximately 2022 when we adopted the 2018 Fire Code. He stated with regard to the apparatus access road when it refers to 20' that is a two-lane road, in and out, so that is 10' on either side; and there is not an expectation to have a 40' wide road. He stated if this development were put in today, the gate would meet the IFC 2018 requirements for gates as it is 12' side on either side, which is what the Code states today. He stated in 2000 they did not stipulate that, and it only indicated 20' wide apparatus access roads; and if there are gates, it has to be approved by the "AHJ," which it was.

Mr. Chamberlain stated Mr. Pedowicz referred to his 2021 letter which indicated that the truck went over the Belgian block, and that was prior to removal of the island. He stated the island was removed, and when they went back in 2022, they were able to come right in. He stated recently they had the 41' truck out, which is their largest truck; and a video was taken going into the entrance, and there was no problem. The video was shown at this time.

Mr. Chamberlain stated the video shown was taken during a qualifying for a new driver on that truck. He stated proceeding at a slow speed is acceptable in order to access developments.

Mr. Lewis stated there are three entrances to Regency, which is more than required under IFC and SALDO; and Mr. Chamberlain agreed. He stated the entrance on the video is the north entrance going toward Route 1 which is the first entrance after the Senior Living Center. Mr. McCartney stated that is the most narrow, and Mr. Chamberlain agreed.

Mr. Pedowicz stated the point that is being missed is that when this community was approved, there should not have been gates or islands there. He stated if it was approved according to the Ordinances and standards, we would not be having this discussion because they would not have been there. He stated he has concerns for the safety and welfare of his community; and while there could be a hundred entrances to Regency, his house is near the north entrance. He stated if there were to be a serious accident at that entrance, and the fire truck would have to go past that entrance and come in another entrance, the streets in the development are not designed very well to accommodate large fire equipment trying to get back to his house. He asked how this could be approved in 2006 when a fire truck could not have made entrance at the Renaissance Boulevard entrance off Oxford Valley Road. He stated had the Ordinances and Codes been adhered to, we would not be having this discussion today because there would be no gates and they could come in a little bit quicker.

Mr. Mark Paroly, 221 Grant Way, stated he is the President of the Board of Regency at Yardley. He thanked Mr. Pedowicz because the island was removed after July 29, 2021 due to his tenacity. He stated he also had a lot to do with making sure that the ADA requirements are being met, and we are in the process of doing that as well. He stated from the Board and the community's standpoint, we feel very comfortable that between Mr. Chamberlain and the Board of Supervisors we have a community that can be entered quickly and safely wherever you live in the community. He thanked the Board of Supervisors and the Township for making sure that we are safe.

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 the Minutes for the July 17, 2024 meeting
- Approval of the Warrant List dated August 7, 2024 (as attached to the Minutes)
- Authorize the Release of a Request for Proposals for Managed IT Services
- Approve a 3-Year Generator Maintenance Contract with Penn Power Systems (Year 1 - \$2,543.05, Year 2 - \$2,661.58, and Year 3 - \$2,627.80)
- Approve Resolution #24-21 Authorizing Financing through TD Equipment Finance, Inc. for the 2023 Chevy Silverado 6500HD Dump Truck (previously authorized purchase and previously accepted financing proposal)
- Acknowledge and Accept an Extension of Time for 1511 Lindenhurst Road Minor Subdivision to September 18, 2024

COMMUNITY DEVELOPMENT

Approval of the Long-Term Tree Planting Plan

Mr. Jim Majewski was present with Mr. Jim Bray and Mr. Alan Dresser from the Environmental Advisory Council. Mr. Majewski stated the Township has embarked on preparing a Long-Range Tree Planting Plan as a follow-up to the 2016 Long-Range Plan. A number of parks, open spaces, and detention basin areas were visited which were felt to be suitable to have plantings placed. Drafts prepared by the consultant who was hired were reviewed by the EAC and the Park & Rec Board, and the Plan was provided to the Board of Supervisors in their packet. Mr. Majewski stated the proposal is for planting about 1,545 trees, 1,319 shrubs, and 1,500 perennials throughout our facilities. He stated included in this are some trees in reserve without an exact location noted since we are still embarking on the process of doing the Pollution-Reduction Plan, and we are setting aside a certain number of trees, shrubs, and perennials for use in the development of that Plan and other basin-naturalization projects. Mr. Majewski stated we are looking for approval of the Plan so that we can move forward and plant trees with money in the Tree

Fund. He stated that Fund is funded by developers as they remove trees from sites where they are unable to plant trees back on their site, and they contribute funds as an offset for that to fund future plantings.

Mr. Ross moved and Mr. McCartney seconded to approved the Long-Term Tree Planting Plan.

Ms. Blundi stated she and Mr. Ross were discussing what could be done to use the Tree Bank money to insure that we are an eco-friendly community. She stated she would also like to see volunteers involved in the tree planting as was done in 2019 and 2020.

Mr. McCartney asked if the Tree Bank funds can be used for maintenance of the trees as well. Mr. Kratzer stated the Ordinance language seems to be restrictive to planting of trees, and historically the Township has funded tree maintenance through other General Operating Funds; and Mr. Majewski agreed. It was noted that there is \$344,000 in the Tree Bank. Mr. McCartney stated maintaining \$344,000 worth of trees would be very expensive. He asked if we could update the Ordinance in order to be able to leverage some of the funds to go toward maintenance. Mr. Kratzer stated he believes modifications could be made to address that issue. Ms. Carlton stated there could be an Amendment to the current Ordinance.

Ms. Blundi stated she and Mr. Ross had been discussing that given the amount of money in the Tree Bank, there might be the ability to incentivize residents to plant more trees on their property. She stated she believes that the language in the current version of the Ordinance is more restrictive and we would need to do an Amendment to include shrubs and perennials as well as to include funds for future maintenance of trees planted. Mr. Ross stated currently we are spending several thousand dollars a month on tree maintenance. Mr. Kratzer stated the investment made in trees and maintenance of trees is significant.

Mr. Majewski stated with regard to having volunteers involved with planting, it is anticipated that this Plan would include some volunteer plantings.

Mr. Kratzer asked about the concept of a tree nursery that Mr. McCartney had previously raised. Mr. Majewski stated when they visited the sites with the consultant, there was an area that was promising in Memorial Park

called the “chimney” which is the area behind the 1 kilometer walking trail which is wide open and not utilized often. An acre of land was considered which would provide enough room to plant 250 nursery trees.

Mr. Bray thanked Mr. McCartney for his idea of planting nursery trees. He added that community involvement is an integral part of the Plan as it is important for residents to buy into the Plan. He stated this fall they are proposing a large planting at the Golf Course; but in the spring of 2025, they would look at community involvement which lends itself to small trees that will be planted in the nursery. He stated the Plan also calls for a great deal of shrubbery and perennials which also lend themselves to community involvement.

Mr. Majewski stated there had been some discussion about offering trees to residents, and he knows that Upper Makefield has a program that includes that using their Tree Bank Fund. He stated we could look into how that program operates to see if that might work in Lower Makefield. Mr. Bray stated in Upper Makefield they offer an incentive to residents by charging them \$25 for a tree that is worth considerably more than that, and he believes that it has worked very well and would work well in our Township as well.

Mr. Lewis stated at Memorial Park, there were a number of sourwoods that were planted by the basketball courts, and he asked their projected growth rate. Mr. Bray stated they are fairly slow growing, and after 60 to 70 years they would be about 50’ high. Mr. Lewis stated they need to be planted a safe distance from the court area. He stated he wants to make sure that the root structure does not eventually get under the court.

Mr. Bray stated the Board was very receptive to the 2016 Long-Range Tree Plan which has now been completed, and over 1,000 trees and 300 to 400 shrubs were planted. He stated they are now considering the 2024 Plan, and they feel this is something that should be perpetuated in Lower Makefield Township to provide for shade, stormwater management, erosion control, carbon sequestration, and beauty. Mr. Lewis stated the EAC has had an amazing impact on the community over the years, and he thanked them for their service. He stated there are many dedicated volunteers serving on Township Boards and Commissions.

Mr. Dresser stated there is \$344,000 in the Tree Bank Account which will allow them to proceed with a fairly-aggressive planting schedule in the next few years. He thanked the Board for their strong support of the Tree Replacement Ordinance.



Ms. Blundi stated the Ordinance does not allow for the planting of shrubs and perennials as written, and she feels the Board would be open to amending that as soon as possible. She asked if we can pass a Plan if it is violation of our Ordinance. Mr. Kratzer stated the Board is being asked to adopt a Plan, but it is not establishing the funding mechanism. He stated he feels the Board could adopt the Plan with a combination of funding sources such as the Township pursuing Grants to help planting some of the trees in the Plan. He stated there are sources to fund these efforts beyond just Tree Bank funding.

Motion carried unanimously.

#### Authorize the Solicitation of Bids for the Fall, 2024 Tree Planting

Mr. Ross moved and Ms. Blundi seconded to authorize the solicitation of Bids for the fall, 2024 Tree Planting.

Ms. Laurie Grey, stated she is a Lower Makefield Township resident. She stated she is in favor of the Long-Term Tree Planting Plan and asked where she could see the Plans for where the trees will be planted. Mr. Kratzer stated it will be posted post-action by the Board of Supervisors. Ms. Grey stated she has discussed Macclesfield Park before and where in the Plans are additional plantings of trees in Macclesfield Park. She stated they are needed for sound and light barriers.

Mr. Majewski stated since we are undergoing the Master Plan process at Macclesfield Park which might move things around in that Park, we looked at where trees could be planted now that would have a beneficial impact for the neighborhood for light and noise pollution. He stated we chose areas around the periphery of the Park that we know will not be touched by any version of the Master Plan for any changes at the Park. These trees would be a combination of evergreen and deciduous trees along the edges of Ms. Grey's development and the Cemetery where there are gaps.

Mr. Bray stated this is one of the main reason we came up with the concept of reserve trees. He stated when they did the 2016 Plan and entered a specific area, they subsequently found that something was not exactly right, and they had to deviate; and this gives the flexibility to do that. He stated there are over 200 general reserve

trees; and their Plan is as soon as the Master Plan for Macclesfield is finished, they will go in with other significant tree plantings. Ms. Grey asked if they will be doing the 20+ trees this year, and Mr. Bray stated that will depend on the Township. Mr. Majewski stated they are looking at that area and the Golf Course.

Ms. Blundi asked if the Golf Course has seen these Plans and are satisfied with what is proposed. Mr. Majewski stated they walked the Course with Mr. Attara and members of the staff to look at where trees might be most beneficial. He stated prior to doing anything, we will reconfirm the exact locations. Mr. Majewski stated there were a few areas Mr. Attara pointed out where trees would be beneficial to prevent balls from going into the next fairway.

Motion carried unanimously.

## ENGINEERS

### General Project Updates

Mr. Kessler stated the Report was provided to the Board in their packet. He stated with regard to the Township's MS4 Program, the Annual Report due in September is being prepared and will be submitted in the next few weeks.

Mr. Kessler stated with regard to the Highland Drive Drainage Project, the Bucks County Conservation District sent their approval the end of June, and the PADEP five General Permits were approved as of July 25. With regard to the GP3, which involves the streambanks, there was continued coordination with the resident of 1 Highland Drive where the stream goes through a good portion of that property. Mr. Kessler stated he has confirmed with the DEP that this would not involve a re-submission, and it would just be an update, and they hope that this will be approved in the next two weeks. Mr. Kessler stated they will provide an update on the overall schedule once all Permits are officially approved.

Mr. Kessler stated the Road Program is on-going and there have been no issues. Inlet top replacements have been completed and they are working on milling and paving in some areas. They will begin the ADA ramps on August 12. The contractor confirmed that everything will be completed before the School year begins.

Mr. Kessler stated with regard to the Woodside Road Bike Path progress, the utilities are still working on moving their lines although they have been impacted by weather. Verizon will be the last utility to move their equipment and will then remove the old poles. Mr. Kessler stated the contractor provided pricing which is being reviewed, and their schedule is to re-mobilize one to two weeks after Verizon has completed their work.

Mr. Kessler stated the Taylorsville Road Improvements Project Grant Application was submitted on July 31 to DCED, and he thanked the Board and staff for their input. He stated in the meantime they are moving forward with preliminary design plans so that it can be reviewed internally with staff and they will then set up a meeting with PennDOT before going into the Permitting Phase.

Mr. Kessler stated milling of the Memorial Park basketball courts started yesterday. His office will be on site to make sure the work is done according to the Plans that were provided.

## FIRE SAFETY

### Fire Report Updates

Mr. Chamberlain stated there were 47 calls for service in July bringing the total to 370 for the year. He reviewed the training that took place in July and some community activities that they participated in. He stated the Fire Department was able to secure Grants for a high water vehicle which is being constructed currently and should be in by December. Mr. Chamberlain stated three new members joined the Fire Company over the past year and will start Fire School this month. He stated numerous tours were given by the volunteers at the Fire House for Scouts and home-schoolers over the past month. He stated they partner with the American Red Cross in a smoke detector program, and they installed 18 smoke detectors in residences that either had non-working smoke detectors or had smoke detectors that were older than twenty-five to thirty years old. He stated they have been involved in Plan reviews and Special Event Permits.

Mr. Chamberlain stated he and the Fire Inspectors completed 60 Fire Safety Inspections which included two apartment complexes. He stated they revamped their apartment complex inspections this past year so that instead of just inspecting the clubhouses, they are going into all apartment building common areas to make sure that all the egresses are open.

Mr. Chamberlain stated the Fire Safety Registration letters, which are required by Ordinance, went out in June; and it explained the new Ordinance and the requirements. The total received back to date for Registrations is \$31,900.

Mr. Lewis stated smoke alarms are generally only good for about ten years, and Mr. Chamberlain agreed that any over ten years should be replaced. Mr. Lewis stated carbon monoxide detectors also have a limited lifespan. Ms. Blundi asked that Mr. Lewis' comments be shared on the Township TV channel and social media. Mr. Chamberlain stated he did include this in the quarterly Newsletter.

#### MANAGER'S REPORT

##### Approval of a Township Purchasing Policy Manual

Mr. Kratzer stated the Manual discusses different levels of approval authority for Department Heads, the Chief Financial Officer position, and the Township Manager position in circumstances where items are budgeted that may be considered under general allotments or as part of budgeted funds. It also discusses opportunities to purchase or procure goods and services through cooperative purchasing programs, opportunities that should be sought related to Inter-Governments joint purchasing, and outlines the general preference including disadvantaged business enterprises and minority and women businesses enterprises when available in our procurement process. He stated it also speaks to environmentally-friendly purchasing if there is an opportunity to do so. He stated it also discusses public access to procurement information and expresses a preference for issuing a Request for Proposals for Professional Services, which is what the Township has historically done; and that generally this would be done on a three to five year basis. Mr. Kratzer stated there is also a section on ethics in public contracting and procurement, which the Township has historically followed, and is codified in this Manual.

Mr. Kratzer stated the Manual expresses what should be done as it relates to these issues and provides direction to staff when implementing Budgets, etc.

Mr. Ross moved, Mr. McCartney seconded and it was unanimously carried to approve the Township Purchasing Policy Manual.

## PARK & RECREATION

### General Project Updates

Mr. Fuller stated the contractor for the Memorial Park basketball courts has milled out the old asphalt and started rough grading the material. Weather has impacted the ability to work on this project, but they hope to pave next Monday and Tuesday. The courts need to cure for thirty days before the coating is put on.

Mr. Fuller stated with regard to Patterson Farm Gilmore and Associates were on site starting the Phase 1 Assessment, and they hope to provide their report in one month.

## PUBLIC WORKS

### Authorizing Acceptance of Change Order #3 from LandStudies in the Amount of \$29,800 to Conduct a Feasibility Study Relating to Potential Floodplain Restoration Efforts and the Modification of the Existing Stormwater Management Basins in the Makefield Chase and Longshore Estate Developments

Ms. Blundi moved, Mr. Ross seconded and it was unanimously carried to authorize acceptance of Change Order #3 from LandStudies in the amount of \$29,800 to conduct a Feasibility Study relating to potential floodplain restoration efforts and modification of the existing stormwater management basins in the Makefield Chase and Longshore Estates Developments.

### Authorization to Purchase Traffic Signal Equipment for Big Oak and Pine Grove Roads Traffic Signal Improvement Project

Mr. Fuller stated in 2022 the Township received a Green Light Go Grant for signal improvements to the intersection of Big Oak and Pine Grove Roads. He stated part of the Grant was to have it complete by May, 2025. He stated the equipment involved are long lead items and will take about twenty-eight weeks to receive. He stated by purchasing the equipment in advance, it starts the clock on the material procurement; and in the meantime, we will get the contractor selected hopefully by the fall so they can start work in the spring with the materials in hand.

Mr. Kratzer stated the amount is \$126,904.80. He added the Green Light Go Grant that the Township received is in the amount of \$305,320. He stated there is a 20% Township-match component related to the overall project. He stated this was an intersection which was identified in the current Act 209, and the study that was done to assess the Traffic Impact Fee identified this as a potential improvement so it is fundable using the restricted Act 209 Funds.

Ms. Blundi moved and Mr. Ross seconded to authorize the purchase of traffic signal equipment for Big Oak and Pine Grove Roads Traffic Signal Improvement Project.

Ms. Blundi stated that while she is in favor of the idea, she wants to make sure that the correct equipment is purchased. Mr. Fuller stated the engineer for that project reviewed the material list and it was also reviewed by SAFE, the Township's traffic engineer; and everyone agrees that it is the proper equipment.

Motion carried unanimously.

#### SOLICITOR'S REPORT

Ms. Carlton stated the Board met in Executive Session prior to the meeting to discuss employment matters, litigation and Real Estate.

#### Approval of an Ordinance Amending the Regulations Governing Short-Term Lodging Facilities

Ms. Carlton stated at the prior meeting, the Board approved this for advertising; and advertising is now complete with proper notices sent to all necessary parties including the Bucks County Law Library.

Ms. Blundi moved, Mr. McCartney seconded and it was unanimously carried to approve the Ordinance amending the regulations governing short-term lodging facilities.

#### Acceptance of the Proposed Settlement in the Haveson and Vreeswick Tax Assessment Appeal

Ms. Carlton stated this information was provided to the Board in their packet.

A Tax Assessment Appeal was taken by Mr. Haveson and Ms. Vreeswick for the property at 100 Floral Vale Boulevard. Ms. Carlton stated this matter was taken care of by her predecessor. She stated it was suggested that the School District take the lead since the Township has a small interest in the outcome. Litigation ensued; and while the Petitioners were initially denied before the Board of Assessment, they Appealed that decision and the Township, School District, and the County filed their Appearances. Ms. Carlton stated there was a Settlement reached which was tiered with 2023 being one Assessment and a reduced Assessment for 2024 forward.

Ms. Blundi moved and Mr. McCartney seconded to accept the proposed settlement in the Haveson and Vreeswick Tax Assessment Appeal.

Mr. Lewis asked the Revenue impact to the Township, and the decreased amount of the assessed value was noted.

Motion carried unanimously.

#### General Updates

Ms. Carlton stated her office has been working on the Historic Demolition Ordinance which should be before the Board at the next meeting.

Ms. Blundi stated they are working on the Open Space Referendum fine-turning the Notice to the Board of Electors which should go to them within the next week. She stated advertising will then take place. She added there should be some discussion amongst the Supervisors as to the informational component and how they are going to relay the information to the residents. She stated she can assist on that aspect. Ms. Blundi asked Mr. Kratzer if the staff could put together some objective talking points on this, and Mr. Kratzer agreed the staff could do that.

Ms. Carlton stated the Sign Ordinance is in draft form and was included in the Board's packet. She stated it will be before the Planning Commission at their meeting on Monday. She stated it is not close to being in final form and was a monumental task with many changes adding that she feels there will be many more changes that will result from discussions that will ensue by the Planning Commission and the Board of Supervisors.

#### OTHER BUSINESS

Mr. Kratzer stated with regard to the revenue loss as a result of Haveson and Vreeswick Tax Assessment Appeal, he calculated that it would result in a loss of \$413.98 for the Township in 2023, and a \$598.38 loss after that. Ms. Blundi stated the impact to the County and the School District is greater than it is to the Township since the Township receives a significantly less percentage of the taxes paid by the residents than that received by the County and the School District.

#### APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. McCartney moved, Mr. Lewis seconded and it was unanimously carried to appoint Jack McCarthy to HARB.

#### PUBLIC COMMENT

Mr. Lee Pedowicz, 247 Truman Way, stated with regard to his prior discussion about the gates at Regency at Yardley, he advised the Board of Supervisors that there was a vote in the community whether the gates should or should not be there; and the results of the vote were 200 opposed, 99 in favor, and 73 households did not vote. He added that in the video of the fire truck coming into the development shown earlier this evening, the person driving the fire truck had to swing into the exit lane to make the turn to get in. He stated during an emergency situation, he does not feel anyone would take the time to do that. He stated as a volunteer fireman for over twenty years he drove all of the equipment responding to many calls. He stated that the Chief had mentioned that the fire vehicles cannot get out the exit at Renaissance Boulevard and Oxford Valley Road as they cannot make the turn through the gate, and they have to go out the entrance with or without the gates because of the way it has been designed. He stated if the gates and island were not there, they could easily do it. Mr. Pedowicz stated currently there are many residents who, rather than making the hard turn out the exit, go out the entrance because the gates are not yet operational. He stated if there are gates, the fire truck will be pulling up to the entrance in order to exit the community; and he asked how they are going to get the gates to open.

Mr. Pedowicz stated if the neighborhood were designed correctly, we would not be having this discussion today because the gates and the obstructions would



not be there. He asked for a letter from the Board explaining to him why the design of the community was approved with regard to access by fire apparatus in violation of standards and Codes he discussed earlier. He stated he would also like a letter explaining how the 2000 IFC requirement is being met with the gate installation. He stated this could all have been avoided if the neighborhood was designed and specified with the Codes and standards especially the IFC standards.

Mr. McCartney asked if key fobs could be provided to the Fire Department, and Mr. Lewis stated they have them already. Mr. Pedowicz stated he understands that there are several options being considered for activating the gates; and one of them is having them activated by the sound of a siren. He stated he had asked if there was an ambulance going down Oxford Valley Road to the hospital would that open the gates, and he was told that the sensors would be sensitive enough to open the gates even if nobody was coming in. He stated with regard to key fobs, he questions if the driver would have to get out of the vehicle with the fob. He stated he does not feel the gates should be there.

Ms. Kim Eschbach, 244 Hoover Way, stated she is a resident of Regency and has been a resident of the Township for thirty-five years. She asked if the Township could have an emergency vehicle/fire truck come back once the gates are implemented to make sure that they can get into all of the entrances of the community, and Mr. Lewis agreed they would do that. He stated there have been other issues with this community where the Township has been very involved where they could, but this issue is within the HOA's purview. Ms. Eschbach stated the gates versus no-gates is a highly-emotional issue within the community. She stated supposedly the gates will make the community safer, but there is no perimeter fence so anyone can walk in or park at the curb.

There being no further business, the meeting was adjourned at 9:00 p.m.

Respectfully Submitted,



Suzanne Blundi, Secretary

