

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – SEPTEMBER 18, 2024

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on September 18, 2024. Mr. Lewis called the meeting to order at 7:37 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 this portion of the Agenda is available for those wishing to call in to make a special announcement or they may contact the Township at admin@lmt.org to request a special announcement be added to the Agenda. There was no one wishing to make a special announcement at this time.

Mr. Lewis stated if you have some free time on the weekends and would like to volunteer your time, you can join the Friends of the 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 and bring work gloves. Projects for the day will include litter clean-up, trail lining and pruning. If you have any questions, you can reach out to Monica Tierney at monicat@lmt.org.

Mr. Lewis stated the next Township Yard Waste Day will be Saturday, September 21, 2024 from 7:00 a.m. to 3:00 p.m. at the Township Building, 1100 Edgewood Road. For more information you can view the Calendar on the Township Website.

Mr. Lewis stated Lower Makefield Shopping Center is hosting a Harvest Festival this Saturday, September 21, 2024 from 11 a.m. to 2 p.m. at 700 Stony Hill Road, Yardley. For more information you can visit the Township Website Calendar at lmt.org; and if you want to participate contact: propertyeventsmgr@yahoo.com or 775-250-7908

Mr. Lewis stated there will be a free shredding event in the Pool parking lot, 1050 Edgewood Road on Saturday, September 28, 2024 from 9:00 a.m. to 12:00 p.m. To register go to www.shredbucks.com.

Mr. Lewis stated Lower Makefield's Environmental Advisory Council and Bird Town will be hosting a Hummingbird Presentation from 10:00 a.m. to 11:00 a.m. on Saturday, September 28th at the Lower Makefield Township Community Center.

Mr. Lewis stated Lower Makefield Township's Environmental Advisory Council is hosting another falconry visit with Master Falconer, Gregory Wojtera, at Memorial Park, 1950 Woodside Road, Yardley, PA on Saturday, October 5, 2024 at 3:00 p.m.

Mr. Lewis stated on October 26th, the 11th Annual Slay Sarcoma 5K Run/Walk will be held at the Core Creek Park in Langhorne, PA. The event is to raise awareness and research funding for Leiomyosarcoma (LMS). They are estimating 500 race participants.

Mr. Lewis stated Lower Makefield Township will be hosting a Blood Drive for the Red Cross on Friday, November 1st from 12:00 p.m. to 5:00 p.m. in the Township Building. To sign up or get more information, log onto RedCrossBlood.org and enter Sponsor Code: LowerMakefield.

Mr. Lewis stated there are positions open on many Boards and Commissions including an opening on the Golf Committee. Those interested should send an e-mail to admin@lmt.org.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Mr. Bill Gaboda, 1230 Ash Lane, complimented the Board as he feels they are communicating with the residents much more than was happening before.

Mr. Lee Pedowicz, 237 Truman Way, stated he has spoken at the past three meetings with regard to Ordinance and Code violations that were overlooked in the design and construction of the Regency at Yardley Development which

effect the safety and welfare of all the residents in the 377 homes that make up the community. He stated as a taxpayer he has asked for letters from the Board explaining what is or will be done to correct these violations, but he was told that he would not be receiving any. He stated he is anxious to have the matter of the gate installations and the associated Ordinance violations resolved.

Mr. Pedowicz stated tonight he is asking the Board to have the Township engineer inspect all of the entrances and exits at both the Carriage and Villas sides of the development for adherence to and compliance with the 2000 International Fire Code which was mandated by Township Ordinance 112-1 Fire Prevention which was in effect at the time of design and construction of the community. He stated this Ordinance stipulates adherence to the 2000 International Fire Code, not the 2018 International Fire Code as has been brought up repeatedly. He added that there are differences between the two, and the latter is negatively effecting emergency vehicle access.

Mr. Pedowicz stated he wants the engineer to report whether the gates and their associated island installations are in compliance or not and explain the reasons for his/her determination. He stated he also expects the determination to consider that all the entrances and exits are intended to be gated.

Mr. Pedowicz stated Township Ordinance 178-38 K1 stipulates safe and convenient access for emergency vehicles, and he has repeatedly stated that we would not be having this discussion if the Ordinances at the time of design and construction were adhered to. He stated not having gates and their associated island obstructions is safer and more convenient for emergency apparatus ingress and egress than having an entrance with gates and their associated obstructions which present a hindrance to a responding piece of apparatus even if it can ultimately get in. He stated having gates and their associated islands at the Regency at Yardley development violates the Ordinances he has noted, and he is vigorously pursuing this since getting it resolve will protect the residents of the development and ultimately Lower Makefield Township from safety, financial, and legal liabilities. He stated it would benefit both the Township and the residents of Regency at Yardley if this could be resolved without having to resort to legal action.

Ms. Larissa Luzeckyj, stated she is a Lower Makefield resident. She asked for an update on the Grant that was requested by Congressman Fitzpatrick's office to help with the flooding issues. Mr. Kratzer stated as noted previously the Grant has gone through the initial review process and is being incorporated

into Federal legislation; and generally in the past the Congress has passed that, although there is nothing official at this time. Ms. Luzeckyj asked what would happen if the Grant does not come through. Mr. Kratzer stated we are continuing to pursue other funding sources as they become available. He stated there is investment occurring with the Highland Drive improvement project. He stated the Township will continue to look for all available resources internally and externally. Ms. Luzeckyj asked if that includes the LandStudies recommendations, and Mr. Kratzer stated the Board of Supervisor has authorized a change of scope to LandStudies' work to do additional evaluation upstream of the Maplevale neighborhood which will ultimately prevent flow from reaching that point. He stated the Board of Supervisors continues to prioritize this work.

Ms. Blundi stated the Congressman was at Slate Hill Cemetery on Saturday where the Historical Commission received two awards, and he remains very optimistic.

CONSENT AGENDA ITEMS

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

Approved the Minutes for the September 4, 2024 Meeting

Approved the Warrant List dated September 18, 2024 in the amount of \$373,318.94 (as attached to the Minutes)

Approved the August, 2024 Treasurer's Report

Approved the August, 2024 Interfund Transfers in the amount of \$1,404,938.62 (as attached to the Minutes)

Acknowledged receipt of the 2025 Minimum Municipal Obligations for the Police Pension Plan \$1,513,816; 70% Fund Ratio, Non-Uniform Defined Benefit Pension Plan \$390,013; 89% Fund Ratio, and the Non-Uniform Defined Contribution Plan \$158,570

Authorized Change Order #1 in the amount of \$2,930.23 (quantity adjustments) to the Contract with Zone Striping, Inc. for roadway line striping (new Contract value - \$53,427.78)

Approved Payment Application #1 to Zone Striping, Inc. in the amount of \$44,066.78 for roadway line striping (Budgeted maintenance item, total project cost with Change Order - \$53,427.78 original Budget - \$72,500.00)

Approved Payment Application #2 (Final Pay Application) to Zone Striping, Inc. in the amount of \$9,361.00 for roadway line striping

(Budgeted maintenance item, total project cost with Change Order – \$53,427.78, original Budget \$72,500.00)

Ratified and Confirmed execution of the Separation Agreement and General Release between the Township and the former Chief Financial Officer

COMMUNITY DEVELOPMENT

Acknowledge and Accept a Grant of Extension of Time to October 16, 2024 Regarding Lindenhurst Road Subdivision

Mr. Ross moved, Ms. Blundi seconded and it was unanimously carried to acknowledge and accept a Grant of Extension of Time to October 16, 2024 regarding Lindenhurst Road Subdivision.

ENGINEERS

Authorize Financial Security Release #1 (Final) to Shady Brook Investors, L.P. for the Prickett Preserve at Edgewood Residential in the Amount of \$2,191,200.00

Mr. Kessler stated this is for the Residential portion of Prickett Preserve. He stated the work has been completed and was verified in the field.

Mr. McCartney moved and Mr. Ross seconded to authorize Financial Security Release #1 (Final) to Shady Brook Investors, L.P. for the Prickett Preserve at Edgewood Residential in the amount of \$2,191,200.00.

Mr. Lewis stated this is for the Residential section of Prickett Preserve and does not reflect the Commercial portion on which there is still construction. He asked Mr. Kessler how much is left on the Commercial side; and Mr. Kessler stated there are still a few pad sites being built around the Wegmans, and only the Wegmans' portion has been released to date. Mr. Kessler stated there is about \$7 million Financial Security for the Commercial portion.

Ms. Blundi stated she wants to make sure that the plantings around the Residential portion that do not survive are replaced. Mr. Kessler stated there is a maintenance period that goes into effect, and they will have to replace any plantings that do not survive during that time period. Ms. Blundi stated she is

aware of at least one dead tree, and she asked if that will be replaced this fall. Mr. Kessler stated they would look to replace anything that is dead during this planting season.

Motion carried unanimously.

General Project Updates

Mr. Kessler stated the Board received the Engineer's Report in their packet. He stated with regard to the Highland Drive Project, they met with the resident of 1 Highland Drive, whose property is part of that project, to coordinate final work along the streambank. The project was authorized for the Bidding phase at a previous meeting; and once this final coordination is done with the property owner, the Bidding process will be started.

Mr. Kessler stated on the utility side, PECO has the new pole installed. Verizon is tentatively scheduled to move the old pole equipment on September 30.

Mr. Lewis asked for an update on the pole replacement on the Woodside bike path. Mr. Kessler stated Comcast had some delays and Verizon is working on their equipment as well. The old poles have been removed. Originally the schedule showed that they would be done by early September; however, it appears it will now be done the end of September/early October. Mr. Kessler stated pricing has been provided by the contractor for the remaining work on the trail itself. He stated we are also waiting to hear about a Grant opportunity; however, the Township would not be able to be reimbursed for costs prior to the Grant award. The anticipated Grant award date is November, and it was determined to wait on the remaining work to hopefully get a positive result as to Grant funding for that work.

Mr. Bill Gaboda stated he is a Lower Makefield Township resident. He asked how the Woodside path will connect to the path on the other side of Taylorsville road. Mr. Kessler stated the project itself is the connection, and it is a PennDOT intersection that requires Permitting which is underway. He stated they will set up a meeting with PennDOT to discuss their Permit requirements. The Scoping Application, which is the first step to have that conversation, has been submitted. There is a preliminary lay-out to discuss with them. The hope is to have this in construction in 2025.

Mr. Gaboda asked how people will get across Taylorsville Road since it is a very busy intersection. Mr. Kessler stated that is what the Permitting is looking at. He stated the lay-out would involve the corner where the Woodside Road path ends now at the bottom of the hill. It would go across Taylorsville Road first involving all of the safety measures required as far as being able to make it all the way across the road with signal timing, etc. He stated pedestrians/cyclists would then cross Woodside to get to the Joint Toll Bridge Commission corner and connect to the trail to go further from there. It will be an L-shape and not go directly across.

MANAGER'S REPORT

Discussion Regarding the Proposed 2025 Budget Calendar and Scheduling of Budget Workshops (proposed dates – October 16, 2024 and November 6, 2024)

Mr. Kratzer stated the dates proposed are the dates of the regularly-scheduled meeting dates. After discussion it was agreed to have those meetings start at the normal start time of 7:30 p.m. Mr. Lewis stated if it is felt that additional time is needed, the November 6 start time could be earlier; although it was noted that meeting would be the evening following Election Day. Mr. Kratzer stated that decision could be delayed. He stated that if the intent is to have these workshops during the normal sessions, there would be no additional advertising requirement since the meetings of October 16 and November 6 would have already been advertised. He stated if it is determined after October 16 that the Board wanted to schedule a workshop at a different time on November 6 that could be advertised and still meet the Statutory requirements as it relates to a Special Meeting which only requires twenty-four hour notice prior to that meeting. This was acceptable to the Board.

General Updates

Mr. Kratzer stated there was a prior discussion about doing a joint Fire Services Study with Yardley Borough, and last evening Yardley Borough discussed the matter and is in support of proceeding. Mr. Kratzer stated a letter of intent will need to be submitted to the Pennsylvania Department of Community and Economic Development's Governor's Center for Local Government Services, and that will be prepared for the Board's consideration at their meeting on October 2. Yardley Borough will be advised that they need to do this as well.

PARK & RECREATION

General Updates

Ms. Monica Tierney stated they will hold their Monster Mash on Friday, October 4 beginning at 6 p.m. There will be costume contests, a DJ, decorations, and food. She stated they will also hold the 4th Annual 5K Anyway Color Run which is ADA friendly. The goal is to raise money for the Community Fund for ADA Transition Plan projects within the parks. She stated they are also looking for sponsors and everything made in excess of the costs go back to ADA projects in the parks. Sign-up is on the Township Website.

Ms. Tierney stated the Memorial Park projects discussed at the prior meeting are still on track. She stated the artist who will be painting some of the pieces in the playground that are worn down will be starting this week so some of the pieces will be blocked off during the week while he is painting. She stated he painted one of the ducks in Yardley Borough.

Mr. Tierney stated the Board is aware of a current situation at Macclesfield Park on Mondays and Wednesdays which is causing significant back-ups on River Road. He stated in spring, 2023 the Park & Rec Board recommended that the flow around the turf field be turned into one-way; and what is being seen is that it is causing queues and back-ups. He asked for a consensus of the Board to undo that until a better way of managing that is determined. Mr. McCartney stated this would entail the Township taking out the one-way arrows and removing the one-way signs around that area. It was the consensus of the Board that this be done. Mr. Kratzer stated the Township will proceed with that.

PUBLIC WORKS

Approval of the Proposal from Vialytics – Road Management Assessment Tool

Mr. Fuller stated Mr. Kessler's team brought this tool to our attention. It is an AI driven/photo/iPhone driven assessment for the roadways. The proposal is to sign up with Vialytics, and Township workers and crews would have iPhones take videos of the roadways throughout the Township; and an AI assessment will be done to provide conditions of the roads. Mr. Fuller stated a quick assessment was done on a few of the roads, and the information received back in seconds

was phenomenal; and it is a great planning tool. Mr. Fuller stated what is before the Board is a three-year proposal with Vialytics, but the Board could consider whether they want to proceed with all three years or just agree to one year.

Mr. Daniel Laufer stated he is a Senior Manager with Vialytics. He stated they are an AI-driven road and asset management tool that is primarily used by mounting an iPhone into the windshield of any Municipal vehicle and driving the roads. The iPhone will take a picture of the road every 10' to 12', and using AI Vialytics will automatically detect any distresses within the surface of the roadway, identifying an objective scale up to 15 classes of damage within the surface, and identifying how severe that damage is as well. In addition to doing a condition assessment on the surface of the roadway, they will also actively maintain inventory of all manholes, catch basins, and street signs that exist within the Township as well as identify any new damage that may begin to occur over the course of a winter season and a year as well.

Mr. Laufer stated they were founded in Stuttgart, Germany in 2018; and since their inception in the U.S. in March/April, of last year, they have been growing quickly. He stated while Lower Makefield will be their first Township partner in Pennsylvania, they do work with other Boroughs and Cities in the area.

Mr. Kratzer stated there was some discussion with PennDOT about whether it would be possible to fund this through Liquid Fuels, and it is a permissible expense. Mr. Fuller added that the Liquid Fuels Fund is very healthy this year. Mr. Fuller stated the cost is approximately \$22,000 per year, and the only additional cost for the Township would be a few additional iPhones for the crews to have mounted in their trucks to record the images. He stated if this can be implemented quickly, it could be used while they are on the roads for the leaf collection; and it would not cost anything more in labor since the drivers would already be on the roads.

Mr. Kratzer stated there has also been discussion about other uses including the extensive bike/trail network in the Township to get an assessment of that network. He stated mapping that information would also be helpful in identifying gaps and opportunities for additional connections moving forward.

Ms. Blundi moved, Mr. McCartney seconded and it was unanimously carried to approval the proposal from Vialytics for the Road Management Assessment Tool.

General Updates

Ms. Blundi stated in the past she has asked about the lights at 295 and Taylorsville Road. Mr. Fuller stated those traffic signals use very advanced technology but “some things are going bad in them quickly.” He stated if a camera goes bad, the signal defaults to its timing program and there will be delays. He stated some parts went bad over the last few weeks which were replaced by Armour & Sons so it should go back to its AI-driven analytics of giving green-light time. Ms. Blundi stated she does not believe that they are working correctly at night which is an issue people are complaining about. Mr. Fuller stated if you come off 295 at night and sit at the ramp and you miss the light by a millisecond it will not give a green light right away because Taylorsville Road is the primary road. He stated he believes it is about a 6 second to 8 second delay even if no one is coming. He stated he can have Armour confirm that everything is working.

Mr. Fuller stated with regard to the sloughing of Woodside Road on the right-hand decel lane off Woodside to Taylorsville, the Joint Toll Bridge Commission has agreed to replace that section of roadway. He stated they were planning on doing this in August; however, their engineer had felt that the problem happened because they paved it too quickly and it never fully cured, and they do not want that to happen again so they were trying to push for a cooler season. He stated he understands that at this point they are looking to do this the first week in October, and it will be a nighttime paving operation and should take one night. It should be open the next day for traffic, and they will stripe it during the day.

SOLICITORS REPORT

Approve Resolution #24-22 Authorizing the Purchase of Knoll Drive Property (Parcel #20-016-030-002, 4.41 Acres) for Open Space Preservation Purposes and Authorizing the Chair or Township Manager to Take Any and All Actions Required to Effectuate the Purchase

Ms. Carlton stated once the Resolution is passed, they will execute the Agreement of Sale and Settlement will then take place.

Ms. Blundi moved and Mr. McCartney seconded to approve Resolution #24-22 authorizing the purchase of Knoll Drive property (Parcel #20-016-030-002, 4.41 acres) for open space preservation purposes and authorizing the Chair or Township Manager to take any and all actions required to effectuate the purchase.

Ms. Carlton stated the Agreement of Sale is for a purchase price of \$100,000 which is the appraised value of the property. An appraisal was done, and by Law, we are not permitted to pay more than the appraised value. Ms. Carlton stated we have negotiated with the seller, and we are not paying Transfer Tax so there is a savings there which was built into the Agreement.

Mr. Bill Gaboda, 1230 Ash Lane, stated he assumes this is a first step toward acquiring more land to keep open in the Township, and he asked if the Township will be doing more. Ms. Carlton stated the property that is being purchased is contiguous to property already owned by the Township. She stated we are getting Title Insurance and it will be in place at the time of the purchase. Mr. Gaboda stated he is very gratified that the Board is taking steps in this direction since we need to preserve the open space that we can.

Motion carried unanimously.

General Updates

Ms. Carlton stated with regard to the proposed Sign Ordinance, they have been made aware of a recent Court Case that has come down that will require amending the Sign Ordinance that is before the Board. She encouraged the Board to let her office evaluate this further and do a re-write if necessary.

Ms. Carlton stated she understands the Historic Building Demolition Ordinance is before the Planning Commission. She stated the Responsible Contractor Ordinance has been drafted and should be ready for review soon. She stated her office was provided with a number of Township Agreements and Contracts from Public Works and Park & Recreation that they have been tasked with reviewing to provide consistency and formality. These are Agreements that the Township has with Township Committees, constituents, and entities outside of the Township that use Township properties. She stated there are about twenty to twenty-five Agreements that they are reviewing.

Ms. Carlton stated with regard to the Open Space Referendum, her Office has reviewed the Contract that the Township Manager had previously discussed, and it was provided to Mr. Kratzer today with their comments. Hopefully the Board will be able to execute that in the near future, and they can then begin the process of informing the residents of the Referendum.

Ms. Carlton stated the Board met in Executive Session prior to the meeting and discussed personnel issues and litigation matters.

SUPERVISORS REPORTS

There were no Supervisor Reports given this evening.

OTHER BUSINESS

Ms. Blundi stated the Township is aware of an issue related to an unusual long-term, short-term housing situation which is occurring. She stated Lower Makefield was one of the first Townships to take an aggressive stance on making sure that people wanting to do short-term rentals did so in a way that was appropriate and respectful to the community. She stated the Ordinance has been amended twice so far and we may have to do so a third time. She stated the Board is looking to see what can be done to help address this current situation. Mr. Lewis stated we are actively looking at all options.

APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Lewis moved, Mr. Ross seconded and it was unanimously carried to appoint David Verdon to the Historical Commission.

Mr. Lewis moved, Ms. Blundi seconded and it was unanimously carried to appoint the following to the Human Relations Commission:

Amanda Saloway, Byron Fiman, Cathy Hanville, Stanley Chelken
and Tara Friedman, Chair and Victoria Schweder Alternate Member
and Paul Bamburak, Alternate Member.

ADDITIONAL PUBLIC COMMENT ON NON-AGENDA ITEMS


Ms. Laurie Grey stated she is a Lower Makefield Township resident. She asked what it cost to make Macclesfield Park one-way and what it will cost to make it go back to being two-way since she knows that there were signs and pavement. Mr. Kratzer stated he could provide that information although he knows there was no paving done, and it was just line striping and signage. Ms. Blundi stated she feels the old

signs are still available. Mr. Fuller stated it will involve some labor time. He stated we make our own signs, and the signs taken out will be put back in stock, and the cost should not be much.

Mr. McCartney asked for a timeline so that Ms. Tierney can advise the League heads so they will know when the new traffic pattern will be put in place. Mr. Fuller stated they can start taking out the signs tomorrow.

There being no further business, the meeting was adjourned at 8:30 p.m.


Respectfully Submitted,



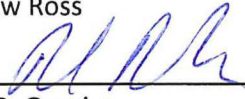
Suzanne Blundi, Secretary

**LOWER MAKEFIELD TOWNSHIP
BOS MEETING - 09/18/2024
INTERFUND TRANSFERS**


AUGUST 2024 PAYROLL AND INTERFUND TRANSFERS	
Fund	
01- GENERAL FUND CHECKING TO PAYROLL ACCOUNT	1,373,639.61
GENERAL FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	9,787.57
03- GENERAL FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	749.16
05- PARKS AND RECREATION FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	3,452.86
09- POOL FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	948.42
60- POLICE FUND TO DROP PENSION ACCOUNT	16,361.00
	1,404,938.62



John B. Lewis

Matthew Ross


Daniel R. Grenier

James McCartney


Suzanne S. Blundi