

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – DECEMBER 4, 2024

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on December 4, 2024. Mr. Lewis called the meeting to order and called the Roll.

Those present:

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

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

#### COMMUNITY ANNOUNCEMENTS

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 Five Mile Woods Clean-Up days.* They are held the second Saturday of the month at Five Mile Woods starting at 8:30 a.m. Please come in comfortable clothes that you don't getting dirty and bring along your work gloves and water to stay hydrated. Projects for the day will include litter clean-up, trail lining, and pruning, as well as boardwalk repairs. If you have any questions, you can e-mail Monica Tierney at [monicat@lmt.org](mailto:monicat@lmt.org).

Mr. Lewis stated the Yardley Farmers Market will be at the Community Center, 1550 Oxford Valley Road, Yardley, PA from 10:00 a.m. to 12:00 p.m. on Saturday December 7, 2024 and Saturday, December 21, 2024. He noted the Yardley Christmas Parade will be held in Yardley Borough on December 7.

Mr. Lewis stated Lower Makefield Township and Yardley Borough will be hosting an e-Waste Recycling Event on Saturday, December 14, from 9:00 am. to 12:00 p.m. at the Pool at LMT 1050 Edgewood Road. Additional information and the link to register can be found on the Township Website calendar at [www.lmt.org](http://www.lmt.org).

Mr. Lewis stated Lower Makefield Township will be hosting another Blood Drive for the Red Cross on Friday, December 20 from 12:00 p.m. to 5:00 p.m. in the meeting room at the Township Building, 1100 Edgewood Road. To sign up or get more information log onto RedCrossBlood.org and enter Sponsor Code: Lower Makefield. He stated there are recurring blood shortages; and if you are unable to come on December 20, you can sign up for other blood drives on-line as well.

Mr. Lewis stated the Environmental Advisory Council is hosting their first Styro-foam Collection Event for 2025 on Saturday, January 11<sup>th</sup> from 10:00 a.m. to noon at the Township Building, 1100 Edgewood Road, Yardley, PA. Along with your clean white Styrofoam, you can also bring natural corks, cleaned pill bottles with tops, and batteries. No Styrofoam peanuts. If you have any questions, you can check out the Calendar on our Website at [lmt.org](http://lmt.org) or reach out to the Township at [admin@lmt.org](mailto:admin@lmt.org).

#### PUBLIC COMMENT ON NON-AGENDA ITEMS

Mr. Zachary Rubin, 1661 Covington Road, asked Chief Coluzzi if there have been any fatalities or serious accidents at the railroad crossings since we have had the Quiet Zones; and Chief Coluzzi stated there have not. Mr. Rubin stated he feels this was one of the most successful initiatives that the Township ever took for the quality of life for the residents particularly for those who live near the crossings.

Mr. Hasib Abdur-Rahman representing the Zubaida Foundation thanked the Lower Makefield Police Department for their service particularly Chief Coluzzi and Deputy Chief Robert Lewis as well as the staff in the office. He thanked the rank and file Police Officers who represent the Township Police. He stated the Zubaida Foundation as a religious institution is honored to be a part of the Township.

#### CONSENT AGENDA ITEMS

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

Approved the Minutes for the November 20, 2024 Meeting  
Approved the Warrant List dated December 4, 2024 in the amount of \$1,337,408.03 (as attached to the Minutes)

Approved the 2025 Holiday Schedule  
Accepted Extension of time to December 31, 2025 for Aria Hospital (Plan #590)  
Accepted Bids for and Authorized the sale of various Township-owned surplus items (Bids solicited via Municibid)  
Approved Payment Certificate #1 in the amount of \$18,787.00 to Evergreen Landscape Management for the restoration work at 18 & 20 Maplevale Drive  
Approved Payment in the amount of \$130,017.98 to SofSurfaces, Inc. for surfacing materials for Memorial Park  
Approved Financial Security Release #5 in the amount of \$66,211.00 for Regency-Carriage Homes Phase 1 (remaining amount following the Release is \$82,613.50)  
Approved Financial Security Release #4 in the amount of \$43,662.50 for Regency-Carriage Homes Phase 2 (remaining amount following the Release is \$56,602.75)

ENGINEERS

Woodside Road Multi-Use Trail Project - Request to Authorize Bidding for Additional Work Items

Mr. Kessler stated over the past few meetings there was discussion about the items that had been identified as additional work including the fence to go in certain stretches along the trail, redoing the trail to straighten it out where it had previously gone around the poles, as well as a few other items. He stated the contractor who had done the original work has provided a proposal which was reviewed, and also identified that given the time of year and the weather, the asphalt paving for the trail portions would not be done until the weather warms up again. Mr. Kessler stated in addition the Township has submitted a Grant Application for the DCED Greenways Grant; and since the contractor's proposal was reviewed, the DCED Agency representatives clarified that it would need to be a separately-Bid project for this work to be eligible for that Grant funding. He stated they plan to meet early in 2025, most likely March, to announce Grant awards for those Applications.

Mr. Kessler stated that given that information and working with staff, the recommendation is that the best path forward would be to have the additional work as its own Bid project; and it is being called Phase 2 of the work to be completed. Mr. Kessler stated they could Bid the additional work for the project;



and while waiting through the winter months, they can investigate better pricing whether the original contractor is one of the original Bidders or not, as well as remain eligible for the DCED funding to be announced in the early part of 2025. Mr. Kessler stated the requested action by the Board this evening is to authorize bidding of the Phase 2 work. He stated once the Bids come in, they would come back before the Board to make a decision whether they want to move forward with that or take a different path forward to get the work done.

Mr. Grenier stated the Board understands the need to move forward and understands the process. He stated in discussion with staff specific to the Plans that would go out to Bid, the Board would like Mr. Kessler to work with staff in terms of the location of the fence and some other details on the Plan to make sure that the Plan includes, in CAD, not just PDF mark-ups, the specific locations dimensions of the fence shown on the Plans so that a contractor can use that information to stake out the location of the fence. Mr. Kessler stated if the Board agrees to move forward, it will be a full Bid package. He added that the Plans that were included with the Board's packet this evening were the ones requested just to show the limits; but for Bidding, they would have the specifications, the scope of work, and Plans for limits so that a Bidder could see exactly what they are Bidding on.

Mr. Grenier stated when he looked at the Plans that were submitted with the packet, that is not a Plan set that he would like to put out to Bid. Mr. Kessler stated it would be more of an engineered Plan. Mr. Grenier stated the Board would like to see those Plans before Bidding is initiated to make sure everyone is on board with the approach. He asked that the Plans that were provided be taken "to the next stage" to be ready for Bidding so that the Board can see that before it goes out to Bid.

Mr. Kessler stated the quantities are specifically identified in the packet, and the only difference would be the look on the Plan of the limits of the items. He stated instead of a red line, it would be black and white with the limits called out. He stated the difference will be minimal on the Plan. He stated the scope and the limits are exactly the same, and the Plans themselves rather than having the limits drawn on them would be drawn in CAD.

Mr. Grenier asked if there is a spec on the fence yet since currently there is only a photo, and Mr. Kessler stated it would be that type of fence. Mr. Grenier asked if there are fence details with respect to foundation types, sizes, locations, elevation views of the fence, and material type. Mr. Kessler stated it is a horizontal board fence, basic design or approved equal for the Bid. He stated



they would have the detail on the Plan sheet adding that there is a Plan detail that corresponds to the photo as they wanted to show everyone how it looks when it is in the ground. He stated the horizontal board fence is nothing out of the ordinary, and it is standard fence type or approved equal provided by a Bidder.

Mr. Lewis stated in discussion with the Board members separately, it has been suggested that in general the principal of Bidding this out is a good one as to the timing and the suggestions that have been made; but they want to see everything before the Bid goes out. He stated if possible they would like to have this on the December 18 meeting, and it could even be included on the Consent Agenda. He stated in discussions with staff, the Board feels that additional detail would be helpful so that the Board feels comfortable moving forward.

#### Highland Drive Drainage Improvement Project – Design Phase Update

Mr. Kessler stated the original estimate and proposal was provided in May, 2024; and there has been a series of different directions and items that have been added throughout the Design Phase including working with the homeowner on Easements, work on the culvert itself and the associated items, and re-working the culvert for the preferred option going forward. He stated a memo was provided in the Board's packet to outline the original scope of work that was anticipated in May and then identified the work that has been done to prepare all of the deliverables that are associated with the project.

Mr. Kessler stated that brings them to the end of 2024 and looking at 2025, meeting with Contech to have them finish the culvert design, and then preparing the Bid package for Bidding anticipated to be by the end of January. He stated Contech indicated yesterday that they would have the culvert provided around the second week of January.

Mr. Kessler stated the originally-estimated Design Phase cost in May was provided, and with the different items that have been added to the project it is "fairly close overall," but it does not include getting all the way up to the Construction Management/Construction Inspection Phase. He stated the end of the memo shows the original proposal cost and the anticipated Design Phase cost that would have the project Bid out; and it would then come back before the Board for a recommended award for construction.

Mr. Lewis stated this project has a not-to-exceed amount in its structure, and he asked if we will be okay with the scope of work and the not-to-exceed amount. Mr. Kessler stated the original proposal was attached and shows an estimated not-to-exceed amount. He stated a majority of the original scope of work has been completed; but the additional Design Phase work required time and effort to be shifted from the Construction Management/Construction Inspection Phase, which was the last Phase, to the Design Phase to finish the design work. He stated the not-to-exceed number from May has changed with the scope of work for design, and that is what this updated information that has been provided to the Board shows.

Mr. Kessler stated they have had discussions with staff that with construction projects in general, they would present the industry standard of a percentage of the Contract value that would be part-time Inspection and Construction Management type of work.

Mr. Lewis asked if they got signatures for all of the changes that occurred in this project to approve changes in scope. Mr. Kessler stated they were going off approved direction from Board meetings for those, and those are all listed in what has been provided to the Board. He stated it was direction for additional work that was not in the original proposal. He stated at the time it was not a specific dollar amount for each item; but with direction from the Board they were conducting meetings and tasks for the design to get the deliverables. Mr. Lewis stated he assumes staff signed off on those as he would like to understand the process. Mr. Kessler stated the original proposal was similar to the proposals they prepare for all Capital work with the Township, and it states that work would not be adjusted without prior approval of the Township; and they have noted the direction for the additional work. He stated they also have to re-allocate project effort in hours to provide the required deliverables which they have been doing per the direction of the Board. He stated that is what brings them to the end of this year; and with the additional tasks that have been completed and the few that remain to finish up the Design Phase, the total from May does not go past the Bidding Phase.

Mr. Lewis stated there was an initial Agreement that had a scope and a not-to-exceed amount. He asked where we are on the amount for the original work and the original not-to-exceed amount. Mr. Kessler stated the original proposal was included in the Board's packet, and that had a total of \$177,975; and that was for the scope described in May, 2024. He stated to get the project to the end of the Bidding Phase and out to Bid that would be \$179,000.00 total. He stated when it goes to the process where Bids are received for the project



for construction, they or anyone who would do the Construction Management/ Inspection of the work, would do that work when it is in construction with the Bidder to make sure it is done in accordance with the Plans.

Mr. Grenier stated he feels the updated memo reads more like a Change Order request versus just an update, and the Board will have to approve this in order to authorize moving forward with the scope. Mr. Kessler stated the original scope has been completed other than the Bidding and construction. He stated the additional work has been done with those Phases of the project. He stated he did not want to have the cost of what it would be to inspect the job to be considered for approval by the Board not knowing what the Contract value will be when it is awarded. He stated at the time of the Bid award Construction Inspection of the job would be proposed.

Mr. Grenier stated when the Board approved the scope of work in May, Phase 5 was Construction Management/Inspection; and it had a \$22,000 value. Mr. Kessler stated that was shifted into the other phases as directed by the Board because of the additional work. Mr. Grenier stated he is not sure that the Board had done that, and he will discuss that with the Township Manager. Mr. Kessler stated he did list the items of additional work in the Board's packet for their reference.

Mr. Grenier asked Mr. Kratzer if he has estimates or anything else that he has approved as the Township Manager to move forward with additional services outside and above the scope of work that was approved in May. Mr. Kratzer stated he does not. Mr. Grenier asked Mr. Kratzer if he was ever provided any cost estimates for any of this work to approve, and Mr. Kratzer stated he was not. Mr. Grenier stated that is an issue from a process perspective for the Board to be able to manage project Budgets. He stated while he understands things change, it looks like Phases 1 through 4 and some of Phase 6, the reimbursables which is more of an expense versus a Phase from a task perspective have been done. Mr. Kessler stated the soil borings and items of that nature that were done during the Design Phase were under reimbursables as well.

Mr. Kessler stated he could stop before Bidding, and he could propose a cost of the Bidding and an estimate of the PMCI for the next meeting. Mr. Grenier stated there is an approved proposal that includes Bidding for \$5,750 and CMCI for \$22,000. He stated at this point Bidding has not been done, which is Phase 4 or CMI, which is \$22,000. Mr. Kessler stated the CMI number will be different as that was based on a project that was at most two-thirds the size of the project that we have now that is going out to Bid. He stated they



would be willing to provide a cost estimate for Bidding and CMCI if the Board wants them to stop at the not-to-exceed number that is in the proposal from May. He stated in the signed proposal it is stated that the hours can be re-allocated to make sure that deliverables are delivered, and that is exactly what they have done with the direction of the additional scope that was tasked to them throughout the Design Phase.

Mr. Kessler stated they are happy to stop at the end of the Design Phase and not exceed the \$177,975, and they could bring in that cost, if the Board needs them to wait for them to move forward with Bidding and also CMCI according to the project that is actually going out to Bid now. He stated the original project was smaller scope, aluminum, was not associated with some other items that were connected to nearby projects, and it did not include the Easement stakeouts and working with the property owner at 1 Highland Drive. Mr. Grenier stated that has nothing to do with CMI. Mr. Kessler stated he was just pointing out that there was time and effort that was originally not proposed; and costs for that additional work would likely have been available at the end for the Construction Phase, but that was shifted forward because of these additional items.

Mr. Grenier stated we already have a scope of work for Bidding and CMI that the Board approved based on the project, and that totals \$27,750 which has already been spent plus a couple thousand to do other tasks. He stated it now seems that the CMI is going to be significantly higher than the \$22,000 that was the previous amount, and Mr. Kessler stated the CMI depends on the construction and the project now which has an expanded scope.

Mr. Grenier stated if the Contract is more expensive because the materials or labor are more expensive that we are getting from a contractor, that does not change the inspection requirements. Mr. Kessler stated it would be more expensive because there are more things to build as part of the project than was originally thought of in May when it was put in the early Budget and proposed for this calendar year. He stated there are retaining walls, pavement and stormwater, coordination with the utilities to move their lines when the culvert is replaced, and there is the connection with sidewalks associated with future projects. Mr. Grenier stated all of those utilities and the culvert installation were always part of the project. Mr. Kessler stated that is correct with regard to the water and gas for moving their lines. He stated the embankment work with the Easement and the property owner at 1 Highland Drive was not in the original project, and that was additional work not only during the Design Phase, but will also involve significant additional work for the contractor to put in the block walls and retaining structures to limit the slope of the channel itself.

Mr. Kessler stated the culvert is a more expensive culvert than it was originally at the time of the proposal. Mr. Grenier stated that is the culvert price, and the engineer's price for inspection would not go up because the culvert is more expensive; however, Mr. Kessler stated while that is correct, assembling a pre-cast culvert is more involved than bolting together aluminum panels. He stated their Inspection total is standard for the industry at 5% of the Contract value, and it will be cost of part-time inspection similar to other Township projects to make sure the work is done per the approved Plan.

Mr. Grenier asked the engineer's estimate for the project to date. Mr. Kessler stated to date it is probably close to \$950,000. Mr. Grenier asked if he is thinking 5% of that for CMI now; and Mr. Kessler stated industry standard is about 5% although he does not think it would be that much since 5% would a significant amount. Mr. Grenier stated it seems that at 5% that would be a \$50,000 cost instead of the \$22,000 that they got a few months ago. He stated he does not feel the project has doubled in size and complexity from an inspection perspective. He stated the staff needs to be able to manage our Contracts.

Mr. Grenier stated when we have not-to-exceed Contracts, we need to be aware of what the costs are. He stated if it is known that we are getting close to that amount, he believes that the Contracts are written that they are not just to keep going and re-allocating funds without an estimate, and we should fix this in our process if we need to. He stated we should not be moving forward with executing projects/tasks without knowing what the cost is going to be; and we should be reviewing it and making sure we are clear on what it is, and that we have an Agreement in place that protects everyone.

Mr. Kessler stated that in the memo he provided to the Board. Mr. Grenier stated the problem is that it is after the fact. Mr. Kessler disagreed adding they are not yet exceeding the amount, and they are approaching the end of the Design Phase. Mr. Grenier stated they have already spent Phase 4 and Phase 5 that was approved "to the tune" of \$27,000, so they have already gone past it. Mr. Kessler stated they did the additional items that they were directed to do by the Board. Mr. Grenier stated the value of the Contract has been spent. Mr. Kessler stated they did the actions for the Design Phase that they were directed to do, and they are preparing the deliverables per the expanded scope. He stated he agrees that the original estimated value of each Phase in the original proposal from May for that scope of project estimated that value in each Phase. He stated at this point they wanted to provide an update on the Township's direction and where the next Phases are.



Mr. Lewis stated the reason for the discussion is that the Board collectively wants to analyze and make sure our processes around project management are clearly understood by all participants in the project process. He stated we have an understanding of the way projects evolve and change over time. He stated our ability to manage projects over time is improving but is not as fast as Board members would like. He stated part of that is a more rigorous discussion around process, and that is what is being done now. He stated this does not necessarily mean that we are making accusations, but we are asking questions to resolve situations as the Board is ultimately responsible. He stated the Board remembers July 15 and wants to make sure that everything is being done 100% right, but part of that is making sure that we honor all of the taxpayers of Lower Makefield and this is why they are asking these detailed questions.

Mr. Kessler asked, specific to the memo he provided, does the Board have questions on the additional work that was requested and completed. He stated these items were directed at Board meetings, and he does reach out for responses from the Board members days in advance of the Board meetings to discuss these types of things. He stated they also work with staff to discuss these as well. He stated each of these items was identified to do and were completed and were not in the original scope from May. He stated some of the Supervisors have also come to the meetings in the field where these were discussed, gave direction to complete, and have been completed. He stated if the issue is the phrase “not-to-exceed” from the estimate that was given in May, 2024 compared to where we are now in December, they have been working with staff to adjust that going forward since it is really not a not-to-exceed unless the project does not change at all. He stated if it is an estimate for that scope, and with the direction for additional items, the effort needs to be shifted to complete those in the Design Phase.

Mr. Lewis stated where some of the Supervisors are having discomfort is the immediate “shifting of things and that we are out of money” within the project parameters and within the estimate. Mr. Kessler asked if there is a direction from the Board as to whether the Board would like them to stop at the not-to-exceed number until further coordination is presented. Mr. Lewis stated he assumes further coordination will occur relatively quickly. He asked if there are people in the field now, and Mr. Kessler stated there are not as they are in the Design Phase. Mr. Kessler stated they would complete the Design with Contech, and the total for the Design Phase is included as well as the additional work that has been done. He stated they



can then stop before the Bidding Phase as he noted earlier which would limit it to the not-to-exceed value of the estimated Phases from May. He stated they would be happy to provide what the Bidding and the Construction Management estimate would be in January once that Phase is ready to move forward.

Mr. Kratzer stated they can take time to have the discussions that Mr. Lewis has suggested which he feels will be productive.

Mr. Kessler stated as to the cost of services in this proposal and in other projects that have had similar conversations, he feels it is clear on how time and effort is adjusted for deliverables as the Design Phase moves forward. He stated there is nothing that has been done outside of that, including this project; and that is where he could come back and explain any kind of estimate for the work that would follow after the additional work was completed in earlier Phases.

Mr. Grenier stated he feels that moving forward we need to direct staff that whenever we are working with a contractor, that if they give a time and material not-to-exceed amount, that is a Contract term which means do not exceed unless you get prior authorization in writing with an estimate that is not a rough estimate. He stated he feels we need to implement that as a policy and make sure that it is clear. He stated when it comes to a scope of work that we have agreed to, we should make sure that there is a policy that unless we get prior approval to do so, there should be no re-allotment of funds across tasks so that it is very clear how things are being managed to the dollar; and that everything is approved ahead of time and line items and clear directions are provided.

Ms. Blundi stated when this comes back, it would be helpful to break out what was agreed to and what had to be changed to so we can understand where we are. She stated with regard to the term “not-to-exceed,” she would take that to mean that all of this is going to be done and will not exceed that amount; and if changes come along, she would interpret that as they could still do it within the not-to-exceed, and if not, we would have revised that number. Mr. Kessler agreed adding that was why they have been working with the Township looking at projects that are budgeted for next year, and that it is not helpful to have that language because it is not a Contractor/Contract relationship – it is a proposal to do work for a project that is budgeted in the Township Budget. He stated it is actually an estimated total design cost of the project that is already budgeted, and that does change throughout the project as the design changes. Mr. Grenier stated that is “100% incorrect.”

Mr. Lewis noted that the reason this is important is not just the specific dollar amount for this project, it is because it is a process question as the Board has struggled collectively for many years managing projects. He stated there are many wins, and there are great success stories about the work done post July 15 with Maplevale, but we also need to consider what is not working; and that is what the Board is trying to do now.

Mr. Kessler stated the “not-to-exceed” language for an estimate in May that is going on twelve months later and has gone through changes, is not the right set-up; and we have already identified ways to improve that.

#### General Project Updates

Mr. Lewis stated the Board can read the Project Updates that were provided by the Township engineer in the report that he submitted.

#### MANAGER’S REPORT

#### Approval of Resolution #24-27 Adopting an Updated Lower Makefield Township Right-To-Know Law Policy

Mr. Kratzer stated the changes largely relate to the emergence of AI-generated requests and recent guidance that has come from the Office of Open Records and relevant State Associations. He stated the Policy states that anonymous requests will not be responded to and will be denied. He stated the Township solicitor has updated the Policy.

Ms. Blundi moved and Mr. Grenier seconded to approve Resolution #24-27 adopting an updated Lower Makefield Township Right-to-Know Law Policy.

Mr. Lewis stated this does not abridge the right of a resident of Pennsylvania to file a Right-to-Know request.

Motion carried unanimously.



Authorize the Township Manager and Township Solicitor to Begin Working on a Template Management Agreement Between the Township and a Non-Profit Entity Relating to Patterson Farm

Mr. Kratzer stated there has been a lot of work put into moving forward with implementation of the Patterson Farm Master Plan, and this would be another step which was recommended in the Plan. He stated this would not be a tenant, but would be more in terms of implementation efforts and overall management of the property. The template would determine terms that the Township and Board of Supervisors would be comfortable with relative to the potential involvement of a non-profit entity.

Mr. Grenier moved and Mr. Ross seconded to authorize the Township Manager and Township Solicitor to begin working on a Template Management Agreement between the Township and a non-profit entity relating to Patterson Farm.

Mr. Grenier asked if the Board needs to provide any direction relative to specific items. Mr. Kratzer stated they have discussed these in terms of generalities in Executive Session recognizing that the Township Solicitor was advising on some of those items, and they have a general sense on some of the areas that the Board was looking at relative to Tenant Agreements, etc. He stated if there are items other than what has been discussed, he asked that the Board communicate those, and they will incorporate them. Ms. Carlton agreed adding that they have the outline of what should be included; but if the Board has more-targeted ideas of what they would like included, she asked that they be forwarded to her. She stated this will most likely go through a series of drafts and iterations.

Mr. Kratzer stated the identification of a non-profit remains outstanding, and the terms that may be agreeable to a non-profit would be negotiable in the event that there would be a non-profit that would present. He stated what is being discussed tonight would just provide a basic starting point for those negotiations based on the consensus position of the Board of Supervisors.

Mr. Grenier stated that if anyone wishes to donate towards Patterson Farm, the Township has its own 501C3, and funds could be put toward Patterson Farm. Mr. Lewis stated that is the Lower Makefield Community Fund, and donations could be so directed.

Mr. Lewis stated the Township has experience in doing this in the past, and a very positive one was Farmland Preservation which is a 501C3 created by the Township to manage a series of farm properties throughout the Township.



He stated Farmland Preservation is a dedicated group of residents who have served for years, and they deal with buffers, etc. and help promote continued agriculture in Lower Makefield. He stated what is being discussed now would be focused on the needs of Patterson Farm.

Motion carried unanimously.

General Updates

Mr. Kratzer stated the 2025 Budget was made available for public inspection last week, and the public inspection period runs through the Board's December 18 meeting. He stated the Budget is available at the Township Building and posted on the Township Website. There were also social media posts to create general awareness that the public inspection period is ongoing and those will continue through December 18 when the Board of Supervisors is expected to take action on the 2025 Budget.

Mr. Kratzer stated one of the items that was discussed when looking at Budget refinements and potential cost-saving measures for 2025 had to do with technology within the area of Websites and Park & Recreation Registration software. He stated we had been working with CivicPlus which is the leading provider in terms of Governmental Websites in the Nation. He stated some of the guidance that the Board of Supervisors had previously provided was trying to consolidate some of the disparate systems that we have with multiple log-ons for customers, etc.

Mr. Kratzer stated after those earlier discussions they engaged with CivicPlus who watched the Supervisors' Budget discussion and came back with an opportunity to provide the Township with not only cost savings but also some flexibility in terms of project launch. Mr. Kratzer stated while no action is being asked for at this time, he would like to get Board feedback. He stated CivicPlus is proposing to provide 75% savings on previously-outlined first year annual project cost as well as some flexibility in terms of payment terms that would be advantageous and limit the spend in 2025. Mr. Kratzer stated a lot of the efficiencies that they were offering relate to the Park & Recreation Department from a process perspective utilizing technology.

Ms. Tierney stated she still feels that it would be difficult to launch in January, and they had indicated that they could do a soft launch with the discount and still carry Community Pass. She stated there are a lot of efficiencies in the

transition from some of the processes that we currently have. She noted the process that they currently need to go through for Pool Registration which includes e-mail submission involving a lot of paperwork, and that would all go away with this new system and give the Township staff more opportunity to be able to help Administratively in other areas. She stated she does not feel we would be able to launch the Pool this year, but possibly Summer Camp since that is a similar process with regard to e-mail and paperwork.

Mr. Kratzer stated the Supervisors had indicated a desire to be in a position that we were being as efficient as possible and leveraging technology and the resources that we have, and this tool is one that would enable us to do that consistent with the strategic direction of the Board of Supervisors.

Mr. Grenier asked the cost after the first-year and how long would we need to sign up for. Mr. Kratzer stated the initial total investment is \$15,669.37 which is a little more than what we are paying for Community Pass with a lot more functionality. Mr. Grenier asked if we would no longer have Community Pass, and Mr. Kratzer agreed. Ms. Tierney stated there would be one year where we would have both, and the second year Community Pass would go away. Mr. Grenier asked if it integrates with anything else because we have some disjointed technologies. Ms. Tierney stated there is possible other technology. She also noted transitioning to on-line interaction versus e-mail interaction, and there is a potential cost-savings there of about \$73,000. She agreed to provide the Board with information on the difference in cost of walk-in transactions versus web chats.

Mr. Grenier stated they need to consider the cost going forward after the first year compared to other technologies. Mr. Kratzer stated the first year is more expensive because of the implementation cost. He stated \$32,000 is the ongoing annual cost on the recreation side, and the Website is about \$7,000 so it would be about \$40,000 in total. Mr. Grenier stated at some point Community Pass would go away. Ms. Tierney stated Community Pass costs about \$11,000 a year.

Ms. Blundi stated this is just for Parks & Rec, and the Plan was ultimately to put it across the Township which means there would be additional costs; and Mr. Kratzer agreed. Mr. Kratzer stated it is for Park & Rec and the Website and the Website is a little less than \$25,000 in terms of the initial term, and then that drops down to \$7,500 on-going. He stated Park & Rec is a little bit different in that it is a little less than \$16,000 initially and then \$32,000 on-going. He stated they were looking to invoice 25% in January of 2025, and the remaining



75% in September of 2025 to provide some additional flexibility from a payment perspective. He stated moving forward, they have indicated that they would work with us if we wanted to have billing done in April of each year when we would be getting receipts.

Mr. Kratzer stated on the Park & Rec side we would have the ability to soft launch without incurring costs so that we are prepared to launch it as opposed to having to rush a launch, and Ms. Tierney agreed. Ms. Tierney stated even if we were talking about this again in September of next year, the Budget does not pass until December; and she would still have the same hesitation.

Mr. Lewis stated this is something that could be added or removed from the Budget on December 18. He stated while he does not know the details of the CivicPlus software, he understand the Township does. Mr. Kratzer stated they do as does EMAC, and this is a recommendation of EMAC as well who met with CivicPlus talking about functionality and heard the direction the Board of Supervisors gave to start integrating solutions.

Mr. Grenier stated while this does sound good, he would first look to see if there is something else on the list that this could replace this year so that we could stay where we are at as to the Budget. Mr. Lewis stated they would reduce implementation risk significantly by not doing the Pool, and that provides more time to get the implementation done. Mr. Kratzer stated CivicPlus wants to be a partner with the Township and demonstrated that by providing us flexibility.

#### SOLICITORS REPORT

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

#### Briefing on Historic Structures Demolition Ordinance

Ms. Carlton stated the Board was provided a draft of the proposed Ordinance which was prepared by her office and reviewed by staff and the Historical Commission representatives. She stated the purpose of the Ordinance is to promote preservation of historic structures within the Township; and in the case where preservation is not possible or practical, to provide provisions for



the demolition, removal, or relocation of the structures. She stated this will be reviewed by the Planning Commission on Monday. She stated it will also be sent to the Bucks County Planning Commission for their input.

Mr. Joe Camaratta and Mr. Tom Argentieri from the Historical Commission were present. Mr. Camaratta stated what they have seen over the past couple of years is an alarming rate of demolition of some of the most historic properties in the Township. He stated looking at properties from the 18<sup>th</sup> Century, which were the original structures that were here, there are only 31 remaining. He stated this is happening largely because a lot of the farms are being sold to developers; and when those farms get sold, the structures go away. He added that Prickett Preserve is rare in terms of what it was able to do in terms of maintaining the historic house and barn. Mr. Camaratta stated there was a house on Oxford Valley Road that was from the 18<sup>th</sup> Century which was bought, and the purchaser tore the house down so that they could have a master bedroom suite.

Mr. Camaratta stated what is being proposed is a Demolition Ordinance for the historic houses that would ask the owners to consider not destroying it by selling it and reuse it for another purpose or relocating it to a different area if possible. He stated if none of those are possible for any reason including economic reasons, the Ordinance requires that the owner document the house so that we do not lose all of the important information such as the size of the house, the materials used, etc. He stated for other property owners who live in Lower Makefield and want to restore their houses or put their houses on the National Registry, that documentation is needed in order to show comparables for that purpose so that is why the documentation is important. He stated the Ordinance was reviewed by both the Historical Commission, PA SHPO, and HARB which all provided input.

Mr. Grenier stated when they look at Section 106 requirements from the National Preservation Act, one of the concerns they had in the past was that anything over 50 years old is potentially eligible. He asked Mr. Camaratta to discuss which homes this would apply to. He added that he lives in a home that is over 50 years old but is not historic. Mr. Camaratta stated they chose the year of 1939 because that is when Building Permits started in Lower Makefield and anything older than 1939, they have no record of. He stated the other criteria was that the house had to be older than 100 years old. He stated not every one of those properties would necessarily be historic. He stated what they have put into the Ordinance as an Appendix is a process for a house to be nominated to be considered as historic and then a process

where the Historical Commission goes through and makes a case for the historical significance of that property. He stated this would not be a National Register submission, but they would use the criteria that the Secretary of the Interior has established for the National Register and apply that to a residence and make a case for its significance. He stated the process would continue and would go to the Board of Supervisors for approval. If it was approved by the Board, the property owner would be notified of that, and they would have a certain period for them to come before the Board to contest the historic designation if they wished to do so.

Mr. Grenier asked if this goes along with the Federal Law; and Mr. Camaratta agreed when they make the case for historical significance, it will be based on the four criteria.

Ms. Blundi stated the Historical Commission has put a lot of time working on this, and Mr. Kratzer agreed.

Mr. Lewis stated this will be considered at the Planning Commission on Monday and he urged those interested to attend or watch that meeting. Mr. Kratzer stated they can post the proposed Ordinance on-line as well. Ms. Carlton stated it was a pleasure working with this group.

### General Updates

Ms. Carlton stated the Responsible Contractor's Ordinance should be before the Board at their next meeting on December 18. She stated they are also working with the Township engineer on some Easement Agreements.

### SUPERVISORS REPORTS

Mr. Lewis stated in addition to the Historic Demolition Ordinance, the Planning Commission will also be considering a proposed development adjacent to the Regency area.

Mr. Grenier stated the Zoning Hearing Board canceled their December 17 meeting.

Mr. Ross stated the Disability Advisory Board will have another vacancy soon, and he asked those interested to apply. Mr. Lewis asked if we are getting close to not having a quorum for that Board, and Mr. Ross stated it is close.



Ms. Blundi stated the Historical Commission is working on the Country's 250<sup>th</sup> anniversary which will be in 2026, and the Commission has started working on community activities that will take place not only in Lower Makefield but also in the Schools with a series of educational projects to showcase what was going on in Lower Makefield in 1776. She stated the Historical Commission is fully staffed and they also have a number of people who come regularly who are just volunteers and help out on different projects, and anyone interested could help the Township celebrate the Country's 250<sup>th</sup> anniversary.

#### APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Grenier moved, Mr. Ross seconded and it was unanimously carried to appoint Cheryl Coffee to the EAC.

Mr. Ross moved, Mr. Grenier seconded and it was unanimously carried to appoint Kierstyn Zolfo to the Disability Advisory Board.

#### ADDITIONAL PUBLIC COMMENT ON NON-AGENDA ITEMS

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

There being no further business, the meeting was adjourned at 9:07 p.m.

Respectfully Submitted,



Suzanne Blundi, Secretary

