

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – MAY 7, 2025

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on May 7, 2025. Mr. Grenier called the meeting to order at 8:00 p.m. and called the Roll.

Those present:

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

Others: David W. Kratzer, Jr., Township Manager
Maureen Burke-Carlton, Township Solicitor

Absent: Matt Ross, Treasurer

COMMUNITY ANNOUNCEMENTS

Mr. Grenier stated that during this portion of the Agenda residents and youth organizations may call in to make a special announcement or 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. Grenier stated Lower Makefield Township will be hosting a Blood Drive for the American Red Cross on Friday, May 16 from 12:00 Noon to 5:00 p.m. in the public meeting room at the Township Building. To sign up and/or to get more information, log onto RedCrossBlood.org and enter Sponsor Code: LowerMakefield.

Mr. Grenier stated the Environmental Advisory Council is hosting their Styrofoam Collection event on Saturday, May 17 from 10:00 a.m. to Noon at the Township Building. Along with your clean white Styrofoam, you can also bring natural corks, cleaned pill bottles with tops, and batteries. If you have any questions, you can check out the calendar on the Township Website at lmt.org or reach out to the Township at admin@lmt.org.

Mr. Grenier stated Lower Makefield Township's Environmental Advisory Council with the participation of the Yardley Refillery is sponsoring a free microplastics lecture with Mike Wellbacher, a noted naturalist, on Saturday, May 31 at 10:00 a.m. at the Township Building.

Mr. Grenier stated on Sunday, June 1 Amy's Kisses will be hosting their 11th Annual Walk to Remember at Tyler State Park. This meaningful event raises awareness about domestic violence while inspiring change through education. Participants will take steps to create a future free from violence, standing together in remembrance and hope. Register by visiting amykisses.org.

Mr. Grenier stated on May 10 the Historic Commission will be hosting an event at the Township Building at 10:00 a.m. In February a consultant was commissioned to do a Historic Resources Study of Township Buildings, and this event is an opportunity for members of the community to bring in their information about historic homes in the Township to contribute not only to that Study but to the work of the Historic Commission as well.

Ms. Blundi congratulated the women at Pennsylvania High School who formed a flag football team this year and won their first SOL Championship.

Ms. Blundi congratulated the young women of Troop 21669 which is mostly Quarry Hill Fifth Graders who did a project supporting Lower Makefield as a Bird Town and put up bluebird house boxes at the Makefield Meetinghouse, and most of the houses have occupants. The project took over 20 hours, and they will each be receiving their Bronze Award.

RECOGNITION OF THE RETIREMENT AND SERVICE OF OFFICER STEVE FERRI

Mr. Grenier stated Officer Steve Ferri is retiring on May 31 after 31 years of service to the community. Police Chief Kelly reviewed Officer Ferri's education, experience, his service as President of the PBA, and his numerous commendations and letters of recognition from the community. Mr. Grenier presented Officer Ferri with a commendation shadowbox and thanked Officer Ferri and his family for his years of service to the community. Officer Ferri thanked the Township, his family, and Chief Kelly.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Mr. Hasib Abdur-Rahman, representing the Zubaida Foundation, commended the Township Police Officers and staff as well as the Township staff for all of the work that they do. He stated at the last meeting he had brought up an issue with lighting near the Zubaida Foundation, and Mr. Fuller worked with him on that matter. He stated the Zubaida Foundation is going to work on lighting at their own premises. Mr. Rahman thanked the Board members for the work that they do.

Mr. Rahman stated he would like additional information about the Township's Human Relations Commission. Mr. Lewis stated they had their first meeting after training last week. He stated he believes there might be one opening, and the Township would welcome Applications. Mr. Rahman stated he was interested, and he was advised to e-mail his interest to admin@lmt.org.

Ms. Laurie Grey stated she is a Township resident. She stated she appreciates that the Agenda now shows whether expenses are budgeted or if there is a Grant.

Ms. Grey stated at a prior meeting there was discussion about the single trash hauler, and she asked for an update. Mr. Lewis stated the EAC has had further discussion for approaches going forward, but at this time they have not made any recommendations; and the Board of Supervisors has not taken any further action. Ms. Grey asked how the public would know what is happening. Mr. Lewis stated the EAC meets regularly and those meetings are televised. He stated that issue was discussed multiple times by the EAC over the last year. He stated those interested in the issue can attend the EAC meeting and express their thoughts. Mr. Lewis stated when it came to the Board of Supervisors, it was just an initial discussion and there was just a recommendation to consider an RFP. He stated the Supervisors did not take action at that point, and there has been no further action. Mr. Grenier stated the EAC publishes their Agenda prior to their meetings on the Township Website. He stated they have a meeting tomorrow night and one of the items on their Agenda is to discuss that issue further.

Ms. Cathy Hanville, stated she is the Chair of the Historical Commission and lives in the Township. She thanked Mr. Grenier for announcing their Open House and invited everyone to attend this Saturday when they will discuss a number of issues in addition to the historic buildings in the Township.

Ms. Hanville asked the Board to add to a future Agenda the Historical Commission coming before the Board to discuss the Demolition Ordinance status. She stated since the County reviewed it, the Commission has not had an opportunity to express their concerns to the Supervisors about the inability to protect historic properties in the Township. She stated the Historical Commission was formed in 1977 specifically for the purpose of surveying buildings and structures within the Township, determine their historic significance, and to make recommendations regarding their preservation to the Board of Supervisors. She noted the expertise of the members of the Historical Commission.

Ms. Hanville stated the Township has no tools to preserve the remaining historic "treasures." She stated their last review done a few years ago found that in 1798 Lower Makefield had 137 dwellings, and as of the end of 2023, only 31 of those dwellings remain. Ms. Hanville stated a Demolition Permit was approved or proposed for 5 properties in the three years prior to 2023. She stated at that time Lower Makefield had 93 remaining 19th Century houses, and in the last three years 7 Demolition Permits have been approved or proposed for those properties. She stated they are also aware of other historic properties that are in jeopardy. She stated working with Mr. Majewski they had a site tour of a property at 743 River Road which is pending sale, and the buyer has already indicated that he wants to tear down the 1810 building. Ms. Hanville stated an assessment has been prepared by Mr. Camarratta of that property's specific historic significance, but if a Demolition Permit is filed, there is no recourse. She stated the Historical Commission does not usually know about this until further along in the process beyond when the Historical Commission can do anything about it.

Ms. Hanville stated she understands that there was a recommendation for additional expertise beyond the Historical Commission as to deciding which properties would be subject to the Demolition Ordinance. She stated the list of properties designated as historic will change over time as the Historical Commission continues its research and some properties are lost to demolition. She stated they are working closely with Jeff Marshall to obtain verified information on building dates and current building integrity; however local historic significance goes beyond that, and it is decisions on why these buildings are significant in our community. She stated River Road meets that criteria, and it was on previous research surveys.

Ms. Hanville stated their current focus is on preserving pre-1900 buildings, and they will continue to build their Historic Research Survey as the buildings up to the 1920s are now over 100 years old. She stated collecting information now

on these buildings will help future Historical Commissions protect buildings as they become historic. She stated their definition of historic significance is in line with the criteria used by the Federal Government for the National Registry of Historic Places, and they understand that age is not the only criteria for preservation; and it is what the building means to the history of the community, who lived there, who built it, and what does it represent.

Ms. Hanville stated the Historical Commission spends hours every month on their projects. She stated since taking over as Chair, she has had weeks where she spent more time volunteering for the Township than doing paid work. She stated the Historical Commission deserves the chance to present their concerns to the Board of Supervisors because the longer the Ordinance is delayed the more properties are at risk.

APPROVAL OF CONSENT AGENDA ITEMS

Ms. Blundi moved and Mr. Lewis seconded to approve the Consent Agenda Items.

After an audience member questioned two items, Ms. Blundi withdrew her Motion.

Mr. McCartney asked that Items e and f related to Release of financial security for Regency at Yardley North-Phase 1 and Phase 3 be removed from the Consent Agenda.

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

Approved the Minutes for the April 16, 2025 Meeting

Approved the Warrant List dated May 7, 2025 in the amount of \$726,325.59 (as attached to the Minutes)

Approved the purchase of a 2025 Marathon Mastic Machine 250 Gallon at a cost of \$74,500 from Asphalt Care under Costars Contract Number 038-E22-027 (This item was budgeted under Liquid Fuels Major Equipment – 35-430-740 at a budgeted cost of \$78,000)

Approved the purchase of an Avant Auger Head and various auger bits at a cost of \$9,655.20 from Eagle Power Turf & Tractor under Sourcewell Contract 020223-ATV and the purchase of a Landpride CA2572 Aerator at a cost of \$4,874.05 from Eagle Power Turf & Tractor under Sourcewell Contract 062117-LPI. Combined cost for these attachments is \$14,529.25 (These are 2025 budgeted expenses)

for purchasing/replacement of various Parks & Recreation equipment attachments under 05451-384 with a budgeted expense of \$25,000.00)
Approved authorizing the Chair to execute an Amendment extending the Grant term through June 30, 2026 for the existing Pennsylvania Commission on Crime and Delinquency (PCCD) Subgrant for Law Enforcement Officer Recruitment Incentives (Grant amount of \$20,000)

APPROVAL OF AUTHORIZING THE FULL RELEASE OF FINANCIAL SECURITY FOR REGENCY AT YARDLEY NORTH-PHASE 1

Mr. McCartney moved and Mr. Lewis seconded to approve authorizing the full release of Financial Security for Regency at Yardley North-Phase 1

Mr. Kratzer stated the Board was provided in their packet a recommendation from RVE, the Township engineer, recommending the full release of the financial security for Phases 1 and 3. He stated Ms. Aroniss is available if there are questions about the basis for the recommendation.

Mr. Grenier stated he understands that the engineer has signed off that the developer has met all of the requirements for release, and Mr. Kratzer agreed. Mr. Kratzer stated there are statutory provisions in the Municipalities Code (Section 5009J) that talks about the role of the Township engineer certifying and recommending to the Board of Supervisors. Mr. Kratzer stated when a requesting party submits a request for release, the release request has to be considered within 45 days of receipt of such request to permit the Municipal engineer to certify in writing to the governing body that the portion of the work on the improvements that are subject to the release are able to be inspected and get certified. Mr. Kratzer stated the requesting party had granted an Extension until May 7. Mr. Kratzer stated RVE has certified that the improvements are consistent with the approved Plans.

Mr. Grenier stated he understands that the requester requested this more than 45 days ago and provided an Extension, and Mr. Kratzer stated the Township has been working through the process with them as there were some questions that the HOA had relative to these items. There have been discussions between the design engineer and the Township engineer as it relates to these specific items.

Mr. Grenier asked why this was not able to be considered two weeks ago so that there would have been time to consider this further before today's deadline. Mr. Majewski stated this was on the Agenda a few weeks ago, and the HOA had some concerns about how the one basin was functioning. Mr. Majewski stated the developer did some additional testing to see if it was draining properly. Mr. Majewski stated there was 1.88" inches of rain, which while short of the 3" design rain, it was dry within 12 hours. Mr. Majewski stated they did additional testing which Gilmore has indicated shows that the basin complies. The reason why it was not considered earlier was so they would have time to do some testing and have Gilmore certify that it was correct. Mr. Majewski stated Remington Vernick looked at it, and they also thought it was appropriate. He stated he understands that the HOA is still concerned since we did not actually get 3" of rain. Mr. Grenier asked if Gilmore is the Applicant's engineer, and Mr. Majewski stated Gilmore is the design engineer for Toll Bros.

Mr. Mark Paroly, 221 Grant Way, stated he is the Regency at Yardley Board President. He stated their concerns come from their observations and their engineer. He stated the 3" benchmark has not been met, and there is some concern on the part of their engineer that the rain garden will not function the way it is intended to because of some structural issues. He noted it was originally built as a basin, but in 2017 it was converted to a rain garden.

Mr. Grenier asked if the HOA's engineer has seen Gilmore's data for certification that RVE signed off on, and Mr. Paroly stated they have since he sent it to them. Mr. Paroly stated the HOA's engineer feels that this rain garden will not function correctly at the 3" level. Mr. Grenier stated we have not hit the 3" level to prove it in either direction, and Mr. Paroly agreed. Mr. Paroly added that based on the design engineer's report, the HOA's engineer believes that it will not function correctly.

Mr. Grenier asked if the HOA will maintain ownership of the basins, and Mr. Kratzer stated these are private facilities that will be transferred to the HOA in perpetuity if they have not already been transferred.

Mr. Kratzer stated the Board of Supervisors is required to proceed with the release upon certification by the Township engineer.

Mr. Grenier asked if the developer is providing any funds to the HOA to address any issues that may occur in the future. Mr. Paroly stated their attorney has been in touch with Ms. Carlton. Mr. Paroly stated he understands that in 2020, the rain garden basins were released from the

responsibility of the developer to the HOA; and since then there has been a lot of remedial work that has been done. He stated he is speaking with regard to the north/the Villas adding that there are many problems in the south.

Mr. Paroly stated he recently learned that what he believed to be a Maintenance Bond for issues within the community appears to be only to the Regency Development, and the Township does not have a Maintenance Bond with them. He stated he understands there has been discussion between Ms. Carlton and the HOA's attorney on where the Township fits in and if the developer can provide some kind of financial security for 18 months on the basins specifically.

Ms. Carlton stated typically the Maintenance Bond is in the Township's hands for 18 months and then released; however, because these will not be dedicated to the Township and will be private, the question is does the Homeowners' Association negotiate with Toll Bros. as the developer and request a Maintenance Bond. She stated that is what she is leaning toward at this time, but she would like to look into that further. Ms. Carlton stated these are privately-owned facilities, and Toll Bros. should be asked to post a Maintenance Bond in favor of the HOA as opposed to posting it in favor of the Township as they would normally do for any other public facility.

Mr. Paroly stated the HOA would be looking for a legal document that would hold Toll Bros. responsible for 18 months, and he asked if there would be a specific dollar amount that would go with that. Ms. Carlton stated the Township engineer could assist with coming up with that number. Ms. Carlton stated the discussions should then be between the HOA and Toll Bros.

Mr. Paroly thanked the Board of Supervisors, Township Manager, and Mr. Majewski for all of the support they have received up to this point. He stated this started in 2012, and they are still not fully transitioned. He stated he would appreciate whatever the Township can do for them.

Mr. McCartney asked Ms. Carlton if the Board can approve the Motion conditioned upon a Maintenance Agreement between the HOA and the developer; and Ms. Carlton stated the Township is out of it at this point, and she does not feel the Township should insert itself into this as the Township could then assume some responsibility/liability. She stated she feels that this is an issue between the HOA and Toll Bros. She stated that is only with respect to the Maintenance Bond, and what the Board is voting on now does not have to do with the maintenance period but is just release of monies held for work that has been completed since RVE and Gilmore have indicated has been completed. Mr. Kratzer stated it has been certified that all required improvement have been completed.

Mr. Grenier stated the design was for the 3" number but we never got up to the 3" number although we did get to the number indicated by Mr. Majewski. He asked if there is any potential liability for the Township if we sign off on this when we did not hit the 3". Ms. Carlton stated she feels the engineers would be responsible since they are the experts in the field, and they are stating that based on the information that they have reviewed it meets the standards. Mr. Kratzer stated there may be circumstances where you never meet the design criteria.

Mr. Lewis asked if it is known when the rain garden was put in service. Mr. Paroly stated it was originally built as a basin to retain water, and there was a resident who took pictures in 2017 when it was full. He stated it was determined that they had to convert it to a rain garden at the insistence of the Township engineer indicating that the water should not stay there more than 72 hours. Mr. Lewis stated he has done some research, and on August 7, 2024, there was 4.49" of rain within a day. Mr. Paroly stated it retained water for more than 72 hours, but he agreed to research that to see if there is evidence to show how long the water remained in the basin when that occurred.

Mr. Grenier asked the risk to the Township if we do not approve this Motion tonight, and Mr. Kratzer stated it would be deemed approved.

Mr. Paroly stated the Bucks County Conservation District has indicated that before they would issue the NOT they would come out and inspect, and that would not happen until S1 and S3 are approved as well. Mr. Grenier stated it is interesting that the Township is able to sign off on this prior to the NOT (Notice of Termination) which means that the Conservation District has inspected the basins and approves them. Mr. Majewski stated when the NPDES Permit (Stormwater Discharge Permit) is received, they receive it for the entire project – both North and South sides. He stated the Notice of Termination will not be done until after both sides are complete. Mr. Paroly stated we might be a one to two years away from that based on the condition of S1 and S3.

Mr. Grenier stated the County Conservation District sometimes does interim inspections if there is an issue. Mr. Majewski stated that is an extra level of protection that we have so that if in the year or two that it takes them to finalize the basins and get to completion we can see how the basins perform over that period of time. Mr. Grenier stated we could relay that information to the Conservation District which could make a determination if they are functioning properly prior to NOT. Mr. Paroly asked who could request that there be an interim inspection, and Mr. Kratzer stated anyone can request that. Mr. Kratzer stated tonight's action by the Board of Supervisors does not change the jurisdiction

of the Conservation District as it relates to their enforcement of provisions. He stated the HOA could interface with the Conservation District to insure that prior to the issuance of the Notice of Termination that the facilities are functioning.

Motion carried unanimously.

APPROVAL OF AUTHORIZING THE FULL RELEASE OF FINANCIAL SECURITY FOR REGENCY AT YARDLEY NORTH-PHASE 3

Mr. Lewis moved, Ms. Blundi seconded and it was unanimously carried to authorize the full release of financial security for Regency at Yardley North-Phase 3.

COMMUNITY DEVELOPMENT

Approve Grant of a Sanitary Sewer Easement to Aqua for an Existing Sanitary Sewer Line – Regency at Yardley South

Mr. Majewski stated this matter was considered by the Board at their last meeting, and there was a question whether this was part of the Agreement with Aqua. He stated it was verified that the Asset Purchase Agreement specifically listed Regency at Yardley as one of the pending Development Plans that would be applicable.

Mr. Grenier stated at the last meeting the Board asked that the staff check to see if there were any other situations where this may occur. Mr. Kratzer stated there is a schedule in the Asset Purchase Agreement that discussed pending Development Plans, and there is reference to some of the facilities at Prickett Preserve and 301 Oxford Valley Road.

Ms. Blundi moved, Mr. Lewis seconded and it was unanimously carried to approve the grant of a Sanitary Sewer Easement to Aqua for an existing Sanitary Sewer Line – Regency at Yardley South.

The Point Update

Ms. Blundi asked for an update on The Point. Mr. Majewski stated the Applicant was trying to finalize the PennDOT Highway Occupancy Permit for the emergency access from the parking area out to Yardley-Langhorne Road. He stated they submitted to PennDOT and had one or two reviews, but PennDOT now wants to make it a full Highway Occupancy Permit submission which he does not feel “makes sense.” Mr. Majewski stated the developer is in discussions with PennDOT Emergency Services as to how to approach that; and once that is resolved they will come in for Building Permits to get started on the renovation work for the house at the corner and the replication of the other house. He stated after those are underway, they can start on the other buildings. He stated there is a sequence laid out in the Development Agreement, and they have to start on the older houses before they start the new houses.

Ms. Blundi asked if there is anything that can be done to protect the buildings while discussions are taking place with PennDOT. Mr. Grenier stated HOPs do not usually take that long. Mr. Majewski stated PennDOT has a simplified HOP process for an emergency access; however they have asked for something more robust which results in a lot more time and expense. Ms. Blundi asked Mr. Kratzer to make sure that the Township is assisting in any way we can.

Approve Award of 2025 Slate Hill Cemetery Headstone Restoration Project to Roth Cemetery Services in the Amount of \$33,200.00 (This is funded by a Keystone Historic Preservation Grant that has a 50% match)

Mr. Majewski stated six Bids were received, and the low Bidder was Roth Cemetery Services. All of their qualifications were reviewed; and those they did work for were contacted and indicated they were very pleased with the work that they did. Mr. Kratzer stated the required match beyond the Grant is incorporated into the adopted 2025 Budget. Mr. Grenier asked if the total of \$33,200 is inclusive of the 50% match; and Mr. Kratzer stated the total project cost is \$33,200, and the Grant was for \$25,000. Mr. Majewski stated we Budgeted more money for the match since a higher cost was anticipated; however, there were a number of competitive Bids. He stated if additional work needs to be done, there is room to add more so that we can get more accomplished to restore the Cemetery.

Ms. Monica Hinden stated she is a Township resident and a member of the Historical Commission. Ms. Cathy Hanville was present and showed an overhead map of Slate Hill Cemetery located on Yardley-Morrisville Road. Ms. Hinden stated it is the oldest cemetery in Bucks County, and one of oldest European cemeteries in the Country.

- Ms. Hinden stated earlier this year Historical Commission funds raised through events were used to do ground-penetrating radar to determine the number of unmarked graves. Ms. Hinden stated they believe that there are about 200 unmarked graves, and those are shown as pink rectangles on the map. She stated they will eventually have a digital interactive map showing every grave whether there is a marker or not, and you will be able to click on each plot to learn who they were and a little bit about them.* She stated it will also coordinate with the QR Code project that is in the Cemetery. She stated they are also adding to a list of people who are buried there that do not have markers and will eventually have markers throughout the Cemetery of unmarked graves.

Ms. Hinden stated as more people are getting involved, it is becoming a community space/park. She stated it is not an active Cemetery, and the last burial that they are aware of is from 1929. She stated they did find one on the outside of the wall as shown on the map, and they are not sure if that was placed there after the Cemetery was closed or not. She stated the Cemetery holds many people who were alive during the Revolution; and they believe that William Yardley is buried there although they cannot confirm that. She stated there are also a number of people buried there with recognizable names.

Ms. Hinden stated the map will hopefully be on-line by the fall, and they are coordinating this with the contractor who will restore the stones. She stated they are also in the early stages of working with Pennsbury to work this into their curriculum for different grades as well as the George School. She stated there is a lot of community interest.

Ms. Hanville stated before Ms. Hinden was an official member of the Historical Commission, she came up with a Master Plan for the Cemetery and has taken the project to this point including getting the Grant. She stated the Cemetery has been in existence since 1690, and the first map is from 1926 and can be seen in the Township Building on Saturday. Ms. Hanville noted the amount of research that was done on this project.

Mr. Lewis asked if they have found any headstones that were submerged when they did the ground-penetrating radar, and Ms. Hanville stated they have not. Ms. Hinden stated there were some footstones that do not match any headstones. She stated they found a 1782 stone that was found in 1993 but had been lost again; however, she found someone who found it in 1993 who confirmed that it was the same stone. She stated they are working with that individual to see if there was a pile where they put stones in the 1990s.

Mr. Lewis asked if there is a date for the Cemetery Tour in October. Ms. Hinden stated it is October 18. Ms. Hanville stated it sold out last year.

Ms. Hanville stated they have found a broken/fallen stone for a Civil War soldier, and that stone will be restored. She stated she worked with the American Legion members on this.

Mr. Lewis moved, Mr. McCartney seconded and it was unanimously carried to approve the award of the 2025 Slate Hill Cemetery Headstone Restoration Project to Roth Cemetery Services in the amount of \$33,200.00

ENGINEER'S REPORT

Mr. Grenier stated the Board received the engineer's report in their packet. No Board member had any questions.

MANAGER'S REPORT

Paving of Susan Circle

Mr. Grenier stated he heard that Susan Circle will soon be paved. Mr. Kratzer stated that earlier in the week, the Township was in Court on this matter, and was successful. He stated as part of the Court Order that was issued, there is a requirement for the developer to pave Susan Circle within 120 days of yesterday at his sole cost and expense and subject to Township standards and inspection. Mr. Kratzer stated there is also a requirement for the developer to Dedicate those facilities that remain outstanding that were previously contemplated to be Dedicated into the public system.

Mr. Grenier asked if the residents are aware of this; and Mr. Kratzer stated that while they are not at this point, the Township will reach out to them.

PARK & RECREATION

Approve the Release of an Engineering and Design Services Request for Proposals (RFP for Memorial Park East – Phase 3 (partially funded through a Statewide Local Share Account Grant in the Amount of \$900,000

Mr. Kratzer stated there was a question at the last Board meeting with regard to the required match. He stated while there is no required match, the Township did make a commitment to the potential of a match in the Application; however, in interacting with DCED staff who administer the program on behalf of the Commonwealth Financing Authority, there will be no required match. He stated if the project is scaled to match the available Stated funding, there would be no local match required in order to implement some of the contemplated improvements that were initially outlined in the Memorial Park Master Plan.

Mr. Grenier stated some of the discussion was related to the fact that there are costs over time in terms of operations and maintenance. He stated they also discussed the restrooms, and he asked if there was a focus on upgrading the existing restrooms to be ADA-compliant, and if the Grant would cover that. Mr. Kratzer stated in terms of on-going expense, he felt they would focus on that in terms of the design work. He stated the item on the Agenda is just finalization of construction drawings, design, and scaling to match the available funds. He stated long-term costs are difficult to determine at this point since there are not designed facilities at this time. He stated they do understand the issue, and that will be a focus of the design effort. Mr. Grenier asked at what point the Board will provide input as to what they would like to see as part of the design. He stated they do not want an engineer to design something that the Board has not had input on. Mr. Kratzer stated that engagement can start at the beginning of the process. He stated there are also multiple touch points that would be in the design RFP.

Mr. Grenier stated he believes the Board may not want to go up to the \$900,000, and that should be looked at early on. Mr. Kratzer stated there is language in the RFP that acknowledges that the scope of the improvements may need to be reduced to match the available funding, and that it is anticipated that the consultant will work with the Board of Supervisors, Park & Recreation Board, and Township staff to refine the project scope; and that it is understood that a Sketch Plan and rough construction cost estimate would be needed for the Township's review and approval prior to the consultant proceeding with the engineering and design phase. Mr. Grenier stated no costs are being incurred at this point.

Ms. Blundi stated they have heard that the facilities do not accommodate people with different needs, and that needs to be corrected. Mr. Kratzer stated there is specific reference to accessible design and ADA standards in the document.

Mr. Grenier stated there will be multiple opportunities to make sure that is addressed. Mr. Lewis stated there is an issue with regard to accessibility in the bathrooms which is an issue that the Disability Advisory Board will work on, and he is supportive of that as well.

Mr. Lewis moved and Ms. Blundi seconded to approve the release of an Engineering and Design Services Request for Proposals (RFP) for Memorial Park East – Phase 3 partially funded through a Statewide Local Share Account Grant in the amount of \$900,000.

Mr. Doug Krauss stated he is a Township resident and Chair of the Park & Recreation Board. He thanked the Board for exploring this opportunity as they all understand the value of parks in our Township. He stated he feels that this is a great opportunity to take advantage of the investment the State will make in the Township. He stated we pay taxes to the State; and anytime there is an opportunity to get some of that money back, he feels we should do the due diligence to make sure those monies flow back to the Township. He stated he agrees they should proceed with what facilities are right for the right price recognizing the needs of the Township and where we can fill the gaps and consider the longevity and maintenance up front. He stated the Park & Rec Board will work in concert with the Board of Supervisors, the Township engineer, and the Township Manager to get the project done right and that it has a lasting impact for the Township.

Morton carried unanimously.

Approve Payment Application #1 (Full and Final Payment) in the Amount of \$92,298.28 to American Pool Pennsylvania for 2025 Pool Painting Project

Mr. Lewis moved, Ms. Blundi seconded and it was unanimously carried to approve Payment Application #1 full and final payment in the amount of \$92,298.28 to American Pool Pennsylvania for the 2025 Pool Painting Project.

Ms. Tierney stated the Pool will open on May 24 and she encouraged those who have not done so to register. She stated there was an open house today with tours of the Pool, and about \$7,000 in Revenue was generated. She stated the

new Pool Manager was in attendance. Mr. Kratzer stated they would also like to invite the Board to do a walk-through prior to the Pool opening, and a date will be coordinated with the Board members.

PUBLIC WORKS

Approved Authorizing Advertisement of the Bid for the 2025 Road Program

Mr. Fuller stated the Board is aware that we have contracted engineering services with Pennoni, and he has been working with them over the last month finalizing the roads for the 2025 Road Program. He stated the project is divided into Base Bid and multiple Alternate Bids. He reviewed the roads in the Base Bid and the Alternate Bids. He stated the estimate for the Base Bid is \$1.7 million, and there is about \$2.5 million in the Road Millage. He stated they intend to include as many Alternate Bids as possible. He stated there is about \$200,000 in contingencies which could be changes in quantities since many of the roads may need major base repairs. He stated there is also about \$200,000 in the Base Bid for ADA ramp improvements.

Mr. Fuller showed photos of the condition of some of the roads being considered.

Mr. Grenier asked Mr. Fuller if there is a three to five-year look ahead; and Mr. Fuller stated he has a fluid four-year plan that includes what he hopes they will be able to do this year at a cost of about \$2 million a year. He stated they are still capturing data from Vialytics which will help in Budget season to better forecast what roads need to be done.

Mr. McCarney moved and Mr. Lewis seconded to authorize advertisement of the Bid for the 2025 Road Program.

Mr. Kratzer stated Ms. Carlton was involved in the review of the Bid document, and they also engaged with Delaware Valley Insurance Trust to get some recommendations in terms of enhancement of insurance provisions.

Mr. Lewis stated typically this is done in February, and he asked if there is any concern about Bidding and timing for the summer. Mr. Fuller stated it is felt that the earlier the Bid goes out, you get better contractor prices; however some contractors do not feel that way. He stated typically where we are in the County, we are usually the last to get paved since the contractors who

Bid our work focus on PennDOT roads first so we are usually in the August pave cycle. He stated we were delayed in getting a professional engineer on board* to help us through the process.

Mr. Grenier asked if there would be any potential savings packaging this work with work to be done in the area of Maplevale and Highland. Mr. Fuller stated he would not recommend that since they would be tying together two project schedules which might not line up, and there could be issues with mobilization/demobilization. He stated with the amount of paving needed for the culvert replacement, he feels it would be more cost efficient to have that as a separate project.

Motion carried unanimously.

Approve Payment Application #1 in the Amount of \$282,836.93 from T. Schiefer Contractors, Inc. for the Pine Grove Road and Big Oak Road Traffic Signal and ADA Improvements Project (partially funded through a \$305,320 Green Light Go Grant Program)

Mr. Lewis moved and Ms. Blundi seconded to approve Payment Application #1 in the amount of \$282,836.93 from T. Schiefer Contractors for the Pine Grove Road and Big Oak Traffic Signal and ADA Improvements Project partially funded through a \$305,320 Green Light Go Grant Program.

Mr. Fuller stated PennDOT did the signal inspection. He reviewed the items on the punch list. He stated there is retainage on the project with the contractor, and PennDOT was satisfied.

Motion carried unanimously.

SOLICITOR'S REPORT

Ms. Carlton stated the Board met in Executive Session prior to the meeting to discuss a Real Estate matter, employment issues, and litigation matters. She stated the Supervisors have agreed to meet in Executive Session subsequent to this meeting to finish the discussions started earlier this evening.

Ms. Carlton stated the Supervisors have authorized Curtin & Heefner to attend on behalf of the Township at a few upcoming Zoning Hearing Board meetings.

SUPERVISORS' REPORTS

Mr. Grenier stated Emergency Management will be scheduling a meeting in the next few weeks to go over Emergency Management Plans.

Mr. Grenier stated the Planning Commission discussed the Wright Farm Development, and they recommended the approval of the Plan that was put forth in the Application. He stated they also recommended that the Board of Supervisors have Township staff work with the developer and their engineer as well as PennDOT to study the potential effectiveness of a right turn only coming out of the proposed development to the south which would be immediately south of the Stony Hill Road intersection. He stated that was part of an original Motion that was retracted because it was not going to pass; and residents attending the meeting were against the right turn only and threatened litigation. Mr. Grenier stated the Applicant's engineer also did not think it was a good idea from an engineering perspective to pursue that. Mr. Grenier stated he would like the Board to provide formal direction to staff on this since it would require expenditure of funds on an Alternative Plan.

Ms. Carlton stated it would be a two-step process. She stated the first step would be the Township staff and the Township engineer would review it and determine if it had any viability; and if so, it would then go to the developer's engineer and PennDOT. She stated if the Township does not feel it is viable, *it would not go any further.*

Mr. Grenier stated after seeing the proposed option and hearing from members of the Planning Commission, the Applicant, and the residents, he would be strongly opposed moving forward with it; and he would be in favor of proceeding with the current Application which includes a lot of changes that have been recommended by residents and others. He stated he does not feel the right turn only is viable and he would recommend to the Board not moving forward with it and to make sure the staff is aware of that.

Ms. Carlton stated a Motion is not necessary and a consensus amongst the Board would be sufficient. It was the consensus of the Board that they were not in favor of the right turn only. Mr. Kratzer stated they will provide the direction to the Applicant that they not pursue that option.

Mr. Grenier stated there is approximately 10 acres of open space between the development and the By-Pass. He stated both the EAC and the Planning Commission have recommended that the area be forested although there is some

discussion as to whether there should be any passive open space or trails. Mr. Grenier stated the Applicants indicated that they would be willing to work with the EAC to develop a more robust planting/reforestation plan. He stated he feels the Board should provide direction as to how they should move forward. Mr. Grenier stated there is not a lot of access from the development to allow for a walking trail since it would go through private lots, and there is not a lot of opportunity for other types of recreation or passive open space from an access and safety perspective. He stated a reforestation/planting approach would provide a good buffer. He stated there is also a lot of farmland in the area so there is a lot of run-off that comes in south of the development.

Ms. Carlton stated when the developer comes before the Board for approval, the Board can provide direction. She stated the developer can also be advised of the discussion tonight. Mr. Grenier stated he would not want the developer to make changes, spend money, or get conflicting direction.

DISCUSSION ITEMS

No Mow May Campaign

Ms. Blundi stated the concept comes from environmentalists in England with the idea being that if you allow your grass to grow a little bit longer in May, it has overwhelming benefits to the environment as it allows plants needed for beneficial insects, specifically bees, to have food sources; and it also allows some of the beneficial insects that have not woken up yet to stay warmer as the grass provides protection, and they can wake up in their natural cadence. She stated there is also the option of having just a portion of the lawn be dedicated to not being mowed. Ms. Blundi stated there are some rules that may have an impact on this, and she wanted the Board to discuss how we might be able to encourage this.

Mr. Grenier stated he feels there may be room within the regulations to allow for at least the option of letting a portion of the lawn not be mowed. He asked if it would be more appropriate for this to be considered to take place in April.

Ms. Blundi stated we could consider less mowing of Township property. Mr. Grenier stated there has been discussion for years of the Basin Naturalization Program. He specifically noted a long stretch of mowed land at Memorial Park which is a large open field on a slope to the east of the tennis/pickleball courts. He stated some trees were planted there, but there is still a lot of time

and money spent mowing this property. He stated he would like to discuss how we could handle Residential properties so that there are not complaints from neighbors about tall grass. Ms. Blundi noted that this would just be for May. Ms. Blundi stated she would be willing to work with the staff if the Board is in favor of looking into this further.

Mr. Kratzer stated the Property Maintenance Code indicates that properties should be maintained free of weeds or plant growth in excess of 10" in height but does not apply to naturalized areas, riparian buffers, managed meadows, and other no-mow zones as determined by the Municipality.

Ms. Blundi stated they could do this on some of the Township properties for the remainder of the month as a start, and there could be further discussion going forward.

OTHER BUSINESS

Mr. Grenier stated the Board and staff have been trying to keep up to date on the Energy Transfer/Sunoco pipeline leak in Upper Makefield and is a concern for Lower Makefield residents who live in close proximity to the identified leak. He stated there have been some meetings, and the neighborhood where work is being done is experiencing a lot of difficulties at this time. Mr. Grenier stated we are checking to see if anything has been identified in Lower Makefield and are looking into what the different regulatory agencies and Energy Transfer are doing. He stated our State and Federal representatives have been attending meeting and strongly advocating on behalf of residents, and some letters have been written to Federal Government agencies. He stated the pipeline is still pumping at 80% capacity so there has been no real change in the function of the pipeline while it is still being investigated for further leaks and continuous leaks.

Ms. Blundi stated this pipeline carries jet fuel from Philadelphia to Newark, and there are a lot of agencies that have oversight; however, it does pass through Lower Makefield, and we have rights and obligations to protect Lower Makefield. She asked if the Township solicitor could be asked to draft an Ordinance that indicates that if there is a structure that carries jet fuel under our ground, it must be inspected now to make sure that there are no areas that are leaking.

Mr. Grenier stated he would be in favor of that that since the Board is responsible for the health, safety, and welfare of the residents. He stated he would also also be interested in knowing what we can do administratively with the Pipeline

and Hazardous Materials Safety Administration (PHMSA) since they are the ones that are dictating that the pipe is still active. He asked if there is a way for us to compel them to reduce capacity and protect the residents. Ms. Carlton stated she feels there are some steps that can be taken. Mr. Grenier stated there are some pipelines that go through the Township currently. Ms. Carlton stated they will look into an Ordinance discussion/contact with administrative agencies that have any jurisdiction; and the Board was in favor of this.

APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS

There was discussion on the vacancies on HARB. Mr. Majewski stated the requirements for HARB including having at least one Real Estate broker, one architect, (currently there are three on HARB), and a Building Inspector, which is currently Mike Kirk. Mr. Grenier stated the broker seat has been open for some time. Mr. Majewski stated we have struggled to fill the broker seat. Ms. Blundi stated currently there are two vacancies on HARB, one of which is the broker position. Mr. Majewski stated the broker does not have to be a resident of Lower Makefield.

Mr. Grenier stated there are a number of interviews to be scheduled over the next several meetings.

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 10:10 p.m.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'James McCartney', with a large, sweeping flourish extending to the right.

James McCartney, Secretary

