

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – DECEMBER 16, 2020

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held remotely on December 16, 2020. Ms. Tierney stated that Mr. Jack Pepper, a twenty-one year employee of the Township passed away. She stated he had been a basketball star at Pennsbury and was very invested in athletics. A moment of silence was held in memory of Mr. Pepper. Dr. Weiss called the meeting to order at 7:33 p.m. and called the Roll.

Those present:

Board of Supervisors: Frederic K. Weiss, Chair
 Daniel Grenier, Vice Chair (joined meeting in progress)
 James McCartney, Secretary
 Suzanne Blundi, Treasurer
 John B. Lewis, Supervisor

Others: Kurt Ferguson, Township Manager
 David Truelove, Township Solicitor
 Barbara Kirk, Township Solicitor
 Andrew Pockl, Township Engineer
 Kenneth Coluzzi, Chief of Police
 Monica Tierney, Park & Recreation Director

COVID 19 UPDATE

Mr. Ferguson stated they anticipate continuing with virtual meetings given the rate of community spread. He stated he assumes that at least the first couple of months of 2021 at a minimum will stay virtual. He stated once they see the effect of the vaccine on the community, they will discuss resuming live meeting as soon as possible.

COMMUNITY ANNOUNCEMENTS

Dr. Weiss stated information on Park & Recreation digital recreation opportunities can be found on the Township Website.

Dr. Weiss stated the EAC will hold a Styrofoam Recycling Event on January 9, 2021 from 10 a.m. to Noon outside the Township Building.

Ms. Blundi stated PA American Water Company has a program for consumers who are having difficulty paying their water bills during this time. She stated tomorrow at 4 p.m. there will be a Webcast with information on this program on the PA American Water Company Website. Mr. Ferguson stated a link has been placed on the Township Website about this program as well.

APPROVAL OF MINUTES

Mr. McCartney moved, Ms. Blundi seconded and it was unanimously carried to approve the Minutes of December 2, 2020 as written.

TREASURER'S REPORT

Approval of Warrant List from December 7, 2020

Ms. Blundi moved, Mr. McCartney seconded and it was unanimously carried to approve the Warrant List from December 7, 2020 in the amount of \$794,228.13 as attached to the Minutes.

Approval of November Interfund Transfers

Ms. Blundi moved, Mr. McCartney seconded and it was unanimously carried to approve the November Interfund Transfers in the amount of \$926,647.41 as attached to the Minutes.

SANDY RUN ROAD FOLLOW UP PRESENTATION AND MOTION TO BID

Mr. Bill Torr and Mr. Chris Stanford from Michael Baker Associates were present. Mr. Torr stated they were before the Board of Supervisors last month with regard to the Sandy Run Road re-opening project. He stated they have been coordinating with Mr. Majewski on some of the estimated costs as well as progressing the Plan.

Mr. Torr showed a slide of the project which is happening along Edgewood Road with three main intersections. He stated Schuyler and Mill will each have mini roundabouts, and Sandy Run Road will have a curbed median extension. He stated the main purpose of the project is to provide access

to and from Sandy Run Road which is currently closed due to inadequate sight distance as well as have the added effect of traffic-calming and safety improvements. He stated there will be temporary closure of roadways with signed detours. He stated the intent is to Bid over the winter with construction to begin in the spring. He stated the average daily traffic on Edgewood is just over 6,000 vehicles.

Mr. Torr showed an overview of the project showing the three intersections. These are the same graphics which had been shown previously. He noted Sandy Run Road with the median extension and the channelized right-in, right-out median as well as the mini round-about at Schuyler along with the pedestrian upgrades and the mini round-about at Mill Road which requires some widening.

Mr. Torr stated they were asked by Mr. Majewski to compile some cost estimates for two main alternatives as well as some potential alternatives. Mr. Torr stated all of the pricing information came from PennDOT's construction Website which has a great deal of Bid history for numerous items. Mr. Torr stated each estimate included the following assumptions based on the overall cost and were coordinated with Mr. Majewski: a 10% contingency, 2 ½% for mobilization, 10% for the maintenance and protection of traffic which would include detouring and making sure that motorists and the construction crew are safe, and 5% for the surveying for the construction.

Mr. Torr stated it has been an unusual year, and pricing since March has been variable. He stated they used the average of as many projects as they could, but there is the chance for variability when they go out to Bid; and they do not know what pricing will look like in a month or two from now as compared to a month or two ago. Mr. Torr stated if there are any items that the Township itself is willing or able to do, that could reduce the cost although the vast majority of the work would go out to Bid. He stated the estimates include no Township work and assumes all Bid work. Mr. Torr stated a lot of the decorative features do not have a lot of pricing history so there is greater variability with those.

Mr. Torr stated the first alternative, which is the low-end alternative, would use an asphalt pavement section in the middle of the mini roundabouts and flush asphalt splitter islands in the shoulder delineation areas that were shown in the Concept Plans. He stated on top of those delineation areas, they would use heavy duty colored pavement markings

as shown on the slide on the crosswalk on the right. He stated the Township would decide on the pattern and the color as there are a number of options. He stated they would only be providing a mill and overlay for the areas where the markings are going to make sure that the pavement is new and will adhere properly. He stated the total estimated cost for the entire project under this scenario is \$483,000.

Mr. Ferguson stated this estimate would not include costs associated with inspections; and Mr. Torr stated it would not, and this is strictly for the construction.

Mr. Torr stated the second alternative is a higher cost, and it would provide a concrete center median as shown on the slide at the bottom. He stated the color and pattern of the median would come through the concrete and would not be a separate pavement marking. He stated they would still be using the flush asphalt splitter islands and shoulder areas and heavy-duty markings. He stated this alternative includes a full width mill and overlay anywhere they are working at each of the three intersections. He stated the cost is \$671,000.

A chart comparing the two alternatives was shown, and slides were shown listing the cost differences between the two alternatives. He stated the difference between concrete and asphalt for the two mini round-about center sections is about \$53,000. He stated as discussed previously, concrete has a higher up-front cost; but you can expect it to last a lot longer so in the long run, concrete may be less. Mr. Torr stated the mill and overlay adds a significant difference. He stated the areas of the splitter islands and shoulder islands are relatively minor at \$23,000 whereas if they do the full project limits of each intersection, it is \$113,000 more. Mr. Torr stated they need guidance from the Board as to what their preference would be.

Mr. Torr stated both alternatives utilize asphalt with heavy-duty pavement markings which he feels is the preferred alternative for cost and ease of construction. If they want to utilize flush concrete that would be colorized and stamped like the center median would be, the cost nearly doubles to about \$200,000. He stated there is an \$86,000 savings by utilizing the asphalt as opposed to the concrete.

Mr. Torr stated they need direction from the Board whether they would like to select Alternative 1 or Alternative 2 or include some of the other items that he had listed. Mr. Torr stated in their experience the more Alternates you have, the more confusing it can be, and the contractors may be concerned that they are not sure what items will be in the final Bid and so their prices tend to go higher. He stated more direct and concrete answers they can provide in the Bid package should yield better, lower Bids. Mr. Torr stated once they have guidance from the Board, they will finalize the Plans based on the selected designs and alternatives. He stated they have begun to prepare the Bid specifications which will be based on PennDOT standard items when feasible. He stated they will advertise the Bid as required.

Dr. Weiss asked if flush asphalt splitter islands will be flush with curbing or flush with the street. Mr. Torr stated it would be flush with the street. He stated they were not hired to do a vertical design for the project; and once vertical curbs are introduced, you run into drainage issues, and that has not been designed or analyzed. He stated in order to expedite the project and keep costs down in design and construction, they will use flush where they can. He stated they will use a standard mountable curb which will raise the center island by approximately 1 ½" because they want to make sure that they keep people off of that. He stated with the splitter islands it is less imperative that there are not driven on, but the center medians are really meant to deflect traffic around them and slow the traffic down; and they are only meant to be used by trucks that could not navigate the roadway.

Dr. Weiss stated the round-about itself will be raised, and Mr. Torr agreed. He showed a picture of what it would look similar to. He stated it would be a concrete, mountable curb, and the red section will be concrete or asphalt. Dr. Weiss stated the splitter island is stamped asphalt, and there is no raise in the vertical elevation; and Mr. Torr agreed. Mr. Torr stated the splitter islands and the shoulder delineation areas are a visual deterrent.

Dr. Weiss asked if the pork chop at Sandy Run would be curbed, and Mr. Torr stated that will be flush as well. He stated they do have the extension of the center median, but the design has all the splitter islands flush. Dr. Weiss stated there is a barrier to prevent left turns, and Mr. Torr agreed. Mr. Torr added that the existing barrier will be

extended about 170' to completely block off the left turn in and out movement. He stated there will also be signs and markings to provide as much guidance to motorists that they can that it is right-in, right-out only.

Mr. Ferguson stated the current Budget for this project which comes from Bond proceeds is \$735,000, and they had estimated that it would cost approximately \$500,000. He stated if you use the \$671,000 estimate provided by Mr. Torr and assume a 10% inspection cost, that would take the number to \$738,100.

Dr. Weiss stated since the splitter islands and the pork chop are asphalt, they should consider what the cost differential for maintenance would be if the roundabouts were asphalt as well. He asked how the difference translates to maintenance costs over twenty years just for the center island.

Mr. Fiocco asked the difference in limits if they are only milling and changing the stripping versus a milling and overlay of the entire project. Mr. Torr stated wherever they are changing the markings, they would be milling and overlaying. He stated that is shown in the light gray hatched area on the Plan shown. Mr. Torr stated that is where there would be all new pavement under the second alternative. Mr. Fiocco asked the added cost of connecting the gray areas between the three intersections. Mr. Torr stated Alternative 1 is only doing the mill and overlay where the splitter islands and shoulder areas are so they can put the markings down on new pavement. Mr. Torr stated the cost does not include doing the roadway in between the limits of each intersection. He stated it is either the red areas only or the red and light gray areas which are the areas where all of the markings would be changed.

Mr. Fiocco stated his concern is that he does not feel it can be done cleanly unless they mill and overlay the intersections themselves. Mr. Fiocco stated there would be a new edge line going through approaching the roundabouts, and it would not be where the other edge line was and likewise for the center line. Mr. Torr stated it would require a considerable amount of marking eradication. Mr. Fiocco stated he feels it is going to be confusing; and since they are having a whole new traffic pattern driving through here, he feels they want it to be as clean as possible and minimize the areas where they are eradicating the pavement markings.

Mr. McCartney asked Mr. Fiocco how this would be done; and Mr. Fiocco stated he would recommend that the entire gray area be milled and overlaid so that there is a clean surface and clean markings, and as drivers approach the mini roundabouts, they would not be looking at eradicated pavement markings that

may show up in the rain. Ms. Blundi stated if they do the additional milling to make it clean and safe, they could use asphalt and get some savings on that portion of the project, and Mr. Fiocco agreed. Ms. Blundi stated it seems that they should do the milling whether or not they do concrete or asphalt to make sure that it is safe and has good visibility. She stated that would leave the decision as to whether they should use concrete or asphalt for the circles. Mr. Torr agreed that the milling and overlay is separate from the material of the center circle islands.

Dr. Weiss asked what would be the difference in cost if they went with Alternate 2 but switch out stamped concrete with stamped asphalt.

Mr. Torr stated using stamped asphalt would be \$53,000 less.

Mr. Majewski stated they should also consider that the road will probably need to be re-paved sometime in the next five years. He stated if they only mill for the work that is being done now, they will have to come back and mill out paving in a few years; and it might be better to do that section now and that way they have a clean, defined area. Dr. Weiss stated he agrees.

Dr. Weiss stated they should look at Alternate 2 and decide if they want to spend \$53,000 for concrete in the round-about. He stated traffic will be going over the splitter islands because they are flush and not raised; and since that asphalt will have to be maintained, they could also have asphalt in the roundabouts. Mr. Torr stated the type of pavement markings they are proposing are heavy-duty; and while they do last longer, they do not last forever. He stated concrete would last a lot longer although he cannot give an exact time. He stated all of the asphalt will require some routine maintenance.

Ms. Blundi stated while she is in favor of the asphalt, it is similar to a project at Makefield Road which they had to re-do multiple times because of the seepage from the road. Mr. Pockl stated they would have to look at the type of soils in the area to see if there is an elevated groundwater table within this location. He stated he knows that there are wetlands and a stream nearby. He stated a lot of the issues on Makefield Road were due to the times when they were trying to do the work, so he does not feel this is prohibitive to work at this location.

Mr. Fiocco stated the percentage of truck traffic is approximately 3% so the median should hold up pretty well since the truck traffic driving over it should not be that significant. Mr. Torr agreed the amount of truck traffic would be relatively low, and the size and weight of the trucks coming

down Edgewood Road is less severe than something that would be seen in a more Industrial area where there would be warehouses, etc. Mr. Torr stated if asphalt is chosen for the center, it should last longer than typical.

Ms. Blundi asked about the difference visually, and Mr. Torr stated they are similar visually. Ms. Blundi stated Mr. Torr had made a point about not having too many Bid Alternatives, and she asked if they could Bid it out with everything the same except for the material for the round-about that would be Bid out as asphalt and concrete. Mr. Torr stated that would be straight forward and they could include that in the Bid package in a way that is clear. He stated the Board can then make an informed decision once they get the pricing information. He stated they may find a contractor who can do concrete at a more competitive rate than was estimated.

Mr. Fiocco noted the slide where all three intersections are shown. He stated the gray areas would be milled and overlaid in the more expensive option. He stated Mr. Majewski had indicated that they would have to mill and overlay the road in a few years, and he feels it would make sense to do the mill and overlay from the east to west so that all of the roadway is re-paved; and he would suggest that the Board consider that. Dr. Weiss stated he understood that Alternate 2 would be milling all of that. Mr. Torr stated it was just the gray area shown, and not the white areas that are between each intersection. Dr. Weiss stated *Mr. Fiocco is suggesting doing the white areas as well, and Mr. Fiocco agreed.* Mr. Fiocco stated that way they would not have to re-surface it in five years, and he feels it would make sense to do it all at one time.

Mr. Stanford asked if this would cause them to run into issues with the Railroad. Mr. Fiocco stated the Railroad maintains their own crossing so we would only be milling and re-surfacing the area that we are responsible for. Mr. Stanford stated it appears that they would be adding 500' to 600' of milling. Mr. Ferguson asked if they take \$53,000 off of the estimate by going with asphalt, would the \$53,000 be sufficient to cover the extra milling; and Mr. Pockl stated he feels it would for the milling and overlay. Mr. Ferguson stated if the Board wants to pave the whole area, they may come back to the same number that was given originally of \$671,000. Dr. Weiss stated they could do a Bid Alternate for concrete in the round-abouts. He stated if they want to do a clean road from Mill to Schuyler, he feels they should consider keeping everything asphalt and using the extra money to have a clean road throughout.

Mr. Lewis stated in general he feels they should have a clean milled surface from Schuyler to Mill. Mr. Lewis noted the bridge associated with Brock Creek and he asked if they would be able to put concrete or asphalt over that even though it is not the Township's bridge. Mr. Torr stated they would do up to the limits of the bridge, but they were not considering going over top of a non-Township owned bridge. Mr. Sanford stated his recommendation would be to stop on either side of the bridge as they do not know what the loading or deck situation would be. Mr. Lewis stated PennDOT will be reviewing this project so they would understand how it will impact the Bridge. Mr. Stanford stated they were not anticipating any PennDOT reviews since this is all being done on a Township road. Mr. Torr agreed. He added that Mr. Fiocco has been coordinating with the District about the detours; but since this is a Township road, he is not aware of why PennDOT would need to review anything other than the detours. Mr. Lewis stated he feels they should make sure that PennDOT knows about the project although they would not have to approve the design.

Mr. Lewis asked if PennDOT would be provided the design. Mr. Fiocco stated if we were proposing to overlay their bridge, we would have to get PennDOT's approval; however, if we were stopping on either side of the bridge, we would only need to deal with PennDOT for the detour issue. Mr. Lewis stated even if it were only for the detours, PennDOT would still know what was being done as they would have the Plans. Mr. Fiocco stated PennDOT has a thousand engineers, and the people who coordinate the detours would be the ones to approve the Township using the State highway for the detours, and he could not say that they would share this information with the bridge engineer or those who are responsible for maintaining the bridge structure unless they are asked to share that information. Mr. Lewis stated he feels it would be a good idea for them to share that information although hopefully that would not cause any delays if they are just advising PennDOT of the project. He stated that if PennDOT saw something, they could contact the Township.

Mr. Lewis stated with regard to total lifespan of concrete, if it were concrete from Schuyler to Mill, with the exception of the bridge area which would not be touched, that would presumably have a forty-year lifespan. Mr. Torr asked which area Mr. Lewis was referring to, and Mr. Lewis stated everything that would be concrete versus asphalt would presumably have a forty-year lifespan or more, and Mr. Torr stated he feels that is reasonable. Mr. Torr added that as he noted earlier the cost for Alternative 2 only included concrete for the center of each round-about. He stated the concrete cost for all the splitter

and shoulder areas was not included in the estimate, and that would be the additional approximately \$80,000 that he referenced for the areas noted on the slide.

Mr. Lewis stated everything that is roadway that is not part of the “marking type of the mini round-about pavement section” would be asphalt in all cases, and Mr. Torr agreed. Mr. Lewis stated they all agree that they should mill and overlay as much as possible. Mr. Lewis stated an option is that the section that is the “marking type” and mini round-about section could be concrete in some form versus asphalt. Mr. Lewis stated if they feel the concrete would last forty years and asphalt twenty-five to thirty years, they should compare the replacement cost to make an assessment which one has the lower total cost of ownership. Mr. Lewis asked Mr. Torr which one he feels would have the lower total cost of ownership over forty years. Mr. Torr stated he feels it would probably be the concrete. He stated they could solicit Bids for asphalt and concrete for both the center islands and the other delineation areas as well if the Board prefers to do it that way. He stated the Board could then make a decision based on actual costs instead of estimated costs. Mr. Lewis asked if that would impact Mr. Torr’s concern that if too many Alternates, they will not yield the best Bid price. Mr. Torr stated typically when they do Alternates they are adding items onto the Bid and not doing an either/or situation. He stated they can do an either/or situation, but it does introduce some unknowns for the contractors as they would question whether they are going to get paid the higher concrete price as opposed to the lower asphalt price whereas if they knew going in it was one or the other, the pricing may be more competitive because they would not be concerned about losing out on a higher-volume item. Mr. Torr stated as long as they make it as clear as possible, he feels it should be okay. He added it is beneficial to limit the number of Alternates as much as feasible for clarity of the Plans and clarity of the Bid.

Mr. Lewis stated if they all agree to mill and overlay the whole area, the only difference would be the markings and the mini roundabouts pavement section; and Mr. Torr agreed.

Mr. Lewis asked for additional information about the heavy-duty thermal plastic. Mr. Torr showed a picture of a recent installation that they did showing the pavement marking that is set into the asphalt which has a thickness to it that you would not get from a typical pavement marking.

He stated it lasts a lot longer and the color lasts a lot longer. He stated it is becoming much more widespread than five to ten years ago with streetscapes. He stated more contractors are now willing and capable of installing it than previously. Mr. Lewis asked Mr. Torr if he feels that is a better choice than stamped concrete. Mr. Torr stated in terms of ease of the construction, the asphalt and thermal plastic are easier. He stated once they go to concrete, they have to excavate the pavement and there is a lot geometry and detail work involved so the construction would take longer and be more expensive. He stated their preference is the heavy-duty thermal plastic over the stamped concrete for those areas.

Mr. Lewis stated if that is not such a large portion of the project, the cost for repair would not be that bad so it may not be that big of a trade-off. Mr. Torr stated the asphalt splitter islands are not huge areas. He showed the areas involved on a slide. He stated ideally they would not be driven on much if at all so they should last longer. He stated it is not like typical paver markings that will get run over all the time like a stop bar or a crosswalk. Mr. Lewis stated that suggests that for that section, there should not be as big a difference in cost of ownership; and Mr. Torr agreed. Mr. Torr stated concrete will cost more up front, but will last a little longer; however, the areas are not huge as opposed to doing the center islands.

Mr. Lewis stated it seems that the Board has a consensus that the only alternative would be whether or not there would be concrete in the center portions or not. Dr. Weiss stated it appears that the Board wants to mill the whole road from Schuyler to Mill, and the only question would be what will be the material of choice for the roundabouts. Dr. Weiss asked if the Board agrees that they want to keep asphalt for the splitter islands. Mr. Fiocco stated he feels asphalt should work fine since the volumes are not tremendously high, and it is not a State highway. He stated the truck volumes are also low. Mr. Fiocco stated if they use the thermal plastic pavement markings, they are not that expensive; and if they need to be replaced in seven years, they would have a contractor put them in or possibly Public Works could do it unless special equipment is needed. Mr. Fiocco stated he feels if they want to simplify things, they could call for asphalt and get a Bid and get the contractor in; and if there is room in the Budget, they could ask the contractor with the low Bid to give a price to install poured-in-cement instead of asphalt in the median to see how much more that cost would be.

Ms. Blundi moved and Mr. McCartney seconded to do the Bid for milling the whole road in asphalt and Bid Alternate for the concrete round-about center pieces.

Mr. Ferguson asked Mr. Torr if the Motion as framed leaves any unresolved questions, and Mr. Torr stated it does not. Dr. Weiss stated it is basically Alternate 2 with the choice of materials for the center roundabouts.

Ms. Blundi stated it is also for increased milling. Dr. Weiss stated it would be the entire limit of work instead of just at each intersection for the road surface. Mr. Lewis stated the markings would be thermal plastic, and the only question is the roundabouts.

Mr. Grenier joined the meeting and asked how long it has been since the road has been in its present condition. Mr. Majewski stated he believes that it was last paved in 2002. Mr. Torr stated the proposal is for milling the entire length of the road from the west side of Schuyler to the east side of Mill including the blank white areas in between shown on the slide where they were not previously proposing to mill and overlay, and excluding any bridge areas. Mr. Grenier stated he assumes the reason behind doing this is to maintain a consistent surface cover between the sections. Mr. Grenier asked the difference in cost, and Mr. Ferguson stated it was approximately \$40,000 for the extra milling and overlay.

Mr. Grenier asked if the thermal plastic is the same approach that was used at the School crosswalk, and Mr. Majewski stated it is seen throughout the Township at a number of intersections. He added that the white lines that last a long time are the thermal plastic.

Mr. Grenier asked if what is proposed is a hybrid between Alternative 1 and Alternative 2, and he asked about the cost estimate. Mr. Torr stated they do not have a cost estimate as they were not aware of the interest in what has now been proposed, but the cost should come out closer to Alternate 2. He anticipates it will be over \$600,000. Mr. Torr stated it should be noted that the larger the area that they do, the lower the unit cost should go so if they do the larger area, they may get lower unit costs which may not increase the price as much as it may seem otherwise. Mr. Grenier stated if they did not do the full mill and overlay, it would be approximately \$40,000 less than whatever the hybrid number is. Mr. Ferguson stated there was a cost difference previously discussed of \$53,000 for not doing the concrete, but adding the additional paving in the gap areas would bring back about \$40,000 of that. Mr. Ferguson

stated it would therefore be approximately \$660,000. Mr. Ferguson stated assuming a 10% inspection cost, they would be looking at right about the Budget number of \$735,000. He stated there is also leftover funding in the Bond proceeds for the year of approximately \$240,000. Mr. Ferguson stated the number of the upgraded option is not significantly more than is currently in the Preliminary Budget that the Board approved.

Mr. Grenier stated his concern is with some of the other infrastructure items that they anticipate coming up in the not too distance future where funds would be needed.

Mr. Grenier stated the Board has discussed in the past how permanent this solution would be. He stated if they are spending \$730,000 he feels that should be a fairly permanent solution. He stated if he were to endorse this level of expenditure over other less expensive alternatives that could be \$200,000 or more less, he would like to know the feelings of the rest of the Board as to the relative permanency of this solution being discussed. He stated if it is a situation where in a few years, they are going to take this out and do something different at a higher cost, he feels they should consider less-expensive options. Dr. Weiss stated the traffic-calming effect is the variable. He stated if they are able to get the traffic calmed enough that they do not need to do anything else, he feels this will be the permanent solution. He stated maintaining the thermal plastic for this small area should not be a major consideration for future costs. Mr. Grenier stated he feels that this will be a fairly permanent solution, and it should be a solution that is safe, effective, and aesthetically pleasing. Mr. McCartney stated he feels this will be the permanent solution, and he feels it is important to do it right.

There was no one from the public wishing to speak on this matter.

Motion carried unanimously.

FINANCE

Approve Resolution No. 2428 Fixing the Tax Rates and Special Levies and Adopting the 2021 Budget

Mr. Ferguson stated there have been two separate presentations regarding the Budget – the original Manager’s Budget in October, and the Preliminary

Budget that was passed at the second meeting in November. He stated the Budget has been available for the required minimum of twenty days.

Ms. Blundi moved and Mr. McCartney seconded to approve Resolution No. 2428 Fixing the Tax Rates and Special Levies and Adopting the 2021 Budget.

Mr. Ferguson stated the Resolution outlines the millage rate, and it would stay at its current rate divided into seven Funds for a total of 21.01 mills. He added that there is also no increase proposed for Sewer rates. He stated there is a separate Fee Resolution that will be discussed that was discussed in a memo from Mr. Majewski regarding some Fee changes.

Mr. Grenier stated with respect to the recent announcement regarding the Boucher & James check that will be coming to the Township, while that will not all be coming to the Budget, he asked where that will be placed when first received. He asked if that should be addressed in this Budget.

Mr. Ferguson stated any proceeds have not been included in the Budget, and he does not believe there is a budgetary obligation to account for that. He stated they may not be entitled to all of the funds so the safest thing to do is not recognize it since it may all end up being pass-through money. He stated if there are funds left over, that would be money that the Budget will be positive next year that was not contemplated.

Mr. Ferguson stated with regard to where the money will go, when funds come in, it will immediately go into a Set-Aside Fund as the cell tower money was; and it would not be spent unless the Board transferred that money out to be spent. He stated when the funds are received it will be put into the Set-Aside Fund, and they will make an assessment as to what is pass-through. A report would come to the Board as far as what the final conclusions would be.

Mr. Grenier stated with regard to the Budget, he is concerned about the increased spending in Park & Rec given where we are this year. He stated 2021 is an unknown in a lot of areas, and he would like to see some of the accounting principles that they have tried to enact over the last two years about paying for things out of specific Funds that are related. He stated he would like to see the additional money that is going to the Pool rather than coming out of the General Fund, be dealt with through Park & Rec as best that they can. He stated he also likes the idea of setting up a separate Fund for the Golf Course to track the Golf Course. He stated this would not be increasing the millage, but shifting it; and rather than paying for it through

the General Fund, accounting for it through a Golf Fund, and shifting whatever is needed to cover the Golf Course so that they can track it over the long term. He stated this would just be for accounting purposes, and he would be more comfortable doing that than the way they have it structured now. Mr. Grenier stated doing that may also give “some breathing room” in the General Fund from a millage perspective in case of emergency for raising millage in the General Fund if necessary so that they would not have to go the State for approval. Mr. Grenier stated he feels by September, 2021, things will be more positive.

Mr. Lewis stated he agrees with Mr. Grenier. He stated he feels that we are significantly under-investing in our roads, and he feels something needs to be done about that.

Mr. Lewis moved to Amend the 2021 Budget to take a portion of what we expect in terms of the Attorney General settlement with Bouche & James where we are expected to get \$349,000 as he feels we will probably get 87% or 88% of that and increase the General Fund Revenue Department 380 Miscellaneous Revenue to reflect an expected reimbursement and transfer expense to the Liquid Fuels from the General Fund of potentially \$307,512 and include Silo Road, Jacob Drive, and Inverness on the 2021 Road Repaving Plan and potentially include Ashbourne, Dorothy Drive, and James Court as Bid Alternates.

Mr. Lewis stated this would allow the Board to get a perspective on this, and they would not be locked into spending the money on any of the Bid Alternates, although it is very possible given where we are economically, that we may actually get very attractive Bids for those roads, and it would keep us on track for where we need to be.

Ms. Blundi would not agree to the Amendment. Ms. Blundi stated she is fundamentally uncomfortable with spending money we have not received. She added that there are a lot of unknowns in terms of that money, and they will have to determine where the over-billing occurred and determine if refunds are owed if those projects were County, State, or Federal Grants. She stated she does not understand how we could spend money that we do not have. She stated she hopes that Mr. Lewis is correct that we will get the amount he is indicating; however, she is uncomfortable doing that today.

Mr. Lewis stated we are definitely doing that with the \$3 million, and what he is discussing is actually money that we are contractually obligated to get; and he feels we will get a fair portion of it.

Dr. Weiss stated the original Motion is still on the Table.

Mr. Grenier stated he understands what Mr. Lewis is saying; however, he agrees with Ms. Blundi about being careful before they know exactly what will be there. Mr. Grenier stated if they do get an amount such as \$250,000 or \$350,000 at some point during the year before there are final Bids on “something that is being done,” we might want to add something to that.

Mr. Ferguson stated if the Board was going to use money outside of Liquid Fuels money, which is State money, the money would not be transferred into Liquid Fuels. He stated if they were going to use funds, they could be used for part of the Road Paving Program, but not part of the Liquid Fuels allocation. He stated when Mr. Pockl goes to PennDOT with the list of roads, it is to get them pre-approved because they are using State money. He stated if the Board were to add additional money and use money that was outside of State money, it would not require the same process because they would not be Liquid Fuels funds.

Mr. Ferguson stated with regard to Ms. Blundi’s comments, they also have to determine if any of that over-billing occurred to developers. Mr. Grenier stated this would include Escrow, and Mr. Ferguson agreed. Mr. Ferguson stated if the Township were to get the funds in January and was able to make conclusions on the amount for the Township, if the Board wanted to add additional roads to the Paving Program, it would fall outside of Liquid Fuels. Mr. Ferguson stated the limit as to how much could be changed in Liquid Fuels paving is 10%, but he does not know budgetarily if they can add \$150,000 to \$250,000 to a Bid that they was not allocated for in the Budget as that would be coming from the General Fund and not the Liquid Fuels Fund.

Mr. Ferguson asked Mr. Truelove if they would have to Amend the Budget. Mr. Truelove stated he would have to look into that. He stated there is an Amendment process in January, but that does not necessarily anticipate what is being discussed here.

Mr. Ferguson stated the Budget as it currently stands has a Fund Balance of between \$2.5 million and \$2.6 million. The help the money could give us, absent roads, would be that if the Sewer did not close, that money could be used to help pay back the \$3 million. Mr. Ferguson stated he cannot at this point answer about adding to the Road Program; but if they had to open up an Amendment process, that money would come from the General Fund.

Mr. Lewis stated Mr. Ferguson is suggesting that absent a change in the Budget nothing could be done in the Roads Program to add roads and use the funds that are coming in from the Boucher & James settlement. He stated in terms of the Road Bid, that is usually resolved in February/March; and in theory we should have some portion of the Boucher & James money in a week or two. He stated even if we do not net all of the money, there would be some money. He again stated we are really underinvesting in our roads. He stated he feels that other items were put in the Budget which he feels are a lesser priority than roads. He stated it seems it is being stated that nothing can be done to change the Road Program at this time, unless we were to increase millage which would mean that they would have to re-advertise the Budget.

Mr. Ferguson stated if they were going to increase the Road Program based on the settlement, he could not state that they could change the Road Program to that extent with proceeds received some time in January. He stated if they are going to add roads to the Road Program, and it is not in the Liquid Fuels money, it comes under different regulations than the State money.

Dr. Weiss stated the Amendment has died, so this discussion is irrelevant to the Motion.

Mr. McCartney asked Mr. Truelove if we were to get this money by the first week of January, could we Amend the Budget; and Mr. Truelove stated there is a process to Amend the Budget but he does not feel it is for this purpose, and he would have to look into that. Mr. Ferguson stated he believes that you can only re-open the Budget if there is a change in elected Officials, and Mr. Truelove agreed that generally that is true.

Mr. Mike Drobac, 1419 Silo Road stated he wrote to the Board and the Township Manager ten days ago and asked that his e-mail be made part of the Record of this evening's meeting. He stated the highlights of his memo reflect that the Board is reducing the Road Re-Paving Program by about \$300,000 or one-third of the Budget from the past prior couple of years. Mr. Drobac stated it also reflects that the Board will only continue to pave approximately three miles

of road per year which would put the Township on pace to only re-paving roads on average every forty years or more. He stated since some roads will have to be done much sooner than that, other roads will be much longer than forty years old when they get re-paved. Mr. Drobac stated he provided studies to the Board which suggest, and Mr. Ferguson has supported this, that twenty to twenty-five years is generally when asphalt roads should be re-paved. Mr. Drobac stated he is disappointed that a Budget would come forth that is inadequate and not be deserving of further conversation by the Board. He asked each Board member to respond as to whether they support a program that on average would result in forty-year-old roads in the Township, and continue to do three miles per year. He also asked if they support a program that results in a patchwork of paved and “un-repaved” roads scattered throughout the Township which is what has been occurring and will continue to occur as they move forward.

Dr. Weiss stated he does not believe that the Board approves of three miles a year or patchwork, and they would want to see a much shorter span of road improvements and maintenance in the Township; however, since they are the fiscal stewards, they are obligated to insure that the Township does not go into the red by overspending. He stated they hope that there will be changes after this year, and the Road Program will show that difference.

Mr. Truelove stated the Second Class Township Code may offer a manner to use the money if possible, and they will look into that. He stated under Section 3202e it does allow for supplemental appropriations, but he does not know if that would be appropriate under this circumstance. He stated they will look into this. Dr. Weiss stated if there is a way to do it, they will be happy to do it.

Mr. Lewis stated he has had a “tremendous track record of increasing road spending year after year and fighting for it and is willing to raise taxes for it.” He stated investments in roads are investments in the community. He stated there are costs to those driving on the roads when the roads are not fixed which can result in blown-out tires, accidents, and alignment issues. He stated this is why he pushes for this every year, and he is disappointed that “every angle he tried this year to find a way to get the Road Budget where it needed to be was rebuffed.” He stated a majority of the Board disagreed in all of those cases, but he will continue to push for proper road investment. He stated Pennsylvania typically has the worst roads, and he does not want our State or Municipality to be known for that. He stated in 2015 the Bucks County Courier Times twice referred to Lower Makefield’s

roads as “Third World.” He stated Lower Makefield is one of the most affluent communities, and there is no excuse to have Third World roads in Lower Makefield.

Dr. Weiss stated he believes every member of the Board feels that we should be doing better; however, it should be remembered the Attorney General arrested three members of our previous engineering staff for overbilling the Township by well over a half million dollars. Dr. Weiss stated he understands Mr. Lewis wanting to spend more, but the years that led up to the Township having to take money from the Bond Fund to pay salaries for Township employees is also one of the reasons why they overspent on roads. He stated the Board wants to take things in balance; and although he appreciates what Mr. Lewis has said, he feels we need to be realistic.

Mr. Ferguson stated his intent early in 2021 is to present a comprehensive road initiative for moving forward in future years including how that can be funded. He stated he would like to expand the road paving capacity dramatically. He stated he feels that the benchmark they should be shooting for is to try to get close to six miles a year whether that is for one year or a blended average. He stated the Plan he wants to outline to the Board probably by April will be to move in that direction. He stated that will include a financial component using our own money, State money, and in-house services.

Dr. Weiss stated he feels the discussions the Board will have starting in the spring as the PUC moves forward with the potential sale of the Sewer system will be good discussions to have about the future of the Township.

Mr. Peter Kakoyiannis, 1413 Silo Road, stated he has had discussions with the Board previously addressing the Silo Road re-paving project, and has not been satisfied with the process. He stated he understands fiscal restraint; however, there was also a commitment in the Twenty-Five Year Road Plan of 2015 that had Silo Road to be done in 2019. He stated they are now trying to catch up, and those on Silo Road feel this is “intolerable.” He stated there was talk about the Set-Aside Fund and additional approaches dealing with the potential Bid allocation, and he recognizes Mr. Lewis’ approach. He stated he feels they should take some initiative and with the Township Manager develop a concrete, real program that is based on a scoring system other than a “visual driving around by the engineers to determine a beauty contest.” He urged the Supervisors to seriously

consider an Alternate Bid for Silo Road as they have done previously so that in the event that funds become available, they have a sense of how much it will cost and be able to move on it.

Dr. Weiss stated Silo Road is in the 2022 Paving Plan; and if money comes available so that they can advance that if that is allowable, he would not have a problem including Silo if possible.

Mr. Grenier asked if they ever do any sampling to compare different roads and see which ones should be prioritized. Mr. Ferguson stated the process involves Mr. Pockl and the Public Works Director who look at the roads together. Mr. Ferguson stated there is a limited Budget, and the discussions do include the estimated costs for equivalent roads. He stated this year Mr. Pockl looked at the Three-Year Road Program, and they did drive-bys and assessed the level of cracking and work that the Public Works Department has done on roads.

Mr. Pockl stated it is more than just a “beauty contest.” He stated the rating system that they apply to the roadways is a PennDOT-approved rating system for evaluating pavement surfaces. He stated they get a list of roads from the Public Works Department and they then go out and evaluate the roads based on the PennDOT system. Mr. Pockl stated they do not take core samples at that time, but they do take them once they have the list of roads for the current year. He stated for the 2021 Road Program they take core samples of the roadways to determine the depth of mill and overlay needed and to determine if they just need to mill the edges and then add asphalt to the cross section.

The Motion carried with Mr. Grenier and Mr. Lewis opposed.

Approval of Resolution No. 2429 Establishing the 2021 Park & Recreation Fee-In-Lieu

Ms. Blundi moved and Mr. McCartney seconded to approve Resolution No. 2429 Establishing the 2021 Park & Recreation Fee-In-Lieu. Motion carried with Mr. Lewis opposed.

Approval of Resolution No. 2430 Establishing the 2021 Traffic Impact Fee

Mr. McCartney moved, Ms. Blundi seconded and it was unanimously carried to approve Resolution No. 2430 Establishing the 2021 Traffic Impact Fee.

Approval of Resolution No. 2431 Adopting the 2021 Fee Schedule

Mr. McCartney moved and Ms. Blundi seconded to Approve Resolution No. 2431 Adopting the 2021 Fee Schedule.

Mr. Ferguson stated Mr. Majewski put a memo together dated December 10 that goes over the details of this. Mr. Ferguson stated there is an elimination of a Permit for Residential window replacement as that is not required by the Uniform Construction Code. There is also an increase in the Penalty for work performed without a Permit by up to 100% of the cost of the Permit Fee which is typical of other Townships. Mr. Ferguson stated there is the addition of a Pavilion Rental Fee and a full-day Rental Fee.

Mr. Grenier stated a lot of our Permit Fees are based on a percentage of the overall cost of the project.

Mr. Ferguson stated there is also the addition of an hourly rental fee for field reservations.

Mr. Lewis stated Mr. Majewski has been working on this for a number of years since our Fees were out of line and were significantly lower than other Municipalities. He asked if they feel that they are now at the right level, and Mr. Majewski agreed.

Motion carried unanimously.

Approval of Resolution No. 2432 Providing for Uniformed Employee Contribution to the Pension Fund for 2021

Ms. Blundi moved and Mr. Lewis seconded to approve Resolution No. 2432 Providing for Uniformed Employee Contribution to the Pension Fund for 2021.

Mr. Ferguson stated they memorialized this for the sake of the Record, but this is a negotiated Fee that is done in the Contract; and the 3% is consistent with last year's Fee and is the Fee for the duration of the Contract which has three years remaining.

Motion carried unanimously.

Approval of Resolution No. 2433 Providing for Non-Uniform Employee Contribution to the Pension Fund for 2021

Mr. Lewis moved, Mr. Grenier seconded and it was unanimously carried to approve Resolution No. 2433 Providing for Non-Uniform Employee Contribution to the Pension Fund for 2021.

Mr. Ferguson stated he would like to correct his previous comment to state that in the Police Pension contribution, there is a "kicker in the Contract" that it will go up to 3.5% next year. The non-Uniform Fee will stay at 3% for the duration of their Contract. Mr. Truelove stated the Police contributions prior to this Contract were significantly lower than that.

ENGINEER'S REPORT

Mr. Pockl stated that the Board received a copy of his Report in their packet.

Approval of Final Escrow Release for the Artis Senior Living Facility

Mr. Pockl stated this facility has been occupied for some time. He stated there are no public improvements for this project and nothing to be Dedicated to the Township. He stated they are requesting a Release in the amount of \$941,252.96. He stated after this a Maintenance Bond which was provided in excess of \$118,000 would be in effect.

Mr. Lewis moved, Ms. Blundi seconded and it was unanimously carried to approve the Final Escrow Release for the Artis Senior Living Facility.

Approval of Final Escrow Release for Scammel's Corner Development

Mr. Pockl stated this has been a long process, and the developer has completed the work for the development. Mr. Pockl stated he had provided photos last month to the Board regarding some of the work that was outstanding that was a concern for residents within the development and how the developer has addressed that. He stated there was a concern with the rain garden on Lot #1, and the Township staff worked hard to come to an agreement with the developer, and they will come back in the spring to observe the plantings within that rain garden to make sure that they are on track to be established, viable plantings. Mr. Pockl stated they are recommending Release of the Final Escrow in the amount of \$51,360.52. Mr. Pockl stated there would then be a Maintenance Bond for a period of eighteen months which would be three growing seasons so that it would extend until July, 2022. He stated the Maintenance Bond would be in the amount of \$79,656.14.

Mr. Lewis moved to Release \$35,000 of the \$51,000 for the Scammel's Corner Development.

Mr. Grenier asked Mr. Pockl what would be the replacement cost of the rain garden if it were to fail. Mr. Grenier stated he understood that there would be a seepage bed if it were proved that whatever they put in was not infiltrating correctly. Mr. Pockl stated they completed the underdrain in October, 2019; and it has been draining all year. He stated it does not feel that there is any risk of it not infiltrating at this point. He stated that is the same with the stormwater management basin and the rain garden on Lot #1. He stated the rain garden within the cul-de-sac is what they completed in October, 2020.

Mr. Grenier seconded the Motion.

Mr. Pockl asked Mr. Grenier if his question was what was the cost to replace the rain garden in the middle of the cul-de-sac, and Mr. Grenier stated that was what he was focused on. Mr. Pockl stated there is a regional detention basin and three rain gardens. Mr. Grenier noted the one rain garden has had issues, and to replace a rain garden can be expensive; and he therefore likes the approach of not releasing everything so they could cover potential issues.

rain garden in the middle that will be Dedicated to the Township, do they know what that cost would be so that it would not be covered by the Maintenance Bond, rather it would be covered by the original amount to make sure the Township is made whole and we are not spending maintenance money if it fails, and that they could use the Escrow money.

Ms. Kirk stated the Maintenance Bond is provided in accordance with the MPC once all improvements have been Certified as being complete. She stated the Maintenance Bond is to insure that once the improvement is done, for a period of eighteen months the improvements operate in the way they were designed to operate. She stated the timeframe begins from the date that the Bond has been issued, and this Bond was issued November 30, 2020. She stated if that rain garden were to fail within eighteen months, the Township would go back to the developer to fix it; and if they do not, a claim is made against the Bond.

Mr. Grenier stated he would second the Motion as Amended.

Mr. Ferguson stated with regard to a review of any outstanding Invoices associated with professional expenses, he, Mr. Majewski, and Mr. Pockl will review to make sure there is nothing outstanding. He stated that was an issue that had been occurring in the past but has not been the case more recently. Mr. Ferguson stated with regard to the rain garden on the private property, and recognizing Mr. Lewis' concerns as to how this project had manifested itself, the concern they had with the Maintenance Bond for eighteen months was that at the end of the eighteen months, they could be arguing with the developer that the rain garden had failed and that the developer would have to come back. They required the developer as part of this to agree that they would come back by mid-May. He stated if the plants were not established, the developer would have to fix it so that property owners would not have to wait an additional year arguing with the developer who could indicate that they had eighteen months to fix it. He stated it is in the interest of the developer to take care of it early before there is a more widespread problem. Mr. Ferguson stated he will make sure that both Mr. Majewski and Mr. Pockl go out with the developer to sign off on that or to demand that certain things be done in May.

Mr. Grenier asked if that is for both the private property and the portion that will be Dedicated to the Township. Mr. Ferguson stated he believes that it was just done for the private property. Mr. Pockl stated the reason they did that was because the plantings provided for the rain garden within the cul-de-sac were larger and more established than the plugs that were

provided for the rain garden on the private property. Mr. Ferguson stated they gave that guarantee for the private property owner; however, he sees not reason why they would not take the developer over to what will be the publicly-Dedicated portion as well. Mr. Ferguson again stated it would be in the developer's interest to resolve any issues in May before they got worse in a year; and he will follow through in that same way. He stated they wanted to get the guarantee for the property owner so she would not have to feel that she would have to deal with any issues by herself and that the Township would be part of the discussion and assistance.

Mr. Grenier thanked Mr. Ferguson for this "customer service." Mr. Grenier stated with regard to the rain garden being Dedicated to the Township, sometimes larger plantings look nicer when you plant them, but it takes more energy for them to get established so they die more easily than smaller plantings. He stated they should do whatever they can to make the developer responsible for both of the rain gardens.

Motion carried unanimously.

Caddis Development Discussion

Mr. Pockl stated with regard to the Caddis Development some adjustments have been made to the parking lot light fixtures. He stated on December 14 he reviewed what was done and took photos from various locations on the site. He stated this is just for the parking lot lights, and the developer is still in the process of making the shields for the wall-mounted lights. The Township is also still pursuing avenues to provide more trees along the southern buffer.

A photo was shown of the light fixture where it can be seen on the right-hand side of the fixture that they have painted the inside and exterior of the globe which prevents light from that section so that it is more a reflection of casting the light downward from the fixture. A photo was shown of the fixtures from the property line at Regency where it can be seen where the painting was done on the Regency side. A photo was shown where it can be seen that on the one side where it has been painted the glow is halfway down the fixture while on the side where it was not painted, the luminance extends to the top of the globe and the fixture. A photo was shown where the parking lot lights have

not been painted which is the side away from Regency, and the brightness from that compared to the aisle on the Regency side where it can be seen that there is a lower level of brightness within the parking lot in that area.

Mr. Pockl stated one of the Regency residents had mentioned that they would have preferred lighting similar to what was at the Artis Senior Living Center, and he took a picture of that parking lot so it could be compared to what they have at Caddis; and that photo was shown.

Mr. Pockl stated he feels that what has been done has reduced the amount of light by approximately 20% for the parking lot light fixtures. He stated there is still work to be done with regard to the wall-mounted fixtures and some additional trees, but he feels this is a good start.

Mr. Grenier asked if they were able to observe the lights from any angle at the back of the Regency properties to see what they were experiencing at this point. Mr. Pockl stated while he did not go up on their decks, he did take a photo from the Caddis side as was seen in the photograph that he showed. Mr. Grenier stated he would welcome photos via e-mail from the Regency residents of the conditions now from their decks.

Mr. Grenier stated one of the photos did show some porta-Johns and a dumpster along the southern edge of the parking lot in proximity to Regency. He asked why they are there as opposed to some other location that would not be quite as close to the Residential areas. He stated he feels the residents may be hearing some noise from trash trucks. Mr. Pockl stated he believes that those are waiting to be picked up, and he believes that the construction workers for the most part are using the facilities inside the building. Mr. Grenier asked if the dumpster is in addition to the one that is permanent. Mr. Pockl stated there are two trash dumpsters located on the western side of the building, and what is seen in the photo Mr. Grenier is referring to is a construction dumpster. He added that he could reach out to the contractor to see if there is a better location for that. Mr. Grenier thanked Mr. Pockl for working on this and feels this is moving forward in the right direction.

Mr. Ferguson stated Mr. Pockl has been doing a significant amount of work related to this project including working on it in the evenings and on weekends trying to help the people of Lower Makefield; and he thanked Mr. Pockl for the great job he is doing. The Board thanked Mr. Pockl as well.

Mr. Lee Pedowicz, 247 Truman Way, thanked everyone for their help with this. Mr. Pedowicz stated he had brought to Mr. Pockl's attention the electrical switch gear at the south side of the property that is unprotected and is right at the curb line. He stated he provided Mr. Pockl some references to OSHA Standards that they appear to be violating. Mr. Pedowicz asked Mr. Pockl if the design engineer for that provided any information. Mr. Pockl stated he had a discussion with the design engineer, and it is their understanding that it is protected. Mr. Pockl stated that it is not at the curb line as it is 5' back from the curb line. He stated there is also a fence that is enclosing the patio to the west. Mr. Pockl stated in reading the OSHA Standards that Mr. Pedowicz provided it indicated that it has to be protected from accidental contact. Mr. Pockl stated it is the design engineer's opinion that it is protected by being 5' back from the curb line, and they are the ones who are charged with the safety of that design. Mr. Pockl stated he feels they have met the minimum safety standard.

Mr. Pedowicz stated the fence does not really enclose the switch gear at all, and it is just on the west side of it, and it is not providing any protection for it. He stated as to it being 5' off the curb line, he would disagree with that and from what he can see from his yard it is right at the curb. Mr. Pedowicz stated he feels it is susceptible to a vehicular accident which OSHA spells out that it should be protected against. Mr. Pedowicz stated he would like the name and License Number of the engineer who approved the Plans. Mr. Pockl stated that is on the Record Plan. Mr. Pockl stated he measured it when he was on the property on Monday, and it is 5' back. Mr. Pockl stated he agrees that the fence does not enclose the switch gear, and the switch gear is enclosed by the panel which has a locking mechanism which prevents people from being able to get into the electrical equipment. Mr. Pockl stated the reason he mentioned the fence is that it is approximately 5' away from the edge of the switch gear panel and it comes out to the curb line. He added that any vehicle that is traveling east would hit the corner of the fence first, jump over the curb, and then hit the switch gear panel.

Mr. Pedowicz stated the roadway in that area is for delivery trucks and possibly garbage trucks. He asked if that is going to be one-way west to east, and Mr. Pockl stated he believes that it will be two-way traffic. Mr. Pedowicz stated he still feels that OSHA requires that it be protected from a vehicular accident or any kind of physical damage. He stated he does not see the 5', and he still feels this is where an OSHA Standard might be in question. He asked if Mr. Pockl could provide the engineer's name and License Number, and Mr. Pockl agreed to provide that.

that there is ongoing work. Mr. Ferguson stated with regard to the flags over the road, Mr. Majewski has advised that those flags are over the road so that construction vehicles do not hit the overhead wires.

MANAGER'S REPORT

Mr. Ferguson announced that the Township is being nominated for an Innovation and Safety Award by the Delaware Valley Insurance Trust for our new Public Works Contract. Mr. Ferguson stated that Contract created different job classifications based upon Certifications which in our insurer's eyes are Certifications that create a safer working environment that has been incentivized for employees as it allows them to go into a higher pay grade, and allows the Township to have more productive employees. DIVIT has recognized that as very unique, and if the Township gets the Innovation Award, we would be set up as an example across six or seven Counties and several hundred Municipalities.

Approve Ebert Engineering Inc. Recommendation for Payment Request #1 of AJM Electric, Inc. for Brookstone Pump Station Upgrade in the Amount of \$9,000

Mr. Ferguson stated the Board received a memo dated November 30 from Fred Ebert to approve Payment Request #1. The total Contract for the electrical portion is \$48,195, and this is the first pay request on the Brookstone project. The total value of the Grant is \$318,551. Mr. Ferguson stated the hope is that the Brookstone project will be completed by mid-February.

Ms. Blundi moved and Mr. Grenier seconded to approve Payment Request #1 of AJM Electric Inc. for Brookstone Pump Station Upgrade in the amount of \$9,000.

Mr. Grenier stated it appears that the work completed is the mobilization and the initial conduit.

Motion carried unanimously.

SOLICITOR'S REPORT

Mr. Truelove stated the Board met in Executive Session was starting at 6:45 p.m. and concluded at 7:00 p.m. when Interviews for Farmland Preservation candidates were held.

Approve Adoption of Resolution No. 2434 Authorizing Execution of Memorandum of Understanding with Harris Re: Stackhouse Pump Station

Ms. Kirk stated this would authorize the execution of a Memorandum of understanding with Mr. Keith Harris as it relates to the Stackhouse Pump Station re-build. She stated Mr. Harris' is one of two properties that will be effected in that the sewer line that will connect to the station is going to be running through the rear of his property. She stated the Township proceeded to Condemn the area that is required. Mr. Harris objected to the Condemnation, but ultimately they were able to reach a compromise Settlement first by a letter she had prepared which was then reduced to the written Memorandum of Understanding. She stated Mr. Harris has signed that Memorandum of Understanding, and she is asking for the Board's approval to accept it and approve the Resolution. Ms. Kirk stated in the meantime, Mr. Hucklebridge, Mr. Ebert, and the representative from the contractor have already met with Mr. Harris at the property to go through the areas over which he had concerns; and she understands that everything is moving forward appropriately.

Mr. Lewis moved, Mr. McCartney seconded and it was unanimously carried to Approve Resolution No. 2434 authorizing execution of a Memorandum of Understanding with Harris regarding the Stackhouse Pump Station.

Approve Resolutions #2435, #2436, #2437 Request for Dedication of Scammel's Corner Development

Ms. Kirk stated this matter is for the Dedication of Public Improvements at Scammel's Corner. She stated under the approved Subdivision and Land Development Plan a certain Stormwater Sewer Easement through property located on Lafayette Drive is to be Dedicated to the Township along with a Dedication of public road, University Drive, and Dedication of the open space which was formerly known as Lot #17. Ms. Kirk stated the Record Plan also sets forth certain Easements – a Pedestrian Access Easement, various Drainage Easements, four Snow Removal Storage Easements, and a Water Main Line Easement. Ms. Kirk stated after discussion with a

representative, and even though these Easements were set forth on the Record Plan, she directed the developer to issue an Assignment of Easements to the Township so that it could be Recorded as a separate instrument and is clearly of Record that these Easements exist and are given in favor of the Township.

Ms. Kirk stated there are three different Resolutions dealing with each of the Easements as well as the Dedication of the open space and University Drive. She stated the Maintenance Bond has been received to insure that these improvements remain operational as required by the approved Plan. She stated she understands that Mr. Pockl has indicated that there are no other outstanding issues dealing with the construction at the property.

Mr. Ferguson stated this includes salting and plowing responsibilities that the Public Works Department is aware of in the event that this is approved, and the Township would be taking over those responsibilities.

Ms. Blundi moved and Mr. Lewis seconded to approve the Dedication of the Scammel's Corner Development as encompassed in Resolutions #2435, #2436, and #2437.

Mr. Grenier stated he wants to make sure that nothing that is done now would "get in the way" of addressing anything that goes wrong based on the prior discussion, and Ms. Kirk agreed. Mr. Grenier stated while the Plans are a couple of years old, they are all from Carroll Engineering which is where the primary engineer from Boucher & James went earlier this year; and he wants to make sure that he had no involvement in any of this. Ms. Kirk stated even if he did, all of these legal descriptions were sent to Mr. Pockl for review and approval to insure that the legal descriptions match the areas designated on the Final Recorded Plan. She stated she would not accept any documents unless Mr. Pockl indicated that the legal descriptions were accurate. Mr. Ferguson stated it would seem improbable that that individual would have been involved based on the timing of when he went to Carroll Engineering

Motion carried unanimously.

Approve Extension Request for Dedication of the Freeman's Farm Development to January 31, 2021

Ms. Kirk stated the developer issued a letter to the Township asking that the Township accept the Dedication of a variety of public improvements such as

the roadway, various Easement, etc. Ms. Kirk stated originally this has been scheduled before the Board at the last meeting; however, the documentation was not complete at that time. She stated since then she has been in touch with the Title Clerk to insure that there are no liens against any of these public improvements that will be Dedicated to the Township. She recently sent a full and complete list of everything that needs to be done for Dedication of the roadway, the Blanket Easement over the open space areas, Drainage Easements, Utilities Easements, and Snow Storage Easements. Ms. Kirk stated because of the volume of work that needs to be accomplished, she spoke to the developer and asked that he provide an Extension of time until the end of January. She stated Mr. Scanlon did sign the document that was provided, and she is asking the Board to accept the Extension until the end of January, 2021 for consideration of the Dedication of the public improvements.

Mr. Grenier moved, Mr. Lewis seconded and it was unanimously carried to approve the Request for Dedication of the Freeman’s Farm Development to January 31, 2021.

APPROVE EXTENSION REQUEST OF FIELDSTONE AT LOWER MAKEFIELD TO DECEMBER 31, 2021

Ms. Blundi moved and Mr. Lewis seconded to approve the Extension request of Fieldstone at Lower Makefield to December 31, 2021.

Mr. Grenier asked for a further explanation on this request. Mr. Truelove stated this development is on Edgewood Road across from Schuyler which is the Harris Tract. He stated a number of developers have been trying to develop this property for some time. He noted there is a construction dump on the property that has caused environmental concerns. He stated the developers are still trying to work on a way to make this a viable option.

Motion carried unanimously.

PUBLIC COMMENT

There was no public comment.

DISCUSSION ITEM

Green Initiative – EAC

Dr. Weiss stated this matter has been removed from the Agenda at the request of the EAC.

SUPERVISORS REPORTS

Mr. Lewis stated the Zoning Hearing Board met yesterday and continues to resolve Pool Applications in the Township. He stated there was also a matter involving the Overlay which was discussed at length and Continued with regard to Standing.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Grenier asked that the Appointments be taken separately as he was not present for two of the interviews and will abstain from voting on those.

Mr. McCartney moved and Mr. Lewis seconded to appoint Sean Carney to Farmland Preservation. Motion carried with Mr. Grenier abstained.

Mr. McCartney moved and Mr. Lewis seconded to appoint Dawn Bock to Farmland Preservation. Motion carried with Mr. Grenier abstained.

Mr. McCartney moved and Ms. Blundi seconded to appoint Rob LaBar to Park & Recreation. Motion carried with Mr. Lewis opposed.

Mr. Grenier noted that there are some individuals who have been on Boards and Commissions who will no longer be on those Boards. He stated he wanted to formally thank Scott Ferrante who had served on the Sewer Authority for several years and did a great job. He also thanked Trish Bunn who has been on the Park & Recreation Board for over twenty years.

Dr. Weiss stated it is traditional that the sitting Liaison to the Board recommend appropriate formal thanks from the Township so those Liaisons who are losing members should consider that moving forward.

December 16, 2020

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Mr. Lewis stated he would also like to thank Scott Ferrante who is a tremendous asset to the community and a valued public servant. He also thanked Trish Bunn who he enjoyed working with on the Park & Recreation Board, and she was outspoken, passionate, and cares about the community. He stated he hopes she will find a way to be appointed to another Board in the near term as he appreciated her institutional knowledge and service to the community.

There being no further business, the meeting was adjourned at 10:40 p.m.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'James McCartney', with a stylized flourish at the end.

James McCartney, Secretary

**LOWER MAKEFIELD TOWNSHIP
BOS MEETING - 12/16/2020**

A/P WARRANT LISTS	12/7/2020		PRINTED CHECKS	MANUAL CKS/WIRES	TOTAL
	PRINTED CHECKS	MANUAL CKS/WIRES			
Fund					
01- GENERAL FUND	293,991.62	616.65			294,608.27
02- STREET LIGHTS	5,151.27				5,151.27
03- FIRE SAFETY					-
04- HYDRANTS	11,478.63				11,478.63
05- PARK AND RECREATION	30,134.64	320.66			30,455.30
06- P & R FEE IN LIEU					-
08- SEWER	259,240.19	147.37			259,387.56
09- POOL	5,152.14				5,152.14
11- TRAFFIC IMPACT					-
15- GOLF COURSE					-
18- SEWER CAPITAL PROJECTS	4,748.88				4,748.88
19- SPECIAL PROJECTS	7,065.11				7,065.11
20- DEBT SERVICE					-
30- CAPITAL RESERVE	26,568.07				26,568.07
31- POOL CAPITAL RESERVE FUND					-
32- TREE FUND					-
35- LIQUID FUELS	49,956.63				49,956.63
36- ROAD MACHINERY FUND					-
40- 9/11 MEMORIAL	59.68				59.68
45- PATTERSON FARM	2,126.56				2,126.56
50- AMBULANCE/RESCUE SQUAD					-
84- DEVELOPER ESCROW	97,470.03				97,470.03
91- UNEMPLOYMENT					-
	793,143.45	1,084.68	-	-	794,228.13

NOVEMBER 2020 PAYROLL AND INTERFUND TRANSFERS		
Fund		
01- GENERAL FUND OPERATING TO PAYROLL ACCOUNT		911,488.92
GENERAL FUND OPERATING TO 401A DEFINED CONTRIBUTION PENSION PLAN ACCOUNT		6,064.67
60- POLICE PENSION FUND TO D.R.O.P. ACCOUNT		9,093.82
		926,647.41

John B. Lewis

Fredric K. Weiss

Daniel R. Grenier

James McCartney

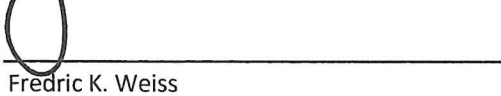
Suzanne S. Blundi

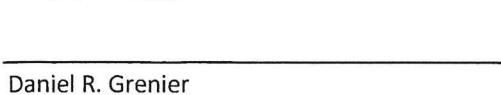
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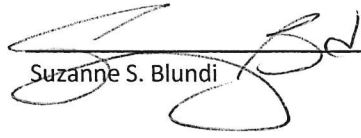
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