

Dr. Weiss moved, Mr. Grenier seconded and it was unanimously carried to approve the Warrant lists from December 6, 2021 in the amount of \$826,573.38 as attached to the Minutes.

FINANCE

Approval of Resolution No. 2461 Fixing the Tax Rates and Special Levies and Adopting the 2022 Budget

Mr. Grenier moved and Dr. Weiss seconded to approve Resolution No. 2461 fixing the Tax Rates and Special Levies and Adopting the 2022 Budget.

Mr. Lewis noted Page 18 – Fund #3 – Hiring of Fire Services Director. He stated he would like to make an Amendment to the Motion to reduce the 2022 Budget amount from \$95,000 to \$75,000 to reflect the delayed hiring of a Fire Services Director to March, 2022 and to require the Township Manager to develop a 90-day onboarding plan for the new Fire Services Director.

Mr. Lewis stated the reason for this is the number one issue heard from Fire Chief Chamberlain was the lack of volunteers, but that was not listed in the essential duties and responsibilities for the new Fire Services Director. He stated he wants the job description updated to reflect this primary need, and that the new Fire Services Director present a marketing and onboarding plan to address the volunteer gap. Mr. Lewis stated he would also like to see the job description updated to include coordinating with neighboring Municipalities for enhanced fire service and mutual aid.

Mr. Grenier agreed to accept the Amendment.

Mr. Ferguson stated the hiring of the Fire Services Director in the Budget would not be anticipated to take place until April 1, and the amount budgeted for the Fire Services Director for 2022 is \$75,000; and the other \$20,000 of that would be for other part-time workers that we have hired and still have hired that do Commercial inspections. He stated the salary for the Fire Services Director is reflective of a pro-rated amount for nine months for 2022.

Mr. Lewis amended his Motion to leave the amount in, but contingent on having the Township Manager develop a 90-day onboarding Plan for the Fire Services Director and updating the job description to include coordinating with neighborhood Municipalities for enhanced fire service and mutual aid.

Mr. Lewis stated this is a non-dollar change to the Budget, but it makes it contingent on those things being completed.

Dr. Weiss stated with the consent of the Board, he will accept the Amendment. Ms. Blundi asked if there is consent of the Board to accept the Amendment.

Mr. Ferguson stated that is one of the essential duties of the job, and there are items included to monitor volunteer firefighter response, gaps in coverage, and explore greater regional volunteer coverage if necessary and possible with Lower Makefield. Mr. Lewis stated there is no request for a marketing plan to get new volunteers which was the primary need that was heard and should be a primary function in the job description. Mr. Ferguson stated it is a primary need; however, the scope of the job is such that it is not limited to that. He stated the job description is four pages long.

Mr. Lewis stated he is looking for a 90-day onboarding plan for that person, and he wants a marketing plan for volunteers as that “was the primary ask that we got.” Mr. Ferguson stated the volunteers did not ask for a marketing plan, and what the volunteers stated was that they had instituted incentives and cash and done a variety of things. He stated while the volunteer Chief is not a marketing person, he would work within the parameters of how to go about recruiting volunteers as part of his duties. Mr. Ferguson stated it is not just about being ten volunteers short, rather the issue is that there are gaps in coverage during certain times of the day. He stated even if they were to get ten additional volunteers, it does not mean that they would be able to fill the gaps in coverage. He stated one of the core responsibilities of the job would be to determine how to get regional cooperation for volunteers as well as attracting volunteers.

Ms. Blundi stated they need to find out if a majority of the Board consents to the Amendment.

A majority of the Board did not consent to the Amendment as Mr. Grenier and Mr. Lewis were in favor and Ms. Blundi, Dr. Weiss, and Mr. McCartney were opposed.

Mr. Ferguson stated he understands Mr. Lewis’ desires with regard to the job description, and one of the responsibilities of the person hired will be to come up with strategies for recruiting volunteers locally and regionally. He stated it is already written into the job description that they will be creating a recruitment strategy. He stated it is not what Mr. Lewis called

as a marketing or onboarding plan. Mr. Ferguson stated one of the primary responsibilities of the job will be to work with the volunteer company to find ways to recruit volunteers.

Mr. Grenier stated for 2022, \$75,000 has been allotted as a pro-rated salary for the Fire Services Director, and Mr. Ferguson agreed. Mr. Grenier stated in 2023 it will be closer to \$100,000; and Mr. Ferguson stated it will be around \$100,000 to \$101,000. Mr. Grenier stated including benefits, it would be more than that.

Mr. Grenier asked if there is a plan, similar to what was done in Newtown, to get away from the volunteers and move toward hiring in-house staff in the future. Mr. Ferguson stated there is not, and the plan is to use the Fire Services Director in an attempt to have a facilitator to do everything we can to boost volunteer service. He stated the service area is Lower Makefield and Yardley Borough. He stated this position would be a benefit to Yardley since the individual will be examining shortfalls for both communities. There is not a plan to hire paid firefighters. He stated we have all seen the reports from the Bucks County Planning Commission regarding the status of volunteers. He stated there are a number of towns which have hired positions like this to stay in front of the issue if there continues to be problems with volunteers. Mr. Ferguson stated he cannot comment on the state of volunteer service in Lower Makefield ten years in the future. He stated the idea of bringing this person on is to have someone reporting to the Township on the status of issues. He stated he has discussed this with the volunteer company, and they are in favor of this position. Mr. Grenier stated he supports this concept as well, and his only concern was that they did not do something that would put Yardley Borough in a precarious situation with respect to fire services by going a different route.

Dr. Weiss asked Mr. Ferguson to explain how this will effect Yardley Borough. Mr. Ferguson stated he feels Yardley Borough will be a direct beneficiary of the position. He stated they have not been asked to pay anything for this position. He stated the Yardley-Makefield Fire Company serves both communities, and an examination of shortfalls is applicable to both communities. He stated when there is an effort to try to encourage more people locally to volunteer or to try to come up with better regional participation to serve all the towns, that would include Yardley; and it would not just be specific to Lower Makefield. He added that the person in this position would also do certain things specific to Lower Makefield in terms of Commercial inspections, Plan reviews, etc.

Mr. Ferguson stated when he was with Newtown Township where they did an inspection of every Commercial property in the Township, they were asked by Newtown Borough if the Township would be willing to have the Township staff inspect their Commercial properties; and Mr. Ferguson stated that possibility would be available to Yardley Borough businesses to insure that the whole area is safe and getting annual inspections.

Mr. McCartney asked Mr. Ferguson if his salary is included under Line Item 400 Essential Government Expenditures, and Mr. Ferguson stated his salary would be in Central Government as would his Assistant and the Recording Secretary. Mr. McCartney asked what was the proposed increase in salary for 2022 for his salary. Mr. Ferguson stated he has an Employment Agreement from July, 2020 that indicated that any consideration for pay would come at this time; however what is in the Budget for his salary is what was put in for all Department Heads which was a 3% increase.

Mr. McCartney moved to Amend that to a 5% increase for the Township Manager. Ms. Blundi seconded.

Motion carried with Ms. Blundi, Mr. McCartney, and Dr. Weiss in favor, and Mr. Grenier and Mr. Lewis opposed.

Mr. Grenier stated in addition to the Budget there is also the Special Levies and Tax Rates, and he asked if anything else is considered in that group other than the millages that go with the different Funds. Mr. Ferguson stated Fees are incorporated into the Budget, and there is a Fee Resolution following the Budget consideration that would support what is in the Budget. He added that a lot of the Fees in the Budget are estimated.

Mr. Grenier moved to remove the Park & Recreation Admin Assistant from the 2022 Budget. Mr. Lewis seconded.

Mr. Grenier stated the reason for his Motion is because they are hiring a Pool Manager that will not be a twelve month, full-time job specific to the Pool, there is also experienced staff that have been Pool Managers, and they also take full advantage of interns. He stated he would prefer not to hire an additional Admin Assistant specific to Park & Rec as he feels with the additional Pool hire, they will be able to function accordingly; and this will take some burden off of the Budget.

Mr. Lewis stated he agrees with Mr. Grenier. He added when you add additional staff, it is hard to remove them “in out years.” He stated it would be better to use interns where possible or in many cases where they can drive more of the transactions away from the phone to on-line. He stated he agrees with Mr. Grenier that there is a full-time Pool Director coming on this year and they can use the interns.

Ms. Blundi stated she feels we should rely on our professionals, and with regard to Park & Rec, Ms. Tierney created the internship program. She stated Ms. Tierney does a great job making sure we have as much volunteer staff as we can. She stated because of the Community Center and all of the opportunities that people now have to participate in different activities, we need the staff to support the services our residents are asking for. She stated she is in support of the new position.

Motion did not carry as Mr. Grenier and Mr. Lewis were in favor and Ms. Blundi, Mr. McCartney, and Dr. Weiss were opposed.

Mr. Grenier stated with regard to the salary of the Pool Manager, they are looking at 75% being funded by Pool Revenue; and Mr. Ferguson stated that is correct for year one. Mr. Ferguson stated if it was determined that the person needed to spend more time than 75% or less than 75%, going forward it would be based on the actual from the first year to consider an adjustment. He stated they have done that in other Park & Rec positions over the years. Mr. Grenier stated if they do not meet the Pool Revenue projection, and they cannot meet the 75% Pool Director’s salary, he assumes the balance of that would shift to the Park & Rec Budget. Mr. Ferguson stated the Park & Rec Budget in most instances is the backstop for any shortfalls in the Pool. Mr. Grenier stated there is therefore risk to the Park & Rec Budget if the Pool has a bad year and people do not sign up. Mr. Ferguson stated he and Ms. Tierney actively manage the Pool Budget; and if they were to see shortfalls to the extent that would have a financial impact, there are ways they can “maneuver” that Budget with regard to hires of guards, or things that would not sacrifice safety but would help save money. He added this is what we had to do this year when there were issues with staffing and managing money. He stated they have clear benchmarks with regard to what they would expect to see with the Discount Registration and certain benchmarks throughout the year to know whether or not they will be facing a situation like Mr. Grenier is discussing. Mr. Grenier stated he assumes the Board will get an update along the way, and Mr. Ferguson agreed.

Mr. Lewis moved to hold off on hiring the additional Planner in 2022. Mr. Grenier seconded.

Mr. Lewis stated he strongly supports the Capital investment to put the Codes Permits software on-line so people can do more of their transactions on-line, and he definitely wants to see more details on the recommended solutions next year. He stated he is in support of that since if that reduces the overall workload from the Building Code team in the Permitting process, it may mean that they do not necessarily need an additional staff member, or possibly we could get a “half-staff member or flex with outside services.” He stated he would like to proceed with the Capital investment, and then see where we are at before we hire an additional “FTE” in that space.

Ms. Blundi stated she strongly opposes this Motion. She stated in 2008 we had the down turn and staff had to be let go, and we have not rebuilt the staff. She stated we have grown and become more complex between State and Federal mandates, and the needs and expectations of our residents need to be met. She stated over the last few weeks she has been contacted about people possibly being in violation with regard to short-term rentals and using their properties as catering facilities, etc.; and they do not have the staff to do a proper investigation of all of these different issues. She stated she strongly opposes any attempt to not give our Planning Department the support that it needs to do what is mandated and what needs to be done to keep our Township from “falling into the disrepair that it had been in previous years.”

Mr. Grenier stated Mr. Ferguson had indicated that the new Fire Services Director would be doing some inspections, and he asked Mr. Ferguson to clarify the difference in the role between the Fire Services Director, the Building Code Official, and anyone else in the Department where there are inspections of properties. Mr. Ferguson stated the annual fire inspection of Commercial properties looks at a variety of things, and they would be checking push-bars on doors, that exits are not blocked, that the signs are lit up, and the fire hydrants are current. He stated it would be a basic safety-level inspection. He stated the Fire Services Director would also be looking at projects when they are being built assisting the Building Code Official regarding the location of sprinklers in buildings, etc. He stated while it is an inspection, it is a specialized inspection compared to typical Building Code Official items. He stated currently when the Building Code Official goes out, and he has a question of that sort, he would call the part-time individual we have now to go out and consult with him on those matters.

Ms. Blundi reminded Mr. Grenier that he was the individual who told her in 2018 that this was a top priority. Mr. Grenier stated while he is not disagreeing, in his experience Planners “wear a lot of hats,” and he asked if they analyzed other ways in going about this by looking at a Professional Services Contract with a consulting or planning firm. He stated going that route is sometimes more efficient since they are not hiring a staff person who would have a specific skill set as opposed to hiring a Professional Services firm, which might assign someone, but you are also getting all of the skill sets of the firm collectively. He stated he would like to see what the cost impacts of that would be as opposed to hiring a staff person that comes with salary and benefits and being limited to that individual’s skill set.

Mr. Ferguson stated that was evaluated, but the issue is that increasingly firms do not retain planners, and oftentimes they have engineers who have taken over that planning function. He stated even if those people were in place, the job is not just to review big plans when they come in; and it will also be working on a lot of smaller-scale, voluminous things that come in. He stated there are firms that have planners to do those types of big reviews; however, this would be an individual having a full-time function at the Township. Mr. Ferguson stated a planner could cost \$80 to \$95 an hour, but there is a need for someone here forty hours a week; and the cost of hiring a full-time person even with benefits would be more affordable than having an outside planner. He stated in the job description for the Planner it can be seen that person would assist with all parts of the operation from coordinating small reviews for Residential projects to participating in larger projects. He stated that person would also be a back-up with Code Enforcement and assist where needed.

Mr. Ferguson reminded the Board that at the November 17 meeting they discussed the comparison between Lower Makefield’s Department size which is four and is several less than other Municipalities which have many fewer Permits than we have. He stated this year, we will have between 2,500 and 2,600 Permits and there is really only one staff person coordinating all of that. He stated Middletown has 500 fewer Permits than Lower Makefield but double the staff. He stated the Board has done a number of good things such as the Airbnb Ordinance that they are administering, and there are also things that have been mandated such as the Sewer Lateral Ordinance. He stated there is a need to have someone capable across the spectrum to help handle all of those things.

Mr. Grenier stated he would like to put out an RFP for a Planner to see what we get; and if we get something reasonable we could proceed in that way, and if we do not, then we would “put out a requisition to hire one.”

Motion did not carry as Mr. Grenier and Mr. Lewis were in favor and Ms. Blundi, Mr. McCartney, and Dr. Weiss were opposed.

Mr. Lewis asked Mr. Ferguson how much it would cost to have five more pick-up days for the recycle yard. Mr. Ferguson stated the direct cost of that would be approximately \$12,500.

Mr. Lewis moved to add five additional pick-up days for the recycle yard in 2022. Mr. Grenier seconded.

Mr. Grenier stated he understands the desire to offer the service, but his concern is the capacity we have at the facility to manage that and still be in compliance with the rules and regulations of the Commonwealth and the Federal Government. Mr. Ferguson stated he answered Mr. Lewis' question directly which was how much the cost would be; however, there would be an increased burden. He stated if they were to add five days, he would presume those would be weekends between April and October. He stated as discussed previously one of the things we are directing on weekend work is inlet work that has not been necessarily a priority in the past, and that work is done so that it does not have to be done as part of the Road Program. He stated they would therefore have five less weekend days to do that inlet work. He stated another issue would be that with increased drop-off days, typically the following Monday is a day when they have to dedicate staff to chipping, moving, and cleaning the area and having the material removed. He stated this is therefore a cost in terms of time available to focus on other things.

Mr. Grenier stated his question was whether they could get it out of the yard so that we are not back in the situation we were when there was long-term storage creating compliance issues. Ms. Blundi stated since this is sometimes called the recycle yard, people were dropping off TVs, tires, and refrigerators; however, it is actually just to be yard waste. Ms. Blundi stated as Mr. Grenier had advised her in the past, we cannot have the materials sitting around there because of how close it is to different run-off areas and the problems that creates. She stated they therefore have to mulch it and pay someone to take it away, and Mr. Ferguson agreed. Ms. Blundi asked if we add additional days, will we be able to get it all out so that we are not in the position we had been in for years of being in non-compliance.

Mr. Ferguson stated they would have to get the material out. He stated currently they have to find companies to take the material since a lot of the companies that previously took it do not want it any more. He stated in the past, companies

would come and get it for free, but now we have to pay to have it taken away. He stated if there were additional days, there would have to be a concerted effort to get the material removed so that we are not in non-compliance.

Mr. McCartney asked Mr. Lewis what would be the advantage of having the additional days. Mr. Lewis stated he often hears from people about flexibility around the recycling days, and this is a request for service that people ask for and appreciate. He stated we limited severely that service, and a lot of people were very unhappy about it. He stated he believes that there is a reasonable justification for the limitation, but he is asking if we could re-set the balance a little bit. Mr. Lewis stated no resident has ever asked him to add non-native plants to our acceptable trees, but he has often heard that they wanted more opportunities at the recycling yard. He stated he is willing to have a tradeoff of increased taxes, and if it is \$12,000 he is sure that is not a problem with the millage.

Mr. McCartney stated he wanted to make sure that the \$12,000 was an accurate number; and he believes the cost of having the yard open during those additional days on the weekend does not necessarily include the cost of removing the yard waste. Mr. Lewis stated that is why he did not offer a number with the Motion, and it was Mr. Ferguson who suggested that was the total cost estimate. Mr. McCartney asked Mr. Ferguson what is the total true cost, and Mr. Ferguson stated the hauling costs could fluctuate; but the cost he provided would not be off by much.

Mr. Ferguson stated they track the program, and there about 800 households that take advantage of those days, and they tend to be the same households. He stated that the issue for him is the utilization of the Public Works staff since there are twelve workers, and there is a limited amount of time for them to do a variety of things. He stated they are trying to do more of the road work than has been done in the past, and the is to have the Public Works Department pave 3/10ths of a mile which is more ambitious than we have had in the past with the idea being of looking for ways to do more of the work in-house. He stated they need to prioritize the work.

Mr. Grenier stated there is a direct cost and a resource-allocation issue. He stated he believes that our expenditures for the leaf program are about \$275,000 to \$300,000; but the leaf fee will bring in over \$700,000 this year so there is a delta between. Mr. Ferguson stated the amount coming in would be \$650,000. Mr. Grenier stated there is some delta between Expenditure

versus Revenue, and there might be an opportunity to use that for a future staff person or two who would be more “dedicated” to leaf recycling and other items that might qualify for use under the Leaf Fee.

Dr. Weiss stated he agrees with Mr. Grenier. He stated there is an allocation issue that the Township Manager has not directly addressed in his increased cost although he did allude to it. Dr. Weiss stated there are only a certain number of staff in the Public Works Department, and we cannot over-utilize them because we need other things done such as road repairs, storm drains and inlets clear at all times, etc. He stated he believes part of the Leaf Assessment is already used to help to keep the inlets clear. He stated if there is a true need or want to expand the yard waste days, they might consider in 2023, when our finances are more stable, increasing the staff in the Public Works Department and consider adding more days to the yard waste program; but he does not feel it is appropriate at this time.

Mr. James Bray, 12 Terracedale Road, stated he feels the yard waste program was one of the most successful programs ever run in Lower Makefield Township. He stated he is an avid gardener and he used it at least ten to twenty times in a year. He stated several of his neighbors expressed their frustration about it being stopped. Mr. Bray stated he would propose that there be even more than five additional times. He stated for next year he would propose hiring six more “maintenance employees” which would cost approximately \$30 to \$40 a household to fund. He stated we are on a very ambitious tree and shrub-planting program in the Township, and these additional people with some training would acquire the expertise to take care of these new additions the way they should be taken care of.

Motion did not carry as Mr. Lewis was in favor, and Ms. Blundi, Mr. Grenier, Mr. McCartney, and Dr. Weiss were opposed.

Motion to approve Resolution No. 2461 carried with Ms. Blundi, Mr. McCartney, and Dr. Weiss in favor and Mr. Grenier and Mr. Lewis opposed.

Approval of Resolution No. 2462 Establishing the 2022 Park & Recreation Fee-In-Lieu

Dr. Weiss moved and Mr. McCartney seconded to approve Resolution No. 2462 establishing the 2022 Park & Recreation Fee-In-Lieu.