

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – DECEMBER 4, 2019

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on December 4, 2019. Dr. Weiss called the meeting to order at 7:35 p.m. and called the Roll.

Those present:

Board of Supervisors: Daniel Grenier, Chair (participated in some portions of meeting by phone)
Frederic K. Weiss, Vice Chair
Suzanne Blundi, Treasurer
John B. Lewis, Supervisor

Others: Kurt Ferguson, Township Manager
David Truelove, Township Solicitor
Andrew Pockl, Township Engineer
Kenneth Coluzzi, Chief of Police

Absent: Kristin Tyler, Board of Supervisors Secretary

COMMUNITY ANNOUNCEMENTS

Dr. Weiss stated the 2019 Leaf Collection is underway. He stated the schedule can be found on the Township Website.

Dr. Weiss stated the Holiday Family Fun Night will be held on December 6 from 6 p.m. to 9 p.m. at the Community Center.

Ms. Blundi stated the EAC held a successful Styrofoam collection project, and they are planning another one for Saturday, January 4 from 10:00 a.m. to Noon at the Township Building.

PUBLIC COMMENT

Mr. Harold Kupersmit, 612 B. Wren Song Road noted IX a. on the Agenda, and he asked if the Township has completed the housing inventory and what might be available for affordable housing. Mr. Ferguson stated that is not what the Township is undertaking, rather they are working on a Township properties Inventory and Status

which has to do with developing a Plan for Township-owned properties as far as cost estimates for repairs and rehabilitation. Mr. Kupersmit stated he is interested in any properties that might be for sale for an affordable housing initiative. Mr. Ferguson stated a Second Class Township would not be able to develop low-income housing and that would have to be through a Redevelopment Agency and those are typically facilitated through the County. Mr. Kupersmit asked if he would be barred from developing anything in the Township. Mr. Ferguson stated Mr. Kupersmit would not be barred from it, but if he is suggesting that the Township would create a low-income housing plan as far as property acquisition and related activities those are typically the purview of Redevelopment Authorities on a County-by-County basis. Mr. Ferguson stated Mr. Kupersmit as an individual could develop whatever he sees fit provided it is consistent with housing Zoning requirements for the District he is looking at. Mr. Kupersmit expressed concern with the lack of affordable housing.

Mr. Kupersmit noted Item VIII and he would like to know what the Supervisors are going to do to try to keep the monthly Sewer charge under \$200 a month. He stated \$200 a month is a challenge for a lot of people.

Mr. Dylan Chang, 325 Emerald Drive, stated he is a Junior at Pennsbury High School, and he presented a local Resolution for the Green New Deal. He stated he also has a Petition for Change.org with 100 signatures. He discussed the Green Deal and his concerns with the climate crisis Nationally and locally. A copy of the Resolution was presented to Mr. Ferguson this evening.

Mr. Ben Chang, 325 Emerald Drive, asked that the Board consider passing the Resolution his brother has presented. He provided more information about climate change.

Mr. Zachary Rubin, 1616 Covington Road, stated he is in support of the Resolution. He advised the Board that eighteen years ago Supervisor Pete Stainthorpe instituted a movement for our Township to get on a Clean Energy Program, and that eventually led to Grants which eventually led to the solar panels that are on the roofs. He stated the Board of Supervisors has a very good record of participating in clean energy.

Mr. Frank Gallo, 1252 Dickinson Drive, stated he is an environmental professional, and he reviewed his background and expertise. He stated he is discouraged by the current movement because the “fervor around environmental activism is fueled by primarily hysteria and emotion,” and he rarely hears anything based on science, engineering and technology, and economic principals. He stated he understands that the youth present this evening are from the Sunrise Movement which is largely a

political movement designed to introduce Socialism, and you can hear overtones of that in what they are seeking. He stated they mentioned the Green New Deal which failed at the Federal level because it is unsustainable, not founded in anything other than Socialism; and it is “stealing someone’s property and giving it to someone else.” He stated they are using “gullible youth.” He stated he hopes that if the Board is considering any of this that they look at what is behind it and put effort into education such as STEM programs so that they can get real sustainable solutions to solve the problems that we have.

Mr. Phil Murphy, 42 Manor Lane North, stated he is in favor of proactive climate mitigation strategies like the Green New Deal. He stated while not a scientist, he is an environmental and animal rights activist. He read an article from the Journal of Science published in 2018 related to animal agriculture. He stated if people want to help, they should cut down on long distance flights and adopt a vegan diet.

Ms. Nina Weiss, 1317 Revere Road, thanked the Board for considering the Resolution. She stated people should put aside name calling and bullying and look at the issue. She stated there is science behind it, and she urged the Board to consider the Resolution. She asked the process for passing the Resolution. Mr. Lewis stated any Board member can make a Motion to approve a Resolution, and assuming another Board member would second it, it would then be discussed. He stated he appreciates the work done by Mr. Chang. He stated the issues we are facing with climate change are local issues, and he noted the two, fifty-year floods in the last ten years which have had great cost. He stated last year they had the wettest season on record which cost the Township money in terms of the Golf Course and the I & I in the sewer system. Mr. Lewis stated he does not have a problem with setting aggressive goals to deal with global climate change, and the Township should also hold itself accountable looking at our land-use policies and what Lower Makefield can do to make sure that we are not contributing to global climate change any more than we should. He stated he hopes other Board members are willing to be open to discussion on how to move forward. Mr. Lewis expressed concern with the existing subsidies for fossil fuel companies and the lack of an Extraction Tax on natural gas in Pennsylvania.

Mr. Lewis stated he would be willing to make a Motion to put this matter on a future Agenda. Mr. Ferguson stated Mr. Chang provided him a copy of his proposed Resolution which he will distribute to the Board for review and comments with the possibility of it being on a future Agenda. Ms. Weiss asked if they would also like a copy of the Petition, and Mr. Ferguson stated he will distribute to the Board anything that Mr. Chang would like to submit. Ms. Weiss stated she hopes the Board will be on the forefront of this very important issue.

APPROVAL OF MINUTES

There was discussion on the approval of the Minutes of November 13, 2019. Ms. Blundi stated she did not have an opportunity to review them, and it was agreed to defer approval of the Minutes of November 13, 2019

Ms. Blundi moved, Mr. Lewis seconded and it was unanimously carried to approve the Minutes of November 20, 2019 as written.

SANDY RUN ALTERNATIVE OPENING PRESENTATION

Mr. Ferguson stated there was a previous proposal that suggested that Sandy Run Road could be moved 94', and that had been discussed with the previous traffic engineer with regard to pricing and Plans that had been presented to the public. Mr. Ferguson stated in doing an independent review of that Plan which was done by Mr. Fiocco from SAFE Engineering, the Township's new traffic engineer, they found that the Plan could not be approved by PennDOT. Mr. Ferguson stated the issue with the road was that even moving it 94' would still involve intersection sight distance issues. He stated when you come up to Sandy Run to Edgewood and look left, there is a "bump" coming down from the train tracks, and the ability to get out of there safely is impacted by the speed of the traffic and not have a broadside accident particularly on left turns out and left turns in.

Mr. Ferguson stated they did have the chicanes out for some which was a test to see how slow they could get the traffic to go as it went down to Sandy Run, and they were able to get cars down to approximately 31 miles per hour. Mr. Ferguson stated for the intersection of Sandy Run and Edgewood 31 miles per hour is still too fast.

Mr. Ferguson stated the Board had asked if there were alternatives recognizing that left turns in and left turns out could be dangerous; and if there could be a limited opening of the road which would prohibit left turns in and left turns out, but allow right turns in and right turns out. Mr. Ferguson stated the sight distance issues are still present; however, going right in or right out would be safer to the extent that you would not have broadside accidents by limiting those left-hand movements. Mr. Ferguson stated the traffic engineer looked into this and indicated that the problem in doing a right-in and right-out only would be if someone were intending to go the opposite direction – going left – it would not provide the opportunity for someone to make a legal traffic maneuver and go in the other direction.

Mr. Ferguson stated they asked Mr. Fiocco, who had done the original inspection on the Plan that was presented to the public, to be creative with options to figure out what could be presented to the Board that would be an interim measure by which the road could be opened.

Mr. Ferguson stated one ultimate solution would require that the traffic become “pinched down” to make the traffic go slow enough so that it is at 25 miles per hour so that there would be enough distance between Sandy Run and Edgewood. He stated in the alternative, because of how the road currently sits, the sight line would need to be changed where Sandy Run would get raised or the “bump” on Edgewood would get carved down so that a driver could have farther sight distances and make a safe decision on getting in or out of that space. He stated those are the two options. He stated the second option is much more expensive and would cost millions of dollars.

Mr. Ferguson stated SAFE was asked to come this evening and show the public and the Board an option with a limited opening as a start with right-in, right-out only. Mr. Ferguson stated he does not believe the Board has the intention of voting on anything this evening, and it is just meant to show another option to try to find a way to deal with the challenge of this road as it currently sits.

Mr. Joe Fiocco thanked the Board of Supervisors for giving them the opportunity to provide traffic engineering services for Lower Makefield Township. Also present this evening was Ms. Marie Pantalone who was involved in the technical traffic engineering analysis.

Mr. Fiocco stated they were asked to see if they could provide some access to Sandy Run Road which has been closed for approximately three years. He stated to Chief Coluzzi’s credit the sight distances there were significantly shorter than what you would want from a safety standpoint. He stated making a left-hand turn in and out of Sandy Run Road is very difficult and making a right-in and right-out is much easier as you would not have to go as far or cross over another lane. He stated the angle at which there could be an accident if you had only a right-in, right-out would most likely be a rear-end accident.

Mr. Fiocco stated they put a radar device in the area of the intersection, and found that the 85th percentile was as high as 38 miles per hour. He stated when the chicanes had been installed they brought the speeds down, but the chicanes were later removed and the speeds went back up. He stated the grade coming from the Railroad tracks is between 7% and 11% depending on where you take the measurement; and that is important when it comes to safety since when you are going downhill, it takes longer to stop as opposed to if you are going level or uphill.

Mr. Fiocco stated there is adequate stopping sight distance for 25 miles per hour. He stated stopping sight distance is the minimum threshold to make a movement. He stated in the analysis they also assumed that the road is wet since it takes longer to stop when you are on a wet road. He stated they have design parameters recognizing the differences in drivers. He stated if they could get the speeds down to 25 miles per hour, they would have adequate stopping sight distance.

Mr. Fiocco stated they were asked if they could allow for just rights in and rights out. He stated they had to consider the complications of only allowing one movement in and one movement out, and how they would keep vehicles from making illegal moves. He stated there are existing speeds over 30 miles per hour, and if the Board were to decide to implement this temporary strategy to give access to Sandy Run, they would recommend putting some supplemental signage, pavement markings, etc. to get traffic down to 25 miles per hour if at all possible.

A slide was shown of a concept they are presenting which would provide some physical barrier that would prevent people from making the left turn in and out of Sandy Run. He stated coming off Edgewood Road, you would only be able to access Sandy Run coming from the Railroad tracks, and coming from Sandy Run, you would only be able to make a right turn out of Sandy Run. He stated they also have to be as innovative as possible to get the speeds down to as reasonably a low speed as they can come up with.

Mr. Fiocco stated the problem is drivers coming the opposite way on Edgewood Road who want to make a left onto Sandy Run; and he stated if they do not give an alternative, it is human nature that drivers will find a way to make the left. He stated currently the detour is approximately two miles out of the way to get to Sandy Run which is not very convenient. He stated the alternative for the driver would be to make a U-turn on Edgewood Road or go into a private driveway/commercial driveway and turn around. He stated drivers might also go to the Municipal Complex to turn around. He stated they felt that if they were going to try the right-in, right-out concept, they would have to provide a reasonable alternative for people to make the left turn other than taking a two mile detour.

Mr. Fiocco stated the intersection of Schuyler and Edgewood is a relatively wide intersection, and you can make a U-turn at that intersection. He stated they considered that if they were to convert that intersection into a mini roundabout they could provide drivers a legal alternative to make the left-turn movement. Mr. Fiocco stated roundabouts are becoming more and more popular, and they are so effective at slowing traffic down and making intersections safer that PennDOT is requiring traffic engineers to consider a roundabout before they

consider putting a traffic signal in. He stated if it can do the job, it is a much more reasonable and safer alternative, and you do not have the electricity costs involved. He stated the reason it is safer is that when there is an accident in a roundabout, the accidents are much smaller angles, and you do not have the T-bone type of accidents. Mr. Fiocco stated he has been promoting roundabouts since the late 1990s as an alternative to traffic signals.

Mr. Fiocco stated when you come to a roundabout, you have to yield to anyone who is already in the roundabout. He stated once you are in the roundabout you have the right-of-way, you go counter clockwise through the round-about, and you exit out. He stated a mini roundabout is basically a roundabout that is smaller in size; and the only difference is that because tractor-trailers and larger trucks will not be able to circumvent the smaller roundabout, they need to be able to go over the center median. He stated they would not be able to have hedges or other beautification in a mini roundabout because you have to leave that open for larger vehicles.

Photos of sample roundabouts were shown demonstrating how roundabouts work. Mr. Fiocco stated a lot of the mini roundabouts are in urbanized areas where there is limited right-of-way where they want to slow traffic down making it safer for pedestrians and providing the ability to turn left. He stated if there was no limit as to how much widening they wanted to do, they could put in a full roundabout. He stated there are different designs as to what can be done with a roundabout; and if the Township is interested in doing this on a temporary trial basis, they could spend a lot less money putting in a temporary mini roundabout. He stated if they like it, they could come in with more permanent aesthetics. He showed pictures of a median which could be Belgian block or some other material, adding that there needs to be the ability for larger vehicles to go over the median.

Mr. Ferguson stated if speed is an issue, he feels the speed of a large truck coming over the Railroad tracks is a bigger safety issue than a small car. He asked if the mini roundabout could be structured such that a truck going over it would have to slow down. Mr. Fiocco stated a truck needs to go over the median area, and when a truck enters a roundabout, they need to stop and make sure it is clear for them to have the entire roundabout for themselves. He stated if there is a truck waiting there, other vehicles should give that truck the opportunity to go through since the the truck needs to have the roundabout clear when it goes through. He stated all roundabouts are designed for lower speeds, and they are looking to get to 20 to 25 miles per hour. He stated if a roundabout is done right, you are physically restricted as to the speed that you can do. He stated most people would not want to go over the median in their car as it could damage the vehicle. He stated the purpose of the median is to enable a truck to go through at a lower speed.

A video was shown on how to drive through a mini roundabout. Mr. Fiocco stated there is a roundabout near where he lives in Trevoise, and it works very well. He stated the roundabout forces you to slow down; and if you do have an accident in a roundabout, it is usually a “fender bender” and not a more serious accident.

Mr. Fiocco showed the conceptual roundabout for Schuyler. He stated they can almost construct this mini roundabout within the blacktop that is already there. He stated the intersection is wide enough with shoulders on both sides and all three legs, that they can put in this temporary roundabout relatively inexpensively compared to major reconstruction. He noted the crosswalks, and he stated when you are crossing at a roundabout it is a two-step process and it simplifies the pedestrian movements.

Mr. Lewis asked if what is being shown is a slight revision from what the Board saw previously in that it has been moved slightly to the north. He stated it appears to fit almost entirely in the existing pavement. Mr. Fiocco stated it does almost fit within the existing pavement; however, they would recommend a two foot widening.

Mr. Fiocco showed a slide of the Mill Road intersection which would be on the other side of the Railroad tracks. Mr. Ferguson stated they are now considering two roundabouts and originally they had just considered one roundabout at Schuyler. Mr. Ferguson stated what is proposed at Mill Road would be a roundabout across from the driveway that comes out from the Public Works driveway, and Mr. Fiocco agreed. Mr. Ferguson stated if drivers were coming up Edgewood and they wanted to go left onto Sandy Run, they would cross over the tracks, go around the mini roundabout, and then go right in and right out so it would facilitate both movements. Mr. Fiocco stated the mini roundabout at Schuyler allows drivers who want to make a left off of Sandy Run and head toward the Township facilities. He stated they would go right out of Sandy Run, go through the mini roundabout at Schuyler, and then head back to the Township Complex. He stated for those drivers coming west who want to make a left onto Sandy Run Road, they would go past Sandy Run, over the Railroad tracks, go around the mini roundabout at Mill Road, and head back to make the right onto Sandy Run Road. He stated the primary purpose of the mini roundabouts is to facilitate the left turn movements in and out of Sandy Run which do not have adequate sight distance at this point.

Mr. Fiocco showed an aerial drawing of what they are proposing, and he stated it is good that there are intersections close by that can facilitate the movements. He stated if they were too far away, drivers would be tempted to make U-turns and not go through the roundabouts. Mr. Fiocco stated with regard to the Mill Road roundabout, the Township owns property on those corners so they would not

need to acquire private property in order to facilitate that roundabout. He stated the Mill Road roundabout will be more costly than the Schuyler roundabout because Mill Road could not be built completely within the existing blacktop.

Mr. Fiocco showed turning templates which show how the vehicles that will use the roundabout can be accommodated. He showed the templates for passenger cars, buses, and different sized trucks. He stated vehicles would stay completely out of the center area. Templates were shown for both Mill Road and Schuyler Drive. Mr. Fiocco stated they worked with the Township Public Works staff and considered the different sized trucks they have which would need to be accommodated through the roundabouts.

Mr. Ferguson stated he understands that this proposal will also calm traffic coming over the Railroad tracks although they would still have to measure how fast drivers are going down over the tracks as they approach Sandy Run Road. Mr. Ferguson stated there is a lot of activity at the Municipal Complex, and he asked how the roundabouts could impact pedestrians/children; and he particularly noted the proposed Mill Road roundabout. Mr. Fiocco stated he feels that from the mini roundabout at Mill Road, they will get a reduction in the speed of traffic; however, as you get away from the roundabout, drivers will naturally pick up speed. He stated Edgewood Road is straight and relatively wide, and people drive the speed that they are comfortable with. Mr. Ferguson stated there are children walking near the proposed roundabout at Mill Road, and he asked Mr. Fiocco if he feels the presence of the roundabout will improve safety for children who are already walking in that area without a roundabout; and Mr. Fiocco stated he believes that it will improve safety. He noted the Trevoise roundabout and other roundabouts where you are forced to go down to 20 to 25 miles per hour. He stated Edgewood Road is currently a free movement through Mill Road, and drivers would be forced to slow down at least when they are in the roundabout to 20 to 25 miles per hour. He stated any pedestrians walking in the vicinity of the roundabout will benefit from these lower speeds. He stated in addition, if there is a crossing at that intersection, by design the roundabout will have a “splitter island,” and it splits the traffic and also gives pedestrians the median area so they can look one way and deal with traffic and then get to the median and look the other way. He stated as a pedestrian, he would much rather cross at a roundabout as opposed to a stop intersection.

Mr. Fiocco stated since there is train activity in this area, they had to consider how what they are proposing would be impacted by the trains. He stated they did a model of the traffic; and as they do with any traffic engineering project, they put a camera out at the intersection and recorded traffic, and the staff then went through and counted the vehicles. He stated they were also able to see how many trains came

through the area and they timed how long the road was closed because of trains going through. He reviewed the counts taken and showed a simulation of a worst-case scenario as the traffic backs up through the roundabout due to a train. He stated if the roundabout is in place, and a driver sees the gate coming down, a driver would have the opportunity to go around the roundabout and take an alternate route. He stated he feels what is proposed will probably work better than what is there today when there is a long train closure.

Mr. Fiocco stated they were asked to consider what it would cost to get the sight distance needed to fully open Sandy Run at Edgewood Road. He stated they estimate a minimum construction cost of \$4 million which does not include the design, and that is just the cost to raise Sandy Run Road to a point where you can see. He stated the most difficult sight distance to acquire will be the left turn in because the train tracks goes over and there is the island for the Quiet Zone that is there that additionally restricts sight distance so that would be a significant cost.

Mr. Fiocco stated there is a difference between stopping sight distance versus intersection sight distance. He stated they do not currently have the stopping sight distance for the 35 to 38 miles that people are currently traveling; however, they do not have that in a lot of places, and the Vehicle Code requires drivers to travel at a speed at which they can stop their vehicle if something happens beyond whatever is restricting the sight distance. He stated in this particular stretch of Edgewood, they hope that people do not drive faster than they need to; however, the consequences of having an accident with a left turn coming in and out is not something they would want to risk.

Mr. Ferguson asked how much larger would the roundabout have to be to facilitate the largest size truck without going over top of the median, and he asked if it would be significantly larger. Mr. Fiocco stated he would estimate it to be 40'. Mr. Ferguson stated it would be a dramatic difference from a mini roundabout and it would require a lot more space. Mr. Fiocco stated until they design it, they cannot be certain. He stated they know they can do a mini roundabout at Schuyler without doing much. He stated the full roundabout would involve a lot of construction. He stated he feels that if the Township were to consider doing a full roundabout versus a mini roundabout, they should be consistent and have mini roundabouts on both sides or full roundabouts on both sides.

Mr. Fiocco stated what his firm was asked to do was to come up with some way to provide access to Sandy Run while a permanent solution is identified. He stated if they can get speeds on Edgewood Road down to 25 miles per hour, they will not meet intersection sight distance, but they would meet stopping sight distance;

and they could allow what they are proposing to become a permanent solution because they would have the minimum stopping sight distance at 25 miles per hour. He stated he would still not open it up to allow left turns in and out. He stated there has been talk whether if they do the right in, right out, would they put in decel or accel lanes; and he feels they need to be careful about that since it is more important to get traffic down to the 25 miles per hour than it is to design for 30 to 35 miles per hour.

Mr. Ferguson stated getting traffic down to 25 miles per hour would allow the right in and right out option to be permanent; and the only way to open the road back up to accommodate the left-hand movements would be to do the broader more expensive option that changes the stopping sight distance, and that would require \$4 to \$6 million. Mr. Fiocco stated if they were confident that the 25 miles per hour would stay, they could consider opening it up to left turn movements in and out since if drivers are going 25, they could safely make a left-turn movement in and out. He stated it would not meet design standards for an intersection, but they would not have designed that intersection, and they would just be opening up an intersection that was previously designed. Mr. Ferguson stated the purpose of the roundabouts other than allowing the movement to occur right in and right out is that roundabouts are an effective means by which to slow traffic down, and Mr. Fiocco agreed. Mr. Ferguson stated someone might say that they should not have the roundabouts and just do everything they can to get the speeds down to 25; however, that would be extremely problematic, and the roundabouts are one of the means by which to help get the speeds down to 25 miles per hour.

Mr. Fiocco stated his recommendation is that if the Board is going to consider their proposal, they should install the mini roundabouts, measure the speeds after they are installed, measure them thirty days after they are installed, and measure them again six months after they are installed. He stated if they need to, they could implement additional strategies to get speeds down. He stated the posted speed limit is 25 miles per hour, and they want to get the drivers down to 25 miles per hour. He feels what is being proposed is an interim step and will provide reasonable access, and they could then work from there to see if they can truly get drivers down to 25 miles per hour.

Mr. Lewis stated he understands that this has been discussed with PennDOT; however, Mr. Fiocco stated he did not discuss it with PennDOT. Mr. Fiocco stated this is a Municipal road, and they do not need PennDOT approval. He stated there is a PennDOT property in close proximity to the intersection which is the bridge. He stated at some point in the past, the Township adopted Edgewood Road as a Township road, but they

did not adopt the bridge that is in close proximity to Sandy Run. He stated when they came up with the cost for the project, part of that number is replacing the bridge. He stated if the Township wants to go in and raise the road at a cost of \$6 million, part of that is replacing the PennDOT bridge that is in close proximity. Mr. Fiocco stated he believes that PennDOT is planning to replace that bridge anyway, so they should be working side by side with PennDOT if the Township decides to move forward with this. He stated he does not feel it makes sense for the Township to start considering money to replace the PennDOT bridge, and it would be better if they could convince PennDOT to replace that bridge.

Mr. Ferguson stated in the meetings with PennDOT, PennDOT suggested replacing the bridge would be in five to ten years; and the staff felt that if this is an option that the Board was interested in as an interim step and discussions with PennDOT were taking place, this would not stop the Board from considering the “bigger fix” later on as part of a PennDOT project. Mr. Lewis stated he feels the PennDOT bridge will be a while away, and they should make sure that whatever the Township is doing now, does not cause issues with a new bridge. He stated they were successful in getting speeds down with the chicanes. Mr. Fiocco stated he understands that if the bridge is replaced, it will be at the same elevation, and he feels they should approach PennDOT to see if they would work with the Township in replacing it with a higher bridge to increase the visibility.

Mr. Ferguson stated if the roundabouts are put in and actually work, and the public were happy with them that would be great; however, they also have the option of having a dialogue with PennDOT as he understands Mr. Fiocco previously was a third-party inspector for PennDOT which would help with that dialogue. Mr. Fiocco stated he spent fifteen years with PennDOT and was the Highway Safety engineer/Risk Management engineer, and he was in maintenance for the last nine years so that he knows how this process works. He stated he believes that PennDOT will just replace the bridge in kind, and he would recommend that the Township go to PennDOT and advise that they would like the sight distance improved when they are replacing the bridge. He stated PennDOT may need to do something to that bridge from a hydrologic standpoint anyway. Mr. Lewis stated there are issues with flooding on occasion where it crosses the roadway so they will have to look into that going forward.

Mr. Lewis stated he understands that the Sandy Run detour is two miles out of the way; and Mr. Fiocco stated it has been some time since he looked at that, however, he knows that it was not an easy detour. Mr. Lewis asked how many people use that road each day, and he asked if it was one thousand. Mr. Ferguson

stated they did not have traffic counts prior to the project that he was aware of. Chief Coluzzi stated they did not have traffic counts for Sandy Run Road, and they just had them for Edgewood. Mr. Lewis stated he feels people may ask why they are doing something that could cost a significant amount of money if it is in fact temporary, but the argument is that there is a social cost if you take a thousand people and cost them four minutes every day so it is a large number and a large cost and it may make sense to do something which could potentially become permanent.

Chief Coluzzi stated he agrees with Mr. Lewis. He stated he does not believe that the bridge will happen for some time. He stated the \$500,000 proposed cost would be spread out over a long period of time, and this will provide a lot more convenience for the people who live on Sandy Run Road. He stated he believes the current detour is two miles. Mr. Lewis stated there is also a new neighborhood in the area, and those residents are having a difficult time with access as well.

Mr. Fiocco stated he is confident with this proposal that they will get vehicles to slow down on Edgewood Road. He stated there is a stopping sight distance issue there today, and in addition to providing access, he feels they will have slower vehicles on Edgewood Road.

Ms. Blundi stated this is something they have been looking into for quite some time, and she thanked Mr. Fiocco for working with the Township on this. She stated they know that this is a tremendous issue for the residents in the area. Ms. Blundi stated what she is most frustrated about is that they have to do all of this so that people will obey the speed limit.

Dr. Weiss stated Mr. Fiocco indicated that 25 miles per hour is the proper speed for stopping sight distance, and asked if that is so that they can safely make the right-in, right-out or does that mean that they could open it up for left-turn traffic. Mr. Fiocco stated they have stopping sight distance for 25 miles per hour which means that a driver going that speed who is paying attention on a road that is not wet would be able to stop before they would hit something. He stated this is for stopping sight distance which is a roadway design. He stated if you were designing a road that would be the minimum stopping sight distance on this particular road. He stated traffic engineers then go out to see if there is a hazard. He stated at an intersection stopping sight distance means when you pull out, another driver has the time to brake and stop before they hit the car. He stated in this case they are proposing a right-in, right-out and someone behind a driver who is slowing down to make a right-turn needs to pay attention as well so that they do not rear end that car. He stated this is also true for a driving coming over a hill; and if someone is pulling out into the intersection, the driver coming over the hill needs to be paying attention and slow down so that they do

not hit that vehicle. Mr. Fiocco stated it is the person going too fast on Edgewood Road that is causing the accident. He stated while they do have stopping sight distance for 25 miles per hour which would allow a left-turn movement going in and out, drivers are going close to 40 miles per hour so they would not be able to open it up to left-hand turns. He stated he feels they will have to do significant work in order to get the sight distance to a point where they could allow left-hand turns in and out of Sandy Run Road.

Chief Coluzzi stated even if they had a 25 mile per hour speed limit they would not create an intersection along that roadway that would give adequate intersection sight distance because they have to go by the 85 percentile. Mr. Fiocco stated they have to go by the 85 percentile, and they also have to get intersection sight distance. Mr. Fiocco stated if they were designing a new intersection, they would need to make sure that there is enough sight distance. He stated they take the 85th percentile to see what the vehicles are traveling, and then they look at intersection sight distance which is significantly more than stopping sight distance and it should be based on the 85th percentile or the posted speed limit whichever is higher. Chief Coluzzi stated the 85th percentile is always higher than the posted speed limit, and Mr. Fiocco agreed.

Dr. Weiss asked if this proposal slows the traffic enough so that the 85th percentile is 29 miles per hour, and they decide to make this permanent, would Mr. Fiocco be comfortable if the 85th percentile were 30 miles per hour for right-turn in and out only. Mr. Fiocco stated he would not, and he would recommend that additional efforts be made to try to get drivers down to 25 miles per hour or take additional efforts to increase the sight distance so that it meets the 30 miles per hour. He stated they do not want to get people going 45 miles per hour again, and they want to get them down to 25 miles per hour. He stated if they can only get them down to 30 miles per hour, they need to try to get the stopping sight distance up to meet 30 miles per hour. Dr. Weiss stated they could phase more traffic-calming measures in as time goes by if the Board decides this proposal is what they want, and Mr. Fiocco stated that would be his recommendation.

Mr. Harold Kupersmit asked why they would not put in a traffic light. Mr. Fiocco stated they need to meet Warrants to put up a traffic signal; and even though he has not counted Sandy Run, he does not believe that there is enough traffic to justify a traffic signal. Mr. Kupersmit asked why they would spend \$4 million if there is not enough traffic, and Mr. Ferguson stated it would be \$500,000 for what is currently being proposed and not \$4 million. Mr. Fiocco stated the \$500,000 is their best guess for the cost of construction for the proposal.

Ms. Sue Herman, Boxwood Drive, stated she agrees that a roundabout at Mill Road will slow traffic. She asked Mr. Fiocco what he feels realistically the speed of the traffic will be once it crosses the Railroad tracks going toward the Schuyler Road roundabout. Mr. Fiocco stated he is hoping that when they go over the Railroad tracks where there is the Quiet Zone narrowing and then continued narrowing because of the physical barrier keeping drivers from making a left in and out of Sandy Run, that the speed will be close to 25 miles per hour. He stated coming to the roundabout the speed should be 20 to 25 miles per hour to get into the roundabout and yield; and the way they are designed, it forces a driver to go slower. He stated he hopes that once drivers come out of the roundabout because of the narrowness with the physical barriers, they will stay close to 25 miles per hour. Ms. Herman asked what other traffic-calming measures they might be able to put in if the drivers are above 25 miles per hour. Mr. Fiocco stated they can try physically narrowing the road or give the appearance of narrowing with striping. He stated they could also have a sign showing the speed limit of 25 miles per hour which also shows the speed being traveled by a car going by. Chief Coluzzi stated street markings, he signage, and speed signs are probably the only things that could go in there. He stated does not feel they could have speed tables or something similar since they are too close to the Railroad.

Mr. Fiocco stated they also need to consider that anything that is installed will need to be maintained by the Township so they would not want to put more in than necessary. He stated if the roundabouts solve the problem that would be great; however, if they do not, they then have to weigh out the options incrementally and try to get the speeds down. Ms. Herman stated she understands Mr. Fiocco believes that something will succeed; and Mr. Fiocco stated he does, but if it does not, they will have to have a blend of getting better sight distance while keeping the speed of drivers as low as possible. Mr. Fiocco stated if they cannot get the drivers below 40 miles per hour, then the speed limit should not be 25 miles per hour. He stated engineers set the posted speed limit as close to the 85th percentile as possible. He stated if they want the speed to be 25 miles per hour they need to physically invest in the road to get the speed down to 25 miles per hour.

Ms. Herman asked how confusing will it be for drivers on Schuyler Road when there is a truck that wants to go over the middle of the mini roundabout. She asked how drivers will know that the truck will be doing that. She asked if there will be signage that says that if there is a truck coming, cars must wait and give the truck the right-of-way. Mr. Fiocco stated if a car pulls up and a truck is there, the driver of the car should stop and let the truck make the movement through the roundabout. He stated there is a learning curve. He stated roundabouts are used all throughout Europe and drivers there are used to driving them. He stated it

makes more sense to control traffic using a roundabout as opposed to a traffic light because it physically slows people down. He stated intersections are where a lot of accidents happen. Ms. Herman asked if trucks have to go over the median with a standard-sized roundabout; and Mr. Fiocco stated with a standard roundabout a truck would have to over the median, but not the total median. He stated with a standard roundabout, there is a center island that no one runs over, but there is an apron that a truck would go over. He showed a slide of a mini roundabout showing how a truck would go over the center island. He stated this also forces the trucks to slow down because they have to mount the apron.

Chief Coluzzi stated he understands that they cannot lower the speed on the roadway to less than 25 miles hour, but he asked if they could lower the speed limit approaching a roundabout. Mr. Fiocco stated they can recommend lower speeds; and there are signs that indicate that you must go counter-clockwise through the roundabout, and they could put an advisory sign that the speed limit is 15 or 20 miles per hour on that sign.

Mr. Chris Yasinsac, 252 Reading Avenue, thanked the Board for continuing to pursue a way to rectify this reasonably. He feels what has been proposed makes sense, but he also asked if they have considered recessed rumble strips. He stated he has seen these in his travels and they seem to work well in slowing traffic down. Mr. Fiocco stated that is something that they could consider in trying to get the speed lower. Mr. Yasinsac noted some areas locally where these can be seen. Mr. Yasinsac stated he has also seen the traditional traffic signs with radar built in which have flashing speed limit signs, but they do not seem to work as well as the ones where if you exceed the speed limit, there is a red and blue flashing light on top which seems to slow down the traffic. He stated he has seen them on River Road and a number of other neighborhoods. He asked if something like that could be installed prior to the Railroad tracks and eastbound on Edgewood as well. Mr. Fiocco stated he has seen those in other locations, and the red and blue does get the driver's attention. Mr. Fiocco stated with regard to the rumble strips, they need to consider residents in the area. Mr. Yasinsac stated he did consider that, and the closest neighbor seems to be past the ballfields behind Mill Road.

Mr. Yasinsac asked Mr. Fiocco if he has sat at the intersection of Edgewood and Sandy Run and looked eastbound since he has noticed that the bike path blocks the view of the traffic; and if that were to be shaved down, it would help with visibility. Mr. Fiocco stated this is a complicated intersection with the path, the Railroad crossing, and the amount of traffic which creates challenges.

Mr. Adrian Costello, 2122 N. Crescent Boulevard, stated he likes the idea of the traffic circles; and if this works at this location, they may want to consider them at other locations in the Township. He stated his concern is with a freight train coming through people will still try to turn left onto Sandy Run Road if there is no one coming from the Township down Edgewood. Chief Coluzzi stated they did discuss putting in some kind of barrier to prevent that, and there will be signage as well.

Mr. Costello stated last April they paused the project they were discussing at that time because PennDOT was doing a survey at the bridge, and PennDOT had indicated it would be a two to five-year timeframe to replace the bridge. He stated now it seems the timeframe has changed. Mr. Ferguson stated when the Township first met with PennDOT they gave the timeframe of two to five years which was a surprise; however, when they met with them subsequently, they indicated it would be five to ten years which is what he would have expected initially. He added that five to ten years often turns into ten to twelve years or even longer. He stated once the project was put on pause the Board, the Chief, and he agreed that recognizing some of the problems they had with this project that they should reach out to a separate, independent traffic engineer to look at the proposed design and give the Township their thoughts.

Mr. Ferguson stated Mr. Fiocco came back and expressed his concerns about moving the road 94', and indicated that moving it would still not solve the problem of how fast traffic is going; and that it would not be an ideal movement, particularly the left-hand turns. Mr. Ferguson stated they felt that while they were waiting to find out about the bridge, they would ask Mr. Fiocco to consider some options if it was going to be a ten to twelve year wait for the bridge, that would allow them to open the road on a reasonable timeframe and something that the Township could afford. Mr. Ferguson stated Mr. Fiocco came up with this limited opening roundabout being discussed this evening.

Dr. Weiss stated they will revisit this over the next few meetings, but they wanted to make sure that the residents understood that there is an option for a limited opening.

Mr. Ferguson asked Mr. Fiocco if the Board decided that this was an option that they wanted to pursue, understanding that this is an interim measure and the Township may have to do more things, what would the construction timeframe be in terms of working with the Township engineer and coming up with specs to bid this project out. He asked if it would be one construction season to get this in. Mr. Fiocco stated he feels it would be one construction season. He added the most complicated work is going to be at Mill Road where there is a lot of widening/relocating of the intersection needed. Mr. Ferguson asked if it would be a six-month period to build that; and Mr. Fiocco stated he believes so once it is

designed, and there is a contractor on board. Mr. Lewis asked if the construction project were to start in March, how far back would they have to go for final design and approvals. Mr. Fiocco stated they have an option to do a design/build or a design/Bid/build. Mr. Pockl stated if they want to begin construction in March, they would want to put it out for Bid in January or even before that. Mr. Ferguson stated they could make it a May to November build, and Mr. Pockl agreed.

Mr. Lewis asked if there would be any synergy in including this project in the 2020 Road Bid or should it remain separate. Mr. Pockl stated he feels it should be a separate entity since there are other factors that are required outside of the standard Road Program.

Dr. Weiss asked if the Board decided to proceed with this proposal, would they be able to integrate this project with the Quiet Zone remediation. Mr. Ferguson stated he believes this project would have different components to it regarding the median and the quadrants that are in that project itself. Mr. Lewis stated there is pending litigation, and Mr. Truelove stated he does know that they could factor that in at this time based on the status of the current litigation.

Dr. Weiss stated they will revisit this matter at a later date.

SOLICITOR'S REPORT

Mr. Truelove stated that the Board met in Executive Session starting at 6:45 p.m. and items related to Contracts, informational items, and Collective Bargaining were discussed.

APPROVE ADOPTION OF ORDINANCE NO. 421 PROVIDING INSPECTION AND REPAIR OF PRIVATE SANITARY SEWER LATERALS

Mr. Truelove stated this matter has been publicly reviewed a number of times, and it has been duly advertised.

Ms. Blundi moved and Mr. Lewis seconded to adopt Ordinance No. 421 providing inspection and repair of private sanitary sewer laterals.

Mr. Ferguson stated Mr. Lewis previously brought up a concern he had, and this Ordinance does have the two-year window so that if a house sells and it sells again, there would be a two-year Certificate. Mr. Truelove stated this is included under the

Certification definition. Mr. Lewis stated he also had a list of some other minor items, but they have all been taken care of so he would be ready to proceed at this time.

Mr. Harold Kupersmit asked how much this will cost the taxpayers. Mr. Lewis stated this applies to those selling their property, and an inspection is required to make sure that the sewer lateral is in working order. Mr. Ferguson stated this is similar to what happens when a homeowner has a home inspection before a house is purchased and they identify potential issues before the sale takes place. He stated in this case it is for the sewer lateral. He stated at the next Board meeting the Board will acknowledge Bids that are received for the televising of the laterals; and while property owners would not be obligated to use these firms, they could if they chose to do so. He stated he anticipates that the cost of the lateral inspection would be approximately \$125. He stated at the meeting on December 18, the Board will also be considering passing a Fee that would be paid to the Township for review of the inspection and to Certify that the lateral is clear from any problems. He stated this is a protection for both the buyer and seller. He stated he estimates that Fee will be approximately \$100 as well.

Mr. Truelove stated the hope is that by doing this inspection and making any needed repairs, it will also lower the I & I which should help with sewer rate increases.

Mr. Ferguson stated this is a mandate of DEP, and Lower Makefield Township needs to pass this Ordinance as this is one of the requirements of the 537 Plan. He stated this requirement will inevitably be for every community in Bucks County.

Mr. Kupersmit asked how the 537 Plan conflicts or complements the Board's decision whether to keep or sell the sewer system. Mr. Ferguson stated the lateral inspection is a requirement; and regardless of who owns the system, this will be a requirement everywhere in Bucks County.

Mr. Kupersmit asked where the Board is in its decision on whether or not to keep or sell the sewer system. Mr. Ferguson stated the Board approved a Motion to hire PFM and more recently legal counsel to assist with the process of creating a Purchase Asset Agreement which would be put out for RFP for companies to respond to, and the Board could make a decision based on those whether to sell or not to sell. He stated with regard to a timeframe, he would estimate that process is four to six months away. Mr. Kupersmit asked if the Board has a strategy to keep the Sewer bills under \$200 a month which is where they are headed. Mr. Ferguson stated it had been estimated in a prior presentation that with the increase that has been recommended that the average sewer bill would be \$222 a quarter not a month. He stated that would be based on 14,000 gallons of water usage which is what the average Sewer bill is based on. He stated those costs are based on the seven-year outline for improvements that

Lower Makefield is mandated to make that have been quantified. Mr. Kupersmit asked where Mr. Ferguson is getting the number from since he just paid his bill, and it was \$278 a quarter. He stated this is an expensive endeavor, and he does not feel they are looking into everything they can to save the taxpayers money because they are headed to \$200 a month.

Dr. Weiss stated while he understands Mr. Kupersmit's comments, they are not appropriate for the Motion being considered as the question is passage of the Sewer Lateral Ordinance.

Mr. Sol Bress, 649 Teich Drive, asked the definition of an apartment complex as it related to the proposed Ordinance. He stated it reads: "A building or a group of buildings that contain four or more units." Mr. Bress stated Heacock Meadows was built as a quad even though each side is owned by separate owners, and he asked if that would fall under the definition of an apartment complex. Mr. Ferguson stated he believes apartments as outlined talk about it not being done at the time of a sale, rather it would be on a timeline the same way that it would be for a Condominium Association. Mr. Ferguson stated there would be a certain year that televising would take place which would be every ten years, and it would not be a point of sale if they are rental apartments. Mr. Truelove stated that would especially be if there is an HOA or some other organization that has some oversight.

Mr. Bress stated in the case of Heacock Meadows the duplexes have four units, and they are not condos. He stated they are Fee Simple, but according to this definition they would qualify as an apartment complex. Mr. Truelove stated he believes it would not qualify as a single-residence type situation and they would go through the ten-year cycle. He asked if Heacock Meadows has an HOA. Mr. Bress stated the condominium portions of Heacock Meadows do have an HOA. He stated Heacock Meadows was built in two stages – one as a condominium and others as Fee Simple duplexes with no Homeowners Association. He stated some of the duplexes are owner-occupied and some are rented.

Mr. Ferguson stated while the Sewer engineer is not present this evening, he felt that Heacock Meadows had representation at the meetings with the Sewer engineer. Mr. Bress stated what he is referring to are the duplexes at Heacock Meadows which are not part of the Association. Mr. Truelove stated if they are Fee Simple, he feels that they would probably have to go through this process at the time of sale. Mr. Ferguson stated those that are part of a Condominium Association would be on a ten-year cycle, where one year the televising would take place, and in subsequent years any improvements deemed necessary as part of the inspection would need to be done. He stated they would then repeat the process every ten years.

Mr. Bress stated he now understands that the duplexes would fall under the Residential requirements, and Mr. Truelove stated that would be his understanding. Mr. Ferguson stated he would defer to the solicitor and Sewer engineer on this, and he suggested that Mr. Bress contact him tomorrow to clarify this.

Motion carried unanimously with Mr. Grenier participating by phone in favor of the Motion.

PROJECT UPDATES

Multi-Use Trail

Mr. Ferguson stated the former traffic engineering firm, TPD, had put together a Plan for a multi-use trail that goes around Caiola Field and other areas. Mr. Ferguson stated they are in the midst of getting PennDOT approvals, and he expects that he will be getting back to the Board shortly with a specific project timeline to hopefully Bid this out next year. He stated they will provide the updated design to the Board and the public. Mr. Ferguson stated TPD, the Police Department, and Park & Rec have been working on this. He stated he hopes that this trail will be a 2020 project. He stated a significant portion of the funding is coming from a Grant. He stated it is approximately one mile of trail that will be added to the area.

2020 Budget Discussion

Mr. Ferguson stated at the December 18 meeting, they will be considering the Final Budget. He stated there are some updates to be made and these will all be provided in advance of the meeting and the update to the Preliminary Budget will go out the Friday before the December 18 meeting. He stated they will also put this on line.

APPROVE RELEASE OF ESCROW CONTINGENCY FOR 109 OVINGTON ROAD

Mr. Pockl stated this was brought to the Board previously but they did not have the exact amount of the Release at that time. Mr. Pockl stated the final amount is \$1,098.32.

Mr. Lewis moved, Ms. Blundi seconded and it was unanimously carried to release the remaining cash Escrow balance in the amount of \$1,098.32 for 109 Ovington Road. This is the final release. Mr. Grenier participated by phone in favor of the Motion.

APPROVAL OF PRELIMINARY SUBDIVISION AND LAND DEVELOPMENT OF ERIN DEVELOPMENT DOBRY ROAD AGE-QUALIFIED COMMUNITY

Mr. Edward Murphy, attorney, and Mr. Mike Engleton, engineer were present.

Mr. Truelove stated this property is on the north side of Dobry Road across from the Caddis Development; and some of the proposed public improvements will be done in conjunction with the Caddis Development.

Mr. Murphy stated this project has been in front of various Boards and Commissions in the Township for seven years. He stated the first fully-engineered Plan was submitted approximately five years ago. He stated the five years was preceded by a couple years presenting various Sketch Plans. He stated over the years the scope of the project has changed, and at this point the Plan that has received the endorsement of various Planning Commissions and other consultants to date. He stated the Plan is for seventy-six quad, age-qualified units.

Mr. Murphy stated the property is on the north side of Dobry Road across the street from the Caddis project that is now under construction. Mr. Murphy stated one of the largest issues that had been the subject of a lot of discussion over the years was what would be done with Dobry Road. Mr. Murphy stated as a result of the Caddis and Erin projects, Dobry Road will be entirely reconstructed from its terminus at Oxford Valley Road all the way back to the Railroad crossing. He stated the cost allocation is being split between Erin and Caddis. He stated the design has been in place for some time.

Mr. Murphy stated tonight they are only seeking Preliminary Plan approval and not Preliminary/Final. He stated multiple review letters have been issued and there have been ongoing discussions with the Township staff. He stated Mr. Truelove produced this afternoon a draft of an Approval letter which the Applicant has had an opportunity to review, and they effectively have no issue recognizing that this is a Preliminary Plan; and there are some other details that continue to be resolved with the Township that would be incorporated into the Final Plan. Mr. Murphy stated they are familiar with the letter that arrived yesterday from the EAC, and he understands that the Township staff has responded to it, and the Applicant has responded to it through the Township staff as to how they are being addressed and resolved with respect to the stormwater and the Tree Replacement Ordinance. Mr. Murphy stated the Plan shows that their obligation to replace trees is at 160, and the Plan currently shows 205 replacement trees so for this project, the Tree Replacement Ordinance is not an issue. He stated Mr. Pockl would be able to address any lingering questions about stormwater.

Mr. Murphy stated they already have an NPDES Permit which is confirmation from DEP that they are managing and complying with the Township stormwater requirements. He stated he know that the EAC letter included a specific question that Mr. Pockl would be in a position to comment on.

Mr. Pockl stated the EAC letter had asked the Applicant to demonstrate that they are meeting the Township's water quality volume requirement which is for the two-year storm, and they cannot increase any volume or run off, off of the property in the two-year storm. Mr. Pockl stated the Applicant has submitted calculations to his office of available storage volume either in rain gardens, infiltration trenches, or within the basins that demonstrate that they are exceeding the storage volume for the two-year storm; and it is his opinion that the Applicant is in compliance.

Mr. Lewis asked if the Stormwater Plan changed at all from when they received the NPDES Approval; and Mr. Engleton stated he is not certain as the latest Plans were updated in June, and the NPDES Permit they have was from April so they could have changed. He stated they are obligated to provide updated Plans to the Conservation District for their review; and if there are any subsequent requirements based on any Plan changes, they will have to address those. Mr. Pockl stated to his knowledge the only thing that would have changed would have been the addition of several rain gardens and their underlying infiltration trenches; and what they are requiring is that before Final Plan approval there be additional infiltration testing within the area of the rain gardens to demonstrate that can recharge some volume.

Mr. Ferguson stated this is Preliminary approval and not Preliminary/Final. He stated there is still time to make sure everything complies.

Mr. Truelove stated there are several Waivers that have been requested that have been recommended to be approved, and most of them are technical items and have been vetted by Mr. Pockl and Mr. Majewski. He stated even though this is only Preliminary Plan, steps have been made already to accomplish a lot between the Parties.

Mr. Murphy stated Mr. Truelove's letter lists a number of Waivers, and Mr. Pockl has supported most of them as well as partial Waivers; and the Applicant has agreed to address the reasons why only a partial Waiver would be appropriate. He stated the Applicant has no issues with the Township engineer's position.

Mr. Murphy stated Mr. Mike Quinn is present this evening, and he lives next to the property. He stated Mr. Quinn had a concern about his ability to connect to the public Sewer, and they advised Mr. Quinn that the next set of Plans will reflect that

they will provide a Sewer lateral connection for Mr. Quinn who is on the development's side while the Sewer will be on the other side; and the Applicant will bring it across through their project and provide a point of available connection for Mr. Quinn to connect. Mr. Murphy stated another neighbor, Mr. Shennard, is also present this evening; and he had asked questions prior to the meeting about various aspects of the Plan. Mr. Murphy stated there will be another opportunity for everyone to comment again when they get to the Final Plan.

Mr. Truelove stated Mr. Majewski has indicated that one of the requirements that they are asking the Applicant to comply with is set forth in the Ebert review letter Item #3 which indicates: "The design of the sanitary Sewer system must provide laterals for all adjacent properties. The developer must extend laterals across Dobry Road and install a cap to mark the sanitary Sewer lateral at the edge of the right-of-way of Dobry Road at each existing property."

Mr. Mike Quinn, 1654 Dobry Road, stated he believes everything has been settled. He stated it was not on the current Plan, and he understands they will re-do the Plan to show that.

Mr. Lewis asked if there is a rendering of the facades; and Mr. Murphy stated while they do not have them this evening, they had presented them previously. He stated once they reached a consensus that they could do a single-use quad, they had provided elevations; and Mr. Lewis in particular had requested that there be some variation as to color schemes, etc. Mr. Murphy stated they could bring those back at the Final Plan.

Mr. Lewis stated he understands they will revise the stormwater information, and Mr. Murphy stated once they received Preliminary Plan approval they will prepare and submit Final Plan and incorporate all of Mr. Pockl's comments.

Mr. Lewis stated with regard to the Tree Ordinance, this particular developer is the beneficiary of "some amazing Corporate welfare, perhaps the largest." Mr. Murphy stated this Applicant is complying with the Township's Ordinance. Mr. Lewis stated if "there should be a case of where we have to bill collect when a developer has not paid certain funds related to developments, they will follow up with them." Mr. Ferguson stated "they are clean." Mr. Lewis stated they need to be "clean" before Final approval. Mr. Ferguson stated they will check any project to see if there is anything else; however, the previous one that was discussed was six to eight months ago.

Mr. Zachary Rubin asked if they plan on putting a traffic light at the intersection of Dobry and Oxford Valley Roads, and Mr. Murphy stated they do not. Mr. Rubin asked if with the reconfiguration of Dobry Road the intersection will have a different look, and Mr. Murphy stated it will not. Mr. Rubin stated there is a sign in the area for 2.2 acres for sale, and he asked where that property is in relation to the Erin Development project; and Mr. Murphy stated the property that is for sale is at the northwest corner of Oxford Valley and Dobry Roads, and it has nothing to do with the Erin Development. Mr. Rubin asked if there are any recreational amenities proposed with the Erin Development project, and Mr. Murphy stated there are. Mr. Engleton showed on the Plan the location of some recreation amenities in the southwest corner including bocce courts and a sidewalk along the frontage up to the bocce courts. He stated to the north side there is a community garden at a location he showed on the Plan as well as a gazebo. Mr. Rubin asked if this will be a gated community, and Mr. Murphy stated it will not. Mr. Rubin asked if it will be a Condominium community, and Mr. Murphy stated he believes it will be Fee Simple, and there will be an HOA.

Ms. Blundi moved and Mr. Lewis seconded to approve the Preliminary Subdivision and Land Development of Erin Development, 1685 Dobry Road, Tax Map Parcel #20-012-028 for Plans dated 1/27/15, last Revised 6/28/19 subject to the following Conditions:

- 1) Applicant shall comply with the Lower Makefield Township SALDO Ordinance and the Zoning Ordinance and all applicable State and Federal Ordinances, Statutes, and/or Laws;
- 2) Where applicable receipt of all Permits, authorizations, and/or approvals from all agencies having jurisdiction including but not limited to the Pennsylvania DEP and the Bucks County Conservation District;
- 3) Compliance with the Remington & Vernick Engineers 8/7/19 review letter and any supplements to same;
- 4) Compliance with the 9/20/19 Ebert Engineering review letter regarding Sewer and related issues and any supplements to same;
- 5) Compliance with the 3/1/19 TP & D Inc. review letter and any supplements to same;

- 6) Compliance with the 7/10/19 Lower Makefield Township Police Department Traffic Safety review memorandum from Thomas M. Roche, Traffic Safety Officer, and any supplements to same;
- 7) Compliance with the 5/13/15 Bucks County Planning Commission memorandum and any supplements to same;
- 8) Compliance with the 7/20/19 review letter from James V. C. Yates, Fire Protection Consultant, regarding fire protection and related issues and any supplements to same;
- 9) Compliance with the 10/11/19 Lower Makefield Township Planning Commission approval letter with specific comments related to same;
- 10) Compliance with the 9/14/19 review letter from the Lower Makefield Township EAC and any supplements to same;
- 11) Waivers to be approved are as follows:
 - a) Section 178-13B Sub 3b
 - b) Section 178-20.A Sub 8 – Partial Waiver
 - c) Section 178-20 B Sub 9 – Partial Waiver
 - d) Section 178-20.C Sub 9 – Partial Waiver
 - e) Section 178-20.E Sub 11
 - f) Section 178-20.E Sub 29
 - g) Section 178-20.F.1
 - h) Section 178-42.A
 - i) Section 178-44.I
 - j) Section 178-47.A – Partial Waiver
 - k) Section 178-56.A
 - l) Section 178-56.C
 - m) Section 178-58.A
 - n) Section 178-59. A and BI
 - o) Section 178-80
 - p) Section 178-93.F Sub 3, Sub B
 - q) Section 178-20G Section B2A2B – Partial Waiver or more complete satisfaction needed
 - r) Section 178-20G Sub Section B2H
 - s) Section 178-20G Section B3D8

- t) Section 178-40.C – Partial Waiver
 - u) Section 178-93 B2A – Partial Waiver
 - v) Section 178-93.B2B
 - w) Section 178-93.B3B1 – Partial Waiver
 - x) Section 178-93.D11 Sub E
 - y) Section 178-93.D11 Sub F
- 12) Where applicable, Applicant shall comply with all appropriate authorities responsible for the approval of the proposed utilities;
- 13) Applicant shall pay the required and appropriate Fees associated with this project.

Mr. Murphy agreed to the Conditions.

Mr. Lewis stated he will reluctantly vote in favor of this Motion, and he hopes that everything will be cleaned up before Final approval.

Motion carried unanimously with Mr. Grenier participating by phone in favor of the Motion.

OTHER BUSINESS – SAFE ENGINEERING INSURANCE

Mr. Truelove stated SAFE Engineering had been appointed as the Township traffic engineer. He stated during the development of the RFP process, the RFPs that went out to all of the engineers had a rather substantial Liability Insurance requirement of \$10 million in Liability coverage. He stated it has been determined that a lot of places do not have that kind of coverage because the exposure for the kind of work they do does not necessarily require that. He stated SAFE Engineering was appointed primarily to do Plan review and a little bit of design and not some of the other work that was included in the scope in the initial RFP which would have included environmental services and regulatory agency interaction. He stated while SAFE would have regulatory agency interaction with PennDOT, they would have a limited scope compared to the RFP. Mr. Truelove stated it is appropriate to recommend that the higher insurance limits be lowered in this particular case, and the recommendation is to limit it to \$2 million. Mr. Truelove stated this has been

discussed by the Board and others. He stated the amount they are talking about is commensurate with insurance liability for other engineering firms that provide even greater services.

Mr. Lewis moved and Ms. Blundi seconded to waive the RFP required Liability Insurance limit for SAFE Engineering as Township traffic engineer with the proviso that SAFE maintain \$2 million of Liability coverage, name the Township as an additional insured, and that SAFE's services are limited to Plan review, traffic design, and related services.

Ms. Blundi stated that Mr. Ferguson had the opportunity to speak to other Townships, and this is consistent with what the standard is. Mr. Ferguson agreed that for most of these services it is \$1 million to \$2 million.

Motion carried unanimously with Mr. Grenier participating by phone in favor of the Motion.

SUPERVISORS REPORTS

Mr. Lewis stated he understands that the Farmland Preservation Corporation reached out to Mr. Ferguson as they are looking for a place to store digital information; and rather than have a service that is outside of the Township's control, he had suggested that they get a Township e-mail address so that they could store things on One Drive. Mr. Ferguson stated he would have to look into that since there are only three members of Township staff who have access to directly enter that information in. Mr. Lewis stated everyone who has a Township e-mail has a One Drive provision. Mr. Lewis stated they just want to add documents. He stated they need to store documents for the Corporation. Mr. Ferguson stated when Farmland Preservation reached out to him it was indicated that they wanted the Township to scan, upload, and manage that for them; and he indicated that the Township already does Minutes for them and assigns a staff person to do that for them. He stated it had been suggested that possibly a summer intern could scan everything for the Corporation, but his understanding was that the Corporation wanted the Township to manage this going forward. Mr. Ferguson stated he does not have a problem with this if the Corporation wants to manage it themselves. Mr. Lewis stated he was not suggesting that the scanning be done by Township staff, and he felt it would be more a repository for their data so that it stays within the Township.

Mr. Ferguson stated there may a question about that legally since the Farmland Preservation Corporation is their own 501C3 entity, and he questions if they should be storing their information with the Township. Ms. Blundi stated she feels there should be more discussion about this. Mr. Ferguson stated when he was contacted by the Farmland Preservation Corporation he had indicated that he did not know that he would have the staff to manage that going forward, and that he would also have to discuss the protocols and practices with the Board of Supervisors.

There being no further business, Mr. Lewis moved, Ms. Blundi seconded and it was unanimously carried to adjourn the meeting at 10:05 p.m.

Respectfully Submitted,

Frederic K. Weiss, Vice Chair