

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – AUGUST 17, 2022

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on August 17, 2022. Mr. McCartney called the meeting to order at 7:30 p.m. and called the Roll.

Those present:

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

Others: Kenneth Coluzzi, Interim Township Manager
 James Majewski, Community Development Director
 David Truelove, Township Solicitor
 Joshua Seeherm, Township Engineer

COMMUNITY ANNOUNCEMENTS

Mr. McCartney stated during this portion of the Agenda residents and youth organizations may call in to make a special announcement or may contact the Township to request a special announcement be added to the Agenda.

Mr. McCartney stated the Lower Makefield Township Farmer's Market is back at Charlann Farms. They will be there every Thursday from 3:30 p.m. to 6:30 p.m. through September.

Mr. McCartney stated Community Day is Saturday, August 27th at 12:00 p.m. There are more food trucks than ever, live music, 3v3 basketball tournament, a variety of vendors, and free rides and activities will also be available. The night is capped off by full sky fireworks at dusk. Ms. Blundi stated they are looking for student and adult volunteers to help at Community Day, and those interested should contact the Park & Recreation Department.

Mr. McCartney stated Lower Makefield Township's Park & Recreation Department will be hosting Zumba After Dark with Sandy & Jeanine. This event will take place on Friday, September, 16, 2022 at 8:00 p.m. at the LMT Pool parking lot, 1050 Edgewood Road, Yardley, PA 19067. You can register at capturepoint.com.

Mr. McCartney stated September 18, 2022 is the 19th Annual 911 Garden of Reflection 5K Run/Walk at Memorial Park. This race benefits the Lower Makefield Township Garden of Reflection Endowment Fund. To register go to www.9-11memorialgarden.org.

Mr. McCartney stated the EAC will be hosting a lecture series Thursday, September 22 and Thursday, September 29 about electricity called “You Flip the Switch and the Lights Better Come Back on! How the Electricity Gets From the Generator to the House.” Ms. Blundi stated resident, Lee Pedowicz will be leading that discussion based on his years of experience in the electrical industry.

Ms. Blundi thanked all the residents who came out to the Blood Drive. She stated this was the second Blood Drive the Township hosted this year, and the next one will be held on November 23, 2022.

APPROVAL OF MINUTES

Mr. Grenier moved, Ms. Blundi seconded and it was unanimously carried to approve the Minutes of August 3, 2022 as written.

TREASURER’S REORT

Approval of July, 2022 Interfund Transfers

Ms. Blundi moved, Dr. Weiss seconded and it was unanimously carried to approve the July, 2022 Interfund Transfers in the amount of \$845,135.56 as attached to the Minutes

Approval of Warrant Lists from August 1, 2022 and August 15, 2022

Ms. Blundi moved and Dr. Weiss seconded to approve the Warrant Lists from August 1, 2022 and August 15, 2022 in the amount of \$1,420,907.47 as attached to the Minutes.

Mr. Grenier asked where he could find what is being paid monthly to contractors, and Chief Coluzzi stated that would be under Contracted Services which is broken out by contractor.

Motion carried unanimously.

ENGINEER'S REPORT

Mr. Seeherm stated the Woodside Road bike path, Maplevale Part 1, and the South Drive culvert are out for Bid; and the Administration Building will be going out for Bid shortly. He stated the Road Program is ongoing, and he will be checking on their progress tomorrow as there were some concerns about the construction of some of the ramps.

PARK & RECREATION UPDATES

Schuyler Update

Ms. Tierney stated with regard to the core boring results, it was found that there was no sub-base underneath the tennis courts, so this will be a bigger project than was felt earlier as a sub-base will have to be included in the project.

Mr. Grenier stated this is a major addition to the scope of the project, and he assumes they will be providing an updated cost estimate; and Ms. Tierney agreed. Mr. Grenier asked what was the original estimate, and Ms. Tierney stated it was \$300,000. Mr. Grenier stated this will be a significant increase adding that this was to be funded with Sewer proceeds. He stated we may have to update our Motion.

Mr. Seeherm stated there was an updated estimate today from the COSTARS consultant in the amount of \$378,000. Dr. Weiss stated he believes the original quote was around \$340,000; and since this is over the contingency limit, we will most likely have to re-visit the allocation.

Mr. Bill Gaboda, 1230 Ash Lane, asked if there are any Grants that the Township can apply for that would help with the cost of this project. Ms. Tierney stated while they could apply for Grants, it would probably take over a year to get through that process; and this is a more urgent matter because the courts are closed.

Mr. Grenier stated it would be up to the Board to make that determination. He stated he believes that there is a Board majority that wants to move forward with this although he personally had asked that we go for Grants. He stated he does understand the importance of moving forward.

Ms. Blundi stated generally Grants are not offered for repairs, and they are offered generally for new projects.

Mr. Grenier stated we may be able to use some of the Federal funding “we got from COVID” because there is some ability to use those funds for Park & Rec-related issues to “get people outside and for healthy living.” He stated there may be other opportunities besides the Sewer funds. Chief Coluzzi stated those funds are permitted to be used for that; however, they have discussed other expenditures for the American Relief money/COVID funds, and we need to keep an accounting of this to see what is left.

Caiolo Update

Ms. Tierney stated the residents met at Caiola and the primary concern was being able to see the light and night views being “ruined” by lighting the fields. She stated they discussed potential options, the changes in lighting, and monitoring the time. She stated the residents also discussed potential tournaments. Ms. Tierney stated she feels they might want to consider a landscape design for a buffer for the residents along Oxford Valley Road as part of the project.

Ms. Tierney stated they are looking to do another drone test. She stated originally they were going to do it the end of August; however, the residents indicated people may be away in August, and so it is going to be pushed back to September when the leaves are starting to fall, and fall baseball is taking place which she feels would be a better time for the residents to get a visual on the drone. She stated once a date is determined, she will send letters to the residents.

Ms. Blundi asked if the field to be lit will be the field closest to Mill Road, and Ms. Tierney stated it will be the field closest to the Community Center which is the second field in from Oxford Valley Road. It is one in from the water tower.

Mr. Grenier asked if there has been an update as to the needs assessment and what the League plans to use the field for, how often, etc. which would necessitate the need for the lights. Ms. Tierney read the e-mail she received from PAA just prior to tonight’s meeting which she will provide to the Board. Mr. Grenier stated it seems that the need for the lights is mostly for fall ball for eleven and twelve year-olds and spring ball for seven to twelve year-olds;

and Ms. Tierney agreed. Mr. Grenier stated he understands that approximately 35% are non-LMT residents; and Ms. Tierney agreed adding that includes Travel and “regular participation merged together.” Mr. Grenier stated he does not see the need to put up \$300,000 worth of lights for “a couple of games for eleven and twelve year-olds in the fall.” He stated he does not see the need given that most baseball is played in spring and summer.

Mr. McCartney asked if they struggle with finishing games in the spring and early summer because of loss of daylight; and Ms. Tierney stated it is because of loss of daylight and rain. She stated they have difficulty because of having to re-schedule games and practices, and having additional time with the lights would help them get those practices and games in.

Mr. Grenier stated the Macclesfield review that we are going to do may give more access to fields because one of those fields doubles up as a soccer field; and Ms. Tierney stated that is Macclesfield H. Mr. Grenier stated they may be able to take advantage of that field which is already lit. Mr. Grenier stated he would like to go through that study first before we commit to \$300,000 worth of lights.

Mr. Lewis stated with regard to a buffer, he asked if those plans would be drawn up with estimates from the Tree Bank prior to the next drone flight. Ms. Tierney stated while she could try, she is not sure she would have enough time to do that. Mr. Lewis stated prior to beginning the project, there could potentially be a planting program figured out; and Ms. Tierney agreed. Ms. Tierney stated the residents were concerned that leaves would fall off during the time the lights would be on so they would be looking at a variety of trees which would include evergreens. Mr. Lewis stated potentially the funding source could be the Tree Bank, and Ms. Tierney agreed.

Mr. Bill Gaboda, 1230 Ash Lane, asked that they pursue Grants for this project as that would be a good way to defray costs. Mr. Gaboda asked if the installation of the lights will fully comply with SALDO Section 178-53. Mr. Majewski stated as he noted at a prior meeting, his interpretation of is that this Section of the Ordinance pertains specifically to parking lots. He stated they will review this with the solicitor to see if we need to tweak the language to make it more specific so that there is no ambiguity. Mr. Gaboda stated there is a sentence that describes the lighting towers are to be a maximum of 20’.

Mr. Gaboda asked if there are any entries in the Code that would exempt athletic fields from compliance with that Ordinance. Mr. Majewski stated the Subdivision and Land Development Ordinance is clear in what it says, and the interpretation had been made in the past when lights were put on Field H at Macclesfield, which is the dual-purpose 90' baseball field and soccer field; and there was no approval given by the Board of Supervisors for those lights because the interpretation was that it was applicable to parking lot lights and not to field lighting. Mr. Gaboda stated the Macclesfield lights are not in compliance with the SALDO Section as it is written. Mr. Truelove stated the interpretation is that it does not apply. Mr. Gaboda stated they could then build "any height tower;" however, Mr. Truelove stated there are other factors that would contribute to the evaluation of that. He stated he does not believe that it is the case that you can build anything at any height. Mr. Majewski stated that is the ambiguity that needs to be cleared up. Mr. Gaboda stated he reviewed the 2017 Snipes Plan and saw that a Waiver was asked from that Section as noted by the Bucks County Planning Commission; and they had indicated that they would need to demonstrate need.

Ms. Erin Baker, 605 Saxony Lane, stated she lives behind the ballfields. She stated she was not present at the July 26 site visit but spoke to neighbors who went. She stated she appreciates PAA's response to the Township as it seems that they want to work with the neighbors. She stated her biggest concern is the pollution to the night sky as they enjoy sitting in their back yards, and she is concerned that the lights are going to diminish that experience and that there will be light pollution and noise pollution from the games.

Ms. Baker stated she also questions the actual need as she was told by neighbors who attended the meeting that there is a lit field by the Pool which is the same size field that they are hoping to light at Caiola. Ms. Tierney stated it is a softball field. Ms. Baker stated while she understands that, she has discussed this with people from PAA who indicated that they can convert it to the pitching mound needed for the boys. She asked if we need to spend \$300,000 on this, and if there is an actual need when there are resources available. She stated we should use what we have. Ms. Blundi asked where the girls would play softball. Ms. Baker stated she does not know if they have the same nighttime needs that "PAA seems to be advocating for." Ms. Baker stated she is a neighbor and does not want her night sky changed.

Mr. McCartney stated PAA runs the softball program as well, and Ms. Tierney agreed. Mr. McCartney asked if they have done an analysis based on softball needs versus baseball needs, and Ms. Tierney stated she would need to check

with them. Mr. McCartney stated he feels we should ask the new President of PAA, Matt Curtain, to come to the next Board of Supervisors meeting to answer the questions specific to usage and needs.

Mr. Mark Diretto, 599 Saxony, asked Ms. Tierney how many residents were present at the meeting; and Ms. Tierney stated there were four. Mr. Diretto stated that was not a “huge showing,” and he appreciates that Ms. Tierney is setting up something else. He stated he is not sure what the drone does for them as the feedback from the meeting was there was a little dot on the drone, and he does not know the value of doing that.

Mr. Diretto asked if there was also consideration of the noise that goes along with this, and he asked if there are studies that the Township has to do about the expected noise with baseball activity. Mr. McCartney stated he does not believe there is anything required. He added the point of the drone was to give the residents an observable point of the height of the light although it would not represent the light that would be illuminating from the lights. He stated if someone were at their property and could see the drone, they will be able to see the top of the light. Mr. Diretto stated he understands consideration is being given to a tall buffer, but he is not sure that they will be able to plant trees that are tall enough to block the light when the games start. Mr. McCartney asked Mr. Diretto if he can see the water tower from his back yard, and Mr. Diretto stated he can. Mr. McCartney stated he understands that the proposed lights would be below the height of the water tower so Mr. Diretto may or may not be able to see the top of the lights which will play into the light pollution and how much he will see at his house.

Mr. McCartney stated with regard to the noise, he does not believe that there are any studies proposed. He stated those fields are utilized now so he assumes it will be similar to what is being heard now. He stated if Mr. Diretto is hearing baseball games going on now from his home, he assumes he will hear them for years to come. Mr. Diretto stated the difference is that they are now talking about nighttime. Mr. McCartney stated the League indicated that they would not start games after 7 p.m. Ms. Tierney stated that would be for the weekdays, and on the weekends it would be 8 p.m. Mr. McCartney stated he believes that the PAA guideline is that they cannot go past two hours, and Mr. Truelove stated the last inning cannot start past the two hour mark.

Mr. Grenier stated he believes the closest Ordinance we would have on noise for that time of night would be the for construction activities where they have to “end at dusk on weekends and holidays.” Mr. Majewski stated we have a Noise Ordinance which limits the amount of noise from 10 p.m. to 6 a.m. Mr. Truelove stated that is also when the lights at Macclesfield automatically shut off no matter what the status of the game is. Mr. Majewski stated sometimes it goes later because power outages reset the clock, and the clock is off a little bit. He added the newer technology will take care of that.

Mr. McCartney stated the Pool closes at 9 p.m. He asked Mr. Diretto if he hears noise from the Pool at his home, and Mr. Diretto stated he does when there are races. Mr. McCartney stated based on the geographic location, Mr. Diretto’s home is near the Community Pool, five baseball fields, and an Elementary School. He stated a noise study is not part of the scope of work to be done.

Mr. Diretto stated with regard to a needs assessment, he heard that they “have solutions but they are inconvenient, and he feels this is an attempt to pass on the inconvenience with a big price tag.” He stated the homeowners are the ones being inconvenienced.

Mr. Diretto asked with regard to communicating with the Board of Supervisors, do they encourage e-mail communication since he knows e-mails were sent but were not responded to. Mr. McCartney stated the Board encourages any interaction through the Board meetings or e-mails. He stated the Board may not have the opportunity to digest an e-mail and get a response out as quickly as they should as that is a challenge considering this is a part-time position and most of the Board members have full-time jobs. He stated he feels the Board does a pretty good job of replying to resident inquiries. He stated they also include all of the Board members in their response. He stated if there was an e-mail that was not answered, he would answer it. Mr. Diretto stated his e-mail sent on August 1 was not responded to. Mr. Diretto stated part of the e-mail advised that there were a number of hand-outs provided to the three residents in attendance; and he feels that should have been distributed to those who were not able to attend. Mr. Majewski stated they are compiling a packet of information, but they have not had a chance to send that out yet. Ms. Tierney stated she can post that on the Township’s Planning page.

Mr. Diretto stated it is his understanding that there is no funding approved yet for this, and there is no project timeline that has been established. Ms. Tierney stated funding was approved for the project, but there is no project timeline. Mr. Diretto asked if the funds have been allocated, and Ms. Tierney stated the Board voted on this project with the funding coming from the Sewer proceeds. Mr. Grenier asked that this be checked as he knows the Board voted to allocate funds to several Park & Rec projects, some of which were specifically allocated from the Sewer Fund itself.

Mr. Lewis stated he received Mr. Diretto's e-mail on August 1, and he forwarded it to the Township engineer including the pictures as the Township engineer was asking about concerns he had received from the community. Mr. Lewis stated he sent all the e-mails to the Township engineer that he had received. He stated he did not specifically respond to Mr. Diretto because he was waiting for some resolution on this. He stated at that point they had not made a determination when the drone flight would be. Mr. Lewis stated even though he is not "excited about the lights," the reason we are doing the drone flight and why Ms. Tierney is taking extra time is that we want to make sure that we are listening to their concerns and addressing their needs. He stated they want to be helpful and flexible if there are things that can be mitigated. He stated the idea of the drone is that if a resident cannot see the light, it should put their mind at ease. He stated he feels Ms. Tierney is working to get people engaged. Mr. Lewis stated a Right-To-Know Request could be filed, and anyone can get all of his e-mails and his responses.

Mr. Diretto stated he appreciates the Board's service.

Ms. Carol Ann Mundy, 1563 Brookfield, stated she has been a resident for almost twenty-six years; and while she loves the park, the parking lot adjacent to her property and the tennis courts are becoming a problem. She stated YM Tennis is there, and she has contacted him several times; and he is not responsive and is extremely loud. She stated it sounds like he is in her back yard, and this goes on for four to five hours every Tuesday and Wednesday night. She stated he also does private lessons in the morning starting at 7:00 a.m. and he is "screaming at 7:00 a.m." She stated it has been very disruptive. She stated she spent \$12,000 planting trees to try to keep the lights from shining into their house when people park there at night. She asked if there is anything that can be done about this. Mr. Grenier asked if this at the Memorial Park tennis courts, and Ms. Mundy agreed. Ms. Tierney stated YM Tennis is there temporarily until the Schuyler courts are fixed, and he will not be there permanently. She stated

she will talk to him about his volume. Ms. Mundy stated with any other vendor who has been in the Park, she has sent them an e-mail asking them to “tone it down,” and they are responsive and respectful; however, this individual actually got louder.

Mr. Grenier stated he is making a profit off of our courts, and he asked Ms. Tierney if he charges User Fees; and Ms. Tierney agreed adding he is up-to-date with payments.

Ms. Lauri Grey, 895 Slate Hill Road, stated she lives behind Macclesfield. She stated she was at the meeting for Caiola as she feels it is important that everyone understands the impact. She stated it is not just the lights, and it is the noise. She stated she was interested to hear that there is no Noise Ordinance until 10 p.m. every evening. Mr. Majewski stated there is a Noise Ordinance, and the permitted noise level drops a lot at 10 p.m. although there are noise limits prior to that time. He stated those with an issue after hours should contact the Police. He stated during work hours those with an issue can contact the Code Enforcement Department.

Ms. Grey stated she has been working with Ms. Tierney on the lights that do not always go off at 10:00 p.m. at Macclesfield, and Ms. Tierney has been very supportive about that. She added that she does have to monitor this almost every week. Ms. Grey stated she understands that they are going to do a Macclesfield analysis, and she hopes that what comes out of that is that there is no additional impact to Macclesfield because it is a quality of life issue. She stated she appreciates everything the Board is doing.

Snipes Update

Ms. Tierney stated a Macclesfield study is being done, and she feels they could do a tree assessment at Snipes which has been brought up by many residents as a concern. She stated it would be a more detailed assessment than was done in 2017. She stated this would be more than a tree count and would identify native and non-native trees, dead trees, etc. so that we can identify where to focus in the planning process. She asked if the Board would like her to move forward with that type of assessment so that she could get some quotes to do that.

Mr. Grenier stated he feels that would be premature; and if they wanted to do anything at Snipes he would do a habitat assessment which would include not only an assessment of trees but also understory vegetation, whether or not there are wetlands or any other type of general habitat. He stated that is what is generally required by the EIS/EIA requirements where we describe what habitats are at a site for development. Mr. Majewski stated that was done five to six years ago. Mr. Grenier stated he feels this would be premature for purposes of preparing Site Plans. Ms. Tierney stated while we would not be at that point, this would provide an “idea where to focus when we are doing our public meetings.” Mr. Grenier stated he would focus more on getting Macclesfield done first.

Ms. Blundi stated she would be in support of Ms. Tierney gathering information.

Mr. Grenier asked if there is a Snipes Plan on-line, and Ms. Tierney stated the whole history of Snipes including every document on Snipes is on the Park & Rec Planning page.

Mr. Lewis stated in general he would want to focus on what needs to be done at Macclesfield first and look at the tree assessment at Snipes in the future if that is necessary.

Dr. Weiss stated he has no problem with doing a tree assessment or a habitat assessment. He stated what happens at Macclesfield will effect Snipes, and getting a base line on what would be needed would be a holistic approach which he likes.

Mr. Grenier stated March through May is typically when a habitat survey is done. He stated those are the general habitat guidelines that have to be followed from a State and Federal perspective. Dr. Weiss stated we could do a tree assessment now and a habitat assessment in the spring. Mr. McCartney stated at this point Ms. Tierney is just looking for approval by the Board to get some quotes to do the tree assessment, and Ms. Tierney agreed. Mr. McCartney stated he would be in favor of getting a quote for doing the tree assessment and tie that in with a habitat assessment in the spring as recommended by Mr. Grenier. Mr. Lewis asked if that would not cost more money than doing it all at once in the spring. Mr. McCartney stated at this point we are just looking at prices and Ms. Tierney could get quotes and see if it would be less expensive to do it all in the spring or do one piece of it now and one piece of it in the spring.

Mr. Lewis stated even if we had the data it would not change any action the Board would take between now and the spring. Mr. McCartney asked if there is a sense of urgency; and Ms. Tierney stated while there is not, she felt it was something that we could do while working on Macclesfield. Mr. Grenier stated from a regulatory perspective, certain aspects of a habitat assessment are only good for a short amount of time. He stated there are some things that are good for a year, some that are good for three years, and some that are only good for a shorter amount of time. He stated when he does this work, he looks at when is the optimal time because he does not want to have to do it again or because it would cost more money. He stated he understands she is trying to “prep,” and there may be something that could be done to get a base line understanding; but when it comes to doing formal assessments per specific Federal and State guidelines, we would have to be careful about timing so it does not have to be done two or three times.

Mr. McCartney asked Ms. Tierney if she would be able to get data from whoever would be doing the assessments as to expiration and how long the assessments are good for. He stated he does not feel a tree study would change much as they would be looking to see the number of non-native species and how many trees are diseased, and Ms. Tierney agreed. Mr. Grenier stated they will want to look at the height of the trees and the circumstance, and that would have to get updated at some point. He stated he understands why Ms. Tierney wants to do this, the question is *whether to do it now or wait and do it later*. He stated they could do the Macclesfield study over the next several months, and they could have an idea of what the Macclesfield Plan could look like by the spring. He stated they could then consider what needs to be done at Snipes, and over a week they could do a full-scale habitat study at Snipes so that they could start a Master Plan.

Mr. Lewis stated after review of the Macclesfield “revisions” there could be shifts between other fields in other areas that would be a stronger influence in whether Snipes is needed or how many fields are needed at Snipes.

Mr. Truelove stated Ms. Tierney needs some formal direction so that she knows what, if anything, she is to do right now. He stated he feels it would be best to have a Motion if they want her to get quotes for a tree assessment and/or a habitat assessment.

Ms. Blundi moved and Dr. Weiss seconded to direct Ms. Tierney to gather information and to get quotes for a tree assessment and/or habitat assessment.

Mr. Lewis asked for clarification on the Motion, and Ms. Blundi stated they are directing Ms. Tierney to get information including bids for a tree assessment and in the alternative a habitat assessment. Mr. Lewis asked if they are asking for a specific timeline, and Ms. Blundi stated they would ask for an understanding with the quotes as to how long they are good for and when they should best be conducted to address Mr. Grenier's comments. She stated the purpose is to gather information so that the Board can make an informed decision in the future.

Mr. Richard May, 1270 Creamery Road, stated he lives directly across the street from Snipes. He stated he has lived there since 1987, and he has seen that whenever the Board decides they are going to do an analysis for something before another analysis is done, they are "pushing for that second thing to happen." He stated he has seen that "every Bid like at the Dog Park, the Golf Course, and the Railroad is constantly overrun and is higher." He stated they heard tonight that the tennis courts will cost more money than what was indicated originally. He stated the Dog Park cost over a half million dollars. He stated we had to give \$4 million more to the property owner when we condemned his property to build the Golf Course. He stated the Township's "record is not very good." He stated he does not see any reason to even consider spending money on a "site tree thing." He stated "site tree" is not the only issue as there is an eagle that lives there and there are wetlands. He stated if they are only counting the trees and eliminating the dead trees, they will then only have to cut down "some real live trees" which is also a big environmental concern because trees have a lot to do with helping us with a cleaner environment.

Mr. Truelove noted that Mr. Grenier suggested to also have a habitat assessment which is part of the alternative in the Motion. Mr. May stated while he understands that, that is two different assessments and two different prices. He stated he feels this is money we do not need to spend in trying to determine whether we "can stick these two soccer fields in with all the other accoutrements to it at a cost of \$5 million to \$10 million on money that we got from the Sewer Authority."

Mr. May stated Macclesfield has a lot of fields there, and they are doing an assessment to see what can be done in order to improve how they use that. He stated the real problem is not how it is used on a day-to-day basis, and the

real problem is what occurs when they have the tournaments where they bring in hundreds of different teams from across the Country. He stated they need those fields for that reason. He stated those in Lower Makefield do not need them for the regular soccer games that are going on. He stated the people who run that organization make over \$300,000 for running something he always thought was a volunteer organization. He stated it seems like there is “a wire in from the Board to somebody at YMS that is causing this constant spending of money on athletic fields and all of these other things.” He stated it seems “the goal is to use every dime of what is left from the Sewer Authority on fields and sports facilities.” He stated he feels we have very good sports complexes throughout the Township already. He stated even the consultant said that we are admired for the fact that we “have all of these things.” Mr. May stated he feels we need to “stop jumping ahead toward pushing to get a different decision before we have made the first decision on whether or not Macclesfield is going to be sufficient.”

Mr. Bill Gaboda, 1230 Ash Lane, stated when a habitat assessment happens, he would like to make sure that it does an inventory of birds and other wildlife as they are part of the whole ecology.

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

CHIEF’S REPORT

ARLE Grant Big Oak and Makefield

Chief Coluzzi stated PennDOT was able to find our request for an Extension for the ARLE Grant, and they granted an Extension until December of 2023. SAFE Engineering is aware of that, and they are moving ahead with the project. He stated there is no decision on the rights-of-way yet, and they are still working on that.

Approve Pay Request #2 for Sanitary Sewer Main Cured-in-Place Pipe Liner Project in the Amount of \$31,568.85

Chief Coluzzi stated this is the Pay Request from Vortex LLC in the amount of \$31,568.85. He stated the original Contract was in the amount of \$303,969; and this is this last payment of that Contract, and there is \$51,280 that was not used in the Contract.

Ms. Blundi moved and Dr. Weiss seconded to approve Pay Application #2 for Sanitary Sewer Main Cured-in-Place Pipe Liner Project in the amount of \$31,568.85.

Mr. Lewis stated he understands that we were under Budget for this project by \$51,000, and Chief Coluzzi agreed. Mr. Lewis stated this means we spent less than was projected so not every project goes over Budget.

Mr. Grenier stated he believes that a large number of our Sewer projects over the last two years have been under Budget once completed. He asked that they look at total Budget versus total spend on the Sewer lining projects. He stated when we saw these trends happening, he was trying to push for a decrease in the Sewer fees for the residents; but we were advised not to do that for various reasons including the Sewer sale. Mr. Grenier asked if this the last project, and Chief Coluzzi stated he believes so.

Motion carried with Mr. Grenier opposed.

SOLICITOR'S REPORT

Mr. Truelove stated the Board met in Executive Session beginning at 6:00 p.m. and informational items, litigation items, and Real Estate items were discussed.

Approve Enactment of the Amended Vacant Property Ordinance

Mr. Truelove stated this matter was discussed previously when the Fire Services Director, Tim Chamberlain, discussed the need for this given some of the circumstances with a few of the fire-damaged properties in the Township that have not been cared for to the extent where it causes potential public safety issues. Mr. Truelove stated this has been properly advertised for consideration this evening.

Mr. Grenier moved, Dr. Weiss seconded and it was unanimously carried to approve enactment of the Amended Vacant Property Ordinance.

Approve Advertisement of Amendments to the Brush, Grass, Weeds & Trees Ordinance – Chapter 84

Mr. Doug Marshall, 1009 N. Elbow Lane, asked where in the Code he can find this Ordinance, and Mr. Truelove stated it is Chapter 84 and can be found on the Township Website under the Code/Ordinances.

Mr. McCartney stated they are not going to consider this matter this evening. Mr. Truelove stated this will be deferred to another meeting.

ZONING HEARING BOARD

With regard to Appeal #22-1973 Robert Peters for the property located at 1566 Clark Drive, Yardley, PA 19067, Tax Parcel #20-021-098 Variance request from Township Zoning Ordinance #200-23.B in order to construct a shed which would increase the impervious surface from the existing 17.95% to 18.48% where 18% is the allowable amount, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to Appeal #22-1974 Bob Hesser for the property located at 1463 Woodview Road, Yardley, PA 19067, Tax Parcel #20-065-267 Variance request from Township Zoning Ordinance #200-27.B in order to construct a concrete pool decking which would increase the impervious surface from the existing 26% to 32% where 24% is the allowable amount, it was agreed to leave the matter to the Zoning Hearing Board.

Mr. Grenier asked for an update on the property at the point as he knows that they went before the Zoning Hearing Board. Mr. Truelove stated while he does not have all of the details, he knows that it was approved with several Conditions. He stated he believes that there was a reduction in the number of units.

Mr. Majewski stated there was an addition that was proposed to the replication of the Quill House, and that was removed from the Plan which resulted in one unit being removed. It is now thirteen units overall and includes the renovation of the Ishmael House at the corner, the replication of the Quill House, and the construction of three new separate buildings containing apartments. Mr. Truelove stated there was also a requirement for sidewalks. He added that the neighboring property owner, Dr. Cimino, did speak favorably about the revisions to the Plan. Mr. Truelove stated there were a lot of Conditions imposed which were agreed to by the developer. Mr. Majewski stated the reduction of one unit was a big concession.

Mr. Grenier asked about the process going forward and asked if they still have to go in front of HARB for a Certificate of Appropriateness and their final recommendation not specific to Zoning issues. Mr. Majewski stated they will have to go in front of HARB. He stated he believes that they have gone through and addressed many of the HARB concerns with the look and feel of the units with the porches and the way they are massed, etc. He stated they will have to refine that based on the last input. He stated they also have to go to the Planning Commission for Land Development approval.

ZONING, INSPECTIONS, AND PLANNING

Approve Certificate of Appropriateness for 1700 Yardley-Langhorne Road Dogwood Skate Shop Rear Addition & ADA Ramp

Mr. Majewski stated at the last Historical Architectural Review Board meeting, the Board unanimously recommended that a Certificate of Appropriateness be issued for the Dogwood Skate Shop which is proposing an addition on the rear and putting in a handicap-accessible ramp in the rear of the property.

Mr. Grenier moved, Mr. Lewis seconded and it was unanimously carried to authorize the Certificate of Appropriateness for 1700 Yardley-Langhorne Road Dogwood Skate Shop for rear addition and ADA ramp.

Approve Certificate of Appropriateness for 1648 Langhorne-Yardley Road Milestone Behavioral Health Barn Renovation

Mr. Majewski stated HARB also recommended approval of a Certificate of Appropriateness for 1648 Langhorne-Yardley Road for the barn that they plan to renovate.

Mr. Grenier moved, Mr. Lewis seconded and it was unanimously carried to approve the Certificate of Appropriateness for 1648 Langhorne-Yardley Road Milestone Behavioral Health barn renovation.

PUBLIC COMMENT

Mr. Doug Marshall, 1009 N. Elbow Lane, asked about a piece of property at 1101 Big Oak Road that was recently sold adjacent to where he lives in Yardley

Crest. He stated it has been sold to a developer who has put in some blueprints for developing the land. He stated he understands from watching the Environmental Advisory Council on August 4 that they are requesting a Waiver regarding the trees that are located on the property. He stated there is a “preservation in the Code with which he agrees and it a wonderful idea to have as much green space that improves the quality of life.” He stated there are deer, rabbits, and foxes back there. Mr. Marshall asked how he and other neighbors could be involved with this Waiver issue. He asked what are the requirements whereby the Waiver is granted and how can there be public comment in that regard. He stated he also heard this evening about habitat assessments, and he asked what that is. Mr. Marshall stated there was no notice given about this development, and he understood that something has to be mailed to people within 1000’ feet.

Mr. Truelove stated there is a Waiver request which has not yet been granted. He stated his office just received the information on this development, and it is very early in the process. He stated it will be reviewed by the office staff and will eventually go before the Township Planning Commission which will provide time to weigh in on the development. Mr. Truelove stated they meet the second and fourth Mondays of the month, and Mr. Marshall should check their Agendas. He stated eventually it will come before the Board of Supervisors and the professionals will be reviewing the project as well. Mr. Truelove stated when it comes before the Board of Supervisors, those who live within the 1000’ radius will be notified about the process. Mr. Truelove stated Mr. Marshall can check with Mr. Majewski who could tell what the Agenda would be for upcoming Planning Commission meetings. Mr. Truelove stated the Agendas are publicized.

Mr. Grenier asked if they have requested any Variances, and Mr. Truelove stated he just received the information today. Mr. Truelove stated if there is a request for a Variance the Zoning Hearing Board, which is a separate body, would have a review process; and the Township would have the opportunity to determine whether they would participate, defer, or oppose a request; and those in the vicinity who could be effected by the development would also have the opportunity to appear and make comment and perhaps ask for Party Status.

Mr. Marshall asked if there is a State Code and a local Code, and Mr. Truelove stated the local Code has to adhere to and be consistent with the State Code. He stated the Municipalities Planning Code includes Chapters regarding Land Development, Subdivision, and Zoning; and the Lower Makefield Code has to generally adhere to the requirements as to how to administer its Land Development Ordinance and/or Zoning Ordinance.

Mr. Marshall stated Mr. Majewski has been very helpful providing any information he has requested. Mr. Lewis stated on the Township Website under the Planning Commission section, Mr. Majewski has a status sheet which lists all of the projects under consideration, their current status, and all of the Plans and documents are available on the Township Website. He stated the Township Website also has all of the details about the SALDO process so it can be seen what happens step-by-step.

Mr. Lee Pedowicz, 247 Truman Way, noted the train crossings at “Heacock and Big Oak where he was caught there for forty-five minutes or more.” He stated there are also times when the gates are down and “nothing is happening.” He stated the Police Officers have come in the past to direct traffic around the gates. He asked if anything can be done with the Railroad as he knows they have “operations they have to adhere to.” Chief Coluzzi stated usually when that happens there is a problem with the track up ahead and the train has stalled across the track or the gates are malfunctioning because there is a switch problem. He stated unfortunately that happens quite often. He stated the Police do not like it either because they have to be there when they have other priorities and calls coming in. He stated they call SEPTA and CSX a lot with these issues, and sometimes they solve the problem with a mechanical fix.

Mr. Pedowicz stated with regard to the “e-mail trail” that was discussed earlier, he has dealt with Mr. Majewski and Mr. Ferguson when he was present. He stated when Caddis was constructed there were a lot of issues, and he was instructed instead of going to the Board of Supervisors to go to Mr. Ferguson which worked out very well. He stated he heard tonight that he should “maybe be copying the Board whenever he wants to contact the Township.” Chief Coluzzi stated Mr. Pedowicz can still contact the Manager’s Office through the Secretary who will forward him Mr. Pedowicz’ e-mails. He stated if it is something that the Board needs to be aware of, he will get it to them; and if it is something he can take care of, he will take care of it. Mr. Pedowicz stated he feels that there are some significant issues coming up.

Mr. Pedowicz asked about the search for Mr. Ferguson’s replacement. Chief Coluzzi stated it is still in the early stages, and Applications and resumes are still coming in. He stated it is moving along well.

SUPERVISORS REPORTS

Mr. Grenier stated the barn at Prickett Preserve was presented to HARB again, and the architect will try to respond to HARB's comments on the restaurant design.

Ms. Blundi thanked Mr. McCartney for taking off the Noxious Weed Ordinance from the Agenda this evening. She stated this is something the EAC has been working on with staff, and she is looking forward to getting their comments and hearing more about what we can do to protect the environment from noxious weeds and other invasive species. She stated the EAC has also submitted their plans to help bring shade to Kids Kingdom, and we are working on pushing that forward as was discussed earlier in the year.

Mr. Lewis stated the Citizens Traffic Commission discussed some citizen complaints about speeding and property development. He stated a light-timing issue was also addressed.

There being no further business, Mr. Grenier moved, Ms. Blundi seconded and it was unanimously carried to adjourn the meeting at 9:10 p.m.

Respectfully Submitted,



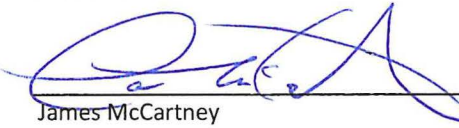
Daniel Grenier, Secretary

**LOWER MAKEFIELD TOWNSHIP
BOS MEETING - 08/17/2022**

A/P WARRANT LISTS	8/1/2022		8/15/2022		TOTAL
	PRINTED CHECKS	MANUAL CKS/WIRES	PRINTED CHECKS	MANUAL CKS/WIRES	
Fund					
01- GENERAL FUND	218,816.92	5,507.00	223,961.32	14,527.92	462,813.16
02- STREET LIGHTS	231.21		4,897.02		5,128.23
03- FIRE SAFETY	2,219.90		110.04		2,329.94
04- HYDRANTS	12,539.03		217.89		12,756.92
05- PARK AND RECREATION	77,657.81	7,100.51	18,693.42		103,451.74
06- P & R FEE IN LIEU					-
07- RECREATION CAPITAL RESERVE					-
08- SEWER	7,446.79		25,762.34		33,209.13
09- POOL	19,966.56	39.00	9,775.34		29,780.90
11- TRAFFIC IMPACT					-
15- GOLF COURSE			285,692.00		285,692.00
18- SEWER CAPITAL PROJECTS					-
19- SPECIAL PROJECTS	392.43				392.43
20- DEBT SERVICE	750.00				750.00
21- REGENCY BRIDGE	237.00				237.00
30- CAPITAL RESERVE	29,811.00		7,024.02		36,835.02
31- POOL CAPITAL RESERVE FUND					-
32- TREE FUND	260.00				260.00
35- LIQUID FUELS	14,264.85		182,100.24		196,365.09
36- ROAD MACHINERY FUND			17,221.62		17,221.62
40- 9/11 MEMORIAL	3,352.66		890.61		4,243.27
45- PATTERSON FARM	12.55		17,623.11		17,635.66
50- AMBULANCE/RESCUE SQUAD	205,000.00				205,000.00
84- DEVELOPER ESCROW	3,596.12		3,209.24		6,805.36
91- UNEMPLOYMENT					-
	596,554.83	12,646.51	797,178.21	14,527.92	1,420,907.47

JUNE 2022 PAYROLL AND INTERFUND TRANSFERS	
Fund	
01- GENERAL FUND OPERATING TO PAYROLL ACCOUNT	835,280.57
GENERAL FUND OPERATING TO 401A DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	6,484.57
03- FIRE SERVICES FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	470.76
05- PARKS AND RECREATION FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	1,790.01
09- POOL FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	1109.65
60- POLICE PENSION FUND TO D.R.O.P. ACCOUNT	
	845,135.56


John B. Lewis


James McCartney

Fredric K. Weiss


Suzanne S. Blundi

Daniel R. Grenier

