

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – JULY 6, 2022

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on July 6, 2022. Mr. McCartney called the meeting to order at 7:37 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, Chief of Police
 James Majewski, Community Development Director
 David Truelove, Township Solicitor
 Andrew Pockl, 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 Lower Makefield Township will be hosting a new Tween Camp called “Tween Adventures.” Registration is now open. More information can be found on the Township Website.

Mr. McCartney stated the Lower Makefield 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 the LMT Walking Group is back for the summer Saturday, July 9th, July 23rd, August 6th, and August 20th at 10:00 a.m. Walkers will meet at the Community Center located at 1550 Oxford Valley Road. No Registration is required. For more information email cathy@walkapocket.com.

Mr. McCartney stated Lower Makefield will be hosting a Blood Drive for the Red Cross on Friday, August 12, 2022 from 1:00 p.m. to 6:00 p.m. in the main meeting room at the Township Building, located at 1100 Edgewood Road.

APPROVAL OF MINUTES

Ms. Blundi moved, Dr. Weiss seconded and it was unanimously carried to approve the Minutes of June 1, 2022 as written.

Ms. Blundi moved, Mr. Grenier seconded and it was unanimously carried to approve the Minutes of June 9, 2022 as written.

Dr. Weiss moved, Mr. Grenier seconded and it was unanimously carried to approve the Minutes of June 15, 2022 as written.

APPROVAL OF PATTERSON FARM SIGN REPLACEMENT – AOY

Ms. Bette Sovinee, AOY, was present. She stated the Patterson Farm sign is at the corner of 332 and Mirror Lake Road, and it is in need of replacement. She stated as part of a Grant that AOY was awarded from Visit Bucks County, they propose to replace the sign with the inclusion of the AOY Art Center added to it and a directional sign. Ms. Sovinee stated the Board was provided a packet, and a picture of the proposed sign was shown. Ms. Sovinee stated AOY would contribute \$1,500 toward the sign. She stated the latest quote that they got from the vendor was about \$1,800 to \$1,900. She stated she had spoken to Mr. Hucklebridge who indicated that the Township would cover the difference.

Mr. Grenier stated there is one sign now and a separate AOY sign near the AOY driveway entrance. He asked where the proposed sign would go, and Ms. Sovinee stated it will replace the sign at the corner of 332 and Mirror Lake Road. Mr. Grenier stated the new sign would add “AOY” to it, and Ms. Sovinee agreed.

Dr. Weiss asked if it will be blue or green, and Ms. Sovinee stated it is green.

Mr. McCartney stated it will include the existing wording with a rider underneath that says “AOY Art Center,” and Ms. Sovinee agreed.

Dr. Weiss moved and Ms. Blundi seconded to approve the new Patterson Farm sign with the inclusion of AOY.

Mr. Grenier asked if there is a possibility of making the “Lower Makefield Preservation sign separate to stand out given the nature of the site.” Ms. Blundi stated the sign is being predominantly funded by a Grant to AOY.

Ms. Blundi stated she believes that there is another sign further down 322 that is just for the Farm.

Mr. Lewis asked if Visit Bucks County reviewed the sign and was pleased with it. Ms. Sovinee stated AOY included the picture which is being shown in the Grant Application. Mr. Lewis stated at the footings of the existing sign, the weed whacker has taken out the wood over time; and since this will also be a wooden sign, he would suggest that they include plastic inserts that could put around the bottom that would protect it from the weed whacker. He stated he feels the sign proposed looks appealing.

Ms. Blundi stated she and Mr. Hucklebridge have been talking about the sign for some time. She stated Mr. Hucklebridge had hoped that some plantings could be put around the sign which would help with the issue Mr. Lewis has raised. Ms. Blundi stated once the sign is going in, they could see if there are some additional things that could be done to beautify the corner. Ms. Sovinee stated there could be a raised bed similar to what they have at the AOY sign at the driveway. Ms. Sovinee stated Mr. Majewski had suggested that the sign be moved slightly; and if the Board agrees, she would work with Mr. Majewski on all of these details. Ms. Blundi stated she is not sure how far Mr. Hucklebridge got with designing this, and they could work with the new Public Works Director and Mr. Hucklebridge as well.

Mr. Grenier asked if they are certain all the words and the acreage are correct on the sign. He asked if it is “open space, a Conservation Easement, or an Agricultural Easement.” Ms. Blundi stated what is proposed is a copy of what is on the existing sign which she believes is accurate. Mr. McCartney asked if Mr. Truelove could confirm that the verbiage on the existing and proposed sign are accurate, and Mr. Truelove agreed to look into that. Mr. Grenier stated open space is a generic term, and it is “sometimes nice to add the word ‘agricultural’ to a sign like this to show exactly what the real goal was to preserve the Farm itself.” He stated they should think about how to include that on the sign. He asked if that would affect the Grant, and Ms. Sovinee stated she does not believe that would be a problem. Ms. Sovinee stated they will include whatever the Board wants on the sign.

Dr. Weiss moved and Ms. Blundi seconded to Amend the Motion to include that this is subject to confirmation of the appropriate verbiage on the sign.

Ms. Lora Tarantino, 185 Durham Road, Newtown, stated she is “startled” by the fact that this sign change is occurring without seeing any information about it. She stated they are trying to do the Master Plan for Patterson Farm, which might mean that other organizations will be a part of this. She stated at a prior meeting a person from Patterson Farm Preservation proposed the Agricultural and Historical Patterson Farm Center, and this sign gives no room for anyone else; and the “thrust is adding on AOY Art Center.” She stated she feels any sign should be primarily focused on Patterson Farm, although there could be signs underneath it that could be changed/inserted that would indicate any other organizations that are involved within Patterson Farm. She stated the Grant should have been proposed from the Township and not the Art Center as it “sends a wrong signal/mixed bag of what this area is really standing for in the community.” Ms. Tarantino stated Patterson Farm Preservation may be a part of this since they made a proposal for the Satterthwaite House. She stated this “seems to be saying this is it, and she does not think that is the intention.”

Ms. Donna Doan, 2814 Langhorne-Yardley Road, Langhorne, stated she has no problem with the AOY Center “having a mention on the Patterson Farm sign, and they can recognize that they are there.” She stated she has an objection to them being on the main portion of the sign as the previous caller and Mr. Grenier had mentioned. She stated she feels there should be a smaller sign down at the bottom with the directional arrow pointing people to the Art Center. Ms. Doan stated they worked very hard to get the “Farmland Preservation Easement,” and that should be mentioned. Ms. Doan stated they have also put money into the Farm and repaired one of the garages there at their own expense, and they would like to “have a mention there and a footprint on the Satterthwaite parcel for the Patterson Agriculture and Heritage Center.” She stated she believes that the sign as proposed today is a little bit premature, and she would like to have consideration for her group as well for the offer and proposal that they have put forth.

Mr. Grenier stated the current sign is in bad shape which is a big part of the reason that this is going up, and he understands that AOY would like a little more recognition at the corner. Mr. Grenier asked about the ability to modify or replace the center part of the sign if something comes up in the future. He stated he understands that other groups may come in or other sponsorships may come in, and they may want to give them some name recognition. He asked how difficult it would be to update or replace the sign in the future if the Plan provides for other users that we should be giving recognition to. Ms. Sovinee stated the sign they are proposing is a vinyl-wrapped sign which is what is there now, and it has lasted for twenty

years. She stated they followed the same style of sign. She stated the cost is under \$2,000 for the whole sign including installation, so she does not feel it would be that expensive if it needed to be updated.

Motion as Amended carried unanimously.

ENGINEER'S REPORT

Approve Advertisement for the Administrative Building Renovations Project

Mr. Pockl stated he has provided Concept Design Plans for the renovations, and the scope of work is to renovate one floor below the main level. It would include demolition of existing interior walls, re-arrange the rooms, add electrical outlets and lights, upgrade the restrooms, and make changes to the HVAC system. It would not be an upgrade to the HVAC system or an expansion of the size, but it would be changing the supply and return registers because they are changing the rooms. The existing floor plan was shown as well as the renovations. Mr. Pockl stated the cost estimate is \$130,000; however, a minor change has been made to the Plan which should reduce the cost.

Mr. Pockl stated the plan is to put this out for advertisement; and while he believes the construction will take approximately six weeks, if they allow the contractor the full use of the space, meaning that the Township will not be using the space while the work is being completed, and they are given a broader range to complete the work, he feels that would provide the best opportunity to get a reasonable price for the proposed work. He stated the plan is to complete it before the end of the year.

Ms. Blundi moved and Dr. Weiss seconded to approve advertisement for the Administrative Building Renovations Project as described by the Township engineer.

Mr. Grenier stated he understands this is for the Police Department, and Chief Coluzzi agreed. Mr. Grenier asked the plan for the file storage that is there currently. Mr. Pockl stated as part of the Township's scanning project they have greatly reduced the number of files that were there and it has eliminated the need for file storage in that area. Mr. Grenier stated that is the primary activity that was on that floor other than the Tax Office. Chief Coluzzi stated the Tax Office will remain the same, and there will be a secure access to the restroom for the Tax Collector. Chief Coluzzi stated

access to the Tax Office for the residents will be the same way that it is now. Mr. Grenier stated they would not be able to go in the front door of the Township Building and go down the stairs to the Tax Office, and Chief Coluzzi stated they will not, and that will be a secure area. Chief Coluzzi stated the only change to the Tax Office will be the access to the restroom.

Mr. Grenier asked if they will be modifying any other floors in the building, and Mr. Pockl stated they will not.

Mr. Grenier stated there will be more “common area in the middle and some extra offices.” Chief Coluzzi stated there will be offices for the Detective Bureau. He stated it also provides more safety for civilians in the building because Detectives will now have a secure area to walk prisoners in as well as people that they are interrogating. He stated there will be access to set up video interrogation rooms that we did not have before. Mr. Grenier stated there will be secure separation between the main Administrative floor where the Township Manager’s Office is and this floor, and Chief Coluzzi agreed.

Mr. Lewis asked what is happening with the HVAC system; and Mr. Pockl stated they have to supply air and return air to and from each room, so since the walls and rooms are changing, they need to bring duct work from existing ducts and registers to provide a supply register and return register for each room. Mr. Lewis stated we have had a known issue with our HVAC for a while where there have been failures in terms of cooling and heating, and he asked if that is going to be resolved; and Mr. Pockl stated it is not. Mr. Lewis asked if that has been scoped out, and Mr. Pockl stated they have not scoped out changes to the system itself for the entire building. He stated this is just allowing the rooms to be conditioned in the proposed lay-out.

Mr. Lewis asked if there is a rough estimate of what it would cost to fix the HVAC for the building. Chief Coluzzi stated he believes someone did look at that, but he could not quote a cost. Dr. Weiss stated he believes that is was \$1.3 million. Mr. Lewis stated he feels that would be a high priority “perhaps even above this.”

Mr. Lewis stated this was placed on the Agenda and there was no supporting documents at all provided until this afternoon, but Mr. Pockl’s work product was from May 19th. He asked Mr. McCartney why it was not included in the briefing documents for the Supervisors that was provided Friday at 5:00 p.m. Mr. Pockl stated that was his error. Chief Coluzzi stated this was not

Mr. Pockl's error, and this was in Capital Projects in the Budget. He stated there was a Budget presentation done where this was outlined during the Budget process. He stated all of the engineering costs and costs for the building were included in that Budget under Capital Projects and under various engineering line items. He stated this is a follow-up to that. Mr. Lewis stated it is currently in the Budget, and Chief Coluzzi agreed.

Mr. Lewis stated in terms of timing, if he were the Chair, and he was putting this on the Agenda, he would want to make sure that all of the Supervisors knew the exact details of the project before asking them to review it; but "we got nothing until today." Mr. Lewis asked why the Chair did not review all of the briefing documents to make sure that Supervisors had all of the relevant information related to the project. Mr. McCartney stated he received them as well today. Mr. Lewis asked Mr. McCartney why he would put something on the Agenda without having reviewed the documents himself. Mr. McCartney stated it was part of the Budget from last year.

Dr. Weiss asked how much it would cost to clean the ducts in the whole building, and Mr. Pockl stated they could look into that. Mr. Pockl stated they could add it as an Alternate. Dr. Weiss stated he believes that almost \$230,000 was budgeted for this project, and he asked if we are still under Budget including what has been spent so far; and Mr. Pockl agreed. Dr. Weiss stated if the ducts are cleaned, we may be able to get more years of service. Chief Coluzzi stated he feels they could do that under a separate project. Mr. Pockl stated it would be a different contractor who would do that work. Dr. Weiss stated they could also do an analysis of the existing system after the duct cleaning is done. Mr. Pockl stated he believes that the HVAC contractor that would be putting in the new registers could look at the system and provide an evaluation. This was acceptable to the Board.

Mr. Lewis asked if a space utilization study was done that drove this project. Mr. Pockl stated they were working with the space that they had, and it was a needs assessment from the Township. He stated he then provided Concept Plans based on feedback received from the Police Department. He stated the Police Department reviewed the Concept Plans and some adjustments were made including some changes after talking to the Tax Collector to understand her needs for accessing the restroom.

Mr. Lewis asked if we were to experience growth in Police/Public Safety staffing of 10% to 15% would we be okay with what is proposed. Chief Coluzzi stated they could accommodate a small growth in staff but if it were 20% or

more they would need more space. Chief Coluzzi stated they were trying to utilize the area that they had that has been vacant for a few years and which had been used for storage.

Mr. Grenier stated he understands Chief Coluzzi understood the HVAC upgrade would be approximately \$1.3 million, and Chief Coluzzi stated Dr. Weiss reminded him that a study had been done at one point and that was the estimated cost.

Motion carried unanimously.

Parks & Recreation Infrastructure Improvements Update

1. Schuyler Tennis Courts – Mr. Pockl stated he, Mr. Majewski, and Ms. Tierney met with Keystone Constructors, Inc. which was the contractor who resurfaced the Community Park tennis courts. He stated we were pleased with their work, and understand that they have a line item on COSTARS that they are available to complete the renovations for Schuyler tennis courts scope of work. He stated they met with them to get their take on the proposed improvements which would be a complete reconstruction of the courts, removal of the asphalt, removal and replacement of the nets, posts, fencing, installing a new asphalt surface and a painted surface over top of that. Mr. Pockl stated they are taking core samples of the existing asphalt thickness to determine how much asphalt they would need to remove and also to determine the make-up of the stone base that is underneath the asphalt to determine whether an underdrain system is needed. Mr. Pockl stated they believe that one is needed, but they want to confirm that. He stated the surveyor is also scheduled to survey the tennis courts and the parking lot this week. He stated once they get this information, they can develop a Grading Plan and go back to Keystone Constructors, Inc. to get a price through COSTARS for that work.

Mr. McCartney asked if these tennis courts were original to when Yardley Hunt was built, and Mr. Pockl stated he believes so. Mr. Pockl stated they believe that there is no minor fix for the courts, and they are in such poor condition that a major replacement is warranted at this point. Mr. McCartney stated if it is felt that the effective life of tennis courts is forty years, and we are at the end of that effective life cycle, he feels that is “more than we can ask for from a Township standpoint,” and that is a fair amount of time.

Mr. Grenier stated with regard to the process, there was the vote to allot money toward the project at some point, and the thought that we might get some matching Grants; but it sounds like we are currently spending money on core samples, engineering, surveying etc. He asked if the plan is that after that we will get a price from Keystone and have them proceed and not RFP it or is Keystone doing this as a courtesy so we can get an estimate from a contractor. Mr. Pockl stated after we get a quote from Keystone, we would have the opportunity to reject it, negotiate with them to get a better price and compare it to similar projects in other Municipalities that they are familiar with, or put it out to Bid. He stated at that point, they would still need Bid documents, the survey, the core samples, and all of the design that is being done at this point.

Mr. Grenier stated there has been a decision made to not RFP it, and Mr. Pockl stated there has not been a decision made to not RFP it. Mr. Truelove stated COSTARS was mentioned and that is part of the process. He stated they would not want to avoid the Bid requirements if it is above the threshold. Mr. Grenier asked why we are working so closely with Keystone before we go through the process as it sounds like it is a foregone conclusion that Keystone is going to get this work, and that is why they are helping us out. Mr. Pockl stated that is not his understanding of this process. He added once he gets pricing, he fully intends to bring that to the Board of Supervisors which can then vote on whether or not to accept it or reject it.

Ms. Tierney was present, and stated tonight is just a discussion; and it is not a vote or a decision. She stated they just wanted to bring up that Keystone on COSTARS already pre-Bid on the Consortium, and we have used the Consortium before for Police projects. She stated it has already been vetted and approved, and they just sent the COSTARS paperwork with documentation which she would be glad to send to the Board although it was not timely for this meeting. She stated they plan to bring this project with pricing back to the Board for approval. She stated at this point it is just a discussion of this option because Schuyler is an urgent matter. She stated the courts are closed at this time, and the summer camp is operating temporarily at Memorial Park Community Park courts until Schuyler is repaired. She stated this was approved separately from the other projects that were discussed with regard to funding.

Mr. Grenier stated it “is very clear what is happening.” He stated we are spending money on this to get the engineering, the core samples, and the surveying done; and that “is a spend.” He stated we are going to get a price from Keystone first, and if we like it we will go with them, and if we do not, we will go with someone else. He stated “like everything else he has been

saying this year,” we do not give only Keystone the right to give us a price, we should RFP it as we would any other project and get multiple Bids from multiple contractors. He stated he feels “this process is broken.”

Ms. Tierney stated that is what COSTARS is, and COSTARS pre-Bids for you. She stated it is already a “bided project.” She stated it has already been Bid, and the best Bidder won the Bid, and we can then go to COSTARS, which is why we are part of COSTARS to be able to get projects done. Chief Coluzzi stated if for some reason you do not like COSTARS, there are other contractors on COSTARS that would also be available to do the project and would Bid on the project. He stated it is not just one entity when you go to COSTARS, and there are a number of COSTARS contractors and dealers; and if you are not satisfied with one, you can always go with another COSTARS dealer or contractor. Mr. Grenier asked if you can go to multiple contractors at one time in the beginning, and Chief Coluzzi stated he does not believe it works that way. He stated they send it out, and you get the lowest Bid; and if you are comfortable with that, then you can go with that, and if not, you can send it back to COSTARS. Mr. Pockl stated there is always the option of rejecting the COSTARS price and putting it out for Bid after that as well, but that does take time and money for the engineer to Bid it.

Mr. Grenier asked what is the funding mechanism for this project, and Ms. Tierney stated it was part of the Sewer proceeds discussion. She stated if the Board wants to fund it in a different way they could; however, it was allocated as part of the Sewer proceeds discussion. Mr. McCartney stated he believes it was earmarked from that, but he does not believe the Board is held to that. Mr. Grenier asked if there are Grants available for this to supplement anything we might spend on this as it was a big part of the discussion for earmarking that matching Grants, etc. would be included. Ms. Tierney stated that was not for Schuyler because it is more of an urgent matter that needs to be repaired. She stated for the other projects, they would be looking at Grants; and they were separate in the presentation. She stated Schuyler courts were called out separately from the other projects. She stated the other projects are earmarked, and they are looking for Grant funding and other opportunities; but Schuyler needs to be repaired now.

Mr. Grenier stated he voted against using Sewer funds for projects that we should be funding through the Budget, and there are other ways to do it. He stated he sees other projects on the list tonight that have other contractors

already mentioned and moving forward with, and it “sounds like everything is urgent right now so he is frustrated with the process to spend the Sewer money so quickly.”

Mr. McCartney stated he does not know that it will necessarily be Sewer money and it might be able to be Rescue Fund money or a combination of both.

Dr. Weiss stated the Relief money is now unrestricted, and we also have the Bond Fund of \$3.7 million. He stated where the money comes from is immaterial to the actual process, and the COSTARS process is something that we have used for years. He stated unless the Solicitor has another opinion, he feels that the process that we are using is fine. Mr. Truelove stated the point is that there is no award tonight; and when an award is made it has to go through the Bid process whether that is a COSTARS approval or a separate Bid process if the price exceeds a certain threshold which is anticipated this project will. Mr. Truelove stated from a Budget perspective, the Board could clarify where the funds come from and that would not be a Bid issue. Dr. Weiss stated the Board already approved to earmark a certain amount of money for this project at a previous meeting.

Ms. Blundi stated she was skeptical about Schuyler when Ms. Tierney brought it up a few weeks ago, but she went out there and saw the significant erosion and the fact that it was in very bad shape. She thanked Ms. Tierney for closing the courts. She thanked Ms. Tierney and Mr. Pockl for getting the information to the Board so that we can understand what our options are moving forward.

Mr. Lewis stated “this is a recurring theme of process concerns, and it is frustrating because it is unfair to staff and to our professionals.” He stated this is a circumstance where a lot of questions could be answered if it was indicated that these were the projects that are viewed as important and those that should be reviewed in the coming weeks, a timeline for them to be addressed, and a relative Budget amount. He stated that would make it easier for the Board to discuss. He stated just as he noted about space utilization in the Township Building, if he had that information a while ago he would have had time to think about it, and if he had a timeline, he could prioritize it against other things, and “he would have a better sense and could provide more value.” He stated his “sense is you are not interested in a process that is straight-forward” and “it is ad-hoc, and we are getting stuff at 2 in the afternoon for 7:30 decisions, and that is what is engendering some of the frustration he senses from fellow Supervisors.” Mr. Lewis stated we do not have a Township Manager, and an Interim would be very helpful in this case. He stated staff should not be “worrying about if they are going to get quizzed on this budgetary matter as that is not their job and it is unfair to them.”

Mr. Lewis stated he feels Mr. McCartney needs to “figure out what he wants to cover when, provide more detail, and be more up-front with his fellow Supervisors about this.” He stated it is frustrating. He stated maybe Mr. McCartney is not concerned about his opinion on these topics.

Mr. McCartney stated there is a recurring theme that Mr. Lewis is not pleased with the Agenda and the way it is being laid out. He stated the Agenda was sent out last Friday. He stated he has not talked to Mr. Lewis in about two months. He stated if there is anything on the Agenda that a Supervisor has a question about, they can call him. Mr. McCartney stated Mr. Lewis is now coming to the meeting stating he has “no idea what is going on.” He stated without Mr. Lewis communicating with him prior to the meeting he feels his comments are “disingenuous.” Mr. McCartney stated this has been the same theme whether he is the Chair, Ms. Blundi is the Chair, or Dr. Weiss is the Chair; and Mr. Lewis indicates that he feels that he is not being told what is going on, but he does not reach out to any of the Chairs when they are available to him. Mr. Lewis stated he called Mr. McCartney a couple months ago, and he had reached out to him multiple times. He stated the challenge he has is that every time he has a discussion with Mr. McCartney they come “to perhaps some accommodation,” but Mr. McCartney “blows him off.” Mr. McCartney stated he disagrees adding that he has communication with all the other Supervisors except for Mr. Lewis.

Mr. Lewis stated Mr. McCartney “should proofread.” Mr. Lewis asked if he should be expected to proofread something he was given at 5:00 on Friday before the 4th of July weekend and find out “that he did not put that stuff in.” Mr. McCartney stated Mr. Lewis has had issues at prior meetings when it is not a holiday. Mr. Lewis asked Mr. McCartney if he wants him to call him, and Mr. McCartney stated he would appreciate that.

Mr. Grenier stated the Board is going to start getting into more of these individual projects and “spends on different things.” He stated he has been asking for a spend plan whether it will be Bond money, Sewer money, or the Federal money. He stated he feels the Board should look at what the project list could be ahead of one of the Special Meetings that will probably be held in August. He stated they can then look at the list and consider how they will allot money. He stated they did this openly on how to protect the money, but they also need to discuss how to spend it. He stated without a Township Manager it does put a lot of the onus on Mr. McCartney as the Chair. He stated he feels it would be helpful to have a session to discuss a plan like that.

Mr. McCartney stated the Board needs to come to terms with what they want to put aside as part of the Trust, and then they can see how much is left and how they want to allocate the rest of it. He stated he agrees with Mr. Grenier about discussing this and determining where the money will be coming from to pay for these projects.

Chief Coluzzi stated the tennis court repairs were to be paid for with the Sewer proceeds. He stated renovations for the Township Building were to be paid for from the American Relief Fund money.

Ms. Tierney stated before there is any further discussion on the rest of the items she wants it made clear that these items are for discussion only, and it is not for a vote. She stated they wanted to give the Board the opportunity to discuss this as they move forward. Chief Coluzzi noted that this was all discussed at the June 9 meeting, and Ms. Tierney agreed. Chief Coluzzi asked what was discussed on June 9; and Ms. Tierney stated an estimate was discussed, the problems they were having at Schuyler tennis courts was discussed, and funding for the project was discussed including where the funding is coming from. Mr. McCartney stated it was earmarked out of the Sewer proceeds, and Ms. Tierney agreed.

2. Caiola Lights – Ms. Tierney stated at the last Park Board meeting residents came with some concerns about the lights at Caiola. She stated she promised the neighbors that she would include them in the discussion. She stated while it is not a requirement for a project like this, she plans to reach out to the neighbors within a 300' radius and invite them to the site to go over what the project will be. She stated this will be done on July 26 with a lots of advertisement and more information to follow.

Mr. McCartney asked if there are any Residential homes within 300' of that site, and Ms. Tierney agreed there are. Ms. Tierney stated it would be about 35 to 40 neighbors. Ms. Tierney stated they plan to reach out to those neighbors next week and have the meeting on July 26.

Mr. Grenier asked if there is an idea as to what the usage will be once the lights are installed. Ms. Tierney stated all the other fields that are lit are cut off around 9:00 p.m. to 9:30 p.m., and the lights go off automatically at 10:00 p.m. She stated the site selected by PAA is the largest group of sign-ups which is the 10 to 12-year olds, and they have trouble getting their time in.

Mr. McCartney asked if other age groups would be able to use the field as well. Ms. Tierney stated if there is availability other age groups could use it, but she feels that during the season it will be heavily used by that age group.

Mr. Grenier asked if they would be looking to have more Tournaments once the lights are installed as he feels that is what the neighbors would be concerned about. Ms. Tierney stated that was not discussed, and it was more about accommodating their practices and current games; but she could go back and confirm that with PAA.

Mr. Lewis asked if balloon tests have been done yet for the proposed lights. He stated he feels that would be helpful before meeting with the residents as it may ease some of the residents' concerns once they see a balloon test. Mr. Pockl stated they have not completed a balloon test at this point, although they have looked into the feasibility of it. He added that he reached out to the company that did the balloon test for the Township at Snipes five years ago, and they indicated that they could have it done within the next month although they could not give a tighter timeframe because there is a short supply of helium and they are restricted to the amount that they are allowed to use because they are not a medical facility which gets first access to the helium that is available.

Mr. Pockl stated they are scheduled to conduct soil bearing capacity/borings so that they can insure that the soil can handle the foundations for the light towers. Mr. Grenier asked if they are doing one at each proposed light pole location, and Mr. Pockl agreed. He added that they believe there will be five light poles, and they will test each proposed location.

3. Veterans Square ADA Accessibility – Mr. Pockl stated in meeting with the Township staff, they have reviewed the lay-out of Veterans Square Park and the desires that have been previously brought to the Township for ADA accessibility to the drinking fountain, the monument, and the playground. He stated they are working to get a survey of the existing Park and to develop a Concept Plan that they can proceed with that fits within the proposed Budget which he believes is \$60,000 per the ADA Transition Plan that was previously discussed.

Mr. Grenier asked if they need to make any improvements to the existing parking lot, and Mr. Pockl stated that is the main focus of the ADA upgrades to provide ADA parking spaces which would include a level, flat area for

parking and getting in and out of vehicles. Mr. Grenier asked if it would just be those parking spaces and the rest would be gravel. Mr. Pockl stated they are going to try to stretch the money as much as they can. He stated the focus will be providing an ADA-compliant path to the playground, the monument, the drinking fountain, and the parking spaces; and if there is money to extend that beyond those parking spaces, they will be open to doing that.

4. Memorial Park ADA Accessibility – Mr. Pockl stated this would be for ADA improvements at the existing playground to include a new rubberized surface to replace the existing surface and shade structures. He stated they are working on developing the design for that, but they do not have a Concept Plan yet.

PROJECT UPDATES

Memorial Park

Mr. Grenier noted the furthest east section of the Park which is mowed from the road to the tree line east of the tennis courts. He noted an area which lines up to the new tennis courts where there is some compacted gravel in the field. He stated the grass is brown in this area. He asked if the contractor needs to be contacted about this. Mr. Pockl stated they are scheduled to walk the site with DCNR on Monday to close out the Grant for this project, and he will look into that. He stated they have withheld money from the contractor in order to complete any restoration work that needs to be done.

Mr. Grenier asked why they are mowing such a large area, and he asked if there are plans to use it for anything other than a large open space. Mr. Pockl stated to his knowledge that area is not part of any future project. He added he had heard that perhaps additional trees would be planted to provide additional screening/buffering for the properties from the Park activities.

Woodside Bike Path

Mr. Grenier asked for an update on the Conservation Review, and Mr. Pockl stated they received comments today which were mostly administrative in nature, and they will address those and turn it around relatively quickly, and have a revised submission by the end of the week. Mr. Grenier asked

what that means for the overall project schedule. Mr. Pockl stated they still have a technical review to complete, but he feels the overall project timeline is on course to be completed and Bid by August with an award in September, and construction in the fall prior to the end of the year.

Multi-Use Trail

Mr. Grenier asked for an update on the Multi-Use Trail, and Mr. Majewski stated they met today with the contractor, PennDOT, and other representatives and walked the entire trail to look at all the work that is going to be done including cutting down trees. He stated the contractor indicated that they are currently on target to start work on July 18. They will first put in all of the erosion and sedimentation-control measures and then do the tree clearing. He stated there was discussion whether they could save some trees, and it was determined that for one section, they will stake out the trees that they know need to come out, and then look at the other ones on an individual basis once those trees are out of the way to see if others could be trimmed or if there are others that also need to be taken down. He stated there was a good price for the tree removal. Mr. Majewski stated a few non-native trees are scheduled to be removed.

Mr. Lewis asked when they will be able to file for the reimbursement from DVRPC, and Mr. Majewski stated as they go along, we can get reimbursement. He stated they have to work through the PennDOT system where they handle all of the paperwork, tracking, payments, and authorizations. Mr. Lewis asked if Mr. Majewski will be the one requesting that at each step; and Mr. Majewski stated Mr. Ferguson was designated, but there will be another person who will step in to handle some of that although there may be a few things that Mr. Ferguson will still have to do unless the name is changed over to someone else. Mr. Lewis stated he would not want a situation where “we miss that for this year, and we have negative balances for next year in this line item which would cause people to be concerned.” Mr. Majewski stated the contractor does not project this to be a long-term project. He stated the lead time will be on the traffic signal poles which is a six-month lead time on some of those. Mr. Lewis stated the actual build part of the path is not that long, and Mr. Majewski stated they anticipate going through that fairly quickly possibly a month or two. He added there is work to be done on the ADA-accessible ramps, and PennDOT has a review process that needs to be followed which is a twenty-eight day review period by PennDOT; and if it is rejected, there would then be another twenty-eight days for the next cycle. The plan is to do

the bulk of the trail work, then finish up the other pieces of the trail and the ADA-accessible ramps, and finally the traffic signals and poles whenever the poles arrive. Mr. Lewis asked if it would be available for people to use before the poles are in, and Majewski stated he feels it would be available once it is safe for the public to utilize.

SOLICITOR'S REPORT

Mr. Truelove stated the Board met in Executive Session beginning at 6:30 p.m. and litigation, Real Estate, Contract, personnel, security, and informational items were discussed.

Approve Advertisement of the 5G Ordinance

Mr. Truelove stated there has been some discussion about this over the last few months. He stated in August of last year the State Legislature passed Act 50 which was a prescriptive process by which Municipalities could regulate any 5G Applications that qualify under that regime. He stated it is a fast-track system which favors the Applicants generally; but if there is not something on the books, the Township will not be able to regulate it at all. He stated there have been some questions as to whether the Ordinance can be strengthened in any way, and their research has indicated that it is very unlikely that can happen based upon the way Act 50 was enacted. He added in the proposed Ordinance Sub-Section 2E it indicates, "Nothing in this Chapter shall preclude the Township from applying its generally-applicable health, safety, and welfare regulations when acting on an Application for a Permit." He stated there has been no testing of these Ordinances in the Commonwealth yet. He stated the recommendation is to advertise this so that the Township has something on the books if the Board agrees to approve this. He stated if the Law changes, and it can be strengthened at some point, we could amend it or supersede it if the Board desires.

Dr. Weiss moved and Ms. Blundi seconded to approve advertisement of the 5G Ordinance for the Township to sync with the State regulation Act 50.

Mr. Grenier stated Mr. Truelove had indicated that there was not much that could be done for the Township to strengthen this, and he asked Mr. Truelove to elaborate on that. Mr. Truelove stated if you look at Act 50 the way it is structured, and generally with State Law when they provide regulations to

local Municipalities, that is usually the most a Municipality can do as opposed to building on it; and this one in particular was designed that way. He noted the catch-all phrase that he quoted previously, and they may be able to rely on that under the right circumstances. He stated the Township does not want to be in a position where we have nothing on the books, and when an Applicant comes in, there is no way for the Township to regulate it or even review it.

Mr. Don Marshall, 1009 N. Elbow Lane, stated he has heard potential health issues regarding 5G, and he asked if that is something that we could take into consideration. Mr. Truelove stated this relates back to the cell tower issues a number of years ago, and that was proven not to be an issue; although that may not be the case here. He stated we do have the one phrase that he highlighted that discussed the Township applying its generally-applicable health, safety, and welfare regulations. He stated hopefully that recognizes that we still have the right to apply that as technology, science, and information advances. He stated there has been no testing of these Ordinances anywhere at this point. Mr. Truelove stated if other information becomes available and we are able to make changes to the Ordinance, the Township will consider that.

Motion carried unanimously.

Approve Ordinance Allowing Portnoff Law Associates to Collect Delinquent Sewer Accounts

Mr. Truelove stated at the June 1 meeting, the Board after considerable discussion approved for advertisement the Ordinance allowing Portnoff Law Associates to collect delinquent Sewer accounts. He stated it was properly advertised for consideration this evening. He stated Portnoff does this work over at least half of the Commonwealth, and a Fee Schedule has been set forth in the Ordinance. He stated Portnoff also emphasized the fact that they try to work with delinquent accounts in terms of those who want to pay to have a payment plan. He stated he understands that the amount of delinquent Sewer bills currently on the books is approximately \$1.2 million so there is an impetus to start collecting this and reduce that amount.

Dr. Weiss moved and Ms. Blundi seconded to approve the Ordinance allowing Portnoff Law Associates to collect delinquent Sewer accounts.

Mr. Lewis stated while he is “not excited to vote for this,” he will be voting in favor of this. He stated we are requesting the most aggressive collection that we can and it is a “difficult balance with that.” He stated he previously worked on execution sales collecting Sewer rents in another Municipality; and while he would have preferred to do this in-house, this option allows us to maximize our return. He thanked Ms. Kirk who helped the Township collect over \$200,000. Mr. Truelove stated that process was more limited, and Ms. Kirk and her assistant were very diligent in that process; however, this process expands what they were able to do and makes it more effective. Mr. Lewis reminded the residents that they should pay their delinquent Sewer bill now before this process starts since the process that is being approved is very aggressive.

Mr. Grenier asked if we find out that we not satisfied with how Portnoff is treating our residents as they seek to get these funds, what can be done under the Ordinance to change course if necessary. Mr. Grenier stated there is a separate Agreement with a Notice period, and that Agreement would have to be terminated first. He stated the Township could then vote to rescind the Ordinance. Mr. Grenier stated this firm has been sued in the past for “predatory practices;” and he asked if they get sued for that is the Township indemnified, and Mr. Truelove stated the Township is indemnified, and that is part of the Agreement. He stated that does not mean the Township could not be named, but Portnoff would assume the defense and everything else.

Motion carried unanimously.

Approve Fuel Contract Through the Bucks County Consortium

Mr. Truelove stated Bids were received for the 2022/2023 delivery prices, and this will lock us into the lowest delivery price for the length of the Bid for each item. He reviewed the charges in the Contract.

Ms. Blundi moved, Mr. Grenier seconded and it was unanimously carried to approve the Fuel Contract through the Bucks County Consortium.

ZONING HEARING BOARD MATTERS

Appeal #22-1971 – Emanuel Butera for the property located at 15 Kenmore Road, Yardley, PA 19067, Tax Parcel #20-047-008. Applicant is requesting Variances from Township Zoning Ordinance #200-23.B in order to construct a shed with a cement slab which would increase the impervious surface from the existing 16.9% to 17.51% where 13% is the allowable amount; as well as Township Zoning Ordinance #200-51B structure in a floodplain.

Mr. Truelove stated there has been a practice of the Board for several years that when floodplain issues are implicated, participation is recommended.

Mr. Lewis moved, Mr. Grenier seconded and it was unanimously carried that the Township participate.

With regard to Appeal #22-1972 – Stephen McGerty for the property located at 1009 University Drive, Yardley, PA 10067, Tax Parcel #200-016-032-013 Variance request from Township Zoning Ordinance #200-23.B in order to construct an in-ground concrete pool which would increase the impervious surface from the existing 20.6% to 21.9% where 21% is the allowable amount, it was agreed to leave the matter to the Zoning Hearing Board.

Amended Appeal #21-1941 – Cameron & Olga Jean Troilo for the property located at 1674 Edgewood Road, Yardley, PA 19067, Tax Parcel #20-021-003. Applicant is requesting a Variance from the Township Zoning Ordinance #200-38.6.C(1) so as to permit a density of 18.4 dwelling units per gross acre whereas a maximum 12 dwelling units per gross acre is otherwise permitted; #200-63.D(1) so as to allow the new buildings to be setback 8' from the legal right-of-way of Langhorne-Yardley Road whereas a 20' front yard setback from Collector Roads is otherwise required; #200-38.6.I(3) so as to permit the largest of the new infill buildings to be 163% larger than the average area of the existing historic structures whereas new infill buildings are otherwise prohibited from being greater than 10% larger in all dimensions to an adjacent historic structure; and #200-38.3.A(7) so as to permit an apartment over business use with no associated business and an apartment on the bottom floor, whereas the bottom floor would otherwise be required to be a business.

Mr. Truelove stated Mr. Edward Murphy, attorney, Mr. C. T. Troilo, and Mr. Jeff Marshall are present on behalf of the Applicant.

Mr. Grenier moved and Mr. Lewis seconded to oppose Appeal #21-1941.

Mr. Grenier stated at the December 1, 2021 meeting the Board voted three to two to oppose one of the Variances which was #200-38.6.C.(1), the density number; and there were others, some of which have gone away since then. Mr. Truelove stated he recalls that the Board made different designations on the various Variances.

Mr. Grenier stated he is the HARB, Historic Commission, and Planning Commission liaison so he has been following this project closely over the years. He stated Mr. Troilo has come before HARB on multiple occasions, and there has been very open dialogue; and he commends the Applicant for working with HARB to address many of the issues, concerns, and questions that they have had. He stated they started with much higher density, parking off-site, and no sidewalks and other limited features; and he feels from there to where we are now is a very big improvement. He stated HARB is still in opposition to the Plan as it stands now because of the size of the buildings, the addition to the Quill House, and some of the finer points of the structures and lay-outs of the porches. He stated HARB's understanding was that prior to going to the Zoning Hearing Board, there would be another meeting at HARB; and they have informally requested that a response to their last set of comments be provided so that they can see where things ended up. He stated they have asked the Board of Supervisors to oppose presently and to ask the Applicant to go back to HARB to address some of these issues.

Mr. Grenier stated from a Zoning perspective it talks about dwelling units per acre; and twelve are allowed, and the request is for 18.4. He stated he is concerned about that given the nature and location of this parcel which is a triangle at a very unique intersection where there are sight line issues and concerns about potential traffic there. He stated from a historic perspective he has some concerns because when we look at the historic integrity of buildings, we want to put buildings in that, even if they are reproductions or meant to be built in the similar vein to the existing historic buildings, there are some that are much larger than the surrounding buildings.

Mr. Grenier stated he does appreciate the considerations that have been put in including the sidewalks. He stated he is also pleased that the parking will now all be on site. He stated he believes that there is still a Note on the Plan that twelve parking spaces are to be at Veterans Square Park, and that should

be taken off. Mr. Grenier stated while he is still voting in opposition, he feels they are going in a positive direction, although he does not feel they are there yet to go to the Zoning Hearing Board; and he would like HARB's issues to be addressed and get them to recommend approval as well. He stated if they then still need to go to Zoning, the Board could vote just to participate.

Mr. Murphy stated for the most part Mr. Grenier fairly characterized the important changes that had been made to the Plan since last fall when the Application was first submitted, and the Board of Supervisors first registered its objection to the Application in that form in December of last year. Mr. Murphy stated Mr. Troilo has spent the intervening months meeting multiple times in an effort to address the issues. He stated they feel that other than an Agreement to retain the Quill House, all the other issues that HARB has raised have been addressed in the Plan being shown or will be addressed with detailed architectural plans when the time is appropriate to do so. He stated the biggest obstacle is that they are not willing to retain the Quill House although they will retain the Ishmael House. He stated they will re-construct the Quill House in its same location with a small addition to it which is depicted on the Plan.

Mr. Murphy stated the density has been reduced, and all of the parking is now on-site; and the parking provided is more than what the Ordinance requires. He stated they have included sidewalks and the design for a pedestrian crossing to get to the opposite side of Edgewood. He stated they have also added porches along the buildings where appropriate. He stated all of those issues were raised by HARB with Mr. Troilo, and they have addressed those. He stated they are hopeful that everyone has been operating in good faith, and they are at a point where they can move ahead with the Plan that is in front of the Board. He stated he outlined all of these issues about two weeks ago when he made the request to have this considered this evening.

Dr. Ernest Cimino stated while he lives in Newtown, he owns the property immediately adjacent to this project at 1666 Edgewood Road. He stated he believes that the Troilo Corporation does nice construction work and everybody likes what they produce; however, for the last twenty years he and his wife have owned this property and they realized that being in the Historic/Commercial District there would be restrictions on what could be done with the property. He stated when the Traditional Neighborhood Overlay was "put upon them they accepted the fact that this was more of the nature of restrictive development that they were willing

to deal with although they were not that enthusiastic about it.” He stated he sees the rules that have been compromised. He added he understands that this is the third rendition of the Plan for the point. He stated the second rendition was discussed in April, changes were made, and this is now the third rendition.

Dr. Cimino stated he is most bothered about the density which is currently at 18.4 units per acres. He stated this is a three-quarter acre piece of property, and by Code/by Zone it should have nine units. He stated they started off asking for 22 per acre which was 16 units, and they have compromised to 18 per acre which is 14 units. He stated he feels a reasonable compromise for this historic property would be 16 units per acre which is higher than the Zoning allows, but would allow them to construct 12 units not 14. He stated there would then be even less parking on the property, less impervious surface, and more opportunity for green space. Dr. Cimino stated he agrees that there has been a lot of compromise on the part of the Troilos, and they are going in the right direction; however, he would ask them to come back with a fourth rendition designed at 16 units per acre or 12 units. He stated with the 12 units, and looking at their current design, they could eliminate one of the buildings that is on the Plan and provide more green space. He stated he feels that asking to build to 163% of established construction when the Zone asks for no more than 10% is extreme; and if they limited themselves to 12 units on the property, they would still be in the range of 140% over what is currently present.

Dr. Cimino stated he sees this as a crossroads in the future of the Historic Zone and the neighborhood. He stated his property is immediately adjacent, and he has two historic buildings on his property, the 1881 Woodside Church and the 1950 Manse House; but there is a lot of green space on his property. He stated if he sees development right next to him that “shrugs off the Zoning Ordinances that have been set up,” he as a property owner or a future property owner who takes over after him, will see the green space between Edgewood Road and the 1881 Chapel and see a place where they can build, and they could put a 200 square foot building in front of the Chapel, and “this Township would not care if you see it from the road.” He stated catty-corner to the point, is Mr. Miller’s property with the Jesse Palmer Tavern; and from his review of Meeting Minutes he understands that he is subdividing his property, and he is working on constructing something catty-corner to this point project which will be new construction that “somehow respects the Historic Commission.” Dr. Cimino stated once a precedent is set that over-development/modern development is allowed, it will pave

the way for less restriction in the Historic Zone. He stated as a property owner he can go either way, and he can stand with the Township and their Zone and their Ordinances and “live with it or he can look to the Troilos who are saying you have to do something with abandoned property, and this is the only way to make it profitable, and the Township agrees with them; and that is going to be what happens with the property adjacent and catty-corner.”

Mr. McCartney asked about the demolition of the rear building, and Mr. Troilo stated what they are proposing is to remove the Quill House and to re-build a replica of it with a small addition on the back. He stated currently it is a two-unit home, and they are proposing it to be a three-unit home. He stated it would be the original configuration with a small addition on the back.

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

Dr. Weiss moved and Ms. Blundi seconded to participate.

Mr. Grenier asked if Mr. Troilo had answered whether he was willing to go back and look at a reduced number of dwelling units, and Mr. Murphy stated they are not willing to do that.

Ms. Blundi stated while things could always be better, she feels that the developer has done a “yeoman’s effort.” She stated the property is unique including the point which is a sharp angle that is hard to navigate around. She stated the way to fix that is by taking down a building that “apparently is very near and dear to the residents.” She thanked everyone for all the work they have done on this, and asked that they move forward to Zoning.

Dr. Weiss commended the Troilos for spending years to get to this point. He stated he feels they did a great job considering that an overwhelming majority of residents want to keep both buildings, and they found a way to keep one and replicate the other. He stated the question for the Zoning Hearing Board will be is that worth the extra density. He stated the Board of Supervisors will participate to make sure the best interest of the Township is served but it will be the Zoning Hearing Board’s decision.

Mr. McCartney stated he had been concerned about the parking off-site, and the developer has remedied that, and he is pleased with the Plan. He stated it is a very unique parcel, and he believes that the developer has come in with

the highest and best use that is available based on the limitations and what the lot lines are.

Motion carried with Mr. Grenier opposed.

ZONING, INSPECTIONS, AND PLANNING

Approve Final Payment #3 for the Route 332/Mirror Lake Signal Interconnection Project to Armour and Sons Electric in the Amount of \$3,892.50

Mr. Majewski stated all work has been satisfactorily completed.

Mr. Lewis moved and Mr. Grenier seconded to approve Final Payment #3 for the Route 332/Mirror Lake Signal Interconnection Project to Armour and Sons Electric in the amount of \$3,892.50.

Ms. Blundi stated this is a project long in the making, and she thanked everyone who helped bring this to fruition.

Motion carried unanimously.

Approve Resolution for Designation of Agent Authorized to Execute all Required Forms and Documents for the Flood Mitigation Grant Awarded for the 1425 River Road Elevation

Mr. Majewski stated this project has been long in the making, and a Grant had been awarded about a decade ago, but the project “fell apart.” He stated an Application was re-submitted in 2020; and once this is approved by the Board the Grant Agreement will be worked out with PEMA and the Township and they can start meeting with the homeowner and the engineers to work through the plans to elevate the house.

Dr. Weiss moved and Ms. Blundi seconded to approve the Resolution.

Mr. Grenier asked if this needs to be done any time there is a homeowner who wants to raise their house and use a Grant, and Mr. Majewski agreed.

Motion carried unanimously.

PUBLIC COMMENT

Mr. Doug Marshall, 1009 N. Elbow Lane, stated he understands that the property owned by Sandy Guzikowski was a farm which she intended to till, and it has been “in some manner” purchased by the Township or the development rights were purchased. He stated he has driven past the property and it is enclosed and looks like a “vegetation dump” as there are overgrown weeds within the enclosure, and it is not being used by anyone. He stated the Patterson Farm is “quite beautiful” and it is open space, green grass, and some crops; but the Guzikowski property is an eyesore. He stated a lot of money was spent on the property by the Township, and he asked if there were any conditions placed on the purchase. He stated it cost the Township a lot of money but it cannot be used by anyone, and it is not being tilled or even maintained either by Ms. Guzikowski or the Township.

Mr. Truelove stated the development rights for the Guzikowski property were purchased by the Township several years ago. He stated this is different from the Patterson Farm which the Township owns and maintains and over which there is a Conservation Easement. He stated with development rights, the property owner still maintains the property. He noted there is another property further down Big Oak Road where Karen Gates has her property which she does maintain, and she also sold her development rights to the property several years ago. Mr. Truelove stated he is not sure whether there is language in the conveyance for Ms. Guzikowski’s property that talks specifically about property maintenance; however, in general the Township has the Property Maintenance Code that all residents have to abide by. He stated that may or not be implicated here, but would be the fall back.

Mr. Lewis asked Mr. Marshall what he is specifically observing at that property, and Mr. Marshall stated if you drive past the property it is clear to anyone that it is enclosed which he now understands given Mr. Truelove’s explanation, is her right as it is her property. He stated it is not maintained, and it has a growth of weeds which at times approach 4’ in height, and it is not tended or mowed. He stated it is an eyesore. He stated the Township spent a lot of money on the property, and every other piece of open space/development rights situation that he has personally seen did not turn out this way. He stated he does not know why the purchase was made if there were no conditions placed on it. He asked if there is not a local Ordinance that should be followed. Mr. Lewis stated the Property Maintenance Code specifies a level of growth permitted within a property; and if it is above 12” in terms of grass, that is in violation of the Property Maintenance Code, and the property owner is typically warned

and then cited when it gets above a certain level. He stated it may be a case where Ms. Guzikowski has a retention basin where they would want higher-growth grasses, and that would not be mowed. Mr. Lewis stated if there is something above 12" that can be seen visibly, an e-mail can be sent to Mike Kirk at the Township about that.

Mr. Marshall stated he has spoken to Mr. Majewski a number of times on a number of issues, and Mr. Majewski is always patient and educates him; and he thanked him. Mr. Majewski stated Mr. Marshall sent an e-mail today requesting information on the Easement, and they are looking into that. He stated it is an agricultural property; and while agricultural properties are not kept lawns, they will look into this. Ms. Blundi stated she could be growing hay. Mr. Grenier stated we want to make sure that she is actually growing an agricultural product. He stated he believes \$3.7 million or more was paid for the Easement on this property, and that is a "hefty sum" to have paid to try to keep a plot of land in active agriculture which is not easy to do especially with only forty-four acres; and this is why so much money was paid for the Easement. He stated we want to make sure that Ms. Guzikowski is honoring the conditions of the Easement; and if it needs to be in agriculture, and it is not, that needs to be addressed.

Mr. Marshall stated he has noticed that there are some custom homes to be built at Derbyshire and Big Oak Road, and it appears that they are going to be built in a completely forested area. He stated he understands from Mr. Majewski that there is a requirement that 80% of the trees need to be maintained.

Ms. Kathleen Hirko, 1450 Dolington Road, stated with regard to the Troilo presentation, she thanked Mr. Grenier for speaking on behalf of HARB. She stated she follows those meetings closely, and it was her understanding and she believes the HARB members' understanding that Mr. Troilo would be coming back to show them the Plan before going to the Zoning Hearing Board. She stated instead of commending the Troilos for the work they are doing, she personally thinks that "they should be embarrassed for what they have let happen to those homes and just letting them deteriorate for all these years." She stated they should not be commended, and they "should be trying a little harder to follow the HARB recommendations." She stated it is very disappointing.

OTHER BUSINESS

Mr. Grenier stated he had previously brought up a request to have on an Agenda for discussion forming a Human Relations Commission. He stated he felt at that time it was something that was a good idea to move forward with based on the “general state of things and he understands our history and how we have tried to address it in the past.” He noted the recent Roe v. Wade Decision and certain restrictions that are being contemplated against the LGBTQ+ communities; and he is feeling more strongly about putting this on a future Agenda for discussion. He stated he understands concerns about over-regulating, but he feels there are good models as to how to address these issues. He noted particularly Upper Dublin Township. Mr. Grenier stated he has been asked about this by a number of people as to why the Township does not have one given that most of our neighbors do have one.

Mr. Lewis stated he concurs with Mr. Grenier, and there are other things that the Township may have to consider given the current political environment in the Commonwealth of Pennsylvania. He stated he would want to make sure that we can protect Lower Makefield residents as much as possible and those who travel to Lower Makefield to receive care.

There being no further business, Mr. Grenier moved, Dr. Weiss seconded and it was unanimously carried to adjourn the meeting at 10:00 p.m.

Respectfully Submitted,



Daniel Grenier, Secretary