

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – NOVEMBER 16, 2022

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on November 16, 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
 David Truelove, Township Solicitor
 Andrew Pockl, Township Engineer
 Kurt Ferguson, Former Township Manager
 (left meeting in progress)

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 Blood Drive for the Red Cross on Wednesday, November 23 from 1:00 p.m. to 6:00 p.m. in the meeting room at the Township Building, 1100 Edgewood Road.

Mr. Grenier stated with regard to the leaf collection Zones 1 through 8 have received their first round of pick-up and crews are currently active working in Zones 9, 10, 11, 12, 14, 16, and 17. Zones starting in the new few days are Zones 13, 15, 18, and 19; and next week crews anticipate starting in Zones 21 through 26. Public Works appreciates the residents' support and reminds everyone that the schedule for the second round of pick-ups will be published next week. All leaf piles should be kept off the roadways and away from obstacles such as mail boxes and trees and should not block any storm inlets.

APPROVAL OF MINUTES

Dr. Weiss moved, Mr. Lewis seconded and it was unanimously carried to approve the Minutes of November 2, 2022 as written.

TREASURER'S REPORT

Approval of October, 2022 Interfund Transfers

Ms. Blundi moved, Dr. Weiss seconded and it was unanimously carried to approve the October, 2022 Interfund Transfers in the amount of \$4,676,558.19 as attached to the Minutes.

Approval of Warrant Lists from November 7, 2022

Ms. Blundi moved, Dr. Weiss seconded and it was unanimously carried to approve the Warrant Lists from November 7, 2022 in the amount of \$1,901,736.40 as attached to the Minutes.

ENGINEER'S REPORT

Approval of Change Order #3 for the 2022 Road Program Project to James D Morrissey in the Amount of \$3,343.10

Dr. Weiss moved and Ms. Blundi seconded to approve Change Order #3 for the 2022 Road Program Project to James D Morrissey in the amount of \$3,343.10.

Mr. Grenier asked if this is for additional work that they identified during the course of the repaving; and Mr. Pockl stated after they milled the roadway, they discovered a sink hole which had to be repaired.

Motion carried unanimously.

Approval of Change Order #4 for the 2022 Road Program Project to James D Morrissey in the Amount of \$9,041.44

Dr. Weiss moved and Ms. Blundi seconded to approve Change Order #4 for the 2022 Road Program Project to James D Morrissey in the amount of \$9,041.44.

Mr. Grenier asked if they build in any contingencies or is everything that is found an “add-on.” Mr. Pockl stated these are quantities where they exceeded the initial amount because we assumed a certain amount during design for handicap ramps; but given the existing conditions, it was discovered that higher quantities were needed for the ADA ramps to be in compliance. He added that the others were an adjustment which was a credit back to the Township for the inlet tops that were not needed to be used. Mr. Pockl stated typically there is one Change Order at the end of the project where everything that has changed is itemized; but because of the scale of the project, the concrete sub-contractor wants to be paid for the additional work that they have done thus far.

Motion carried unanimously.

Approval of Pay Application #5 for the 2022 Road Program Project to James D Morrissey in the Amount of \$483,903.18

Dr. Weiss moved, Mr. Grenier seconded and it was unanimously carried to approve Pay Application #5 for the 2022 Road Program Project to James D Morrissey in the amount of \$483,903.18.

Approval of Pay Application #1 for the Schuyler Drive Tennis Courts Project to Keystone Sports Construction in the Amount of \$88,466.23

Dr. Weiss moved and Ms. Blundi seconded to approve Pay Application #1 for the Schuyler Drive Tennis Courts Project to Keystone Sports Construction in the amount of \$88,466.23.

Mr. Grenier asked if this is the balance of the project, and Mr. Pockl stated this is 25% of the project. Mr. Grenier stated there was a stop work order on this project, and there was an update from Ms. Tierney indicating that there were still issues to be worked out. Mr. Pockl stated we have been monitoring them and making the necessary adjustments during construction to make sure that the Township is getting what they paid for. He added that this is 25% of the project, but the work they have completed exceeds 25% of the work. The paving is down, the drainage improvements are in, and they are installing the fence around the perimeter. Mr. Pockl stated they are comfortable recommending payment since the work that has been completed and accepted thus far is in excess of the amount being paid. They have completed approximately 45% of the project.

Motion carried unanimously.

Approval of Escrow Release #4 for the Prickett Preserve Commercial Development to ELU DeLuca Yardley, LLC in the Amount of \$744,650.00

Mr. Grenier moved and Dr. Weiss seconded to approve Escrow Release #4 for the Prickett Preserve Commercial Development to ELU DeLuca Yardley, LLC in the amount of \$744,650.00.

Mr. Grenier asked Mr. Pockl how comfortable he is with this payment versus the work that has been done to date, and Mr. Pockl stated they are confident that the work done to date covers the Escrow Release. He stated this includes about 75% of the stormwater management systems that are underground and the stone for the roadways. An inspector went out and verified all of the quantities that they had applied for. Mr. Grenier asked how far along they are with regard to the on-site civil work, and Mr. Pockl stated for the Commercial portion, they are at 30% to 35%. He added that a lot of the underground work has been completed and they are working on finishing the surface work and grading.

Motion carried with Mr. Lewis opposed.

PROJECT UPDATES

Memorial Park Project

Mr. Pockl stated the contractor has addressed punch list items from DCNR, and the only outstanding item is to line stripe the parking lot and the contractor is expected to complete that work within the next week or so. Mr. Pockl stated topsoil, seed, and straw has been put out, but he does not feel that enough topsoil was put down. He stated he feels the Township should hold the money that was going to be paid for them to topsoil it, and have the Township do this work. Mr. McCartney stated this could be put on a future Agenda.

Woodside Bike Path

Mr. Pockl stated the contractor is proceeding with getting in the material submittals and these are being reviewed. He stated they have not yet been provided with a schedule as to when they will begin.

2022 Road Program

Mr. Pockl stated there are two roads to be completed – Maplevale and Meadow Drive. He stated there are some minor punch items including line striping and repair of a curb that was damaged. Mr. Pockl stated PA American Water installed a water line within Maplevale earlier this summer, but they never restored the trench to the point where it was acceptable; and the contractor is doing that now putting in the necessary base course so that we can pave over top of it. He stated it is anticipated the roads will be paved early next week.

Mr. Grenier asked if we should be reviewing our requirements for when utilities put trenches in the road as we have been running into this issue lately. Mr. Pockl stated he is in discussion with Public Works on Road Opening Permits and what will be required in the future.

CHIEF'S REPORT

Approve Kohls Extended Hours Request

Chief Coluzzi stated the request is to extend their hours past 10:00 p.m. during the holiday season beginning on Friday, November 25 through Saturday, December 24 with some of the night hours being extended to 11:00 p.m. and other nights to 12:00 a.m. He stated this is a routine request during the holiday season.

Dr. Weiss moved and Mr. Grenier seconded to approve Kohls extended hours request. Motion carried with Mr. Lewis opposed.

Approve Authorizing Advertisement for the Adoption of the 2023 Preliminary Budget

Chief Coluzzi stated on November 10, there was a Special Public Budget Session and Mr. Ferguson presented an overview of the Budget and each Department Head was present to discuss their individual Budgets. Mr. Ferguson is present this evening to answer any questions.

Dr. Weiss moved and Ms. Blundi seconded to authorize advertisement for the adoption of the 2023 Preliminary Budget.

Mr. Grenier stated he would like to see added to the Budget some dollar amount to be spent at the new Township Manager's discretion to hire an additional staff person which he feels would either be a Finance Director, an Assistant Township Manager, or a hybrid of the two which he feels the Township would benefit from. He stated in the past Mr. Ferguson spent hundreds of hours on Budgets every year which took him away from working on other goals. He stated one of the biggest criticisms we get at the Township is responsiveness, and he feels a lot of that is because of the workload of the staff. He feels an additional person would help. He stated he would like there to be a line item in the Budget that would allow for the new Township Manager at some point during their first year to make the decision to move forward with a new hire.

Mr. Grenier stated the Pool did not break even last year, and we are also anticipating additional expenses for the filters; and he is concerned about using Recovery Act Funds for non-Budget items. He stated a lot of money has been spent specifically in Park & Rec outside of the Budget using Sewer funds and Recovery Act Funds, and we should make sure that the Budget itself is able to cover Park & Rec issues versus going outside the Budget in the future.

Mr. Grenier stated with regard to Golf, early estimates were that once payment was made on the Debt, Golf would give back closer to \$700,000 to \$800,000 or more per year, but it is closer to \$400,000.

Mr. Grenier stated that he was hopeful that after selling the Sewer system, we might be able to reduce taxes a little bit.

Mr. Ferguson stated with regard to Golf, for this year the expected net positive cash would be about \$781,000; and we are transferring a significant portion of that to the General Fund, a Golf bond-repayment fund, and Park & Rec Capital. He stated the budgeted number for next year for cash surplus would be \$852,000. Mr. Ferguson stated the amount that would be left outstanding that the Golf Course would be responsible for back to the General Fund for the assistance over the last number of years would be \$1,365,000. There is \$455,000 for 2023 on the final Expense page of the Golf Course which represents essentially one third of it, with the idea that that would be repaid at the end of 2025. He stated after that if the Board wanted to continue to have that as a Revenue source for the General Fund, they could do that or dedicate it to anything else they would like to dedicate it to. Mr. Ferguson stated the

Park & Rec Capital Fund is allocated \$150,000 from those surplus funds. He stated \$75,000 goes to Golf Capital which was intended to be a longer-term Capital account for irrigation replacement, etc.

Mr. Lewis stated he is generally in support of Mr. Grenier's suggestion and viewing that as a placeholder to give the new Township Manager the discretion to get a Finance Director or Assistant Township Manager. He stated he assumes it would take six or more months to bring that person on-line. He asked if \$75,000 would be sufficient. Mr. Ferguson stated Newtown Township hired a Finance Director this year earning \$105,000 which is typical and an Assistant Manager may be a little less than that. Mr. Ferguson stated that would just be salary, and you would have to budget for a family health-care policy. He stated he would recommend budgeting \$8,000 to \$10,000 a month in salary with \$2,000 a month to be set aside for health insurance. Mr. Ferguson stated an HR Director could be considered as well.

Dr. Weiss stated he understands staffing issues and the new Township Manager may decide they require such a new hire, and we do have funding streams that could deal with that for next year; however, he hesitates putting it into the Budget because we operate at a structural deficit, and putting that in the Budget now means that our General Fund will go down faster which will mean tax implications sooner than later. He stated at this point, he is not ready to put that in the Budget. Mr. Ferguson stated there are "pots of money" that would not require them to re-open the Budget, whether that would be Sewer proceeds or Rescue Plan money. He stated it would impact next year's Budget if someone were hired mid-year. Dr. Weiss stated they could deal with that in the 2024 Budget, but for this year if the new Manager decided to increase staffing, it could be funded with other than Budget money. He would be against adding it to the Budget at this time.

Ms. Blundi stated we are converting someone in Finance from part-time to full-time. She stated she was hopeful that we could do something for taxes this year; but given everything that is going on, she does not feel we can do anything this year. She stated she would like to see what the new Township Manager says they need and how the full-time finance asset helps alleviate certain things, and consider new positions next year.

Mr. Lewis stated Mr. Ferguson has suggested that we could hire someone next year outside the current Budget framework. Mr. Ferguson stated that would involve hiring them with the funding pool being something outside of the millage in the taxes. He stated it could be Sewer sale proceeds or Rescue Plan money.

Mr. Ferguson added that as he had indicated to the Board previously, the Department of Treasury put an exemption in that allows the Board to use the funds for what they want, but he is not saying that is their preferred choice and is only saying that is an option. Mr. Lewis stated he feels that we are going to attempt to use all of that funding and there should be an open dialogue as to what is in the General Fund and what is not.

Dr. Weiss stated if we use money from these funds, those funds will dry up; however, if it is part of the Budget, it is part of the millage, and if we came up short, we would have to raise taxes. He stated we are forming a Trust which will eventually generate significant income which will impact the General Fund in a positive way. He stated he feels we should let the new Manager decide if it is necessary to add staff; and if so he feels the personnel issue can be addressed next year without adding it to the Budget. Mr. Lewis asked Dr. Weiss if he would be supportive if the new Township Manager wanted a Finance Director and/or Assistant Township Manager, and Dr. Weiss stated he would be in support of doing their best in accommodating whatever the Township Manager felt was needed.

Mr. Ferguson stated if that person was hired later in the year, even if it came out of the General Fund for the last month or two, he does not feel they would be prohibited from doing that as the cost to the line item would be inconsequential.

Motion carried with Mr. Grenier opposed.

Mr. Ferguson stated the Budget will be on-line tomorrow as well as available at the Township Office. He stated changes can be made after the twenty-day period within certain parameters that the solicitor could advise the Board on. Mr. Truelove stated under the Second Class Township Code, "Upon any revision of the proposed Budget, if the estimated Revenues or Expenses in the final Budget are increased by more than 10% in the aggregate or more than 25% in any major category of the proposed Budget it may not be legally adopted with those increases." Chief Coluzzi stated that the advertisement requirement should be over by the first Board meeting in December, and the Budget will be on the Agenda for further discussion and/or possible approval.

Mr. McCartney thanked Chief Coluzzi for his work on this and Mr. Ferguson for helping the Board as well.

Mr. Ferguson left the meeting at this time.

SOLICITOR'S REPORT

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

Authorize Advertisement of Police Pension Ordinance Update

Mr. Truelove stated at the last meeting the Board approved an MOA with the PBA for a new Police Contract which will be effective January 1, 2023. He will be preparing the final version of the Contract. Whenever the Collective Bargaining Agreement is updated, the Police rank and file contributions to the Pension generally change; and this time it is to the benefit of the Township, and there is a requirement to update the Ordinance to reflect the contributions. In the Agreement the Police are now able to use overtime in their Pension contributions and there had to be a change to the definition of "compensation" to do that since overtime is now included in compensation for the purpose of calculating pensions. He stated given that, we wanted to make sure that the four Command Officers who are not part of the rank and file also receive a difference that makes it worthwhile for them to be Command Officers versus rank and file; and he would suggest that we change the Ordinance to include a lesser contribution for Command Officers as part of the revision, and that is included in the Ordinance as well. He stated we have also broken out by definition the rank and file versus Command Officers so that it is clear in the Ordinance why the distinction was made.

Mr. Truelove stated this has been reviewed by our actuary who concurred and made some small recommendations which have been incorporated into this version, and it is appropriate to authorize advertisement.

Mr. Lewis moved and Dr. Weiss seconded to authorize advertisement of the Police Pension Ordinance update.

Mr. Grenier asked if the Police Union had any comments, and Chief Coluzzi stated all the terms were negotiated, and the Ordinance is consistent.

Motion carried unanimously.

APPROVAL OF RESOLUTION #22-18 AUTHORIZING THE USE OF ONE SIGNATURE CHECKS FOR AMOUNTS NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000.00)

Mr. Truelove stated this was generated by a request from the Finance Department as any check over \$100 requires more than one signature. A check run was supplied to the Board to show how many checks were subject to that. He stated the request is to increase that amount from \$100 to \$1,000 which would greatly reduce the number of checks that would require two signatures.

Dr. Weiss moved and Ms. Blundi seconded to approve Resolution #22-18 authorizing the use of one signature checks for amounts not to exceed \$1,000.

Mr. McCartney stated Ms. Vogel provided a run-down of the number of checks involved. Mr. Truelove stated there were hundreds of checks between \$100 and \$1,000. Chief Coluzzi stated it was quite a long time ago when the \$100 amount was set.

Mr. Grenier stated he is not opposed to raising the amount, but he feels that \$1,000 is too high. He stated there are a number of repeat check payees that are in the several hundred dollar range, and they may be getting eight to ten \$800 checks. He stated when he was Treasurer and was reviewing the checks and the invoices with the former Township Managers, when something “did not look right” he had them go back and look at the invoices. He stated he has concerns about bringing the number up to \$1,000 but would be willing to go up to \$500.

Mr. Lewis stated he did review the check analysis, and the total checks run this year is 2476, with \$0 to \$100 being 514, \$100 to \$500 being 894, and \$500 to \$1,000 being 294. He stated he could see a good case for \$500 being the starting point, but the Treasurer needs to look for patterns as there have been billing challenges in the past. He stated even if it is \$500 that would eliminate a lot of checks from a signing perspective.

Ms. Blundi stated there is an internal process; and if the staff has done the analysis and feels \$1000 is reasonable and customary, she would lean toward that. Dr. Weiss stated he agrees that it matters what the process is. He stated we are promoting a part-time person to full-time in Finance, and one of the things he hopes that person does is keep better track of our expenditures and to find any irregularities which have been missed in the past; and we will continue to improve our internal processes.

Mr. McCartney stated he feels the addition of the full-time Finance person and spot-checking should be part of the process, and he would be in favor of the \$1,000 since that was the staff recommendation.

Motion carried with Mr. Grenier opposed.

ZONING HEARING BOARD MATTERS

With regard to Appeal #22-1986 Megan & Kyle Dougherty for the property located at 610 Grindan Drive, Yardley, PA 19067, Tax Parcel #20-061-024 Variance request from Township Zoning Ordinance #200-23(A) in order to install an in-ground concrete pool and patio which would increase the impervious surface from the existing 29.3% to 35.6% whereas 28% is the allowable amount, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to Appeal #22-1987 Steve & Lisa Mullaghy for the property located at 24 Oakdale Blvd, Yardley, PA 19067, Tax Parcel #20-042-107 Variance request from Township Zoning Ordinance #200-23B in order to construct a single-story sunroom addition which would increase the impervious surface from the existing 27.1% to 30% whereas 29% is the allowable amount, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to Appeal #22-1988 Greg & Maryann Doyle for the property located at 1499 Brookfield Road, Yardley, PA 19067, Tax Parcel #20-072-018 Variance request from Township Zoning Ordinance #200-19 which would increase the impervious surface from the existing 27.4% to 36.2% whereas 32% is the allowable amount, and Township Zoning Ordinance #200-18 which would decrease the rear yard setback to 1.5 feet whereas 40 feet is otherwise required in order to install an in-ground concrete pool and patio, Mr. Grenier moved and Dr. Weiss seconded to participate.

Mr. Grenier stated he is concerned with the 1.5 feet setback adding that they back up to Township forested land, and installing concrete 1.5 feet from the property line means that the drip line of the trees and the roots are right up to the concrete. He stated it also a forested stream.

Motion carried with Ms. Blundi opposed.

APPROVAL OF CERTIFICATE OF APPROPRIATENESS FOR 915 ANTIQUE ALLEY
PRICKETT PRESERVE BARN RENOVATION

Mr. Steve Harris, attorney, was present with Mr. Joe DeLuca, representing the developer, Mr. Paul Johnson, the staff architect, and Mr. Jeff Marshall, the historic barn consultant. Mr. Harris stated Prickett Preserve has had Final Plan approval and is well under construction. He stated they are seeking approval of a Certificate of Appropriateness for the adaptive reuse of the barn. He stated they spent five months working with HARB and Mr. Grenier. He stated in that process HARB made some very constructive suggestions which were taken to heart which substantially improved the project.

Mr. Harris stated on October 11, HARB recommended approval of the Certificate of Appropriateness pursuant to the following Conditions:

1. The roof would be extended with small openings on both sides of the attachment to the barn
2. The window well would move in 2' from each side of the building and the window well would have steps to split it into thirds rather than just being an open area
3. Downspout would be moved to the other side of the wooden doors
4. The railing along the window well will be painted in earth tones
5. The least intrusive connection to the barn for the addition will be utilized

Mr. Harris stated all of the first four Conditions have been implemented. With regard to the least intrusive connection there are two alternatives which will be presented to the Board for consideration both of which are acceptable to the Applicant.

Mr. Johnson showed images of the existing barn as it stood at the beginning of the process. It is a three-story barn with the area in white being a later addition to the barn. He showed the Prickett Preserve site with the existing barn and the existing house marked in blue.

He stated the existing house and barn are located in a central park area with surrounding Retail, the Wegman's, and to the south end of the site is the location of the proposed two-hundred apartment units with a club house. Mr. Johnson stated the focus of maintaining the house and the barn was to maintain a central park space with a direct connection across that to maintain an open area around the historic buildings. Alternate views of the site were shown.

Mr. Johnson stated the end use of the barn will be a restaurant maintaining the barn and adding an addition around the western and southern sides of the building with exterior, tiered seating areas that open with movable doors from the interior of the building to open the patios to the park space of the house and barn connection. He stated the existing barn and the new addition will be used for seating. He stated the existing second floor of the barn will be additional restaurant area, and kitchen and service equipment will be located in the basement of the new addition.

Mr. Johnson stated the overall concept of the barn addition was to create a glass box around the existing barn. He stated when you are dealing with something historic you either try to mimic it or you try to set your addition apart, and they took the approach of setting it apart using the glass box with the barn as the backdrop. He stated by using the glass, trying to lighten the façade of the new addition, and minimizing the thickness of the roof, the barn is always the backdrop. He stated you can see through the addition to the barn with minimal intrusion so the barn is always the focal point of the site. Alternate views of the proposal were shown.

Mr. Johnson stated at the south end of the building there are landscaping buffers that soften the new addition against the pedestrian walkway. To the southeast of the building they have pulled back the facades of the building to create an open corner to expose the quoins of the existing barn and some of the existing doors and to create an opportunity for green space and a sculpture area on the corner of the existing barn which on the site is a predominant corner for pedestrian circulation.

Mr. Johnson showed the well on the east side of the building. He stated HARB had commented on this asking that they bring in the exterior portions of the well 2' from the perimeter. He stated the well is a retaining wall around the eastern end and exposes the existing grade of the barn to create a window

well for the existing windows on the eastern side of the barn. He stated as recommended by HARB, the well was pulled in to better expose the corners of the barn and to minimize the impact on the quoins on the corner of the barn.

A slide was shown demonstrating the relocation of the gutters which were initially closer to the building, and they were moved out toward the opposite end of the existing doors to set apart the detail of the connection of the new addition to the barn which was an important connection to HARB.

A slide was shown detailing the connection where the roof line continues, but as it gets closer to the barn, it cuts back and sets even with the façade of the new addition. Mr. Johnson stated the idea is to create a visual break that makes it obvious where the existing barn ends and where the new addition begins. He stated they carried that to the north side of the building as well.

He showed a picture of the north side of the building which is the current entry which will be maintained as the entry of the restaurant as well as the main entry with the well area to the left with a locked gate for maintenance access to that area. He stated the well itself starts off fairly shallow and tapers down with the current existing grade, and is about 42" at its deepest which is why they felt an access point was important to maintain for cleaning, maintenance, and general access. He stated at the north end it is a 6" drop and as you get to the southern end it becomes a 42" drop. He stated the tiers of the well are covered in stone but they are also following what is the existing grade of this portion of the barn.

Mr. Johnson stated HARB was concerned about providing privacy for the users of the restaurant, and at table height to the floor level the glazing will have a film on it to provide a visual/privacy break; but it will still let in light and views both in and out to try to maintain the glass box approach.

A night rendering of the barn was shown demonstrating what the glass box could look like at nighttime with the barn being the backdrop. He stated they plan to up light the existing barn from the roof to wash the barn walls so it creates a "glowing jewel" as you approach the site.

Mr. Johnson stated one of the important things they have tried to maintain with the addition is to not interfere with the barn as much as they can. He stated their approach to that would be to create a structural system that is independent of the barn. He stated anything with the addition is offset from the existing barn walls, and they are not using the barn to bear

any weight or structure. There are minimal tie-ins of expansion joints to existing walls and where floors meet. He stated the only connection point that they end up with directly connecting to the barn would be where the roof meets the exterior barn walls. Mr. Johnson stated after discussion with HARB, there were two details presented on options as to how to make that tie-in. He stated any roof tie-in to any wall needs to consider a flashing detail. The two options were shown, and Mr. Johnson stated their preferred option is on the left. He stated this option will require the least long-term maintenance and is the least likely to leak over time. He stated it is the preferred option for not only a renovation but for any roof tying into a wall.

Mr. Johnson stated the alternate option would be a similar approach where the flashing would be attached to the mortar joints of the existing stonework with a caulk joint at the top of the flashing. He stated this is not preferred because that caulk weakens over time and requires maintenance and upkeep. He stated both of these options are standard approaches and both try to minimize the impact of the new roof on the existing barn. He stated the only thing that is really tying in directly would be the flashing and everything else would be offset enough that it is capped with an expansion joint between the two.

Mr. Johnson stated they have also explored materials with HARB, and a slide was shown of the exterior. It shows where the existing siding is on the barn, the movable walls on the patio area, and metal cap fascias, the depth of which have been reduced after speaking with the HARB as originally they were showing a thicker approach. He stated given the HARB's recommendation they have tried to "slender" that as much as possible to lessen the impact of the roof versus the barn. He stated the exterior glazing will be a solar glazing taking into consideration the southern facing of the building. There will be aluminum frames. The underside of the soffits will be finished with a wood look or actual wood. He stated the base of the new addition will be stucco or similar. He stated they discussed with HARB the possibility of using stone to match the barn, but the approach is to set it off differently with a similar tone to try to tie into the color pallet of the barn, but not try to match it exactly. He stated the railing around the patio areas will be cable railings. Some examples of materials were shown.

Mr. Johnson showed two images of the barn with the images on the left being where they started five months ago with the HARB and the images on the right showing how the building evolved over time.

Mr. Harris stated there are no current plans for the existing house; and they recognize that when a tenant is obtained for the house, they will have to come back and go through the same process. He stated they anticipate fewer changes to the exterior of the house. Mr. Harris stated he only outstanding issue with regard to the barn is for the Board to decide if they are in favor of Option #1 or Option #2 with regard to the connection of the addition to the barn. He stated the addition will not be depending on the barn wall for support, but it does have to be connected to the barn wall.

Mr. Grenier asked if HARB felt strongly either way with regard to these two options; and Mr. Harris stated they asked for a study, and their statement was that it should be the least intrusive connection. Mr. Grenier asked Mr. Pockl if he had an opinion on this, and Mr. Pockl stated he feels the architect is correct in that the flashing detail on the left is generally preferred because it is the most effective way of minimizing intrusion water into the building. He added that given the sensitive nature of the building, he understands why they provided Option #2 which would be less intrusive with penetrations into the actual building.

Mr. Grenier asked in the event that it had to be removed for some reason, what potential “scarring” could occur under Option #1. Mr. Johnson stated there would be a joint that would need to be mortared in. Mr. Grenier stated it could be restored to its current state, and Mr. Johnson agreed.

Mr. Grenier moved and Dr. Weiss seconded to approve the Certificate of Appropriateness for 915 Antique Alley Prickett Preserve Barn Renovation inclusive of the barn addition roof connection detail #1.

Dr. Weiss stated he feels this is a beautiful renovation plan, and he looks forward to being there in the future. He noted the uncovered area, and he asked if there is enough room in the barn to move the tables inside in case of inclement weather. Mr. Johnson stated the entirety of the new addition will have basement space as well as the existing barn which also has a basement. Dr. Weiss asked if there is room in the outdoor space where if the tenant wants cover for inclement weather they could still keep the outdoor seating. Mr. Johnson stated not 100% of the outdoor space is covered.

Mr. DeLuca noted the area which would be under cover. He also showed the area where doors open for outdoor seating when the weather is appropriate. He noted areas which are not covered; and stated if there is

bad weather, the restaurant will have to deal with the logistics of bringing people inside. Mr. McCartney stated it seems they could lose fourteen to sixteen tables if there is inclement weather, and Mr. DeLuca agreed.

Mr. McCartney asked if the purveyors of the restaurant plan on having a liquor license, and Mr. DeLuca stated they do. Mr. Harris stated this will hopefully be an upscale Italian steakhouse, and you need to have a liquor license to have an upscale restaurant. Mr. DeLuca stated while they are in negotiations, they do not yet have a formal lease signed. He added it is a local, successful restaurant looking for a second location. They hope to be able to break the news before the end of the year or early next year. Mr. DeLuca stated the goal is to start the renovation process early in 2023. Mr. Harris stated it is difficult to negotiate a Lease without having an approved Plan, and this is a very important step in being able to accomplish that.

Mr. Grenier stated he feels this is a good example of why we wrote the Overlay District the way we did to include the requirement to go to HARB. He stated he feels the process drastically improved the aesthetic, and he thanked the HARB which had good ideas. He thanked the Applicant for listening and incorporating those ideas into this Plan. Mr. Harris stated it was a very successful process.

Ms. Blundi noted the cement siding, and she asked if it is that thin because of historical accuracy as she feels it looks awkward. She specifically noted the Hardie plank siding at the top triangle on the slide of the barn addition west elevation, and she asked if that could not be wider. Mr. Grenier stated that is the existing siding, and Mr. DeLuca stated it is probably a 6" to 8" reveal. Ms. Blundi stated if that is historically accurate, it is okay; but she feels it looks "off." Mr. Marshall stated it is what is there now; and while he is not saying it is historically accurate, HARB's guidelines were to leave what was there as much as possible so it will replicate in profile what is already there. Mr. McCartney asked if the frame part of the building that is sided was an addition; and Mr. Marshall stated it was an addition, and it is the back of the barn. Mr. Marshall stated there was a lot of discussion about this; and because the orientation of the park, it will become the front of the barn. He stated from a barn preservation point of view that is where you would put the new addition, but the way the Site Plan was developed and the way the whole property is laid out it is "backwards." He stated that and the three levels of the southern façade made all the challenges that they went through in order to minimize that adverse impact.

Ms. Blundi stated she will defer to those who have more expertise than she does, but she feels it looks “weird.” Mr. DeLuca stated they were asked to keep it the way it was. Mr. Grenier stated he would stick with HARB’s guidance since they are architects and historic preservationists and felt strongly about this.

Ms. Blundi stated she does not recall that HARB indicated that the planks were there when the barn was built; but if they feel that they are historic and should stay, she agrees they should stay. Mr. McCartney asked when the addition was done, and it was noted that it was sometime after 1960. Ms. Blundi stated she stated she feels we should make sure that this is what we want. Mr. Harris stated this was not an issue that anyone at HARB raised, adding that this was the way it was, and that is the way it was approved.

Mr. Marshall stated the Pennsylvania Historic Museum Commission and the Natural Register of Historic Places consider things that have achieved significance beyond the last fifty years as being a period of historic significance even though it does not seem that fifty years was that long ago. He stated those are the basic guidelines that preservationists work under, and sometimes the decision is to leave it there because it has been there over fifty years.

Mr. Lewis stated he feels the before and after pictures are striking, and the “after” is very attractive in terms of design. He asked about ADA accessibility between the dining levels. He stated he sees ADA accessibility on the one end where you can walk up at the same place where they had the stairs, but he is concerned between the two dining levels. He stated if he were sitting outside and needed to go inside, he assumes he would have to walk up the stairs to get there. Mr. Johnson stated the lower deck is tied into the pedestrian walkway around the building and the upper level deck is at the same level of the interior of the restaurant. He stated the two levels do have accessibility. He agreed you would have to walk around. Mr. Lewis stated he understands that if you are on the enclosed deck level, there are no stairs; and Mr. Johnson agreed.

Mr. Lewis asked if there are any limitations on décor such as large umbrellas or signage that could detract from the visual appeal of the property. He stated he feels what has been done by trying to separate the clear section has been done at a lot of places to preserve the visual appeal of the original and clearly define what is new; however, it could be negatively impacted by décor outside. Mr. DeLuca stated you can see the structure and money that it will take to convert the structure into a usable restaurant as well as the level of the restaurant that will be here. He stated there could be umbrellas on the deck in the summertime to keep people cooler,

and there is no limitation right now. He stated as the owners of the center, they would not want things to not be done correctly for the overall success of this tenant plus the other surrounding tenants. He stated while that is not defined yet, it will be paid attention to. Mr. Truelove stated if there are signage issues, HARB would have oversight, but décor/umbrellas would not be regulated. Mr. Lewis stated he assumes the right tenant would want understated signage and it would not be “garish” in its design. Mr. DeLuca stated he understands, and they will be paying attention to those issues as well.

Mr. McCartney noted he can see where restaurants may want to have tents, canopies, and portable heaters so that they can extend the amount of people they could have there during the season. Mr. Harris stated that would all be on the lower level, and it will be addressed during the leasing process. He stated the upper level is all enclosed.

Mr. Grenier stated during the height of COVID restaurants had indoor/outdoor facilities. He asked if putting up tents, etc. temporarily would be allowed under our Code. Mr. Majewski stated technically he does not believe that is allowed; however, during COVID we did allow “some slack on that so that they could stay in business and serve the community more safely.” Mr. Majewski stated he will double check this.

Mr. McCartney stated he assumes the Applicant would not want anyone to put up anything that would take away from the aesthetic the Applicant is proposing.

Motion carried unanimously.

Mr. Grenier asked if there are any updates with regard to building pads, the roadwork, etc. Mr. DeLuca stated the Wegman’s pad is completed, and they have a Building Permit; however, he understands that they are not going to start construction until February, 2023. He stated this is also the case with CVS although he is not sure that they have their Building Permit yet. He stated there are a few more things that need to be done site wise to get the Chase pad ready, and he understands that they want to start as soon as they can which could be the end of this month to the middle of December. He stated there are two Retail leases they are getting ready to execute – one being a Firebirds restaurant; and they hope to start construction on that building around March. He stated this is also the case with regard to the restaurant being discussed this evening. He stated they would open late in 2023 or early 2024.

Mr. DeLuca stated First Watch is a breakfast/lunch restaurant, and they are excited to have them. He stated they are also working with some other tenants. With regard to road improvements, they are paved up to the Wegman's pad in the parking lot, and they also have the one that goes adjacent to the Office Park. He stated the road that comes off of the circle/the main entrance is partially paved, but roadwork still needs to be done there. He stated the PennDOT frontage is all Permitted, and PennDOT should have their package ready to go out shortly; and the thinking is that the Bid would be awarded by the end of the year, and work would start in February/March of next year. Mr. Harris stated that is the By-Pass improvements.

PUBLIC COMMENT

There was no one from the public wishing to speak at this time.

SUPERVISORS REPORTS

Dr. Weiss stated the Ad Hoc Property Committee met and the Contract is done. There will be a walk-through on Friday to start the process.

Mr. Grenier stated the Electric Reliability Committee continues to ask for PECO to come in front of the Board of Supervisors and are looking for guidance in terms of what their Committee will be in the future. Mr. Grenier stated the Historic Commission reviewed the draft RFP that Avison Young put together and provided comments to the Board relative to the RFP. Mr. Grenier stated he reviewed the proposal from Avison Young and provided comments to Mr. Truelove.

Mr. Grenier stated the Planning Commission met on Monday and recommended that the Board of Supervisors pull the advertisement of the Cluster Development Ordinance because they felt there were too many issues with the way it was written and felt that it needed more work before it was advertised. He stated generally the Planning Commission was in favor of promoting more open space, but they wanted to make sure certain details were addressed; and they would like the Advisory Boards and Commissions to look into the Ordinance further before it is advertised.

Dr. Weiss asked if the Planning Commission wanted to meet again to make any recommendations adding that it has already been advertised. Mr. Grenier stated as of the meeting on Monday, it had not been advertised according to Mr. Majewski and Ms. Kirk. Mr. Truelove stated he believes they are mistaken, and it has been advertised. Mr. McCartney stated the concern was that if it were not advertised, the developers would become aware of it. Mr. Truelove stated he did discuss earlier that the Pending Ordinance doctrine was recently whittled down by the Commonwealth Court, although he feels it is still viable. He stated the Planning Commission, the EAC, and possibly the Park & Rec Board will have more opportunities to comment. He stated he expects that the Bucks County Planning Commission will have a lot of comments, and this process could take months. Mr. Grenier stated the Planning Commission wanted to make sure that it was not advertised or that the Board of Supervisors would vote to approve it the first time they had the opportunity to do so since they did not feel it was ready for approval.

Mr. Truelove stated he just found out today that at the end of October, the Commonwealth Court issued an opinion that whittled the Pending Ordinance doctrine back some, but that may go to the Supreme Court. He stated it has been on the books for decades. He stated the most important point is that all of the interested groups and Committees will have an opportunity to weigh in.

Dr. Weiss stated he does not feel that any Ordinance concerning development in the Township has been “fast voted” for good reason. He stated he appreciates the Planning Commission’s concern and he would not pass anything unless he was certain that the community would benefit. Mr. McCartney stated the reason that it was done in this way was because of the strategy that was discussed to make sure that we were in front of it before developers got to it. Mr. Truelove stated the day after the Board took action on this, we received an e-mail from a well-known developer’s attorney asking for a copy of it. Dr. Weiss stated now that this is a Pending Ordinance, developer’s cannot do something else, and they stopped development until this is done.

Mr. Lewis stated the Citizens Traffic Commission will meet on Monday, November 21 and will be discussing the Bluestone and Fieldstone intersection and the line of sight at Roeiofs and Denny Drive.

APOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Lewis moved, Dr. Weiss seconded and it was unanimously carried to reappoint Richard Eisner to the Golf Committee.

Mr. Lewis moved, Ms. Blundi seconded and it was unanimously carried to reappoint Helen Bosley to the Golf Committee.

Dr. Weiss moved, Mr. Grenier seconded and it was unanimously carried to reappoint Lynne Catarro to the Disability Advisory Board.

There being no further business, Mr. Grenier moved, Dr. Weiss seconded and it was unanimously carried to adjourn the meeting at 9:25 p.m.

Respectfully Submitted,


A handwritten signature in black ink, appearing to read 'D. Grenier', written in a cursive style.

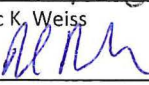
Daniel Grenier, Secretary

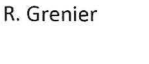
**LOWER MAKEFIELD TOWNSHIP
BOS MEETING - 11/16/2022**

A/P WARRANT LISTS	11/7/2022		PRINTED CHECKS	MANUAL CKS/WIRES	TOTAL
	PRINTED CHECKS	MANUAL CKS/WIRES			
Fund					
01- GENERAL FUND	224,172.92	1,130.49			225,303.41
02- STREET LIGHTS	3,522.84				3,522.84
03- FIRE SAFETY	109.75				109.75
04- HYDRANTS	12,544.28	-			12,544.28
05- PARK AND RECREATION	128,106.52	2,260.06			130,366.58
06- P & R FEE IN LIEU					-
07- RECREATION CAPITAL RESERVE					-
08- SEWER	2,933.12				2,933.12
09- POOL	2,101.16				2,101.16
11- TRAFFIC IMPACT					-
15- GOLF COURSE					-
18- SEWER CAPITAL PROJECTS					-
19- SPECIAL PROJECTS	213,464.45				213,464.45
20- DEBT SERVICE					-
21- REGENCY BRIDGE					-
30- CAPITAL RESERVE	26,737.70				26,737.70
31- POOL CAPITAL RESERVE FUND					-
32- TREE FUND	7,246.96				7,246.96
35- LIQUID FUELS	1,143,957.84				1,143,957.84
36- ROAD MACHINERY FUND	15,536.09				15,536.09
40- 9/11 MEMORIAL	1,900.58				1,900.58
45- PATTERSON FARM	11,256.19	32,652.46			43,908.65
50- AMBULANCE/RESCUE SQUAD	-				-
84- DEVELOPER ESCROW	72,102.99				72,102.99
91- UNEMPLOYMENT					-
	1,865,693.39	36,043.01	-	-	1,901,736.40


OCTOBER 2022 PAYROLL AND INTERFUND TRANSFERS		
Fund		
01- GENERAL FUND CHECKING TO CAPITAL RESERVE		734,108.00
GENERAL FUND CHECKING TO PAYROLL ACCOUNT		736,745.52
GENERAL FUND CHECKING TO POLICE PENSION FUND		1,053,793.00
GENERAL FUND OPERATING TO 401A DEFINED CONTRIBUTION PENSION PLAN ACCOUNT		5,078.98
GENERAL FUND CHECKING TO NON-UNIFORMED PENSION FUND		335,459.00
03- FIRE SERVICES FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT		470.76
05- PARKS AND RECREATION FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT		1,833.35
PARKS AND RECREATION FUND TO NON-UNIFORMED PENSION PLAN ACCOUNT		16,697.00
08- SEWER FUND CHECKING TO NON-UNIFORMED PENSION PLAN		47,787.00
09- POOL FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT		1,013.58
POOL FUND CHECKING TO NON-UNIFORMED PENSION PLAN		11,132.00
12- AMERICAN RESCUE FUND TO GENERAL FUND		786,692.00
AMERICAN RESCUE FUND TO CAPITAL RESERVE FUND		945,748.00
		4,676,558.19

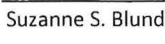


 John B. Lewis


 Fredric K. Weiss


 Daniel R. Grenier



 James McCartney


 Suzanne S. Blundi

