

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – AUGUST 16, 2023

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on August 16, 2023. Ms. Blundi called the meeting to order at 7:35 p.m. and called the Roll.

Those present:

Board of Supervisors: Suzanne Blundi, Acting Chair
Daniel Grenier, Acting Vice Chair
John B. Lewis, Secretary
James McCartney, Treasurer

Others: David W. Kratzer, Jr., Township Manager
David Truelove, Township Solicitor
Paul DeFiore, Township Engineer
Kenneth Coluzzi, Chief of Police
James Majewski, Community Development Director
Derek Fuller, Public Works Director

COMMUNITY ANNOUNCEMENTS

There was no one from any youth groups or other organizations wishing to make an announcement at this time.

Ms. Blundi stated Lower Makefield will be having a Blood Drive this Friday, from 1:00 p.m. to 6:00 p.m. She stated this is the second Blood Drive of this year for the Township, and hopefully we will be able to have one more.

Ms. Blundi stated Community Day is August 26, and there is an opportunity for volunteers. If anyone has time to participate, you can reach out to Park & Rec. For more information go to lmt.org-special events.

Ms. Blundi stated the Ad Hoc Property Committee continues to meet to create a long-term Master Plan for Patterson Farm and continues to ask for community involvement. This Township-owned property is at a crossroads with historic buildings requiring expensive repairs or they may be lost. The Committee is working with a team of architects, engineers, and economists to determine a way to have compatible uses with these building to be a benefit to the community and support the maintenance for future generations.

The public is asked to become involved by attending the Zoom meetings that are every 2nd Thursday of each month, and going to the Website at [LMT.org/Community/Patterson Farm](http://LMT.org/Community/PattersonFarm) where there is a lot of information.

ACCEPT DR. FREDRIC K. WEISS' RESIGNATION AS A MEMBER OF THE LOWER MAKEFIELD BOARD OF SUPERVISORS

Mr. McCartney moved and Mr. Lewis seconded to accept the resignation of Dr. Fredric K. Weiss' as a member of the Lower Makefield Board of Supervisors.

Ms. Blundi wished Dr. and Ms. Weiss best of luck in their new home and thanked them for all they have done over the years.

Motion carried unanimously.

PUBLIC COMMENT BY MAPLEVALE RESIDENTS AND OTHERS IMPACTED BY THE FLOODING

Ms. April Bollwage-Cloer, 20 Maplevale, stated she understands that we are still waiting for PEMA and FEMA about questions we have had in the past, but she would like an update on the pipe replacement. She stated she understands that *there was a proposal for two pipes to be put in, but there were challenges from the DCNR.*

Mr. DiFiore stated he spoke to DEP and DCNR who confirmed that we cannot install the additional pipe. He stated we are going to replace the one pipe. He stated the Permit will be re-submitted, and they will issue a new Permit. He added we are in the process of revising the Plans and re-submitting soon. They had the discussion with DCNR and DEP yesterday, and they hope to have the new Permit approved shortly.

Mr. Grenier stated we submitted an Emergency Permit Application for two pipes to the DEP, and they approved it. He stated DCNR is the property owner, and they came back after the Permit was approved and stated they would not allow for a second pipe to be included in the package. Mr. Grenier stated when we got the Permit for the second pipe from DEP, we procured all of the materials, labor, etc. to do the project; but during the meeting yesterday with DCNR, they stated we could not put in the second pipe, and Mr. Fuller agreed.

Mr. Grenier stated some work has been done on the single pipe, and he asked if we need to get the new Permit in order to finish the work on the single pipe while we deal further with DCNR. Mr. Kratzer stated that they verbally conveyed that we can proceed with the emergency repairs under the Emergency Permit with the single pipe installation.

Mr. Fuller stated when they found out about the DCNR decision yesterday, he advised the contractor around 3:30 p.m. that we could not do the second pipe but could move forward with the first pipe. He stated the contractor will try to get back on site Friday as he had re-allocated his force. Mr. Fuller stated he is trying to get them back on site Friday, but guaranteed they will be there Monday. Mr. Fuller stated they will start with a single-pipe installation per DCNR's requirements. Mr. Fuller stated this will include the armament of the embankment, covering the armament of the embankment, and seeding the embankment when done.

Mr. Grenier stated his understanding is that DCNR would not allow the second pipe because they were concerned about the Canal being used for purposes of stormwater management, which is rainfall that runs off the ground; and Mr. Fuller agreed. Mr. Grenier stated the Canal is at the low point in the watershed next to the River which is how it was built years ago, and it is by default used for stormwater management. Mr. Grenier stated he understands that part of DCNR's argument was that they wanted us to do a detailed analysis across multi-Municipalities and watersheds outside of Maplevale and down into Morrisville and other places so that we could put in a second pipe. Mr. Fuller stated that is his understanding as well.

Mr. DeFiore stated he believes their biggest concern was that having the additional pipe would lead to an increase in pipe flow to the Canal. He stated our argument was that it was going to back up, it will be "curved" momentarily, and then you would have overland flow to the Canal and the flow would basically be similar." Mr. DeFiore stated for the additional pipe going directly to the Canal, DCNR wanted an extension analysis to see what impact it would have downstream. Mr. DeFiore stated he advised DCNR that would be a comprehensive study that would take time.

Mr. Grenier stated he does not feel DCNR's arguments make sense from a practical perspective and how water runs downhill.

Mr. Grenier stated he would like the Board to write a letter to DCNR and other high-level officials in the State pleading our case.

APPROVAL OF MOTION TO ADD TO THE AGENDA TO CONTACT DCNR AND OTHER STATE OFFICIALS TO RECONSIDER THEIR DENIAL OF A SECOND PIPE RELATED TO THE MAPLEVALE RESTORATION

Mr. Grenier moved, Mr. McCartney seconded and it was unanimously carried to add to the Agenda to contact DCNR and other State officials to reconsider their denial of a second pipe related to the Maplevale Restoration.

APPROVAL OF MOTION TO CONTACT DCNR AND OTHER STATE OFFICIALS TO RECONSIDER THEIR DENIAL OF A SECOND PIPE RELATED TO THE MAPLEVALE RESTORATION

Mr. Grenier moved and Mr. Lewis seconded to have the Board of Supervisors write a letter to DCNR and other State Officials to reconsider the approval of a second pipe related to the Maplevale Restoration.

Mr. McCartney asked when the pipe was installed. Mr. Fuller stated the pipe that is not broken which is between 16 and 18 was original with the neighborhood around 1955. He stated he believes the secondary one was installed around 1988/1989 knowing when the Easements were obtained from the property owners of 18 and 20 Maplevale. Mr. McCartney stated what they are saying is if we change the scope of work from two pipes to one, which is existing, and are just replacing the existing pipe that still requires a Permit. Mr. Fuller stated we are covered under the Emergency Permit to replace the pipe that was destroyed in the storm; however, part of the Emergency Permit is to go back within sixty days and get the necessary General Permits to follow up with the proper paperwork. Mr. McCartney stated the Emergency Permit allows us to start work immediately, and Mr. Fuller agreed adding that you do need to follow up with the necessary proper paperwork. Mr. McCartney stated we can start replacing the pipe, and Mr. Fuller stated we can replace the single pipe immediately.

Mr. Truelove stated that is how we got the materials without having to go through the Bid process.

Mr. Grenier stated the Permit we got was to have two pipes – the DEP approved two pipes, and they are the stormwater engineers in the State so that why it is “incredibly frustrating.”

Mr. McCartney asked when we are going to start replacing the pipe; and Mr. Fuller stated definitely Monday, although they are trying to get them back on site Friday as they had left to go somewhere else since they could not work as they were waiting for the approval from DCNR. He added we needed an approval to discharge on DCNR’s site, and DCNR said we could do one pipe only.

Mr. Lewis stated with regard to the Motion, the same letter should be sent to the Regional Secretary of the DEP in Norristown as well as our elected State officials. He stated this was unexpected and not what we were looking for “in terms of being fast.”

Ms. Blundi stated she hopes this letter can be sent out this week adding that Mr. Grenier has offered to help author the letter along with the Township staff and engineers. She stated we did not expect this response; and now we are going to try to increase the pressure even more than we have been doing.

Mr. Grenier stated an official letter from the Board of Supervisors is helpful, but it is also helpful if residents send petitions and letters as well or contact the media. He stated a multi-pronged approach could help to get this through. Mr. Grenier stated if anyone wants to do that, the Township will provide the names and contact information. He stated members of the public who are directly affected with photos and their own stories are sometimes more impactful.

Mr. Richard Adams, 221 Taylorsville Road, asked that they say the entire words and not acronyms. Mr. Kratzer stated DEP is the Department of Environmental Protection.

Ms. Cloer asked Mr. Fuller what it means that they are going to replace the pipe. Mr. Fuller stated he can guarantee that the contractor will be there by Monday although he is trying for Friday. He stated the contractor has already re-armored the existing 1955 pipe and he started cleaning up the rest of the Canal near the fishing dock. The next step is the contractor will be to start to build up for the pipe bottom elevation so there is more fill to go in. Mr. Fuller stated the contractor will then start laying the pipe from the Canal out to the street. He stated he will lay it in such a fashion that if

a second pipe can ever be installed, it will fit within the Easement. Ms. Cloer asked if they will be putting back the old pipe, and Mr. Fuller stated it will be a new pipe. Mr. Fuller stated they had procured enough for both runs.

Motion to send the letter carried unanimously.

PUBLIC COMMENT BY MAPLEVALE RESIDENTS AND OTHERS IMPACTED BY THE FLOODING (continued)

Ms. Cloer stated DCNR had come out to the homes. Mr. Grenier advised Mr. Adams that DCNR is the Department of Conservation and Natural Resources, and they own the Canal. He added that the DCNR does not issue Permits. He stated the DEP (Pennsylvania Department of Environmental Protection) actually issues Permits. Ms. Cloer stated DCNR came out with DEP, and she would like to know if it possible to find out who came to their homes and stood in the ditch and said, "you do not need a second pipe." Ms. Cloer stated she would like to speak to the person who thought "they were good."

Mr. DeFiore stated there are Meeting Minutes from the day of the site visit that show who was there. Mr. Grenier stated he could e-mail the Minutes. He added that there was more than one meeting. Mr. Kratzer stated Ms. Cloer is referring to when there was a physical site visits adding that most of the meetings post that one have been remote. Mr. Lewis provided his e-mail address, and stated he will send Ms. Cloer the contact information. Ms. Cloer stated she would appreciate any additional contact information for the letter that the residents will write as they want to support the Township in getting the second pipe.

Ms. Cloer stated she looked into some documentation that DCNR put out in 2018 and 2021. She stated they also flooded in 2018 and neighbors were in the street cleaning the drains out. She stated in 2021 when their findings came out that is the year when they flooded last. She stated in reading the documentation there is a list of participating Townships and participating areas, and Lower Makefield Township did not respond to their request. She stated she asked if that gives DCNR more "of a leg to stand on to say no because the Township did not participate."

Mr. Grenier stated he has read the studies as well. He stated the first one was the Delaware Canal Preliminary Stormwater Study done by the Heritage Conservancy, and they reached out to all of the towns along the Canal for sixty miles, and seven to eight towns responded and the rest did not. Mr. Grenier stated the question asked was where there were stormwater issues along the Canal. He stated Lower Makefield did not respond, but he does not know the history of why the Township did not respond or who received the request. He stated the report indicated that the Canal had enough space to do stormwater management so he does not understand their response of not permitting the pipe for stormwater management. Ms. Cloer stated it is very conflicting that they said the Canal is not made for stormwater, but there is an entire section about that.

Mr. Grenier stated the other report, which he believes was published this year, talks about setting up a regional, Multi-Municipal Stormwater Authority to manage the Canal where they charge a fee to towns along the Canal for using it for stormwater management. He stated that has not been implemented. He stated they did not propose any projects to improve stormwater management in Lower Makefield although they did propose up to a dozen across different towns north and south of Lower Makefield.

Ms. Cloer asked if the Appeal is a possibility as she is concerned about proceeding with repairs with just one pipe in. Mr. Grenier stated normally when you are talking about Appeals, they are for specific Permits. He stated he is not sure that there is a formal process with the DCNR, but he feels the letter-writing campaign would be a first step. He stated if there is a more formal process, we should find out about that quickly.

Mr. Greg Luzeckyj, 18 Maplevale Drive, stated he understands that the current plan is to begin construction again to reinstate one pipe. He asked if they are going all the way to the curb and the full length of the yard. Mr. Fuller stated it is from the discharge point in the Canal where it always was, and then run that line all the way back to the curb in the street. Mr. Luzeckyj stated they are going to make sure that it is put in the right way, and Mr. Fuller agreed.

Mr. Luzeckyj stated they are going to focus on one pipe which needs to be restored, but it will really not help anything. He asked if their intention is to fix the one pipe and bury it and then put grass over it and “walk away waiting for some Permit that may or may not happen for a second pipe, and then have to tear everything up all over again,” or are they going to have “some kind of make or break decision point relative to the second pipe.” He stated at some

point it is not cost effective “to make more holes than you need to when you are already there.” Mr. Fuller stated they were always hoping to do both at the same time. Mr. Luzeckyj stated he is concerned that they will do the one pipe, cover it up, “make it look green, and then walk away.” He stated he feels that they “run the risk of forgetting it, and they are still stuck with the same problem they had before July 15.” Mr. Fuller stated he does not believe any of the Supervisors or staff intend to forget about this. He stated he wants to get the pipe installed and get the yard stabilized with the hope that letters and pressure convince DCNR otherwise. He stated they have two weeks’ worth of work including restoration, and he does not know if the answer would occur in two weeks. Mr. Fuller stated they are putting in one pipe with room for a second pipe if we ever get the approval.

Mr. Luzeckyj stated he had asked that the Township look upstream to see what improvements could be made to better account for all of the development that has been done with not much done in way of water diversion or channelization. He asked for an update on looking at the upstream problem and what they are considering to improve keeping water away from them.

Mr. DeFiore provided a schedule to the Supervisors related to the comment raised by Mr. Luzeckyj. Mr. Kratzer stated in addition to what Remington & Vernick is working on that is outlined in the schedule, we have met with another consulting firm, Land Studies from the Lititz area in Lancaster County, who has done this work throughout the Commonwealth and beyond to talk about upstream solutions and a potential scope of work. Mr. Kratzer stated they are recommending doing a visual assessment of the stream, walking from the upper reaches of the stream down to the lower reaches of the stream to try to identify potential opportunities. Mr. Kratzer stated they are in the process of finalizing that scope, and he will bring it back to the Board. He stated it should not be too expensive because it is a site visit looking at opportunities and doing some initial modeling to try to address some of the upstream conditions and identify opportunities to pursue further from an engineering and design standpoint.

Mr. Grenier asked how many private properties would they have to get on, but Mr. Fuller was not sure. Mr. Kratzer stated Mr. Fuller has also been traversing the area. Mr. Fuller stated the property owners are aware of them viewing the area.

Mr. DeFiore showed a slide with regard to the work that they have been doing. He stated they created a schedule and listed the major drainage projects near Maplevale. He stated in brown and orange are the major projects of which they are listing five separate projects. He stated for each project they give the overall tasks and milestones using their best assumption at this point. He stated this includes items such as design and engineering by their office, and review by the authority having jurisdiction whether it is the Department of Environmental Protection or the Bucks County Conservation District. He stated each approval and review that is required is listed. He stated they also show steps for construction and inspection.

Mr. Fuller stated this will be posted on the Township Website tomorrow so everyone can see it on-line.

Mr. Luzeckyj stated this looks like the plan for the immediate work that is going to happen at "18 Maplevale Drive, 16, and 20." Mr. Kratzer stated it goes beyond that. Mr. Fuller stated the next major milestone projects are highlighted in orange. He stated at the last meeting, Mr. McCartney asked that they move forward with stream clean-out on our properties, and that phase is highlighted. Mr. Fuller stated Remington & Vernick's office is working with DEP on that. He stated the next goal is to get into the stream that is on Township property both upstream and downstream of Highland and both sides of Taylorsville and remove any kind of wood and debris that could potentially be a clogged blockage. He stated that is not necessarily a Permitted activity, and that is something that can be done with just notification to both agencies.

Mr. Fuller stated what is a Permitted activity would be the next Phase which would be more time-consuming because it requires Permits, and that would be removal of any gravel bars which would involve digging in the stream to remove any sand, gravel, and physical obstructions such as rocks etc. Mr. Fuller stated that may require an Army Corps Permit due to the length of stream.

Mr. Fuller stated prior to the flood there was a Phase 2 of the Maplevale drainage improvement which were the improvements on Highland Drive. He stated Remington & Vernick went back and they are working internally to re-review those drawings to insure that those drawings are the best that they could be. Mr. Fuller stated he believes that they are already looking at some improvements. He stated they are also looking upstream on Highland Drive as they had not mapped the drainage on Highland Drive, to insure that they are collecting as much flow coming down as possible. He stated that is why this is taking a little longer even though there were

Plans for Phase 2. He stated they may be adding an additional outfall where originally they were tying into an outfall. He stated when you add outfalls, you trigger a Permit. He stated they want to insure that Phase 2 is doing the best that it can from a flow standpoint.

Mr. Luzeckyj asked if the completion date is still by the end of this year, and Mr. Fuller agreed that is the goal. Mr. Fuller stated there are two options; and if the Township crews can do it internally, they hope to get it done by the end of October; or if crews are too busy, there is a potential Bid date although they are still looking at the 11/3 completion date for Phase 2 whether it is internal or external forces that would require Bidding.

Mr. Luzeckyj stated this looks like it accounts for a little upstream work up to Highland Drive and maybe a little further up, and Mr. Fuller agreed. Mr. Luzeckyj asked about further up from that. Mr. Fuller stated above that is what Mr. Kratzer was discussing about contacting Land Studies to see what modifications could be done upstream. Mr. Luzeckyj asked what is the schedule for that; and Mr. Kratzer stated he expects they will issue their proposal within the next day or two, and that would have to come before the Board of Supervisors for approval after which they could come out and do the visual assessment and try to identify potential upstream activities.

Mr. Luzeckyj stated what they have done is helpful and appreciated. He stated they need to keep water away from the residences since just putting in an extra pipe will not “do it.”

Mr. Kratzer asked Mr. Fuller if he could provide an idea of the extent of stream length they were talking about. Mr. Fuller stated the stream begins on the other side of 295 near Merrick Drive. Mr. Grenier stated it is less than two miles.

Mr. Watza, 237 Meadow Drive, asked if we could not just install the second pipe with a cap on both ends. It was noted that they did ask that, but were advised that they could not do that.

Mr. Grenier asked if we have done any field visits with Mr. Jeffries and others who are on Meadow to look at the potential drainage swale behind the Meadow properties. Mr. Kratzer stated with regard to Mr. Jeffries, we were corresponding about setting up a date, but he indicated via e-mail that his questions were addressed; and Mr. Kratzer stated they may have been

addressed through his discussions with Mr. Majewski. Mr. Watza stated he would be happy to walk the site with someone. Mr. Grenier stated according to Mr. Jeffries' comments and comments from others in the neighborhood who live on Meadow or see what happens coming off of the back yards of those properties, it seems like there is drainage coming back through there, and there may be opportunities to catch that drainage before it loops around and goes back to the back side of Maplevale. He stated he does not know if there is a way to pipe it to our property.

Mr. Majewski stated he met with two of the residents who live on Meadow Drive and walked through the back yards. He stated the one lot no longer had a swale there though it had been there at one time. He stated the other property had a very well-defined swale that the resident cleans out every year or so. Mr. Majewski stated there are a lot of obstructions along that whole back yard area including sheds, fences, and vegetation. He stated he feels we should take a closer look at this, and he would be happy to meet with property owners in the future..

Mr. Grenier noted the property on Meadow on the corner that faces Maplevale near the spur, adding he has been told that during an event like we had, water comes out behind that property to the west of the spur. He stated that would be something to look at separately. Mr. Watza stated that is his house. He stated the houses on his street "are a dam," and the water runs out both ends into the road and then down. Mr. Majewski stated he would meet with Mr. Watza at his property.

Mr. McCartney asked if we could put in the second pipe with caps; and Mr. Fuller stated we did ask that question, and their answer was "no." He added that would be installing the pipe without permission.

Mr. Scott Stebbens stated he is a Lower Makefield resident representing his mother-in-law at 233 Taylorsville Road. He stated with regard to the Meadow issue, a lot of the water from 233 Taylorsville does "jump through the houses on Taylorsville to the back yards." He stated it either contributes to or amplifies the issues that are already there. He stated he knows that some of the properties on Meadow do have some ditches that are defined as was stated, but some homeowners have created dams in trying to stop water. He asked if it is possible to create guidelines for how to contain that. He asked if there should be an Easement along that ditch. He stated there is a power line back there, and he does not know if that should be incorporated or expanded.

Mr. Kratzer asked Mr. Majewski if there is an existing Drainage Easement there or anything of that nature, and Mr. Majewski stated he is not aware of any Easement other than the Utility Easement that we do not own. Mr. Majewski stated it is not on the Recorded Plan for the development. Mr. Kratzer stated to the extent that there is improvement there by today's standards we would pursue an Easement as part of the improvement project with the individual property owners, and that would be a Recorded instrument that would provide us with access to maintain and do what needs to be done there.

Mr. Stebbens stated there would be restrictions as to people building things to obstruct the flow, and Mr. Kratzer agreed. Mr. Stebbens stated it does push the water back and forth around the houses.

Ms. Blundi stated we do not realize that what we do on our property can affect other properties. Ms. Blundi stated we cannot put grass clippings into the sewers or dump leaves. She stated there had been accusations from neighbors that people were putting their leaves into the stream. She stated she would like to leverage the EAC to provide guidance on these issues and raise awareness.

Mr. Truelove stated this is an integrated problem that exists at different places and it has accumulated over time. He stated the Board of Supervisors has been talking about a comprehensive review of Stormwater Ordinances that would be part of a long-term remedy. Mr. Truelove stated the watershed extends outside of the Township so there has to be an integrated process inside and outside of the Township, and it is a complex issue.

Ms. Laurena Stoddard, 220 Meadow, asked if they are going to attempt to clean out "behind the land that we own that the Bridge Authority has access to." Mr. Fuller stated that is on the schedule to get the wood debris out which does not require a Permit. He added that Remington & Vernick is also obtaining the Permits to remove any gravel bars that are discovered. Ms. Stoddard asked when this will be done, and Mr. Fuller stated they are trying to get out to remove any wood debris as early as next week, but they have to notify DEP and the Conservation District. Ms. Stoddard asked if they will go all the way to the Canal, and Mr. Fuller stated that is their plan. Ms. Stoddard stated "both the basin from the Bridge Authority and the little creek will then have a place to go," and Mr. Fuller agreed.

Ms. Stoddard stated with regard to the flooding on Meadow, there was discussion previously about working with the State with regard to Taylorsville Road, and she asked if that was discussed this evening. Mr. Grenier

stated at a prior meeting it was discussed that a letter should be sent to PennDOT asking them to address stormwater management along Taylorsville, and he would also add in Dolington to that request because of the nature of the watershed. Mr. Grenier stated the Township does not own these roads, but we can ask them to do that.

Mr. Fuller stated PennDOT indicated that this is not a maintenance project, rather it is a capital improvement. He stated he has been dealing with the maintenance people, and he does not know where this is with getting on their long-term capital plan. Ms. Stoddard asked if we should be including PennDOT in our letter-writing campaign and copying the Senators etc. She asked if we requested help from PennDOT on Taylorsville two years ago after the last flood, and Mr. Grenier stated he believes so. Ms. Stoddard asked if a letter was sent out yet this time, and Mr. Grenier stated a Motion was made to direct the Township Manager to write a letter. Mr. Kratzer stated he will get that letter out.

Ms. Stoddard stated if "DOT" fixes the road, there would not be an issue with Meadow having water coming from Prospect Farms down into their neighborhood "like a river." She stated it is not just coming from Highland or Dolington, and it is coming from Prospect Farms and "everyone behind there." She stated that is why the swale does not work because there are a lot of blockages in the swale, and the "front row" on Taylorsville Road is already "swamped" by the time the water is trying to get to the blockages between the houses.

Mr. Michael Brennan, 6 Maplevale Drive, stated he lives across the street from 221 Meadow, and he watched the water pour out from behind there during the storm on July 15 and go down Maplevale Drive into the back and that is where most of the water that is going to the back of Maplevale is coming from. He stated there is less coming off of Taylorsville Road itself. He stated the drains that are on Maplevale on that side all the way at the entrance to the neighborhood is not where most of the water is coming from, and it is not going to catch most of the water that is going to the back of Maplevale. He stated between 2 and 4 Maplevale Drive is where 221 Meadow empties out onto Maplevale. He stated somewhere east of that would be a better place to add drains in addition to what already exists.

Mr. Brennan stated he looked at the plan of action with regard to the stream clean-out, and he asked if that is something that has ever been done before in the past ten years since that has been an issue for a while with the over-topping of the stream in a number of spots. Mr. Brennan asked if there has ever been a request to DEP to clean the streams before this. Mr. Fuller stated he has been here for a year, and from the information he has gathered from personnel the answer is no. Mr. Majewski stated to his knowledge there has been no clean-up of the stream in the last twenty years. Mr. Majewski stated Mr. Adams just indicated that there has been no stream cleaning for at least seventy-two years.

Mr. Brennan stated besides the stream there are some detention basins, and he asked what else is part of the stormwater management immediately west of Maplevale. Mr. Grenier stated each of the new developments have a basin or basins per State and local laws. He stated Maplevale was built in the 1960s and pre-dates that. Mr. Grenier stated he believes that neither Dolington nor Taylorsville Roads, two huge impervious surfaces that encapsulate the entire watershed, have stormwater management at all. Mr. Majewski stated with regard to the parts of Dolington Road that drain to this watershed, the water just goes overland. Mr. Majewski stated the same is true for Taylorsville Road which has virtually no stormwater management. Mr. Grenier stated at the headwaters of the watershed there are two very large Farmland Preservation properties that are farmed, and farms do not require stormwater management; but they are large parcels that experience sheet flow that flows downhill and can overwhelm the basins and the adjacent developments.

Mr. Brennan asked of that, what is the Township responsible for. Mr. Majewski stated we would be responsible for the stormwater management that comes from the newer developments which would be the developments done after the Pennsylvania Stormwater Management Regulations were put into place in the 1970s. He stated we are responsible for the detention basins that are in Longshore Estates, Makefield Chase, Estates of Prospect Manor, and two culverts that are underneath Hilltop Road and Edgemere Road. He stated he believes those two culverts were replaced in the 1990's and the size was increased to try to reduce flooding in the Hilltop area, although they still have flooding.

Mr. Brennan stated he understands that the stream is a State property, but he asked if the Township is supposed to clean that out or is it the State. Mr. Fuller stated there are parts of the stream that are on private

property and parts that are on Township property. Mr. Fuller stated it would be the Township's responsibility to clean out the stream that is on Township property.

Mr. Stebbens stated he knows that in his twenty-five years being around 233 Taylorsville Road that the Township Road Department did come in and clean the stream out. He stated Hank Hoffmeister was the Road Supervisor at the time, and he believes that he did it two times and maybe more. He stated access was through the properties that Mr. Fuller used to clean up this time. Mr. Stebbens stated he feels that there needs to be discussion about access to these waterways through Easements so that these things can be maintained.

Mr. Richard Adams, 221 Taylorsville Road, stated he is a seventy-two year resident. He stated he feels the top priority is to not let any water reverse flow out of the stormwater inlets on Taylorsville Road from the creek. He stated one of them was put there by the Township just below the bridge at a very low spot in the pavement and not up against the curb. He stated the other two – one on one side and one on the Canal side were put there by the Toll Bridge Commission. He stated he has been trying to find out if the Toll Bridge Commission got a Permit from the State to do that, and stated he feels the Township should be able to find out whether they were put there legally.

Mr. Fuller stated he does not know, adding he tried to find out as much information as possible. He stated with regard to the inlets Mr. Adams is referring to, he believes that there are two of them on the east side of Taylorsville Road along the new curb that comes across Taylorsville Road to the inlet that is almost in the center of Taylorsville Road, and then discharges into the creek. Mr. Adams agreed that they all discharge to the creek. Mr. Fuller stated there is an existing outlet that they tied into, and he assumes that they probably did not receive a Permit to install those inlets given the condition of the old pipe that is there. Mr. Adams agreed.

Mr. Adams stated there is a need to design piping to have this flow go to the 14.1 acres that the Township owns north of the Maplevale development, south of the Interstate, east of Taylorsville Road, and west of the Canal. He stated that would be a good solution as the area back there to his knowledge is sand and gravel, and he feels someone could make use of that fill. He stated it should be lowered, and this 14.1 acres could be a basin; and the water off of the blacktop pavement only of

Taylorsville Road in any rain storm could go back there. He stated he was told that there is a large drop where the water goes under Highland Drive and Taylorsville Road to the level of the normal level of the water in the Canal. He stated what he is suggesting could solve the problem of water ever going back into Maplevale again.

Mr. Adams stated Highland Drive bridge is not wide enough to allow the “terrible quantity of water which happened on the 15th,” to go underneath of it; and therefore it comes up and over the hill, and ends up on Taylorsville Road. He stated if we do those two things we will solve a large percentage of the problem that has prevailed since DeLuca Homes built the homes up above there, and there is too much water coming off that. He stated it never overflowed onto Taylorsville Road before DeLuca built those homes.

Mr. Adams stated he admits that the amount of water that comes down Highland Drive from that development has grown over the years because people have put in “second pavement next to the existing pavement” so they can have two cars in their driveway, and they have put in patios, etc. He stated Variances were given to them by “the governing body,” and now we have a situation that needs to be corrected. He stated those Variances that “were given out rather freely” should never have been given, and we would not be “in this mess.”

Mr. Adams stated he hopes that the Township will make this a top priority, and put a stop to the reverse flow coming out of those culverts onto Taylorsville Road. He stated the second priority is to replace the Highland Drive Bridge so that it is wider underneath so water can continue down. He stated the Township should also look at the PennDOT bridge. He stated the PennDOT bridge is 17’ wide and the one on Taylorsville Road is considerably less.

Ms. Larissa Luzeckyj, 18 Maplevale Drive, stated the Township has started maintenance on the waterways, and she asked how often they will be checking on them. She stated it “cannot be one and done.” Mr. Fuller stated that while he does not have an answer on that at this point, he does depend a lot on the residents. He stated a lot of the stream is through Residential property and is owned by the residents. He stated they cannot walk every square mile of the stream, and they do ask residents to contact the Township if they are aware of a blockage. Mr. Fuller stated they are working with the EAC to get information out to the residents. He stated if a stream is on a resident’s property, it is their responsibility to take care of it; however, if they do not have the means to do that, we would work with them to get the issue resolved so that they do not damage or destroy anyone else’s home.

Ms. Luzeckyj asked if it is not the Township's responsibility to oversee this; and while they may not come out every month, they could check in on these properties every couple of months. Mr. Fuller stated he will work on getting an operating procedure on that moving forward.

Ms. Luzeckyj noted on the schedule provided that curb sealing of their road is to start on the 21st. Mr. Fuller stated once paving is done, black liquid asphalt is put between the curb and the asphalt to seal that joint. He stated while it is not a critical path item, it is something that is done to make sure that moisture does not get in there long-term, and it allows the pavement to last a lot longer. Ms. Luzeckyj asked Mr. Fuller if the "little bit of road" on the south side of Maplevale that meets Taylorsville is the last of this construction. Mr. Fuller stated the contractor just finished up Roelofs and Ramsey for the 2023 Road Program, and he believes that they are now finishing up Yardley Run. He stated the goal is that on Friday, they will pave that stretch of Maplevale. He stated one inlet was dropped on the north corner about 2 ½" to get a little bit more flow into that inlet, and they will get Maplevale done this week. He stated that will complete that phase of the Maplevale drainage project.

Ms. Luzeckyj stated they were disappointed with the varying heights of the curbs in the Maplevale development. She stated the curb near the new drains is much higher than the curb around Meadow toward the north side where it meets Taylorsville where it is about ¾" high. She stated there is no standard. She stated she believes we were told that the curbs would be higher, and the road would be lowered. She stated on newly-paved Dolington, their curbs are very high, but ours were left how they were since it was first constructed. She stated they do not feel it is completed and it "looks terrible."

Mr. Fuller stated Maplevale was done under the Road Program, and historically for the last twenty/thirty years, the Road Program does not repair curbs or curb height; and it just repairs any broken/damaged inlets for the stormwater management system. He stated Remington & Vernick probably investigated the curbs in Maplevale as they related to drainage issues but not as an aesthetic or curb height issue. He stated he believes that if we had replaced the curb under the Road Program, it

would have entrapped water in the residents' yards. He stated he asked this question as well of the Township engineer at the time, and he could provide the formal answer that he received.

Ms. Luzeckyj stated the curbs look "terrible;" and Mr. Fuller stated he agrees that the curbs in neighborhoods that were built in the 1960's are in disrepair. Ms. Luzeckyj asked if that should not be addressed, and Mr. Fuller stated the curbs and sidewalks are the property owners' maintenance responsibility. Ms. Luzeckyj stated if they were not so low, they would direct some of the water. Mr. Fuller stated residents had indicated that the water was draining through Meadow; and if the curb height would have been increased there, it would trap the water from draining even worse.

Ms. Luzeckyj asked Mr. Fuller if he could "come over tomorrow" because the Easement area where the new pipes will go is "pretty large;" and she would like to know where the existing pipe will go and possibly where the second one will go. Mr. Fuller stated he would like to wait until Monday to do that so that he can be there with the contractor as he will be the one installing it. Ms. Luzeckyj stated they are not available Monday, and Mr. Fuller agreed to go out tomorrow.

Mr. McCartney stated with regard to creek maintenance, he believes it was a direction of the Board to the Township Manager that we want those areas maintained; and Mr. Fuller and his staff are going to make sure that they are in those areas, but if the residents see anything in those areas, they should contact the Township as that is a priority. Mr. Grenier stated he feels we can get more information out to the public. He stated the Township is responsible for about 150 basins around the Township, and most of those basins eventually feed into streams. He stated when we do our basin reviews, he feels it would be wise to also look up and down the stream in the area of each basin as part of our normal operating procedure.

Mr. Adams asked Mr. Fuller if he was an employee of the Township when Maplevale Drive was paved by the outside contractor "who put too much blacktop and that is why they got practically no curb." Mr. Fuller stated he joined the Township in August of last year, and he believes Maplevale was paved sometime in September. Mr. Adams stated he will be filling out a Right-To-Know and wants to see the Contract that the Township gave the contractor to tell that contractor how much blacktop he was to put there. He stated he guesses that it was not specified.

Ms. Laurie Grey stated she is a Township resident. She stated she was not directly impacted by the recent event, but she wants to help as much as she can; and she would like to know who to write to or call, and what should she say. She asked if that could be posted on the Township Website, and she would promote that in her neighborhood. Ms. Blundi stated she feels that information could be provided.

Ms. Lisa Mason stated she lives in the Township. She stated she will be referring to the Board of Supervisors' Meeting Minutes of April 6, 2022. She stated in that meeting there was a discussion of a three-point approach to deal with the flooding that had transpired the previous September. She stated it was indicated that it was "run-off from the Highland Drive unnamed tributary with the addition of grates, add additional inlets on either side of the roadway of Maplevale Drive and discharge them in pipes parallel to the Taylorsville Road south discharging them on the land that is owned by the Township, and finally deepen the roads on Maplevale and Meadow where there are practically no curbs, and re-pave which would allow an additional 1 ½" of storage capacity within the gutter line." Ms. Mason stated this seemed to be a good plan, and it was part of the 2022 Road Program that would take place.

Ms. Mason read the last paragraph of Page 14 of the April 6, 2022 Meeting Minutes, the third paragraph of Page 15, and Page 17 regarding debris in the stream. Ms. Mason asked between April 7, 2022 and July 14, 2023 how many times has the stream been cleaned as she believes that the answer was zero. Mr. Truelove stated that is the recollection, but there is no official record about that. Ms. Mason also asked what, if anything, has been done between April 7, 2022 and July 14, 2023 to deepen the roads to allow for proper curbing and greater storage capacity within the gutter line; but Mr. Truelove stated he does not believe that can be answered at tonight's meeting. Mr. Grenier stated he believes that is part of the response that Mr. Fuller was giving Ms. Luzeckyj. Mr. Fuller agreed, and stated he believes that it was discussed at prior meetings that the crown of the road was reduced in order to increase capacity. He stated a 3" crown was milled out of Maplevale, and only 1 ½" was put back so in profile view, Maplevale was flattened slightly to maintain the same storage capacity that was discussed at the meeting Ms. Mason is referring to.

Ms. Mason asked that Mr. Fuller come out to 234 Maplevale the next time it rains to see what she sees. She stated there is a fire hydrant at the curve, and on either side the curbs are ¾" on each side; and there is no way that

“the water would know how to be shepherded to the proper drainage.” She stated in the winter time there is a “blanket of ice that sits at the intersection, and the water is not being encouraged to move.” She stated curbs, like gutters, are used to shepherd water to a drainage area. She asked Mr. Fuller to come to that intersection when it is raining so he can see what is happening. She stated if the water is not being shepherded and the curb is much lower than the yard, the water races into the yard and to the back of the development.

Ms. Mason read the third paragraph of Page 18 of the April 6, 2022 Minutes. Ms. Mason asked between the dates of April 7, 2022 and July 14, 2023, what has been done to deal with soil erosion. Mr. DeFiore stated he would be happy to share his information with anyone and answer questions referred to from the Meeting Minutes.

Ms. Mason stated also on Page 18 of the April 6, 2022 Minutes, a resident had asked with regard to the drain, if there was an option of putting out a cage in the event of a flash storm; and that while it might be a hazard because of the road, they could cone it off. Ms. Mason stated it was indicated at that time that neighbors go out and try to keep everything out of the drains on their own, and this is the same language that Ms. Gamble expressed last Wednesday. Ms. Mason read Mr. Ferguson’s comments on Page 18 of the April 6, 2022 Minutes in response. Ms. Mason stated she would like to know if any discussions took place with the Public Works Director.

Ms. Blundi stated they will make their best effort to answer these questions adding that since they did not know that these questions were going to be asked, there was not an opportunity to look into them prior to tonight’s meeting. She asked that Ms. Mason provide any additional questions she has, and they will look into getting Mr. Mason the information she is looking for. Ms. Mason asked what would be the possibility of questions being asked ahead of the meeting so that both parties can get what they need. Ms. Blundi stated e-mail addresses are public, and she feels that the staff has been very responsive in trying to provide information. She encouraged Ms. Mason to e-mail Mr. Kratzer any questions, and we will do our best to provide responses. Mr. Kratzer stated his e-mail address is dkratzer@lmt.org or questions could be sent to admin@lmt.org.

Ms. Cloer asked if there is a way that questions being asked could be in a central location so that duplicate questions are not being asked or so that residents could see the question that may spark another question. Ms. Blundi stated they can work on that, and they have made it clear that they are going to try to make

sure that there is an up-to-date way to get information, and they will try to make it as successful as possible. Mr. Grenier asked if there is a way to take advantage of the new Web-based resources that we have. Mr. Kratzer stated we have a relationship with Zencity, and there is an engaged site that permits two-way communication, and he feels that there are opportunities to leverage that.

Mr. Kratzer stated we continue to wait for a determination from FEMA relative to the ability of public assistance and/or individual assistance. He asked that people continue to report damage as there are thresholds that need to be met in order to achieve that. He stated residents that reported damage to the Township will be receiving a door hanger from the United Way regarding services that they have available. He stated many of those are immediate response services. He stated much of this will be repetitive information in that it was distributed in prior notices by the Public Works Department and on social media, TV channel, and the Website. He stated the United Way has advised the Township that no one has reached out to them at this point, but they are available. He encouraged the residents to use the resources that are available.

Mr. Grenier stated given that no one has reached out to United Way for assistance, he would encourage anyone who has been effected to do that. He stated he understands that they offer a lot of services that people can take advantage of so it is worth a phone call. Mr. Kratzer added that United Way has not only internal resources, they have a network with other sister organizations that they collaborate with.

APPROVAL OF MINUTES FOR AUGUST 2, 2023

Mr. Lewis moved, Mr. Grenier seconded and it was unanimously carried to approve the Minutes for August 2, 2023.

APPOINTMENT OF MR. GRENIER AS ACTING VICE CHAIR OF THE BOARD OF SUPERVISORS AND DISCUSSION OF THE PROCESS RELATED TO THE BOARD OF SUPERVISORS VACANCY

Ms. Blundi stated since we have accepted the resignation of Dr. Weiss, she will be the Acting Chair until the Board is re-constituted.

Mr. Lewis moved, Mr. McCartney seconded and it was unanimously carried to appoint as Daniel Grenier Vice Chair.

Mr. Kratzer stated with the acceptance of Dr. Weiss' resignation, the Board of Supervisors has thirty days to appoint a successor to the unexpired term of Dr. Weiss. The Board has discussed accepting resumes and letters of interest from parties through close of business on September 1. Mr. Kratzer stated this information will be on the Township Website and communicated via the Township's social media channels. He stated they are looking to schedule a Special Meeting on September 5 for the purpose of conducting interviews and potentially making an appointment in advance of the Board's meeting on September 6. He stated if the Board is unable to reach a consensus in terms of a successor, the process from a Statutory standpoint is that the Vacancy Board would be convened, and that would consist of the four remaining members of the Board of Supervisors and the appointed Vacancy Chair, Adrian Costello. He stated they would have fifteen additional days to make an appointment per the Statute. In the event that body would be unable to come to a decision, we would petition the Bucks County Court of Common Pleas for purposes of the appointment.

Ms. Blundi stated she was appointed by the Board by such a process before she was elected. She stated it is only a four-month commitment because there is an Election in November in which two Supervisors will be elected. Ms. Blundi stated help is only needed for a short period of time, but it is an important period of time because we are entering Budget season, and there are a lot of important decisions to be made.

Mr. Kratzer stated in order to be considered for appointment an individual must be a Registered Elector of the Township and have residency within the Township continuously for one year prior to the appointment. He stated the qualifications will be communicated on the Website.

TREASURER'S REPORT

Approval of July, 2023 Interfund Transfers

Mr. McCartney moved, Mr. Lewis seconded and it was unanimously carried to approve the July, 2023 Interfund Transfers in the amount of \$911,553.82 as attached to the Minutes.

Approval of Warrant List from August 7, 2023

Mr. McCartney moved, Mr. Lewis seconded and it was unanimously carried to approve the Warrant List from August 7, 2023 in the amount of \$1,659,329.84 as attached to the Minutes.

HISTORICAL COMMISSION PRESENTATION REGARDING THE SLATE HILL CEMETERY

Ms. Monica Hinden was present representing the Historical Commission to discuss Slate Hill Cemetery. A slide presentation was shown on the Cemetery which is located on Yardley-Morrisville Road and is one of the oldest cemeteries in Bucks County. She stated the oldest surviving tombstone is dated 1698, and in the entire United States the oldest tombstone is dated 1697. She stated we know that there are older burials at Slate Hill as well. She stated that there are two sections – one was originally Quaker and the other was for Presbyterians, Methodists, and Baptists. She stated it is believed that William Yardley is buried there based on his Will. She stated the Cemetery became a property of the Township in 1992. She stated it is also on the National Register of Historic Places.

Ms. Hinden stated it had been in disrepair, and multiple headstones had fallen over, there were overgrown and dead trees, a crumbling retaining wall, and a lot of tombstones that could not be read. She stated the Historical Commission met with Mr. Kratzer and Mr. Fuller and started working on the Cemetery in the spring including community clean-up days with members of the community, and Boy Scout and Girl Scout Troops involved.

Ms. Hinden stated in June Chief Coluzzi provided some of his team and their equipment to do a radar survey because there is lots of open space, and they knew that this Cemetery was very utilized. She stated with the use of the radar technology, they were able to note rows under the ground, and they will be able to utilize that information in the future to mark some more graves after doing some research.

Ms. Hinden stated they also started marker cleaning and they continue doing that using a solution approved by the National Park Service for this purpose. Before and after pictures of markers were shown. She stated it is important for the community to recognize that they were our neighbors and our founders, and we should give them respect.

Ms. Hinden stated the Public Works Department took down some trees which were unsafe and did some trimming. A picture was shown of what the cemetery looks like now after all the work that has been done.

Ms. Hinden noted a number of notable historical names they have found in the cemetery. She stated there are a lot of Civil War Veterans and some Revolutionary War Veterans buried there. She stated there was a dedication ceremony held there in 2020 for a group of U.S. Colored Troops who are buried there.

Ms. Hinden showed a slide outlining their strategies and goals for the future. She stated whenever possible they will be submitting Grants to get some of this work done. She stated they want to create interesting and easily-accessible interpretations of the inhabitants of Slate Hill Cemetery which would include cleaning more markers so the information can be read. She stated their goal is to do two grave-marker restorations one in 2024 and one in 2025. She stated they also want to create an inviting space which includes continued tree maintenance and debris removal, and they are working with Public Works to insure that this is done a regular schedule. She stated this is a safety issue because people walk through the Cemetery. She stated they will also do an annual community clean-up. She stated they also want to create community-outreach events to bring people to the Cemetery. She stated they will put together a Website on the Township Website specifically for Slate Hill as well as an Instagram account which has already been created. She stated they are also working on a QR Code project. She stated their goal is to do more events adding that they have done two Ghost Tours in the past, and they will be bringing that back this year.

Ms. Hinden stated they want to repair the wall which will be a significant project, but at this point they feel it is more important to work on the grave markers which is why they are working on them first.

Ms. Hinden stated they want to bring in younger residents within the concept of being in a community, supporting each other, and understanding our history. She stated the first step in that is working on the Website, and the second is creating QR codes that will be placed at certain graves. She stated they would direct you to the specific person and would be a multi-media presentation. She stated they plan to apply for a CLG Grant for this. An example of how this will work was provided.

Ms. Hinden asked everyone to follow them on Instagram. She stated a Ghost Tour is scheduled for October 14 with a rain date of October 15. She stated if there is anyone who would like to get involved, they can be reached through Instagram.

Ms. Blundi thanked Ms. Hinden for the work they are doing for the community. She stated she knows that Mr. Lewis was on the site helping with the clean-up. She stated she loves the idea of re-enactments.

ENGINEER'S REPORT

Mr. DeFiore stated the Engineer's Report had been provided to the Board of Supervisors.

Mr. Grenier asked for an update on the Woodside Road bike path, and Mr. DeFiore stated they met with PECO and Verizon on Friday. He stated he is in the process of working through and revising the Plans to re-locate the utility poles, and they will be submitted to PECO and Verizon for review.

Mr. Grenier asked the status of the Grants that had been applied for as part of our Pollution-Reduction Plan. Mr. DeFiore stated he will respond to Mr. Grenier tomorrow about that. Mr. Kratzer stated he is not aware of any response as it relates to any of those Applications for the PRP projects.

Mr. Grenier stated soil sampling was done at Patterson Farm, and he understands we are waiting some results; and Mr. Kratzer asked Mr. DeFiore to look into the status of that.

MANAGER'S REPORT

7/15/23 Flash Flood Update

Mr. Kratzer stated this was discussed earlier this evening.

Authorization to Advertise Short-Term Lodging Facilities Ordinance

Mr. Kratzer stated the existing Ordinance has language that talks about a temporary revocation of a License but there was nothing related to permanent revocation. He stated the primary Amendment to the Ordinance relates to a

“three strikes and you are out” rule over a five-year period of time which would permit the ability for the License to be revoked if there are issues which are inconsistent with the Ordinance requirements.

Mr. Truelove stated this was discussed with Mr. Kratzer, and five years was selected. He stated while one-year was discussed, the problem was that someone could manipulate the system so that they could have two violations in eleven months and 29 days and then decide five days later that they could have another one and the clock would start all over. He stated they are trying to find a way to have a process and a timeframe within which they will be monitored.

Mr. Lewis moved and Mr. Grenier seconded to authorize the advertising of the Amended Short-Term Lodging Facilities Ordinance.

Mr. Lewis stated he is very supportive of this as we need to give the Code Enforcement team the tools they need to help protect the community.

Mr. Grenier stated he feels the three infractions in five years make sense, but he asked if it is enforceable and if there is precedent for it in case of litigation. Mr. Kratzer stated assuming the Ordinance is adopted by the Board, there will be notices provided on the actual Application which was a recommendation made by the solicitor’s office. Mr. Grenier stated there are some people who are trying to follow the Ordinance, and we want to make sure that they have all of the information so that they can continue to manage their property in the right way.

Motion carried unanimously.

Authorization of Remington Vernick’s 2023 Big Oak Road Sidewalk Improvements Proposal

Mr. Kratzer stated the scope of work relates to construction management and observation. He stated the anticipated cost is \$24,350 for those services with \$150 estimated from a reimbursable expense perspective.

Mr. Majewski stated this project along Big Oak Road is in front of the Regency Project to connect their two communities – the carriage homes and the singles. He stated the project is underway, and Remington & Vernick will be doing the construction inspection and processing payment applications, etc.

Mr. Lewis moved and Mr. Grenier seconded to approve authorization of Remington & Vernick's 2023 Big Oak Road Sidewalk Improvements proposal.

Mr. Lewis stated this would be covered from the infrastructure fund that is part of the Regency Settlement, and Mr. Majewski agreed. Mr. Majewski stated Michael Baker did the design and is also providing some construction support when questions come up during the construction. Mr. Lewis asked who is doing the construction, and Mr. Majewski stated it is T. Sheifer Contractors. He added he believes the Bid was about \$429,000. He stated he believes that we are still well within the budget that was laid out for the entire project including engineering and inspection costs. He stated if there are any extras as we proceed, they should not be significant on this project. Mr. Lewis stated he knows that SAFE worked on the design, and he asked if they reviewed the design. Mr. Majewski stated they did the original concept plan.

Mr. McCartney asked if the contractor has done any other work in the Township, and Mr. Majewski stated he has not. Mr. Majewski added that he did speak to a number of other places where they have done work, and they were all pleased with their work.

Mr. Grenier stated asked the threshold to have to go to Bid. Mr. Kratzer stated recognizing that this is a professional service, the Township is not subject to any requirement as to going out to Bid. Mr. Grenier asked if there was any consideration to do that, and Mr. Kratzer stated there was not any consideration for additional construction management services. He added that there were other design engineers involved in this project, and R & V was discussed for this as they are the Township engineer.

Mr. Grenier asked about the number of inspectors in the field and the frequency of inspections. He stated specific to inspection services we have had some feedback from Regency residents in the past questioning inspection matters. He stated he wants to make sure that what is being discussed covers inspectors in the field who will be there on a regular basis so that anything the contractor does is caught early. Mr. Majewski stated the inspectors will be out there sufficient times to insure that the work is done correctly. He added that Michael Baker, the design engineer, has in their Contract to come out and do some inspections and check on things. Mr. Majewski stated he personally has been out there a number of times to check on things as well. Mr. Grenier asked if there is a process if there are any field change requests by the contractor during construction so that they would go through either

Mr. Majewski or Michael Baker to get approval. Mr. Majewski agreed. He added that we do try to impress on the contractors that they have to let the Township know if there is something that needs to be adjusted.

Ms. Blundi stated this is a big project, and there has been very good insight from professionals, and she expects that the Board will be updated on it every time the Board meets so that if something has to change, the Board has as much “real-time information as possible as this has to be done right.” Mr. Majewski stated he believes at the next meeting there will be a payment request from the contractor for this at which time the Board can be updated.

Mr. Lewis advised Mr. DeFiore that the residents in Regency are very dedicated and will work as “shadow inspectors,” and will go to great lengths to follow up when things are not where they need to be. He stated he himself has been out there many times in the past with Mr. Pockl dealing with other issues. He stated the Regency residents will expect aggressive inspection, follow-up, and communication. Mr. DeFiore stated he just spoke with one of the inspectors who is on-site frequently, and he is going out whenever there is construction.

Motion carried with Mr. McCartney opposed.

Approve Purchase of a Ventrac Tractor KN, 4520Z Kubota with Contour Mower Deck MJ840 in the Amount of \$39,920.40

Mr. Mike Attara, Spirit Golf, was present. He stated they have one mower at this time that is used for contour mowing, and it is under duress with a lot of money being spent on repairs. He stated while it is running at this time, it has been up and down this year and last year; and it is critical at this point that it be replaced as it is past its useful life. He stated it has been paid off, and they are ready to purchase a new mower. He stated the old one will be kept as a back-up.

Mr. Lewis moved and Mr. McCartney seconded to approve the purchase of a Ventrac Tractor KN, Model 4520Z Kubota with contour mower deck MJ840 in the amount of \$39,920.40.

Mr. Grenier asked where this falls in the 2023 Budget, and how it is being paid for. Mr. Kratzer stated this item is not specifically budgeted at this point, but it will be coming out of the Golf Fund from the excess revenue that the Golf Fund has realized. Mr. Attara stated they could have leased it because a lease just expired. The current Lease Budget is \$88,000 for equipment, and we are going

to spend about \$55,000 this year. He stated we have another lease package falling off in October. Mr. Attara stated it was recommended to purchase it because it is available at once, and currently we are about \$208,000 ahead of net for Operating Income through July, so they felt it made sense to make this purchase and save the other lease dollars.

Mr. Attara noted the Leased Equipment Plan over the years where there was a structured plan of purchases and lease replacement for equipment, and there has been a gap in that for about four to five years. He stated we did get the two greens mowers in 2022 which were very important, and the Board will be considering next on the Agenda the fairway units which are currently thirteen years old.

Mr. Grenier asked what is the warranty on the mower being considered and what is the expected lifespan. Mr. Attara stated it is normally a five-year replacement plan because this one piece does all of the contour mowing and gets a lot of work. He stated they have used the mower being considered at some of their other facilities, and they like that mower. He stated you can also add attachments to it such as a blower, and purchasing those attachments is less expensive for this unit as opposed to buying a whole new piece of equipment.

Mr. Grenier asked what is the mower that is being discussed used for, and Mr. Attara stated it is for contour rough mowing which is around the bunkers, the greens, and all the slopes that are on the property. He stated there are larger mowers that do the main passes, and this piece of equipment handles the closely-mowed areas around the bunkers, etc.

Ms. Blundi stated we have learned that when equipment passes its life expectancy, Mr. Fuller has been successful in auctioning off that equipment. Mr. Attara stated he and Mr. Fuller have been discussing this so that money can be recovered to be put toward new equipment.

Motion carried unanimously.

Discussion Regarding the Leasing of Fairway Mowers for Use at Makefield Highlands Golf Course

Mr. Attara stated they had initially talked about replacing the fairways mowers in 2020, but we are at a point now where they need to be replaced as a lot of

money is being put into these pieces. He stated these are for the greens, tees, and fairways which are very important areas. He stated they are thirteen years old. He stated they have tested models of the same mower, and what is being proposed is what they feel is the best. He stated CoStar pricing is in effect and covered through December of this year to make the order; however, he stated the shipping is so far out, that we are asking to order earlier since if we do not order it now, we will not have them for the season next year.

Mr. Attara stated we do not need to purchase them now, but they are asking that they be allowed to place the order so that they can have them for the 2024 Budget. He stated there will be more than enough in the \$88,000 Budget they have been using to cover the new Leases. The request is for three mowers.

Mr. McCartney moved and Mr. Lewis seconded to lease fairway mowers for use at Makefield Highlands Golf Course.

Mr. McCartney asked what will be done with the existing mowers, and Mr. Attara stated they will probably do better on Munibid than trying to trade them.

Mr. Lewis asked what is the imputed rate they are getting when talking to people about the lease, and Mr. Attara stated he did not do this because it was so far out. He stated generally they would do that by Bid as well and get the best rate. Mr. Lewis asked if the intent is to Bid out the financing with banks in the area, and Mr. Attara agreed. He stated they will also get a number from Toro who provides financing. He stated they generally do better locally.

Mr. Kratzer stated Mr. Attara's primary purpose this evening on this issue recognizing that the Lease terms are not before the Board, is just to get a general consensus on the ability to issue a Notice of Intent to start the procurement process. He stated they would then come back with the specifics as it relates to both the Toro proposal as well as some comparative pricing proposals related to the Lease. Mr. Kratzer stated that there are Leases that are falling off that are Operating Expenses of the Golf Course so that Mr. Kratzer has the capacity financially within the existing Budget to accommodate this.

It was noted a Motion was not required at this time, and Mr. McCartney withdrew his Motion.

It was the consensus of the Board to direct Mr. Attara to move forward.

Mr. Grenier asked about the Contract between the Township and Spirt, and he asked if there is a defined term that needs to be looked at soon. Mr. Kratzer stated there is an automatic renewal; however, he does not have the details on this tonight. Mr. Truelove stated he can look into that. Mr. Attara stated he believes that there are two more years on the auto-renewal.

Ms. Blundi stated during the Budget process, she will be asking about pollinators during the Golf Course discussion. Ms. Blundi stated she had a very nice meal at the Golf Course Friday night, and people should go and eat at the Golf Course.

Discussion Re: 2024 Budget

Mr. Kratzer stated he distributed to the Board a proposed 2024 calendar. He stated the proposed workshops are on October 25 and November 8. He asked that the Board review their schedules to see if those dates work. Mr. Kratzer stated his goal is to get the information to the Board by October 20, hold the two workshops, have a presentation of the Preliminary Budget on November 15, authorize to make it available for public inspection for a twenty-day period, and have a potential adoption at the Board's December 6. He stated there is a second meeting in December in the event that it is necessary so the schedule as proposed provides some flexibility.

Mr. Grenier stated he assumes the Budget workshops would be public sessions, and Mr. Kratzer agreed adding that they would be required to be advertised.

SOLICITOR'S REPORT

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

ZONING HEARING BOARD MATTERS

Mr. Truelove stated as previously discussed by the Board of Supervisors, the Board has requested that the Zoning Hearing Board Applications be modified with respect specifically to impervious surface ratio calculations that not only

have the Table provided to show Applicants how they can make the changes, but also for the Applicants to affirmatively present some type of information in their Application that they are attempting some type of stormwater mitigation to bring the impervious surface ratio from the amount that is created by the new Application back to the limit that is under the applicable Ordinance.

Mr. Majewski stated we are revising the form to have that on there going forward.

Mr. Grenier stated it should be on-line and on the form that the Application will not be accepted until that portion is filled out.

With regard to Appeal #Z-23-2025 Steve Bohn for the property located at 1333 Revere Road, Yardley, PA 19067, Tax Parcel #20-058-069 Variance from Township Zoning Ordinance #200-22 for a rear yard setback of 44'6" where 50' is otherwise required and Township Zoning Ordinance #200-23B which would increase the impervious surface from the existing 21.6% to 24.4% where 18% is the allowable amount in order to construct a 475 square foot addition it was agreed to leave the matter to the Zoning Hearing Board.

With regard to Appeal #Z-23-2026 Danielle Hanak for the property located at 1536 Edgewood Road, Yardley, PA 19067, Tax Parcel #200-021-019 Variance from Township Zoning Ordinance #200-69.A(14)(a) in order to construct a pole barn with the maximum height of 17' where 15' is allowable in addition to placing the pole barn not in the fourth of the lot furthest from the road it was agreed to leave the matter to the Zoning Hearing Board.

With regard to Appeal #Z-23-2027 Richard Brogna for the property located at 901 Sensor Road, Yardley, PA 19067, Tax Parcel #20-037-115 Variance from Township Zoning Ordinance #200-69.A(14)(a) in order to construct a shed that is placed 16' from the side yard and 4' from the rear yard where 10' is required and Township Zoning Ordinance #200-23B which would increase the impervious surface from the existing 20.3% to 20.9% where 18% is the allowable amount, Mr. Grenier moved, Mr. Lewis seconded and it was unanimously carried that the Township participate.

COMMUNITY DEVELOPMENT

Approve Certificate of Appropriateness for 732 Stony Hill Road Building #3 – Penn Valley Community Bank Signs and Painting

Mr. Majewski stated they are changing some of the color scheme for their doors, awnings, and signs from a white color to dark blue. He stated this was recommended by HARB for approval.

Mr. Grenier moved and Mr. McCartney seconded to approve the Certificate of Appropriateness for 732 Stony Hill Road Building #3 – Penn Valley Community Bank signs and painting.

Mr. Lewis stated he has a business account at Penn Valley Community Bank, and he asked if it would be best that he abstain. Mr. Truelove stated he does not need to do that legally.

Motion carried unanimously.

Approve Certificate of Appropriateness for 1648 Yardley-Langhorne Road – Milestone Behavioral Health Sign

Mr. Majewski stated they are replacing a sign in front of the property, and this was recommended for approval by HARB.

Mr. McCartney moved and Mr. Lewis seconded to approve the Certificate of Appropriateness for 1648 Yardley-Langhorne Road – Milestone Behavioral Health sign.

Mr. Grenier stated they were provided a sketch as opposed to renderings. He asked if it is going to be a white sign with white wood posts, and Mr. Majewski stated he believes that is the color scheme. He stated this was reviewed by HARB over the course of two meetings. Ms. Blundi stated it is a white sign with black writing and a yellow center of a daisy.

Motion carried unanimously.

SUPERVISORS REPORTS

Ms. Blundi asked that the residents follow along with what is going on at the Ad Hoc Property Committee. She stated it is expected that their report with recommendations will be before the Board of Supervisors soon. She stated it is important that the residents have the opportunity to be heard.

Mr. Lewis stated the Disability Advisory Board as two openings, and he encouraged those interested to apply. He stated that Board reviews projects for accessibility and generally helps with issues for those in the community. He stated the Disability Advisory Board will have members available at a booth at Community Day if anyone has questions. He stated those from the Bucks County Center for Independent Living will be there as well. Mr. Lewis thanked the Historical Commission for the presentation on the work being done at Slate Hill Cemetery. He stated Chief Coluzzi advised that we will soon be reviewing the scans that were done.

Mr. Grenier stated the Planning Commission met and reviewed the Site Plan for The Point (the Ishmael House and the Danny Quill House). There were no recommendations made at that meeting, although there were several comments with regard to “tweaks” to the Plans. He stated it is likely that an Extension will be needed, and he anticipates that the Plan will come before the Board of Supervisors in late September/early October.

Mr. Grenier asked Mr. Kratzer to speak to a program related to the EAC. Mr. Kratzer stated that the Township went through a Certification Program through Sustainable Pennsylvania. He stated at a previous meeting, the Board of Supervisors passed a Resolution authorizing the Township’s participation. Mr. Kratzer stated we have gone through the process and achieved Bronze Certification. He stated the program evaluates a community’s organizational, environmental, and financial sustainability evaluating the organization from a best-practices standpoint. Mr. Kratzer stated one of the benefits of the Program is that it provides us with a framework of best practices to consider as we move forward. He thanked the EAC and the Boards that have been involved which initiated these efforts in the past that enabled the Township to meet the requirements. He thanked Mr. Majewski and Mr. McLoone who took us through the process. Mr. Grenier stated he is very proud of this, and he feels any way we can improve, he feels that we would be happy to do whatever we can to get the additional Certifications. He thanked Mr. Kratzer as well.

APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Lewis moved, Mr. Grenier seconded and it was unanimously carried to reappoint the following:

Alan Dresser – Environmental Advisory Council
James Bray – Environmental Advisory Council
Adrian Costello – Planning Commission
Anthony Bush – Planning Commission

PUBLIC COMMENT

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

There being no further business, the meeting was adjourned at 10:20 p.m.

Respectfully Submitted,



John B. Lewis, Secretary

