

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – FEBRUARY 7, 2024

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on February 7, 2024. Mr. Lewis called the meeting to order at 8:05 p.m. and called the Roll.

Those present:

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

Others: David W. Kratzer, Jr., Township Manager
 David Truelove, Township Solicitor
 Isaac Kessler, Township Engineer
 Kenneth Coluzzi, Chief of Police

COMMUNITY ANNOUNCEMENTS

Mr. Lewis stated during this portion of the Agenda residents and youth organizations may call in to make a special announcement or may contact the Township at admin@lmt.org to request a special announcement be added to the Agenda. There was no one wishing to make a special announcement at this time.

Mr. Lewis stated the Parks and Recreation Department is hiring for all seasonal summer positions, including Pool, Summer Camp, and field maintenance. To apply, please visit www.lmt.org. He stated there is a Zoom call for those interested in working at the Pool.

Mr. Lewis stated Registration for the Pool at LMT opened on January 29th; and the first 1,000 full-paying adults will receive a guest pass. To register go to www.lmt.org.

Mr. Lewis stated Lower Makefield Township will be hosting a Blood Drive for the Red Cross on Friday, February 23, 2024 from 12:00 p.m. to 5:00 p.m. in the meeting room at the Township Building. To sign up or get more information log

onto RedCrossBlood.org and enter Sponsor Code: LowerMakefield. Mr. Lewis stated there is a blood shortage; and he stated those who can give blood are strongly encouraged to do so.

Mr. Lewis stated the Parks and Recreation Department and the Macclesfield Field Park Steering Committee will host a Macclesfield Park Open House on March 26, 2024 (changed from the previously-reported date of February 21, 2024), from 6:30 p.m. to 8:30 p.m. at the Community Center. The format will be presentation style followed by the opportunity to visit themed stations. After the presentation, a video will be posted to the Zencity Project page where residents can watch the video and engage with different parts of the proposal.

Ms. Blundi stated the Girls Scouts are out selling cookies, and she asked that the residents support these young ladies.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Ms. April Bollwager-Cloer stated she is a Township resident. She stated Mr. Majewski was working with families and residents about PEMA and FEMA assistance, and she asked for an update. Mr. Kratzer stated he understands that there was a solicitation for those who may have an interest in being Applicants; however, he is not sure that there was anyone from the neighborhood who expressed an interest. Ms. Cloer stated she sent her past FEMA information and was wondering what the next steps were as they did not get an update whether they should try to “crowd source it.” Mr. Kratzer stated he will discuss this with Mr. Majewski.

APPROVAL OF MINUTES FOR JANUARY 17, 2024 MEETING

Mr. McCartney moved, Mr. Grenier seconded and it was unanimously carried to approve the Minutes of January 17, 2024 as written.

PARKS AND RECREATION

Authorize Release of an RFP for Food Concessions at the Pool at LMT

Mr. McCartney moved and Mr. Grenier seconded to authorize the release of an RFP for Food Concessions at the Pool at LMT.

Ms. Tierney stated the vendor at the Pool has been there for about five years, and the Contract is now up. She stated we are putting this out for proposals at this time. She stated some things have been modified in the Agreement, and it is stated that we would have to approve their food pricing; although with the volatile market, she feels it would be more prudent for the vendor to approve their rates.

Mr. Kratzer stated this will be for the years 2024, 2025, and 2026; and consistent with the form of the prior Agreement, it also provides for two option years as well for 2027 and 2028 that could be exercised at the discretion of the Township. Mr. Kratzer stated the document that the Board was provided shows an outline of the scope of service, establishes an annual rental fee for consideration so that the Bidders will be aware of that as they are looking at this opportunity, and it also provides a mechanism for subsequent year adjustments to that fee based on inflation as measured by the Consumer Price Index. Mr. Kratzer stated the form of the Agreement is generally consistent with the form that was used previously with some slight modifications.

Motion carried unanimously.

PUBLIC WORKS

Approval of the Purchase of a Public Works Digital Repeater Radio System Upgrade in the Amount of \$49,392.00 (\$50,000 was allocated in the adopted 2024 Budget)

Mr. Fuller was present.

Mr. McCartney moved, Ms. Blundi seconded and it was unanimously carried to approve the purchase of a Public Works digital repeater radio system upgrade in the amount of \$49,392.00.

ENGINEER'S REPORT

General Project Updates

Mr. Kessler stated with regard to the site restoration at Maplevale Drive, the Township had submitted and received approval for an Emergency Permit when that first needed to be addressed. Following that was the General Permit with DEP which is the longer-term Permit for the work that was done, and that was submitted to the DEP on January 19,. He stated we were advised today that the Permit has been approved and there are no comments to address.

Mr. Kessler stated with regard to the stream work on either side of Taylorsville, DEP wanted the Township to look at where the wetland limits were and where some of the gravel bar obstructions might be in the stream. Mr. Kessler stated we have done that in the field, and are finishing up the Exhibit Plan and Report that shows where the limits are. He stated the Township will have that information moving forward with projects and enable the Township to move into plans for more longer-term permanent fixes to the stormwater in that area. He stated any projects identified will be coming before the Township to be considered.

Mr. Kessler stated with regard to the Highland Drive project for the portion that comes down to Taylorsville, the effort currently is working closely with PA American Water and PECO Gas who both have underground lines that go where the culvert is under the stream; and having those relocated is part of this project. Mr. Kessler stated PA American Water and PECO submit to DEP as well. He stated packaging that all together will save time. Mr. Kessler stated he expects the full package to be completed in February so that it can go to DEP. He stated we will go out to Bid shortly after there is an approved Permit. He stated their Permitting usually takes about a month, and we are looking at going out to Bid in April with construction after Bids are received and approved by the Board in early summer. Mr. Kessler stated he will provide further updates on this.

Mr. Kessler stated with regard to the South Drive Culvert Project, that project has been closed out. He stated this project benefits the neighborhood and replaced a culvert that was in much need of repair. He stated the total cost of the project was about \$258,000. Mr. Kessler stated the project was well received in the neighborhood.

Mr. Grenier asked which GP was issued for Maplevale today, and Mr. Kessler stated he will provide that. Mr. Grenier stated if it is an 11, we may have some ability to do on-going maintenance over time.

Mr. Grenier noted the stream and wetland delineation work that was done, and he stated some of the notes discussed separate GP3s. He asked Mr. Kessler if he is anticipating having to apply for a GP3 to clean out the gravel bars and do some other work or is the plan to wait until something is received from Land Studies. Mr. Kessler stated the work that LandStudies is doing identified that area of the stream with the gravel bars not benefitting from clearing out too much in that area, and they want to see how everything is intertwined; and they do not want to allow all of the water to come through too fast. He stated at this time, we expect a pause after the information is gathered; and we will consider in the future if that is one of the directions to go in the future to get Permitting or perhaps another direction depending on what is identified as a beneficial project.

Mr. Grenier noted the Highland Drive project, and stated both PA Water and PECO would be issued a GP5 for their work. He stated we would get a GP11, and Mr. Kessler agreed. Mr. Kessler stated it would be packaged together to DEP so that they can see the project all at once. Mr. Grenier asked if PA Water and PECO will provide their own drawings which we will append, and Mr. Kessler stated we are meeting with them regularly to see exactly where their lines are going so that it can all be on one Plan set. Mr. Grenier stated we are not doing their design work, and Mr. Kessler agreed. Mr. Grenier stated all of the GPs come with a different fee for the number of crossings, and he wants to make sure that PA American and PECO are paying for their GP5 crossing fees; and Mr. Kessler stated we are coordinating that as well. Mr. Kessler stated PA Water and PECO Gas use their own contractors, so that will not be part of the contract documents the Township will be awarding.

Mr. Grenier asked for an update on Woodside Road. Mr. Kessler stated we have heard from PECO and Verizon that they are still on track to do the pole relocation in the winter. The asphalt and trail work will be done when the weather warms up after the poles are relocated.

Mr. Grenier asked for an update on the Road Program. Mr. Kessler stated this is on the Agenda under the Manager's Report. Mr. Grenier stated he understands that is for Remington & Vernick to provide services, but the Board wants to get it advertised. Mr. Kessler stated they have been

coordinating with Public Works and Park & Rec since one of the Alternates is to resurface and improve the trail on Oxford Valley between Heacock and Dobry as well as some additional road Alternates. Mr. Kessler stated they anticipate that the request for authorization to Bid the project will be before the Board at their next meeting on February 21. He stated following that, they would look to advertise the end of February, and to open Bids by the end of March. He stated they anticipate the recommendation to award the Road Program to be before the Board at their meeting on April 3.

Mr. Grenier stated based on the report received as a result of the soil testing at Patterson Farm, it seems that we are at the end of the testing and will be able to consider moving forward with some remedial action. Mr. Kessler stated the testing has been completed, and the report has been provided to the Township staff with recommendations included.

Mr. Lewis asked Mr. Kessler if he plans to update the detailed project plan for Maplevalle and make it available to the community with all of the work that has been done to date, and Mr. Kessler stated they will do that update and provide it to the staff within the next week.

Mr. Lewis asked what was the final Budget versus actual for the South Drive culvert. Mr. Kessler stated the final Contract value was \$258,698.61; and the original Contract value was \$176,568. He added that the original Contract did not include some of the coordination unloading work and some of the work associated with their final culvert design.

MANAGER'S REPORT

Approve Authorization to Advertise an Ordinance Amending the Definition of Open Space Within the Zoning and Subdivision and Land Development Ordinances

Mr. Kratzer stated this is a change in definition from a prior Amendment to the Zoning Ordinance and Subdivision and Land Development Ordinance that the Township enacted in August, 2023. He stated the major change in terms of the definition is excluding recreational facilities, courts, pool facilities, paved trails, and other developed recreational structures that contain impervious surface. He stated those would be excluded from the area that would count toward an Applicant's obligation under the Open Space Ordinance. He stated the Planning Commission has recommended

adoption of this Ordinance in its current form as has the Bucks County Planning Commission. Mr. Kratzer stated the definition was reviewed and edited slightly by the EAC as well.

Mr. McCartney moved and Mr. Ross seconded to authorize to advertise an Ordinance amending the definition of Open Space within the Zoning and Sub-division and Land Development Ordinances.

Ms. Blundi asked if this has gone through the review process reaching out to the Committees for their input. Mr. Kratzer stated it has. He stated the Planning Commission is required to provide input as is the County Planning Commission, and they have both done that. Mr. Kratzer stated we also took the extra step of engaging the EAC, and they reviewed it and made a recommendation. Ms. Blundi asked if Zoning needs to weigh in, and Mr. Kratzer stated they are not required to review this; and while they are required to interpret/enforce the Zoning Ordinance, they are not necessarily required to legislate its provisions.

Mr. Grenier stated the concept behind this definition change is to address some questions that have come up and clarify some items as it relates to open space requirements for developers and other entities when referencing the definition of open space within our Ordinances. He stated this is an attempt to provide clear direction in terms of what would be considered open space for future development. He stated it does remove some recreational facilities from the definition of open space; and while that does not mean that we do not want them to do recreational facilities within developments as that is a key component of any development, it is to more-clearly define what open space is and recreational facilities would be defined separately, and they could pursue that separately.

Mr. Grenier stated the one piece that is not included that was discussed in earlier versions was in the “EG Section,” and at the EAC level there was a lot of discussion about removing ballfields as well as courts and “everything else that is removed there.” He stated the way ballfields are managed, they are not necessarily managed as open space, and there are “lots of treatments that go on” such as mowing, sometimes fencing, and sometimes restricted uses.

Mr. Grenier asked for a “friendly Amendment to add under the Section in parenthesis where it says EG pool facilities, etc. etc. if ballfields would also be considered.” Mr. Truelove asked if that would go after “paved trails,” and Mr. Grenier stated it could be anywhere within the parenthesis.

Ms. Blundi asked if it would just be ballfields, as she is thinking of something that would not involve a ball such as a Frisbee. Mr. Grenier stated “sports fields” would be more generic. Mr. Grenier stated he is not saying that the developers would not be able to provide those, but it would be in a different context. Mr. Truelove stated he understands that the developers should not get credit for that, and Mr. Grenier agreed.

Mr. McCartney asked Mr. Grenier why he wants that specific language in there and what is he trying to avoid. Mr. Grenier stated the open space generally is looking to promote resource-protected lands, open space with additional trees and things of that nature, providing passive recreation, habitat, as well as other things more toward walking, hiking, forested areas, and more naturalized areas versus active recreation. He stated pools, basketball courts, and tennis courts are clearly not open space although they are “nice benefits” to have in any development; but he would not consider them to be open space. He stated sports fields fall within that same concept as they are active space, and “you will not plant a tree in the middle of a baseball diamond.” Mr. Grenier stated he agrees those uses provide a great benefit to the community where they are, but it is to clarify the open space.

Ms. Blundi stated to the extent that a developer would get credit for open space, the space has to be natural; and it cannot be any of the things listed in the EG – courts, pools, paved trails. She stated if they leave it wooded or allow it to become wooded, that would be considered open space. Mr. Grenier stated they could still have a park-like setting with trails. Ms. Blundi stated they could have trails but not paved trails, and the handicapped could not go on them. Mr. Grenier stated pavement is not the only “ADA-friendly cover type.”

Ms. Blundi stated with her past experience with a park agency they had a number of different terms they used when they were trying to talk about undeveloped space. She stated in the Township there are little parcels of land that sometimes have placards on them that it is open space, and they are woods or a lot that has become overgrown, and can become dumping grounds; and the Township then needs to maintain or marshal what is going on at these pieces of property. She asked if we are encouraging developers to have open space which means woods or grass but not something that would be focused, intentional recreational activities.

Mr. Grenier stated he does not believe that is correct, and he feels that we want both. He stated he wants to make sure it is clear what is considered open space, and we may need a new definition in our Ordinance that talks

about recreational space. Mr. Kratzer stated the term “recreational facilities” is used in the MPC specifically, and it is within the context of a developer providing recreational lands or construction on those recreational lands. He stated he and Mr. Truelove do not feel this is a substantive change; and it is just enumerating examples of what a recreational facility is. He stated there is still the requirement as it relates to a dedication of park land in the Subdivision and Land Development Ordinance independent of this open space requirement. He stated Mr. Grenier is creating a further distinction between what counts as open space.

Mr. McCartney asked if we could say specifically “pervious recreational space.” Mr. Kratzer stated he understood the focus on impervious surface was because the initial concern that was expressed was about having impervious surface within these areas that people were claiming as being open space. Mr. McCartney stated he feels by using “pervious open space,” it would have to remain green open space versus hard courts, asphalt, etc. Mr. Kratzer stated he believes that Mr. Grenier is trying to create a distinction between recreational lands and open space. He stated while both are required, most developers on the recreational side to meet the requirements do Fee-In-Lieu of the dedication of land; and those requirements still exist. Mr. Kratzer stated he does not feel Mr. Grenier is opposed to someone throwing a Frisbee on an open lawn; but if there is a structured field, even if it is pervious, that should not count. Mr. Grenier agreed. He particularly noted a baseball field with base lines, dirt, bases, and a mound would not be open space. Ms. Blundi asked about Frisbee golf, and Mr. Grenier stated that is often put in the woods.

Mr. Grenier stated he feels the term should be “sports fields.” He stated it would also make it easier to hold a developer accountable for providing open space as well as recreational lands so that it is clear “that you cannot double dip” by providing open space when it is actually recreational space. He stated we want them to have to do both per our Ordinances, and this helps to define that better.

Ms. Blundi asked if this results in developers doing both or does it result in them saying that it is “cheaper to leave the trees there and not offer.” Mr. Grenier stated they still have to do recreational space as that is part of our Ordinance, although we do have the recreational Fee-In-Lieu. He stated they have to do that separate from open space, and we are trying to define that.

Mr. McCartney asked what is felt the feedback would be. He asked if it would be favorable or neutral for the developers. He asked what the obstacles would be from a development standpoint. Mr. Kratzer stated he believes that Mr. Grenier is trying to clarify the definition to make it less likely that someone will try to claim that they are meeting both the open space requirements and the Park & Rec requirements. He stated by enumerating these things, it creates an additional distinction. He stated the intent of the Legislation that the Board did adopt was not to have them take credit for things that they already have an obligation to do, and for them to provide over and above what the base requirements are. He stated he feels what is proposed is consistent with the original intent as he understood it.

Mr. Truelove stated he feels this just extends the examples for credit purposes, and he does not feel it is substantive in that regard and follows with some of the other examples. He stated if it is decided to add this to the Ordinance to advertise tonight it could be advertised without having to go back to the Planning Commission for further review on that one issue.

Mr. McCartney moved to amend the motion to delineate between open space and recreational space and where it enumerates courts, pool facilities, paved trails to add “athletic fields.” Mr. Ross agreed to second the Motion.

Motion carried with Ms. Blundi opposed.

Approve Proposal from Remington and Vernick for Engineering Services Relating to the 2024 Road Program (consistent with the adopted 2024 Budget)

Mr. Kratzer stated the proposal provides a not-to-exceed cost of \$80,000, and that is consistent with the figure that was contemplated as part of the Budget adopted for 2024. He added that the scope of services is generally consistent with those that RV has performed on behalf of the Township in prior years. He stated the pricing is slightly down in 2024 compared to 2023 as the price in 2023 was \$81,150.

Mr. Grenier moved and Mr. Ross seconded to approve the proposal from Remington and Vernick for engineering services relating to the 2024 Road Program.

Mr. Grenier stated while he understands Remington and Vernick has done this in years past, given the dollar value is there a reason to not RFP this given the size and scope. Mr. Kratzer stated it would be timing at this point.

Mr. Grenier stated for larger projects like this, there may be different roles for a Township engineer versus an outside firm. Mr. Kratzer stated there is no design work that is contemplated as part of this, and it is re-surfacing of roadways and largely related to Contract administration, Bid administration, construction observations, and processing payments. Mr. Kessler stated there is Plan preparation of the Bid package that goes out and coordination with the Township staff as to which roads as well as coordination with utilities. He stated with regard to QAQC, they have procedures. He stated this also utilizes PennDOT liquid fuels for the roads, and the Bid package goes to PennDOT as well. Mr. Kessler stated there is construction inspection to insure the contractor is following all of the specifications and requirements of the Township.

Mr. Grenier stated this is not really design work, and it is more administration. He noted Phase 4 – Mapping – with a line item of \$9,500 to do an updated Township road map; and he asked for a further explanation. Mr. Kessler stated the current Township road map “has a lot to be desired;” including missing some of the roads. He stated they are looking to significantly improve that, and that can be done by utilizing GIS software and CAD to make a lot of useful upgrades without investing a lot of time in terms of re-doing a map. He stated this is not something that is required for the Bid package for the contractors to pave roads and do ramps. He stated it is identified for the 2024 year, and it will be a tool to help with future Road Program planning with a visual exhibit and a tool for the Township to use going forward.

Mr. Grenier stated the scope of the deliverable is vague. He stated GIS is a database software and making a Township road map is not a \$9,500 item as most of that data is available publicly through many programs. Mr. Kessler stated the bigger effort outside of the mapping data is to historically gather the age of the roads and when they have been paved, and that goes on the map. Mr. Grenier stated that is a useful tool.

Mr. Grenier asked if Mr. Majewski has indicated what he wants for a deliverable there. Mr. Kratzer stated he has not specifically offered any comment on that aspect. Mr. Kessler stated they have been working with Mr. Fuller and Public Works as it is a tool that they would have the most benefit from. Mr. Grenier asked if we have GIS software for our staff to use, and Mr. Kratzer stated we do. Mr. Grenier stated he wants to make sure that we are not spending \$9,500 for something that we cannot use; and Mr. Kessler stated it can be used and can also be built upon. Mr. Fuller stated there has not been great record keeping throughout the years; and working with Mr. Kessler they are trying to gather the

data from the prior years, and put all of that into one concise location. He stated looking at prior years, maps were generated showing roads were not done because they might have been Bid Alternates, but they were still highlighted as having been done. He stated historic maps that we had were not correct, and we are trying to correct all of that. He added that they also want to make sure that the State is on the same page so that we are getting the most amount of money from our liquid fuels allocations so that as developments get dedicated, we need to apply to PennDOT for liquid fuels funding for those roads; and we are trying to make sure our liquid fuels map with PennDOT is up-to-date since our records indicate that the last one was 2018, and we have taken roads since then. Mr. Grenier stated that does have a true benefit to the Township.

Mr. Kessler stated the goal is to catch up with all of the information and have it all in one place this year; and they can do that within the Budget total of the Road Program all together. He stated in years to come it should be just more of an update.

Mr. Grenier stated oftentimes when there are GIS databases, they are also Web maps, and we could put it up on a Website. Mr. Fuller stated they need to get the data first. Mr. Lewis asked if there will be a KLM file, and Mr. Fuller agreed.

Motion carried with Ms. Blundi opposed.

Acceptance of a Proposal to Update the Township's Stormwater Management Ordinance

Mr. Kratzer stated that an RFP was issued, and two proposals were received. He stated we went through an interview process, and the staff is recommending that the Township engage HRG.

Mr. Ross moved and Mr. Grenier seconded to accept the proposal of HRG to update the Township's Stormwater Management Ordinance.

Mr. Grenier stated he saw some things on social media talking about this item on the Agenda, and he feels that people are getting confused. He stated the purpose of this is to review our Stormwater Ordinance to see where we can make it better with regard to design parameters and other options we might have for future developments to improve stormwater management, and this has nothing to do with the concept of a Stormwater Fee. He stated it is design driven tied to our SALDO. He stated it could change definitions and

recommend some better design alternatives. He stated historically we have done Low-Impact Development Ordinances, and Green Infrastructure and Green Building Ordinances; and we are now Sustainable PA Certified. He stated there are a lot of things we can tie together to improve our Stormwater Ordinances moving forward. He stated our Ordinances are currently better than the State requires, but we want to see if we can do even better than that. He stated stormwater “has been a big deal this year,” and we want to move forward and see how we can do even better.

Motion carried unanimously.

Mr. Kratzer stated the process from start to finish is contemplated to take about ten months.

Approve Authorizing Execution of Change Order #2 to the LandStudies Scope of Work

Mr. Kratzer stated at a prior meeting there was discussion about doing some two-dimensional, hydro-dynamic modeling that would be of benefit for purposes of proceeding into construction of some of the improvements that were contemplated as part of the macro study that was done. He stated this proposal also does some additional sub-surface investigation using Geoprobes. He stated discussion involved the potential of constructing stormwater basins on the parcels owned by the Township north and south of Maplevale. He stated we are trying to understand the depth of where infiltration is occurring which would be helpful when we are having discussions with DCNR as it relates to required discharges from those basins if we were to proceed with construction. He stated this is building on the work that LandStudies had previously done putting us closer to having the information in order to proceed with construction with some of the contemplated improvements. Mr. Kratzer stated the Change Order amount is \$36,700.

Mr. Grenier moved and Ms. Blundi seconded to approve authorizing execution of Change Order #2 to the LandStudies scope of work.

Mr. Grenier stated Task 3 is the use of the Geoprobes, and he assumes they will provide a comprehensive Health and Safety Plan for the Geoprobe contractor. He stated there are requirements for site restoration if they “tear up the place as sometimes happens with Geoprobes in the wetter areas.” Mr. Kratzer stated while he assumes so, he will clarify that.

Mr. Grenier asked if it is track-mounted; and Mr. Fuller stated while he cannot recall the vendor they are using, he believes it was a small track-mounted vehicle. He stated he believes they have chosen the vendor best suited to access the site as it is tight. Mr. Grenier asked if any tree clearing is required; and Mr. Fuller stated he does not believe so, and they will work around what is there. Mr. Grenier stated they could go through some brush, and Mr. Fuller agreed. He added that while he will clarify, he assumes the goal is not to remove any large trees. Mr. Grenier stated he will not be doing any work in the wetlands, and Mr. Fuller stated he will not.

Mr. Grenier asked if Task 4 is included in the Change Order, and Mr. Kratzer stated it is. Mr. Grenier asked if they will be flying LiDAR for the whole watershed, and Mr. Fuller agreed. He added that he believes he is trying to perform the “H and H” and try to get elevations from that. He wanted to get contour elevations that were more up-to-date and accurate and get flow data from there. Mr. Grenier asked if the Township will also get that data for its records, and Mr. Fuller stated we can ask to receive that since we paid for it. Mr. Grenier stated that would be very useful. Mr. Grenier asked about the time this will take, and Mr. Kratzer stated he feels this will take three days. Mr. Grenier asked if access is all through public land; and Mr. Fuller stated for the two parcels, we can gain access from Township land.

Motion carried unanimously.

Approval of Ratification and Confirmation of the Township Manager’s Acceptance of the Proposal from Zelenkofske Axelrod for Accounting Services

Ms. Blundi moved and Mr. Grenier seconded to approve ratification and confirmation of the Township Manager’s acceptance of the proposal from Zelenkofske and Axelrod for accounting services.

Mr. Kratzer stated about twenty-two hours have been spent to date at a cost of just under \$6,000. He stated this relates to the 2022 year, and most of the activities related to entries relative to the Sanitary Sewer sale and the associated pay-off of debt that occurred after that. He stated there were some entries that needed to be made there that were not made. He stated the rest of the work done is related to the Golf Fund, and there is a lot of external data that is coming from a third-party operator, and they are reconciling that information at this point. Mr. Kratzer stated Ms. Vogel is in the process of making those entries now; and once those entries are made, they will see how things are

looking from a cash-reconciliation standpoint, and that will determine the next steps. He stated consistent with the direction that the Board had previously provided, he has asked for regular communication from Z & A about the amount of time that is being spent and a monetary threshold has been established where we need to pause.

Ms. Blundi asked if it is known if they are half way done the work that needs to be done. Mr. Kratzer stated he asked them that question, and they stated that depends on how things look from a cash standpoint after the entries are made, so they were not able to say definitively if they were half way done or not. Mr. Grenier asked if we will get regular updates on what percentage they feel that they are done as they move forward, and Mr. Kratzer stated he has asked them for that.

Motion carried unanimously.

Discussion and Tabling of Addendum to the Animal Control Services Agreement to Reflect 2024 Costs (consistent with the adopted 2024 Budget)

Mr. Lewis stated he believes that there is a drafting error, and he is asking for a Motion to Table at this time.

Mr. McCartney moved, Ms. Blundi seconded and it was unanimously carried to Table.

Mr. Lewis stated the Board reviewed the Contract in Executive Session, and this is to make sure that the person who is the Animal Control Officer receives their 2024 Budgeted amount and the authorization to do so. He added that at the time we realized that we cannot find the 2018 Agreement, and we have to double check that. He stated once that is done, we can finalize the Agreement.

Ms. Jamie Fazzalore, Township resident, stated they have all of the other ones but not 2018; and Mr. Lewis agreed. He stated the person who might have the 2018 Agreement could provide it. Ms. Fazzalore stated there were Agreements for fourteen years, and she asked if it matters that they do not have 2018; and Mr. Lewis stated the one from 2018 “was the one in between that we believe the last Agreement was.” He added that as we continue to work on our finance function, we want to make sure that all payments have a corresponding Agreement and that that Agreement matches the payment amount. He stated in

this particular case, the Agreement would only codify what was passed in the 2024 Budget; and the intent is to structure the payments so that they match the 2024 Budgeted amount.

Ms. Fazzalore asked when this will be rectified; and Mr. Lewis stated while he does not have a specific date, they will be looking to get this done quickly. He stated the Board and Township Manager's consensus was that payments would continue at the 2023 level so that there would be no interruption; and once the issue with 2024 is resolved, the fix would be done so that it would be made whole.

Motion carried unanimously.

General Updates – RFP for Solicitor (due 2/19/24), RFP for Auditor (due 2/19/24), Employee Handbook, Foreclosed and Vacant Property Registration and Maintenance Ordinance, Special Events Ordinance, and Tree Bank Ordinance

Mr. Kratzer stated consistent with the Board's direction RFPs have been issued for Township solicitor and Township auditor, and those are due on February 19. He stated the Employee Handbook has been worked on over the course of the last couple of years, and Mr. Truelove's firm is in the process of taking a document Mr. Kratzer had prepared and a document that Mr. Truelove's firm had prepared and consolidating them; and they will hopefully be in a position to present a final document to the Board of Supervisors' review.

Mr. Kratzer stated with regard to an Ordinance being worked on for Foreclosed and Vacant Property Registration and Maintenance, an Ordinance covering Special Events, and an update to the Tree Bank Ordinance, which is a provision within the Township's Subdivision and Land Development Ordinance, he expects that final drafts will be available shortly and will be on either the Board's next Agenda or the subsequent Agenda.

Ms. Blundi stated she felt we were going to look into our Commercial Sign Ordinance again. She stated a number of years ago there was a rule that signs had to be back-lit, and since then we have allowed for different types of signs. She suggested that we look at that again given some of the development going on. Mr. Kratzer stated he did speak to Mr. Majewski about this, and he will see where he is on that.

Mr. Lewis stated with regard to the Foreclosed and Vacant Property Registration and Maintenance Ordinance, he knows that there are a number of people on the 1500 block of Brookfield Drive who are very interested in this, and we are continuing to work on this. Mr. Kratzer stated Mr. Kirk will be reaching out to those people. Mr. Lewis stated Mr. Kirk has done excellent work in this area, and he has been keeping up on enforcing our existing Ordinances to protect local residents and will continue doing that.

SOLICITOR'S REPORT

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

ZONING HEARING BOARD MATTERS

With regard to Appeal #Z-24-2 Charles Pistorio for the property located at 183 Taylorsville Road, Washington Crossing, PA 18977, Tax Parcel #20-027-006 Variance request from Township Zoning Ordinance #200-198 to increase the impervious surface from the existing 14.9% to 26.98% where 18% is the allowable amount, and Township Zoning Ordinance #200-18 to decrease the side yard set-back to 10.14 feet where 25 feet is required in order to construct an attached garage, covered breezeway, and driveway addition, Mr. McCartney moved, Mr. Grenier seconded and it was unanimously carried to oppose.

With regard to Appeal #Z-24-4 Geoffrey Goll for the property located at 5 South Homestead Drive, Yardley, PA 19067, Tax Parcel #20-042-003 Variance request from Township Zoning Ordinance #200-23B to increase the impervious surface from the existing 18.8% to 19.6% where 18% is the allowable amount in order to construct a shed, flagstone patio, and expand the enclosed porch, Mr. Grenier moved, Mr. McCartney seconded and it was unanimously carried that the Township participate.

With regard to Appeal #Z-24-5 Buchler/Jolly for the property located at 6 Oak Avenue, Yardley, PA 19067, Tax Parcel #20-054-063 Variance request from Township Zoning Ordinance #200-23B to increase the impervious surface from the existing 20% to 21.9% where 18% is the allowable amount in order to install an in-ground, fiberglass pool with concrete pool decking, Mr. McCartney moved, Mr. Ross seconded and it was unanimously carried that the Township participate.

SUPERVISORS REPORTS

Mr. Lewis stated the Planning Commission met and reviewed the Open Space Ordinance definition in great detail.

Mr. Grenier stated residents who live near Farmland Preservation should be receiving a letter informing them of what occurs in the buffer. He stated the letter and some associated documents and images will also be posted on the Township Website and social media.

Ms. Blundi stated there will be a sign circulated to the Board of Supervisors as the Historic Commission is going to put up a sign at Slate Hill, and they are looking for insight and opinions on the two proposals. She thanked Mr. Majewski who was able to get an arborist to look at a tree at the Slate Hill Cemetery, and she understands that there are no immediate threats to safety based on its condition.

OTHER BUSINESS

Mr. Lewis stated the Ad Hoc Property Committee worked diligently to develop a Patterson Farm Master Plan. We are now at a time when we need to implement at least Phase 1 of that Plan; and to that end there will be a Resolution on the Board's Agenda of February 21 to create a Patterson Farm Master Plan Implementation Committee. He stated it is likely that four of the current members of the Ad Hoc Property Committee will continue on to provide continuity; however, as we develop this short-term Implementation Committee, we will need additional volunteers from the community. He asked those interested in serving to submit their resume to admin@lmt.org. Mr. Lewis stated the solicitor has been given guidance as to the Resolution, and he is drafting that Resolution.

APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. McCartney moved, Mr. Grenier seconded and it was unanimously carried to appoint Errin Hansen to the Golf Committee.

ADDITIONAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Ms. Lisa Tenney, 156 Pinnacle Circle, stated there is development going in on 1101 Big Oak Road. She stated Yardley Crest and the neighboring developments “did not like this going in.” She stated we are now inconvenienced, and the trucks are lined up blocking Elbow Lane. She stated there is a big crane lifting out huge trees “that everybody thinks is going to fall on their house.” She stated they are on Big Oak Road right in front of the “Elementary School blocking the middle lane/turning lane” to drop off their equipment.

Ms. Tenney stated there was great opposition in the neighborhood about this, and now “they are inconveniencing us as well as destroying the little woodlands that we appreciated as a neighborhood.” She asked the Board to work with the development and oversee “whatever they are doing,” and make sure they are doing it to the Township’s standard.

Ms. Tenney stated the Township should be “re-fitting the antiquated basins,” and the Township should consider “making Yardley Crest basin, which are larger than a football field, part of the retrofitting and put it first because we are wiping out five acres of woodlands.”

Mr. Lewis stated there are specific rules that developers have to abide by in the process.

Ms. Tenney stated the home of the neighbors downstream near Rock Run “are going to suffer.” She stated she “gave a whole lecture, but none of you were there; and in the future it will be your problem.” She stated she does “not know what standard you are working by because the Maplevale standards are not right.”

Mr. Kessler stated that for land developments that are approved by the Township, there are construction inspections with inspectors out there insuring that what was on the approved Plan is what they construct; and they will continue to be out there for that. He stated he appreciates Ms. Tenney bringing to their attention some issues she has had with taking materials in and out as they have not observed that when they were there, and they will follow up with the contractor to address that as soon as possible.

Mr. Lewis stated we have dealt with this in other developments and the Township engineers have been on site late at night dealing with light issues and noise in the morning, and we appreciate that.

Mr. Grenier stated for this particular development they had indicated that there were around 120 trees that they considered to be dead, dying, or hazard trees; and that number of trees being removed from a site may create “a visual and a number of truck movements” when removing that much material from a site. Mr. Grenier stated we need to make sure that they are doing that in a safe manner, and Mr. Kessler agreed.

There being no further business, the meeting was adjourned at 9:35 p.m.

Respectfully Submitted,

Suzanne Blundi, Secretary